

MINUTES OF CANTON CITY COMMISSION MEETING  
APRIL 21, 2014

The Canton City Commission met at the Depot Viking Room, on Monday, April 21<sup>st</sup>, 2014 at 7:00 p.m. with the following members present: Commissioners Bowling, Den Hartog, Heikkila, Iverson, Toso and Mayor Smith. Commissioners Bogue, Elrod and Frick were absent at the time of roll call. Also present was City Manager Pederson and Finance Officer Cwach.

Guests who signed in are as follows: Sterling Heath, Justin and Amanda Wallner, Myron Adam and Chuck Andresen.

The Pledge of Allegiance was recited.

#### CONSENT CALENDAR

Commissioner Bowling moved and Commissioner Iverson seconded to approve the consent calendar consisting of the following: 1) to approve the minutes from the April 7<sup>th</sup>, 2014 City Commission Meeting and the minutes from the April 11<sup>th</sup>, 2014 City Commission Special Meeting and that they are signed and published; 2) to approve the warrants to be listed at the end of the minutes; 3) to approve the agenda; 4) Month End Reports for March. Unanimous approval.

#### VISITOR DIALOGUE:

Sterling Heath addressed the commission about closing a portion of Broadway between 7<sup>th</sup> and 8<sup>th</sup> Street.

Commissioner Elrod entered the meeting.

#### HEARING FOR A REZONE-JUSTIN WALLNER

This being the time and place for a public hearing for a rezone as requested by Justin Wallner at 5<sup>th</sup> Street and Blair.

Mayor Smith opened the hearing.

Justin Wallner was present to answer any questions.

Mayor Smith closed the hearing.

Commissioner Toso gave first reading to an Ordinance entitled "An Ordinance Amending the City of Canton Zoning Ordinance to Rezone Certain Property from GB (General Business) to LI (Light Industrial)."

#### LIBRARY BOARD APPOINTMENT

Commissioner Heikkila moved and Commissioner Den Hartog seconded to appoint Pamela Laughlin to the Library Board of Trustees for a three year term. Unanimous approval.

#### AGREEMENT FOR SIGN AND DELINEATION-STATE OF SOUTH DAKOTA

Commissioner Toso moved and Commissioner Elrod seconded to approve an agreement with the State of South Dakota Department of Transportation for a Sign and Delineation Project, as presented and on file, and authorize the Mayor to sign. Unanimous approval.

#### NOTICE TO PROCEED-CHIP SEALING PROJECT

Commissioner Iverson moved and Commissioner Den Hartog seconded to approve the agreement and the notice to proceed for the 2014 Chip Sealing Project and authorize the Mayor to sign. Unanimous approval.

**NOTICE TO PROCEED-ASPHALT CRUSHING PROJECT**

Commissioner Elrod moved and Commissioner Bowling seconded to approve the agreement and the notice to proceed for the 2014 Asphalt Crushing Project and authorize the Mayor to sign. Unanimous approval.

**ENGINEERING PROPOSAL-JSA ENGINEERING FOR DAKOTA STREET**

Commissioner Bowling moved and Commissioner Heikkila seconded to approve a contract with JSA Engineering for preliminary design of Dakota Street with a cost not to exceed \$198,480.00, as presented and on file, and authorize the Mayor to sign. Unanimous approval.

**TERMINATION AGREEMENT-CHEBCO INC**

Commissioner Heikkila moved and Commissioner Bowling seconded to approve a termination agreement with Chebco Inc. for the liquor store lease, as presented and on file, and authorize the Mayor to sign, contingent on City Attorney approval. Unanimous approval.

Commissioner Frick entered the meeting.

**ORDINANCE-STOPPING, STANDING, AND PARKING VIOLATION PENALTY**

Commissioner Bowling gave first reading to an Ordinance entitled “An Ordinance of the City of Canton, South Dakota to Amend Chapter 10.08 Stopping, Standing and Parking by Amending Chapter 10.08.150 Violation-Penalty.”

**RESOLUTION-PROPERTY TRANSFER OF THE LIQUOR STORE**

Commissioner Elrod moved and Commissioner Heikkila seconded to approve the following Resolution, and that it be given a number and signed. Unanimous approval.

**RESOLUTION 1218**

A Resolution Authorizing the Transfer of Real Property and Equipment to Canton Economic Development Corporation, Inc. for Economic Development Purposes

WHEREAS, the City of Canton desires to transfer and sell to the Canton Economic Development Corporation, Inc., for \$1.00 and other valuable consideration, real property owned by the City, situated at 111 South Main Street, Canton, South Dakota, and all equipment contained within. The real property is described as follows:

The North Thirty Two Feet (N 32') of Lot Five (5), Block Twenty (20), Hill's Addition to the City of Canton, Lincoln County, South Dakota, Subject to any Party Wall Agreements or Easements for Sidewalk Purposes or Alley Purposes of Record.

WHEREAS, the transfer of the real property and equipment contained within is for the express purpose of furthering economic growth and development of the City of Canton and the State of South Dakota; and

WHEREAS the transfer of the real property and equipment is contingent upon the Canton Economic Development Corporation, Inc. agreeing to sell said property to a person or legal entity which is, or will be, conducting an on-sale alcoholic beverage business in the City of Canton, South Dakota; and

WHEREAS, the sale of the above described real property and equipment by the Canton Economic Development Corporation, Inc. to a person or legal entity is contingent upon the execution of a on-sale OPERATING AGREEMENT by and between the City of Canton and the legal entity or person purchasing the real property for use at the real property described in this Resolution; and

WHEREAS, any revenue generated by the sale of the above described property and equipment will remain with the Canton Economic Development Corporation, Inc. subject to the reporting of the complete sale price and terms to the City of Canton;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Canton, South Dakota, that the City is authorized to convey title to the above described real and personal property to the Canton Economic Development Corporation, Inc. for \$1.00 and other good and valuable consideration subject to the terms and conditions of this Resolution; and

BE IT FURTHER RESOLVED that the Mayor, City Manager and City Attorney are authorized to execute any and all required documents to complete this transaction in accordance with the terms and conditions of this Resolution.

Dated at Canton, South Dakota this 21<sup>st</sup> day of April, 2014

Board of Commissioners of the  
City of Canton, South Dakota

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Charles Smith, Mayor

ATTEST:

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Kyle Cwach, Finance Officer

SEAL

Publish: May 1, 2014

#### CITY MANAGER REPORT

Sean Pederson, City Manager, commented on the following:

That Dr. Christensen will be at the Library talking about child immunization.

That the Bike Rodeo will be on May 3<sup>rd</sup>.

That Bruce Henke and Jerry Chaon have been re-appointed to the Airport Board.

That hydrant flushing is being conducted this week and water pressure could be affected.

#### DIALOGUE:

Commissioner Bowling commented on how great Chautauqua Park is looking.

Commissioner Frick asked questions about West Ball Park.

Commissioner Toso thanked Commissioner Iverson for his service to the City.

Finance Officer Cwach commented that the Annual Audit will begin next week.

Mayor Smith commented that the Bridge Street Bridge Girders are being poured this week.

Commissioner Iverson moved and Commissioner Toso seconded to adjourn. Unanimous approval.

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Kyle Cwach  
Finance Officer

#### WARRANTS:

4-11-14: Allied Oil & Tire Company, 3208.50, Tires; American Clean Energy Systems, 3929.88, Fuel Additive; Lois Broderick, 200.00, Election Worker; Canton Fire Department, 1840.00, Room Reimb; Canton Transit, 5,000.00, Support; Companion Animal Care, 260.75, Services; Julie Crawford, 200.00, Election Worker; DNE Trucking, 437.50, Snow Removal; Dockendorf Equipment Co, Inc, 69.61, Supplies; Frantzen Reporting, 30.80, Services; Bob Gard, 374.34, Travel Reimb & Supplies; Gloria Gill, 200.00, Election Worker; Grainger, 394.10, Supplies; Russ Heggen, 776.20, Equipment; Henkinschultz Inc, 133.00, Graphics; Holmes Murphy & Co, 50.00, Notary-Zick; Hoogendoorn Construction Inc, 19,024.11, Services; KB's True Value, 8.59, Supplies; Metering & Technology Solution, 3734.48, Meters; Marcene Nelson, 200.00, Election Worker; RDO Trust #80-5800, 337.56, Supplies; Austin Rock, 69.48, Travel Reimb; Ron's Classic, 255.00, Painting; Rural Route 1 Services, 142.00, Mats; Sanford Occupational Medicine, 27.75, Testing; SD Dept of Labor, 1629.30, Unemployment; SD Department of Revenue, 182.87, Sales Tax; SD Redbook Fund, 260.00, Books; Secretary of State's Office, 30.00, Notary-Zick; Brian Severson, 249.43, Travel Reimb; Sioux Falls Networks, 80.00, Spam Filter; Splash & Dash Car Wash, 69.75, Car Washes; Erma Thompson, 200.00, Election Worker; United Methodist Church, 100.00, Rental; Willma Wissink, 200.00, Election Worker; Xcel Energy, 12,733.04, Electricity; Zabel Steel Co, 991.01, Steel.

4-14-14: Beal Distributing Inc, 30,197.13, Purchases; Canton Sunshine Foods, 29.90, Supplies; Cask & Cork, 194.87, Purchases; City of Canton, 154.50, Water/Sewer; Dakota Beverage, 18,168.48, Purchases; Johnson Bros Famous Brands, 5365.48, Purchases; Republic National Distributing, 3853.65, Purchases.

4-14-14: Aflac, 832.36, Employee Deductions; Colonial Life, 13.68, Employee Deductions; Farmers State Bank, 25,730.37, Payroll; First Bank & Trust, 5333.07, Social Security; First Bank & Trust, 3509.16, Federal Withholdings; Home Federal Savings Bank, 1527.36, HSA; Kansas Pymtcenter, 93.69, Employee Deductions; LegalShield, 37.85, Employee Deductions; Office of Child Support, 216.93, Employee Deductions; SDRS, 9315.26, Retirement; SDRS Supplement, 192.50, SDRS 457; Security Life Ins. Co., 122.58, Employee Deductions; Assurant Employee Benefits, 117.00, Life Insurance.

4-18-14: Jason Ahlers, 78.06, Travel Reimb; Aramark Uniform Services, 285.57, Uniforms; Baker & Taylor, 571.84, Books; Barnes & Noble Inc, 106.03, Books; Bierschbach Equipment, 791.95, Supplies; Brown & Saenger, 79.90, Supplies; Canton Home & Farm Supply, 8.58, Supplies; CenturyLink, 253.76, Circuit; Cumins Central Power, 39.18, Supplies; Dakota Care, 12,805.54, Insurance; Dakota Supply Group, 4377.21, Supplies; Demco Inc, 684.28, Supplies; Eastern Farmers-Worthing, 691.50, Fertilizer; EDC Educational Service, 375.49, Books; Good-Land Pump Service Inc, 5603.52, Repairs; Grainger, 145.14, Parts; Hawkins, Inc, 166.00, Chemicals; Holmes Murphy & Co, 200.00, Bond-Elrod; Lincoln County Highway Dept, 2694.60, 2013 Sand; Lite

Electric, 302.71, Repairs; Marco NW 7128, 49.09, Maintenance; McKenney Construction Co., 596.34, Repairs; Office Elements, 132.18, Supplies; Pfeifer Implement Co., Inc, 206.69, Supplies; RDO Trust #80-5800, 321.44, Supplies; Sanitation Products Inc, 157,085.65, Sweeper; South Dakota One Call, 11.28, Locates; Sioux Falls Networks, 59.00, Backups; Smeal Fire Apparatus Co, 185,276.00, Chassis; Tony Warejcka, 84.00, Travel Reimb; Weston Woods Studios, 29.95, Book; Zee Medical Service, 146.90, Supplies; Zomer Plumbing & Heating, 15.30, services.