

MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE COUNCIL ROOM OF CITY HALL IN SALEM SOUTH DAKOTA ON MONDAY, AUGUST 6, 2012 AT 6:00 P.M.

Mayor Robin Rayman called the meeting to order with Council Members George Eichacker, Laura Gessner, Ben Johnson, Ron Mayrose, Doug Mokros and Terry Forster present. Foreman William Selland, Sam Hohn of Schmucker, Paul, Nohr & Associates; James Leander, Travis Zapp, Bryan Roth representing TrioTel Communications Inc., Mark Reinders and Donna Collins of Mid-American Energy were also present.

Motion Gessner, second Mokros, carried, to approve the July 9, 2012 and July 30, 2012 minutes of as written.

Motion Gessner, second Mayrose, carried, to approve the following reports: the Finance report stating a balance of \$2,201,068.14 for all funds and includes all investments and cash on hand; sewer pumpage of 5,400,000 gallons; water pumpage of 6,442,046 gallons; the bacteriology report was not satisfactory as the total coli form standard was exceeded, and the fluoride report was satisfactory. New water samples were sent in for testing and we are currently waiting on the results; there is no threat to the public. Letters will be distributed to each household within the 30 day time period allowed by the State.

Motion Mokros, second Gessner, carried, to approve the monthly police report from the McCook County Sheriff Dept.

Motion Mayrose, second Mokros, carried, to approve the Foreman report presented by Foreman Selland. The following items were discussed:

- WTP moisture solutions. Quenzer of SPN visited with Selland about placing an HI-E Dry – high efficiency dehumidification system in the WTP. The Hi-E Dry units are used in Water Treatment Plants and indoor swimming pools, carry a 5 year warranty, run on a standard plug in and cost approximately \$3,500.00. Some simple improvements to the conduit going into the PCL panel will be made also at a minimal cost.
- The radius and sidewalk approach at the NE corner of the intersection of Lincoln and Douglas was discussed. James Leander was present for the discussion and presented the Council with pictures of the radius and handicap ramp installed in the City's right-of-way. Leander is asking the radius curb to be squared off so that the curb & gutter going North & East can be attached to it, and is requesting a portion of the sidewalk ramp be cut off due so it is not so high (currently sitting 6" above the existing ground level). Selland will see that the radius curb is squared up when Leander is ready to form up the curb and gutter. Council members Forster and Eichacker will conduct an on-site review of the sidewalk approach and discuss it at the September 10th meeting.
- The state has a truck for sale at the Mitchell auction on September 11th. Street & Equipment committee will look at the vehicle and a decision on bidding will be made at the September 10th meeting.

Motion Mokros, second Johnson, carried, to purchase a Hi-E-Dry dehumidifier for the water treatment plant.

Sam Hohn, SPN, reviewed the 2012 Street Project with the Council.

Motion Mayrose, second Forster, carried, to approve Change Order #1 on the 2012 Street Project which increases the total cost of the project by \$4,425.40. The change order is for additional gravel & asphalt; the added rip rap on Minnesota, and the sidewalk replacement on Lightner.

Motion Mokros, second Johnson, carried, to approve Pay Request #2 from Twedt Construction on the 2012 Street Project in the amount of \$92,683.40. Seeding of the areas behind the curb line that are a part of the project has been put on hold until weather conditions are more favorable.

At 7:00 P.M. a Public Hearing was held to receive comments on the twenty-five year, non-exclusive natural Gas supply, operations, distribution and maintenance franchise renewal with Mid-American Energy. Finance Officer Heumiller stated no written or verbal comments were received, and City Attorney Gerlach reviewed the franchise agreement and verbally gave his approval.

Bryan Roth of TrioTel Communications Inc. met with the Council to discuss the drainage and placement of cement in the alley abutting the TrioTel property in Blk 9, Drakes Addition. A drainage map was presented by Roth. The flow will remain the same as it currently is. Roth asked to remove the requirement of a certified engineer survey and stated he won't have a problem inserting language into an agreement regarding the project not putting any additional water onto neighboring properties.

Motion Mokros, second Mayrose, carried, to approve the drainage map presented; to remove the requirement of a certified engineer's drainage survey, and approve the following language for the agreement to install a cement alley abutting TrioTel Communication Inc. property in Blk 9, Drakes Addition: *"All costs shall be borne by TrioTel Communication Inc., including but not limited to, all preliminary design and surveying; construction; and all future costs of repairs and maintenance. Prior to any construction a drainage survey shall be required and the design would need to ensure that water drains properly and is not drained on or through any neighboring property. Any future drainage issues that arise due to the placement of the cement shall be resolved by TrioTel Communications, Inc. Said survey must be approved by the City Council prior to construction."*

At 7:15 P.M. the Council adjourned as Regular Council and reconvened as a "Board of Adjustment" to hold a public hearing on the variance request of Travis and Sammie Zapp to build a garage ten foot from the alley instead of the required twenty foot.

Finance officer Heumiller stated there were no written comments and one verbal comment in favor of the variance was received.

Council discussed parking and drainage. Travis Zapp stated there would be a culvert installed and doesn't plan on parking on the driveway; it would be used as an access into the garage. Zapp further stated that the neighbor's garage is very close to the property line and if he moves the garage back the 20' the buildings would be very close together.

Motion Forster, second Gessner, carried, to approve the variance request from Travis and Sammie Zapp to build a garage ten foot from the alley instead of the required twenty foot.

Council adjourned as "Board of Adjustment" and reconvened as Regular Council.

Committee reports were given.

Motion Mayrose, second Mokros, carried, to approve the following claims:

PAYROLL: FINANCE OFFICE \$3835.36; STREETS \$2570.96; SUMMER REC \$3534.88; ARMORY \$1087.76; BURN SITE \$549.84; POOL \$7080.16; PARKS \$3442.27; WATER \$2681.98; SEWER \$907.39; PAYROLL TAXES \$1908.99; CITY SHARE: HEALTH \$2499.84; DENTAL \$94.78; AFLAC \$107.52; RETIREMENT \$791.02.

CLAIMS: A & B BUSINESS EQUIPMENT, MAINTENANCE CONTRACT, 140.86; ALEX SMART, 2012 UMPIRING FEES, 385.00; ANTHONY TUSCHEN, UMPIRING FEE, 15.00; C & B OPERATIONS, LLC, BLADES & BELT - JD MOWER, 105.48; CALVIN SANDINE, RADIUS - CENTER/JACKSON & DOUGLAS/LINCOLN, 1244.40; CENTRAL FARMERS CO-OP, FUEL - STREETS/SEWER, 391.49; DAKOTA PUMP & CONTROL, MAINTENANCE AGREEMENT – LIFT STATIONS, 945.00; DAKOTA PUMP INC, WTP FAILURE - PLC SERVICE, 331.63; DAMIAN WERTH, DEPOSIT REFUND, 48.80; DEPT OF REVENUE – REMITT., WATER/POOL SAMPLING FEES, 116.00; GAETZE MFG INC., MAINTAINER - FAB/INSTALL CYLINDER, 5018.20; GESSNER WELDING INC, SUPPLIES: POOL & MAINTAINER, 54.89; HAWKINS INC, CHEMICALS – WTP, 996.00; CHEMICALS – POOL, 169.78; HD SUPPLY WATERWORKS, 40 - FILTERS WTP, 543.60; IRON WHEEL SALES & SERVICE, POOL SUPPLIES, 22.61; J & L SUPPLY, WEED CONTROL CHEMICALS, 67.50; JOHNSON BROTHERS FAMOUS BRANDS, MERCHANDISE OPERATING AGREEMENTS, 5162.77; JON FORSTER, UMPIRING FEES, 250.00; KOLBECK, TOM, 2012 SIGN RENTAL, 350.00; LACEY RENTALS INC, RESTROOM RENTAL, 250.00; LAURA WARNER, REFUND – (2) SWIMMING LESSON FEES, 30.00; MARSHALL SPAANS, UMPIRING FEE, 15.00; MC&R POOLS INC, POOL CLARIFIER CHEMICALS, 895.51; MCCOOK COUNTY AUDITOR, LAW AGREEMENT -

AUGUST 2012, 6985.34; MCLEOD'S PRINTING & OFFICE SUPPLY, LASER CHECKS - FIN OFFICE, 255.32; MEDTECH WRISTBANDS, POOL: WRISTBANDS, 166.25; MICHAEL TODD & COMPANY INC, (36) BLUE MARKING PAINT, 206.89; MID-AMERICAN RESEARCH CHEMICALS, SUPPLIES: PARKS/ARMORY, 149.59; SUPPLIES: LAGOON, 835.83; MIDAMERICAN ENERGY CO, UTILITIES, 93.08; NOVAK SANITARY SERVICE, GARBAGE CONTRACT – JULY 2012, 6182.57; OAKLAND IRRIGATION LLC, SERVICE ON SPRINKLER SYSTEM & (4) HEADS, 314.41; PALACE CLEANERS INC, RUG SERVICE: ARMORY/CITY, 100.75; PETTY CASH - FINANCE OFFICE, POSTAGE: FINOFF/POOL/WATER, 107.38; PROGRESSIVE SALEM ASSN, DONATION - 2012 STREET SPORTS, 713.79; PULSE ELECTRIC INC, REPAIRS WTP - ETHERNET CONNECTION, 40.82; WATER TREATMENT PLANT SPARE COMPONENTS, 6716.74; QUEEN CITY WHOLESALE INC, MERCHANDISE – POOL, 747.35; QUILL CORPORATION, SUPPLIES: CITYHALL & FINANCE OFFICE, 356.86; PRINTER – CITY HALL, 299.99; R & S SANITATION INC, GARBAGE COLLECTION JULY '12, 132.50; REPUBLIC BEVERAGE CO., MERCHANDISE OPERATING AGREEMENTS, 3350.35; ROLING, GAIL E., 2012 SIGN RENTAL, 350.00; SALEM CONCRETE, RADIUS - LINCOLN/DOUGLAS & JACKSON/CENTER, 563.50; SALEM FARMERS MARKET, POOL SUPPLIES & MERCHANDISE, 101.10; SALEM LUMBER CO, SUPPLIES: POOL/PARKS & ARMORY DOOR INSTALLATION, 2280.00; SALEM SPECIAL, PUBLISHING JULY 2012, 238.84; SALEM WATER DEPT, UTILITIES – ARMORY & STREET DEPT., 118.21; SALEM WATER WORKS, DEPOSITS APPLIED TO BILLS: BOOTH, RICKY, 100.00; WERTH, DAMIAN, 51.20; CUSHARD, STEFFANIE, 82.40; PETERSON, TRAVIS, 34.75; KENNEDY, SHARON, 25.00; SCHMUCKER PAUL NOHR & ASSOC., CONSTRUCTION ENGR – 2012 STREET PROJECT, 9498.60; CURB/GUTTER – STAKING 5 PROPERTIES, 1628.75; SCHOENFISH & CO INC, FY10 & FY11 AUDIT, 9500.00; SERVALL TOWEL & LINEN, TOWEL SERVICE – STREETS, 16.64; SHANE WEILAND, UMPIRE FEES, 165.00; SHORT STOP, FUEL: JULY 2012, 190.81; SIOUX FALLS NETWORKS, JULY '12 BACKUP SERVICE, 14.00; SOUTH DAKOTA ONE CALL, JULY 2012 LOCATE TICKETS, 21.00; SOUTHEASTERN ELECTRIC CO, UTILITIES PARKS/SEWER, 131.62; SPECTER INSTRUMENTS, WIN-911 SUPPORT RENEWAL, 395.00; STATE TREASURER, JULY 2012 SALES TAX COLLECTED, 743.97; STEFFANIE CUSHARD, DEPOSIT REFUND, 17.60; STURDEVANT'S - SALEM INC, SUPPLIES: STREETS/H2O, 58.67; T & C'S PIT STOP INC, FUEL PURCHASES JULY 2012, 406.38; THOMSON WEST, LAW BOOK SUBSCRIPTION UPDATES, 177.50; TITAN ACCESS ACCOUNT, LOADER PARTS, 107.43; TRAVIS PETERSON, DEPOSIT REFUND, 25.25; TRIOTEL COMMUNICATIONS INC, UTILITIES, 383.96; VERIZON WIRELESS, UTILITIES, 84.82; XCEL ENERGY, UTILITIES, 9861.05; ZAPP HARDWARE, SUPPLIES: POOL/PARKS/H2O, 111.06.
APPROVED AT JULY 9TH MEETING – COST UNKNOWN DUE TO RETURNS:
DAKOTA SPLASH, WTP FAILURE WATER SUPPLIED TO LOCAL CONSUMERS, 1289.50

Motion Johnson, second Forster, carried, to acknowledge the receipt of the FY2010 and FY2011 audit from Schoenfish Company Inc.

Discussion was held on the quote from Salem Lumber (\$5,746.90) to replace the roof at the shelter due to the damage it received from the May 1st hail storm. The insurance company will be sent the quote and once the project is complete the remaining insurance money will be received.
Motion Mokros, second Mayrose, carried, to replace the roof on the shelter.

Motion Gessner, second Mokros, carried, to approve the Second Reading and Adoption of Ordinance No. 591 – an Ordinance supplementing the 2012 Budget. The budget supplement is for the 675T Asphalt Concrete overlay project; the 2012 Concession Stand/Restroom Project; storm sewer ditch cleanout wages, and the transfer to the water fund to pay off a bond.

Motion Forster, second Gessner, carried, to approve the First Reading of Ordinance No. 592 – an Ordinance granting MidAmerican Energy Company a non-exclusive franchise for a natural gas system.

Motion Mayrose, second Gessner, carried to approve the following resolution:

Resolution No. 2012-005

WHEREAS, the City of Salem in accordance with SDCL 35-4-11 determines the number of On-Sale liquor licenses and Off-Sale liquor licenses that it will approve for the ensuing calendar year and the renewal fees to be charged for the various classifications of licenses; and

WHEREAS, the City of Salem in accordance with SDCL 35-4-103 may charge a fee not to exceed \$50 per year per video lottery machine to those holding alcoholic beverage licenses in the City of Salem; and

WHEREAS, the City of Salem currently has four (4) on-sale liquor licenses and two (2) Off-Sale liquor license.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Salem shall and hereby will approve four (4) On-Sale liquor licenses and two (2) Off-Sale liquor licenses for calendar year 2013.

BE IT FURTHER RESOLVED that the City of Salem will charge an annual renewal fee of \$900.00 for each On-Sale liquor license, a renewal fee of \$300.00 for the Off-Sale liquor license, and a fee of \$50.00 per lottery machine.

Dated this 6th day of August, 2012.

(SEAL)

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Motion Gessner, second Mokros, carried, to adjourn.

Dated this 6th day of August 2012, at Salem, South Dakota.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Published once at the approximate cost of _____.