

Gregory City Council Meeting  
August 2, 2010

The Gregory City Council met in regular session at the Gregory City Hall on Mon., August 2, 2010 at 7:30 p.m. The following members were present: Mayor Dan DeSmet; Council Members, Tim Mills, Chad Peck, Blane Bartling, Maurice Schlaht and Kevin Mikkelsen. Council Member absent was Gerrie Soper. Others present were Finance Officer Al Cerny and News Reporter Colleen Flynn.

AGENDA:

The following items were added to the agenda: airport fence bid (which was previously advertised), Wear N' Wares building, library parking, Channel 19 TV, and Ordinance No. 216. Motion was made by Council Member Schlaht to accept the agenda with the additional items. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Bartling to approve, as written, the regular minutes of July 19, 2010. All members voted aye.

WEAR N' WARES/LYLE MARTIN:

Father Lyle Martin met with the council to seek approval to place a temporary trailer (8' x 36') behind the Wear N' Wares building for use as a food bank. He also asked if the park shelters could be used for an auction to benefit Wear N' Wares. The council approved of the trailer and picnic shelter use.

AIRPORT FENCE BID:

Bob Babcock with Helms & Associates gave the council the following results of the 7:00 p.m. bid opening for airport fencing:

American Fence Company, Sioux Falls, SD - \$163,751.29  
Word Reclamation & Fencing, Inc., Pierre, SD - \$203,729.94  
B&K Fence, Inc., West Fargo, ND - \$219,206.66

Motion was made by Council Member Mills to tentatively award the airport Wildlife Fence Improvements (AIP # 3-46-0018-008-2010) to American Fence Company, Sioux Falls, SD in the amount of \$163,751.29, pending receipt of FAA grant offer and "good faith effort" documentation.

FAA CONTRACT/GRANT:

Motion was made by Council Member Peck to authorize Mayor Dan DeSmet to sign the FAA grant offer and contract. All members voted aye.

COMMITTEE REPORT:

Council Member Mills from the airport committee passed on the following requests from the airport manager: 1) install a walk-thru gate by the fuel tanks 2) grade the site where the underground tanks are to improve water drainage and lock the fill caps, and 3) upgrade security camera. The gate and drainage issues will be discussed with the airport engineer.

**POLICE DEPT REPORT:**

Police Officer Steve McDowell reported on the 2010 Safe Schools Conference in Pierre, SD that he recently attended. Numerous topics including phone use, drugs and bullying were discussed at the conference. McDowell also reported that Gregory has met 95% of their goals, with three months remaining in regard to the highway safety program goals that were previously setup.

**JUNK VEHICLES:**

Mayor DeSmet mentioned the need to get some of the junk vehicles removed from the city. The police department and Al Cerny will work together to send out notices and remove vehicles if necessary.

**SPECIAL EVENT LIQUOR LICENSE:**

The Oscar Micheaux Board of Directors applied for a special event liquor license for August 4-7, 2010 at the Oscar Micheaux Center. Motion was made by Council Member Bartling to approve the special event liquor license for the Oscar Micheaux Center as published in the paper. All members voted aye.

**STREET VACATION:**

The following resolution was presented by Council Member Mills and approved by the city council, which grants Dan & Sandra Krueger a 10' street vacation:

**RESOLUTION TO VACATE**

Daniel and Sandra Krueger are the property owners of Lots 1 and 2 of Block 83 of the Original Town of Gregory. Adjacent to Daniel and Sandra Krueger's property is Third (3<sup>rd</sup>) Street which is platted, but portions of the street are unimproved, including the South 10' of the platted street as it abuts Daniel and Sandra Krueger's property as described above. Pursuant to SDCL 9-45-10, Daniel and Sandra Krueger have submitted to the City Council a verified "Petition to Vacate a Portion of a Street Right of Way" which is form described as follows, to-wit:

The South 10' of the platted Third (3<sup>rd</sup>) Street right of way, adjacent to Lots 1 and 2 of Block 83 of the Original Town of Gregory.

WHEREAS, that the City Council, pursuant to SDCL 9-45-11, caused to be published once each week, for two consecutive weeks, the "Notice of Hearing" upon said Petition;

WHEREAS, the City Council, pursuant to SDCL, held a hearing on said Petition on August 2, 2010 at 7:30 p.m. at the Gregory City Hall;

WHEREAS, the City Council has deemed it expedient that said matters should be proceeded with;

IT BEING RESOLVED AND ORDERED that the unimproved South 10' of platted Third (3<sup>rd</sup>) Street that is adjacent to Lots 1 and 2 of Block 83, Original Town of Gregory, be vacated.

BE IT FURTHER RESOLVED that the Gregory City Finance Officer shall cause notice of this Resolution to Vacate be published and the same be filed with the Gregory County Register of Deeds pursuant to SDCL 9-45-12.

City Council Member Mills offered the foregoing resolution. Upon roll call vote, the resolution carried by the following vote: Ayes, 5; Nays, 0.

Dated this 2<sup>nd</sup> day of August 2010.

---

Dan DeSmet, Mayor  
City of Gregory

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

**STREET VACATION:**

The following resolution was presented by Council Member Mikkelsen and approved by the city council, which grants Steve Bartling a 20' street vacation:

**RESOLUTION TO VACATE**

Steve Bartling is the property owner of the W110' of Lot 1; W110' of the N15' of Lot 2, of Block 42, of the Original Town of Gregory. Adjacent to Steve Bartling's property is Ninth (9<sup>th</sup>) Street which is platted, but portions of the street are unimproved, including the South 20' of the platted street as it abuts Steve Bartling's property as described above. Pursuant to SDCL 9-45-10, Steve Bartling has submitted to the City Council a verified "Petition to Vacate a Portion of a Street Right of Way" which is form described as follows, to-wit:

The South 20' of the platted Ninth (9<sup>th</sup>) Street right of way, adjacent to the W110' of Lot 1; W110' of the N15' of Lot 2, of Block 42, Original Town of Gregory.

WHEREAS, that the City Council, pursuant to SDCL 9-45-11, caused to be published once each week, for two consecutive weeks, the "Notice of Hearing" upon said Petition;

WHEREAS, the City Council, pursuant to SDCL, held a hearing on said Petition on August 2, 2010 at 7:30 p.m. at the Gregory City Hall;

WHEREAS, the City Council has deemed it expedient that said matters should be proceeded with;

IT BEING RESOLVED AND ORDERED that the unimproved South 20' of platted Ninth (9<sup>th</sup>) Street adjacent to the W110' of Lot 1; W110' of the N15' of Lot 2, of Block 42, Original Town of Gregory, be vacated.

BE IT FURTHER RESOLVED that the Gregory City Finance Officer shall cause notice of this Resolution to Vacate be published and the same be filed with the Gregory County Register of Deeds pursuant to SDCL 9-45-12.

City Council Member Mikkelsen offered the foregoing resolution. Upon roll call vote, the resolution carried by the following vote: Ayes, 5; Nays, 0.

Dated this 2<sup>nd</sup> day of August 2010.

---

Dan DeSmet, Mayor  
City of Gregory

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

**BUILDING PERMIT:**

The council approved a building permit to cover a deck submitted by Steve Matthes. No variances were needed.

**SEWER LINE EASEMENT:**

Motion was made by Council Member Peck to approve a sewer line easement, which will change the sewer line outfall route. All members voted aye. The city agreed to pay \$500.00 per acre for crop damage caused by installing the sewer line.

**CD RENEWAL:**

The council agreed to renew a \$253,000 certificate of deposit with Consumer's Federal Credit Union at two percent interest for six months.

**PARKING AT LIBRARY:**

Mayor DeSmet read a letter from a library patron asking that the city consider putting in a handicap parking spot. The council agreed to designate a handicap spot and stripe the library area for diagonal parking.

**CHANNEL 19 TV:**

The council agreed to purchase a 19" tv so that Channel 19 can continue to be updated.

**ORDINANCE #216:**

Ordinance #216 is an ordinance that updates the city's code of ordinances. Motion was made by Council Member Mikkelsen to pass Ordinance #216 on its first reading. All members voted aye.

**DOG COMPLAINT:**

Mayor DeSmet read a letter from a Gregory resident complaining about barking dogs. The council agreed that the police should be called and a ticket could be issued if necessary to the owner of the dog.

CLAIMS:

Motion was made by Council Member Peck to approve payment of the following claims. All members voted aye.

GENERAL FUND:

American Legal Publishing Corporation, update code of ordinances	757.00
Appeara, towels/coveralls/hand cleaner .....	22.45
Claude Harrison, park tree removal/trim & cleanup.....	2,000.00
Creative Product Source, school bus temporary tattoos .....	61.46
Department of Revenue, blood alcohol test/pool water testing .....	131.00
Golden West, August phone service.....	920.60
Gregory Times Advocate, council publishing/pool advertising .....	406.18
H & O Electric, replace thermostat at fire hall .....	247.50
Harrison Plumbing & Heating, fittings/repair thrift center a/c.....	111.98
Hawkins Inc., caustic soda/chlorine/algaeicide .....	3,296.39
Heidi Fenenga, refund for swimming lessons.....	15.00
Helms & Associates, airport wildlife fence design.....	3,348.18
Jennifer Keegan, lodging/meals & gas reimb/SD Municipal Clerk Program	456.84
Jerry's Electric, replace relays for sprinkler & runway lighting .....	549.66
Klein's True Value, circuit breaker/cleanout plugs/cleaner/battery ..	60.71
M & J Auto Inc., cell phone/Shawn Claussen .....	114.99
Office Products Center, copy machine service contract .....	33.14
Petty cash, postage reimbursement .....	2.00
Plains Printing Co., pool tickets/stamped window envelopes .....	294.65
Rosebud Auto Parts, filters/caps/gasket.....	134.18
Runnings Supply Inc., silica sand/rope/fittings/brooms/muriatic acid tarp/keys/hardware/bit/deck screws/trim line .....	355.46
SD Dept. of Transportation, airport appraisal review.....	2,588.00
Steve McDowell, gas reimbursement .....	22.00
The Health Pool of SD, August health insurance .....	2,250.45
West Payment Center, SD Criminal & Motor Vehicle Law pamphlets	156.00
Wm. Krotter Co., towels/lumber//brushes/field marker/material for bleachers	431.60
Total \$	18,767.42

SPECIAL STREET ASSESSMENT FUND:

Commercial Asphalt, 96.07 tons patch mix.....	7,397.39
Total \$	7,397.39

WATER FUND:

Ace's Backhoe Service, replace 2 fire hydrants/5 <sup>th</sup> & Logan.....	1,066.84
Appeara, coveralls .....	7.63
Department of Revenue, water testing.....	24.00
Golden West, August phone service.....	81.85
Hawkins Inc., hydrofluosilicic acid/chlorine.....	599.44
Jerry's Electric, # 3 well repairs .....	77.83
Petty cash, postage reimbursement .....	.78
Plains Printing Co., stamped window envelopes .....	269.75
Rosebud Auto Parts, batteries .....	8.40
Runnings Supply Inc., broom/dust pan/bolts.....	31.22

The Health Pool of SD, August health insurance .....	900.18
Tripp County Water User District, water service .....	3,000.00
US Postal Service, water billing postage .....	199.08

Total \$ 6,267.00

SEWER FUND:

Department of Revenue, wastewater testing.....	140.00
Flexible Pipe Tool Company, sewer hose .....	1,625.00
Jerry's Electric, replace fuses/fix coil at lift station .....	253.10
Petty cash, postage reimbursement .....	1.05
Rural Development, August loan payment.....	4,285.00

Total \$ 6,304.15

Grand Total \$ 38,735.96

PAYROLL OVERTIME APPROVED:

Mark Fortuna, weekend water duty 7/17-18/10; 2 hr overtime  
Michael Jacobsen, weekend water duty 7/24-25/10  
Jack Wenger, weekend water duty 7/31/10 & 8/1/10; 4.5 hr overtime

7-21-10 PAYROLL:

BankWest, withholdings .....	3,703.08
SDRS, retirement .....	1,482.78
Aflac, insurance .....	122.48
Office of Child Support Enforcement, child support payment .....	219.23
City of Gregory, Galls payment.....	21.28
City of Gregory, extra cell phone charges .....	73.99
Finance Officer .....	1,662.95
Police Dept.....	3,913.65
Street Dept .....	3,840.62
Airport.....	189.42
Library .....	897.68
Water Dept .....	2,769.21
Pool .....	2,923.44
Park .....	1,372.00
Economic Development.....	200.00

ADJOURN:

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

\_\_\_\_\_  
Dan DeSmet, Mayor

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