

Minutes of the August 11, 2014 City Council Meeting

The meeting of the Eureka City Council was called to order on August 11, 2014, at 7:00 p.m. by Mayor Opp in the councilroom of the Municipal Building with the following present: Mayor Opp, Councilmembers Bertsch, Billotto, Goehring, Obenauer, Regula, Weisbeck and Finance Officer Ottenbacher. Also present were Linda Bergman with the Northwest Blade, Jay Koch with Helms and Associates, Public Works Director Guy Boschee and Les Walker.

A motion was made by Weisbeck and seconded by Regula to approve the agenda with the addition of the Ballpark. All voted Aye. Motion Carried.

Jay Koch with Helms and Associates was present to discuss the change order and pay estimate for Duininck, Inc. for the portion of the sewer and water line to the Primetime Bar and Restaurant on 7th Street. The change order is a deduct from the contract order and all costs are added into the pay estimate except the asphalt. The asphalt price will be determined when the work is done. When the water break was dug open, they found that the water and sewer main were intertwined. The water line had a weak spot and had been cut. The break was past the spot that Duininck, Inc. was responsible for. Due to the circumstances of not replacing the sewer line to save costs, (which a lot of small towns do), Koch felt that if the sewer had been repaired the water break would have been found and feels this portion should be included in the project. The Council discussed other recent water breaks and the owner's responsibility to repair them. They also discussed 7th Street and the original set of plans that were supplied by the Engineers'. When Koch knows the exact price for asphalt Gonska will be responsible for half of that bill, also. Duininck, Inc. had the lowest bid price to lay the asphalt. A motion was made by Obenauer and seconded by Regula to have the Engineer deduct half the amount of asphalt from the bill and Gonska would be responsible to pay the asphalt bill before the contractor is paid by the City. All voted Aye. Motion Carried. Koch suggested that the City apply for a Grant Agreement with the City being responsible for 60%. A motion was made by Obenauer and seconded by Goehring to approve the pay request with the project cost of \$2,655.00 and Gonska would be responsible for the \$956.00 and when the project is completed half the asphalt will be paid by the City and the other half by Gonska. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous Vote. Motion Carried.

Robby and Tricia Grajczyk and Jaci Eberhart joined the meeting at 7:08 p.m.

Koch is questioning the labor on the flowable fill and the cost to replace two valves and two check valves at the lift station. This will be back on the September agenda.

The Council would like to see the road down by the lake completed by September 15, 2014. The camera videos for the sewers are being reviewed by Koch and Hoover. Koch was asked to drive 11th and 12th Street before leaving town.

Jeremy Eberhart joined the meeting at 7:41 p.m.

No action was taken on Change Order #2 and Pay Request #5 for Dahme Construction Co.

The Public Works Director Boschee presented his report prior and was reviewed with the council.

The hot mix has been laid and Jensen Rock and Sand will be back in town at a later date to finish Phase II with Dahme Construction. The total amount of asphalt laid was 415 tons with Walnut Road receiving 95 ton.

Two fire hydrants have been replaced with one left to be replaced.

The streets were sprayed for weeds to prepare for chipping.

The airport start date has been set for after Labor Day.

Northern Plains has hooked up a fuel fill on the shop tank at no cost to the City. When the fuel gets to 250 gallons they will get a signal to fill and then will bill the City for the total gallons filled.

Bob Connelly and Eframson Electric were here and put the icons onto the SCADA system and hooked up the generator alarms.

The chips used last year on the streets have been screened twice and added to the chip pile. This works well and is a cost savings.

The screener has been moved and fixed and in the near future will move in the compost from the landfill in preparation of screening it for future use.

On August 7, 2014, Wegner Auto was called to check on the new truck and is currently at Council Bluffs, Iowa and should be arriving soon.

Brandon DuQuette will be attending water school October 6-9, 2014 for continuing education.

Boschee and the Mayor met to discuss the Department of Transportation's request to have the maintenance guys spray the weeds along the highway and Boschee is only allowed to spray city property.

Boschee sent an email to Eframson Electric with the measurements for the park and all the activities that are held at the park. Eframson Electric will send an estimate to apply for the LWCF Grant.

There was no police report available. The joint law expenses were reviewed.

Robby & Tricia Grajczyk were present to discuss several items. The Finance Officer will add the temporary malt beverage license and extended hours to the May calendar for next year. Grajczyk requested funds to help get started and would probably be able to pay it back after their event. They also requested to reserve the campground and the south picnic shelter for a beer garden for July 3rd and 4th, 2015. Grajczyk does not feel that the minutes are printed in their entirety and will spend his own money to take legal course to get the meetings taped. The Mayor suggested that it be put on a ballot and it be put on a municipal election and save the citizens some of the costs. Grajczyk has already talked to Valleytel.

Les Walker thanked the council for the attention they gave on the Jake Brakes. Walker feels Ordinances are not handled properly and letters sent are too caustic in nature and should be handled verbally. He also voiced concern with the City supporting ECDC.

Walker left the meeting.

Jaci Eberhart was present to discuss the ECDC call center parking lot. Eberhart shared pictures of the damaged lot that is being torn up from the trucks entering the private property. ECDC does have signs posted for no parking. Eberhart was upset that Jensen's were allowed to park on this lot while they were doing work in town. Eberhart feels this property is being abused and not respected as private property. She asked, "If the City would be willing to help pay the costs as ECDC does not have the means to repair it?" The council felt it should be fenced off completely to keep all vehicles off the property. There was also discussion on the ECDC lot along the highway when Duinink, Inc. used that lot during the Highway 10 project and the way it was left. The Council felt that ECDC should send Duinink, Inc. a letter in regards to the property and then Obenauer will follow up with it.

Eberhart left the meeting.

A 5 minute break was taken at 8:31 p.m. Meeting reconvened at 8:36 p.m.

A motion was made by Weisbeck and seconded by Bertsch to approve the July 14, and July 28, 2014 minutes as presented. All voted Aye. Motion Carried.

A motion was made by Billotto and seconded by Regula to approve the financials as presented. All voted Aye. Motion Carried.

Regula questioned continuing to pay an attorney at every meeting. The Council felt that as long as we are reviewing contracts then they would like him in attendance. The Eureka Ready Mix bill was held for review. A motion was made by Obenauer and seconded by Billotto to approve the bills with the exception of Eureka Ready Mix. All voted Aye. Motion Carried.

July Financials:

Mayor and Council - \$4,880.00, Finance Officer - \$4,450.36, Gen. Gov't. Bldgs - \$276.49, Code Enforcement - \$38.90, Streets - \$2,701.01, Sanitation - \$737.08, West Nile - \$126.72, Park - \$4,964.98, Library - \$728.51, Water - \$1,070.39, Sewer - \$703.04

July Financials:

Phase II Wastewater Project: Dahme Construction Co., SRF Pay Request #11 - \$16,216.66, Duinink, Inc, SRF Pay Request #12 - \$34,914.35, Helms & Associates – SRF Pay Request #12 - \$2,422,49, Helms & Associates, SRF Pay Request #11 - \$45,320.55

A & B Business, office supplies - \$34.24, A & B Business, copier contract - \$226.38, Bank of America, Amazon Books - \$508.69, Bank of America, repair water locator - \$304.20, Bantz, Gosch & Cremer, attorney fees - \$2,141.81, Banyon Data Systems, winfund support - \$2,385.00, Business Forms & Accounting, utility bills - \$278.78, Cahill, Bauer & Associates, LLC, final audit bill for 2013 - \$2,485.00, Cash, postage stamps - \$64.16, Clarke Mosquito Control Products, repair the fogger - \$35.06, Dakota Supply Group, repairs to water & tennis courts - \$811.17, Dakota Country, ethanol for vehicles - \$154.83, Eureka Municipal Golf Course, reimbursement - \$587.30, Eureka Plumbing & Heating, shop - \$11.20, Eureka Ready Mix, sand for park - \$163.50, Eureka Ready Mix, concrete - \$1,929.20, Eureka Sportsman club, carp tournament - \$300.00, Fischer's Plumbing, park supplies - \$38.56, Great Plains Bank, water utilities - \$15.95, Great Plains Bank, water project - \$1,694.00, Heartland Waste, sanitation fees - \$5,178.80, Hoffman, Phylcia, customer deposit refund - \$45.78, Inman Irrigation, supplies -

\$143.20, Kary Home Oil, oil & tire repair - \$736.00, Ken's Food Fair, cleaning supplies - \$42.37, McPherson County Auditor, police contract - \$3,500.00, Montana Dakota Utilities, utilities - \$4,635.74, MTI Distributing, Torro Mower - \$408.52, Northern Plains, propane contract - \$7,850.00, Northern Plains, summer fill - \$748.79, Northwest Blade, publishing - \$307.97, Premier Equipment, LLC., supplies - \$197.27, SD Dept. of Revenue, drivers license - \$295.00, SD Public Assurance Alliance, add'l insurance - \$556.00, SD Retirement, retirement - \$1,393.06, SD State Health Laboratory, water samples - \$536.00, SD State Treasurer, sales tax - \$594.88, Vilas Pharmacy, workman's comp -\$24.99, Sherwin Williams, ballpark fence - \$622.61, Valley Telecommunications, phone utilities - \$336.87, Wellmark, health insurance - \$2,154.76, Wolf, Susan, 2011 reimbursement - \$68.04, US Postal, postage stamps - \$98.00

August Financials:

FEM Electric, utilities - \$886.36, Great Plains Bank, Payroll - \$4,946.85, WEB Water, utilities - \$4,312.56

A motion was made by Weisbeck and seconded by Bertsch to approve the 2nd Reading of Ordinance 2014O-6 – Repealing the Breed-Ban Ordinance. All voted Aye. Motion Carried.

ORDINANCE 2014O-6
AN ORDINANCE REPEALING 6.04.090

BE IT ORDAINED BY THE MUNICIPALITY OF EUREKA, McPHERSON COUNTY, SOUTH DAKOTA,

Ordinance number 6.04.090 is hereby repealed.

Dated this 11th day of August, 2014.

Mark Opp, Mayor

ATTEST:

Bobbi Ottenbacher, Finance Officer

Placed upon its First Reading: July 14, 2014

Placed upon its Second Reading: August 11, 2014

Approved this 11th day of August, 2014.

Published this 21st day of August, 2014.

A motion was made by Goehring and seconded by Weisbeck to approve the 1st Reading of Budget Appropriation Ordinance 2014O-7. All voted Aye. Motion Carried.

Resolution 2014R-4 Land and Water Conservation Fund (LWCF) is a grant that could be used for the lights, ballpark or almost anything that needs updating at the park. The Mayor and Bertsch met with Efraimson Electric so an estimate could be put together for the park. It was asked that all suggestions be brought forward. A motion was made by Weisbeck and seconded by Obenauer to approve the Resolution 2014R-4 Land and Water Conservation Fund and move forward. All voted Aye. Motion Carried.

Resolution of Governing Body
2014R-4 – Land and Water Conservation Fund

WHEREAS, the United State of America and the State of South Dakota have authorized the making of grants from the Land Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE BE IT RESOLVED:

1. That the Mayor is hereby authorized to execute and file an application on behalf of the City of Eureka with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for an LWCF Grant to aid in financing the Eureka Baseball Park Improvements Project for the City of Eureka, South Dakota and its Environs.
2. That Mark Opp, Mayor is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Eureka shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy to be filed.
4. That the City of Eureka shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

Read and approved this 11th day of August, 2014

Published this 21st day of August, 2014.

Mayor – Mark W. Opp

ATTEST:

Bobbi Ottenbacher – Finance Officer

Pumping water from the lake permit was tabled until the next meeting. The City Attorney is waiting for information from Steve Jacobs and John Vilbrandt.

Wessington Spring Tornado Relief Fund was discussed. No action was taken.

City Property and Game Fish and Parks. Maps were sent to the City Attorney and are awaiting information.

Abated Property located at S 21' of Lot 21 Block 1 Milw Land Co was discussed. The Finance Officer will send letters to both property owners.

A motion was made by Bertsch and seconded by Billotto to approve building permits for Tim and Lisa Kauk, Brandee Hanson, Larry Strid, Premier Equipment, Gary Opp, Harvey Goehring, Jon Allbee, Sidney

Maier, James Grossman, Paul Jundt, Michael Mundt, William Fischer, Tim Jundt and Tom Flemmer. All voted Aye. Motion Carried.

Jeremy Eberhart and Robby and Tricia Grajczyk left the meeting.

John Vilbrandt with the Department of Transportation was here and met with the Mayor, Floyd Obenauer, Cornelius Goehring and numerous homeowners along Highway 10. He pointed out that three sleeves have been installed for the sprinkler system and the irrigation to come across the highway. The residents have picked the rocks themselves. Vilbrandt suggested to have someone spray the weeds locally and then possibly have Beadles or Parkview Nursery do the work necessary and submit the bill to the State. The Mayor contacted John Schwingler to spray the weeds and Schwingler could spray the weeds for about \$300.00 - \$350.00. A motion was made by Weisbeck and seconded by Obenauer to allow Schwingler to spray the weeds at a cost of \$300.00 to \$350.00 with the condition that the money spent is recouped from the State. All voted Aye. Motion Carried. The Mayor will talk to him and stress that the State pays for it.

The sidewalks along the highway were also discussed with John Vilbrandt and all sidewalks were installed following the handicap accessible guidelines.

A motion was made by Weisbeck and seconded by Bertsch to approve the Mayor, Finance Officer and Assistant Finance Officer to close the office and attend the Annual SDML Conference October 7-10, 2014. All voted Aye. Motion Carried.

Review Letter of Audit Acceptance was reviewed as requested.

Weisbeck will close off the ballpark while he works on the grandstand. The Mayor will fund and repair the dugouts with plywood and steel siding and reshingle at an approximate cost of \$120.00. The fencing and the storage room work might be able to be included with the Grant. The cleaning lady will be contacted to paint the ticket booth.

Reserving of the campground and the picnic shelter was discussed. The Mayor will look into some type of sticker for campers and the Council will maybe make some changes in the campground areas in the future.

Executive Session SDCL 1-25-2 (1) – No action was taken.

A motion was made by Bertsch and seconded by Obenauer to adjourn at 10:48 p.m. All voted Aye. Motion Carried.

Mayor - Mark W. Opp

ATTEST:

Bobbi Ottenbacher – Finance Officer