

Minutes of the December 9, 2013 City Council Meeting

The meeting of the Eureka City Council was called to order on December 9, 2013 at 7:00 p.m. by Mayor Miller in the councilroom of the Municipal Building with the following present: Mayor Miller, Councilmembers Bertsch, Billotto, Goehring, Obenauer, Regula, Weisbeck and Finance Officer Ottenbacher. Also present was Linda Bergman with the Northwest Blade, Lucas Hoover with Helms and Associates, Deputy Scott Warzecha.

A motion was made by Billotto and seconded by Weisbeck to approve the agenda with the following additions: Christmas Party and Attorney Resignation. All voted Aye. Motion Carried.

Lucas Hoover with Helms and Associates was present to update the council on the Pre-con meeting for the Phase II Part of the City Wastewater Improvements. Dahme Construction will start with the lift station in January, depending on the weather. The completion of the Phase II Project is scheduled for June 1, 2013. Hoover stated that there is approximately \$130,000.00 left in contingency funds for the Highway Project. The City will send an invoice to Duininck, Inc. to be reimbursed for the slide and lift station pump that burnt out recently due to some bailer twine that got caught in the pump while drilling. Two new pumps were ordered to repair the lift station. The Engineer will look into the 13<sup>th</sup> Street and J Avenue curb stop issue and the asphalt laid on 12<sup>th</sup> Street is a State issue. Hoover is planning on meeting periodically during the Phase II Project.

Deputy Scott Warzecha was present for the police report. Warzecha worked 123 City hours and 35 County hours. Warzecha left the meeting.

Guy Boschee was present for the Public Works Director report. A property has a curb stop under the sidewalk, that has been leaking for awhile. The property owner wanted a second opinion on repairing it. The council will look at setting a policy on a time frame to repair leaking curb-stops. Boschee will visit with the owner.

Muth Electric cut the wire to the Highway 10 sign and they will repair it.

A notice will be published in the paper in regards to unlawful dumping of garbage in the City Park.

The City chop saw and the backhoe were used to fix a water break. A motion was made by Obenauer and seconded by Billotto to bill for a one hour charge for both pieces of equipment used at a charge of \$65.00. A roll call vote was taken. Bertsch no, Billotto yes, Goehring no, Obenauer yes, Regula no Weisbeck yes. 3 voted Aye and 3 voted Nay, Mayor Miller voted Nay. Motion did not carry.

A motion was made by Bertsch and seconded by Obenauer to approve the SRF Change Order #3 for Duininck, Inc. All voted Aye. Motion Carried.

A motion as made by Goehring and seconded by Billotto to approve the Pay Request #6 for Duininck, Inc. All voted Aye. Motion Carried.

A motion was made by Bertsch and seconded by Regula to approve the SRF Pay Request #10 for Helms and Associates. All voted Aye. Motion Carried.

A motion was made by Bertsch and seconded by Regula to approve the Federal Aviation Administration Reimbursement #2 for the Runway Overlay Project. All voted Aye. Motion Carried.

ARVIG is using a portion of the shop to store supplies in and have decreased the rent to \$250.00 for the winter season. When they return to finish the work in the spring and there is more activity and more equipment they will then go back to the \$500.00 amount. A motion was made by Regula and seconded by Obenauer to charge Arvig \$250.00 for December through March and 10 hours at \$100.00 for the use of our men to unload equipment. Roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck no. Unanimous vote. Motion Carried.

Roland Kary joined the meeting to discuss the Downtown Apartments.

A motion was made by Weisbeck and seconded by Billotto to approve the November 11, 2013, minutes amending the following: council wages should have read \$175.00 per month, \$20.00 for special meetings and \$50.00 for day meetings. All voted Aye. Motion Carried.

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

A motion was made by Billotto and seconded by Regula to approve the bills with the exception of the bill to the Eureka McPherson County Highway Department. All voted Aye. Motion Carried.

**November Financials:**

Finance office - \$4,781.92, Gen. Gov't. Bldgs - \$206.02, Streets - \$4,407.48, Park - \$139.74, Library - \$736.19, Water - \$521.40, Sewer - \$967.44, Sanitation - \$413.94

**November Bills:**

Wastewater Improvements : A-1 Sewer & Drain, Pay Estimate #2 - \$2,914.76, A & B Business, Inc., shop & office supplies - \$175.97, Bank of America, chain saw sharpener - \$15.79, Bank of America, Amazon – books - \$380.09, Bank of America, Amazon – books - \$17.05, Bantz, Gosch & Cremer, attorney fees - \$416.17, Business Forms & Acctg., W-2 & 1099 forms - \$80.00, Business Forms & Acctg., utility billing forms - \$276.51, Butler Machinery, repairs & maintenance - \$154.37, Cash, water samples & postage - \$10.98, Credit Collections Bureau, collection fees - \$76.50, Dakota Country, fuel - \$1,270.70, Eureka Chamber of Commerce, promotions - \$1,800.00, Great Plains Bank, NSF Check - \$5.00, Great Plains Bank, Water Revenue Bond #2 - \$5,361.76, Great Plains Bank, WEB Water Revenue Bond - \$4,828.84, Great Plains Bank, payroll - \$3,173.45, Great Plains Bank, ACH water utilities - \$14.85, Great Plains Bank,

water project loan - \$1,694.00, Hawkins, Inc., chlorine cylinder - \$5.00, Heartland Waste Management, sanitation transportation fees - \$5,275.10, Hemmingson, Ron, hauled snow - \$43.75, High Point Networks, ESET antivirus - \$48.00, JP Lumber, Inc., supplies/repair & maintenance - \$62.97, Jundt, Rosa, customer deposit refund - \$75.00, K & A Implement, repairs & maintenance - \$180.62, Ken's Food Fair, shop supply - \$42.69, Matheson Tri-Gas, cylinders - \$7.50, Mattern, James, customer deposit refund - \$75.00, McPherson County Auditor, police contract - \$3,500.00, Montana Dakota Utilities, utilities - \$4,011.41, Montana Dakota Utilities, utilities - \$33.21, N.W. Blade, office supply/publishing - \$374.79, Servall, cleaning supplies - \$94.51, SD Retirement, retirement - \$1,359.82, SD Assoc. of Code Enforcement, annual dues - \$40.00, SD Dept. of Revenue, drivers licenses - \$65.00, SD Dept. of Revenue, drivers license - \$45.00, SD Gov't. Finance Officers Assoc., annual membership dues - \$70.00, SD Municipal league, annual membership dues - \$767.39, SD One Call, message fees - \$37.80, SD State Treasurer, sales tax remittance - \$552.87, US Postal Service, postage - \$46.00, US Postal Service, box office fee - \$58.00, US Postal Service, water utility mailing - \$500.00, Valley Cable, phone utilities - \$328.22, Wellmark, health insurance - \$2,097.74.

**December Bills:**

FEM, utilities - \$1,036.86, WEB Water, utilities - \$4,253.16

A motion was made by Regula and seconded by Weisbeck to approve the building permits as presented. All voted Aye. Motion Carried.

A motion was made by Regula and seconded by Obenauer to approve the liquor license renewal for Lester Van Horn. All voted Aye. Motion Carried.

Lester Van Horn d/b/a Spare Time Bar & Grill    Retail (on-sale) Liquor

A motion was made by Bertsch and seconded by Billotto to approve the authorization of Paulette Bauer to Become a SD Authorized Agent for SDRS. All voted Aye. Motion Carried.

A motion was made by Billotto and seconded by Goehring to pass Resolution 2013R-4 Signing of Checks for the Funds of the City. All voted Aye. Motion Carried.

**Resolution 2013R-4  
Funds for the City of Eureka**

This is to certify: That at a meeting of the Board of Directors of the City of Eureka duly called and held December 9, 2013; the following Resolution 2013R-4 was adopted:

RESOLVED, that checks for this corporation drawn on City of Eureka, PO Box 655, Eureka, SD 57437 and orders for transfer or withdrawal of the funds of this Corporation on deposit in said Firm, in whatever form, shall be signed by any two of the following officers:

Lloyd L. Miller, Mayor or Ricardo Weisbeck, President

And countersigned by any one of the following:

Bobbi Ottenbacher, Finance Officer or Paulette Bauer, Assistant Finance Officer

BE IT FURTHER RESOLVED, that the said Firm is hereby authorized and directed to honor and pay any checks so drawn as above set forth, whether or not such checks be payable to the order of one of the foregoing persons either in his individual or official capacity or deposited to his individual credit.

AND BE IT FURTHER RESOLVED, that any two of the following:

Bobbi Ottenbacher, Finance Officer or Paulette Bauer, Assistant Finance Officer

Are hereby authorized for and on behalf of this Corporation, to borrow money of the said Firm, and to sign, execute and deliver the notes of this Corporation therefore in such amounts, for such times, such rate of interest and upon such terms as they may see fit, and they are hereby authorized to pledge to said Firm the bills receivable, stocks, bonds, or other property of this corporation as security for any moneys so borrowed, and to offer the bills receivable of this Corporation to said Firm for rediscount.

IN WITNESS WHEREOF, I have hereunto affixed my name as Secretary and have caused the corporate seal of said Corporation to be hereto affixed this 9<sup>th</sup> day of December, 2013.

\_\_\_\_\_  
Bobbi Ottenbacher, Finance Officer

I, \_\_\_\_\_, a Director of said Corporation, do hereby certify that the foregoing is a copy of a resolution passed as therein set forth.

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Lloyd L. Miller, Mayor

A motion was made by Weisbeck and seconded by Obenauer to approve the 2<sup>nd</sup> Reading of Ordinance 2013O-9 – Supplemental Budget Ordinance. All voted Aye. Motion Carried.

**ORDINANCE 2013O-9  
SUPPLEMENTAL BUDGET ORDINANCE**

BE IT ORDAINED by the City of Eureka that the following sums are supplementally appropriated to meet the obligations of the City of Eureka and shall be effective immediately following passage.

0101 – General Fund

Airport

Improvements – Eng. Fees

\$52,815.00

Source of Funding – Federal FAA Funding

0101 – Park	\$17,500.00
Source of Funding – Savings	\$4,375.00
Source of Funding – EII Grant	\$13,125.00

0602 – Water Administration	
Purification	\$300.00
Other	\$500.00
Insurance	\$100.00
Source of Funding – Savings	

0604 – Sewer	
Wages	\$3,000.00
Social Security	\$165.00
Retirement	\$140.00
Group Insurance	\$1,000.00
Publishing	\$100.00
Source of Funding – Savings	

0604 – Sewer	
Professional Fees	\$14,790.00
Source of Funding – CWSRF Grant	

0612 – Sanitation	
Other	\$6,800.00
Sanitation Transportation Fees	\$20,000.00
Source of Funding – Savings	

First Reading: November 11, 2013  
 Second Reading: December 9, 2013  
 Effective Date: Immediately upon passage  
 Published Date: December 19, 2013

ATTEST:

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 Lloyd L. Miller – Mayor

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 Bobbi Ottenbacher – Finance Officer

A motion was made by Billotto and seconded by Regula to approve the Joint Cooperative Agreement with Northeast Council of Government. All voted Aye. Motion Carried.

Property located at Lot 5, Goehring's 2<sup>nd</sup> Addition in the NE 1/4, Sec. 35-127-73, Unplatted Add, City of Eureka, was discussed.

A motion was made by Weisbeck and seconded by Bertsch to close the City Office and Maintenance Department at 12:00 p.m. on December 24, 2013, and at 3:00 p.m. on December 31, 2013. All voted Aye. Motion Carried.

There was discussion on putting an additional street light on K Avenue & Highway 47. The Finance Officer will get information and put it back on the agenda for December 30, 2013 meeting.

On March 24, 2014, the 2014 District 6 Meeting will be held in Eureka. The council will meet again on December 30, 2013, at 5:00 p.m. to finalize the meeting.

A motion was made by Obenauer and seconded by Goehring to authorize past due accounts be turned over to collections after 60 days of non-payment. All voted Aye. Motion Carried.

A motion was made by Weisbeck and seconded by Regula to move all sanitation funds to the general fund in 2013. All voted Aye. Motion Carried.

A motion was made by Bertsch and seconded by Billotto to have a joint election with the school in 2014. All voted Aye. Motion Carried.

A motion was made by Billotto and seconded by Weisbeck to allow the Finance Officer to work additional hours to complete the annual report and attend school for the annual report in January. All voted Aye. Motion Carried.

2014 Government Day at the Legislature was tabled until the January council meeting.

A motion was made by Billotto and seconded by Goehring to approve the transfer of funds from the general fund to the sewer fund if needed for new pumps. All voted Aye. Motion Carried.

January 8, 2013, is being looked at for the annual Christmas Party at Prime Time Bar & Grill. Finance Officer will look into this date and put on the agenda for December 30, 2013.

The City attorney Richard Sommers has resigned effective December 31, 2013. Jim Cremer from Bantz, Gosch and Cremer will be invited to our January 13, 2014 meeting.

Executive Session 1.25.1. No action was taken.

The 90 day maintenance position was reviewed. A motion was made by Weisbeck and seconded by Bertsch to grant Jennifer Huettl a fifty cent raise. All voted Aye. Motion Carried.

A motion was made by Bertsch and seconded by Billotto to adjourn. All voted Aye. Motion Carried.

ATTEST:

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Lloyd L. Miller – Mayor

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Bobbi Ottenbacher – Finance Officer