

## Minutes for May 9, 2016 City Council Meeting

The meeting of the Eureka City Council was called to order on May 9, 2016, at 7:03 p.m. by Mayor Opp in the council room of the Municipal Building with the following present: Mayor Opp, Council members: Bertsch, Billotto, Heilman, Regula, Weisbeck, Finance Officer Frerk, and City Attorney, Marshall Lovrien. Absent: Obenauer. Others present: Jeremy Eberhart, Lloyd Miller, Deb Larson, Bonnie Pemberton, Brandon Duquette, Josh Flemmer, Katie Doud, Paulette Bauer, Sharon Aman, Anita Duquette, Sandy Bond, Dianne Boschee, Boy Scout Pack #357, Melissa Ellis, Trish Grajczyk, Don Heinrich, Mike Dosch, Scott Raile, Steph Raile, Polly Gab, Craig Gab, and Inez Grenz.

Any changes or additions: Auditor/CPA/Annual Report Update. Motion by Weisbeck, seconded by Heilman to accept the changes and additions to the agenda. All voted aye. Motion carried.

Citizen Open Forum:

Boy Scout Pack #357 with leaders Don Heinrich, Melissa Ellis, and Trish Grajczyk were present to work towards their Citizenship badges.

Anita Duquette discussed the following three concerns: her water meter not functioning properly, tree and branch pick up, and code enforcement letters.

Katie Doud, Sharon Aman, and Dianne Boschee discussed the puppy being euthanized a few weeks ago.

Bonnie Pemberton discussed sanitation reimbursement from previous years. This item will be discussed later on the agenda under the new business.

Mike Dosch requested the Council review the ordinance which involves charging the Lakeview Apartments as a residential property for sanitation.

Craig and Polly Gab discussed the sale of the lot behind their house and between the lake. They also discussed that they plan to take down a dead cottonwood tree on their property.

Kristie Allred discussed code enforcement.

There was discussion on the approval of the April 14, 2016 minutes. Minutes should note that there were no prior minutes that authorized that the City needed the BLEWH group land back.

Motion by Heilman, seconded by Billotto to approve the April 14, 2016, city council meeting minutes, and the April 27, 2016, special city council meeting minutes. All voted aye. Motion carried.

Weisbeck discussed that the bill from Dominik's Equipment was for a new mower for the golf course. The golf course is requesting assistance from the City of \$2,500.00 towards the new mower, and then the golf course will reimburse the City for the remainder of the amount owed. Motion by Regula, seconded by Billotto to approve the assistance of \$2,500.00 for the golf course's new mower. All voted aye. Motion carried. Weisbeck abstained.

Motion by Bertsch, seconded by Regula to approve the bills as presented. All voted aye. Motion carried.

Bills for May 9, 2016: Fischer's Plumbing, supplies \$10.15; Premier Equipment, maintenance/supplies \$41.74; Butler, supplies \$44.30; Gregg Arnold, mileage \$106.68; Gregg Arnold, seminar/water maintenance \$56.49; A&B Business, supplies \$988.44; Bantz, Gosch, & Cremer, attorney fees \$306.68; SD Govt Finance Officers' Assn., registration fees \$150.00; The Stop, gas \$108.98; Erv's Furniture, ambulance meeting room floor \$814.46; Heartland Waste, sanitation fees \$4,836.40; Lona Hoff, recount board, \$25.00; Anita Duquette, recount board \$25.00; Bob Billotto, recount board \$25.00; Clark Engineering, platting \$1,106.83; Sanitation Products, street sweeper maintenance \$2,026.20; Olson Consulting, code enforcement \$1,067.50; JP Lumber, supplies \$65.84; Northwest Blade, election/publishing/advertising \$380.72; Valleytel, utilities \$366.92; SD Dept of Revenue, drivers licensing \$401.00; MDU, utilities \$4,737.97; WEB, water \$6,134.62; McPherson Co. Treasurer, property taxes \$29.90; SD Retirement, retirement \$1,396.56; Wellmark, health insurance \$4,193.93; Guardian, dental/vision insurance \$592.35; Great Plains Bank, utilities \$15.40; Great Plains Bank, payroll taxes \$3,430.46; Bank of America, books \$264.19; Bank of America, finance charge \$35.42; Ferguson Waterworks, water meters/supplies \$2,221.48; Kary's, gas \$199.90; Riteway, UB statements \$293.74; 4DK Electric, ballfield lights \$5,097.09; Michael Todd & Company, street sweeper maintenance \$1,088.04; Ken's, supplies \$40.46; Hosmer Vet Clinic, euthanize canine/post mortem exam \$72.45; Dept of Revenue, public health laboratory \$28.00; Vilas Pharmacy, supplies \$18.15; FEM, utilities \$701.10; Dakota Country, fuel oil/flowers for park, museum, city bldg. \$560.24; Dakota Cloud Recovery, computer back up \$179.82; McPherson Co. Register of Deeds, record plat \$60.00; Matheson, acetylene \$23.15; Postmaster, water bills/stamps \$594.00; USDA Rural Development, water project/loan \$1,694.00; McPherson Co. Auditor, police contract \$3,500.00; SD State Treasurer, sales tax \$416.01; Cahill Bauer & Associates, audit 2015/assistance 2015-16 \$5,690.00; Dominik's Equipment, golf course mower \$14,000.00; Eureka Plumbing & Heating, bulk water supplies \$17.75; Eureka Manufacturing, bulk water supplies \$76.34; SD One Call, message fees \$13.65; Servall, cleaning supplies \$111.60; Les Schock, snow removal damage repair \$59.66.

Finance Officer Frerk remarked on the Hwy 10 and election financials. Motion by Weisbeck, seconded by Bertsch to approve the financials. All voted aye. Motion carried.

The WEB Water antenna lease agreement was discussed. The Council requests that Marshall Lovrien, City Attorney, review the lease agreement before the City approves the agreement. Tabled until June's meeting.

The Council received Floyd Obenauer's resignation as Ward 2 Council member. The resignation is effective immediately. Due to the vacancy, the Council has the ability to appoint someone from Ward 2 to complete a one-year term until the next election or hold a special election. Motion by Bertsch, seconded by Heilman to have the new Council appoint the new Council member. All voted aye. Motion carried. Tabled until June's meeting.

Motion by Regula, seconded by Billotto to approve the payroll report. All voted aye. Motion carried.

Finance Officer Frerk gave an update on the annual report and that she is continuing to work through financials prior to her hire.

Motion by Bertsch, seconded by Regula to adjourn the meeting at 8:07 p.m. All voted aye. Motion carried.

The meeting was reconvened at 8:11 p.m.

New Mayor and Council members took their oaths of office, they are: Mayor, Lloyd Miller; Ward 2 Council member, Brandon Duquette; Ward 3 Council member, Jeremy Eberhart; and Ward 1 Council member, Josh Flemmer.

Motion by Duquette, seconded by Eberhart to nominate Rick Weisbeck as Council President.

Motion by Duquette, seconded by Flemmer to cease nominations for Council President. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Flemmer to nominate Dennis Heilman as Council Vice President.

Motion by Eberhart, seconded by Duquette to cease nominations for Council Vice President. All voted aye. Motion carried.

Mayor Miller appointed Council committees as follows: Lloyd Miller – NECOG Representative; Josh Flemmer – ECDC, Police, Purchasing; Rick Weisbeck – NECOG, Streets, Alleys; Brandon Duquette – Insurance, Parks, Ordinances; Jeremy Eberhart – Airport, Purchasing; Dennis Heilman – Ordinances, Finance; Vacant – Sanitation, Water, Sewer, Purchasing.

Mayor Miller also made the following 2016 appointments: Marshall Lovrien – City Attorney; Nicole Frerk – Finance Officer; Paulette Bauer – Assistant Finance Officer; Gregg Arnold – Public Works Director; Kyle Hemeyer – Assistant Public Works Director; Dr. Susan Ostrowski – Health Officer; Mike Olson – Code Enforcer; Susan Fischer – Librarian; Sandy Kirschenmann – Custodian; Northwest Blade – Official Newspaper; Great Plains Bank, First Bank of Roscoe, Dakota Bank (Aberdeen) – Official Depository Banks; Barb's Pet & Grooming – Official Dog Pound.

Park Board: 2016 – Sidney Maier, Reverend Gary Bergman; 2018 – Bruce Alexander, Jennifer Beck.

Zoning Board: 2016 – Rick Weisbeck; 2017 – Todd Hieb, Bob Weber; 2018 – Jackie Eberhart, Sharon Kunz; Executive Director – Nicole Frerk.

HRC: 2016 – Connie Woehlhaff; 2017 – Carmen Weber; 2018 – Lona Hoff, Daren Fischer; 2019 – Arlo Bertsch; Executive Director – Paulette Bauer.

Airport: 2014-2017 – Pastor Ryan Gage; 2014-2017 – Eric Odenbach; 2014-2017 – Pastor Jim Grossmann; 2016-2019 – Arlo Bertsch; 2016-2019 – Jeremy Eberhart.

Motion by Eberhart, seconded by Weisbeck to approve the committees, appointments, and boards. All voted aye. Motion carried.

Motion by Duquette, seconded by Weisbeck to authorize the Finance Office to make auto payments to pay WEB; FEM; payroll related bills including health and vision/dental insurance, retirement, payroll taxes, and SD unemployment; and the SD State Treasurer prior to Council approval. All voted aye. Motion carried.

Building permits were discussed and typically unless it involves a variance they don't have to wait to start the work. Contractors should make sure owner has a building permit. Motion by Duquette, seconded by Heilman to approve the building permits. All voted aye. Motion carried.

Deputy Smith gave the police report. There has been various scams going around again.

Gregg Arnold gave the Public Works Director report. There was discussion on the water well #2 cost estimate to return to service. Motion by Weisbeck, seconded by Eberhart to repair water well #2. All voted aye. Motion carried.

Gregg also informed the Council that the mosquito fogger complies with EPA. Gregg has also submitted the mosquito grant.

Vacation time: no requests.

Motion by Duquette, seconded by Heilman to allow Ronnie Gab to use City land east or north of the school bus shed on May 21 for an auction. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Flemmer to approve the Library Board's request to disperse books that have been previously withdrawn from the library shelves on the day of the City wide rummage sale. These books would not be sold, but a container for donations to the library would be available. All voted aye. Motion carried.

Motion by Duquette, seconded by Weisbeck to approve the request from Gary Wolff from the Wolff Den and Elmer Kappes to set up a tent north of the ambulance building from July 2 at noon until July 3 at noon, and to approve the request from the Wolff Den for a Temporary Liquor License for the tent at the wedding reception. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Eberhart to surplus City property, Lots 1, 2, 3 & 4 of Block 12, Lakeside 1<sup>st</sup> Addition. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Weisbeck-yes. Unanimous vote. All voted aye. Motion carried. Finance Officer Frerk will check with the County on the whether or not that property would need to be re-platted and the accuracy of the legal description. Tabled until June's meeting.

Mike Olson present to discuss and give an update on code enforcement. Friendly letters were sent asking owners to correct issues on their properties. If not in compliance, he is waiting until July and then the Council will need to make decisions on who and when to send mandatory letters to. HAPI Homes does provide financial assistance to those who qualify. Mike also addressed with the Council homes without City water service, and the vacant old elevator.

Motion by Weisbeck, seconded by Eberhart to surplus City property, West Lake Addition in the SE1/4 of Section 34, Township 127 North, Range 73 West of the 5<sup>th</sup> P.M. All voted aye. Motion carried.

Motion by Heilman, seconded by Flemmer for Mayor Miller and Council President Weisbeck to appoint three community members to appraise the property. All voted aye. Motion carried.

The City will advertise in the Northwest Blade and other publications.

Motion by Weisbeck, seconded by Eberhart to have a public auction on June 6 at 7:00 p.m. at the Municipal Building. Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Weisbeck-yes. Unanimous vote. All voted aye. Motion carried.

There was no applicants for the lifeguard position. Finance Officer Frerk gave the Council the insurance company's recommendations if no lifeguards are hired this year. Signs will need to be posted at the beach and the diving board removed.

There was one applicant, Darvin Ackerman, for the Rubble Site/City Park Assistant position. There will be further discussion in executive session.

City wide clean up tabled until June's meeting.

Lisa Nesheim informed the Council that Avera is taking over the Color Run 5K this year and it will be on July 4 at 9:00 a.m. She has visited with Sheriff Dave Ackerman on having law enforcement posted to slow down traffic on Hwy 47. Waivers will not be signed and the cost is \$20.00 pre-race and \$25.00 the day of the race. They will be using the same color as last year, which is colored corn starch. Motion by Eberhart, seconded by Duquette to approve the request to use the streets for the Color Run 5K on July 4. All voted aye. Motion carried.

Motion by Heilman, seconded by Weisbeck to approve the request from Judy Dohn to block the street from the southwest corner of the Municipal Building to the southeast corner of Les's Standard to the northeast corner of the Dakota Country Store to the northwest corner of the Main Attraction for the City wide rummage sale on June 4 from 7:00 a.m. to 3:00 p.m. All voted aye. Motion carried.

Motion by Heilman, seconded by Duquette to reimburse Bonnie Pemberton \$120.50 for sanitation charges when water was not used during the years of 2010-2013. All voted aye. Motion carried.

Motion by Eberhart, seconded by Flemmer to approve the following Malt Beverage Licenses: Eureka Golf Course, Prime Time, Lyric Lanes, The Stop, Ken's. All voted aye. Motion carried.

Motion by Weisbeck, seconded by Duquette to approve the Mayor as the authorized representative for WEB Water. All voted aye. Motion carried.

There was a 5 minute break at 9:59 p.m.

Motion by Weisbeck, seconded by Duquette to go into executive session at 10:04 p.m. All voted aye. Motion carried.

Motion by Heilman, seconded by Duquette to come out of executive session at 10:25 p.m. All voted aye. Motion carried.

No action taken in executive session.

Motion by Eberhart, seconded by Duquette to adjourn the meeting at 10:26 p.m. All voted aye. Motion carried.

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Mayor Lloyd Miller

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Nicole Frerk, Finance Officer