

Gregory City Council Meeting  
November 5, 2007

The Gregory City Council met in regular session at the Gregory City Hall on Monday, November 5, 2007 at 7:30 p.m. The following members were present: Mayor Doug Pocop; Council Members, Wade Juracek, Stacey, Boes, Gerrie Soper, Maurice Schlaht and Kevin Mikkelsen. Absent was Council Member Dan DeSmet. Others present were Finance Officer Al Cerny, Public Works Supt. Mark Fortuna and News Reporter Colleen Flynn.

AGENDA ADDITION:

The agenda was adopted with the addition of the city hall roof.

APPROVAL OF MINUTES:

Motion was made by Council Member Boes to accept as written the regular council minutes of October 15, 2007 and the special minutes of October 29, 2007, seconded by Council Member Juracek. All members voted aye.

DEPT. HEAD REPORT:

Mark Fortuna reported that the street dept. crew had been winterizing items and would be breaking concrete at the lagoons to use for rip rap. He mentioned that the new irrigation system was in place for the new baseball field.

COMMITTEE REPORT:

Council Member Soper gave a report about the recent meeting with the 4-H members. The meeting centered on possibly building, either an 80' x 100' shelter or (2) 40' x 80' shelters, and placing them just north of the 4-H building. A new wash rack would be built adjacent to the shelters. Grants and financial assistance will be looked into to help with building the facilities. If funds are secured, the construction would probably take place in 2009. The council accepted the plan.

AUDITORIUM/STORAGE ROOM:

Council Member Soper reported that the garage door area at the auditorium is cluttered, making it hard to use the area to unload items for people renting and hard to use for a fire exit. This was also a concern for the city's insurance inspector. Council Member Juracek agreed to talk to the school about this situation.

BUILDING PERMIT:

The city council reviewed a building permit request for Cal Peck to build a garage. Two applications were submitted. One permit was for a regular stick built

building and the other permit was for a pole shed type building with colored steel siding. Motion was made by Council Member Mikkelsen, seconded by Council Member Schlaht, to allow either building permit application. All members voted aye.

#### ORDINANCE/PUD ZONING:

The first reading of Ordinance #200, an ordinance to create a new zoning classification called Planned Unit Development (PUD), was held. The new zoning would allow activities that were agreed upon both by the developer and the city. Motion was made by Council Member Boes, seconded by Council Member Soper, to approve the first reading of Ordinance #200. All members voted aye.

#### AIRPORT ANNEXATION:

The council received a request from Mayor Pochop to annex the Gregory Airport land into the city limits as allowed under SDCL 9-4-14. The following resolution was offered:

#### AIRPORT ANNEXATION RESOLUTION

The petition for the annexation of land into the City of Gregory, received from Mayor Doug Pochop of Gregory, on behalf of the City of Gregory, owners of the property, described below and to be annexed, to wit:

The East half (E $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ), the West half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ ), that part including the railroad right of way Southeast Quarter (SE $\frac{1}{4}$ ), Section 18, Township Ninety-Seven (97), Range Seventy-Three (73) including Lots 1-10 of the Gregory Industrial Park Addition.

Having been presented to the City Council of the City of Gregory, State of South Dakota.

WHEREAS, the land described above is used for airport and business type purposes; and

WHEREAS, the streets needed are already developed and in place; and

WHEREAS, there already exists water, sewer and electrical services; and

WHEREAS, the land described is owned by the City of Gregory; and

WHEREAS, according to SDCL 9-4-14, the property can be annexed into the city limits because the land is considered the Gregory Airport grounds; and

WHEREAS, the city council has deemed it expedient that the above described property should be annexed into the City of Gregory.

THEREFORE BE IT RESOLVED, that said petition be filed with the City of Gregory Finance Officer and said finance officer shall give notice of publication pursuant to SDCL 9-4-1 and the same be filed with the Gregory County Register of Deeds pursuant to 9-4-11.

The foregoing resolution was offered by City Council Member Mikkelsen and seconded by City Council Member Schlaht. Upon roll call vote, the resolution carried by the following vote: Ayes, 6; Nays, 0.

Dated this 5<sup>th</sup> day of November 2007.

\_\_\_\_\_  
Doug Pochop, Mayor

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

#### CERTIFICATION

I do hereby certify that the above resolution is a true and correct copy of the resolution adopted on the 5<sup>th</sup> day of November, 2007, by the governing body of the City of Gregory.

Signed: \_\_\_\_\_  
Recording Officer  
Al Cerny, City Finance Officer

#### CITY HALL ROOF:

The rubber roof at city hall was recently repaired because part of the roof needed to be re-attached. The roof is showing some wear and should be replaced in the near future. An approximate cost to replace the roof with a Duro-last roof is \$18,000. A suggestion was made to get a quote on putting a rafter roof with tin roofing. It was agreed to get a quote.

#### FINANCIAL REPORT:

The council reviewed a general fund balance analysis which projected the general fund balance to December 31, 2007. A list of transfers was also reviewed and preliminary figures for the October financials were given.

#### SUPPLEMENTARY ORDINANCE #201:

The first reading of the Supplementary Ordinance #201 which would supplement the 2007 budget was placed on its first reading. Motion was made by Council Member Juracek, seconded by Council Member Boes, to approve the first reading of Ordinance #201. All members voted aye.

#### SCHOOL ACCES ROAD PROJECT:

Mayor Pochop presented a proposed resolution of necessity to improve 6<sup>th</sup> Street from Spencer to Logan and 5<sup>th</sup> Street from Felton to Logan. The improvements would include curb and gutter, sidewalks and new paved streets. The estimated cost of

construction is \$300,000. The city would try to get a community access grant to pay for 60% or \$180,000 and assess the remaining \$120,000 to the property owners in the area. The city would pay all legal, engineering and other related costs in addition to paying the cost to resurface Logan Avenue between 6<sup>th</sup> and 5<sup>th</sup>. The estimated cost to each landowner in the area is \$40 per running foot of property owned. Motion was made by Council Member Soper, seconded by Council Member Juracek, to approve the passage of the proposed resolution of necessity. 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 5<sup>th</sup> day of November, 2007, 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 street, curb and gutter and sidewalk 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 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 stated. The total cost of the project shall include the contract price. The cost of engineering, inspection, publication, fiscal, legal and all other expenses incidental thereto shall be paid by the City of Gregory, South Dakota. 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 street paving, curb and gutter and sidewalk improvements is \$ 40.00 per assessable foot. All lots shall be classified the same 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 nine (9) 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, 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 the adoption of the resolution. However, if such improvement be 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 action as is necessary to carry out the intent of the resolution.

THE COMMON COUNCIL OF THE CITY  
OF GREGORY, SOUTH DAKOTA

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Municipal Finance Officer

APPENDED NOTICE OF HEARING ON  
PROPOSED RESOLUTION OF NECESSITY

NOTICE IS HEREBY GIVEN that on the 17<sup>th</sup> day December, 2007, at the hour of 7:30 o'clock p.m., at the 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 of owners of property liable to be assessed for the improvement.

THE COMMON COUNCIL OF THE  
CITY OF GREGORY

STATE OF SOUTH DAKOTA

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 5, 2007, 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 5<sup>th</sup> day of November, 2007.

AUDIT LETTER:

The State of South Dakota sent an audit letter which stated that the audit of 2005-2006 for the City of Gregory was accepted.

TRAVEL REQUESTS:

The council approved travel requests to Mitchell for a safety workshop and to Sioux Fall for an election workshop.

CLAIMS:

Motion was made by Council Member Schlaht to pay the following claims, seconded by Council Member Mikkelsen. All members voted aye.

GENERAL FUND:

After Hours Cleaning, clean & wax floors at city hall .....	241.92
Avenet LLC, registration of cityofgregory.com/2 years.....	90.00
B & F Variety, frames/photo album/wipes/photo paper/ markers/tags	103.57
Burke Oil Company, 2200 gal jet fuel .....	7,460.00
Christensen Sales & Service, work on fuel tanks .....	330.28
Department of Revenue, sales tax/loader sold.....	720.00
Divine Concrete Inc., concrete sidewalk over culvert .....	510.27
Fair Manufacturing Inc., snow blower parts.....	238.01
Golden West, phone service .....	820.80
Gregory Building Center, screws.....	26.10
Gregory Iron Works, hose reel/snow blower mount repair .....	123.92
Gregory Times Advocate, council publishing/wall of honor ad.....	304.67
H & J Sales Inc., washers/fork lift rental .....	27.20
Harrison Plumbing & Heating, repair leak/ball field irrigation/fittings	77.46
Jim's Garbage Service, garbage pickup service .....	135.00
Klein's True Value, switch/bulbs/nuts & bolts/cleaner/batteries/cups towels/padlock/filter .....	205.80
Louie's Grocery, cleaning supplies.....	38.39
Mr. Automotive, floor dry/rivets/filter/grease/oxygen refill.....	88.97
Office Products Center, minute book/duster/ink .....	143.97
Petty cash, postage reimbursement .....	5.98
Quartermaster, pants/leg irons/cuff case/belt/flashlight .....	160.94
Rosebud Auto Parts, nuts & bolts/heat shrink/connectors/ clamp/filters	98.87
Rosebud Electric Cooperative Inc., electricity .....	2,024.39
Runnings Supply Inc., chain/reflectors/rope/welding rod/hose clamps batteries/parts/ladder/stabilizer/spray paint/fogger	121.10
Safety Benefits, Inc., safety workshop registration/Mitchell.....	55.00
SD Municipal League, election workshop registration/Sioux Falls ..	15.00
SD Public Assurance Alliance, insurance coverage/increase & adding bldg	1,054.00

Sheehan Mack Sales and Equipment Inc., snow blower quick attach kit	250.00
Steffen Construction, labor on swimming pool roof .....	230.00
The Health Pool of SD, November health insurance .....	2,461.44
Tom's Standard, Chevy pickup oil change .....	41.20
Willuwiet Construction, city hall roof repairs .....	478.57
Wm. Krotter Co., screws/lumber .....	24.84

Total \$ 18,707.66

TOUCH LOVE:

Gregory County Child Protection Team, transfer donation.....	1,250.00
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Total \$ 1,250.00

RD LOAN REPAYMENT:

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

BALL PARK CONSTRUCTION:

Gregory Building Center, 8 x 8 shed .....	1,227.00
Tri-State Turf & Irrigation, irrigation system/new Little League field	6,896.00

Total \$ 8,123.00

AIRPORT CAPITOL IMPROVEMENT 2007

Aaron Swan & Associates, testing of materials at airport .....	3,625.00
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Total \$ 3,625.00

INDUSTRIAL PARK IMPROVEMENTS:

Arens Engineering, engineering fees .....	1,491.83
Northern Plains Construction, industrial park improvements/pmt #4	18,165.23

Total \$ 19,657.06

WATER FUND:

B & F Variety, candle/pen .....	25.48
Christensen Sales & Service, well field wiring .....	160.23
Department of Revenue, water testing.....	37.00

Golden West, phone service .....	82.09
Gregory Building Center, concrete blocks.....	13.60
Gregory Iron Works, well field gates/shutoff repairs/handle .....	38.93
Harrison Plumbing & Heating, pump motor/roto cut .....	461.00
Hawkins Inc., hydrofluosilicic acid .....	302.09
HD Supply Waterworks Ltd., meter/fittings & parts.....	1,387.07
Jeff's Gregory Body Shop, windshield installed/seal rear windows .	384.95
Klein's True Value, bulb/thermwire/tubing.....	136.04
Mark Fortuna, meal reimbursement.....	22.09
Petty cash, postage reimbursement .....	1.89
Rosebud Auto Parts, u-bolts .....	2.58
Rosebud Electric Cooperative Inc., electricity .....	1,214.42
Runnings Supply Inc., hand sprayer parts .....	12.48
SD State Plumbing Commission, 2008 installer license renewal/M. Fortuna	40.00
Spann Construction Services, water main repairs/7 <sup>th</sup> & Whittecar ...	5,383.46
The Health Pool of SD, November health insurance .....	820.48
Tripp County Water User District, water service .....	3,000.00
Postmaster, water billing postage .....	187.98

Total \$ 13,713.86

SEWER FUND:

Harrison Plumbing & Heating, ball valve/nipple/bushing.....	12.67
Rosebud Auto Parts, fittings .....	1.09
Rosebud Electric Cooperative Inc., electricity .....	30.76

Total \$ 44.52

Grand Total \$ 69,406.10

PAYROLL OVERTIME APPROVED:

Jack Wenger, 1.5 hrs overtime; weekend water duty 10/20-21/07

10-19-07 PAYROLL:

BankWest, withholdings .....	2,762.04
SDRS, retirement .....	1,350.78
Aflac, insurance .....	78.04
Office of Child Support Enforcement, child support payment .....	219.23
Credit Collections Bureau, wage garnishment.....	80.00
City of Gregory, wage garnishment.....	25.00
Finance Officer .....	1,467.20
Police Dept.....	3,872.00
Street Dept .....	2,792.01

Airport.....	344.00
Park .....	124.00
Library.....	764.70
Water Dept.....	2,410.00
Economic Development.....	200.00
General Government Building.....	200.00

11-2-07 PAYROLL:

BankWest, withholdings.....	2,635.60
SDRS, retirement .....	1,280.86
Aflac, insurance .....	78.04
Office of Child Support Enforcement, child support payment .....	219.23
Credit Collections Bureau, wage garnishment.....	80.00
City of Gregory, wage garnishment.....	50.00
Finance Officer .....	1,467.20
Police Dept.....	3,715.00
Street Dept .....	2,776.01
Airport.....	276.00
Park .....	80.00
Library.....	601.45
Water Dept.....	2,120.00
Economic Development.....	200.00

ADJOURN:

Motion was made by Council Member Boes, seconded by Council Member Soper, to adjourn. All members voted aye.

\_\_\_\_\_  
Doug Pochop, Mayor

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