

City of Gary, South Dakota  
Regular Council Meeting –  
Tuesday, September 7, 2021 at 7:30 p.m. at Gary City Hall

The Gary City Council met in regular session on Tuesday, September 7, 2021, at 7:30 p.m. in the City Hall. Aldermen Albert Bekaert, Clark Dessler, Darwyn Engesser, David Peterson & Bob Stee were present. Joey Gislason was absent. Mayor Larry Stoks presided. Present also were Tawne, Melv & Eli Pieper, Tammy Krein, Mike Nosbush, Mary Nosbush, Joe Kolbach, Angel Oeltjenbruns, Jason Anderson & Joni Kjelden.

The Pledge of Allegiance was said.

Motion by Dessler, second by Engesser to approve the agenda. All members voted aye; motion carried.

Motion by Bekaert, second by Stee to approve the minutes of the August 2, 2021 regular meeting. All members voted aye; motion carried.

**GENERAL-AUGUST 2021 BILLS**

Finance Office-1,396.88;Librarian-586.58;Streets/Parks-6,944.23;Water-1,049.83;Sewer-1,049.81;Rubble-Site-155.94;Cemetery-362.25;Golf-362.25;AFLAC-Premium-315.58;Bjerke Sanitation-garbage collection-2,208.13;Bobcat of Brookings-warranty-1,500.00;Brookings-Deuel Rural Water-671,000 gallons-1,728.30;City of Gary-water/fire hall-26.44;Clark Dessler-retirement gift-100.00;Clear Lake Courier-proceedings,notices-69.01;Deuel County Auditor-Law Enforcement-506.94;DCFU-monthly fuel charges-894.04;Don Nothem-water deposit refund-80.00;Doug's Service & Marine-supplies-24.74;EFTPS/FWT 941 Tax-FWT-1,324.73;EFTPS/OASI/ SS/MT-OASI-1,864.46;Florals & Finds-memorial flowers-35.00;Gary Post Office-stamps & annual box renewal-166.50;Gass Law P.C.-fees-112.50;Gate City General-supplies-38.25;GovOffice-annual fee-570.00;HD Electric-Cemetery-36.50;ITC-phone,internet,fax,alarm loop-94.07;Library-DSL,Static IP-46.45;Jason Anderson-cell phone/exam fee reimburse-105.00;Menards-supplies-123.27;Mike Nosbush-vehicle maintenance/insurance reimburse-501.53;Office of Child Support-garnishment-200.00;Ottertail-Electricity-813.61;Office Peeps-toner-80.81;Petty Cash-replenish-82.50;SD Dept of Health-coliform test-15.00;SD Retirement-Aug contribution-1,259.80;SD Secretary of State-annual cemetery report-20.00;SD State Treasure-garbage/landfill tax-247.63;Star Laundry-Uniforms-172.46;Wellmark BCBS-Insurance-3,461.40.

**LIQUOR-AUGUST 2021 BILLS**

Municipal Liquor-9,339.79;AFLAC-Premium-403.95;Cash-Wa Distributing-food/supplies-570.14;Chesterman-Pop-846.00;City of Gary-water,sewer,garbage-178.63;EFTPS/FWT 941 Tax-FWT-478.32;EFTPS/OASI/SS/MT-OASI-1,132.12;Ellwein Bros.-Beer-8,971.60;Gary Post Office-stamps-61.50;Gate City General-supplies/food-133.41;Harry's Frozen Foods-pizza-1,000.00;Henry's Foods-Cigarettes, food, supplies-1,940.78;ITC-Phone,DSL,TV-252.63;Johnson Bros.-Liquor,wine, wine coolers-2,354.00;Macksteel Warehouse-fab bending-30.00;Menards-supplies-507.28;Minn-Kota-monthly pest inspection-17.95;Nosbush Plumbing & Heating-plumbing-911.34;Office Peeps-printer ink-194.99;Old Dutch Foods-Chips-63.91;Ottertail-Electricity-644.43;Pepsi-Cola-pop-135.45;Pizza & Burger Shack-pizza-216.00;Porter Dist. Co.-Beer, wine coolers-1,119.45;Republic National Dist.-Liquor-1,478.50;Robin Lanners-cell phone reimburse-25.00;SD Retirement-Aug contribution-933.94;SD Dept of Revenue-liquor tax-2,343.85;Southern Glazers of SD-liquor-977.40;Star Laundry-towels, rugs-75.44;Stee Electric-wiring-332.31;Wellmark BCBS-insruance-4,615.23.

Motion by Engesser, second by Dessler to approve the verified claims and issue warrants in payment thereof. All members voted aye; motion carried.

During citizen input/public voice, Mary Nosbush asked about the broken slide at the city park.

Employee, committee, and ward reports were heard.

Motion by Engesser, second by Stee to approve a Special Temporary Liquor License: American Legion Ballroom (Matt Spilde) Sept 18,19 & 25, Oct 16 & 23' of Lot 11 and all of Lots 12,13,14 in Block 1, Original Plat, City of Gary, SD. On sale only. All members voted aye; motion carried.

Joe Kolbach was present to inform the council of his ideas about developing his property.

Gate City Development was present to discuss their water/sewer project. Motion by Stee, second by Engesser to work with GCD for material prices, with conditions agreed upon by GCD and the council. All members voted aye; motion carried.

Gary Rodeo was present to discuss their ideas during the July celebration next year.

Motion by Dessler, second by Peterson to approve the 2022 Law Enforcement agreement with Deuel County. All members voted aye; motion carried.

Motion by Bekeart, second by Stee to renew the annual PO Box at the Gary Post Office. All members voted aye; motion carried.

Motion by Engesser, second by Stee to declare the following items as surplus and be auctioned by Lorenzen Auction during a public auction on October 10<sup>th</sup> in Gary. 3 point box blade, 3 point landscape rake, sewer roter-broken carb, buffer, scrubber, Gas Joy air compressor w/ paving breaker/hoses, String trimmer mower, pickup dump box w/ cylinder/pump, 2-4' culverts Mymar larvicide spreader, various cables, Sanborn air compressor-weak pump, chain link fence fabric, desk, file cabinet, bleacher planks, rebar, 3" suction & discharge hose, walk-in cooler compressor & evaporator unit, cooler door, wood door, air exchanger, 2-urinals & flush valves, 2-sinks, Corian countertop, stainless steel sheet, various tin. All members voted aye; motion carried.

Motion by Dessler, second by Bekaert to pass ordinance 371-A Temporary Ordinance Regarding the Issuance of Local Medical Cannabis Establishment Permits and/or Licenses. All members voted aye; motion carried.

The first reading of ordinance 373, Licensing Provisions for Cannabis was held.

Motion by Bekaert, second by Engesser to renew the CDs at Deuel National Bank for 12 months at a rate of .25% APY. Interest to be paid by check at maturity. All members voted aye; motion carried.

Motion by Dessler, second by Bekaert to purchase a table for \$400 for the Deuel County Community Foundation Tour of Tables fundraiser to be held on October 16<sup>th</sup>. All members voted aye; motion carried.

Motion by Stee, second by Peterson to purchase a 10-year maintenance plan for the water tower. All members voted aye; motion carried.

Motion by Dessler, second by Peterson to contract propane from Deuel County Farmers Union at \$1.64 per gallon. All members voted aye; motion carried.

Special assessments for mowing abandoned property were discussed. Motion by Bekaert, second by Engesser to attempt to collect cost of city mowing the property by sending a letter along with a bill to the property owner. If not paid within a certain time period, the cost of mowing will be sent to the county and assessed to the individual's taxes. They also made the motion to adopt the following resolution which addresses this special assessment:

**CITY OF GARY**  
**RESOLUTION No. 2021-02**

**WHEREAS**, the City Council, City of Gary, Deuel County, South Dakota, will put a special assessment against property as hereinafter set out for the collection of outstanding bills which includes the expenses of levying such special assessment against the said properties:

Property: Lots 1 to 4 Inc. Blk 12, Third Railroad Addition, Town of Gary  
Amount: \$800.00 mowing

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Gary, Deuel County, South Dakota hereby authorizes the Finance Officer to file special assessments against this property at the Deuel County Auditor's Office for outstanding bills.

Dated this 7th day of September, 2021.

Voted: Aye   5   Nay   0   Absent:   1  

(SEAL)

CITY OF GARY

\_\_\_\_\_  
Larry Stoks, Mayor

ATTEST:

\_\_\_\_\_  
Joni Kjelden, Finance Officer

All members voted aye; motion carried.

The City of Gary has been allocated \$40,951.30 for American Rescue Plan Act (Coronavirus relief funds). Motion by Stee, second by Dessler to register and accept the funds. All members voted aye; motion carried.

Second reading of the 2022 Appropriation Ordinance #372 was held. Motion by Bekaert, second by Dessler to adopt the following

**ORDINANCE NO. 372**

**2022 APPROPRIATION ORDINANCE**

BE IT ORDAINED BY THE City of Gary, South Dakota, that the following sums are appropriated to meet the obligations of the municipality:

SECTION I:

GENERAL FUND APPROPRIATIONS (TAX SUPPORTED FUNDS)

411.5	Contingency	40,000.00
411.3	Publishing	3,000.00
412.1	Mayor – Council	20,000.00
413.1	Elections	500.00
414.1	Attorney	4,400.00
414.2	Finance Officer & Supplies, Bond	35,000.00
419.2	General Government Buildings/Insurance	40,000.00
421	Law Enforcement	7,000.00
422.9	Fire Department	20,000.00
431	Highways, Streets & Alleys	100,000.00
431.7	Snow Removal	4,000.00
431.6	Street Lighting	7,500.00
432.4	Restricted Use Site	2,000.00
437	Cemeteries	2,500.00
441.3	West Nile	2,000.00
451.1	Golf	3,000.00
452	Parks	35,000.00
452.4	Tree City USA Tree Board	3,000.00
455	Library	9,000.00
465.2	Planning & Zoning	100.00
465.3	Promoting City	<u>12,000.00</u>
	TOTAL GENERAL FUND APPROPRIATIONS	\$ 350,000.00

ENTERPRISE FUNDS (Self-supporting funds)

601	Liquor	\$490,000.00
602	Water	47,000.00
604	Sewer	40,000.00
612	Solid Waste (Garbage Collection)	<u>25,000.00</u>
	TOTAL ENTERPRISE FUNDS	<u>\$602,000.00</u>
	TOTAL 2022 APPROPRIATIONS	\$952,000.00

CITY OF GARY  
Gary, South Dakota  
**2022 APPROPRIATIONS ORDINANCE NO. 372**

SECTION II:

The following is a summary by fund of the appropriated amounts and the means of financing them:

Tax Supported Funds	<u>General</u>
Appropriation:	\$350,000.00
<b>Means of Finance:</b>	
Unassigned Fund Balance	.00
310. Taxes	
311 General Property	54,000.00
313 Sales Tax	55,000.00
315-319 Other	4,000.00
320 Licenses/Permits	6,000.00
334 State Grant	9,000.00
335 State Shared Revenue	35,000.00
338 County Shared	12,000.00
340 Charges for goods & services	6,000.00
360 Miscellaneous Income	10,000.00
Transfer from Liquor	55,000.00
Transfer (From Video Lottery)	110,000.00
Transfer from sewer fund	0.00

