

LEOLA CITY COUNCIL MEETING

July 5, 2017

The Leola City Council met in the Council Room of the Municipal Building in regular session on Monday, July 5, 2017. Mayor Doug Yost called the Meeting to order at 7:30 P.M. with the following Council Members present: Jackie Rau, Dana Leibel, Jon Mardian, Karl Moser and Michael Yost, along with the Finance Officer Kappes. Absent: Shawn Patton. Also, present: Corey Helms, Helms & Associates, Jordan Hintz, Northeast Council of Governments, Julie Johnson, Chief Dan Yost, Jeff Tschappat and Jessica Lipke and children.

Julie Johnson updated the Council on the Steering Committee's meeting held at 6:00 P.M. and on grant application deadlines for the Leola Recreational Path submission by July 14th and DOT Community Access Grant & Roads to Schools needing to be submitted by July 17th.

The Leola Recreational Path letter of intent needing to be submitted for the Trail Grant with a project cost of \$159,068.00. Corey Helms, Helms & Associates, Jordan Hintz, Northeast Council of Governments discussed the project and the grant being 81.95% at \$130,356.22 and the city's match being 18.05% being \$28,711.78 for the total project cost of \$159,068.00. The possibility of changing from concrete to asphalt on a later date was discussed. Mayor Yost went over the three phases of the recreation trail, with the first phase going from Hwy 10 north to the lake, with the path being 5 feet wide. Council Member Rau moved to move forward with a letter of intent to be submitted. Council Member Moser seconded the motion. All present Council Members voted in favor. Motion carried.

They also discussed DOT Community Access grant application needing to be submitted by July 17th with the Council. Julie Johnson, Community Grant Writer, Corey Helms, Helms & Associates, Jordan Hintz, Northeast Council of Governments discussed the project and Engineer's estimate of 854,049.25 and that the Engineering costs were not included in the grant match, with a 40.1 grant match being the maximum of 400,000.00. The city's port of match being 60.1% being approximate \$454,049.25 for the total project cost of \$854,049.25. After discussion, Council Member Moser moved to wait with applying for the grant for Leola Avenue for the DOT Community Access Roads to School Grant. Council Member Rau seconded the motion. Upon roll call vote, all present Council Members voted in favor. Motion carried.

Corey Helms, Helms & Associates told the Council they would updating the City's maps with the needed corrections, annexation, vacating of streets and alleys and check on the progress of getting on the state's water plan.

Julie Johnson, Community Grant Writer, congratulated the community on a great Rhubarb Days and Reunion celebration.

After discussion on the approximately 96,000' of city front calculated by Brandon Smid, Helm's & Associates and discussing the revenue to be collection toward streets and drainage. Council Member Mardian introduced and moved for the adoption of Resolution 2017-01 as follows.

RESOLUTION 2017-01

WHEREAS, South Dakota law allows a municipality to levy annually, for the purposes of maintaining or repairing street surfacing or pavement, a special front foot assessment per front foot upon the lots fronting and abutting the street;

WHEREAS, the City Council finds it necessary to levy the special front foot assessment for such purpose;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City shall levy a special front foot assessment pursuant to SDCL 9-43-138 in the sum of .35 cents per front foot upon all taxable lots in the City fronting and abutting on a street with the amount of the assessment against each lot or portions thereof as set forth on the assessment roll on file with the finance officer, to direct the director of equalization to add the assessment to the general assessment against the property, and to certify the assessment together with the regular assessment to the county auditor to be collected as municipal taxes for general purposes.

Dated the 5th day of July 2017.

Doug Yost, Mayor of Leola

Attest: _____
Candice Kappes, Leola City Finance Officer

Council Member Moser second for the passage of Resolution 2017-01. All present Council Members voted in favor. Resolution 2017-01 was duly adopted.

The Council discussed the two fire hydrants that had been fixed and the water leak along with the \$1,000.00 increase in the WEB bill due to the increase in water use.

Council Member Leibel moved to approve the June 5th, 2017 Council minutes, as mailed, with the change correcting of the portion of the May Minutes that was as follows: Council Member Rau moved, with a second by Council Member Leibel, to set the pool lifeguard wages for the 2017 pool season as follows: New lifeguards-Spencer Hoffman, Cole Franck, Abigail Berreth and Zachary Mueller at the current minimum wage of \$8.55 upon certification. Second year returning lifeguards-Nick Brandner and Zach Wimer at \$8.80 per hour. Third year returning lifeguards-Chelsea Weig and Brandon Mueller at \$9.05 per hour. Tanner Wimer will lifeguard and assist the Pool Manager with managing at \$10.00 per hour and Shana Gohl, Pool Manager/Lifeguard at \$11.35 per hour. All present Council Members voted in favor. Motion carried. If interested, Lifeguards can

again voucher to be reimbursed for the cost of certification classes if they guarantee to work at least two pool seasons for the city. It was decided Manager Shana Gohl will contact Chelsea Weig if she would again be interested to test for swimming lessons to be changed due to the 2016 minimum increase only was given to the 2016 new employees. The actual wording of the motion should have been as follows: {Council Member Rau moved, with a second by Council Member Leibel, to set the pool lifeguard wages for the 2017 the new lifeguards in 2016 that got the minimum wage increase from \$8.55 to \$8.65 and new lifeguard this year to receive \$8.65 per hour. Worded as follows: New lifeguards-Spencer Hoffman, Cole Franck, Abigail Berreth and Zachary Mueller at the current minimum wage of \$8.65 upon certification. Second year returning lifeguards-Nick Brandner and Zach Wimer at \$8.90 per hour. Third year returning lifeguards-Chelsea Weig and Brandon Mueller at \$9.05 per hour. Tanner Wimer will lifeguard and assist the Pool Manager with managing at \$10.00 per hour and Shana Gohl, Pool Manager/Lifeguard at \$11.35 per hour. All present Council Members voted in favor. Motion carried.} Council Member Rau seconded the change in the minutes. All present Council Members voted in favor. Motion carried

Council Member Moser moved, with a second by Council Mardian, to accept the Monthly Treasurer's Report. All present Council Members voted in favor. Motion carried.

The Council examined the following bills:

Police & Maintenance Salaried Payroll	July Salary & Benefits	3,244.21
Finance Office Salaried Payroll	July Salary & Benefits	3,699.06
Maintenance/Water & Sewer Dept. Payroll	July Salary & Benefits	3,187.73
Lifeguard Payroll	Lifeguard-Pool & Lesson Hours	3,521.87
Zoning Payroll-Reis	June-Building Permits, etc.	129.18
Council Payroll	June Hours-C & M Citizen's Food Boxes Pay-P. Walz	18.62
Office Department Payroll	June Hours-J. Wimer	312.62
Gov't Bldg. Payroll-Janitor	June Janitor Hours-Zulma Velazquez	726.32
Library Payroll	June Librarian-P. Walz	782.57
Council & Mayor Payroll	2 nd Quarter Council Meeting Pay	2,473.71
A & B Business	Supplies	254.49
American Red Cross	Red Cross Fee & Approval	200.00
AmeriPride Service, Inc.	Mops, Deodorizers, etc.	148.80
Beck Law Office	Legal Fees-Ordinance Preparation	150.00
CompQuest Technology	Diagnose defective laptop/transfer Data-Professional Services-Jeff	99.00
CorTrust Bank	Nonsufficient Return Check Charge-July	4.00
CorTrust Visa	4-Tool 20-volt Max Lithium Cordless Combo Kit	249.00
Curt's Repair	Parts & Labor on Equipment	1,329.68
Dakota Supply Group	Pool & Water Supplies	640.88
Dohney's Commercial	Pool Skimmer & Step	268.97
4DK Electric	Parts & Labor-Park	1,188.66
Gary's Engine & Repair	6 Blades	185.70
Gene's Oil Company	Unleaded Gas & Ag. Diesel	436.50
Hawkins, Inc.	Pool Supplies	2,415.40
Homestead Building Supply	Supplies	1,649.33
K & C Construction	Municipal Building Remodel	10,733.56
Kamen Equipment Inc.	Belts - Farm King	36.50
Kappes, Candice	Reimbursement of Mileage & Expense to Finance Officer's School	186.30
Kappes Tree Service	Cutting & Trimming Trees on City Lot	675.00
Leola Public Library	Reimbursement for Books-June	120.29
Marcus Wolf Construction	Patch Sidewalk by Shut Offs	80.00
McPherson County Herald	Publishing	397.53
Menards	Pump for Pool	54.99
Montana-Dakota Utilities	Electricity	2,725.13
Newman Traffic Signs	Municipal Building Sign & Shipping	192.65
North Central Farmers Elevator	Miscellaneous Parts & Supplies	211.86
Olson, Dennis M.	Contract Labor Code Enforcement Officer & Expenses	—
Performance Oil & Lubricants	Pool Propane	574.40
Rod Hoffman Construction	Labor Digging Trench, Repairing Water Break & 2 Fire Hydrants	2,638.89
Rural Development	63rd Loan Payment-Sewer Project	4,021.00
Shopko	Cell Phone Case	8.99
South Dakota Department of Revenue-DENR	Drinking Water Fee	220.00
South Dakota Department of Revenue-Tax	Sales Tax-Pool & Miscellaneous Sales Tax Collected	—
Titan Machinery/Productivity Plus Account	Lift Lever Assembly & Yoke Splined QD & Bearing Yoke w/sleeve	398.86
Tschappat, Norman	Mileage to DSG for Water Supplies	33.60
USPS	Library Post Office Box	56.00
Valley Telecommunications	Phones, Faxing & Internet & Security	360.09
Walz, Pam	Book & Supply Reimbursement	251.30
Walz, Pam	Reimbursement-Mileage-Food Baskets & Labor Painting-Library Door	83.60
WEB Water	June Water	5,471.15
Yost, Doug	Reimbursement for Chlorine Tabs	31.94

After discussion, Council Member Leibel moved to pay the above bills. Council Member Rau seconded the motion. All present Council Members voted in favor. Motion carried.

The Council discussed the streetlights had been fixed and moved by Montana Dakota Utilities.

Council Member Michael Yost moved to rescind the following motion: {The Council discussed renting the crusher to crush the cement at the restricted use site and that Edmunds County agreed they will come to get all that we crush. Council Member Rau moved to have a signed letter of intent from Edmunds County saying they would purchase and haul out the crushed product at approximately 5000 ton, at least \$10.00 a ton and no more

than \$12.00 a ton and to rent the crusher to crush the concrete at the Restricted Use Site. Council Member Patton seconded the motion. All present Council Members voted in favor. Motion carried.} Council Member Leibel seconded to rescind the motion. All present Council Members voted in favor. Motion carried.

Crushing concrete at the Restricted Use Site was again was discussed by the Council Member, Council Member Moser informed the Council Oban Construction had not been to the Restricted Use Site to look at the cement to be crushed.

After discussion on which third of the streets in town were to be done and no other quotes were presented, Council Member Moser moved with a second by Council Member Mardian, to accept the quote from Jensen Rock & Sand, Inc.'s quote for approximately 21,530 square yards of seal coat including all oil rock and labor @ \$1.95 per square yards = \$41,983.50. All present Council Members voted in favor. Motion carried.

After discussion, Council Member Moser moved with a second by Council Member Yost, to have McPherson County to do grinding for the city. All present Council Members voted in favor. Motion carried. The Council thanked Dan Yost and Jeff Tschappat for getting the patching done before the celebration. The road work to be done was discussed.

The Council discussed the DOT four-year plan meeting to be held at 7:00 PM on July 11th in Aberdeen.

After discussion, Mayor Doug Yost and Finance Officer Candice Kappes were put on the WEB Account as WEB Water Authorized Representatives

Jessica Lipke spoke to the Council on the need to be notified when water service would be stopped due to having a daycare. The Council discussed Valley's Notify Plus, auto calling to notify the public at the cost of \$14.95 plus set up charges and was decide it would be discussed further under new business.

Jessica Lipke spoke to the Council on the building permit they applied for and felt they didn't need as the shed they removed and chicken and duck coops they were putting in were in fact not buildings and were movable cages and a demo permit for the shed was gotten from a previous owner and they just didn't actually demolish it and the county had removed the assessment of it. It was decided to eliminate the building permit.

Jessica Lipke showed interest in taking the Ward Two vacancy once unoccupied.

The Council discussed the \$7,899.84 on the material quote from the Homestead on the 30 x 30 pole barn for the chlorinated water tank at the city park. It was decided to table it until the August Council Meeting along with quotes on the labor to build it as no quotes were received.

The Council discussed and decided to table the estimates to replumb the pool shower rooms and restrooms until the August Council Meeting as no quotes were received.

The Council discussed the sign had arrived for the front of the building and that the handicapped front door was wired.

The Council examined the Monthly Library Report and Police Report.

The Council the possibility of having a one vehicle restoration permit to purchase an issued permit to allow restoration to one vehicle per owner. Council Member Moser moved, with a second by Council Member Leibel, to draw up a window sign permit and allow for a non-transferable \$50.00 vehicle restoration permit good for one year, with picture and proof of ownership, and must show improvement and still follow nuisance property ordinance. All present Council Members voted in favor. Motion carried.

The Council discussed upcoming Zoning Meeting to be held on August 7th at 7:00 P.M.

The Council discussed the paperwork on the loan closing for Revolving Loan Application #26 for 21st Century Recycling, Inc. has been done and the paperwork has been filed. The special exception name change will be considered at this Zoning Meeting.

June Building Permits Issued: 17-16 Fire Department, 17-17 Albert Erdmann-Insurance, 17-18 John Bender, 17-19 Pat & Pam Schaffner-Insurance, 17-20 Harm Trollip-Demo, 17-21 Glen Geffre, 17-22 Rhonda Foster, 17-23 Herb Mohr, 17-24 Tom Kappes & Sharon Guthmiller, 17-25 OLPH Catholic Church, 17-26 21st Century Recycling.

The Council discussed the assessment fee for buildings being taken off the City's assessment at 1242 Church Street. Council Member Rau moved, with a second by Council Member Leibel, to remove the 7.5% assessment fee from the buildings to be demolished at 808 Moulton Street. All present Council Members voted in favor. Motion carried.

The Council discussed that Kyle Moser and Richard Reis were added to the city's SDML work-comp insurance as the worked security on the street doing the celebration. The Council thanked them for donating their time doing security.

Council Member Leibel introduced the following Ordinance 2017-01, to be read the 1st time and moved for its adoption. Council Member Moser seconded the motion. All present Council Members voted in favor. Motion carried. The first reading was held as follows:

ORDINANCE NO.2017-01

AN ORDINANCE ALLOWING FOR THE REGULATION OF OPEN BURNING 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 shall be added to Chapter 6-9 Miscellaneous Nuisances, of the Leola City Municipal Code:

6-9-2 OPEN BURNING

No person shall ignite or maintain any open burning of rubbish or other material within the corporate limits of Leola, without a permit from the Leola Volunteer Fire Department, with the exception of barbeque grills and fire pits. All such grills or fire pits shall have a constructed screen/cover so as to prevent sparks or ash from escaping the containment area. Violation of this provision shall result in a class 2 misdemeanor.

First Reading: July 5, 2017

Second Reading: August 7, 2017

Effective Date: September 7, 2017

Council Member Rau introduced the following Ordinance 2017-02, to be read the 1st time and moved for its adoption. Council Member Leibel seconded the motion. All present Council Members voted in favor. Motion carried. The first reading was held as follows:

ORDINANCE NO. 2017-02

AN ORDINANCE TO AMEND ORDINANCE 6-10-1 ENTITLED MAINTENANCE OF BUILDINGS AND PREMISES FOR THE MUNICIPALITY OF THE CITY OF LEOLA, MCPHERSON COUNTY, SOUTH DAKOTA.

BE IT ORDAINED BY THE MUNICIPALITY OF THE CITY OF LEOLA, MCPHERSON COUNTY, SOUTH DAKOTA, that this ordinance shall amend 6-10-1 by removing the subsection entitled "10. Any farm machinery." from said ordinance. All other subsections of said ordinance shall remain intact.

First Reading: July 5, 2017
Second Reading: August 7, 2017
Effective Date: September 7, 2017

Mayor, City of Leola

ATTEST: Finance Officer, City of Leola

NOTICE OF ADOPTION

ORDINANCE No. 2017-02 AMENDING ORDINANCE 6-10-1 ENTITLED MAINTENANCE OF BUILDINGS AND PREMISES FOR THE MUNICIPALITY OF THE CITY OF LEOLA, MCPHERSON COUNTY, SOUTH DAKOTA

NOTICE is hereby given that Ordinance No. 2017-02 being an Ordinance to amend Ordinance 6-10-1 entitled Maintenance of Buildings and Premises for the municipality of the City of Leola, McPherson, County, South Dakota, as set forth, was duly adopted by the City of Leola on the 5th day of July 2017, and that such Ordinance shall be effective September 7, 2017.

Dated this 5th day of July 2017

Mayor, City of Leola

Council Member Rau moved, with a second by Council Member Leibel, to approve and authorize Mayor Doug Yost to sign the letter of commitment to FEMA's Local Mitigation Plan and participate in the McPherson County Multi-Jurisdictional Hazard Mitigation Plan. All present Council Members voted in favor. Motion carried.

The Council discussed Homeland Security grant 50K generator currently at the Long Lake Fire Department and the offer to transfer it to the City for the Citizen's Building for power to run the elevator and building in the case of a power outage along with the cement pad, transfer switch and what was needed, along with regular maintenance. Council Member Moser moved, with a second by Council Member Rau to approve and accept the property transfer from Long Lake Fire Department to the City. All present Council Members voted in favor. Motion carried

At this time, reseating of the Council was done and Council Members Dana Leibel was reseated. Council Member Moser relinquished his seat. Council Member Rau moved to appoint Jessica Lipke to the Council Member Ward Two Seat and Jon Mardian to the Ward Three Seat, with a second by Council Michael Yost All present Council Members voted in favor. Motion carried. Lipke and Mardian will fill the remainder of the one year, with Lipke to be seated at the July 24th t Special Council Meeting to review and update the City's Personnel Manual, with oath of office will being taken at that time. Petition will open in the spring for the remainder of the one-year term.

Council Member Rau moved to nominated Council Member Dana Leibel as Council President. Council Member Mardian seconded the nomination and moved a unanimous ballot be cast and nominations cease. All present Council Members voted in favor. Motion carried.

Council Member Leibel nominated Council Member Jackie Rau as Council Vice President. Council Member Mardian seconded the nomination and moved a unanimous ballot be cast and nominations cease. All present Council Members voted in favor. Motion carried.

Council Member Rau moved, with a second by Council Member Mardian, to approve the following Mayor's Appointments. All present Councilmen voted in favor. Motion carried.

MAYOR DOUG YOST'S COMMITTEE APPOINTMENTS - 2017-2018:

- STREETS, ALLEYS & RESTRICTED USE SITE-----M. YOST, LEIBEL & LIPKE
- WATER & SEWER-----M. YOST, LEIBEL & LIPKE
- PARKS, RECREATION & POOL-----M. YOST, LEIBEL & LIPKE
- BUILDINGS & EQUIPMENT-----RAU, PATTON, & MARDIAN
- POLICE & LIBRARY-----RAU, PATTON, & MARDIAN
- ADA-----LEIBEL, RAU, PATTON, & MARDIAN
- GOLF COURSE -----RAU, LIPKE & PATTON
- LIBRARY BOARD---VIRGINIA KESSLER, DEB WEISZHAAR, OPEN SEAT, MARILYN ERDMANN, DONNA SCHAIBLE &--1 VOTE FROM THE COMMITTEE OF 3 ON COUNCIL -- RAU, PATTON & MARDIAN
- CREDIT BOARD--JANELLE SERR, DANA LEIBEL, RICHARD JASMER, DOUG YOST, STEVE LARSON, DEAN SCHOCK & MICHAEL YOST--CREDIT BOARD PROGRAM DIRECTOR--CANDICE KAPPES

ZONING BOARD MEMBERS--TYLER BOLLINGER, LLOYD BREITAG, JACKIE RAU, DEAN A. SCHOCK & DOUG YOST--BUILDING ADMINISTRATOR-RICHARD REIS--REPORTING SECRETARY--CANDICE KAPPES

LEOLA GOLF COURSE BOARD---MIKE WALTMAN, PRESIDENT, SECRETARY/TREASURER, DIANE WALTMAN, DIRECTORS—TERRY HOFFMAN, GABE OUTTRIM & DEAN SCHOCK

LEOLA PARK BOARD---LINDSEY GILL, PRESIDENT; NATALIE DEMPSEY, SECRETARY; JESSICA WIMER, TRESURER; STEVE & GAYLE SEIBEL, CHRISSEY BAILEY, RAY GEFFRE, MYRISSA MURREY, PEG SCHUMACK, WANDA GILL, BRIAN GILL, COREY PUDWILL, JEFF TSCHAPPAT, HEATHER & TIM COLLINS

HOUSING & REDEVELOPMENT COMMISSION— BECKY WOLFF, PRESIDENT; PAM SCHAFFNER, SECRETARY; JACKIE RAU, ALLEN AMAN & JEFF MUELLER

MISCELLANEOUS APPOINTMENTS & CITY POSITIONS:

Official Depository-CorTrust Bank; Official Newspaper-McPherson County Herald; Attorney-Vaughn Beck-Beck Law Office; Engineer-Helms & Associates; Planning District-Northeast Council of Governments; Chief of Police & Maintenance -Daniel Yost; Water & Sewer Superintendent & Mosquito Sprayer-Jeff Tschappat; Code Enforcement Officer-Mike Olson; Finance Officer-Candice Kappes; Head Librarian-Pam Walz; Chemical Weed Applicator-Stanton Spitzer; Office Clerk/Maintenance-Jessica Wimer; Government Buildings/Janitor–Zulma Velazquez; Pool Manager-Shana Gohl; Planning District-Northeast Council of Governments, Licensed Garbage Hauler-Dependable Sanitation, Web Designer-Jessica Wimer-- WEB Site -- www.leola@sd.com

Council Member Rau moved, with a second by Council Member Mardian, to make the annual motion authorizing the finance officer and mayor to pay payroll and all regular monthly bills to avoid penalties and qualify for discounts. All present Council Members voted in favor. Motion carried.

The Council considered Valley’s Notify Plus, auto calling to notify the public at the cost of \$14.95 plus set up charges. Council Member Leibel moved, with a second by Council Member Rau, to add to our account and publish a notice on getting phone numbers, cell number and cell carrier if a text was preferred. All present Council Members voted in favor. Motion carried.

The City received a letter from Jenny Guthmiller, McPherson County Auditor, stating the City’s growth increase for 2016 was 3.79% and Consumer Price Index for 2017 Taxes payable in 2018 is 1% on taxes payable in 2017 for a total increase of 4.79% equaling a \$9,297.82 increase.

The Council received thank you notes from LDC/LCAC for donation for flowers and Dean and Ina Schock for working hours through the night to restore the water service caused by the water leak.

The Council discussed the special meeting set for Monday, July 24th at 7:30 P.M to review and update the City’s Personnel Manual.

The Council thanked the Alumni Committee, Rhubarb Committee, the Fireworks and all who participate in a successful celebration.

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

The Leola City Council will meet in special meeting for Monday, July 24th at 7:30 P.M and in regular session on Monday, August 7th at 7:30 P.M. in the Council Room of the Municipal Building.

ATTEST:

Candice Kappes, Finance Officer

Doug Yost, Mayor of Leola

“This institution is an equal opportunity provider, and employer.”

“Esta institucion es un proveedor de servicios con igualdad de oportunidades”

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