

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

December 4, 2023
Jefferson City Hall
7:00 p.m.

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

Others present: C. Corio, S. Corio, W. Fox, CJ Geary, R. Geary, T. Johnson, B. Knoepfler
S. LaFleur-Sayler, K. McCormick, B. Nesselhoff, M. Roark and D. Sharkey.

Mayor Rigg called the Regular meeting of the City Council of Jefferson, South Dakota, to order. Motion to approve the agenda by Casper second by Lokhorst. Motion carried. Motion to approve the minutes of the November 6, 2023, City Council meeting by Boulware second by Casper. Motion carried.

Actual Bank Balances:

Checking: \$ 19,763.69

Savings: \$ 259,991.58

CD: \$ 17,971.04

Restricted Cash: \$10,705.00

Petty Cash: \$100.00

TOTAL FUND BALANCE AS of 11-30-2023: **\$308,531.31**

Motion to approve the financial statement by Stokely second by Boulware. Motion carried.

UNFINISHED BUSINESS:

The former Jefferson High school property was first on the agenda. Motion to move into Executive session with the Mayor, City Council members, City Attorney, Police Chief, and FO present at 7:01 p.m. to discuss a legal matter by Casper second by Lokhorst. Motion carried. The regular meeting of the City Council reconvened at 7:10 p.m. with all members present. CA LaFleur-Sayler stated the former JHS property has been found in default and the City will proceed with the scheduled hearing 12-5-2023 at 3:30 p.m. with Mayor Rigg as witness.

The variance request for Lot 7 Outlot, Jefferson City was next on the agenda. Wanda Fox Attorney at Law was present to represent Robert Geary and his interest in this matter. The FO advised the City Council that all adjacent landowners were notified concerning this matter. None of the adjacent property owners shared any objections. Attorney Fox asked why the requester, who owns the entire lot, decided to build up to the property line. Ms. Fox suggested Mr. Johnson build his addition on the Northwest side of his lot. Mr. Geary stated that Mr. Johnson will not have access to finish his building or to even maintain his addition since an adjacent property owner is not obligated to allow access. A discussion followed. The variance request was published 11-16-2023 and the letters to the adjacent landowners were dated and mailed 11-9-2023. CA LaFleur-Sayler advised the City Council they could vote to grant, table, or deny said variance request. Motion by Stokely to grant the variance request of 6' 10"

for Lot 7 Outlot, Jefferson City second by Casper. A poll of the board was taken Stokely- Yes, Boulware- Yes, LaFleur- No, Lokhorst- Yes and Casper- Yes. Motion carried.

NEW BUSINESS:

Mayor Rigg asked for a moment of silence in honor of retired City Police Chief of 35+ years, longtime Fire Chief and EMT William Paul McKelvey.

The SDML Workers Compensation Fund policy which covers the Jefferson Volunteer Fire Department and Jefferson Volunteer Ambulance Squad requires the City to keep a current roster of the members. Each Department covers their own premiums.

Mayor Rigg recognized Ben Nesselhoff. Mr. Nesselhoff advised he was with True North Dispensary in North Sioux City. Mr. Nesselhoff stated that he and his partners were interested in manufacturing. Mr. Nesselhoff noted that the Jefferson City Ordinance does not allow for a manufacturing license. Mr. Nesselhoff asked if the Council members would consider changing their Ordinance. A discussion followed. Mr. Nesselhoff introduced two of his partners, B. Knoepfler and K. McCormick. The partners were present as North Sioux City does not have any more open licenses and the group at True North are interested in manufacturing. When it comes to cannabis everything is tracked by the State from seed to sale. CM LaFleur wanted to state, on the record, that he is morally opposed to anything to do with cannabis in this town and stated cannabis is federally outlawed for a reason. Further discussion followed. Mr. Nesselhoff, Mr. Knoepfler and Mr. McCormick thanked the Mayor and City Council for their time.

Police Department:

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

Traffic Stop Warning

Traffic Stop Verbal Warning x 4.

Gas Drive off.

Community Policing

Animal call x 2

Disturbance

Medical x 3

Motorist Assist- Mayor Rigg stated he received a phone call from a motorist who was impressed, grateful and thankful for Chief Sharkey's help and positive response when he was in need.

Agency Assist NSC Drugs

Driving complaint

Alarm Call

Suspicious Person

Welfare Check

Gas Leak

Harassment

Vehicle Unlock

Burglary x 2 Old Jefferson High School - 2 different day, 2 different groups

Fraud

The annual agreement with the Siouxland Humane Society was signed and sent in.

Street Department:

Moved snow.

Ran water down a couple manholes, will finish the rest of them at a later date.

CM LaFleur as SS Sharkey if there will be any street sweeping done this week. It depends on the weather.

Water/Wastewater:

Water main break at 113 North 3rd- fixed and the damage will be billed to the man who damaged the main.

Lead and copper testing was done and came back well under the safe limit.

It was noted that the improvements at 216 North 3rd look great.

Sharkey stated he will be looking into going to his first water class in February.

Parks and Rec:

The cap was installed on the shelter building.

The FO advised the City Council that the purchase agreement with Charlie and Sandy Corio was signed. The closing should be done by the 22nd of December.

Informational Items/Public Input:

Kai Thai food truck has donated \$445.00 to date towards the playground.

City Hall will be closed Monday December 25, 2023.

City Hall will be closed January 1, 2024, for New Years Day

Garbage pick up will be Tuesday December 26, 2023, and Tuesday January 2, 2024.

Employee reviews were discussed.

The Mid-American energy bill for the city garage is .42c per day, M. Roark will pay .45c per day when the bus is plugged in.

Mayor Rigg recognized John Wakefield. Mr. Wakefield was present to discuss the former Jefferson High School building. Mr. Wakefield stated he thought the City action was on hold as he was in negotiations to sell a portion of his property. A discussion followed.

Mr. Wakefield stated he believes:

A new roof is the only repair needed.

The estimates the City received for demolition and asbestos removal are too high as there are only seven (7) areas needing asbestos removal.

Mayor Rigg pointed out the property was red tagged in 2017 with no action on Mr.

Wakefield's part. The City installed a fence to keep people out then installed game cameras all for safety reasons. Mr. Wakefield asked for a month to get some things done and get an agreement with a potential buyer ironed out.

Motion to move into Executive session with the Mayor, City Council members, City Attorney, Police Chief, and FO present at 8:09 p.m. to discuss a legal matter by Boulware second by Lokhorst. Motion carried. The regular meeting of the City Council reconvened at 8:23 p.m. with all members present. Mayor Rigg stated the city was willing to offer Mr. Wakefield a solution. The city will agree to a 60-day extension with a signed confession of judgement for \$299,062.99. Mr. Wakefield must submit a signed purchase agreement before the 60-day extension expires with the understanding that the asbestos needs to be abated and the buildings removed. It was noted our BI, Gary Roan, advised the structures cannot be brought up to code. The confession of judgement will not be entered if there is a signed purchase agreement. CA LaFleur-Sayler advised Mr. Wakefield she would need to know if he planned to sign the Confession of Judgement by noon on December 5, 2023, so the 3:30 p.m. hearing may be postponed.

Claims:

Motion to pay the audited, approved warrants by Lokhorst second by Casper. Motion carried.

Monthly payroll/insurance benefits: General Fund: \$11,944.96, Enterprise Fund-Water:

\$1583.86, EPF-Sewer: \$1,583.66, Paddy Rigg, cell phone, \$100.00, Dustin Sharkey, cell

phone-, \$100.00, William Manger, cell phone, \$100.00, Bentson Pest mgt., Pest service, \$58.00, Brian's Repair, Inc. repairs, \$1,230.14, Conoco, fuel, \$385.69, DPC Industries, water chemicals, \$511.62, Dakota Dunes Times, ad, \$50.00, Display Sales, Christmas light deco, \$341.25, EFTPS-IRS, 941 taxes, \$4,673.20, EP Ace Hardware, park supplies, \$11.97, First Dakota Title, 503 Main Street, \$418.76, Husky Youth Athletics, celebration, \$100.00, Jefferson Ambulance, ½ penny sales tax, \$1,566.18, Leader Courier, publishing, \$173.66, Longlines, service, \$176.60, Loren Fischer Disposal, refuse service, \$4,140.00, Manger, Wm., batteries, \$106.96, MidAmerican Energy, utilities, \$ 1,812.62, Roan, Gary, bldg. inspector, \$800.00, Roark, M., quarterly- cell phone/cleaning, \$900.00, Sioux City Journal, ad, \$99.00, SD 811, locates, \$19.04, SD DOR, sales tax, \$279.70, SD Public Health Lab tests, \$315.00, SDRS, SD Retirement, supplemental, \$100.00, Utility Equipment Company, water cap, \$38.00.

Adjournment:

Motion to adjourn regular session at 8:33 p.m. until the January 4, 2024, regular meeting by Boulware second by Casper. Motion carried.

Padraic Rigg
Mayor
Jefferson, South Dakota

ATTEST:

Michaeleen Roark
City Finance Officer
Publish: December 14, 2023

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