

Gregory City Council Meeting
July 5, 2011

The Gregory City Council met in regular session at the Gregory City Hall on Tuesday, July 5, 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:

Council Member Mikkelsen had a fireworks complaint to add to the agenda. Motion was made by Council Member Bartling to approve the agenda as posted with the addition of the fireworks complaint. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Mills to approve, as written, the regular minutes of June 20, 2011. All members voted aye.

FIREWORKS COMPLAINT:

Council Member Mikkelsen received a complaint in regard to noise caused by people shooting fireworks. The city's ordinance allows fireworks to be shot from June 27 through July 5 from private property, but it is unlawful to discharge fireworks in such a way to cause an unreasonable amount of noise over an extended period of time.

DEPT HEAD REPORT:

Police Chief Dwight Ellwanger reported on the 4th of July events. He said things went well with no big trouble and there were no accidents. Ellwanger did suggest that the park be marked with signs for next year saying "no fireworks allowed in the park".

SPECIAL EVENT LIQUOR LICENSE:

The Gregory Golf Club applied for a special liquor license for July 15-16, 2011 at the Gregory Memorial Auditorium for the Sodak Fights. Motion was made by Council Member Schlaht to approve of the special event liquor license for July 15-16, 2011 at the Gregory Auditorium. All members voted aye.

EAST WELL FIELD HAY BID:

The city received two well field hay bids. Nick Reber bid \$1,261.20 and Gary York bid \$1,500.00. Motion was made by Council Member Flakus to accept the high bid of \$1,500.00 from Gary York. All members voted aye.

FAA/RESIDENTIAL THROUGH THE FENCE POLICY:

The council reviewed the latest FAA policy memo. The memo asked if the city had any planes in a residential area around the city's airport that had direct access to the airport. The FAA has a policy which would limit access. The city does not have any planes that would fall into this category. Motion was made by Council Member Mills to authorize Mayor DeSmet to sign the FAA document stating that the city has no planes partial to residential area with direct access to the airport. All members voted aye.

6TH STREET/LOGAN AVENUE RESOLUTION:

The council held a hearing on forming a street improvement district for 6th Street from Spencer to Logan Avenue and Logan Avenue from 5th to 6th Street. The residents that qualify will be charged \$10.00 per running foot for their share of street improvements. The street improvements would include curb and gutter and new hard-surfaced asphalt street with some storm sewer. Nobody was present at the hearing. Finance Officer Al Cerny reported that he did receive some petitions favoring the project, but had not received any letters or calls from residents that were against the project. Motion was made by Council Member Mikkelsen to pass the following resolution that would form a street improvement assessment district. Roll Call: Ayes, Bartling, Mikkelsen, Mills & Peck; Nays, Flakus & Schlaht. Motion passed.

RESOLUTION NO. 2011-01

RESOLUTION OF NECESSITY

WHEREAS, the City of Gregory has proposed a resolution of necessity; and

WHEREAS, the City of Gregory has published and mailed said notices as required by South Dakota Codified law; and

WHEREAS, the City is ready to proceed with the project and again declare the necessity to make improvements.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Gregory, South Dakota, at a regular meeting thereof, held in the Meeting Room of the City Council in the City of Gregory at 7:30 o'clock p.m. on the 5th day of July, 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 curb and gutter, and street improvements where needed, such properties affected being hereinafter named on the attached list marked Exhibit "A" and affecting such streets named on the attached 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, the same shall be made on a per-foot basis, as provided by SDCL 9-45-30. The estimated cost as to curb and gutter, and street paving to be charged is ten dollars (\$10) per assessable foot. The lots shall be classified as 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, and et seq., and all deferred installments shall bear interest at such rate as shall be determined by the City Council, but not in excess of eight (8) percent per annum.

BE IT FURTHER RESOLVED that the Resolution of Necessity is hereby adopted.

THE GOVERNING BODY OF THE CITY
OF GREGORY, SOUTH DAKOTA

Dan DeSmet, Mayor

ATTEST:

Al Cerny, Municipal Finance Officer

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 July 5, 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 5th day of July 2011.

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

JUNE FINANCIAL REPORT:

Finance Officer Al Cerny gave the council the financial report for June. General fund revenues are larger than the expenses. Sales tax received is more than last year. Budget work for 2012 will be starting soon. The council will be getting the rough draft in July/August.

CLAIMS:

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

GENERAL FUND:

Ace Industrial Supply Inc., (24) safety glasses 166.51

American Red Cross, lifeguarding challenge 5/26/11	30.00
Appera, towels/coveralls/hand cleaner.....	23.22
Arnold Pool Company, water testing supplies/skimmer weirs/tees/parts	362.10
B & F Variety, hangars/poster board/whistles	13.45
Bartling Redi-Mix, Hwy 18 & Felton sidewalk & ramp/sidewalk/park culverts	5,557.00
Bartling Welding & Machine, baseball field iron work/park & library drain covers	1,096.75
Best Western Ramkota Hotel, lodging/M. Fortuna/Ft. Pierre flood preparations	77.00
Burke Oil Company, 3,000 gal Jet A fuel	10,980.00
Claude Harrison/Santa Claude's Tree Service & Const., tree removal.....	400.00
Department of Revenue, pool water testing.....	24.00
pool sales tax.....	246.79
Drey Septic, (9) portable toilet rentals/4 th of July (4 days).....	2,400.00
Golden West, July phone service.....	778.48
Gregory Times Advocate, council publishing/swimming lessons ad	594.50
H & J Sales, knives/bolts/bushings/blades/oil/strap	200.75
Harrison Plumbing & Heating, city hall bathroom stool/clamps/elbow ..	280.75
Hawkins Inc., solenoid valve/#1 pump tube/tubing.....	304.21
Health Pool of SD, July health insurance	2,547.90
Jim's Garbage Service, garbage pickup service.....	210.00
Kevin Rayman, tree stump removal.....	130.50
Klein's True Value, paint/brushes/thermometer/keys/bulbs/tissue rolls/supplies	375.97
Lou's Shoppe, (2) lifeguard shirts	50.00
M & J Auto Inc., police dept cell phone	109.99
Mr. Automotive, headlamp/argon	34.09
Mulehead Gravel, 138.80 ton gravel	1,929.33
Opperman Inc., 45.68 ton patch mix trucking.....	593.84
Petty cash, postage reimbursement/car wash.....	17.08
Recreation Supply Company, (2) pool rescue tubes.....	151.16
Rosebud Electric Cooperative Inc., electrical wire/street light	735.23
Runnings Supply Inc., step ladder/shells/padlock/battery charger/nuts & bolts paint/brushes/tape/fittings/bleach/antifreeze/oil/blade/crabgrass preventer shovel/drill bits/latex gloves/pliers/screwdriver/wrench set/caulk gun/pulley	829.70
SD Dept of Transportation, engineering fees/Bike Path along 5 th Street.	345.00
SMC, 24.5 ton aglime	200.90
Tri-State Turf & Irrigation, (2) wireless rain sensors.....	245.55
Wm. Krotter Co., field marker/shop towels/fasteners.....	151.11
Yankton Fire & Safety Co., (2) fire extinguishers/street dept	140.00
James River Valley Swim League, swim team dues	45.00

Total \$ 32,377.86

SPECIAL STREET ASSESSMENT FUND:

Border States Paving Inc., 50.18 tons asphalt mix..... 4,256.80

Total \$ 4,256.80

AIRPORT IMPROVEMENT 2010:

Helms & Associates, engineering fees/airport wildlife fence.....	1,771.02
Total \$	1,771.02

WATER IMPROVEMENTS 2011:

Schmucker, Paul Nohr & Associates, engineering/ water distribution system	13,200.00
Total \$	13,200.00

WATER FUND:

Appeara, coveralls.....	7.81
Department of Revenue, water testing	294.00
Golden West, July phone service.....	41.77
Harrison Plumbing & Heating, fittings	18.00
Hawkins Inc., hydrofluosilicic acid/chlorine	620.18
Health Pool of SD, July health insurance	1,019.16
Petty cash, postage reimbursement.....	1.13
Runnings Supply Inc., hardware	3.90
Tripp County Water User District, July water service.....	3,000.00
US Postal Service, water billing postage.....	205.61
Total \$	5,211.56

SEWER FUND:

Department of Revenue, wastewater testing	145.00
HD Supply Waterworks LTD, couplings.....	56.16
Rural Development, July payment/Phase I.....	4,285.00
Schrank Construction Inc., sewer main repair/3 rd & Rosebud Ave	2,722.56
Share Corporation, 50 # copper sulfate.....	988.00
Total \$	8,196.72

Grand Total \$ 65,013.96

PAYROLL OVERTIME APPROVED:

Jack Wenger, weekend water duty June 25-26, 2011; 2.5 hrs overtime

6-22-11 PAYROLL:

BankWest, withholdings	4,429.59
SDRS, retirement.....	1,559.38
Aflac, insurance.....	158.26
Office of Child Support Enforcement, child support payment	219.23
City of Gregory, water/sewer payment.....	25.00

City of Gregory, extra cell phone charges.....	50.38
Mayor/Council	4,825.00
Finance Officer	1,708.00
Police Dept	4,416.30
Street Dept.....	3,262.01
Library	1,234.06
Park	1,116.50
Pool	2,619.40
Water Dept.....	2,817.20
Economic Development.....	200.00

EXECUTIVE SESSION:

Motion was made by Council Mills to go into executive session to discuss a personnel matter. Council went into executive session at 8:00 p.m. At 8:10 p.m., Mayor DeSmet took the council out of executive session. No action was taken.

DOUG POCHOP/CHAMBER OF COMMERCE:

Doug Pochop met with the council to discuss some applications the chamber had received for an executive director position. Pochop said the chamber received some very good applications. A budget amount for the chamber was discussed. Finance Officer Al Cerny will break out what the city spends on economic development and give the council members the information before the July 18th meeting. At the July 18, 2011 meeting, a budget amount will be discussed.

ADJOURN:

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

ATTEST: _____
Al Cerny, Finance Officer

Dan DeSmet, Mayor