**LEOLA CITY COUNCIL MEETING**

**November 5, 2018**

 **The Leola City Council met in the Council Room of the Municipal Building in regular session on Monday, November 5th, 2018. Mayor Jessica Lipke called the meeting to order at 7:30 P.M. with the following Council Members present: Richard Reis, Tim Collins, Dana Leibel, Jackie Rau, Michael Yost, along with the Finance Officer Kappes. Absent: Lindsey Bollinger. Also, present**: **Jacki Hoffman, Steve and Gayle Seibel.**

 **Council Member Rau moved, with a second by Council Member Leibel, to approve the minutes of the October 1st Council Meeting with the change to the amount of mileage expenses to Candice Kappes to NEFOG to 33.60 instead of 36.60 as incorrectly put in the list of bills in October’s Minutes. All present Council Members voted in favor. Motion carried.**

 **Council Member Rau moved, with a second by Council Member Reis, to accept the Monthly Treasurer’s Report. All present Council Members voted in favor. Motion carried.**

 **Council Member Rau introduced the following resolution to transfer contingency funds and moved for its adoption. Council Member Michael Yost seconded the same. Resolution 18-10 was read as follows:**

 **RESOLUTION 18-10 CONTINGENCY BUDGET TRANSFER**

 **BE IT RESOLVED 18-10 TRANSFER FROM CONTINGENCY BUDGET FUND**

**WHERE AS**, the City of Leola prepares and approves a budget each September for the following calendar year;

**WHERE AS**, the Budget for 2018 contains a contingency fund of $22,628.00 that can be transferred to any general fund account as provided for SDCL 9-21-6.1 with transfer to be made by resolution of the board from the contingency appropriation established pursuant to SDCL 9-21-6.1 and be moved to other insufficient appropriations as made in the 2018 adopted Budget, transferring contingency to the for the following departments is estimated to discharge just obligations of said appropriations; and

**THEREFORE, BE IT RESOLVED** that the appropriation be transferred from the contingency budget to the following department budgets as follows:

 **101 General Fund: 410 General Government**

 **101-41400-422 Attorney Fund - Professional Services -100.00**

 **101-41400-429 Attorney Fund - Other - 128.00**

 **101-41420-411 Finance Officer Salary Wages – 1,000.00**

 **101-41420-427 Finance Officer - Travel & Conference -500.00**

 **101-41420-434 Finance Officer – Machinery & Equipment - 500.00**

 **101-41920-429 Government Buildings - Other - 6,000.00**

 **101 General Fund: 420 Protection & Inspection**

 **101-42300-425 Code Enforcement Protection – Repairs & Maintenance - 2,500.00**

 **101 General Fund: 430 Public Works**

 **101-43100-426 Streets – Supplies & Materials - 6,600.00**

 **101-43200-425 Sanitation Fund – Repairs & Maintenance – 1500.00**

 **101-43200-426 Sanitation Fund – 426 Streets – Supplies & Materials 1,500.00**

 **101 General Fund: 450 Culture & Recreation**

 **101-45230-426 Parks-Supplies & Materials** - **1,000.00**

 **101-45230-434 Library Fund- Machinery & Equipment – 1,300.00**

 **Total Contingency Budget Transfer 22,628.00**

**Dated this 5th day of November 2018**

**ATTEST:**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Jessica Lipke, Mayor of Leola**

 **Candice Kappes, Finance Officer**

**All present Council Members voted in favor. Resolution 18-10 was duly adopted.**

 **The Council reviewed the Treasurer’s Report. Council Member Leibel moved, with a second by Council Member Rau, to transfer $26,000.00 from the Sewer Fund to the Water Fund, to be transferred back once funds are available in the Water Fund. All present Council Members voted in favor. Motion carried.**

 **Deputy Sheriff Allie Hilgemann joined the Council Meeting at 7:50 P.M.**

 **The Council examined the following bills:**

**Maintenance Salaried Payroll November Streets & Park Fund Salary, Matches & Benefits 3,178.49**

**Finance Office Salaried Payroll November Finance Office Salary, Matches & Benefits 3,759.49**

**Maintenance/Water & Sewer Dept. Payroll November Water & Sewer Salary, Matches & Benefits 3,237.93**

**Zoning Board 4th Quarter-November Meeting Pay 484.44**

**Zoning Payroll-Reis October-Building Permits, etc. 43.06**

**Library Payroll October-Librarians Hours 798.53**

**Council Payroll October Hours-C & M Citizen’s Food Boxes Pay-P. Walz 19.05**

**Gov’t Bldg. Payroll-Janitor October Janitor Hours-Zulma Velazquez 737.38**

**Office Department Payroll October Hours- D. Weiszhaar 737.38**

**Agtegra Cooperation Miscellaneous Parts 88.62**

**Ameripride Linen & Uniform Services Paper Service, Mops, Deodorizers, etc. 93.06**

**Auto Owners Insurance 930.58**

**Beck Law Office Professional Services 131.25**

**CorTrust Bank Deposit Slips 58.43**

**Curt’s Repair Parts & Labor 651.64**

**DEMCO Library Table & Shipping 261.99**

**Dependable Sanitation Inc. City & Remaining Seasonal Regular Garbage Collection 66.24**

**Diesel Machinery Loader Parts 96.39**

**Display Sales LED Bulbs & 12 Light Strands 2,750.00**

**4DK Electric**   **Labor and Materials on Municipal Building Lobby Lights 212.29**

**Fire Safety First, LLC Annual Inspection & Maintenance of Fire Extinguishers 118.70**

**Gene’s Oil Company October Gas & Diesel 1,552.57**

**Homestead Building Supply Supplies & Materials 28.43**

**Kappes, Candice Reimbursement-Mileage & 3 Days Expenses-SDML Conference 232.50**

**Leola Public Library Reimbursement for Books, Subscriptions & Supplies 176.09**

**Lipke, Jessica 2 Days Expenses at the SDML Conference 80.09**

**McPherson County Herald Publishing - Mayor & Council 199.34**

**Midstates Group-Quality Quick Print Design & Water Meter Book Covers 213.00**

**Montana-Dakota Utilities Electricity 2,675.80**

**Newman Signs, Inc. Special Traffic Wayfinding Signs-Park, Pool, School & Ballfield 411.85**

**Rau, Jackie 2 Days Expenses at the SDML Conference 200.50**

**Rural Development 79th Loan Payment-Sewer Project 4,021.00**

**Ryan’s Candy Office Supplies 11.95**

**Rod Hoffman Construction Labor-Park Storage Shed, Blading Streets/Alleys & Culverts Work 1,457.50**

**Share Corporation Liquid Drain Opener 168.52**

**South Dakota Association of Code Enforcement 2019 Membership Dues 40.00**

**South Dakota Building Officials Association 2019 Membership Dues 50.00**

**South Dakota Dept. of Revenue-Lab Haloacetic Acid & Trihalomethane Analysis Water Testing 181.00**

**South Dakota Gov’t Finance Officer Assoc. 2019 Membership Dues-Finance Office & Office Assistant F.O.’s 70.00**

**South Dakota Human Resource Association 2019 Membership Dues-Finance Office & Office Assistant F.O.’s 50.00**

**South Dakota Municipal League 2019 City & Council Membership Dues 536.69**

**South Dakota Municipal League Workers Comp. Fund Workers’ Compensation Fund Insurance 3,682.00**

**South Dakota One Call 3rd Quarter Locates 30.45**

**Ten – 45 Grocery Cleaning Supplies-Govt Bldgs. 41.06**

**USPS - Stamp Fulfillment Service 4 Boxes Stamped Envelopes 1,202.25**

**Valley Telecommunications Phones, Faxing & Internet Minus Capitol Credits 396.40**

**Yost, Michael 2 Days Expenses at the SDML Conference 64.00**

**Walz, Pam Reimbursement-Mileage - Food Baskets 33.60**

**Walz, Pam Book Reimbursement 144.95**

**WEB Water October Water Use 5,957.95**

**Weiszhaar, Debra 3 Days Expenses at SDML Conference 96.00**

**INNOVATION GRANT**

**Helms & Associates Topographical Study-Leola City Park & Lundquist Lake Area 5,400.00**

**Tallgrass Architecture Landscape Architect’s Plan $3,200.00**

**WATER PROJECT BILLS APPROVED TO BE PAID ONCE FUNDING IS RECEIVED**

**Helms & Associates 3% Contract Complete 4,995.00**

**Helms & Associates 5% Contract Complete 8,325.00**

**Helms & Associates 11% Contract Complete 4,995.00**

**TOTAL WATER PROJECT ENGINEERING TO BE PAID ONCE FUNDING IS RECEIVED $18,315.00**

 **After discussion, Council Member Michael Yost moved, with a second by Council Member Reis, to approve the above bills. All present Council Members voted in favor. Motion carried.**

 **After discussion, Council Member Rau moved, with a second by Council Member Michael Yost, to table the above Innovation Grant expenses. All present Council Members voted in favor. Motion carried.**

 **The Council discussed the 11% approved project bills for $18,315.00 for Helm’s Engineering for the Water Project approved and waiting on loan funding.**

 **McPherson County Deputy Sheriff Allie Hilgemann presented the Council with the Monthly County Law Enforcement Report.**

 **The wayfinding signs program needing to be approved through Don Martel at DOT before wayfinding signs can be posted was discussed with Jacki Hoffman and Gayle Seibel. They recommended the Council Members on the Street Committee work with DOT to check the ordinance and other details needing to be done before the wayfinding program can be implemented. SDDOT has specific requirements for signs that are placed by state highways. The Survey results, a list of Steering Committee Members and Master Plan was presented by Jacki Hoffman. The Council discussed the Steering Committee and that no one currently from the city was on their list of Steering Committee Members. The original organization of the Steering Committee is supposed to be from each group, the School, Development Corp and the City. One being the Mayor, CEO and President of each group and one other member from each board, along with Julie Johnson the Economic Development - Grant Writer. They discussed the amount of people representing each group, along with the fact that Doug Yost and Michael Yost were originally appointed to the Steering Committee and that Mayor Lipke was now to be on the board but was not getting notified of meetings or else meetings are moved too early to be attended. The Grant applications applying for grants dollars involving federal or state monies needed to be channeled and submitted through the Northeast Council of Governments with the City’s approval before being considered. The Water Project Grant was done prior to the Steering Committee but the leg work on the Trails Grant Application and the submitted Grant Application for the Pool Liner was in part done by the Steering Committee, the City and NECOG jointly. The upcoming meeting set for Wednesday, November 14th in Pierre to pitch the trail’s project before they are awarded was discussed. Jacki Hoffman and Gayle Seibel left the meeting.**

 **Under Public Comments: Steve Seibel discussed the Steering Committees lack of communication with the Council and left the meeting.**

 **A Public Hearing was held for a Special Events Liquor License Application for the Turkey Raffle to be held at the American Legion Hall on November 17th. No one objecting to the approval the Special Events License, Council Member Reis moved to approve the license. Council Member Leibel seconded the motion. All present Council Members voted in favor. Motion carried.**

 **Council Member Leibel introduced the following Ordinance 2018-02, to be read the 1st time and moved for its adoption. Council Member Reis seconded the motion. All present Council Members voted in favor. Motion carried. The first reading was held as follows:**

ORDINANCE NO.2018-02

AN ORDINANCE AMENDING ORDINANCE 7-8-2 ENTITLED RESTRICTIONS ON GENERAL CONDUCT OF BUSINESS WITHIN THE CITY LIMITS OF THE CITY OF LEOLA.

BE IT ORDAINED BY THE MUNICIPALITY OF THE CITY OF LEOLA, MCPHERSON COUTY, SOUTH DAKOTA, that the following Ordinance shall amend Ordinance 7-8-2, of the Leola City Municipal Code:

**7-8-2** **LIQUOR SALES LIMITED TO CERTAIN HOURS: ON/OFF SALE LICENSES**

No on-sale or off-sale licensee shall sell, serve or allow to be consumed on the premises covered by their license alcoholic beverages between the hours of 2:00 a.m. and 7:00 a.m.

First Reading: November 5th, 2018

Second Reading: December 3rd, 2018

Publication Date: November 14th, 2018

Effective Date: January 1st, 2018

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Mayor Jessica Lipke, City of Leola

Candice Kappes, Finance Officer, City of Leola

NOTICE OF ADOPTION

ORDINANCE No. 2018-02 AMENDING ORDINANCE 7-8-2 ENTITLED RESTRICTIONS ON GENERAL CONDUCT OF BUSINESS WITHIN THE CITY LIMITS OF THE CITY OF LEOLA.

NOTICE is hereby given that Ordinance No. 2018-02 being an Ordinance amending Ordinance 7-8-2, as set forth, was duly adopted by the City of Leola on the 5th day of November 2018, and that such Ordinance shall be effective January 1st, 2019.

Dated this 5th day of November 2018.

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 Mayor Jessica Lipke, City of Leola

 **The Council discussed the liquor license changes done by the legislature, and the least and most amounts cities can charge for on-sale liquor, being based on population and no less than $300.00 and no more than $500.00 for the off-sale liquor, along with up to $500.00 for renewals. The changes to allowed hours and dates to be opened. No longer being able to charge additional to extend hours or charge for Sunday Sales as both are allowed by law. Council Member Rau moved, with a second by Council Member Leibel to set the cost of an on-sale license at $500.00 and charge $400.00 for the cost of the off-sale liquor license. All present Council Members voted in favor. Motion carried.**

 **Council Member Michael Yost moved to refund the L & L Bar the remaining amount of the extended hours permit for weeks after November 5th. Council Member Reis seconded the motion. All present Council Members voted in favor. Motion carried.**

 **With No Public Hearing needed to renew the Legion’s Off-Sale and On-Sale Liquor Renewal Application and Billy’s On Sale Liquor renewal applications, Council Member Rau moved, with a second by Council Member Michael Yost, to approve the renewal applications. All present Council Members voted in favor. Motion carried. Mayor Lipke signed the applications that were attested by the finance officer.**

 **The Council discussed all loan paperwork sent by Meierhenry’s Office had been signed and returned to them, with a loan closing dated of November 2nd. Copies of the paperwork will be mailed back to us.**

 **Easements and road platting needed out by the lake were being handle by Beck Law Office. Helm’s & Associates will be letting us know who all the city will need easements from in Grimes Addition.**

 **Council Member Reis moved, with a second by Council Member Leibel to set the monthly Water Project Fee at $5.00 effective December use due in January 2019 to pay back the Water Project Loan as previously agreed upon in passed Water Project Resolutions and discussed Public Hearings. All present Council Members voted in favor. Motion carried.**

 **The Finance Officer informed the Council she spoke to a representative from office.gov with a webinar on water payments by credit card with no extra charges to the city. Only the user would be responsible for the use charge. A webinar is scheduled for November 14th at 2:00 P.M., this date possibly changing due to the Trail Grant Meeting in Pierre.**

 **Dirt piles and cement by Jeremy Kallenberger’s lot at 709 Conklin Street were discussed and it was decided these need to be moved as soon as possible. The Council also discussed that no building permit has yet been applied for by Angie Kallenberger or Jeremy Kallenberger for the needed fence at 704 Lundquist with the south side of the fence to have been put in by November 1st. It was decided to contact the City’s Code Enforcement Officer Mike Olson and have him work with the City’s Attorney Vaughn Beck to abate these two properties, previously notified for non-compliance.**

 **The Council discussed the slow children signs for by the swimming pool and ballfield and it was decided to wait until after spring to install them, along with the wayfinding signs if approval is given by DOT.**

 **The Council discussed the October motion to purchase LED lights and bulbs for the City’s Christmas Tree and after decorating the tree only half of the ordered lights were needed. The lights to the tree were turned on to be viewed by the Council. It was decided to keep a couple strands of lights & bulbs to have on hand and see if the extra lights and bulbs could be returned to Display Sales.**

 **The Council discussed the electricity was already off at the pool and ballfield. Council Member Rau moved, with a second by Council Member Michael Yost, to turn the electricity off to the Leola City Park. All present Council Members voted in favor. Motion carried.**

 **The Council discussed the printer was no longer working in the Council Room and the printer in the City Finance Office was being shared. After discussion of the surplus printer and copier from the school, Council Member Michael Yost moved, with a second by Council Member Reis, to purchase the 3501i Kyocera Copier and the 5250 Kyocera printer from the school as agreed upon. All present Council Members voted in favor. Motion carried. It was decided to contact Ryan Leimkuhl on cost arranged having them move and set them up to prevent damage in move.**

 **The Council discussed more items needing to be moved out of the concession area in the Al-Anon Room of the Citizen’s Building.**

 **Options for new or used foamed tire for the loader or telehandler were discussed by the Council and it was decided Council Member Leibel will check out various options.**

 **The Council examined the Monthly Library Report.**

 **October Building Permits Issued: #18-28 Peter Hanke and #18-29 Dean & Ina Schock. The Council discussed the Zoning Board Meeting held at 7:00 P.M. The Finance Officer informed the Council she received a certified letter on the County Zoning Variance from Scott Schauer on transporting manure beyond the five-mile limit with the hearing set for 10:00 A.M. Wednesday, November 8th in the Commissioner’s Chambers. Violations of when manure is transported and not dug and covered within twenty-four hours was discussed and the fact if it was a onetime transport this winter was not specified. It was decided Council Member Dana Leibel will go before the Zoning Board to address the manure variance.**

 **The Finance Officer informed the Council, that Hosmer’s Vet/Wetonka Branch will be at the city shop at 4:00 PM until 7:00 P.M. on Wednesday, December 5th to give rabies vaccinations. 2019 Dog Tags not issued before December 28th the last business day in 2018 will be assessed the $10.00 Late Change, those not issued before February 1st will pay the $10.00 Late Fee plus the $200.00 fine.**

 **The Council discussed the Finance Officer’s Annual Report Workshop to be in Aberdeen on January 23rd, 2019 that Kappes and Weiszhaar will attend.**

 **The finance officer informed the Council that she received the Health Pool of South Dakota’s renewal to go in effect January 1st for Plan A without an increase. The price will remain for the currently the city’s plan A at $677.75 for single, 1,260.48 for single +1 and family of $1,631.31. It was decided to stay with the current plan and have Mayor Lipke sign the Employee’s Subscription Agreement.**

 **Council Member Rau introduced the following resolution and moved for its adoption. Council Member Reis seconded the same. Resolution 18-09 was read as follows:**

**RESOLUTION 18-09**

**RESOLUTION TO LEASE CITY OWNED PROPERTY**

**WHEREAS: SDCL 9-12-5.2 mandates any municipality that owns rental property and**

 **decides to lease this property for longer than One Hundred Twenty (120)**

 **days and fees for such lease will exceed $500.00 per year, said municipality**

 **shall by resolution of intent, and,**

**WHEREAS: the City of Leola owns such property (Medical Building) and,**

**WHEREAS : the City of Leola wants to lease such a property and such leases will**

 **exceed the One Hundred Twenty (120) days and the $500.00 per year**

 **limit as set by SDCL 9-12-5.2 now, therefore**

**BE IT RESOLVED: That a Public Hearing shall be held on Monday, December 3rd, 2018 at**

 **8:30 P.M. in the Council Room of the Municipal Building. Anyone or their**

 **attorney may appear before the City of Leola Council to show just cause.**

**Attest:**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Candice Kappes, Finance Officer Jessica Lipke, Mayor of Leola**

**All present Council Members voted in favor. Resolution 18-09 was duly adopted. No lease agreements were entered into at this time.**

 **The Council discussed and set the City’s Christmas supper for Saturday, December 15th at the Municipal Building. The Council will decide details at the December Meeting.**

 **Council will decide at the December 3rd Meeting if a year-end meeting is needed and set the January Meeting.**

 **At 10:55, Council Member Michael Yost moved, with a second by Council Member Reis, to go into executive session to discuss personnel matters. All Council Members voted in favor. Motion carried. Finance Officer Kappes was excused. Council deemed out of executive session at 11:19 P.M. with no action taken.**

 **There being no further business, Council Member Rau moved, with a second by Council Member Reis, to adjourn. All Council Members voted in favor. Motion carried.**

 **The Leola City Council will meet in the Council Room of the Municipal Building in regular session at 7:30 P.M. on Monday, December 3rd, 2018.**

**ATTEST:**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Jessica Lipke, Mayor of Leola**

 **Candice Kappes, Finance Officer**

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