

Minutes of the October 14, 2013 City Council Meeting

The meeting of the Eureka City Council was called to order on October 14, 2013 at 7:01 p.m. by Mayor Miller in the councilroom of the Municipal Building with the following present: Mayor Miller, Councilmembers Billotto, Goehring, Obenauer, Regula, Weisbeck and Finance Officer Ottenbacher. Also present was Linda Bergman with the Northwest Blade. Absent Bertsch.

A motion was made by Regula and seconded by Weisbeck to approve the agenda with the following additions: American Legion and the Ballpark Fence, Raffle for the Ducks Unlimited Banquet and Trees Related to Storm. All vote Aye. Motion Carried. Absent Bertsch.

At 7:05 p.m., this being the time and place as advertised, a public hearing was held for the approval of the transfer of an on-sale liquor and an on/off sale malt beverage license currently owned by Chris Gonska, Spare Time Bar and Grill, to Lester and Brenda Van Horn at the same location.

A motion was made by Weisbeck and seconded by Obenauer. All voted Aye. Motion Carried. Absent Bertsch.

Deputy Scott Warzecha was present for the police report. Warzecha had 167 City hours and 62 County hours. County and City hours were discussed.

Perry Thompson joined the meeting to discuss the baseball park fence. The American Legion would like to see the old fence taken down and replaced with nothing less than a 6 foot chain length fence. Thompson did state that they will have the same team members back next year and expect them to do very well. The American Legion is looking at having evening games next year and discussed different lighting options. Paul Klebs of Long Lake offered to remove the fence and the materials at no charge to the City. Thompson suggested that letters be written to alumni to help fund the repairs. The American Legion will have to pursue the writing of any letters.

Thompson left the meeting.

Susan Lutz and Guy Boschee joined the meeting.

A motion was made by Billotto and seconded by Weisbeck to go into Executive Session 1-25-2.(1) at 7:14 p.m. All voted Aye. Motion Carried. Absent Bertsch.

Linda Bergman left the meeting.

A motion was made by Billotto and seconded by Obenauer to come out of Executive Session 1-25-2.(1) at 7:43 p.m. All voted Aye. Motion Carried. Absent Bertsch.

Linda Bergman joined the meeting and Susan Lutz left the meeting.

A motion was made by Goehring and seconded by Regula to reconvene the Executive Session and continue at 7:00 p.m. on Thursday October 17, 2013. All voted Aye. Motion Carried. Absent Bertsch.

Public Works Director Guy Boschee gave his monthly report.

Currently, with all of the extra rain and the flow of the artesian well, a problem could arise with the upcoming freeze. The water from the spillway is currently designed to flow under Highway 10 and any excess water flows onto Oster's land north of Highway 10. With the upcoming freeze, the spillway will freeze over resulting in the artesian well water flowing into the lake which could buckle the dock and cause a flooding problem next spring during the thaw or after the City opens up the spillway. The council decided that the City employees will monitor the spillway and break away the ice to keep a continuous spillway flow over the winter. The Public Works Director will look at the spillway grate to see if it could have a different design.

The curb and gutter on Highway 10 is complete and contractor is laying the hot mix. Contractor has finished hot mixing the detour route.

A-1 Sewer and Drain is currently flushing the sewer mains and videoing the lines. They did find some weak areas in the pipes which will be reviewed when the tapes come back. The City will then decide how to fix those problems. A-1 Sewer flushed out the lift stations and removed the material that was on top. During the flushing and videoing of lines, they found some root problems and some manholes that are not on our maps, so all maps will be updated.

A motion was made by Regula and seconded by Goehring to approve Pay Request 1 to A-1 Sewer and Drain for the Phase II Wastewater Project in the amount of \$18,324.84. All voted Aye. Motion Carried. Absent Bertsch.

An insurance check in the amount of \$22,231.90 was received for the baseball field fencing that was damaged during the September 9, 2013 storm. Another 80 feet was destroyed during the wind storm on October 4, 2013. The damaged fence is currently being taken apart and piled up on the north side of the baseball field. The City will put a safety fence in between the panels that are still standing to keep out traffic. The City will gather quotes for a semi-privacy chain length fence. The fence will be put back on the January agenda, so materials can be purchased and repair completed by May 1, 2014. The damaged light tower was the main tower for electrical power to the other lights. Boschee has been in touch with MDU to check on disposal of the tower. The City is going to need an electrician to determine how power is distributed to the other lights. Extensive reconstruction of the underground power lines may be needed.

The county has been hauling gravel from the Joel Sayler and Darwin Aman gravel pits. The county will be hauling again October 18, 2013. The west lake road was graveled and the rest will be stockpiled for City use.

The City will be sweeping the streets for leaves and preparing for the upcoming winter.

2015 Budget will include 3000 ton of rip-rap to go around the lake.

On October 8, 2013, the City received court approval to clean up property located at; South 67' of Lots 4 and 5 and the South 67' of the West 18.75' of Lot 6, Block 1, Boettcher's Addition.

There was discussion on removal of snow on sidewalks the City will inherit. No action at this time. The concrete will be sealed with linseed oil.

A motion was made by Weisbeck and seconded by Regula to enter into a contract with Dahme Construction for the Second Phase of the Wastewater Project. All voted Aye. Motion Carried. Absent Bertsch.

A motion was made by Billotto and seconded by Weisbeck to approve the pay request to Helms and Associates for \$13,040.00 for the Wastewater Improvement Bidding Phase and \$9,305.70 for engineer fees. All voted Aye. Motion Carried. Absent Bertsch. No pay estimate was submitted for Duininck, Inc.

Weisbeck looked at the curb and gutter by the Jim Cantalope property. The City will only replace the curb and gutter where the storm sewer is and the rest of the area will have to be repaired by homeowner. Finance Officer will set up a time for Obenauer and Boschee to visit with Cantalope.

There was discussion on the curb and gutter on Fourth Street that was addressed at the September City Council meeting.

A motion was made by Billotto and seconded by Obenauer to approve the minutes with the following change: contract for propane should have read 5000 gallons not \$5,000.00. All voted Aye. Motion Carried. Absent Bertsch.

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

The Butler Machinery bill included some cutting edges and a two year supply of filters and elements. A motion was made by Obenauer and seconded by Billotto to approve the bills as presented. All voted Aye. Motion Carried. Absent Bertsch.

September Financials:

Finance Office - \$4,122.37, Gen. Gov't. Bldg. - \$228.22, Streets - \$2,515.68, Park - \$1,073.36, Library - \$602.95, Water - \$428.24, Sewer - \$1,538.47, Sanitation - \$1,360.53

September Bills:

Wastewater project: Duininck, Inc., construction fees - \$75,099.67, Duininck, Inc, construction fees - \$136,881.15, Helms & Associates, Pay Estimate 6 Engineer Fee - \$16,147.00, Helms & Associates, Pay Estimate 7 Engineer Fee - \$13,666.12, Airport Project: Interstate Engineering, Runway Project Engineer Fees - \$12,754.09

A & B Business, office supplies - \$77.65, ACME Electric, backpack blower - \$199.96, Art's Body Shop, payloader windshield - \$125.00, Art's Body Shop, glass cleaner - \$10.00, Bank of America, Amazon Books - \$35.11, Bank of America, Amazon Books - \$424.53, Bank of America, Amazon Books - \$176.49, Bantz, Gosch & Cremer, attorney fees - \$237.57, Business Forms & Accounting, check blanks - \$110.26, Butler Machinery, filters & elements - \$3,690.26, Cahill Bauer & Associates, assist with airport & sewer project - \$80.00, Cash, postage costs - \$17.32, Connelly Industrials Electronics, Sewer VFD Repair - \$288.41, Cornerstone Café & Convenience, gas - \$589.04, Dakota Backup, computer backup (Sept.) - \$124.57, Dakota Backup, computer backup - (Aug.) - \$124.29, Eureka Plumbing & Heating, supplies to connect water - \$146.80, First National Bank, SRF Drinking Water Loan - \$3,342.03, Great Plains Bank, water project loan - \$1,694.00, Great Plains Bank, utilities - \$14.65, Great Plains Bank, payroll - \$3,139.95, Hawkins, Inc., chlorine cylinder - \$5.00, Heartland Waste Management, transportation fees - \$5,210.90,

Jensen Rock & Sand, chip seal streets - \$48,520.89, JP Lumber, Inc., supplies/repair & maintenance - \$366.14, K & A Implement, streets & shop supplies - \$140.87, Kary's, gas, tire & repair - \$119.00, Ken's Food Fair, cleaning supplies - \$15.74, L.L. Johnson Disc. Co., lawn mower – EII Grant - \$17,500.00, Matheson Tri-gas, oxygen & cylinders - \$37.91, McPherson County Auditor, police contract - \$3,500.00, Michael Todd & Company, repairs & maintenance - \$1,370.67, Lloyd Miller, travel - \$99.90, Montana Dakota Supplies, utilities - \$20.87, Montana Dakota Utilities, utilities - \$4,510.04, Northern Plains, contracted propane - \$6,520.00, Northwest Blade, publishing - \$221.11, Bobbi Ottenbacher, meal & travel - \$34.59, Postmaster, postage costs - \$92.00, Public Health Laboratory, water samples - \$41.00, Rieker Electric, park & lift station - \$522.59, Servall, cleaning supplies - \$91.09, SD Dept. of Revenue, drivers license - \$175.00, SD Glacial Lakes, advertising - \$150.00, SD Municipal League, annual conference - \$100.00, SD One Call, message fees - \$211.05, SD Retirement, retirement - \$1,310.32, SD State Treasurer, sales tax - \$500.66, SD Unemployment Insurance, unemployment insurance - \$17.76, Valleytel Cable, phone - \$148.47, Vilas Pharmacy, sharpie - \$5.59, Ricardo Weisbeck, refund security deposit - \$854.75, Wellmark, health insurance - \$2,097.76, William Austin, customer deposit - \$75.00, Jason Boeding, customer deposit - \$75.00, Dale Bridge, customer deposit - \$75.00, Ronald Chase, customer deposit - \$75.00, Liang Chen, customer deposit - \$75.00, Forrest Dalton, customer deposit - \$75.00, Chris Gonska, customer deposit - \$75.00, Jennifer Huettl, customer deposit - \$75.00, Gary Oster, customer deposit - \$75.00, Harold Scherff, customer deposit - \$75.00, Aaron Walker, customer deposit - \$75.00, Nick Weismantel, customer deposit - \$75.00.

October Financials:

FEM, utilities - \$904.13, WEB Water, utilities - \$5,940.56

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

A motion was made by Weisbeck and seconded by Regula to approve the 2nd Reading of Ordinance 2013O-8 – Amending Tree Height in the Boulevards. All voted Aye. Motion Carried. Absent Bertsch.

ORDINANCE 2013O-8
AN ORDINANCE AMENDING ORDINANCE 12.24.010
TREE HEIGHT IN THE BOULEVARDS

WHEREAS, the City of Eureka's book of municipal ordinances gives the City the authority to establish a change in tree height in the boulevards.

WHEREAS, the City Council of the City of Eureka will be establishing and increasing the boulevard tree height according to Section 12.24.01 of the most recent revision of the City of Eureka's book of compiled ordinances; the increase in height is due to the purchase of new equipment, which does not clear the current tree height.

NOW, THEREFORE BE IT ORDAINED, by the City of Eureka, South Dakota, that Section 12.24.01 be amended to add an increase in tree height. The following height increase will become effective 20 days upon passage of this ordinance.

Trees need to be trimmed that no bough or branches of such trees shall be lower than twelve (12) feet above the street or alley surface.

Dated this 14th day of October, 2013.
First Reading: September 9, 2013
Second Reading: October 14, 2013
Published: October 24, 2013
Effective Date: November 13, 2013

Surveyed lot, location Lot 10, First Railroad Addition in the City of Eureka, McPherson County, was discussed. This lot will be kept by the City.

A motion was made by Weisbeck and seconded by Goehring to approve the extended hours for the Wolff Den on October 19, 2013. All voted Aye. Motion Carried. Absent Bertsch.

A motion was made by Regula and seconded by Weisbeck to allow the Finance Officer to attend election school on December 12, 2013. All voted Aye. Motion Carried. Absent Bertsch.

The Cornerstone Café is not a bar but can sell alcohol on premises. They have had Karaoke a couple of times and do have a Halloween Party scheduled. The City does have a dance hall permit that has to be purchased by bar owners for the same types of activities. Any future activities held through the end of 2013 at the Cornerstone will need to be council approved. A dance hall permit will need to be purchased in 2014 for any activities that take place.

A motion was made by Regula and seconded by Goehring to approve a raffle for the Ducks Unlimited Banquet. All voted Aye. Motion Carried. Absent Bertsch.

There was discussion on downed trees due to recent storm located on property lines shared by the City and private homeowner. The City will take a look into possibly removing them.

A motion was made by Weisbeck and seconded by Goehring to accept with reluctance the resignation from Susan Lutz as Assistant Finance Officer. All voted Aye. Motion Carried. Absent Bertsch. Finance Officer will get a notice in the Northwest Blade with applications being due on November 4, 2013, with interviews on November 6 and 7, 2013.

A motion was made by Billotto and seconded by Regula to adjourn at 8:51 p.m. All voted Aye. Motion Carried. Absent Bertsch.

Mayor – Lloyd L. Miller

ATTEST:

Bobbi Ottenbacher – Finance Officer