

City of Gary, South Dakota  
Joint Meeting- Board of Adjustment & Gary City Council Meeting  
Wednesday, July 5, 2023 at 7:30 pm at Gary City Hall

The Gary City Council met in joint session with the Board of Adjustment on July 5<sup>th</sup>, 2023, at 7:30 pm in the City Hall. Aldermen Darwyn Engesser, Mike Nosbush, Doug Nelson, Bob Stee and Albert Bekaert were present. Mayor Larry Stoks presided. Present also were Carol Stebor, Carol Barger, Cory Borg, Neil Schumacher, Claudette Bagan, Tammy Odette, Greg Olson, Mary Nosbush, Jay Grabow, Angel Oeltjenbruns, Mel Borg, Rick Christians, Will Stone, Jodie Engesser, Jason Anderson, and Joni Kjelden.

The Pledge of Allegiance was said.

Motion by Nosbush, second by Engesser to approve the agenda with an additional date added to the special temporary liquor license. All members voted aye; motion carried.

Motion by Engesser, second by Bekaert to approve the minutes of the June 5th, 2023 regular meeting with a correction relating to investing funds with SD FIT. At the discretion of the Finance Officer being able to invest excess funds in the Money Market Account. All members voted aye; motion carried.

**GENERAL-JUNE 2023 BILLS**

Finance Office-1,555.88;Librarian-636.00;Streets-3,317.20;Parks-2,327.02;Water-945.28;Sewer-945.26;Rubble site-110.95;Cemetery-301.63;Golf-301.63;Council-2<sup>nd</sup> qtr.-2,200.00; AFLAC-June premium-149.43;AT&T-data connect-43.23;Banyon Data Systems-UB meter device support-395.00;Bjerke Sanitation-garbage-2,395.53;Brookings-Deuel Rural Water-626,000 gallons-1,832.60;City of Gary-water/sewer-Firehall-40.08,garbage/City Hall-16.00;Clear Lake Courier-city notices/proceedings-96.92;D&L Digging-2 loads gravel-490.00;Dakota Portable Toilets, Inc-4 portable-450.00;Deuel County Auditor-law enforcement-546.21;Deuel County Farmers Union-monthly fuel charges-994.19;Deuel County Treasurer-license utility trailer-26.70;EFTPS/941 tax-FWT-915.91,OASI-2,076.24;First Bank & Trust-credit card-260.00;Gary Community Club-fireworks donation-Gary Bucks-1,100.00;Gary Post Office-stamps-79.50;Gate City General-supplies-90.11;Grease Monkey Truck-power steering pump-618.99;HD Electric-cemetery electricity-36.50;Helsper, McCarty & Rasmussen, PC-March-May attorney fees-1,475.43;ITC-phone,internet,fax, alarm loop-95.66;Library-DSL, Static IP-46.45;Jason Anderson-cell phone-25.00;Joni Kjelden-472 miles @ .51-240.72;Milbank Winwater-valve box extension supplies-1,760.46; MN Dept of Revenue-2<sup>nd</sup> qtr with holdings-260.81; Office Peeps-toner & drum-372.11;Ottetail Power Company-electricity-933.67;SD Dept of Health-coliform test-15.00;SD Retirement-June contribution-958.78;SD Dept of Rev & Reg-garbage/landfill tax-202.70;SD Dept of Labor & Reg-2<sup>nd</sup> qtr re-employment-118.05;SMI Hydraulics, Inc-cylinder repair-payloader-274.67;Stee Electric, LLC-1<sup>st</sup> ave ballfield lights-632.60;Wellmark BCBS-July premium-1,503.76.

**LIQUOR-JUNE 2023 BILLS**

Municipal Liquor-11,206.00;AFLAC-June premium-403.95;Chesterman-pop-1,159.16;City of Clear Lake-7/22/23 wedding reception-100.00;City of Gary-wsg-183.59;Culligan Water-monthly rent & fill-82.50;EFTPS/941 tax-FWT558.86,OASI-1,4046.22;Ellwien Bros-beer-14,303.75;First Bank & Trust-credit card-317.91;Gary Liquor Store-June open juke box-90.00;Gary Post Office-stamps-31.50;Gate City General-supplies/food-34.61;Harry's Frozen Food-pizza-739.50;Henry's Foods-tobacco, food, supplies-2,744.89;ITC-phone,DSL,TV-247.66;Johnson Bros-liquor-6,813.62;Neon Gypsy-June 17 entertainment-400.00;Nosbush Plbg & Htg-filters-108.00;Old Dutch Foods-chips-183.60;Ottetail Power Co.-electricity-729.76;Pepsi-Cola-pop-377.38;Pizza & Burger Shack-pizza-324.00;Porter Dist Co.-beer,wine/coolers-1,414.30;Republic National Dist-liquor-3,215.40;Robin Lanners-cell phone-25.00;SDPAA-wedding reception coverage-75.00;SD Dept of Rev-June liquor sales tax-4,289.26;SD Retirement-June contribution-1,064.48;Southern Glazer's of SD-liquor-2,493.76;Star Laundry-towels,rugs-95.82;Sultans of Sing-July 3 entertainment-300.00;SD Dept of Labor & Reg-2<sup>nd</sup> qtr re-employment-50.00;Stee Electric, LLC-repair lights-1,424.94;Wellmark BCBS-July premium-4,511.28.

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

Employee contribution, committee & ward reports were heard.

There was no public input.

A public hearing was held for a Variance request to relax the front yard setback to 15 feet by Angel Oeltjenbruns to move a house onto the property of lots 8-12 in Block 3 of Original Plat on First Ave. There were questions from the public and Council. Board of Adjustment member Nelson moved to approve the variance request second by Bekaert. Engesser opposed. Motion carried.

Motion by Nosbush, second by Engesser to adjourn as Board of Adjustment and convene as Gary City Council only. All members voted aye; motion carried.

A committee was formed to work on the 2024 appropriations prior to the readings. Motion by Stee, second by Bekaert to assign Doug & Larry to the committee. All members voted aye; motion carried.

Motion by Bekaert, second by Engesser to write a letter of proposal to Independent Audit Services, PC. Ben Elliott, CPA to complete the year ending 2022 audit. All members voted aye; motion carried.

The current website being used for garysd.com has had a substantial price increase. Other web hosts have been researched and a decision was made to hire local company Avid Hawk for \$950 to initially set up the site and \$49 monthly charge with a motion by Nelson, second by Stee. All members voted aye; motion carried.

More discussion on updating the Comprehensive Land Use Plan and Zoning Ordinance was heard and approved. Motion by Bekaert, second by Stee to hire First District Association of Local Governments to assist in the process of updating the material, for a cost not to exceed \$6,000. All members voted aye; motion carried.

Motion by Engesser, second by Stee to declare the following as surplus. 2 office chairs, Christmas lights, sander, 9 toilet paper & 7 paper towel dispensers, 100 cup coffee maker, 4 basketball hoops. All members voted aye; motion carried. If you are interested in purchasing the basketball hoops, please contact City Hall.

Jay Grabow was appointed by Nosbush, second by Engesser to fill the vacant chair in Ward 2 until the next annual election. All members voted aye; motion carried. Oath of Office was read.

Rick Christians, Talking Waters Campground & Will Stone, Stone's Gate City Lodge were present to ask about the base rates for their businesses. After a lengthy discussion no changes will be made to the rates.

Cory Borg gave an update that the Gary Fire Dept Ambulance has been licensed and passed inspection by the State of SD. He asked for funds to finalize the initial set up of supplies and if the equipment can be added to the insurance policy. Motion by Nelson, second by Nosbush to give \$5,000 now and be presented a financial statement annually, along with adding the Ambulance and certain equipment to the insurance policy. All members voted aye; motion carried.

Information will be gathered and brought to the next meeting about letting the Community Club house a storage shed on City property.

Two written complaints related to dogs were filed and discussed. Letters and Ordinance information will be sent to the property owners.

The 2021 Audit was reviewed with the suggestions of adding cameras to the City Hall for security and adopting a Fraud Policy. The Finance Officer will check into pricing for cameras. Motion by Nosbush, second by Bekaert to approve and add the Fraud Policy to the Personnel Policy Handbook. All members voted aye; motion carried.

A request for a special temporary liquor permit for the American Legion Post 109 Dance Hall at E 24' of Lot 11 and all of Lots 12,13,14 in Block 1, Original Plat, City of Gary, South Dakota for July 15<sup>th</sup>, August 5<sup>th</sup> & 12<sup>th</sup>, 2023. On sale only until 1am. Motion by Stee, second by Engesser to issue the permit. All members voted aye; motion carried.

Building permits issued in June: Gray Grain, Pieper Rodeo Productions, Dough Hulscher, Dave Mercer & Craig Stone.

The next regular council meeting will be Monday, August 7, 2023, at 7:30 pm at the Gary City Hall.

Motion by Bekaert, second by Engesser to adjourn. All members voted aye; motion carried.

City Council, City of Gary  
Joni Kjelden, Finance Officer  
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