

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA  
July 5, 2022

The City Council met as the Zoning Commission. There was no business. Meeting adjourned.

The City Council met in regular session in the Municipal Building. Present on Roll Call were Mayor Curt Lundquist and Council Members: Terry Mutziger, Terry Rowbotham, Garth Johnson, Beth Sundberg, Rob Achterberg and Cory Falconer. Absent: None.

There were two additional permits added to the agenda.

Motion was made by Falconer, seconded by Achterberg to approve the minutes of the June 6<sup>th</sup> meetings. All in favor—Carried.

Bills on file were submitted for consideration and on Motion by Rowbotham, seconded by Falconer, the Finance Officer was instructed to issue payment for same. All in favor on Roll Call Vote—Carried.

Bills approved as follows:

30840-30847	Salaries	General Fund	101	8701.88
			602	1123.73
			603	3354.85
			604	204.76
30848	EAST RIVER ELECTRIC POWER COOP	Energy		\$8,256.04
30849	ELECTRIC FUND	City Utility Bill		\$2,671.48
30850	HEARTLAND CONSUMER POWER DIST	Energy		\$5,795.87
30851	KINGSBURY COUNTY AUDITOR	County Contract Law		\$14,627.69
30852	S D STATE TREASURER	Sales Tax - Electricity		\$5,655.00
30853	VALLEY FIBERCOM	Phone/Internet		\$6,499.54
30854	WESTERN AREA POWER ADM	Energy		\$220.39
30855-30888	Salaries	General Fund	101	\$25,640.08
			602	\$782.86
			603	\$4,126.35
			604	\$786.16
30889	A T & T	cell phone/lpad		\$12,931.74
30890	ARLINGTON AMBULANCE SERVICE	Annual Disbursement		\$47.25
30891	ARLINGTON COMMUNITY DEV CORP	Annual Disbursement		\$2,000.00
30892	ARLINGTON VOLUNTEER FIRE DEPT	Annual Disbursement		\$10,000.00
30893	BATA SERVICES	Annual Disbursement		\$2,000.00
30894	COLONIAL LIFE	Payroll Deduction		\$1,000.00
30895	NORTHWESTERN	Service to City Shop		\$47.88
30896	PLIC-SBD GRAND ISLAND	Short Term Disability		\$10.00
30897	PRAIRIE AG PARTNERS	Fuel		\$93.02
30898	S D RETIREMENT SYSTEM	June Retirement		\$6,025.18
30899	SIOUX VALLEY ENERGY	Electricity - Airport		\$3,134.50
30900	THE HEALTH POOL OF SD	Insurance Premiums		\$55.00
30901	U S POST OFFICE	Box Rent		\$4,355.30
30902	VISA--COR TRUST BANK	Cylinder Repair		\$102.00
30903	ARLINGTON INSURANCE AGENCY	Insurance Renewal Premiums		\$3,913.31
30904	ARLINGTON SCHOOL DIST NO 38-1	35% Annual Electric - Library		\$1,407.11
30905	ARLINGTON SUN	Publishing		\$297.82
30906	BACON, TOM	Mileage		\$165.56
30907	BROOKINGS CITY LANDFILL	Spring Cleanup		\$621.00
30908	BUNKER AUTO INC	Ambulance Towing		\$1,160.00
30909	Century Business Products	Service agreement		\$28.19
30910	COOK S WASTEPAPER & RECYCLING	Spring Cleanup		\$945.00
30911	CROSSROADS HOTEL	Room for FO School & HR		\$231.00
30912	DAMM, STEPHANIE	Mileage		\$112.56
30913	DANR-FISCALMANAGEMENT DIV	Drinking Water		\$380.00
30914	DEMCO	Library Supplies		\$71.23
30915	GENERAL WOOD SUPPLY	plywood/cardboard air chutes/2x8's		\$2,117.83

30916	GENUINE BUILDERS INC	Ball Field Building	\$11,045.94
30917	HANDI MART	Ambulance Fuel	\$142.14
30918	HAWKINS INC	Azone, Hydrochloric Acid, LPC-9, Algimycin	\$8,874.69
30919	Highway Improvement, Inc,	Crack Sealing	\$13,400.00
30920	INSURANCE BENEFITS INC	Airport Liability	\$1,650.00
30921	J & J TREE SERVICE	Bucket Truck Rental	\$300.00
30922	JAYS AUTOBODY	Pickup Rear Glass	\$235.00
30923	KINGBROOK RURAL WATER SYSTEM	May Water & Lease Prmts	\$12,388.38
30924	LYLE SIGNS, INC	Replacement Signs	\$1,563.30
30925	MC MASTERS CONSTRUCTION	Gravel - E. Maple St.	\$3,858.00
30926	OFFICE PEEPS INC	Aeramax Pro Air Filters	\$409.64
30927	PCC AMBULANCE BILLING SERVICE	May Ambulance Billing	\$278.32
30928	PRAIRIE AG PARTNERS	Lawn Mower tire repair	\$4,675.98
30929	Raztech LLC	June IT	\$1,295.97
30930	ROAD GUY CONSTRUCTION CO INC	Seal Coating - 45,125 sq yds	\$68,590.00
30931	SNAP ON TOOLS	COMWRSET, Battery Charger	\$302.50
30932	WESCO DISTRIBUTION INC	UL adapt, locknut, bushing	\$162.80
30933	CITIZENS STATE BANK	July Service Charge	\$20.00
30934	COOK S WASTEPAPER & RECYCLING	June Garbage	\$6,063.32
30935	ELECTRIC FUND	Meter Deposits applied to bills	\$329.26
30936	HEIN, JAMES	Meter Deposit Balance Refund	\$10.55
30937	SHEETS, KYLIE	Meter Deposit Balance Refund	\$110.19
Auto Debit	RURAL DEVELOPMENT	Water Improvement Loan	\$1,343.00
Auto Debit	RURAL DEVELOPMENT	Water/Wastewater Loan	\$2,958.00

Motion was made by Falconer, seconded by Sundberg to adopt Resolution #2632 as follows:

#### RESOLUTION #2632

BE IT RESOLVED, that \$85,848 be transferred from the 2<sup>nd</sup> Penny Fund to the General Fund for payment of the bill to McMasters for gravel (\$3,858.00); Highway Improvement, Inc for crack sealing (\$13,400.00); and Road Guy Construction Co. for seal coating (\$68,590.00). All in favor—Carried.

This being the date and time advertised, motion was made by Johnson, seconded by Falconer to renew the five year On-sale operating agreement with Dakota Ram/1481 Grille that will be set to expire in July 2027. All in favor—Carried.

Gayle Wagner asked the council to furnish paint and she would gather a crew of adults to have the dugouts painted at the baseball field. The council agreed to the request.

Nancy Miklos presented the Council with a drawing of the flower bed by the park that she would like to re-do to reduce weeding. If the city will pay for the shrubs and new weed barrier, she will get it planted. The Council agreed to the request.

Annette Miller asked the Council to allow her to have a daycare in the C1 (Central Commercial) zone without it having to be registered or licensed. The Council agreed to change the zoning ordinance to say “daycare centers” (not registered or licensed daycare centers). Motion was made by Johnson, seconded by Falconer to approve the first reading of the zoning ordinance amendment. All in favor –Carried. Annette requested a special meeting (she will be responsible for payment to have the special meeting) on July 18<sup>th</sup> for the second reading of the ordinance amendment.

Annette also stated that she hired a surveyor, and they are saying the fire/tornado siren is on her property. The city will hire Banner to survey as well.

Mike & Kris Zobel met with the Council in regards to their water leak bill, and presented a counter offer. Motion was made by Rowbotham, seconded by Falconer to accept the offer made. All in favor—Carried.

After some discussion on the remaining 5 lots on Main Street the Council requested to move from Central Commercial to Residential, the Council agreed to change the 3 at the end of the street and leave the other 2 as Commercial. Motion was made by Rowbotham, seconded by Johnson to approve the second reading of Ordinance #595 as stated below. All in favor—Carried.

**Ordinance #595**

AN ORDINANCE ENTITLED, an ordinance to amend Section 1.03.01, "Official Zoning Map," adopted by Ordinance 446, November 5, 2001, as amended, of the Zoning Ordinance of the City of Arlington.

Be it ordained by the City Council of the City of Arlington, South Dakota: that Section 1.03.01, "Official Zoning Map" adopted by Ordinance 446, November 5, 2001 as amended, of the Zoning Ordinance of the City of Arlington be amended to rezone the following properties from "C1" Central Commercial District to "R2" Residential District:

- Lots 11 & 12, Block 6, Keep's 1st Addition, City of Arlington, Kingsbury County, South Dakota.
- Lots 13 & 14 EXC SE 81', Block 6, Keep's 1st Addition, City of Arlington, Kingsbury County, South Dakota.
- SE 81' of Lots 13 & 14, Block 6, Keep's 1st Addition, City of Arlington, Kingsbury County, South Dakota.

Passed First Reading: May 2, 2022  
 Passed Second Reading: July 5, 2022  
 Passed and approved July 5, 2022

ATTEST:

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Stephanie Damm, City Finance Officer

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Curt Lundquist, Mayor

There were no public comments.

Beth Niemeyer from Banner Associates explained to the Council the Wastewater options she put together for the amendment for SLFRF Funds. Motion was made by Achterberg, seconded by Falconer to approve change in scope of work (to \$1,190,310) for the Funding application. All in Favor –Carried. Motion was made by Mutziger, seconded by Falconer to execute the letter of understanding from 1<sup>st</sup> District for the Wastewater Funding. All in Favor –Carried.

The Finance Officer was asked to contact 1<sup>st</sup> District to update the zoning ordinance book as ours is 20 years old.

Motion was made by Falconer, seconded by Johnson to add Nicole Conrad to the list of volunteers from the fire department and ambulance for insurance purposes. All in favor—Carried.

The following building permits had been submitted and upon motion of Rowbotham, seconded by Mutzinger, all were approved. All in Favor—Carried.

Jesse & Kelli VanOverbeke to remove existing garage and add a two stall garage with office above at the following property: Lots 18 & 19, Block 2, Original Plat (209 N. 3rd Street)

Arlington School District 38-1 to construct a greenhouse by the shop area on the SW corner of building at IN NW COR SE 1-110-53 Ecklein's 1<sup>st</sup> Addn. (311 3<sup>rd</sup> St.)

Dale Brandriet for a demolition permit to remove the house at Lot 5, Block 15, WtL Co's 4<sup>th</sup> Addn (312 4<sup>th</sup> St)

W. Brown Farm to construct a foundation and move a house in at the following property: Lot 1, Block 1, Millers Addn – OL5 of Auditors Plat of OL in the S2SE Sec 36-111-53 (212 Cottonwood St.)

Steven Thury to construct a garage at Lot 3, Block 4, Lieske's 2<sup>nd</sup> Addn (408 S. 5<sup>th</sup> St.)

Justin Petersen/Ryco Construction to add an addition to the garage at N49.5' Lot 3 & All Lot 4, Block 6, Chandler's 1<sup>st</sup> Addn. (706 S. Highland St.)

Electric Report—None.

ACDC Report—Marshal reminded the council of the upcoming annual meeting for the Arlington Community Development Corp to be held at the Cardinal Tap on Tuesday, July 12<sup>th</sup> and that they are all invited to attend.

Motion was made by Johnson, seconded by Falconer to approve the Employee Overtime and Police Report. All in favor—Carried.

The council reviewed the Revenue/Expense, Cash and Utility Reports.

Motion was made by Rowbotham, seconded by Mutziger to approve the second reading of

Ordinance 596 as stated below. All in favor—Carried.

**Ordinance #596**  
**ADOPTING ORDINANCE**

AN ORDINANCE ADOPTING THE ARLINGTON CITY CODE

**BE IT ORDAINED** by the mayor and city council of the city of Arlington, South Dakota as follows:

**Section 1:** Pursuant to the provisions of SDCL 9-19-16, and from and after the date of passage of this ordinance, the city code of the city of Arlington, South Dakota, contains the compilation of all ordinances of a general nature together with the changes made to said ordinances, under the direction of the governing body of the city, shall be deemed the official code and law of the city as enacted by the mayor and city council.

**Section 2:** The city code shall be maintained in the office of the city finance officer, certified as to correctness and available for inspection at any and all times that said office is regularly open to the public.

**Section 3:** All ordinances of a general nature included in this official city code shall be considered as a continuation of said ordinance provision and the fact that some provisions have been deliberately eliminated by the governing body shall not be deemed to cause any interruption in the continuous effectiveness of ordinances included in said official city code. All ordinances of a special nature, such as tax levy ordinances, bond ordinances, franchises, vacating ordinances, and annexation ordinances shall continue in full force and effect unless specifically repealed or amended by a provision of the city code. Such ordinances are not intended to be included in the official city code.

**Section 4:** It shall be unlawful for any person, firm, or corporation to change or amend by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the city to be misrepresented thereby.

**Section 5:** Any person violating any of the provisions of the city code hereby adopted shall be subject to the general penalty provisions of the Arlington city code.

**Section 6:** All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

**Section 7:** This ordinance and the code adopted by the same shall be recorded and shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed and approved this the 5th day of July, 2022.

CITY OF ARLINGTON

By: \_\_\_\_\_  
It's Mayor

ATTEST:

\_\_\_\_\_  
City Finance Officer  
{SEAL}

First Reading: June 6, 2022  
Second Reading: July 5, 2022  
Adoption: July 5, 2022

Trevor Keating and Cody Doren reviewed the first draft of the Letter of Understanding between the City and the Arlington Fire District (should it pass). A few changes were requested, and Wilkinson will make those changes and send a draft back for approval.

Heartland will be holding their Summer Conference on July 26<sup>th</sup> at the Dakota Prairie Playhouse. Skate Park jump photos were shown, but consensus was not to use them.

The cement work has been completed at the end of 3<sup>rd</sup> St. with the dirt work to be completed next.

The removal of the white building at the cemetery has been put on hold as we were told it may be a historical building.

Calcium Chloride has been put on Cottonwood St. to help with the dust.

Charges for cleanup at the Cromwell property and storage of personal property was discussed and agreed upon.

Motion was made by Achterberg, seconded by Mutziger to go into executive session at 9:40pm for possible litigation and personnel matters. Mayor Lundquist declared out of executive session at 9:52pm.

Motion to adjourn was made by Achterberg, seconded by Mutziger. All in favor—Carried.

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Stephanie Damm, Finance Officer

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Curt Lundquist, Mayor

The City of Arlington is an equal opportunity provider and employer.