

CITY COUNCIL PROCEEDINGS

The Plankinton City Council met in regular session on Monday, December 7, 2020, at the Plankinton Senior Citizens' Center. Council President, Pam Vissia, called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. Members present: Brad Kehn, Terry Schuldt, Jason Schurz, and Jim Hinckley. City employees present were Eileen Sorsen and Chance Boyd. Visitor was J.P. Studeny from the SD Mail. Absent was Mayor John Staller, and Utility Supt., Darin Cranny.

President Vissia entertained a motion to approve the agenda. Kehn made a motion to add Executive Session, Personnel, as per SDCL 1-25-2(1). Seconded by Hinckley. All voted aye. Motion carried.

There were no visitors.

There were no Public Comments.

President Vissia entertained a motion to approve the minutes of the November 4, 2020, regular Council meeting. Hinckley made a motion to approve the minutes (previously e-mailed to Council). Seconded by Schurz. All voted aye. Motion carried.

President Vissia entertained a motion to pay the bills. Kehn made a motion to pay the following bills. Seconded by Schuldt. All voted aye. Motion carried.

EFT BILL LIST- PD. IN NOVEMBER, 2020

BI-WEEKLY PAY 23--\$7,739.45; BI-WEEKLY PAY 24--\$7,604.87; GW BANK—Bucket Truck Loan Pay #12--\$3,186.19; HEARTLAND CONS. POWER—Electric Loan #18--\$2,483.36; IRS—941 Taxes due-Pay 23--\$2,478.74; IRS—941 Taxes Due-Pay 24--\$2,400.58; SD DEPT OF REVENUE—Oct. Sales Tax--\$4,465.39; SDRS—Nov. Retirement--\$2,292.28; WEALTH MGT TFM—Water Meter Loan Pay 3--\$6,634.92;

BILLS PAID AFTER NOVEMBER 2 MEETING AUTHORIZATION

AFLAC—Employee Vol. Ins.--\$181.55; AMERICAN LEGAL PUBLISHING—2ND Billing- Codification Books--\$2,260.00; AVERA HEALTH—Dec. Employee Health Ins.--\$5,483.55; CNH CAPITAL—Nov. Mini Excavator/skid Steer Lease Pay.--\$1,434.07; CENTRAL ELECTRIC—Oct. Wheeling & Ramp Lighting--\$1,736.35; DELTA DENTAL—Dec. Empl. Dental Ins.--\$211.00; DEMCO—Library Supplies-\$119.81; DEPT. OF ENERGY—Oct. Power Purchase--\$10,203.19; EAST RIVER ELEC.—October Wheeling--\$4,641.00; GUARDIAN—Empl. Life, Std, & Ltd. Insurance--\$308.26; HEARTLAND POWER—Oct. Power Purchase--\$47,941.96; NORTHERN LIGHTS DISPLAY—Street Skyline & Pole Mounts Lights--\$8,062.35; SOUTH DAKOTA 811—Oct. Message Fees--\$117.60; SD WATER/WASTEWATER ASSOC.—Darin- annual membership--\$10.00; VERIZON—10/4-11/3/20 Tower Internet--\$45.08; VISA—Christmas Lights & Supplies00\$1,416.80;

BILLS TO PAY AFTER DECEMBER 7 MEETING

A & B BUSINESS—Copier- 11/21-12/20/20--\$142.82; AMERIPRIDE—Rug Contract--\$39.79; AURORA BRULE RURAL WATER—Nov. Water/ Debt Ret.--\$9,533.50; AVERA OCC. HEALTH—Employee Drug Testing--\$141.55; BANYON DATA SYSTEMS—Payroll, Util. Billing & Payroll Support--\$2,385.00; BENDER'S—Video Inspect Drain--\$386.00; BORDER STATES—Elec. Supp./Maint.--\$492.18; CNH CAPITAL IND.—Dec. Mini Excav./Skid Steer Lease Pay--\$2,868.14; CITY OF PLANKINTON—Met. Dep. applied to Utility #00-074-07-6--\$183.78; CITY OF PLANKINTON—Meter Dep. Applied to #00-238-10-8--\$20.00; CITY OF PLANKINTON

Meter Dep. Applied to #00-232-03-4--\$175.47; DAKOTA PUMP, INC.—2ND Ann. Lift Station Inspection--\$450.00; EZEQUIEL VASQUEZ—Refund Bal. M. Dep. #00-074-07-6--\$66.22; GOLDENWEST COMM.—Nov. Phones--\$394.80; JAIME FERMIN RAMOS—Refund Bal. of Met. Dep. #00-232-03-4--\$74.53; MENARDS—Christmas Light Project--\$115.88; MIKE’S CONSTRUCTION—Garbage Service--\$60.00; NORTHERN LIGHTS DISPLAY—C-9 Christmas Lights--\$130.40; NORTHWEST PIPE FITTINGS—Water Supp./Mat.--\$249.38; OVERWEG AUTO—Oct. Repair & Supplies--\$569.23; PLANKINTON LUMBER-Repair--\$111.67; ROADSIDE C-STORE—Fuel--\$393.85; RON’S MARKET—Nov. Supplies--\$11.25; RUNNINGS—Supplies--\$3.79; SD BLDG. OFFICIALS ASSOC.—2021 Dues--\$50.00; SD DEPT OF HEALTH—Water Testing--\$15.00; SD DEPT OF TRANSPORTATION—Diesel Fuel--\$296.69; SD FEDERAL SURPLUS—Tools--\$169.50; SD MUNICIPAL LEAGUE—2021 Ann. Dues--\$982.31; SD GOVERN HR ASSOC.—2021 DUES--\$25.00; SDMEA—2021 Dues--\$714.00; SD MUNICIPAL LEAGUE—2021 Ann. Dues--\$982.31; SD MUN. STREET MAINT. ASSOC.—2021 DUES--\$35.00; SD GOVERNMENTAL FIN. OFFICERS ASSOC.—2021 DUES--\$70.00; SDML WORKERS COMP—2021 Renewal--\$6,057.00; SD MAIL—Nov. Publishing--\$705.13; SHERRY STALLER—Reimburse Clinic Christmas Lights donation--\$100.00; STEVE’S WELDING—Sander Repair Parts--\$46.80; STOCKWELL ENGINEERS—Final Pay on Bathhouse Contract--\$5,960.00; STUART IRBY—Elec. Glove testing--\$45.65; TMA –Bal. due, Payloader Muffler--\$7.01; TECH SOLUTIONS—Dec. IT Contract--\$690.00; U.S. P. O.—Annual P.O. Box Fee--\$208.00; VISION SERV. PLAN—6 MO. Employee Eye Ins.--\$588.30; WESCO—Electric Equip.--\$2,089.00; ZACH SCOTT CONSTR.—Dig & Clean Up West Dump Site--\$1,375.00.

OLD BUSINESS:

ELEVATOR LAND PURCHASE:

Pres. Vissia read a statement from Mayor John Staller. He stated that the Aurora County Commissioners deeded Outlot 6 to the Plankinton Development Board. The City owns a part of Outlot 5. Mr. Page is currently working on the new elevator bin area, and he may want to purchase this property later.

NUISANCE PROPERTIES:

A house on South Main is scheduled to be torn down the week of December 7- 11. An abandoned house west of the school, and Bucher Law building have been torn down as of December 5. Kehn needs to get in touch with property owner on north end of town. He commends T.J. Scott on how he got the old law office torn down and cleaned up.

POOL BATHHOUSE PROPOSAL:

Discussion was tabled until special End of Year meeting on December 28. The grant with LWCF is still on hold due to COVID, and Mayor Staller is hoping it will be proposed in January. Since the November 2 meeting, he has received at least 2 phone calls saying that we could do the pool bathhouse for much less than the Stockwell Engineers quote. The Pool Committee is looking into some things, and he anticipates that, at the January 4, 2021, meeting they will have some proposals.

CITY HALL ROOF REPAIR:

The south side of the City Hall roof did not show any hail damage from the August 10 storm. It is in need of being replaced, however, as it has been leaking. The soaked up insulation and boards underneath the roof covering were spongy enough that hail that hit that side did not show damage. ARS Tecta Roofers will repair the whole roof at once. The rest of the roof was covered by insurance. The proposal for the south side, that the city is solely responsible for, is \$49,415.00. Work will begin early next spring. Schurz made a motion to sign the proposal. Kehn seconded the motion. All voted aye. Motion carried.

NEW BUSINESS:

Second Reading & Adoption-- SUPPLEMENTAL 2020 BUDGET ORDINANCE #2020-10: President Vissia entertained a motion to approve and adopt the Second Reading. Schuldt made a motion

to adopt Supplemental 2020 Budget ordinance #2020-10. Seconded by Hinckley. All voted aye. Motion carried.

**CITY OF PLANKINTON ORDINANCE #2020-10
AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION
TO THE 2020 FISCAL BUDGET**

WHEREAS, the budget adoption process was already completed when the additional budget items were implemented, it is necessary to make, approve, and adopt a supplemental appropriation ordinance for the fiscal year 2020.

THEREFORE, BE IT ORDAINED by the City Council of Plankinton that the Finance Officer be authorized to make the following budget adjustments to the 2020 Budget:

General Fund:

HWY/STREETS--

101-431-43400---Machinery and Equipment----- **\$12,030.00**
Money derived from Cash on Hand, unused Recreation Budget--to assist in Purchase of 2010 Mack Truck.

101-431-42900—Other Current Expense----- **\$11,707.62**
Funds derived from Pie Social & Misc. Donations (Donation/Contribution Revenue Code #101-36700) up to 11/30/20, to use in holiday street lights purchase.

POOL—

101-46150-43900—Capital Outlay----- **\$13,174.00**
Money derived from Pool Committee Donation/Contribution (Revenue Code #101-36700) to use in purchase of Aqua Zip'N (zip-line).

AMBULANCE—

101-44600-43900—Capital Outlay----- **\$ 4,605.69**
Money derived from Ambulance Donation/Contribution (Revenue Code #101-36700 Ambulance Stimulus Monies for \$500, and Code #101-33100 Covid Cares Fund for \$4,105.69).

GENERAL GOV'T BUILDINGS-

101-41900-42500—Repair/Maintenance----- **\$59,973.26**
Money derived from Continental West Group Insurance check for damages Claimed for City buildings from 8/10/20 hail storm (Code 101-39140 --Comp. for Loss or Damage) for \$59,973.26.

TOTAL APPROPRIATIONS----- \$101,490.57

First Reading: November 2, 2020

Second Reading & Adoption: December 7, 2020

Published: December 17, 2020

Signed: John J. Staller, Mayor _____

Attest: Eileen Sorsen, Finance Officer _____

RESOLUTION NO. 12-7-20:

Due to an error on the Out of City Limit Electric Rates on Resolution #11-2-20-1 that was adopted at the November 2, 2020 Council meeting, this Resolution No. 12-7-20 corrects the O.C.L. rate, and sets forth all correct, and current rates for electrical service. Motion by Hinckley to adopt Resolution No. 12-7-20 to correct the rates. Roll call vote was taken: Hinckley, yes; Schurz, yes; Schuldt, yes; Kehn, yes. Motion carried.

RESOLUTION NO. 12-7-20

**A RESOLUTION REVISING THE ELECTRIC UTILITY RATE SCHEDULE
CITY OF PLANKINTON, SOUTH DAKOTA**

BE IT RESOLVED by the City Council of the City of Plankinton, South Dakota that the following rates, charges and regulations for municipal electrical services are hereby adopted.

Table of Contents

- 1.) Residential Service
- 2.) Small Commercial Service
- 3.) Large Commercial Service
- 4.) Outside City Limits Service
- 5.) Owner's [Landlord's or Lessor's] Responsibility for Renter's [Lessee's or Tenant's] Electrical Service Charges

DEFINITIONS & GENERAL RULES APPLICABLE TO ALL CLASSES OF SERVICE

A. FACILITY CHARGE: The monthly fee to partially cover the cost of bringing electricity to the customer's location. It is based on expenses the City incurs regardless of how much electricity is used and is a fee for accessing the City electric grid whether any energy is used or not. The facility charge continues so long as a meter is installed at any location.

B. ENERGY CHARGE: The energy is what the City charges a customer for electricity usage based on the energy consumed in terms of kilowatt-hours (kWh) in a given billing cycle and consumed during a billing cycle by the rate for energy in terms of cents per kWh.

C. ENERGY COST ADJUSTMENT: The city may, at its discretion, implement an energy cost adjustment to compensate the City for variations in the cost of purchased power. At the time the adjustment is implemented, the calculation used to arrive at the adjustment will be developed, and the adjustment will be applied to all kWh billed by the City to its electric customers.

D. PROMPT PAYMENT PROVISIONS: All charges are net. If the bill is not paid or mailed and postmarked by the 20th day of the month following the billing date, a late payment charge of 10% of the balance due will apply. If the 20th of the month falls on a Saturday, Sunday, or a Holiday the due date will be the next working day by 10am.

E. SALES TAX: Sales tax to be added to all electric bills so as to be in compliance with the provisions of the laws of the state of South Dakota.

F. CONNECTION FEE: A deposit made to the City to be held and retained by the City so long as the customer has a meter installed, whether energy is used or not. Upon either removal of the meter or transfer of the service at the customer's specific location to another customer, and payment by the transferor customer of all outstanding energy charges and payment by the transferee customer of an appropriate connection fee, the original customer's connection fee will be refunded to the original customer, without interest.

NOTE: Additional rate and charge definitions are applicable to Large Commercial Service and are set forth separately in the section relating to such customers.

a complete disconnection if the owner does not wish to remain responsible for continued electrical service rates, charges, and energy cost adjustments to the property.

Adopted this 7th day of December, 2020

John J. Staller, Mayor _____

Eileen Sorsen, Finance Officer _____

USDA WATER/WASTEWATER GRANT/LOAN:

Mayor Staller sent in a report saying we have an estimate of \$264,180 for the lift station needed in the new development area. SPN is still calculating the rest of it. As soon as we get the final figures, he will be pushing hard to get the funding.

CHRISTMAS STREET LIGHTS PURCHASE:

Mayor and Sherry Staller took a road trip to Becker, MN to pick up the new Christmas Skyline and pole mount lights that were purchased through donations, so they could be hung up in time for the Cruisin' with Santa promotion held on Saturday, December 5. With the problems the maintenance crew had with a water and sewer leak in the alley, they had to work diligently to get them up in time. Mayor Staller thanked Mike & Ida Scott for allowing the City to use their large tree on Main Street to hang strings of LED lights, also. He wants to thank all who donated and helped put up the lights, and thanks the Service Club and the community for the amazing amount of people who decorated vehicles, and heightened our "COVID plagued" holidays. He wants to send out "a big thank you to all who donated to purchase the lights".

SHERIFF'S REPORT:

The October Sheriff's report was handed out.

FIRST READING OF PEDDLER'S PERMIT ORDINANCE #2020-12-28:

During the October 5, 2020, Council meeting it was discussed to raise the Peddler's fee to \$75, and the permit would be good for one year. Our city attorney, Jim Taylor, has updated the ordinance with the new fee and time limit. Keen made a motion to accept the 1st Reading of Ordinance #2020-12-28. Schuldt seconded the motion. All voted aye. Motion carried. Second reading will be on Dec. 28, 2020.

PROPERTY ENCROACHMENT:

Mayor and Finance Officer had a meeting with a resident, addressing encroachment issues. He believes it would in our best interest to grant an agreement on the same order as we did with another resident, as far as their deck and fence being on City right of way. Also, he recommends they get a lawyer and ask for a closing of 6th Street from Kimball Street west. That area is so low that it would not be feasible to finish 6th Street there, and actually 6th Street from Main Street on would be a bad thing, due to drainage issues. They also has some issues with a neighbor's driveway, which is on their property, but he informed them that is a civil matter. Mayor Staller thanked the resident for their purchase and removal of the structures at Kimball Street and 7th Street. Further discussion will take place at the December 28 special EOY meeting.

EMPLOYEE ANNIVERSARIES:

Darin Cranny, the Utility Supt., will have his 3 year anniversary at the city on 12/4/20. Chance Boyd, the Electric Supt., will have his 2 year anniversary on 1/2/21. And, Deputy Finance Officer, Casey Schmidt, will have her 1 year anniversary on 1/6/21.

END OF YEAR MEETING:

The City Council will hold their final meeting of 2020 on December 28, 2020, at 6:30 p.m., at the Plankinton Senior Citizens Center, to discuss end of year business, and pay bills.

BUILDING PERMITS:

None this month.

UTILITY SUPT. REPORT:

Darin was absent, but sent his report. Locates were finished for the Golden West fiber optic project, and they will be back in spring for clean-up. SPN has been sent the final plans for Briggs Development. He checked on the sewer line that was installed a few years ago on the side of 7th Street that this new development was supposed to tie into from a newly installed lift station. At its lowest point, it is only 22 inches below the ground, and will be very prone to freezing. SPN will not want to tie into that line. His solution is to run a force main farther to Main and 7th Street, or all the way to Duff and 7th Street. If we ran to Duff, he suggests we abandon that new line that was put in, and install a line in the middle of 7th, as that road is completely shot anyway, as that is how it should have been done in the first place. The force main would then only run a short distance into the road, and gravity all the way to Duff. It would require a new manhole to be placed on 7th and Sanborn area, or a little west. Then, we would have to carry the line west to accept the new house that was built there, and also tie into Klayton Miller's house as it headed east. He will discuss it further with SPN. Darin said the plow truck is now fixed, but the suspension is weak on the driver's side. It leans when loaded with salt. The Council wondered if the Mack truck could be fitted with the snowplow. Not much snow removal in November. His last item was the water and sewer leak at the grocery store. A curb stop was hit, and replaced. But, when they turned the water on, water shot out of the sewer line inside, through floor drains, and out the side of the building. Bender's came and found issues with the sewer line. A new water line had to be pulled through the building. A new sewer line had to be dug all the way to the main, but found the main was broke. The mains in the alleys are still all old 3 foot clay tile sections that it would have been nice to have replaced when they installed new water lines, or at least before all the new underground electrical and fiber were put in. He said this is a problem, and much more expensive to replace now that the alley is full of underground stuff. He wants to have Bender's come in after the first of the year and camera both of the main street alleys, to see what they are up against.

ELECTRIC SUPT. REPORT:

Chance Boyd reported that James from MMUA was here for 2 days. Together, they changed out the 3 phase transformer at the new elevator bin, and got the overhead portion done at Overweg Auto, so that will be ready when the new transformer comes in for them. He helped Darin during the past month with drain issues, and hauling grindings to shop. The city crew spent more than 2 days assembling and hanging up the new Christmas lights. He sent his electrical rubber gloves out for testing, which he tries to do every couple months. A new electric service was dug in on the west side of town, and he has one more to dig in soon. Chance wants to get both bucket trucks inspected and tested in January. Chance had a concerned property owner ask about the alley way that he had started the single phase project in. The east end of the alley had been blocked off for traffic. Some people started to use the proper owner's yard as a driveway instead. Chance told the citizen what he is doing there, and that it could possibly be spring before he gets to continue with it. He ended up putting a barricade where people have started to drive through, and fixed up the other barricades, and filled in the vacuumed out holes. He had to stop because the rental Vac. had broken down. Chance told the owner about the upgrades, and thinks the owner will revisit it in the spring.

FINANCE OFFICER REPORT:

Eileen Sorsen informed the Council that \$11,707.62 dollars has been collected for the new Christmas lighting. Mayor and Sherry Staller picked them up in Minnesota, and the city crew has them all installed. As of meeting day, there is a balance of \$1,825.25 to purchase more lights. Lots of end of year projects, as well as everyday things for our office to handle. COVID Care claims, making sure utility bills are paid up, paying bills, and payroll, as well as all the miscellaneous items that come up each day.

MAYOR'S REPORT:

Finance Officer and Mayor Staller met with Kelly Dybdahl, Customer Relations Manager, and Mike Malone, Chief Financial Officer of Heartland. They don't anticipate any rate increases this year, or next. They foresee some changes with the administration changeover in Washington, but believe it will probably be carbon fees that were in place during Obama era. They think with their renewable energy and the updated coal facility they have, that it will not have a huge impact on them. We were able to purchase some LED lights for City Hall this year, with their grant, and the Finance Officer has applied for a \$5,000 grant to use for engineering services with SPN on the north development. We can submit for the grant again next year. They stopped at Roadside C-Store on their way out of town, and were very impressed. They may want to do an article for their monthly newsletter.

In taking down the Bucher Law building, things did not start well, but the discoveries we made when the water shutoff was hit may have been a blessing, as there was a water leak at Ron's Market which may have been there for a while, and a sewer line that had obviously broken apart quite a while ago. This is the second leak we found in a few months, and he thinks this will bring our usage back to a more normal rate. Until water comes up, or we have an incident, it is almost impossible to detect. We will have Bender's run a camera down both main street alleys after the first of the year to see what we are dealing with.

Golden West cable is pretty much done. They will still be coming around to hook it up to the houses, and in the spring they are supposed to return and repair yard damage.

A constituent made a complaint about someone driving around on the north side of his garage while the alley was closed due to electrical work being done. The vacuum the city rented was broke down, and marking for the fiber-optic project took priority, so the alley was closed. The constituent thought it was possibly the city maintenance crew, but has since found out who was driving there.

We have received a draft copy of our Ordinance book, but before we can see what major changes were made, we must wait for a letter which shows changes made, and the reason. That is supposed to be here within 60 days of receiving the initial Ordinance book.

Unfortunately, we must have peaked early in our electrical usage in November, as the Heartland bill was fairly huge for this time of year. We were a couple thousand dollars short in sales, but stayed in the black with the meter charges.

Mayor Staller did not attend the LEPC meeting on November 18, due to increase in COVID numbers. He said it looks like it was poorly attended, and little was able to be accomplished due to lack of quorum. He anticipates another meeting after the first of the year, and hopefully there will be increased attendance. COVID CARES Fund is done towards the end of December. Although we did not use a lot of it, it sure helped us cover expenses we otherwise had not anticipated.

Mayor Staller send an initial e-mail to Mr. Taylor on the marijuana topic last week. It is kind of a "wait and see" until the Dept. of Revenue creates licensing and taxation on this. It looks like the State Attorney General wants lawsuits of this dropped.

EXECUTIVE SESSION, PERSONNEL- AS PER SDCL 1-25-2(1):

Vissia entertained a motion to enter into Executive Session at 7:39 p.m. Kehn made a motion to enter into Executive Session, Personnel, as per SDCL 1-25-2(1). Seconded by Schurz. All voted aye. Motion carried. Finance Officer Sorsen and J.P. Studeny left the room.

Finance Officer Sorsen was asked to enter into Executive Session at 7:55 p.m. J.P. Studeny was asked to come back in at 8:11 p.m.

President Vissia declared the Council out of Executive Session at 8:11 p.m., with no action taken.

President Vissia adjourned the meeting at 8:12 p.m.

Signed: Pamela Vissia, City Council President _____

Attest: Eileen Sorsen, Finance Officer _____