

Minutes for August 8, 2016 City Council Meeting

The meeting of the Eureka City Council was called to order on August 8, 2016, at 7:03 p.m. by Mayor Miller in the council room of the Municipal Building with the following present: Mayor Miller, Council members: Duquette, Eberhart, Flemmer, Heilman, Schwingler, Weisbeck, Finance Officer Frerk, and City Attorney, Marshall Lovrien.

Others present: Corney Goehring, Percy Neuharth, Sharon Aman, Paulette Bauer, Kyle Hemeyer, Cindy Gab, Don Heinrich, Tess Alexander, Jim Weixel, Deb Larson, Kaytlin Pelton, Brittany Hoff, Katie Doud, and Wanda Jundt.

No changes or additions to the agenda.

Mark Opp joined the meeting.

Motion by Weisbeck, seconded by Schwingler to approve the agenda. All voted aye. Motion carried.

Citizen Open Forum:

Mark Opp present to discuss a list of to-do's for the park area with the Council. He stated he is willing to work with the park board and informed the Council that the City has a park grant issued to them and its deadline is January 2017. Mark discussed that an electrical company had looked at the lights and made recommendations for repairs that should also be done before the 2017 deadline on the grant. He suggested \$10,000-\$15,000 be budgeted in the parks for painting and other repairs and maintenance.

Don Heinrich present to discuss the funds available for the baseball program. Don informed the Council that new uniforms were bought this year. Other costs included a head coach and assistants, insurance, etc. Costs totaled \$3,564.95.

The cat issue was addressed briefly. It was stated that when Ashley, ND, got rid of its stray cats their town became infested with rats.

ECDC President, Brittany Hoff, and Executive Director, Wanda Jundt, present to discuss ECDC and budget consideration for the 2017 budget. ECDC is requesting \$20,000 in the 2017 proposed budget, which would be earmarked for general operations and proposed budget expenses.

ECDC requesting permission to host a raffle called "Night on the Town". It will include a basket of Eureka products and a night at the Lakeview Motel. The drawing will be held during the grand opening of the Lakeview Motel in the fall of 2016. The raffle will help the motel get the word out that it is under new ownership, and proceeds after expenses will be given to the motel to help with unidentified costs.

Motion by Duquette, seconded by Flemmer to give ECDC permission to host the "Night on the Town" raffle. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

Dave Roggenkamp, Kelly Brandner, and Marsha Huber present to discuss the cable TV franchise tax with Valleytel. The Council was informed that 6 out of 8 of Valleytel's communities do not charge the franchise tax. Motion by Heilman, seconded by Eberhart to eliminate the cable TV franchise tax in the

City of Eureka. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

Keith Kramlich present to discuss continued budget consideration of \$12,500 for the Eureka Community Health Services Avera for the 2017 budget. Keith also discussed the new facility and their request of the State of South Dakota to put in two new driveways to the facility, one off of Hwy 10 and the other off of Hwy 47, and for the City's approval. Motion by Weisbeck, seconded by Flemmer to approve access from the highways to the new facility. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

There was discussion on the past due bill that was paid at 202 N. 10th St. According to the ordinance, delinquent utility bills stay with the residence. No action taken.

Sharon Aman present to discuss cats, the program called TNR (trap/neuter/return), and address cat concerns. Mayor Miller feels the issue is the feeding stations, and he suggests the feeding stations be taken in at night. This is when raccoons eat and it should help to remove the food during the night. Sharon states they will try it and remove the feeding stations at night. No other action taken.

Paulette Bauer, Assistant Finance Officer, informed the Council that after further follow up with Ferguson Waterworks on the water meter reading handheld that we do need the belt clip. Motion by Flemmer, seconded by Eberhart to purchase a new water meter reading handheld at \$10,687.50. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

City Attorney, Marshall Lovrien, spoke with WEB Water's attorney, Rod Tobin, to discuss the City's position on the WEB Water antenna lease agreement. A 10 year lease at \$550 per year, which can be revisited after 5 years was agreeable with WEB Water. Marshall and WEB Water will get the paperwork done. Motion by Eberhart, seconded by Schwingler to approve the WEB Water antenna lease agreement. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

The revised variance ordinance was reviewed by the Council which should allow the Zoning board to grant variances and should not be as difficult as the current ordinance which an applicant has to prove undue hardship. Schwingler suggested verbiage of "one or more of the following exist" be added. Motion by Weisbeck, seconded by Schwingler to approve the First Reading of amended Zoning Ordinance 17.03. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

Council reviewed the updated code enforcement report from Code Enforcement Specialist, Mike Olson. Mike Olson and City Attorney, Marshall Lovrien, have discussed a proposed revised code enforcement ordinance. Tabled until the Special City Council meeting on August 15.

The keypad has been installed at the bulk water station and security codes are being given out at the City Office. At last month's meeting a required deposit before giving out the security code was discussed. A \$75.00 deposit was suggested. City Attorney, Marshall Lovrien, will revise the ordinance for the first reading on August 15. Tabled until the Special City Council meeting on August 15.

Motion by Weisbeck, seconded by Heilman to go into executive session at 8:14 p.m. All voted aye. Motion carried.

Motion by Eberhart, seconded by Schwingler to come out of executive session at 8:58 p.m. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Flemmer to approve the July 11, 2016, City Council meeting minutes, and July 25, 2016, Special City Council meeting minutes. All voted aye. Motion carried.

There was discussion on the bill from Matheson. There are two cylinders that the City is paying to rent monthly. There is one carbon monoxide cylinder and one oxygen cylinder. The Council will look into the purpose of these cylinders and decide if they want to keep or return them.

Motion by Flemmer, seconded by Heilman to approve the bills as presented. All voted aye. Motion carried.

Bills for August 8, 2016: Nicole Frerk, postage \$1.88; Les's Standard, supplies/maintenance \$413.12; Gregg Arnold, supplies \$229.68; Premier Equipment, supplies \$229.01; A&B Business, supplies/copier contract \$260.03; Valleytel, utilities \$366.56; Northwest Blade, publishing/advertising \$253.66; Cahill Bauer & Associates, audit services \$9,392.50; Cash, postage \$14.10; Kristina Helman, customer deposit refund \$75.00; Country Sampler, magazine subscription \$19.97; Susan Fischer, supplies/books \$164.09; Bank of America, books \$266.58; Olson Consulting, code enforcement \$920.22; Lloyd Miller, mileage \$89.88; Heartland Waste, sanitation fees \$5,125.30; Banyon Data, customer support \$2,385.00; Dakota Supply Group, supplies for golf course \$328.60; Dept of Revenue, public health laboratory \$15.00; Jim & Judy Dohn, building permit refund \$50.00; McPherson Co. Register of Deeds, record deed/copy of contract for deed \$31.25; Amy Bray, customer deposit refund \$29.99; Bantz, Gosch & Cremer, attorney fees/warranty deed preparation \$1,372.78; Van Diest Supply Company, supplies \$748.90; Todd & Shonda Rau, customer deposit refund \$22.09; SD Dept of Revenue, drivers licensing \$590.00; Eureka Plumbing & Heating, supplies \$15.15; MDU, utilities \$5,406.15; WEB, water \$7,766.36; FEM, utilities \$451.79; Sportsmen Club, carp tournament \$350.00; SD Retirement, retirement \$1,378.54; Wellmark, health insurance \$4,174.80; Guardian, dental/vision insurance \$403.86; Great Plains Bank, payroll taxes \$3,484.76; Great Plains Bank, utilities \$16.05; USDA Rural Development, water project/loan \$1,694.00; Postmaster, roll of stamps \$94.00; McPherson Co. Auditor, police contract \$3,500.00; SD State Treasurer, sales tax \$582.69; JP Lumber, supplies \$36.73; Ken's, supplies \$35.00; Matheson, acetylene \$26.99; Dakota Cloud Recovery, computer back up \$221.86; SD One Call, message fees \$9.45; Servall, cleaning supplies \$111.60; Jason's Electric, ballpark light repairs \$564.08.

Motion by Weisbeck, seconded by Schwingler to approve the financials. All voted aye. Motion carried.

Motion by Eberhart, seconded by Duquette to approve the building permits. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Heilman to approve the payroll report. All voted aye. Motion carried.

Deputy Smith gave the police report.

Kyle Hemeyer gave the Public Works Director report due to Gregg Arnold, Director of Public Works, being on vacation.

Jim Weixel present to discuss his south trailer court. Due to City ordinance, the City cannot disburse water anywhere unmetered. Currently, the Weixel South Trailer Court is unmetered. Jim stated that when he purchased the trailer court he was told by the City Council at that time it was cost prohibitive to install a meter; therefore, an agreement was made with the City to charge \$1.50 per day for each unit being used. Before making any decisions Jim would like to check with his legal team and check into a grandfathered clause. Tabled until September's meeting.

Motion by Flemmer, seconded by Duquette to accept the bid from Jensen Rock & Sand for the City streets. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

Motion by Heilman, seconded by Duquette to approve the estimate from Scott Heimer with Water System Drilling, Inc. to repair the artesian well. Roll call vote taken. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes, Weisbeck-yes. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Eberhart to offer the Rubble Site position to John Jundt at \$10.00 per hour, hours on Saturdays 1:00-4:00 p.m. All voted aye. Motion carried.

New library board members are Karen Mettler and Wanda Jundt.

The SDML Annual Conference will be coming up in October. Registration deadline is September 15. Tabled until September's meeting.

Motion by Eberhart, seconded by Weisbeck to surplus property Lots 1, 2, 3, 4 & North 20' of Lot 5, Block 1, Lakeside 1st Addition. All voted aye. Motion carried. Public auction for the surplus property will be on September 7, 2016, at 7:00 p.m at the Municipal Building.

Motion by Heilman, seconded by Schwingler to accept the bid of \$202.22 from Dick Werner for the surplus mosquito fogger. All voted aye. Motion carried.

The Northern Plains propane contract was discussed. No action taken.

Motion by Weisbeck, seconded by Flemmer to give the Eureka Fire Department permission to host a raffle for the Annual Hunter's Steak Fry on October 15, 2016. All voted aye. Motion carried.

The Council will be meeting on August 15 to discuss the budget and have the 2017 budget's first reading.

Motion by Heilman, seconded by Duquette to adjourn the meeting at 10:45 p.m. All voted aye. Motion carried.

Mayor Lloyd Miller

Nicole Frerk, Finance Officer