

Gregory City Council Meeting
November 16, 2009

The Gregory City Council met in regular session at the Gregory City Hall on Monday, November 16, 2009 at 7:30 p.m. The following members were present: Mayor Dan DeSmet; Council Members, Gerrie Soper, Tim Mills, Maurice Schlaht, Blane Bartling and Kevin Mikkelsen. Absent was Council Member Chad Peck. Others present were Finance Officer Al Cerny, Public Works Supt. Mark Fortuna and News Reporter Colleen Flynn.

AGENDA:

The following items were added to the agenda: bike path increased engineer fees, city Christmas social and employee evaluations. Motion was made by Council Member Schlaht to approve the agenda with the additions. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Soper to approve the minutes of November 2, 2009 as written. All members voted aye.

ONE-DAY MALT BEVERAGE LICENSE:

The council held a hearing for a one-day malt beverage license. The Gregory Commercial Club will sponsor an event to be held on December 5, 2009. Motion was made by Council Member Mills to approve of the one-day malt beverage license for December 5, 2009 at the Dixon Town Hall Theatre. All members voted aye.

SEWER LINE/ARENS ENGINEERING:

Vern Arens met with the council to review and update the council on the sewer outfall plans. There was a proposal to change the sewer route to follow 4th street to where Logan Avenue would run if extended, and then south to the old railroad right-of-way and then east following the railroad right-of-way to the intersection with Highway 18 and the county road. The council agreed to the proposed change in route. The plans will be submitted to the state for their review in December of 2009.

DEPT. HEAD REPORTS:

Public Works Supt. Mark Fortuna reported that he has been cleaning some ditches and sewer lines. The airport fuel sales have been good.

Officer Steve McDowell reported that the police department has received the speed board. The city will be reimbursed for the cost since they received a grant for the purchase of the sign. Shawn Claussen is scheduled to graduate from the State Police Academy on Friday, November 20, 2009.

INSURANCE CLAIM:

The council reviewed the insurance claim on the buildings due to the August hailstorm. The city is set to receive \$124,741.93 and another \$37,766.08 when all the repairs are made for a total of \$162,508.01. The insurance company will be informed that

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because the siding on the main street department garage cannot be matched, the city may incur some greater costs on that building. The council approved the insurance payment.

WATER STUDY REPORT:

The council agreed to hold the time for hearing the water study results sometime in January during a regular council meeting. The meeting would start at 6:30 p.m. to allow enough time for the report.

FINANCIAL REPORT:

The October financial report was given to the council. It was noted that sales tax revenue was up over the same as reported last year.

RESOLUTION OF NECESSITY:

Motion was made by Council Member Soper to pass the following Resolution of Necessity for sidewalks along Felton Avenue and Gerkin Drive, which calls for a December 7, 2009 hearing date. All members voted aye.

RESOLUTION OF PROPOSED RESOLUTION OF NECESSITY

BE IT RESOLVED by the City Common Council of the City of Gregory, South Dakota, at a regular meeting thereof, held in the Meeting Room of the City Common Council in the City of Gregory at 7:30 o'clock p.m. on the 16th day of November, 2009, that the convenience and necessity has arisen to improve substantially the following in the City of Gregory, Gregory County, South Dakota, by the addition of curb and gutter improvements where needed, such properties affected being hereinafter named on the attached list marked Exhibit "A" and affecting such streets named on the attached list marked Exhibit "B".

BE IT FRUTHER RESOLVED that the material to be used in the project shall be according to plans and specifications prepared by engineers for the City of Gregory, and on file in the office of the Municipal Finance Officer and open to public inspection and incorporated hereby.

BE IT FURTHER RESOLVED that the cost of said project shall be assessed against all assessable lots and tracts of land fronting or abutting thereon, according to the provisions of SDCL 9-45-30 as to each of such lots or tracts above stated. The total cost of the project shall include the contract price of the project. After determining the amount of the total cost of said project, the same shall be made on a per-foot basis, as provided by SDCL 9-45-30. The estimated cost as to curb and gutter is \$22 per assessable foot. The lots shall be classified as lots.

BE IT FURTHER RESOLVED that the assessment will be divided into ten (10) equal annual installments, which shall be payable under Plan One, collection by the County Treasurer, as set forth in SDCL 9-43-30, et seq., and under that all deferred installments shall bear interest as such rate as shall be determined by the City Council, but not in excess of eight (8) percent per annum.

BE IT FURTHER RESOLVED that the above resolution shall be published once in the official newspaper of the City, with an appended notice stating the place and time, 11/16/2009

at least two weeks after such publication, at which the Common Council will meet for the consideration any objections to the proposed resolution by owners of property liable to be assessed for the improvement and adoption of the resolution. However, if such improvement were petitioned for by the owners of more than fifty-five percent of the frontage of the property to be assessed therefore, it may be provided for by resolution without publication.

BE IT FURTHER RESOLVED that notice of shall cause personal notice to be sent by first-class, certified mail to each person owning property liable to be assessed for the improvement; said notice to include all information required of the published notice. If the property is occupied and has a street address, the written notice shall be sent to the owner in care of such address and, if not, to the last known address of the owner. Notice shall not be required to be sent to any person who shall have petitioned in writing or consented in writing to such improvement.

BE IT FURTHER RESOLVED, that the Finance Officer is directed to take such actions as is necessary to carry out the intent of the resolution.

THE COMMON COUNCIL OF THE CITY
OF GREGORY, SOUTH DAKOTA

Dan DeSmet, Mayor

ATTEST:

Al Cerny, Municipal Finance Officer

APPENDED NOTICE OF HEARING ON PROPOSED RESOLUTION OF
NECESSITY

NOTICE IS HEREBY GIVEN that on the 21st day of December, 2009, at the hour of 7:30 o'clock p.m., at the Gregory City Council meeting room in the City of Gregory, South Dakota, has been fixed by the Gregory Common Council as the time and place for the hearing upon the Proposed Resolution of Necessity, at which time the Common Council shall consider any objections to the proposed resolution by owners of property liable to be assessed for the improvement.

THE COMMON COUNCIL OF THE CITY
OF GREGORY

STATE OF SOUTH DAKOTA)

: SS

COUNTY OF GREGORY)

I, the undersigned, being the duly qualified and acting Municipal Finance Officer of the City of Gregory, South Dakota, do hereby certify that the attached and foregoing is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, held on November 16, 2009, insofar as the original minutes relate to proceedings for the Special Assessment Project of said City.

WITNESS my hand and official seal of said City this 16th day of November 2009.

BIKE PATH ENGINEERING:

The council received an amendment to the original engineering contract from SPN. The amendment would pay SPN \$23,000 instead of \$16,000 due to the increased work needed on the bike path to change the route. Motion was made by Council Member Mikkelsen to approve the amendment and the fee increase to \$23,000 and allow the Mayor to sign the agreement. All members voted aye.

CHRISTMAS SOCIAL:

The council set Friday, December 11, 2009 at 5:30 p.m. as the time and date for the city's Christmas social. The event will be held at The Diner if the date is available.

EMPLOYEE EVALUATIONS:

The council agreed to hold employee evaluations on Mon., Dec. 14, 2009 starting at 6:00 p.m.

CLAIMS:

Motion was made by Council Member Schlaht to pay the following claims as presented. All members voted aye.

GENERAL FUND:

Al Cerny, mileage reimbursement/election workshop in Sioux Falls	170.50
Appeara, towels/hand cleaner/coveralls	21.73
B & F Variety, pencils	5.24
Buche Foods, garbage bags	22.16
Burke Oil Company, 2500 gal jet fuel	6,775.00
Curley Haisch Estate, 50.35 ton gravel.....	629.37
Decatur Electronics Inc., speed board sign.....	3,745.00
First National Bank, Main Street bond payment	75,788.75
Gregory County Hwy Dept, culverts/road maintenance.....	255.75
Gregory Drug, pictures	9.15
Harrison Plumbing & Heating, exhaust fan/fittings/start aud. furnace	94.15
Intoximeters Inc., mouthpieces	70.00
Jack Wenger, reimbursement for work comp items	46.70
Jim's Garbage Service, garbage pickup service	140.00
Kansas State Bank, payment #3 Volvo L60F Wheel Loader	24,526.88
MC & R Pools Inc., close pools 2009.....	1,035.43
Opperman Inc., 41.08 ton concrete sand delivered.....	246.48
Petty cash, car wash/postage reimbursement.....	47.02
Rosebud Auto Parts, air filters/oil filter/battery/bracket/voltage part	470.12
Shawn Claussen, mileage reimbursement/5 weeks Gregory to Pierre	660.00
Verizon Wireless, November cell phone service.....	269.54
Wilson Equipment, community room fan motor	545.90

Total \$ 115,574.87

WATER FUND:

Alfred Harrison, refund water bill overpayment	6.81
Appeara, coveralls	7.46
Galls An Aramark Company, water pickup light bar	110.98
Gregory Building Center, treated plywood/treated 4x4-12'	226.73
Harrison Plumbing & Heating, ¾ hp pump/fittings/sub cable	736.65
One Call Systems Inc., locate tickets.....	8.40
SDWWA, membership renewal/Michael Jacobsen	10.00
Tom's Service, replace alternator/water pickup	257.53
Verizon Wireless, November cell phone service.....	96.29

Total \$ 1,460.85

SEWER FUND:

Arens Engineering, Gregory Outfall Line Replacement engineering fees	6,435.00
Rosebud Auto Parts, gauge/repair kit	52.15

Total \$ 6,487.15

Grand Total \$ 123,522.87

PAYROLL OVERTIME APPROVED:

Jack Wenger, weekend water duty 11/14-15/09

11-11-09 PAYROLL:

BankWest, withholdings	3,164.06
SDRS, retirement	1,791.34
Aflac, insurance	122.48
Office of Child Support Enforcement, child support payment	219.23
City of Gregory, water/sewer payment.....	99.50
City of Gregory, extra cell phone charges	42.97
Finance Officer	1,635.20
Police Dept.....	6,106.88
Street Dept	3,179.35
Airport.....	310.98
Library	795.50
Water Dept.....	2,388.80
Economic Development.....	200.00

AMBULANCE PAYROLL October 2009:

BankWest, withholdings	1,026.42
Ambulance	4,540.15

ADJOURN:

Motion was made by Council Member Mills to adjourn. All members voted aye.

Dan DeSmet, Mayor

ATTEST: _____

Al Cerny, Finance Officer