

# *City Council Proceedings*

The Canistota City Council met Monday, November 7, 2022 at 6 PM in the Canistota City Hall Community Room. City Council Members present: Mayor Justin Engbarth, Donovan O'Donnell, Jessica Kerher, and Brad Miller. Absent: Jamie Miller. Others present: Finance Officer Kathy Townsend, Maintenance Supervisor Darin Nugteren and Maintenance Assistant Brandon Dolejsi. Others present included: Darin Ligtenberg, Eric Eisloeffel with Fire Chief Adam Richarz arriving at 7 PM.

Mayor Engbarth called the meeting to order at 6:00 PM

Mayor Engbarth led the Pledge of Allegiance.

The agenda was approved as presented on a motion by O'Donnell, second by Kerher, all voted yes, the motion carried.

The proceedings from the last regular Council meeting were approved as presented on a motion by B Miller, second by O'Donnell, all voted yes, the motion carried.

The written report from the Sheriff's office for the months of September and October were approved as presented on a motion by B. Miller, second by Kerher, all voted yes, the motion carried.

Ligtenberg gave a brief update on the Phase 3 Improvement Project. A pre-construction meeting will be held on Tuesday, December 6, 2022 at 1 PM in the Community Room of City Hall. Representatives from DANR, SECOG, H & W Contracting, along with City Staff will be present. Ligtenberg will arrange an open house for the public in the spring before construction begins.

## **Citizen Concerns:**

Eisloeffel expressed a concern about utility billing and his being notified as a landlord when utilities are terminated. On a motion by B. Miller, second by O'Donnell, late fees will be abated contingent upon paying the delinquent billing in full by November 15<sup>th</sup>, 2022, all voted yes, the motion carried. Eisloeffel left the meeting at 6:25 PM.

CDC has requested that the City consider abating a delinquent utility billing, snow and grass removal fees attached to the City owned property located at 121 2<sup>nd</sup> Ave. On a motion by B. Miller, second by O'Donnell, the parcel will be sold to the CDC for \$10,500.00 with the utility fees, snow removal and mowing fees abated. The CDC will reimburse the City for the sale price of \$10,500.00 when the property is developed and sold. B. Miller, yes, O'Donnell, yes, J. Miller via conference call voted yes with Kerher abstaining from the vote, the motion carried.

Nugteren presented the Planning and Zoning Report: ten building permits were issued in October. Nugteren is waiting for cost estimates on generators and installation fees before exploring the opportunity for a grant for infrastructure mitigation. Kerher motioned to approve the report as presented, second by O'Donnell, all voted yes, the motion carried.

Ligtenberg left the meeting at 7:07 PM

Richarz presented the report for the Canistota Fire Department: they responded to four rescue calls along with 2 fire calls. The Department observed Fire Prevention week by hosting activities at the school for Preschool classes through fifth grade. The Department is also hosting Fire 1 and 2 classes with eight attendees. A fundraiser may be held after the first of the year. The report was approved as presented on a motion by O'Donnell, second by Miller, all voted yes, the motion carried. Richarz left the meeting at 7:33 PM.

Nugteren presented the October maintenance report: Continued complaints concerning barking dogs disturbing the peace was discussed. The Finance officer will send a letter informing the dog owner to abate the barking dogs per City Ordinance 5.02 to avoid impoundment of the animals. On a motion by B Miller, second by Kerher, the City will purchase a 2008 Elgin Pelican Street Sweeper at a cost of \$9,020.00 and surplus the 2002 Elgin Pelican Street Sweeper for sale on Purple Wave Auctions in December, 2022, all voted yes, the motion carried. Nugteren will bring more information to the December Council meeting about amending City Ordinances to include the authority for the Code Enforcement Officer to conduct home inspections with nuisance properties. Hoiten has completed several painting projects at the pool and ballpark. Kerher motioned, second by B. Miller to purchase a Snow X snow plow to be installed on the 2009 Chevy pickup at a cost of \$8,350.00 including installation, all voted yes, the motion carried. Nugteren and Dolejsi will be installing security cameras in City Parks. More information on locating a weather station in Canistota will be obtained and discussed at the December 5, 2022 meeting. The access gate at the rubble site is being installed. Fences in City Parks that were damaged in the May Derecho have been repaired. The maintenance report was approved as presented on a motion by B. Miller, second by O'Donnell, all voted yes, the motion carried.

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

Addy Disposal, Collections & Dumpster Fee: \$4,268.42; American Bank & Trust, Debt Service, \$48,425.72; Anderson, Matt, Utility Reimbursement, \$100.00; Aramark, Supplies, \$19.93; Badger Meters, Prof. Services, \$24.56; Bierschbach Rental Fee, \$851.36; Cadwell, Sanford, Deibert & Garry, Prof. Services, \$675.00; Dolejsi, Brandon, Mileage, \$189.00; Foht Construction, Prof. Services, \$1,887.76; Golden West, Utilities, \$347.52; High Point, Prof. Services, \$190.00; Marco, Prof. Services, \$39.23; McCook County Treas., Law Enforcement, \$4,225.00; Menards, Supplies, \$1,087.76; New Century Press, Publishing, \$193.54; North Western Energy, Utilities, \$40.99; November 1, Payroll, Streets, \$974.82, Finance Office, \$459.75; Parks, \$717.56; Drinking Water, \$1,434.57; Clean Water, \$1,434.57; Purple Wave, Equipment, \$9,515.00; SD Dept. of Revenue, Sales & Use Tax, \$285.26; SD Public Health Lab, Prof. Fees, \$196.00; SECOG, Prof. Fees, \$8,000.00; TM Rural Water, Water Purchased, \$5,895.50; Total Stop, Supplies & Fuel, \$305.91; Townsend, Kathy, Utility Fee, \$58.50; US Bank, Supplies, \$2,598.58; US Bank Trust, Debt Service, \$6,159.21; Verizon Wireless, Utilities, \$200.93; Xcel Energy, \$2,068.65.

Bills Paid since the last meeting: AFLAC, Full Time Employees, \$426.62; Northwestern Energy, \$40.00; October 15, 2022, Payroll, \$4,698.88; SDRS, Full Time Employees, \$1,344.48; Security State Bank, Payroll Taxes, \$2,840.93; Xcel Energy, \$2,303.89.

Delinquent utility bills were discussed under the Finance Officer's report. Account # 98006 will be taken to small claims court for collection. The report was approved on a motion by Kerher, second by O'Donnell, all voted yes, the motion carried.

#### Council Concerns:

Mayor Engbarth: The approved and adopted Ordinances and Resolutions are printed elsewhere in this issue of The Special.

B. Miller motioned, second by O'Donnell to approve and adopt the second reading of Supplemental Budget Ordinance 2022-14, all voted yes, the motion carried. Kerher motioned, second by O'Donnell to approve and adopt the second reading of VRBO Ordinance 2022-11, all voted yes, the motion carried. Kerher motioned, second by O'Donnell to approve Resolution 2022-15, adjust drinking water rates, all voted yes, the motion carried. Kerher motioned, second by B. Miller to approve Resolution 2022-16, adjusting clean water rates, all voted yes, the motion carried. Kerher motioned, second by O'Donnell to approve the Retail on Sale Liquor License for the Jenarde Post 162, American Legion, all voted yes, the motion carried. B. Miller motioned, second by O'Donnell to approve the Package Off Sale Liquor License for the Hawks Nest, all voted yes, the motion carried. The Retail On Sale Liquor License for the Hawk's Nest was approved on a motion by Miller, second by O'Donnell, all voted yes, the motion carried. The Package Off Sale Liquor License for Total Stop Food Store was approved on a motion by O'Donnell, second by Kerher, all voted yes, the motion carried. **During the winter months of December, 2022; January, February and March of 2023 the Canistota City Council will convene at 6PM.** The time-line for

construction of the picnic shelter/warming house at Stalting Park was discussed. Kerher motioned, second by B. Miller to (purchase three (3) AEDs with the equipment to be located at: City Hall, the Canistota Sports Complex and at the pool, all voted yes, the motion carried. On a motion by B. Miller, second by Kerher, Friday, November 25, 2022 along with Friday, December 23, 2022 will be paid holidays for full time City employees, all voted yes, the motion carried. City offices will be closed Monday, December 26, 2022 in observance of Christmas Day which falls on a Sunday.

B Miller shared a resident concern with building permits and fees. Miller has also received complaints about how late recycling is picked up on the first and third Wednesdays of the month. Those days always seem to be the windiest with recycling blowing around neighborhoods; could recycling be picked up earlier in the day? The Mayor or Finance Officer will speak with Addy Disposal about the concern.

Kerher had no concerns

O'Donnell noted an increase in interest rates for Certificates of Deposit.

Miller motioned at 8:44 PM to enter into executive session per SDCL 1-25-2-1, Personnel, second by O'Donnell, all voted yes, the motion carried.

Mayor Engbarth declared executive session over at 9:04 PM with the Council convening in open session.

A motion to adjourn was made at 9:05 PM by Kerher second by B Miller, all voted yes, the motion carried.

**The next regular City Council meeting will be held on Monday, December 5, 2022 at 6 PM in the Community Room of City Hall. NOTE START TIME OF THE MEETING. All are welcome.**

SEAL

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Justin Lee Engbarth, Mayor  
City of Canistota

ATTEST:

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Kathy J. Townsend, Finance Officer  
City of Canistota