

City of Gregory
Regular Council Meeting
June 1, 2015

The Gregory City Council met in regular session at the Gregory City Hall on Monday, June 1, 2015 at the time of 7:00 p.m. The following members were present: Mayor Maurice Schlaht; Council Members: Tim Mills, Stacey Boes, Blane Bartling and Seymour Studenberg. Council Members absent were Shana Flakus and Chad Peck. Also present were News Reporter Colleen Flynn, Head Librarian Diane Althoff and City Administrator/Finance Officer Al Cerny.

Agenda

Motion was made by Stacey Boes to add the auditorium to the agenda and to approve the rest of the agenda as posted, seconded by Blane Bartling. All members voted aye.

Approve Minutes

Motion was made by Seymour Studenberg to approve the May 18, 2015 minutes as written, seconded by Stacey Boes. All members voted aye.

Department Head Reports

Diane reported that the library had 34 new patrons register in May, which is a record amount for one month. They have also bought new library furniture with some of the library board's donations. The summer reading program is doing great with 134 registered for the program, and the library is having a cookout fundraiser on Friday, June 5, 2015. Mayor Schlaht agreed to help cook on the grill for the event.

Street

Mayor Schlaht had a note from Mark Fortuna that he would like to line one of the truck boxes with steel at a cost of \$700. The council agreed to the request.

New Business

Motion was made by Blane Bartling to re-appoint Marvin Gies to a five year term to the Gregory Housing and Development Board, seconded by Tim Mills. The current terms of the board are: Gerrie Soper (2011); Wade Juracek (2012); Kevin Mikkelsen (2013); David Kotrba (2014) and Marvin Gies (2015). Each term is for 5 years.

Meierhenry Sargent LLP Bond Counsel

Motion was made by Tim Mills and seconded by Stacey Boes to approve the resolution that retained Meierhenry Sargent as bond counsel for the City of Gregory. All members voted aye.

RESOLUTION APPROVING LEGAL SERVICES AGREEMENT

BE IT RESOLVED by the City of Gregory that Meierhenry Sargent LLP be retained as bond counsel for the proposed Special Assessment Bond and that the Mayor and Finance Officer are authorized to negotiate and execute the form of the Legal Services Agreement on file with the City Finance Officer.

Motion by Tim Mills seconded by Stacey Boes. Aye: Tim Mills, Stacey Boes, Seymour Studenberg, Blane Bartling; Nay: none.

Maurice Schlaht, Mayor

ATTEST: _____

Al Cerny, Finance Officer

[S E A L]

**UNITED STATES DEPARTMENT OF AGRICULTURE
Farmers Home Administration
LEGAL SERVICES AGREEMENT**

This agreement made this 1st day of June 2015 between **THE CITY OF GREGORY, SOUTH DAKOTA** hereinafter referred to as (the "Municipality"), and **Todd Meierhenry**, attorney at law, of Meierhenry Sargent LLP of 315 S. Phillips Ave., Sioux Falls, South Dakota, hereinafter referred to as "Attorney":

WHEREAS, the Municipality is intending to obtain a loan from the United States of America;

WHEREAS, the Municipality is intending to issue Special Assessment Bonds under the provisions of SDCL Chapter 9-43 for the loan with the United States of America under such terms and conditions as are dictated by the Rural Utility Services.

WHEREAS, the Attorney agrees to perform all legal services necessary to give a bond opinion to the United States of America and to perform all other customary legal services necessary to the financing.

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

SECTION A - LEGAL SERVICES

That the Attorney will perform such services as are necessary to accomplish the above recited objectives including, but not limited to, the following:

- examine applicable law; prepare the resolution, indenture or ordinance authorizing and securing the Bonds and other authorizing documents;
- consult with the parties to the transaction prior to the issuance of the Bonds; review certified proceedings;
- undertake such additional duties as are deemed necessary to render the opinion.
- render an opinion that:

- the Issuer is duly created and validly existing as a body corporate and public instrumentality of the State of South Dakota with authority to adopt the Resolution, perform the agreements on its part contained therein and issue the Bonds;
- the Bonds are valid and binding special obligations of the Issuer;
- the Bonds have been duly authorized, executed and delivered by the Issuer and are valid and binding special obligations of the Issuer, payable solely from the sources provided therefore in the Resolution;

SECTION B - COMPENSATION

The Municipality will pay to the Attorney for professional services rendered in accordance herewith, fees as follows:

- One Percent of the Bond Amount

Said fees to be payable in the following manner and at the following times:

- Upon receiving a completed transcript for the loan. If the loan does not close for any reason, there shall be no fee from Attorney.

SECTION C - OTHER PROVISIONS

None.

Todd Meierhenry
MEIERHENRY SARGENT LLP

CITY OF GREGORY, SOUTH DAKOTA

ATTEST

Maurice Schlaht, Mayor

Al Cerny, Finance Officer

[SEAL]

Summer Help Salary list

Motion was made by Blane Bartling to approve of the following hire and salary list, seconded by Tim Mills. All members voted aye.

Street & Parks Dept: Damon Eagle Star, \$8.50 per hour; Mitchel Klundt, \$8.50 per hour

Pool: Josie Fortuna (Pool Manager), \$10.50 per hour; Jacey Feyereisen, \$8.75 per hour; Mackenzie Feyereisen, \$8.75 per hour; Kristen Holmberg, \$8.75 per hour; Jadesa Jones, \$8.75 per hour; Hannah Juracek, \$8.75 per hour, and; Mackenzie Odenbach, \$8.75 per hour

New Lifeguards: Maddie Eklund \$8.50 per hour; Abigail Swan \$8.50 per hour

Part-Time Street Labors: \$9.50 per hour

One Day Liquor license

Motion was made by Stacey Boes to grant a one-day liquor license to the Gregory Lanes to serve at the Gregory Auditorium on Saturday, July 11, 2015, seconded by Seymour Studenberg. All members voted aye.

Building permits

Motion was made by Seymour Studenberg to approve the following building permits that the planning commission had approved, seconded by Tim Mills. All members voted aye.

1. Raeann Stukel Opp - patio
2. Consumers Federal Credit Union - digital sign
3. Delores Nelson - utility shed

Donation/Wear N' Wares

After some discussion on a possible donation to the Wears N' Wares to help purchase a different building, motion was made by Stacey Boes to table any decision until the next council meeting, seconded by Blane Bartling. All members voted aye.

Auditorium

The council members along with input from Sharon Pedersen (school board member) discussed some of the issues that had come up at the auditorium. Among the issues was an accident that occurred when a person tripped on the mat and issues with the air conditioning. It was agreed that Tim Mills would meet with the school board members at the next school board meeting on Monday, June 8, 2015 to discuss some of the issues.

Claims

Motion was made by Blane Bartling to approve the payment of the following claims, seconded by Seymour Studenberg. All members vote d aye.

Department Of Revenue	Water Testing	43.00
First National Bank	Series 2012 Bond/Paying Agent Fee	500.00
Gregory Building Center	Treated Lumber/Screws/Joint Knife & Tape	310.37
Gregory/Dallas Chamber Of Commerce	2nd Quarter Stipend	6,250.00
Gregory Public Library	Books/Supplies/Repairs & Maintenance	866.72
Gregory Times-Advocate	Council Publishing	645.83
Hawkins Inc	Chlorine/Sodium Hydroxide/Azone/Algaecide	3161.61
Health Pool Of SD	Health Insurance	5,488.48

Intoximeters Inc	1000 Breathe Analyzer Mouth Pieces	140.00
J.B. Cooke Co	Dog Tags/Pet License Receipt Books/Bicycle Tags	133.93
Jerry's Electric	Connectors	11.15
Klein's True Value	Paper Towels/Aud Keys /Paint Brushes/Drill Bit	90.01
Office Products Center	Paper/Copy Machine Service Contract	100.99
Old Pioneer Tool Pawn & Gun	Ammunition/Batteries	333.00
Petty Cash	Postage Reimbursement/Car Wash	10.50
Ponca Creek Creations	Sew On Police Patches	10.00
SD Dept Of Environment & Natural Res	Drinking Water Fee/Discharge Fee	650.00
Spann Construction	Hauling For Clean Up Day	581.25
Steffen Fencing	Remove/Reset Lagoon Fence (1320')	1,230.62
Tripp County Water User Dist	Monthly Water Service	3,000.00
Us Postal Service	Water Billing Postage	235.62
First National Bank	Bond Payment Wire Transfer	20,365.00
Total		\$44,158.08

5-19-2015 Payroll:

Finance Officer, \$1,980.80; Police Dept., \$4,583.38; Street Dept., \$3,813.25; Water Dept., \$2,891.22; Sewer, \$356.37; Airport, \$231.25; Pool, \$1,410.70; Park, \$250.75; Library, \$1,107.94; Economic Dev., \$200.00; Total Gross Amt, \$16,825.66; Aflac, \$297.06; SDRS, \$3,528.28; Child Support, \$219.23; City of Gregory, \$55.99; EFTPS, \$3,869.81

Code Enforcement

Al Cerny reported that he had sent out several letters in conjunction with code violations. Some of the letters dealt with vehicles, buildings and lawns that needed to be mowed. A few of the housing violations may have to take the next step and get a court order to tear down the existing structure.

Adjourn

Motion was made by Stacey Boes and seconded by Tim Mills to adjourn. All members voted aye.

Maurice Schlaht, Mayor

ATTEST: _____
Al Cerny, Finance Officer