

**MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE SALEM COMMUNITY CENTER COUNCIL CHAMBERS IN SALEM SOUTH DAKOTA ON MONDAY, MAY 9, 2022, AT 6:00 P.M.**

Mayor Shawn English called the meeting to order with Council Members Doug Mokros, Ron Mayrose, Mary Jo Heiberger, Mitchell Rayman, and Marc Harris present. Foreman Dustin Weber; Trent Bruce & Jacob Morris of DGR Engineering; Matt Alley, McCook Central School; Ashley & Casey Urrutia; Carol Cassidy; Jim Lentsch; Pat Spildener; Janet Karel and Vicky Lange were also present.

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

Motion Mokros, second Mayrose, carried, to approve the minutes of April 11, 2022, as written.

Motion Mokros, second Rayman, carried, to approve the following reports: Finance report stating a balance of \$5,290,381.69 for all funds and includes all investments and cash on hand; sewer pumpage of 6,240,000 gallons; water pumpage of 2,454,000 gallons; and the bacteriology report is satisfactory.

Motion Rayman, second Mayrose, carried, to approve the police report filed by the McCook County Sheriff Department.

Motion Rayman, second Mokros, carried, to approve the Foreman report presented by Foreman Weber. The following items were discussed:

- Jim Lentsch will do water tower lot tree removal.
- Discussion on surplus of old softball lights.
- McCook Central School's parking lot on the NE corner of Minnesota & Essex. Request for cement between sidewalk and curb. Matt Alley, Superintendent was present for discussion.
- Jim Lentsch was present to discuss access to the rubble site. Hours do not always work with his and the weathers.  
Heumiller stated the lock was changed due to too many people having access (unknown to the city) and too many items not allowed in the Restricted Use site were being dumped. The Council will make a final decision at their June 6<sup>th</sup> meeting.

Motion Mayrose, second Rayman, carried, to declare the thirty-two old softball lights surplus and junk and dispose of them as such.

Motion Rayman, second Mokros, carried, to approve the request of McCook Central School to place cement between the sidewalk and curb abutting their parking lot on the NE corner of Minnesota & Essex.

Public comment (SDCL 1-12.1)

Carol Cassidy addressed the Council regarding her parcel for sale and the disclosure that siding on the building would need to be made if improvements were made unless the Council provided a Variance. Claim was made that she sold for less due to disclosure and now City allowed without a variance.

Heumiller stated that after reviewing the “non-conforming” section of the Zoning Ordinance compliance is required after a structural alteration and a cement floor is not structural; therefore, a Variance was not required.

Cassidy also questioned costs on the Sioux Metro Growth Alliance and how the Economic Development Board selection was made.

Sioux Metro Growth Alliance – Professional Service cost is \$38,500 annual (3-year contract); annual membership fee is based on population 2022 cost \$3,465.00. The economic development board was decided by professions with the help of Sioux Metro Growth Alliance, the terms are staggered so if anyone has an interest they should let Sheldon Jensen – our economic development professional know.

City Engineers Trent Bruce and Jacob Morris provided the Council with an update of projects. Engineering Service agreements were provided for the 2022 Street Improvement Project and Water System Study.

Motion Mokros, second Harris, carried, to approve Task Order for the 2022 Street Improvement Project Topographic Survey; Design & Bidding; Construction Admin & Staking: Cost \$46,000.

Motion Harris, second Rayman, carried, to approve Task Order for the Water System Study: Cost \$44,800.00.

Discussion on the assessments for the 2022 Street Improvement project. DGR obtained measurements for curb & gutter and areas without asphalt shoulder. The properties without curb and gutter and/or asphalt shoulder can be assessed the cost of the curb & gutter and asphalt as it provides the property owners a special benefit. Neither assessment item includes the construction costs associated with removal, base preparation, mobilization, or administrative fees.

The city was awarded the following funding package for the Industrial Area Project.

Clean Water State Revolving Fund Loan -	\$1,892,800 (2.125%/30 year)
American Rescue Plan Act Grant:	\$ 811,200
Drinking Water State Revolving Fund Loan	\$ 637,650 (1.875%/30 year)
American Rescue Plan Act Grant:	\$ 779,350

The city will be applying for a Community Access Grant to help fund the Hollister Street paving portion of this project.

Committee reports were given.

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

**Payroll:** Mayor/Council \$1113.32; Finance Office \$9612.39; City Hall \$654.40; Streets \$4359.67; Snow \$133.50; Restricted-Use Site \$495.25; Regulation & Inspection \$160.00; Park \$1379.18; Armory \$2882.28; Planning & Zoning \$20; Storm Sewer \$174.16; Water \$6202.03; Sewer \$3385.52; Payroll Taxes \$2242.01; City Share: Health \$7073.60; Dental \$116.82; Aflac \$106.64; Life \$54.75; Retirement \$1742.87.

**Claims:**

<b>VENOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
Avera McKennan	(1) Super Sitter Participant	45.00
Avera Occupational Medicine	DOT Drug Screening	58.00
Batteries Plus #075	Armory Light Replacement	466.23
Central Farmers Co-Op	Diesel- Streets	313.97
Century Business Products	Copier Maintenance & Doc Mang. Contracts	118.70
Cintas Corporation No. 2	Rug & Mop Service	135.28
Civicplus LLC	MuniCode Ordinance Publications	2,967.36
Core & Main LP	(3) 1.5" meters & Distribution Supplies	3,990.04
Department Of Transportation	Snow: Sand/Salt	252.00
DGR Engineering	Engineer: Misc Contract/WTP	4,211.50
Fat Kid Saloon	Liquor Tax Refund	3.10
Feterl, Keri	Refund Summer Rec	11.00
Griese Law Firm, P.C.	Attorney Fees	145.00
Hawkins Inc	WTP Chemicals	3,629.63
Kundert Williams Ins Agency	Controllers: Insurance Premium	10.00
Kw Electric Inc	Bucket Truck Rental	76.80
Maynards Salem	Water Cleaning Supplies	3.59
McCook County Auditor	Law Agreement	7,323.00
Michael Todd & Company Inc	Stop Signs	61.12
MidAmerican Energy Co	Utilities	993.99
MidAmerican Research Chemical	Lagoon/St-SE Chemicals/Weeds	500.52
New Century Press Inc	April Publishing	1,218.06
Petty Cash Finance Officer	Postage & Pool Petty Cash	96.28
Pulse Electric Inc	City Hall Air Cond/WTP Pump	395.54
Quill Corporation	Office Supplies	101.08
RBS Sanitation Inc	Residential Garbage Contract	7,681.00
Rebecca Grace	Deposit Refund	8.08
Salem Lumber Co	Misc Supplies: Water/Parks/Arm	93.65
Salem Water Works	Utilities	542.74
Sd Government Finance Officers	2022 Fin Officer School Registration	75.00
Sd Municipal League	Budget Training Registration	30.00
Sd Public Health Laboratory	Water Testing Fees	117.00
South Dakota One Call	Locates	14.70
Southeastern Electric	Utilities	126.07
Sturdevant's Salem Inc	Street Supplies	37.17
T & C Pit Stop Inc	Fuel April 2022	347.76
TrioTel Communications Inc	Utilities	245.30
Us Postmaster	Box Rental Fee	130.00
Xcel Energy	Utilities	2,488.43
Zapp Hardware	Misc Supplies Arm/Rubble/WA/Pk	279.83
<b>CARDMEMBER SERVICES - CREDIT CARD PURCHASES</b>		
SD Dept of Ag	Applicator License Renewal	35.88

SD VFW	10U, 12U, 14U & 16U Registration	723.05
<b>CLAIMS PRE-APPROVED:</b>		
Avera McKennan	Super Sitter Class 20 Participants	900.00
Verizon Wireless	Utilities	126.39
<b>ACH</b>		
US Bank	DW & CW SRF Bond Payments	32,126.55
State of South Dakota	Sales Tax Collected April 2022	1,050.65

Ashley & Casey Urrutia were present to discuss Triple M’s mobile boutique. Ashley provided details on her business – she has lined up the use of parking lots one day a month to be open and ideally, she would like to be open 1-day a week at her house and provide mobile pickup off her deck. The Vendor/Peddler license requires a Surety Bond which is expensive. Ashley has an established business and customers have their product when paid for.

Finance Officer Heumiller stated Ashley would be required to get a Conditional Use for a “Major Home Occupation.” The Planning & Zoning Commission would hold a public hearing and decide if her business would be allowed to sell out of her trailer at her home.

Motion Harris, second Mokros, carried, to waive the surety bond required for the vendor permit due to Triple M being an established business in Salem.

Motion Mokros, second Harris, carried, to allow Triple M’s vendor permit to extend into the General Business District parking lots of McCook Therapy & Dollar General.

Discussion on new State Law allowing sidewalk repairs under Nuisance Law. Council would like to see a change to the City’s nuisance laws if it makes the process easier.

The ordinances regulating mobile businesses and food trucks will be reviewed with city attorney and revisions discussed at a future meeting.

Motion Mayrose, second Mokros, carried, on the First Reading of Ordinance No. 666 and ordinance supplementing the 2022 budget for the 2022 Street Improvement Project, Solid Waste Collection, Parks Scoreboard, Equipment Purchases, Armory Repairs, and the Storm Sewer Project.

The Council reviewed the spreadsheet provided on the assessments for the 2022 Street Project – fixing areas in town where existing asphalt on the streets need replacement. Assessments will be for curb & gutter and asphalt were none existed. Widths and lengths were established by the City Engineers field measurements. The special benefit presented in the spreadsheet was for curb & gutter and 3” of asphalt. No construction costs associated with removal, base preparation, mobilization, or administrative fees. City costs represent a high percentage as much of the existing asphalt on the project streets need replacement.

Motion Mokros, second Harris, carried, to approve Resolution 2022-11 a proposed Resolution of Necessity for the 2022 Street Project. The Resolution will be considered for adoption at a meeting

of the City Council of the City of Salem, South Dakota, to be held in the Salem Armory Kitchen located at 740 N Peck Street in the City of Salem, South Dakota, on the **6<sup>th</sup> day of June 2022**, at the hour of **6:00 P.M.**, at which time the City council will take up and consider the objections, if any, to said resolution by owners of property liable to be assessed for the improvement and may adopt said resolution with or without amendments as it may deem proper. (Proposed resolution is published separately.)

Motion Rayman, second Mayrose, carried, to approve Resolution No. 2022-12 a resolution setting the Full-Service Restaurant liquor licenses. First time license \$1500; Renewals: \$1000.

Correction on the requirement for Keith Paulsen to update siding on a non-conforming building caused by a Re-Zone. Correction is the non-Conforming use must be brought into compliance under the following conditions: No existing nonconforming use or structure shall be enlarged, moved, or structurally altered except to change to a permitted use. This is not to include normal repairs and maintenance which do not enlarge, move, or structurally alter a nonconforming use. Cement inside a building is not considered "structural."

Motion Mokros, second Heiberger, carried, to authorize Mayor & Finance Officer to pay baseball/softball league & tourney fees as they become due.

Motion Harris, second Rayman, carried, to extend the Mobile Home Park Licenses to June 6<sup>th</sup>, 2022; Renewals will be discussed at the June 6<sup>th</sup> meeting after the inspections have been completed.

Seasonal Hires were discussed. Tony Watkins declined lifeguard position. Asst Coaches application of Braeden Kerkhove was reviewed along with discussion on hiring Additional Lifeguards.

Motion Mayrose, second Mokros, carried, to hire Braeden Kerkhove as a seasonal assistant coach for \$9.95 per hour.

No additional guards will be hired.

Motion Harris, second Rayman to approve the following Malt Beverage SD Wine (on/off) July 1, 2022, to June 30, 2023, renewals.

**Applications for Retail (ON-OFF SALE) Malt Beverage and South Dakota Wine for:**

- **T & C's Pit Stop Inc.**, Todd & Christi Matthies (25315 US 81) N 500' of E 338' (3.88A) Including Siever's Tr 1 & ex that portion of Lot H1 (.12A) & H3 (.22A) & H4 (.10A) lying therein & Ex land deeded for Highway purposes (.75A) lying therein, all in the N ½ NE ¼ Section 23, Salem Township.
- **Dollar General**, 131 N. Nebraska St, Salem, SD; Legal: Lots 1, 2, 3 & 4; Blk 2 of First Addition to Salem, McCook County, South Dakota.
- **Maynards of Salem**, Maynard's Food Center of Westbrook, Inc, (141 S Main St) Lots 1-7; Blk 3, OT, Salem, McCook County, South Dakota.

- **Quick Stop LLC**, David Derschan, (241 N Nebraska St) Lots 1, Blk 15, Salem First Addt/ Ex W60' & Ex LH1 and Lot 2, Blk 15, Salem First Addt, Salem, McCook County, South Dakota.

Motion Mayrose, second Mokros, carried, to approve specs to tear down the building at 201 S Main Street per court order.

Discussion: Chickens. Four of the five Council members did not want to change the current animal ordinance. Fowl is not allowed in the city limits.

Cleanup Day – 64 mattress and 18.06 T of rubble to the landfill; Grasshopper Mower - \$5,500.

Next meeting is scheduled for Monday, June 6, 2022.

Motion Heiberger, second Mokros, carried, to adjourn at 8:00 PM.

Dated this 9<sup>th</sup> day of May 2022 at Salem, South Dakota.

(SEAL)

Shawn English  
Mayor

ATTEST:

Lori Heumiller  
Finance Officer

Published once at the approximate cost of \_\_\_\_.