

Council Minutes
Regular Session
Tuesday, December 19, 2023

The Freeman City Council met in regular session on Tuesday, December 19, 2023, at 6:30 PM at City Hall in Freeman. Mayor Michael Walter called the meeting to order with the following members present: Charles Gering, Blaine Saarie, Clifford Tjaden, Elizabeth Waltner and Steve Waltner. Also attending were Carol Eisenbeis and Duane Walters.

Minutes

S. Waltner moved to accept the minutes of the December 5, 2023 regular meeting as presented. Saarie seconded the motion. All votes aye.

Vouchers

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

AFLAC, employee insurance	529.94	MILLER CONSULTING, subscription	520.00
ARROW MFG, ambulance chassis	42496.00	OFFICE ALLY, monthly subscription	35.00
BOOK SYSTEMS, annual subscription	1190.00	OPLINGER ABSTRACT, subscription	100.00
CENTURY BUSINESS PRODUCTS, copy fees	219.97	RANDY BRODERS TRUCKING	475.00
EMERGENCY MEDICAL, supplies	238.57	RORY HERMSEN, allocation	10292.75
FENSEL’S GREENHOUSE, flowers	75.00	TOTAL STOP, fuel	2091.99
KANSAS PAYMENT CENTER, garnishment	508.14	WELLMARK, health insurance	13364.86
		VOUCHER TOTAL	72137.22

Code Enforcement Officer

Saarie moved to authorize Mayor Walter to sign the independent contractor agreement with Joel Johnson with a cap of \$5,000 for services to be provided in 2024. S. Waltner seconded the motion. Roll call aye votes: Saarie, E. Waltner and S. Waltner. No votes: Gering and Tjaden. Motion carried 3-2.

2nd Reading Ordinance 2023-09 – Variances

Tjaden moved to give second reading and adopt ordinance 2023-09 to amend the zoning ordinance to permit a variance for the fencing standards. E. Waltner seconded the motion. Roll call: All votes aye.

AN ORDINANCE AMENDING SECTION 1509 (VARIANCES), NUMBER 1 (PURPOSE) OF
 “THE OFFICIAL ZONING ORDINANCE OF THE CITY OF FREEMAN”, HUTCHINSON COUNTY, SOUTH DAKOTA,
 BY ADDING ANOTHER CATEGORY FOR VARIANCES.

Be it ordained by the City of Freeman, Hutchinson County, South Dakota, that Section 1509(1) of the Official Zoning Ordinances of the City of Freeman, is hereby amended to read as follows:

Section 1509 Variance

1. Purpose – The Board of Adjustment may vary the regulation of this ordinance in harmony with its general purpose and intent, but only in specific instances where the Board makes a finding of fact based on the standards prescribed in **Section 1509(4)**. Variances may be granted:
 - A. To permit any yard of less dimension than those required by this ordinance;
 - B. To permit any building to exceed the floor space provided by the ordinance;
 - C. To permit the use of lot prohibited solely because of insufficient area of the lot;
 - D. To permit construction of a building or structure which will exceed the height limit for the district in which it is to be built;
 - E. To permit off-street parking which does not conform in quantity or other particulars with the requirements of this ordinance; and
 - F. To permit variations in the fencing standards set forth in **Section 1213(11)**.

All other numbered provisions contained in Section 1509 (numbers 2 – Application, 3 – Disposition by Board of Adjustment and 4 – Standards) shall remain as previously enacted.

Dated this 19th day of December, 2023.

Michael Walter, Mayor

(SEAL)
ATTEST:

Lisa Edelman, Finance Officer

First Reading: December 5, 2023
 Second Reading: December 19, 2023
 Published: December 28, 2023
 Effective Date: January 19, 2024

Special Event Alcoholic Beverage Licenses

The Council considered the application for a one-day alcoholic beverage license submitted by the following:

One day on-sale malt beverage license for Saturday, January 27, 2024

Application of:	Location of:
Freeman Regional Health Services	Freeman Community Center
	224 S Wipf Street
	Freeman, SD 57029

No persons were at the meeting to show rejection of this application. Saarie moved to approve the one-day alcoholic beverage license for Saturday, January 27, 2024. E. Waltner seconded the motion. Roll call: all votes aye.

Budget Allocation Resolution

Tjaden moved to adopt the Resolution of Budget Allocation. Saarie seconded the motion. Roll call: all votes aye.

RESOLUTION OF BUDGET ALLOCATION

WHEREAS the City of Freeman hereby reallocates additional dollars to the 2023 expense funds for the Parks/Pool, Golf Course and Economic Development departments from the Contingency department in the following amounts:

Parks/Pool	\$	1,000.00
Golf Course	\$	4,000.00
Economic Development	\$	100.00
Contingency	\$	(5,100.00)

WHEREAS additional funds are available from the Contingency department, therefore the Council desires to increase the above departments, per accepted government accounting standards in compliance with SDCL 9-21-7;

WHEREAS the Council seeks to distribute funds for authorized uses as needed, and furthermore;

NOW THEREFORE BE ORDAINED by the Council of the City of Freeman, South Dakota that budget ordinance 2022-07 be hereby supplemented to increase the departments for expenditures as needed in the amounts as necessary to meet the obligations of the municipality, shall be disbursed in accordance to the terms of this supplemental appropriation.

Dated this 19th day of December 2023

(SEAL)

SIGNED: _____
Michael Walter, Mayor

ATTEST:

Lisa Edelman, Finance Officer

Travel Request

Gering moved to approve the travel request for Duane Walters and Wade Rupp to attend the Rural Water annual conference January 9-11, 2024 in Pierre, SD. Tjaden seconded the motion. Roll call: all votes aye.

Development & Marketing Report

Carol Eisenbeis presented her final report in advance of her upcoming retirement, with December 29 as her last day. To assist in the transition process, she has compiled a listing of her current responsibilities, along with levels of urgency, timelines and additional details.

Other Business

Each councilor, as well as the mayor, individually expressed appreciation to Eisenbeis for her years of service to the city of Freeman.

Gering inquired about longevity of equipment at the golf course. It was noted that the golf board is preparing to provide detailed information to the council in January.

S. Waltner provided an update on the new shed now in place at the rubble site.

Waltner also asked if some culverts could be cleaned by city street team; weather conditions are favorable and carrying out this process would lessen spring flooding risks. Saarie and Duane Walters will discuss plans regarding this request.

E. Waltner shared that the Freeman Community Foundation awarded grant funding requested by LeAnn Kaufman to replace the library's fluorescent lighting with LED lights.

Saarie reported on a recent meeting with Freeman Community Development Corporation representatives, confirming that the city has met the agreed upon financial responsibilities related to the Westward View Addition. Members of the council inquired about the removal of cement from a decommissioned well and trees in the vicinity of where the shed had been located on the property. Saarie will follow up in response to the questions raised.

Next Meeting Date

The next meeting of the Freeman City Council will take place on Tuesday, January 2, 2024, at 6:30 pm.

Executive Session

S. Waltner moved to go into Executive Session at 7:18 PM pursuant to SDCL 1-25-2(1) personnel. E. Waltner seconded the motion. All votes aye.

S. Waltner declared out of executive session at 7:51PM.

Adjournment

Saarie moved to adjourn at 7:52 PM. Tjaden seconded motion. All votes aye.

Carol Eisenbeis, Development & Marketing Coordinator

Michael Walter, Mayor