

**MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE COUNCIL ROOM OF CITY HALL IN SALEM SOUTH DAKOTA ON MONDAY, JULY 9, 2012 AT 6:00 P.M.**

Mayor Kenneth Scott called the meeting to order with Council Members George Eichacker, Laura Gessner, Ben Johnson, Ron Mayrose and Mike McCormick present. Foreman William Selland, Robin Rayman, Terry Forster, Doug Mokros, Jeff Twedt, Roger Duxbury, Keith Paulsen, Doug Stroup, John Osterberg, Myra Osterberg, Randy Sabers, Teri Claussen, Mark Reinders and Donna Collins of Mid-American Energy were so also present.

Motion McCormick, second Mayrose, carried, to approve the minutes of June 11, 2012, and July 2, 2012, as written.

Motion Mayrose, second Johnson, carried, to approve the following reports: the Finance report stating a balance of \$2,297,217.26 for all funds and includes all investments and cash on hand; sewer pumpage of 5,162,000 gallons; water pumpage of 4,423,093 gallons; and the bacteriology and fluoride reports are satisfactory.

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

Motion McCormick, second Gessner, carried, to approve pay request #1 from Twedt Construction Co. Inc. for the 2012 Street Project in the amount of \$53,924.42.

Motion Gessner, second Mayrose, carried, to set the 2012 Seasonal Wage for the assistant coaches at \$8.50 per hour.

Committee reports were given.

At 6:15 P.M. the bids were opened for the 675T of Asphalt Concrete Surfacing as advertised. The following bids were received:

- Twedt Construction Co. Inc., Montrose, SD - \$55,350.00 (\$82.00 T)
- Double H Paving Inc., Tea, SD - \$56,362.50 (\$83.50 T)
- Seal Pros Inc., Harrisburg, SD - \$59,994.00 (\$88.88 T)
- Commercial Asphalt, Mitchell, SD \$60,243.75 (\$89.25 T)

Motion McCormick, second Johnson, carried, to accept the low bid from Twedt Construction Co. Inc. in the amount of \$55,3590.00 or \$82.T for the 675 T of Asphalt Concrete Surfacing bid.

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

- Water Treatment Plant failure. A surge arrester is installed in the panel of the computer systems, further investigation into what this protects and if it's working. A quote from Pulse Electric for a surge suppressor to protect the water treatment plant (includes the VFD's) in the amount of \$2,883.55 was reviewed. Discussion was held on ordering replacement cards to have on hand – all the cards were ordered and 5 were used plus a power source card – replacement cost will be approximately \$6,582.39.
- Discussion was held regarding the baseball field & park improvement requests of the baseball coaches. Items reviewed were fencing, agri-lime, infield grass replacement, dugouts, and backstop with netting.
- Selland informed the Council of the receipt of the new communication equipment for the water tower and WTP.

Motion Mayrose, second Johnson, carried, to purchase the surge suppressor and order the computer components that were replaced in the WTP so all necessary parts are on hand.

Motion Mayrose, second McCormick, carried, to enter into executive session at 6:45 p.m. to discuss potential litigation. SDCL 1-25-2 #3, and personnel performance reviews. SDCL 1-25-2 #1.

Mayor Scott declared out of executive session at 7:00 P.M.

At 7:00 P.M. the Public Hearing was held on the assessment for the curb & gutter improvement on the N5' of 11, 12, 13 14 & all 15 & 16 EX N24'; Blk 74, Pettigrew's 2<sup>nd</sup> Addition to Salem.

Resolution 2012-004 was approved at the June 11, 2012, meeting with a public hearing set for this time for the property owners to appear and be heard.

No written or verbal comments were received and no one was present for the Hearing.

Motion Eichacker, second Gessner, carried, to approve the Curb & Gutter project and the assessment to the property owner as listed in Resolution No. 2012-004 approved at the June 11, 2012, meeting.

At 7:05 PM a Public Hearing was held on the application from the Salem Baseball Team for a temporary malt beverage license to sell beer at the Salem Baseball Field during the District Baseball Tournament to be held Friday, July 20, 2012 through Saturday, July 28, 2012.

No written or verbal comments were received. Roger Duxbury was present for the hearing.

Motion McCormick, second Gessner, carried, to approve the application from the Salem Baseball Team for a temporary malt beverage license to sell beer at the Salem Baseball Field during the District Baseball Tournament to be held Friday, July 20, 2012 through Saturday, July 28, 2012.

Motion Eichacker, second Mayrose, carried, to accept WesTech's offer to replace the nano filtration membranes with NSF 61 certified membranes and the "in-kind" compensation of one field service visit to the city in 2012 and one in 2013 as an extension to the city's service agreement which also includes WesTech's telephone and technical support through 2013 – all at no cost to the City. The Council accepts with the condition the 2012 field service visit be scheduled as soon as possible to help determine and/or resolve the cause of the WTP failure on 6/27/2012.

Discussion was held on the meeting with the McCook County Commissioners regarding the water from the North and East traveling into Salem at a faster pace. The Commissioners do not feel the farmers tiling is the issue; the issue is the ditches and wetlands that have been burned off, all legally, and without the tall grass the water runs faster.

After discussion between the Council and the residents present, the residents requested the Council move forward with a study or cost estimate.

No action was taken at this time.

Motion Mayrose, second Gessner, carried, to approve the following claims and to refund \$500 to the PSA for their donation to the fireworks show and to pay Dakota Splash for the water once the remaining product is picked up and a final bill received:

**PAYROLL:** FINANCE OFFICE \$3653.05; ST/SE \$127.37; STREETS \$1492.67; SUMMER REC \$2682.75; ARMORY \$976.29; MOSQUITO \$55.08; CITY HALL \$49.23; BURN SITE \$425.48; PARKS \$3748.15; WATER \$2088.51; SEWER \$1194.56; PAYROLL TAXES \$1531.26; CITY SHARE: HEALTH \$2499.84; DENTAL \$94.78; AFLAC \$107.52; RETIREMENT \$760.94. **PAYROLL:** FINANCE OFFICE \$3653.05; ST/SE \$127.37; STREETS \$1492.67; SUMMER REC \$2682.75; ARMORY \$976.29; MOSQUITO \$55.08; CITY HALL \$49.23; BURN SITE \$425.48; PARKS \$3748.15; WATER \$2088.51; SEWER \$1194.56; PAYROLL TAXES \$1531.26; CITY SHARE: HEALTH \$2499.84; DENTAL \$94.78; AFLAC \$107.52; RETIREMENT \$760.94.

**CLAIMS:** ADOLPH KIEFER & ASSOCIATES, SUPPLIES – POOL, 11.95; BALDWIN SUPPLY COMPANY, POOL PUMP, 764.65; BARCO MUNICIPAL PRODUCTS, SEWER - MANHOLE HOOK, 69.03; CENTRAL FARMERS CO-OP, DIESEL FUEL & TIRES, 1436.30; CELESTE MOKROS, DEPOSIT REFUND 100 S HILL, 25.00; COMMERCIAL ASPHALT DBA, PATCH MIX - STREET REPAIRS, 8189.31; DAKOTA PUMP & CONTROL, WATER TOWER TELEMETRY EQUIPMENT, 13950.00; DAVE'S ELECTRIC, POOL REPAIRS, 41.43; DEPT OF REVENUE – REMITT, TESTING FEES - POOL/H2O, 52.00; DON CAVANAUGH, DEPOSIT REFUND, 60.00;

FREMAR L.L.C., FERTILIZER - BASEBALL FIELD, 100.00; GESSNER WELDING INC, SUPPLIES: POOL/WTP, 25.60; HARVE'S SPORT SHOP, SUMMER REC HELMETS, 56.85; HARVES PRO PRINTS, SOFTBALL 3-UNIFORM TOPS, 66.00; HAWKINS INC, CHEMICALS POOL, 299.98; CHEMICALS WTP, 2645.80; HD SUPPLY WATERWORKS, POOL PUMP, 1847.58; REPAIR PARTS - WATER DISTRIBUTION, 101.38; HILLYARD, SUPPLIES: PARKS/ARMORY, 357.71; JAMES MONCRIEF, DEPOSIT REFUND, 36.40; JOHNSON BROTHERS FAMOUS, OP AGREEMENT MERCHANDISE, 4658.14; K.W. ELECTRIC INC, LIGHT REPAIRS – SOFTBALL, 365.06; KEVIN OLSON, DEPOSIT REFUND ZINGMARK, 25.00; KRISTY SMITH, DEPOSIT REFUND, 35.80; LACEY RENTALS INC, RESTROOMS - SOFTBALL FIELD, 660.00; LORI A HEUMILLER, MILEAGE REIMBURSEMENT, 54.59; NNASASP, ANNUAL DUES, 39.00; MC&R POOLS INC, POOL SUPPLIES, 181.04; MCCOOK COUNTY AUDITOR, JULY 2012 CONTRACT LAW ENFORCEMENT, 6985.34; MIC KREUTZFELDT, TOURNEY ENTRY FEES (4), 150.00; MID-AMERICAN RESEARCH, SUPPLIES: CITYHALL/ARMORY /SEWER/PARKS/STREETS, 1277.80; MIDAMERICAN ENERGY CO, UTILITIES, 113.17; NOVAK SANITARY SERVICE, JUNE'12 GARBAGE SERVICE CONTRACT, 6308.75; OAKLAND IRRIGATION LLC, SPRINKLER HEADS – BASEBALL FIELD, 255.39; PALACE CLEANERS INC, RUG SERVICE JUNE'12, 100.75; PETTY CASH - FINANCE OFFICE, POSTAGE: WATER/SEWER/POOL, 143.80; PULSE ELECTRIC INC, WTP REPAIRS, 11940.01; PUTHOFF REPAIR SALES & SERVICE, PRESSURE WASHER REPAIRS, 9.55; QUEEN CITY WHOLESALE INC MERCHANDISE POOL, 474.75; QUILL CORPORATION, SUPPLIES: CITY HALL, 479.33; R & S SANITATION INC, GARBAGE SERVICE JUNE 2012, 132.50; REPUBLIC BEVERAGE CO., OPERATING AGREEMENT MERCHANDISE, 4361.64; ROBERT BELLACK, DEPOSIT REFUND, 5.00; SALEM COMMUNITY DRUG, POOL/CITY HALL SUPPLIES, 7.44; SALEM FARMERS MARKET, SUPPLIES: POOL/CITYHALL/PARKS, 120.28; SALEM LUMBER CO, FIRE HALL ROOF REPLACEMENT, 4588.87; SOFTBALL FIELD CONCESSION STAND BLDG, 1964.00; SUPPLIES: PARKS/ST/POOL/ARMORY, 443.19; SALEM SPECIAL, JUNE 2012 PUBLICATIONS, 345.25; SALEM WATER DEPARTMENT, UTILITIES, 120.55; SALEM WATER WORKS, DEPOSIT APPLIED TO ACCOUNTS: SCOTT, DYLAN, 40.00; SMITH, KRISTY, 24.20; MONCRIEF, JAMES, 63.60; SCHMUCKER PAUL NOHR & ASSOC., 2012 STREET PROJECT CONSTRUCTION ENGR., 11753.75; SERVALL TOWEL & LINEN, TOWEL SERVICE, 16.64; SHORT STOP, FUEL PURCHASES, 610.35; SIOUX FALLS NETWORKS, MONTHLY BACKUP SERVICE, 14.00; SOUTH DAKOTA DEPT OF LABOR, 2ND QTR UNEMPLOYMENT, 22.87; SOUTH DAKOTA ONE CALL, JUNE 2012 LOCATES, 18.90; SOUTHEASTERN ELECTRIC CO, REPAIR LIGHTS @ SOFTBALL FIELD, 125.00; UTILITIES: SEWER/PARKS, 152.25; STATE TREASURER, SALES TAX COLLECTION JUNE 2012, 847.90; STURDEVANT'S - SALEM INC, SUPPLIES: PARKS/ST/ARM/H2O, 114.03; SWIFT AIR INC, ARMORY: AIR CONDITIONER, 548.76; THE FIRST NATIONAL BANK, LOAN CW #C461057-01, 9031.29; LOAN CW #C461057-02, 6614.14; LOAN DW #C462057-02, 5608.38; LOAN DW #C462057-03, 17588.60; TRIOTEL COMMUNICATIONS INC, UTILITIES, 455.71; TWEDT CONSTRUCTION CO INC, PAY REQUEST #3 - 2012 STREET PROJ, 53924.42; U.S. POSTMASTER, 15 ROLLS (.32) STAMPS, 480.00; USABLUEBOOK, FILTERS – WTP, 1357.58; VERIZON WIRELESS, UTILITIES, 83.41; WESTECH, PRESSURE TRANSMITTER – WTP, 325.37; XCEL ENERGY, UTILITIES, 7993.36; ZAPP HARDWARE, SUPPLIES: POOL/ARM/H2O/POOL, 365.52.

Motion Gessner, second Johnson, carried, to approve the First Reading of Ordinance No. 591 – an Ordinance supplementing the 2012 Budget. The budget supplement is for the 675T Asphalt Concrete and the 2012 Concession Stand/Restroom Project.

The Main Street Lighting project was discussed. A proposal increasing the bulb size to 250W and decreasing the number of poles to 15 was presented to the Council. The plan still is over the \$50,000 bid limit and in visiting with Legislative Audit the project is required to be bid as the city is paying for the pole and lighting upgrade.

Motion McCormick, second Mayrose, carried, to contact the local electricians and offer each to present a design plan for the Main Street lighting. Different lighting footprints can be provided, but must be decorative poles & lights, and installed in two phases. Once the Council approves a design and plan, bids will be let.

Motion Johnson, second McCormick, carried, to approve a 1.5% raise for Foreman William Selland, retroactive to July 1, 2012.

Motion McCormick, second Johnson, carried, to adjourn as old Council and reconvene as new Council. Thank you to Mayor Scott and Councilman McCormick for their years of service.

Oaths of offices were taken by: Mayor Robin Rayman and Council members – Ben Johnson Ward I, Doug Mokros Ward II & Laura Gessner Ward III.

Mayor Rayman turned the meeting over to Council President Gessner for the nomination and election of President and Vice-President for the 2012/2013 period.

Gessner called for nominations for President of the Council.

Eichacker nominated Laura Gessner as Council President. Being no further nominations - Motion Eichacker, second Mayrose, carried, to accept the nomination of Laura Gessner as Council President for the 2012-2013 year.

Gessner called for nominations for Vice-President of the Council.

Eichacker nominated Ben Johnson as Council Vice-President. Being no further nominations - Motion Eichacker, second Gessner, carried, to accept the nomination of Ben Johnson as Council Vice-President for the 2012-2013 year.

Gessner turned the meeting back over to Mayor Rayman who appoints Terry Forster as Council member in Ward II for a 1 year term to fill Ron Sabers vacated position for the remainder of his term.

Motion Mokros, second Johnson, carried, to accept the appointment of Terry Forster as Council member for Ward II for a 1 year term.

Oath of Office was taken by Terry Forster.

Mayor Rayman announced the following committee (first named is chair), professional and employee appointments.

**JULY 2012 – JUNE 2013 COMMITTEE MEMBERS**

**WATER & SEWER—** B. Johnson, D. Mokros

**ARMORY BLDGS BURNPIT—** D. Mokros, L. Gessner

**STREET & EQUIPMENT—** G. Eichacker, T. Forster

**PARKS, REC, LIQUOR—** L. Gessner, R. Mayrose

**POOL—** T. Forster, B. Johnson

**LAW & FIRE—** R. Mayrose, G. Eichacker

**CIVIL DEFENSE—** Council President, Mayor

Roger Gerlach, City Attorney; Cathy Eichacker, Zoning Administrator; John Barnett, Health Inspector; George Eichacker, Planning Commission; D. Mokros & Ben Johnson, Housing & Redevelopment Commission; T. Forster, McCook Alliance Commission; Lori Heumiller, Finance Officer; William Selland, Foreman and Water & Sewer Superintendent.

Motion Gessner, second Johnson, carried, to accept Mayor Rayman's committee, professional and employee appointments.

Donna Collins and Mark Reinders of Mid-American Energy appeared before the Council to discuss the renewal of Mid-American's franchise agreement. A public hearing will be held at the August 6, 2012, meeting to review the new franchise agreement after which the first reading of an ordinance establishing the franchise agreement can be made.

Motion Eichacker, second Gessner, carried, to set a Public Hearing for Monday, August 6, 2012 at 7:00 PM to review the new franchise agreement with Mid-American Energy.

The Council discussed the Game, Fish & Parks Land Water and Conservation Fund grant availability. Grant applications are due by August 10, 2012. Play ground equipment for the softball field was discussed. The consensus of the Council is to not apply for a grant at this time, as they feel the Concession stand needs to be finished before any further plans are made for the area.

Motion Forster, second Gessner, carried, to hire Ken Scholten as an Assistant Restricted Use Facility Operator at a wage of \$8.68 per hour.

Council extends a thank you to TrioTel Communication Inc. for the donation of \$200 for the purchase of catcher's equipment for the summer recreation program.

Motion Gessner, second Mayrose, carried, to designate the \$250 received from Xcel Energy for improvements to the baseball field park. The money will be placed in the Capital Improvements Fund.

Discussion was held on the sidewalk ordinance. The ordinance will not be changed – ordinance currently reads – ***“When existing sidewalk is removed for any reason it shall be replaced, according to the provisions of this section (6.0207 Sidewalks). Sidewalk is required when the abutting property has sidewalk”***. Finance Officer Heumiller will check into grants through the “Safe Routes to School” program as a possibility to make improvements to the sidewalks in Salem.

Discussion was held on the request of residents to address the water coming into Salem from the North & East. Consensus of the council is to find out a cost to have Engineer Harlan Quenzer come discuss Salem’s storm sewer system – mainly to review the 2007 Storm Sewer Collection System Preliminary Report details so the Council is familiar with the current storm sewer systems in Salem.

Motion Eichacker, second Forster, carried, to adjourn.

Dated this 9<sup>th</sup> day of July, 2012, at Salem, South Dakota.

Robin Rayman  
Mayor

ATTEST:

Lori Heumiller  
Finance Officer

Published once at the approximate cost of \_\_\_\_\_.