

City Council Proceedings

The Canistota City Council met Monday, April 4, 2022 at 7:00 PM in the Canistota City Hall Community Room. City Council Members present: Mayor Justin Engbarth, Donovan O'Donnell, Jamie Miller, Brad Miller, and Jessica Kerher. Others present: Finance Officer Kathy Townsend, Maintenance Supervisor, Darin Nugteren, Maintenance Assistant Brandon Dolejsi, and Darin Ligtenberg. Eleven community members were also present.

Mayor Engbarth called the meeting to order at 7:00 PM

Mayor Engbarth led the Pledge of Allegiance.

The agenda was approved on a motion by J. Miller, seconded by Kerher, all voted yes, the motion carried.

At 7:02 PM on a motion by B. Miller, seconded by J. Miller, the Council entered executive session for personnel per SDCL 1-25-2-2, all voted yes, the motion carried. City staff and community members left the meeting.

Mayor Engbarth declared Executive Session over at 7:09 PM with the Council convening in open session. City staff and community members returned to the meeting. John Hoiten left the meeting at 7:09 PM.

The proceedings from the last regular Council meeting were approved with the correction of a date to February 15, 2022, on a motion by B. Miller, seconded by Kerher, all voted yes, the motion carried.

The proceedings from the Board of Equalization meeting on March 21, 2022 were approved on a motion by B. Miller, seconded by J. Miller, all voted yes, the motion carried

The proceedings from the March 21, 2022 Special City Council meeting were approved as presented on a motion by B. Miller, seconded by Kerher, all voted yes, the motion carried.

No report was submitted by the Sheriff's Office.

Nugteren and Kerher presented the report from the Canistota Development Corporation. The group met on March 31st at City Hall, topics of discussion included: housing needs and solutions, grants and nuisance properties. J. Miller motioned to approve the report as presented, seconded by O'Donnell, all voted yes, the motion carried.

Nugteren presented the report from the Planning and Zoning Commission. A request for information on the Planning and Zoning Ordinance concerning Air B & B's and Bed and Breakfasts was received by Nugteren. He will bring a proposed ordinance to the May meeting that will clarify the regulations for these establishments. The report was approved on a motion by B. Miller, seconded by Kerher, all voted yes, the motion carried.

There were no citizen concerns.

Nugteren and Dolejsi presented the maintenance report for the month of February. There were nine building permits issued. The Code Enforcement officer was in Canistota at the end of March, he will be sending letters to nuisance properties. The fence has been installed around the pickleball court in Stalting Park. The repairs on the round house roof have been completed. The annual inspection of the mosquito sprayer is scheduled for April 21, 2022. A door in the jail building was kicked in, along with a window being broken; the City has video of the vandalism. Salem Lumber will prepare a blue print for the picnic shelter/warming house at Stalting Park. The Maintenance report was paused at 7:30 PM.

At 7:30 PM, Mayor Engbarth called the public hearing to order for the Proposed Resolution of Necessity #2022-07. He welcomed everyone to the public hearing and opened the discussion to the public. Concerns and issues discussed included the increase in surcharge fees for debt service on the proposed Phase 3 project. Mayor

Engbarth clarified to those present, the City Council does not dictate surcharge fees, the increase comes directly from the State of South Dakota. The increase in surcharge fees is necessary for debt service on the project. City engineer, D. Ligtenberg spoke about the \$25.00 per foot assessment for curb and gutter. A precedent has been set in past projects when property owners who will benefit from the curb and gutter improvements will be assessed those costs. The cost can be paid in full upon project completion or under Plan One, which can be paid in ten equal installments over ten years with an interest rate set by the City of Canistota, not to exceed 7% per annum. Properties bordered by more than one street in the project will be assessed on all sides for curb and gutter improvements. The City is applying for additional grant money through the State's American Rescue Plan Act. The placement of sidewalks in the project area was discussed, a concern was voiced about cost and curb and gutter installation on the streets of Fir, Oak and Walnut. The project time line was discussed; if the project is completed in phases, 7th Avenue along with Fir, Oak and Walnut would be completed in Phase One. Some property owners were concerned they didn't know about the proposed project since they do not receive the local paper and do not have access to social media. The property owners had no further questions or concerns. Mayor Engbarth thanked everyone for attending the public hearing. The public hearing portion of the meeting was closed at 8:08 PM with residents leaving the meeting at that time.

Richarz gave the Volunteer Fire Department report for March. The department responded to four fire calls and had no rescue calls. Their annual pancake breakfast fund raiser will be held, Sunday, April 24 from 9 AM to 1 PM. The Mac truck was sold. The report was approved on a motion by O'Donnell, seconded by B. Miller, all voted yes, the motion carried.

Richarz left the meeting at 8:10 PM

Ligtenberg informed the Council he is waiting to hear back from the State for the approval of his submitted plans for the project. After the State has accepted the project plans, the City Council will accept the proposed plans for the project. Additional grant money was discussed, Ligtenberg will send a letter with project updates to the property owners in the project area around the first part of May.
Ligtenberg left the meeting at 8:24 PM

Nugteren and Dolejsi continued with the March maintenance report: A bird feeder in the City Park was vandalized, the vandals have been identified by the Sheriff's office. The vandals will apologize and pay restitution. Nugteren will bring estimates for a sidewalk and shuffleboard court to be installed at Stalting Park for Council consideration at their May meeting. Nugteren submitted employment guidelines for the rubble site attendant to sign. The maintenance department will conduct a smoke test on all homes and businesses on April 6th. There was vandalism at the Pool House. The vandals have been identified with the Sheriff's Office handling the investigation. The maintenance report was approved on a motion Kerher, seconded by J. Miller, all voted yes, the motion carried.

The following bills were approved for payment on a motion by J. Miller, seconded by B. Miller, all voted yes, the motion carried.

Addy Disposal, Collections, & Dumpster Fee, \$4,126.13; Al's Feed Service, Supplies, \$9.90; April 1st, Payroll, Streets, \$1,337.80; Finance Officer, \$200.00; Clean Water, \$1,537.80, Drinking Water, \$1,537.80; Aramark, Supplies, \$19.93; Badger Meters, Prof. Services, \$24.64; Banyon Data Services, Programs & Support, \$2,075.00; Cadwell, Sanford, Deibert & Garry, Prof. Services, \$54.00; Canistota Development Corp., Annual Contribution, \$5,000.00; Dolejsi, Brandon, Mileage Reimbursement, \$83.50; Golden West, Utilities, \$344.41; Marco, Prof. Services, \$34.11; McCook County Treas., Law Enforcement, \$4,225.00; Menards, Supplies, \$1,867.81; New Century Press, Publishing, \$642.85; Northwestern Energy, Utilities, \$640.10; Puthoff Sales & Service, Equipment, \$2,000.00; Schoenfish & Co, Prof. Services, \$1,300.00; SD Dept. of Revenue, Prof. Services, \$15.00; SD Dept. of Revenue, Sales & Use Tax, \$284.09; SDML WC Fund, \$423.00; Steve's Welding, Prof. Services, \$980.00; TM Rural Water, Water Purchased, \$4,949.75; Total Stop, Fuel, \$351.58; Townsend, Kathy, Utility Fee & Mileage, \$57.00; US Bank, Supplies, \$470.93; US Bank Trust, Debt Service, \$17,481.56; Xcel Energy, Utilities, \$2,169.81.

Bills Paid since the last meeting: AFLAC, Full Time Employees, \$426.62; March, Council Payroll, \$2,539.63; March 15, 2022, Payroll, \$3,754.18; SDRS, Full Time Employees, \$1,143.12; Security State Bank, Payroll Taxes, \$2,647.22.

Townsend presented the Finance Officer's report: B. Miller motioned, seconded by Kerher to approve the Annual Report for the City of Canistota as prepared by Schoenfish & Co, all voted yes, the motion carried. Kerher motioned, seconded by O'Donnell to give Good Friday as a paid Holiday to full time City employees, all voted yes, the motion carried. The FO report was approved as presented on a motion by Kerher, seconded by O'Donnell, all voted yes, the motion carried.

Council Concerns:

Mayor Engbarth: B. Miller motioned, seconded by Kerher to acknowledge and approve the second reading of Ordinance 2022-02, Amending 2020 Revised Zoning Regulations by Amending Chapter 2.01 (C) Grain Bins, all voted yes, the motion carried. The Ordinance was printed in the April 7, 2022 edition of The Special.

On a motion by J. Miller, seconded by O'Donnell, Ordinance 2022-03, Amending 2020 P & Z Regulations by adding Chapter 9.13, Accessory Solar Energy Systems was acknowledged and adopted as presented, all voted yes, the motion carried. The Ordinance was printed in the April 7, 2022 edition of The Special. The second reading of Ordinance 2022-05 died for lack of a motion. The first reading of Ordinance 2022-06, Revising procedure; preliminary plats, final plats and vacation of plats was acknowledged. The proposed Resolution of Necessity, 2022-07 was discussed and approved as presented on a motion by J. Miller, seconded by Kerher, all voted yes, the motion carried. The Resolution was printed in the April 7, 2022, edition of The Special. B. Miller, seconded by O'Donnell, motioned to approve Resolution 2022-08, A Resolution requesting additional grant funds for the Proposed Phase 3 Infrastructure Project, all voted yes, the motion carried. The Resolution was printed in the April 7, 2022 edition of The Special. The Xcel Energy easement and reimbursement was briefly discussed and tabled until the May 2, 2022 meeting. The City will advertise for lifeguards, no WSI endorsement is necessary. The City has a shortage of guards, not opening the pool, opening the pool on select days of the week, and opening with shortened hours were all discussed as options the City will have to consider if not enough guards can be hired. On a motion by J. Miller, seconded by Kerher, certified lifeguards will have a starting salary of \$13.00 per hour, returning guards will receive a twenty-five-cent an hour increase for each year of experience with the City and the pool manager with WSI and lifeguard certification will receive \$14.00 per hour; lifeguard certification for the Manager will be reimbursed when certification is completed, all voted yes, the motion carried. Kerher, seconded by O'Donnell motioned to charge \$100.00 for a family season pass, \$50.00 for a single person season pass and daily entrance to the pool will be \$5.00 a day for all ages, all voted yes, the motion carried. The annual free dump days at the Rubble Site will be held on Saturday April 30th with the Lions Club assisting with free clean-up. Watch for the ad in The Special and on the City Facebook page. The City will sponsor free admission to the Rubble Site on Saturday May 7th, **there will be NO city wide pick-up of items that weekend.** Rubble Site hours of operation will be every Tuesday and Thursday from 5:30 PM to 7:30 PM and Saturday hours are 9 AM to Noon and 1 PM to 4 PM. The Rubble site will open for the season on Saturday April 9, 2022. B. Miller motioned, seconded by O'Donnell to hire Eugene Zelmer as Rubble Site attendant at \$10.25 per hour, all voted yes, the motion carried. On a motion by B. Miller, seconded by J. Miller, the Assessments for the Resolution of Necessity, 2022-07, if not paid in full in the finance office at the completion of the Phase 3 project, will be divided into ten (10) equal annual installments which shall be payable under Plan One and that all deferred installments shall bear an interest rate of 3.5% which is not in excess of the allowed 7% per annum, all voted yes, the motion carried.

B. Miller had no concerns

Kerher had no concerns

O'Donnell shared a text message he received complimenting the City of Canistota for being a clean, friendly community.

J. Miller had no concerns

B. Miller motioned at 10:48 PM to enter into Executive Session for Personnel per SDCL 1-25-2-1, seconded by Kerher, all voted yes, the motion carried.

Mayor Engbarth declared Executive Session over at 10:59 PM with the Council convening in open session.

O'Donnell motioned, seconded by B. Miller to offer John Hoiten a part-time summer position with the City of Canistota at \$12.00 per hour along with Austin Matthaei at \$11.50 per hour, all voted yes, the motion carried.

The next regular meeting of the Canistota City Council will be held on Monday, May 2, 2022 at 7 PM in the Community Room of City Hall, all are welcome and encouraged to attend.

A motion to adjourn was made at 11:10 PM by B. Miller, seconded by J. Miller, all voted yes, the motion carried.

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SEAL

Justin Lee Engbarth, Mayor
City of Canistota

ATTEST:

Kathy J. Townsend, Finance Officer
City of Canistota