

Council Minutes
Regular Session
Tuesday, May 7, 2024

The Freeman City Council met in regular session on Tuesday, May 7, 2024 at 6:30 pm at City Hall in Freeman. Mayor Michael Walter called the meeting to order and the following members were present: Charles Gering, Blaine Saarie, Clifford Tjaden, Elizabeth Waltner and Steve Waltner. Also attending were Finance Officer Lisa Edelman, Duane Walters, Jay Slevin, Erin Lachman, Terry Jacobsen and Cheryle Gering.

Minutes

S. Waltner moved to accept the minutes of the April 16, 2024 regular meeting as presented. E. Waltner seconded the motion. All votes aye.

Vouchers

Tjaden moved to approve the vouchers listed below. Saarie seconded the motion. Roll call: all votes aye.

PAYROLL – COUNCIL	6008.15	JAMBOREE, resale	1208.88
PAYROLL – FINANCE	2957.70	JOHNSON BROS, liquor	398.21
PAYROLL – POLICE	9687.84	JUDY SCHRAG, election worker	200.00
PAYROLL – PUBLIC SAFETY	77.66	KLEINSASSER HTG & COOLING, repair	140.00
PAYROLL – STREETS	1915.81	KLEINSASSER’S, repair	671.27
PAYROLL – SEWER	5118.73	LANCE EDWARDS, trees	356.70
PAYROLL – REFUSE	3872.76	LAWNS UNLIMITED, seed	3437.50
PAYROLL – RECYCLE	3233.59	LESLIE KEIERLEBER, cleaning	605.00
PAYROLL – WATER	6025.11	MARY WALTNER, election worker	200.00
PAYROLL – AMBULANCE	1816.19	MATHESON, amb supplies	83.35
PAYROLL – PARK/POOL	1213.81	M C & R POOLS, repair	1593.52
PAYROLL – GOLF COURSE	8925.03	MIDWEST TURF, mower	41900.32
PAYROLL – LIBRARY	6096.07	MR G’S, repair	84.00
PAYROLL – ECONOMIC DEVELOPMENT	330.00	NORTHWESTERN ENERGY, electric & gas	9348.38
MERCHANTS STATE BANK, 941 deposit	11708.70	PERFORMANCE FOOD SERVICE, resale	5077.75
ACH FEES, payroll & utilities	30.00	PITNEY BOWES, postage	603.75
ALA, membership	120.00	PLUNKETT’S, pest control	238.63
APPEARA, rugs	84.38	PORTA PROS, portable toilet rental	160.00
BARNES & NOBLE, library books	59.96	RORY HERMSEN, resale	947.00
BEAL, beer	685.15	RURAL MFG, repair	17.85
B-Y WATER, water purchase	5154.40	SAARIE AUTO BODY, repair	286.89
B-Y WATER INTEREST	3168.00	SCHOENWALD LANDSCAPE, trees	2031.00
C & B OPERATIONS, repair	2170.15	SD DANR, water exam	60.00
CARDMEMBER SERVICES, supplies	1386.27	SD DEPT OF HEALTH, testing	30.00
CHESTERMAN, drinks	338.00	SD DEPT OF REVENUE, sales tax	5610.89
CHS, fuel	1017.21	SDGA, membership dues	219.00
CITY OF FREEMAN, utilities	43.50	SECOND CENTURY PRINTING, publishing	662.01
CITY OF MITCHELL LANDFILL, garbage fees	3857.28	SHERRI ZACHARIASEN, election worker	200.00
COAST TO COAST SOLUTIONS, supplies	220.81	SOUTHEASTERN ELECTRIC, electric	3057.07
CODE ENFORCEMENT SPECIALISTS	36.35	SPECIALTY AUTO, repair	96.50
DAKOTA BEVERAGE, beer	488.95	SPRINKLER COMPANY, dive pond	1000.00
FIRST BANK & TRUST, Main St pmt	201775.00	SQUARE, monthly subscription	35.00
FIRST NET, police cell phones	106.96	STERN OIL COMPANY, fuel	908.20
FREEMAN REGIONAL HEALTH, nursing staff	737.99	TOTAL STOP, fuel	1281.51
FREEMAN SHOPPING CENTER, resale	846.62	TWISTED METAL, repair	125.00
GOLDEN WEST, telephone service	1249.79	TWO WAY SOLUTIONS, radio programming	900.00
HUTCHINSON CONSERVATION, trees	131.25	VALLEY ELECTRIC, repair	3488.82
		VOUCHERS	322680.72
		SALARIES	57278.45
		TOTAL VOUCHERS & SALARIES	379959.17

Financial Report

Gering moved to approve the financial report as presented. Tjaden seconded the motion. Roll call: all votes aye.

1st Reading Ordinance 2024-02 – Supplemental Budget

Council gave 1st reading to Ordinance 2024-02 to supplement the police, golf course and library departments.

Public Input

Cheryle Gering questioned the written due process for the code enforcement letters that were sent out. The council was informed that the code enforcement letters referenced the International Property Maintenance Code that the city has not adopted. The council would like to have a discussion with the code enforcement officer prior to the enforcement of these letters. Saarie moved to send out letters to retract the incorrect information on the previous letters. S. Waltner seconded the motion. Roll call: all votes aye.

The council thanked Charles Gering for his years of service.

Adjournment

S. Waltner moved to adjourn at 6:50 pm. E. Waltner seconded the motion. All votes aye.

The Council of the City of Freeman reconvened at 6:51 pm.

Oath of Office

Finance officer Lisa Edelman administered the oath of office to the following:

Michael Walter, Mayor for a term of two years

Mayor Michael Walter administered the oath of office to the following:

Erin Lachman, Council member Ward I for a term of two years

Steve Waltner, Council member Ward II for a term of two years

Terry Jacobsen, Council member Ward III for a term of two years

Election of Officers

S. Waltner moved to nominate Saarie as council president. E. Waltner seconded the motion and moved nominations cease. Roll call: all votes aye.

S. Waltner moved to nominate E. Waltner as vice president. Saarie seconded the motion and moved nominations cease. Roll call: all votes aye.

Committee Appointments

Mayor Walter distributed his committee appointments. Saarie moved to approve the committee appointments set by the mayor. Jacobsen seconded the motion. All votes aye.

Ambulance: Jacobsen & E. Waltner

Development: S. Waltner

Fire Department: Lachman & Tjaden

Golf Course: Mayor Walter & E. Waltner

Government Building: E. Waltner & Jacobsen

Library: E. Waltner

Liquor: Tjaden & Saarie

Parks/Pool: S. Waltner & Lachman

Police: Mayor Walter & Saarie

Revolving Loan Fund: Mayor Walter & Tjaden

Rubble/Recycle/Refuse: Jacobsen & S. Waltner

Sewer: Tjaden & S. Waltner

Streets: Saarie, Jacobsen & Lachman

Tree City: S. Waltner

Water: Lachman & Saarie

Zoning: Tjaden & S. Waltner

Planning Commission Appointments

Tjaden moved to approve the following appointments to the planning commission: Charles Gering, Reno Huber, Penny Smidt, Janver Stucky and Steve Waltner. Saarie seconded the motion. All votes aye.

Designation of Official Newspaper & Bank

E. Waltner moved to name The Courier as the official newspaper of the City of Freeman and name the following banks as depositories for funds of the City of Freeman: CorTrust Bank of Freeman and Merchants State Bank of Freeman. Saarie seconded the motion. All votes aye.

City Attorney Appointment

S. Waltner moved to approve the following resolution for the appointment of a City Attorney and an assistant City Attorney. Tjaden seconded the motion. Roll call: all votes aye.

RESOLUTION 2024-03

**RESOLUTION AUTHORIZING THE CITY OF FREEMAN,
TO ENTER INTO AGREEMENT FOR CITY ATTORNEY**

WHEREAS, the City of Freeman desires to retain counsel to serve as City Attorney for the time period beginning at the first meeting in May, 2024, and continuing through the first meeting in May, 2025; and

WHEREAS, the law firm of Fink Law Office, P.C., have proposed to perform such services as are set forth in the attached Agreement with City Attorney;

NOW THEREFORE BE IT RESOLVED, that the City shall be authorized to enter into a contract with Fink Law Office, P.C., and Eich Law Office (conflict attorney) in the form attached hereto, all pursuant to the Ordinances of the City of Freeman, South Dakota.

Dated this 7th day of May, 2024.

City of Freeman

By: _____
Its Mayor

ATTEST:

City Finance Officer

Appoint Library Board Members

E. Waltner moved to appoint Laverne Graber and Becky McCune as trustees for the Freeman Public Library. S. Waltner seconded the motion. All votes aye.

Community Center Policy

Updated policies and a waiver of liability were presented to the council for review. Some discussion was held regarding scheduling of the open gym time at the community center and if an annual user fee should be charged.

Malt Beverage License Renewals

The Council considered the applications for malt beverage renewals for 2024/2025 submitted by the following:

- 1) On-Off Sale Malt Beverage license for 2024/2025
 - Application of: Dollar General Store #10796
 - Location of: 305 N US Hwy 81
Freeman, SD 57029
- 2) On-Off Sale Malt Beverage license for 2024/2025
 - Application of: Total Stop Convenience Store #9466
 - Location of: 601 S US Hwy 81
Freeman, SD 57029

- 3) On-Off Sale Malt Beverage license for 2024/2025
Application of: Casey's General Store #3245
Location of: 1206 E 6th St
Freeman, SD 57029
- 4) On-Off Sale Malt Beverage license for 2024/2025
Application of: Expressive Home Décor, LLC
Db: Vintage Vault Floral
Location of: 394 S Main Street
Freeman, SD 57029

No one was present at the meeting to show rejection of these renewal applications.

Saarie moved to approve all 4 malt beverage licenses as presented. Jacobsen seconded the motion. Roll call: all votes aye.

Pool Hire

Saarie moved to hire the following lifeguards: Gideon Rembold at \$13.75/hour, Megan Mendel at \$13.75/hour, Alaric Knittel at \$13.75/hour and Ben Clark at \$13.75/hour as seasonal swimming pool personnel for the 2024 season contingent on getting their certification. Tjaden seconded the motion. Roll call: all votes aye.

Clubhouse Hire

Saarie moved to hire Erin Uecker as seasonal golf personnel for the 2024 season at an hourly rate of \$13.25/hour. Lachman seconded the motion. Roll call: all votes aye.

Swimming Pool Rates | Opening Date

Saarie moved to increase the swimming lesson rate to \$40 per session, keep the other rates the same as 2023 and open for the season on June 1, 2024. Tjaden seconded the motion. Roll call: all votes aye.

Other Business

Tjaden: Asked that the flags at the memorial and fire hall be replaced and the posts painted at the memorial. Questioned if the discharge from the lagoon could be used for irrigation on fields around that area instead of discharging it into the creek.

Lachman: Informed the council that Vermeer would like to move the mailboxes from Hwy 81 to their private property. S. Waltner moved to allow Vermeer to move the mailboxes on Hwy 81 to their private property. Saarie seconded the motion. Roll call: all votes aye.

Jacobsen: Asked about the sewer smell from the lagoons. He would like the Walters to present to the council what the costs would be to help alleviate this problem.

S. Waltner: Updated the group on the Arbor Day presentation. Asked that the pot holes be patched in the streets.

E. Waltner: Requested that residents avoid blowing grass clippings into the streets.

Saarie: Discussed options for crushing the cement at the landfill. Updated the council on the fundraising efforts for the transit building project. Suggested the grass on the South side of the Westward View area be reseeded.

Walters: Informed the council that the water line to the property on Cherry Street is on the contractors list. He has been working to get the pool ready for opening and will be getting the exposed aggregate on the Main Street sidewalks resealed. Stated that the garbage truck will need new tires that will cost approximately \$4800.00 from state bid.

Next Meeting Date

The next meeting of the Freeman City Council will take place on Tuesday, May 21, 2024 at 6:30 pm.

Executive Session

S. Waltner moved to go into Executive Session at 8:03 pm pursuant to SDCL 1-25-2(1). Saarie seconded the motion. All votes aye.

S. Waltner declared out of executive session at 9:03 pm.

Adjournment

S. Waltner moved to adjourn at 9:03 pm. Saarie seconded motion. All votes aye.

Lisa Edelman, Finance Officer

Michael Walter, Mayor