

MT. VERNON CITY COUNCIL

Council Minutes

March 8, 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: B. Hohbach, D. Anderson, C. Powell, D. Renken, D. London and D. Maltsberger. Also present: Maint. Officer G. Deinert, and Fin. Officer L. Mayclin. Present for public participation Alan Birmeier and Jamie Birmeier of L&L Sanitation, Chelsea Hohbach, Randall and Tracy Bork, Ernie Bork, Kevin Deinert, Mike Deinert (representing Salem Lutheran Church,) and Jeffrey McGhee, Jr.

Pledge of Allegiance was recited to begin the meeting. All motions are unanimously approved unless otherwise stated. Motion by Anderson, second by Renken to approve the agenda.

Alan and Jamie Birmeier attended the meeting with interest in the garbage bidding process. The city will be advertising for bids this month and opening bids at the April council meeting. L&L Sanitation plans to submit a bid for garbage service and asked for an updated spec sheet for bids.

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

BILLS:

| | <u>General</u> | <u>Water</u> | <u>Water</u> <u>Deposits</u> | <u>City Tax</u> | <u>Sewer</u> | <u>Sewer</u> <u>Surcharge</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 Maltsberger | 60.03 | | | | | | wages |
| Ardis Overweg | 543.76 | | | | | | wages |
| Gene Deinert | 3,213.34 | 230.87 | | | | | wages |
| Laura Mayclin | 839.93 | | | | | | wages |
| MV School | 75.00 | | | | | | rent |
| Davison Rural Water | | 6,520.00 | | | | | water |
| SD Retirement | 533.30 | | | | | | retire |
| Verizon | 57.99 | | | | | | util |
| Santel | 231.56 | | | | | 45.90 | util |
| Northwestern Energy | 1,429.66 | 301.23 | | 49.79 | 167.37 | | util |
| Davison Co Sheriff | 1,800.00 | | | | | | fees |
| Forum Communication | 94.86 | | | | | | publ |
| SD State Treasurer (DOR) | 205.67 | | | | | | sales tax |
| SD Dept of Health | | 15.00 | | | | | Lab Fees |
| CorTrust | 1,502.00 | 38.26 | | | | | 941 |
| CorTrust Visa | 434.96 | | | | | | supplies |
| US Bank | | | | | | 16,346.28 | Project |
| CorTrust | 5.00 | | | | | | Rental |
| Menards | 67.96 | 48.78 | | | | | supplies |
| Westy's | 86.42 | | | | | | gas |
| MVG&O | 215.05 | | | | | | gas |
| Morgan Theeler | 157.56 | | | | | | Legal |
| Ardis Overweg | 387.33 | | | | | | books |

| | | | |
|-----------------|----------|--------|---------|
| CarQuest | 178.68 | | Repairs |
| Runnings | 48.28 | | Repairs |
| Dakota Pump | | 780.00 | Maint |
| SD Assoc Towns | 280.50 | | Dues |
| J&W Marketing | 170.00 | | Mgmt |
| MV Fire Dept | 1,450.00 | | Grant |
| Mandy Kobernusz | | 39.34 | Refund |
| Kip Gearey | | 18.03 | Refund |
| Derek Devries | 40.00 | | Maint |
| Dan London | 180.00 | | Maint |

OLD BUSINESS

1. Frank has obtained a cleaning service for The Hall, and they will be starting soon.
2. Covid-19 cases continue to drop in the area.
3. The Code Enforcement Officer recently sent out notices to those residents in violation. All violations are documented well, and photographed, to make enforcement as easy as possible. Code Enforcement usually slows down some during the winter months and picks up again in the spring. This year should follow that general rule. Council also decided the best way for Code Enforcement to communicate with the city is through sending updates to the Finance Officer, who will forward the information on to council members.
4. There are no updates on the Main Street Project.
5. C. Hohbach, R. Bork, T. Bork, E. Bork, K. Deinert, and M. Deinert were all in attendance to oppose an exemption for Ordinance 6.8.2 for McGhee to be allowed more than two vehicles for sale on his property. The residents were concerned about the amount of noise, traffic blocking the streets and driveways, and junk on the property. They were also concerned that McGhee was currently advertising to purchase scrap vehicles. After reading the minutes in the last meeting, many residents, some not in attendance, were concerned that McGhee was not living up to what he had stated at that meeting. Council is also concerned about the lack of compliance, especially given his statements at the February meeting. Code Enforcement has already sent a letter of violations. McGhee says he plans to have a dealership, not a scrap yard, but at the time he moved here, he already had these items. Council reminded McGhee that he had told them he would have all the parts in his shed, but there is a lot of photographic evidence to the contrary. Inoperable vehicles and parts of vehicles are all over the property and the streets surrounding it. Council has received several complaints of noise and racing engines, even very late at night, with one resident submitting a video of same occurring at 11:00 p.m.. Council expressed concern over the noise. Council mentioned the scrapping of vehicles on the property, which McGhee had indicated in February was not going to happen. The blocking of the street was noted several times. Council noted that his actions are violating the rights of others in the area, by blocking the road/driveways, causing loud noise, etc. Council also expressed concern about the safety of children and others walking in the area, with all the extra traffic, and parked vehicles, which block the view of drivers. Residents in attendance had time to express their various concerns and inquired about zoning. Council responded that the subject of zoning was on the agenda many times, and council received complaints from residents who said they didn't want the city government telling them what they can and cannot do with their property. Mayor Frank interjected that all ordinances are currently being, and will continue to be enforced with respect to the junk on the property. This meeting is to determine whether McGhee will be allowed an exemption for the number of cars he can sale at his dealership, not the parts and junk problem, which is being handled by Code Enforcement. At this time, due to several interruptions, Mayor Frank asked T. Bork to not interrupt with outbursts or he would have to ask her to leave the meeting. She chose to leave at that time. McGhee says in the future he doesn't plan to scrap cars, to which council reminded him that he is not currently supposed to be doing so, according to our ordinances. Council mentioned that they feel like he is already disrespecting our laws, and has not been up front with the council about his intentions, so he is making it difficult to support the exemption. M. Deinert read a statement from the church, asking council to deny the request for the exemption. Frank called for a rollcall vote from council members. All council members voted to deny the exemption request at this time. Anderson stated that the limit of two cars doesn't prevent him from getting the dealership license, and he would be welcome to come back with another exemption request at a later date. Anderson recommended McGhee take this time to clean up his property and run it in such a way that would encourage

council to approve the exemption next time he submits a request.

6. Council determined there is no need to set a maximum accumulation amount for capital per SD Codified Law section 9-21-14.1.
7. Council made one addition to the garbage specs sheet that will be going out to potential bidders of the garbage service. Motion by Anderson, second by Hohbach to approve the spec document. Advertising will go out to the Mitchell Republic this week. Frank also plans to put the advertisement on Facebook and the city website.

NEW BUSINESS

1. Maintenance Officer report: Deinert says Erickson Tress Service will be out to finish the trees on Main St. this week, so we can drudge the creek. London handled snow removal last week, and Devries helped with repair of a meter.
2. Finance Officer report: There will be a Pre-Disaster Mitigation meeting on March 17. Paint South Dakota details were given to Frank, who is looking into possible residents who could benefit from it. Anderson will also see if this is something the MVEDG would be able to take on.
3. We have occasional problems with cast iron plates at meters becoming too cold in winter, cracking, and leaking. This happens when the meter is installed in a basement that isn't climate controlled. Deinert is looking into pricing of the repairs, and council will determine who is responsible for the costs, the city or the individual residents.
4. Traffic counters are priced at \$400 for two units. Council determined that one will be set up on 1st Street and one will be set up on Tibbetts, both close to daycare centers, to try to slow traffic down in those areas first. These will be moved as council sees fit.
5. The Fire Department is interested in having a Chase the Queen Fundraiser. The fundraiser proceeds would go toward building a new fire station. Motion by Anderson, second by Hohbach to approve the fundraiser.
6. The MVEDG has applied for the LWCF Grant for playground equipment. The pricing is around \$26,000, and the grant, if awarded, would pay for ½ of it. The MVEDG would pay the other 1/2, and the grant would be required to go through the city.
7. There are several intersections in town that may require stop signs. Deinert will be looking into the need, and if deemed necessary, he will add the signs.
8. No Executive Session for personnel and legal SDCL 1-25-2.1 and 2.3 was needed.

Motion by London, second by Powell to adjourn at 9:16 p.m.

Weston Frank
Mayor

Laura Mayclin
Finance Officer

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