

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA  
August 5, 2024

The City Council met in regular session in the Municipal Building—202 West Elm Street. Present on Roll Call were Mayor Curt Lundquist and Council Members: Gary Kaufmann, Terry Rowbotham, Garth Johnson, Beth Sundberg, Sue Falconer, and Rob Achterberg Absent: None.

Motion was made by Falconer, seconded by Rowbotham to approve the minutes of the July 1<sup>st</sup> meeting. All in favor—Carried.

Bills on file were submitted for consideration and on Motion by Falconer, seconded by Sundberg, the Finance Officer was instructed to issue payment for same. All in favor on Roll Call Vote—Carried.

Bills approved as follows:

EAST RIVER ELECTRIC POWER COOP 4426.56 ENERGY, ELECTRIC FUND 6645.10 CITY UTILITIES, HEARTLAND ENERGY 25027.48 ENERGY, KINGSBURY COUNTY AUDITOR 5546.67 COUNTY CONTRACT LAW, SD STATE TREASURER 5278.16 SALES TAX, VALLEY FIBERCOM 277.80 PHONE/INTERNET, WESTERN AREA POWER ADM 16092.94 ENERGY, PAYROLL 16250.28, OASI 2417.62, AT&T 47.25 CELL PHONE, NORTHWESTERN ENERGY 20.00 SERVICE TO CITY SHOPS, PRINCIPAL LIFE INS. CO. 180.34 SHORT TERM DISABILITY, RURAL DEVELOPMENT 4301.00 WATER & WASTEWATER LOANS, SIOUX VALLEY ENERGY 114.00 AIRPORT ELECTRICITY, VISA-CORTRUST BANK 6947.59 RAMP/DOLPHIN FOR POOL/FAN CLOTHING/ETC., PAYROLL 32767.45, OASI 4884.94, SD RETIREMENT 3518.54, HEALTH POOL OF SD 4912.50 HEALTH INS., COLONIAL LIFE 47.88 PAYROLL DEDUCTION, EFTPS 8639.40, 81 AUTO CLINIC 120.15 REPAIR/PARTS CEMETERY TRIMMER, LES HOPKINS 785.72 POOL HANDRAIL, A-OX WELDING SUPPLY CO. 192.10 CYLINDER RENT, ARLINGTON SUN 217.92 PUBLISHING, AVID HAWK, LLC 90.00 JULY-AUG WEBSITE, BADGER OIL, INC. 60.00 MOWER BLADES, BOBBI DOESCHER 26.14 METER DEP BALANCE REFUND, BOUND TREE MEDICAL, LLC 153.99 NITROGLYCERIN, BUNKER AUTO INC. 528.98 SHOP SUPPLIES, CENGAGE LEARNING INC - GALE 101.35 BOOKS, CENTURY BUSINESS PRODUCTS 44.87 MONTHLY CONTRACT, CHAD WOSJE 123.45 METER DEP. BALANCE REFUND, CHARITY LANE 22.89 METER DEP. BALANCE REFUND, COOKS WASTEPAPER & RECYCLING 5808.25 JUNE GARBAGE, CORE & MAIN 98.59 GRIPPER PLUGS, COURTESY PLUBING, INC 247.04 CITY PARK BATHROOM REPAIR, DAKOTA PUMP & CONTROL CO 3242.86 REPAIR & INSTALL NEW PUMP, DARLIN MARTINEZ 99.20 METER DEP. BALANCE REFUND, ELECTRIC FUND 1111.95 METER DEP. APPLIED TO BILLS, FERGUSON 224.40 HYDROLIC WRENCH, GENE WIEHR 66.37 METER DEP. BALANCE REFUND, HANDI MART 210.75 FUEL, HAWKINS, INC. 5080.17 AZONE, HEIMAN 539.00 ANNUAL FIRE EXT. INSPECTION, INTERSTATE ALL BATTERY CENTER 705.75 SIREN BATTERIES, KINGBROOK RURAL WATER 12667.83 WATER PURCHASED & LEASE, LOWES 913.37 PAINT/STRIPING/SPLICE/SUPPLIES, LYLE SIGNS, INC. 72.69 NO TRUCKS SIGNS, M & T FIRE & SAFETY 665.00 SERVICE PUMP TEST, MAY CONSTRUCTION, INC. 2244.90 ELECTRIC LINE BORE, MAYNARD'S FOOD CENTER 69.50 SUPPLIES, MCMASTERS GRAVEL AND CONSTRUCTION 4006.25 GRAVEL - WILLOW, 5TH, & PLUM, OFFICE PEEPS 77.45 PAPER & SIGN. STAMP, PRAIRIE AG PARTNERS 5712.93 FUEL/SUPPLIES/SERVICE, RAZTECH LLC 947.00 IT - JUNE, RUNNINGS SUPPLY INC 433.21 CLOTHING/SUPPLIES, RYCO CONSTRUCTION 11345.40 BALLFIELD FENCE INSTALL/REPAIR, SCHEIN INC 541.71 AMBULANCE SUPPLIES, SD PUBLIC HEALTH LAB 15.00 WATER TESTING, SD ONE CALL 75.60 LOCATES APR-JUNE 2024, SNAP ON TOOLS 333.00 TOOLS, TWO WAY SOLUTIONS, INC. 750.00 PROGRAMMING RADIOS, US POST OFFICE 560.00 POST CARD STAMPS, VOLGA ACE HARDWARE 174.55 PAINT & SUPPLIES,

Tammy Anderson, Kingsbury County Director of Equalization let the Council know that they will be starting Arlington's re-appraisal next week on Wednesday. Residents will be receiving a letter with a date and time (am or pm) they will be at their homes, and she emphasized that if that day or time doesn't work, to please contact her office to reschedule. They will be in town Tuesdays, Wednesdays and Thursdays until complete.

The finalization of the Sewer Project was tabled until next month when we can have Banner represented at the meeting to answer some questions regarding the rock channels and clay dams.

The Law Enforcement Agreement approval was tabled until after the August 20<sup>th</sup> meeting with the County Commissioners.

The surplus Lifepak items were discussed and how we can sell them to another government entity.

Public Comments – Trevor Keating from the Fire Department & Ambulance spoke to the Council about the cutting/spreading tools that were purchased and where the funds were coming from to pay for them. In the end, the Council had nothing in the budget to provide additional funding, but the Fire Department is willing pay for a portion.

The information we received from WAPA on the increase in electrical rates will be sent to Heartland to do a rate analysis.

The Legion has requested a garbage tote by the memorial from spring to fall and asked about rates. The Council and City Attorney stated we need to charge the monthly rate.

Motion was made by Falconer, seconded by Kaufmann to approve the 2022 audit as completed by ELO. All in favor—Carried.

Motion was made by Johnson, seconded by Achterberg to approve a burn permit for Prairie Ag Partners to burn building debris by the corn pile. All in favor—Carried.

The following building permits were approved: BCB Trucks Inc – storage pod @ RR Lot 5 exc. Lot H2, Original RR Lots; Ryan & Chelsie Schulz – fence @ Lot 4, Block 1, J&E Smith 4<sup>th</sup> Addn – 207 W. Cottonwood; Carolyn Hansen – shed @ Lots 6&7, Block 1, Original Plat – 202 N. First St.; Douglas & Lucille Woodford – enclose addition/porch @ Lot 3, Block 1 Johnson Addn – 308 Washington St.; Prairie Ag Partners – demo permit for RR Lots 2, 3,4 & 8 of Original RR Lots; Marshal & Sharleen Mix – remove porch & add covered deck @ Lot 9, Block 2, Lieske’s 1<sup>st</sup> Addn – 410 S 4<sup>th</sup> St.; Mandi DeVries – fence @ Lot 13, Block 4, Ecklein’s 1<sup>st</sup> Addn – 302 Hopkins Dr.

Electric Report—Meeting next Monday for presentations

ACDC Report—None

Motion was made by Sundberg, seconded by Rowbotham to approve the Employee Overtime and Police Report. All in favor—Carried.

The council reviewed the Revenue/Expense, Cash and Utility Reports. Mix reported that the utility report did not reflect a 27,000 gallon usage from a construction company and an undisclosed amount for a fire training exercise.

Motion was made by Rowbotham, seconded by Sundberg to adopt Resolution #2024-7 opposing IM 28 as follows:

#### RESOLUTION 2024-7

WHEREAS Initiated Measure 28 was certified for the November 2024 General Election Ballot by the South Dakota Secretary of State;

WHEREAS Initiated Measure 28, if passed, would remove state, municipal and tribal taxes on all items sold for human consumption except alcohol and prepared food;

WHEREAS “human consumption” is undefined in South Dakota Codified Law or the South Dakota Constitution. Black’s Law Dictionary defines “consumption” as “the act of destroying a thing by using it; the use of a thing in a way that exhausts it.”;

WHEREAS South Dakota Codified Law 34-45-1(7) defines tobacco products as “any item made of tobacco intended for human consumption, including cigarettes, cigars, pipe tobacco, and smokeless tobacco, and vapor products as defined in § 34-46-20.”;

WHEREAS South Dakota Codified Law 10-52-2 allows incorporated municipalities to impose a tax on the sale, use, storage and consumption of items that conform in all respects to the state tax on such items up to two percent;

WHEREAS Initiated Measure 28 is in direct conflict with existing state law and the Attorney General’s explanation of the measure states legislative or judicial clarification would be needed if the measure passes;

WHEREAS The City of Arlington levies a two-percent sales tax and collected \$632,041.03 in the 2023 fiscal year and \$410,919.72 year-to-date in the 2024 fiscal year;

WHEREAS The City of Arlington estimates annual lost revenue of \$119,000.00 unless Initiated Measure 28 is rejected by voters in South Dakota;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Arlington, that Initiated Measure 28 would negatively impact our community and its residents.

All in favor—Carried.

Motion was made by Falconer, seconded by Rowbotham to approve the first reading of the 2025 Appropriations. All in favor—Carried.

Additional Items: Last day for the pool to be open is August 10<sup>th</sup>. The September Council Meeting will be held September 3rd. The Council approved a 1-month extension for the nuisance property as improvements have been made, but are not finished. The FO and Assistant FO will be going to Cyber security training in DeSmet on August 20<sup>th</sup>.

Mayor’s report: None

Motion was made by Falconer, seconded by Kaufmann to enter into executive session at 8:26 P.M. for Contracts, Personnel, and Legal Matters. All in favor—Carried.

Mayor Lundquist called the meeting out of executive session at 9:46 P.M. with no further action being taken.

Motion to adjourn was made by Falconer, seconded by Achterberg. All in favor—Carried.

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Stephanie Damm, Finance Officer

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Curt Lundquist, Mayor

The City of Arlington is an equal opportunity provider and employer.