

CITY COUNCIL PROCEEDINGS

The Plankinton city council met in regular session on Monday August 5th, 2024 at 6:30 p.m. Members present were Mayor Brad Kehn, Councilmembers Jack Marette, Jim Nielsen, Terry Schuldt and Carl Bode. Absent was Magdalena Popek-Hurst. City employees present were Maintenance Supt. Darin Cranny, Electrical Supt. Chance Boyd and Deputy Finance Officer Cindy Geiman. Visitors were Curt Nelson, Diana Spinar, Jason Schurz, Clint Bultsma and Gayle Van Genderen. Mayor Kehn called the meeting to order at 6:30 p.m. The pledge of allegiance was recited.

AGENDA APPROVAL

Bode made a motion to approve the minutes (misspoke meant agenda) with the additions of cyber security after mayor discussion, Executive Session- Legal after approval of minutes, and Mayor comments before public comments. Seconded by Marette. All voted aye. Motion carried.

BILLS TO PAY

Nielsen made a motion to approve the bills to pay. Seconded by Schuldt. All voted aye. Motion carried.

Budde Septic- Porta Pottys-\$180.00; Aflac- Emp. Vol Insurance- \$181.55; Konechne Heating and Cooling- Mini Split A/C Repair- \$150.00; Spencer Quarries- Rock- \$382.26; That Mexican Guy Construction- Concrete Corn Crib- \$832.66; Maguire Iron- Water tower-\$20752.00; Roadside- Fuel Purchase-\$1084.23; SD Mail- Publishing-\$1389.99; Overweg Auto-Repairs-\$31.80; Darrington Water- Office water-\$8.00; Santel Communications- Web Hosting-\$119.40; Resco- Electrical supplies- \$32.95; Zach Scott Construction- water line-\$31488.48; Golden West- Utilities- \$496.39; Stickney Repair and Service- Belt-\$76.45; Bell Bank- Skid Steer Lease- \$867.73; F&M Bank- Payroll fees- \$7.85 and Dollar General- Craft and Supplies- Library- \$77.58.

APPROVAL OF MINUTES

Nielsen made a motion to approve the July 30th, 2024, meeting minutes. Seconded by Marette. All voted aye, Motion carried.

EXECUTIVE SESSION- LEGAL

Mayor Kehn entertained a motion to enter executive session- legal as per SDCL-1-25-2 (3). Nielsen made a motion to enter executive session. Seconded by Bode. All voted aye. The council entered executive session at 6:34 pm.

Mayor Kehn declared the council out of executive session at 6:50 pm. No action was taken.

PUBLIC COMMENT

Diana Spinar is the Director of the Ambulance and an Advance EMT and came to discuss the Water Safety Course. As they brought in a nationally registered paramedic from Chamberlain to do this training. The first time they tried, the lifeguards that did attend weren't prepared to get into the pool, so they rescheduled and then only 3 people showed up to the second one. Diana highly

recommends total participation in next year's class. This class covers 1.5-hour water rescue, water safety, CPR, first aid, water AED usage. Mayor Kehn expressed that he is all for training and this is something that benefits everyone. Mayor Kehn mentioned that next year during orientation that they should get a hold of Kathryn Benton and set this up so that all lifeguards are in attendance and set a backup date in case of weather. Diana requested that they also let the ambulance staff know when this training is set for so they can be involved as well. She also suggested that the training be done before the pool opens next year.

OLD BUSINESS

COUNCIL MEMBER REMOVAL OF OFFICE SUPPORT VOTE

Before any discussion started. Nielsen wanted to ask Mayor Kehn a question.

"Can you assure the council that this action was not personally motivated and that you truly believe it is in the best interests of the community and those residents that were not being represented properly the commissioner's absence due to missing of a majority of the required meetings while still being paid to attend?" Mayor Kehn assured the council that it is nothing personal and that he sticks behind last meeting's letter that the removal was for lack of attendance and not representing his ward. With that Nielsen proceeded to say. "Having questions asked and answered, I move that the actions of Mayor Kehn shall be approved and endorsed by the council as a whole or by majority of members present" Seconded by Bode. Roll call vote was done. Bode- yes, Murette- yes, Nielsen- yes, Schuldt- yes. Mayor Kehn stated, "Thank you for your support."

DOMESTIC ANIMAL ORDINANCE

Plankinton City Attorney sent back an information guide and wanted to make sure the council includes bees in the ordinance as well. Mayor Kehn wanted the council's opinion on whether they want to go ahead and adopt this ordinance now or wait until the town is cleaned up properly first? The people that Nielsen has talked to about this ordinance are looking at starting next year. But they are waiting on the council to see what regulations the city is going to make them have. Example: Structure, fencing, outside animal control. Most of the people agree with the number of animals and with the understanding of no roosters or drakes. But looking at a good year before things will get done. Murette canvassed his ward. Most people didn't care; but the people that are opposed to it are violently opposed to it. You're going to make people upset no matter what you do. Schuldt asked who is going to do the inspections? Is it better to have 2 inspectors and are they going to be qualified to do that? It was brought up to look in other cities and see how they do it. Will there be annual inspections or random inspections? If there are complaints who oversees handling that? Murette suggested that when they do the application that they will have to agree to annual inspections and random if there are complaints. We will need to have that addressed about bees in the ordinance. Moved to next month's meeting.

IM-28

Nielsen is troubled by the wording of Initiated Measure 28 and some things should not be tax exempt. Murette is wondering what we are supposed to do? Mayor Kehn explained that they are just asking if the City would support the bill or not support it. We can write a letter to our representative that we are either against or in favor of the measure. This measure will take revenue away from the

city if approved. Nielsen thinks the money will come back to the city if this bill goes through. This bill will be voted on in November and take effect in July of 2025. Gayle Van Genderen said when the ballot measured is printed in the paper they will have the full wording of the measure. Mayor Kehn thinks this needs to be a Yes or No on the measure. We don't advertise it in the paper on how we do or don't support it we just send a letter to our representative. Tabled until next meeting.

EMPLOYEE HEALTH INSURANCE STIPEND

City insurance agent, Clint Bultsma says unless you know what the census is, how many city employees want to enroll in the city's health plan, it is hard to estimate the premium costs. It would be easier to put figures together knowing what employees are interested in switching and who is interested in staying on the plan. We can request reports. Nothing changes until our policy is renewed. If we get numbers now, we can get estimates on what it would cost, but could not guarantee these numbers for the renewal. Request numbers now from the insurance company and they will give you what they are today. But the real 2025 reports don't usually come out until October. Our rates could go up if more people leave. Stipends can be frustrating for employees because it is more than likely you will have a set stipend and if insurance goes up the stipend usually doesn't.

CODE ENFORCEMENT CONTRACT

Finance Officer Kylee Urban called and talked to White Lake about its contractual agreement with Code Enforcement Specialists (CES) of Burke, SD and it is a \$1500 retainer which gets used first and then it is \$75/hour after that. They never had to pay for a hotel because they picked a day and did all the towns together. White Lake's first year they spent around \$2800.00. But they also had a lot of stuff going on. They won't send a detailed invoice out telling you that you have a certain amount left. Marette said there has been no follow through to the letters of nuisance violations the City had sent. Marette would like a list of names of the letters that were sent, Marette would go around and look at the 9 properties to see if anything had been done. It's been a battle for 20+ years. Mayor Kehn wants a decision made by the August 26th meeting. See if Joel Johnson of CES can make it to the next meeting. Mayor Kehn's feelings are this is something that we need.

CHANGING COUNCIL PAY ORDINANCE

Nielsen wants to change the wording from salary to compensation. When Gayle Van Genderen was on the council, they had a salary and meeting attendance pay. It is set up today as it was back then. The school board gets paid per meeting. Mayor Kehn says that a good formula would be to take what the council gets paid which is \$1750.00/year divide that by 12 or 13 and get your base pay. We never had budget meetings in the past. It depends on the mayor if there is a budget meeting or not. Bode said he spends more time on council related issues in his spare time than he does at council meetings. But it still needs to be brought back to the council Mayor Kehn stated. It was brought up the meetings that Mayor Kehn had out of 86 meetings in the last 4 years he missed 13 meetings. He attended over 85% in the last four years, and he has been on the council a lot longer than that. Zoom meetings will count as attendance. None of the council is doing this for the money. $1750/12=\$145.00$ per meeting. And then special meetings are just going to be \$75.00. Bode will come up with a formula and present that at the next meeting.

REVISING THE COLLECTION OF MOWING NUISANCE PROPERTIES

When the City mow people's properties, we assess that to their taxes and never get reimbursed. City attorney says that we can go after them in civil court (small claims court). If we mow and send them a bill that says it's due by January 31st and they don't pay, we will take them to small claims court. Marette asked if it's \$200 would the City pursue that? Mayor Kehn replied that 200 bucks is 200 bucks for the city. The minimum right now is \$150/hour with an hour being the minimum. We need to treat everyone the same. The attorney says the best way to recoup the money would be to go the small claims route.

CYBER SECURITY

Dakota State University has the Project Boundary Fence Assessment. It is a free service they offer. Bode wants permission to have them come in and work with the staff and our IT department which is A&B. The city has the minimum level of coverage for cyber security according to insurance agent Clint Bultsma. There is mitigation making sure we don't have a problem and then there is paying for it if we do have a problem. There are several options for insurance. We want to make sure we have appropriate coverage. Clint will get numbers and details about insurance coverage to Bode.

BRIGGS HAYING CONTRACT

There was a question about Briggs having tall grass out at their housing development site. Supt. Darin contacted someone and then they went and hayed it. There was confusion because there was a contract for haying vs mowing it. The contract was done in 2016 for a 5-year contract. So, the contract is no longer valid. Ordinance states no haying in town. If we allow haying, we need a contract for it and be prepared to open that up to other people as well. Gayle Van Genderedn stated, there was a public hearing held to hear any of the public's comments to allow haying to be done in city limits. Back in 2016 there were no objections to the contract. Mayor Kehn suggested that they follow the same procedure as they have done in the past. If you don't allow haying, then they will have to mow it like every two weeks. The development board is trying to develop a house out there next year. Supt. Darin stated that's it's a lot different now than it was back in 2016. Now there are houses out there and lots out there. The council agreed to have Mayor Kehn proceed forward with starting the whole process over again to allow haying out at Briggs Development.

DEPUTY FINANCE OFFICER CINDY GEIMAN'S RAISE

The hire date was 8/14/2022, the current rate at \$18.97 per hour will go to \$19.47. This is her anniversary raise. Nielsen made a motion to increase her wage by 50 cents. Seconded by Schuldt. All voted Aye, Motion carried.

FINANCE OFFICER KYLEE URBAN'S RAISE

The hire date was 9-1-2021, current rate is \$22.15 per will go to \$22.65. This is also her anniversary raise. Bode made a motion to increase her by 50 cents. Seconded by Schult. All voted Aye. Motion carried.

BUILDING PERMITS

Demolition permit for Harold Kinyon on 6th and Kimball- APPROVED. Demolition permit for Harold Kinyon at 209 E 1st street- APPROVED. Building permit for Doug Meidinger 104 E 5th Street for a 20 x 30 storage shed on skids- APPROVED. Also, another building permit for the same address to add insulation for inside the storage shed- APPROVED. Demolition permit for Harold Kinyon at 405 N. Sanborn- APPROVED. Building Permit Paul and Jean Koch at 208 E 9th Street- move an entry door and add a deck- APPROVED. Renewing Building permit for Travis Faulhaber- APPROVED. Building permit for Beukelman & Associates at 117 N Main for remodel of the front of American Family Office building. – APPROVED. Building permit for Rayne Guindon at 309 E 5th Street for a 14x20 deck. APPROVED. Building permit for Brenda Carbajal at 502 E 1st Street for a 10x12 Storage shed by the existing garage- APPROVED. Demolition permit for Zach Scott Construction for 108 E 3rd Street- APPROVED.

BUDGET MEETING

Mayor Kehn stated that they are having a budget meeting August 26, a sewer informational meeting on the 27th and finish the budget meeting the 28th. He suggested that we work late on August 26th and have the sewer meeting on the 27th and finish the budget meeting on the 27th. To save money on meetings just have the two meetings not the third. Clint is asking as a development board member; when is the best time to request an increase in what is budgeted for the Plankinton Development Company? They have been giving grants to people who apply to give them about half of which was \$2500.00 of what they need to tear down a building. But with the rising cost it is about \$7,000 to \$10,000 to tear a building down now. There have been concerns from the board about running out of money. So, he is here to ask for an increase. Currently they get \$15,000 yearly from the city. As a council they will investigate increasing it, they don't want to make any promises right now. Mayor Kehn asked for a yearly representation of where the money goes. And Clint has encouraged them to attend meetings of the development board.

MAINTENANCE SUPERINTENDENT REPORT

We were all worried about how the jail pond would be filled, then with the major rainstorm we had I ended up having to pump a lot of it out. Blaine helped keep the pumps running some of the time, then over the 4th of July weekend I got it almost all the way down to where it needed to be. It would have eventually drained, but I was concerned some kid would walk in the water and find the rocks, fall, and drown. Crazier things have happened. I was a kid once, although a long time ago, that's what kids do. I felt time spent getting it down faster was in all our best interests. I spent some time getting my budget ready. I'm close, I just need to know some final tax estimates from the county for next year. I've had a few more water line repairs with the sewer crew. Honestly, I think they are doing good finding what they are. When you don't know where a line crosses the road, especially if it is poly, it's hard not to break it with the big equipment. We can locate most of the copper lines with Chance's locator, but the poly not so much. Again, a lot of my time is back and forth with the sewer project. There's a lot going on, and it takes up a lot of my time. I try to get some things done here and there, but it's hard to stay on something right now. I've fogged for mosquitoes every week now for a while. I spent a lot of one day throwing pellets in the standing water for mosquitoes too. It seems to be helping quite a bit. Probably keep up with that for a while yet. I spent some time at the west RU site cleaning up after the old hole was filled, then making a good path to the new one. I came in on a Saturday morning after they milled the roads to blade them. They milled them, kind of leveled them,

then used the packer. They were extremely rough, so I got them where they weren't quite as bad to drive on. On Monday I ran around with the skid loader and cleaned up the intersections some. The more I/we can help on miscellaneous things the less additional costs the city will have. I did some weed spraying this month. Zach has gotten our water line done, and services all connected to the homes. He bored the 4 inch down the alley, then dug it to State Street to connect for a loop. That went well. We were able to split the cost on this. The boring and the main line is on us, but the service connections are going to be paid for with our grant money. I had Dakota Pump come out last week as we were having issues with one of the pumps on Vine Street's lift station. It turns out it is an electrical part on the panel, so they have parts ordered, and we will have spares from now on. The pump with issues is shut off for now, but we are running fine on one pump. It only needs one, they just rotate. This is the main reason there are two pumps in a lift station like this. I spend my normal time at the pool every morning.

ELECTRICAL SUPERINTENDENT REPORT

We had one outage on the East circuit during a storm, we had 2 secondaries get hit that were marked, sewer crew got to close to overhead by the vet clinic and blew a fuse on state street, we had a dove get caught up on the bottom side of a main fuse and made power blink a few times before it blew the fuse that feeds the circuit behind Catholic church, and we had a tree on fire in a power line between 5th and 6th street. We trimmed trees while we were waiting for the sewer crew to get ahead of us. The East circuit is probably 95% done and the South Circuit is about the same done. What is left on those two aren't in the lines now but will be addressed when we get caught back up. We will also need to focus on the North side of town from 3rd Street North. We did some more work on Madison Street getting conduits where they need to be for some future boring projects. We started last week getting conduits across roads going along commerce street. We have been working on Duff Street crossing today and will change the culvert that goes across Duff Street tomorrow. We broke a fiber that wasn't marked correctly and called GW. They were able to reroute everything on this feed that went out to the golf course along with some of the houses. I took pictures before we started as there was a bunch of fiber through there to cover ourselves in case something like this happened. I have locates called in for State Street for 3 crossings on there and will jump there once commerce is done. They are on 1st street now and will only have 2 crossings to make there once they are done. We will continue to follow them around to get conduits in. There was a house moved in on North Duff Street that we had to move some primary for. This was billed out to them as it was in the right of way. We also added that new service and buried another to feed the house to the South of it. We also ran a conduit to the North for future underground. I have reached out to Zach to get two houses on the West side of Duff Street bored in as that road was redone a few years ago with the sewer. It hasn't quite worked out on meeting up with him there yet. I worked on the budget for a few days for a few hours each time. Did a little bit of spraying around the shop, lagoon, and ballfields. We helped the county out with a couple of our bleachers for achievement days as their bleachers aren't in the greatest shape. We also helped them get 3 dead trees cut out at the courthouse. A few months ago, we had a VFW member talk about getting some holes dug to replace a couple of memorial MIA statues at the courthouse as well. I offered our help to get the holes dug. We ended up using the vac to get the holes dug as we weren't sure about all the underground lighting. These were on each side of the ramp. Dan and Blaine painted lines on main street, we also blocked off a spot for the handicap ramp at Horizon but

have not made it into a handicap spot yet as there is no ramp yet. Once that is done, we will go back. They also had to paint over some profanity along Vine Street and Pennington Street. Blaine is done for the summer as of last week. Discussion was had about lights going up and lighting the sign in front of city hall. Chance, Brad and Jack will find time to get together and strategize what to do.

2025 MAYOR DISCUSSION

Mayor Kehn has spent half his life being a council member and now mayor for the city. He didn't do it for the money, he did it because he loved his community. When April is over Brad's job is done. Hopefully he will turn the reins over to Council President Carl Bode unless someone else runs. The commitment he wants to make sure of is that this town gets cleaned up. He is proud of the projects that are getting done. We got nice equipment for the guys. Ball diamonds are looking good. Working on the project on main street. All the ARPA money was the taxpayer's money. It wasn't free money, but it is still taxpayers' money. So that is why we gave \$40,000 to the fire department and \$20,000 to the ambulance. In the past year Mayor Kehn has done a lot of good things for the community. He's ready to hand the torch over whether it be Carl Bode or another individual. "It was a fun ride" said Mayor Kehn.

EXECUTIVE SESSION- PERSONNEL

Mayor Kehn entertained a motion to enter executive session- personnel as per SDCL 1-25-2 (1). Nielsen made a motion to enter executive session. Seconded by Schuldt. All voted aye. The council entered executive session at 8:35 p.m.

Mayor Kehn declared the council out of executive session at 9:02 p.m. No action was taken.

The meeting adjourned at 9:03 p.m.

Brad Kehn, Mayor

ATTEST: Cindy Geiman, Deputy Finance Officer