

MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE MCCOOK CENTRAL SCHOOL DDN ROOM IN SALEM SOUTH DAKOTA ON TUESDAY, DECEMBER 10, 2024, AT 6:00 P.M.

Mayor Glenda Blindert called the meeting to order with Council Members Doug Mokros, Ron Mayrose, Mitchell Rayman, Marc Harris, Janet Karel and Dnyee Schierholz present. Jacob Morris of DGR Engineering; City Attorney Tim Bottum; Duane Mutziger; John Schallenkamp; and T & R Construction representatives, Rayn Gulbrandson, Dana Gulbrandson and Jerry Rave were also present.

Motions made were unanimous of Council members present unless roll call identifies otherwise.

Declaration of conflicts: Council members Karel, Item 9A and Rayman, Item 12B.

Motion Mokros, second Mayrose, carried, to approve the agenda.

No one was present for public comment (SDCL 1-12.1).

Motion Rayman, second Karel, carried, to approve following consent agenda items:

- The minutes of November 5, 2024, as written.
- Finance report stating a balance of \$6,819,129.62 for all funds and includes all investments and cash on hand; sewer pumpage of 4,560,000 gallons; water pumpage of 2,135,000 gallons; and the bacteriology report is satisfactory.
- The police report filed by the McCook County Sheriff Department.
- Claims list dated December 10, 2024.

Payroll: Mayor/Council \$1014.98; Finance Office \$7011.22; Streets \$4131.51; Restricted-Use Site \$1677.33; Park \$1541.32; Storm Sewer \$414.30; Water \$6009.19; Sewer \$2371.29; Payroll Taxes \$1744.09; City Share: Health \$6283.80; Dental \$155.76; Aflac \$98.84; Life \$54.75; Retirement \$1317.86.

Claims:

VENOR	DESCRIPTION	AMOUNT
Bray Sales Inc	WTP-Positioner	1,824.76
Central Farmers Co-Op	Streets: Diesel, DEF, Oil	972.85
Century Business Products	Copier & Doc Maintenance Contracts	170.62
Cintas Corporation No. 2	Rug Service	137.90
CNA Surety	Finance Officer Bond	525.00
Consolidated Water Solutions	WTP Filters	1,410.91
Core & Main Lp	WTP Supplies	190.65
DGR Engineering	Engineering: Street Repairs	484.00
DGR Engineering	WTP Support Engineering	7,556.33
DGR Engineering	Engineering: Industrial Area Proj	47,671.83
Environmental Systems Research	GIS Online Subscription	700.00
GeoTek Engineering & Testing	Industrial Area & Comm Cntr: Testing Fees	7,788.00
Hawkins Inc	WTP Chemicals	1,966.72
I & S Group, Inc	CityHall/ Community Center Adm	2,920.00

J & M Repair	Snowblower Oil & Fuel Filter	5,139.23
JP Cooke Company	2025 Dog Tags	93.50
Maynards Salem	Sewer & Janitorial Supplies	81.93
MC&R Pools Inc	Winterized Wader Pool	1,375.96
McCormick Motors Inc	Street: Oil/air Filters	363.09
Mcleods Printing & Office Sup	2025 UBBILL Brochures	806.90
Meierhenry Sargent LLP	Bond Counsel: DW&CW SRF Phase2ST/U	28,000.00
MidAmerican Energy Co	Utilities	115.63
Morgan Theeler LLP	Attorney Fees	2,429.19
New Century Press Inc	NOV 24 Publications	687.05
Petty Cash Finance Officer	Postage: Fin Off, Water, Sewer	104.07
Pheasantland Industries	2025 Golf Cart Sticker	39.84
Pulse Electric Inc	St Light Repair	423.31
Puthoff Sales & Service, Inc.	Snow Truck: 2 gallon Slip	178.02
RBW Sanitation Inc	Garbage Contract	8,825.04
Salem Lumber Co	Snow Supplies	12.68
Salem Volunteer Fire Dept	Land O'Lakes Foundation Donation	1,000.00
Salem Water Works	Utilities	470.52
Sd Public Health Laboratory	Testing Fees	222.00
SDWWA	Membership Renewals	20.00
Sioux Falls Area Humane Society	Animal Seizures	257.90
South Dakota One Call	Locates	22.05
Southeastern Electric	Utilities	141.15
Sturdevant's Auto Value Salem	Supplies: Street	678.17
Total Stop	Fuel Purchases	367.40
Triotel Communications Inc	Utilities	240.55
Twedt Construction Co Inc	Street Repairs	14,256.00
Us Postmaster	Postage UB Bills	1,861.00
Xcel Energy	Utilities	7,333.51
Jesse Muth	Deposit Refund	43.06
McCook County Auditor	Law Agreement	8,168.00
CARDMEMBER SERVICES - CREDIT CARD PURCHASES		
Credit Card	Cash Redeemed: Applied to bill	(9.47)
USPS	Postage Postcard & First Class Stamps	353.00
Northern Tools	Water Transfer Pump	59.99
CLAIMS PRE-APPROVED:		
Verizon Wireless	Utilities	128.76
ACH		
State of South Dakota	Sales Tax Collected November	666.96

In PW Supervisor Weber absence, Finance Officer discussed the following items:

- Courthouse well – electrical wire scheduled to be replaced on 12/13/2024.
- 2025 Snow Hauling Contracts: One received Gene Sandine \$200 per hour - \$50 increase.

- 2025 Snow Removal Contract: One received Travis Peterson same fees as 2024 - \$140 per hour for snow blower (min 30 min); \$45.00 per salt treatment bag.
- Dakota Pump & Control 2025 Annual Inspection Agreement (lagoon pumps).

Motion Mokros, second, Rayman, carried, to approve the replacement of the well wire – Pulse Electric estimated cost \$8,724.51.

Motion Mokros, second, Mayrose, carried, to approve the snow hauling contract with Gene Sandine at \$200 per hour.

Motion Harris, second Rayman, carried, to approve the Snow Removal contract with Travis Peterson at \$140 per hour (30 minute minimum) and \$45.00 per salt treatment bag.

Motion Mokros, second Mayrose, carried, to approve the 2025 Annual Inspection Agreement with Dakota Pump & Control on the sewer pumps.

Engineer Report:

Industrial Area Project:

DGR is recommending payment of Pay Request #8- T&R Contracting Inc. \$217,175.00 for work to date. Retainage on project is 10% plus additional \$236,324.40 for lien filed against the project.

Morris stated the Substantial Completion date is 11/15/2024; and Final Completion date is 11/26/2024: Liquidated Damages calculated with these dates is \$29,250.00.

Ryan Gulbrandson, T & R Contracting, Inc. addressed the Council. They are asking for a 30-day time extension due to the 73-days of at least a trace of rain April – July 2024. Also stated, they hired an extra underground crew to help catch up on the work, and had the 1st contractor walk off the job. They worked Saturdays, Sundays, and hours of overtime to get the project caught up and completed. Asking for consideration on the extension.

Morris noted T & R 's responsiveness to get the project completed.

Council member Rayman stated that the abutting property owners are pleased with the project a significant improvement to the area.

Motion Rayman, second Mokros, carried, to grant the 30-day extension to the November 1, 2024, substantial and November 15, 2024, final completion, removing all liquidated damage costs.

Liens on the Industrial Area Project – subcontractor has filed a \$236,324.40 Lien against the project.

Attorney Bottum stated the extra retainage was put in place to ensure the Lien is resolved. Bottum also stated he is in discussions with T & R's attorney and will continue to work through the process with him. T & R's attorney also requested to place the final pay request at a Special Meeting if there is one prior to the January 7th meeting.

Motion Rayman, second Harris, carried, to accept the November 15, 2024, Substantial Completion and November 26, 2024, Final Completion dates.

Phase II Street & Utility Improvement Project Update.

Bid Opening held at 2PM on 12/4/2024. Recommendation is to table the bid, due to easement and financing of project. A special meeting date would need to be set prior 30-day requirement to accept or reject bids.

Motion Rayman, second Mayrose, carried, to table the bid award on the Phase II Street & Utility Improvement Project until the Special Meeting on Monday, December 23, 2024, 6:00 p.m. Industrial Area Final Pay Request will be placed on the agenda, and Council can determine if they wish to address.

Resolution of Necessity discussion on public comments and visits with property owners. Morris stated that after a deeper analysis of the 2018 assessments, the “like” assessment for the Phase II project would be 3% and not 6%.

More discussion will be held after DGR has reached out to individual property owners.

Motion Mokros, second Rayman, carried, to start draw down of expenditures on the Phase II Street & Utility Improvement project (engineering and testing fees).

2024 Sewer Cleaning/Televising Project Update.

DGR recommending the payment to Empire Pipe Services – the project is complete, and video and reports have been provided.

Motion Karel, second Harris, carried, to approve payment to Empire Pipe Services - \$29,359.40 the total cost of the project.

Shared Use Path: Phase II

Discussion on meeting with property owners.

2025 Slurry Seal.

Morris provided maps of areas for FY2025 & FY2026 established by meeting with city staff.

Motion Mokros, second Rayman, carried, to join Sioux Falls’ bid letting for slurry seal street maintenance for the 2025 construction season for areas presented.

Water Treatment Plant Update. No update.

Flood Mitigation Discussion/Update. Conversations being held for Cost Benefit Analysis.

CITY ATTORNEY:

6:45 p.m. John Schallenkamp was present to discuss the elevator nuisance.

After discussion, Schallenkamp will be consulting with another structural engineer and provide the city council and city attorney with a plan for repairs. Attorney Bottum has been in contact with Mr. Schallenkamp's attorney and will continue to communicate in hopes of resolving the issue prior to the January 14, 2025, court date.

The McCook County Commission has signed a contract with McCook County EMS, Inc. The contract states the cities of Canistota (\$12,329.74), Montrose (9,144.72), Salem (\$25,890.50); and Spencer (\$2,696.52) pay McCook County EMS on or before January 15th in either a one-time payment or in 12 equal payments on or before the 15th or each month ending in December 2025. Finance Officer Heumiller stated a motion to pay McCook County EMS with these terms would need to be made.

Motion Mokros, second Rayman, carried, to pay McCook County EMS, Inc. in 12-equal installments starting in January 2025 and ending in December 2025: Total payment for 2025 - \$25,890.50. One year commitment, as stated in past meetings, McCook County will need to figure out how fund FY2026 and beyond.

OTHER PROJECTS

City Hall/Community Center:

Finance Officer Heumiller discussed the progress of the facility, pay request, use of construction contingency, appliance purchases and security/camera company hired.

Motion Mokros, second Rayman, carried, to approve the McGough Pay Request #8: \$492,224.62 – for work to date, contingent on ISG's review and approval.

Motion Karel, second Harris, carried, to approve the use of Construction Contingency for the additional electrical (agreed upon during walk-thru)- \$6,338.10; and North Patio Lights - \$2,364.26.

Motion Mayrose, second Rayman, carried, to approve the purchase of appliances from Karl's in Mitchell SD: \$4,107.90. Double Oven, Range & 4-wire cord, 2 microwaves, and range hood delivered on site mid-January 2025. Payment will be made upon delivery.

Motion Harris, second Rayman, carried, to approve the hiring of 3D Securities for the door access security and camera system at the City Hall/Community Center Facility - \$20,094.96. The proposal is on file at City Hall.

200 N Main Street Demo: Waiting for SHPO's approval prior to bidding project.

Committee Reports: None.

ORDINANCE AND RESOLUTIONS

Motion Harris, second Rayman, carried to approve the Second Reading and Adoption of Ordinance #681 – 2024 Budget Supplement.

Motion Rayman, second Schierholz, carried, to approve the First Reading of Ordinance #682 – Flood Damage Prevention Ordinance.

Motion Mokros, second Karel, carried, to approve the First Reading of Ordinance #683 – 2025 Budget Supplement (City Hall/Community Center Facility).

Motion Mayrose, second Rayman, carried, to approve Resolution 2024-15. Resolution removing Uncollectible, Delinquent Accounts from Records.

Council tabled Resolution 2024-16 – 2025 Fee Schedule to the December 23, 2023, special meeting.

Motion Harris, second Schierholz, carried, to approve Resolution 2024-17. Resolution removing checks not canceled in a timely manner – as allowed by law.

REGULAR BUSINESS

Motion Rayman, second Mokros, carried, to approve 3D Security proposal #5732VD – moving the city’s existing cameras to Eagle Eye Network: \$3,525.15. Proposal is on file at city hall.

Motion Mokros, second Schierholz, to approve Quick Stop’s 2025 On-Salem Liquor License. On roll call five “Aye” (Mokros, Mayrose, Harris, Karel, Schierholz). Rayman abstained. Motion carried.

Motion Karel, second Rayman, carried, to approve the Combined Election Agreement with McCook Central School for the election date of 6/3/2025.

Motion Rayman, second Schierholz, carried, to approve the Delinquent Accounts list for AAA Collections.

Motion Rayman, second Mayrose, carried, to approve the personnel manual updates to allow pro-rated benefits to a Regular Part-time Employees working 30 hours.
New city hall office hours starting January 1, 2025: 9:00 a.m. to 4:00 p.m. The Finance Officer will work from 8:00 a.m. to 5:00 p.m., allowing a couple of hours of uninterrupted work.

Motion Mokros, second Rayman, carried, to approve Finance Officer Heumiller to carryover of vacation above the 200 hours allowed.

SEDC:

Rayman provided information on the SEDC application and receipt of a \$5T grant from TrioTel’s Community Grant program. The dollars have been turned over to the city and are designated for a pickleball court.

Thank you to SEDC for allowing the city to use the Industrial Area land for snow removal and for the \$5T dollars to put towards a pickleball court.

Information on A1 Development Solutions was provided to the Council. A1 will be making a presentation at the January 7, 2025, council meeting. The SEDC board members will be invited to attend the presentation.

Motion Mokros, second Karel, carried, to approve the 2025 Salem Volunteer Fire Department officers as follows: Nathan Olinger, Fire Chief; John Oyen, 1st Assistant Chief; Darin Koch, 2nd Assistant Chief; Michael Heumiller, Secretary/Treasurer.

Motion Harris, second Rayman, carried, to authorize the Mayor and Finance Officer to review and approve property and liability quotes for FY2025.

Motion Mokros, second Mayrose, carried to allow the Mayor and Finance Officer to pay the Liability/Property Insurance Premiums (TBD); Work Comp (\$8,736); and Tyler Tech (\$5,950.42) Annual Payments due 1/1/2025.

Special Meeting is scheduled for Monday, December 23, 2024.

Next regular meeting is scheduled for Tuesday, January 7, 2025.

Motion Mokros, second Mayrose, carried, to adjourn at 9:05 PM.

Dated this 10th day of December 2024 at Salem, South Dakota.

(SEAL)

Glenda Blindert
Mayor

ATTEST:

Lori Heumiller
Finance Officer

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