

## Minutes of the May 13, 2013 City Council Meeting

The meeting of the Eureka City council was called to order on May 13, 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, Ottenbacher, Regula, Weisbeck and Finance Officer Ottenbacher. Also present was Linda Bergman with the Northwest Blade and Floyd Obenauer.

A motion was made by Ottenbacher and seconded by Billotto to approve the agenda as presented. All voted aye. Motion carried.

A motion was made by Weisbeck and seconded by Regula to approve the minutes from April 8, 2013 as presented. All voted aye. Motion carried.

A motion was made by Regula and seconded by Goehring to approve the financials as presented. All voted aye. Motion carried.

A motion was made by Bertsch and seconded by Ottenbacher to approve the bills as presented. All voted aye. Motion carried.

### **April Financials:**

Mayor and Council - \$3,110.00, Finance Officer- \$4,212.26, Gen. Gov't. Bldgs - \$143.91, Streets - \$1,841.69, Snow Removal - \$692.03, Park - \$1,318.44, Library - \$699.26, Water - \$1,668.05, Sewer - \$842.83, Sanitation - \$557.21

### **April Financials:**

A & B Business, office supplies/maintenance contract-\$288.49, Bank of America, Amazon books-\$400.59, Bantz, Gosch & Cremer, L.L.C, attorney fees-\$53.76, Cash, office supplies-\$59.89, Community Transit, Inc., matching funds-\$1,000.00, Consumer Reports, subscriptions-\$26.00, Dakota Backup, computer backup-\$116.61, Dakota Country, fuel-\$1,237.50, Dependable Sanitation, landfill fees-\$3,004.68, Eureka Senior Nutrition, matching funds-\$500.00, Evergreen Supply, cylinders-\$6.75, First National Bank, SRF Drinking Water-\$3,342.03, Jim Fletcher, reimburse rural user fees-\$18.55, Great Plains Bank, Water ACH-\$15.55, Gerry Haupt, reimburse rural user fees-\$27.83, Hawkins, chlorine cylinder-\$5.00, Heartland Waste Management, sanitation fees-\$4,847.10, Heartland Waste Management, emptied transfer station-\$447.48, Helm's & Associates, wastewater improvements-\$27,384.00, Inman Irrigation, drip system-\$426.00, Interstate Engineering, final pay request 6-\$10,597.37, JP Lumber, street & shop supplies-\$131.04, Kary's Home Oil, tire repair-\$110.00, McPherson County Conservation, tree plants-\$79.50, Muth Electric, pay request 6-\$27,311.76, K & A Implement, LLC-supplies & maintenance - \$562.92, Ken's Food Fair, Earth Day cleanup-\$55.25, M & M's C-store, ethanol-\$345.16, McPherson County Auditor, police contract-\$3,500.00, McPherson County Register of Deeds, easements-\$30.00, Bill McVay, reimburse rural user fees-\$64.93, Montana Dakota Utilities, utilities-\$4,098.80, Northwest Blade, minutes, publications-\$739.39, James Odenbach, reimburse rural user fees-\$27.83, Linda Ottenbacher, reimburse rural user fees-\$37.10, Public Health

Laboratory, water test-\$13.00, Robert Roggenkamp, reimburse rural user fees-\$83.48, Sam Schumacher, reimburse lifeguard training-\$150.00, Delores Sieler, reimburse rural user fees-\$27.83, SD Dept of Revenue, drivers license-\$280.00, SD One Call, message fees-\$5.25, SD Retirement, retirement-\$1,353.90, Servall Uniform & Linen, office supplies-\$141.47, Swanson Electric, electrical update park restrooms-\$1,311.23, Sweeney Controls Co., controls, labor & mileage-\$2,188.59, Milbert Trautman, reimburse rural user fees-\$27.83, US Postal Service, stamps-\$46.00, Valley Telecommunications, phone utilities-\$291.07, Wellmark, health insurance-\$2,338.68

**May Financials:**

Great Plains Bank, WEB Water Revenue Bond-\$4,828.84, FEM Electric, utilities-\$1,064.39, Great Plains Bank, payroll taxes-\$3,711.54, Great Plains Bank, water project-\$1,694.00, WEB Water, water utilities-\$4,460.36.

Due to the cancellation of the special meeting for April 22, 2013, Floyd Obenauer approached the council in regards to a two year plan that was setup for his property with the attorney in July of 2012. The work will continue until it is completed.

Weisbeck excused himself from the meeting.

As advertised for bids, only one bid was received for the new compost pile/round reservoir roofing and park bathroom's roof. Weisbeck Construction submitted a bid for the round reservoir, park bathrooms and the compost bin. Round reservoir bid was submitted with three options. Option 1 removing existing shingles - \$6,915.00. Option 2 remove shingles, paper and tin the roof with ridge caps and screws - 6,720.00. Option 3 to go over existing shingles - \$5,610.00. A motion was made by Ottenbacher and seconded by Goehring to accept the Round Reservoir bid for \$6,720.00 to remove shingles, paper and tin the roof with ridge caps and screws. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Ottenbacher yes and Regula yes. Unanimous vote. Motion carried. Weisbeck absent.

The park bathrooms bid was submitted with three different options. Option 1 removing existing shingles, paper, tin the roof and all new roof vents - \$3,300.00. Option 2 repair soft spots in roof, seal new roof vents and tin the roof - \$2,970.00. Option 3 tin over the top of existing shingles and repair soft spots - \$2,630.00. A motion was made by Regula and seconded by Ottenbacher to go with Option 1 for repairs. All voted aye. Motion carried. Weisbeck absent.

The compost bin bid was for all concrete materials and labor for setting posts and wallboards - \$6,880.00. A motion was made by Regula and seconded by Ottenbacher to accept the bid for \$6,880.00. All voted aye. Motion carried. Weisbeck absent.

Weisbeck rejoined the meeting.

Lyle Signs provided a cost estimate for signs to post at the new compost site. A motion was made by Bertsch and seconded by Weisbeck to order two 24x30 signs for \$83.95 each and one surveillance 36x30 sign for \$104.90. All voted aye. Motion carried.

As advertised the bids for the surplused sanitation truck were opened. One bid was received from Heartland Waste Management, Inc. for \$1,300.00. A motion was made by Ottenbacher and seconded by Billotto to accept the bid for the surplused sanitation truck in the amount of \$1,300.00.

A motion was made by Bertsch and seconded by Ottenbacher to adjourn the meeting with the old council and reconvene with the new council. All voted Aye. Motion carried.

The Mayor thanked Ottenbacher for his seven years of service.

Larry Ottenbacher left the meeting at 7:30 p.m and Floyd Obenauer joined the meeting.

The mayor reconvened the meeting at 7:31 with the new council.

No election was needed as Obenauer's petition was turned in with no opposition for Ward Two. Oaths of Office were read and signed by Councilmembers Cornelius Goehring for Ward 3, Floyd Obenauer for Ward 2 and Ricardo Weisbeck for Ward 1.

A motion was made by Bertsch to nominate Rick Weisbeck as President of the Council, Goehring seconded and asked that nominations cease with a unanimous ballot cast for Weisbeck. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes and Regula yes. Motion carried.

A motion was made by Weisbeck to nominate Arlo Bertsch as Vice President of the Council, Regula seconded and asked that nominations cease with a unanimous ballot cast for Bertsch. A roll call vote was taken. Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Motion carried.

Mayor Miller presented the Council with the 2013 Appointments and Billotto made a motion to approve appointments as presented and seconded by Weisbeck. All voted aye. Motion carried.

## 2013 APPOINTMENTS

### CITY COUNCIL

Mayor	Lloyd L. Miller * NECOG Representative * Alternate: President of Council	2012-2014
Ward One	Dawn Regula * Sanitation/Ordinances/ECDC	2012-2014

	Ricardo Weisbeck	2013-2015
	* Streets and Alleys/Purchasing Alt. NECOG Representative	
Ward Two	Barbara A. Billotto	2012-2014
	* Police/Airport/Purchasing	
	Floyd Obenauer	2013-2015
	* Insurance/Parks/Recreation	
Ward Three	Arlo Bertsch	2012-2014
	* Finance and Buildings	
	Cornelius Goehring	2013-2015
	* Water/Sewer/Purchasing	

#### OTHER APPOINTMENTS

City Attorney	Richard Sommers	
City Finance Officer	Roberta Ottenbacher	
Assistant Finance Officer	Susan Lutz	
Public Works Director	Guy Boschee	
Assistant Public Works Director	Brandon Duquette	
Health Officer	Dr. Susan Ostrowski	
Code Administrator	Guy Boschee	
Librarian	Susan Fischer	
Municipal Building Cleaning		
Official Newspaper	Northwest Blade	
Official Depository Bank	Great Plains Bank, Eureka	
	First Bank of Roscoe	
	Dakota Bank, Aberdeen	
Official Dog Pond	Barb's Pet and Grooming	
Park Board	Kaci VanderVorst, Ray Rohrbach	2014
	Laurie LaCoursiere, Clyde Ottenbacher	2015
	Sidney Maier, Rev. Gary Bergman	2016
Zoning Board	Barry Lapp, Todd Hieb	2014
	Jaci Eberhart, Sharon Kunz	2015
	Ricardo Weisbeck, Donald Gab	2016
Eureka Housing and Redevelopment Commission		
	Charles Koerner, Delbert Schrum	2014
	Arlo Bertsch	2015
	Connie Woehlhaff	2016
	Carmen Weber	2017
	Executive Director - Roberta Ottenbacher	

A motion was made by Bertsch and seconded by Regula to approve the auto payments authorizing the Finance Officer to pay MDU, WEB, FEM, and payroll related bills (health insurance, retirement, payroll taxes) when due, postage, to pay registration for meetings prior to Council Approval, and SD Unemployment.

April Police report was presented prior to the meeting by Deputy Sheriff Scott Warzecha. There were 67 hours for the City and 104 hours for the County.

Guy Boschee joined the meeting for the Public Works Director Report.

Valleytel maintenance agreement is a warranty and when the warranty runs out any problems will be the City's expense. They have no regular maintenance contracts that can be purchased.

The transfer station has been closed up.

The storm sewer by 601 11<sup>th</sup> Street has been repaired. The curb and gutter needs to be replaced and are waiting for someone to do the work. The grates have been ordered.

Ninety hand plants have been planted at the park. Two rows of trees will be planted at the landfill on May 19, 2013.

Duininck has asked about an hourly rate for the services of our sweeper on Highway 10. There has been no moisture so it is not needed at all.

The Highway Project start date is currently on schedule. Manholes will be an additional cost to the City as an error was made and Boschee will check into this. Wednesday May 15 one lane will be blocked off on the highway and local residents will be able to use the highway. The highway will be kept open until the grinding starts.

Four hundred ton of hotmix is needed to properly fix and maintain the City streets. We have 80 ton ordered and the City does not have enough money in the budget to perform the proper maintenance on the City streets. The Finance Officer will look into transferring funds. The City would like the asphaltting to be completed by June.

Phase 2 of the highway project is currently at the State level and waiting to advertise for the bid letting. A motion was made by Weisbeck and seconded by Bertsch to give Helms and Associates the authority to advertise for bids and set the bid letting date as soon as it is approved by the State. All voted aye. Motion Carried.

Code Enforcement is currently being handled by the attorney's office.

The beach area for swimming and the triathlon was discussed. The contractor is not able to give us a concrete date for the work down by the lake.

There was discussion on water restrictions. It will be added to the next agenda.

The City will be looking at private parties dropping snow on City property. In the spring after the thaw, there are rows of rocks and gravel that were also moved with the snow.

Game Fish and Parks have hired Tim Orth to replace the bolts on the west lake dock. It will be placed back in the water as soon as that is finished.

Motion was made by Weisbeck and seconded by Billotto to accept the Pay Request 3 for Helms and Associates. All voted aye. Motion Carried.

A public hearing was held to approve the Malt Beverage License Renewals. No one appeared before the council. A motion was made by Regula and seconded by Goehring. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous vote. Motion carried.

#### Licenses Renewed

Ken's Food Fair	702 7 <sup>th</sup> Street Eureka, SD	Retail (on/off sale) Malt Beverage License
Spare Time Bar and Grill	706 7 <sup>th</sup> Street Eureka, SD	Retail (on/off sale) Malt Beverage License
Victoria Lapka d/b/a/ Lyric Lanes	805 G Ave Eureka, SD	Retail (on/off sale) Malt Beverage License
Eureka Municipal Golf Course	605 B Ave Eureka, SD	Retail (on/off sale) Malt Beverage License
Snack Haven	1703 J Ave Eureka, SD	Retail (on/off sale) Malt Beverage License
Prime Time Bar & Grill	709 7 <sup>th</sup> Str. Eureka, SD	Package (off sale) Malt Beverage License

A motion was made by Billotto and seconded by Weisbeck to approve the building permits as presented. All voted aye. Motion carried.

Cleaning maintenance applications were reviewed. Finance Officer will contact applicants and ask them to come to the next council meeting.

The County is interested in the transfer station building. A motion was made by Bertsch and seconded by Goehring to draw up a 99-year land lease and donate the building to the County. All voted aye. Motion carried.

A motion was made by Billotto and seconded by Weisbeck to close the office for Finance Officers School June 12-14, 2013. All voted aye. Motion carried.

The lake will open June 3. Lifeguard hours will be Monday through Saturday 1:00 p.m. to 5:00 p.m. and 7:00 p.m. to 9:00 p.m. Sundays will not be supervised by lifeguards the entire summer, due to the limited number of lifeguards. An application was received from Sam Schumacher and he has completed all required testing. A motion was made by Regula and seconded by Billotto to accept Sam Schumacher's application and reimburse him for his training fees. All voted aye. Motion carried. A motion was made by Weisbeck and seconded by Goehring to hire from the area, as needed, additional certified lifeguards and to open the lake for swimming on June 3, 2013. All voted aye. Motion carried.

An ordinance was put together to be able to allow a penalty fee if needed for the new compost site. A motion was made by Obenauer and seconded by Regula to approve the 1<sup>st</sup> Reading of Ordinance 2013O-4. 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 Weisbeck and seconded by Regula to approve the 1<sup>st</sup> Reading of Ordinance 2013O-5, Amending Retail (on-off sale) Wine to one license and review as needed. A roll call vote was taken. Bertsch yes, Billotto yes, Goehring yes, Obenauer yes, Regula yes and Weisbeck yes. Unanimous vote. Motion carried.

Motion was made by Regula and seconded by Weisbeck to reimburse rural user fees previously paid. All voted aye. Motion carried.

The City of Eureka will be hosting the Annual District Meeting in 2014.

The Big Q Committee has donated \$25,000.00 to the City of Eureka with a restriction of ballpark area use only. There was discussion on the condition of the current bleachers and the fence. No action was taken.

A motion was made by Weisbeck and seconded by Obenauer to allow the renewal of the Eureka Lakeside Baseball Park Lease to Vicki Lapka. All voted aye. Motion carried.

A motion was made by Bertsch and seconded by Goehring to allow the renewal of the Eureka American Legion Lease. All voted aye. Motion carried.

Different organizations at the school were asked about taking on the recycling for a school or class project. The school organizations were not interested in the project.

Farmers and disposing of their garbage with the dry conditions and was discussed. No action was taken.

The City would like to thank Glenn Opp for his sizeable donation of books to the City Library.

A motion was made by Bertsch and seconded by Weisbeck to approve the renewal of the airport policy with Northstar Aviation Insurance, Inc. provided by Marin Biel Insurance. All voted aye. Motion Carried.

A motion was made by Regula and seconded by Billotto to approve Valley Telecommunications Fiber Optic Cable Permit for the current construction. All voted aye. Motion carried.

The City of Eureka received a Drinking Water Certificate of Achievement Award and an Operation and Maintenance Award. Announcements have been placed in the Northwest Blade.

A motion was made by Weisbeck and seconded by Billotto to adjourn. All voted aye. Motion carried.

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Mayor - Lloyd L. Miller

ATTEST:

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Bobbi Ottenbacher - Finance Officer