

Minutes for October 15, 2018 City Council Meeting

The meeting of the Eureka City Council was called to order on October 15, 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, Schwingler, Woehlhaff, Eberhart, Heilman; and Finance Officer Frerk and City attorney, Marshall Lovrien. Absent Yarr.

Others: Jaci Eberhart, Rosa Jundt, Judy Dohn, Polly Gab, Paulette Bauer, Glen Olene, Kelly Fargher, and Kaitlin Pederson.

Any changes/additions: none.

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

Citizen Open Forum: none.

Jaci Eberhart was present for ECDC to introduce their new director, Kaitlin Pederson. She has been hired and will be starting on October 17. She was hired for 16 hours per week. Once she knows her set hours she will be letting everyone know.

Motion by Flemmer, seconded by Schwingler to approve the temporary malt beverage license for the Eureka Fire Department's Hunter's Steak Fry on Saturday, October 20. All voted aye. Motion carried.

Rosa Jundt was present with the Community Center Empower group to review the Community Center survey results with the Council. They also discussed the Community Center tours they went to in other communities. There was discussion on finding a location, the building, grant writing etc. and moving forward working together with the City on it. There will be continued discussion over the next several months.

Scott Raile was present asking for permission to dig a waterline across City property on the west side of town. Motion by Schwingler, seconded by Eberhart to approve a license for Scott Raile to dig a waterline across City property. All voted aye. Motion carried.

Motion by Flemmer, seconded by Heilman to approve Mike Dosch for some of the City's fill dirt. All voted aye. Motion carried.

Motion by Heilman, seconded by Woehlhaff to approve the September 10, 2018, city council meeting minutes, and the September 24, 2018, special city council meeting minutes. All voted aye. Motion carried.

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

Bills for October 15, 2018: WEB, water \$8,926.26; FEM, utilities \$414.00; Aflac, August insurance \$197.86; Interstate Engineering, airport beacon pole project \$14,000; Guardian, dental/vision insurance \$396.01; Great Plains Bank, payroll taxes \$3,307.45; SD Retirement, retirement \$1,475.60; Great Plains Bank, utilities \$16.20; USDA Rural Development, water project loan \$1,694.00; US Bank, SRF clean water loan \$18,181.32; SD Dept of Labor, unemployment insurance \$13.79; Glen Olene, insurance stipend \$200.00; Glen Olene, cell phone stipend \$25.00; Paulette Bauer, meals-conference \$96.00; Wellmark,

health insurance \$2,546.08; American Legion, baseball program \$3,000.00; Duininck, Inc., Hwy 10 sewer project, \$51,475.39; Aflac, September insurance \$197.86; SD State Treasurer, sales tax \$593.91; Jeremy Eberhart, mileage \$106.68; Tim Yarr, mileage \$106.68; Dakota Country, supplies \$1,293.65; Connelly, supplies \$1,870.00; Bank of America, library books \$146.70; Hawkins, chlorine cylinder \$10.00; Servall, supplies \$386.38; Postmaster, stamps/UB postage \$600.00; Ken's, supplies \$143.82; Valleytel, utilities \$244.86; A&B Business, copier \$71.61; SD Dept of Transportation, signage \$16.00; Luceil Opp, building permit refund \$10.00; Vilas Pharmacy, supplies \$76.16; Kary's, gas/repairs \$223.00; Heartland Waste, sanitation fees \$6,230.40; Paulette Bauer, mileage \$106.68; McPherson County Auditor, police contract \$3,750.00; MDU, utilities \$8,760.56; Bantz, Gosch & Cremer, attorney fees \$1,958.19; J&R Plumbing, sewer maintenance \$375.36; Premier Equipment, supplies \$264.46; Roto Rooter Sewer Service, maintenance \$439.31; Glacial Lakes & Prairies, advertising \$200.00; Davis Equipment, supplies \$41.05; Ryan's Candy, supplies \$76.41; Olson's Consulting, code enforcement \$717.50; SD Dept of Revenue, drivers licensing \$110.00; Sewer Duck, portapot (landfill) \$630.00; SD Dept of Health Lab, water samples \$168.00; Lloyd Miller, mileage \$126.00; Hawkins, chlorine cylinder \$234.11; Eureka Ready Mix, flowable mix \$1,690.00; Julina Aman, customer deposit refund \$75.00; Jolene Mindt, customer deposit refund \$75.00; Glen Tomoson, customer deposit refund \$75.00; DENR, certification exams \$20.00; FNS Construction, shingling/hail damage \$1,550.00; Milbank Winwater, artesian well supplies \$1,784.75.

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

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

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

Deputy Ted Smith gave the police report.

Glen Olene gave the Public Works Director report. The 701 J Ave camera from the main to the house found no connection for the sewer line. Glen ordered new leaf springs for the sand and salt spreader. The Council advised Glen to have Dakota Country fill the fuel for the generators. Glen and Larry have been working on repairs to the sewer jetter. The parts for the artesian well are in to bury it. The Council discussed purchasing a new sewer jetter and repairing the old one to sell or trade. Glen will get quotes on a new sewer jetter.

The Council reviewed quotes for a new skid steer – Premier Equipment/New Holland \$51,000; RDO Aberdeen/John Deere \$51,450 and \$52,450; and Titan Machinery/Bobcat \$46,843. Motion by Eberhart, seconded by Heilman to accept the bid from Titan Machinery for a Bobcat skid steer for \$46,843. Roll call vote taken. Flemmer-no, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes. 4-1, motion carried.

Mike Olson was present to discuss the updated code enforcement report. He informed the Council that he issued a notice for a lot northwest on C Ave to remove vehicles, etc. or apply for a variance from the City. Mike also discussed the property at 716 10th St. and informed the Council that he has been working on this property since March 2016. The residential dwelling removal took 2 years. At the time, it was agreed that all structures would be removed. The garages were left and numerous extensions have been granted to remove them. Mike is asking the Council if they are prepared to move forward with removal

of the remaining structures. The City attorney recommends further discussion in executive session due to possible litigation. In addition, Mike discussed the property at 419 F Ave. Owners on the deed are Joseph and Kari Fischer. Kari is willing to give up property, but Joseph cannot be located. Mike discussed with the City attorney and recommendation is a quit claim deed. Eureka Beautification has expressed interest in the property. Also, Mike has found a removal agency that would be no cost to the City to remove vehicles. As well as, Mike sent a grass violation notice to the property at 1703 K Ave.

The current bulk water rates are \$6.50 per 1,000 gallons. Motion by Eberhart, seconded by Woehlhaff to increase the bulk water rates to \$8.00 per 1,000 gallons effective immediately. Roll call vote taken. Flemmer-yes, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes. All voted aye. Motion carried.

The City attorney, Marshall Lovrien, presented his suggestions for revision to Ordinance Chapter 15.12 – Building Permits. He recommends the City continue to use the uniform building codes as governing all. He then recommends to require a building permit for all projects if over a set cost amount. If under that amount, they do not need a building permit. In addition, he recommends that the ordinance allow the Council to no charge for building permits due to hail storms, tornadoes, etc. The Council discussed requiring a separate fence permit when putting up any fence no matter the cost. The Council instructed the City attorney to revise the ordinance with these recommendations and the set amount for building permits to be required at \$2,000.00 and all building permits and fencing permits will be charged a flat fee of \$30.00 per permit. The first reading of the revised ordinance tabled until next month's meeting.

Motion by Heilman, seconded by Schwingler to approve the first reading of Ordinance 2.04.000 – Composition, Eligibility, Election and Terms. Roll call vote taken. Flemmer-yes, Schwingler-yes, Woehlhaff-yes, Eberhart-yes, Heilman-yes. All voted aye. Motion carried.

Motion by Flemmer, seconded by Woehlhaff to approve the Amerian Legion gun raffle to help fund a 100th Legion birthday party to be held in June at the Eureka Park. All voted aye. Motion carried.

Motion by Heilman, seconded by Eberhart to approve the Ducks Unlimited 2018 raffle to raise funds for the Ducks Unlimited banquet on October 27, 2018. All voted aye. Motion carried. The Council would like further clarification of the year round raffles. Tabled until next month's meeting.

The Council discussed the library's request to try to raise donations toward a new computer, iPad, and printer for the library by offering a free new book, which are duplicates in the library, to anyone who donates money toward a new computer at the Eureka Holiday Fair. Motion by Woehlhaff, seconded by Schwingler to deny the library's fundraiser and instead pursue research to purchase the necessary items with the help of Kelly Fargher, John Nelson, and Connie Woehlhaff. Tabled until next month's meeting.

Motion by Flemmer, seconded by Eberhart to approve John Nelson within his 20 hour per week limit to produce a digital version of the Eureka City Code Book, which could also be printed if the City would so choose, and maintain the book going forward as changes are made in the code. All voted aye. Motion carried.

The regular November council meeting will be changed to November 15 at 7:00 p.m. since the second Monday in November is an observed holiday.

Mayor Miller requests HRC Bookkeeping Position be discussed in executive session under personnel matters.

Motion by Heilman, seconded by Flemmer to go into executive session at 8:46 p.m. All voted aye. Motion carried. Finance Officer, Deputy Finance Officer, and Public Works Director in attendance.

Motion by Flemmer, seconded by Schwingler to come out of executive session at 10:07 p.m. All voted aye. Motion carried.

Motion by Eberhart, seconded by Schwingler to pass a resolution that effective November 1, 2018, the City of Eureka Finance Office will no longer be responsible for the HRC bookkeeping and day to day management. Roll call vote taken. Flemmer-yes, Schwingler-yes, Eberhart-yes, Heilman-yes. Motion carried.

Motion by Schwingler, seconded by Heilman to adjourn the meeting at 10:12 p.m. All voted aye. Motion carried.

Mayor Lloyd Miller

Nicole Frerk, Finance Officer