

MILBANK CITY COUNCIL PROCEEDINGS  
June 8, 2020

PURSUANT TO DUE CALL AND NOTICE THEREOF, a regular meeting of the City Council was duly held at City Hall at 7:00 PM. The following members were present: Mayor Pat Raffety, Councilmen Steve Wiener, Mike Hanson, Joel Foster and Scott Hoeke. Absent: James Johnson. Present from the staff: Attorney Mark Reedstrom, John Forman, Boyd VanVooren, Cynthia Schumacher, Kevin Schuelke, Dick Poppen, Scott Meyer and Ron Krause. Public present: Bobbie Bohlen, Laurie Folk, Holli Seehafer, Josh Karels, Renee Osborne and Kathy Ward.

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

Mayor Raffety read the Proclamation proclaiming June 21, 2020 as June Comstock Day.

EXECUTIVE PROCLAMTION  
CITY OF MILBANK  
OFFICE OF THE MAYOR

Whereas, South Dakota was founded with hard work, perseverance, sharing and love of family; and

Whereas, June Comstock was born on June 21, 1920 in Howard, SD; and

Whereas, June met Frances "Fran" Comstock, and the two were united in marriage in 1942; and,

Whereas, June and Fran were blessed with four children; and

Whereas, the Comstock family moved to Milbank, SD in the early 1950's; and

Whereas, June will be remembered for her love of sewing, and making Christmas ornaments for grandkids and others; and

Whereas, it is fitting and proper as Mayor to recognize the contribution and tenure of this fine individual, who is celebrating their 100<sup>th</sup> birthday on June 21, 2020;

Now Therefore, I, Pat Raffety, Mayor of the City of Milbank, South Dakota, do hereby proclaim June 21, 2020 as

## JUNE COMSTOCK DAY

In Milbank, and I join her family and friends in wishing her a fulfilling and happy 100<sup>th</sup> birthday.

In Witness Whereof, I hereunto set my hand.

Pat Raffety, Mayor

Attest: Cynthia Schumacher, Finance Officer

### Public Comments -

Bobbie Bohlen, GCED discussed an expansion to the Milbank Industrial Park. Bohlen stated an expansion is needed however the \$3 million estimate does not make it cost effective. She stated fortunately EDA funds and DOT funds have been made available. It is the desire of GCED to apply for these funds through grant applications. The proposed expansion would add 47 acres, 38 buildable lots and connect Hwy 12 to 12<sup>th</sup> Avenue.

Bohlen asked the Council to consider a commitment of \$400,000 to the project, a split over the 2021 and 2022 budgets. She stated without the grant funds, the expansion would not happen and no funds would be necessary from the city.

Minutes – A motion was made and seconded to approve the minutes of the May 11, 2020 meeting. Motion carried 4-0.

Consent Agenda - A motion was made and seconded to approve the Consent Agenda. Motion carried 4-0.

### Consent Agenda

1. Approve bid for 2014 Ford Utility Police Interceptor: Kay O'Farrell-\$2,520.  
Other bid: Yousef Dabbagh-\$1,868.
2. Approve amendment to Kelly Kutter's ground maintenance contract to include 1.5 acres at Lake Farley, \$750/mo.
3. Authorize the Mayor and City Attorney to sign the CARES Act Airport Grant Agreement.  
(Grant No. 3-46-0034-017-2020)

### DEPARTMENT REPORTS

Water – Administrator Forman reviewed the 10-year perpetual maintenance contract proposed by Maguire Iron, Inc. for the water storage tanks. Council discussed the cost and concerns of the contract. No action was taken.

Street – Councilman Hoeke read the monthly report.

Resolution 6-8-20A was discussed. A motion was made and seconded to amend Resolution 5-11-20 to Resolution 6-8-20A. Motion carried. A motion was made to approve Resolution 6-8-20A. Motion failed for lack of second.

Administrator Forman explained the lease is up on the current JD tractor. A new lease was discussed. A motion was made and seconded to approve the new lease as presented; three-year lease, \$9,742.90/annual. Motion carried 4-0.

A plan for street traffic and sidewalk installation in the area of the new school was reviewed. Fifth Avenue was proposed to be west bound one-way traffic. Summit Street was proposed to be east bound one-way traffic. Sidewalk installation was recommended on the north side of Seventh Avenue between Viola Street and Ninth Street and the west side of Ninth Street from Seventh Avenue to Summit Avenue. A motion was made and seconded to direct Administrator Forman to move forward and have the sidewalks installed. Motion carried 4-0.

Rubble Site – The monthly report was read. Access issues, to the rubble site were discussed. No action was taken.

Baseball Complex – No report.

Finance – A motion was made and seconded to approve the May Treasurer's Report. Motion carried by vote, 4-0.

A motion was made and seconded to approve the bills list, \$192,287.82. Motion carried 4-0.

A motion was made and seconded to approve the malt beverage & SD wine license application for: Comes Investments DBA Pizza Hut. Motion carried 4-0.

No action was taken on the License Transfer from Scott & Pamela Jackson, Midtown Liquors to DCDS LLC, DBA Cocktails & Corks. Mayor Raffety stated, with Councilman Hoeke abstaining from the vote, there was not enough Councilmembers to vote on the application.

Mayor Raffety called a special meeting to be held June 10, 2020 to take action on the public hearing.

A discussion to re-open the Visitor Center was held. A motion was made and seconded to reopen the building for normal business, Wednesday June 10, 2020, but to leave the Community Room closed to discourage large community gatherings. Motion carried 4-0.

May Salaries: Mayor/Council \$1,400; Finance \$14,990; Police \$25,963; Fire \$1,627; Street \$9,985; Rubble Site \$835; Park \$8,178; Water \$4,713; Wastewater \$12,212.

Planning & Zoning – A variance for a second detached accessory structure requested by Ted Bray, 305 Lakeview Dr, was approved.

Upon recommendation of the P&Z commission, a motion was made and seconded to approve Resolution 6-8-20. Motion carried 4-0.

Resolution 6-8-20  
Resolution to Vacate Public Property

Whereas, the City Council, City of Milbank, Grant County, South Dakota, has authorized the City Administrator to give notice by publication pursuant to SDCL 9-45-08, of intent to vacate a public utility easement in the City of Milbank and appointed the Milbank Planning & Zoning Commission to conduct a public hearing and investigation. Notice of said public hearing was given in the Grant County Review on May 20, 2020 and May 27, 2020.

Whereas, the Planning Zoning Commission did investigate and held a public hearing on June 1, 2020 hearing the testimony and evidence of the attending public. A motion was made and approved during the Planning & Zoning meeting to recommend the vacation of the public utility easement described as running between Charles Avenue and Fourth Avenue in Block 4, The public alley right-of-way was previously vacated. The property is identified as Flynn's Addition, Lots 1-5, Block 4 and Lot 1A in Block 3 of Leo P. Flynn's Third, City of Milbank, Grant County, South Dakota.

Therefore, Be It Resolved that the City Council of the City of Milbank does hereby grant the vacation of the above described utility easement.

This Resolution is adopted this 8<sup>th</sup> day of June, 2020.

Aye: 4      Nay: 0      Absent: James Johnson

Pat Raffety, Mayor

ATTEST:  
Cynthia Schumacher, Finance Officer

April Permits:

Building Permits: Boyd VanVooren-1214 S 2<sup>nd</sup> St-accessory structure. Brian Ninneman-1011 S Viola St-accessory structure. Kyle Schwandt-703 S 7th St-garage addition. Milbank Homes-801 E Milbank Ave-residential addition. Melanie Reiners-508 E 9<sup>th</sup> Ave-accessory structure. Cindy Gerdes-304 W 7<sup>th</sup> Ave-deck.

Demolition Permits: none.

Sign Permits: none.

Roofing Permits: Steve Wiener-1515 Elmwood Ave-asphalt. Raymond Will-607 S Viola St-asphalt.

Fence Permits: Michael Waldner-807 S 5th St. David VanHout-703 S 3<sup>rd</sup> St. Nicholas Olson-127 E Diggs Ave

Special Event Permits: None.

Fire – Chief Schuelke gave the monthly report.

Unity Square – An update on the repairs and improvements was given.

Attorney – The lack of progress with the clean up at 600 W Milbank Ave was discussed. Attorney Mark Reedstrom was directed to pursue action to abate the public nuisance.

Airport – The Council reviewed the proposal for a new fuel terminal at the airport. Forman explained there have been several issues with the existing fuel terminal and the software is obsolete. The replacement estimate is \$15-16,000. A motion was made and seconded to purchase the new fuel terminal. Motion carried 4-0.

Wastewater – Councilman Foster gave the monthly report.

Park – The monthly report was read. The Council discussed opening and use of city parks and campground. A motion was made and seconded to open the parks and campground. With construction plans uncertain, no long-term camping reservation will be accepted. Motion carried 4-0.

A motion was made and seconded to approve the permit requested by It Only Takes a Spark for a luminary drive-through at Lake Farley, July 24, 2020. Motion carried 4-0.

A motion was made and seconded to approve the permit requested by the Milbank Area Chamber of Commerce for a Lake Farley fireworks display, July 4, 2020. Motion carried 4-0.

A motion was made and seconded to approve the permit requested by the Milbank Area Chamber of Commerce for Farley Fest (revised), July 31-August 1, 2020. The event will include art vendors, food vendors, parade, and music concert. Motion carried 4-0.

A motion was made and seconded to approve the permit requested by the Milbank Area Hospital for the annual Race for Hope run, August 1, 2020. Motion carried 4-0.

A motion was made and seconded to approve the Mayors appointments to the Park & Recreation Board: 2-year term – Heide Wellnitz, Keith Weber, Steve Wenzl. 3-year term – Eval Marroquin, Brian Pauli, Jody Bear. 4-year term – Rondi Scholar, Brian Sandvig, Matt Wilson. Motion carried 4-0.

Police – The monthly report was given.

Executive Session – A motion was made and seconded to go into Executive Session pursuant to SDCL 1-25-2(3). Motion carried 4-0. The Mayor called the Council out of Executive Session.

Adjourn – A special council meeting was scheduled for Wednesday, June 10, 2020 at 5:00 PM. The next regular meeting will be July 13, 2020, at 7:00 PM. A motion was made and seconded to adjourn. Motion carried 4-0.

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Pat Raffety, Mayor

ATTEST

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Cynthia Schumacher, Finance Officer

Publish: 6-24-20

Publish at an approximate cost of: \$ \_\_\_\_\_

CLAIMS		6/8/2020
Al's Body Shop	supplies	\$ 54.00
American Engineering Testing	testing	\$ 322.60
Anderson Chemical Co	sanitizer/dispensers	\$ 2,398.82
Apex Ironworks	parts	\$ 308.19
AT&T Mobility	cell phone	\$ 396.86
Auto Value Parts Store	parts	\$ 4.57
Banner Associates, Inc.	engineering	\$ 31,666.12
Berkner Excavating & Gravel	repairs/screened dirt	\$ 2,491.46
Biggs, Hope	deposit refund	\$ 60.10
CHS	gas	\$ 1,446.04
City of Milbank	deposit to final bills	\$ 51.86
Climate Control Inc.	dust control	\$ 6,048.60
Corporate Technologies	service agree/equipment/software	\$ 6,029.00
Creative Product Sourcing, Inc.	DARE supplies	\$ 447.59
Dakota Fence Co.	parts	\$ 49.89
Deere Credit Inc.	lease	\$ 9,455.61
Eastside Car Wash	truck wash usage/rental	\$ 159.34
Energy Laboratories, Inc.	testing	\$ 2,346.00
First Bank & Trust	supplies/fees/equipment	\$ 1,188.15
Food-N-Fuel	gas	\$ 84.71
Forman, John	supplies	\$ 138.10
Gesswein Motors	vehicle service	\$ 33.42
Grant County Auditor	services	\$ 2,525.00
Grant County Review	publications	\$ 363.45
Hartman's Family Foods	supplies	\$ 31.57
Heiman Fire Equipment	repairs/boots	\$ 1,994.95

Helms & Associates	engineering	\$ 1,016.25
Hillyard-Sioux Falls	supplies	\$ 637.84
ITC	telephone/internet service	\$ 978.50
J&J Earthworks Inc.	Main Street Project	\$ 68,230.18
John Deere Financial	parts	\$ 92.68
Kelly Kutters LLC	mowing contract	\$ 13,216.67
Lacal Equipment Inc.	parts	\$ 286.17
Lewis Drug Stores	supplies	\$ 54.34
Maguire Iron Inc.	tank inspection	\$ 4,200.00
Michael Todd & Co.	parts/brooms	\$ 1,893.88
Milbank Ford -Mercury	vehicle repairs	\$ 302.96
Milbank Glass & More	supplies	\$ 120.00
Milbank Winwater	parts	\$ 2,000.05
NAPA Auto Parts	parts/supplies	\$ 146.18
NW Energy	natural gas	\$ 299.26
Otter Tail Power Co.	electric	\$ 15,244.17
Praxair Distribution Inc.	service air system	\$ 26.25
RC Technologies Inc.	services	\$ 45.95
Roger's Electric Motor	repairs	\$ 93.90
Running's Supply, Inc.	parts/supplies	\$ 805.75
Schnell, Dean	deposit refund	\$ 88.04
SD DENR	water permit	\$ 1,450.00
SD Dept of Revenue & Regulation	sales tax	\$ 464.73
SD One Call	one calls	\$ 73.50
Seehafer Hardware	supplies	\$ 52.97
Share Corp	supplies	\$ 312.46
Star Laundry & Cleaners	rugs	\$ 103.73
Sturdevants Auto	parts	\$ 203.35
Twin Valley Tire	tires/tire service	\$ 297.20
UPI	gas	\$ 1,890.59
US Postal Service	postage	\$ 360.00
Valley Rental & Recycling	recycling agreement	\$ 650.00
Vessco, Inc.	parts	\$ 756.14
Western Consolidated Coop	chemicals	\$ 321.03
Whetstone Home Center Inc.	lumber/supplies	\$ 3,057.68
Whetstone Valley Electric	electric	\$ 938.42
Wilbur Ellis	FBO Contract	\$ 1,200.00
Xerox	copier lease	\$ 231.80
Zee Medical Services	supplies	\$ 49.20
		\$ 192,287.82