

Minutes for April 22, 2014 City Council Meeting

The meeting of the Eureka City council was called to order on April 22, 2014, at 7:00 p.m. by Mayor Miller in the councilroom of the Municipal Building with the following present: Mayor Miller, Councilmember's: Bertsch, Billotto, Goehring, Obenauer, Regula, Weisbeck and Finance Officer Ottenbacher. Also present were Terry Helms, Jay Koch and Lucas Hoover with Helms and Associates, Rob Grajczyk, Chris and Kristi Gonska and Mark Opp.

A motion was made by Regula and seconded by Weisbeck to approve the agenda with the following changes: Permit to Pump Water from Lake and Valleytel. All voted Aye. Motion Carried.

Terry Helms addressed the council in regards to the items on the agenda and asked Boschee to update them with his concerns. Boschee understands that everything was bid as a group for the lift station project, but feels that Dakota Pump and Control should have come out and reviewed the City system before it was bid. The City now has a control panel that cannot communicate with the current one and has items that are not needed, which is a cost to the City. Boschee felt that was something that should have been caught by the Engineers. Koch said "The bids laws are frustrating, but there is no way around them." Hoover did say that the other two bids came in with a difference of \$44,000.00 over the accepted bid. Helms felt that they are not always involved with the conversations when problems arise. NECOG shows we still have \$100,000.00 in contingency funding, so the City is sitting okay for funding. Helms would like to do a change order and do the negotiations first and get all parties involved as it is important that the City is satisfied in the end. Helms appreciates the way Boschee digs into detail and works through the problems and gets things accomplished properly. The Council would like this situation explored to see what can be done. Helms will do a study and if a change order comes back as a negative amount Boschee can make the decision to move forward and if it comes back as a positive increase, it will need to come before the Council for approval.

Jay Koch addressed the recent water leak on 7th Street. On April 3, 2014, the City Public Works Director was called to the Prime Time Bar and Restaurant to check the sewer main for a blockage. It appeared after a short time, that it was city water in the basement. Upon testing the water and finding it to be city water, the City workers determined it to be a service line break. Duininck, Inc. had Dahme Construction repair the break, as they were in town working on the lift station. In 2013, when the new sewer main was put in, they cut their water service line and put a coupler as close to the trench line as they could get. The leak was about 20 inches from where they made the connection and the line was in poor shape. Duininck, Inc. was here when the water service was dug on April 8, 2014. Gonska said, "There is an ordinance and if a lead pipe is disturbed they should be replaced." Under codified law the City is not responsible and not required to change lead service lines and the property owner is responsible for repairing or replacing lead lines. Gonska has received a bill for \$3,800.00 for digging and replacing the pipes and hasn't received anything for repaving the street yet. The sewer line replacement and paving may fall under the City's project. Gonska wants to know, "Who is paying for the sewer damage, water damage and the pipe?" Koch said, "Gonska would have to submit everything to the contractor." There was discussion on the size of his sewer pipe and the slope of the lines. Documentation and pictures were taken by Gonska. Last year a change order was done to add 7th street sewer taps and 12th street to the list for repair. Another set of plans were issued to include all change orders required for those two streets. The Council approved the change order and it included the taps and plans for those lines.

The Mayor was in Aberdeen and visited with the attorney on putting an airport advisory board together for the May city council meeting. The board will consist of 3 residents, Eric Odenbach, Jim Grossman

and Ryan Gage, one councilmember, Arlo Bertsch and one of the city maintenance workers, Guy Boschee, with unlimited terms. The functioning of this board would be to converse with the Federal Aviation Board and the Aeronautics Board and stay abreast of the rules. A motion to approve the appointments was made by Billotto and seconded by Obenauer. Bertsch Abstained, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. 5-1 Unanimous vote. Motion Carried.

After doing some checking by Interstate Engineering, if the ALP is started the State will not pay. If it is approved next year and not cut, we would be okay, but if it is not governed we would not receive it. The \$150,000 we receive this year is not guaranteed for next year. The FAA has agreed that the ALP done in 2002 was never signed and approved. A motion was made by Weisbeck and seconded by Goehring to rescind the motion of hiring Interstate Engineering to get started on the Airport Layout Plan (ALP) that was previously made to pending until we have secured positive funding for the ALP. All voted Aye. Motion Carried.

A motion to go into SDCL 1-25-2 (3) Executive Session at 8:33 p.m. was made by Weisbeck and seconded by Goehring. All voted Aye. Motion Carried.

Mark Opp, Guy Boschee and Finance Officer Ottenbacher left the meeting.

A motion to come out of SDCL 1-25-2 (3) Executive Session at 8:45 p.m. was made by Regula and seconded by Billotto. All voted Aye. Motion Carried.

Mark Opp and Finance Officer Ottenbacher joined the meeting.

A motion was made by Obenauer and seconded by Regula to approve an open house for Mayor Lloyd Miller on May 12, 2014, from 2:30 – 4:00 and to purchase a plaque. All voted Aye. Motion Carried.

Councilmember Bertsch was approached by a resident on the parking of RV's at Ron's Service Center. The Council would like to see the mobile home park and City Park used. There was discussion on liability issues and water and sewer fees. The Resolution will be shared with Brockel. Further concerns will be brought to the May meeting.

Finance Officer was instructed to contact the City attorney to have a permit drawn up for people to sign and make it legal for them to draw water from the lake for personal use. A motion was made by Obenauer and seconded by Regula to initiate the process for \$15.00 permits to draw water out of the lake.

Valley Telecommunications no action was taken.

A motion to adjourn at 9:22 p.m. was made by Bertsch and seconded by Regula . All voted Aye. Motion Carried

ATTEST:

Mayor – Lloyd L. Miller

Bobbi Ottenbacher – Finance Officer