

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA
December 5, 2016

The City Council met as the Zoning Commission—Board of Adjustment. Present on Roll Call were Mayor Amiel Redfish and Council Members: Curt Lundquist, Terry Rowbotham, Garth Johnson, Todd Bunker and Jared Steffensen. Absent: None.

Gary Miklos submitted a special exception application to operate a lawn mower and small engine repair shop at his residence at 211 South 3rd Street. The notice was published in the Arlington Sun and the necessary letters were mailed to the neighboring residents. No negative responses were received. There were two parties from an adjoining property that were not happy with the way that Gary has been operating this business prior to this time. The alley is frequently blocked by vehicles dropping off or picking up mowers etc. Also, mowers have been left sitting outside of the garage and they did not feel that was acceptable.

Motion was made by Steffensen, seconded by Bunker to approve the special exception request to operate this home business with the understanding that congestion in the alley will not be allowed and mowers must be kept within the garage as the property must be viewed as a residential lot and not operated as a commercial business lot. All in favor—Carried.

Motion to adjourn the Zoning Commission was made by Johnson, seconded by Bunker. All in favor—Carried.

Sue Falconer, Finance Officer

Amiel Redfish, Mayor

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

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA
December 5, 2016

The City Council met in regular session in the Municipal Building—202 West Elm Street. Present on Roll Call were Mayor Amiel Redfish and Council Members: Curt Lundquist, Terry Rowbotham, Garth Johnson, Todd Bunker and Jared Steffensen. Absent: None.

Additional Agenda Item: Approve the revised Plat Map for the Arlington Community Day Care Property. Merle Walter presented the revised plat, however; since it was not included with the agenda the council cannot take action to approve until the end-of-year meeting.

Motion was made by Johnson, seconded by Bunker to approve the minutes of the November 7th & 14th meetings. All in favor—Carried.

The council reviewed Pay Request #1 as submitted by DGR on behalf of HK Scholz for work completed on the substation construction in the amount of \$123,232.71. Motion was made by Rowbotham, seconded by Johnson to approve this pay request. All in favor—Carried.

Bills on file were submitted for consideration and on Motion by Johnson, seconded by Bunker, the Finance Officer was instructed to issue payment for same with the exception of the J & J Earthworks pay request as the council would like to discuss that with Scott Mohror prior to approval. All in favor on Roll Call Vote—Carried.

Bills approved as follows:

24431-24437	Salaries	General Fund	101	5101.36
		Water	602	438.54
		Electric	603	4660.16
		Sewer	604	474.21
24438	Birch Communications	Phone Chges		174.48
Auto Debit	Citizens State Bank	EFTPS—Nov 15 th WH-SS-Medicare		3787.97
24439	East River Electric Power	Energy		2553.45
24440	Electric Fund	City Utility Bills		2004.41
24441	First National Bank	Interest payment—surcharge revenue bond		37107.04
24442	Heartland Consumer Power Dist	Energy		27040.18
24443	Marilyn Johnson	Election Worker		115.43
24444	Kingsbury County Auditor	County Law Enforcement Contract		5655.00
24445	Mediacom LLC	Internet-FO & Coop Shop		156.50
24446	Brenda Mix-Osbeck	Election Worker		115.43
24447	Shirley Rowen	Election Worker		115.43
24448	SD State Treasurer	Sales Tax		5657.20
24449	Vision Service Plan	Payroll Deduction		50.84
24450	Western Area Power Adm	Energy		18520.85
24451	Wyoming Child Support	Child Support		392.00
24452-24465	Salaries	General Fund	101	9891.99
		Water	602	773.84
		Electric	603	3444.68
		Sewer	604	827.67
24466	AFLAC	Payroll Deduction		173.94
24467	AT&T	Cell Phone Chges		29.37
24468	Citizens State Bank	Bobcat Excavator Pymt		23959.28
Auto Debit	Citizens State Bank	EFTPS-Nov 30 th WH/SS/Medicare		5161.22
24469	Northwestern	Service to Shop & Coop Shop Bldgs		20.58
24470	PLIC-SBD Grand Island	Short Term Disability		169.19
24471	Prairie Ag Partners	Fuel		2843.50
24472	SD Retirement System	Nov Retirement		3172.98
24473	Sioux Valley Energy	Electricity @ Airport		74.00
24474	SD Supp Retirement	Supp Retirement/Steve Carlson		100.00
24475	The Health Pool of SD	Dec Health Insurance Premiums		3505.80
24476	Wyoming Child Support	Child Support		390.00
24477	Amazon Credit Plan	Books/Library		7.99

24478	A-Ox Welding Supply Co	Cylinder rent	79.70
24479	Arlington Sun	Publications	267.60
24480	B & R Tree Moving	Moved trees @ cemetery	315.00
24481	Banner Associates Inc	Construction Services—Main Street/Water Distribution planning for Kingbrook/Water System Modeling	3088.75
24482	Border States Electric Supply	Fuse refills	652.57
24483	Bridgman & Anderson Law Firm	Legal fees-Heartland Annexation	306.67
24484	Brookings City Landfill	Fall city cleanup chges	442.20
24485	Brookings Rent All	Rent Bobcat seeder	100.00
24486	Bunker Auto Inc	Fuel/repairs	353.47
24487	Citizens State Bank	Dec Service Chge	20.00
24488	City of Pierre	Purchase of a 1995 Custom Spartan Gladiator Fire Truck	41253.00
24489	Cook's Wastepaper & Recycling	Oct garbage/fall city clean up	5579.12
24490	Dept of Revenue	Water testing	15.00
24491	DGR Engineering	Substation design/Construction administration	8665.79
24492	Ditch Witch of SD	Probe & cleanout/cleaner shoe & mechanical cleaner-trencher	671.46
24493	Eighty-One Auto Clinic	Repairs/wiper blades/oil filters/spark plug/starter Fluid/repairs-jaws of life	320.96
24494	Electric Fund	Meter deposits app to RO bills	234.05
24495	Engelstad Electric Co	4" bore/located wires	1979.60
24496	Gale	Books/library	89.25
24497	General Wood Supply	Playground equipment materials/painting supplies- pool/padlock/shelf for mausoleum/construction adhesive/materials for temp mailboxes/rags/tape measure/shingling materials/materials for sidewalk repairs @ Mun bldg	4237.96
24498	Delores Gusso	Refund bal meter deposit	100.00
24499	Handi Mart	Fuel-fire dept	446.05
24500	Infotech Solutions LLC	Monthly HR/maintenance/hosting/backups	531.00
24501	Interstate All Battery Center	Batteries/ambulance	85.80
24503	J & J Tree Service	Remove trees @ cemetery	1400.00
24504	Johnsonville Spray Foam LLC	Grind stumps @ cemetery	405.00
24505	Kingbrook Rural Water System	November Water & Lease	7808.58

24506	Garrett Kommes	Refund bal meter deposit	18.22
24507	Lowes	Red marking paint/misc shop supplies	39.86
24508	M & T Fire & Safety	Boots/fire foam	456.00
24509	McLeod's Printing	Laser Checks	227.00
24510	Mid-American Research	Red marking paint/gloves	207.82
24511	Milbank Winwater Works	Hydrant w/hdwe/risers	3122.89
24512	Chase Mowry	Refund bal meter deposits	82.93
24513	Nelson Drug Inc	Lancets/markers/pencils/erasers/alcohol swaps	28.58
24514	Brian Nelson	Refund bal meter deposit	64.80
24515	Office Peeps Inc	Correction ribbon/service agreement/copier	81.37
24516	PCC Ambulance Billing Service	Amb billing—Oct 2016	256.21
24517	Plagman's Food Center	Mailing tape/batteries/	21.15
24518	Prairie Ag Partners	Tire repair/hardware/repairs/brake cleaner	619.64
24519	Resco	Fuse kits/fuse holders	19810.05
24520	Runnings Supply Inc	Clothing/Steve	44.99
24521	HK Scholz Company	Pay Request #1 substation construction	123232.71
24522	Snap on Tools	Adaptor/floor jack	328.75
24523	Stuart Irby Co	Transformers/elbow arresters/connectors/change out materials for transformers	135950.20
24524	Titan Machinery	Filters/header glass	291.41
24525	Travs Outfitter Inc	Embroidery-Chad's shirts	8.00
24526	Two Way Radio	Spring clip/minitor V battery	118.94
24527	Jesse Vincent Construction	Clean out waterway/tear out trees/install water main and hydrant/haul and level dirt	9062.26
24528	Visa	Floral arrangement	66.56
24529	Water & Environmental Engineering Research Center—SDSU	Testing lagoon samples	420.00
24530	Wesco Distribution Inc	Silicone lubricant/connectors/wire/wire tester/ Fuses & holders	4443.39
24531	Westmor Industries LLC	Switch & bracket assy/supplies/trip & service Labor charges	377.79
Auto Debit	Rural Development	Water Improvement Loan	1343.00
Auto Debit	Rural Development	Wastewater Improvement Loan	2859.00

Motion was made by Bunker, seconded by Lundquist to adopt Resolution #2534 as follows:

RESOLUTION #2534

BE IT RESOLVED, that \$41,253.00 be transferred from the Fire Dept Trust Fund to the General Fund for payment to the City of Pierre for the 1995 Fire Truck.

BE IT FURTHER RESOLVED that \$286,033.05 be transferred from the Electric Substation Upgrade Account to the Electric Fund for current project expenses. All in favor—Carried.

Tom Bunker requested a meeting with the city council to further investigate the ownership of a narrow piece of property along the railroad tracks. At first it did not appear that the City had any claim to the property; but then later Frank Crisler doing some research in old Arlington Sun publications from 1907 discovered that this railroad property may belong to the City. Todd Wilkinson will do some further investigation on the matter.

Motion was made by Rowbotham, seconded by Steffensen to approve the Special Exception Permit for Gary Miklos based on the recommendation from the Zoning Commission with the stipulations that there can be no congestion of the alley by Gary or his customers and that mowers cannot be left in the yard—but must be kept in the garage so that the character of the residential property does not change. All in favor—Carried.

Motion was made by Lundquist, seconded by Rowbotham to approve the employee overtime and police reports. All in favor—Carried.

There was a short discussion regarding the employees who have vacation time over the amount of time that is allowed by ordinance to be carried over into the next year. Due to circumstances of injury, illness and the number of projects during the past year—a special one-time arrangement will be discussed at the end of the year meeting.

Motion was made by Johnson, seconded by Steffensen to remove Josh Waller as a member of the Fire Dept as he has moved out of town. All in favor—Carried.

The City has received an agreement from the Dept of Transportation for the Maintenance and Encroachment along US Highway 14 through the city limits of Arlington, South Dakota.

Motion was made by Lundquist, seconded by Steffensen to adopt Resolution # 2535 as follows:

RESOLUTION #2535

BE IT RESOLVED, that the City of Arlington has designated its Mayor as the City's authorized representative and has empowered the Mayor with the authority to sign the Agreement on behalf of the City. All in favor—Carried.

Marshal Mix advised the council that the city crew has begun installing the transformers and switches which are a part of the electrical upgrade project. The City has been advised that the control building that is a part of the new substation will be placed on the cement pad in the near future.

Darlene Nelson had contacted the finance office after she received the notice letter that the payments for the utility bills at the Diamond and Lakeview had not been received and were delinquent. She advised that she had never received the original bills from the City. Therefore, she did not feel that she should be held responsible for the late charges. The members of the council stated that the City is not responsible for the delivery of the bills from the US Post Office to her mailing address—she should be aware of approximately when the bills arrive every month and that payment is due by the 20th of the month. If she does not receive the utility bills which are all placed in one

envelope—it would be suggested that she contact the finance office to find out the amounts that are due for that month and therefore would avoid the late charges. No changes will be made to the current policy on her behalf.

The finance office received a request form the Kingsbury County Treasurer asking the council to approve the abatement of the property taxes on a mobile home that had been destroyed and removed. The taxes were requested in error and needs approval from the City to remove the taxes for Record #7206—Genuine Builders.

Motion was made by Lundquist, seconded by Johnson to authorize the abatement of the above captioned property taxes due to the fact that the mobile home is no longer located in the city limits. All in favor—Carried.

Jason Uphoff gave a short monthly report regarding ACDC. He advised that the addition at the day care site is almost completed. He also told the council that the ACDC had been given an extension of one year to use the grant funds that had been awarded earlier.

The council reviewed the Revenue/Expense, Cash and Utility Reports for the month. It was noted that due to when the meters had been read it appears that the City “made water” this past month.

Ordinance #553 received the second reading and on Motion by Steffensen, seconded by Johnson same was approved with all Voting Aye—Carried.

ORDINANCE #553

AN ORDINANCE AMENDING SECTION 36 OF ORDINANCE NO 124, 182, 252, 335, 359, 417, 429, 440, 495, 501, 516, 530, 537 and 543 “RATES” OF CHAPTER V ENTITLED
“WATER REGULATIONS”

BE IT ORDAINED BY THE CITY OF ARLINGTON, KINGSBURY COUNTY, SOUTH DAKOTA:

Section 1. That the following rates shall be charged for water sold to residential customers or users within the corporate limits of the City of Arlington, South Dakota.

Minimum \$15.00 per month
\$5.05 per 1,000 gallons

Section 2. That the following rate shall apply to water sold outside the corporate limits of the City of Arlington, South Dakota.

Minimum \$16.00 per month
\$5.05 per 1,000 gallons

Section 3. Any Ordinance or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall be effective with the January, 2017 meter readings.

Passed first reading November 7, 2016

Passed second reading December 5, 2016
Passed and approved December 5, 2017

ATTEST:

City Finance Officer

Mayor

Supplemental Appropriation Ordinance #554 received the second reading and on Motion by Lundquist, seconded by Bunker same was approved with all voting Aye—Carried.

ORDINANCE #554

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION ORDINANCE #540
PROVIDING REVENUE FOR INDESPENSABLE FUNCTIONS OF CITY GOVERNMENT

BE IT ORDAINED BY THE CITY OF ARLINGTON, KINGSBURY COUNTY, SOUTH DAKOTA:

SECTION 1. It is hereby deemed necessary that there is hereby appropriated for the objects and purposes herein specified to pay the necessary expenses and liabilities of the government of the City of Arlington, Kingsbury County, South Dakota, with unencumbered surplus funds from city owned utilities during the fiscal year 2016 as follows:

101 GENERAL FUND:

415	Attorney	5,500.00
419	Gen Govt Bldg	4,000.00
422	Fire Dept	43,500.00
431	Street Dept	178,000.00
432	Storm Drain	82,500.00
435	Airport	9,100.00
436	Solid Waste	1,500.00
441	West Nile Prevention	14,000.00
451	Swimming Pool	19,500.00
452	Parks	34,800.00

TOTAL GENERAL FUND \$ 391,400.00

603 Electric	1,350,000.00
712 Meter	7,600.00

TOTAL SUPPLEMENT \$ 1,749,000.00

SECTION 2. WHEREAS, this Ordinance is deemed necessary for the immediate preservation of the public peace, health, or safety and support of the Municipal Government and its existing public institutions; an emergency is hereby declared and said Ordinance shall be effective upon passage and publication thereof.

SECTION 3. All Ordinances or parts of Ordinances in conflict are hereby repealed.

Passed first reading: November 7, 2016
Passed second reading: December 5, 2016
Passed and approved: December 5, 2016

ATTEST:

Sue Falconer, Finance Officer

Amiel Redfish, Mayor

The City received a letter written on behalf of Victoria Riggs regarding an injury that had been sustained when a branch from a tree in the neighboring property fell on her when she was out working in the yard. The neighboring property is unoccupied and no one has been able to locate a phone number for the property owner. A letter was sent, but no response has been received. The question was if the City could consider this property a nuisance and take some type of action before any further damage is done to the Rigg's property. Todd Wilkinson advises that since the tree is not causing a hazard in the right-of-way it is out of the City's hands and suggested that they get a lawyer to go after the neighbor.

Scott Mohror, Banner Associates, met with the council to see if there is any interest in doing some planning for future infrastructure updates. He advises that the current facility plans are outdated and he does not feel that it would be cost effective to update them—instead he is suggesting doing preliminary engineering reports and from there could decide how to prioritize the projects. He stated that he would put together some prices on what the charges would be for these reports.

There was a short discussion regarding the final settlement with J & J Earthworks on the Main Street Project and the fact that the driveway replacement charges for Joe Jensen were included in the City's bill and also the liquidated damages to be assessed to the company.

The tenant at a rental house in town had dropped a snow parking ticket in the drop box along with a note that they did not feel responsible for payment of the fine since they do not have a driveway and have no other place to park other than the street. The council instructed that the ticket be sent back along with a letter that either the renter or the landlord is responsible for payment of the fine. And, according to the city ordinance—a rental property must have off-street parking provided to the tenant.

Marshal Mix advised the council that the generator at the lagoon site needs to be replaced. If it takes very long to get a replacement—the City will need to rent a generator to avoid having an illegal discharge if the power should happen to go out as the rent for

the generator would be less than the fine.

Todd Wilkinson advised that Marshal should get 3 quotes for a replacement generator and then make a purchase.

The end-of-the-year council meeting was set for Friday, December 30th at 7:00 PM and the January council meeting has been scheduled for Tuesday, January 3rd.

Motion was made by Johnson, seconded by Bunker to enter into executive session at 9:22 P.M. for Contract matters and Personnel matters. All in favor--Carried

Motion was made by Bunker, seconded by Johnson to come out of executive session at 9:45 P.M. All in favor—Carried.

Motion was made by Johnson, seconded by Bunker to have Scott Mohror contact J & J Earthworks to offer them a final settlement of their payment request minus the charge for Joe Jensen's driveway work and liquidation damages of \$2500. All in favor—Carried

Motion was made by Bunker, seconded by Rowbotham to transfer the funds for that payment if accepted from the 2nd Penny Sales Tax Fund. All in favor—Carried.

Motion to adjourn was made by Lundquist, seconded by Rowbotham. All in favor—Carried.

Sue Falconer, Finance Officer

Amiel Redfish, Mayor

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