

# City of Milbank

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## MILBANK CITY COUNCIL PROCEEDINGS SEPTEMBER 14, 2009

PURSUANT TO DUE CALL AND NOTICE THEREOF, a regular meeting of the City Council was duly held at City Hall at 7:00 PM. Following members were present: Mayor Dale Aesoph, Councilmen Don Larson, Scott Hoeke, Joel Foster, Mike Mach, Steve Wiener and Lane Lindquist. Absent: none. Present from the staff were Jason Kettwig, Boyd VanVooren, Dick Poppen, Cynthia Schumacher, Larry Tietjen and Bryan Lambrechts. Present from the public: Holly Hilbrands and Larry Cantine.

Mayor Aesoph called the meeting to order and roll call was taken.

A motion was made and seconded to approve the minutes of the August 10 and September 8, 2009 meetings. Motion carried 6-0.

Open Session – Councilman Larson stated there are several skunks in town. Game Warden Pekelder stated this could be attributed to the available food sources and shelter areas in town. Residents are encouraged to spray their yards, clear up any possible shelter areas and make sure all pets are vaccinated for rabies. If residents are having problems with skunks they should contact the city office and the Police Department will coordinate with the Game Warden to set up traps.

Larry Cantine addressed the council regarding the condition of the tennis courts. Cantine stated the number of league members is increasing. Kettwig stated there is money budgeted in 2010 for the resurfacing of the tennis courts. Options for sealing the cracks will be explored yet this fall.

Consent Agenda – A motion was made and seconded to approve the consent agenda as follows. Motion carried 6-0.

1. Approve the 2008 financial audit.
2. Authorize notice of public hearing for assessments.
3. Approve Resolution 9-14-09 - stop sign resolution.
4. Declare surplus: 300 feet, 24" concrete storm sewer pipe.
5. Authorize KMSD to use Lake Farley for their 4<sup>th</sup> Annual 'City Goes Country' event.
6. Approve the request of Mark and Paul Karels to install drain tile in the SW ¼ Sec. 1-T 120 N-R 49 W, Grant Center Twp.

### DEPARTMENT REPORTS

Water – Wiener stated Hasslen Construction is installing the siding on wellhouse #2, electric work remains. The well is in operation. A valve exerciser machine and de-chlorinator has been ordered. Quarterly meter reading was completed. The city is utilizing 75% spring water.

Wastewater – Larson reported the plant is running very good. The generator was repaired, 322 John Deere was repaired, and they continue cleaning manholes and jet rodding. KHC has not returned to resolve final issues.

A meeting was held with the DENR, Banner engineers and the city, concluding the sludge from the unused sludge lagoon would be removed prior to closure.

A motion was made and seconded to approve the second reading of Ordinance 758, Wastewater Rate Ordinance. Motion carried by roll call vote 6-0.

A motion was made and seconded to approve Resolution 9-14-09A, Resolution giving approval to certain wastewater treatment improvements; giving approval to the issuance and sale of a revenue bond to finance, directly or indirectly, the improvements to the facilities; approving the form of the loan agreement and the revenue bond and pledging project revenues and collateral to secure the payment of the revenue bond; and creating special accounts for the administration of funds for operation of the system and retirement of the revenue bond. Motion carried 6-0.

A motion was made and seconded to approve the first reading of Ordinance No. 760, Ordinance giving approval to certain sewer facilities improvements; giving approval to the issuance and sale of a revenue bond to finance, directly or indirectly, the improvements to the facilities; approving the form of the loan agreement and the revenue bond and pledging project revenues and collateral to secure the payment of the revenue bond; and creating special funds and accounts for the administration of funds for operation of the system and retirement of the revenue bond and providing for a segregated special charge or surcharge for the payment of the bonds. Motion carried by roll call vote 6-0.

Rubble Site – A new office building will be moved on site.

Park & Cemetery – One seasonal employee remains, working on general maintenance. Several grave markers are being repaired.

The Council discussed the possibility of purchasing a city campground. The general consensus of the Council was favorable and a motion was made and seconded to authorize the Mayor to explore and negotiate the purchase of a campground. Motion carried 6-0.

Streets – Hoeke stated catch basins have been jet-vac and cleaned, parking lines and crosswalks were repainted on Main Street and hot mix patching continues. Stop signs have been installed at the intersection of Tenth Avenue and Washington Drive.

Second Street Project – All pipe work is complete and the first lift of asphalt has been installed. The second lift on Second and First Streets will be done next year. Asphalt and seeding remain on Fifth Avenue. Sidewalks, driveways and radius should be completed the end of the month.

Ninth Street Project – all underground piping is complete. Curb and gutter installation was started and will be completed the end of the month along with the radiuses, sidewalks and intersections. Installation of base material was started.

Finance – A motion was made and seconded to approve the August Treasurer's report. Motion carried 6-0.

A motion was made and seconded to approve the bills list in the amount of \$527,780.06. Motion carried 6-0.

A motion was made and seconded to approve the second reading of Ordinance 757, 2010 Appropriations Ordinance as amended. Motion carried by roll call vote, 6-0.

Kettwig explained an error in calculating base rates for the NESDCAP apartments was discovered. They have requested a refund back to 2005. Following discussion, a motion was made and seconded to direct the City Attorney to contact them stating a credit will be issued on their utility bills. Motion carried 6-0.

A temporary replacement for City Administrator Kettwig, while gone on military leave, was discussed. Tim Kwasniewski has indicated interest in the temporary position. A motion was made and seconded authorizing the Mayor to negotiate an employment agreement and present it at the next meeting. Motion carried 6-0.

August Salaries: Finance \$10,247; Rubble Site \$706; Mayor/Council \$1,600; P&Z \$150; Parks \$3,572; Police \$17,241; Street \$10,141; Wastewater \$12,292; Water \$6,511.

Attorney – No report.

Police – Officers Hooth and Leusink attended training classes. Officer Bray continues certification classes. A night shoot training session was held. Two shotguns were purchased for the patrol cars. New uniform jackets were purchased. The purchase of future patrol vehicles was discussed.

Fire – Mach reported the Corona Fire Department purchased the float-a-pump. The Casselton parade was a success, 181 units participated. The department will be working with the schools during Fire Prevention Week.

Airport – Construction has started on the apron reconstruction project.

Planning & Zoning – Foster reported a variance requested by Matthew Wellnitz, 208 N Main Street, for the construction of an accessory structure exceeding allowable size regulations, was approved.

A variance requested by Mike and Brenda Nies, 811 E 4<sup>th</sup> Avenue, for the construction of a sign exceeding allowable size for a home based business, was denied.

A public hearing was held concerning the management of the floodplain in Milbank. The Commission recommends the approval by the Council. A motion was made and seconded to approve the first reading of Ordinance 759 – Flood Damage Prevention Regulations. Motion carried by roll call vote 6-0.

June building permits: David and Lisa Schell- 705 S Viola St-storage shed. Duane Amberg-107 Randall Dr-house addn. Alvin Seehafer-906 S Main St-house addn. Michael Trapp-809 S 4<sup>th</sup> St-house and garage addn. Fence permits: Roger Siem-306 Highland Dr. Demolition permits: none. Moving permits: none.

A motion was made and seconded to go into Executive Session for legal reasons. Motion carried 6-0. The Mayor called the meeting out of Executive Session.

Adjourn – The next regular meeting will be October 12, 2009, 7:00 pm. A motion was made and seconded to adjourn at 8:24 pm. Motion carried 6-0.

\_\_\_\_\_  
Dale Aesoph, Mayor

ATTEST

\_\_\_\_\_  
Cynthia Schumacher, Finance Officer

Submitted: 9-17-09

Publish: 9-23-09

Publish once at the approximate cost of \$ \_\_\_\_\_.

CITY OF MILBANK  
CLAIM REGISTER  
September 14, 2009

American Family Ins	insurance	\$	643.44
American Test Center	inspection	\$	555.00
Ameripride & Linen	rugs/coveralls	\$	290.46
Ash, Craig	retainer fee	\$	650.00
Banner Associates, Inc.	engineering	\$	76,866.42
Berkner Exc. & Gravel	repair projects	\$	2,576.86
Berry, Gary	refund	\$	81.10
Bituminous Paving, Inc.	asphalt	\$	33,951.65
Bray, Theodore	travel expense	\$	88.83
City of Milbank	deposit refund	\$	300.00
Climate Systems	preventative maint	\$	1,606.00
D & S Firearms	guns	\$	506.00
Dakota Supply Group	supplies/parts	\$	3,976.67
Dallas I. Hanson Const.	airport improvements	\$	13,927.50
Diamond Vogel Paints	traffic paint	\$	123.90
Display Sales, Inc.	supplies	\$	300.00
Engineering America, Inc.	parts	\$	868.51
F.J. McLaughlin Co.	cold mix	\$	359.66
Fire Safety	supplies	\$	655.00
First Bank & Trust	bond payment	\$	10,671.67
Food-N-Fuel	gas/supplies	\$	118.74
FSH Communications	phone service	\$	60.00
Grant County Auditor	services	\$	1,000.00
Grant County Review	publications	\$	317.50
Grass Pros	mowing contract	\$	9,361.12
Haag, Donna	pickup strays	\$	309.60
Hach Company	supplies	\$	304.22
Hardware Hank	supplies	\$	159.98
Hasslen Construction	pump house project	\$	15,750.00
Hawkins, Inc.	chemicals	\$	4,782.30
HD Supply Waterworks	parts/supplies	\$	945.36
Hedahls Auto Parts	parts	\$	86.30
Heiman Fire	parts	\$	1,716.43
Helms Engineering	engineering	\$	10,753.82
Hero 247	uniforms	\$	340.50
Interstate Power Systems	repair generator	\$	7,850.00
ITC	telephone	\$	459.82
Krech Dakota Airspray	FBO Contract	\$	1,200.00
Leusink, Mark	refund	\$	69.00
Liebe Drug	supplies	\$	17.21
Malloy Electric	repairs	\$	6,070.94
Maunu, Tony	training	\$	50.00
Meyer, Scott	refund	\$	83.50
Midland Publishing & Printing	supplies	\$	55.00
Midwest Engine Warehouse	freight	\$	9.22
Milbank Communications	labor	\$	180.00
Milbank Glass & More	repairs	\$	214.00
Milbank Lumber	supplies	\$	49.87
Milbank Winwater	parts	\$	4.85
Mill Transfer Co.	transport supplies	\$	741.02

Mill-Valley Industries	misc. weld	\$	144.53
New York Life Ins	insurance	\$	20.00
Norm's Auto & Truck Repair	vehicle maint.	\$	595.82
NW Energy	natural gas	\$	46.92
Old Republic Surety Co.	insurance	\$	285.00
One Call Systems, Inc.	one calls	\$	66.15
Otter Tail Power	electric	\$	11,177.86
Peter's Gravel	base material	\$	42,702.74
Petty Cash	supplies/postage	\$	32.42
Poppen, Richard	refund	\$	55.00
Praxair Distribution Inc.	air system	\$	10.77
Professional Mailing	postage	\$	200.00
Quick Pro Lube	vehicle maint.	\$	33.07
Radio Shack	supplies	\$	30.63
RC Technologies	services	\$	39.95
Roger's Electric Motor	parts	\$	201.20
Ronglien Excavating, Inc.	Second St/Ninth St/Airport projects	\$	193,694.75
Runnings	supplies	\$	522.19
Rural Development	bond payment	\$	14,156.00
Sanitation Products, Inc.	parts	\$	177.00
Schumacher, Cynthia	supplies/refund	\$	114.27
Schuneman Equipment	parts	\$	146.29
SD Dept of Revenue	taxes	\$	82.58
SD Dept of Revenue	testing	\$	187.00
Seehafer Do It Best	supplies	\$	335.94
Share Corp	supplies	\$	974.57
Siemens Water Technologies	parts	\$	1,838.33
Star Laundry & Cleaners	rugs	\$	23.26
State Radio Communications	teletype service	\$	900.00
Sturdevants Auto Parts	parts	\$	189.25
Sweeney Controls Co.	parts/repairs	\$	1,135.87
Tetra Tech, Inc.	testing	\$	98.70
Thiele, Darin	refund	\$	121.08
Tietjen, Larry	refund	\$	47.20
Twin Valley Tire	tires/service	\$	74.23
Tyler Computer Service	supplies/repairs	\$	82.81
Universal, Inc.	supplies	\$	100.33
Unzen Motors	vehicle repr	\$	342.84
UPI	gas	\$	2,257.15
Valley Office Products	supplies	\$	225.09
VanDiest Supply Co.	chemicals	\$	3,063.50
VanHoorn, Ron	refund	\$	101.54
Version	cell phone	\$	206.51
Whetstone Valley Electric	electric	\$	849.57
Xerox	copier lease	\$	313.86
Zee Medical Service	supplies	\$	363.40
Zems, Inc.	repairs	\$	1,353.92
<b>Total</b>		<b>\$</b>	<b>491,780.06</b>