

Gregory City Council
Regular Meeting Minutes
August 1, 2016

The Gregory City Council met in regular session at the Gregory City Hall on Monday, August 1, 2016 at the time of 7:00 p.m. The following members were present: Mayor Scott Anshutz; Council Members Shana Flakus, Jerry Kafka, Blane Bartling, Stacey Boes, Valerie Johnson and Seymour Studenberg. Also present were News Reporter Colleen Flynn, Public Works Supt. Mark Fortuna, and Finance Officer Al Cerny.

Agenda

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

Minutes

Motion was made by Seymour Studenberg to approve the regular council minutes from July 18, 2016 as written, seconded by Shana Flakus. All members voted aye.

Public Forum/Visitors

Cheryl Duimstra and Tony Timanus met with the council to discuss a recycling project that some of the employees working at Gregory Avera Hospital would like to start. The employees would set up a site where people could take plastics and paper goods and then the employees would take the items to a drop off site in Winner. In order for this recycling program to take off, they would need to purchase a covered trailer where the items could be stored. The council members were asked about helping to purchase a trailer with an estimated cost of approximately \$7200. The council members would look at the upcoming city budget for 2017 and see if some funding could be found for helping to buy the trailer.

Dan Fiebelkorn met with the council to appeal a recent council decision about the need for Fiebelkorn to remove some trees that had been planted in the curb line, which was in violation of the tree ordinance for the City. Fiebelkorn mentioned that there is no existing curb at the present time and there are other trees in town that are planted just as close to the street as his trees. Dan also told the council that he would sign a hold harmless agreement that cover the City if someone would run into the trees or the trees got hit by a snow plow and he would also agree to remove the trees if curb and gutter were to be placed on the street. Motion was made by Seymour Studenberg to allow the trees to remain where they are now planted, seconded by Valerie Johnson. Roll call vote: Ayes, Johnson, Studenberg, and Boes. Nays, Kafka and Flakus. Bartling abstained from voting. Motion carried.

Department Head Reports

Travis DeBuhr just got back from a two week National Guard camp but gave a short report on the July activities. In his absence the sheriff's office helped out under the terms of the recent law enforcement contract entered into along with new police officer Nick Myers. Travis reported that the latest police officer, Andrew Marshall, had started to work today so the police department is back to full force with three officers.

Mark Fortuna reported that he plans to chip and seal some city streets at the end of August. The 4-H use of the park went well and the park is all cleaned up. With the recent rain, they are back to doing a lot of mowing.

Planning and Zoning

Sam Flakus, Planning and Zoning Chairperson, met with the council to discuss some of the materials that the group had received from the City of Winner and Gregory County in regards to re-zoning and conditional use permits. From this material, an ordinance will be put together that outlines the steps to re-zoning or acquiring a conditional use permit.

Committee Reports

Valerie Johnson reported on the BID meeting that she had attended. The BID group had a job description for the new director and the group is advertising to fill this position. The BID group also talked about some by-law changes and trying to obtain a non-profit status.

Shana Flakus reported that the public nuisance committee had met. A strategic plan had been put together on how to handle the public nuisance items. Also discussed was adding some changes to define certain nuisance items.

Valerie Johnson also reported on the recent elected official's workshop that she had attended which covered many different topics related to municipal government. Valerie also got three copies of job applications that the City may be able to use to update the City's existing job application form.

Blane Bartling asked about the airport fence that looked like it was run into. He was informed that the fence had been run into but was in the process of being fixed by the company that owned the truck that ran into it.

Old Business

Airport Change Order

The council reviewed the change order for the airport apron/fuel phase I project. The change order would increase the construction costs but since the engineering costs are running less than anticipated, the overall project costs would remain the same. Motion was made by Valerie Johnson to approve Change Order #1 for \$10,036.56 for the airport apron/fuel phase I project, seconded by Jerry Kafka. All members voted aye.

Governor's House

The BID group had recently asked the council to allow the use of some of the revolving loan fund money to be used to buy a Governor's House which would be set up in Gregory and then sold and the money would go back to the fund. The council members discussed the proposal. Motion was made by Blane Bartling not to allow any revolving loan fund money to be used to purchase a Governor's House, seconded by Seymour Studenberg. All members voted aye.

New Business

One Day Liquor License

Motion was made by Shana Flakus to give the Avera Gregory Hospital a one-day liquor license for an event at the Gregory Auditorium set for August 20, 2016, seconded by Stacey Boes. All members voted aye.

Property Tax Abatement Ordinance No. 2016-03

Motion was made by Shana Flakus to approve the 2nd reading of Ordinance No. 2016-03 with would offer a three year abatement of the city's portion of property tax for any residential lot bought in Grandview Addition, seconded by Valerie Johnson. All members voted aye.

Water Rates Ordinance No. 2016-04/Sewer Rates Ordinance No. 2016-05

The council members discussed raising the current water rates to raise funds for needed improvements and to also match or exceed the State minimum requirements for funding. Motion was made by Seymour Studenberg to approve the first reading of Ordinance No. 2016-04 which would raise the minimum to \$18 for the first 1,000 gallons of water used and \$34 for 5,000 gallons used, which would exceed the State minimum of \$30.00 and to also approve the first reading of Ordinance No. 2016-05 which would raise the minimum sewer rate for 1,000 gallons of water used to \$17 and \$32 for 5,000 gallons of water used , which would exceed the State minimum of \$30, seconded by Stacey Boes. All members voted aye.

City Wide Street Assessment

Motion was made by Valerie Johnson to approve the resolution to levy a front foot assessment of .40 per linear foot, for annual maintenance of street surfaces as provided for in SDCL 9-45-38, seconded by Shana Flakus. All members voted aye.

RESOLUTION

A RESOLUTION OF THE CITY OF GREGORY TO LEVY A FRONT FOOT ASSESSMENT FOR ANNUAL MAINTENANCE OF STREET SURFACES AS PROVIDED FOR IN SDCL 9-45-38.

WHEREAS SDCL 9-45-38 provided for the assessment of annual maintenance of street surfaces not exceeding \$.40 per front foot of lots abutting the streets; and

WHEREAS the City of Gregory maintains and repairs street surfaces on many streets within the City limits;

NOW THEREFORE BE IT RESOLVED that the assessment of annual maintenance of street surfaces shall be levied as follow:

- 1) All lots so assessed shall be at the rate of \$.40 per front foot.
- 2) A detailed list of the legal descriptions, amount of assessment shall be provided to the Gregory County Auditor for collection with taxes based on the following streets;

First Street; Second Street; Third Street; Fourth Street; Fifth Street; Sixth Street; Seventh Street; Eighth Street; Ninth Street; Tenth Street; Eleventh Street; Twelfth Street; Thirteenth Street; Fourteenth Street; Sixteenth Street; Logan Avenue; Rice Avenue; Felton Avenue; Spencer Avenue; Rosebud Avenue; Main Street; Church Avenue; Whittecar Avenue; VonSeggern Street; Nepper Street; Jones Street; Georgia Drive; Gerkin Drive and Duling Drive; and Park Avenue.

- 3) The maximum amount to be levied on any legally described lot or lots shall be \$60.00 per year.

Dated this 1st day of August, 2016.

Scott Anshutz, Mayor

ATTEST: _____
Al Cerny, Finance Officer

Resolution Establishing Fines & Impound Fees for Dogs/Cats
RESOLUTION 2016-01

A RESOLUTION OF THE CITY OF GREGORY TO ESTABLISH THE FINES FOR ALLOWING A DOG TO RUN AT LARGE AND THE IMPOUND FEE FOR A DOG OR CAT.

WHEREAS THE CITY OF GREGORY ORDINANCES Chapter 91.09 makes it unlawful to allow any owner of any domestic pet to allow the animal to run at large; and

WHEREAS CITY OF GREGORY ORDINANCE Chapter 10.99 allows for fines to be set not to exceed \$200; and

WHEREAS CITY OF GREGORY ORDINANCE Chapter 91.11 allows the City Council for the City of Gregory to establish the sum to be collected for the impounded dog or cat;

NOW THEREFORE BE IT RESOLVED that the following fines and fees shall be in effect for allowing dogs to run at large and the impound fees for keeping dogs and cats.

1. The fine for allowing a dog to run at large shall be: \$25 for the first time; \$50 for the second time and \$100 for the third and each time thereafter.
2. The impound fee shall be: \$25 fine and \$5 per day for any barking dog placed in the impound facility due to excessive barking.
3. The owner of any dog or cat, that is being held in the impound facility, shall pay a fee of \$5 per day for each and every day the dog or cat is being held.

Motion was made by Blane Bartling and seconded by Valerie Johnson to approve passage of Resolution 2016-01. All members voted aye.

2017 Budget

A proposed budget worksheet was given to the council members. The budget will be worked on at the next council meeting.

Claims

Motion was made by Valerie Johnson to pay the following claims as submitted, seconded by Stacey Boes. All members voted aye.

Appeara	Mats/Dust mop/Towels/Hand Cleaner/Coveralls	61.75
B & L Communications	Reprogram Police Radios	332.00
Commercial Asphalt	35.92 Ton Hot Mix Material	2,514.40
Department Of Revenue	Water Testing	178.00
Galls LLC	Police Uniform Shirts/Ball Caps/Flag Patches	165.15
Gregory Public Library	Supplies/Books/Prof. & Travel/Conference Fees	962.83
Gregory Times-Advocate	Council Publishing/Swimming Lesson Ads	312.45
Hawkins Inc	Pump Tube For Pool	19.20
HD Supply Waterworks Ltd	Ball Park Solenoid Valve	727.98
Health Pool of SD	Health Insurance	3,362.25

Helms & Associates	Engineering/Airport Fuel System-Apron Exp	7,318.47
Jana Winters	2016 Swim Team/Level 4-5-6 Lessons/WSI-Lifeguard Train	3,184.00
Klein's True Value	Keys/Bulbs/Clean Supplies/Toilet Paper/Fittings	578.79
KWYR AM	Website Advertising	55.00
Office Products Center	Ink Roller/Fasteners/Copier Service Contract	56.12
Old Pioneer	Police 5-Shelf Storage Unit/Battery	53.48
Petty Cash	Postage Reimbursement	4.35
Quilt Stitchery	Sew Emblems On Police Shirts	30.00
The Radar Shop	Recertify Radar Units	129.00
Rosebud Electric Coop Inc	Electric Payment	6,350.31
Runnings	Towels/Fittings/Eng. Hammer/Tank/Dog Food/Knives	323.85
SD Municipal League	6 Handbook Supplements	60.00
Thomson Reuters-West	2016 SD Criminal & Motor Vehicle Law Pamphlet	143.00
Tri-State Turf & Irrigation	8 Sprinkler Heads/4 Risers	142.60
Tripp County Water User Dist	Water Service	3,000.00
Van Diest Supply Company	Mosquito Control Supplies	2,991.60
Wilson Heating & Cooling	Repairs To City Hall Air Conditioner	129.00
Total		\$33,185.58

7-26-2016 Payroll: Finance Officer, \$2,040.00; General Government Bldg., \$224.08; Police Dept., \$1,981.13; Street Dept., \$3,736.95; Water Dept., \$2,953.80; Sewer, \$360.20; Pool, \$3,485.44; Park, \$611.33; Library, \$1,307.30; Gross Amt, \$16,700.23; Aflac, \$199.68; SDRS, \$3,312.54; Child Support, \$219.23; City of Gregory, \$75.76; EFTPS, \$3,770.74

Adjourn

Motion was made by Stacey Boes to adjourn, seconded by Valerie Johnson. All members voted aye.

Scott Anshutz, Mayor

ATTEST: _____
 Al Cerny, Finance Officer