

OFFICIAL PROCEEDINGS OF THE
CITY OF WEBSTER, SOUTH DAKOTA

Council room, City Hall, Webster, South Dakota, May 2, 2022, 6:30 p.m., regular meeting of the Webster City Council. Mayor Mike Grosek presiding. Present: Council members Josh Bartos, Derek Sinner, Wayne Klungseth, Mike Dunse, Dale Miller, and Jim Grimes. Also present: Jerred Schreur. Staff: Nicole Kwasniewski. Reporter and Farmer: Caleb Amick.

MINUTES: Motion by Dunse, seconded by Bartos to approve the minutes of the April 4th meeting. Motion carried.

PAYROLL AND BILLS: Motion by Sinner, seconded by Dunse to approve the following payroll and bills: Payroll (net) Admin. \$3093.62, L. Hoberg \$141.53, Liquor \$6341.92, ST & OT R. Hagen \$187.82, ST T. Woodell \$59.80, Y. Keomanyvong \$957.16, Library \$3137.59, Street \$3444.52, ST & OT D. Kirchmeier \$541.59, Police \$14199.46, ST C. Baumgarn \$224.61, H. Cole \$67.48, D. Collins \$70.85, G. Premus \$74.87, ST & OT T. Kiefer \$711.82, Animal Control S. Hargis \$115.33, Sewer \$2333.04, ST D. Valsvig \$67.88, Water \$5168.97, ST & OT C. Goehring \$294.13, Golf \$2803.50, B. Jacobson \$243.80, Ballfield J. Schimmel \$181.17, Mayor and Council J. Bartos \$1775.00, M. Dunse \$1775.00, J. Grimes \$1775.00, M. Grosek \$2500.50, W. Klungseth \$1647.00, D. Miller \$1775.00, D. Sinner \$1775.00.

Bills: SD Treasurer \$5174.15-sales tax, USDA Rural Development \$8042.00-loan payment lagoon, USDA Rural Development \$3449.00-loan payment fire hall, Dacotah Bank \$75.00-service charges, A & B Business Solutions \$181.39-maintenance contract copier, Jay Aadland \$445.66-service, Acushnet Company \$216.70-merchandise, AFLAC \$1047.33-insurance, American Legal Publishing \$495.00-annual fee, American Solutions For Business \$24.78-supplies, Applied Concepts \$136.00-supplies, Aramark \$143.24-clothing allowance, Arctic Glacier \$89.55-ice, Auditor's Office-Petty Cash \$187.76-supplies and postage, Auto Value Parts \$200.58-parts, Avera Occupational Medicine \$93.00-drug test, Bierschbach Electric \$1505.37-service, Bigfoot Distributing \$82.96-merchandise, Block Equipment \$350.00-grave opening, Buhl's \$314.45-rugs, CapFirst Equipment Finance \$1277.00-golf car lease, Cardmember Service \$3675.25-books, supplies, furniture, City of Webster \$876.60-employee prepayments, water billings, Coca Cola \$115.50-merchandise, Colonial Life \$243.52-insurance, Colonial Research Chemical \$486.97-supplies, Cortrust Bank \$4030.76-loan payment, Custom Installation Solutions \$2690.50-service, Dakota Pump & Control Co. \$1250.00-service, Dave Hahler Automotive \$4580.62-service, labor, Dependable Sanitation \$435.31-garbage service, Doug's Service and Marine \$2090.94-parts, labor, Mike Dunse \$69.23-reimbursement, Ellwein Brothers \$34,399.17-merchandise, Emery-Pratt \$190.33-books, Farm and Home Repair \$5533.64-service/labor, Glacial Lakes Technology \$375.00-service, Reed Hagen \$70.89-reimbursement, Health Pool of SD \$20,371.13-insurance, Helms & Associates \$20,281.33-pay request airport, water/sewer project, Chad Hesla \$376.67-reimbursement, Independent Living Choices \$185.26-service, ITC \$812.88-phone/internet service, JDH Construction \$41,042.70-pay request hangar building, Johnson Brothers \$16,438.75-merchandise, Johnson Lumber \$522.05-supplies, Tim Kiefer \$324.24-reimbursement, Fritz Kwasniewski \$1170.00-service, Nicole Kwasniewski \$52.00-reimbursement, Lake

Region Electric \$360.29-lights, Lights and Siren \$3044.66-service, Liquid Engineering \$2515.00-service, Marko Canning LLC \$40.00-merchandise, Midcontinent Communications \$321.87-internet, Mike's Jack & Jill \$830.33-supplies, merchandise, Milbank Winwater Works \$15.85-parts, Newman Traffic Signs \$77.32-sign, Northstar Mechanical \$299.86-parts, Northwestern Energy \$10,940.11-power and gas, Pollard Water \$97.79-supplies, Porter Distributing \$11,775.32-merchandise, Postmaster \$494.81-postage, presort, RDO \$16.94-parts, Reliance Standard \$80.56-insurance, Reporter & Farmer \$2586.91-legals, ads, supplies, Republic National Distributing \$14,186.91-merchandise, Ryan's Candy \$603.65-merchandise and supplies, Schade Vineyard \$288.00-wine, Scott's Lumber \$85.97-supplies, SD Government Finance Officer \$75.00-registration, SD Governmental HR School \$50.00-registration, SD Police Chief's Assn \$85.00-registration, SD Public Health Laboratory \$30.00-water samples, SD Supplemental Retirement \$210.00-contributions, Sioux Valley co-op \$7668.03-fuel, Snaza Implement LLC \$38.48-parts, South Dakota 811 \$13.65-locates, SD Retirement \$7898.70-contributions, Southern Glazer's of SD \$12,602.80-merchandise, Brian Stulken \$40.00-service, Tessman Seed Company \$3988.62-supplies, fertilizer, TLC Marine Service \$758.00-parts, service, Tri-State Water \$76.10-service, Twin Valley Tire \$24.41-service, Two Way Solutions \$339.45-service, US Bank \$18,837.07-swimming pool payment, USA Blue Book \$531.03-supplies, Valley Office Products \$46.19-supplies, Verizon Wireless \$196.24-cell service, Walt's Homestyle Foods \$144.00-merchandise, WEB Water \$23,407.40-water, Webster Ace \$1047.49-supplies, Webster Carpet Cleaning \$441.00-service, Webster Liquor Store \$733.08-merchandise, With The Wind Vineyard \$360.84-wine, City of Webster \$87.00-apply bonds, Bruce Danner \$13.00-refund bond, Payroll Taxes \$17,702.35. Motion carried.

REPORTS: Motion by Grimes, seconded by Miller to approve the Finance, Police and Liquor. Motion carried.

As this concludes last year's business, motion by Sinner, seconded by Klungseth to adjourn the meeting. Motion carried.

Mayor Grosek nominated Wayne Klungseth as Councilman for Ward II. A motion by Sinner, seconded by Grimes to appoint Klungseth. Motion carried.

Following oaths of office of elected positions for Dale Miller, Councilman Ward I; Mike Dunse, Councilman Ward III, appointed position Wayne Klungseth, Councilman Ward II, Mayor Grosek called the meeting to order.

The Mayor called for nominations for President. Motion by Klungseth, seconded by Grimes to nominate Dale Miller and that nominations cease. Motion carried.

The Mayor called for nominations for Vice-President. Motion by Dunse, seconded by Klungseth to nominate Jim Grimes and that nominations cease. Motion carried.

6:45 p.m. This being the time and place that Bob Babcock, Brandon Smid and Corey Helms, with Helms & Associates were present to discuss phase 2 of the water project, which includes improvements for drinking water, stormwater and wastewater. Helms discussed the break down for the wastewater improvements costing \$7,558,000 receiving State ARPA grant of \$3,911,346 using local ARPA funds of \$154,327 which will be matched by the state and remaining SRF loan of \$3,338,000. Drinking water

estimated at \$4,433,000 receiving State ARPA Grant of \$2,268,390 and using local ARPA funds of \$154,327 matched by the state and SRF loan of \$1,855,956. Stormwater \$353,000 all SRF loan.

DOG PARK: Tori Hofer with Webster Paws Walk presented 3 fencing options for the dog park. Fence options included a galvanized 11.5-gauge chain link, \$4,445.22, a vinyl coated 9-gauge chain link, \$7102.21 and a commercial 9-gauge chain link, \$7883.45 Hofer also discussed putting in a cement pad at the entrance of the park and around the posts. Mayor Grosek did say the city would dedicate this property to outdoor recreation for perpetuity for the dog park. The city also agreed to help cover 50 percent of the expenses for phase I of the project which includes: fencing, cement pad, water fountain and garbage cans. Motion by Dunse, seconded by Miller to approve the following resolution for the dog park:

RESOLUTION #210 OF GOVERNING BODY

WHEREAS; the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific outdoor recreation projects;

NOW THEREFORE BE IT RESLOVED by the Mayor and City Council of the City of Webster:

1. That Mike Grosek, Mayor, is hereby authorized to execute and file an application on behalf of the City of Webster with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish and Park, Division of Parks and Recreation, for an LWCF grant to aid in financing The Webster Park Project for the City of Webster South Dakota and its Environs.
2. That Mike Grosek, Mayor, is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Webster shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

IN WITNESS THEREOF, I have hereunto set my hand this 2nd day of May 2022

Mike Grosek
Mayor

ATTESTED and FILED this 2nd day of May 2022.

Nicole Kwasniewski
Recording Officer Signature

Finance Officer
Title

Seal (notary or city)

Upon roll call vote of the council, all voted aye. Motion carried.

Mayor Grosek reviewed the appointments for 2022. Motion by Grimes, seconded by Bartos to approve the appointments as listed:

Mayor-----Mike Grosek
 President of Council-----Dale Miller
 Vice President of Council-----Jim Grimes
 Finance and Salaries-----Dale Miller, Jim Grimes, Mike Dunse
 Street, Alley and Lights-----Dale Miller, Wayne Klungseth, Jim Grimes
 Water, Sewer and Sanitation-----Jim Grimes, Dale Miller, Derek Sinner
 Cemetery, Airport and Parks-----Wayne Klungseth, Josh Bartos, Derek Sinner
 Police-----Mike Dunse, Wayne Klungseth, Josh Bartos
 Fire-----Jim Grimes, Dale Miller, Wayne Klungseth
 Zoning, Building and Grounds-----Jim Grimes, Dale Miller, Mike Dunse
 Library-----Wayne Klungseth, Mike Dunse, Harriet Spaniol(2023),
 Judy Breske(2022), Eloise Hortness(2024),
 Bernie Kurkowski (2025), Mary Wambach (2025)
 City Hall-----Derek Sinner, Josh Bartos, Wayne Klungseth
 Liquor-----Mike Dunse, Derek Sinner, Jim Grimes
 Youth and Rec.-----Dale Miller, Derek Sinner, Josh Bartos, Kevin Schimmel,
 Chad Hesla, Rich Solberg, Craig Case, Angela Shoemaker
 Swimming Pool-----Derek Sinner, Jim Grimes, Josh Bartos, Pool Manager,
 Jay Pereboom, Tom Sannes, Stacy Mount
 Golf Board-----Josh Bartos, Derek Sinner, Mike Dunse, Linda Potas,
 Donna Vander Linden, Morgan Dorsett,
 Brian Lux, Terry Anderson, Monty and Mary Bloom
 Tree Board-----Derek Sinner, Wayne Klungseth, Mike Dunse, David Trefz.
 Development Loan Fund-----Mike Grosek, Jim Grimes, Todd Garry, Dave Hahler
 ADA-----Wayne Klungseth, Jim Grimes, Derek Sinner
 Finance Office-----Nicole Kwasniewski, Jennifer Wickre, Clerk
 City Attorney-----Delaney Nielsen & Sannes PC
 City Depositories-----Dacotah Bank, Cortrust Bank, Great Western Bank
 City Health Doctor-----Dr. Elizabeth Gravley
 Official Newspaper-----Reporter and Farmer
 Library-----Teresa Ewalt, Mary Sandve
 Liquor Store-----Tracie Woodell, Mgr., Susan Bury Asst. Mgr., Reed Hagen,
 Yasmine Keomanyvong, fill-in clerk
 Water Department-----Chad Goehring, Danny Valsvig, Owen Wyffels
 Police Department-----Tim Kiefer, Chief, Garret Premus, Asst. Chief,
 Craig Baumgarn, Dylan Collins, Hunter Cole Patrolmen
 Code Enforcement-----Jim Grimes, Dale Miller, Josh Bartos, Mike Olson,
 Joel Johnson
 Street Department-----Daniel Kirchmeier, John VanBeek, Hunter Fredericks
 City Hall, Cemetery, Golf-----Scott Sjurson
 Armory Auditorium-----Derek Sinner, Mike Dunse
 City Civil Defense-----Wayne Klungseth
 Northeast Council of Govt.-----Wayne Klungseth
 Senior Citizen Board-----Mike Dunse
 Planning Committee -----Kent Delaney, Terry Meek, Todd Garry, Robert Kwasniewski
 Board at Pleasant View Apts.-----Kathy Lagge, Betty Zenk, Dave Jesme, Ray Lardy,
 Arnie Anderson, Council Member Wayne Klungseth, Gary Huggett

Motion carried.

7:00 p.m. This being the time reserved for Colin Johnson, who was unable to attend so Mayor Grosek informed the council about the situation. Johnson purchased a piece of property from a sheriff's sale at the courthouse, the previous owners had filed bankruptcy and they still owe a past due water bill. Mayor Grosek gave permission to have the water turned on for Johnson and the city will wait to see if we receive any settlement.

PROPERTY SIZE: The tenBensel family had concerns of their property size since it falls short of the minimum lot requirements (ordinance 152.073). tenBensel's wondered if anything would happen to their home, if they had to rebuild would there be any issues in the future. Ordinance 152.003 the Grandfather Clause, it states that all lots, land uses, and structures existing prior to the adoption of this chapter will be allowed to continue.

VOLUNTEERS: Motion by Miller, seconded by Dunse to approve the following as volunteers for the ballfield for the 2022 season and to cover these individuals for work comp purposes. And the complete list is on file at City Hall. Motion carried.

SUMMER HELP: Motion by Grimes, seconded by Miller to hire the following individuals for summer help at the hourly pay rates: Cemetery Leo Gaikowski \$12.50, Baseball coach- Kevin Bohn split wage with Wade Rausch at \$2600.00, Swimming Pool Lifeguard Emily Kaufman \$13.00, Emily Richie \$13.00, Kara Kwasniewski \$13.00 and Swim Team Coach for 2022 Emily Kaufman \$2000.00. Motion carried.

WATER/SEWER: Motion by Grimes, seconded by Miller to hire Chad Goehring as the Water/Sewer Superintendent effective as of April 11, 2022 for \$22.50/hr. Motion carried.

NEW HIRES: Motion by Sinner, seconded by Miller to hire Hunter Fredericks for street maintenance as of May 2 at \$18.00/hr and Owen Wyffels for water maintenance as of May 16 at \$18.00/hr. Motion carried.

SURPLUS: Motion by Miller, seconded by Dunse to surplus and junk the water fountain at the clubhouse and a Philips 24" tv from the liquor store. Motion carried.

VARIANCE: Motion by Grimes, seconded by Dunse to set a variance hearing for Danny Valsvig, 1106 East 2nd St, to construct a fence within 2 feet from the property line, which is closer than City ordinance allows in a residential area. The hearing will be held at 7:00 p.m. on June 6, 2022 at City Hall. Motion carried.

AUDIT: Eide Bailly, CPA firm will be auditing the City's 2021 finances during the week of May 9-13.

STREET: The council tabled the discussion about paving and chip sealing streets until June's meeting.

PROCEDURE: Motion by Dunse, seconded by Miller to approve Mayor Grosek to sign the following resolution regarding bid protest procedure:

RESOLUTION #211 Bid Protest Procedures

1. Any bidder may protest the award of a contract. The protest must be submitted in writing to the Engineer responsible for the contract or solicitation within five calendar days after the bids are read.
2. If a contract has been awarded, the Engineer shall give notice of such protest within 24 hours to the awarded contractor. In the case of a pending award, a stay of award may be requested. A stay may be granted unless a written determination is made that the award of the contract without delay is necessary to protect the interests of the Owner.
3. The protest must contain the following:
 - Name, address, phone number and email of the protestor.
 - A concise statement of all the material facts alleged and of all of the rules, regulations, statutes, and legal provisions entitling the protestor relief.
 - A statement indicating the relief to which the protestor deems they are entitled.
 - All other information as the protestor deems to be material to the issue.
4. If the protest cannot be resolved by mutual agreement within seven calendar days after receipt, the City Engineer (or Engineer responsible for the contract or solicitation) shall within 24 hours, send by certified mail the final decision and the basis for the decision to the protestor.
5. Any bidder who is aggrieved in connection with the award of a contract may appeal the decision. Venue and jurisdiction for any appeals of the final decision are in the South Dakota Circuit Court in Day County. Such protests and appeals regarding the request for bids and bid proposals are governed by and must be construed with South Dakota Law.
6. Failure to follow the bid protest procedures constitutes a waiver of protest and resulting claims.

Adopted this 2nd day of May, 2022.

Mike Grosek
Mike Grosek, Mayor

(Seal)

Attest:

Nicole Kwasniewski
Nicole Kwasniewski, Finance Officer

Mayor Grosek informed council of the American with Disabilities Act (ADA) Compliance Report will be kept on file at the finance office.

LICENSES: Motion by Miller, seconded by Sinner to approve electrical licenses for CDJ Electric Plumbing – Heating Inc, Ridge Electric Inc and Keller Mechanical Inc, and plumbing license for Keller Mechanical Inc for the term May 1, 2022 through April 30, 2023. Motion carried.

BUDGET SUPPLEMENTS: Motion by Dunse, seconded by Klungseth to supplement the airport budget \$2796.53 for Cares grant reimbursement and \$40898.24 for construction reimbursement. Motion carried.

The following building and removal permits were approved with a motion by Grimes, seconded by Sinner:

Building Permits:

Wesley Hoven, 1106 E 7th St, storage building, \$16804.64
Dave Hahler Automotive, 500 E Hwy 12, addition, \$100,000
Lisa Winson, 610 W 8th Ave, garage, \$12000
Nathan Pool, 502 W 7th Ave, fence, \$250.00

Removal Permits:

Ray Spiering, 614 E 12th Ave, demolition of house

Motion carried.

OTHER BUSINESS: Sinner announced that they plan to have swimming lesson sign ups on May 23 and lifeguard training will be May 25 and hopefully have the pool open Jun 1st. Council also discussed the that school will be giving the library the sign out front of city hall.

7:05 p.m. Motion by Dunse, seconded by Bartos to go into Executive Session as set forth in the SDCL 1-25-2.1 for the purpose of personnel matters. Council adjourned from Executive Session at 8:40 p.m. Motion carried.

No further business, motion by Klungseth, seconded by Dunse to adjourn. Motion carried. Next regular scheduled meeting is June 6, 2022, at 6:30 p.m.

Mike Grosek, Mayor

Nicole Kwasniewski, Finance Officer

The City of Webster is an equal opportunity provider.

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