

Gregory City Council  
Regular Meeting  
August 4, 2014

The Gregory City Council met in regular session at 7:00 p.m. on Monday, August 4, 2014 at the Gregory City Hall. The following members were present: Mayor Maurice Schlaht; Council Members: Blane Bartling, Stacey Boes, Seymour Studenberg and Shana Flakus. Council Members absent were Chad Peck and Tim Mills. Also present were News Reporter Colleen Flynn, Water Supt. Alex Hamilton, Public Works Supt. Mark Fortuna and Finance Officer Al Cerny.

Agenda

Motion was made by Seymour Studenberg to add surplus street signs to the agenda and to approve the rest of the agenda as posted. All members voted aye.

Minutes

Blane Bartling made the motion to approve the council minutes from July 21, 2014 as written. All members voted aye.

Department Head Reports

Mark Fortuna reported that they were all caught up with mowing and the summer employees were painting at the present time. The sewer line connections to the sewer line running down the Alice Slade alley have been dug up and fixed and hopefully this will solve some of the sewer line problems.

Committee Reports

Shana Flakus inquired about a pool cover that would help keep the pool water warmer and save on chemical costs. It was mentioned that many years ago, a pool cover had been purchased for the pool but because of a few issues with the cover, it never had been used.

Ordinance No. 2014-02

Ordinance No. 2014-02, an ordinance that deals with the procedure for obtaining a building permit, was placed on its second reading. Motion was made by Seymour Studenberg to approve the second reading of Ordinance No. 2014-02. All members voted aye.

ORDINANCE NUMBER 2014-02

An ordinance amending Section 153.03, Permits; Guidelines for Signs, subsections 2. (f), (h), (l); replacing 3; amending 4, 5; 6; 7; replacing 8 of the Gregory Municipal Code.

BE IT ORDAINED BY THE CITY OF GREGORY THAT subsection 2 (f), (h), (l) be amended; replace subsection 3; amend 4, 5, 6, and 7 and replace 8 of Section 153.03 Permits; Guidelines for Signs as follows:

153.03 (2)

- (f) The size of the proposed building or structure including the width, length and height;
- (h) The permit becomes null and void if work or construction authorized is not Commenced within one year.
- (l) a site plan which would include the following: drawn (preferably) to scale; Includes a north arrow; includes property lines; shows all dimensions of structures;

Includes all structures (existing and proposed) and setbacks from property lines  
Includes appropriate roads, driveways, or parking areas; is clear and legible

(3)

The application must be accompanied by an amount equal to the residential & Commercial building permit fee schedule that is shown below:

Valuation	Fees
\$0--\$1000	\$15.00
\$1001--\$5000	\$15.00 + \$4.00 for each additional \$1000 or part Thereof over the first \$1000
\$5001--\$10000	\$35.00 + \$3.75 for each additional \$1000 or part Thereof over the first \$5000
\$10001--\$20000	\$60.00 + \$3.50 for each additional \$1000 or part Thereof over the first \$10000
\$20001--\$30000	\$100.00 + 3.25 for each additional \$1000 or part Thereof over the first \$20000
\$30001--\$40000	\$140.00 + \$3.00 for each additional \$1000 or part Thereof over the first \$30000
\$40001--\$50000	\$180.00 + \$2.75 for each additional \$1000 or part Thereof over the first \$40000
\$50001--\$100000	\$225.00 + \$2.50 for each additional \$1000 or part Thereof over the first \$50000

Square foot Valuation Basis for New Buildings and Additions Thereto

Dwellings—Single Family Dwelling, Duplex, Townhouses:

Finished Habitable Space.....	\$65.00 per square foot
Finished Basements.....	\$35.00 per square foot
Unfinished Space (basement or upper levels).....	\$20.00 per square foot
Attached Garages.....	\$22.00 per square foot
Detached Garages.....	\$20.00 per square foot
Storage Shed (Garden).....	\$12.00 per square foot
Pole Shed or other storage shed.....	\$20.00 per square foot

Commercial Buildings

Pole shed or other storage shed.....	\$20.00 per square foot
Finished Building.....	\$60.00 per square foot

“Non-valued” fees:

Fence (new build, not replacement of existing).....	\$25.00 flat fee
Patio Deck/wood or concrete (new build, not replacement of existing)	\$25.00 flat fee
Failure to file a building permit.....	\$75.00 penalty in addition to Above fee schedule
Variance request.....	\$75.00 flat fee

(4)

The Finance Officer shall give the Planning and Zoning Board a copy of the completed building permit applications. The Planning and Zoning members shall meet prior to the Gregory City Council meeting and give their recommendations on each of the building permits that have been submitted to them to the Gregory council.

(5)

The Gregory City Council members, sitting as the Board of Adjustment, shall review each of the building permits applications submitted to them by the planning and Zoning Board members at their next regular scheduled council meeting, at which time The applicant shall be heard along with any objectors to the granting of the permit. Within 48 hours after the hearing, the City Council shall notify the applicant as to whether his or her permit has been granted.

(6)

The permit will consist of a copy of the permit signed by the Planning and Zoning Board chair and the Mayor of the City Council and a statement stating that the permit has been approved and that the applicant can proceed in accordance with the plan submitted with his or her application.

(7)

In the event a permit is not granted, a written statement signed by the City Finance Officer and the Mayor of the City Council shall be delivered to the applicant, stating that his or her application for a permit is denied and shall describe the reason therefor.

(8)

Request for Variance. In the event that the applicant requests a variance because the required setbacks can't be met, a request for variance form must be submitted along with the building permit application. The fee for a variance permit shall be \$75.00. The variance request form shall be provided to the applicant by the City Finance Officer and will contain the following items:

- (a) Name, address, phone number, legal description, present zoning of the property and present use of the property.
- (b) Reasons for request for variance
- (c) Names and address of adjacent property owners
- (d) Attach a scaled accurate drawing of the site and surrounding area of the site and survey area of at least 300 feet from each boundary.
- (e) Survey pins located, if pins are not found, a survey will be required and paid for by the applicant.
- (f) Applicant signature, verifying that the information contained in the variance application and all attachments is true and correct.

\_\_\_\_\_  
Maurice Schlaht, Mayor

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

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Publication: \_\_\_\_\_

### Compensation for Zoning Board Members

The council members discussed paying the Planning and Zoning board members a fee per meeting that the members attended. There was a suggestion of paying them \$25 per meeting attended, but no action could be taken because there was not a majority present after Shana Flakus abstained because of a conflict of interest.

### Resolution/Title to Industrial Park Land

The council discussed turning over the industrial park land to the Gregory Business and Industrial Development group to make the sale of the land easier to transfer than if the City owned the land because the City would have to declare surplus, set a price and then bid out. A resolution was offered that would just turn over Lot B to the BID group for sale to a potential buyer. The resolution had some terms involved which included that the council would have to give approval of all sales by the BID group and that all funds received would be used for further development of the industrial park. Motion was made by Seymour Studenberg to approve Resolution No. 2014-02, which would give Lot B to the BID group for development purposes. All members voted aye.

### RESOLUTION 2014-02

RESOLUTION giving title to the Gregory Business Industrial Development Corporation of the following described land for the purposes described in this Resolution. The land described is as follows: Lot B of Grandview Addition to the City of Gregory, in the NW1/4 of the NE1/4 of Section 13, T 97N, R 73W of the 5<sup>th</sup> P.M., Gregory County, South Dakota.

WHEREAS, The City of Gregory has purchased a tract of land for the purpose of establishing an industrial park area; and

WHEREAS, The Gregory Business Industrial Development Corporation was established for the purpose of promoting business and industrial development in the Gregory area; and

WHEREAS, The Gregory Business Industrial Development Corporation is a public corporation registered in the State of South Dakota; and

WHEREAS, The City of Gregory may give real property to any public corporation for any authorized public purpose under SDCL 9-12-5;

NOW THEREFOR BE IT RESOLVED

#### Section 1. Conveyance of Industrial Park Land

1.1 The City of Gregory will convey title to the Gregory Business and Industrial Corporation of the following described land:

Lot B of Grandview Addition to the City of Gregory, in the NW1/4 of the NE1/4 of Section 13, T 97N, R73W of the 5<sup>th</sup> P.M., Gregory County, South Dakota.

#### Section 2. Authorized Public Purpose

2.1 The Gregory Business and Industrial Corporation will use the land granted to them in Section 1.1 for the sole purpose of use as a lot for industrial and manufacturing purposes.

Section 3. Terms

3.1 Sale of Lots

The lot price that was developed by certain members of the Gregory Council and Gregory Business Industrial Development Corporation will be used as a guideline in the sale of Lot B.

3.2 Prior Approval of Sale

The Gregory Business and Industrial Development Corporation will need to get the Gregory City Council's approval of the sale of Lot B in Grandview Addition, prior to the final sale of the Lot.

3.3 Use of Land Sales

It is agreed and understood that all funds received in the land sale of lot B that was conveyed to the Gregory Business and Industrial Development Corporation are to be used for the so purpose of further development of the Grandview Addition industrial park area.

Section 4. Authorization of City Officials

The Mayor, Finance Officer, City Attorney and city officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

Section 5. Effective Date. This resolution shall take effect on the 20<sup>th</sup> day following its publication, unless suspended by a referendum.

Adopted at Gregory, South Dakota, this 4<sup>th</sup> day of August 2014.

APPROVED:

\_\_\_\_\_  
Maurice Schlaht, Mayor

ATTEST: \_\_\_\_\_

Al Cerny, City Finance Officer

First Reading: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

Plat of Lot B, Grandview Addition

Motion was made by Shana Flakus to approve the plat of Lot B in the Grandview Addition to the City of Gregory. All members voted aye.

Water Supt. Hire

Motion was made by Stacey Boes to hire Alex Hamilton as Gregory’s Water/Wastewater Superintendent at a salary of \$15.50 per hour. All members voted aye.

Code Enforcement/Buildings

Mayor Schlaht reported to the council that he had been talking to the City Attorney about some of the buildings in town that looked to be bad shape. The Mayor and Al Cerny will compile a list of buildings that may be in violation of the City’s codes and submit that list to the City Attorney. The City Attorney will then start the process of trying to abate the code violations.

CD Renewal

There was discussion on the renewal of a \$250,000 CD with Consumer Federal Credit Union in Gregory. The rate for a 12 month CD is higher than the present 6 month rate. Motion was made by Seymour Studenberg to get a \$125,000 CD for 6 months and another one at \$125,000 for 12 months. All members voted aye.

2015 Budget Estimate

The council reviewed the 2015 Budget estimates. The budget is balanced and no reserve funds were used to help balance the budget. The budget will be reviewed at the August 18 meeting and then the budget ordinance will be put on its first reading for the first council meeting in September.

Surplus Street Signs

Motion was made by Stacey Boes to surplus some old street signs at a value of \$100. All members voted aye.

Claims

Motion was made by Seymour Studenberg to pay the following claims as presented to the council. All members vote aye.

APPEARA	MATS/DUST MOP/TOWELS/HAND CLEANER/COVERALLS	52.59
CIVIL AIR PATROL MAGAZINE	CIVIL PATROL MAGAZINE AD	95.00
COMMERCIAL ASPHALT	15.39 TON ASPHALT MATERIAL	1,154.25
DENR - BOARD OF OPERATOR CERT	APPLICATION FEES/ALEX HAMILTON	20.00
DEPARTMENT OF REVENUE	WATER/POOL TESTING	1,462.00
GREGORY COMM SUNSHINE CLUB	PLANTING FLOWERS/PARK & MAIN ST BEAUTIFICATION	800.00
GREGORY MUNICIPAL GOLF	SUBSIDY FOR GREGORY GOLF COURSE	10,000.00
GREGORY TIMES-ADVOCATE	SWIMMING LESSONS AD/COUNCIL PUBLISHING/NOTICE	342.25
HACH COMPANY	PARTS FOR CHLORINE SENSOR	146.54
HAWKINS INC	SODIUM HYDROXIDE/CYLINDER	1,431.40
HEALTH POOL OF SD	HEALTH INSURANCE	3,717.24
HEARTLAND PROMOTIONS INC	AUDITORIUM CAPACITY SIGN/CHANGE CITY LOT SIGN	105.00

HELMS & ASSOCIATES	ENGINEERING/AIRPORT FUEL SYSTEM/APRON EXP PHASE I	4,576.27
JOHNSON POCHOP LAW OFFICE	LEGAL SERVICES	1,468.06
KLEIN'S TRUE VALUE	CLEANING SUPPLIES/MARKING PAINT/TISSUE	197.98
LIGHT AND SIREN	LED LIGHT BAR FOR PATROL CAR	1,315.86
MARK FORTUNA	LODGING, MILEAGE & MEAL REIMB/EMERGENCY CLASS	238.00
MAURICE SCHLAHT	REIMB/SET OF HISTORICAL WHEELS	300.00
OFFICE PRODUCTS CENTER	POST-IT-NOTES/SERVICE CONTRACT	53.99
OPPERMAN INC	20 TON OF GRAVEL	305.00
PETTY CASH	REIMBURSEMENT	13.02
PONCA CREEK CREATIONS	SEW ON POLICE PATCHES	10.00
SCHMUCKER PAUL NOHR AND ASSOC	WORK ON GRANDVIEW ADDITION	1,700.00
SPANN CONSTRUCTION	SEWER WORK IN SLADE ALLEY	1,142.86
TRI-STATE TURF & IRRIGATION	IRRIGATION PARTS	163.38
TRIPP COUNTY WATER USER DIST	MONTHLY WATER SERVICE	3,000.00
VEURINK INSURANCE AGENCY LLC	LIABILITY INSURANCE/FIRE DEPT	5,193.00
WM KROTTER CO	FIELD MARKER/STEEL PANEL	170.53
TOTAL		\$39,174.22

7-29-2014 Payroll:

Finance Officer, \$1,840.00; Police Dept., \$3,907.63; Street Dept., \$3,529.26; Water Dept., \$2,422.16; Sewer, \$226.68; Airport, \$164.00; Pool, \$2,927.32; Park, \$1,172.19; Library, \$1,327.26; Economic Dev, \$200.00; Total Gross Amt, \$17,716.50; Aflac, \$386.37; SDRS, \$4,905.26; Child Support, \$219.23; City of Gregory, \$56.75; EFTPS, \$4,095.15

Adjourn

Motion was made by Stacey Boes to adjourn. All members voted aye.

\_\_\_\_\_  
Maurice Schlaht, Mayor

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