

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA

October 2, 2023

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: Terry Rowbotham, Beth Sundberg, Garth Johnson, and Rob Achterberg. Absent: Cory Falconer and Terry Mutziger.

Motion was made by Sundberg, seconded by Rowbotham to approve the minutes of the September 5th and 11th meetings. All in favor—Carried.

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

Bills approved as follows:

PAYROLL, 10504.13 NET PAY, EAST RIVER ELECTRIC POWER COOP 4615.24 Energy, ELECTRIC FUND \$6024.85 Utility Bill, GLACIAL LAKES & PRAIRIES 3562.50 SD GUIDES/ADS, HEARTLAND ENERGY 34311.58 Energy, KINGSBURY COUNTY AUDITOR 5,655.00 County Contract Law, VALLEY FIBERCOM 237.92 Phone/Internet, WESTERN AREA POWER ADM 17528.32 Energy, A T & T 47.25 cell phone, NORTHWESTERN \$20.00 Service to city shops, PETTY CASH, 11.25 POSTAGE, PLIC-SBD GRAND ISLAND \$180.34 Short Term Disability, SIOUX VALLEY ENERGY 91.00 Electricity – Airport, VISA--COR TRUST BANK 504.88 SUPPLIES & BOOKS, PAYROLL, 19787.84, SD RETIREMENT SYSTEM 3067.38 RETIREMENT, HEALTH POOL OF SD 4528.90 HEALTH INSURANCE, COLONIAL LIFE 106.53 PAYROLL DEDUCTION, 81 AUTO CLINIC 137.98 AIR FILTER/TIRE REPAIR, A-OX WELDING SUPPLY CO. 102.42 CYLINDER RENT, ARLINGTON SUN 196.23 PUBLICATIONS, AT&T 47.25 Cell phone, AVID HAWK, LLC 45.00 MONTHLY WEBSITE SERVICE, BANNER ASSOCIATES, INC 32206.35 ENGINEERING, BOBCAT OF BROOKINGS 24666.36 SIDE BY SIDE, CENTURY BUSINESS PRODUCTS 48.84 Monthly Service Chg 8/19-9/18, CITIZENS STATE BANK 20.00 SEPT. SERVICE CHARGE, COOKS WASTEPAPER & RECYCLING 6204.49 AUGUST GARBAGE, CORE & MAIN 507.79 CURB STOPS, ELECTRIC FUND 448.41 METER DEP APPLIED TO BILL, HANDI MART 209.76 FUEL - FIRE DEPT & AMBULANCE, INTERSTATE ALL BATTERY CENTER 105.30 BATTERY, KINGBROOK RURAL WATER 16356.93 AUG. WATER & LEASE PMTS, LOWES 78.47 PVC CUTTER/TUBING CUTTER/MISC, LUDWIG CONCRETE CONSTRUCTION 1530.00 MOSTER BLOCKS, MEIERHENRY SARGENT LLP 6181.61 BOND COUNSEL SERVICES, PRAIRIE AG PARTNERS 4193.99 brakes, oil change, 2 4 D, fuel, RAZTECH LLC 875.00 IT FOR 8/1 TO 9/1/2023, RAZTECH LLC 875.00, ROBERT ROWBOTHAM 59.80 METER DEP BALANCE REFUND, TERRY ROWBOTHAM 71.79 METER DEP. BALANCE REFUND, RURAL DEVELOPMENT 4301.00 WATER & WASTEWATER LOAN, SD ASSOC OF RURAL WATER SYS 900.00 LEAK DETECTION & DUES, CNH INDUSTRIAL ACCOUNTS 24053.87 PAYLOADER REPAIR, TRINITY LUTHERAN CHURCH 150.00 METER DEPOSIT BALANCE REFUND, TRUENORTH STEEL 439.00 CSP HELICAL GAL 6" 16 GA, US POST OFFICE 480.00 POST CARD STAMPS, WESCO DISTRIBUTION INC 4591.75 ELECTRIC SUPPLIES.

Motion was made by Rowbotham, seconded by Achterberg to adopt Resolution #2656 as follows:

RESOLUTION #2656

BE IT RESOLVED, that \$25,123.75 be transferred from the 2nd Penny Fund to the General Fund for payment to Banner Associates for Birch Street Engineering. All in favor—Carried.

Nate Anderson and Karl Steege spoke to the council about the liquor tax and offered a few alternative options. The Council tabled any decisions for the night, but requested it to be on the next meeting agenda so they have time to review. They also asked for the 3rd penny sales tax to be added to the next meeting.

Robert Knadle had stopped at the office and also spoke with Mix and Johnson about a stop sign on Plum (by 6th). Since that is a through street, a stop sign (unless 2 others were added) was not advised. The Council will discuss removing trees/shrubs that are in the right of way and discuss again at the next meeting so they have time to drive there and see what needs to be done.

A Council member was approached about budget billing – discussion was held, but with no computer program to take care of that, no action was taken.

Now was the time for the hearing on adoption of the Curb & Gutter Resolution. Faye Josephsen questioned the timing of her letter, but no other opposition was heard. As over 50% of the frontage land owners were present (City, ACDC – Mix, Johnson, Rowbotham, and Faye Josephsen), a verbal vote was taken to approve and move forward – all ayes. (Faye also mentioned the culvert cover was smashed and Mix said he would talk to the construction crew to get it fixed) Motion was made by Johnson, seconded by Rowbotham for the terms to be 5 years at 7% interest. All in favor—Carried.

Motion was made by Johnson, seconded by Rowbotham to adopt Resolution #2655 as follows:

RESOLUTION #2655

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CURB AND GUTTER IMPROVEMENTS AS IT PERTAINS TO BIRCH STREET CONTAINING THE FOLLOWING LEGAL DESCRIPTIONS: BLOCK 1 AND 2 OF ECKLEIN'S PARKVIEW ADDITION IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED TEN (110), RANGE FIFTY THREE (53) WEST OF THE 5TH P.M; LOT 1, 2, 3 & 4 OF BLOCK 3 OF ECKLEIN'S PARKVIEW ADDITION IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED TEN (110), RANGE FIFTY THREE (53) WEST OF THE 5TH P.M; TRACT 1A, TRACT 2A, TRACT 5A, TRACT 7B AND TRACT 8B IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED TEN (110), RANGE FIFTY THREE (53)

WEST OF THE 5TH P.M; THE NORTHWESTERLY 100 FEET OF LOT SIX (6) AND THE NORTHEASTERLY 65 FEET OF LOT SEVEN (7), BLOCK TWENTY SIX (26); LOT ONE (1) AND LOT SEVEN (7) BLOCK TWENTY SIX (26) IN THE NORTHEAST QUARTER (NE ¼) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED TEN (110), RANGE FIFTY THREE (53) WEST OF THE 5TH P.M.; LOT ONE (1), BLOCK TWENTY SEVEN (27), COUNTY AUDITOR'S PLAT OF OUTLOTS IN THE NORTHEAST QUARTER (NE ¼) OF SECTION ONE (1), TOWNSHIP ONE HUNDRED TEN (110), RANGE FIFTY THREE (53) WEST OF THE 5TH P.M., ALL IN THE CITY OF ARLINGTON, KINGSBURY COUNTY, SOUTH DAKOTA,

BE IT RESOLVED BY THE CITY OF ARLINGTON, SOUTH DAKOTA:

SECTION 1. That the special assessment roll for the assessment of the property assessable for curb and gutter improvements on Birch containing the following legal descriptions: Block 1 and 2 of Ecklein's Parkview Addition in the Southeast Quarter (SE ¼) of Section One (1), Township One Hundred Ten (110), Range Fifty Three (53) West of the 5th P.M; Lot 1, 2, 3 & 4 of Block 3 of Ecklein's Parkview Addition in the Southeast Quarter (SE ¼) of Section One (1), Township One Hundred Ten (110), Range Fifty Three (53) West of the 5th P.M; Tract 1A, Tract 2A, Tract 5A, Tract 7B and Tract 8B in the Southeast Quarter (SE ¼) of Section One (1), Township One Hundred Ten (110), Range Fifty Three (53) West of the 5th P.M; the Northwesterly 100 Feet of Lot Six (6) and the Northeasterly 65 Feet of Lot Seven (7), Block Twenty Six (26); Lot One (1) and Lot Seven (7) Block Twenty Six (26) in the Northeast Quarter (NE ¼) of Section One (1), Township One Hundred Ten (110), Range Fifty Three (53) West of the 5th P.M.; Lot One (1), Block Twenty Seven (27), County Auditor's Plat of Outlots in the Northeast Quarter (NE ¼) of Section One (1), Township One Hundred Ten (110), Range Fifty Three (53) West of the 5th P.M., all in the City of Arlington, Kingsbury County, South Dakota, be and the same is hereby approved and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. Said assessment may be paid in five annual installments and shall be collected under Plan One – Collection by County Treasurer as provided in SDCL 9-43-102.

Date Adopted: 10/02/2023

CITY OF ARLINGTON

By: _____
It's Mayor

ATTEST:

City Finance Officer

Second reading of Ordinance #612, the addition of mausoleums to the cemetery ordinance was approved by motion of Johnson, seconded by Rowbotham. All in favor—Carried.

Ordinance # 612

AN ORDINANCE AMENDING ORDINANCE NO. 11-5-2

ARLINGTON CEMETERY D. GRAVES AND MAUSOLEUMS SECTION 1 OF ORDINANCE #596.

BE IT ORDAINED BY THE CITY COUNCIL OF ARLINGTON, SOUTH DAKOTA, that the following rules and regulations be enacted.

Section 18:

A. Mausoleum Sites:

Certain areas in the Arlington Cemetery shall be established as "available for Mausoleum Sites" and shall be sold on a square foot basis for this purpose. The area shall be replatted by a professional land surveyor into a plat of the proposed Mausoleum site. The City Council must approve the site and the plat for proposed use. Private Mausoleums may not be erected upon any other Cemetery

property without written approval of the City Council. Should the owner of a private Mausoleum site elect not to construct a Mausoleum thereon, but elect to utilize the sites for earth interments, then and in the event, the following procedure must be followed:

1. At the sole expense of the owner of a private Mausoleum site, a professional land surveyor must be employed to replat the Mausoleum site into designated burial spaces the same size as burial spaces are platted for that area of the Cemetery.
2. The surveyor's plat of the Mausoleum site must be submitted to the City Council for approval before earth interments shall be permitted therein, unless the site has not been replatted for a Mausoleum site.
3. When a private Mausoleum site has been approved by the City Council for earth interments, all the rules and regulations of the Cemetery shall apply thereto, including the restrictions pertaining to marker and monuments as set forth in Title 11 Chapter 5.

B. Plans and Specifications:

No Mausoleum, Vault or Tomb, to be erected above ground shall be constructed or erected until a design with complete plans and specifications are submitted to the City Council and approval granted by said City Council. The structure must be constructed of granite, marble, limestone or such other material that will withstand deterioration with time. All materials must be of good quality to withstand rust and deterioration.

C. Construction and Ventilation:

The wall of a Mausoleum must measure at least 8 inches. A complete system of ventilation must be provided, the crypts must be completely enclosed independently of the wall of the building and so arranged that each can be hermetically sealed at the time of entombment therein, and an air space must be provided between crypts and wall of the building.

D. Position on Lot:

The position of the building on the lot must be made with proper regard for relation of the Mausoleum to the adjacent lots, and no Mausoleum may occupy more than 50% of the area of a lot and must at no point encroach closer than 4 feet to the lot line. Foundations must not be less than 4 feet deep and may not be less in width at any point than the full measurement in width of the wall base on the structure.

E. State Board of Health:

All Mausoleums within the Cemetery shall be so constructed that all parts thereof may be readily examined by the State Board of Health, or any other Health Officer. The City Council reserves the right to prohibit the erection and construction of any Mausoleum that is not considered suitable or desirable in the Cemetery.

F. Care and Maintenance:

All owners of private Mausoleums now or hereafter erected or constructed in the Cemetery shall be held responsible for the care and maintenance of said Mausoleum and upon failure to keep the same in a good state of repair, the City Council may cause the same to be done at the Owner's expense.

To insure proper care and maintenance a sum of \$2,000.00 shall be paid to the City prior to securing a building permit for construction. Such funds may be utilized by the City if the owner of the private Mausoleum fails to provide proper maintenance and upkeep. The City of Arlington shall in no manner be determined to have accepted any responsibility for care of the Mausoleum.

G. Cleaning:

Any person or firm engaged to clean a Mausoleum or other burial structure within the Cemetery must procure written permission from the owner and file the same with the Finance Officer. Any and all damages to trees, shrubs, flowers or grass resulting from such cleaning shall be charged to such person or firm performing such work.

H. Entombment:

The opening and closing of crypts in said Mausoleum, the method and manner of placing lettering or inscriptions on name panels or crypts and the use of said crypts in conducting burials by entombment therein are all subject to the rules and regulations from time to time promulgated by the City Council, which rules and regulations provide for the payment to said Cemetery of a non-discriminatory opening and closing fee at the time of the use of any such crypt.

Dated this 2nd day of October, 2023.

Passed First Reading: 09/05/2023

Passed Second Reading: 10/02/2023

Passed and Approved: 10/02/2023

CITY OF ARLINGTON

Mayor

Attest:

Finance Officer

Public Comments – None

The following building permits were previously approved this month: Terry Rowbotham, W 1/5 Lot 5, Block 19, WTL City's 4th Addn, (106 Care Center Road) – add attached garage and 3-season porch.

Electric Report – 2 more street lights will be added to Birch Street by the bridge.

ACDC - None

Motion was made by Achterberg, seconded by Johnson to approve the employee overtime report. All in favor—Carried.

Clarification on the sewer surcharge was given – anyone currently getting billed now for sewer will receive the surcharge.

Motion was made by Achterberg, seconded by Rowbotham to adopt Resolution #2657 as follows:

RESOLUTION #2657

BE IT RESOLVED, that garbage rates decrease from \$19.00 to \$18.00 per month and that the recycling totes will decrease from \$9.00 to \$1.00 (additional “regular” garbage totes remain the same at \$9.00). All in favor—Carried.

The council reviewed the monthly Revenue/Expense, & Cash Reports.

Additional items:

Motion was made by Achterberg, seconded by Rowbotham to allow Lonnie Johnson, Marshal Mix, and Chad Mohr to write snow parking tickets. All in favor—Carried.

A joint Planning Meeting with ACDC was discussed, but decided it wasn't necessary at this time.

The Health insurance increase was reviewed, but no changes were made regarding coverage type.

The finance officer was asked to get quotes for the annual audit and bring to the next meeting.

Mayor's Report: Mayor Lundquist presented the Council with a synopsis of the Kingsbury County Commissioner meeting that he and Rowbotham went to in DeSmet regarding the 25% road levy discrepancy. Options were given as to how we could possibly get re-imbursed.

Motion was made by Achterberg, seconded by Falconer to enter into executive session at 9:19 P.M. for legal matters.

Mayor Lundquist declared out of executive session at 9:42 P.M. with no action taken.

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

Stephanie Damm, Finance Officer

Curt Lundquist, Mayor