

**REGULAR MEETING OF THE CITY COUNCIL  
LEMMON, SOUTH DAKOTA  
MAY 2, 2022**

Pursuant to due call and notice thereof, the Regular Meeting of the City Council of Lemmon, South Dakota was held on Monday, May 2, 2022, at 6:00 p.m. in the Council Chambers of City Hall.

Mayor Neal Pinnow and the following City Council were present: Matt Barnes, Wayne Corcoran, Pat Dalzell, Cathy Evans, and Tim Pelkofer. Absent was Art Pederson. Employees in attendance were: Chad Abel, Annette Dalzell, Dave Huber, Raven Christman, and City Attorney, Shane Penfield.

Others in attendance were: Nathan Bootz, Dave Johnson, Ann Abel, Stacey Barnes, Dacia Hilkemeier, Mike Schweitzer, Lisa Pinnow, LaQuita Shockley, Gary Ericsson, and Craig Mizera.

There was no conflict of interest declared.

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

Barnes moved, Dalzell second to approve the Agenda as presented. All voting "Aye"; motion carried.

Dalzell moved, Corcoran second to approve the minutes of the April 4, 2022, Regular Meeting. All voting "Aye"; motion carried.

Corcoran moved, Barnes second to approve the minutes of the April 21, 2022, Special Meeting. All voting "Aye"; motion carried.

Dalzell moved, Barnes second to approve claims as presented. All voting "Aye"; motion carried.

Mayor/Council, \$1,600.00; Finance, \$5,974.88; Fire Department, \$550.00; Streets, \$10,512.68; Landfill, \$2,299.93; Cemetery, \$75.00; General Parks, \$285.60; Library, \$2,748.57; Water, \$4,587.87; Sewer, \$535.04.

American Family Life Assurance, Premiums withheld, \$411.73; Dacotah Bank, EFTPS, \$6,225.46; Elan Visa, Travel Conference & Supplies, \$370.87; Delta Dental, Dental insurance premiums, \$337.00; Grand Electric, Electric, \$1,062.32; South Dakota Retirement, Retirement, \$3,101.68; MDU, Electric, \$5,188.28; SD Dept. Of Revenue, Sales Tax, \$1,278.87; South Dakota DANR, Applicator License, \$45.00; West River Tele Coop, Telephone & Internet, \$692.97; Wellmark, Blue Cross, \$6,928.00.

Ag Pro, \$43.87; Chad Abel, Election supplies, \$11.30; Absolute Science, Summer Reading Program, \$400.00; Associated Pool, Pool Filtration, \$104,000.00; B&H Sanitation, LLC, Contract & Dumpster leases, \$6,500.00; Center Point, Books, \$45.54; Christman, Raven, Cleaning contract, \$200.00; Country Woman Mag, Books, \$14.98; Dacotah Bank, Pet Park & Pool Start up, \$150.00; Dacotah Insurance, Bond Renewal, \$672.00; Dakota Playground, Supplies & Repairs, \$7,194.50; Dakota Herald, Legals, \$997.46; Dakota Propane, Propane & Filters, \$2,875.70; Dalzell, Rich, Clothes Allowance, \$200.00; Dalzell, Rich, Travel & Conference, \$26.00; Dustman, Joyce, Election Worker, \$285.00; Gale/Cengage, Books, \$411.31; Ginther, Mike, Management Fee, \$1,178.34; Gooseneck, Repairs & Supplies, \$105.22; Gregorian, Repairs, \$390.64; HDR, Engineering, \$2,606.25; Huber, Dave, Solar Panels, \$308.49.

KLJ, Airport Fuel System Engineering, \$1,728.53; LACED, Expenses, \$4,632.50; LACED, Beeler, \$2,045.00; Lemmon Chamber, BBB Funds, \$2,500.00; Lemmon IGA, Supplies, \$91.39; Lynch, Ellen, Election Worker, \$285.00; Maier, Dennis, Travel & Airport Conference, \$160.44; Northwest Farm & Home Supply, Supplies/repairs, \$176.06; Northwest SD Regional Landfill Assoc., Monthly fees for landfill, \$11,121.53; Perkins County Finance Office, Law enforcement contract, \$19,750.00; Perkins County Rural Water, Purchased water & training, \$23,529.45; Perkins County Rural Water, Water Debt, \$75,107.81; Perkins County Rural Water, Safety Training, \$1,000.00; Penfield, Caroline, Election Worker, \$285.00; Print Shop, Supplies, \$2,402.44; Principal Financial Group, Premiums, \$197.26; Petty Cash, Office, \$33.52; Postmaster, Stamps, \$1,626.05; Ramkota, Airport Conference, \$392.00.

SDML, Travel & Conference, \$78.00; SDDOT, Airport, \$210.00; SD Federal Property, Supplies, \$132.50; SD Public Safety, Drivers Licenses, \$419.00; SD Dept. of Health, Water Tests, \$30.00; SD Magazine, Books, \$25.00; South Dakota 811, Locate Fee, \$2.10; Slope, Electric, \$47.31; Stock's, Repairs, \$267.90; Southwest Grain, Fuel, \$6,171.16; Tennant's Auto Center, Repairs/supplies, \$158.37; The Current Connection, Supplies, \$205.61; United Labs, Supplies, \$822.00; Wheeler Manufacturing, Pet Park Inventory, \$355.15; Wagendorf, John, Election, \$285.00.

Mayor Pinnow thanked the council and city employees for their service to the city and congratulated all the new council and mayor. Pinnow thanked the City of Lemmon residents for the support he has been shown over the last 14 years as Mayor and the four years as alderman prior to that. Pinnow is the longest running Mayor the City of Lemmon has ever had.

Mayor Pinnow and Cathy Evans left the table.

Matt Barnes and Nathan Bootz took their seats at the table.

Finance Officer, Abel handed out Certificates of Election to the newly elected Mayor, Matthew Barnes; Alderman, Ward 1, Nathan Bootz; as well as the incumbent Alderman, Ward 2, Pat Dalzell. The Oath of Office was administered.

Corcoran moved, Pelkofer second to elect Pat Dalzell as President of the Council. There being no other nominations, Pat Dalzell was elected as President of the Council. All voting "Aye"; motion carried.

Pelkofer moved, Dalzell second to nominate Wayne Corcoran as Vice President of the Council. There being no other nominations, Wayne Corcoran was elected as the Vice President of the Council. All voting "Aye"; motion carried.

Mayor Barnes noted there is a vacancy for a one-year term in Ward 3 and asked for nominations to fill that position. Corcoran nominated Gary Ericsson to fill the one-year term for Ward 3, Dalzell second. There being no other nominations, all voting "Aye"; motion carried.

Mike Schweitzer addressed the Council and those in attendance, noting his very good friend has served the City of Lemmon for the past 14 years and accomplished many things to move Lemmon forward. Some of the items include: County Law Enforcement, Railway Street Project, and also including fights at the local food pantry and several other things daily that come about and go unnoticed by the majority of the people in the community. Schweitzer personally thanked Mayor Pinnow for his years of service.

Gary Ericsson took his seat at the table and Finance Officer, Abel administered the Oath of Office for a one-year term, Ward 3.

Mayor Barnes distributed his Council Committee Appointments, Employee Appointments. Dalzell moved, Corcoran second to approve the appointments. All voting "Aye"; motion carried.

Mayor	Matthew Barnes
President of the Council	Pat Dalzell
Vice President of the Council	Wayne Corcoran
City Property & Leases	T. Pelkofer, N. Bootz, G. Ericsson
Finance	P. Dalzell, W. Corcoran, G. Ericsson
Garbage & Landfill	T. Pelkofer, N. Bootz, A. Pederson
Liquor & Gaming	P. Dalzell, T. Pelkofer, W. Corcoran
Law Enforcement	Mayor, President, Vice President
Streets & Sidewalks	P. Dalzell, N. Bootz, A. Pederson
Water & Sewer	W. Corcoran, A. Pederson, N. Bootz
Airport Board-Council Rep	P. Dalzell
Cemetery Board-Council Rep	M. Barnes
Housing-Council Rep	T. Pelkofer
Library Board-Council Rep	A. Pederson
Park Board-Council Rep	W. Corcoran
BBB Board-Council Rep	P. Dalzell
Planning & Zoning-Council Rep	G. Ericsson

Airport Board: Mike Ginther, Manager, Chantz Dirk, Arlin Bartels, Pat Bootz, Dennis Maier, Scott Reede

Cemetery Board: Vance Trogstad, Ray Huber, Al Colgrove, Nicole Huffman

Housing & Redevelopment Board: Jeff Haase, Tim Kvale, Delores Wells, Michael VanBeek

Library Board: Lennice Parker, Kim Olson, Linda Borchert, Kelli Penfield, Kellie Fike

Park Board: Toni Huber, Carolyn Penfield, Heather Dauwen, Shane Hulm

Tree Board: Marla Reede

BBB Board: Ryan Kohn, John Lopez, Vance Trogstad, Shari Smith

Planning & Zoning Board: Jeff Haase, Archie Goodrich, Travis Maier, Rosemary Mueller

Employee Appointments;

Attorney

Shane Penfield

City Superintendent

Dave Huber

Finance Officer

Chad Abel

Bootz moved, Corcoran second to grant signatory authority to Mayor Matthew A. Barnes; President of the Council, Pat Dalzell; Finance Officer, Chad Abel; and Assistant Finance Officer, Annette Dalzell on all three financial institutions including: Bank of the West, Dacotah Bank, and Dakota Plains Federal Credit Union. All voting "Aye"; motion carried.

Mayor Barnes read a proclamation to honor Neal Pinnow for his years of service to the City of Lemmon. Penfield presented Pinnow with a plaque noting his years of service.

Mayor Barnes thanked Cathy Evans for her three years of service on the Council.

Dalzell moved, Corcoran second to spread upon the minutes the proclamation for Neal Pinnow.

## **Executive Proclamation**

### **City of Lemmon**

### **State of South Dakota**

**Whereas**, Mayor Neal Pinnow has served the City of Lemmon and its citizens for over eighteen years; and

**Whereas**, Mayor Pinnow was first elected to the Lemmon City Council in 2004 and soon thereafter elected President of the Council; and

**Whereas**, Mayor Pinnow was elected in 2008 as the Mayor of the City of Lemmon and has served in this position for fourteen years; and

**Whereas**, Mayor Pinnow was re-elected to serve as the Mayor of the City of Lemmon six times; and

Whereas, prior to his election to the Lemmon City Council served on the Lemmon Area Chamber of Commerce Board and Lemmon Area Charitable and Economic Development Board; and

Whereas, Mayor Pinnow served as the President of the Lemmon Area Chamber of Commerce and the Lemmon Area Charitable and Economic Development Corporation; and

Whereas, Mayor Neal Pinnow is the longest serving Mayor of the City of Lemmon during its 115 year history; and

Whereas, Mayor Pinnow was a tireless advocate for the City of Lemmon and our area in South Dakota state government; and

Whereas, the City of Lemmon was named community of the year in 2012 during the tenure of Neal Pinnow; and

Whereas, the City of Lemmon has improved infrastructure through the leadership of Mayor Pinnow including the Railway Street project, Second Street project and ongoing sewer project; and

Whereas, the quality of life of all citizens has been improved by the work and leadership of Mayor Pinnow and Lemmon is known as a leader in rural development; and

Whereas, the City of Lemmon is a better place to live, raise a family and retire due to the leadership of Mayor Pinnow;

Now Therefore Be It Proclaimed that Mayor Neal Pinnow be recognized and thanked for his dedicated service to the City of Lemmon. This proclamation shall be spread upon the Minutes of the Regular Meeting of the Lemmon City Council and be published according to South Dakota law.

I, the Mayor of the City of Lemmon, hereby set my hand on this Proclamation on the Second Day of May, In the Year of Our Lord Two Thousand Twenty Two, at the City Hall of the City of Lemmon, Perkins County, State of South Dakota.

CITY OF LEMMON

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Matthew A. Barnes, Mayor of the City

ATTEST:

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Chad Abel, Finance Officer

Corcoran moved, Dalzell second to allow the finance office to advertise for a Public Hearing at 6:15 p.m. on June 6, 2022, for Temporary Liquor License for Lemmon Recreation for the Beeler Community Center on July 15-17, 2022. All voting "Aye"; motion carried.

Corcoran moved, Bootz second to allow the finance office to advertise for a Public Hearing at 6:15 p.m. on June 6, 2022, for Temporary Liquor License for R-Bar dba Wild Oats at the Beeler Community Center on June 25-26, 2022. All voting "Aye"; motion carried.

Dalzell moved, Corcoran second to allow the finance office to advertise for a Public Hearing at 6:15 p.m. on June 6, 2022, for Temporary Liquor License for R-Bar dba Wild Oats at the Beeler Community Center for July 23-24, 2022. All voting "Aye"; motion carried.

Ericsson moved, Bootz second to allow the finance office to advertise for a Public Hearing at 6:15 p.m. on June 6, 2022, for Temporary Liquor License for R-Bar dba Wild Oats at the Beeler Community Center for October 1-2, 2022. All voting "Aye"; motion carried.

Dalzell moved, Corcoran second to allow the finance office to advertise for a Public Hearing at 6:15 p.m. on June 6, 2022, for Temporary Malt Beverage License for the Lemmon Chamber of Commerce at the Beeler Community Center on July 6-12, 2022 for Boss Cowman. All voting "Aye"; motion carried.

Ericsson moved, Bootz second to grant the street closure request for the Lemmon Chamber of Commerce of 6<sup>th</sup> Street East between the GE Lemmon Park and the Petrified Wood Park for July 8-9, 2022, for the Boss Cowman festivities. All voting "Aye"; motion carried.

6:20 p.m. This being the time and place for the Public Hearing for Retail (On/Off Sale) Malt Beverage 2022-2023 for American Legion Post 66. 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 Retail (On/Off Sale) Malt Beverage 2022-2023 for Lemmon Pit Stop, LLC. 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 Retail (On/Off Sale) Malt Beverage 2022-2023 for Geo's Corner. There being no one to speak for or against; Bootz moved, Dalzell second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the Public Hearing for Retail (On/Off Sale) Malt Beverage 2022-2023 for Deez Inc. 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 Retail (On/Off Sale) Malt Beverage 2022-2023 for Dakota Lodge. There being no one to speak for or against; Dalzell moved, Ericsson second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the Public Hearing for Retail (On/Off Sale) Malt Beverage 2022-2023 for Family Dollar Store. 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 Retail (On/Off Sale) Malt Beverage 2022-2023 for Dollar General Store. There being no one to speak for or against; Dalzell moved, Ericsson second to approve the license. All voting "Aye"; motion carried.

This being the time and place for the Public Hearing for Retail (On/Off Sale) Malt Beverage 2022-2023 for Kokomo Gallery. There being no one to speak for or against; Bootz moved, Dalzell second to approve the license. All voting "Aye"; motion carried.

Craig Mizera, HDR Engineering, spoke to the Council and recommends the issuing notice of award and entering into a contract with Crow River Construction for Sanitary Sewer Improvement Project accepting the base bid with no bid alternatives. Mizera noted the City of Lemmon has been working on the sanitary sewer project for about nine years with the televising of the main sewer lines being done in 2014 and noting that the total project would be \$12.5 million. After several years of study and meetings with the city of Lemmon, Phase 1, is \$1,802,000.00 to get the project started. After some discussion, including the reality of the project being worse than it was in 2014 and the scope of the project, Dalzell moved, Corcoran second to award the contract and all agreement documents with Crow River Construction, LLC, of New London, MN in the amount of \$1,623,535.00 base bid with no alternate bids, and granting Mayor Barnes signatory authority on all documents. All voting "Aye"; motion carried.

Finance Officer, Abel, noted the best alternative to deal with the financing of the project is to pay for the engineering fees from the city budget and not through the USDA Rural Development loan. Abel recommends paying the \$167,000.00 in engineering fees from the Sewer Fund out of the city budget to enable the USDA Rural Development loan to pay for the construction loan interest and contingency for incidentals and be under the \$1,802,000.00 loan amount. After discussion, Dalzell moved, Corcoran second to approve removing the \$167,000.00 from the USDA Rural Development loan and using the city Sewer Fund to pay the engineering expense. All voting "Aye"; motion carried.

Mayor Barnes presented Resolution 2022-2, A RESOLUTION SETTING A SURCHARGE IN THE CITY OF LEMMON TO MAKE PAYMENT TO THE USDA RURAL DEVELOPMENT IN ORDER TO RETIRE DEBT FOR THE CONSTRUCTION OF THE SANITARY SEWER IMPROVEMENTS LINING PROJECTS IN THE CITY OF LEMMON. The discussion is that the city of Lemmon will have a monthly payment of \$5,713.00 for the next 40 years. The Resolution will include a \$10.00 per month surcharge on all active

water accounts to help pay the monthly payment. Corcoran moved, Pelkofer second to adopt Resolution 2022-2, A RESOLUTION SETTING A SURCHARGE IN THE CITY OF LEMMON TO MAKE PAYMENT TO THE USDA RURAL DEVELOPMENT IN ORDER TO RETIRE DEBT FOR THE CONSTRUCTION OF THE SANITARY SEWER IMPROVEMENTS LINING PROJECTS IN THE CITY OF LEMMON, as presented. On a roll call vote, all voting "Aye"; motion carried.

## **RESOLUTION 2022-2**

A RESOLUTION SETTING A SURCHARGE IN THE CITY OF LEMMON TO MAKE PAYMENT TO THE USDA RURAL DEVELOPMENT IN ORDER TO RETIRE DEBT FOR THE CONSTRUCTION OF THE SANITARY SEWER IMPROVEMENTS LINING PROJECT IN THE CITY OF LEMMON:

WHEREAS, The City of Lemmon incurred \$1,802,000.00 in debt from the USDA Rural Development to construct the Sanitary Sewer Improvement Lining Project; and

WHEREAS, the City of Lemmon will satisfy this obligation by setting a surcharge on each active water account within the City of Lemmon; and

NOW, THEREFORE, be it resolved that the City Council of the City of Lemmon authorize and direct the Finance Officer to levy a monthly surcharge in the amount of \$10.00 per active water meter and it shall be collected by the Finance Officer and labeled "Sanitary Sewer Improvement Debt Retirement". This fee shall expire upon retirement of the City of Lemmon's debt service requirement to the USDA Rural Development. Effective date of this resolution is the billing of the water, sewer & garbage in June, 2022.

Dated this \_\_\_\_ day of May, 2022

CITY OF LEMMON

\_\_\_\_\_  
Matthew A. Barnes, Mayor

ATTEST:

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Chad Abel, Finance Office



Dalzell reported the BBB Board met and recommends the granting of funds in the amount of \$6,000.00 to the Boss Cowman Rodeo Committee for the Boss Cowman Steak Dinner at the Beeler Community Center. Dalzell moved, Corcoran second to approve the request of \$6,000.00. All voting "Aye"; motion carried.

Corcoran noted the Property Committee met and recommends the gifting of surplus land to Lemmon Housing Authority of the three properties including: 305 4<sup>th</sup> Avenue West (Milwaukee Land Co 2<sup>nd</sup> Addition, Block 34, Lot 3), 805 1<sup>st</sup> Avenue East (Lemmon's 2<sup>nd</sup> Addition, Block 6, Lot 3), and 807 1<sup>st</sup> Avenue East (Lemmon's 2<sup>nd</sup> Addition, Block 6, Lot 4). Evans noted that Lemmon Housing has been approve for three governor's homes to be moved to Lemmon. Corcoran moved, Pelkofer second to approve the gift of surplus property to Lemmon Housing Authority. All voting "Aye"; motion carried.

Pelkofer moved, Dalzell second to table three items on the agenda relating to the Lemmon Chamber of Commerce, Boss Cowman street closures, and open containers as there was not a representative from the Chamber present. All voting "Aye"; motion carried.

Raven Christman from the Parade Committee presented the Boss Cowman parade route for approval. The route will start on 2<sup>nd</sup> Street West, turning on to Main Avenue down to 8<sup>th</sup> Street West, then following 8<sup>th</sup> Street West to 6<sup>th</sup> Avenue West past the nursing home. Dalzell moved, Corcoran second to approve the route as presented. All voting "Aye"; motion carried.

Bootz moved, Dalzell second to approve the hire of Matt Giesler at \$10.00 per hour to mow and care for the baseball field. All voting "Aye"; motion carried.

Ericsson moved, Corcoran second to approve the property tax refund to John Hay 401 6<sup>th</sup> Avenue East, in the amount of \$691.63 for the qualification of a property tax freeze. All voting "Aye"; motion carried.

Corcoran moved, Bootz second to allow Chad Abel to attend SDML Finance Officer's School on June 8-11, 2022 in Huron. All voting "Aye"; motion carried.

Bootz moved, Dalzell second to allow finance office to void check #29537. All voting "Aye"; motion carried.

Dalzell moved, Corcoran second to allow the finance office to publish the Weed and Grass Ordinance as presented. All voting "Aye"; motion carried.

City-wide clean-up week is May 21-28, 2022. Please call city hall for further information.

Abel noted that the auditor's will be in the office from May 3-6, 2022 for the annual audit.

City Attorney, Shane Penfield addressed the Council with information about public official's liability. Some of the items included: Open meeting laws, executive sessions, and group email. Penfield is available for legal advice literally 24/7.

#### Committee Reports

Dave Huber noted the filter system is being installed at the swimming pool. Once the ice is gone, the company installing will come back for training on the new system. Huber also noted the new playground equipment will be installed in the GE Lemmon park as well as some in the North Park.

Corcoran reported that one of the assistant baseball coaches did not accept the position offered, so they are short one baseball coach.

Dalzell commented on the LHS Senior Banners that have been put up on the light poles along Highway 12, noting they look really nice.

Abel noted that when the auditors have finished for the week there will need to be an exit interview with them and the finance committee sometime this week.

Corcoran moved, Dalzell second to adjourn. Mayor Barnes declared the meeting adjourned at 7:33 p.m.

CITY OF LEMMON

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MATTHEW A. BARNES, Mayor

ATTEST:

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ANNETTE DALZELL, Assistant Finance Officer

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