

MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE COUNCIL ROOM OF CITY HALL IN SALEM SOUTH DAKOTA ON MONDAY, MAY 11, 2015 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, Harlan Quenzer of Schmucker, Paul, Nohr & Associates; Andy Swift of Swift Air Inc.; Tom Peterson; Carla Snyders of Brickhouse Flowers; Jay Wilkinson and Robert Deters were also present.

Motion Gessner, second Mokros, carried, to approve the minutes of April 6, 2015 as written.

Motion Mayrose, second Gessner, carried, to approve the following reports: the Finance report stating a balance of \$2,176,468.26 for all funds and includes all investments and cash on hand; sewer pumpage of 3,810,000 gallons; water pumpage of 2,791,778 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 Gessner, carried, to approve the Foreman report presented by Foreman Selland. The following items were discussed:

- Andy Swift of Swift Air Inc. met with the Council to discuss the faulty compressor on the south unit and a bad stage 4 Compressor on the large east Trane unit both found during the semi-annual maintenance of the Armory HAVC units. Proposals for installing a new 5 ton dry R22 condensing unit and a new compressor for the 40T Trane unit were presented to the Council. A new 5T unit carries a 5 year warranty and a new compressor on the 40T unit a one year warranty. Costs are \$4,322.00 & \$6,874.00 respectively and cover labor, materials & shipping.
- The South Dakota Department of Health is accepting West Nile Virus Prevention Grant applications for local mosquito control. Specifications on two different ULV machines were presented to the Council with a recommendation on the Clarke Cougar 10 HP ULV as it provides a Smart Flow Console allowing the user to program 3 different rates of product and switch rates on the go; which is a beneficial feature for communities sharing the machine. Cost of unit \$9,462.00. The other communities in McCook County have been contacted and a joint application for the grant can be filled out for chemicals and equipment.

Motion Mokros, second Eichacker, carried, to approve both proposals from Swift Air for the installation of a new 5 ton dry R22 condensing unit (\$4,322.00), and the installation of a new compressor in the 40T unit (\$6,874.00) costs include labor, material and shipping.

Motion Mayrose, second Mokros, carried, to apply for the West Nile Virus Prevention Grant through the SD Dept of Health for chemicals and the Clark Cougar 10HP ULV machine. A joint application with the other McCook County towns may be filled out, if approved by their Councils.

Harlan Quenzer, SPN, was present to update the Council on the Sewer Cleaning and Televising project. No pay request was presented as inadequate information was provided by the contractor. Notification to the contractor's bonding company has been made, but no response has been received. Project's substantial completion date was 12/1/2014; final completion, 12/31/14.

Quenzer also visited with the Council on the 2015 Street Project contract reviewed at the April 6, 2015 meeting. After discussion, the consensus of the Council is to table the street project. Design and bidding will be discussed this fall.

Council member Laura Gessner left the meeting at 6:45 p.m.

At 7:00 p.m. bids on the “Macey” antique oak roll-top desk were advertised to be opened. No bids were received. Finance Officer Heumiller stated the Council could re-appraise the desk or the current appraisal will remain valid for a year and the desk could be sold for 90% of the appraised value. Consensus of the Council is to leave the appraised value at \$500.00.

At 7:05 p.m. the Council met as a “Board of Adjustment” to hold a Public Hearing to consider the application of Tom & Carol Peterson for a Variance to pour a 12’ x 30’ cement pad 12’ from the east property line instead of the required 20’. Legal description: The East 65.7’ of Blk 4; Drakes Addt. to City Salem, Except the North 75’ of Block 4 & Except Lot 1, 2, & 3 thereof, McCook County, South Dakota. Site address is 340 E. Drake Ave.

No written or verbal comments were received.

Motion Eichacker, second Mokros, carried, to approve the application of Tom & Carol Peterson for a Variance to pour a 12’ x 30’ cement pad 12’ from the east property line instead of the required 20’. Legal description: The East 65.7’ of Blk 4; Drakes Addt. to City Salem, Except the North 75’ of Block 4 & Except Lot 1, 2, & 3 thereof, McCook County, South Dakota.

Committee reports were given.

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

PAYROLL: MAYOR/COUNCIL \$7690.00; FINANCE OFFICE \$4824.68; CITY HALL \$107.83; STREETS \$1988.66; STORM-SEWER \$141.57; RESTRICTED-USE SITE \$427.80; PARKS \$1336.07; ARMORY \$1095.05; WATER \$2464.90; SEWER \$1196.92; PAYROLL TAXES \$1586.82; CITY SHARE: HEALTH \$1798.78; DENTAL \$94.78; AFLAC \$95.28; LIFE 43.80; RETIREMENT \$804.83.

Claims:

VENDOR	DESCRIPTION	AMOUNT
AMERIPRIDE SERVICES INC	RUG SERVICE: ARMORY & CHALL	117.60
AMG RURAL CLINICS	RANDOM DUG TESTING FEES	20.00
CENTRAL FARMERS CO-OP	SUPPLIES: SEWER; WATER; STREETS	292.45
CENTURY BUSINESS PRODUCTS	COPIER MAINTANANCE AGREEMENT	25.55
CHELSEY DRASKOVICH	WATER DEPOSIT REFUND	72.51
CMC EXCAVATION INC	WATER BREAK PECK 2/24/15	1,214.29
DAKOTALAND SOD FARM INC	BASEBALL FIELD IMPROVEMENTS	5,300.00
DANIEL SWARTOS	SUMMER REC REFUND	30.00
GESSNER WELDING INC	BASEBALL PARK SUPPIES; WELD WATERTOWER LADDER	89.50
HARVE'S SPORT SHOP	HOME BASES (2)	135.90
HAWKINS INC	WTP CHEMICALS	1,963.88
HD SUPPLY WATERWORKS	WATER DISTRIBUTION SUPPLIES	947.96
KUNDERT WILLIAMS INS AGENCY	JD TRACTOR W/ LOADER PREIMUM	597.00
LARRY KNUDSON	WATER DEPOSIT REFUND	22.54
LORI A HEUMILLER	MILEAGE May 6 - 8, 2015 CODE ENFORCE/GOED RFI	84.36
MC&R POOLS INC	POOL SUPPLIES	519.35
MCCOOK COUNTY AUDITOR	MAY 2015 LAW AGREEMENT	6,985.00
MIDAMERICAN ENERGY CO	UTILITES	459.61
MIDAMERICAN RESEARCH CHEMICAL	SUPPLIES: ARMORY/POOL/SEWER	2,442.43
MITCHELL CONCRETE PRODUCTS INC	BASEBALL PARK - DRAINAGE ROCK	46.75
ON DECK SPORTS	BASEBALL FIELD IMPROVEMENTS BATTING MATS, BCT TERF	1,277.50
PETTY CASH FINANCE OFFICER	POSTAGE 3/12-5/11/15	223.97
QUILL CORPORATION	OFFICE SUPPLIES	277.19
RBS SANITATION INC	SALEM CITY GARBAGE SERVICE & RESIDENTIAL CONTRACT	5,662.30
ROGER GERLACH ATTORNEY AT LAW	SEMI-ANNUAL RETAINER & FILING FEE REIMBURSEMENT	1,530.00
SALEM FARMERS MARKET	SUPPLIES: CITY HALL PUBLIC HEARING MEAL SUPPLIED	103.70

SALEM LUMBER CO	BASEBALL FIELD PARK - RESTROOM/CONCESSION BLDG	18,530.75
SALEM SPECIAL	APRIL 2015 PUBLICATIONS	1,451.17
SALEM WATER DEPARTMENT	UTILITIES WEST SHOP & ARMORY	126.30
SCHMUCKER PAUL NOHR & ASSOCIAT	SEWER CLEAN/TELEV ENGR CONTRACT	1,167.50
SERVALL TOWEL & LINEN	UTILITITES	16.80
SHORT STOP	FUEL PURCHASES APRIL 2015	393.66
SIOUX FALLS NETWORKS	REMOTE DATA BACKUP	34.00
SIOUX VALLEY ENVIRONMENTAL INC	WTP TESTING SUPPLIES	516.00
SOUTH DAKOTA ONE CALL	APRIL 2015 LOCATES	31.50
SOUTHEASTERN ELECTRIC COOP	UTLITIES	116.60
SPENCER QUARRIES INC	91T-7/16" CHIPS - CHIP SEALING	1,184.95
STAN HOUSTON EQUIP CO INC	TRIMMER PARTS/SUPPLIES: PARKS	46.45
STATE OF SOUTH DAKOTA	WATER TESTING FEES	43.00
STURDEVANT'S SALEM INC	MOTOR FOR LRG PUMP, BATTERY LAGOON; SUPPLIES-PARK	614.62
SUN GOLD TROPHIES INC	PLAQUE	40.25
SWIFT AIR INC	PREVENTATIVE MAINTAINANCE AGREEMENT	1,363.54
T & C PIT STOP INC	POOL PUBLIC MEETING SUPPLIES	35.94
TRIOTEL COMMUNICATIONS INC	UTILITIES	256.61
US POSTMASTER	ANNUAL PO BOX FEE	86.00
US POSTMASTER	6 ROLLS .34 CENT STAMPS	204.00
VAN DIEST SUPPLY COMPANY	120LB VECTOLEX & FLUSHING SOL MOSQUITO CONTROL	893.40
XCEL ENERGY	UTILITIES	6,874.10
ZAPP HARDWARE	SUPPLIES: WTR: PARKS: ARMORY; WESTSHOP	129.40
CLAIMS PRE-APPROVED:		
JASON BLOSMO - I-29 LEAGUE	LEAGUE & TOURNEY FEES 13/14 TEENERS	250.00
VERIZON WIRELESS	UTILITIES	104.27
IYSA	14 & UNDER SOFTBALL FEES (LEAGUE/ASA/UMPIRES/ETC)	750.00
ACH MAY 2015		
STATE OF SOUTH DAKOTA	SALES TAX COLLECTED APRIL 2015	885.92

Motion Mayrose, second Johnson, carried, to approve the following Malt Beverage renewals for July 1, 2015 through June 30, 2016:

Application for Retail (ON-OFF SALE) Malt Beverage for:

T & C's Pit Stop Inc., Todd & Christi Matthies (25315 US 81) N 500' of E 338' (3.88A) Including Siever's Tr 1 & ex that portion of Lot H1 (.12A) & H3 (.22A) & H4 (.10A) lying therein & Ex land deeded for Highway purposes (.75A) lying therein, all in the N ½ NE ¼ Section 23, Salem Township; and,

Application for Retail (ON-OFF SALE) Malt Beverage for:

Salem Sales, Inc. Donald Sabers (241 N. Nebraska) Lots 1 & 2 Ex 60' thereof, & all of Lots 3; Blk 15; OT.

At 7:15 p.m. a public hearing was held to consider the following application for a New Retail Off-Sale Malt Beverage and SD Farm Wine License to operate within the municipality for licensing period July 1, 2015 – June 30, 2016 and a two-day temporary malt-beverage license application for July 11th and 12th, 2015.

Application for Retail Off -Sale Malt Beverage and SD Farm Wine License for:

Brickhouse Flowers, Carla R. Snyders, (200 N Main St) Lot A of Lot 6 and Lot 7; Blk OT, Salem, McCook County, South Dakota; and,

Temporary Malt Beverage License application of Salem Pool Fund Raising Committee

to sell malt beverages on Salem Main Street between Norton & Vermont on Saturday, July 11, 2015 during the Street Dance and on Salem Main Street between Norton & Essex and

½ block East & West of Main Street on Norton & Vermont on Sunday, July 12, 2015, during the Salem Car Show.

No verbal or written comments were received.
Carla Snyders was present to answer any questions.

Motion Mokros, second Westhoff, carried, to approve the following Malt Beverage and SD Wine License for July 1, 2015 through June 30, 2016:

Application for Retail (OFF SALE) Malt Beverage and SD Farm Wine for:
Brickhouse Flowers, Carla R. Snyders, (200 N Main St) Lot A of Lot 6 and Lot 7; Blk OT, Salem, McCook County, South Dakota.

Motion Mayrose, second Eichacker, carried, to approve the Temporary Malt Beverage License application of Salem Pool Fund Raising Committee to sell malt beverages on Salem Main Street between Norton & Vermont on Saturday, July 11, 2015 during the Street Dance and on Salem Main Street between Norton & Essex and ½ block East & West of Main Street on Norton & Vermont on Sunday, July 12, 2015, during the Salem Car Show.

Jay Wilkinson was present to discuss the claim filed against the City's insurance for a manhole cover damaging his vehicle. The insurance company denied the claim. Mayor Rayman stated the Council was advised by the city attorney to not override the insurance company's decision. If a small claim is filed, the insurance company will have to defend their decision.

Robert Deters was present to discuss the mowing dates on the "City Limits Haying Permit". Deters stated June 1st is too early and wouldn't be worth the cost for the little bit of hay they would harvest.

After discussion, motion Mokros, second Johnson, to change the "City Limits Haying Permit" dates on Item #3 to June 30th & August 31st; Item 6 dates to July 7th & September 7th and Item 8 to August 31st.

Motion Mayrose, second Johnson, carried, to hire the following 2015 seasonal employees:

Baseball Coaches:

Cheeseman, Cole – Teeners (13/14 yr. olds) assisted by Craig Cheeseman (\$0.00); Assistant Coach (Rugrat, PeeWee, Midget) & field maintenance - \$2,000.00 salary
Wegener, Matt - Assistant coach – reporting to Tom Randall - \$8.50 per hr
Tuschen, Kyle - Assistant Coach – reporting to Jeremy Grady - \$8.50 per hr

Lifeguards:
Roth, Bryce, \$8.85 per hr
McCormick, Drew, \$8.85 per hr
Eickman, Joey, \$8.85 per hr

Finance Officer Heumiller discussed the SDSU Active Transportation Recommendations presented by the SDSU Landscape Architecture students. The recommendations and presentation are posted on the City's website. The student's recommendations will be very helpful for planning and grant writing.

Finance Officer Heumiller stated the SD DOT TAP funds are compatible with some of the Active Transportation Recommendations. The former "Safe Routes to School" and "Trails" programs fall under the TAP funds.

Nuisances were discussed. Finance Officer Heumiller discussed the on-going nuisance problems in the City and is recommending the hiring of a certified code enforcement officer on a part-time basis. Geoff Fillingsness, a certified code enforcement officer and building inspector, is willing to work part-time for the City. Fillingsness works for the City of Beresford and part-time for a few smaller

communities. Fillingsness works with the 2012 International codes and with Tom Frieberg of Frieberg, Nelson & Ask L.L.P. law firm to handle all nuisance abatements.

Motion Mayrose, second Mokros, carried, to hire Geoff Fillingsness as a part-time Code Enforcement Officer for the City of Salem at \$35.00 per hour.

Motion Mokros, second Eichacker, carried, to retain the services of Tom Frieberg of Frieberg, Nelson & Ask L.L.P. law firm at a rate of \$130.00 per hour for legal services relating to Nuisance Abatements.

Motion Mokros, second Johnson, carried, to approve the first reading of Ordinance No 612 – an Ordinance amending the Revised Municipal Ordinances Chapter 9.03, Building Code to the 2012 International Building Codes.

Motion Eichacker, second Mayrose, carried, to approve the first reading of Ordinance No 613 – an Ordinance amending the Revised Municipal Ordinances Chapter 9.06, Residential Building Code to the 2012 International Codes.

Motion Mokros, second Westhoff, carried, to approve the first reading of Ordinance No 614 – an ordinance amending the Revised Municipal Ordinances Chapter 9.07, Property Maintenance Code to the 2012 International Property Maintenance Code.

Motion Mokros, second Johnson, carried, to approve the first reading of Ordinance No. 615 – an Ordinance supplementing the 2015 Appropriation Budget. Supplements are for the HRC audit, the baseball field improvements and new concession stand/restroom facility.

The HRC Audit was reviewed.

Discussion was held on the ADA accessibility at both the softball & baseball fields.

Mayor Rayman stated a special meeting will be held on Wednesday, May 27, 2015, at 6:00 p.m. to meet with Geoff Fillingsness and review and adopt the 2012 International Building & Residential Building Codes & 2012 International Property Maintenance Code.

Motion Johnson, second Mayrose, carried, to adjourn at 8:20 PM.

Dated this 11th day May, 2015, at Salem, South Dakota.

Robin Rayman
Mayor

ATTEST:

Lori Heumiller
Finance Officer

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