**REGULAR MEETING OF THE CITY COUNCIL**

**LEMMON, SOUTH DAKOTA**

**MAY 7, 2018**

Pursuant to due call and notice thereof, the Regular Meeting of the City Council of Lemmon, South Dakota was held on Monday, May 7, 2018, at 6:00 p.m. in the Council Chambers of City Hall.

Mayor Neal Pinnow and the following City Council were present: Jill Anderson, Jackie Beer, Jim Lorenz, and Michael Van Beek. Absent was Grant Schweitzer. Employees in attendance were: Chad Abel, Annette Dalzell, Dave Huber, Raven Christman, and City Attorney, Shane Penfield.

Others in attendance were: Pat Dalzell, Shari Smith, Deputy Sheriff Matt Giesler, Koreen Anderson, Deb Ruen, Melony Bruno, LaQuita Shockley, Camryn Shockley, and Wayne Corcoran.

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

Lorenz moved, Anderson second to approve the Agenda. Beer moved to amend the Agenda to add approval of Temporary Liquor License for the R-Bar on dates in June and July which was omitted from the Agenda but was advertised for the public hearing, Anderson second the amendment. All voting “Aye”; motion carried to approve as amended.

Anderson moved, Beer second to approve the Minutes of the April 2, 2018, Regular Meeting. All voting “Aye”; motion carried.

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

Mayor/Council, $1,100.00; Finance, $4,328.23; Fire Department, $550.00; Streets, $8,641.28; Street Sweeping, $526.45; Landfill, $2,186.28; Cemetery, $70.00; General Parks, $266.05; Pool, $39.46; Library, $1,706.60; Water, $3,975.62; Sewer, $71.32.

American Family Life Assurance, Premiums withheld, $249.60; Dacotah Bank, EFTPS, $4,876.37; Delta Dental, Dental insurance premiums, $338.12; MDU, Electric, $4,855.89;

SD Dept. Of Revenue, Water Tests & sales Tax & Late Fee, $983.97; Slope Electric, Lagoon electricity, $35.00; South Dakota Retirement Systems, Retirement contributions, $2,446.30; Wellmark Blue Cross of SD, Health premiums, $5,894.61.

B&H Sanitation, LLC, Contract & Dumpster leases, $6,500.00; Babe Ruth League Charter, Fees, $245.00; Bismarck Tribune, Newspaper Subscription, $90.00; Breton, Sandy, Refund, $50.00; Center Point LP, Books, $279.75; Christman, Raven, Cleaning contract, $250.00; Cyncon Equipment Inc., Street sweeper repairs, $2,342.32; Dakota Auto Parts, Supplies, $975.62; Dakota Farm Equipment, Supplies, $97.22; Dakota Herald, Legals, $200.00; Dakota's Propane, Propane, $964.50.

Gale/Cengage, Books, $90.86; Ginther, Mike, Management Fee, $1,000.00; Grand Electric, Airport electricity, $451.03; Huaute, Wee Wish, Pet Park Inventory, $80.00; Huber, Dave, Sewer Conference Meals & Travel, $147.00; Jacobs, Morris, Refund, $222.30; Lemmon Chamber, Marketing, $1,675.59; Lurz, Jeremy, Refund, $88.69; Northwest Farm & Home Supply, Supplies/repairs, $159.07; Northwest Pipe Fittings, Inc., Repairs, $1,564.95; Northwest SD Regional Landfill Assoc., Monthly fees for landfill, $9,882.87; OCCS, Code Enforcement, $2,678.44; Olson, Kim, Pet Park Inventory, $60.00; Perkins County Finance Office, Law enforcement contract ($10.00 overpaid last), $18,875.00; Perkins County Rural Water, Perkins County Rural Water Debt Service, $75,107.81; Perkins County Rural Water, Purchased water & training, $12,918.20; Print Shop, Ads & paper, $74.80; Principal Financial Group, Premiums, $156.48; Ri Tec, Supplies, $230.00.

Sackmann, Carla, Code Enforcement, $750.00; SD Dept of Public Safety, Driver's license fees, $350.00; SD Dept. of Revenue, Water tests & sales tax, $30.00; SD Magazine, Library renewal, $25.00; SD One- Call, Locate ticket, $28.35; Sivard, Joanne, Refund, $33.71; State Line Designs, Pet Park Inventory, $512.00; Synchrony Bank/Amazon, Books, dvd's, $430.65; Taste of Home, Cookbook, $31.95; Tennant's Auto Center, Repairs/supplies, $52.18; The Current Connection, Supplies, $223.04; Transource Truck & Equipment, Parts, $26.99; Wallum, Mike, Sewer Repair, $417.00; West River Coop. Tele. Co., Phone, $715.82; Wheeler Manufacturing, Pet Park Inventory, $283.50; Willards Oil, Fuel, $1,953.96.

Mayor Pinnow thanked Michael Van Beek for his service to the City of Lemmon. Van Beek left the table and the meeting at 6:04 p.m.

Roxanne Johnson entered the meeting at 6:04 p.m.

Pat Dalzell was seated at the council table. Finance Officer, Abel handed out Certificates of Election to the incumbents, Mayor Neal Pinnow and Jim Lorenz and new council member Pat Dalzell.

Finance Officer, Chad Abel swore in Neal Pinnow, Mayor; Pat Dalzell, Ward 2; Jim Lorenz, Ward 3.

Carrie Derschan entered the meeting at 6:06 p.m.

Anderson moved to nominate Beer as President of the Council, Dalzell second. All voting “Aye”; motion carried.

Lorenz moved to nominate Dalzell as Vice President of the Council, Anderson second. Dalzell nominated Anderson, Beer second. Lorenz moved, Beer second to cease nominations. All voting “Aye”; motion carried. On a roll call vote, Dalzell voted for Anderson, Beer for Anderson, Anderson for Dalzell, and Lorenz for Dalzell. With a tie vote, Mayor Pinnow voted for Anderson to break the tie. Anderson is elected to Vice President of the Council.

Mayor Pinnow presented the Mayor’s Council Committee Appointments, Employee Appointments. Anderson moved, Beer second to approve the appointments as presented. All voting “Aye”; motion carried.

Mayor Neal Pinnow

President of the Council Jackie Beer

Vice President of the Council Jill Anderson

City Property & Leases J. Lorenz, J. Beer

Finance J. Beer, J. Anderson, P. Dalzell

Garbage & Landfill J. Anderson, J. Lorenz, P. Dalzell

Liquor & Gaming J. Anderson, J. Beer, P. Dalzell

Ordinance, Policies & Public Safety J. Beer, J. Lorenz, P. Dalzell

Law Enforcement Mayor, President, Vice President

Streets & Sidewalks J. Anderson, P. Dalzell, J. Lorenz

Water & Sewer J. Beer, J. Lorenz, J. Anderson

Airport Board-Council Rep P. Dalzell

Cemetery Board-Council Rep J. Lorenz

Housing & Redevelopment Board-Council Rep J. Lorenz

Library Board-Council Rep J. Beer

Park Board-Council Rep J. Beer

BBB Board-Council Rep J. Anderson

Planning & Zoning Board-Council Rep P. Dalzell

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

Cemetery Board: Vance Trogstad, Ray Huber, Al Colgrove, Matt Barnes

Housing & Redevelopment Board: Jeff Haase, Gary Ericsson, Tim Kvale, Delores Wells, Connie Mizera

Library Board: Lennice Parker, Scott Reede, Lyle Messmer, Kelli Penfield, Kellie Fike

Park Board: Toni Huber, Carolyn Penfield, Heather Dauwen, John Portscheller

Tree Board: Marla Reede, Garrett Schweitzer, Becki Schwab

BBB Board: Brad Derschan, LaQuita Shockley, Vance Trogstad, Dale Bender

Planning & Zoning Board: Jeff Haase, Cathy Evans, Travis Maier, Rosemary Mueller

Employee Appointments:

Attorney Shane Penfield

City Superintendent Dave Huber

Asst. City Superintendent Tim Hess

Finance Officer Chad Abel

Asst. Finance Officer Annette Dalzell

Anderson moved, Beer second to grant signatory authority on the financial institution’s signatory cards at all three financial institution’s including: Bank of the West, Dacotah Bank, and Dakota Plains Federal Credit Union for Mayor Neal Pinnow, President Jackie Beer, Finance Officer, Chad Abel, and Assistant Finance Officer, Annette Dalzell. All voting “Aye”; motion carried.

In the absence of Code Enforcement, Carla Sackmann, Mayor Pinnow reported that Sackmann has done several building permits, nuisance letters, working with the school on clean-up day and has met with the landfill committee.

6:15 p.m. This being the time and place for the Public Hearing for Retail (On/Off Sale) Malt Beverage 2018-2019 for American Legion Post 66. There being no one to speak for or against; Dalzell moved, Beer 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 2018-2019 for Lemmon Pit Stop. There being no one to speak for or against; Dalzell moved, Beer 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 2018-2019 for Geo’s Corner. There being no one to speak for or against; Lorenz moved, Beer 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 2018-2019 for Deez Inc. There being no one to speak for or against; Dalzell moved, Anderson 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 2018-2019 for Dakota Lodge. There being no one to speak for or against; Anderson 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 R-Bar on June 23-24, 2018, at the Beeler Community Center for a special event. There being no one to speak for or against, Dalzell moved, Beer 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 R-Bar on July 21-22, 2018, at the Beeler Community Center for a special event. There being no one to speak for or against, Anderson moved, Dalzell second to approve the license. All voting “Aye”; motion carried.

Raven Christman spoke on behalf of the Parade Committee for the Boss Cowman Parade with the request to move the parade line up and start to 1st Street West, traveling down Main Avenue to 8th Street West and up to 6th Avenue West in front of the nursing home. Dalzell moved, Lorenz second to approve the route as presented. All voting “Aye”; motion carried.

Raven Christman asked permission to hire with the recommendation of the Library Board, Sarah Hoff at $10.00 per hour for the summer reading program, which is about one hour per week for the summer. Anderson moved, Beer second to approve the hire. All voting “Aye”; motion carried.

Beer moved, Lorenz second to authorize the Finance Office to advertise for a Public Hearing for Temporary Liquor License on June 4, 2018, at 6:15 p.m. for the American Legion for a special event at the Beeler Community Center on July 12-15, 2018. All voting “Aye”; motion carried.

Anderson spoke on behalf of the Landfill Committee which met. Tim Hess reported that an individual/business has proposed the purchase of the North West Regional Landfill. Hess, board member for the City of Lemmon on the NWRL Board, suggested that we not sell as control will not be in the best interest of the communities who own the landfill.

Anderson also noted that the Landfill Committee is suggesting that during spring clean-up week the tires will still be charged a fee. The white goods were discussed. Anderson moved, Beer second to allow white goods, which are free of Freon, to be discarded with no charge to the resident, however if the Freon is in the unit, the fee will be charged. All voting “Aye”; motion carried.

Anderson moved, Dalzell second to note the Lemmon Fire Department roster which was approved at the January council meeting, the members are covered under the City of Lemmon workman’s compensation insurance. All voting “Aye”; motion carried.

Lorenz speaking for the Cemetery Board recommends the hiring of Dale’s Tiling & Mowing at a contract wage of $14.25 per hour for mowing and maintenance of the cemetery with the hours not to exceed the budgeted allotment. Dalzell moved, Anderson second to approve the hire as presented. All voting “Aye”; motion carried.

Mayor Pinnow noted the City of Lemmon has been recognized by the DENR for Drinking Water Compliance with the 2017 “Secretary’s Award for Drinking Water Excellence” thirteen consecutive years. Also recognized were, Tim Hess, Dave Huber, and John VanBeek as system operations Specialists for 2017. Mayor Pinnow thanked the “guys” for the continued service to the residents of Lemmon.

Anderson moved, Beer second to allow Chad Abel to attend SDML Finance Officer’s school in Sioux Falls on June 6-9, 2018. All voting “Aye”; motion carried.

The Agenda item State Farm request to block off sidewalk was not acted upon as they have moved the date of the BBQ.

Mayor Pinnow noted the recognition to the City of Lemmon with the honor of 30 years of membership with the SDML Workers’ Compensation Fund. A plaque was received in recognition to Lemmon as a long-term loyal member.

Anderson moved, Beer second to allow the Finance Officer to publish the Weed and Grass Ordinance. All voting “Aye”; motion carried.

Anderson noted the BBB Board met and recommends the disbursement of funds in the amount of $6,000.00 to the Boss Cowman Rodeo committee to sponsor the Boss Cowman steak supper and reception to the public for free. Anderson moved, Beer second to approve the disbursement as presented. All voting “Aye”; motion carried.

Roxanne Johnson representing the Events Committee requested street closure for the Boss Cowman celebration as follows: 2nd Street West from Main Avenue to 1st Avenue West, alley closed between 2nd Street West and 3rd Street West, behind the Beeler Community Center from Friday, July 13, 2018 at noon until Sunday, July 15, 2018, afternoon. Beer moved, Dalzell second to grant the request as presented. All voting “Aye”; motion carried.

Johnson also requested on behalf of the Events Committee that open container be granted in the designated area of the Beeler Community Center and the parking lot behind the Beeler Community Center for the Boss Cowman dances on July 13-15, 2018. Anderson moved, Lorenz second to grant the request as presented. All voting “Aye” motion carried.

Committee Reports

Anderson noted the Street Committee met and decided that the right-of-way behind Garrett Schweitzer is the owner’s responsibility to put gravel on it if they want it graveled.

City Attorney, Shane Penfield addressed the Council with the public official liability. Penfield stressed the importance of the open meeting laws as well as the executive session and individual liability noting you can be held liable for things you do and say and there are consequences. As a council you must obey the letter of the law.

Penfield thanked Mayor Pinnow for the appointment to city attorney.

Abel also thanked Mayor Pinnow for the appointment and was appreciative of all who have helped him with his new position.

Lorenz moved, Anderson second to adjourn. Mayor Pinnow declared the meeting adjourned at 7:08 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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