

MINUTES OF THE PUBLIC HEARING HELD IN THE SALEM COMMUNITY CENTER COUNCIL CHAMBERS IN SALEM SOUTH DAKOTA ON MONDAY, JUNE 6, 2022, AT 6:00 P.M.

Mayor Shawn English called the Public Hearing for the Resolution of Necessity to order with Council Members Doug Mokros, Ron Mayrose, Mary Jo Heiberger, Mitchell Rayman, and Marc Harris present.

Others present for the public hearing: Rhonda Olinger, Eric & Sherry Wright; David Rayman; Lana Nelson; Micayln Young; Alex & Lori Smart; Brian Gessner; Marty Gessner; Martha & Gene Livingston; David Palmer; Foreman Dustin Weber; City Engineers Trent Bruce and Jacob Morris.

City Engineers Bruce and Morris provided an explanation of the project. Areas of town were selected that asphalt was in disrepair and without curb & gutter. The City Council reviewed those areas and selected areas that were not in the next two phases of the Capital Improvements Plan to receive utility and street improvements. There is a special benefit to property owners that do not currently have curb & gutter and/or asphalt to the curb line. The assessments are only for those who currently do not have curb & gutter and/or asphalt to the curb. The project will be bid, awarded and constructed after which a final special assessment roll hearing will be held reflecting the actual bid costs for the asphalt and curb & gutter. Dimensions were determined by using an average width between curb and gutter and existing asphalt on each street. Cost is estimated and will be assessed on actual bid price.

The floor was opened for questions.

Alex Smart questioned how areas were picked.

Engineers stated areas were identified throughout town based on need or request from public. Curb & gutter help preserve asphalt and drainage. The intent of the Council is to continue with like projects throughout town; the City's budget drove how many of these streets/areas initially could be done.

Eric Wright stated he had asphalt to curb line when he purchased the property, and last year a four-foot section was removed, and he expected it to be filled in but never was. Feels he shouldn't be responsible as asphalt was present to the curb line when he purchased the house.

Engineers stated there was four foot missing when they took measurements and will have to review the area and determine who removed the asphalt.

Rhonda Olinger feels they shouldn't be totally responsible for their section of asphalt, as it was not paved in the past due to a clean out for a private sewer needing to be dug up frequently. The sewer has now been replaced and feels it should not be their responsibility.

Alex Smart said the timing is poor with the economy and will be a financial burden. Waiting for the replacement of the water lines would be better and feels the project is sporadic and needs to be all one street and not different areas throughout town.

Lana Nelson stated she had addressed the Council in December on a building permit to remodel her bathroom. The building permit required the installation of curb and gutter and sidewalk. During discussion with the Council in December, she was provided an idea to subdivide property, and that eventually curb & gutter would be required when a street improvement project was done in the area with a timeline of possibly five to ten years. Now there is a project, and she has paid a surveyor to replat the parcel into two. Her trees on the west side will likely need to be removed which provide her a wind break and privacy. If there is any way to save the trees, she would be agreeable to the improvements.

Engineers stated when the surveyors were there it was hard to determine if any of the trees would be able to be saved. They will have to look at the area closer if project is approved. This area was added to the project at the request of the property owners who installed curb & gutter on the west side of the street. Since this is an area with drainage issues, felt it was a good time to look at both sides in effort to improve the drainage.

Finance Officer Heumiller stated the re-plat into two parcels would still eliminate the need for sidewalk on the one parcel.

Martha Livingston stated they requested the paving as they installed curb & gutter and don't want to deal with the mud. There has always been a drainage issue due to an asphalt clump blocking the flow.

Brian Gessner thought the asphalt was an option and not required; doesn't have an issue with the measurements.

David Rayman spoke on behalf of Bethany Rayman. Feels curb & gutter shouldn't be a requirement and asphalt should be part of street maintenance as the public uses.

Engineers stated assessment if for the areas where curb and gutter and/or asphalt does not exist and is an allowable assessment.

Marty Gessner feels the existing curb & gutter in the area should all be in good repair; and valley gutters need to be replaced. Also stated water and sewer should be replaced before the asphalt is replaced.

Engineers stated the Capital Improvement Plan has these areas planned for utility improvements after the useful life of the asphalt. The valley gutters will be replaced if condition warrants.

Marty Gessner asked if there was a way to require lighter garbage trucks as they cause road damage.

Being no further comments, the mayor thanked those present for their comments and adjourned the public hearing at 6:50 p.m.

Dated this 6th day of June 2022.

(SEAL)

Shawn English
Mayor

ATTEST:

Lori Heumiller
Finance Officer