

Minutes for August 13, 2018 City Council Meeting

The meeting of the Eureka City Council was called to order on August 13, 2018, at 7:00 p.m. by Mayor Miller in the council room of the Municipal Building with the following present: Mayor Miller, Council members: Flemmer, Yarr, Schwingler, Woehlhaff, Eberhart, Heilman; City attorney, Marshall Lovrien; and Finance Officer Frerk.

Any changes/additions: Senior Center budget request; Park improvements; Northern Plains propane.

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

Citizen Open Forum:

Polly Gab was present and asked the Council if golf carts were allowed on the streets in Eureka. Council stated they will need to check with law enforcement.

Perry Thompson was present for the American Legion requesting the yearly stipend for the baseball program. He stated next year they will be using the baseball park. He is requesting \$2,000.00 for the baseball program this year. The Council informed him to submit a written request for the financial contribution and what it is for to the City office.

April Bowler with Clark Engineering was present to discuss the McPherson County signing project. Clark Engineering will be updating the street signs and this project is 100% federally funded. They will only be updating the County and City road signs. They will start taking inventory this summer. Signs will be obtained next fall and constructed in 2020.

The Park Rangers with Empower were present to give the Council an update on park improvements. The Boy Scouts and numerous other volunteers have helped out this summer. Lots of weeding was done at the tennis court and softball fields, the dugouts were painted, and other repairs made. Lots of time was volunteered in making these improvements.

Daren Peterka with Interstate Engineering was present to give an update on the airport's beacon pole project and give the completed water study report. The beacon pole project should be taking place mid to late September, and Steve and Ben are working on setting up the pre-construction conference for the project. To complete the water study, Daren has reviewed past work including mapping and construction plans. After system review and analysis, projects were identified that should be completed yet. He reported that asbestos is not an immediate concern. Budgeting recommendations for immediate needs up to Year 20 improvements were also given.

Motion by Eberhart, seconded by Schwingler to approve the payment of \$14,000.00 to Interstate Engineering for professional services for the beacon pole project. Roll call vote taken. Flemmer-yes, Yarr-yes, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes. All voted aye. Motion carried.

Flemmer reported that there is a clay pile out at the City shop from previous water and sewer projects. He was approached by a citizen asking if they could take from the clay pile. Motion by Flemmer, seconded by Woehlhaff to approve the citizen's request to take from the clay pile. All voted aye. Motion carried.

The Council took a 10 minute break to honor Mayor Miller's 80th birthday with cupcakes for everyone in attendance.

The Council discussed the hours at the landfill. There was discussion on having more hours and flexibility. There was discussion on whether to go back to allowing contractors to check out a key or whether to increase Terry's hours out at the landfill. Motion by Heilman, seconded by Schwingler to increase Terry Kallenberger's hours at the landfill from 9:00-5:00p Monday-Friday and 9:00-12:00p Saturday as soon as available. All voted aye. Motion carried.

Heartland Waste was contacted and is willing to allow the City to use a 6 yard dumpster inside the locked landfill at no charge for dumping plastic and cardboard. When the dumpster is full the City is to call in and let Heartland know. The Council is agreeable to having the dumpster in the landfill and requests Heartland be contacted and notified.

Mark Opp was present to discuss damaged curb and gutter by his house by the City's snow blader in 2017. Mark submitted a claim to the City's insurance company and has recently received a letter from them that the claim was denied. He asked the Council which City ordinance explains who is responsible for the curb and gutter and which ordinance states the City owns it. The Council stated they will look into it and discuss later.

Mark Opp also discussed the baseball park and asked the Council to budget for it in 2019 for costs associated with the updates and repairs needed.

Mayor Miller proposed to the Council a resolution regarding the building permits obtained due to the hail storm damage. This is an exception to the ordinance.

RESOLUTION 2018R-1 STORM DAMAGE BUILDING PERMITS

Whereas, on Thursday afternoon, May 17, 2018, a severe hail and wind storm hit the City of Eureka, causing thousands of dollars in property damage to buildings (ie, roofs, windows, siding, et al), this being considered an 'Act of God'; and

Whereas, according to Eureka City Code (15.12.010 parts C and E) Building Permits are required through the City Finance Office when storm damage repairs are being made; and

Whereas, many residents and businesses (about 80 as of August 11) have applied and paid for Building Permits for repairs of damages incurred in the hail and wind storm, much of which was covered by insurance; now therefore

Be it resolved that funds paid for Building Permits for storm damage repairs be refunded to residents and businesses that have applied to date, August 13, 2018, because hail and wind storm was an 'Act of God' and repairing storm damage does not change property values, and

Be it further resolved that the many more repairs that will be made over the next two years, future Building Permits to repair damages from this hail and wind storm be issued without cost until May 17, 2020.

Motion by Heilman, seconded by Yarr to approve Resolution 2018R-1 – Storm Damage Building Permits. Roll call vote taken. Flemmer-yes, Yarr-yes, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes. All voted aye. Motion carried.

The youth golf program does not wish to report a 2019 budget request at this time. Kelly Fargher gave the Council an update on their fundraiser they held. She reported they raised between \$1,000-1,200.00.

Mel Kary was present to request an increased budget allocation for fireworks in 2019.

Kaytlin Beck was present to give a report on ECDC and to request 2019 budget consideration of \$14,650.00 for ECDC.

The Council reviewed the Senior Center's request for a financial contribution of \$1,500.00 in the 2019 budget.

Woehlhaff discussed maintenance that needs to be done at the parks including ballfield work and cleaning up dead trees and stumps. She believes the Council needs to allocate money for these updates and repairs, and possibly get into a maintenance contract with someone to help get things cleaned up. The Council requests Public Works Director, Glen Olene, identify the trees and stumps that need to be removed. Motion by Eberhart, seconded by Yarr to advertise for tree and stump removal by sealed bid. All voted aye. Motion carried.

There will be a special meeting on Thursday, August 16, at 7:00 p.m. to discuss the 2019 budget.

Motion by Heilman, seconded by Schwingler to approve the July 9, 2018, city council meeting minutes, and the July 17, 2018, special city council meeting minutes. All voted aye. Motion carried.

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

Bills for August 13, 2018: Glen Olene, meals-travel water certification class \$96.00; Glen Olene, insurance stipend \$200.00; Janene Playle, customer deposit refund \$134.20; Wellmark, health insurance \$2,546.08; Eureka Junior Golf, contribution \$2,000.00; DENR, water distribution exam \$10.00; Interstate Engineering, airport layout plan \$16,000.00; Great Plains Bank, utilities \$16.15; Great Plains Bank, payroll taxes \$5,058.50; FEM Electric, utilities \$529.24; Guardian, dental/vision insurance \$396.01; SD State Treasurer, sales tax \$776.01; SD Retirement, retirement \$1,724.02; WEB, water \$7,452.33; Valleytel, utilities \$404.32; Bank of America, library books \$207.25; USDA Rural Development, water project loan \$1,694.00; A&B Business, supplies/copier contract \$344.18; Eureka Manufacturing, repairs \$520.03; Northwest Blade, publishing \$432.55; Kary's Tire, repairs/gas \$184.77; MDU, utilities \$5,816.85; JP Cooke, 2019 dog license tags/books \$95.96; Banyon Data System, customer support (software) \$2,680.00; Heartland Sanitation, sanitation fees \$6,256.80; Crady Radiator, mower repairs \$95.00; Crossroads Hotel, travel-water certification class \$200.18; Premier Equipment, parts \$1,171.38; SD Dept. of Revenue, water samples \$98.00; DSG, supplies \$83.34; SD One Call, message fees \$11.55; Bantz, Gosch & Cremer, attorney fees \$1,394.51; Lloyd Miller, mileage \$169.68; Glen Olene, mileage \$208.74; Ferguson Water Works, software maintenance \$500.85; Hawkins, chlorine \$664.58; Dawn Regula, supplies \$37.59; Postmaster, postage \$100.00; McPherson County Auditor, police contract \$3,750.00; Sharon Johnson, customer deposit refund \$75.00; Mark Hanson, customer deposit refund \$75.00; Joe Kenyon, customer deposit refund \$75.00; Jean Croshaw, customer deposit refund \$75.00;

Luke Panning, customer deposit refund \$75.00; Eric Mehlhaff, customer deposit refund \$75.00; Mark Lang, customer deposit refund \$75.00; SD Dept. of Revenue, drivers licensing \$66.00; Olson Consulting, code enforcement, \$204.50; Ken's Food Fair, supplies \$130.25; Servall, supplies \$441.95; New Deal Tire, tire removal from landfill \$8,846.20; The Stop, gas \$349.22; Dakota Pump & Control, lift station repairs \$1,270.00.

Motion by Heilman, seconded by Woehlhaff to approve the financials. All voted aye. Motion carried.

Motion by Schwingler, seconded by Woehlhaff to approve the building permits. All voted aye. Motion carried.

Motion by Eberhart, seconded by Yarr to approve the payroll report. All voted aye. Motion carried.

The Council reviewed the updated code enforcement report from Code Enforcer, Mike Olson.

Deputy Ted Smith gave the police report. They discussed an animal complaint. They also discussed if golf carts are allowable on the City streets. The Council said continue to allow them.

Motion by Flemmer, seconded by Schwingler to approve the water tower inspection with Maguire Iron in the amount of \$2,450.00. Roll call vote taken. Flemmer-yes, Yarr-yes, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes.

Dakota Pump & Control serviced all three lift stations. They replaced pump #1 with a new pump that was on hand. The old pump is obsolete and too old to rebuild. We have one more on hand that is a used pump. Lift station #2 by the Fire Hall is good. Lift station #3 by the south side of the enclosed baseball field the pump is good, but needs a one inch guide rail flange. The lift stations maintenance contract will be considered during the 2019 budget discussion.

Eberhart reported leaking at the artesian well. The maintenance department will look into it.

Glen Olene gave the Public Works Director report. The sewer abandonment and street repair by the lake will be done on August 21. On K Ave. & 9th St. they will be doing storm sewer repair on August 14. Glen is working on getting a quote for the 2019 budget from Traffic Solutions to paint the parking lines on G Ave. The Council approved the maintenance department to purchase an A/C for the WEB tower booster VFD. Glen is also working on getting a quote for the second pump in the WEB tower.

Motion by Flemmer, seconded by Schwingler to do summer fill of propane at 95 cents per gallon with Northern Plains. All voted aye. Motion carried.

Motion by Schwingler, seconded by Heilman to contract 3,000 gallons of propane pre-pay at \$1.43 per gallon with Northern Plains. All voted aye. Motion carried.

Heilman gave report on his follow up with Weisbeck Construction on the Visitor Center floor leakage. Last year flashings were put inside and outside. Unfortunately, the Visitor Center was constructed as not being enclosed and was never built and meant to be enclosed; therefore, there is nothing that can be done from stopping the water issues from happening. No action taken.

There were two bids for the EMS garage roof: William Bray \$3,600.00 and BOS Construction \$7,676.04. Motion by Heilman, seconded by Yarr to approve BOS Construction's bid of \$7,676.04 to do the EMS garage roof. All voted aye. Motion carried.

Finance Officer Frerk will follow up with Les's Standard on A/C unit quote for the EMS garage. The current unit was damaged in the hail storm.

There were two bids for the EMS building roof: William Bray \$7,200.00 and BOS Construction \$4,816.08. Motion by Eberhart, seconded by Woehlhaff to approve BOS Construction's bid of \$4,816.08 to do the EMS building roof. All voted aye. Motion carried.

There were two bids for the City Hall building roof: William Bray \$10,000.00 and BOS Construction \$6,889.67. Motion by Schwingler, seconded by Flemmer to approve BOS Construction's bid of \$6,889.67 to do the City Hall building roof. All voted aye. Motion carried.

There were three bids for the two dugout roofs: William Bray \$800.00, Kleinschmit Construction \$2,690.67, and BOS Construction \$2,745.86. Motion by Heilman, seconded by Flemmer to approve William Bray's bid of \$800.00 to do the two dugout roofs. All voted aye. Motion carried.

There were three bids for the WEB pump house roof: BOS Construction \$1,605.32, Kleinschmit Construction \$1,584.01, and William Bray \$750.00. Motion by Heilman, seconded by Eberhart to approve William Bray's bid of \$750.00 to do the WEB pump house roof. All voted aye. Motion carried.

There were three bids for the City shop (shingles only on the eyebrow): BOS Construction \$3,433.79, Kleinschmit Construction \$2,999.08, and William Bray \$34,000.00. Motion by Woehlhaff, seconded by Schwingler to approve Kleinschmit Construction's bid of \$2,999.08 to do the shingled eyebrow on the City shop. All voted aye. Motion carried.

There were two bids for the South Picnic Shelter roof (west of the beach house): BOS Construction \$1,012.83 and Kleinschmit Construction \$1,398.27. Motion by Eberhart, seconded by Flemmer to reject both bids for asphalt shingles and ask BOS Construction and Kleinschmit Construction for steel roof bids. All voted aye. Motion carried.

There was continued discussion on ordinance Chapter 15.12 – Building Permits with the City attorney. Tabled until next month's meeting.

Mayor Miller proposed an ordinance be written setting the term of office for Mayor be four years and for alderman be three years. He suggested instead of the present where each ward elects an alderman each year, the following form be set beginning with the 2020 election:

Mayor, elected to a 4 year term;

Ward 1, elect 2 persons to serve 1 year, until 2021 when 2 would be elected/re-elected to a 3 year term. Both persons terms to be elected/re-elected every 3 years, ie, 2022, 2025, etc.

Ward 2, elect 2 persons to serve 2 years, until 2022 when 2 would be elected/re-elected to a 3 year term. Both persons terms to be elected/re-elected each 3 years, ie, 2024, 2027, etc.

Ward 3, elect 2 persons to a 3 year term. Both persons to be elected/re-elected every 3 years, ie, 2025, 2028, etc.

Or Mayor Miller suggested to just leave things as they are. He asked the Council to review and consider, and asked them for their thoughts and ideas. Tabled until next month's meeting.

Per Council request, the City attorney revised Ordinance 8.12.020, paragraph D as follows: Overgrown (as defined as more than four-inches in length) vegetation, grass, or weeds, which are unsightly and/or likely to harbor rats or vermin. Motion by Eberhart, seconded by Schwingler to approve the first reading of revised Ordinance 8.12.020 – Maintenance of premises and buildings. Roll call vote taken. Flemmer-yes, Yarr-yes, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes. All voted aye. Motion carried.

Motion by Heilman, seconded by Flemmer to go into executive session at 10:22 p.m. All voted aye. Motion carried. Public Works Director, Finance Officer, and Deputy Finance Officer in attendance.

Motion by Eberhart, seconded by Yarr to come out of executive session at 11:00 p.m. All voted aye. Motion carried.

Motion by Heilman, seconded by Eberhart to have the City's attorney, Marshall Lovrien, seek the return of the City's down payment to Engineering America in the amount of \$12,000.00. All voted aye. Motion carried.

Motion by Flemmer, seconded by Yarr to adjourn the meeting at 11:06 p.m. All voted aye. Motion carried.

Mayor Lloyd Miller

Nicole Frerk, Finance Officer