

MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE COUNCIL ROOM OF CITY HALL IN SALEM SOUTH DAKOTA ON MONDAY, FEBRUARY 10, 2014 AT 6:00 P.M.

Mayor Robin Rayman called the meeting to order with Council Members George Eichacker, Ben Johnson, Ron Mayrose, Doug Mokros and Robin Westhoff present. Foreman William Selland, Brad Seamer; and Alex Smart were also present.

Council member Laura Gessner was absent.

Motion Mokros, second Mayrose, carried, to approve the minutes of January 6, 2014 as written.

Motion Eichacker, second Johnson, carried, to approve the following reports: the Finance report stating a balance of \$2,126,414.50 for all funds and includes all investments and cash on hand; sewer pumpage of 4,170,000 gallons in December 2013 and 4,770,000 gallons in January 2014; water pumpage of 3,019,344 gallons in December 2013 and 3,256,901 gallons in January 2014; and the bacteriology and fluoride reports are satisfactory.

Motion Mokros, Westhoff, 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:

- The additional valve to accommodate the quick attach for adding a one-way to the loader.

Motion Mokros, second Mayrose, carried, to approve the quote from Titan Machinery in the amount of \$7581.26.

- Dakota Pump & Control (DPC) preventative maintenance agreement to inspect the lagoon pumps and lift station - \$945.00 annual fee.

Motion Mokros, second Johnson, carried, to approve the annual inspection agreement for the lagoon pumps and lift station from DPC in the amount of \$945.00.

Brad Seamer was present to discuss an invoice received from the City for the matting between his curb & gutter and existing pavement on Pierce Street. Seamer explained the initial request was made several years ago and he always considered it a city maintenance issue. No formal notification of a cost was given to him and if he would have known he was to incur this cost he would have taken care of the paving the year he built his house. Seamer further stated after reading the City's ordinance, it does not clearly define the process of paving an area after a street has already been paved. Seamer did agree that he should be responsible for the portion of the paved street which was disturbed when the water and sewer service lines were installed and feels the cost from six or seven years ago should be used.

An explanation was given on how, in the past, streets were only paved in the driving lanes if curb and gutter wasn't installed; if the property owner later installed curb & gutter they were responsible for the paving between the curb & gutter and the initial paved street and the paving was done only upon the property owner's request. Finance Officer Heumiller stated she thought this was discussed several years ago when the request was initially made, but no formal documented request is on file and a cost was not discussed with Seamer in 2013 – which was an over-site.

Motion Johnson, second Westhoff, to forgive Seamer's paving invoice in the amount of \$2,164.85 and to invoice Seamer for the trench repairs using the cold mix cost from 7 years ago; area to be determined this spring after snow melts off the road. On roll call, two (2) "Aye" (Johnson, Westhoff) and three (3) "Nay" (Eichacker, Mayrose, Mokros). Motion failed.

Further discussion was held on the condition of the street compared to seven years ago – ordinance doesn't specify how "the edge of the street" is determined. Finance Officer Heumiller stated the petition from 1979 to pave the street is not on file and the resolution in the minutes does not indicate how many square yards per lot were paved.

Motion Johnson, second Eichacker, carried, to split the bill with Seamer. Seamer indicated he does not agree with this.

It was determined no further action will be made on this issue until the March 10, 2014, meeting.

Selland informed the Council of the McCook County Highway truck that will be coming up for sale in April or May.

The following bids from the 2014 Street Project bid opening on 2/7/2014 @ 2PM were reviewed by the council:

Matthaei Excavating Inc, Canistota, SD	- \$129,744.20
Twedt Construction Inc, Montrose, SD	- \$130,202.20
ASCO, Sioux Falls, SD	- \$138,034.95
Seal Pro's Inc., Harrisburg, SD	- \$138,138.00
Double H Paving, Tea, SD	- \$139,534.25
Zacharias Construction, Hartford, SD	- \$148,636.53
Dakota Road Builders, Sioux Falls, SD	- \$163,833.18
VanderPol Dragline, Mitchell, SD	- \$178,072.60

Motion Mokros, second Johnson, carried, to award the 2014 Street Project Bid to the lowest bidder, Matthaei Excavating Inc., in the amount of \$129,744.20.

The project will be funded using cash on hand from the General Fund Capital Reserve Fund for Street Improvements.

Main Street Lighting Project:

- Troy Pulse has agreed to allow the city to remove the portion of the steps interfering with the street light pole on the NE corner of Norton and Main and replace the area with cement. Pulse will install a railing.
- The street light arms are being remanufactured as when they lock in place they do not line up with the pole correctly. No delivery date has been given.
- All the poles were made to accommodate banners; the city will be receiving plugs to be used on the street light poles where the banners will not be installed.

Committee reports were given.

McCook Central FFA is hosting a pancake feed on 2/17/2014 as a fund raiser for the pool. Council extends a thank you to the McCook Central FFA.

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

PAYROLL: FINANCE OFFICE \$6262.64; CITY HALL \$585.68; STREETS \$2013.90; STORM-SEWER \$77.88; RESTRICTED-USE SITE \$.00; PARKS \$134.39; ARMORY \$1801.11; SNOW \$1433.73; WATER \$4794.19; SEWER \$2058.47; PAYROLL TAXES \$1435.83; CITY SHARE: HEALTH \$1916.42; DENTAL \$94.78; AFLAC \$95.28; RETIREMENT \$1163.05.

CLAIMS:

<u>VENDOR</u>	<u>INVOICE DESCRIPTION</u>	<u>AMOUNT</u>
A & B BUSINESS EQUIPMENT INC	SUPPLIES - CITY HALL	75.92
AFFORDABLE AUTO BODY	MIRROR REPLACEMENT ARMORY VEHICLE	150.00
AMERIPRIDE SERVICES INC	RUG SERVICE: CHALL/ARMORY	104.37

AUTOEX LLC	ARMORY VEHICLE REPAIRS	104.00
AVERA QUEEN OF PEACE	RANDOM DRUG TESTING FEE	51.40
BUTLER MACHINERY COMPANY	OIL & FILTER: MAINTAINER	234.69
CENTRAL FARMERS CO-OP	FUEL: SNOW & FIRE DEPT PROPANE - LAGOONS	1,147.94
CENTURY BUSINESS PRODUCTS	COPIER MAINTENACE CONTRACT	22.50
COLE PARMER	WTP CIP VALVES	256.44
CONSOLIDATED WATER SOLUTIONS	140 - WTP FILTERS	1,762.25
DAKOTA PUMP & CONTROL	2014 ANNUAL INSPECTION AGREE SEWER	945.00
DAKOTA SUPPLY GROUP	WTP - CIP SKID PARTS	34.93
DIVISION OF AGRICULTURAL SERVI	RECERTIFICATION FEES - SPRAYING	60.00
EARL F ANDERSEN INC	10 ALULITE TALBES - ARMORY	4,564.14
HAWKINS INC	WTP - CHEMICALS	5,053.45
HD SUPPLY WATERWORKS	WATER DISTRIBUTION & POOL SUPPLIES	172.97
HEIMAN FIRE EQUIPMENT	RUBBER HIP BOOTS - H2O	201.50
INDELCO PLASTICS CORPORATION	CIP PUMP - WTP	1,395.48
JENNIFER REED	DEPOSIT REFUND	34.02
JESSICA MULVIHILL	REFUND MALTBEV APP FEE	150.00
LORI A HEUMILLER	RED CROSS 2014 WSI FEE	398.52
LORILEE COMBS	DEPOSIT REFUND	73.57
MC&R POOLS INC	DESIGN/CONSULTING POOL RENO	3,500.00
MCCOOK COUNTY AUDITOR	FEB2014 LAW CONTRACT	6,985.34
MICHAEL TODD & COMPANY INC	BLADES: SNOW	740.29
MIDAMERICAN ENERGY CO	UTILITIES	2,285.68
MIDAMERICAN RESEARCH CHEMICAL	SUPPLIES: WATER	366.04
NICOLE CIESZYNSKI	DEPOSIT REFUND	43.04
NOVAK SANITARY SERVICE	JANUARY 2014 GARBAGE COLLECT	6,378.62
PETTY CASH FINANCE OFFICER	POSTAGE JANUARY 2014	84.69
PUTHOFF REPAIR SALES & SERVICE	SUPPLIES: WATER	218.40
QUILL CORPORATION	SUPPLIES: FIN OFFICE	92.76
R & S SANITATION INC	GARBAGE SERVICE JAN 2014	138.14
RONDA GILBERTSON	DEPOSIT REFUND	15.49
SALEM SPECIAL	JANUARY '14 PUBLISHING	96.48
SALEM WATER DEPARTMENT	UTILITIES	122.96
SCHMUCKER PAUL NOHR & ASSOC	ENGR FEES - BIDDING/DESIGN STREET PROJ	9,000.00
SERVALL TOWEL & LINEN	TOWEL SERVICE SHOP	16.80
SIOUX FALLS NETWORKS	OFF-SITE BACKUP SERVICE	34.00
SOUTH DAKOTA ONE CALL	JAN 2014 LOCATES	3.15
SOUTHEASTERN ELECTRIC COOP	UTILITIES	87.34
STATE OF SOUTH DAKOTA	JAN 2014 WATER TESTING FEES	39.00
STURDEVANT'S SALEM INC	SUPPLIES: SNOW/ARM/WATER	172.63
SWIFT AIR INC	SERVICE KITCHEN FURNACE - ARMORY	34.80
T & C PIT STOP INC	FUEL: JAN 2014	337.55
TRIOTEL COMMUNICATIONS INC	UTILIITES	324.85
US POSTMASTER	(6) ROLLS .34 STAMPS UBBILLS	204.00
USABLUEBOOK	80 FILTERS - WTP	1,962.20
VERIZON WIRELESS	UTILITIES	91.58
XCEL ENERGY	UTILITIES	8,546.15
ZAPP HARDWARE	SUPPLIES: CHALL/ST/ARM/WA/SE	266.29
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		\$59,181.36

ACH PAYMENTS

SALES TAX COLLECTED JAN'14 PAYABLE FEB'14 \$ 500.71

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

RESOLUTION 2014-003

WHEREAS, it is necessary to make specific Capital Outlay expenditures and provide revenue for same;

NOW THEREFORE BE IS RESOLVED, that the City Council, in compliance with SDCL 9-21-14.2 agrees to include the following projects in the Capital Outlay Accumulation Fund:

1) Street Sweeper - \$25,000.00 – Accumulated amount not to exceed - \$100,000.00

The above named projects will be expended in sixty months.

Dated this 10th day of February 2014 in Salem, South Dakota.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller,
Finance Officer

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

RESOLUTION 2014-004

A RESOLUTION ADOPTING THE CITY OF SALEM'S BUILDING PERMIT FEES

WHEREAS, the City of Salem has determined a need to adjust fees charged for building permits; and

WHEREAS, the City Council has the authority to establish fees for building permits as prescribed by Section 15.02 of the Salem Zoning Ordinance;

THEREFORE BE IT RESOLVED by the City Council that the attached schedule of nonrefundable building permit fees is hereby adopted, with payment to the Authorized Official of the appropriate fee required prior to approval of any building permit.

Adopted this 10th day of February, 2014.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Building Permits

The value to be used in computing the building permit fees for all construction, remodeling, renovation, and repairs shall be the total value of all construction work for which the permit is issued exclusive of site improvements and parking lot costs.

<u>Total Valuation</u>	<u>Fee</u>
\$1 to \$1,000.....	\$5.00
\$1,001 to \$5,000.....	\$15.00
\$5,001 to \$20,000.....	\$25.00
\$20,001 to \$50,000.....	\$35.00
\$50,001 and up.....	\$50.00

In the event work is commenced prior to obtaining a building permit, all fees shall be doubled.

Conditional Use & Variance Permits

Conditional Use	\$25.00
Variance.....	\$25.00

Motion Eichacker, second Mayrose, carried, to approve the Second Reading and Adoption of Ordinance No. 601 – and ordinance establishing procedures to apply for a Special Alcoholic Beverage License in the City of Salem.

Motion Mayrose, second Westhoff, carried, to approve the Second Reading and Adoption of Ordinance No. 602 – an ordinance supplementing the 2014 Budget for the remaining cost of the Main Street Lighting Project and the 2014 Street Project.

Alex Smart was present to inform the Council that Jessica Mulvihill no longer has a lease agreement with Thunder Alley.

Finance Officer Heumiller stated that Jessica Mulvihill withdrew her Malt Beverage License Transfer Application on January 31, 2014.

Motion Eichacker, second Westhoff, carried, to adopt the “Special Alcoholic Beverage License Application” and the “Supplemental Liquor License Application” as presented.

Discussion was held on the Thunder Alley On/Off Sale Malt Beverage License and the Outskirt’s On-Sale Liquor License. The sales tax number tied to the Thunder Alley’s license was closed, but the City doesn’t have the authority to revoke their license during the license year – the Department of Revenue is charged with that responsibility. The Outskirt’s license fee was never paid; therefore, is in violation of the operating agreement.

Motion Mayrose, second Eichacker, carried, to give notice of termination of the Outskirt's Inc. On-Sale liquor license and operating agreement for non-payment of license fees.
The license will be available to a new applicant at this establishment.

Motion Mayrose, second Mokros, carried, to remove Bobbi Jo Olinger, Jeff Bormann and Jason Lunders from the Salem Volunteer Fire Department roster effective 1/21/2014.

Motion Mokros, second Johnson, carried, to decline the terrorism coverage on the city's insurance coverage.

Motion Eichacker, second Westhoff, carried, to approve the request of Todd Kirby to host open gym at the Salem National Guard armory on Wednesdays, 7:00 pm to 8:15 pm from February 12, 2014 through March 26, 2014.

Quotes were reviewed on the purchase of a TV for the Council room to be used to review documents, maps, presentations, etc.

Motion Mokros, second Johnson, carried, to purchase a 50" Vizio Model E500I-A1 at a cost of \$649.99 from Best Buy.

Petitions for Council positions can be circulated starting March 1st. Incumbents: (2yr term) Ben Johnson, Doug Mokros & Laura Gessner; (1yr term) Robin Westhoff.

Motion Eichacker, second Mayrose, carried, to adjourn at 7:45 PM.

Dated this 10th day of February, 2014, at Salem, South Dakota.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Published once at the approximate cost of _____.