

City Council Proceedings

The Canistota City Council met Monday, March 4, 2024 at 6:00 PM in the Canistota City Hall Community Room. City Council Members present: Mayor Justin Lee Engbarth, Donovan O'Donnell, Lori Forsman, and Jamie Miller; absent: Jessica Kerher. Others present: Maintenance Supervisor, Darin Nugteren, Maintenance Assistant Brandon Dolejsi, Finance Officer Kathy J. Townsend; Fire Chief Adam Richarz and Paul Vugteveen with Musco Lighting arrived at 6:40 PM.

Mayor Engbarth called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

The agenda was amended to include action on Resolution 2024-02, Northwestern Energy name update on a motion by O'Donnell, second by Forsman, all voted yes, the motion carried. The amended agenda was approved on a motion by O'Donnell, second by Miller, all voted yes, the motion carried.

Miller motioned, second by O'Donnell to approve the February proceedings as presented, all voted yes, the motion carried.

Richarz presented the February report for the Canistota Volunteer Fire Department, they responded to two rescue calls and had zero fire calls. New equipment has been ordered and will arrive in March. Chase the Ace is still an on-going fund raiser. The fire department has obtained fifty (50) smoke alarms to be dispersed in the community. Please contact a member of the fire department to obtain a smoke detector, the smoke detector along with installation in your home is **free of charge by a member of the fire department**. The report was approved on a motion by Forsman, second by O'Donnell, all voted yes, the motion carried. Richarz left the meeting at 6:10 PM

The written report submitted by the Sheriff's Office for January and February was approved as presented on a motion by Miller, second by O'Donnell, all voted yes, the motion carried.

Nugteren presented the Planning and Zoning Report: Three building permits were issued in February. The Planning and Zoning Commission will meet to consider two (2) re-zoning requests. The report was approved as presented on a motion by Forsman, second by O'Donnell, all voted yes, the motion carried.

CDC has not met and no report was submitted.

Citizen Concerns:

There were no concerns from citizens.

Nugteren and Dolejsi presented the Maintenance report for February: Complaints have been received concerning a dog barking and running at large in a neighborhood. The two smaller, City owned dumpster will be repaired.

The current landscape rake will be replaced with an 8-foot rake ordered from Puthoff Sales for \$1,325.00. The City is having an issue with the USPS in Kansas City, MO with the delivery of a payment for a front-end snowblower that was purchased. O'Donnell motioned, second by Miller to

have Dolejsi attend the SDAWWA Seminar in Brookings, all voted yes, the motion carried. Several complaints and concerns have been received from residents in the Phase 3 Street Project. Nugteren and Dolejsi have been dragging Pine Street along with 5th and 6th Avenues to help with the mud/rough road issue. Equipment time and man hours will be documented and submitted to the City Engineer. The mandatory lead pipe survey for the State of SD was discussed. Participation has been very low with 100% participation required by the State of SD. The Stalting Park picnic shelter still has a few items on the punch list to be completed by the contractor. Nugteren updated the Council on land acquisition along with a ten-year Maintenance Building Improvement Plan. Replacing or repairing the grandstand at the ballpark was discussed with Nugteren bringing an estimate to repair the grandstand to the April regular Council meeting. The report was approved as presented on a motion by Miller, second by Forsman, all voted yes, the motion was approved.

At 7 PM, the advertised time for publicly opening sealed bids, Mayor Engbarth opened the three (3) sealed bids received by the City of Canistota for the Canistota Ballpark Lighting Update. Bids were received from Great Plains Electric, Inc, Muth Electric, Inc., and Electric Construction Company. Contingent upon review and approval by the engineer in charge of the project, the City of Canistota, will award the contract to the low bidder of Great Plains Electric, Inc., in the amount of \$235,975.00 on a motion by Forsman, second by O'Donnell, all voted yes, the motion carried. The project will be completed on or before August 5, 2024. Vugteveen left the meeting at 7:15 PM

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

Addy Disposal, Collections & Dumpster Fees, \$4,591.14; Aramark, Supplies, \$25.13; Badger Meters, Prof. Services, \$31.40; Cadwell Attorney Group, \$540.00; Core & Main, Supplies, \$223.46; Diamond Maps, Prof. Fees, \$264.00; Gov Office, Prof. Fees, \$667.80; Golden West, Utilities, \$520.61; Kleinsasser's, Repairs, \$44.08; MAP Engineers, Prof. Fee, \$2,907.00; March 1, Payroll, Streets, \$1,872.01, Finance Office, \$450.94. Clean Water, \$1,545.82, Drinking Water, \$1,545.81; Marco, Prof. Services, \$45.11; Matthaei Excavating, Prof. Services, \$1,530.62; McCook County Treas., Law Enforcement, \$4,712.50; McLeod's Printing, Supplies, \$67.54; Menards, Supplies, \$1,341.87; Metering Tech, Supplies, \$257.37; New Century Press, Publication Fees, \$318.67; Northwestern Energy, Utilities, \$1,041.26; Purple Wave, Equipment, \$19,250.00; RTC Pedal Pulls, Prof. Fee, \$100.00; Schoenfish, Inc, Prof. Fees, \$2,000.00; SD 811, Prof. Fees, \$72.45; SD Dept. of Revenue, Sales & Use Tax, \$313.81; SD Dept. of Health, Prof. Fees, \$30.00; Sioux Falls Humane Society, Prof Fees, \$148.26; TM Rural Water, Water Purchased, \$3,985.30; Total Stop, Fuel & Supplies, \$153.55; Townsend, Kathy, Utility, \$50.00; US Bank Card, Supplies, \$1,536.01; US Bank Trust, Debt Service, \$17,481.56; Verizon Wireless, Cell Phones, \$209.61, Xcel Energy, Utilities, \$2,284.43.

The following bills were approved for payment after the meeting: AFLAC, Full time Employees, \$426.62; February 15, 2024, Payroll, \$5,206.53; SDRS, Full Time Employees, \$1,561.46; Security State Bank, Payroll Taxes, \$3,442.44

Townsend presented the Finance Officer's report: The Council was reminded they will convene on Monday, March 18th at 6 PM as the Board of Equalization in the Community Room of City Hall. Angie Scott will represent Canistota School Board. Mayor Engbarth drew for the order of candidate names as they will appear on the ballot for the Ward 2 election which will be held Tuesday, April 9, in conjunction with the Canistota Public School election. Brad Jensen will be listed first with Matt

Anderson listed second on the ballot. Mayor Engbarth had no opposition for Mayor, he will retain his position as Mayor for four (4) years. Jerry Bertelsen will be sworn in as Ward 1 Councilperson in May to complete the remaining two (2) years for that position. The FO report was approved as presented on a motion by Miller, second by Forsman, all voted yes, the motion was approved.

Council Concerns:

Mayor Engbarth: Land acquisition was addressed under the maintenance report along with the punch list for the Stalting Park Picnic Shelter. The rental agreement for the picnic shelter is on file with the Finance Office, along with policies for the use of the shelter by the renter. The city has three returning lifeguards but will need additional staff to open the pool for the 2024 swim season. The convenience of using a credit card or ACH payments, for utility billing along with other licenses and permits on the City website, was discussed with no action taken at this time. Designating no parking on one side of 7th Ave was discussed. More information will be brought to the April Council meeting. The rubble site will open on Tuesday, March 12. Hours of operation on Tuesday and Thursday will be from 4:30 PM to 7:30 PM. Saturday hours will remain the same as in the past: 9AM to Noon and 1 PM to 4 PM. There will be one combination pass for residents to purchase at a cost of \$50.00. The fee for an annual commercial pass is \$250.00. Only debris allowed by the City of Canistota DNR permit will be allowed. Large Demo projects, with SD DNR allowed debris will be considered by the Council on a case-by-case basis, the fee will be determined by the Council on a case-by-case basis. Miller motioned, second by Forsman to approve the annual report for the city as prepared by Schoenfish Inc, all voted yes, the motion carried. No action was taken on a SECOG request of \$2,500.00 in support from the City of Canistota for a planning and demonstration grant from the United States Department of Transportation. O'Donnell motioned, second by Forsman to approve three election workers for the April 9th election and to set compensation at \$175.00 for the day. This cost will be shared equally with Canistota Public School, all voted yes, the motion carried. The City of Canistota election will be held at the school in conjunction with the school board election. Forsman, motioned, supported by Miller to approve Resolution 2024-02 as presented, all voted yes, the motion carried.

RESOLUTION NO. 2024-02

*Resolution acknowledging the assignment of Ordinance No. 2012-01 from
NorthWestern Corporation to NorthWestern Energy Public Service Corporation*

WHEREAS, the City of Canistota adopted Ordinance No. 2012-01 dated 10/12/2012 (the "*Franchise Ordinance*") authorizing Northwestern Corporation to operate a gas distribution system within the City of Canistota; and

WHEREAS, as of January 1, 2024, NorthWestern Corporation's South Dakota and Nebraska assets and related contractual obligations transferred to a new entity named NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy consistent with a corporate reorganization authorized by the South Dakota Public Utilities Commission (Docket No. GE22-002) and the Nebraska Public Service Commission (Docket No. NG-114); and

WHEREAS, other than the above-referenced transfer there is no change to the terms or conditions of the Franchise Ordinance or performance thereto;

NOW, THEREFORE, BE IT RESOLVED that the City of Canistota hereby acknowledges and accepts the assignment of Ordinance 2012-01 from NorthWestern Corporation to NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy.

Passed and approved this 4th day of March, 2024.

City of Canistota

Justin Lee Engbarth
Mayor, City of Canistota

ATTEST: (SEAL)

Kathy J. Townsend
Finance Officer, City of Canistota

O'Donnell had no concerns

Miller had no concerns

Forsman had no concerns

The next regular Council meeting will be held on Monday, April 1, 2024 at 6 PM in the Community Room of City Hall. All are welcome.

Miller motioned, second by Forsman to adjourn the meeting at 8 :40 PM, all voted yes, the motion caried.

SEAL

Attest:

Justin Lee Engbarth,
Mayor, City of Canistota

Kathy J. Townsend
Finance Officer, City of Canistota