

**MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE SALEM ARMORY KITCHEN IN SALEM SOUTH DAKOTA ON MONDAY, JULY 12, 2021, AT 6:00 P.M.**

Mayor Shawn English called the meeting to order with Council Members George Eichacker, Ron Mayrose, Doug Mokros, Mary Jo Heiberger, Marc Harris, and Mitchell Rayman present. Foreman Dustin Weber; Trent Bruce & Jacob Morris of DGR Engineering; Curtis Gessner, Brian Kremppes, Bryce Watkins, Richard Watkins, Jenifer Crisp, Nathaniel Schnee, Ed Kranz, Glenda Blindert, Sharon Kinzley, Ben Greenlee, Cori Kaufman, and Cody Sauers were also present.

Motions made were unanimous of Council members present unless roll call identifies otherwise.

Motion Harris, second Rayman, carried, to approve the minutes of June 7, 2021 & June 24, 2021, as written.

Motion Mayrose, second Rayman, carried, to approve the following reports: Finance report stating a balance of \$4,943,731.14 for all funds and includes all investments and cash on hand; sewer pumpage of 8,973,000 gallons; water pumpage of 6,380,000 gallons; and the bacteriology report is satisfactory.

Motion Eichacker, second Mokros, carried, to approve the police reports filed by the McCook County Sheriff Department.

No one was present for public comment (SDCL 1-12.1)

Ed Kranz was present to request a variance to build a 40' driveway approach as he is building a 16' addition onto his existing garage.

Motion Mayrose, second Mokros, carried, to approve the 16' addition to the driveway width (40' overall).

Motion Harris, second Rayman, carried, to approve the Foreman report presented by Foreman Weber.

Committee reports were given.

Motion Mokros, second Mayrose, carried, to accept the salary donation of \$2,000T from Jeremy Grady and apply to the Baseball Field turf balance. Thank you to Mr. Grady for his continued support of the summer recreation programs.

Motion Mokros, second Mayrose, carried, to approve the FY2022 contract with SD Dot for sweeping Hwy 81 setting cost of \$150.00 per hour.

Curtis Gessner and Brian Kremppes were present to discuss the radius on the NE & NW intersection of Idaho & Vermont. They are asking for both to be replaced due to severe pitting and lips present on the existing ramps. This is a high traffic area due to the St Mary's Church and Hall's use.

City engineers stated there is a significant lip on the NW handicap ramp and there would likely need to be sidewalk panels replaced to get the proper slope – which cost would be to the abutting property owner.

Motion Rayman, second Mokros, carried, to replace the radius on the NE & NW intersection of Idaho & Vermont. The City’s engineers will design the ramps and provide the property owners with their cost of the sidewalk replacement.

City engineers Trent Bruce and Jacob Morris provided the Council an update on projects.

The bids for the 2021 ST/SE Project were opening at 10:00 a.m. on Wednesday, July 7, 2021. The following bids were received:

**BID TAB: Salem 2021 Storm Sewer Improvements**

**Bid Opening: July 7, 2021 @ 10:00 a.m.**

<b>BIDDER</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>Engineer's Estimate</b>
COMPANY	H&W Contracting LLC	Hulstein Excavating	Menning Excavating Inc	
ADDRESS	3416 W Hovland Ave	147 175th Ave	25462 Cornerstone Ave	
CITY/ST/ZIP	Sioux Falls, SD 57107	Edgerton, MN 56128	Mitchell, SD 57301	
<b>TOTAL BID</b>	\$ 759,140.00	\$ 787,987.80	\$ 864,657.00	\$ 745,000.00
Addendums Rec'd	YES	YES	YES	
Bid Bond/Check	10% Bid Bond	10% Bid Bond	10% Bid Bond	

Bruce stated H&W Contracting LLC of Sioux Falls, SD was the low bidder at \$759,140.00 and has performed this type of work previously and they have been a responsive and responsible contractor capable of performing the type of work under this contract.

Motion Mokros, second Mayrose, carried, to award the 2021 ST/SE Project to the low bidder H&W Contracting for the bid of \$759,140.00 contingent upon receipt of all Contract Documents in proper form and funding agency approval. The County’s portion of the contract is \$118,798.00.

Storm Sewer Project funding was discussed. SD DANR awarded the city of Salem a \$847,000 CWSRF loan at 2.125% for 30 years. A \$5.30 surcharge for all users would be required to repay the loan. The County would be billed for their share throughout the pay request process.

The 2021 Hollister project was discussed.

Motion Eichacker, second Harris, carried, to table the decision on the CWSRF & DWSRF loans until the October meeting.

Annual specification and construction agreement for both 2021 Asphalt Patching and Sanitary Sewer Cleaning & Televising were presented by DGR. The specifications and agreements provide quantities, timeline, and liquidated damages if work is not performed in a timely manner. This work would be for amounts under the bid limit laws. Maps of the proposed projects were reviewed and agreed upon.

Motion Mayrose, second Rayman, carried, to approve the 2021 Sanitary Sewer Cleaning & Televising specifications and construction agreement for Option A.

Motion Mokros, second Rayman, carried, to approve the 2021 Asphalt Patching specifications and construction agreement.

Quotes from contractors will be reviewed at the August meeting.

Discussion was held on installing water main on Dakota between Lincoln & Jefferson. Only one service is on Dakota Street, there is no dead end on the water main on Lincoln or Jefferson so looping is not needed. Consensus is to not add a water main.

Cody Sauers was present to ask the Council to consider passing an Ordinance allowing Full-Service Restaurant On-Sale Liquor Licenses. Mr. Sauers introduced himself and explained how his business started and now is looking to expand into a building.

A Full-Service Restaurant License requires 60% of the gross revenue from food and non-alcoholic beverages. Estimates are required initially and reports at the annual renewal of said licenses.

Consensus of the Council is to move forward with an Ordinance allowing Full-Service Restaurant Licenses. Ordinance will be presented at the August meeting.

The Council meeting as a "Board of Adjustment held a public hearing (scheduled for 7:00 p.m.) to consider the application of Bryce Watkins for a Variance to build a 26' x 40' garage addition 12' from the north property line instead of the required 20'. Legal description of property is E100' W175' S133' Outlot K Subdiv NE ¼ SW ¼ 13-103-55- EX S33' Used for Road, McCook County, South Dakota. Site address is 420 E Drake Ave.

Bryce Watkins was present to answer questions. Garage will be used for storage of older vehicles and other personal items.

No written or verbal comments were received.

Motion Rayman, second Harris, carried, to approve the application of Bryce Watkins for a Variance to build a 26' x 40' garage addition 12' from the north property line instead of the required 20'.

Legal description of property is E100' W175' S133' Outlot K Subdiv NE ¼ SW ¼ 13-103-55- EX S33' Used for Road, McCook County, South Dakota. Site address is 420 E Drake Ave.

The Council meeting as a "Board of Adjustment held a public hearing (scheduled for 7:10 p.m.) to consider the application of Nathaniel and Monta Schnee for a Variance to build a 36' x 50' addition (36'x36' garage) 6' from the west property line instead of the required 20'. Legal description of property is N75' of Lots 1 & 2, EX W12' of Lot 2, Blk 34 First Adtd, Salem, McCook County, South Dakota. Site address is 341 N Adams Street.

Nathaniel Schnee was present to answer questions. The existing garage to the west will be torn down (which now sits approximately 12' from the property line) and a new garage will be attached to the house.

There is some concern about how close the west neighbor's garage is to the property line, appears it may be right on the property line.

Motion Rayman, second Harris, carried, to table the decision on the Variance until the August meeting. The distance required between residential buildings for fire code will be determined by the code official and Schnee is to talk to the neighbor.

Sharon Kinzley and Glenda Blindert were present to ask the council if the Salem Community Center Kitchen could be open one afternoon a week for people to gather and play cards. Discussion was held.

Motion Heiberger, second Mokros, carried, to have a Community Program for card playing – no cost – Salem Community Center (kitchen area) will be open from 1:00 p.m. to 4:00 p.m. on Wednesdays for card playing – if there are no other events scheduled.

Cori Kaufmann was present to discuss the upcoming McCook County 4-H Archery Fund Raiser. On Saturday, August 7<sup>th</sup> there will be a 3D shoot hosted at the McCook Wildlife Club with a free will donation meal at 6:00 p.m. at the Salem Community Center. Kaufmann thanked the Council for allowing the 4-H Archery group to store their equipment in a room at the Center. Any rent forgiveness for the use of the Center for their Fund Raiser would be greatly appreciated.

Motion Mokros, second Heiberger, carried, to allow the 4-H Archery use of the Salem Community Center on August 7, 2021, free of charge. Setup, take down and cleanup is responsibility of renter.

Motion Mokros, second Eichacker, carried, to approve the following claims:

**Payroll:** Mayor/Council \$1196.65; Finance Office \$6175.08; City Hall \$20.00; Streets \$2890.24; Restricted-Use Site \$724.60; Regulation & Inspection \$96.84; Summer Rec \$4990.93; Pool \$6683.35; Park \$4889.49; Armory \$535.70; Storm Sewer \$93.06; Water \$4739.06; Sewer \$2947.90; Payroll Taxes \$2663.06; City Share: Health \$6208.36; Dental \$116.82; Aflac \$95.29; Life \$48.50; Retirement \$1354.34.

**Claims:**

VENOR	DESCRIPTION	AMOUNT
Gary Bender	S Gilbert Sewer Jetting	381.00
Central Farmers Co-Op	Diesel: Oil	368.15
Century Business Products	Copier Maintenance & Doc Management Agreements	172.24
Chad M Krempges	Parks Paint Foul & Flag Poles	950.00
Cintas Corporation No. 2	City Hall/Armory: Rug/Mop Service	116.19
Core & Main LP	Distribution Supplies	5,082.56
DANR - Fiscal Office	DW Permit 0288	600.00
DGR Engineering	Water WTP Asst/Well	6,187.02
DGR Engineering	Curb & Gutter Staking	263.00
Double B Repair, LLC	Sewer/St Sewer JD Tractor- Air Conditioner	1,267.67
Gessner Welding Inc	Summer Rec Foul Ball Posts	1,200.00
Goldenview Ready Mix	Footings for Foul Poles	280.00
Grainger Inc	Pool & Park Supplies	301.73
Griese Law Firm, P.C.	Nuisance Attorney Fees Feb-May 2021	2,563.23
Harve's Sport Shop	Summer Rec Supplies/Baseballs	115.95
Hawkins Inc	Water WTP Chemicals	4,916.20
Heiman Fire Equipment	Water/Sewer Hip Boots	234.20
Hillyard - Sioux Falls	Park/Armory Restroom Supplies	743.18

Indelco Plastics Corporation	Water WTP: Supplies	604.03
Infotech Solutions LLC	Computer Backup/ Maintenance (2mo) Dock Station	1,149.98
Iron Wheel Sales & Service Inc	Water Supplies	23.51
J & L Supply	Streets Weed Control Chemicals	159.20
James Lentsch	Tree and Stump Removal	250.00
Kiefer Aquatics	Pool Lifeguard Suits & Supplies	272.00
Lori A Heumiller	Finance Officer School/Budget Workshop/Pool Candy Run	247.20
Maynards Salem	Pool Merchandise /Retirement Open House Supplies	195.09
McCook County Auditor	Law Enforcement Agreement	7,323.00
McCormick Motors Inc	Street Oil and Oil Filter	42.51
MidAmerican Energy Co	Utilities	176.94
MidAmerican Research Chemical	Pool Chemicals	430.96
Municipal Code Corporation	Ordinance Online Hosting- Annual Fee	645.00
New Century Press Inc	June Publishing	699.32
Pulse Electric Inc	Reroute Baseball Scoreboard from Football Field	2,789.79
Quill Corporation	CHALL SUPPLIES	69.99
Randy Sabers	Deposit Refund	14.86
RBS Sanitation Inc	Residential Garbage Contract	7,122.38
Roger R Gerlach	Attorney Retainer Fee	1,500.00
Ronald L Schnider	Maintainer Glass Install	1,272.00
Salem Community Drug	City Office Supplies	4.96
Salem Lumber Co	Pool/Parks: Supplies	160.83
Salem Water Works	Utilities	2,013.29
Sam's Club	Pool Merchandise Supplies	962.14
Sd Dept Of Transportation	Phase I- Salem Trail	693.85
Sioux Falls Area Humane Society	Stray Cat- Contract	87.80
South Dakota One Call	Locates June 2021	17.85
South Dakota Planner's Assoc	Membership dues	30.00
Southeastern Electric	Splice Kit (Parks) & Utilities	301.34
Spencer Quarries Inc	Streets Patch Mix	3,169.65
State Of South Dakota	Sewer Sampling	247.00
T & C Pit Stop Inc	Fuel Purchases	357.94
Theresa Mickelson	Deposit Refund	16.24
TranSource	Streets Payloader- Oil Filters	230.07
TrioTel Communications Inc	Utilities	425.44
Twedt Construction Co Inc	Water Break/Curb Stop Replaced	2,750.00
Us Postmaster	Postage UB Bills	648.00
Xcel Energy	Utilities	10,833.98
Zapp Hardware	Supplies: Pool/Water/Park	452.54
<b>Cardmember Services - Credit Card Purchases</b>		
Cabela's	Selland Retirement Gift	500.00
Zoom	Zoom Meeting Subscription	66.28
Northern Tool	Sprinklers/hoses/nozzles: Parks	428.91

**Claims Pre-Approved:**

Bridget Blindert	Deposit Refund	99.08
Krista Wollman	Refund Lesson Overpayment	80.00
Mom's & Pop's Pastry Shop	Selland Open House Cakes	80.00
Montrose Summer Youth Program	12U League Tourney Fee	50.00
Kory Livingston	Lesson Refund	20.00
Verizon Wireless	Utilities	126.87

**ACH**

Sd Unemployment Insurance	2nd QTR Unemployment	7.78
US Bank	DW & CW SRF Bond Payments	32,228.27
State Of South Dakota	Sales Tax Collected June	1,332.49

Motion Mayrose, second Harris, carried, to approve the Second Reading and Adoption of Ordinance No. 657 changing the Zoning Ordinance and Zoning Map for the rezone of Tract C lying S of Beebe Ave & The W128.775' of Tract "A" Lying thereof Middleton Addition from (B-2) General Business to (R-1) Residential. Site address 421 E Beebe Ave.

Motion Mokros, second Rayman, carried, to approve the First Reading of Ordinance No. 658 – an ordinance supplementing the 2021 Budget for the Storm Sewer Project.

Motion Harris, second Rayman, carried, to approve Resolution No. 05 – a resolution authorizing the CW SRF bond for the Storm Sewer Project.

Discussion was held on the Storm Sewer Surcharge of \$5.30 to pay back the bond and the existing \$5.00 monthly fee. The rate resolution will be addressed at the August budget meeting.

Mayor English discussed the following:

- To place a flag with the City's logo at the ball fields. Rayman stated the Salem Baseball group has plans of putting up a donor sign. These ideas will be addressed at the August budget meeting.
- Fall Festival and/or Community Celebration ideas were discussed. Consensus is to form committees and start working on dates for 2022 as this takes months to plan.
- Contracts are needed prior to work being performed by the City. Finance Officer Heumiller stated the larger projects all have contracts, the well project is out of the norm – at the time was considered an urgent matter so Council did not go through the normal "contract" procedures; and the Asphalt Patching and Storm Sewer Cleaning agreements were put together for this specific reason (accountability).

Motion Mayrose, second Rayman, carried, to enter executive session at 8:30 p.m. for attorney communication discussion per SDCL 1-25-2.

Mayor English declared out of executive session at 8:37 p.m.

Motion Mokros, second Rayman, carried, to approve the Agreement with Travis Peterson as presented. The agreement will be on file at City Hall once all parties have signed.

Motion Eichacker, second Mokros, carried, to adjourn as old council and reconvene as new council.

Council member Eichacker was thanked for his 18 years of service.

Oath of office was taken by Alderman Ronald Mayrose & Mitchell Rayman (2-year terms) and Alderman Marc Harris (1-year term).

Motion Mayrose, second Rayman, carried, to approve Mayor English's appointments for the following one-year council seat positions: Doug Mokros (Ward II) and Mary Jo Heiberger (Ward III). Oaths of office were taken.

The meeting was turned over to President Ron Mayrose for the election of President and Vice-President for the 2021/2022 period.

Council President Mayrose called for nominations for President of the Council.

Mokros nominated Ron Mayrose as Council President. Being no further nominations -

Motion Mokros, second Rayman, to accept the nomination of Ron Mayrose as Council President for the 2021-2021 year. On roll call four (4) "Aye" (Morkos, Heiberger, Rayman, Harris). Mayrose abstained. Motion carried.

Council President Mayrose called for nominations for Vice-President of the Council.

Mokros nominated Mary Heiberger as Council Vice-President. Being no further nominations -

Motion Mokros, second Rayman, to accept the nomination of Mary Heiberger as Council Vice-President for the 2021-2022 year. On roll call four (4) "Aye" (Morkos, Mayrose, Rayman, Harris). Heiberger abstained. Motion carried.

Mayrose turned the meeting over to Mayor English.

Mayor English announced the following committee (first named is chair), professional and employee appointments.

#### JULY 2021 – JUNE 2022 COMMITTEE MEMBERS

WATER & SEWER— M. Harris, D. Mokros

ARMORY BLDGS BURNPIT—Open, M. Heiberger.

STREET & EQUIPMENT—D. Mokros, M. Rayman

PARKS, REC, LIQUOR—M. Heiberger, R. Mayrose

POOL—M. Rayman, Open

LAW & FIRE—R. Mayrose, M. Harris

CIVIL DEFENSE—Council President, Mayor

Nicole Griese, City Attorney; Geoffrey Fillingsness, Code Enforcement Officer; Joni Wagner Health Inspector.

Motion Mayrose, second Rayman, carried, to accept Mayor English's committee, professional and employee appointments.

Next meeting is scheduled for Monday, August 9, 2021.

Motion Heiberger, second Mokros, carried, to adjourn at 8:53 PM.

Dated this 12<sup>th</sup> day of July 2021 at Salem, South Dakota.

(SEAL)

Shawn English  
Mayor

ATTEST:

Lori Heumiller  
Finance Officer

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