

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

Mayor Robin Rayman called the meeting to order with Council Members Laura Gessner, Ben Johnson, Ron Mayrose, Doug Mokros and Robin Westhoff present. Sam Hohn of Schmucker, Paul, Nohr & Associates; Jessica Mulvihill and Lori & Alex Smart were also present. Council member George Eichacker was absent.

Motion Gessner, second Mayrose, carried, to approve the minutes of December 9, 2013 as written.

Motion Mayrose, second Gessner, carried, to approve the following reports: the Finance report stating a balance of \$2,303,656.03 for all funds and includes all investments and cash on hand; the bacteriology and fluoride reports in the city water system are satisfactory.

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

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

- No weight has been determined on the old street lights; a selling price will be tabled until a pole can be weighed.
- Discussion was held on the cost of adding a spool to the loader in order to add a one-way. A cost of \$7,581.26 was quoted from Titan Machinery. Consensus of Council is to check costs from other vendors and discuss at the February 10, 2014 meeting.

Sam Hohn, SPN, was present to discuss the preliminary plans for the 2014 Street Project – rehab of Dakota Street from Norton to Drake. The curb and gutter will remain as is; valley gutter on Drake will be replaced, the street will have off-set slopes. After discussion, it was decided to rehab the street using drain tile; geotextile fabric; 12” gravel base and 4” asphalt concrete. Core samples were to be included in the design phase cost; if report from samples comes back with a different recommendation further discussion will be held at the February 10, 2014 meeting.

Motion Mayrose, second Johnson, carried, to approve the 2014 Street Project plan for the rehab of Dakota Street with drain tile, geotextile fabric; 12” gravel base and 4” asphalt concrete; with a bid opening date of 2/7/2014 and award date of 2/10/2014 – unless core sampling report conflicts with this design.

Main Street Lighting project:

- Pole on the NE intersection of Main & Norton fix is still being worked on. A letter was issued to property owner with proposed fix to the steps at this intersection but no comments have been received.
- Pay request from Pulse Electric Inc. for \$121,581.27 was reviewed. Pay request reflects poles and lights on site. Installation of poles was finished on 1/3/2014.

Motion Mokros, second Mayrose, carried, to approve the pay request from Pulse Electric Inc. for the Main Street Lighting Project in the amount of \$121,581.27.

Committee reports were given.

Jessica Mulvihill and Lori & Alex Smart were present to discuss the transfer application of the Malt Beverage License from Lori Smart to Jessica Mulvihill at Thunder Alley Bowling.

Correspondence was reviewed from Attorney James Taylor regarding the list of items the Council requested of Jessica Mulvihill. City Attorney Gerlach reviewed the correspondence from Attorney Taylor and after

researching the information it was determined the Council can only consider the following on an application for an Alcoholic Beverage license based on the following SD Codified Laws:

*35-2-6.2. Character requirements for licensees. Any licensee under this title, with the exception of a solicitor, must be a person of good moral character, never convicted of a felony, and, if a corporation, the managing officers thereof must have like qualifications.*

*35-2-6.3. Ownership or lease of premises required of licensees--Ownership of business. Any distiller, manufacturer, wholesaler, or retailer licensee under this title must be the owner or actual lessee of the premises where the business is to be conducted and the sole owner of the business to be operated under such license.*

The items still allowable and requested at the 12/9/2013 meeting are a copy of the lease agreement; and three references from the prior establishments Mulvihill managed.

Jessica Mulvihill presented the Mayor with a copy of the lease agreement and two local references.

Council tabled decision on the transfer of license until the business references are provided and can be verified.

Motion Mayrose, second Mokros, carried, to approve the 2014 annual donations of \$1,000.00 to the Senior Citizens; \$500.00 to the Salem Community Library; and \$2,000.00 to the Progressive Salem Association.

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

**PAYROLL:** FINANCE OFFICE \$3949.80; CITY HALL \$28.35; STREETS \$1407.01; STORM-SEWER \$57.28; RESTRICTED-USE SITE \$161.00; PARKS \$102.05; ARMORY \$1175.24; SNOW \$1952.27; WATER \$3028.11; SEWER \$862.51; PAYROLL TAXES \$926.97; CITY SHARE: HEALTH \$1839.48; DENTAL \$94.78; AFLAC \$95.28; LIFE 43.80; RETIREMENT \$758.06.

**CLAIMS:**

<b>Vendor Name</b>	<b>Invoice Description</b>	<b>Amount</b>
AMERIPRIDE SERVICES INC	RUG/MOP SERVICE ARMORY	208.74
AVERA MEDICAL GROUP	VACCINES - SEWER	184.00
CENTRAL FARMERS CO-OP	DIESEL FUEL: SNOW/STREETS	1,230.83
CENTURY BUSINESS PRODUCTS	COPIER MAINTENANCE AGREE	22.50
DAKOTA SUPPLY GROUP	WTP - SUPPLIES	150.71
GESSNER WELDING INC	SUPPLIES: STREETS/WTP	139.80
GRAINGER INC	SUPPLIES - ARMORY SCRUBBER	88.86
HAWKINS INC	WTP - CHEMICALS	2,961.00
HD SUPPLY WATERWORKS	POOL - 6" VALVE	562.90
INDELCO PLASTICS CORPORATION	WTP - CIP PUMP	1,395.69
JOHNSON BROTHERS FAMOUS BANDS	OP AGREEMENT T&C PITSTOP	4,427.09
LORI A HEUMILLER	MILEAGE - ELECTION WORKSHOP 12/13/2013	29.60
MATTHAEI EXCAVATING INC.	STORM SEWER DITCH CLEANING	1,840.00
MCCOOK COUNTY HIGHWAY	3 - 4' BLADES: SNOW	559.50
MIDAMERICAN ENERGY CO	UTILITIES	1,513.54
MIDAMERICAN RESEARCH CHEMICAL	SPPLIES - ST/SE & ARMORY	2,070.46
NOVAK SANITARY SERVICE	DEC 2013 GARBAGE COLLECTIONS	6,356.49
PETTY CASH FINANCE OFFICER	POSTAGE WA/FINOFF	96.32
PULSE ELECTRIC INC	MAIN STREET LIGHTING PROJ	121,681.04
R & S SANITATION INC	UTILITIES	138.14
REPUBLIC BEVERAGE COMPANY	OP AGREEMENT - BREWERY	3,718.94
SALEM SPECIAL	DEC 2013 PUBLISHING	148.79
SALEM WATER DEPARTMENT	UTILITIES	125.82
SCHMUCKER PAUL NOHR	2014 STREET PROJECT DESIGN	6,000.00

SD UNEMPLOYMENT INSURANCE DIV	2013 4TH QTR PREMIUM	0.96
SERVALL TOWEL & LINEN	TOWEL SERVICE	16.80
SHORT STOP	FUEL: DEC 2013	386.76
SIOUX FALLS AREA HUMANE SOCIET	SERVICES 11/26/2013 AND RABIES TESTING FEE	492.50
SIOUX FALLS NETWORKS	OFF-SITE BACKUP SERVICE	34.00
SOUTH DAKOTA ONE CALL	DEC 2013 LOCATES	2.10
SOUTHEASTERN ELECTRIC COOPERAT	UTILITIES	86.26
STATE OF SOUTH DAKOTA	WTP - TESING FEES	39.00
STURDEVANT'S SALEM INC	SUPPLIES: ST/WA/SE	79.21
T & C PIT STOP INC	FUEL: DEC 2013 CHRISTMAS OPEN HOUSE	81.84
THOMSON WEST	LAW BOOK SUPPLEMENTS	88.50
TRIOTEL COMMUNICATIONS INC	UTILITIES	22.06
USABLUEBOOK	SUPPLIES: WATER	99.56
VERIZON WIRELESS	UTILITIES	85.32
WELLMARK BLUE CROSS BLUE SHIEL	HEALTH INSURANCE FEES	85.50
XCEL ENERGY	UTILITIES	,141.48
ZAPP HARDWARE	SUPPLIES: CHALL/ST/POOL/ARM/H2	56.08
DEARBORN NATIONAL LIFE	2014 QTRLY PREMIUM	92.60
DENR FOSS BUILDING	SELLAND/MENTELE CERTICATION RENEWALS	48.00
MCCOOK COUNTY AUDITOR	2014 - LAW AGREEMENT	6,985.34
MCCOOK COUNTY TREASURER	2014 WEBSITE ACCESS AGREEMENT	225.00
MIDAMERICAN RESEARCH CHEMICAL	POOL CHEMICALS	9,589.30
PROGRESSIVE SALEM ASSN	2014 DONATION - ADVERTISING	2,000.00
SALEM COMMUNITY LIBRARY	2014 DONATION BOOKS/EXPENSE	500.00
SALEM SENIOR CITIZENS	2014 DONATION RENT/INS	1,000.00
SD ASSN OF RURAL WATER SYSTEMS	2014 ANNUAL DUES	475.00
SD ASSOCIATION OF CODE ENFORCE	2014 DUES	40.00
SD DENR	SALEM 2014 WASTEWATER FEE	1,500.00
SD GOVERNMENT FINANCE OFFICERS	2014 DUES	70.00
SD HUMAN RESOURCE ASSOCIATION	2014 DUES	25.00
SD MUNICIPAL LEAGUE	2014 ANNUAL DUES	1,010.34
SD STREET MAINTENANCE ASSOC	2014 DUES	35.00
SDAK MUNI ATTORNEY ASSOC	2014 DUES	20.00
SDWWA	SDWWA MEMBERSHIPS _ 2014 #444 & 2838	20.00
SEAFOG	2014 DUES	50.00
SECOG	2014 DUES	2,096.00
<b>ACH PAYMENTS</b>		
FIRST NATIONAL BANK SIOUX FALLS	SRF LOAN PAYMENTS	38,842.41
STATE TREASURER	SALES TAX COLLECTED DEC 2013	517.58

Motion Mayrose, second Johnson, carried, to enter into executive session at 7:48 p.m. to discuss personnel performance - SDCL 1-25-2 (1).

Mayor Rayman declared out of executive session at 8:00 p.m.

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

#### **RESOLUTION 2014-001**

**WHEREAS**, in compliance with SDCL 6-1-10, which states that a complete list of all salaries paid to all city officials and employees be established by resolution and published in the minutes of the first meeting of the fiscal year and thereafter published monthly by department;

**NOW THEREFORE BE IS RESOLVED**, that the following is a list of all said salaries:

**FISCAL YEAR 2014**

**GROSS ANNUAL WAGE:**

<b>NAME</b>	<b>POSITION</b>	<b>SALARY</b>	<b>PER MEETING</b>
Rayman, Robin	Mayor	2000.00	60.00
Gessner, Laura	Council President	1000.00	50.00
Eichacker, George	Council Vice-President	1000.00	45.00
Mayrose, Ron	Councilman	1000.00	45.00
Johnson, Ben	Councilman	1000.00	45.00
Mokros, Doug	Councilman	1000.00	45.00
Westhoff, Robin	Councilman	1000.00	45.00

**GROSS BI-WEEKLY SALARY:**

<b>NAME</b>	<b>POSITION</b>	<b>SALARY</b>
Heumiller, Lori	Finance Officer	1681.69

**HOURLY WAGE:**

<b>NAME</b>	<b>POSITION</b>	<b>PER HOUR</b>
Selland, William	Water-Sewer Supt./Forman	19.47
Mentele, Brian	Street Facility Maintenance	14.75
Weber, Dustin	Facility Maintenance	13.10
Eich, Alycia	Asst. Finance Officer	13.11
Schillinger, Nate	"Burn site" Custodian	9.21
Scholten, Kenneth	Asst. "Burn site" Custodian	9.21

Dated this 6<sup>th</sup> day of January 2014 in Salem, South Dakota.

Robin Rayman  
Mayor

ATTEST:

Lori Heumiller  
Finance Officer

Motion Johnson, second Mokros, carried, to approve the following Salem City Council declaration:  
"The City of Salem does not discriminate on basis of handicapped status in the admission, or access to, or treatment, or employment in its programs or activities."

Motion Mokros, second Johnson, carried, to designate the Salem Special as the city's legal publication.

Motion Mayrose, second Mokros, carried, to designate First Dakota National Bank, Service First Credit Union and South Dakota Public Funds Investment Trust as the legal depositories for the City of Salem.

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

**RESOLUTION 2014-002**

A Resolution Amending City Restricted Use Facility Rate Schedule and Hours of Operation

WHEREAS, the Salem City Council believes that it is necessary and in the best interest of the City of Salem, in order to pay all costs for the operation and maintenance of the restricted use facility, to amend the rates and hours of operation for the use of the facility provided by the City of Salem; and

WHEREAS, Section 3.0405 of the Salem City Ordinances gives the Salem City Council the authority to revise the rate schedule and set hours of operation by Resolution of the Salem City Council, now

THEREFORE BE IT RESOLVED by the Salem City Council the following schedule of restricted use facility rates and hours of operation is hereby adopted, with payment to the Finance Office of the appropriate fee required prior to use of the restricted use facility.

**SALEM RESTRICTED USE SITE**

**ANNUAL RATES**

Type	Rate
Residential	\$ 10.00
Commercial	\$ 75.00
One Time Fee	\$ 5.00
Unsecured Loads	\$ 15.00

**HOURS OF OPERATION**

MONTH	DAYS	TIME
Jan-March, Dec	Mon, Wed, Sat	Closed
April-August	Mon & Wed Saturday	4:00 p.m. - 8:00 p.m. 10:00 a.m. - Noon 1:00 p.m. - 4:00 p.m.
Sept - Oct	Mon & Wed Saturday	3:00 p.m. - 7:00 p.m. 10:00 a.m. - Noon 1:00 p.m. - 4:00 p.m.
November	Saturday	10:00 a.m. - Noon 1:00 p.m. - 4:00 p.m.

The November and April hours are subject to change depending on weather conditions.

Adopted this 6th day of January, 2014.

Official Seal:

\_\_\_\_\_  
Robin Rayman, Mayor

\_\_\_\_\_  
ATTEST: Lori Heumiller, Finance Officer

Motion Johnson, second Gessner, carried, to approve the first reading of Ordinance #601 – an ordinance establishing guidelines for Special Alcoholic Beverage Licenses.

Motion Mayrose, second Gessner, carried, to approve the first reading of Ordinance #602 – an ordinance supplementing the 2014 Budget for the remaining Main Street Lighting Project and the 2014 Street Project.

Motion Gessner, second Mokros, carried, to approve the following 2014 Salem Volunteer Fire Department Roster; John Staebell; Paul Deters; Tom Peterson; Nathan Olinger; Ken Scott; Jason Lunders; Bill Eichacker; Paul Eich; Marvin E. Johnson; Tony Kerkhove; Gerald Mead; Curtis Gessner; John Oyen; Todd Matthies; Trevor Mead; Michael Hanisch; Bobbi Jo Olinger, Tracy Morehead, Josh Blindert, Jeremy Matthies, Todd Bies, Michael Heumiller, Jeff Bormann and Steve Mehlbrech.

Finance Officer Heumiller reviewed the end of year financial status of all funds with the Council.

Motion Gessner, second Mayrose, carried, to designated \$250,000.00 for the 2015 Budget in the General Fund.

Mayor Rayman stated the next Regular Council meeting is set for Monday, February 10, 2014 at 6:00 PM.

Motion Mokros, second Johnson, carried, to adjourn at 8:20 pm.

Dated this day 6<sup>th</sup> of January, 2014, at Salem, South Dakota.

Robin Rayman  
Mayor

ATTEST:

Lori Heumiller  
Finance Officer

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