

Gregory City Council Meeting
December 21, 2009

The Gregory City Council met in regular session at the Gregory City Hall on Mon., Dec. 21, 2009 at 7:30 p.m. The following members were present: Mayor Dan DeSmet; Council Members, Gerrie Soper, Tim Mills, Blane Bartling, Kevin Mikkelsen, Maurice Schlaht and Chad Peck. Others present were Assistant Finance Officer Jennifer Keegan, Public Works Supt. Mark Fortuna and News Reporter Colleen Flynn.

AGENDA:

Motion was made by Council Member Mills to approve the agenda. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Soper to approve the minutes of December 7, 2009 as written. All members voted aye.

PUBLIC HEARING/CURB & GUTTER RESOLUTION:

The Gregory City Council held a public hearing on the Resolution of Necessity to form a curb and gutter assessment for the area on 5th Street from Rosebud Avenue to Logan Avenue and 5th & Logan to 8th & Logan. Jacob Imhof was present for the hearing. He was concerned about the weight of his truck cracking the concrete on the bike path. The council agreed that City Administrator Al Cerny would talk to the project engineers about possibly reinforcing the area with a thicker layer of concrete. Motion was made by Council Member Schlaht to approve the adoption of the Resolution of Necessity for the curb and gutter assessment. All members voted aye.

RESOLUTION OF NECESSITY

WHEREAS, the City of Gregory has proposed a resolution of necessity; and

WHEREAS, the City of Gregory has published and mailed said notices as required by South Dakota Codified Laws; and

WHEREAS, the City is ready to proceed with the project and again declare the necessity to make the improvements.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Gregory, South Dakota, at a regular meeting thereof, held in the Meeting Room of the City Council in the City of Gregory at 7:30 o'clock p.m. on the 21st day of December, 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 where needed, such properties affected being hereinafter named on the attached list marked "A" and affecting such streets named on the attached list marked Exhibit "B".

EXHIBIT "A"

5th Street/Logan Avenue Curb & Gutter Resolution of Necessity

1. Lorraine Nemer 616 Whittecar Gregory, SD 57533	Block 68, Lot 12 Original Town of Gregory	140'
2. Lisa Mikkelsen 28377 343rd avenue Burke, SD 57523-5165	Block 68, Lots 1,2 Original Town of Gregory	140'
3. James Larkin 409 E 5 th Street Gregory, SD 57533	E 60' of Lots 1,2 of Block 70 Original Town of Gregory	60'
4. Brian Allmendinger 423 Felton Gregory, SD 57533	W 130' of Lot 1, Block 70 Original Town of Gregory	130'
5. Dave/Jodi Borszich 34206 291 st Street Burke, SD 57523	Lots 1-4 of Block 14 Gregory Heights Addition to Gregory	141'
6. Mark Eklund 323 Main Gregory, SD 57533	Lots 5-6-7-8 of Block 13 Gregory Heights Addition to Gregory	140'
7. Jacob Imhof 422 Logan Gregory, SD 57533	Lot 1; N25' of Lot 2 Block 13 Gregory Heights Addition to Gregory	140'
8. Patrick/Rita Taggart 33134 281 st Street Dallas, SD 57529	W 177.5' of Lot 8 less N.50' 127.5' Logan Acres Addition to City of Gregory	127.5'
9. Ronald/Darlene Shattuck 30087 331 st Avenue Gregory, SD 57533	W.177.5' of N.1/2 lot 9 Logan Acres Addition to City of Gregory	87.5'
10. Ronald/Darlene Shattuck 30087 331 st Avenue Gregory, SD 57533	W 177.5' of S 1/2 of Lot 9 N 50' of W 177.5' of Lot 8 Logan Acres Addition to City of Gregory	137.5'
11. Allen Veskna 713 Logan Avenue Gregory, SD 57533	Lots 10,11 Logan Acres Addition to City of Gregory	350'

EXHIBIT "B"

5th Street from Rosebud Avenue to Logan Avenue; 5th Street and Logan Avenue to 8th Street and Logan Avenue.

BE IT FURTHER 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 state. The total cost of the project shall include the contract price. After determining the amount of the total cost of said projects, 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 \$22.00 per assessable foot. The lots shall be classified as lots.

BE IT FURTHER RESOLVED that the assessments will be divided into ten 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 that all deferred installments shall bear interest at such rate as shall be determined by the City Council, but not in excess of 8 percent per annum.

BE IT FURTHER RESOLVED that the contractors who undertake to perform the work of construction herein provided for shall be paid in cash.

BE IT FURTHER RESOLVED that the Resolution of Necessity is hereby adopted.

THE GOVERNING BODY OF THE CITY
OF GREGORY, SOUTH DAKOTA

Dan DeSmet, Mayor

ATTEST: _____
Al Cerny, Municipal Finance Officer

STATE OF SOUTH DAKOTA)
 :SS
COUTNY 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 compete transcript of the minutes of the meeting of the City Council of said City, held on December 21, 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 21st day of December, 2009.

Al Cerny, Municipal Finance Officer
City of Gregory, South Dakota

ARENS ENGINEERING/SEWER LINE:

Vern Arens met with the council to give them an update on the Gregory Outfall Line Replacement and reviewed the new sewer line path. Arens said easements for the line were recently sent out and all required documentation would be in place in January.

DEPT. HEAD REPORTS:

Police Chief Dwight Ellwanger requested permission to remodel the police office. The council approved the request.

SUPPLEMENT BUDGET ORDINANCE #212:

Ordinance #212, an ordinance to supplement the regular city budget was placed on its second reading. Motion was made by Council Member Soper to approve the second reading of Ordinance #212. All members voted aye.

AIRPORT CAPITOL IMPROVEMENT PLAN/PROJECT VALIDATION:

The city council members reviewed the Capitol Improvement Plan (CIP) prepared by Helms & Associates for the Gregory Municipal Airport for improvement projects over the next 10 years. The construction of a wildlife fence and land acquisition for a runway protection zone is the planned project for the year 2010. Motion was made by Council Member Mikkelsen to have the Mayor sign the project validation for the year 2010 under the CIP so that it can be sent in to the Federal Aviation Administration. All members voted aye.

TEMPORARY CITY ATTORNEY:

Mayor DeSmet appointed Wally Eklund as the interim city attorney. The council approved the appointment.

CLAIMS:

Motion was made by Council Member Mills to pay the following claims as presented with the addition of the gratuity added to the Diner on Main bill. All members voted aye.

GENERAL FUND:

Appeara, towels/hand cleaner/coveralls	21.73
Association & Society Insurance Corp, 6 mo. health ins. supplement/Claussen	480.00
Buche Foods, cleaning supplies/planning commission supplies	100.91
Creative Product Source Inc., police dept evidence stickers	87.14
Curley Haisch Estate, 102.42 ton gravel.....	1,280.25
Dept. of Motor Vehicles, police dept trailer title & registration fees	15.00
Gregory County Auditor, overpayment of 10% game tax	5,660.55
Jerry's Electric, auditorium electrical repairs	315.58
Jim's Garbage Service, garbage service pickup	140.00
Petty cash, postage reimbursement	26.28
Ponca Creek Creations, repair to police dept. cell phone carry case.	1.50
Raymans Storage & Stump Removal, stump removal in park	208.50
Rosebud Electric Cooperative Inc., electricity	3,633.86
The Diner on Main, city holiday party	790.34
Verizon Wireless, December cell phone service	260.01

Total \$ 13,021.65

WATER FUND:

Appera, coveralls	7.46
DENR/Board of Operator Cert., 2010 operator certification renewals	72.00
Department of Revenue, water testing.....	37.00
First National Bank, SRF loan payment	4,127.57
Hawkins Inc., hydrofluosilicic acid/chlorine.....	752.30
HD Supply Waterworks Ltd., couplings.....	192.89
Jerry's Electric, well field repairs	1,280.77
Petty cash, postage reimbursement.....	.84
Rosebud Electric Cooperative Inc., electricity	1,384.32
The Diner on Main, city holiday party	197.59
Verizon Wireless, Decebmer cell phone service	92.07
Total \$	8,144.81

SEWER FUND:

Arens Engineering, outfall line replacement.....	3,960.00
Rosebud Electric Cooperative Inc., electricity	63.26
Total \$	4,023.26

WATER DEPOSIT:

Tanner Reuer, refund water deposit.....	2.00
Total \$	2.00

Grand Total \$ 25,191.72

PAYROLL OVERTIME APPROVED:

Mark Fortuna, weekend watery duty 11/28-29/09 & 12/19-20/09
Michael Jacobsen, weekend water duty 12/12-13/09
Jack Wenger, weekend water duty 12/5-6/09; 4.25 hrs overtime

12-9-09 PAYROLL:

BankWest, withholdings	2,775.96
SDRS, retirement	1,559.26
Aflac, insurance	122.48
Office of Child Support Enforcement, child support payment.....	219.23
City of Gregory, water/sewer payment.....	23.00
Finance Officer	1,635.20
Police Dept.....	4,742.32
Street Dept	3,067.40
Airport.....	227.76
Library	628.38
Water Dept.....	2728.81
Economic Development.....	200.00
General Government Building.....	250.00

AMBULANCE PAYROLL November 2009:

BankWest, withholdings	714.37
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Ambulance 2,914.25

EXECUTIVE SESSION:

Motion was made by Council Member Mikkelsen to go into executive session to discuss bonuses and employee salaries. All members voted aye. Council went into executive session at 8:00 p.m.

RESULTS OF EXECUTIVE SESSION:

At 8:08 p.m., Mayor DeSmet declared the council out of executive session. Motion was made by Council Member Mills to approve a \$150 holiday bonus to all full-time employees and a \$50 holiday bonus to all regular part-time employees. All members voted aye.

Motion was made by Council Member Peck to give a 3% increase in pay to all employees including part-time employees, and also give Marlene Rezac and Machel Seeley a \$10.00 per month increase in pay. All members voted aye.

ADJOURN:

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

Dan DeSmet, Mayor

ATTEST: _____
Jennifer Keegan, Assistant Finance Officer