

Gregory City Council Meeting
March 19, 2012

The Gregory City Council met in regular session at the Gregory City Hall on Monday, March 19, 2012 at 7:30 p.m. The following members were present: Mayor Dan DeSmet; Council Members Tim Mills, Shana Flakus, Maurice Schlaht, Chad Peck, Kevin Mikkelsen and Blane Bartling. Others present were Finance Officer Al Cerny, Public Works Supt. Mark Fortuna, and News Reporter Colleen Flynn.

AGENDA:

The following items were added to the agenda: dogs running at large under public forum and a request for a donation for the park amphitheater. Motion was made by Council Member Schlaht to approve the agenda with the new additions. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Mikkelsen to approve the minutes of March 5, 2012 as written. All members voted aye.

PUBLIC FORUM/VISITORS:

Lea and Wes Schell, Lori Kaupp and Guyla Husman met with the council to voice their complaints and concerns about dogs running at large in Gregory. Mayor DeSmet informed the visitors that the city has an ordinance that deals with the problem of dogs running loose, but the ordinance needs to be enforced more strictly.

DEPT. HEAD REPORTS:

Public Works Mark Fortuna reported that he will be attending the South Dakota Asphalt Conference in Pierre, SD on March 28-29, 2012.

Chief of Police Dwight Ellwanger reported that he would like to get more large traps built and hire someone to help with dog control. The council agreed to have Ellwanger order some more traps, look at hiring someone for dog control, put a warning notice in the paper, and start enforcing the city ordinances pertaining to animal control. The penalty for allowing a dog to run at large for first time offenders is \$40 and \$100 for a second incident.

BOARD OF EQUALIZATION:

At 8:00 p.m., the city council met as the Board of Equalization. Gregg Lundberg appealed the assessed value of Lots 3 & 4 of Prairie Winds Estates Addition to the City of Gregory. The assessed value is \$8,745.00. Lundberg thought the value should be \$4,300.00, because the assessed value is higher than the purchase price of the lots and the recent purchase price of some adjoining lots. Lot 4 has no street access. Motion was made by Council Member Mikkelsen to reduce the assessed value of \$8,745.00 on Lots 3 & 4 of Prairie Winds Estates Addition to \$4,300.00. All members voted aye.

There being no more appeals, the council adjourned from meeting as the Board of Equalization at 8:15 p.m.

PUBLIC TRANSIT VAN:

The council considered a request from the ROCS office in Lake Andes to help pay for the match needed to purchase a new van for the Gregory Public Transit. The members tabled the request until they can get a report from ROCS that shows how the Gregory Public Transportation Program is doing financially. Transit Director Winnie Joe Jons will be invited to attend the next meeting.

FIRE SIRENS:

Al Cerny and Brad Christensen reported on the meeting with the Danko Equipment sales representative in regard to the location of fire sirens in Gregory. A new fire siren with battery backup will cost approximately \$12,000. It was suggested to the council that the fire siren be updated at city hall, the siren behind Krotters be moved to the school, and the siren at 6th & Rice Avenue be moved to the park area. Motion was made by Council Member Bartling to update the city hall siren, move the Krotters siren to the school and move the siren at 6th & Rice to the park area, if all this could be done at the proposed alternative cost of \$5,000 or less. All members voted aye.

ONE DAY LIQUOR LICENSE:

Motion was made by Council Member Mills to approve a one-day liquor license for the Gregory Golf Club to be used at the Gregory Memorial Auditorium on Sunday, April 15, 2012 for the Rotary Club prom dance. All members voted aye.

BOND RESOLUTION AMENDMENT:

Motion was made by Council Member Chad Peck and seconded by Council Member Tim Mills to adopt the following resolution to re-finance the Main Street Bonds, which increases the length of the term from 6 years to 8 years.

**RESOLUTION RELATING TO ISSUANCE OF SALES TAX REVENUE BONDS, SERIES 2012;
AMENDING AUTHORIZING RESOLUTION**

BE IT RESOLVED by the City Council of the City of Gregory, Gregory County, South Dakota (the City) as follows:

Section 1. Recitals and Findings.

1.01. The City has, by resolution duly adopted by this Council on February 20, 2012 (the "Authorizing Resolution"), authorized the issuance and sale to Dougherty & Company LLC, of Minneapolis, Minnesota (the "Underwriter") of its Sales Tax Revenue Bonds, Series 2012 (the "Bonds") for the purpose of refunding the City's outstanding Sales Tax Revenue Refunding Bonds, Series 2003 (the "Refunded Bonds") and financing the construction of certain improvements authorized by Ordinances Nos. 79 and 125 imposing the sales taxes authorized by Chapter 10-52, South Dakota Codified Laws.

1.02. The Authorizing Resolution authorized the issuance of the Bonds upon certain terms, one of which was that the Bonds were to mature over a period not to exceed 6 years. The City subsequently determined it to be in its best interests to extend the term of the Bonds to a term not to exceed 8 years and to amend the Authorizing Resolution accordingly.

1.03. It is hereby found, determined and declared to be in the best interest of the City to amend the Authorizing Resolution as set forth in Section 2 hereof.

Section 2. Amendment of Authorizing Resolution. The first sentence of Section 1.02 of the Authorizing Resolution is hereby amended to read:

“The Bonds authorized hereby shall be sold to Dougherty & Company LLC, of Minneapolis, Minnesota (the Purchaser) at a purchase price of not less than 98% of par, plus accrued interest, the Bonds to bear interest at a rate or rates per annum resulting in an average yield not greater than 2.5% per annum and to mature over a period not to exceed 8 years.”

Section 3. Miscellaneous. Except as specifically amended by this resolution, all of the provisions of the Authorizing Resolution remain in full force and effect.

Section 4. Effective Date. This resolution is an administrative decision within the meaning of SDCL Section 9-20-19 and is not subject to referendum. It shall take effect 20 days following the publication thereof, provided that unless and until this resolution has become effective, the Authorizing Resolution shall remain in full force and effect as adopted.

Upon vote being taken thereon, the following voted in favor thereof: Tim Mills, Shana Flakus, Maurice Schlaht, Kevin Mikkelsen, Blane Bartling and Chad Peck.

Whereupon the resolution was declared duly passed and adopted, and was signed by the Mayor Dan DeSmet and attested by the Finance Officer Al Cerny.

ORDINANCE #2012-001:

Ordinance #2012-001 was placed on its first reading. The ordinance would conform to state law and allow off-sale of liquor until 2:00 a.m. and authorize on-sale and off-sale liquor sales on Memorial Day. Motion was made by Council Member Flakus to approve the first reading of Ordinance #2012-001. All members voted aye.

PLAT:

The council reviewed a Plat of Lots R-19A and R-19B, A subdivision of Lot R-19 of Railroad Lots in the City of Gregory, Gregory County, SD. The plat would clear up a boundary line discrepancy between the Gregory Farmers Elevator property and the NAPA property. Motion was made by Council Member Schlaht to approve the new Plat of Lots R-19A and R-19B, A subdivision of Lot R-19 of Railroad Lots in the City of Gregory. All members voted aye, with Council Member Bartling abstaining from the vote.

BUILDING PERMITS:

The following building permits were reviewed: Mike Neitzel for a portable shed, no variance needed; Patrick Shaffer for a deck, no variance needed, and; Scott Anshutz for an addition for Marlene Miles at 7th & Rice Avenue with a 20' variance needed to the street side, leaving no set back. The council approved the Neitzel's and Shaffer's permits and tabled the Mile's permit until all the council members can check out the site. There was a worry of blocking the view on the corner of 7th & Rice.

AUDITORIUM WORK:

S & S Masonry of Wagner quoted a price of \$900.00 to replace the bricks on the auditorium wall that are protruding out. The council agreed to hire them for the work.

AFTER PROM DONATION:

The after prom committee asked the city for a donation for the after prom party. The council denied the request.

AMPHITHEATER DONATION:

The council agreed not to donate to the park amphitheater.

CLAIMS:

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

GENERAL FUND:

Al Cerny, mileage/meal reimbursement – SD Airports Conf.-Deadwood	335.92
Appeara, towels/coveralls/hand cleaner.....	49.57
Avera Queen of Peace, CDL drug testing.....	78.90
Chief Law Enforcement Supply, police dept. windbreaker	56.99
Colonial Research Chemical Corporation, (2) 5 gal. swimming pool cleaner	330.56
Galls LLC, police dept. boots & fleece gloves (Shawn Claussen)	114.73
Mark Fortuna, mileage/meal reimbursement-SD Airports Conf.-Deadwood	199.98
McLeod’s Printing & Office Supply, election supplies	27.99
Office Products Center, clips/paper/ink cartridge.....	34.97
Petty cash, postage reimbursement/car wash	14.00
Rosebud Electric Cooperative, Inc., electricity	3,270.31
Rosebud Farmers Union, propane/diesel fuel/gas/tire switch & balancing	2,281.46
SD Municipal League, SDML District Meeting registration/Homesteader	360.00
SD Asphalt Conference, registration, Mar. 28-29, Pierre/Mark Fortuna .	100.00
Tyler Technologies Inc., software maintenance	2,855.48
Verizon Wireless, March 2012 cell phone service	264.34
Westcoast Sales & Marketing Inc., (12) airport PAPI replacement lamps	279.35
Total \$	10,654.55

3RD CENT SALES TAX:

Gregory/Dallas Chamber of Commerce, 1 st quarter stipend.....	6,500.00
Total \$	6,500.00

WATER FUND:

Appeara, coveralls.....	7.11
First National Bank, SRF loan payment.....	4,127.57
Gregory Building Center, vent/soffit/fascia.....	159.58
HD Supply Waterworks LTD, well field parts/ (2) curb boxes.....	390.50
Office Products Center, paper	18.50

Petty cash, postage reimbursement.....	5.30
Rosebud Electric Cooperative, Inc., electricity	1,661.45
Rosebud Farmers Union, propane/gas	429.20
SD Municipal League, SDML District Meeting registration/Homesteader	40.00
Tyler Technologies Inc., software maintenance	2,132.25
Verizon Wireless, March 2012 cell phone service	158.50
Total \$	9,129.96

SEWER FUND:

Gregory Building Center, 12 in. Sawzall blade.....	31.99
Rosebud Electric Cooperative, Inc., electricity	77.71
Verizon Wireless, March 2012 cell phone service	65.51
Total \$	175.21
Grand Total \$	26,459.72

PAYROLL OVERTIME APPROVED:

Mark Fortuna, weekend water duty 3/17-18/12
Michael Jacobsen, weekend water duty 3/10-11/12

3-14-12 PAYROLL:

BankWest, withholdings	2,864.40
SDRS, retirement.....	1,592.94
Aflac, insurance.....	158.26
Office of Child Support Enforcement, child support payment.....	219.23
City of Gregory, water/sewer payments	50.00
City of Gregory, extra cell phone payments	46.93
Finance Officer	1,728.00
Police Dept	4,435.55
Street Dept.....	3,428.00
Library	1,016.24
Water Dept.....	2,547.20
General Government Building	275.00

INFORMATION:

The council authorized H & J Sales to use the city parking lot for their annual consignment sale to be held Sat., April 7, 2012.

There will be a meeting with SPN Engineering on Tue., Mar. 20, 2012 at 11 a.m. at city hall and a pre-construction meeting at city hall on Fri., Mar. 23, 2012 at 10 a.m. for the water improvement project.

ADJOURN:

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

ATTEST: _____
Al Cerny, Finance Officer

Dan DeSmet, Mayor