

MT. VERNON CITY COUNCIL

Council Minutes

January 11, 2021

The regular meeting of the Mt. Vernon City Council was called to order at 7:00 pm by Mayor Weston Frank, with the following council members present: D. Anderson, B. Hohbach, C. Powell, D. Renken, D. London and D. Maltzberger. Also present: Maint. Officer G. Deinert, and Fin. Officer L. Mayclin. Present for public participation were Lori Kluth, David Kluth, Mike Kluth, Lyle Bode, and Matt Geidel, all with the Mt. Vernon Fire Department. Alan Birmeier and Jamie Birmeier of L&L Sanitation were there. Jennifer Booth was also there with some general questions for council. Pledge of Allegiance was recited to begin the meeting. All motions are unanimously approved unless otherwise stated. Motion by Renken, second by Powell to approve the agenda.

The fire department representatives came to discuss the topic of their possible new facilities. They are currently working with the Legion on a 10-year agreement for land, whereas the selling price will be \$1, and they will complete construction within 10 years. Frank proposed we also give the land to the fire department for \$1, and in return, the city purchases the current fire department buildings for a reasonable amount (\$120,000.) This purchase would take place over 3 years, from 2022 to 2024. The fire department will have to get approval for that amount from their board members, and Anderson will have paperwork drawn up for the sale of the city lots for \$1. The city would allow the fire department to use the current building until the new facility is built and ready for use. The use of the current facility would be free for the fire department until 2025, at which time the city would begin charging rent for the use. The fire department also asked if they could discontinue use of city garbage, since they rarely use it. Council agreed to allow them to use the city dumpster behind the fire department, and no longer charge the organization for the garbage. Alan Birmeier was interested in making sure the city was going to be moving the bidding process up for garbage contract. Jennifer Booth had several questions for council, including procedure for deposit refund, reason for two readings for ordinances, and questions on some ordinances that she did not see on the website. Mayclin looking into the ordinances and is going to simplify the ordinance section on the website.

Motion by Anderson, second by Maltzberger to approve consent items for December: Financial Statement, Council Minutes, General Fund Balances, Credits Report/Bank Statement and Payment of Bills.

BILLS:

| | <u>General</u> | <u>Water</u> | <u>Water Dep.</u> | <u>City Tax</u> | <u>Sewer</u> | <u>Description</u> |
|---------------------|----------------|--------------|-------------------|-----------------|--------------|--------------------|
| Weston Frank | 170.85 | | | | | wages |
| Dan London | 60.03 | | | | | wages |
| David Anderson | 60.03 | | | | | wages |
| Dave Renken | 60.03 | | | | | wages |
| Brett Hohbach | 60.03 | | | | | wages |
| Connor Powell | 60.03 | | | | | wages |
| Darin Maltzberger | 60.03 | | | | | wages |
| Ardis Overweg | 527.10 | | | | | wages |
| Gene Deinert | 3,117.32 | 230.87 | | | | wages |
| Laura Mayclin | 884.12 | | | | | wages |
| MV School | 75.00 | | | | | rent |
| Davison Rural Water | 5,690.75 | | | | | water |
| SD Retirement | 517.72 | | | | | retire |
| Verizon | 57.92 | | | | | util |
| Santel | 229.89 | | | | 45.90 | util |
| Northwestern Energy | 1,312.64 | 210.17 | | 62.59 | 146.40 | util |
| Petrik | 3,420.49 | | | | | garb |
| Forum Comm | 97.13 | | | | | publ |
| Dept of Revenue | 218.78 | | | | | sales tax |
| CorTrust | 1,410.07 | 38.26 | | | | 941 |
| CorTrust Visa | 2,574.93 | | | | | Charges |
| MVG&O | 328.17 | | | | | gas |

| | | | |
|-------------------------|----------|--------|------------------|
| Westy's | 36.00 | | gas |
| SD DENR | | | 6.00 dues |
| SD DENR | | | 450.00 dues |
| Ardis Overweg | 76.74 | | books |
| District III Planning | 814.00 | | dues |
| Morgan Theeler | 646.22 | | legal |
| SD Unemployment Ins | 1.11 | | Unempl |
| Runnings | 125.43 | | supplies |
| Menards | 118.88 | 5.47 | supplies |
| CarQuest | 146.43 | | Repairs |
| M&L Repair | 38.48 | | Repairs |
| Mustang Welding | 195.19 | | Repairs |
| J&W Mktg | 160.00 | | Mgmt |
| Dakota Pump | | | 377.53 Repairs |
| Mitchell Iron & Supply | 73.14 | | Repairs |
| Hoffman Digging & Well | | 330.00 | Repairs |
| Henke Tractor | 452.75 | | Repairs |
| Prairieland Collections | | 10.50 | Collections |
| MV Ec Dev Grp | | | 52.65 Dep Refund |
| Brosz Engineering | 4,187.50 | | Maint |
| Weisser's Heating | 135.20 | | Repairs |

OLD BUSINESS

1. The heater at the Hall was repaired this week, and Hohbach hopes to get the lock installed this week. Frank wants to update the Hall area on the website, so he and Mayclin will be working on that.
2. There are no big changes in Covid-19 cases in the area.
3. Joel (Code Enforcement Officer) is awaiting the approval of ordinance 6.7.13 to allow letters to be sent via first class mail, instead of only allowing certified mail.
4. New signs have been placed at Main Street for No Truck traffic. There was also a recent accident, in which a semi hit one of our street signs at Railroad and Earl. Council is hoping to hear from the driver to get it repaired/replaced.
5. Motion by Renken, second by Hohbach to advertise for garbage bids in March and award the contract in April. Mayclin will bring garbage specs for council to review in February meeting. Council wants to be certain there is a clause for performance guarantees, as the current truck has been leaking oil onto streets.
6. Motion by London, second by Hohbach to approve the long-term street maintenance plan with Brosz Engineering.
7. Motion by Anderson, second by London to approve the 2nd reading of the following amendment to Ordinance 6.7.13. WHEREAS, the City Council of Mt. Vernon, South Dakota deems it necessary to amend the Mt. Vernon Ordinance TITLE VI – OFFENSES, CHAPTER 7 NUISANCES Section entitled Written Order. NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, TO BE AMENDED AS FOLLOWS: A. Contents: An order issued shall: 1.Specify the municipal address or legal description of the property; 2.Give reasonable particulars of the activity or thing the owner or occupant is required to do, or is required to cease doing or change the way in which it is done, in order to remedy the violation; 3.State the time within which the violation is to be remedied, except that in such cases where the officer determines that the nuisance constitutes a health or safety hazard, the notice may require abatement of the nuisance to be immediate; 4.State that it is an offense to fail to comply with the order; 5.State that if compliance with the order is not affected as specified, the city may take the actions or measures specified to remedy the violation at the expense of the owner or occupant, and if such person does not pay the costs, the costs shall be charged against the property concerned as a debt due to the city and recovered as taxes or assessments due and owing in respect to that property; 6.State that if the city remedies the violation, any material being removed to effect compliance with the order can be destroyed or, if in the opinion of the officer,

it has sufficient commercial value, sold and the proceeds used to offset the costs of the removal and sale, and 7.State that an appeal lies from the issuance of the order if an appeal is lodged in writing within fourteen (14) days. B. Construction of Fence: An order under this section may, without limiting the generality of the foregoing, direct that the owner construct a fence, wall, screen or similar structure to prevent unsightly premises from being viewed from any highway or other public place. C. Service Of Order: 1. An order issued pursuant to this chapter must be served on the owner or occupant of the property. 2. Service may be affected by the order being: a. Delivered personally to the person who is intended to be served, b.Left with a person apparently over the age of eighteen (18) years at the dwelling place or place of business of the person who is intended to be served, or c. Sent by first class, registered or certified mail to the last known address of the person who is intended to be served as shown on the assessment roles. 3. If an order is served by mail, the service shall be deemed to have been made on the fifth day after the day of mailing of the order. 4. If, in the opinion of the officer, service under subsection C2 of this section cannot reasonably be effected, the officer may place the order on the front door of the property or in a receptacle for messages, if any, on the property described in the order, or post the order in a conspicuous place on the property, and such delivery or posting of the order shall be deemed to be sufficient service of the notice on the owner as of the day of delivery or posting. D. Extension of Time: The City Council may, in writing, extend the time for compliance with an order issued pursuant to this chapter, provided there is, in the opinion of the City Council, evidence of intent to comply with any such order, and reasonable cause exists to prevent compliance as required in the order. E. Enforcement: Where the owner or occupant of property upon whom an order has been served does not comply with the requirement of such order and fails to appeal as provided for in this chapter or has exhausted his or her right of appeal, the officer shall immediately notify council, who may authorize an City Council, by resolution, to enter the property to carry out any and all work as stated in the order and bring the property into compliance with the requirements of this chapter. A resolution passed by council shall be in effect for six (6) months from the date of passing and authorize the officer to reenter at any time to remedy a recurring condition.

8. Motion by Renken, second by Powell to approve the 2nd reading of Supplemental Appropriations Ordinance as follows: BE IT ORDAINED, by the City of Mt. Vernon, that the following sum is supplementally appropriated to meet the obligations of the municipality: Water Fund: Rural Water Purchase \$11,000.00 Total Appropriations \$11,000.00. Source of Funding: City Water Sold \$11,000.00

NEW BUSINESS

1. Maintenance Officer report: The fence installed at North Cotton is very close to the road and causes issues when moving snow. Hohbach and Deinert will look into the proper placement of the fence. Erickson will be here to remove the trees at north Main Street soon, so that area of Main Street will be blocked off for a bit.
2. Finance Officer report: Mayclin verified the amount of Morgan Theeler bill owed by Otterstrom and Thill. Anderson will follow up with them. Mayclin looking into best way to track accumulated capital funds.
3. The city has received a portion of the CRF payments for Covid relief in the amount \$1,609.42. We are waiting on approval of another \$3,872.40.
4. Motion by Anderson, second by Maltsberger to approve the following salaries for 2021. Gene Deinert – Maintenance Supervisor: \$53,330 annually, Ardis Overweg - Librarian: \$7,410 annually, Laura Mayclin – Finance Officer: \$17.51 per hour, Summer Maintenance Help and Garbage Help \$13.79 per hour, Council Members (Hohbach, Anderson, London, Powell, Maltsberger, and Renken) \$65 per monthly meeting, and Mayor (Frank) \$185.00 per monthly meeting.
5. Anderson and the Economic Development Group are looking into various projects in hopes they will get a grant they have applied for. Project ideas include a biking/walking path, community pool, or community splash pad.
6. Hohbach made a suggestion that we move the date of utility billing back from the 15th of the month to the 20th of the month to make it easier for residents to avoid late charges. Motion by Hohbach, second by Renken for making that change in Ordinance 4.1.13. We will have the second reading of this ordinance at the February meeting.
7. Executive Session for personnel and legal SDCL 1-25-2.1 and 2.3 was called by Frank at 9:35.

Motion by London, second by Maltsberger to adjourn at 10:08 p.m.

Weston Frank
Mayor

Laura Mayclin
Finance Officer

Published once at the approximate cost of _____