

Gregory City Council Meeting
September 4, 2012

The Gregory City Council met in regular session at the Gregory City Hall on Tuesday, September 4, 2012 at 7:30 p.m. The following members were present: Mayor Maurice Schlaht; Council Members, Tim Mills, Chad Peck, Shana Flakus, Seymour Studenberg, and Kevin Mikkelsen. Council Member absent was Blane Bartling. Others present were Public Works Supt. Mark Fortuna, Finance Officer Al Cerny, Head Librarian Diane Althoff and News Reporter Colleen Flynn.

AGENDA:

The following items were added to the agenda: roadside park drainage; Terry Aker (SPN); Clark Audiss building permit; Songer trailer house, and; Leila Adam's driveway. Motion was made by Council Member Mikkelsen to adopt the proposed agenda with the additional items. All members voted aye.

APPROVAL OF MINUTES:

Motion was made by Council Member Studenberg to approve, as written, the regular minutes of August 20, 2012. All members voted aye.

PUBLIC FORUM/VISITORS:

TERRY AAKER/SPN:

Terry Aaker of SPN met with the council and gave the board updates on the water and street projects. Some electrical work needs done and lien waivers need to be signed on the booster station project. On the water distribution project, the amounts have to be verified and a punch list worked up for the remaining items that need to be completed. The total amount of the water project is projected to be around \$100,000 less than budgeted for. The 6th & Logan Street Project needs to have some dirt work done, seeding and stop signs put back up.

DEPT. HEAD REPORTS:

Officer Shawn Claussen reported that the police dept. is busy with animal control. The electrical speed zone trailer was used on 14th Street to check the traffic speeds. A majority of the vehicles were obeying the speed limits. Claussen would like the "turning" ordinance, which limits where cross lane turning can be made on Main Street, to be reviewed.

Public Works Supt. Mark Fortuna reported that the street dept. is trying out an asphalt spreader that they are using for shoulder work. Fortuna will start grass seeding on the 6th & Logan Street Project next week.

NEW BUSINESS:

POOL REPAIRS:

Public Works Supt. Mark Fortuna reported that he has called on different firms to get an estimate on the pool repairs but has had no response yet.

OPPERMAN/SHAVLIK LEASE:

Copies of the Opperman/Shavlik lease were given to the council members for review. Motion was made by Council Member Mills to table approval of the lease until the city attorney can review it and a per acre dollar amount can be established. All members voted aye.

RESOLUTION OF NECESSITY:

Motion was made by Council Member Mills to pass the following resolution of necessity for sidewalk improvements for Chad and Jennifer Peck. All members voted aye, with Chad Peck abstaining.

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 the South Dakota Codified laws; and

WHEREAS, the City is ready to proceed with the project and again declares the necessity to make the 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 4th day of September, 2012, 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 sidewalk improvements where needed, such property affected being hereinafter named as: S25' of Lot 6, Block 52 of the Original Town of Gregory, affecting the following area: sidewalk adjacent to the North side of 6th Street, running west from 6th and Main Street to the alley.

BE IT FURTHER RESOLVED that the material to be used in the project shall be according to plans and specifications prepared 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. After determining the amount of total cost of said project, the same shall be made on a per-foot basis, as provided by SDCL 9-45-30. The estimated cost as to sidewalk improvements is \$ 47.51 per assessable foot. The lots shall be classified as regular lots.

BE IT FURTHER RESOLVED that the assessments will be divided into five 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 as such rate as shall be determined by the City Council, but not in excess of eight percent per annum.

BE IT FURTHER RESOLVED that the contractors who undertake to perform the work of construction herein provided for shall be paid in cash from the City.

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

SEWER LINE:

The council discussed the on-going investigation of the sewer line blockage by Dave and Mona Taggart's. The council members viewed letters from the city's and Taggart's insurance companies. The council agreed to take no action and let the insurance companies work things out.

AMBULANCE ROSTER:

The following ambulance roster was given to the city council: Kimberly Bruns, Richard Bruns, Vi Brumbaugh, Lorena Cernetisch, Cheryl Clark, Eric Curtis, Treg Gruhn, Rod Hlavka, Joyce Hofer, Barb Jons, Sean Kelly, Cheri Lynne, Wes Schell, Glenn Sealey, Roberta Spann, Doug Steffen, Mike Steffen, Lorrie Sundquist, Troy Sundquist, Carla Warnke, Vic Warnke, Tammy Jons. Motion was made by Council Member Peck to approve of the ambulance roster. All members voted aye.

BUILDING PERMIT/BILL BARTLING:

Bill Bartling submitted a building permit for a garage to replace the one he lost when a tree fell on it. The garage will be built where the old one was located. He will need a 6½ foot variance to the south lot line. Motion was made by Council Member Mikkelsen to approve the building permit with the variance. All members voted aye, with Tim Mills not voting.

AIRPORT AG LAND LEASE:

The city will be opening bids for the lease of the airport ag land on Sept. 17, 2012. The council discussed the lease and decided that they would not restrict what could be grown on the airport land.

2013 BUDGET ORDINANCE:

The council reviewed the 2013 Budget Ordinance. Some items came up for discussion. A group of people want to meet with the council to discuss some ballpark improvements and the chamber budget was also discussed. The council would like to get another financial report from the chamber. Motion was made by Council Member Studenberg to approve the first reading of the 2013 Budget Ordinance No. 2012-229. All members voted aye.

SONGER TRAILER:

The council received a letter from Donna Songer stating that they would like to move their trailer house to Gregory and finish the repairs to it then. The item was tabled until the next meeting.

ROADSIDE PARK DRAINAGE:

The council was made aware of some drainage concerns from the landowners to the north of the roadside park. In order to drain the area, a ditch would have to be re-cut to drain the area to the north. The council agreed to ask Emmett Kotrba to survey the area and to contact the owners about what the city intends to do.

DRIVEWAY:

The driveway of Leila Adam's will be inspected to see if any asphalt needs to be replaced after the water line work is completed.

AUDISS BUILDING PERMIT:

The council agreed to listen to appeal of Clark Audiss on the council's decision to deny him a building permit for a storage unit. It will be placed on the September 17, 2012 agenda.

CLAIMS:

Motion was made by Council Member Mikkelsen to pay the following claims. All members voted aye.

General

Appera, utilities, \$49.02; Avenet, LLC, web hosting, \$450.00; Barco Municipal Products Inc., signs, \$346.34; Chief Law Enforcement Supply, barricade tape, \$28.97; Christensen Sales & Service, park electrical outlets, \$2,470.99; Daktronics, scoreboard control unit, \$425.00; Dept. of Revenue, pool water testing, \$116.00; Gregory Times Advocate, council publishing, \$418.84; Health Pool of SD, health ins., \$2,612.85; Klein's True Value, supplies, \$84.76; Mulehead Gravel, LLC, gravel/trucking, \$1,547.10; Office Products Center, supplies, \$88.81; Old Pioneer Tool Pawn & Gun, shells, \$19.47; Petty cash, postage, \$9.25; Runnings Supply Inc., supplies, \$223.04; SD Municipal League, conference, \$100.00; Share Corporation, cleaner, \$435.85 – Total \$9,426.29

Water

Appera, utilities, \$7.11; Dept. of Revenue, water testing, \$51.00; Health Pool of SD, health ins., \$1,045.14; Office Products Center, paper, \$18.50; Petty cash, postage, \$2.26; Runnings Supply Inc., supplies, \$20.23; Sensus USA, repairs, \$312.50; Tripp County Water User District, utilities, \$3,010.50; US Postal Service, billing postage, \$231.36 – Total \$4,698.60

Sewer

Rural Development, Phase I, \$4,285.00 (automatic pmt) – Total \$4,285.00

3rd Cent Sales Tax

Gregory/Dallas Area Chamber of Commerce, 4th Qtr. stipend, \$6,500.00 – Total \$6,500.00

Special Street Assessment Fund

Jebro Inc., 23.91 ton road oil, \$17,954.29 – Total \$17,954.29

Water Improvements 2011

Menning Backhoe, pay request #5, \$184,505.97; Schmucker, Paul, Nohr & Associates, engineering, \$17,410.85 – Total \$201,916.82

6th/Logan Street Improvements

Commercial Asphalt, payment #2, \$96,773.54; Schmucker, Paul, Nohr & Associates, engineering, \$18,275.75 – Total \$115,049.29

Water Deposit

Daniel Shoemaker, refund, \$14.00 – Total \$14.00

Community Foundation

Community Sunshine Club, pass thru grant, \$500.00; Gregory Cinema Inc., pass thru grant, \$3,000.00 – Total \$3,500.00

Grand Total \$363,344.29

PAYROLL OVERTIME APPROVED:

Mark Fortuna, weekend water duty, 9/1-2-3/12

Jack Wenger, weekend water duty, 8/18-19/12, 4.5 hrs. overtime

8-29-12 PAYROLL:

BankWest, federal withholding, \$999.21; BankWest, FICA, \$1,369.87; BankWest, medicare, \$381.96; SDRS, retirement, \$1,522.32; Aflac, employee deductions, \$158.26; Office of Child Support Enforcement, employee deduction, \$219.23; Finance Officer, \$1,728.00; Police Dept. , \$4,232.06; Street Dept., \$3,534.58; Pool, \$413.56; Library, \$885.45; Water Dept., \$2,507.20

LIBRARY:

Mayor Schlaht mentioned that the council members should visit the library. The new carpet and rearrangement of some of the shelves, etc. had the library looking very sharp.

ADJOURN:

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

ATTEST: _____
Al Cerny, Finance Officer

Maurice Schlaht, Mayor