

The Estelline City Council met on Wednesday, June 7, 2023 at the Estelline City Office. Those present included Mayor Ross Brandsrud, Ryan Miller, Cheryl Squires, Josh Cokens, , Julie Rieckman, Mike Gunderson, Michael Ward, Mary Saathoff, Jason Hanssen, Zeb Gilbertson, Shane Waterman.

Mayor Brandsrud called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Motion to adopt the agenda was made by J. Rieckman, second by M. Ward. With all voting aye, motion carried.

Open Public Session pursuant to SCL 1-25-1:

No one present.

The minutes of the May 3rd meeting were presented for approval. Motion by C. Squires, second by R. Miller to approve the meeting minutes as presented. With all voting aye, motion carried.

The Financial/Super Saver statements for the City and Estelline Nursing & Care Center were approved with a motion by M. Gunderson, second by C. Squires. With all voting aye, motion carried.

The monthly bills for the City and Estelline Nursing & Care Center were reviewed. Motion was made by J. Rieckman, second by J. Cokens to approve all bills presented. With all voting aye, motion carried.

City Bills approved included:

AMBULANCE

ITC, telephone \$92.14; AT & T, cell phone \$45.90; First Net, wireless \$40.04; PCC, billing fees \$367.35; Donna Thompson, supplies \$99.83; Country Corner, fuel \$227.30; Estelline Community Oil, fuel \$108.48; Joann Horner, refund \$849.00; Wards Store, supplies \$3.45;

PUBLICATIONS

Estelline Journal, minutes/notices \$736.34; Brookings Register, bid notice \$34.00;

LEGAL

Delzer Law Firm, legal fees \$422.50;

ELECTRIC

WAPA, power \$12,412.81; Heartland, power \$13,303.23; East River, transmission \$2,507.96; ITC, load mgmt. internet \$88.85; SD Dept of Revenue, sales tax \$2569.68; Estelline Community Oil, supplies \$53.55; WESCO, lights \$698.00; Eframson Electric, service \$4394.33; wages \$4340.72

BUILDING

ITC, telephone \$57.57; Light & Power, utilities \$864.58; Marjorie Warborg, maint. \$120.00;

Estelline Community Oil, supplies \$169.76;

FIRE

Light & Power, utilities \$128.34; Estelline Community Oil, fuel/LP\$1577.48; Core & Main, fire hydrant repairs \$257.36; Bauman Electric, siren repair \$130.10;

MAYOR & COUNCIL

Ross Brandsrud, council fee/governing board \$475.00; Mike Gunderson, council fee/governing board \$150.00; Cheryl Squires, council fee/governing board \$150.00; Josh Cokens, council fee/governing board \$175.00; Michael Ward, council fee/governing board \$150.00; Ryan Miller, council fee/governing board \$150.00; Julie Rieckman, council fee/governing board \$150.00;

FINANCE OFFICE

ITC, telephone \$165.51; Light & Power, utilities \$231.09; Office Peeps, supplies \$54.80; Wards Store, supplies \$20.95; Post Office, box rent \$80.00; wages \$6076.95;

SOLID WASTE

Cook's Wastepaper, garbage collection \$5,252.51; SD Dept of Revenue, sales tax \$303.00;

POLICE

Hamlin County, contract law \$4008.33;

SEWER

Light & Power, utilities \$141.03; NW Energy, utilities \$12.35; HydroKlean, clean lift station \$2170.00; DANR, certification test \$60.00;

STREET

Light & Power, utilities \$351.02; Estelline Community Oil, fuel \$355.13; Brian Pearson, carburater for boom truck \$887.41; Vollar Oil, payloader tires \$2936.52;

WEST NILE

VanDiest Supply, chemical \$1815.00;

LANDFILL

AT& T, cell phone \$45.90; Cooks Wastepaper & Recycling, landfill dumpster \$234.70; wages \$594.00;

SIGN

Light & Power, utilities \$25.98; AT & T, wireless \$49.47;

REFLECTION PARK

Light & Power, utilities \$3.35;

WATER

Light & Power, utilities \$438.65; SD Public Health Lab, samples \$28.00; Hawkins, chemicals \$1532.93; Ferguson Waterworks, meter \$1132.70; DANR, certification test \$60.00; Pollardwater, chlorine & PH meter \$547.90; wages \$3871.27;

POOL

Andor, Inc., pool repairs \$7500.00; Estelline Community Oil, supplies \$80.96;

PARK

Estelline Community Oil, supplies \$277.33; Display Sales, reflection park banners \$1073.50; RUnnings, supplies \$97.94; Office Peeps, supplies \$192.01; Bauman Electric, concession stand \$101.63;

CAPITOL PROJECTS

IMEG, engineering fees \$3265.00;

ECONOMIC DEVELOPMENT

Estelline Area Economic Development, payment \$5000.00;

MISC.

Equipment Super Savers, equipment savings acct. \$4983.34; Wellmark Blue Cross, health insurance \$791.23; Delta Dental, insurance \$121.62; American Family, insurance \$295.81; SD Retirement, retirement \$1714.68; Flex One Account, cafeteria plan \$60.00; Avesis, vision ins. \$11.88; Ins. Account, funding \$125.00; Petty Cash, replenish fund \$27.33; Merle Behrens, repairs-wellness center \$1032.75; Midwest Glass, wellness cards \$358.67.

ENCC Payables: \$150,941.27

ENCC Payroll: \$152,096.11

Mayor Brandsrud reported that he has been keeping in contact with the maintenance department. Repairs at the pool are mostly completed except for the baby pool. A new meter has been installed in Beckman Field. Several fire hydrants have been repaired. Jason Hanssen reported ENCC had a loss of \$7211.32 for the month of May. The current census is at 54. Staffing is still needed for evenings. The Pandemic has officially ended at ENCC and they are a mask free facility. The new trailer is still being worked on. Nursing Home week was held last week. A grant has been applied for from the department of health for staff retention. The new Medicaid rate will start July 1.

Cheryl Squires had no report from Economic Development. Mayor Brandsrud attended their meeting. He reported that they are having the report for the Storm Water Collection redone because the current one contains false information. They will be contacted regarding using their empty lot along Hwy 28 as a park it market area.

Zeb Gilbertson reported they are still repairing fire hydrants and have started flushing fire hydrants last week. Still addressing issues at the pool.

Old Business:

None

New Business:

A Dance Permit for the Estelline Fire Department for June 16, 2023 was approved with a motion by M. Ward, second by J. Cokens. With all voting aye, motion carried.

The Estelline Fire Department asked permission to have Ken's Bacon Wagon food truck at the street dance on June 16, 2023. Motion to allow was made by M. Ward, second by M. Gunderson. With all voting aye, motion carried.

A Dance Permit for the Legendary Red Carpet for June 17, 2023 was approved with a motion by J. Rieckman, second by J. Cokens. With all voting aye, motion carried.

A Spike Permit for the Legendary Red Carpet for June 17, 2023 was approved with a motion by J. Rieckman, second by M. Gunderson. With all voting aye, motion carried.

A Public Hearing was held at 6:30 PM on a petition to vacate request from Jody and Dorothy Howard. Resolution No. 2023-02 was presented as follows:

RESOLUTION NO. 2023-02

A Resolution Vacating the unnamed alley/street 89.26' x 71.0' x 67.23' x 74.20' - that portion of First Street (Railroad Street) Right of Way lying adjacent to Lots 1 & 2, Block 3 of

Nelson's Subdivision of and addition to Block 3, all in the City of Estelline, Hamlin County, South Dakota; and

WHEREAS, Petition for the Vacation of Right of Way and Alley/Street, has been presented to the City of Estelline, South Dakota. Said right-of-way and alley/street petitioned for vacation are described as:

That portion of the alley/street 89.26' x 71.0' x 67.23' x 74.20' - of First Street (Railroad Street) Right of Way lying adjacent to Lots 1 & 2, Block 3 of Nelson's Subdivision of and addition to Block 3, all in the City of Estelline, Hamlin County, South Dakota; and

WHEREAS, Jody and Dorothy Howard, the owners of all real property abutting the described right of way and alley/street, have petitioned the Mayor and City Council of the City of Estelline, Hamlin County, South Dakota to the vacation of the alley/street described in the Petition; and

WHEREAS, notice by publication has been given in the matter and method provided by law; and

WHEREAS, the City Council for the City of Estelline has considered the petition at a public meeting not less than ten days from the last publication of the notice; and

WHEREAS, the City Council for the City of Estelline determined that the portion of the alley/street being considered is no longer necessary, because it has not been used, worked or traveled by the public for more than twenty years; and

WHEREAS, the City Council for the City of Estelline, Hamlin County, South Dakota has declared by a two-thirds vote that the portion of the alley/street in Nelson's Subdivision of and addition to Block 3 being considered is hereby declared vacated; now therefore,

IT IS HEREBY RESOLVED by the City Council for the City of Estelline, South Dakota, that it does hereby declare that that portion of the Alley/Street described in the Petition be, and is hereby, declared vacated and legally described as:

That portion of the alley/street 89.26' x 71.0' x 67.23' x 74.20' - of First Street (Railroad Street) Right of Way lying adjacent to Lots 1 & 2, Block 3 of Nelson's Subdivision of and addition to Block 3, all in the City of Estelline, Hamlin County, South Dakota; and

AND BE IT FURTHER RESOLVED that this Resolution shall be published, and takes effect immediately upon passage, and the Finance Officer is authorized to note the vacation on the City records and record this Resolution with the office of the Register of Deeds of Hamlin County.

Dated at Estelline, South Dakota, this 7th day of June, 2023.

City of Estelline
Ross Brandsrud, Mayor

ATTEST:

Mary Saathoff, Finance Officer

Motion by J. Cokens, second by J. Rieckman to approve Resolution No. 2023-02. With all voting aye, motion carried.

The Plan Commission convened and recommended Resolution No. 2023A for approval as follows:

ESTELLINE CITY PLAN COMMISSION RECOMMENDATION

Resolution No. 2023A

The plat of "**Lot 4, Block 3 of Nelsons Subdivision of and Addition to Block 3 of Estelline, Hamlin County, South Dakota**", has been duly examined and it appears that said plat is in all respects lawful and proper and entitled to approval and is hereby recommended for approval by the City of Estelline Plan Commission.

Dated this 7th day of June, 2023.

Ross Brandsrud, Chairman
Estelline City Plan Commission

Motion by J. Rieckman, second by J. Cokens to approve Resolution No. 2023A. With all voting aye, motion carried.

Resolution No. 2023-03 – Approval of Plat of Lot 4, Block 3 of Nelsons Subdivision was approved with motion by M. Ward, second by C. Squires. All voting aye, motion carried.

ESTELLINE CITY COUNCIL RECOMMENDATION

Resolution No. 2023-03

Be it resolved by the City Council, Estelline, South Dakota, having viewed this plat and having received a recommendation from the Estelline Plan Commission, does hereby approve this plat of: **“Lot 4, Block 3 of Nelsons Subdivision of and Addition to Block 3 of Estelline, Hamlin County, South Dakota”**, and the City Finance Officer is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon.

The above and foregoing resolution was duly passed and adopted.

Dated at Estelline, South Dakota this 7th day of June, 2023.

Ross Brandsrud, Mayor
Estelline, South Dakota

ATTEST:

Mary Saathoff, City Finance Officer
Estelline, South Dakota

Tim Austin with Code Enforcement Specialists was present to give an update on properties in town that are in non-compliance of city ordinances regarding junk, maintenance, grass, etc. Motion was made by M. Ward, second by J. Cokens to contact the city attorney and proceed with legal action for the properties in question. With all voting aye, motion carried.

Shane Waterman, IMEG, presented a map of the housing development area and gave updates on the housing study and flood plain mapping.

Jason Hanssen presented information from SDRS regarding the Part Time/Temporary employee classification and if changes will need to be made regarding retirement contributions.

The 2023 Street Bids were opened from the following:

Bituminous Paving, Inc., Ortonville, MN
Class D 1 with 20% RAP 3” Overlay \$28.00/Sq.Yd.
Class D 1 with 20% RAP 2” Overlay \$19.00/Sq. Yd.
Total Bid including subgrade prep & patching of \$271,157.00

Duninck, Inc., Prinsburg, MN
Class D 1 with 20% RAP 3” Overlay \$26.87/Sq.Yd.
Class D 1 with 20% RAP 2” Overlay \$19.48/Sq. Yd.
Total Bid including subgrade prep & patching of \$263,358.69

Motion was made by J. Cokens, second by J. Rieckman to accept the bid from Duninck, Inc. for the 20% RAP total project bid of \$263,358.69. With all voting aye, motion carried.

A proposal from First District to Update Comprehensive Land Use/Maps/Zoning Ordinances in the amount of \$6,000 was presented. Motion by M. Ward, second by M. Gunderson to approve. With all voting aye, motion carried.

Building permits were presented as follows:

Paul Axtell – 6 Foot wooden fence
Duane Sonen – Privacy Fence
Austin Suther – patio and sidewalk in back
Jarrod Fredericks – patio cement & lifting existing detached garage 3’ & extending 20’ to East 708 State Ave. E.
Jarrod Fredericks – 24’ x 12’ cement patio area – 305 5th St. N.
Eli Hofer – 24’ x 28’ garage

Motion by J. Rieckman, second by M. Gunderson to approve. With all voting aye, motion carried.

A quote from Norm’s Greenhouse to plant two maple trees in Gazebo Park was reviewed. The cost is \$1497.00. Motion by M. Ward, second by J. Cokens to approve. With all voting aye, motion carried.

The first reading of Ordinance 2023-01 – An Ordinance allowing the operation of golf carts on city streets was held. The second reading will be July 5, 2023.

Resolution No. 2023-04 – revised Fine Schedule was presented for approval. Motion by M.Ward, second by R. Miller to approve. With all voting aye, motion carried.

RESOLUTION NO. 2023-04

(Revised)

A RESOLUTION SETTING FORTH A SCHEDULE OF PROPOSED VIOLATIONS OF THE REVISED ORDINANCES FOR THE CITY OF ESTELLINE, SOUTH DAKOTA.

BE IT RESOLVED by the City of Estelline, South Dakota that the following schedule of proposed fines shall be effective as the date of this resolution for all first violations of ordinances set forth herein. If any ordinance is not listed below, the courts will decide the proposed fine and/or jail time. The costs listed below are set forth by the State of South Dakota. Resolution Number 2023-04 (Revised) supersedes Resolution Number 2020-03

STATE CODE	ORDINANCE	OFFENSE	FINE	COST	TOTAL
99-2-286	4-1-9	Animal Running at Large	\$27.50	\$72.50	\$100.00
99-2-285	4-1-3	Animal Unlicensed	\$27.50	\$72.50	\$100.00
99-2-287	4-1-18	Barking Dog Violation	\$27.50	\$72.50	\$100.00
99-1-97	8-3-8	Crossing of Double Yellow Lines	\$27.50	\$72.50	\$100.00
99-2-4	10-1-5	Curfew Violation	\$27.50	\$72.50	\$100.00
99-2-285	4-1-12	Dangerous/Vicious Animal Violati	\$102.50	\$72.50	\$175.00
99-2-172	6-1-4	Discharge of Firearm within Limits	\$137.50	\$72.50	\$210.00
99-2-407	6-1-9	Unmuffled Braking Violation	\$27.50	\$72.50	\$100.00
99-1-30	8-3-6	Failure to Yield to Pedestrian	\$27.50	\$72.50	\$100.00
99-2-175	3-7-5	Fire Pit Violation	\$17.50	\$72.50	\$ 90.00
99-2-64	6-1-5	Fireworks Violation	\$27.50	\$72.50	\$100.00
99-1-30	8-1-2	Illegal Backing Around Corner	\$27.50	\$72.50	\$100.00
99-1-108	8-1-5	Illegal Parking	\$27.50	\$72.50	\$100.00
99-1-160	8-5-5	Operating Golf Cart without License	\$50.50	\$72.50	\$123.00
99-2-334	6-3-2	Peddling/Soliciting without License	\$37.50	\$72.50	\$110.00
99-1-60	8-3-5	Right-Of-Way Violations	\$27.50	\$72.50	\$100.00
99-2-111	8-4-3	Snowmobiles Violations	\$27.50	\$72.50	\$100.00
99-1-125	8-1-1	Speeding 1-5mph Over Limit	\$17.50	\$72.50	\$ 90.00
		Speeding 6-10mph Over Limit	\$37.50	\$72.50	\$110.00
		Speeding 11-15mph Over Limit	\$57.50	\$72.50	\$130.00
		Speeding 16-20mph Over Limit	\$77.50	\$72.50	\$150.00
		Speeding 21-25mph Over Limit	\$97.50	\$72.50	\$170.00
		Speeding 26mph or Greater Over Limit	\$157.50	\$72.50	\$230.00
99-1-57	8-3-4	Stop Sign Violation	\$27.50	\$72.50	\$100.00

Adopted and effective this 7th day of June, 2023.

Ross Brandsrud, Mayor of Estelline

A motion was made by J. Rieckman, second by M. Gunderson to move into Executive Session as per SDCL 1-25-2 (1) at 8:05 PM for Wage Review. With all voting aye, motion carried. Mayor Brandsrud declared out of Executive Session at 8:20 PM.

Motion by J. Rieckman, second by C. Squires to approve the wage review as presented. With all voting aye, motion carried.

ENCC

Wages Presented for Approval:

Makenzie Hendricks, CNA \$17.32

Amanda Trowbridge, DON \$45.58

Emily Eckert, RN \$31.40

Maycee Faehnrich, CNA 6 Month - \$15.95

Jessica Quarim, LPN 6 Month - \$22.33

NEW HIRES:

Lyndsey Archer, Diet.Aide \$15.60

Julie Kuno, LPN \$22.33

With there being no further business, motion to adjourn at 8:21 PM was made by J. Cokens, second by M. Gunderson. With all voting aye, motion carried.

Ross Brandsrud, Mayor

Mary Saathoff, Finance Officer