

Gregory City Council Meeting  
September 2, 2008

The Gregory City Council met in regular session at the Gregory City Hall on Tuesday, September 2, 2008 at 7:30 p.m. The following members were present: Mayor Wade Juracek; Council Members, Tim Mills, Gerrie Soper, Maurice Schlaht, Dan DeSmet, Kevin Mikkelsen and Chad Peck. Others present were Finance Officer Al Cerny, Public Works Supt. Mark Fortuna and News Reporter Colleen Flynn.

AGENDA:

Motion was made by Council Member Soper to add the following items to the agenda: rubble site amendment, quit claim deed from fire dept. and real estate purchase agreement. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Schlaht to approve as written the August 18, 2008 minutes. All members voted aye.

PUBLIC FORUM:

Brad Christensen met with the council to further discuss insurance coverage for the fire department. Motion was made by Council Member Soper to have the city buy liability insurance for the fire department that is different from the pool insurance that the city currently has. All members voted aye.

DEPT HEAD REPORT:

Mark Fortuna gave a report on the street and water departments. A service tech had to work on the water controls.

COMMITTEE REPORT:

Kevin Mikkelsen reported that the contractor will start work on the auditorium heating and cooling sometime around Oct. 1, 2008. The work should take about a week.

2009 BUDGET:

The 2009 Budget Ordinance No. 204 was placed on its first reading. Motion was made by Council Member Peck to approve of the first reading of the 2009 Budget Ordinance. All members voted aye.

RESOLUTION OF NECESSITY:

The resolution of necessity for sidewalk improvements on the Marlene Rezac property was reviewed. Motion was made by Council Member Tim Mills to approve of the following resolution of necessity. 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 the 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 second day of September, 2008, 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 sidewalk improvements where needed, such property affected being hereinafter named as: East 30' of East 80' of Lot 5, East 80' of Lot 6 of Block 59, Original Town of Gregory. Affecting the following area: sidewalk adjacent to the South 80' of the West side of Spencer Avenue between Sixth and Fifth Streets; and the East 80' of Fifth Street between Rosebud Avenue and Spencer Avenue.

BE IT FURTHER RESOLVED that the material to be used in the project shall be according to plans and specifications prepared 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. After determining the amount of 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 sidewalk improvements is \$ 16.37 per assessable foot. The lots shall be classified as regular lots.

BE IT FURTHER RESOLVED that the assessments will be divided into five 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 as such rate as shall be determined by the City Council, but not in excess of eight 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 from the City.

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

#### CLEAN-UP COMMITTEE:

Mayor Juracek appointed Tim Mills and Gerrie Soper, along with himself, to be the clean-up committee. Mayor Juracek will chair the committee. Mayor Juracek asked the council to address a particular public nuisance issue at this time. A lot owned by Todd Schweigert that is located in Hills Addition is covered with a variety of heavy equipment items, some partially dismantled and some not in working condition. The council agreed that the lot should be cleaned up. It was agreed that notice should be sent, giving Schweigert 60 days to clean up the lot and allow him 20 days to appeal the request to clean up the lot.

#### AIRPORT/AWOS:

The city received word that although there are twelve based aircraft associated with the Gregory Airport, the airport has no hangar space for the twelve based aircraft, and the city does not qualify for an AWOS system under the current airport commission's policy. The city has a chance to ask the airport commission to make an exception at the next commission meeting to be held on September 23, 2008. Ken Adams and Al Cerny, and possibly other council members, will attend the meeting and ask that Gregory be considered for an AWOS System.

#### TIME CLOCK:

The council discussed the use of time clocks for city employees and the purchase of an additional time clock. It was agreed that the employees will continue to use time sheets to record their time.

#### BUILDING PERMIT:

Motion was made by Council Member Mills to approve the building permit of Darrell Shattuck to add a double car garage to his house in Duling Addition. All members voted aye.

#### SDML CONVENTION:

The council was informed of the SDML Convention to be held in Pierre, SD on October 7-10, 2008. Pre-registration will have to be submitted by September 15, 2008.

#### RUBBLE SITE:

The council agreed to take the necessary steps in order to amend the city's current rubble site permit to allow the city to include construction rubble at the site.

#### REAL ESTATE AGREEMENT:

The council approved the real estate agreement for the purchase of the city's Lot 6 of Block 73 by Rick and Anita Messerschmidt.

CLAIMS:

Motion was made by Council Member Peck to approve payment of the following claims with the exception of withholding 10% of the Brush and Hammer Construction bill until the trim work has been completed. All council members voted aye.

GENERAL FUND:

Arbor Day Foundation, membership dues .....	15.00
Brush and Hammer Construction, remodel council room/10% w/h..	1,080.00
Dakota Plains Chapter, swim certificates .....	330.00
Department of Revenue, pool water testing.....	96.00
Golden West, phone service .....	819.79
Gregory Times Advocate, council publishing/police officer ad.....	542.97
Harrison Plumbing & Heating, fittings/remove air conditioner & cap freon line	164.30
Ken Adams, meal reimbursement.....	19.94
Klein's True Value, paint/fly traps/ insect killer/cleaning supplies...	245.76
Michael Todd & Company, gutter brooms/snow plow blades .....	1,837.66
North Forty Ag Inc., weed control chemicals.....	188.24
Office Products Center, legal pads/ink cartridge/fasteners/tape .....	31.59
Old Pioneer, police dept. batteries .....	3.16
Petty cash, postage reimbursement.....	1.40
Raymans Storage & Stump Removal, stump removal/park & roadside park	156.00
Runnings Supply Inc., starter rope/bolts/trimmer/turf food/ carb cleaner pipe/antifreeze/degreaser/tote .....	470.19
SD Municipal League, SDML Convention Oct. 7-10 registration/Al Cerny	75.00
The Health Pool of SD, September health insurance.....	2,136.50
Tri-State Turf & Irrigation, sprinkler head nozzle.....	26.79
Total \$	8,240.29

SPECIAL STREET ASSESSMENT FUND:

Commercial Asphalt, 44.92 tons patch mix.....	3,773.28
Highway Improvements Inc., asphalt crack sealing .....	5,101.85
Total \$	8,875.13

RD LOAN REPAYMENT REVENUE:

Rural Development, September loan payment .....	4,285.00
Total \$	4,285.00

WATER FUND:

Christensen Sales & Service, repairs to wells.....	577.36
Department of Revenue, water testing.....	266.00
Golden West, phone service .....	81.74

Harrison Plumbing & Heating, pipe/coupling/gauge/cap.....	61.65
HD Supply Waterworks Ltd., water meter chambers.....	273.74
Meta Halverson, refund water payment.....	62.48
Petty cash, postage reimbursement.....	8.05
The Health Pool of SD, September health insurance.....	854.60
Tripp County Water User District, monthly water service.....	3,000.00

Total \$ 5,185.62

SEWER FUND:

Meta Halverson, refund sewer payment.....	17.00
SD Assn. of Rural Water Systems, sewer camera rental.....	250.00

Total \$ 267.00

WATER DEPOSIT:

JD Reynolds, water deposit refund.....	5.00
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Total \$ 5.00

Grand Total \$ 26,858.04

PAYROLL OVERTIME APPROVED:

Jack Wenger, weekend water duty 8/9-10/08; 4 hrs overtime

8-20-08 PAYROLL:

BankWest, withholdings.....	3,446.52
SDRS, retirement.....	1,301.14
Aflac, insurance.....	78.04
Office of Child Support Enforcement, child support payment.....	219.23
City of Gregory, extra cell phone charges.....	10.00
Finance Officer.....	1,587.20
Police Dept.....	3,272.00
Street Dept.....	3,133.00
Airport.....	318.75
Pool.....	1,813.81
Park.....	1,350.69
Library.....	937.03
Water Dept.....	2,560.00
Economic Development.....	200.00
General Government Building.....	250.00

8-21-08 PAYROLL (Troy Dummer):

BankWest, withholdings.....	457.43
SDRS, retirement.....	265.84

City of Gregory, payment for boots.....	103.98
Police Dept.....	1,661.52

EXECUTIVE SESSION:

Motion was made by Council Member Mills to go into executive session to discuss the police department applications. All members voted aye. Council went into executive session at 8:28.p.m. At 8:45 p.m., Mayor Juracek took the council out of executive session.

ACTION TAKEN:

Motion was made by Council Member Mills to offer the police officer position to Steve McDowell at \$12.50 per hour. All members voted aye.

ADJOURN:

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

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Wade Juracek, Mayor

ATTEST: \_\_\_\_\_  
Al Cerny, City Finance Officer