

**LEOLA CITY COUNCIL MEETING**

JUNE 6, 2013

The Leola City Council met in regular session on Thursday June 6<sup>th</sup> instead of Monday, June 3<sup>rd</sup>, Due to the need to canvass votes of the June 4<sup>th</sup> Election. Mayor Dean A. Schock called the Meeting to order at 7:30 P.M. with the following members present: Brian Walz, Norman C. Tschappat, James Severson, David Gohl, Glenn A. Spitzer and Neil Geffre. Absent: None. Also present: Jeff Tschappat, Matt Van Der Linden and Douglas E. Yost.

Council Member Spitzer moved, with a second by Council Member Walz, to approve the May 6<sup>th</sup> Minutes with the following corrected motion: Councilman Tschappat moved to hire Haili Wimer and Jessica McClain as lifeguards at \$7.25 an hour with both guarantying two years of employment at the pool and to hire Evan Erickson and Ethan Erickson at \$7.25 an hour upon proof of certification. Councilman Severson seconded the motion. All Councilmen voted in favor. Motion carried. All present Council Members voted in favor. Motion carried.

The Council discussed the delinquent loan payments still owed on Revolving Loan #22 and that balance was not brought current as promised, along with the copy of the second letter sent by City Attorney Vaughn Beck.

Council Member Spitzer moved, with a second by Council Member Walz, to accept to Treasurer's Reports. All Council Members voted in favor. Motion carried.

The Council examined the following bills:

Police & Maintenance Salaried Payroll	June Salary	\$3,511.17
Finance Office Salaried Payroll	June Salary	3,219.53
Maintenance/Water & Sewer Dept. Payroll	June Maintenance Salary	2,694.06
Gov't Bldg Payroll-Janitor	May Janitor Hours	310.07
Library Payroll	May Librarian	661.26
Maintenance/Bldg Demolition	May Fill in Payroll -Pat Schaffner	1,173.39
Maintenance/Bldg Demolition	May Fill in Payroll -Norman Tschappat	374.62
Office Department Payroll	May Office Hours	660.91
Swimming Pool Payroll	May Hours	583.46
Zoning Payroll-Tschappat	May-Building Permits	64.59
Election Worker	Hours-School, Election Board & Provisional Board	424.11
A & B Business	Supplies	184.28
Academy Trophy & Engraving Co.	5 Name Plates for Park Benches	30.00
AmeriPride Service	Mops, Deodorizers, Paper Products etc.	231.34
Best Western Ramkota Inn	2 Rooms for 3 Nights @ F. O. School-Pierre	351.96
CorInsurance	Annual Liability, Property & Equipment	12,025.00
Curt's Repair	Parts & Labor on Mowers	167.31
Dakota Electronics	Repairs to Tornado Siren	252.00
Dakota Supply Group	3" Water Meter for School	2,080.12
Dakota Supply Group	24 ¾ x ½ Water Badger Meters	1,445.86
Doubleday Book Club	Books-Library	36.47
Doubleday Large Print	Books-Library	72.93
Erickson, Ethan	Lifeguard Testing Reimbursement	200.00
Erickson, Evan	Lifeguard Testing Reimbursement	200.00
FEM Electric Association, Inc.	Security Light & Electricity-Golf Course	59.85
Gary's Engine Repair, LLC	6 Blades for 72" Mower	144.18
Gene's Oil Company	May Gas & Diesel	1,252.48
Hawkins, Inc.	Supplies	455.77
Homestead Building Supply	Supplies	466.05
Independent Living Choices	ADA Assessment & Mileage	185.10
Kappes, Candice	Postage Reimbursement	37.82
Kappes Tree Service	Hours Cutting & Trimming Trees	1,300.00
Leola Grocery	Gov't. Bldg. Supplies & Dog Food	32.45
Les's Standard	Parts & Labor-Library & Citizens Bldg	2,199.58
McHowald's Hardware	Parts & Shipping-Gov't. Bldg.	15.75
McLoed's Printing & Office Supply	Election Supplies	18.36
McPherson County Herald	Advertising & Publishing	397.47
McPherson County Highway Department	Employee Wage-Repair-Snow Removal	61.55
Miscellaneous Cash-Shana Gohl, Pool Manager	Cash to Start Pool	50.00
MDU	Electricity	2,135.03
Moser Excavating & Trucking, LLC	Demolition-4 Buildings	4,000.01
North Central Farmers Elevator	Miscellaneous Parts & Supplies	528.09
Rhapsody Book Club	Books-Library	55.43
Runnings	Water Pump-Golf Course	229.99
Rural Development	14th Loan Payment-Sewer Project	4,021.00
Share Corporation	Organic Water System Cleaner-Supplies	300.00
South Dakota Department of Revenue-Lab	Coli form Water Testing	13.00
South Dakota Department of Revenue-DENR	Drinking Water Fee	220.00
Spitzer, Stanton	Labor Spraying Weeds	420.00
Tschappat, Jeff	Reimbursement for 3 Days Expense	78.00

Valley Telecommunications	Phones, Faxing & Internet & Security	383.35
Van Der Linden, Matt	Reimbursement of Gas & Holster-Police	101.27
Walz, Marlys	Book & Supply Reimbursement	41.15
WEB Water	May Water Use minus 1 Certificates	3,440.55

**TABLED BILLS TO BE CONSIDERED IN SPRING**

Dakota Ag Supply, LLC	Aglime & Freight	1,187.76
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**PROJECT CHANGE ORDER TO BE CONSIDERED FOR APPROVAL AND HELD FOR FUNDING**

B & B Contracting	Change Order- on Bid Schedule B –Work	(3,996.25)
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**PROJECT BILLS TO BE CONSIDERED FOR APPROVAL AND HELD FOR FUNDING**

B & B Contracting	Pay Estimate on Lagoon Project –Change Order	20,298.76
Dahme Construction Co. Inc.	Sewer Line Project on Bid Schedule A 2-Work	325,146.17
Helms & Associates	Engineering Construction Observation & Staking, Mileage & Expenses	4,207.75
Helms & Associates	76.5% WWTP Imp. Construction of 35,200.00 Contract Amount	4,400.00

Council Member Spitzer moved to table the bill for delivered aglime from Dakota Ag for \$1,187.76 and to pay the above wastewater expenses once grant monies are received and to approve all remaining expenses. Council Member Severson seconded the motion. All Council Members voted in favor. Motion carried.

The Council discussed the water at the City Park and it was decided Jeff Tschappat would send in a water sample and have the water tested to see what filtering would need to be done to use the water.

The Council discussed the Election for Council Member Leola Ward Two held jointly with the school on June 4<sup>th</sup>, with the school reimbursing the cost of two of the Election Workers. Mayor Schock opened the Poll Book Envelope; the number of 61 votes were compared and equaled to the number of the 54 ballots and 7 provisional ballots cast, with three of the seven provisional ballots unable to be counted, with a total of 58 ballots counted. Council Member Tschappat moved, with a second by Council Member Severson, officially canvassing the votes. All Council members voted in favor. The Official Canvass was signed as follows:

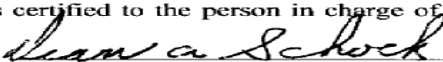
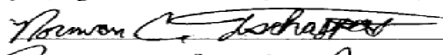
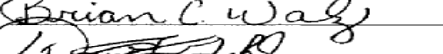
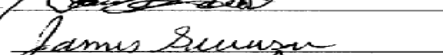

5:02:17:11. Official canvass sheet -- Municipalities, school districts, and other local jurisdictions. The official canvass sheet used by the governing body of a municipality, school district, or other local jurisdiction to canvass an election shall be in the following form:

**OFFICIAL CANVASS  
ELECTION DATE: JUNE 4, 2013  
JOINT LEOLA MUNICIPAL/SCHOOL ELECTION  
JURISDICTION: LEOLA WARD TWO**

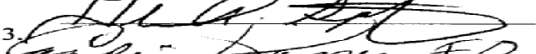
CANDIDATE FOR OFFICE			TOTAL VOTES CAST
NAMES OF CANDIDATES	NEIL GEFFRE	DOUGLAS E. YOST	
LEOLA WARD TWO VOTES	20	38	
<b>TOTAL VOTES CAST</b> Provisional Ballots Not Counted-3			<b>58</b>

STATE OF SOUTH DAKOTA)  
CITY OF LEOLA ) SS  
COUNTY OF MCPHERSON)

We, Glenn A. Spitzer, Neil Geffre, James Severson, David Gohl, Brian C. Walz, C. Norman Tschappat and Dean A Schock, appointed as the Board of Canvassers because of our positions on the governing board in the jurisdiction of City of Leola for the joint Leola Municipal/School Election held on the 4th day of June, 2013, hereby certify that the foregoing is a true abstract of the votes cast in the jurisdiction of the Ward Two Election at the election as shown by the returns certified to the person in charge of the election.

Sworn to before me this 6th day of June, 2013.

  
 Candice Kappes, Leola City Finance Officer  
 (Person in Charge of the Election)

Source: 16 SDR 20, effective August 10, 1989.  
General Authority: SDCL 12-1-9.

The Council discussed the Restricted Use site inspection, the work needing to be done and hours the Restricted Use Site is open.

Water shut offs needing to be fixed, the need to order stand pipes and rods and also an inch meter for the Citizen Building were discussed. Council also discussed water service leaks and that the school had been billed for the new meter for minus 75% of the cost of the meter replaced.

The Council discussed that Fischer's Plumbing had done some of the plumbing at the Citizen's Building, getting quotes on the other work to be done and that the outside projects needed to be done first.

The Council discussed the McPherson County Pre-Disaster Mitigation Plan informational meeting held May 14<sup>th</sup>, which outlined the requirements to formally adopt the plan and meet federal requirements for our community to be eligible for FEMA Hazard Mitigation Grant Program funding. The Council discussed the possibility of being able to apply for FEMA funds for a generator for the water tower. The next scheduled meeting will be at 1:00 P.M. on Tuesday, June 18<sup>th</sup> in the Municipal building.

The planned installation of the swimming pool slide was discussed, along with cement work and other things needed to be done.

Matt Van Der Linden gave a verbal Police Report and the Council congratulated him on his Police School Certification. The Council and Matt Van Der Linden reviewed the agreement drawn up by the City's Attorney. Council Member Severson moved, with a second by Council Member Walz, to enter into the Police Agreement with Matt Van Der Linden. All Council Members voted in favor. Motion carried. Chief Van Der Linden and Mayor Schock signed the agreement, which was attested by the Finance Officer.

The Council discussed that the Tornado Siren was again sounding off but gets off time when electricity flashes. Van Der Linden will be doing remote testing of the siren along with having regular practice tests to make sure its working incase of an emergency. The Council instructed him to notify the public of when the scheduled testing would be.

Council Member Walz updated the Council on the Library's Story time and that the Summer Reading Program had started. The changes in the hours for the Library to be open for the summer were discussed.

The finance officer informed the Council, USDA Rural Development had sent out a list of things the City needed to have done, after doing the Civil Rights Compliance Review on the Revolving Loan Fund on Grants monies the city received in the 1990s. Some of these items were to have a contact list of translators, a data collection information sheet which discloses the clients race, ethnicity and sex added to the RLF application and a demographic information sheet for his/her employees & who are beneficiaries of the RBEG program, to advertise the availability of the loan and to advertise and encourage women, disabled persons or minorities. The City had to have an ADA Assessment done by Independent Living Choices, from whom we received a list of non compliance items concerning the entrances and in the Municipal Building, which we need to have submitted to Rural Development before July 1<sup>st</sup>.

The Council discussed the Co-Ed Golf Night to be held on Thursday, June 13<sup>th</sup>. The finance officer turned the collected green fees over to Council Member Walz, treasurer for the golf course committee.

The Council discussed the surplus 15 ft. Toro Reel Pull Behind Mower and it was decided to ask for sealed bids, following its assessment by the Assessment Board of Darrel Yost, Lloyd Breitag and the addition of Terry Hoffman, to replace Arlen Guthmiller.

The Council discussed the progress of the Sewer Line Project, the condition of the roads and the grass needing to be planted. It was decided to find out when Dahme's would be here to do this before it's too late to be planting grass. The Project Meeting with NECOG and Helms & Associates is scheduled for Monday, June 10<sup>th</sup> and Val Jensen from NECOG will also be doing needed paperwork with Visu-Sewer. Council Member Tschappat moved to approve the invoices and cost estimates to be paid this month: Dahme's Construction Sewer Line Project Pay Estimate in the amount of \$325,146.17, Helms & Associates for Engineering Construction Observation & Staking, Mileage & Expenses in the amount of \$4,207.75 and Helms & Associates for WWTP Imp. Construction of 35,200.00 Contract in the amount of \$4,400.00 and change order #3 for Bid schedule B in the amount of \$3,996.25. Council Member Gohl seconded the motion. All Council Members voted in favor. Mayor Schock signed the change order, pay estimates, pay request letter to Water Quality, along with the all paperwork to be signed to draw down funding in the amount of \$292,702.19 from USDA-RD monies and \$41,051.73 from the State Water Quality Grant #2, with all the CDBG and Water Quality Grant # 1 already being spent. Council Member Tschappat moved, with a second by Council Member Geffre, to approve and have the Mayor sign the Certification of Substantial Completion on the Lagoon Project. All Council Members voted in favor. Motion carried.

The Council discussed the nuisance property list and that more properties needed to be added, along with the fact the rocks needing to be moved from out by the lake had not been moved by the May 31<sup>st</sup> agreed upon deadline. Council Member Spitzer informed the Council Members he would abstain from voting on any decision on the lake property. Re-opening the water way to the lake and moving of rocks by the lake, and putting the road back was discussed and it was decided to contact DENR with what could be done. It was decided to have city attorney to check to make sure land as agreed upon to be transferred was transferred to the city. If not transferred as agreed upon he should take action, and put the road back if property was not deeded as agreed upon.

Van Der Linden would stay in contact with the State DENR pertaining to the noncompliance issues, and not having the needed permits and surveying done before starting the housing project at the lake, along with the current noxious weed problem. Mayor Schock informed the Council, Katie Bachmayer, from Tim Johnson's Office had met with the city and discussed the forgiveness of debt against properties to get them freed up was discussed and she would be getting back to us to what could be done.

Terry Hoffman came before the Council to discuss the possibility of trading equal valued lots, he had spoke to them about but had since found out there were other lots not owned by the city within the area he would of like and that the trading of city lots would probably not be enough.

The Council discussed the City received the South Dakota Broadband Technology Planning Grant with a 75%/25% in-kind match and Mayor Schock signed the grant acceptance paperwork, which has been submitted. The City's in-kind software etc. would need to be ordered to be received and available to be installed before the grant deadline.

Council Member Walz moved, with a second by Council Member Geffre, to remove the 7.5% assessment fee from properties demolished under the City/County Agreement. All Council Members voted in favor. Motion carried.

The Council discussed reentering into the land lease agreement with Chris and ReEtta Sieh to lease them the area east of the substation for parking area.

The Council discussed the 2013 Finance Officers' School on June 12<sup>th</sup>-14<sup>th</sup> in Pierre, at which time the office will be closed. Council Member Spitzer moved, with a second by Council Member Severson, to grant the finance officer permission to drive her own vehicle and collect mileage. The mileage will be divided between the miles driven with the finance officers from Herried and Eureka. All Council Members voted in favor. Motion carried.

At this time, reseating of the Council was done and Council Members Jim Severson and Brian Walz were reseated. Douglas E. Yost took oath of office and was seated. Neil Geffre thanked the Council for their commitment and hoped they would not just allow one person make all the decisions.

Council Member Spitzer nominated Council Member Norman C. Tschappat as Council President. Council Member Severson seconded the nomination and moved a unanimous ballot be cast and nominations cease. All Council Members voted in favor. Motion carried

Council Member Tschappat nominated Council Member Glenn A. Spitzer as Council Vice President. Council Member Walz seconded the nomination and moved a unanimous ballot be cast and nominations cease. All Council Members voted in favor. Motion carried

Councilman Spitzer moved, with a second by Councilman Yost, to approve the following Mayor's Appointments. All Councilmen voted in favor. Motion carried.

**MAYOR SCHOCK'S COMMITTEE APPOINTMENTS:**

**STREETS, ALLEYS & RESTRICTED USE SITE-----YOST, SEVERSON & SPITZER**  
**WATER & SEWER----- YOST, SEVERSON & SPITZER**  
**PARKS, RECREATION & POOL-----YOST, SEVERSON & SPITZER**  
**BUILDINGS & EQUIPMENT-----WALZ, TSCHAPPAT & GOHL**  
**POLICE & LIBRARY-----WALZ, TSCHAPPAT & GOHL**  
**ADA-----SEVERSON, YOST, SPITZER & GOHL**

**GOLF COURSE -----WALZ & SPITZER**  
**LIBRARY BOARD--- HEATHER VAN DER LINDEN, DEB WEISZHAAR, SHANA GOHL,**  
**MARILYN ERDMANN, KRISTI SITTS & DOROTHY KOLB --1 VOTE FROM COMMITTEE**  
**ON COUNCIL POSSIBLE**

**CREDIT BOARD—JANELLE SERR, BOB SCHUMACHER, RICHARD JASMER, TOM**  
**HEIBEL, STEVE LARSON, DEAN SCHOCK & TOM MAHLKE--CREDIT BOARD PROGRAM**  
**DIRECTOR--CANDICE KAPPES**

**ZONING BOARD MEMBERS—MATT VAN DER LINDEN, LLOYD BREITAG, CHAD**  
**WEISZHAAR, DEAN A. SCHOCK & GLENN A. SPITZER--BUILDING ADMINISTRATOR-**  
**NORMAN C. TSCHAPPAT---REPORTING SECRETARY-CANDICE KAPPES**

**LEOLA MUNICIPAL GOLF COURSE BOARD---BRIAN WALZ-CHAIRMAN/TREASURER,**  
**STANTON SPITZER-VICE-CHAIRMAN, GLENN A. SPITZER--SECRETARY--OTHER**  
**BOARD MEMBERS-PAT SCHAFFNER, JEFF TSCHAPPAT**

**HOUSING & REDEVELOPMENT COMMISSION—MATT VAN DER LINDEN, BRIAN WALZ,**  
**JACKIE RAU, PAM SCHAFFNER & BECKY WOLFF**

**MISCELLANEOUS APPOINTMENTS:**

**Official Depository-CorTrust Bank; Official Newspaper-McPherson County Herald; Attorney-**  
**Vaughn Beck-Beck Law Office; Engineer-Terry Helms-Helms & Associates; Planning District-**  
**Northeast Council of Governments; Chief of Police-Matthew Van Der Linden; Maintenance &**  
**Mosquito Sprayer-Jeff Tschappat; Code Enforcement Officers- Jeff Tschappat and Matthew Van**  
**Der Linden; Finance Officer-Candice Kappes; Head Librarian-Marlys Walz; Chemical Weed**  
**Applicator-Stanton Spitzer; Office Clerk/Maintenance-Pamela Schaffner; Government**  
**Building/Janitor-Jackie Leibel; 2013 Pool Manager-Shana Gohl; Planning District-Northeast**  
**Council of Governments.**

Council Member Spitzer moved to hire Ashley Feickert as lifeguard at \$8.00 an hour. Council Member Tschappat seconded the motion. All Councilmen voted in favor. Motion carried. The Council discussed various ways to heat the water at the swimming pool.

The Council discussed painting and measuring for the elevator to be done at the Citizens Building.

The Council discussed the USDA Rural Development Civil Rights Compliance Review on the Revolving Loan Fund and the fact we needed to have a contact list of translators. Council Member Yost suggested using a phone app to do the translating and the finance officer will check if Rural Development would allow it.

The Council discussed the grant application and deadline for Community Transit Inc. It was decided not to apply for the grant at this time.

The Council discussed the need for Jeff Tschappat to start spraying for misquotes once temperatures reach 80 degrees.

The Council discussed the South Dakota Retirement System Roth 457 Program and it was decided to table it until we can get more information on it.

The Council discussed problems with dogs running at large and unlicensed dogs. It was decided to check into the City Ordinances and handle according to the ordinances pertaining to dogs.

The Council discussed the Special Zoning Meeting to be held on Thursday, June 20<sup>th</sup> at 7:00 P.M. to consider the application of Herb Mohr for a Special Exception on the (R2) residential property legally described as Lots 2-10 in Block 1 Hohm Park 3<sup>rd</sup> Addition to allow for commercial use for a used car dealership called Herb's Restorations.

The Council discussed the fireworks ordinance and that no aerial fireworks can be shot off in city limits. Non-aerial firework can be shot from July 1<sup>st</sup> through July 5<sup>th</sup>.

The Council set the July Monthly Meeting for Monday, July 8<sup>th</sup> at 7:30 P.M. instead of July 1<sup>st</sup> do to the lateness of the June Meeting and the 1<sup>st</sup> Monday falls on the 1<sup>st</sup> day of July.

The 2013 Spirit of Dakota Award for an Outstanding Woman application was discussed and the deadlines for nominations close on August 1<sup>st</sup>.

The Council discussed possible grants through DOT-Community Access, Industrial Parks and Agri-Business Program.

Council Member Spitzer moved to go into executive session at 11:23 P.M., to discuss personnel matters. Council Member Severson seconded motion. All Council Members voted in favor motion carried. The Finance Officer, Matt Van Der Linden and Jeff Tschappat left the meeting during executive session.

Council Member Severson moved to exit executive session at 11:55 P.M. Council Member Spitzer seconded motion. All Council Members voted in favor motion carried. Following executive session, Council Member Spitzer moved to increase Candice Kappes and Jeff Tschappat salary by \$50.00 due to the increase of responsibilities. Council Member Gohl seconded motion. Council Member Walz abstained from voting. All other Council Members voted in favor. Motion carried.

The Council discussed personnel policies and setting up drug and alcohol testing for all employees. It was decided to have the finance officer contact others cities on their drug and alcohol policies and how policies are written and enforced.

The Council received notice from the state on their underground tank removal program.

There being no further business, Council Member Spitzer moved, with a second by Council Member Walz, to adjourn. All Councilmen voted in favor. Motion carried.

The Leola City Council will meet in regular session on Monday, July 8<sup>th</sup> at 7:30 P.M. in the Council Room of the Municipal Building instead of Monday, July 1<sup>st</sup>.

ATTEST:

\_\_\_\_\_  
Candice Kappes, Finance Officer

\_\_\_\_\_  
Dean A. Schock, Mayor of Leola

**"This institution is an equal opportunity provider, and employer."**

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