

MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE COUNCIL ROOM OF CITY HALL IN SALEM SOUTH DAKOTA ON MONDAY, JUNE 11, 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, Tom Randall, Terry Claussen, John Osterberg, Jason Lunders, Doug Stroup, Matt Bormann, Bill Eichacker and Brad Stiefvater were also present.

Motion Eichacker, second Johnson, carried, to approve the minutes of May 8, 2012 and May 29, 2012 as written.

Motion Mayrose, second Johnson, carried, to approve the following reports: the Finance report stating a balance of \$2,250,909.01 for all funds and includes all investments and cash on hand; sewer pumpage of 5,126,000 gallons; water pumpage of 3,456,632 gallons; and the bacteriology and fluoride reports are satisfactory.

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

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

- Sweeping contract with the SD DOT- renewal for FY13. Selland recommended no change to the \$60/hour on the renewal.
- Fencing quotes received for the baseball field. Consensus is to meet with concerned parties and discuss at the next meeting.
- Selland informed the Council that the Salem water system can pump 500 gal per minute; it requires bypassing of the NANO (softening) filters. There is some concern with the Salem Volunteer Fire Department that the City wouldn't be able to supply them with the necessary water on a major fire. Council stated that all employees who take call need to be trained on this process.
- Discussion was held on chip sealing; fog sealing, overlaying and fixing streets. A list of areas needing attention was reviewed.
- A formal response has not been received from WesTech, but through word of mouth WesTech will be replacing the NANO filters.

Motion Eichacker, second Gessner, carried, to approve the new contract for FY13 with the SD DOT for the sweeping of SD Hwy 81 at \$60/hour.

Motion McCormick, second, Mayrose, carried, to table the bids on the baseball fence until the committee can meet with the concerned parties.

Motion McCormick, second Mayrose, carried, to approve an additional \$60,000.00 in street repairs and to authorize the committee to meet with Selland to establish bid specifications.

Committee reports were given.

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

PAYROLL: FINANCE OFFICE \$3733.39; ST/SE \$721.36; STREETS \$1334.48; SNOW \$68.85; ARMORY \$636.52; MOSQUITO \$55.08; CITY HALL \$29.61; BURN SITE \$117.05; PARKS \$2813.54; WATER \$2163.76; SEWER \$1700.45; PAYROLL TAXES \$962.49; CITY SHARE: HEALTH \$2546.01; DENTAL \$94.78; AFLAC \$107.52; RETIREMENT \$789.09.

CLAIMS: A-TECH SEWER, STORM SEWER CLEANING, 660.00; ADOLPH KIEFER & ASSOCIATES, POOL SUPPLIES, 231.35;

AMERICAN LIFEGUARD PRODUCTS, LIFEGUARD SUPPLIES, 74.70; CAL SANDIE/DBA SANDINE CONCRETE, CURB & GUTTER/DRIVEWAY - LANGE, 1726.86; CENTRAL FARMERS CO-OP, DIESEL FUEL PURCHASES, 295.29; CMC EXCAVATION INC, WATER/SEWER REPAIRS - 2011 & 2012, 4299.65; DAKOTA SUPPLY GROUP, POOL REPAIR PARTS, 187.62; DEPT OF REVENUE - REMITT., TESTING FEES - H2O, 39.00; EMERY SUMMER BASEBALL, (2) TOURNEY ENTRY FEES, 60.00; FREMAR L.L.C., WEED SPRAY: LAGOON & PARKS, 272.00; GREATER MCCOOK DEVELOPMENT, 2012 ANNUAL FEE, 5224.00; HARVE'S SPORT SHOP, PARKS: VOLLEYBALL NET, 142.31; BASEBALL FIELD PARK L-SCREEN NET, 96.44; SUMMER REC: SUPPLIES/EQUIPMENT, 1446.00; HAWKINS INC, CHEMICALS - WTP, 3869.02; CHEMICALS - POOL, 942.76; HD SUPPLY WATERWORKS, RETURN: CPLGS H2O SUPPLIES, 128.04CR; POOL REPAIR PARTS, 300.78; HEIMAN INC, RUBBER BOOTS - H2O DEPT, 186.85; HSBC BUSINESS SOLUTIONS, NORTHERN TOOL 2" PUMP, 599.97; J & L SUPPLY, STREET: WEED SPRAYING, 135.00; JEREMY OR NATASHA ADLER, SUMMER REC FEE REFUND, 30.00; JOHNSON BROTHERS FAMOUS BRANDS, MERCHANDISE OP AGREEMENT, 3260.83; LACEY RENTALS INC, RESTROOM RENTAL - SOFTBALL/CARNIVAL, 450.00; LEWS FIREWORKS INC, 2012 FIREWORKS SHOW CONTRACT, 3000.00; LORI A HEUMILLER, POOL MERCHANDISE & MEETING MILEAGE REIMBURSEMENT, 69.88; MCCOOK CENTRAL ATHLETIC BOOSTER, POOL MERCHANDISE, 333.34; MCCOOK COUNTY AUDITOR, MONTHLY LAW CONTRACT, 6985.34; MCCOOK COUNTY AUDITOR, JUNE 5, 2012 ELECTION EXPENSES, 611.02; MID-AMERICAN RESEARCH CHEMICALS, SUPPLIES STREETS/PARKS/ARMORY/H2O, 1935.74; MIDAMERICAN ENERGY CO, UTILITIES, 226.09; NICOLE RUECKERT, REFUND SWIMMING LESSONS, 15.00; NOVAK SANITARY SERVICE, SALEM CLEANUP ROLLOFF FEES, 654.55; MAY 2012 GARBAGE CONTRACT, 6308.75; PALACE CLEANERS INC, RUG SERVICE - CHALL/ARMORY, 100.75; PETTY CASH - FINANCE OFF, POSTAGE: FINOFF/H2O, 101.15; PULSE ELECTRIC INC, ARMORY - TEMPORARY POWER, 68.04; QUEEN CITY WHOLESALE INC, MERCHANDISE POOL, 549.61; R & S SANITATION INC, GARBAGE SERVICE MAY 2012, 132.50; REPUBLIC BEVERAGE COMPANY, MERCHANDISE - OP AGREEMENTS, 2201.65; ROGER HOPF, DEPOSITS REFUNDED, 65.00; SALEM COMMUNITY DRUG, FIRST AID SUPPLIES - POOL, 33.01; SALEM CONCRETE, SOFTBALL FIELD PARK SUPPLIES, 44.00; SALEM FARMERS MARKET, SUPPLIES: POOL, 22.19; SALEM LUMBER CO, CONCESSION STAND BLDG, 277.61; SUPPLIES: POOL/PARKS/ARMORY DOORS, 9337.59; SALEM SPECIAL, PUBLISHING - MAY 2012, 391.32; SALEM WATER DEPT, UTILITIES - ARMORY & STREETS, 118.72; SALEM WATER WORKS, DEPOSITS APPLIED TO FINAL BILL: WILLIAMS, SCOTT, 66.80; SABERS, RON, 50.00; SCHMUCKER PAUL NOHR & ASSOC., CURB/GUTTER SURVEYS N. MINNESOTA, 713.70; 2012 STREET IMPROV. CONSTRUCT. ENGR, 2333.85; SCOTT SCHULTZ, MIDGET TOURNEY ENTRY FEE, 50.00; SCOTT WILLIAMS, DEPOSIT REFUND, 33.20; SD D.E.N.R., FY2013 DW FEE, 600.00; SENSUS METERING SYSTEMS, SUPPORT CHARGE - SENSUS, 80.00; SERVALL TOWEL & LINEN, UTILITIES - STREETS, 33.28; SHORT STOP, FUEL PURCHASES MAY 2012, 287.52; SIOUX FALLS NETWORKS, MAY2012 COMPUTER BACKUP, 14.00; SOUTH DAKOTA ONE CALL, MAY 2012 LOCATE TICKETS, 17.85; SOUTHEASTERN ELECTRIC CO, UTILITIES, 116.17; SPENCER QUARRIES INC, SUPPLIES: H2O/SEWER/ST-SE, 380.36; STATE TREASURER, MAY 2012 SALES TAX COLLECTED, 625.11; STURDEVANT'S - SALEM INC, SUPPLIES: STREETS/POOL/ARMORY, 132.49; SWIFT AIR INC, MAINTENANCE AGREEMENT TAX ADJUSTMENT, 52.90; T & C'S PIT STOP INC, FUEL PURCHASES MAY 2012, 392.54; TRIOTEL COMMUNICATIONS INC, UTILITIES, 333.68; USABLUBOOK, SUPPLIES: FILTERS WTP, 681.47; VERIZON WIRELESS, UTILITIES, 82.91; XCEL ENERGY, UTILITIES, 6237.43; ZAPP HARDWARE, SUPPLIES: PARKS/STREETS/ARMORY/SEWER, 2449.62.

Motion McCormick, second Eichacker, carried, to approve the following resolution:

RESOLUTION NO. 2012-004
RESOLUTION OF CURB & GUTTER IMPROVEMENT

WHEREAS, in compliance with SDCL 9-45-5, the City Council of the City of Salem has deemed it necessary to change the precedence of not requiring curb and gutter before streets are paved;

AND WHEREAS, the lack of curb and gutter has proven to cause water to seep under the street and premature breakup of same;

AND WHEREAS, the following property owner has petitioned the City of Salem to install there curb and gutter and driveway approach and assess their taxes over a 3 year period;

NOW THEREFORE BE IT RESOLVED, the City Council has deemed the improvement necessary and has consented to comply with the petitioner. Legal requirements have been satisfied in order to proceed with the installation of curb and gutter and driveway approach. The cost is estimated at \$1,726.86 and payment of said improvement shall be charged to the property owner over a three year assessment to their taxes which shall be collected by the County Treasurer in accordance with the procedures for Plan One in SDCL 9-43-29

in three (3) equal annual installments beginning on January 1, 2013, together with interest on unpaid installments at the rate of five (5) per cent per annum but that any such assessment, or any number of installments thereof may be paid without interest to the Finance Officer at any time within thirty (30) days after the filing of the Assessment Roll up to and including September 28, 2012, in the office of said Finance Officer. Installment payment will be credited in inverse order, last installment first.

Petitioner:

Lance, Lange – N5' of 11, 12, 13, 14 & all 15 & 16 EX N24'; BLK 76, PETTIGREW'S 2ND ADDITION TO SALEM - \$1726.86.

NOW THEREFORE BE IT RESOLVED THAT, a Hearing for the above street improvements is scheduled for July 9, 2012 at 7:00 p.m. in the City Hall at Salem, South Dakota, at which time property owner may appear and be heard.

Dated this 21st day of June, 2012 at Salem, South Dakota.

Kenneth Scott
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Motion McCormick, second Mayrose, carried, allowed Larry Pfaff a temporary approach on Jackson Street with a written legal document stating when a building is built on the property the approach must line up with a driveway into the building or the approach must be replaced with curb and gutter. City Attorney Gerlach will be contacted to write the legal document.

Motion McCormick, second Gessner, carried, to allow the request of Jeff Wallace to donate a bench to the city's baseball field as a memorial to his father Terry W. Wallace.

Discussion was held on the insurance adjustment received for the hail damage to the City buildings. Consensus is to contact Salem Lumber for estimates on the armory roof and park shelter.

At 7:10 PM, a public hearing was held on the Temporary Malt Beverage License application of Central Farmers Softball Team to sell beer at the Salem Softball fields during the annual men's league softball tournament on June 30, 2012 and July 1, 2012.

Tom Randall was present to answer any questions. No verbal or written comments were received.

Motion Mayrose, second Gessner, carried, to approve the Temporary Malt Beverage License application of Central Farmers Softball Team to sell beer at the Salem Softball fields during the annual men's league softball tournament on June 30, 2012 and July 1, 2012.

Terri Claussen addressed the Council on the drainage problem on the Northeast section of Salem. Claussen stated the problem seems to be getting worse from farmer's tiling, etc. which in turn is causing the water to get to Salem faster than in the past; and, is requesting the Council professionally assess this concern and address it accordingly. Others present sharing this concern were Doug Stroup, Jason Lunders and John Osterberg; along with a list of concerned citizens on a signed statement. Brad Stiefvater stated he can clearly see from the air the water is getting out of the fields and ditches quicker and in turn to Salem faster due to tiling and the cleaning out of culverts and ditches.

Much discussion was held on the subject, which included the possibility of routing the water North of Salem.

Consensus of the Council is to meet with the Commissioners regarding this concern. Mayor Scott and Council member Gessner will represent the Council.

Claussen also informed the Council of her complaint from the May 6th rain event on the maintenance of the culvert. Claussen stated she feels the culvert needs to be physically checked by a city employee to ensure it is not plugged.

Selland stated it is on the list to be checked and wasn't aware of the issue from May 6th.

Matt Bormann was present with a request to sub-divide his property at 301 E Lightner Ave. Matt stated he has two duplex units sitting on one lot, and the lending institution is requesting it be subdivided. After reviewing the zoning and sub-division regulations, it was determined it would be legal to subdivide the property as long as the width of the property met the 60' lot width requirement in an R-1 District. Motion McCormick, second Mayrose, to allow the subdivision if it meets the current regulations. On roll call, four "Aye" (Johnson, Gessner, Mayrose, McCormick). One "Nay" (Eichacker). Motion carried.

Jason Lunders, Bill Eichacker and Brad Stiefvater representing the Salem Volunteer Fire Department and Search and Rescue met with the Council. The following items were discussed:

- Discussion on filling the truck after each use when the city employees use the truck.
- Water supply during a major fire. Selland explained the water supply is the same as with the old plant – over 500 gallons per minute. The possibility of an agreement with rural water for additional supply if needed was discussed.
- Relocation of the fire hall and search and rescue to the steel building north of the armory. Items of discussion were it is a safer area; verify the generator runs the building; what is the process to get this started? Consensus of the Council is to have the Fire Department proceed with estimates for the renovation of the building.
- Lunders stated the National Guard will have their final drill in Salem on September 8th. The Mayor had expressed an interest in hosting an open house for the unit; Lunders wanted to confirm this statement. The "Battery B" flag will be retired in Salem at a ceremony at 1:00PM on Saturday, September 8, 2012. A meal for the unit and open house plans were discussed.

Motion Eichacker, second Mayrose, carried, to provide a meal for the guard until on Saturday, September 8, 2012; the flag retiring ceremony will be open to the public at 1:00 PM with an open house to follow.

The estimate from Xcel Energy to install 28 street lights in Salem, on Main Street, Vermont & Norton Avenues at a cost of \$225,121.83 was reviewed. The Council would like to request the possibility of splitting the project into two separate projects. Currently the Council has \$98,000.00 set aside in the Capital Improvement Fund for the replacement of the street lighting system.

Motion McCormick, second Johnson, carried, to adjourn as Regular Council and reconvene as "Board of Canvassers" to canvass the votes for the Salem City Election held on June 5, 2012. No discrepancies were found after comparing the poll books with the unofficial returns.

Motion McCormick, second Johnson, carried, to declare the following as the official returns for the June 5, 2012 ballot referendum election in the City of Salem:

Referendum	ORDINANCE NO. 584.	
	“YES”	“NO”
Vote “NO” will keep ordinance as is.		
Precincts Citywide		
CITY OF SALEM	152	159
Totals	152	159

Motion Johnson, second Mayrose, carried, to adjourn.

Dated this 5th day of June 2012, at Salem, South Dakota.

Kenneth Scott
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Published once at the approximate cost of _____.