

Minutes of the March 10, 2014 City Council Meeting

The meeting of the Eureka City Council was called to order on March 10, 2014, 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 and Weisbeck. Also present was Linda Bergman with the Northwest Blade, City Attorney Marshall Lovrien, Eric Mehlhaff, Mark Opp, Wanda Jundt and Chris Gonska.

A motion was made by Regula and seconded by Weisbeck to approve the agenda with the following change: removal of Shantel Flemmer from the agenda. All voted Aye. Motion Carried.

Wanda Jundt was present to personally invite the council to their Annual Eureka Community Development meeting at the Senior Center on March 27, 2014, at 7:00 p.m. Jundt also invited the Council to the Information Center for the ribbon cutting ceremony for Razorback Drywall, on Friday March 14, 2014, at 12:00 p.m.

Wanda Jundt left the meeting. Katie Doud joined the meeting at 7:06 p.m.

Steve Aldinger with Interstate Engineering was present to review the construction plans for asphalt paving of runway, taxiway and apron at the Eureka Municipal Airport. Once the funding is in place, the bid process will be followed, excluding the pre-bid meeting, and the bids will be held for 30 days as required by State law. The project completion date is targeted for the end of September. The airport will be closed during the construction period. Questions were answered in regards to the slope, depth of asphalt and materials used. A motion was made by Bertsch and seconded by Weisbeck to approve the plans and specs for resurfacing the runway, taxiway, and apron at the airport. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous vote. Motion Carried. A motion was made by Bertsch and seconded by Billotto that the Mayor signs a certificate, certifying that the airport will be closed during the project construction. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous vote. Motion Carried.

Steve Aldinger left the meeting.

A motion was made by Obenauer and seconded by Billotto to approve the FAA Reimbursement Payment for \$6,001.93 to Interstate Engineering. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous vote. Motion Carried.

Dennis Heilman, Wes and Lisa Knoepfle were present to discuss the birds that are attracted to the dogs at the Knoepfle home. Knoepfle's have purchased two enclosed dog feeders and made other adjustments to keep the birds away. Heilman is concerned about the number of dogs that Knoepfle's have and feel they are running a puppy mill. The Mayor advised the Council not to take any action at this time and that this is a dispute between neighbors. The Mayor also stated that there is a zoning

ordinance that permits 4 dogs at a location and there needs to be a variance permit issued and approved by the Zoning Board. The City Attorney Lovrien also stated that this needs to go before the Zoning Board. City Attorney Lovrien was asked to review the current dog ordinance and assist with updating it. The ordinance will be back on the April agenda.

Dennis Heilman, Wes and Lisa Knoepfle and Katie Doud left the meeting.

Jeff Neuharth, Sheriff David Ackerman and Deputy Scott Warzecha were present to discuss the future Police Contract between the County and the City. Sheriff Ackerman stated that Deputy Warzecha has turned in his resignation. A motion was made by Bertsch and seconded by Regula to continue the practice with the County with the credit coming back to the City, if the time is not used, then after another deputy is hired the contract can be discussed further. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous Vote. Motion Carried. Warzecha presented his monthly police report with 97 City hours and 58 County hours.

Warzecha, Neuharth and Sheriff Ackerman left the meeting.

Mark Opp was present to discuss his water bill. According to City Ordinance as long as there is a connection to water and sewer, there will be a fee charged.

The Mayor read the Public Works Directors report.

The bid information for Rip-Rap will be added to the April agenda.

B & B Construction repaired the City water break by Northern Plains and will be back to fix it properly when the frost is out of the ground.

The new pumps have arrived for the west lift station and the Finance Officer will bill Duinink Construction for the pump. The current generator at the lift station by the fire hall may not have enough power and the City may have to look at a different one.

Boschee will check into the rent cost of a portable vacuum machine to suck dirt from the City water valves.

Water is slowly starting to flow over the spillway and will continue to monitor it.

The City insurance company is requesting that the City dam be inspected by an engineer for stability. The dam was constructed to help protect the additional water to the Artesian Well in 1962.

A motion was made by Weisbeck and seconded by Bertsch to declare the New Holland mower as surplus and Weisbeck will work on getting an appraisal. All voted Aye. Motion Carried.

The City has \$9,875.00 left on a 75/25 EII Grant. The Finance Officer will look at the State site and see what is available for pickups.

A motion was made by Billotto and seconded by Regula to approve the February 10, 2014 minutes as presented. All voted Aye. Motion Carried.

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

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

February Financials:

Finance office - \$4,568.65, Gen. Gov't. Bldgs. - \$119.50, Streets - \$2,408.25, Snow Removal - \$263.43, Sanitation - \$143.25, Park - \$258.78, Library - \$675.63, Water - \$1,215.57, Sewer - 1,719.72

February Bills:

Airport Project: Interstate Engineering, runway project - \$19,506.25
A & B Business Inc., office supplies - \$41.23, Avera Queen of Peace, random drug test - \$119.25, B & B Contracting, repair water main - \$2,932.40, Bank of America, Amazon books - \$524.83, Paulette Bauer, election supplies - \$14.84, Cash, postage - \$10.78, Dakota Backup, computer backup - \$130.85, Dakota Country Store, fuel - \$1,179.50, DENR, wastewater certificate renewal - \$48.00, Eureka Public School, colored paper - \$12.00, Cody Freese, refund customer deposit - \$75.00, Great Plains Bank, payroll - \$3,017.09, Great Plains Bank, Artesian Well Bond - \$15,059.33, Great Plains Bank, insufficient funds - \$5.00, Great Plains Bank, water utilities - \$14.60, Great Plains Bank, water project - \$1,694.00, Hawkins, chlorine cylinder - \$34.14, Heartland Waste, sanitation fees - \$4,889.90, Loren Heim, refund customer deposit - \$75.00, Imber's Computer Sales & Services, library update computer - \$599.99, Kary's, gas - \$116.00, Ken's Food Fair, cleaning supplies - \$22.39, Matheson Tri-Gas, acetylene - \$7.00, McLeod's, election supplies - \$70.48, McPherson County Auditor, police contract - \$3,500.00, MDU, utilities - \$4,006.01, Northwest Blade, publishing & office supplies - \$572.75, Servall, cleaning supplies \$90.42, SD Dept. of Transportation, airport conference - \$50.00, SD Electrical Commission, inspection fee - \$50.00, SD One Call, one call fees - \$2.10, SD Retirement, retirement - \$1,281.32, SD State Remittance Center, drivers license - \$100.00, SD State Treasurer, sales tax remittance - \$426.42, State Health Laboratory, water samples - \$11.00, US Postal Service, postage - \$49.00, US Postal Service, mailing water bills - \$500.00, Valley Tel, phone utilities - \$331.73, Wellmark, health insurance - \$2,154.76

February Bills:

FEM Electric, utilities - \$1,082.66, WEB Water, water utilities - \$5,833.16

The Boy Scouts will be asked to do the Color Guard for the 2014 District 6 Meeting, which will be held on March 25, 2014 at the Eureka Country Club.

The consensus of the public meeting was to replace the fence with wood and steel, repair the grandstand and possibly replace one light this year and the remainder of the lights next year when it can be budgeted. Individuals have shown an interest in a committee organizing a volunteer labor group to put up the fence, but they would like the specs to know the exact lay out. The Council would like to see the grandstand bid out.

A 10 minute break was taken and reconvened at 8:48 p.m.

Weisbeck will put some bid information together for the next meeting and then go out for bids on the grandstand. The volunteer labor brings potential liability issues. A hold harmless release would need to be signed by all volunteers. The maintenance guys will pull the fence down as soon as the frost is out of the ground and markings made for the new fence to be built. Weisbeck will draw up a material list and go out for bids on the fence. The bid will state that we have the right to reject any and all bids. This will be back on the next agenda.

Eureka Manufacturing was contracted to rebuild the light tower. Schrum will do some surveying and let us know.

Abby Ottenbacher, Sam Schumacher, Megan Rau and Kathryn Luke submitted applications for the Summer Lifeguard position. A motion was made by Weisbeck and seconded by Bertsch to approve all four applications for summer lifeguards. All voted Aye. Motion Carried.

The Eureka Fire Department would like to sell raffle tickets for a brand new four wheeler for their 20th Annual Firemen's Steak Fry. A motion was made by Weisbeck and seconded by Goehring to approve the raffle for the Firemen's Steak Fry. All voted Aye. Motion Carried.

A motion was made by Weisbeck and seconded by Billotto to approve a \$7.25 per hour wage for the election workers on April 8, 2014. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous Vote. Motion Carried.

A motion was made by Bertsch and seconded by Obenauer to surplus the following property with no value: laptop, two computer towers, one VHS wire rack, one printer, two wood chairs, one large picture and three small pictures. All voted Aye. Motion Carried.

There was discussion on the Community Access Grant Funding which is available every year. No action was taken.

A motion was made by Obenauer and seconded by Goehring to approve the annual insurance renewal with the SD Public Assurance Alliance. Roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous vote. Motion Carried.

A motion was made by Billotto and seconded by Weisbeck to approve the 2013 Annual Report. All voted Aye. Motion Carried.

The Annual Equalization Meeting is scheduled for March 17, 2014, at 5:00 p.m. at the Municipal Building.

A motion was made by Bertsch and seconded by Weisbeck to approve Resolution 2014R-2 – a resolution establishing a contract for legal services with Bantz, Gosch and Cremer as City Attorney. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous Vote. Motion Carried.

RESOLUTION 2014R-2

RESOLUTION ESTABLISHING CONTRACT FOR LEGAL SERVICES

WHEREAS, the City of Eureka by and through its duly elected council members hereinafter referred to as “City of Eureka’ deems it necessary to contract with a licensed attorney and/or law firm to provide legal services to the City of Eureka.

WHEREAS, SDCL 9-14-23 provides that, “[t]he governing body of any municipal corporation may contract for legal services or employ an attorney under such terms and conditions as the governing body shall deem proper. Any contract for legal services with an attorney shall be made by ordinance or resolution. Such contract shall set forth the compensation to be paid and the specific services to be rendered.”

WHEREAS, the City of Eureka has decided to enter into a contract for a City Attorney for legal services at \$175.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, that the City of Eureka hereby contracts with the law firm of Bantz, Gosch and Cremer, L.L.C., to provide legal services to the City of Eureka from January 1, 2014, to January 1, 2015.

Dated this 10th day of March, 2014.

Lloyd L. Miller, Mayor

ATTEST:

Bobbi Ottenbacher, Finance Officer

The Mayor was asked to commend Brandon on the job he is doing, in the absence of his supervisor.

A motion was made by Billotto and seconded by Regula to adjourn at 9:27 p.m. All voted Aye. Motion Carried.

Lloyd L. Miller – Mayer

ATTEST:

Bobbi Ottenbacher – Finance Officer

**ANNUAL REPORT FOR CITY OF EUREKA
AS OF AND FOR THE YEAR ENDED DECEMBER 31, 2013**

GOVERNMENTAL FUNDS--MODIFIED ACCRUAL BASIS

	General Fund	Fund	Other Governmental Funds	Total Governmental Funds
Beginning Balance	\$ 448,409.00	-	\$ 3,666.00	\$ 452,075.00
Revenues and Other Sources:				
Taxes:				
Property Taxes	\$ 270,303.50		\$ 15,654.83	\$ 285,958.33
General Sales and Use Taxes	\$ 288,463.05			\$ 288,463.05
Gross Receipts Business Taxes	\$ 3,844.66			\$ 3,844.66
Amusement Taxes	\$ 168.00			\$ 168.00
Penalties and Interest on				
Delinquent Taxes	\$ 792.34		\$ 31.66	\$ 824.00
Licenses and Permits	\$ 6,649.50			\$ 6,649.50
Intergovernmental Revenues:				
Federal Grants	\$ 73,545.25			\$ 73,545.25
State Grants	\$ 13,125.00			\$ 13,125.00
State Shared Revenue	\$ 61,833.98			\$ 61,833.98
County Shared Revenue:	\$ 6,822.22			\$ 6,822.22
General Government	\$ 2,207.22			\$ 2,207.22
Highways and Streets	\$ 3,088.26			\$ 3,088.26
Sanitation	\$ 99,221.52			\$ 99,221.52
Culture and Recreation	\$ 3,593.49			\$ 3,593.49
Other	\$ 106.20			\$ 106.20
Miscellaneous Revenue and Other Sources:				
Investment Earnings	\$ 2,113.08		\$ (245.70)	\$ 1,867.38
Rentals	\$ 2,106.63			\$ 2,106.63
Contributions and Donations				
from Private Sources	\$ 43,676.67			\$ 43,676.67
Other Revenues	\$ 21,808.17			\$ 21,808.17
Total Revenue and Other Sources	\$ 903,468.74	0.00	\$ 15,440.79	\$ 918,909.53
Expenditures and Other Uses:				
Legislative	\$ 2,983.60			\$ 2,983.60
Executive	\$ 18,955.96			\$ 18,955.96
Elections	\$ 302.75			\$ 302.75
Financial Administration	\$ 103,682.04			\$ 103,682.04
Other General Government	\$ 47,541.65			\$ 47,541.65
Police	\$ 36,438.45			\$ 36,438.45
Highways and Streets	\$ 192,317.74			\$ 192,317.74
Sanitation	\$ 252,438.08			\$ 252,438.08
Electricity	\$ 34,311.72			\$ 34,311.72
Airport	\$ 56,724.15			\$ 56,724.15
Health	\$ 439.73			\$ 439.73
Hospitals, Nursing Homes and Rest Homes	\$ 8,750.00			\$ 8,750.00
Parks	\$ 70,744.98			\$ 70,744.98
Libraries	\$ 15,157.16			\$ 15,157.16
Museums	\$ 3,000.00			\$ 3,000.00
Economic Development and Assistance (Industrial Development)	\$ 35,000.00			\$ 35,000.00
Total Expenditures and Other Uses	\$ 878,788.01	0.00	\$ -	\$ 878,788.01
Transfers In (Out)	\$ 278,109.58			\$ 278,109.58
Special Item - sold garbage truck	\$ 1,300.00			\$ 1,300.00
Extraordinary item - insurance check	\$ 22,791.90			\$ 22,791.90
Changes in Nonspendable				\$ -
Increase/Decrease in Fund Balance	\$ 326,882.21	0.00	\$ 15,440.79	\$ 342,323.00

Ending Balance:

Nonspendable	\$	13,502.65			\$	13,502.65
Restricted	\$	25,000.00	3,143.18		\$	28,143.18
Committed	\$	25,000.00			\$	25,000.00
Assigned	\$	256,934.59			\$	256,934.59
Unassigned	\$	357,101.53	963.80		\$	358,065.33

Governmental Long-term Debt

\$	564,254.56
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PROPRIETARY FUNDS--ACCRUAL BASIS

	Water Fund	Sewer Fund	Garbage Fund
Beginning Balance	\$ 1,817,294.00	1,092,963.00	\$ 216,606.00
Revenues	\$ 183,018.83	172,490.84	
Expenses	\$ 192,448.08	114,689.40	
Transfers In (Out)			\$ 216,606.00
Ending Balance:			
Restricted for Bond Payment	\$ 60,000.00		
Unrestricted	\$ 1,625,029.00	1,150,764.40	\$ -
Long-term Debt	\$ 533,835.98	1,092,941.00	

The preceding financial data does not include fiduciary funds or component units. Information pertaining to those activities may be obtained by contacting the municipal finance officer at 284-2441.

Municipal funds are deposited as follows:

Depository	Amount
Bank A	\$ 256,934.59
Bank B	\$ 350,000.00
Savings and Loan	\$ 2,775,793.40