

## City Council Proceedings

The Plankinton City Council met in regular session on Tuesday, October 9, 2018. Mayor John J Staller called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. Roll Call recorded the following members present: Pam Vissia, Brad Kehn, Jim Hinckley & Terrance Scnhudt. Member Susan Steele was absent. City employee present was Jeanette Smith. Representing South Dakota Mail was JP Studeny.

No conflict of interest(s) were noted.

No public comment(s) were recorded.

Kehn moved to approve passage of the following:

### RESOLUTION 10-9-18 VACATION PORTION OF ALLEY

WHEREAS Zach D. Scott and Micheal L. Scott have filed their Petition with the City Council of the City of Plankinton, South Dakota to vacate a platted alley located within Block 18, Alexander's Addition, and Block 8 Miracle & Clark's 2nd Addition, both in the Town, now City, of Plankinton, South Dakota, and more particularly described as that portion of the alley which runs North and South from Seventh Street southward to the point where Sixth Avenue intersects said alley at the southwest corner of Lot 3, Block 8, Miracle & Clark's 2nd Addition, then west to the point where Sixth Avenue intersects said alley all located in the City of Plankinton, Aurora County, South Dakota.

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

WHEREAS, the Petition was signed by the owners of all property adjoining such portion of the alley sought to be vacated, namely, Zach D. Scott, Micheal L. Scott, George A. Erdahl, and Becky Erdahl; and

WHEREAS, the Notice of Hearing on Vacation of Alley was published two (2) successive weeks in the legal newspaper of the city of Plankinton, the South Dakota Mail, in accordance with the laws of the State of South Dakota and the said Petition would be heard by the City Council on October 1, 2018 at the City Council Meeting room of City Hall, Plankinton, South Dakota, at 8:00 o'clock P.M.; and

WHEREAS, the Plankinton City Council heard, investigated and considered all interested persons in favor and in opposition to said Petition; and

WHEREAS, it appears to the City that said alley has never been actually used as a public right-of-way, more than 20 years has elapsed since the alley was originally platted, all without any public use, and that the public interest would be best served by vacating the same; and

NOW THEREFORE BE IT RESOLVED by the City of Plankinton, Aurora County, South Dakota, that the alley described at that portion of the platted alley which runs North and South in Block 18 of Alexander's Addition and Block 8 of Miracle and Clark's Second Addition, from Seventh Street southward to the point where Sixth Avenue intersects said alley all located in the Town of Plankinton, now City of Plankinton, Aurora County, South Dakota, shall be and is hereby vacated.

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, the Municipal Finance Officer shall file for recordation a duly certified copy of this Resolution in the office of the Aurora County Register of Deeds.

Dated this 9<sup>th</sup> day of October 2018.

Signed: John J. Staller, Mayor

This Resolution was adopted by a 2/3 vote of the members of the City Council.

ATTEST: Jeanette Smith, Finance Officer

(SEAL)

Hinckley seconded the motion. Roll call recorded the following: Vissia, Kehn, Hinckley & Schuldt, aye; naye, none; absent & not voting, Steele. Motion carried.

Vissia moved to approve payment of the following:

Avera Occ Medicine-drug screens-143.00; Central Electric-Sept wheeling fees-1168.24; Dakota AGrow-supp/mat-144.00; Dept of Energy-WAPA-Sept power purchase-11,967.87; East River electric-Sept wheeling fees-2728.32; Heartland Cons Power Dist-Sept power purchase-11,763.97; Overweg Auto-rep/maint-90.56 Plankinton Builders Supply-supp/mat-1008.89; Roadside 66 Service-supp/mat-354.51; Jeanette Smith-mileage/meals-147.20; Steve's Welding-rep/maint-71.51; Tech Solutions-IT service-575.00.

Schuldt seconded the motion. All voted aye, motion carried.

The Mayor adjourned the meeting at 6:36 p.m.

Signed: John J Staller, Mayor

Attest: Jeanette Smith, Finance Officer