**REGULAR MEETING OF THE CITY COUNCIL**

**LEMMON, SOUTH DAKOTA**

**JULY 1, 2019**

Pursuant to due call and notice thereof, the Regular Meeting of the City Council of Lemmon, South Dakota was held on Monday, July 1, 2019, at 6:00 p.m. in the Council Chambers of City Hall.

Mayor Neal Pinnow and the following City Council were present: Wayne Corcoran, Pat Dalzell, Cathy Evans, and Jim Lorenz. Absent was Jill Anderson and Tim Pelkofer. Employees in attendance were: Chad Abel, Annette Dalzell, Raven Christman, and City Attorney, Shane Penfield.

Others in attendance were: LaQuita Shockley, Anita Stugelmeyer, Steve Bucks, Shari Smith, Mike Schweitzer, and Carla Sackmann.

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

Lorenz moved, Evans second to approve the Agenda as presented. All voting “Aye”; motion carried.

Corcoran moved, Lorenz second to approve the minutes of the June 3, 2019, Regular Meeting. All voting “Aye”; motion carried.

Carla Sackmann gave her code enforcement report. Sackmann reported that there are many yards in town that look beautiful and we also have a few “hay yards”, that she is working on. Sackmann has been working with Mike Olson and reported that seven of the houses from last year’s list are “in compliance”, 11 houses will be receiving letters to get the work done or the abatement process is beginning. An additional 16 letters of abandoned houses have been sent that need either work/demolition. The city will proceed to either mow or take care of the properties and then assess it to the property taxes.

6:11 p.m. Brittany Schell entered the meeting.

Mayor Pinnow noted that the quit claim deeding process was approved in 2018 for the city to proceed with home owners deeding the homes to the City of Lemmon.

Corcoran moved, Dalzell second to approve the street closure for 6th Street East from Main Avenue to 1st Avenue East for the Hands on Health Fun, Run, & Walk. All voting “Aye”; motion carried.

Mayor Pinnow reminded all committees and department heads that budget hearings start on July 15, 2019.

6:15 p.m. This being the time and place for the Public Hearing for a Temporary Liquor License for R-Bar on July 11-12, 2019, at the Beeler Community Center for a special event. There being no one to speak for or against, Dalzell moved, Lorenz 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 Benny’s on August 10-11, 2019, at the Beeler Community Center for a special event. There being no one to speak for or against, Lorenz moved, Evans second to approve the license. All voting “Aye”; motion carried.

Dalzell moved, Evans second to approve the resolution, all voting “Aye”; motion carried.

City of Lemmon

South Dakota

A RESOLUTION authorizing an application to the USDA Rural Development Water & Waste Disposal Loan & Grant Program for up to $1,500,000 for technical assistance and rehabilitation of city sanitary sewer collection system including manhole rehabilitation, sewer main replacements, sewer main lining and necessary appurtenances.

Resolved by the City Council of the City of Lemmon as Follows:

Whereas, there is grant and loan money available from the USDA Rural Development Water & Waste Disposal Loan & Grant Program; and

Whereas, there are many benefits to repairing the city sanitary sewer collection system including the economic benefits of reducing future maintenance costs and maintaining compliance with the necessary permitting; and

Whereas, if found to be feasible, the project would improve reliability of the sanitary sewer collection system, reduce risk of impacting users, and reduce infiltration of storm and ground water into the sanitary sewer system; and

Whereas, upon approval, the City Finance Officer is authorized to receive said grant and loan and the proceeds are hereby appropriated for the purpose of the sanitary sewer rehabilitation project; and

Whereas, all grant and loan proceeds shall be deposited with the City Finance Officer and that any additional use of these funds beyond the scope of work as listed in the application shall require prior approval of the City Council.

Now Therefore Be It Resolved by the City Council of the City of Lemmon as Follows:

That, the City Finance Officer is authorized to apply for funding through the USDA Rural Development Water & Waste Disposal Loan & Grant Program in the amount of up to $1,500,000 for technical assistance and rehabilitation of the sanitary sewer collection system, and the City Finance Officer is authorized to execute any documents which may be necessary to effectuate the USDA contract.

This Resolution shall be in full force and effect from and after passage.

PASSED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Mayor

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Finance Officer

Corcoran moved, Evans second to allow the Finance Office to advertise the notification that the City of Lemmon will be applying for grants and loans through the USDA for the sewer project. All voting “Aye”; motion carried.

Evans moved, Lorenz second to grant signatory authority to Chad Abel, Finance Officer, to apply and submit application to the USDA for grants and loans. All voting “Aye”; motion carried.

Dalzell moved, Corcoran second to approve the request for street closure for 3rd Street East between Main Avenue and the alley of 1st Avenue East between the Print Shop and Boss Cowman Square on Saturday, July 13, 2019, for the events after the parade instead of closing Main Avenue as previously requested. All voting “Aye”; motion carried.

Dalzell moved, Corcoran second to approve the request for street closure for 1st Avenue West between 3rd Street West and 4th Street West on Sunday, September 22, 2019, for the Fire Department. All voting “Aye”; motion carried.

Corcoran moved, Evans second to approve the purchase of MC800 Oil for approximately $55,300.00 for all loads and it is a direct withdraw from our account. All voting “Aye”; motion carried.

Lorenz moved, Corcoran second to approve the public display of fireworks in the lot behind Stock’s Electric on Friday, July 12, 2019, by Turning Point Christian Center. All voting “Aye”; motion carried.

Lorenz speaking on behalf of the Property Committee moved, Corcoran second to transfer city property to the Lemmon School District for the building of a new school upon receiving a legal description of the location. After discussion, Lorenz rescinded his motion, Evans second to rescind. All voting “Aye” to rescind, motion carried.

After more discussion, Lorenz moved, Evans second to work with the school on “Option B” with building plans and land use to be sure to stay clear of all utilities. All voting “Aye”; motion carried.

Lorenz moved, Evans second to have the second reading of ORDINANCE #2019-1, Final Draft of Lemmon Zoning Ordinance. On a roll call vote, all voting “Aye”; motion carried.

Corcoran moved, Dalzell second to approve the second reading of ORDINANCE #2019-1, Final Draft of Lemmon Zoning Ordinance as presented. On a roll call vote, all voting “Aye”. Mayor Pinnow declared the ordinance passed, to be published and duly adopted.

**Publish July 22, 2019, and July 29, 2019**

NOTICE OF ADOPTION

**AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND MAP FOR THE CITY OF LEMMON, SOUTH DAKOTA AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE LAWS OF THE STATE OF SOUTH DAKOTA, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THERWITH.**

Notice is hereby given that an ordinance establishing zoning regulations and map for the City of Lemmon, South Dakota and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the laws of the State of South Dakota, and amendments thereof, was adopted by the City Council on July 1, 2019, and will become effective on August 19, 2019.

The following is a summary of the Zoning Ordinance:

* Authority and Administration
* Zoning Districts and Regulations
* Agricultural Zoning District
* Residential Zoning District
* Downtown Commercial Zoning District
* General Commercial Zoning District
* Industrial Zoning District
* Public Zoning District
* Exceptions to Zoning Development Standards
* Development Standards for Specific Uses in All Zoning Districts
* Legal Nonconforming Uses, Fees and Enforcement
* Zoning Ordinance Definitions

NOTICE IS FURTHER GIVEN that the document entitled Lemmon Zoning Ordinance and the Official Zoning Map of Lemmon, South Dakota is available for public inspection at the Office of the Lemmon Finance Officer, Lemmon City Hall, 303 1st Avenue West, Lemmon, South Dakota, during normal business hours. This Ordinance shall become effective on August 19, 2019.

Dated July 22, 2019, and July 29, 2019.

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Finance Officer

Dalzell moved, Corcoran second to have the second reading of ORDINANCE #2019-2, Final Draft of Lemmon Subdivision Ordinance. On a roll call vote, all voting “Aye”; motion carried.

Dalzell moved, Evans second to approve the second reading of ORDINANCE #2019-2, Final Draft of Lemmon Subdivision Ordinance as presented. On a roll call vote, all voting “Aye”. Mayor Pinnow declared the ordinance passed, to be published and duly adopted.

Publish July 22, 2019, and July 29, 2019

NOTICE OF ADOPTION

**AN ORDINANCE ESTABLISHING SUBDIVISION REGULATIONS FOR THE CITY OF LEMMON, SOUTH DAKOTA AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE LAWS OF THE STATE OF SOUTH DAKOTA, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THERWITH.**

Notice is hereby given that an ordinance establishing subdivision regulations for the City of Lemmon, South Dakota and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the laws of the State of South Dakota, and amendments thereof, and for the repeal of all ordinances in conflict herewith, was adopted by the City Council on July 1, 2019, and will become effective on August 19, 2019.

The following is a summary of the Subdivision Ordinance:

* Authority and Administration
* Layout Plan
* Preliminary Plats
* Final Plats
* Improvements
* Exceptions
* Conflicting Regulations
* Fees
* Amendments
* Penalties
* Court Review of City Council Decisions
* Plat Errors and Omissions
* Ordinance Language and Definitions

NOTICE IS FURTHER GIVEN that the document entitled Lemmon Subdivision Ordinance is available for public inspection at the Office of the Lemmon Finance Officer, Lemmon City Hall, 303 1st Avenue West, Lemmon, South Dakota, during normal business hours. This Ordinance shall become effective on August 19, 2019.

Dated July 22, 2019, and July 29, 2019.

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Finance Officer

Evans moved, Lorenz second to approve claims as presented. All voting “Aye”; motion carried.

Mayor/Council, $1,275.00; Finance, $4,534.52; Fire Department, $550.00; Streets, $6,134.77; Landfill, $1,901.77; Cemetery, $70.00; Museum, $2,766.25; Gift Shop, $2,373.75; General Parks, $3,578.54; Ball Parks, $1,835.94; Pool, $5,623.68; Library, $2,185.20; Bamble, $395.00; Water, $3,812.73; Sewer, $746.81.

American Family Life Assurance, Premiums withheld, $401.05; Dacotah Bank, Loader Payment, $15,517.75; Dacotah Bank, Payroll Fee, $11.70; Dacotah Bank, Pet Park credit card fees, $14.95; Dacotah Bank, Visa, $1,286.24; Dacotah Bank, EFTPS, $7,530.04; Dacotah Bank Insurance, Premiums, $37,688.00; Dakota Construction, Main Street Repairs/ Gen Park, $5,286.49; Delta Dental, Premiums, $325.56; Grand Electric, Electric Airport, $266.75; Huber, Toni, Landfill Sign, $78.47; Montana Dakota Utilities, Electric, $4,821.25; South Dakota Retirement, $2,323.80; SD Dept Revenue, Sales Tax for May, $1,089.20; WA State Support, Support, $150.00; Wellmark Blue Cross of SD, Health Insurance Premiums, $6,426.73; West River Cooperative Tele. Co., Phone charges, $902.50.

Abel, Chad, Conference, $243.94; B&H Sanitation, Garbage contract, $6,500.00; Big State Industrial Supply, Supplies, $146.92; Carda, Loyson, Spray Labor Airport, $125.00; CenterPoint, LP, Books, $44.34; Christman, Raven, Cleaning contract, $200.00; Dakota Auto Parts, Repairs/supplies, $302.31; Dakota Herald, Legals, $537.78; Dakota's Propane Gas Cooperative, Propane, $60.00; Dale Rivinius Tilling & Mowing, Cemetery care, $2,280.00; Diesel Machinery Inc., Supplies, $338.45; Dirk, Andrew, Umpire Wage, $265.00; Dirk, Brent, Zada Life Guard Course, $237.00; Eido, Pet Park Marketing, $140.00; G & O, Supplies, $145.75; Gale, Books, $331.55; Gale, Books, $347.81; Ginther, Mike, Monthly fee, $1,000.00; Ginther, Weston, Baseball repairs/improvements, $185.00; Grand Electric, Airport electricity, $219.67; Global Equipment Co. Inc., Park benches, $3,167.75; Gold, Ed, Mowing, $125.00; Gooseneck, Supplies & Repairs, $193.83; Gregorian, GE Park Repairs, $418.29.

Hausauer Seamless, Repairs Pet Park, $128.33; Kadrmas, Lee & Jackson, Airport Engineering Fees, $6,377.41; Kahl Trucking, Street Chips, $9,021.35; LACED, Beeler, $1,011.85; LACED, Economic Development, $4,234.29; Lemmon Chamber, Boss Cowman, $5,000.00; Lemmon Chamber, Economic Development, $2,936.56; Lemmon Fire Dept, 1st half expenses, $1,785.37; Lemmon Fire Dept, 1st half expenses, $2,856.40; Lemmon Fire Dept, 1st half expenses, $1,839.47; Lemmon Fire Dept, 1st half expenses, $850.89; Lemmon Fire Dept, 1st half expenses, $799.62; Lemmon Fire Dept, 1st half expenses, $126.13; Lemmon IGA, Supplies, $419.48; Live Inc., 2019 Remittance, $1,500.00; Montana Dakota Utilities, Electricity, $138.37; Northwest Farm & Home Supply, Supplies/Repair, $673.32; Northwest Pipe Fittings, Inc., Repairs, $1,204.70; Northwest SD Regional Landfill Association, Membership fees, $10,179.19; Norma’s Garden Center, Flowers at Pet Park, $181.02.

OCCS Mike Olson, Code Enforcement, $1,161.23; Perkins County Finance Office, Contract Law Enforcement, $18,875.00; Perkins County Rural Water, Purchased Water 3837900 gallons+193airport, $21,956.59; Peters, Susan, Pool Supplies, $101.16; Pioneer Woman Mag, Library Mag, $18.00; Print Shop, Envelopes & Pool Cards, $65.00; Ramkota Hotel - Pierre, FOS, $288.00; Recreation Supply Company, Repairs, $168.93; RI TEC, Supplies, $235.00; Sackmann, Carla, Code Enforcement fees, $750.00; Safety-Kleen, Parts Cleaner, $206.78; SD DENR, Environmental fees for City of Lemmon, $600.00; South Dakota Dept. of Public Safety, Reimburse driver's license fees, $605.00; South Dakota Dept. of Health 1531.14 Sales tax & water tests, $30.00; SD Federal Properties, Mower, $500.00; SD Rural Water, Locate Meter, $100.00; Slope, electric, $35.00; South Dakota One Call, Locate tickets, $33.60; Southwest Grain, Propane, $1,634.19; Stateline Design, Inventory, $522.92; Stock's Electric, Repairs/supplies, $801.77; Synchrony Bank/Amazon, Books, $1,080.61; Trusted Media Brands, Taste of Home, $19.98; Tennant's Auto, Supplies, $157.22; The Current Connection, Repairs, $175.04; Walters Trucking LLC, Street Chips, $13,096.55; Willards Oil, Fuel, $2,194.90.

Committee Reports

Dalzell thanked the Boss Cowman Committee and also thanked the Economic Development for the Beeler Community Center, noting it is busy every weekend with weddings and reunions and brings many people to town.

LaQuita Shockley also reported on a “Mystery Bus Trip” that came through Lemmon and spent time at the Senior Center.

Chad Abel thanked the council for the chance to attend Finance Officer School in Pierre, noting it was a very good school.

Shane Penfield gave some history on the City of Lemmon and also noted that the Lemmon Fire Department is also assisting the Lemmon EMT’s with lifting and answering the call to serve the residents of Lemmon. There are currently eleven fire fighters who will be helping the EMT’s with runs.

Lorenz moved, Dalzell second to adjourn. Mayor Pinnow declared the meeting adjourned at 6:49 p.m.

CITY OF LEMMON

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NEAL PINNOW, Mayor

ATTEST:

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ANNETTE DALZELL, Assistant Finance Officer

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