

Colton City Council Meeting  
Monday, February 8, 2021  
City Hall  
6:30 pm

**1. Call to Order:**

**2. Roll call:**

<input type="checkbox"/> Rick Lehman	
<input type="checkbox"/> Chas Foster	<input type="checkbox"/> Becky Sehr
<input type="checkbox"/> Riley Amundson	<input type="checkbox"/> Trevor Bunde
<input type="checkbox"/> Colby Jensen	<input type="checkbox"/> Diann Nesheim

**3. Public Time:**

**4. Minutes:**

**5. Department Reports:**

- a) Fire Department
- b) Parks/Recreation
- c) Public Works
  - Chip Seal Quote
- d) City Administrator/Municipal Finance Officer

**6. Claims:**

**7. Items to be address by the Council**

- 2<sup>nd</sup> Reading of Ordinance # 2-2021 – Licensing of Animals and Fowl
- Pay Request #8
- MECDA – Jesse Fonkert
- Equalization Reminder – March 15<sup>th</sup> beginning at 6:30

**8. Executive Session (SDCL 1-25-2):**

**9. Adjournment:**

**Heather Madison  
City Administrator**

## Colton City Council Meeting January 11, 2021

The Colton City Council met in regular session on Monday January 11, 2021 at Colton City Hall. Mayor Lehman via teleconference called the meeting to order at 6:30 with the following members present for roll call: Foster, Nesheim, Amundson, Bunde, Jensen and Sehr. Madison was present for city personnel.

Kathy Sigel addressed the council during public time regarding the fence facing her property. She was advised that the city has negotiated with the homeowner. Should the agreed upon changes not be made the City will continue to move forward.

Bill and Craig VanDuyn spoke to the council regarding the rezone of the property located at 300 S Sherman.

A motion was made by Bunde and seconded by Sehr to approve the minutes for the regular meeting held on December 14, 2020 and the special meeting held on December 28, 2020. All members present voted aye.

### **Department Reports:**

**Fire Department** – NA

**Park and Recreation** – NA

**Public Works** – NA

**City Administrator/Municipal Finance Officer** – The Equalization Board will be meeting on Monday, March 15<sup>th</sup>. Madison will post information when appeals can begin to be filed with the city.

Yearend finance were discussed. Final numbers will be presented to the council at the February meeting.

A motion was made by Jensen to approve all claims in the amount of \$57,976.29. The motion was seconded by Nesheim and carried with all members voting aye. The claims list is as follows: BADGER METER \$102.90 fees; BANNER \$1,301.15 engineering; CLASSIC CORNER \$122.37 fuel; COLTON FIRE DEPARTMENT \$13,650 ½ of yearly payment; COLTON LUMBER COMPANY \$468.01 supplies; GOLDEN WEST \$156.34 phone/fax; MID AMERICAN ENERGY COMPANY \$594.55 natural gas; MINNEHAHA COMMUNITY WATER \$2,604 rural water; MUSCO \$20,679.92 light payment; NEW CENTURY PRESS \$83.58 publishing; RURAL DEVELOPMENT \$1437 loan payment; SD DEPARTMENT OF REVENUE \$28.02 sales tax; SIOUX VALLY ENERGY \$928.15 electric; U DRIVE TECHNOLOGY \$56.44 text alerts; US BANKCORP \$15,728.58 loan payments; VERIZON \$35.28 cell phone.

Resolution 1-2021 regarding salaries/compensation was presented to the council. Bunde made a motion to accept the resolution, Foster seconded the motion. A roll call vote was taken, the motion passed with all 6 members voting aye. Resolution 1-2021 reads as follows:

#### RESOLUTION 1-2021

WHEREAS, SDCL 9-13-28 requires that the governing body of every municipality shall fix and determine by ordinance or resolution, the amount of salaries and compensation of all municipal officers and the time at which the same shall be paid; WHEREAS, it is in the best interests of the City of Colton to pay a competitive wage to attract and retain the best employees and elected officials to serve the community;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colton that the following resolution, repealing all prior salary and wage resolutions, be passed and approved. The Mayor and Council shall be paid once a month and all other officers and employees shall be paid bi-weekly at the following yearly salary or hourly wage. PROVIDED, HOWEVER, the Council may make wage increases for the following: completion of education requirements, certification tests, fulfillment of job requirements set at the date of employment and length of service to the City. The Council may also exceed set wage limits if agreed to by the City Council.

Mayor  
Council Members

\$ 4,800.00 annually  
\$ 1,500.00 annually

City Administrator/ Municipal Finance Officer Public Works Supt.	\$ 43,700 annually + comp time + SDRS Retirement \$ 18.96 hourly 40 hours + comp time + SDRS Retirement
Rubble Site Attendant	\$ 9.45 hourly 1 <sup>st</sup> yr +.25 each add'l year with a maximum of \$10/hr
Summer Help (mowing, etc)	\$ 10.00 hourly 1 <sup>st</sup> yr +.25 each add'l year with a maximum of \$12/hr
Pool Manager	\$ 10.50 1 <sup>st</sup> year + .25 each add'l year with a maximum of \$12/hr
Lifeguards	\$ 9.75 1 <sup>st</sup> year + .25 each add'l year with a maximum of \$12.00/hr
Election Works	\$130.00 per day
Laborers	Minimum wage
Planning & Zoning Members	\$25 per meeting

BE IT RESOLVED that the Mayor and Council hereby authorizes these salaries and wages to take effect January 11, 2021.  
BE IT FURTHER RESOLVED that the Mayor and Council shall determine all foregoing salaries and wages.  
The foregoing resolution was introduced by Bunde, who moved for its passage and adoption; Foster seconded the motion.  
A roll call vote was taken with all six (6) members voting aye.  
Whereupon Mayor Lehman declared the resolution passed and adopted and instructed the Municipal Finance Officer to publish this resolution in the official newspaper of the city and to comply otherwise with all applicable notice requirements of the law.

Adopted this 11<sup>th</sup> day of January, 2021

Resolution 2-2021 regarding fees/fines was presented to the council. Sehr made a motion to accept the resolution. Bunde seconded the motion, a roll call vote was taken and the resolution passed with all members voting aye. Resolution reads as follows:

#### RESOLUTION 2-2021

WHEREAS, the City of Colton has determined the need to set the following fees and fines:

#### FEES

Dance License	\$ 25.00 per event or \$100.00 annually
Temporary Malt Beverage License	\$25.00 per event
Animal License	\$ 5.00 per animal
Sanitation Service License	\$200.00 annually
Transient Merchant, Auctioneers, Peddler, Solicitors License	\$50.00 per 30 days
Circus	\$ 50.00 per day
Menageries	\$ 50.00 per day
Sideshow	\$ 25.00 per day
Carnival	\$ 50.00 per day
Swimming Pool Daily Pass	\$ 3.00 per session - jr \$ 5.00 per session - adult
Swimming Pool Season Pass	\$ 40.00 single pass \$ 75.00 family pass – Immediate Family Only
Swimming Pool Party	\$ 100.00 – 1.5 hours (2 lifeguards required)
Water Tap-In Fee	\$400.00 one-time fee for new service lines for 5/8 hookup – additional charges will be charged for larger hookups
Sewer Tap-In Fee	\$250.00 one-time fee for new service lines
Rubble Site Maintenance Fee	\$1.00 per utility bill per month
Camping Pads	\$20.00 per day includes electric and Water
Rezone	\$300 per property – non refundable
Variance	\$200 per request – non refundable
Conditional Use Permit	\$200 per request – non refundable

#### FINES

Animal Running At Large	\$ 50.00 for first offense each
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Animal Disturbing the Peace	animal \$ 50.00 each offense
Animal No Collar with Rabies Tags	\$ 50.00 each offense
Failure to License an Animal	\$ 50.00 each animal
Curfew Violation	\$ 100.00 each offense
Solid Waste Disposal Site Violation	\$ 200.00 each offense
Parking Prohibited/Obstructing Snow Removal	\$ 50.00 per day
Abandoned, Wrecked or Dismantled Vehicle	\$ 50.00 per day
Unauthorized Burn	\$ 100.00 each offense
Reconnect Fee	\$ 75.00 each offense
Return Check Penalty	\$ 40.00 per item returned

BE IT RESOLVED the City of Colton hereby authorizes these fees and fines to take effect January 11, 2021 and hereby designates these charges to be enforced and collected by the appropriate agency. The foregoing resolution was introduced by Sehr who moved for its passage and adoption; council member Bunde seconded the motion. A roll call vote was taken with 6 voting aye. Motion passed. Whereupon Mayor Lehman declared the resolution passed and adopted and instructed the Municipal Finance Officer to publish this resolution in the official newspaper of the city and to comply otherwise with all applicable notice requirements of the law. Adopted this 11<sup>th</sup> day of January, 2021.

Ordinance #5-2020 regarding a rezone for the property located at 300 S Sherman Ave. was presented to the council. Foster spoke to the council regarding the recommendation from the Planning and Zoning committee. Due to a lack of a motion the ordinance failed. The property will not be rezoned.

Ordinance #1-2021 regarding Keeping Animals within City Boundaries was presented to the council. A motion from Sehr to pass the ordinance as it reads. The motion was seconded by Amundson. A roll call vote was take and passed with all members voting aye.

Ordinance #2-2021 regarding Licensing of animals and Fowl was presented to the council. Nesheim requested some clarification. Madison will make the changes requested by the council and present the ordinance for its second reading at the next regular council meeting.

Nesheim made a motion to set the 2021 election date for April 13, 2021 it was seconded by Amundson. All present members voting aye. At this time no city elections will be held this year, however the TV School District has asked to be able to use City Hall as an election site. All agreed that the city would be happy to assist the district in any way we can.

The meeting was adjourned at 7:12 pm on a motion and a second.

**Heather Madison**

**City Administrator**

**Published 1 time at the total approximate cost of \_\_\_\_\_**

# Proposal

## BITUMINOUS PAVING INC.

An Equal Opportunity Employer/Contractor

P.O. BOX 6

ORTONVILLE, MN 56278

(320) 273-2113

FAX: (320) 273-2120

PROPOSAL SUBMITTED TO <b>CITY OF COLTON</b>	PHONE	DATE <b>DEC 15, 2020</b>
STREET	JOB NAME <b>SEAL COAT AND FOG SEAL</b>	
CITY, STATE AND ZIP CODE	JOB LOCATION <b>COLTON, SD</b>	
ARCHITECT	DATE OF PLANS	JOB PHONE

We hereby submit specifications and estimates for:

**SEAL COAT AND FOG SEAL +/- 14,640 SY @ \$2.75 = \$40,260.00**

- ✓ PRICE IS BASED ON SEAL COAT USING CRS2P WITH GRANITE AND CSS1H DILUTE FOR FOG SEAL
- ✓ FINAL PRICE BASED UPON TOTAL SQUARE YARDS COMPLETED

**We Propose** hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Payment to be made as follows: \_\_\_\_\_ dollars (\$ \_\_\_\_\_)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized  
Signature \_\_\_\_\_

Note: This proposal may be withdrawn by us if not accepted within 30 days.

**Acceptance of Proposal** - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

## City Administrator/Finance Officer Report

1. Receipts & Disbursements Year End Questions
2. District 3 Meeting – Will be done virtually on March 18<sup>th</sup>. If you would like to join please let me know.
3. Fence – Attorney Update
4. Settlement Request for 704 E 3<sup>rd</sup> St
5. Vacation/Holiday

February 12<sup>th</sup> – 15<sup>th</sup> – President Day  
February 26<sup>th</sup> - Omaha

# 2020 Contract Hours for Colton

	Patrol Hours	Contracted Hours	Balance
January	66.90	65	1.90
February	65.54	65	0.54
March	75.57	65	10.57
April	68.90	65	3.90
May	67.99	65	2.99
June	74.54	65	9.54
July	68.73	65	3.73
August	70.95	65	5.95
September	65.83	65	0.83
October	68.70	65	3.70
November	69.75	65	4.75
December	73.05	65	8.05
<b>Total Hours</b>	<b>836.45</b>	<b>780.00</b>	<b>56.45</b>

ORDINANCE # 2-2021 -- LICENSING OF ANIMALS AND FOWL

AN ORDINANCE ENACTIN A NEW SECTION WITHING TITLE 5, CHAPTER 5.02, PROVIDING FOR THE LICENSING OF ANIMALS AND FOWL WITHING THE BOUNDARIES OF THE CITY OF COLTON, SOUTH DAKOTA.

BE IT ORDAINED by the City of Colton, South Dakota:

That this Ordinance establishes regulations for the licensing of animals and fowls within the boundaries of the City of Colton, South Dakota and shall be added to the Revised Municipal Ordinances of the City of Colton, South Dakota as Section 5.0218, as follows:

5.0218        Licensing of Animals and Fowl, Notwithstanding Section 5.0217 – 5.0214 each owner or keeper of animals or fowl described in Section 5.0217 (B) that wants to own or keep more than five (5) the maximum allotted animals or fowl must make application for a license certificate on a form prescribed by the City within thirty (30) days of the acquisition of such animals or fowl.

Each owner or keeper of fowl described in Section 5.0217 (C) must make application for a license certificate on a form prescribed by the City within thirty (30) days of the acquisition of such fowl.

All application for license certificates must be accompanied by a written consent of one hundred percent (100.0 %) of the owners of all real estate situated within one hundred (100) feet of the applicant's real estate. Upon the City's approval for the required application, the City shall issues a license certificate. The license shall specify any restrictions, limitations, conditions, or prohibitions required by the City. The license may be modified or revoked by the City for failure to conform to such restrictions, limitations, conditions, or prohibitions including but not limited to noise and odor.



The term of the license shall be three (3) ears for the date of issuance

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF COLTON, SOUTH DAKOTA

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Rick Lehman  
Mayor

ATTEST:

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Heather Madison  
Municipal Finance Officer

(SEAL)