

Gregory City Council Meeting
January 17, 2011

The Gregory City Council met in regular session at the Gregory City Hall on Monday, January 17, 2011 at 7:30 p.m. The following members were present: Mayor Dan DeSmet; Council Members, Kevin Mikkelsen, Chad Peck, Gerrie Soper, Blane Bartling and Maurice Schlaht. Absent was Tim Mills. Others present were Finance Officer Al Cerny and News Reporter Colleen Flynn.

AGENDA:

A use of the 3rd cent sales tax for a promotion of a bowling tournament at Gregory Lanes was added to the agenda. Motion was made by Council Member Schlaht to approve the agenda as posted with the Gregory Lanes promotion addition. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Mikkelsen to approve the minutes of January 3, 2011 as written. All members voted aye.

ABANDONED VEHICLE ORDINANCE:

The council reviewed Ordinance #221, which amends the city's current abandoned vehicle ordinance by allowing 14 days to move a vehicle on private property, and also adding a \$10.00 a day fee plus costs to the owner if the vehicle is not removed. Motion was made by Council Member Soper to approve the first reading of Ordinance #221. All members voted aye.

ELECTION DATE:

The council agreed to keep the city election date as the 2nd Tuesday in April or April 12, 2011.

RESOLUTION OF NECESSITY:

There was discussion on the following resolution to assess adjoining property owners along 6th Street from Spencer to Logan Avenue and owners from 5th to 6th Street along Logan Avenue. Motion was made by Council Member Peck to adopt the following 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 17th day of January, 2011, 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 and all engineering, inspection, publication, fiscal, legal and all other expenses incidental thereto. 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 9-43-30. The estimated cost as to street paving, curb and gutter, and sidewalks is \$25.00 per assessable foot. The lots shall be classified as lots and corner lots. All corner lots shall deduct 150 feet from their assessable feet for each corner.

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 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 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

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 February 2011, 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 by owners of property liable to be assessed for the improvement.

THE COMMON COUNCIL OF THE CITY
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 the 17th of January, 2011, 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 17th day of January 2011.

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

DEPT HEAD REPORTS:

Officer Steve McDowell gave the council a short report on the police department. McDowell informed the council that he is teaching the DARE Program again this year to all the Gregory County Schools.

WATER PROJECT:

Mayor DeSmet informed the council that the city had been awarded a \$685,080 loan at 2.25 percent interest for 30 years with \$185,080 of the loan having principal forgiveness. The money will be used to do certain upgrades to the city's water system. The city will have to raise the current water rates to show the state that the city can repay the loan. A rate schedule will be worked on that is acceptable to the state and the council.

3RD CENT SALES TAX:

The council received a request from Gregory Lanes to use \$1,000 of the 3rd cent sales tax to help promote a bowling tournament. The 3rd Cent Sales Tax Committee had previously approved the request. Motion was made by Council Member Mikkelsen to approve the Gregory Lanes request for \$1,000 to promote the bowling tournament. All members voted aye.

CITY COUNCIL & EMPLOYEE PARTY:

The council members agreed to have a holiday party for the council members and city employees. The date will be worked out with the Legion Club, being the first location of choice.

WASTEWATER LINE PROJECT:

Motion was made by Council Member Mikkelsen to authorize Mayor Dan DeSmet to sign the project complete form in regard to the new sewer line going to the city's lagoons. All members voted aye.

CLAIMS:

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

GENERAL FUND:

Appeara, towels/coveralls/hand cleaner	22.95
Bartling Welding & Machine, iron work/snow plow repairs.....	140.68

1/17/2011

Flowers and More, flower arrangement/Jean Scissons	43.00
Gregory Building Center, senior meals exterior door/mailbox & tools	3,044.98
Jim's Garbage Service, garbage pickup service	210.00
Michael Todd & Company, snow plow blades/nuts & bolts/gutter brooms	1,609.19
Office Products Center, staples/file folders.....	9.78
Opperman Inc., 43.31 ton sand/50 ton gravel	1,114.02
Petty cash, postage reimbursement	3.63
Rosebud Auto Parts, taps/drill bit/dash valve/nuts & bolts.....	70.06
Rosebud Electric Cooperative, Inc., street light/6 th & Rosebud.....	250.00
SD Municipal League, Legislative Dinner & Government Day registration	20.00
Verizon Wireless, January 2011 cell phone service.....	264.56

Total \$ 6,802.85

3RD CENT SALES TAX:

Gregory Lanes, bowling tournament promotion	1,000.00
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Total \$ 1,000.00

WATER FUND:

Al Cerny, mileage reimbursement/1/6/11 water board mtg/Mitchell	107.10
Appeara, coveralls	7.63
Bartling Welding & Machine, repair curb stop wrench	25.00
DENR, Board of Operator Certification, 2011 operator cert. renewals	72.00
Verizon Wireless, January 2011 cell phone service.....	128.70

Total \$ 340.43

SEWER FUND:

Petty cash, postage reimbursement	1.05
SD Dept. of Environment & Natural Resources, 2011 wastewater fee	1,500.00
Verizon Wireless, January 2011 cell phone service.....	116.67

Total \$ 1,617.72

BUILDING DEPOSIT:

Jerry Kafka, refund building deposit.....	150.00
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Total \$ 150.00

HORIZONS:

Horizons, C/o Hank Wonnemberg/close out account	7,328.01
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Total \$ 7,328.01

Grand Total \$ 17,239.01

PAYROLL OVERTIME APPROVED:

Mark Fortuna, 3.5 hrs overtime
Michael Jacobsen, weekend water duty 1/15-16/11
Jack Wenger, weekend water duty 1-8-9/11; 9.25 hrs overtime

1-5-11 PAYROLL:

BankWest, withholdings	1,186.36
SDRS, retirement	791.72
Aflac, insurance.....	158.26
Office of Child Support Enforcement, child support payment	109.62
City of Gregory, water/sewer payment	23.00
Finance Officer.....	683.20
Police Dept	2,182.16
Street Dept.....	1,977.90
Airport	74.16
Library	255.66
Water Dept	1,341.88
General Government Building	265.00

AMBULANCE PAYROLL December 2010:

BankWest, withholdings	704.79
Ambulance	3,046.00

WATER SYSTEM INFORMATION:

Mayor DeSmet asked the council to consider the scope of the proposed water system. DeSmet would like the council to take another look at using Tripp County Rural Water and reconsider remodeling the pump houses.

ADJOURN:

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

Dan DeSmet, Mayor

ATTEST: _____
Al Cerny, Finance Officer