

UNAPPROVED MINUTES OF THE
REGULAR MEETING OF THE
JEFFERSON CITY COUNCIL
JEFFERSON, SOUTH DAKOTA

August 5, 2022
City Hall
6:00 p.m.

Members present: J. Bogenreif, T. Boulware, M. LaFleur, J. Lokhorst and P. Rigg

Others present: R. Crum, S. LaFleur-Sayler, B. Manger, M. Nelkie and M. Roark.

Mayor Bogenreif called the Regular meeting of the City Council of Jefferson, South Dakota, to order. The FO advised the property owner from 607 Wilson Street cancelled her visit to the City Council meeting causing the agenda to be amended. Motion to approve the agenda, as amended, by Rigg second by Lokhorst. Motion carried. Motion to approve the minutes of the July 6, 2022, regular City Council meeting by Lokhorst second by Rigg. Motion carried. Motion to approve the minutes of the July 21, 2022, special City Council meeting by Lokhorst second by Rigg. Motion carried.

Actual Bank Balances:

Checking: \$ 27,398.92

Savings: \$250,777.77

C.D.: \$17,872.81

Petty Cash: \$100.00

Restricted Cash: \$10,254.27

TOTAL FUND BALANCE AS of 7-31-2022: **\$ 306,403.77**

Motion to approve the financial statement by Boulware second by LaFleur. Motion carried.

UNFINISHED BUSINESS:

The Amendment to ORDINANCE CHAPTER 2.08 was given its second reading.

ORDINANCE CHAPTER 2.08

AN ORDINANCE AMENDING THE JEFFERSON CITY CODE OF ORDINANCES TITLE 2
ADMINISTRATION AND PERSONNEL BY ADDING AND/OR ALTERING LANGUAGE
IN 2.08.

BE IT ORDAINED, by the Governing Body of the City of Jefferson, South Dakota and it is hereby ordained by authority of the same that Title 2, Chapter 2.08 be amended as set forth below.

Chapter 2.08
Planning Commission

Sections:

2.08.010 Definitions

2.08.020 Establishment and Organization of Commission

2.08.030 Powers and Duties of Commission

2.08.010 Definitions

The following words and phrases shall be construed as defined in this section:

“City” or “Municipality” means the City of Jefferson

“City Council” means the chief legislative body or governing body of this municipality.

“Planning Commission” means the body created pursuant to this section.

2.08.20 Establishment and Organization of Commission

There is hereby established a Planning and Zoning Commission for the City of Jefferson, South Dakota for land within its corporate city limits.

The membership of the Planning and Zoning Commission shall consist of the Mayor and City Council. The members of the Planning and Zoning Commission shall be resident electors of Jefferson, South Dakota qualified by knowledge or experience to act in matters pertaining to the development and administration of the Comprehensive Land Use Plan. The Mayor may appoint administrative officials of the City as ex-officio members of the Commission.

The term of each member of the Planning and Zoning Commission shall coincide with the respective terms of office held by the Mayor and City Council.

2.08.030 Powers and Duties of Commission

The Jefferson Planning Commission, its members and employees, shall have all such powers as may be necessary to enable it to fulfill and perform its functions, promote planning or carry out all the purposes and powers enumerated in SDCL 11-4 and 11-6 and acts amendatory thereof.

The Planning Commission of Jefferson shall propose a comprehensive plan for the physical development of Jefferson pursuant to the terms of SDCL 11-4 and 11-6. The comprehensive plan shall be made with the general purpose of guiding and accomplishing a coordinated and harmonious development of the City.

After such comprehensive plan has been adopted according to law, no substantial amendment or modification thereof shall be made, without such proposed change first being referred to the Planning Commission for its recommendations.

It shall be a duty of the Planning Commission to recommend the boundaries of zoning districts and appropriate regulations to be enforced therein, in accordance with comprehensive plan. The Planning Commission shall prepare regulations governing land uses, building or set back lines and the subdivision or platting of land within the municipality in accordance with SDCL 11-4 and 11-6.

The Planning Commission may from time to time propose amendments, extensions, or additions to the comprehensive plan, zoning ordinance, and subdivision regulations. It shall also be a function and duty of the Planning Commission to act as the Board of Adjustment. Said board of adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions, conditional uses permits or grant variances to the terms of the ordinance with general or specific rules therein contained.

The City Council shall elect its chairman from its membership for a term of one year with eligibility for re-election, and may fill such other offices as it may create in a manner prescribed by the rules of such Commission. The Commission shall meet during the regular City Council meetings and/or as needed. During said meetings, they shall adopt rules for transaction of its business and keep a record of its resolutions, transactions, and findings and determinations which shall be a public record as recorded and maintained with the City Council proceedings. The Planning Commission may contract with planners, engineers, architects, building inspectors and other consultants for such services as it may require. The expenditures of the Planning

Commission, exclusive of those made from funds by gift, shall be within the amount appropriated for the purpose by the City Council which shall provide funds, equipment and accommodations necessary for the Commission's work.

Motion by Rigg second by LaFleur to adopt Amended Ordinance Chapter 2.08. Motion carried.

Joe Bogenreif
Mayor
Jefferson, South Dakota

ATTEST:
Michaeleen Roark
City Finance Officer
Jefferson, South Dakota

First Reading: July 21, 2022
Second Reading: August 5, 2022
Publish Date: August 18, 2022
Effective Date: September 7, 2022

CA LaFleur-Sayler received the notification the certified letter concerning 214 North 3rd Street was received. The property owner will receive the allotted time frame to respond. The property owner at 301 Main Street sent along a plan of action after having met with a construction manager from L&L Builders. The repair involves tar being replaced on the roof. Due to the extreme heat that repair must wait until the weather cools. The adjacent landowner has roof issues and a crack that needs repaired so the repair costs will be shared by 301 and 303 Main Street property owners.

The driveway approach at 410 Division Street was brought up last month. CM Lokhorst and LaFleur along with SS Crum looked at the area. SS Crum stated he spoke with the homeowner and she did not complain about her driveway approach. A discussion followed. The property owner plans on building a new garage and pouring a new driveway. The property owner felt any repairs or patches on the existing driveway would be wasteful, at this point.

The City Council were asked to consider changing their Cannabis Ordinance and allow for more than a dispensary license. CM LaFleur stated there is a federal law against cannabis and he is morally opposed to passing legislation for cannabis. CA LaFleur- Sayler did point out that meant there is no Interstate travel allowed if your State passes a medical marijuana law. States were given the flexibility to pass their own medical marijuana laws. The FO stated the City already has their Cannabis Ordinance. The request asked for consideration in allowing for a Cultivation, Manufacturing, in addition to the existing Dispensary license. A discussion followed. Motion to table further discussion until the September City Council meeting second by Lokhorst. Motion carried.

NEW BUSINESS:

Doyle Karpen 1103 Cole Drive was next on the agenda. Mr. Karpen was not present so the City Council moved to the next item.

Resolution #22-R02 was presented to the City Council and read.

MUNICIPALITY OF JEFFERSON, SOUTH DAKOTA
RESOLUTION NO. 22- R02

RESOLUTION REGARDING DISCRETIONARY FORMULA DESIGNATION FOR REDUCED TAXATION FOR CERTAIN NEW STRUCTURES AND ADDITIONS WITHIN THE CITY OF JEFFERSON

WHEREAS, the City of Jefferson, Union County, State of South Dakota has deemed it in the best interest of the City to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137(5): - Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(5));

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value"; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to 10-6-137(5) be calculated at a no more than twenty-five percent in the first or second year, no more than fifty percent in the third or fourth year, no more than seventy-five percent in the fifth or sixth year, and one hundred percent in the seventh year; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 25% of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 25% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 50% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 50% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 75% of the Pre-Adjustment Value;
- f. For the sixth tax year following construction, 75% of the Pre-Adjustment Value;
- g. For the seventh tax year following construction, 100% of the Pre-Adjustment Value; and be it

FURTHER RESOLVED, that the Jefferson City Council may, if requested by the owner of any of the above-described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Jefferson City Council is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the seven years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED, that following the seven-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

FURTHER RESOLVED, that this resolution shall supersede the City of Jefferson ORDINANCE CHAPTER #4.04 only as to property classified pursuant to SDCL 10-6-137(5).

NOW THEREFORE, on a motion by Boulware second by Rigg the foregoing Resolution was adopted by the City Council of Jefferson, South Dakota, dated this 5th day of August 2022.

Joe Bogenreif
Mayor
City of Jefferson, South Dakota
ATTEST:
Michaeleen Roark
City Finance Officer
Jefferson, South Dakota

ORDINANCE CHAPTER #3.54 2023 ANNUAL APPROPRIATIONS ORDINANCE CHAPTER #3.54 was given its first reading. The second reading will be held on September 6, 2022.

ORDINANCE CHAPTER #3.56 AN ORDINANCE PROVIDING FOR THE REVISION OF GARBAGE RATES AND CHARGES FOR THE CITY OF JEFFERSON, SOUTH DAKOTA was given its first reading.

Police Department:

PC Crum's report was reviewed and discussed. A copy is kept on file at City Hall.
Juvenile Dispute- during the Days of '59 in the Park.
Agency Assist- SO for an assault in the County
Possible juvenile dispute- complainant called the SO about kids having issues in the park.
Complainant never called PC Crum back.
Noise Complaint- Fireworks; stopped when PC got here
Assist Ambulance- Drive for a call
Noise Complaint (party)- PC talked to hosts
Noise complaint- Loud boom with flash of light on Lincoln. Not resolved
Agency Assist- located pursuit suspect walking through town. Iowa State Patrol pursued a suspect into SD. Suspect ditched vehicle and ran into field up by the Vermillion exit. Suspect jailed.
Neighbor dispute- property owner mowing and blowing debris into yards and into property
Reported protection order violation- happened a month ago and was just reported.

Street Department:

SS Crum- Days of '59 set up and prep work

Water/Wastewater Departments:

Mowing at Lagoon
Clean up at Lagoon- a 5 foot chunk of concrete needed to be anchored. Sundheim Well Repair completed the repair.
Power outage- WWS Crum set up the generators for the lift stations and the power came back on.
Depth ramp repair- State will inspect the lagoon Wednesday August 10, 2022.
The generators are still on order for the lift stations.
CM LaFleur brought up storm sewers as he has been meeting with Greg McKenzie in regard to his properties Parcel #'s 04.02.18.1045 and 04.07.01.1035. Mr. McKenzie would like to plug the culvert on the property. A BNSF RR representative met with CM LaFleur, PC Crum, BI Roan, CHS Buum and Mr. McKenzie. The BNSF RR Representative stated the culvert may not be plugged. BI Roan stated the dirt placed in the RR ROW must be moved. A discussion followed.

FO Roark shared Certificates of Achievement received from SD DANR. The City of Jefferson received a certificate for meeting all State requirements and providing safe drinking water for the public. The second certificate was issued to WS Crum for meeting all State requirements for providing safe drinking water and enabling the City of Jefferson to supply safe drinking water.

Parks Department:

Mayor Bogenreif recognized Martin Nelkie. Mr. Nelkie was present to request the City Council consider his proposal for placing a disc golf course within the City park. Mr. Nelkie brought handouts along to share. A discussion followed.

The course would not be on the baseball field.

Reduction of the number of holes might be required.

Cost estimate for materials with local, volunteer labor approximately \$3,000.00.

Sponsorships for each hole was considered.

Providing adequate trash containers and revising hours of park closure was also discussed.

The City Council was receptive to the idea but would like to have some public feedback.

Informational Items:

FO Roark reported the City received a notice from the SD State Treasurer, Josh Haeder, informing the City of Jefferson of unclaimed property being held by the State. The letter states that Galls LLC had a credit for the City as did CANON USA, Inc. The FO filed the paperwork necessary and received a request for additional proof the Mayor and FO are authorized to claim the \$59.66 held by the State.

The September meeting of the Jefferson City Council will be held Tuesday September 6, 2022, in the City Hall meeting room at 7:00 p.m. due to the September 5th Labor Day holiday.

The SD DOT is starting a corridor study of the I-29 corridor within the Sioux City MPO. Steve Gramm, State of South Dakota, asked if the City would like to have a representative on the study advisory team or would they rather be a stakeholder where we are involved when public input portions of the study come up. The City Council agreed to being considered a stakeholder.

At the August meeting the number of hydrants located within Jefferson was discussed. The FO reported there are 35 fire hydrants within the City.

PC Crum asked for additional PD help. PO Manger has been released for General duty but not released to do PD duties as of yet. A discussion followed. Motion to allow up to ten (10) additional days of PD help by Rigg second by Lokhorst. Motion carried.

Claims:

Motion to pay the audited, approved warrants by Lokhorst second by LaFleur. Motion carried.

Monthly payroll: General Fund: \$14,902.01, Enterprise Fund-Water: \$1035.40, EPF-Sewer: \$1,035.40, Joe Bogenreif, cell phone, \$100.00, Bentson Pest Control, inspection, \$55.00, Conoco, fuel, \$609.50, Cray Huff Law Firm, legal fees, \$356.66, Crum, Randy, FOP dues, \$310.00, DPC Industries, chemicals, \$60.00, EFTPS, OASI-Med-WH, \$5,394.15, Eakes, supplies, \$49.99, Franks Asphalt, street seal, \$14,655.94, Jefferson CC, annual rent, \$1,200.00, Jefferson Conoco, propane, \$28.00, Jones, Jim, misc labor, \$100.00, Lindblom Services, Days dumpster/Port-A-Potties, \$826.00, Manger, Wm., FOP dues, \$310.00, MAE, utilities, \$1,645.07, Midwest Ready mix, sidewalk replacement, \$517.00, Postmaster, postage, \$240.00, Roark, Michaelaalen, Anti-Virus, \$53.24, Sam's Club, parade candy/supplies, \$389.28, Sioux City Journal, web page/police ad, \$297.00, SD 811, locates, \$67.20, SD Department of Revenue, sales tax, \$286.64, SD Public Health Lab water test, \$28.00, , SDRS, July retirement, \$2,122.26, SDRS Supplemental Retirement, \$50.00, SDRS Supplemental Retirement, \$100.00, SD DOL, unemployment ins., \$4.42, US Bank Trust, lagoon pyt. \$2,895.46, Verizon, cell phone, \$40.01.

Adjournment:

Motion to adjourn regular session at 6:57 p.m. by Boulware second by LaFleur. Motion carried.
The next regular meeting of the Jefferson City Council will be Tuesday September 6, 2022.

Joe Bogenreif
Mayor
Jefferson, South Dakota

ATTEST:
Michaelleen Roark
City Finance Officer
Publish: August 18, 2022

Published once at the total approximate cost of: \$ _____