

REGULAR MEETING MINUTES - BALTIC CITY COUNCIL  
OCTOBER 11, 2022, 7:00 PM  
BALTIC CITY HALL  
130 . OLAF AVENUE, BALTIC, SOUTH DAKOTA

CALL TO ORDER

- I. Mayor Mclsaac called the meeting to order at 7:00 PM at the Baltic City Hall.
- II. ROLL CALL  
Answering roll call were Aldermen Brendan Tidemann, Ryan Sinding, Nikki Oien and Travis Schreurs. Also present was City Attorney John Hughes, Finance Officer Linda Hunnel, Customer Relations Manager Lacey Branham, Maintenance Supervisor Ryan Fods, ISG Engineer Justin Heim, Attorneys Andy Grocott & Barry Sackett of Goosman Law Firm and Ryan Solberg & Zach Nebben of the Baltic Area Development Foundation.
- III. PLEDGE OF ALLEGIANCE  
Mayor Mclsaac led the meeting with the Pledge of Allegiance.
- IV. APPROVAL OF AGENDA Motion by Schreurs, second by Sinding, to approve the posted agenda.
- V. APPROVAL OF MINUTES  
09/13/22 Regular Monthly Meeting  
Motion by Schreurs, second by Sinding to approve the 9/13/22 minutes. Motion carried, all voting aye.
- VI. APPROVAL OF CLAIMS PAYABLE  
Motion by Oien, second by Sinding, to approve the October 11, 2022, Claims as presented. Motion carried, all voting aye
- VII. PUBLIC TIME  
Zach Nebben of 5<sup>th</sup> Street asked if there had been any progress with 5<sup>th</sup> Street paving plans. Mayor Mclsaac said ISG was surveying the area and when results were in there would be an update. Jerry Petersen of 5<sup>th</sup> Street asked when 6<sup>th</sup> and Lovely would be mowed. Ryan Solberg of BADF replied that mowing had been scheduled.
- VIII. PUBLIC HEARING 7:30 PM
  - a. Resolution 2022-11 Special Assessment Roll Hunnel said this resolution was for the collection process of a taxpayer who refused to mow his weeds along fourth street, resulting in an assessment of mowing charges of \$125 being levied against his property. Motion by Schreurs, second by Sinding to approve Resolution 2022-11, Special Assessment Roll. Motion carried, all voting aye.
  - b. Resolution 2022-13 A Final Plat of Lot 4a, 5, 6 & 7 of Baltic School Second Addition to the City of Baltic. Motion by Sinding, second by Oien, to approve Resolution 2022-13. Motion carried, all voting aye.
- IX. OLD BUSINESS  
Councilwoman Nikki Oien motioned to move OLD BUSINESS, item f. BADF Discussion to NEW BUSINESS. Second by Sinding. Motion carried, all voting aye.
  - a. Council Position Recommendation Mayor Mclsaac thanked Councilman Brendan Tidemann for his service to the City of Baltic. Brendan said he appreciated the time he's had on the council. Councilman Tidemann then stepped down. Mayor Mclsaac recommended Brian McGreevy to fill Tidemann's Ward 2 position until the April Municipal Election. Sinding made a motion, seconded by Oien, to approve Mayor Mclsaac's recommendation of the appointment of Brian McGreevey to Ward 2. Motion carried, all voting aye. City Attorney John Hughes then gave Mr. McGreevy the Oath of Office.

- b. Resolution 2022-10 A Resolution of the City of Baltic to Levy a Front Footage Assessment for Annual Maintenance of Street Surfaces as Provided for in SDCL 9-43-138. As a result of Council questions at the September meeting regarding the breakdown of the number of citizens paying lower front footage fees vs the number of citizens paying higher fees, Finance Hunnel presented a chart detailing the percentages of citizens paying by rate structure. Schreurs voted to amend the drafted Resolution 2022-10 to read; Section 1. At the end of the paragraph “as provided below” and Section 2. At the end of the paragraph, “; provided, that there be a 66 foot minimum fee and a 300 foot maximum fee.” Oien seconded the motion. Motion carried, all voting aye.
- c. Resolution 2022-12 Solid Waste Rates and Charges. Mayor Mclsaac stated that garbage rates needed to be adjusted by a five dollar per month per customer increase to sustain the service. The sanitation fund is currently losing money and this increase will keep the fund profitable for a few years. FO Hunnel reported that the sanitation fund has not been paying its fair share of expenses incurred such as billing wages, supplies and software charges. Motion by Sinding, second by McGreevy, to approve Resolution 2022-12, A Resolution Amending Established Rates and Charges for Both Residential and Commercial Solid Waste Pickup. Motion carried, all voting aye.
- d. Fence Ordinance- Schreurs made a motion to refer the review of the existing fence ordinance to Planning & Zoning, as it was a zoning ordinance. McGreevey seconded. Motion carried, all voting aye.
- e. SECOND READING ORD. 304, 2023 Municipal Ordinance As there was an error in a date within the ordinance, Schreurs made a motion to approve the change of 2018 to 2023, and to approve the second reading of Ordinance 304, A 2023 Municipal Ordinance to the City of Baltic. Second by Sinding. Motion carried, all voting aye. FO Hunnel presented the council with a graph detailing where your tax dollars go; 18.38% are paid to the City of Baltic.
- g. Service Line Payment Dispute As the property owner, Kiri Sells, could not be present for the meeting, Sinding made a motion to table the item. Schreurs seconded the motion. Motion carried, all voting aye.
- h. Code Enforcement Discussion Mayor Mclsaac listed the code enforcement options the city is considering; hiring an outside company, hiring an individual contractor, or having the existing employees take care of issues for now. Motion by Schreurs, second by Oien, to table the discussion until next month. Motion carried, all voting aye.
- i. Grant Park\Phillips Crossing Update Andy Grocott and Barry Sackett of Goosman Law Firm, representing Brian Hefty, were present to discuss the priority items needed to finish before building permits can be issued. Flow tests on water volume and the proposed retention basin were discussed. Justin Heim of ISG asked for the final design on the drainage basin and said he will review asap and give an opinion of this item top priority. The Planning and Zoning Board will meet in two weeks; the issuance of building permits will be discussed at that meeting.
- X. EXECUTIVE SESSION Mayor Mclsaac asked to enter into Executive Session under SDCL 1-25-2 (3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. Motion by Sinding, second by Oien to enter Executive Session at 8:25 PM. Motion by Oien, second by Sinding to come out of Executive Session at 9:08 PM. Mayor Mclsaac explained to the audience that in 2021 Lot 74, Valley View Meadows Addition was purchased by the City of Baltic, then sold as a surplus item by bid. Woody Hauser entered into an agreement to purchase the property for \$127,500, paying earnest money of \$5,000. Mr. Hauser failed to close on the property. The Baltic Area Development Foundation now owns the property. Oien made a motion to have City Attorney John Hughes write Woody Hauser concerning the non-refundability of the trust account; and to deposit the funds in John Hughes’ trust account. McGreevey seconded

the motion. Motion carried, all voting aye. A meeting was set for Monday, October 17, 2022, at 5:30 PM in the Baltic American Legion with Baltic City Council representation and the Baltic Area Development Foundation.

f. NEW BUSINESS

- a. Utility Bill Review Summer sewer rates were discussed. Mayor Mclsaac asked if reducing our sewer rates for the summer season could adversely affect upcoming SRF Funding with the State of South Dakota. Hunnel will research this item. No action was taken. As utility billing is running smoothly, late fees will be reinstated for the October 25<sup>th</sup> billing.
- b. School Board Letter to the City Mayor Mclsaac asked the Council if the City should send a formal request to the Baltic School Board to rescind or retract the letter sent to city council dated September 14, 2022. Council agreed a response is in order. McGreevy made a motion to table action at this time. Schreurs seconded. Motion carried, all voting aye.
- c. Nielson City Services Discussion Concerning two vacant lots in Baltic Heights Addition, Nielson Construction had asked the city to either allow building on these lots, surplus the lots, or reimburse Nielson Construction for the infrastructure expenses on these lots. Ryan Fods, Maintenance Supervisor, thought one lot was still part of the drainage waterway and wondered if building on the lot was feasible. Subdivision Ordinance states infrastructure is the developer's expense. Nielson's attorney, Shawn Nichols, attended by phone and inquired into the purchase of these lots due to infrastructure cost invested. No action was taken.
- d. Grant Park\Phillips Crossing sidewalk discussion. No action was taken.
- f. Ice Rink Mayor Mclsaac reported that a city ice rink was established two years ago, and would we be interested in having one this winter. Councilman Sinding noted that ice rinks are labor intensive. The mayor asked Fods what the best location would be for a rink; Fods thought placing it by the sand volleyball would work. Attorney John Hughes was asked to check into liability issues concerning an ice-skating rink.
- g. Holiday Décor Due to a shortage of electricity available and not being allowed to use electric poles, Schreurs suggested making Murphy's Pond the focal point of a holiday light display. Ryan Fods will check into lighting and the power capability at Murphy's Pond.

XII. MAINTENANCE UPDATE

Lift Station Dialer Ryan Fods discussed the need for a new Lift Station Dialer and recommended the most cost-effective option as these items become obsolete over time. Council approved the purchase cost of \$4100 for a new dialer.

Safety Signs Mayor Mclsaac met with citizens to discuss concerns of children crossing Lovely Avenue to attend school. Ryan Fods said he will have crossing signs erected on three crossing points and will touch up the crosswalk paint on the street.

Flag Purchase Fods talked of the need to buy a better-quality flag for the Avenue of Flags as the nylon type does not wear well. The cost of good quality flags has become very expensive.

Compost Pile Fods asked citizens to monitor the compost pile by reporting anyone they see throwing garbage in the area. This is a free service for our citizens and if it must be monitored, usage will be restricted.

- XIII. CITY HALL UPDATE Finance Officer Hunnel contacted city auditors concerning changing the city's municipal accounting from accrual basis to cash basis. Schoenfish had informed Hunnel that they could make the change for the fiscal year 2022 or 2023. Motion by Schreurs, second by Sinding, to change the municipal accounting system from accrual to cash basis starting in 2022. Motion carried, all voting aye.

- XIV. COUNCIL\MAYOR UPDATE Councilman Sinding is still working on finding a solution to the River Park erosion situation.

XV. ADJOURNMENT As there was no further business before Council, Sinding made a motion to adjourn at 10:42 PM. Second by Schreurs. Motion carried, all voting aye. The next regularly scheduled meeting of the Baltic City Council will be 7 PM Tuesday, November 8, 2022, in the Baltic City Hall.

Respectfully Submitted,

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Linda D. Hunnel\Finance Officer

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Deborah McIsaac\Mayor