

CITY COUNCIL PROCEEDINGS

The Plankinton City Council met in regular session on Monday, June 1, 2020, at the Senior Citizens' Center. Mayor John Staller called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. Members present: Pam Vissia, Terry Schuldt, Brad Kehn, and Jim Hinckley. Absent was Susan Steele and Jason Schurz. City employees, Eileen Sorsen, Chance Boyd and Darin Cranny were also in attendance. Visitors at appointed times were Todd Karst and Elizabeth Sampson. Gayle VanGenderen from SD Mail also attended.

Change in Agenda due to adding Executive Session. Motion was made by Kehn to add a short Executive Session for Personnel, as per SDCL 1-25-2(1). Seconded by Hinckley. All voted aye. Motion carried.

VISITORS:

Todd Karst arrived at 6:31 to offer a different perspective on wanting the Council to open up the ballparks. He realizes that it has to make tough decisions. He was there to answer any questions. Said the Little League & CDC has guidelines for ball teams. He has waivers signed by parents for his team of kids, and he would like to have 2 – 3 games here and have field maintained. Mayor Staller said we had 3 Covid-19 cases when the decision to close ballparks was made, and today we have 26. The Bank, City Hall and Courthouse are still closed. Todd feels that baseball and social distancing work. Kehn is not sold on having games. Todd has 10-U and 12-U Boys baseball teams by himself. The kids pay a \$25 fee each, and he paid the insurance. The Mayor said "we can't have practice for one team, and not let another". Hinckley commented that even with testing we know that not all are being tested, and the count has gone up. The Council decided earlier to side on the error of caution in making a decision to keep the parks closed. The Clinic did a lot of testing, but we know there are a lot that haven't been tested. He is afraid of children bringing Covid-19 to our elderly. The discussion ended at 6:50 p.m., to be brought up later in the meeting.

Beth Sampson arrived at 6:51 p.m. to discuss Library ideas. The Library Board wants to do a curbside pickup for patrons. The people would contact the Librarian to get books, and then they are set out. Also, wondering if the library can set out activities for the kids. They have to register at the State Library, where there is a free program for ideas, and the library would have to order some supplies. The Mayor said the ideas are great. He asked if \$1,500 would do it—out of the Library Book Fund. She said it would. Also, the current Librarian, RayAnn Larson, is resigning on July 29. Gayle VanGenderen asked if the library is still closed. It is for present time.

BRIGGS VACATE HEARING:

Rachel Mairose (representing Jeff and Natalie Briggs) and Mrs. Briggs talked about the Petition for the Vacate, and that everyone has signed off on it. No roads have ever been put in place in the vacate areas. The Briggs plan to sub-divide the land into parcels. Mayor Staller said that since Platting wasn't on the Agenda we will move that to the special meeting on June 8, 2020. Ms. Mairose brought in a Resolution to Vacate Streets:

Document Prepared By:
Rachel Mairose

Mairose & Steele, Prof. LLC

404 South Main Street

P.O. Box 577

Plankinton, SD 57368-0577

RESOLUTION 6-1-20 TO VACATE STREETS

WHEREAS, a Petition To Vacate Streets, was signed by all of the adjoining landowners of the subject real estate requesting the vacating of the Sanborn street from 7th Street to 9th Street, running between Block Thirteen (13) of Alexander's Addition to the City of Plankinton and Block Fourteen (14) of Alexander's Addition to the City of Plankinton and between Block Two (2) of Alexander's Addition to the City of Plankinton and Block One (1) of Alexander's Addition to the City of Plankinton, and the vacating of 9th Street from Lawler Street to Sanborn Street running between Blocks Three (3) and Two (2) of Alexander's Addition to the City of Plankinton and the East Half (E1/2) of Outlot Four (4) in the Southeast Quarter (SE 1/4) of Section Fifteen (15), Township One Hundred Three (103) North, Range Sixty-Four (64) West of the 5th P.M., effecting the following legally described property:

Lots One (1) Through Twelve (12), Block Thirteen (13), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lots Six (6) and Seven (7), Block Fourteen (14), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lots One (1) through Twelve (12), Block Two (2), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lots Seven (7) Through Twelve (12), Block One (1), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lot Twenty-Four (24), Block Two (2), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

East Half (E1/2) of Outlot Four (4) in the Southeast Quarter (SE1/4) of Section Fifteen (15), Township One Hundred Three (1 03) North, Range Sixty-Four (64) West of the 5th P.M., Less Outlot B-1 in Paynter's Addition to the City of Plankinton, Aurora County, South Dakota; and

Lots One (1) and Twenty-Four (24), Block Three (3), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota.

WHEREAS, the Petition was duly filed with the Municipal Finance Officer for the City of Plankinton, Aurora County, South Dakota; and

WHEREAS, the Plankinton City Council set the Petition for hearing on June 1, 2020 at 7 p.m. at the regular June Council Meeting; and

WHEREAS, the Notice of Hearing On Vacation Of Streets was published two times in the legal newspaper for the City, in accordance with the laws of the State of South Dakota; and

WHEREAS, the Plankinton City Council duly investigated and considered the matter of vacating the streets on the subject real estate at the time and place set for the hearing on said Petition To Vacate Streets, and no objections were raised to the Petition; now, therefore,

BE IT RESOLVED by the Plankinton City Council that Sanborn Street from 7th Street to 9th Street running between Block Thirteen (13) of Alexander's Addition to the City of Plankinton and Block Fourteen (14) of Alexander's Addition to the City of Plankinton and between Block Two (2) of Alexander's Addition to the City of Plankinton and Block One (1) of Alexander's Addition to the City of Plankinton shall be and is hereby vacated, and that 9th Street from Lawler Street to Sanborn Street running between Blocks Three (3) and Two (2) of Alexander's Addition to the City of Plankinton and the

East Half (E1/2) of Outlot Four (4) in the Southeast Quarter (SE 1/4) of Section Fifteen (15), Township One Hundred Three (103) North, Range Sixty-Four (64) West of the 5th P.M., shall be and is hereby vacated, effecting the following legally described property:

Lots One (I) Through Twelve (12), Block Thirteen (13), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lots Six (6) and Seven (7), Block Fourteen (14), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lots One (I) through Twelve (12), Block Two (2), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lots Seven (7) Through Twelve (12), Block One (J), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

Lot Twenty-Four (24), Block Two (2), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota;

East Half (E1/2) of Outlot Four (4) in the Southeast Quarter (SE1/4) of Section Fifteen (15), Township One Hundred Three (103) North, Range Sixty-Four (64) West of the 5th P.M., Less Outlot B-1 in Paynter's Addition to the City of Plankinton, Aurora County, South Dakota; and

Lots One (I) and Twenty-Four (24), Block Three (3), of Alexander's Addition to the City of Plankinton, Aurora County, South Dakota.

BE IT FURTHER RESOLVED that this Resolution shall take effect TWENTY (20) days after publication, as set forth under the laws of the State of South Dakota; and upon the expiration of such time, a transcript of said Resolution shall be recorded with the Aurora County Register of Deeds.

Dated this 1st day of June, 2020.

John Joseph Staller, Mayor of the City of Plankinton

Attest:

Eileen Sorsen _____

Municipal Finance Officer, City of Plankinton

Mayor Staller read the Resolution to the Council, then entertained a motion to pass it. Vissia made the motion, and it was seconded by Kehn. Roll-call vote was taken. All voted aye. Motion carried. Ms. Mairose and Mrs. Briggs departed at 7:12 p.m.

Vissia made a motion to approve the minutes of the regular May 4, 2020 Council meeting. Seconded by Schuldt. All voted aye. Motion carried.

Vissia made a motion to approve the minutes of the special May 14, 2020 Council meeting. Seconded by Schuldt. All voted aye. Motion carried.

Mayor Staller entertained a motion to approve the following bills, with the Council's permission to add R.O.C.S request for 2021 funds for Sr. Meals:

BILLS PAID SINCE MAY 14, 2020 MEETING

AVERA HEALTH PLANS—June Employee Health Ins.--\$5,364.30; DELTA DENTAL—June Empl. Dental Ins.--\$211.00; PLANKINTON POOL COMMITTEE—Reimb. Wellmark Grant Funds--\$11,740.00—F & M STATE BANK—May Bank Fees--\$35.00.

BILLS TO PAY AFTER JUNE 1, 2020 MEETING

A & B BUSINESS SOLUTIONS—Copier Contract--\$138.65; AURORA-BRULE RURAL WATER—May Water/Debt Ret.--\$6,695.50; BANYON DATA SYSTEMS—Utility Billing Support--\$590.00; BORDER STATES—Electric Supp.--\$1,472.79; CLAY BROUWER-Cemetery Mowing, #2-6--\$6,000.00; CNA WESTERN SURETY—Fin. Officer Bond--\$525.00; DAKOTA AGROW—Park Chemicals--\$630.40; DAKOTA PUMP—Supplies--\$168.70; DENR—Annual Drinking Water/Wastewater Fees--\$310.00; GOLDEN WEST—Utilies-phones--\$389.31; GREAT PLAINS LUMBER—Supplies--\$142.69; HAWKINS—Pool Chemical Calibrator--\$515.00; LOCATORS & SUPPLIES—Feb.-May Electric & Streets Supplies--\$1,100.56; MENARDS—Window Washer--\$31.98; MIKE'S CONSTRUCTION—Garbage Service--\$60.00; NW PIPE FITTINGS—Water Main Valve Ext.--\$179.58; R.O.C.S.—FY2021 Sr. Meals--\$267.68; RUNNINGS—Mower Blades & Welder--\$1,524.99; RON'S MARKET—Supplies--\$19.55; S & M PRINTING—Printing Cemetery Book Pages--\$97.00; SCHOENFISH & CO.—2018/2019 Audit--\$10,000.00; SD DEPT OF HEALTH—Water/ Sewer Testing--\$294.00; SD DEPT OF TRANS.—Diesel Fuel--\$171.89; SD FEDERAL PROPERTY—Shop Tools--\$62.00; SD MAIL—May Publishing--\$1,036.92; STUART IRBY—Electric Supplies & Glove Testing--\$1,755.00; TRUE NORTH STEELE—Culverts--\$2,222.00; VISA—Scoreboard Panel, Trash Pump & Hose, Convex City Hall Safety Mirror, Jetter Repair--\$2,693.67.

Kehn made a motion to approve the bills, with addition. Seconded by Hinckley. All voted aye. Motion carried.

MALT BEVERAGE HEARING:

Commerce Street Bar & Grille, LLC. Malt Beverage License hearing was moved to special meeting on Monday, June 8, 2020, due to lack of quorum. Vissia had to recuse herself from voting.

UTILITY SUPT. REPORT:

Utility Supt. Darin Cranny said they have to find a different dump truck, as the old one is totally not in running shape now. He will be looking for one in the coming week. He helped Electric Supt. tear down old electric lines, has fogged mosquitoes twice. The Jetter is now fixed, and the sewers have all been flushed. Cleaning has been done at the cemetery. They are starting to dig up bad streets, due to flooding, and will put in over-size rock for a base. Mayor Staller asked how many streets they need to tear up. Darin said "quite a few".

ELECTRIC SUPT. REPORT:

Utility Supt. Chance Boyd has finished tearing down old lines on Main Street area in May, with a lot of help from Cranny. He would like to rent a vac for all the line locates that will have to be done for GoldenWest new

fiber-optic project. He wants to have a dumpster to clean up the overhead surplus, and will be surplussing some old transformers. He applied for a Heartland Energy Efficient Grant, and the City will receive matching fund grant of \$2825.00. He will be updating lighting at City Hall, and other areas.

Vissia wants us to get in touch with H & R Salvage to see if they will pick up some old cars around town. Schuldt said they only give about \$5 a vehicle.

OLD BUSINESS:

POOL:

Mayor stated that we need to vote on if we will open the pool, or not, to make it official. He asked if there is any support to open it. He thinks we probably have more than double the official 26 current Covid-19 cases. He is waiting for the cases to explode. Schuldt still wants the pool to remain closed. Vissia wishes we could open, but cases of Covid-19 were raised to 26 locally, so she doesn't believe we can do it. She is frustrated with National Foods, and feels they should keep our City informed, and should have contacted the County and City to let us know what is going on. SD Mail did initiate an interview with National Foods. Gayle VanGenderen said the County did develop a Health Board. She feels the City should reach out to Nat. Foods manager. Vissia also feels the State should be giving municipalities some guidance. Vissia thinks we should get someone in to demo. the bathhouse, while we have the pool closed this Summer. Mayor Staller wants to call Randy Kittle to see if our pool grant is coming in earlier than September, and he thinks the Pool Committee might be able to get an architect to start working on plans. Kehn thinks we need more guidance. Hinckley wants the pool to stay closed. Mayor Staller entertained for a motion to keep the pool closed for this summer. Kehn made the motion to keep it closed. Hinckley seconded it. All voted aye. Motion carried.

BALLPARKS/PARKS:

Schuldt would like to see the Ballpark stay closed. Vissia stated that they do have their paperwork for Little League. If we let them practice, bathrooms would be closed. Just practice- no games here. Kehn does not want bathrooms open, and no games, but they could have practice. Hinckley has seen over 20 people playing soccer at the ballpark, with no protective gear and the ballpark is supposedly closed. He does not want the ballpark opened, as it is just like opening the other city parks. He feels that Covid-19 will progress, and his vote was not to open the ballparks.

Mayor Staller entertained a motion to allow the ballparks to be open for Mr. Karst's Little League 10-Under and 12-Under teams to practice, with no bathrooms open. And, the coach has to carry liability insurance for the team, or damage to city property. Kehn made a motion to have practice only, and no games held here. Seconded by Vissia. Roll Call vote was taken. Vissia, Schuldt, and Kehn voted aye. Hinckley voted nay. Motion carried.

HOHN BENCH DONATION:

The Michael & Becky Hohn family is looking for a different memorial bench, with smaller dimensions, to donate for in front of the Farmer & Merchants Bank.

NUISANCE PROPERTIES:

Three letters were sent out, and Kehn and Mayor Staller will be going out this week and looking at properties in town. Vissia reported that White Lake prints the nuisance properties owners' names in the local paper. She

and Kehn reported that a property on East 1st Street has had numerous complaints about lack of mowing, and other issues, and that so many people keep their yards picked up and mowed, even though we are all busy. Vissia said she has been on the Council for 20 years and it's the same people all the time.

DOG ISSUE:

Mayor Staller said he sent a letter out to the owners of 2 dogs on North Duff Street to get their dogs licensed. A letter was received at City Hall complaining about them running loose on other people's property and scaring the occupants and snarling at them. He wants the Sheriff to call him anytime there is a call on a dog. Vissia said her understanding is anytime a dog bites another dog or person and there is blood, there needs to be a report written. A State law says the same thing. Some people are too scared to even walk their dogs, for fear of another coming out and getting into a fight with them. Vissia is frustrated that the City pays the Sheriff's office over \$60,000 a year, and we seldom have reports written. She said she tells people if they have incidents, they should call 911 so an incident report has to be made.

PEDDLER'S PERMIT:

Mr. Taylor, our City lawyer, concluded that Schwan's personnel do not need to have a Peddler's Permit, as they are contacted by their customers for orders.

BUILDING PERMITS:

Kehn gave a report on the following Building Permits, and will sign off on them:

#5620-J. Gislason—Erect fence @ 406 E Commerce St.; #5720- Z. Scott—Demo. building @ 103 E Davenport St; #5820- J. Tipton—Erect fence @ 302 E 5th St.; \$51120- L. Bohr—Demo. building @ 403 E 3rd St.; #52020- M. Ell—House addition @ 501 E Commerce St.; #52720-1- J. Weich—Replace retaining walls & rebuild patio @206 N Iowa St.; #52720-2- S. Kehn—Enlarge patio & extend fence @ 606 E 1st St.; #52820- D. Baker—Build garage @ 960 E State St.; #52920- T. Everson—Fence @ 602 E State St.; #6120- R. Weber—Concrete patio @ 407 E 2nd St.

Building Inspector Kehn wants the word out that people need to get a Building Permit before they do any work, fill it out, and get it handed in and approved. A pink placard will be supplied by the City to place in a conspicuous spot on the property.

NEW BUSINESS:

PLANNING & DISTRICT III:

Statement of Extension for 2021 will be put on the Budget.

INSURANCE BIDS:

Ads for insurance bids for City will be in the SD Mail on June 11th and 18th.

SURPLUS PHONES:

The Finance Officer asked for permission to destroy 10 old flip phones that were being stored, but still have phone information for city workers on them. Council gave permission to have them destroyed.

2018- 2019 AUDIT:

The 2-year City Audit has been completed by Schoenfish Auditors. Due to Covid-19, they came and took all the paperwork to their office, and had the Finance Officer e-mail any additional information they missed.

Eileen spoke to the Council on questions we asked of Randy Schoenfish after we received their Audit recommendations. The Audit results have gone to the State Auditor, where they have been approved, and will be printed in the SD Mail in the future.

SET SPECIAL CANVASS & REORGANIZATIONAL MEETING:

Monday, June 8, 2020, has been set for the special meeting to canvass votes for the 2 Ward I Council members, and for Reorganizational meeting for the upcoming year. It will be held at the Senior Center.

MAYOR'S REPORT:

Mayor Staller stated that Mr. Taylor and the Title Company will be working on easements for the Sutherland property in north Plankinton. Mr. Taylor is also working on a Segregation of Duties for the Finance Office, in accordance with Auditor's wishes. The Census will again be happening, with no personal contact. He did not have an update on the Bucher property. He has talked to SPN about doing a survey on the small tract of land that the City owns. The survey fees, etc., would come to about \$1,200. Mr. Page would like to purchase the land for a new bin. Also, a local auctioneer would like to hold an auction sale in town. Mayor did not know if that was a problem, due to Covid-19, but no council members opposed it. He said the Emergency Manager, Jim Nielsen, is hoping the Hydrology Study will get done in 4 to 6 months.

EXECUTIVE SESSION:

Motion by Kehn to enter into Executive Session, Personnel SDCL 1-25-2(1), at 8:33 p.m. Seconded by Vissia. All voted aye. Motion carried. Council came out of Executive Session at 8:46 p.m., with no action taken.

Mayor Staller adjourned the meeting at 8:46 p.m.

Signed: John J. Staller, Mayor _____

Attest: Eileen Sorsen, Finance Officer _____

