

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 11 , 2014 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 Robin Westhoff present. Foreman William Selland, Craig Cheeseman, Brad Schardin, Randy Sabers, Terry Duxbury and Robert Deters were also present.

Motion Mokros, second Johnson, carried, to approve the minutes of July 7, 2014 as written.

Motion Mayrose, second Johnson, carried, to approve the following reports: the Finance report stating a balance of \$2,323,283.05 for all funds and includes all investments and cash on hand; sewer pumpage of 6,490,000 gallons; water pumpage of 4,440,000 gallons; and the bacteriology and fluoride reports are satisfactory.

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

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

- Four (4) dead trees need to be removed from the park; Peterson Tree Service may need to drop tree(s) due to their size and location.
- Chip sealing is finished.

Project Updates:

- Sewer lining hasn't started but to be completed by the end of August.
- Dakota Street Project: Substantial Completion date is September 1, 2014 – Paving next week, weather permitting. Pay Request #1 was received from Matthaehi Excavating for work completed.
- Craig Cheeseman was present to review and receive approval for Phase II of the baseball renovation project, which is to add a grass area to the Westside of the field in the existing parking area.

Motion Mayrose, second Gessner, carried, to approve PPE#1 from Matthaehi Excavating Inc. in the amount of \$42,670.58 for the Dakota Street Project.

Motion Mokros, second Westhoff, carried, to approve Phase II baseball field improvements as presented.

Brad Schardin of Southeastern Electric was present to discuss the easement between Southeastern and City of Salem for the conduit and line placed across the City's south lift-station property in 2013. No agreement could be reached.

At 7:00 P.M. the City Council in and for the City of Salem, South Dakota met as a "Board of Adjustment" to hold a Public Hearing to consider the variance application of Linda Schmit to build a 4' handicap ramp onto an existing deck 8' 6" from the West property line instead of required 15'. Legal description of property is Lots 16 & 17; Block 43: Pettigrew's 2nd Addition.

No comments were received; the new deck did not require a Variance; the ramp extension does.

Motion Eichacker, second Westhoff, carried, to approve the variance application of Linda Schmit to build a 4' handicap ramp onto an existing deck 8' 6" from the West property line instead of required 15'. Legal description of property is Lots 16 & 17; Block 43: Pettigrew's 2nd Addition.

Randy Sabers, Randy Sabers & Associates, updated the Council on healthcare changes.

Committee reports were given.

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

PAYROLL: FINANCE OFFICE \$4716.99; CITY HALL \$13.10; STREETS \$1557.38; STORM-SEWER \$334.62; RESTRICTED-USE SITE \$540.66; SUMMER REC \$4638.38; POOL \$7236.07; PARKS \$2694.87; ARMORY \$434.88;

MOSQUITO CONTROL \$344.28; WATER \$2303.02; SEWER \$1256.04; PAYROLL TAXES \$1943.99; CITY SHARE: HEALTH \$1916.42; DENTAL \$94.78; AFLAC \$95.28; LIFE 43.80; RETIREMENT \$817.20.

CLAIMS:

Vendor Name	Invoice Description	Amount
SD MUNICIPAL LEAGUE	2014 ELECTED OFFICIALS WORKSHIP	50.00
VERIZON WIRELESS	UTILITIES	95.69
ALLIED OIL & TIRE COMPANY	TIRES - LOADER	8,006.00
AMERICAN LIFEGUARD PRODUCT	POOL SUPPLIES	77.00
AMERIPRIDE SERVICES INC	RUG SERVICE - CITY HALL/ARMORY	110.64
BOB EICH	REIMBURSE ENTRY FEE 12/UNDER LEAGUE TOURNEY	35.00
BRANDON LAUER	UMPIRE FEE - BASES 5 GAMES	50.00
CALVIN SANDINE	RADIUS VERMONT/MINNESOTA SE	291.16
CENTRAL FARMERS CO-OP	DIESEL: STREET DEPT/ MOUNT TIRES - LOADER	1,005.28
CENTURY BUSINESS PRODUCTS	COPIER MAINTENANCE AGREE	27.04
CONCRETE MATERIALS	HOT MIX - STREET REPAIR 40.15t	2,409.00
CONSOLIDATED WATER SOLUT.	FILTERS WPT	1,337.88
GESSNER WELDING INC	MOWER PARTS: PARKS	16.13
HARVE'S SPORT SHOP	13/14 REGION TOURNEY MEDALS	62.25
HAWKINS INC	CHEMICALS - WTP	7,194.15
HD SUPPLY WATERWORKS	MANHOLE PARTS DAKOTA/DRAKE	749.24
HILLYARD	PARK SUPPLIES	468.63
J & L SUPPLY	WEED CONTROL - STREETS	42.00
KW ELECTRIC INC	SOFTBALL FIELD LIGHT REPR	326.66
LORI A HEUMILLER	MILEAGE - FIN OFFICE	33.67
MATTHAEI EXCAVATING INC.	PPE#1 DAKOTA STREET PROJ	42,670.58
MC&R POOLS INC	POOL CHEMICALS	1,854.50
MCCOOK COUNTY AUDITOR	LAW ENFORCEMENT AGREE 8/2014	6,985.34
MCCOOK INSURANCE AGENCY	CITY SHARE FDEPT PREMIUM	1,549.31
MEDTECH WRISTBANDS	WRISTBANDS POOL	269.40
MIDAMERICAN ENERGY CO	UTILITIES	128.28
MIDAMERICAN RESEARCH CHEM	SUPPLIES SEWER	2,365.60
MIKE GASSMAN	15/16 TEENER EXPENSE REIMBURSEMENT	90.00
NOVAK SANITARY SERVICE	GARB CONTRACT & CITY BLDG SERVICE	6,693.54
PETTY CASH FINANCE OFFICER	POSTAGE: FINOFF/WATER/SEWER/POOL	95.01
PULSE ELECTRIC INC	REPAIR BASEBALL LIGHTS	109.69
QUEEN CITY WHOLESALE INC	MERCHANDISE POOL	710.75
RANDY ALBERTSON	DEPOSIT REFUND	40.58
RBS SANITATION INC	GARBAGE CITY BLDS JUNE/JULY	390.60
ROBIN RAYMAN	MILEAGE: PIERRE WORKSHOP	139.49
ROGER GERLACH ATTORNEY	POSTAGE REIMBURSEMENT	132.10
RONALD BERTRAM	UMPIRE: 5 GAMES	275.00
SALEM BASEBALL	UMPIRE FEES 15/16 TEENERS	200.00
SALEM CONCRETE	VERMONT/MAIN RADIUS / CITY HALL SIDEWALK	1,183.00
SALEM FARMERS MARKET	MERCHANDISE/SUPPLIES: POOL	63.81
SALEM LUMBER CO	WEST DOORS ARMORY/ PARK SUPPLIES	16,097.20
SALEM SPECIAL	JULY 2014 PUBLISHING	183.08
SALEM WATER DEPARTMENT	UTILITIES: ARMORY/STREETS	122.68
SCHMUCKER PAUL NOHR & ASSOC	RADIUS STAKING	723.95
	DAKOTA STREET PROJECT	9,598.40
	SURVEY/PLAT LOT 2A	1,300.00
SCHOENFISH & CO INC	AUDIT SERVICES	10,000.00
SERVALL TOWEL & LINEN	SHOP RAG SERVICE	16.80
SHORT STOP	FUEL: PARKS	44.95
SIOUX FALLS NETWORKS	REMOTE BACKUP SERVICE	34.00
SOUTH DAKOTA ONE CALL	JULY 2014 LOCATES	22.05
SOUTHEASTERN ELECTRIC COOP	UTILITIES PARKS & S. LIFT STATION	217.70
SPENCER QUARRIES INC	CHIP SEALING: 7/16" CHIPS	2,207.14
STATE OF SOUTH DAKOTA	H2O TESTING FEES: WATER/POOL	143.00
STEVE LEBER	UMPIRE FEE	55.00

T & C PIT STOP INC	FUEL JULY 2014	408.73
THOMSON WEST	LAW BOOK UPDATES	184.75
TRIOTEL COMMUNICATIONS INC	UTILITIES	286.99
US POSTMASTER	18 ROLLS .34C STAMPS	612.00
USABLUBOOK	FILTERS - WTP	661.66
XCEL ENERGY	UTILITIES (2 MONTHS)	15,331.99
ZAPP HARDWARE	SUPPLIES: POOL/ARM/WA/SE/PKS	2,228.49
ACH AUGUST 2014		
STATE OF SOUTH DAKOTA	SALES TAX COLLECTED JULY 2014	652.61

Motion Mokros, second Johnson, carried, to approve the following resolution:

RESOLUTION No. 2014-008

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 11th day of August, 2014.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Motion Johnson, second Gessner, carried, to approve the following resolution (the 40 cent front footage cost was not increased):

RESOLUTION NO. 2014-009

A RESOLUTION PROVIDING FOR ANNUAL STREET ASSESSMENT

WHEREAS, the City of Salem pursuant to SDCL 9-45-138 may levy annually for the purpose of maintaining or repairing public improvements, a special maintenance fee; and

WHEREAS, the City of Salem believes it necessary and appropriate to maintain its streets,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salem, as follows:

1. Designation of lots to be assessed. Pursuant to SDCL 9-45-138, all lots in the City of Salem fronting and abutting a street shall be assessed on the front foot basis.
2. Amount of Assessment. There shall be levied upon all lots fronting and abutting a city street forty cents (\$.40) per front foot. Front foot means the actual front of the premises as established by the buildings thereon recorded title and use of the property regardless of the original plat.
3. Assessment. The City Finance Officer is directed to add such assessment to the general assessment against the property and certify the assessment together with the regular assessment to the county auditor to be collected as municipal taxes for general purposes.
4. Assessment subject to review. The assessment is subject to review and equalization the same as assessments or taxes for general purposes.

Dated this 11th day of August, 2014.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Motion Mayrose, second Mokros, carried, to approve the First Reading of Ordinance No. 607 an ordinance amending the official Zoning Ordinance and Map.

The haying permit was discussed. Robert Deters and Terry Duxbury were present. The nuisance ordinance will need to be amended to include the 1 acre (or more) requirement needed to apply for a haying permit in the City limits.

Funding is available for outdoor recreation through the Game, Fish & Parks Dept. – Land Water & Conservation Fund. City's eligible projects are playground equipment at the City Park and softball field, pool renovation and baseball field bathrooms. The grant's required completion date on a project is currently unknown; a meeting with SECOG will determine the course to take on these projects. The Council was in agreement to pursue all the projects if possible. Applications are due by September 5, 2014.

Three sidewalk inspection reports were reviewed. Discussion was held on the trees on two of the properties which are causing the sidewalk to heave. It was decided the trees would need to be removed as a part of the sidewalk fix.

A request from the Brickhouse to apply Ordinance No. 595, section B. to the months of April, May and June instead of the months of June, July and August was discussed. The Brickhouse sewer charge combined for April & May usage was \$13.40 higher due to an increase in water usage.

Motion Mayrose, second Mokros, carried, to deny the request from the Brickhouse Gardens Inc., for their request to remove the \$13.40 sewer charge from their Salem Water Works account for the 2014 year (April/May usage); the Sewer Ordinance will be adhered to as written.

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

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Salem, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of August, 2014; and

WHEREAS, it appears from an examination of the plat of Lot 2-A in Tract 4-A, a Subdivision of Tracts 4 and 5 of Streff's Tracts, City of Salem, McCook County, South Dakota, as prepared by Paul C. Kiepke, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and

alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Salem, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Salem, McCook County, South Dakota, that the plat of Lot 2-A in Tract 4-A, a Subdivision of Tracts 4 and 5 of Streff's Tracts, City of Salem, McCook County, South Dakota, as prepared by Paul C. Kiepke, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Robin Rayman
Mayor

I, Lori Heumiller, Finance Officer of the City of Salem, South Dakota, hereby certify that the foregoing resolution was passed by the City of Salem, South Dakota, at a meeting held on the 11th day of August, 2014.

Lori Heumiller
Finance Officer

Motion Gessner, second Mayrose, carried, to approve a \$724.25 donation to the PSA for advertising from the 2014 carnival proceeds.

A Landlord Agreement was presented by Finance Officer Heumiller. The statements in the agreement are based on present Ordinances and are currently used by verbal communication. The agreement will provide a written documentation of the procedures to the Landlord.

Motion Eichacker, second Mayrose, to approve the Landlord Agreement presented for the Salem Water Works accounts. On roll call, 5 (five) "Aye" (Johnson, Mayrose, Eichacker, Mokros, Westhoff); one (1) "Abstained" (Gessner).

Mayor Rayman stated notification was received from South Dakota Legislative Audit of their acceptance of the audit report for FY2012 & FY2013.

On-going discussion of complaints was held.

Nuisance updates were given.

Budget meeting date has been set for Tuesday, August 26, 2014.

The residential garbage bid letting will be held at the October 6, 2014 regular meeting.

Motion Mokros, second Westhoff, carried, to adjourn at 9:15 PM.

Dated this 11th day of August, 2014, at Salem, South Dakota.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Published once at the approximate cost of _____.