

CITY COUNCIL  
PROCEEDINGS

The Plankinton City Council met in a regular session on Monday, October 7th, at 6:30 p.m. Members present were Mayor Brad Kehn, Council members Jack Marette, Jim Nielsen, Terry Schuldt, Carl Bode, and 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, Chris Schleuning, Scott Black (arriving at 6:44), Skyler Kehn, Derek Davis (Mitchell Towing and Recovery), Steve Bucher (arriving at 6:45), and Gayle Van Genderen.

Mayor Kehn called the meeting to order at 6:30 p.m. The pledge of allegiance was recited.

AGENDA APPROVAL

Nielsen made a motion to approve the agenda as is. Seconded by Popek-Hurst. All voted aye. Motion carried.

BILLS TO PAY

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

AURORA BRULE WATER- WATER PURCHASE-\$8499.70; BARNES AND NOBLE- BOOK PURCHASE-\$293.59; BELL BANK- SKID LOADER LOAN- 867.73; BRAD KEHN- 3<sup>RD</sup> QUARTER PAYROLL-\$1085.11; CARL BODE- 3<sup>RD</sup> QUARTER PAYROLL- 681.08; CORE AND MAIN- ELE/ WATER METERS-\$2121.50; FARMERS AND MERCHANTS- PAYROLL AND SAVINGS FEE- \$17.55; GOLDEN WEST- UTILITIES- \$487.84; HEARTLAND- ELECTRIC LOAN- \$2483.36; IRS- PAYROLL TAXES- \$3612.77; JACK MARETTE- 3<sup>RD</sup> QUARTER PAYROLL- \$750.34; JASON SCHURZ- 3<sup>RD</sup> QUARTER PAYROLL-\$203.94; JIM NIELSEN-3<sup>RD</sup> QUARTER PAYROLL- \$750.34; KASE BROUWER- SEPTEMBER MOWING-\$1400.00; MAGDALENA POPEK-HURST- 3<sup>RD</sup> QUARTER PAYROLL- \$694.16; MENARDS- OFFICE/FIRE STATION SUPPLIES- \$708.12; MITCHELL IRON AND SUPPLY- HYDRAULIC HOSE-\$193.78, NORTHWEST PIPE FITTINGS- SEWER SUPPLIES- \$885.65; OVERWEG- HYDRAULIC FLUID - \$1206.07; PLANKINTON LUMBER- SUPPLIES- \$1340.35; ROADSIDE- FUEL PURCHASE-\$300.36; RON'S MARKET- CLEANING SUPPLIES AND WATER-\$69.09; SPN-WASTE WATER ENGINEERING-\$60822.55; UNEMPLOYMENT- INSURANCE-\$75.88; SDRS SUPPLEMENT- RETIREMENT-\$168.35; SOUTH DAKOTA MAIL- PUBLISHING- \$ 592.49; STEVE'S WELDING- HOSE AND FITTINGS- \$63.76; STICH N TIME EMBROIDERY- CINDY'S SHIRTS- \$30.00; STICKNEY REPAIR- WHEEL ASSEMBLY-\$308.00; TERRY SCHULDT- 3<sup>RD</sup> QUARTER PAYROLL- \$750.34; TITAN MACHINERY- SKID LOADER REPAIRS-\$749.83; TRUE NORTH STEEL- CULVERTS-\$3208.60.

APPROVAL OF  
MINUTES

Nielsen made a motion to approve the September 24, 2024, meeting minutes. Seconded by Popek-Hurst. All voted aye, Motion carried.

PUBLIC  
COMMENTS

Skyler Kehn wants the council to take more action than just talking to people about code enforcement violations. Simply talking to people isn't effective. He suggests sending certified letters to keep records of each property not in compliance and the actions taken. One of the nuisance properties is near Skyler's house, and he has tried talking to the owner and even mowed the property to keep it up, which resulted in his lawn mower getting ruined. When Bode asked if the county has considered a code enforcement agency, Skyler responded that the county doesn't have an ordinance to keep properties clean and only enforces noxious weeds. The council is committed to finding a solution to the problem. Chris Schleuning asked the council if there is a limit to the

number of historical tags a person can buy and place on their vehicles. Mayor Kehn mentioned that there might be a state law limiting the number of tags. In the case of cars with historical tags, they still need to start and operate using their own power.

#### Nuisance Property Follow-Up

Derek Davis from Mitchell Towing and Recovery provided the council with an overview of the process for handling nuisance vehicles in the City of Mitchell. When the city identifies a nuisance vehicle, they contact a towing company, and with the help of local authorities, the vehicle is towed to a designated location. The towing company then sends a bill to the owner of the vehicle via certified mail. Upon receiving the letter, the owner has 30 days to claim the vehicle. If the vehicle is not claimed within thirty days, it becomes the property of the towing company. The charges incurred include a towing fee of \$160.00 and a storage fee of \$50.00 per day, which is billed to the vehicle owner. The City of Mitchell has a no-fee contract with the towing companies, and the companies must adhere to the city's pricing and ordinances. Currently, four towing companies are under contract with Mitchell, and there are no restrictions on the types of vehicles they can tow. Mitchell Towing operates as an independent contractor and assumes all liabilities for any damages resulting from the removal and storage of such vehicles.

Bode inquired whether Mitchell Towing could provide service to Plankinton? Yes, the cost would be slightly higher. They typically charge \$2.00 per mile when the vehicle is not loaded and \$3.00 per mile when it is loaded. This additional cost would be passed on to the owner of the vehicle.

Mayor Kehn wants to discuss the opportunity with our local towing company, as he believes in supporting local businesses.

Popek-Hurst and Bode took their time driving around to inspect more nuisance properties. They are seeking council approval to proceed with the next course of action. Properties that have already received a letter do not require the council's permission to move forward with the next steps.

Popek-Hurst inquired about whether the letters included a hearing date. Mayor Kehn indicated that there is no hearing date specified, only the ordinance violation, the required actions to rectify the violation, and the number of days to comply. Popek-Hurst is requesting a hearing date for all the properties as per the ordinance requirements. However, scheduling hearings can be costly due to the need for meetings. Popek-Hurst's suggestion is to schedule the hearings on regular meeting days to minimize costs. The council's concern is how to ensure attendance at the council meeting if the property owners are not willing to attend. Bode wants to know from the council what can be done to improve the follow-up process for resolution. Gayle Van Genderen mentioned that the hearing in the ordinance is termed as a public appeals process, which provides individuals with the opportunity to present their reasons and explanations before the public board.

Marette asked why there were no businesses on this list? Popek-Hurst said that was an oversight and she will remedy that.

The list of 19 properties that Popek-Hurst and Bode complied with was gone through by the council. Out of that list, 9 properties will be getting letters.

#### 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 an executive session. Seconded by Bode. All voted aye. The council entered executive session at 7:46 p.m. with Mr. Scott Black.

Mayor Kehn declared the council out of executive session at 8:00 p.m. No action was taken.

#### Truck Route

Mayor Kehn has never seen this kind of rhetoric in a situation like this. Mayor Kehn apologized to Supt. Darin Cranny for having to deal with this situation. Darin received inappropriate text

messages. The city has been threatened with a lawsuit over fuel consumption due to the truck route. The city has also been threatened with property damage to the roads and signs, which are the property of the citizens, not just the council. A sign was placed on a city street sign located one block north of 1<sup>st</sup> Street on Kimball Street. Citizens have complimented the new streets and want to keep them in good shape. Darin then implemented the truck route, which aims to save Main Street and the streets throughout town.

The truck route is as follows:

Campbell Street and 3<sup>rd</sup> Street are county roads. HWY 16/ Davenport Street is a state road mostly, a county road west of Main Street. Main street from the south edge of town to Commerce. Commerce from Sanborn west to the end of the road. Sanborn from Commerce to 3<sup>rd</sup>. Lawler from Commerce to 5<sup>th</sup>. Iowa from Commerce to 3<sup>rd</sup>. Kimball from Commerce ½ block north (elevator trucks turn there), then from 3<sup>rd</sup> to ½ block south of 5<sup>th</sup> (county truck access). 4<sup>th</sup> from Kimball to Lawler. 2<sup>nd</sup> from Lawler going ½ block east to the alley. 1<sup>st</sup> from Lawler going ½ block to alley. Alley west of Main from 1<sup>st</sup> to 3<sup>rd</sup>.

Steve Bucher, representing Joe Hoffman, proposes to extend the route half a block north on Kimball and over to Iowa on 1<sup>st</sup> Street.

The manager of the elevator is the one who helped Darin set this up and he knows more about the truck traffic than Mayor Kehn and Steve Bucher. Steve Bucher states that the manager knows what's coming from the south of the elevator, but not might know what's coming in from the north. Darin told Steve Bucher that we only took one street away and that was Kimball Street. Mayor Kehn emphasized that the issue at hand is not personal, but rather a matter of preserving the town's streets. He expressed that it would have been more productive to have a face-to-face conversation instead of resorting to text messages and signs. He believes that discussions should have taken place civilly, without name-calling. Steve Bucher mentioned that the timing for modifying the truck routes is not ideal during the busy harvest season when workers are putting in long hours. Mayor Kehn pointed out that there was still time to send text messages, despite the hectic schedule. Additionally, Mayor Kehn apologized for assuming that the sign was his client's and mentioned that an investigation will be launched with the Sheriff's office to identify the individual responsible for placing the sign.

Bode asked Steve Bucher, "What is your client's complaint about how he gets to his property now?" He would like reasonable access to his property. Mayor Kehn stated that the reason Lawler Street and 1<sup>st</sup> Street were improved is because there are other businesses in town, such as Central Electric and Ron's Market, that also require truck access. A question was asked where Joe is saying he has to go out of his way? He's concerned about making the turn south on Lawler because the corners are too tight. The problem arises when there are numerous trucks in the lot, as Joe must get to the end of the line. Why does the elevator manager say it's okay? Steve Bucher comments, "As long as the trucks get to his scale, he doesn't care as long as they are there."

Darin informed Joe that he wouldn't deny him access to his property. The issue is not allowing heavy truck traffic on the road. Darin could grant access to 1<sup>st</sup> Street and the rest of Kimball Street, but heavy truck traffic is not wanted. The property is at a low elevation and requires drainage from east to west. There is a new culvert on 1<sup>st</sup> Street that runs from Joe's property to the east. Another reason for restricting access is that trucks were not using the designated route around where the old bins were which caused damage to the road and culvert. With the new road and culvert in place, the intention is to prevent heavy truck traffic.

Mayor Kehn mentioned that fact you can see where people access their property because instead of grass, they have dirt all the grass is gone. He keeps it mowed and we appreciate that. But you can tell where he doesn't drive. When we put the truck route we saw where his trucks were going in

and out and we put the sign up where he wasn't accessing his property. Again, if he had contacted someone instead of text messages, we could have figured something out.

Steve carefully read through the newspaper and the meeting minutes. It seemed like there was a plan to move the elevator trucks across Main Street to the new bins on Commerce Street. However, there was no mention of Kimball Street and Iowa Street. The minutes indicated that there was a discussion with Jim Page about getting trucks across Main Street to Commerce Street. It was acknowledged that Main Street is not in good condition, but it is necessary for truck traffic and the operation of the elevator. Efforts are being made to save costs, as repaving a block is estimated to cost between \$40,000 and \$50,000. Mayor Kehn also mentioned that he recently spoke to an engineer who estimated the cost to be double that amount.

On behalf of the city, Mayor Kehn wants to apologize to Joe for the situation, but it seems like it has been blown out of proportion. Steve asked how many times someone contacted Joe and if we can discuss this with him? Darin never did because he had the same access as before. Joe uses the entire south side and half of the east side of the property. We examined where he was driving on the property and put up signs for areas that were not being used. When Joe contacted Darin, even though it wasn't very nice, Darin said that they would work with him. Steve said that if we are willing to work with Joe on 1<sup>st</sup> Street and half a block, then we are done.

We appreciate Joe for buying and cleaning up that property. But we have a whole community that owns those roads as well. We just want to have access to good roads. If he wants to put up buildings or bins or whatever his idea, is we want to work with him. He sees this as a constriction to use his property, because his access from the northwest farmer market road is impacted.

When or if he decides to build something, we invite him to that. He will need to fill out a building permit, and then at that time, we can discuss what needs to be done to give him access to it.

Other people have been informed about the truck route, and they appreciate it and understand why we must have a truck route in the first place. We are not the only town that enforces truck routes; many towns do so to protect the roads for all citizens.

Mayor Kehn asked Steve Bucher to request his client to refrain from reacting negatively with his employees if there is a problem, and instead, to call and discuss the matter with the mayor, without taking it out on his employees.

Marette suggested that Darin should receive an apology from his client because it constitutes harassment of an employee. If he wishes to pursue legal action, that is his right.

The sheriff's department will be contacted to investigate who put up the sign that states: "No City Officials Beyond This Point. Violators will be arrested on sight and taken to jail." This is a threat to city officials and should be taken seriously.

The City is in the process of rewriting the ordinance related to the truck route, and we hope to have it completed by the October 29th meeting so we can conduct the 1st and 2nd readings.

Steve Bucher hopes the council will consider extending the truck route from Kimball to Iowa Street along 1st Street. He believes allowing that access will resolve the problem.

Mayor Kehn reminded everyone that the first readings have not been completed yet. He urged Joe to attend. The mayor also mentioned that he will ask one of his friends who drives trucks full time to drive the route and share his opinion. Steve Bucher suggested that it would be better to wait until December or January, after the harvest is done, to discuss this further. Mayor Kehn stated that the topic will be on the agenda for October 29<sup>th</sup> as more discussions are needed. He also mentioned looking at November to iron out more details. This will give the mayor more time to arrange for a trucker to drive the route with doubles and have it videotaped. He expressed the need to gather other people's opinions. Steve Bucher also added that if Joe's employees won't be bothered using that road, then they are done too.

### Pay Ordinance

Bode's understanding was that if a council member had missed 3 consecutive meetings, they would be discharged from the council. Marette proposed that council members who miss two consecutive meetings must explain the absence either in person or in writing to the council. If a member misses 3 meetings within 6 months, they must also explain to the council. If a member misses 4 meetings within 12 months, they will not be paid for the last pay period. If a member misses more than 4 meetings within 12 months, they must submit their resignation to the council. If they refuse to do so, their resignation will be submitted for them. Marette will draft the proposal, and then the council will send it to the lawyer for review.

### ROCS REQUEST FOR FUNDING FOR TRANSPORTATION

Mayor Kehn asked about the amount the county was supposed to pay, which was \$7500, but they only paid \$5000. White Lake was supposed to pay \$2500, but they only paid \$1750. He couldn't recall the amount Stickney paid. The amount that ROC is requesting is not what they have been receiving. ROC provides free transportation services for those who cannot afford to make doctor's appointments and other necessary trips. The ROC representative in Wagner mentioned that Plankinton is used more frequently due to the presence of two clinics in town, resulting in higher usage in the area. Marette suggested combining the amounts for White Lake and Stickney, and Mayor Kehn proposed rounding it to a nice even number of \$2500. Bode made a motion to pay \$2500 to ROCS Transportation, which was seconded by Marette. All vote aye. Motion carried.

### NEW BUSINESS

#### 2024 POOL UPDATE/INFORMATION

The pool was open for a total of 78 days and closed for 4 days due to colder weather and the June flood. Popek-Hurst was extremely happy with the season's outcome, with only 2 accidents that were handled quickly and safely by the lifeguards. The total revenue generated from pool passes and entry fees was \$7145.00, just a little over \$1000.00 more than last year. The end-of-season pool party on August 10th was a success, and she proposes doing that every year. Thanks to all the volunteers and sponsors! She would like ads and additional information about training to be posted again in December and January, as was done last year. The hiring process will start in December/January 2025, with the hope of hiring 8 full-time lifeguards. There were a lot of citizens happy with the pool that was run this year, The Lifeguards did a wonderful job.

The pool is never a moneymaker; it's just something we must do for the community. We lose money every year. Mayor Kehn said as an outgoing mayor, we need to start putting money away for a new pool, as the current one isn't going to last much longer. Schuldt asked if a liner could be put in the pool? They have tried liners in the past, but they never worked. A new pool costs about 2-3 million dollars, and the price increases every year.

### ELECTRICAL RATE/ RATE STUDIES

The most recent rate increase was done in 2017/2018. And we did a stair-step plan. We are currently doing it with water now. We did a yearly increase to get to where we need to be instead of just one big increase. And unfortunately, we will have to do the stair step on this increase as well. Mayor Kehn suggests that we do a rate study on what is beneficial for the city but cost-effective for the members of the community. Kelly Dybdahl from Heartland said that WAPA is imposing an extra \$14,407.42 (which is a 2.21% increase) in 2025 and an extra \$27,308.58 in 2026. We had to increase our rates in 2023 to counter a rate increase from WAPA. counter a rate increase from WAPA also.

Electrical Supt. Chance Boyd reported to the Council, Kelly Dybdahl from Heartland helped me find a way to minimize our increase to cover the WAPA increase in 2023. I have a quote from DGR

for a rate study. The last rate study they did was in 2017/2018, and it calculated annual rate increases to fund future underground projects. The total cost was around \$23,000. I have included an email from DGR and verified pricing. We can start with a basic rate study to cover the WAPA increase and decide to proceed further later. My focus is on completing our loop system and converting businesses to minimize outages. I can apply for a \$5,000 grant through Heartland to help pay for the rate study and have \$5,000 in my budget for professional fees. We can use reserves to cover the rest of the expenses if we go with option 1.

The estimated cost of the rate study is as follows: Option 1, which is a full study, is around \$18,000-\$20,000. Option 2 is just the financial model update and that ranges from \$5,000 to \$7,000. In Chance's opinion option 1 would be more beneficial to the city.

Chris Schleuning inquired about whether we receive a demand charge? We do receive demand charges through Heartland and WAPA, in addition to a base rate. The demand charge increases in the winter due to a significant portion of the town using electric heat. Chris also asked about natural gas as a potential energy source. It hasn't been discussed since Chance has been here. Chris mentioned that natural gas maintains a more consistent price compared to propane, which can fluctuate greatly. The council agreed to have representatives from DGR attend our next meeting to address any questions.

During the meeting, Chance proposed the idea of implementing a flat rate for all properties instead of the current tiered system. Under the current system, residential properties are charged at three different rates based on a tiered structure. The first 600 kW is billed at a certain rate, the next 600 kW at a slightly lower rate, and anything over 1200 kW at an even lower rate. On average, a household uses about 1300 kW. The advantage of the tiered is the more you use the less you pay. Mayor Kehn doesn't want to do the flat rate because the increase might be hard on consumers.

#### EARLY PAYMENT RESOLUTION

Electrical Supt. Chance Boyd reported to the Council, I met with Kelly Dybdahl from Heartland at the end of September, and I told him how I recently found out that we are getting a late fee pretty much every month from WAPA as the bill is due on the 1<sup>st</sup> of every month. Which over time adds up to quite a bit. It ranges from \$56-\$113 for this year, depending on when the council meeting is and when it gets approved. He told me how in Madison they set up a resolution to have the finance department pay some of their bills ahead of the meeting, but still needs to be listed. Madison's resolution is included in the packet as an example. I looked through some of the other utility bills that we receive, and I don't see a problem with any of them, but I think we should include the following to be paid when they come in, WAPA, Heartland, East River, Central Electric, Golden West, and AB Rural Water.

Mayor Kehn simply requests water and electricity in the new ordinance. First, check if there is an existing one; if not, consult with Mr. Taylor to create it.

#### WIRE TRAILER AT SURPLUS

Supt. Darin reported to the Council he sent Barry Geiman to Huron to pick up some culverts a few weeks ago. He stopped at the Federal Surplus in Huron while he was there to pick up a few things. He found they had a wire trailer there. They want \$3,500 for it, they put new tires on it, along with a new battery. I had a used trailer from Larson Trailers in Huron quoted 3-4 years ago and they wanted \$40,000 for a used one. They had it up and running when he was there as well and worked as it should. Deputy Finance Officer Cindy printed some pictures of it off for you to look at. This would be a huge time saver for us and be quite a bit safer handling our wire spools and our inner duct spool. We can also use this to roll up our old overhead that we take down once we convert it to underground as it has a hydraulic pump on it to spin a spool to unroll a spool or to roll up old wire. I

budgeted an extra \$15,000 in my equipment for a digger truck that I thought Central was going to surplus, but I haven't seen anything on that or heard anything about it. Jim made a motion to purchase the wire trailer at \$3500 from surplus. Popek-Hurst seconded. All vote aye. Motion carried.

#### ELECTRICAL SUPERINTENDENT REPORT

We didn't have any outages this month. One blink from the Sewer crew getting too close to an overhead line. We have been trying as much as we can to lift lines for them with the other bucket truck when they ask but there are some that we can't do anything with.

Everyone helped me last week get 3 runs of wire pulled into conduits on North Duff Street, I am planning to get terminations started this week and get what we have done so far energized. Spent quite a bit of time at the Fire Station getting their remodel roughed in. We had quite a bit of work to get the old service out and to get a new service installed. This took 3 or 4 different outages for me to get it all done. It's ready for a rough inspection which is going to be on Wednesday of this week. Still have a few items to take care of there but will be used as filler work.

Dan helped me out quite a bit at the fire station so we could get it done. Barry helped with the service replacement and Darin helped do some heavy lifting.

Barry picked up some bollards in Mitchell a couple of weeks ago, and we are planning to change the poles out by the corn crib tomorrow and to get a couple installed at the lift station at the Briggs Development.

This week is "Public Power Week". Kelly brought a couple of yard signs to promote it and I put them on Main Street in front of the Corn Crib.

I investigated the electrical some at city hall. Currently, there are electrical panels that serve just the North Main floor, along with 2 panels that run upstairs. I have the main floor panels figured out where they are fed from, no idea how the upstairs panels get fed. One panel serves the back-room area that is being considered being rented out. This panel is fed from another panel in a storage room, which is fed from a panel in the basement, which then is fed from the main disconnect in my closet. If the consensus is to dig a new service into that side, it would be nice to know sooner rather than later as we are in October already and there is some asphalt/chipseal we will have to dig through which is easier to do when it's warmer out. I have a call to the inspector to make sure this is acceptable as well.

While tracing all this out, the water heater in the basement isn't working again. It's from 1980 according to the nameplate on it. If the backroom is going to be rented out, I think it would be in the best interest to replace it and upgrade to an energy-efficient one. I called Kurt Fink to get a price its around \$1000.00 for a 50-gallon one. The council response was do we needed a 50-gallon one and suggested getting a quote on a 30-gallon one.

Helped Darin one day last week to get a waterline replaced.

I have Safety training on Friday in Volga.

#### MAINTENANCE SUPERINTENDENT REPORT

We've spent quite a bit of time with the sewer project again. In one block we had to move 3 curb stops off the road into the ditch. That same block had a water service line dug right on top of the sewer line running with the line for 2/3 of a block. We eliminated that and dug a new line for that service across the road. We had one service line that got hit. We had no idea where it was located. That line was poly at the main, then lead, then copper, lead, then copper the rest of the way to the house. It is now poly to copper, with no lead left. We had one other old curb stop that got hit while they were digging in a sewer service line. We replaced that one also.

We did a little more work on the parking area at the jail pond. Barry and I took some steps, and I placed what rock we had around part of it. I'm making it look somewhat like the pond itself, with a rock border. We need more rock for that, the land bridge, and other areas around the pond. As far as I know, Brent is getting that for us. Once we get more rock, I'll put more gravel on the pad also.

I wanted to get the black dirt done around the new shelters at the ballfields this fall and seed it. If it didn't get done now, it for sure wouldn't have any grass before spring games. We may have a chance if I did it now. We didn't have any dirt to speak of, so I decided to build the new road around the back for access to the east field. I bladed up 15-16 truckloads of dirt with the maintainer. We piled some by the shelters and put some in a low spot south of the east field. We put the rest in the RU site in a pile. We hauled a lot of clay on the road area. Probably 40-50 loads or so. I wanted to get it built up. We installed a culvert and did some extra groundwork outside of the road for drainage. The dirt work for the shelters is almost done. We have another day or so to finish, then we will get it seeded and hope for grass in the spring. I also have some gravel ordered to finish the road.

We put up our truck route signs. I don't need to go into this anymore now.

We had a couple of hose repairs on the big loader this month.

Mayor Kehn wanted to personally apologize that he had to deal with this situation and wishes that it would have been me. In the meantime, contact the sheriff's office to see if they can figure out who made this sign. Thank you for everything you two do. Mayor Kehn was very impressed with how Darin handled the situation very professionally on how he responded. Was in communication with the mayor as soon as it happened.

Bode asked about the tree pile on the east dump site. Once it snows, we will have a fire to take care of that.

SPECIAL MEETING- OCTOBER 29<sup>TH</sup> at 6:00 P.M.

Just a reminder that the special meeting is scheduled for October 29<sup>th</sup> at 6 PM.

BUILDING  
PERMITS

None

The City received a letter from the United States Senate from Mike Rounds' Office regarding a meeting taking place in Dakota Dunes, SD on October 16<sup>th</sup>, 2024. This meeting will consist of various federal emergency management officials to present key information on flood disaster mitigation and recovery.

The event is being organized to help strengthen response, recovery, and mitigation efforts. Agency presenters will highlight key components of the emergency management cycle.

EXECUTIVE SESSION-  
PERSONNEL SDCL 1-25-2 (1)

Mayor Kehn doesn't see the need to have one unless someone on the council deems it necessary. No one spoke so no executive session was held.

MAYOR'S  
REPORT

Nuisance property-- Mayor Kehn wants to thank Magdalena Popek-Hurst for all her efforts she is doing. She is doing a good job.

Please remember the following details from our previous discussion about ROCS food donation last month: We donated \$1920.00 to ROCS for food, but it was noted that the money went to Wagner and was distributed elsewhere. For next year, let's consider setting up a fund to donate directly to Senior Meals here. We can also put money into the fund to cover expenses. For example, the person in charge of senior meals can come to us to request financial assistance if someone



can't afford to pay for food so that we have the funds available to provide support. We want to make sure our elderly are taken care of.

It is Jack Marette's last meeting, Mayor Kehn wants to thank him for his service. Brought a lot of good insight into the meetings.

One person has expressed interest in Marette's position. Chris Schleuning, we may need you to attend the next meeting and answer some questions during the executive session. Popek-Hurst suggested that we should advertise the positions as open because there are two vacant spots - one in Ward 2 and one in Ward 3.

Gayle Van Genderen mentioned that first the council must accept Marette's resignation. After that, there are two vacancies, and the council will be accepting applications until a certain date. If there are applications, then appointments can be made, and those will be valid until the next election. Regarding the rental properties, we had someone come forward with legal questions for the council. Mayor Kehn contacted the attorney, who responded and addressed those questions. No one else has shown interest in renting the back room. Destiny Marek, a realtor, assessed the property in question and is working on determining a fair rental price for the space, considering the build-back pricing and square footage for commercial rental. During the discussion, Mayor Kehn mentioned potential interest in renting out the rest of the north side of the building, and there is already someone interested in opening offices in Plankinton. It's noted that a bathroom in the front may be necessary, but it wouldn't require much work.

Gayle Van Genderen would like clarification on the rental building process. First, the minimum bid or the value needs to be determined. Then, a request for a proposal will be opened, stating intentions for the business. Next, the council will decide on which bid to accept. The board has the right to refuse any offer they want. After that, the board must follow a process involving a resolution and a public hearing, as outlined in the codified law. According to the mayor, we are still in the first stage of determining the price of the rental property.

According to Mr. Taylor, we don't need to know what is going on in that space. If it is legal, they shouldn't have to reveal to the public what the business is.

The interested party is going to make a formal request at the next meeting to rent the building.

There's no point in starting the property if no one is coming forward to rent on that.

Mayor Kehn will get a hold of Keith Overweg and ask about the towing of vehicles.

Marette was questioning the rationale behind entering a 20-year contract with the senior center? He expressed concern about not wanting to burden the seniors with any unnecessary obligations. Bode suggested that if the seniors decide they want to pursue a different project, the council could allow them to terminate their lease. It was noted that the previous contract was for 15 years. It's just good faith. Like the fire department is on a 100-year lease.

Popek-Hurst wanted to thank Marette for his service.

Marette said Chris Schleuning put the canopy on the front of the corn crib. And has volunteered to do the landscaping work around it. Marette's goal is to finish it probably in June of next year with Chris's help.

The meeting adjourned at 9:47 p.m.

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Brad Kehn,  
Mayor

ATTEST: Cindy Geiman,