

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

June 6, 2022
City Hall
7:00 p.m.

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

Others present: M. Begnoche, R. Crum, S. Hegyi, S. LaFleur-Sayler, M. Roark and J. Rosas.

Mayor Bogenreif called the Regular meeting of the City Council of Jefferson, South Dakota, to order. Motion to approve the agenda by Lokhorst second by Stokely. Motion carried.
Motion to approve the minutes of the May 2, 2022, regular City Council meeting by Rigg second by Casper. Motion carried.

Actual Bank Balances:

Checking: \$ 14,936.26

Savings: \$282,732.07

C.D.: \$17,863.90

Petty Cash: \$100.00

Restricted Cash: \$10,248.55

TOTAL FUND BALANCE AS of 5-31-2022: **\$ 325,880.78**

Motion to approve the financial statement by Lokhorst second by Casper. Motion carried.

UNFINISHED BUSINESS:

FO Roark invited SECOG Technician/Planner Jason Rosas to the June meeting to discuss the rezoning of Lot 8, Block 2, Original Jefferson City. Mr. Rosas introduced Sean Hegyi, his SECOG colleague. Mr. Rosas stated he reviewed the City's Planning and Zoning Ordinance and Mr. Rosas feels there would not be any reason the area could not be rezoned Light Industrial to allow for the welding shop to be built on that location. A discussion followed. The necessity for regulation on such a shop would fall under OSHA rules and regulations. Additional matters to consider would be potential fire hazards, security, fencing, limiting access for deliveries to the S. 3rd Street side of the building and noise control. The City Council plan to proceed with a hearing for the rezoning application with the matter advertised and the adjacent landowner notified. The next question to Mr. Rosas was the formation of a Planning and Zoning board. CM Rigg expressed interest in a P&Z board and stated he was willing to help facilitate the matter. Mr. Rosas explained the Mayor or the City Council appoints the 3-5 community members with a cross section of business leaders and interested residents. Mayor Bogenreif and the City Council members thanked Mr. Rosas and Mr. Hegyi for their help.

The report from the building inspection of 214- North 3rd Street was reviewed. BI Roan reported on May 6, 2022, he met with the owners of the property along with PO Manger. The structure is unsafe with open holes in the front and rear roof. Further assessment was done and the property owners agreed the structure needs to be demolished. CA LaFleur-Sayler will send a certified 90 day notice to said property owners concerning demolition.

CM Stokley previously requested a definition of what constitutes a quorum. CA LaFleur-Sayler prepared a handout for the City Council concerning open meeting laws and propriety (SDCL125-1). Discussing City business, in a social setting, when more than 3 members are present is considered a meeting of a quorum. A discussion followed and the material reviewed. The perception that something illegal has happened is more damaging than the actual substance of a perceived meeting could be. Meeting illegally is considered a Class 2 misdemeanor punishable by a maximum of 30 days in jail, a \$500.00 fine or both or a reprimand by the Open Meeting Commission. CA LaFleur-Sayler pointed out this issue is the reasoning the City FO will not send the Mayor and City Council information by mass e-mail.

FO Roark asked the City Council to consider changing their Cannabis Ordinance and allow for more than a dispensary license. The FO received three (3) different inquiries into the City's Cannabis Ordinance. The current Ordinance allows for one (1) dispensary license and nothing more. 5.20.040 Number of Licenses Restricted stated

1. Cannabis Cultivation Facility License: 0
2. Cannabis Testing Facility License: 0
3. Cannabis Product Manufacturing Facility License: 0
4. Cannabis Dispensary License: 1

A discussion followed. Copies of the current Cannabis Ordinance will be distributed to City Council members for review. The potential income and added jobs create a lot of possibilities for Jefferson. The Ordinance will be discussed at the July 6, 2022, City Council meeting.

NEW BUSINESS:

Motion by Stokely to approve the application from St. Peter's for a One Day Malt Beverage license for June 11, 2022, second by Lokhorst. Motion carried.

Police Department:

PC Crum's report was reviewed and discussed. A copy is kept on file at City Hall.

Noise Complaint- loud music after midnight.

Aggravated Assault- A subject drove to a residence in town to assault an individual. Remanded to Grand Jury

Motorist Assist- Car at Conoco with tire off but jack was broken so PC stopped to help get them on their way

Trespassing at former JHS school- tickets written to individuals found inside building. Individuals tampered with the wires on the fence that was installed by the City.

School truancy- children did not get taken to school.

Theft from vehicle- car unlocked on Esther Street and purse stolen, stolen credit card used at Jefferson Conoco and in Sioux Falls.

Driving complaint- kids on small motorcycles speeding around town. Mopeds are allowed if under 50 cc's, cannot shift gears and need to wear helmets.

Agency Assist- driving complaint on Hwy 12 driving on the wrong side of the road. Stopped North of the Jefferson bridge

Animal Complaint- dog running at large, ticket written

Request Assistance- Resident has family member who possibly had warrant so citizen wanted to set relative up for arrest.

Agency Assist- SO requested help at house party

Agency Assist- Highway Patrol back up

Removed transient from town

Animal Complaint- loose dog

Agency Assist- Disturbance in median at weigh station. Reported as a possible domestic was someone trying to locate a car charger

301 Main Street- On May 25th BI Roan and PC Crum inspected building for a 2nd time due to further settlement occurring. The common wall between 301 Main Street and the Post Office has

separated causing water damage at the front corner of the Post Office building. This needs to be addressed due to possible mold issues. The roof is leaking which may be the reason the sidewalk heaves. CA LaFleur-Sayler will prepare a complaint letter calling for the property owner to address this matter within 30 days,

CM Boulware asked PC Crum who was on duty the prior week-end (May 27-29) as the officer was at the racetrack and not patrolling in town. PC Crum stated PO J. Cole accompanied a UC Deputy to the racetrack so that he would know how to get in and where to go should there be a call from law enforcement for back up, a medical call or a call to respond when no other agency is available.

Street Department:

SS Crum stated he did not have any items for streets. CM Rigg thanked PC Crum for his quick response on Monday May 30, 2022, for the fallen light post and downed tree blocking Division Street after the high winds. CM Stokely asked about the noise complaint at Bud's Bar 5-30-2022 at approximately 9:00 p.m. concerning roofers. CM Stokely asked about setting a time on the nuisance ordinance. A discussion followed and the Ordinance will not be changed.

Water/Wastewater Departments:

Water tower footings- WS Crum contacted SD Rural Water for suggestions on companies that refurbish footings. Most companies want to replace not repair this type of structure. DW Proehl Construction quoted \$15,820.00 to refurbish all four (4) footings. Motion by Lokhorst to hire DW Proehl to refurbish the water tower footings second by Rigg. Motion carried.

301 E. Dakota- WS Crum advised the City Council the former rectory has a new curb stop and clean out. After the clean out, on the dead end, was installed the water ran for approximately an hour before it ran clear.

300 Division Street- Curb Stop repaired

Sidewalk on Division Street and at 507 Main Street are scheduled for replacement after being torn up for curb stop repairs.

The materials have been purchased for the roof replacement on both shelters in the park.

Informational Items:

FO Roark reminded the City Council the Dys of '59 run July 6 through the 10th. A permit for the fireworks display was presented. Motion by Stokely to approve the Mayor's signature on said fireworks permit second by Casper. Motion carried. The FO stated the quote came back on the insurance policy the Days of '59 is required to carry for liability. Due to loss ratios over the last year the premium came back at \$1,437.45. The FO asked the City Council if they would be willing to share some of the cost for the Days of '59 committee. Motion by Rigg to pay the insurance policy premium of \$1,437.45 second by Lokhorst. Motion carried.

City Hall will be closed Monday June 20, 2022, in observance of Juneteenth.

A thank you from EPJ After Prom was received and read.

A thank you from former Council Member Kim Bogenreif was received and read.

The FO stated she has the specs for the garbage bid and asked CA LaFleur-Sayler to prepare the contract for service for the bid opening July 6, 2022.

PC Crum stated fireworks may be set off until Sunday July 10, 2022.

Claims:

Motion to pay the audited, approved warrants by Boulware second by Stokely. Motion carried.

Monthly payroll: General Fund: \$12,489.95, Enterprise Fund-Water: \$827.46, EPF-Sewer: \$827.46, Joe Bogenreif, cell phone, \$100.00, Randy Crum, cell phone, \$100.00, Bill Manger, cell phone, \$100.00, Ace Hardware, park supplies, \$69.96, Bomgaars, park supplies, \$215.32, CAP,

LLC, streets, \$100.20, Conoco, fuel, \$708.41, Crary Huff Law Firm, legal fees, \$149.41, Crum, Randy, park faucet, \$40.46, DPC Industries, chemicals, \$60.00, Days of '59, donation, \$2,000.00, EFTPS, OASI-Med-WH, \$4,157.52, Eakes, supplies, 311.88, Jensen Insurance, Premium, \$7,144.00, Jefferson Fire Department, ½ penny sales tax, \$3,250.70, Leader Courier, publishing, \$383.23, Lokhorst, John, plaques, \$60.00, Longlines, phone/fax, \$173.90, Loren Fischer, May service, \$3,795.00, Loren Fischer Disposal, Spring Clean Up, \$5,522.19, Menards, park repairs, \$3,982.43, MAE, utilities, \$1,714.49, Petal Pusher, thank you plant/business plant, \$141.65, Postmaster, box rent, \$72.00, Roan, Gary, Bldg. Inspector, \$800.00, Sam's, supplies, \$298.87, SD Department of Revenue, sales tax, \$265.55, SDRS, May retirement, \$1,697.80, SDRS Supplemental Retirement, \$50.00, SDRS Supplemental Retirement, \$100.00, SD DOR, MB License Fees, \$450.00, Sue Luf Memorial, donation, \$100.00, Tri-Tech Software Systems, Zuercher Suite Maintenance, \$1,341.00, UEC, water repairs-parts, \$756.15, Verizon, cell phone, \$40.03.

Adjournment:

Motion to adjourn regular session at 7:58 p.m. by Boulware second by Casper. Motion carried. The next regular meeting of the Jefferson City Council will be Wednesday July 6, 2022.

Joe Bogenreif
Mayor
Jefferson, South Dakota

ATTEST:
Michaelleen Roark
City Finance Officer
Publish: June 16, 2022

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