

**City of Crooks
City Council
Regular Meeting Minutes
July 10, 2023**

1) Call to order/Roll Call. At 6:00pm the meeting was called to order by Mayor Oseby in the Crooks Community Center. Answering roll call were Alderman Harstad (on phone, joined in person at 6:30), Alderman Beyer (on phone), Alderman J. Richardson, Alderman Schuette, and Mayor Oseby. A quorum was present. City staff/officials present were City Administrator/Finance Officer Schantz and City engineer Jake Morris (DGR).

2) Pledge of allegiance was recited by those present. Oseby led invocation.

3) Approve agenda. Motion by J. Richardson to approve agenda, seconded by Harstad. No discussion. All aye, motion carried.

4) Meeting minutes. Governing body reviewed meeting minutes. Motion by J. Richardson to approve June 12, 2023 meeting minutes and June 22, 2023 special meeting minutes, seconded by Harstad. No discussion. All aye, motion carried.

5) Financials. Governing body reviewed financials. Motion by J. Richardson to approve financials, seconded by Beyer. No discussion. All aye, motion carried.

6) Claims. Governing body reviewed claims and wages for July 10, 2023. Motion by J. Richardson to approve claims and wages, seconded by Schuette. No discussion. All aye, motion carried.

Approved claims.

Vendor	Date incur.	Description	Amount
A&B Business Solutions	7/6/2023	copier lease	\$ 290.99
Active Data Systems	7/1/2023	cloud storage & document mgmt. services	\$ 101.00
Aflac	6/26/2023	Aflac payable	\$ 138.34
Alliance Communications	7/1/2023	utilities office & sewer	\$ 375.98
American Engineering Testing	6/27/2023	east side lift station	\$ 915.50
American Engineering Testing	6/27/2023	analytical chemistry testing	\$ 448.00
Banyon Data Systems, Inc.	7/1/2023	software support	\$ 1,425.00
Bender's Sewer & Drain	6/21/2023	cleaning of sanitary sewer lines	\$ 17,197.10
CC Storage	7/1/2023	storage unit rental	\$ 69.00
CHS INC.	6/26/2023	weed chemical	\$ 161.88
Clayton Energy Corporation	7/3/2023	reservation & monthly service fee	\$ 2,204.59
Crooks Country Corner	7/7/2023	supplies	\$ 101.75

Crooks Country Corner	6/26/2023	oil	\$ 18.95
Crooks Municipal Utilities	7/7/2023	utilities	\$ 2,027.08
Dept. of Treasury / EFTPS	6/30/2023	payroll tax deposit	\$ 5,759.83
DGR Engineering	6/16/2023	east side lift station construction admin.	\$ 5,465.50
DGR Engineering	6/16/2023	2023 slurry seal prof. service	\$ 1,211.00
DGR Engineering	6/16/2023	05-2023 professional services	\$ 2,616.00
Ecolab	6/29/2023	pest control services	\$ 97.29
Ferguson Waterworks	6/30/2023	water registers	\$ 3,344.73
Ferguson Waterworks	6/21/2023	water registers	\$ 5,640.00
First Interstate Bank	7/7/2023	purchase card payment	\$ 1,835.54
First Interstate Bank	6/28/2023	returned item fee	\$ 3.00
First Interstate Bank	6/15/2023	stop orders	\$ 51.00
First Interstate Bank	6/14/2023	returned item fee	\$ 4.00
Garbage'N'More	7/1/2023	garbage service	\$ 927.50
Goebel Printing	7/7/2023	safety clothing staff	\$ 408.51
Goebel Printing	7/5/2023	Welcome bags for new customers/residents	\$ 694.32
Groebner & Associates	7/6/2023	supplies	\$ 648.00
Groebner & Associates	7/5/2023	meters	\$ 1,673.88
Groebner & Associates	7/5/2023	meters	\$ 3,255.96
Groebner & Associates	6/26/2023	orifice generator new lift station	\$ 15.22
Health Pool of SD	7/1/2023	health + life insurance	\$ 3,883.85
Hydrogreen	7/7/2023	utility deposit refund	\$ 73.95
Lacey Rentals, Inc.	7/5/2023	portable restroom rental	\$ 200.00
Lacey Rentals, Inc.	6/26/2023	portable restroom rental	\$ 145.00
Minnehaha Comm. Water Corp.	7/1/2023	06-2023 water purchase	\$ 14,927.70
New Century Press	6/16/2023	06/12/23 mtg mins	\$ 248.64
New Century Press	6/16/2023	notice of adoption Ord. 325	\$ 8.46
New Century Press	6/9/2023	sports previews ad	\$ 9.52
New Century Press	6/9/2023	06/05/23 mtg mins	\$ 11.76
New Century Press	5/31/2023	Crooks Comm. Days ad	\$ 25.00
Payment Service Network, Inc.	7/3/2023	monthly service fee	\$ 89.95
Q3 Contracting	7/6/2023	service retirement & lower gas main	\$ 9,599.84
Raztech LLC	7/3/2023	managed IT services	\$ 763.75
SD One Call	6/30/2023	monthly message fees	\$ 124.95
SDRS Supplemental Retirement	6/21/2023	ROTH contribution	\$ 300.00
Sign Design & Labeling	6/20/2023	decals	\$ 325.00
TFR Leasing	7/7/2023	utility deposit return	\$ 52.44

Tri-State Garage Door	6/26/2023	repair	\$	180.50
U Drive Technology	7/1/2023	monthly txt msg fees	\$	241.64
US Postal Service	7/7/2023	mailing fee utility bills	\$	324.26
Verizon Wireless	6/23/2023	bldg. ins phone & jetpack	\$	91.25
Waleska Juarez	7/5/2023	CCC deposit Return	\$	550.00
Xcel Energy	7/3/2023	utilities	\$	4,789.52
		Total claims	\$	96,093.42

Approved purchase card payments.

Vendor	Date incur.	Description		Amount
ABC Rentals	6/5/2023	remaining stage rental	\$	619.83
Amazon	6/26/2023	thermostat covers	\$	62.97
Bargain Barn	6/23/2023	tires mower	\$	250.00
Crooks Country Corner	6/26/2023	fuel	\$	66.41
DocuSend	7/7/2023	non-Crooks ebills	\$	4.97
DocuSend	7/7/2023	Crooks ebills	\$	6.32
Dudley Laundry d/b/a Appearra	7/5/2023	mat, mop, towel, rag, rug service	\$	98.09
JCL Solutions	6/23/2023	supplies/soap	\$	27.78
Matheson Tri-Gas	6/30/2023	gas charts	\$	34.25
Nyberg's Ace Hardware	6/23/2023	supplies	\$	49.95
Pump'N'Stuff	7/5/2023	fuel	\$	29.36
Pump'N'Stuff	7/6/2023	fuel	\$	32.58
Pump'N'Stuff	7/6/2023	fuel	\$	31.15
Pump'N'Stuff	6/21/2023	fuel	\$	24.10
Pump'N'Stuff	6/26/2023	fuel	\$	36.53
Pump'N'Stuff	6/21/2023	fuel	\$	47.12
Pump'N'Stuff	6/27/2023	fuel	\$	58.11
Pump'N'Stuff	6/27/2023	fuel	\$	31.98
Pump'N'Stuff	6/28/2023	fuel	\$	17.69
Pump'N'Stuff	6/29/2023	fuel	\$	161.28
Renner Corner	6/28/2023	fuel	\$	30.77
Renner Corner	6/30/2023	fuel	\$	87.55
Scooby's	6/28/2023	equipment wash	\$	14.25
Scooby's	6/23/2023	equipment wash	\$	5.00
US Postal Service	6/22/2023	certified postage delinquent invoices	\$	7.50
		Total purchase card	\$	1,835.54

Approved gross wages by department for June 2023.

Council	\$	750.00
Mayor	\$	750.00
Planning & Zoning Commission	\$	471.08
Finance Office	\$	2,690.62
Government Buildings	\$	1,576.75

Building Inspector	\$ 1,125.00
Highway & Streets	\$ 2,351.96
Snow Removal	\$ 1,519.78
Solid Waste Collection	\$ 327.50
Code Enforcement	\$ 542.75
Animal Control	\$ 49.34
West Nile	\$ 90.14
Parks	\$ 2,769.53
Water	\$ 5,567.62
Sewer	\$ 5,668.98
Gas	\$ 5,630.03
Total wage claims	\$ 31,881.08

7) Consent calendar items.

Oseby spoke on Willow Creek Development infrastructure acceptance, stating streets need to be swept and erosion control measures need to be ensured prior to acceptance.

The governing body discussed the annexation agreement’s contents and property to be annexed. Motion by Harstad to approve consent calendar items with acceptance of infrastructure of Willow Creek to require streets be swept and erosion control measures ensured, seconded by J. Richardson. No discussion. All aye, motion carried.

Approved consent calendar items:

Tri-Valley agreement for Crooks Community Center parking lot, GFP – Heritage Park grant agreement, Willow Creek Development acceptance with stipulation, Annexation agreement, and special event liquor license for the Wooden Nickel.

8) Open comment(s).

- a) Tammy Ramstad, resident, spoke on nuisances at property neighboring hers in Crooks.
- b) William Papke, resident, stated Planning and Zoning Commissioners should be consulted and involved on zoning items.
- c) Chris Langloss, resident, addressed governing body on vacating alley behind his property. The process to vacate an alley was discussed.

9) Public hearing(s).

- a) Conditional use application for placement of an oversized accessory building at 112 E 9th Street. Oseby opened hearing at 6:28pm. Oseby invited applicant, Bartley Mack, to speak on application. Mack addressed governing body, stating the accessory building he intends to place is 16’ by 16’, instead of the original 16’ by 20’. Floor was then opened for comments from public. No comments were received. Hearing was closed at 6:30pm. Discussion ensued whether application had been reviewed by Planning and Zoning. Motion by Harstad to approve conditional use, seconded by Schuette. No further discussion. All aye, motion carried.

10) Reports/Other business.

a) Utility.

- i. Contracting out garbage service. The contracting out of city-wide garbage service was discussed by governing body. The public present was afforded an opportunity to speak on matter and comments were taken.
- ii. Extend completion date for east side lift station improvements. Morris stated contractor for the east side lift station is presently accruing liquidated damages as final completion date had passed. Morris received correspondence from the contractor providing a tentative final completion date of August 9, 2023. Contractor's suggestion and implications of moving the completion date were discussed by governing body. No action was taken on the item.

b) Economic development. Harstad and Oseby gave report. Economic development activity in Crooks has decreased due to the cost of borrowing. The Crooks Development Corporation's development on the north end of town was discussed.

c) Streets.

- i. Discussion W 4th Street. J. Richardson spoke on complaints received regarding the speeding along W 4th St./257th Street; additionally, the maintenance of the street, ownership of the street, and jurisdictional issues and potential resolutions were discussed.

d) Planning and Zoning. No report. A public hearing will be held on July 31st concerning the adoption of a new comprehensive plan for the City of Crooks by the Crooks Planning and Zoning Commission.

e) Government buildings & IT infrastructure. Beyer gave report.

- i. Update security cameras at government facilities. Quotes for cameras at government facilities and parks were reviewed and discussed. Additional information needs to be obtained prior to making a final decision.
- ii. Waiver request Crooks Community Center. A waiver for the Crooks Community Center was submitted by Maria Kendle for a bible camp at the facility on July 28. Waiver request was reviewed. Motion by Harstad to approve waiver request, seconded by Schuette. No further discussion. All aye, motion carried.

f) Parks. Harstad gave report. The baseball season is wrapping up. An update on the fields at City parks and changes at fields was provided. The water use for the irrigation and its associated costs at Sunset Park were spoken about by Oseby.

g) Finance. J. Richardson gave report. Ongoing finance office projects and concerns were discussed.

- i. Disbursement authorization. Auditing firm's recent comment concerning City's disbursements procedure and differing opinion provided by legal counsel were discussed by governing body. Motion by J. Richardson to reaffirm motion to authorize finance officer to prepare disbursements up to \$1,000 with prior approval, as made at the December 11, 2017 regular meeting, seconded by Beyer. No discussion. All aye, motion carried.

h) Code enforcement/Animal control. The issue of unlicensed animals in town was spoken on by Schantz. The status of the abatement concerning the outside and inside nuisances at a property in town were discussed by governing body. Code violations in other areas of town and steps to address them were discussed.

i) Other business:

- i. Disburse property tax received from Rural Service District to Benton Township. Oseby spoke on the item, stating the funds should be remitted to Benton Township, as township needs them for road maintenance. Motion by Beyer to disburse property tax received year-to-date of \$298.32 and future receipts for Rural Service District property tax receipts to Benton Township, seconded by Harstad. No discussion. All aye, motion carried.
- ii. Appointment Eric Schuette as Streets chairman. Motion by J. Richardson to appoint Eric Schuette as Streets chairman based on the recommendation of Oseby, seconded by Harstad. No discussion. All aye, motion carried.

11) Ordinances, resolutions, policies, motions.

- a) Second reading of Ordinance #326 (Authorizing and regulating the operation of golf carts on City streets in and for the City of Crooks, South Dakota) was given by Oseby. Motion by J. Richardson to amend Ordinance #326, Section 2 and insert after a golf cart “may operate on said portions of County Highway 137 under the City’s jurisdiction with a speed limit of 25mph or less,” and amend Section 6, inserting “plus court costs” after one hundred dollars (\$100), seconded by Schuette. No discussion. All aye, motion carried.
Ordinance could not be considered for adoption as the amendment substantially altered its substance. Governing body then discussed the term for a golf cart permit, costs associated with a permit, transfer of ownership of golf carts and its implications on permit, and implementation of permitting procedures.
- b) Second reading of Ordinance #327 (Water & sewer rates for the City of Crooks) was given by Oseby. Motion by Harstad to approve ordinance, seconded by J. Richardson. Roll call vote: Harstad – aye, J. Richardson – aye, Beyer – aye, Schuette – aye. Motion carried.
- c) Second reading of Ordinance #328 (Supplemental appropriations) was given by Oseby. Motion by Harstad to approve ordinance, seconded by J. Richardson. Roll call vote: Harstad – aye, J. Richardson – aye, Beyer – aye, Schuette – aye. Motion carried.
- d) First reading of Ordinance #329 (Amendment to Ordinance #65) was given by Oseby.
- e) First reading of Ordinance #330 (Amendment to Ordinance #151) was given by Oseby.
- f) First reading of Ordinance #331 (Supplemental appropriations) was given by Oseby.
- g) Reading of Resolution 2023-09 (Annexation resolution) was given by Oseby. Motion by Harstad to approve resolution, seconded by J. Richardson. No discussion. All aye, motion carried (4-0).

CITY OF CROOKS RESOLUTION #2023-09

A RESOLUTION TO ANNEX PROPERTY CONTIGUOUS TO THE CITY OF CROOKS UPON RECEIPT OF A PETITION FOR VOLUNTARY ANNEXATION.

WHEREAS, there has been presented to the City Council of the City of Crooks a written petition signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4 requesting voluntary annexation of certain real property into the municipal boundaries of the City of Crooks. Such real properties being legally described as:

Tract 2 of Benson's Addition in the North Half of the Northeast Quarter of Section 13, Township 102 North, Range 50 West of the 5th Principal Meridian, Minnehaha County, South Dakota.

WHEREAS, the property to be annexed is contiguous to the municipal boundaries of the City of Crooks; and,

WHEREAS, said petition having been signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the property sought to be annexed;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Crooks, Minnehaha County, South Dakota, grants the relief sought in the aforementioned petition for annexation pursuant to SDCL 9-4-1 and shall extend its boundaries to include the aforementioned and described real property, and that the Municipal Finance Officer of the City of Crooks shall cause a duly certified transcript of this Resolution to be filed with the Register of Deeds, Minnehaha County, South Dakota.

Aye: Harstad, Richardson, Beyer, Schuette
Nay:
Abstain:

Dated this 10th day of July, 2023.

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Finance Officer

Passed: 07/10/2023
Published:
Effective:

12) Adjourn. Motion by Harstad to adjourn meeting at 7:58pm, seconded by J. Richardson. No discussion. All aye, motion carried.

Respectfully submitted,
Tobias Schantz
City Administrator/Finance Officer
City of Crooks, SD

Published:

Published once at the approximate cost of: \$

A recording of the meeting can be accessed at

<https://www.youtube.com/@cityofcrookssd5262/streams>. The stream was cancelled after an issue with the audio was discovered.