

Minutes for June 12, 2017 City Council Meeting

The meeting of the Eureka City Council was called to order on June 12, 2017, at 7:00 p.m. by Mayor Miller in the council room of the Municipal Building with the following present: Mayor Miller, Council members: Duquette, Eberhart, Flemmer, Heilman, Schwingler; and Finance Officer Frerk.

Others present: Kyle Hemeyer, Paulette Bauer, Mike Evers, Tarrah Strid, Chris Gonska, Dennis Oswald, Deb Larson, John Huber, Keith Roberts, Lee Oster, and Sandra Bond.

Any changes or additions: Assistant Public Works Director Appointment.

Motion by Eberhart, seconded by Heilman to approve the agenda. All voted aye. Motion carried.

City Attorney, Marshall Lovrien, joined the meeting.

Sharel Delzer gave her oath as appointed Ward 1 council member.

Citizen Open Forum: Tarrah Strid was present to let the Council know she was not aware the City was on only well water. She noticed the change when she put chemicals in her swimming pool. She asked the Council if water billing would be prorated since using only well water. The Council stated that the City water rates apply regardless whether the City is using WEB water or well water. Strid commented that her pool water had turned a rusty color and in addition her fridge has not been working correctly. The Council stated the use of chlorine in the pool combined with the well water could cause the discoloration. The Council stated the homeowners' pool company could be contacted and they should have a solution to put in her pool that can take the discoloration out.

Keith Roberts was present to let the Council know that his neighbor at 907 J Ave now has up to 11 vehicles in their backyard, as well as, there are gallons of gas sitting back there. Due to the current dry conditions, Roberts feels this is an imminent fire danger and fears it is a fire hazard for his own home. The Council stated the code enforcer is acting on the situation.

As advertised, the Council opened the bids for the Onan generator. One bid was received from Jim Weixel of Sioux Falls for \$510.00.

Motion by Flemmer, seconded by Schwingler to accept the bid of \$510.00 from Jim Weixel for the Onan generator. Roll call vote taken. Delzer-yes, Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes. All voted aye. Motion carried.

As advertised, the Council opened the bids for the Ground Storage Tank. One bid was received from Engineering America for \$42,400.00.

Motion by Eberhart, seconded by Duquette to reject the bid and rebid in the fall/winter and budget to be done next year in the Spring. Roll call vote taken. Delzer-yes, Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes. All voted aye. Motion carried.

Dennis Oswald with the Great Plains Bank was present to request access on 7th Street. They plan to remove the building south of the bank and put in a driveway for customers. The entrance for cars will be from the east going west. The bank will need to make sure they have the right grade at the curb and gutter to ensure drainage flow is fine.

Motion by Duquette, seconded by Flemmer to approve Great Plains Bank's request to have access on 7th Street to put in a driveway. All voted aye. Motion carried.

The land that Game, Fish, and Parks is interested in was discussed. Lee Oster currently has an easement for that land. City Attorney, Marshall Lovrien, advised the Council that the easement exists until two conditions cease, which are that the Osters no longer own it or farm it. The Osters can terminate the easement if they wish to. Lee Oster was present and wishes to keep the easement.

Motion by Heilman, seconded by Schwingler to approve the May 8, 2017, city council meeting minutes, and the May 22, special city council meeting minutes. All voted aye. Motion carried.

The bills from Art's Body Shop, WEB Water, and Dakota Pump and Control were discussed.

Motion by Eberhart, seconded by Heilman to approve the bills as presented. All voted aye. Motion carried.

Bills for June 12, 2017: Gary Ackerman, library lights repair \$65.00; Art's Body Shop, wrecker service \$30.00; Great Plains Insurance, airport insurance \$1,563.00; Dakota Electronics, siren repair \$375.65; Valleytel, utilities \$417.67; Olson Consulting, code enforcement \$1,098.50; The Stop, gas/supplies \$181.65; Susan Fischer, library supplies \$243.96; Michael Mundt, library computer repair \$75.00; Fischer Fencing, fence at beach/lake \$917.68; Northwest Blade, advertising/publishing \$485.65; SD Public Assurance Alliance, insurance \$19,483.43; Newman Traffic Signs, street sign posts \$258.70; Bank of America, library books \$73.87; Bank of America, library books \$333.38; Heartland Waste, sanitation fees \$5,788.70; Lyle Signs, no lifeguard signs \$90.18; Bantz, Gosch & Cremer, attorney fees \$516.64; Dept of Revenue, public health laboratory \$29.00; Hometown Boutique, City flowers (Garden Club) \$86.20; SD One Call, message fees \$8.40; SD Gov't Finance Officers' Assn., FO school registration fee \$75.00; Premier Equipment, repairs/supplies \$1,389.09; USA Blue Book, supplies/nonpotable water sign \$42.32; A&B Business, copier contract/supplies \$85.79; Eureka Manufacturing, repairs/supplies \$235.63; Pollardwater, supplies \$52.75; Dakota Pump & Control, repairs/maintenance \$2,790.62; Dakota Country, supplies \$113.65; SD Dept of Revenue, drivers licensing \$162.00; MDU, utilities \$5,009.66; WEB, water \$4,499.58; FEM, utilities \$1,119.19; Wellmark, health insurance \$2,815.81; Guardian, dental/vision insurance \$318.69; SD Retirement, retirement \$1,137.96; Eureka Community Health Services – Avera, 3rd and 4th (final) pledge payments \$50,000.00; Great Plains Bank, payroll taxes \$2,913.24; Great Plains Bank, utilities \$20.75; McPherson Co. Auditor, police contract \$3,500.00; Postmaster, stamps \$98.00; Rural Development, water project/loan \$1,694.00; SD State Treasurer, sales tax \$469.88; Ken's, supplies \$78.24; Lakeside Lumber, supplies \$224.16; Servall, cleaning supplies \$149.83; Paulette Bauer, FO school conference mileage/meals \$198.93; Kary's, gas/tire repair \$310.50; Josh Raile, customer deposit refund \$75.00; Angela Smith, customer deposit refund \$75.00; Gladys Schott, customer deposit refund \$75.00; The Stop, customer deposit refund \$75.00; Jonathan Allbee, customer deposit refunds \$150.00.

Motion by Schwingler, seconded by Flemmer to approve the financials. All voted aye. Motion carried.

Motion by Flemmer, seconded by Delzer to approve the building permits. All voted aye. Motion carried.

Motion by Heilman, seconded by Schwingler to approve the payroll report. All voted aye. Motion carried.

Deputy Smith is currently gone. The Council reviewed the police report he submitted. Motion by Schwingler, seconded by Heilman to approve the police report. All voted aye. Motion carried.

Motion by Eberhart, seconded by Heilman to approve the Mayor's appointment of seasonal Assistant Public Works Director, John Huber. All voted aye. Motion carried.

John Huber gave his oath as Assistant Public Works Director.

Kyle Hemeyer gave the Public Works Director report. Dakota Electronics found only one siren not working. A fuse had went out. Kyle was shown by them how to test the sirens and common things that go wrong. The Council asked Kyle to look into and set a delay on the noon whistle like before.

Kyle contacted Colin Fischer to repair the guard rail on 10th Street. It should be done next week.

Kyle is waiting on CAT yet to finish installing the new generator. It should be done on Thursday.

The ground storage tank's seal failed so will need a new seal. Once fixed will then have to fill the tank back up. It should be done late this week or early next week.

Jensen's are done with hotmix. Kyle estimates 530-580 tons were used for street repairs.

Supports will need to be put under a long section of steel pipe for the artesian well. Kyle would like to put a concrete pad underneath it.

Mike Evers with the artesian well's engineering firm, WWC Engineering, was present to discuss the project. He addressed the liquidated damages clause in the contract agreement. The Council asked Mike what options they would have for the steel pipe needing supports. Mike stated he felt the City could pursue something underground for the steel pipe if they wished to. The Council will discuss the artesian well further in executive session.

The Council asks that the City maintenance workers work on street sweeping, test the water at the lake weekly, open the bathhouses at the lake, put the volleyball and tennis court nets up at the park, and spray the weeds at the park.

The Community Access grant and the 9th Street repair project was discussed. The State revised the agreement and Helms sent an updated cost estimate. The estimated total cost of the project is \$118,736.38. The State pays 60% of the construction costs, but not more than the grant funds of \$88,000.00. The City pays 40% of the construction costs. The estimated total construction costs are \$99,237.00. The City must also pay all the engineering costs, which are an estimated \$19,500.00. The Council will discuss the grant and project further in executive session.

No action taken on the 2017 Community Access Grant application.

The code enforcement report was reviewed. The cost of the abatements was discussed. The Council mentioned the possibilities of meeting and working with Eureka Beautification and the County on the code enforcement abatements.

City Attorney, Marshall Lovrien, reviewed the City's current ordinance regarding the impoundment of dogs. The ordinance currently reads a minimum \$25.00 impoundment fee and \$2.00 per day boarding fees. Marshall stated that Sioux Falls' ordinance has a first, second, and third offense impoundment fee schedule and \$8.00 per day boarding fees. He stated that Aberdeen's ordinance is a minimum \$40.00

impoundment fee and \$10.00 per day boarding fees with a \$100.00 refundable deposit if the dog is licensed within 30 days. The Council asked Marshall to amend the City's ordinance to \$10.00 per day boarding fees with the \$25.00 impoundment fee as is.

Drivers licensing is offered as a service to the City by the office staff. It has become demanding every Wednesday and is proposed to be offered two Wednesdays a month or once a month.

Motion by Heilman, seconded by Schwingler that starting in July to have drivers licensing twice a month on the 1st and 3rd Wednesdays of the month. All voted aye. Motion carried.

Due to the dry conditions, City water restrictions were discussed. Kyle stated that the pump is running a lot, but the well is currently keeping up. Mayor Miller will follow up with MDU on the frequent power outages the City has been having.

The City's current water rates were discussed. WEB Water will be increasing their rates in the fall of this year. In addition, Ferguson Waterworks will be providing quotes on water meter warranty replacement costs for the City. The Council asks that water rate information of other cities be collected by the Finance Office for discussion at the next meeting.

Motion by Eberhart, seconded by Schwingler to have no truck traffic on G Ave. and H Ave. between 1st Street and 3rd Street (Hwy 47). Roll call vote taken. Delzer-yes, Duquette-yes, Eberhart-yes, Flemmer-yes, Heilman-yes, Schwingler-yes. All voted aye. Motion carried.

RESOLUTION 2017R-2

Be it resolved, the City of Eureka is eliminating truck traffic on G Ave. and H Ave. between 1st Street and 3rd Street (Hwy 47).

Dated this 12th day of June, 2017.

Lloyd Miller, Mayor

ATTEST:

Nicole Frerk, Finance Officer

The Council requests City Attorney, Marshall Lovrien, contact the State to obtain permission to allow the City to put up four no truck signs and also put up truck route signs.

The Elected Officials workshop in Pierre will be July 19. Council members Heilman and Eberhart may be interested in attending.

Chris Gonska was present at the meeting to discuss his claim that the City's well water use has damaged his dishwasher, trays, lids etc. The Council advised Gonska to submit a claim to the City's insurance company. In addition, the Council discussed ordering potassium to add to Well #1.

Gonska also was present to discuss damage to his trailer by a City employee when the employee was helping remove tree branches from the trailer. The Council advised Gonska to submit a claim to the City's insurance company.

Motion by Schwingler, seconded by Delzer to change First State Bank of Roscoe CDs 28283 and 28284 to a 12 month term with increased interest rates of 1.15%. All voted aye. Motion carried.

The Council tabled the Airport Layout Plan approval until the next meeting after they seek clarification from Steve Aldinger with Interstate Engineering.

Motion by Flemmer, seconded by Heilman to approve the Mayor to sign the Taxilane Project grant and contracts. All voted aye. Motion carried.

The Council chose the color sand for the Information Center siding.

The Council reviewed a letter from Anthony and Patricia Kunz requesting to have Lot 3A of the Boschee Addition annexed into the City of Eureka, and also requesting the lot be rezoned from residential to commercial. The Zoning Board will be scheduled to meet first and then further discussion and approvals are tentative for the next Council meeting.

Motion by Delzer, seconded by Flemmer to go into executive session at 9:22 p.m. All voted aye. Motion carried.

Motion by Eberhart, seconded by Flemmer to come out of executive session at 10:15 p.m. All voted aye. Motion carried.

Motion by Flemmer, seconded by Delzer to accept Susan Fischer's resignation as City librarian. All voted aye. Motion carried.

Motion by Delzer, seconded by Duquette to advertise the part-time City librarian position with hours negotiable and pay based upon experience. Position is open until filled. All voted aye. Motion carried.

Motion by Heilman, seconded by Delzer to adjourn the meeting at 10:17 p.m. All voted aye. Motion carried.

Mayor Lloyd Miller

Nicole Frerk, Finance Officer