

City of Gary, South Dakota
Joint Meeting- Board of Adjustment & City Council
Monday, March 4, 2024 at 6:30 pm Gary City Hall

The Gary City Council met in joint session Monday, March 4, 2024, at 6:30 pm in the City Hall. The Pledge of Allegiance was said. Aldermen Darwyn Engesser, Mike Nosbush, Jay Grabow, Doug Nelson, Bob Stee and Albert Bekaert were present. Mayor Larry Stoks presided. Present also were Joni Kjelden, Jesse Jenson, Robin Lanners, Neil Schumacher, Nicholas Lamoureux, Amy Knutson, Josh Knutson, Judy Heth, Claudette Bagan, Angel Oeltjenbruns, Tawne Pieper, and Eli Pieper. Motion by Grabow, second by Engesser to approve the agenda with rearranging a few line items. All voting aye; motion carried. Motion by Nosbush, second by Bekaert to approve the minutes of the February 5 & 22, 2024 meetings. All voting aye; motion carried.

GENERAL-FEBRUARY 2024 BILLS

Finance Office-2,595.48;Streets-3,746.07;Parks-118.47;Library-763.82;Water-1,16.14;Sewer-1,513.10;AFLAC-Feb premium-70.26;AT&T-data connect-44.07;Bjerke Sanitation-Feb garbage-2,441.75;Brookings-Deuel Rural Water-499,000-1,612.20;Canby Auto Parts-dump truck battery-167.69;City of Clear Lake-contract 1 hr-100.00;City of Gary-firehall-wsg-41.66,city hall-garbage-17.00;Clear Lake Courier-proceedings, notices-155.53;Code Enforcement Specialist-2024 retainer fee-1,500.00;Dept of Ag & Natural Resources-water distribution exam fee-60.00;Deuel County Sheriff's Office-law enforcement-571.20;Deuel County Farmers Union-fuel charges-64.34;EFTPS/941 tax-FWT-706.97,OASI-1,337.48;First Bank and Trust-credit card charges-336.97;First District-2024 membership dues-386.25;Gate City General-supplies-60.67;Gary Fire Dept-2024 truck payment-15,000.00;Gary Post Office-stamps-87.00;Grabow Construction-repair to Lac Qui Parle bridge-1,466.25;HD Electric-cemetery electricity-36.50;ITC-phone,internet,fax, alarm loop-98.52,Library-DSL,static IP-56.45;Jesse Jenson-cell phone, mileage,reimburse-366.24;Koyla Kruse-reimburse book purchase-105.38;Menards-supplies/emergency light batteries-105.64;Mike Nosbush-2.3 hrs. @ 40.00-92.00;Milbank Winwater-test ball-569.99;Ottertail Power Co.-electricity-911.11;SD Public Health Lab-water samples-458.00;SD Dept of Rev-garbage tax-285.56;SD Retirement-Feb contribution-920.90;Wellmark BCBS-March premium-2,053.89.

LIQUOR-FEBRUARY 2024 BILLS

Municipal Liquor-17,539.80;AFLAC-Feb premium-482.86;Cash-Wa Dist-food/supplies-836.24;Chad Giese-reimburse supplies-29.98;Chesterman-pop-578.75;City of Gary-wsg-193.22;Culligan-monthly rental-27.50;EFTPS 941Tax-FWT-1,540.74,OASI-596.51;Ellwein Bros-beer-5,020.05,First Bank & Trust-credit card charges-402.57;Gary Post Office-stamps-34.00;Gate City General-food/supplies-53.17;Gary Liquor Store-bad check write off-200.00;Harry's Pizza-pizza-859.50;Henry's Foods-tobacco, food, supplies-2,088.16;ITC-phone, DSL, TV-247.69;Johnson Bros-liquor-2,202.92;Kayla Daniels-Feb 3 entertainment-400.00;Nikki Giese-3 hrs @ 8.75-26.25;Office Peeps-supplies-642.25;Old Dutch Foods-Chips-64.26;Ottertail Power Co.-electricity-480.67;Pizza & Burger Shack-pizza-216.00;Porter Dist Co-beer, wine/coolers-727.25;Rachel Hinsvark-reimburse supplies-119.80;Republic National Dits-liquor-1,145.20;Robin Lanners-cell phone-25.00;SD Dept of Rev-Feb liquor sales tax-2,901.17;Southern Glazer's of SD-liquor-1,826.76;SD Retirement-Feb contribution-1,103.06;Star Laundry-towels,rugs-106.16;Tony Doom Supply, Inc-1,000 wooden bar tokens-379.85;Wellmark BCBS-March premium-4,107.79.

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

Employee contributions, committee and ward reports were heard.

A member of the public asked questions about where to view Ordinances.

The second reading of Ordinance No 2024-339-17 Water Rate Schedule was approved with a motion by Bekaert, second by Nosbush. All voting aye; motion carried.

Prices for a stand-up freezer for the Gary Liquor Store were reviewed. Motion by Nelson, second by Grabow to purchase a 21-cu. ft freezer. All voting aye; motion carried.

Motion by Grabow, second by Nosbush to write off the remaining \$30 bad check from the previous meeting. All voting aye; motion carried.

Robin Lanners with the Gary Givers asked the council to split the cost of the band for the street dance they are having on July 6th. Motion by Grabow, second by Stee to pay \$3,000. All voting aye; motion carried.

Eli & Tawne Pieper representing the Gary Rodeo spoke to the council about their plans of organizing the Rodeo this year on July 5 & 6. Motion by Grabow, second by Stee to approve a special temporary malt beverage license for the Gary Rodeo, LLC: July 5 & 6, Lot 1, Lewis Addition in E ½, SE ¼, Less Lot 3A of Lots 1 & Outlot 14 in 4-115-47, City of Gary, Deuel County, SD. All voting aye; motion carried.

Motion by Grabow, second by Nosbush to convene as Board of Adjustment (BOA) and City Council for a public hearing of the Conditional Use application by Amy Knutson. She purchased St. Peter's Catholic Church with intent to

remodel for multi family dwelling. No one present to contest. Motion by Nosbush, second by Engesser to approve the Conditional Use. All voting aye; motion carried.

Motion by Nosbush, second by Bekaert to adjourn as BOA and convene as City Council only. All voting aye; motion carried.

An application from the Gate City Development to rezone property from Industrial to Residential was reviewed. Motion by Engesser, second by Nosbush to set a public hearing for April 1, 2024 at 7:30 pm. All voting aye; motion carried.

Motion by Grabow, second by Nosbush to leave the tax call as is for the 2024 tax year that is payable in 2025. All voting aye; motion carried.

April 9, 2024 will be the municipal election for Ward II and Mayor seats. Motion by Engesser, second by Bekaert to designate the Firehall as the official polling place and appoint Carol Barger, Judy Heth and Phil Trieb as the election board. All voting aye; motion carried.

Motion by Nelson, second by Stee to form a committee of Doug, Mike, Jay, Jesse, and Joni to work with First District to review and update the Comprehensive Land Use Plan and Zoning Ordinance. All voting aye; motion carried.

Motion by Nosbush, second by Grabow to approve the special temporary liquor license for American Legion Ballroom, E 24' of Lot 11 and all of Lots 12, 13, 14 in Block 1 of Original Plat, City of Gary, South Dakota on March 10, 2024. On-sale only.

Motion by Bekaert, second by Stee to approve paying mileage for Jesse to attend a Mosquito Control/West Nile Workshop in Colman on March 27th. All voting aye; motion carried.

The flagpole at First Ave ballfield needs repair and branches are hindering the light from illuminating the flag. Motion by Nosbush, second by Bekaert to straighten the pole where it is or move to another location that the light can shine with no obstructions to the flag. All voting aye; motion carried.

Motion by Engesser, second by Stee to have Rangaard Electric replace and install equipment at the municipal building, cemetery, rural water meter pit and spot light for the flag by the American Legion dance hall. All voting aye; motion carried.

Motion by Nosbush, second by Engesser to sign the agreement with Deuel County Highway Department if the city needs their services for the 2024 year. All voting aye; motion carried.

Motion by Bekaert, second by Grabow to prepay Minn-Kota Pest services \$484.50 for the year for services at the Municipal Building. All voting aye; motion carried.

Motion by Nosbush, second by Grabow to renew the membership for 2024 with SDARWS, South Dakota Association of Rural Water Systems for \$385.00. All voting aye; motion carried.

Motion by Grabow, second by Engesser to surplus 2 monitors, 5 computer towers, and 2 typewriters for recycling. All voting aye; motion carried.

The Local Review Board Meeting will be held on Monday, March 18, 2024 at 5 pm at the Gary City Hall. Anyone wishing to appeal their property assessment value is required to notify the City Office in writing by 5:00 pm on March 14, 2024.

The next regular council meeting will be Monday, April 1, 2024 at 7:30 pm at the Gary City Hall.

Motion by Engesser, second by Nosbush to adjourn. All voting aye; motion carried.

City Council, City of Gary
Joni Kjelden, Finance Officer

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