

MILBANK CITY COUNCIL PROCEEDINGS  
November 14, 2022

PURSUANT TO DUE CALL AND NOTICE THEREOF, a regular meeting of the City Council was duly held at City Hall at 7:00 PM, November 14, 2022. The following members were present: Mayor Pat Raffety, Councilmembers Roger Briggs, Mike Hanson, Mindy Rogers, Craig Weinberg, and John Weyh. Absent: Josh Karels. Present from the staff: Attorney Mark Reedstrom, John Forman, Cynthia Schumacher, Boyd VanVooren, Scott Meyer, Don Settje, Dick Poppen, and Dan Keyes. Public present: Jacob Ebsen, Linda Moser, Calvin Moser, Dawn Vanderwal, Holli Seehafer, Austin Hunt, Kathy Ward, and Pat Carey.

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

PUBLIC COMMENTS – No public comments were heard at this time.

MINUTES – A motion was made and seconded to approve the minutes from the October 10, and October 24, 2022, meetings. Motion carried 5-0.

PUBLIC HEARINGS

The liquor license renewal applications were reviewed. No questions or concerns were heard. A motion was made and seconded to approve the 2023 liquor license renewals as follows. Motion carried 5-0. Retail (on-sale) Liquor - VFW Post 3486. AA Restaurants LLC, Sly's Steakhouse R2. The Pump 2.0 LLC, Heidi Schell. Habanero's Hispano Restaurant & Bar. Speedway Bar & Grill, Cheri Meagher. Johnny's, Johnson Automotive Inc.

Retail (on-off) Wine & Cider - Grandstay Hotel & Suites, 15 Hotel Group Inc.

Package (off-sale) Liquor - Valley Liquor/Moonlite 3D Inc. Cocktails & Corks, DCDS LLC.

CONSENT AGENDA – A motion was made and seconded to amend the consent agenda. Motion carried 5-0.

The engineering agreement with Banner, for the Unity expansion conceptual designs options, \$34,600 was moved to the regular meeting. The contract with 4Most Sport Group, Phase III, \$25,000 was removed and tabled.

A motion was made and seconded to approve the consent agenda as amended. Motion carried 5-0.

Amended Consent Agenda

1. Approve part-time police officer Keil Zinter, effective 10-12-22, \$18.79.
2. Approve a letter in support of the SD DOT's sponsored Sisseton Milbank Railroad (SMRR) Modernization Project.
3. Authorize advertising for Retail (on-off) Wine & Cider license, The Bank
4. Authorize advertising for property assessments.
5. Approve hiring full-time street department employee, Alex Nelson, \$18.65/hr, effective 11/15/22.
6. Approve hiring Maintenance Services Coordinator, Gene Mattice, \$21.02/hr., effective 11/28/22.

## DEPARTMENT REPORTS

Lake Farley – Administrator Forman reported the sod has been placed and a protective, temporary fence was installed.

Park & Cemetery – A permit for the Antique & Vintage Snowmobile Show and Swap, Lake Farley Park, June 1-3, 2023, meet was discussed. Concerns regarding camping were addressed. A motion was made and seconded to approve the permit. The permit will allow camping, outside of the campground, for vendors only. Motion carried 5-0.

The parks have been cleaned and winterized. Several trees were transplanted at Lake Farley. Staff began prepping Hurley Park ice rink.

Unity Health & Fitness – The winter programs are underway, with some new additions. Manager Keys has been researching skate parks and obtaining estimates for the waterpark installation.

The Engineering Agreement with Banner, for Unity expansion conceptual design options was discussed at length. Councilmember Rogers stated the committee has received some design drawings. Mayor Raffety stated he only wants design options within the budget, and revenue projections would be appreciated. Councilman Weinberg stated, without more information, he was not comfortable deciding on the need for the expansion. Councilman Hanson felt Banner had moved forward with preliminary design options in good faith, at the very least should be paid for work done to-date. Bond funds have been committed to the expansion. Hanson recommended the conceptual drawings be completed, gather information on the need for project, then decide if the project should move forward. The Council may need to re-evaluate the original designation of the bond funds. Councilman Hanson made a motion, seconded by Councilman Briggs to approve the engineering agreement with Banner & Associates to complete the conceptual designs, not to exceed \$34,600. Motion carried 3-2. Aye: Councilmen Briggs, Hanson, Weyh. Nay: Councilmembers Rogers and Weinberg.

Fire – Councilman Weyh reported members attended the Grant-Roberts Ambulance first responder training class. A radio training class was conducted, covering radio usage, dispatch centers and tower locations.

Rubble Site – Councilman Weyh reported samples were collected from the two remaining contaminated soil plots to be sent in for testing and submission to the state DENR.

Street – All summer equipment has been cleaned, winterized, and put into storage. The trucks have been serviced and sanders installed. The drainage ditch in Pribyl park was mowed and crushed concrete placed for a parking pad by the playground. The docks at Lake Farley were removed and the campground road was bladed.

No bids were received for snow removal. J&J Earthworks Inc. has since submitted a quote for snow removal and a motion was made and seconded to approve the quote submitted by J&J Earthworks, Inc. Motion carried 5-0.

Airport – A motion was made and seconded to approve the farmland lease with Tim Zubke, \$169/acre, 40.55 acres. Motion carried 5-0.

Finance – A motion was made and seconded to approve the October Treasurer’s report. Motion carried 5-0.

A motion was made and seconded to approve the bills list, \$1,038,413.90. Motion carried 5-0.

A motion was made and seconded to approve Resolution 11-14-22B Contingency Resolution. Motion carried 5-0.

RESOLUTION 11-14-22B  
CONTINGENCY RESOLUTION

BE IT RESOLVED by the City Council of the City of Milbank, South Dakota that the following sum is transferred from the contingency fund to the following departments to meet the obligations of the city.

Council – Proceedings	101-41100-42310	\$200.00
Police-Gas/Oil	101-42100-42610	\$5,000.00
Airport-Maintenance	101-43500-42500	\$2,300.00
Airport-Capital Assets	101-43500-43000	\$17,200.00
Conservation/Development		
-TIF #3	101-46000-46001	\$67,500.00
Source of Funding – Contingency Fund		
	101-41150-41150	\$92,200.00

Dated this 14<sup>th</sup> day of November 2022.

Aye: 5    Nay: 0    Absent: Josh Karels

This Resolution is effective upon passage.

Pat Raffety, Mayor

ATTEST: Cynthia Schumacher, Finance Officer

Ordinance 845 – 2023 Appropriations was discussed. The Mayor explained several items had been removed. There is approximately \$518,000 in general and second penny funds to be re-allocated. A motion was made and second to table the first reading of Ordinance 845. Motion carried 5-0. The Council Members were asked to meet with their department heads and review the budget and consider what should items need to be back in the budget. The Mayor requested all budget requests be submitted by November 21<sup>st</sup>. The requested items will go back into the budget for consideration.

Mayor Raffety requested a special council meeting on November 28, 2022, at 6:00 pm for the first reading of Ordinance 845.

October salaries: Mayor/Council \$1,600; Finance \$17,568; Police \$29,761; Fire \$1,516; Street \$13,596; Rubble Site \$807; Recreation \$22,947; Park \$15,045; Water \$9,113; Wastewater \$16,795.

Housing – No report.

Water – Councilman Briggs reported the parks have been winterized and fire hydrants checked. There was a major water main break on South Park Drive and several service lines breaks this month. The quote to update the meter reading equipment and software is \$10,874.75. There were twenty-three on the shut-off list. The city is utilizing 41% spring water.

One bid was received for the hay ground lease. A motion was made and seconded to approve the bid submitted by Mark Schuler for \$31.81/acre, 33 acres. Motion carried 5-0.

A request from Arvid Liebe to provide water service to Liebe's First Addition was received. Liebe's Addition is located outside of city limits. Grant-Roberts Rural Water System does not have the capacity to add potentially six more homes without impacting the current residents connected to the 1.5" main. DGR Engineering recommended GRRWS install a paralleling or replace all or a portion of the 1.5" mainline along Highway 12 to service future homes. A motion was made and seconded to approve the request for municipal water service for Liebe's First Addition. The installation would not be at the cost of the city. Motion carried 5-0.

Pat Carey, Banner Associates reviewed the drinking water system facility plan to assist in the preparation for an increase in demand of 200,000 gpd. Carey explained the line capacity into town is available but not the pumping capacity at the wells or the storage facilities in town. The facility plan provides improvements necessary to meet the increased demands with alternatives for improved water quality.

Phase 1 would include the construction of two raw water wells and options to improve water quality. Phase 2 would include the construction of additional water storage facility. Carey reported his estimate to of Phase 1, bringing additional water to town, would be 18-months. This would include the well sites, test pumping, electrical controls and construction of the pump building.

In addition to construction estimates, estimates for water quality alternatives were presented. Funding options are being explored.

Planning & Zoning – A motion was made and seconded to approve Resolution 11-14-22A. Motion carried 5-0.

RESOLUTION 11-14-22A  
RESOLUTION TO APPROVE PLAT

Whereas, Austin Hunt, President, HFH, LLC Owner(s) of the hereinafter described real property has submitted to the governing board a proposed plat of Blocks 1 and 2 of Hunt Addition City of Milbank, Grant County, South Dakota, and the Board of City Council of said City having examined the proposed plat and it appearing that all municipal taxes and special assessments, if any, upon said plat survey, have been executed according to law.

Now Therefore, Be It Resolved, that said plat and survey be and are hereby in all things accepted and approved.

Dated this 14<sup>th</sup> day of November 2022.

Pat Raffety, Mayor

ATTEST: Cynthia Schumacher, Finance Officer

A motion was made and seconded to approve Resolution 11-14-22 Resolution to Vacate public right-of-way. Administrator Forman explained this the road was vacated in 2017. However, the owners then requested to not move forward with the vacation. Resolution 11-14-22 will vacate the right of way and will be recorded in conjunction with a new plat. Motion carried 5-0.

RESOLUTION 11-14-22  
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 street right-of-way in the City of Milbank and appointed the Milbank Planning and Zoning Commission to conduct a public hearing and investigation. Notice of said public hearing was given in the Grant County Review on July 19, 2017, and July 26, 2017.

WHEREAS, the Planning and Zoning Commission did investigate and held a public hearing on August 7, 2017, hearing the testimony and evidence of the attending public. A motion was made and approved during the Planning and Zoning meeting to recommend the vacation of the public street right-of-way described as an unnamed and undeveloped right-of-way in Block 1, Highland Heights Addition, 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 street right-of-way.

This right-of-way vacate is not complete until the described property is replatted and approved by both the City of Milbank Planning & Zoning Commission and the Milbank City Council and filed at the Grant County Register of Deeds office.

This Resolution is adopted this 14<sup>th</sup> day of November 2022.

Aye: 5      Nay: 0      Absent: Josh Karels

Pat Raffety, Mayor

ATTEST: Cynthia Schumacher, City Finance Officer

October Permits:

Building Permits: Jan Scriver -1107 thru 1129 S Madison St - contractors' shops. Neal & Lisa Schmitt – 1101 Washington Dr – deck. Jan Scriver – 903 S Madison St – contractors' shops.

Moving Permits: none.

Sign Permits: Brewster Building Center – 1207 E 4<sup>th</sup> Ave. SLH Holdings/HME Management – 410 E 10<sup>th</sup> Ave.

Roofing Permits: Alan Bohn – 412 S 5<sup>th</sup> St – metal.

Fence Permits: Sara Johnson – 203 S Viola St – chain link. Melissa Davis – 305 W 7<sup>th</sup> Ave – wood. Todd Foye – 308 Highland Dr – chain link.

Special Event Permits: Milbank Area Chamber – treat street – Main Street – 10/31/22. Milbank Area Chamber – lighted parade – Main Street – 12/3/22.

GCDC & Chamber – Councilman Weinberg reviewed the Milbank Chamber holiday events.

Personnel – No report.

Wastewater – The plant and equipment are prepped for winter. Superintendent explained the system is operational however the controls are bad, and parts are becoming obsolete.

Police – A motion was made and seconded to approve the School Resource Officer contract. The contract will be prorated for the remainder of the 2022/2023 school year, \$17,500 and will automatically renew for the 2023/2024 school year, \$35,000. Motion carried 5-0.

A motion was made and seconded to approve the hiring of Adam Leins, non-certified police officer, \$19.95/hour, effective 12-6-22; Justin Isaacson, certified police officer, \$21.93/hour, effective 11-26-22. Motion carried 5-0.

Executive Session – A motion was made and seconded to go into executive session pursuant to SDCL 1-25-2(1). Motion carried 5-0. The Mayor called the council out of executive session. No additional motions were made.

A special council meeting will be held on November 28, 2022, at 6:00 pm, for the first reading of Ordinance 845-2023 Appropriations.

Adjourn – The next regular meeting will be December 12, 2022, at 7:00 PM. A motion was made and seconded to adjourn. Motion carried 5-0.

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Pat Raffety, Mayor

ATTEST

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Cynthia Schumacher, Finance Officer

Publish: 11/30/22

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

#### CLAIMS

11/14/2022

4Most Sports Group	baseball field-phase 2	\$	30,000.00
Advanced Technologies Inc	shipping/envelopes	\$	558.25
Amazon	supplies/parts	\$	572.06
American Engineering Testing	testing	\$	554.85

Ammann, Kimberly	overpayment	\$	40.00
Apple Store	timer	\$	10.64
Associated Supply Company	parts/chemicals	\$	1,759.77
Auto Value Parts Store	supplies/parts	\$	75.48
AT&T	cell phone	\$	471.25
AutoMaxx CDJR Inc	vehicle repair	\$	1,876.45
Avera Medical Group	flu shots	\$	1,232.00
Banner Associates, Inc.	engineering	\$	26,548.70
Beacon Athletics LLC	foul poles/tarp	\$	16,914.00
BIB	background checks	\$	14.42
Bituminous Paving	finest	\$	594.96
Blauert, Brandy	Clothing allowance	\$	100.00
Blue Valley Public Safety	repair sirens	\$	3,720.00
BP Station	gas	\$	66.00
BSN Sports Inc	pitching machine/supplies	\$	1,415.59
Card Pointe	card fees	\$	319.30
Central Wisconsin Sod & Landscaping	sod	\$	33,833.00
CHS	gas/oil	\$	3,491.40
Climate Systems	hvac system repairs	\$	2,231.47
Cole Papers	building supplies	\$	2,057.36
Companion Life Ins.	admin fee	\$	10.00
Conzet, Dustin	overpayment	\$	38.78
Corner Pantry	gas	\$	40.01
Corporate Technology	service agreement/maintenance	\$	1,352.00
Crimestar USA LLC	system support	\$	350.00
Daktronics	repair sign	\$	1,215.00
DeBoer, Jamie	travel expense	\$	39.16
Dewey's Lawn Care	repair irrigation	\$	180.58
Dezurik Inc.	parts	\$	992.00
Dilts, Jody	sponsorship sales	\$	150.00
Duraedge Products Inc.	infield mix/red warn track	\$	98,442.50
Eastside Car Wash	rental fee/car wash	\$	117.94
Exon Station	gas	\$	37.15
Facebook	Unity ads	\$	16.00
FACe-Propay	transaction fees	\$	25.93
Ferguson Waterworks	meters	\$	1,987.32
Folk, Jake	Clothing allowance	\$	100.00
Food-N-Fuel	gas	\$	309.84
Gall's LLC	uniforms	\$	53.39
Google/YouTube	registration	\$	10.21
Grant County Auditor	county services	\$	1,000.00

Grant County Review	publications	\$	1,508.16
Hach Company	testing supplies	\$	1,278.79
Halvorson Oil	gas	\$	75.00
Hawkins	chemicals	\$	8,386.23
Heiman Fire Equipment	parts	\$	70.04
International Assoc of Police Chiefs	membership	\$	349.00
Interstate Power Systems Inc	repair generator	\$	5,572.98
I power	security cert.	\$	42.59
ITC	telephone/internet service	\$	1,415.35
J&J Earthworks Inc	street/park projects/base	\$	181,947.02
John Deere Financial	parts	\$	1,616.71
Johnson Fitness & Wellness	equipment	\$	478.53
Siteone Landscape Supply	parts/fertilizer	\$	1,916.91
Kelley Kutters	mowing contract	\$	16,784.78
Keyes, Dan	travel expense	\$	68.00
Krause, Ron	supplies	\$	31.63
Landscape Structures Inc.	Pribyl park/splash pad systems	\$	413,560.18
Les Mills United States Trading	virtual bundle	\$	598.00
Lewis Drug	supplies	\$	33.90
Linde Gas & Equipment	service air system	\$	48.36
Maass Agronomy	sludge application-testing	\$	217.88
Mertz Fencing	install fence	\$	2,805.00
Meyer, Scott	Clothing allowance	\$	100.00
Milbank Fire Department	training expense	\$	18,000.00
Milbank Glass & More	rent	\$	1,000.00
Milbank Winwater Co.	parts/drainage pipe	\$	197.36
MnB Cleaning Services LLC	cleaning service	\$	6,000.00
NAPA Auto Parts	parts/supplies	\$	989.50
Nation Parts Depot	batteries	\$	58.85
Newman Traffic Signs	traffic signs	\$	184.76
North Central International	parts	\$	83.43
NOVA Fitness Equipment	equipment repairs	\$	1,166.37
Otter Tail Power	electric	\$	20,722.21
Petty Cash	postage	\$	144.86
Pohlen, Cody	travel expense	\$	68.00
Purchase Power	postage	\$	2,000.00
R&A Fields	baseball field irrigation	\$	65,935.47
Ramsey, Ardis & Ralph	cemetery lots	\$	1,400.00
Reedstrom, Mark	retainer fee	\$	1,000.00
Reimche Airspray LLC	FBO Contract	\$	1,200.00
Ricarie Software	applicant stack subscription	\$	99.00
Roger's Electric Motor	supplies/parts	\$	2,037.54
Running's Supply, Inc.	supplies/parts	\$	1,357.44



SD Department of Revenue	sales tax	\$	2,169.35
SD GF&P	entrance fee	\$	20.00
SD Public Health Lab	testing	\$	267.00
SDWWA	membership	\$	20.00
Settje, Donald	Clothing allowance	\$	100.00
Share Corp	supplies	\$	494.12
Sonnel Technologies LLC	sod, equipment	\$	4,311.85
South Dakota 811	one calls	\$	85.05
Spotify	subscription	\$	10.64
Star Laundry & Cleaners	laundry service	\$	277.06
State Game Lodge	travel expense	\$	210.28
Street Graphex Inc.	bench marker	\$	18.50
Sunset Graphics	vehicle decals	\$	246.50
The Original Marketing Group	billing	\$	250.00
The Radar Shop	recertify radar units	\$	192.00
The Valley Shopper	advertising	\$	297.64
T-Mobile	service	\$	10.00
Twin Valley Tire	tire service/tires	\$	5,185.13
UPI	gas	\$	3,983.90
Uprooters Tree Moving	tree moving	\$	3,200.00
US Postal Service	billing expense	\$	440.00
USA Bluebook	supplies	\$	4,178.21
Valley Office Products	supplies	\$	65.76
Valley Rental & Recycling	recycling agreement	\$	650.00
VanVooren, Boyd	Clothing allowance	\$	100.00
Water Environmental Federation	membership	\$	155.00
West Central Communications	radio repairs	\$	1,740.00
Whetstone Home Center	supplies/lumber	\$	501.36
Whetstone Sanitation	garbage service/clean port-pot	\$	407.42
Whetstone Valley Electric	electric/repairs	\$	8,938.44
Wiese Electric	electrical repairs/install heater	\$	173.47
Window Pros	exterior window wash	\$	1,337.00
WM Corporate Services	garbage service	\$	317.47
Xerox Corporation	copier lease	\$	474.35
Zoom Video Communications Inc	subscription	\$	111.81
		\$	1,038,413.90