

Gregory City Council Meeting  
June 6, 2011

The Gregory City Council met in regular session at the Gregory City Hall on Monday, June 6, 2011 at 7:30 p.m. The following members were present: Mayor Dan DeSmet; Council Members Tim Mills, Chad Peck, Maurice Schlaht, Blane Bartling, Shana Flakus and Kevin Mikkelsen. Others present were Finance Officer Al Cerny and News Reporter Colleen Flynn.

**AGENDA:**

Change Order #1 for the airport fence project was added to the agenda. Motion was made by Council Member Mills to approve the agenda with the change order addition. All members voted aye.

**APPROVAL OF MINUTES:**

Motion was made by Council Member Schlaht to approve, as written, the regular minutes of May 16, 2011. All members voted aye.

**GLEN PETERS/ULTIMATE FIGHTING:**

Glen Peters met with the council to ask about the use of the Gregory Memorial Auditorium for an ultimate fighting event. The council agreed to allow the auditorium to be used for a fighting event, provided it is approved with the school. If there is alcohol served, Peters will have to find a civic or non-profit organization to serve, provided the group applies for a special temporary alcohol license.

**3<sup>RD</sup> & WHITTECAR DRAINAGE:**

The council discussed the 3<sup>rd</sup> & Whittecar drainage project. After some discussion, it was agreed not to proceed with the project.

**COMMITTEE REPORTS:**

**AIRPORT:**

Tim Mills asked the council to consider the Young Eagles coming to the Gregory Airport to give free airplane rides to the youth. The group has not answered back yet.

**PARK:**

Shana Flakus reported that the amphitheater is being moved to north of the 4-H Building. A group of council members looked at the site and reported that it would be acceptable to move the amphitheater to that side.

**PUBLIC NUISANCE:**

Maurice Schlaht asked if anything had been done with the trailer house that is vacant, located right off Main Street. The owner will be contacted.

**PUBLIC HEARING/MALT BEVERAGE LICENSE RENEWALS:**

The following malt beverage license renewals were considered for renewal: Gregory Lanes, package off-sale; Mary Bob's Bar, package off-sale; The Diner on Main, package off-sale & SD Farm Wine; American Legion Club, retail on-off sale; Mr. G's, retail on-off sale, and; G.F.

Buche Co., retail on-off sale. Motion was made by Council Member Mills to approve the renewal of the listed malt beverages licenses. All members voted aye.

**ONE DAY LIQUOR LICENSE:**

The council reviewed an application for a special one day liquor license for Gregory Lanes for a wedding dance to be held on Sat., June 18, 2011 at the Gregory Memorial Auditorium. Motion was made by Council Member Schlaht to approve the special one day liquor license for Gregory Lanes. All music and serving is to be done by 2:00 a.m. All members voted aye.

**DISTRICT III MEMBERSHIP:**

Motion was made by Council Member Peck to continue the city's membership with District III for the year 2012 at a cost of \$1979.00. All members voted aye.

**DISTRICT III DELEGATE:**

Council Member Shana Flakus agreed to be the city's delegate to District III. She will replace former council member Gerrie Soper.

**SOUTHERN MISSOURI RECYCLING & WASTE MANAGEMENT:**

Council Member Mikkelsen was appointed the delegate to the Southern Missouri Recycling Waste Management board and Council Member Bartling was named the alternate.

**WARD MAP:**

The council reviewed and approved a map showing the new 3 wards for the city. Ward III will include all of Rosebud Avenue instead of just stopping at Main Street. The rest of the boundaries will remain the same. An ordinance will be drawn up to show the new boundaries. The new wards are necessary to get a more even number of residents living in each ward.

**AIRPORT LAND LEASE:**

The council discussed the proposed land leases of airport land with Sean Kelly, .91 acres and Craig Blindert, 2.77 acres. Since the lease value would be under \$500.00, the council did not have to hold a hearing on the leases. Motion was made by Council Member Peck to approve the airport land lease agreements with Kelly and Blindert. All members voted aye.

**AIRPORT PROJECT CHANGE ORDER #1:**

The council approved Change Order #1 on the Gregory Airport Improvements Project. The change order will improve the drainage of the underground fuel tanks.

**RESOLUTION OF NECESSITY:**

**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 6<sup>th</sup> day of June, 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 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 reconstruction, paving, curb and gutter, is \$10.00 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

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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 5<sup>th</sup> day of July 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  
OF 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 6<sup>th</sup> of June, 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 6<sup>th</sup> day of June 2011.

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

MAY FINANCIAL REPORT:

The May financial report was given. Sales tax revenues through May are ahead of 2010 and general fund revenues are more than expenses.

CLAIMS:

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

GENERAL FUND:

Al Cerny, mileage & gas reimbursement .....	229.30
reimbursement for recording fees @ Register of Deeds .....	17.50
Appeara, towels/coveralls/hand cleaner.....	23.22
B & F Variety, candle/flower planters for Buttes .....	126.99
Barco Municipal Products Inc., street sign posts.....	574.97
Bartling Welding & Machine, work on 1986 International Truck.....	29.17
Billion Auto, 2011 Dodge Charger/state vehicle contract bid .....	21,849.00
Burke Oil Company, 2015 gal av gas @ 4.88 .....	9,833.20
Computers N' More, 2011 Norton Antivirus .....	25.00
Concrete Surfaces, epoxy resin based concrete.....	1,081.25
Craig & Glenda Blindert, 2.77 acres of land for airport (pd property tax)	4,740.68
Department of Revenue, blood alcohol testing .....	35.00

Genesis Lamp Corporation, (6) airport runway light bulbs .....	134.48
Golden West, June phone service .....	716.96
Gregory County Hwy Dept., road maintenance/band.....	171.33
Gregory Drug, alcohol swabs .....	2.43
Gregory Public Library, reimbursement for books purchased .....	2,783.91
Gregory Times Advocate, council publishing.....	443.76
H & J Sales, repair trimmer/knives for Stihl trimmer .....	109.00
Harrison Plumbing & Heating, fittings/o-ring kits .....	69.85
Hawkins Inc., caustic soda/chlorine/sodium hypochlorite/BNC connectors	3,758.37
Health Pool of SD, June health insurance .....	2,250.45
Jana Winters, lifeguard and CPR training .....	855.00
Klein's True Value, light bulbs/nozzles/paint/brushes/mix container/car wax sponge/roller cover/locks/keys.....	210.10
Office of Weights & Measures, test airport fuel pumps.....	28.00
Office Products Center, paper/cash register ink rollers/copy machine contract	190.55
Opperman Inc., 62.33 ton crushed concrete; 38.15 ton gravel; 17.85 ton concrete sand; 15.5 hrs trucking to dump .....	2,599.36
Petty cash, beginning cash for pool.....	25.00
postage reimbursement .....	18.32
Rosebud Auto Parts, hose/hose clamp/bulb/socket .....	46.55
Rosebud Electric Cooperative Inc., electricity .....	2,915.48
Runnings Supply Inc., rope/light bulbs/roller covers/ratchet/cable/tape/rake tank float/garbage bags/chalk line reel/chalk/fittings/chain link/silica sand garden hose/joint knives/paint brushes/hardware .....	404.30
Ruthie Norberg, reimbursement for lifeguard training.....	126.78
Spann Construction Services, truck time for city wide cleanup .....	552.50
Traffic Control Corporation, signal head for warning light @ Main & Hwy 18	125.81
US Postal Service, annual PO Box fee .....	110.00
Wilson Heating & Cooling, charge A/C system in street sweeper.....	110.00
Wm. Krotter Co., grid marker/shop towels/plywood/fasteners.....	67.87
Total \$	57,391.44

AIRPORT IMPROVEMENT 2010:

American Fence Company, payment #3/airport wildlife fence.....	16,231.54
Helms & Associates, engineering fees/airport wildlife fence.....	2,714.05
Total \$	18,945.59

WATER FUND:

Al Cerny, reimbursement for recording fees @ Register of Deeds .....	26.00
Appera, coveralls.....	7.81
Computers N' More, serial to USB cable/2011 Norton Antivirus/labor...	287.50
Department of Revenue, water testing.....	37.00
Engineering America Inc., replace portion of blue tank water storage roof	1,290.00
Golden West, June phone service .....	41.82

Health Pool of SD, June health insurance .....	900.18
Office Products Center, paper .....	20.00
Petty cash, postage reimbursement.....	1.28
Rosebud Auto Parts, seat covers .....	165.80
Rosebud Electric Cooperative Inc., electricity .....	1,720.03
Runnings Supply Inc., batteries/emery cloth/solder paste .....	21.27
SD Dept. of Environment & Natural Resources, 2012 Drinking Water Fee	600.00
Tripp County Water User District, June water service .....	3,000.00
US Postal Service, water billing postage.....	204.74

Total \$ 8,323.43

SEWER FUND:

Department of Revenue, wastewater testing .....	205.00
HD Supply Waterworks LTD, 14' PVC sewer pipe.....	226.44
Rosebud Auto Parts, gloves/connector/trailer connect kit.....	23.86
Rosebud Electric Cooperative Inc., electricity .....	79.11
Runnings Supply Inc., tape.....	6.58
Rural Development, June payment/Phase I .....	4,285.00

Total \$ 4,825.99

Grand Total \$ 89,486.45

PAYROLL OVERTIME APPROVED:

Jack Wenger, weekend water duty 5/20-21/11 & 6/7-8/11; 1 hr overtime

5-25-11 PAYROLL:

BankWest, withholdings .....	3,398.29
SDRS, retirement.....	1,636.86
Aflac, insurance.....	158.26
Office of Child Support Enforcement, child support payment .....	219.23
Finance Officer .....	1,708.00
Police Dept .....	4,870.71
Street Dept.....	3,376.16
Airport.....	231.75
Library .....	908.54
Park .....	1,112.88
Pool .....	798.01
Water Dept.....	2,817.20
Economic Development.....	200.00

ADJOURN:

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

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

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Dan DeSmet, Mayor