

**REGULAR MEETING OF THE CITY COUNCIL
LEMMON, SOUTH DAKOTA
JUNE 6, 2022**

Pursuant to due call and notice thereof, the Regular Meeting of the City Council of Lemmon, South Dakota was held on Monday, June 6, 2022, at 6:00 p.m. in the Council Chambers of City Hall.

Mayor Matt Barnes and the following City Council were present: Nathan Bootz, Wayne Corcoran, Pat Dalzell, Gary Ericsson, Art Pederson, and Tim Pelkofer. Employees in attendance were: Chad Abel, Annette Dalzell, Dave Huber, Raven Christman, and City Attorney Shane Penfield.

Others in attendance were: Ann Abel, Colleen Pederson, Jeremy Dunn, Tony Wentz, Deputy Sheriff Matt Giesler, Jackie Daniels, LaQuita Shockley, Shari Smith, Dacia Hilkemeier, Marla Reede, Michael VanBeek, Jen Suter, and Dave Johnson.

There was no conflict of interest declared.

Mayor Matt Barnes called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

Mayor Barnes noted there needs to be an amendment to the agenda asking for permission to advertise for a liquor license for RBar dba Wild Oats for July 6-10, 2022. Dalzell moved, Corcoran second to amend the agenda as presented. All voting "Aye"; motion carried. Pederson moved, Corcoran second to approve the Agenda as amended. All voting "Aye"; motion carried.

Corcoran moved, Bootz second to approve the minutes of the May 2, 2022, Regular Meeting. All voting "Aye"; motion carried.

Dalzell moved, Ericsson second to approve the minutes of the May 19, 2022, Special Meeting. All voting "Aye"; motion carried.

This being the time and place for the public hearing for Conditional Use Permit for 700 Main Avenue. It is the recommendation of the Planning & Zoning Board to approve the Conditional Use Permit for 700 Main Avenue. Ann Abel spoke in favor of the permit, as she is planning to open Grandma's Chocolate Shop. Dalzell moved, Corcoran second to approve the Conditional Use Permit as presented. All voting "Aye"; motion carried.

Mayor Barnes noted that Mike Olson has provided written reports for the Council.

Dalzell moved, Corcoran second to allow the finance office to advertise for a Temporary Liquor License for the Beeler Community Center for RBar dba Wild Oats on July 6-10, 2022, at 6:15 p.m. on July 5, 2022. All voting "Aye"; motion carried.

Pederson moved, Bootz second to approve the hire of Donna Hulm for the Petrified Wood Park Museum at the rate of \$10.00 per hour for the summer season. All voting "Aye"; motion carried.

Ericsson moved, Bootz second to approve the hire of James Krebs for the city maintenance position at the rate of \$14.75 per hour, full time. All voting "Aye"; motion carried.

Mayor Barnes presented Jaden Shockley as the appointment for Housing and Redevelopment. Pederson moved, Dalzell second to approve the appointment. All voting "Aye"; motion carried.

Mayor Barnes read a letter of resignation from Art Pederson to the Perkins County Rural Water Board. Corcoran moved, Bootz second to accept the resignation. All voting "Aye"; motion carried. Mayor Barnes thanked Pederson for his many, many, years of service.

Mayor Barnes noted that Pat Dalzell is interested in the position of Perkins County Rural Water representative for the City of Lemmon and recommends Dalzell as the appointment. Pederson moved, Ericsson second to approve the appointment. All voting "Aye"; motion carried.

Corcoran reported the Park Board recommends hiring Talon Trogstad and Gage Anderson for Assistant Baseball Coaches at the rate of \$10.00 per hour. Dalzell moved, Bootz second to approve the hire as presented. All voting "Aye"; motion carried.

Dalzell moved, Pederson second to approve the hire of Zayda Dirk at the rate of \$10.75 per hour to help with swimming lessons as they are short of WSI certified lifeguards. All voting "Aye"; motion carried.

6:15 p.m. This being the time and place for the public hearing for temporary liquor license for Lemmon Recreation for July 15-17, 2022, for a special event at the Beeler Community Center. There being no one to speak for or against, Dalzell moved, Corcoran second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the public hearing for a temporary liquor license for RBar dba Wild Oats for June 25-26, 2022, at the Beeler Community Center for a special event. There being no one to speak for or against, Pederson moved, Bootz second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the public hearing for a temporary liquor license for RBar dba Wild Oats for July 23-24, 2022, at the Beeler Community Center for a special event. There being no one to speak for or against, Bootz moved, Corcoran second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the public hearing for a temporary liquor license for RBar dba Wild Oats for October 1-2, 2022, at the Beeler Community Center for a special event. There being no one to speak for or against, Corcoran moved, Bootz second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the public hearing for a temporary malt beverage license for Lemmon Chamber of Commerce for July 6-12, 2022, at the Beeler Community Center for a special event. There being no one to speak for or against, Pederson moved, Corcoran second to approve the license. All voting "Aye"; motion carried.

The City received bids for the construction of the Lemmon Sanitary Sewer Collection System Rehabilitation Project on April 20th, 2022. Following Councils approval of bid award on May 2, 2022, USDA Rural Development did not concur with the recommendation to award a bid to Crow River Construction due to an irregularity in the bid package. This makes the one bid received non-responsive. As stated in South Dakota Bid Law (SDCL 5-18A-5 (9)), when no firm bids are received, the City has the right to negotiate a contract for the project with a contractor to complete the work. HDR and city personnel have had discussions with Crow River Construction regarding this matter, and they have agreed to complete the work at a negotiated schedule of values (same as Bid values).

With this being said, Dalzell moved, Corcoran second to rescind the motion from the May 2, 2022, Regular Meeting awarding the project to Crow River Construction, LLC of New London, MN. All voting "Aye"; motion carried to rescind.

Pederson moved, Dalzell second to recommend rejecting all bids for the construction of the City of Lemmon Sanitary Sewer Collection System Rehabilitation Project due to bid irregularity. All voting "Aye"; motion carried.

Bootz moved, Corcoran second to recommend approval for City staff to negotiate and enter into a construction agreement with Crow River Construction at a negotiated schedule of values price, and authorize the Mayor to sign necessary contract documents contingent upon acceptance from USDA Rural Development. All voting "Aye"; motion carried.

Dalzell moved, Corcoran second to approve the street closure for the Lemmon Chamber of Commerce on Saturday, July 9, 2022, of 2nd Street West from 1st Avenue West to Main Avenue, north of the Beeler Community Center, for Boss Cowman activities. All voting "Aye"; motion carried.

Bootz moved, Dalzell second to approve the street closure for the 200 Block of Main Avenue for July 8-9, 2022, for Boss Cowman activities. All voting "Aye"; motion carried.

Bootz moved, Corcoran second to approve the "open container" for the designated area as presented for the Boss Cowman Celebration; which will be roped off and marked as a designated area. All voting "Aye"; motion carried.

Corcoran moved, Bootz second to approve the route for the Hands on Health Fun, Run/Walk route and the street closure of 6th Street and Main Avenue on July 9, 2022. All voting "Aye"; motion carried.

Shari Smith representing the ND Ladies Run bike rally requested a street closure of 2nd Street West from the alley to Main Avenue, north of the Beeler Community Center for additional bike parking on July 15-17, 2022. Smith estimates that there will be 150-200 motorcyclist in town for the weekend. Ericsson moved, Bootz second to approve the closure. All voting "Aye"; motion carried.

Smith also noted that on Saturday, July 16, 2022, they will have a short parade of bikes down Main Avenue at 11:00 a.m.

Dalzell noted the BBB Board met and recommends the distribution of funds in the amount of \$500.00 to the Petrified Wook Park for the 90th Birthday Party on July 7, 2022, with cupcakes and coffee being served to celebrate the birthday of the park. Pederson moved, Dalzell second to approve the funds distribution. All voting "Aye"; motion carried.

Dalzell also recommends on behalf of the BBB Board \$5,000.00 to the Thunderhawk Wide Open Bicycle Race for the 2nd annual race. The first year brought 80 riders to town and this year they are hoping to get 150 riders. Jen Suter noted the race was in the Outside Magazine May/June 2022 issue with a really nice article promoting the ride. Dalzell moved, Pederson second to allow the funds for advertising, insurance, entertainment, as well as prizes. Bootz made a motion to take out the \$1,800.00 for the prizes and awards. This amendment died for the lack of a second. Following more discussion, all voting "Aye" to approve up to \$5,000.00 to be paid when invoices are presented. Motion carried.

Abel noted the Annual Report is not finished.

The July 4, 2022, Regular Meeting will be moved to Tuesday, July 5, 2022, due to the holiday.

Dalzell moved, Corcoran second to allow the finance office to advertise the public hearing for temporary liquor license for the Lemmon Country Club on September 3-4, 2022, at the Beeler Community Center on July 5, 2022, at 6:15 p.m. All voting "Aye"; motion carried.

Ericsson moved, Pederson second to allow the finance office to advertise the public hearing for temporary liquor license for Lemmon Country Club on September 10-11, 2022, at the Beeler Community Center on July 5, 2022, at 6:15 p.m. All voting "Aye"; motion carried.

The Lemmon Tractor Pull is Saturday, June 11, 2022, at 1:00 p.m.

Chad Abel will be attending Finance Officer School this week.

Reminder that 2023 Budget Hearings are July 18-22, 2022.

Public Comment

Jeremy Dunn addressed the Council with a request to revise the City of Lemmon Comprehensive Plan for which he is a zealous advocate. The current plan was done in 2015 and Dunn proposes a 2045 plan to be adopted in 2025. Dunn also asked to have his name submitted for the Planning & Zoning Board as an appointment to be done at the July meeting.

Tony Wentz shared the need for most all businesses in town looking for help. Wentz noted there needs to be a plan to get young families to move to Lemmon so there is a workforce available, which maybe should include a trade school for individuals.

Pederson moved, Corcoran second to approve claims. All voting "Aye"; motion carried.

Mayor/Council, \$1,425.00; Finance, \$5,647.12; Fire Department, \$550.00; Streets, \$8,036.23; Street Sweeping, \$190.40; Landfill, \$2,023.31; Cemetery, \$75.00; Petrified Park, \$121.60; General Parks, \$247.52; Pools, \$1,040.69; Library, \$3,102.00; Water, \$4,506.11; Sewer, \$267.52.

American Family Life Assurance, Premiums withheld, \$411.73; AAA State of Play, Equipment, \$3,988.00; Dacotah Bank, TIF Loan, \$18,614.88; Dacotah Bank, EFTPS, \$5,661.83; Elan Visa, Supplies, \$392.26; Delta Dental, Premiums, \$305.80; Eido, Ads, \$420.00; Grand Electric, Airport, \$628.33; KLJ, Airport Engineering, \$6,492.89; Lemmon Chamber, Expenses, \$6,069.33; MDU, Utilities, \$4,975.73; SD Finance Officer Association, Finance Officer School, \$75.00; SD Department of Revenue, Malt Beverage Licenses, \$1,200.00; SD Department of Revenue, Sales Tax, \$1,132.64; SD Retirement System, Retirement, \$2,799.80; Wellmark Blue Cross of SD, Health Insurance, \$5,657.64; West River Telephone, Telephone, Internet, \$731.61.

Associated Pool Builders, Repairs, \$6,200.00; Ag Pro, Supplies, \$445.90; B&H Sanitation, LLC, Garbage contract, \$6,500.00; Barnes Repair, Sweeper Repairs, \$92.25; Bolte, Lander, Water Refund, \$60.89; Connecting Point, Library Equipment, \$10,049.66; Christman, Raven, Cleaning contract, \$250.00; Center Point, Books, \$45.54; Center Point, Books, \$642.18; Corcoran, Wayne, Pool Certification, \$225.00; Country Magazine, Library Mag, \$10.00; Dacotah Bank, Loader Payment, \$15,517.75; Dakota Herald, Monthly fee, \$431.84; Dale's Tilling & Mowing, Mowing, dirt. grass seed, etc., \$1,896.25; Dakota Propane, Repair, \$35.00; Davison, Ben, Pet Park Sign, \$1,038.00; Flinthills, MC-80 Street Oil, \$23,668.35; Follett School Solutions, Library, \$312.00.

Gale Cengage, Books, \$48.79; Ginther, Mike, Monthly fee, \$1,178.34; Gregorian, Sewer Repair, \$462.18; Gooseneck, Repairs Ball Field, \$1,518.04; Grandma's Chocolates, Pet Park Inventory, \$292.00; Hausauer Seamless, Repairs, \$761.00; HDR, Engineering Street Project, \$5,794.75; HDR, Engineering Sewer Project, \$9,163.82; Hawkins, Pool Supplies, \$1,454.65; Johnson, Joel, Code Enforcement, \$1,928.90; LACED, Beeler, \$1,385.78; LACED, Economic Development, \$3,750.51; Lemmon EMT, 2022 remittance, \$12,000.00; Lemmon Youth Baseball, 2022 Remittance, \$500.00; Lemmon Chamber, Expenses, \$5,284.32; Lemmon IGA, Supplies, \$22.22; Lemmon Pit Stop, Fuel, \$48.78; Northwest Farm & Home Supply, Supplies/Repair, \$1,184.48; Northwest SD Regional Landfill, Fees, \$11,121.53; Northwest Pipe, Supplies, \$945.41; Norma's , Flowers, \$127.82; Overdrive, Library software, \$600.00.

Pazie, Sharon, Library books, \$80.00; Perkins County Finance Office, Law Enforcement Contract, \$19,750.00; Perkins County Rural Water, purchased water, \$22,593.87; Principal Financial Group, Life insurance premiums, \$197.26; Print Shop, Printing, \$283.95; Ramkota, West Nile Travel, \$96.00; Riley, Jeff, Pool Certification, \$225.00; Runnings, Supplies, \$529.64; SD Dept. of Public Safety, Reimburse State, \$680.00; SD Dept. of Health, Water Tests, \$30.00; South Dakota One Call, Locates, \$196.35; Southwest Grain, Propane, \$1,286.93; Stateline Designs, Pet Park Inventory, \$743.10; Stock's Electric, Repairs at Parks, \$4,222.32; Tennant's Auto, Repair/supplies, \$44.80; The Current Connection, Supplies, \$876.97; The Three Marketeers, Pet Park Ads, \$360.00; United Labs, Repairs, \$288.00; Wheelers, Pet Park Inventory, \$2,112.47.

Committee Reports

Pederson reminded everyone to go to the polls for the primary election on Tuesday, June 7, 2022.

Pelkofer noted he had an individual speak to him about an ordinance violation. Pelkofer referred the individual to Mike Olson, Code Enforcement Officer, and note that other council members do the same as there could be an appeals process and the City Council should not be involved prior to the appeals process.

Corcoran reported that the Lemmon FFA class and Ag class are working on building a frisbee golf course in the North Park. To date, they have three holes done, working on the next three. There is not a date of installation at this point.

Dalzell noted the new sign at the Petrified Wood Park is very nice and also thanked Art Pederson for his many years of service to the Perkins County Rural Water Board.

Bootz thanked the committees working to bring events to town including the Thunderhawk Wide Open Bicycle Race and the Ladies Ride Motorcycle Event. Bootz also noted the Tractor Pull is Saturday, June 11th.

Abel noted a new business opening in town. Grandma's Chocolate Shop is opening at 700 Main Avenue. Abel also gave a shout of appreciation to Art Pederson for his years of service to the Perkins County Rural Water Board and congratulated Pat Dalzell on the new appointment.

Corcoran moved, Bootz second to adjourn. Mayor Barnes declared the meeting adjourned at 6:57 p.m.

CITY OF LEMMON

MATTHEW A. BARNES, Mayor

ATTEST:

ANNETTE DALZELL, Assistant Finance Officer

Published once at an approximate cost of _____.

