

## Minutes of the June 10, 2013 City Council Meeting

The meeting of the Eureka City council was called to order on June 10, 2013 at 7:01 p.m. by Mayor Miller in the councilroom of the Municipal Building with the following present: Mayor Miller, Councilmembers Bertsch, Billotto, Goehring, Regula, Weisbeck and Finance Officer Ottenbacher. Also present was Linda Bergman with the Northwest Blade. Absent Obenauer.

A motion was made by Regula and seconded by Goehring to approve the agenda with the following additions; Street Lights, Tree Issue and the July 6<sup>th</sup> Event. All voted Aye. Motion Carried. Absent Obenauer.

Shirley Rau joined the meeting.

The Mayor presented Shirley Rau with a plaque and gift certificate in appreciation of her dedicated 17 years of service.

Shirley Rau left the meeting.

A public hearing was held to approve the transfer and renewal of the Malt Beverage License from M & M C-Store to Cornerstone Café and Convenience, Inc. No one appeared before the council. A motion was made by Weisbeck and seconded by Regula. All voted Aye. Motion Carried. Absent Obenauer.

M & M C-store license transfer to:

Cornerstone Café and Convenience	808 J Ave	Retail (on/off sale) Malt Beverage
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The Deputy Sheriff, Scott Warzecha, was absent, but did present city and county hours prior to the meeting. Warzecha had 124 City hours and 68 County hours. Traffic control and the 4 way stops were addressed. Department of Transportation Traffic Control has been notified.

The Public Works Director, Guy Boschee, was absent, but did present a report prior to the meeting.

Materials are not here to finish the new compost site. The site's anticipated completion date is scheduled for the week of June 14. Montana Dakota Utilities and Valley Telecommunications will finish their hookups.

Jensen Rock has completed the hot mixing of City streets and will do the chip seal at a later date.

Water is not flowing properly through the storm sewer in front of James Cantalope's home. The current storm sewer drain runs under his home and not sure of the condition it is in. The pipe is collapsing going across the road to the lake. To prevent further cost, Boschee recommends that curb and gutter be added in front of his house going north 100 feet plus or minus so the water can flow to the lake. A motion was made by Billotto and seconded by Regula to replace the curb and gutter only where needed at this property. All voted Aye. Motion Carried. Absent Obenauer.

On June 10, 2013, the test bores will be done for the airport project to be completed in 2014.

The trees at the park are planted and the paper is down, and as time allows a drip irrigation system will be put in.

Boschee is waiting for county board approval on hauling gravel in.

The Highway 10 project is moving along very well. The storm sewer is being placed at the same time as the main line and private services.

The City had a landfill inspection on May 22, 2013, and we are currently waiting for the report from the state.

The grass height on some lots in the south end of town were discussed.

Boschee requested vacation for August 2 and August 5-9, 2013. A motion was made by Weisbeck and seconded by Regula to approve the August vacation request for Boschee. All voted Aye. Motion Carried. Absent Obenauer.

The South Dakota Department of Environment and Natural Resources (DENR) reviewed the engineering agreement between the city of Eureka and Helms and Associates, for services pertaining to the Wastewater Improvements project which is being funded, in part, by an SRF Loan. The agreement appears to be in compliance with pertinent regulations and EPA regional guidelines. The agreement for SRF Loan participation is in the amount of \$289,940, all of which is eligible for CWSRF participation. The engineering agreement includes \$130,400 for design, \$134,540 for construction engineering services, and \$25,000 for miscellaneous services.

Phase II bid letting for the project will take place at the Municipal Building on June 13, 2013, at 2:00 p.m. Opening of the bids will take place on June 18, 2013, at 3:00 p.m. and special council approval on the bid opening will take place at 5:00 p.m. on June 18, 2013.

Clark Engineering has been called to do a lot survey on Parcel 8239.

A motion was made by Bertsch and seconded by Billotto to approve the minutes from May 13, 2013. All voted Aye. Motion Carried. Absent Obenauer.

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

A motion was made by Billotto and seconded by Weisbeck to approve the bills as presented. All voted Aye. Motion Carried. Absent Obenauer.

**May Financials:**

Finance Office - \$4,328.45, Gen. Gov't. Bldgs - \$186.48, Police - \$168.91, Streets - \$1,428.98, Park - \$2,674.98, Library - \$769.89, Water - \$1,277.20, Sewer - \$1,052.31, Sanitation - \$1,117.31

**May Bills**

Helms & Associates, wastewater improvements - \$13,692.00, A & B Business Solutions, Inc., office supplies - \$132.19, Bank of America, Amazon Audio CD's - \$104.72, Bank of America, Amazon DVD's - \$302.35, Bank of America, Amazon books - \$374.50, Bank of America, Amazon books - \$116.39, Bantz, Gosch & Cremer, LLC, attorney fees - \$637.78, Business Forms & Accounting, office utility billing forms - \$296.14, Cahill, Bauer & Associates, LLC, audit fees - \$6,410.00, Cash, postage - \$60.98, Dakota Supply Group, repairs and maintenance - \$1,592.05, DENR, annual fees - \$600.00, Eureka Ready Mix, washed sand - \$540.00, Eureka Public School, park supplies - \$53.35, Fischer, Susan, summer reading program - \$102.99, Great Plains Bank, ACH - \$13.95, Great Plains Bank, RDA water loan - \$1,694.00, Grenz, Greg, customer deposit refund - \$75.00, Hawkins, chlorine cylinders - \$5.00, Heartland Waste Management, sanitation contract - \$5,018.30, Heilman, Dennis, customer deposit refund - \$75.00, Highsmith, supplies - \$309.27, JP Lumber, repairs & supplies - \$513.24, K & A Implement, supplies & maintenance - \$354.81, Kary's, gas, tires, repair and battery - \$453.15, Ken's, supplies - \$336.96, Lutz, Susan, travel - \$25.90, Lyle Signs, signs for compost - \$299.62, McPherson County, police contract - \$3,500.00, Miller, Lloyd, travel & misc. - \$93.50, MDU, utilities - \$4,568.68, Murphy, Sandra, customer deposit refund - \$75.00, Northern Plains, weed killer/LP gas - \$7,419.00, Northwest Blade, publishing - \$581.27, Postmaster, postage stamps - \$92.00, Public Health Laboratory, water samples - \$13.00, Rau, Shirley, park shower curtain/flowers - \$32.51, Seiler, Terry, customer deposit refund - \$75.00, SD Dept. of Revenue, drivers licenses - \$385.00, SD Municipal League, registration fees - \$150.00, SD Public Assurance Alliance, insurance - \$193.00, SD Retirement, retirement - \$1,400.32, SD State Treasurer, sales tax - \$424.82, Sweeney Controls, computer work - \$798.00, The Lifeguard Store, supplies & sign - \$122.20, Toledo Physical Education Supply, volleyball net - \$147.19, Town, Doris, customer deposit refund - \$75.00, Valley Telecommunications, phone utilities - \$294.64, Vilas, supplies - \$9.34, Wellmark, health insurance - \$2,338.68

**June Financials:**

FEM, utilities - \$951.87, WEB Water, water utilities - \$4,736.36, Great Plains Bank, payroll taxes - \$3,453.03,

A motion was made by Bertsch and seconded by Billotto to approve the building permits as presented. All voted Aye. Motion Carried. Absent Obenauer.

CDBG Pay Request #1 & SRF #4

A motion was made by Weisbeck and seconded by Billotto to approve the Duinink Construction payment request 1 in the amount of \$182,356.56 and Helms & Associates payment request 4 in the amount of \$8,959.27. All voted Aye. Motion Carried. Absent Obenauer.

A motion was made by Bertsch and seconded by Weisbeck to approve the second reading of Ordinance 2013O-4, Restricted Use Site Operation. All voted Aye. Motion Carried. Absent Obenauer.

ORDINANCE 2013O-4  
ORDINANCE 8.04.065  
Restricted Use Site Operation

Be it ordained by the City of Eureka that the following compost use site become effective immediately following passage.

1. The City may maintain and operate a restricted compost use site at its discretion. The City may set limitations of what type of materials may be deposited at the restricted use site. The City council may set hours of operation of the restricted use site and any resident may deposit authorized materials during the regular hours.
2. The City will post three signs at the restricted compost use site as follows:
  - a. Compost site – grass, leaves and garden waste only;
  - b. Tree branches only – No other wood products or rubble
  - c. Attention: This site is under surveillance - \$100.00 fine will be imposed for failure to comply with City ordinance.
3. Anyone depositing unauthorized materials at the restricted compost use site shall be subject to a fine not to exceed one hundred dollars (\$100.00) and their name/names will be published in the City board minutes.

Dated this 10<sup>th</sup> day of June, 2013.

First Reading: May 13, 2013  
Second Reading: June 10, 2013  
Published: June 20, 2013  
Effective: June 30, 2013

A motion was made by Weisbeck and seconded by Goehring to approve the second reading of Ordinance 2013O-5 - Amending Available Liquor License. All voted Aye. Motion Carried. Absent Obenauer.

ORDINANCE 2013O-5  
AMENDING AVAILABLE LIQUOR LICENSES

AN ORDINANCE REVISING ORDINANCE 2009O-4 Chapter 5.08.060, adding retail (on-off) sale wine license to the limitation of liquor and malt beverage licenses available.

BE IT ORDAINED by the City of Eureka that any changes to this Ordinance may be accomplished through a public hearing of each individual case and a resolution procedure.

Limitation of liquor and malt beverage licenses available in the City of Eureka.

A. That notwithstanding the maximum number of liquor and malt beverage licenses as allowable by SDCL 35-4, the number of licenses available in the City of Eureka shall be as follows:

- |                                   |       |
|-----------------------------------|-------|
| 1. On-Sale Liquor                 | Four  |
| 2. Off-Sale Liquor                | One   |
| 3. On/Off Sale Malt Beverage      | Eight |
| 4. Off-Sale Malt Beverage         | Two   |
| 5. Off-Sale Malt Beverage/SD Wine | Two   |
| 6. Retail (on-off sale) Wine      | One   |

Dated this 10<sup>th</sup> day of June, 2013

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With the change to the sanitation department, the State has suggested we move funds to the general fund. A motion was made by Bertsch and seconded by Weisbeck to approve the 1<sup>st</sup> reading of Ordinance 2013O-6 - Supplement the Budget. All voted Aye. Motion Carried. Absent Obenauer.

A motion was made by Weisbeck and seconded by Bertsch to approve the transfer of sanitation CDs to the General Fund Savings Account when they come due. All voted Aye. Motion Carried. Absent Obenauer.

There was discussion on the amount of water that the City contracts with WEB. No action was taken.

A motion was made by Weisbeck and seconded by Bertsch to go in Executive Session 1-25-2 (2) at 7:44 p.m. All voted Aye. Motion Carried. Absent Obenauer.

Ottenbacher and Bergman left the meeting.

7:51 p.m. Regula left the meeting.

A motion was made by Weisbeck and seconded by Bertsch to come out of executive session and reconvene at 8:10 p.m. All voted Aye. Motion Carried. Absent Obenauer.

Ottenbacher, Bergman and Regula joined the meeting.

A motion was made by Billotto and seconded by Goehring that Natasha Henry be hired on a 90-day trial basis at \$10.00 per hour for the cleaning/maintenance position with the City. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Regula abstained and Weisbeck yes. Motion Carried. Absent Obenauer.

A 99-year lease between McPherson County and the City of Eureka for the blue transfer building was drawn up by the attorney. A motion to approve the lease was made by Goehring and seconded by Bertsch. All voted Aye. Motion Carried. Absent Obenauer.

The SDRS Roth 457 Program is an additional opportunity that allows participants to make additional contributions on an after-tax basis through the employer's payroll system. A motion was made by Bertsch and seconded by Weisbeck to approve the additional SDRS Roth 457 Program if the employees choose to use it. All voted Aye. Motion Carried. Absent Obenauer.

The Credit Collections Bureau is a program that will collect outstanding bills for a business. They get a flat fee of thirty four percent, meaning it doesn't go up if we need to take an account to legal action. A lot of other counties and cities use this company and have a very high success rate. A motion was made by Bertsch and seconded by Weisbeck to turn the City's outstanding accounts over to the Credit Collections Bureau. All voted Aye. Motion Carried. Absent Obenauer.

A resident has had continuously high readings since May 2012 and has done everything to find the source of the leak. The City has changed the meter twice and still continue to get high readings. Ferguson suggested that we put a back flow preventer on the meter, if high readings continue, then there is a residential leak. A motion was made by Billotto and seconded by Goehring to order the prevent back flow and the City will pay the cost and see where we are at after it has been installed and read. All voted Aye. Motion Carried. Absent Obenauer.

A meeting with the Community Transit, Inc. will be held on June 11, 2013, at 9:00 a.m. at the information center. They are looking for ideas on how to join with other people or towns to save expenses and received grant money in 2014.

The Quascie committee donated funds to repair the ballpark. For the July meeting, Weisbeck will get an estimate from Smalley Fencing on the fence and an amount to repair the grandstand with some type of a compost material. They will also have an idea of plans and what the costs would be to update the area.

The Quascie is putting funds into CDs, but want to make it available for an all-school reunion in the future, they would like the City to be custodian of the funds when the time comes to cash in the CDs. The City is okay with this as long as it is not on City books.

A motion was made by Bertsch and seconded by Billotto to approve the Patriot 5K Run/Walk on July 4, 2013. All voted Aye. Motion Carried. Absent Obenauer.

Joe Galbraith with Game, Fish and Parks, along with the County has worked a couple of spots around the lake to make access better for fisherman. It has enhanced the lake area and he would like to do a couple more if he can, at no cost to the City. The Council really liked what was done and suggested that he move forward in trying to do another area.

Arvig, company doing work for (Valley Telecommunications), will rent land by the City shop for \$500.00 a month, while updating the Eureka area for fiber optic. Boschee should work out an agreement that the land is left clean when the project is completed.

The Traffic using the south detour road is not obeying the speed limit. The City will also order a couple of signs that state "no trucks allowed". The Finance Officer will talk to Deputy Warzecha on monitoring the area more.

The legion has signed an agreement for the upcoming baseball season. The fence was down when the agreement was signed and the City will look into repairing it.

The corner of K Avenue and 17<sup>th</sup> Street is very dark. A street light will be put back up on that corner. There will also be a street light put up by the new HRC Complex on 1<sup>st</sup> Street and F Avenue. Boschee will talk to MDU concerning the new lights.

There was discussion on trees moved from the highway project and placed up behind B Avenue. The City has jurisdiction for one mile within City limits and the finance officer was instructed to write a letter to the property owner.

On Saturday, July 6, 2013, at 3:00 p.m. Chamber will sponsor inflatables for the public, a swap meet on Main Street, a poker run, and possibly a car show. Starting at 9:00 p.m. Prime Time will feature the 2<sup>nd</sup> Amendment band. The band will be located at the back of the Prime Time building.

A motion was made by Bertsch and seconded by Billotto to adjourn at 9:10 p.m. All voted Aye. Motion Carried. Absent Obenauer.