

**Council Minutes**  
**Regular Session**  
**Tuesday, May 2, 2023**

The Freeman City Council met in regular session on Tuesday, May 2, 2023 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, Tabitha Schoenwald, Clifford Tjaden, Elizabeth Waltner and Steve Waltner. Also attending were Finance Officer Lisa Edelman, Duane Walters, Carol Eisenbeis, Scott Brewer, Todd Van Maanen, Ron Stover and Ted Brands.

**Executive Session**

S. Waltner moved to go into Executive Session at 6:30 pm pursuant to SDCL 1-25-2(4) contract negotiation. Saarie seconded the motion. All votes aye.

Tjaden declared out of executive session at 6:39 pm.

**Water Agreement**

Todd Van Maanen representing Dakota Protein Solutions, provided an agreement to purchase non-potable water from the City of Freeman’s unused water wells. He also requested that the City of Freeman sign an application for utility permit with the South Dakota Department of Transportation to bore under Hwy 81. Van Maanen also answered questions about the plant and its processes.

Tjaden moved to enter into a water agreement with Dakota Protein Solutions as presented and negotiated. Saarie seconded the motion. Roll call: all votes aye.

Tjaden moved to authorize Mayor Walter to sign the application for a utility permit with the South Dakota Department of Transportation to bore under Hwy 81 on behalf of Dakota Protein Solutions. Saarie seconded the motion. Roll call: all votes aye.

**Minutes**

S. Waltner moved to accept the minutes of the April 18, 2023 regular meeting as presented. Schoenwald seconded the motion. All votes aye.

**Vouchers**

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

PAYROLL – COUNCIL	7125.00	CORE & MAIN, repair	1846.69
PAYROLL – FINANCE	2819.24	DEMCO, library supplies	509.89
PAYROLL – MARKETING	3541.46	FENSEL’S ELECTRIC, supplies	641.27
PAYROLL – GOVERNMENT BUILDING	311.00	FIRST NET, police cell phone	88.76
PAYROLL – POLICE	8980.28	FCDC, welcome guide advertising	504.00
PAYROLL – PUBLIC SAFETY	170.81	GOLDEN WEST, telephone service	1232.09
PAYROLL – STREETS	1331.59	HUTCHINSON CONSERVATION, trees	150.00
PAYROLL – SEWER	6028.33	JAMBOREE, supplies	211.28
PAYROLL – REFUSE	3218.34	MATHESON, amb supplies	82.15
PAYROLL – RECYCLE	2787.62	MATT RIGO, supplies	17.83
PAYROLL – WATER	6250.23	MIDWEST TURF, repair	61.63
PAYROLL – AMBULANCE	5056.16	MR G’S, repair	310.90
PAYROLL – PARK/POOL	602.96	NORTHWESTERN ENERGY, electric & gas	8292.07
PAYROLL – GOLF COURSE	8368.87	PERFORMANCE FOOD SERVICE, resale	3663.34
PAYROLL – LIBRARY	7193.41	PITNEY BOWES, lease	143.55
PAYROLL – COMMUNITY CENTER	198.00	PITNEY BOWES, postage	300.00
PAYROLL – ECONOMIC DEVELOPMENT	110.00	PLUNKETT’S, pest control	229.45
MERCHANTS STATE BANK, 941 deposit	11761.35	RANDY BRODERS TRUCKING	475.00
SD RETIREMENT	5674.24	RURAL MFG, repair	58.50
ACH FEES, payroll & utilities	20.00	SD DEPT OF HEALTH, testing	60.00
APPEARA, rugs	113.06	SD DEPT OF PUBLIC SAFETY, license renew	410.00
AVERA OCCUPATIONAL MEDICINE, testing	69.00	SD DEPT OF REVENUE, sales tax	4785.30

B-Y WATER, water purchase	4762.17	SD MUNICIPAL LEAGUE, FO school	75.00
B-Y WATER INTEREST	3168.00	SECOND CENTURY PRINTING, publishing	698.52
C & B OPERATIONS, repair	634.86	THE DESIGN TAB, printing	1111.48
CARDMEMBER SERVICES, supplies	4277.60	TWO WAY SOLUTIONS, radios	3152.96
CHELSAH CAIN, deposit refund	59.99	SOUTHEASTERN ELECTRIC, electric	2564.83
CHS, fuel	743.87	SQUARE, monthly subscription	35.00
CITY OF FREEMAN, utilities	44.00		
CITY OF MITCHELL LANDFILL, garbage fees	3688.80		
		VOUCHERS	66728.43
		SALARIES	64093.30
		TOTAL VOUCHERS & SALARIES	130821.73

## Financial Report

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

## Adjournment

Tjaden moved to adjourn at 6:51 pm. S. Waltner seconded the motion. All votes aye.

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

## Oath of Office

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

Clifford Tjaden, Council member Ward I for a term of two years  
Blaine Saarie, Council member Ward II for a term of two years  
Tabitha Schoenwald, Council member Ward III for a term of one year  
Elizabeth Waltner, Council member Ward III for a term of two years

## Election of Officers

Gering nominated Tjaden as council president. Tjaden nominated Saarie as council president. S. Waltner moved to cease nominations. Vote: Tjaden 3, Saarie 3. Mayor Walter declared Saarie as council president.

E. Waltner nominated Tjaden as council vice president. S. Waltner nominated E. Waltner as council vice president. Gering moved to cease nominations. Vote: Tjaden 1, E. Waltner 5. Elizabeth Waltner council vice president.

## Committee Appointments

Mayor Walter distributed his committee appointments. Tjaden moved to approve the committee appointments set by the mayor. S. Waltner seconded the motion. All votes aye.

Ambulance: S. Waltner & Gering  
Development: Schoenwald  
Fire Department: Gering & Tjaden  
Golf Course: Mayor Walter & E. Waltner  
Government Building: E. Waltner & S. Waltner  
Library: E. Waltner  
Liquor: Tjaden & Saarie  
Parks/Pool: Schoenwald & S. Waltner  
Police: Mayor Walter & Saarie  
Revolving Loan Fund: Mayor Walter & Tjaden  
Rubble/Recycle/Refuse: S. Waltner & Gering  
Water: Tjaden & S. Waltner  
Sewer: Gering & S. Waltner  
Streets: Saarie, Gering & E. Waltner  
Tree City: S. Waltner  
Zoning: Tjaden & S. Waltner

**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. Roll call: All votes aye.

**Planning Commission Appointments**

Schoenwald moved to continue with the following appointments to the planning commission: Reno Huber, Randy Koerner, Penny Smidt, Janver Stucky and Steve Waltner. E. Waltner seconded the motion. Roll call: 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. Schoenwald seconded the motion. Roll call: all votes aye.

**RESOLUTION 2023-02**

**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, 2023, and continuing through the first meeting in May, 2024; 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.

**PASSED AND APPROVED** this 2<sup>th</sup> day of May, 2023, by the City Council of the City of Freeman, South Dakota by the following vote:

Ayes: 6  
Nays: 0  
Absent: 0

City of Freeman

By: \_\_\_\_\_  
Its Mayor

ATTEST:

\_\_\_\_\_  
City Finance Officer

**1<sup>st</sup> Reading Ordinance 2023-01 – Supplemental Budget**

Council gave 1<sup>st</sup> reading to Ordinance 2023-01 to supplement the street, police, golf course and pool departments.

**Malt Beverage License Renewals**

The Council considered the applications for malt beverage renewals for 2023/2024 submitted by the following:

- 1) On-Off Sale Malt Beverage license for 2023/2024  
Application of: Dollar General Store #10796  
Location of: 305 N US Hwy 81  
Freeman, SD 57029
- 2) On-Off Sale Malt Beverage license for 2023/2024  
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 2023/2024  
Application of: Casey’s General Store #3245  
Location of: 1206 E 6<sup>th</sup> St

- Freeman, SD 57029
- 4) On-Off Sale Malt Beverage license for 2023/2024  
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.

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

### **Westward View Seeding**

Several quotes were presented to the council to seed the Westward View new development area. Gering moved to purchase seed from the Hutchinson Conservation District and rent their seeder not to exceed \$1500.00. Saarie seconded the motion. Roll call: all votes aye.

### **Community Center Defibrillators**

Quotes were received for a defibrillator for the community center. Eisenbeis spoke on the available grants. Tjaden moved to purchase 1 defibrillator for the community center for \$1800.00 and apply for a grant for a second defibrillator for the community room. Schoenwald seconded the motion. Roll call: all votes aye.

### **Swimming Pool Rates | Opening Date**

S. Waltner moved to keep the same rates as 2022 and open for the season on June 1, 2023. Saarie seconded the motion. Roll call: all votes aye.

### **Other Business**

Saarie: Gave some updates on street lights. Northwestern Energy is planning to put in street lights in the Westward View area. He also received confirmation that the Main Street lights are in and will be installed as soon as they are shipped to Freeman. He wanted to remind residents to keep grass clippings off the streets. He brought up the need for more daycare providers.

S. Waltner: Informed the group that he is still looking for a roll off for the rubble site. He also stated that there is a need for additional recycle trailers. He will look into costs for the purchase of a couple more trailers.

Schoenwald: Stated that there was a request for water aerobics again this year. These rates will also be the same as last year.

Gering: Questioned if the Westward View area is now ready to sell lots. Asked if a realtor should be used to sell these lots. Asked who controls the speed limit on Hwy 81. It was stated that this is controlled by the South Dakota Department of Transportation.

Walters: Informed the council several streets will be ground starting Monday while the county is in the area. Ordered a new filter for the pool to replace the filter that was down all last year and will start patching next week. Contacted Bender's Sewer & Drain for an estimate to pump out the lagoon so the aerators can be repaired.

### **Next Meeting Date**

The next meeting of the Freeman City Council will take place on Tuesday, May 16, 2023 at 6:30 pm.

### **Executive Session**

S. Waltner moved to go into Executive Session at 7:48 pm pursuant to SDCL 1-25-2(1). Saarie seconded the motion. All votes aye.

S. Waltner declared out of executive session at 8:15 pm.

Schoenwald moved to hire Riley Knittel at \$12.00/hour as seasonal swimming pool personnel for the 2023 season contingent on getting her certification and to hire Erin Uecker and Kate Miller as co-managers at \$12.50/hour plus concessions. Saarie seconded the motion. All votes aye.

S. Waltner moved to accept the resignation of Police Chief Scott Brewer effective June 1, 2023. E. Waltner seconded the motion. All votes aye.

Tjaden moved to advertise for a police chief. Saarie seconded the motion. All votes aye.

**Adjournment**

Tjaden moved to adjourn at 8:17 pm. Schoenwald seconded motion. All votes aye.

Lisa Edelman, Finance Officer

Michael Walter, Mayor