

LEOLA CITY COUNCIL MEETING

August 7, 2017

The Leola City Council met in the Council Room of the Municipal Building in regular session on Monday, August 7, 2017. Mayor Doug Yost called the Meeting to order at 7:30 P.M. with the following Council Members present: Dana Leibel, Jon Mardian, Jessica Lipke and Michael Yost, along with the Finance Officer Kappes. Absent: Jackie Rau and Shawn Patton. Also, present: Gayle and Steve Seibel, Julie Johnson, Keenan Stoecker, Natalie Dempsey, Denise Brandner, Richard Reis, Cliff Lilly, Terry and Verna Pudwill, Jim Schaffer, Julie Johnson and Chief Dan Yost.

Council Member Mardian took his oath of office and agreed to keep the seat for the next two meetings. Anyone interested in the Council Member Ward Three seat should come before the Council.

Mayor Yost explained the changes done to the proposed plat from 2011, the 20-foot easement and public access around the lake and 20-foot easement for a walking trail from dock's pond to Lundquist Street and the city tying in water with four hydrants and curb stops on each designated lot line. The deeding of Terry Pudwill to the City of Leola of Lots C and D which will be plotted as Lots Lake Bay Lot 1; Lot 1 Block 2 located on the Pudwill Lakeside Estates, Leola, McPherson County, South Dakota will be deeded to the City of Leola by Terry Pudwill following the passage of the Pudwill Lakeside Estates Plat. The existing roads and those platted and not yet existing, the rocks by the lake, and property owners putting in their own drainage field or possibly researching the area to get sewer was also discussed. Mayor Yost's plans of tent camping by Dock's Pond, camping grills and the possibility of putting in a pavilion was discussed, along with the improvements and progress in the area. Council Member Michael Yost moved to approve the Pudwill Lakeside Estates Plat. Council Member Jon Mardian seconded the approval of the Pudwill Lakeside Estates Plat. All Council Members voted in favor. Motion carried. Terry Pudwill and Mayor Doug Yost signed the approved plat, which was attested by the Finance Officer Candice Kappes and notarized by Jim Schaffer. Terry Pudwill signed the warranty deed transferring Lots Lake Bay Lot 1; Lot 1 Block 2 located on the Pudwill Lakeside Estates, Leola, McPherson County, South Dakota will be deeded to the City of Leola, which was notarized by Jim Schaffer, to be filed after the filing of Pudwill Lakeside Estates Plat at the McPherson County Register of Deeds Office with the Plat Book and Page number entered on the warranty deed before filing.

After further discussion on the cost of surveying, Council Member Mardian moved, with a second by Council Member Leibel, to pay \$2,000.00 toward Francis Brinks surveying bill to assist Terry Pudwill due to the increased cost. All Council Members voted in favor. Motion carried.

Julie Johnson updated the Council on the Steering Committee's meeting held earlier in the evening and the DOT Site Visit with the reviewing committee on the Trails Grant Project with representation from the City of Leola, DOT, Helms & Associates, NECOG, McPherson County and Steering Committee held on Wednesday, August 2nd. The deadline to file the Trail's Grant Application is September 30th. The Council discussed the phases of the trail's project and the problems with the spillway. The Council decided to do the 3rd phase of the Trail's project first with having it going north on Leola Avenue from the School sidewalk to the platted easement area and taking the trail to the lake to have connectivity, a grant requirement. The grant application will need to be approve at the City's September meeting and submitted before the September 30th deadline. Aerial shots of the original three phases were reviewed. The needed letters of support to be submitted with the grant application were discussed by the Council. Julie Johnson inform the Council, Helms & Associate, NECOG and herself will attend the September meeting date they set.

Julie Johnson spoke to the Council on the Governor's Office of Economic Development (GOED) BBB Program. (the Bulldoze, Build, and Beautify (BBB) activity under the Community Development Block Grant (CDBG) program. GOED has set aside \$1 million of its FY 2017 CDBG allocation to support this activity. The fact the City currently did not have ownership of lots with building to be bulldozed and built on was discussed. She also discussed the SD Housing Program and available home grants and loans.

Terry Pudwill was thanked for his contribution to the community and the city for the community's progress and benefits from coming together and working together for the better of the community. Pudwill informed the Council he had geothermal put in on the lots and the possibility of getting funding to get sewer elevation.

The figuring of the front footage tax was discussed and talking to other communities it was figured on the tax rolls. In contacting the County, they did not have the capabilities of figuring the front footage. Kappes would see if county had property description in an excel program and she would compare with the map and work at figuring it out as it needed to be certified to the County Auditor by November 1st. She also informed the Council the information Lucas Hoovey, Helm & Associates needed to prepare the water study was emailed to Hoovey and he will contact us if he needed any more information. Terry and Verna Pudwill left the meeting.

Council Member Leibel moved, with a second by Council Member Lipke, to approve the July Meeting Minutes. All Council Member voted in favor. Motion carried.

Natalie Dempsey, Keenan Stoecker, Gayle and Steve Seibel, Julie Johnson and Denise Brandner left the meeting.

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

Council Member Leibel moved, with a second by Council Member Mardian, to transfer \$10,000.00 from the General Fund to the Water Fund. All Council Members voted in favor. Motion carried.

The Council examined the following bills:

Police & Maintenance Salaried Payroll	August Salary & Benefits	3,244.21
Finance Office Salaried Payroll	August Salary & Benefits	3,699.06
Maintenance/Water & Sewer Dept. Payroll	August Salary & Benefits	3,187.73
Fill-in Maintenance Payroll	July Pick up Maintenance Hours -R. Hartinger	465.59

Library Payroll	July Librarians	875.46
Council Payroll	July Hours-C & M Citizen's Food Boxes Pay-P. Walz	18.62
Gov't Bldg. Payroll-Janitor	July Janitor Hours-Zulma Velazquez	907.90
Zoning Payroll-Reis	July-Building Permits, etc.	150.71
Lifeguard Payroll	Lifeguard-Pool Hours	5,452.01
Weed Spraying Payroll	Spraying- Lagoon & City Property-Spitzer	89.84
A & B Business	Supplies	137.70
AmeriPride Service, Inc.	Mops, Deodorizers, etc.	99.20
Curt's Repair	Parts & Labor on Equipment	202.00
Dakota Supply Group	Water Supplies	47.64
Diesel Machinery, Inc.	Parts for Repair	436.32
Eureka Ready Mix	Parts for Pool	70.27
4DK Electric	Parts & Labor-Govt Bldg.	165.91
Galls	Police Supplies	68.95
Geffdog Designs	Police Polos	73.96
Gene's Oil Company	Unleaded Gas & Ag. Diesel	421.67
Hawkins, Inc.	Pool Supplies	2,556.46
Heupel, Brian	Water Deposit Refund Minus Use	38.00
Homestead Building Supply	Supplies	135.80
Hutchins, Tracey	Reimbursement for Mileage	33.60
Kamen Equipment Inc.	Blades- Farm King	153.57
Kappes, Candice	Expense & Mileage Reimbursement to Budget School & Aberdeen	213.31
Leola Public Library	Reimbursement for Books-July	183.89
Lien Transportation	Hot Mix	1,784.67
McPherson County Register of Deeds	Pudwill Lakeside Plat & Deed Filing Fees	90.00
McPherson County Herald	Publishing	415.63
Menards	27 Piece Crescent Tool Set & Sockets	57.95
Montana-Dakota Utilities	Yard Light Bulb- City Park	12.79
Montana-Dakota Utilities	Electricity	2,776.55
Newman Traffic Signs	Pool Sign & Shipping	132.87
North Central Farmers Elevator	Miscellaneous Parts & Supplies	18.43
Northeast Finance Officer's Group	Bi-Annual Meeting	10.00
Olson, Dennis M.	Contract Labor Code Enforcement Officer & Expenses	607.00
Performance Oil & Lubricants	Pool Propane	372.83
Radar Shop Inc.	Tuning Forks & Radar Recertification on Police Car	43.00
Rod Hoffman Construction	Labor Blading Streets, Installed 3 Doors-Pool & Water Leak Repair	1,871.30
Rural Development	64th Loan Payment-Sewer Project	4,021.00
South Dakota Dept. of Revenue-Lab	Coliform Water Testing	15.00
South Dakota Municipal League	Conference Registration-Rau, Kappes & Wimer	300.00
South Dakota One Call	2nd Quarter Locates	27.30
Sumption, Stefani	Water Deposit Refund Minus Use	38.00
Ten - 45 Grocery	Cleaning Supplies & Bottled Water	151.82
Valley Telecommunications	Phones, Faxing & Internet & Security	478.61
Walz, Pam	Book & Supply Reimbursement	245.02
Walz, Pam	Reimbursement-Mileage-Food Baskets	38.60
WEB Water	July Water Minus \$25.00 Credit	5,826.75

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

The Council discussed that Jenson's will be here to do street work once they are done with the work they are doing for SDDOT.

Crushing concrete at the Restricted Use Site was discussed by the Council, Council Member Mardian will contact Oban Construction about looking at the concrete pile at the Restricted Use Site.

Council Member Jackie Rau joined the meeting at 8:30 P.M.

The Council discussed WEB request for authorized account representation form which was sent and the addition form for application of service for a new account information was requested along with form saying we received a copy of the WEB Water Rules and Regulations which was not received.

The Council discussed the trees at Doug Yost's donated to the city to have at the cost of moving and planting them and contacting Mike Storhugg about hiring the tree mover. Council Member Michael Yost moved with a second by Council Member Mardian to hire a M & K Tree Transplanting to move the trees. All Council Members voted in favor. Motion carried.

Mayor Yost read a resignation letter received from Pool Manager Shana Gohl effective August 13th. Council Member Michael Yost moved with a second by Council Member Leibel, to accept the resignation of Shana Gohl as Pool Manager. All present Council Members voted in favor. Motion carried. The finance officer was instructed to wait to advertise for the position until advertising for lifeguards in the spring. The swimming pool will close on Sunday, August 13th.

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 and that materials were to be included in the sealed quotes. The doors needing to be shifted to one side, wainscoting with lighter earth tones for park and pavilion were discussed. Quotes on labor and materials were opened by Mayor Yost as follows: Rod Hoffman Construct-\$11,740.00, Ace Construction-\$14,081.55 and Bollinger Construction-\$15,101.80. Council Member Rau moved, with a second by Council Member Michael Yost, to accept the quote from Rod Hoffman Construct-\$11,740.00. All Council Members voted in favor. Motion carried.

Public Hearing on Ordinance 2017-01 was held with Richard Reis and Cliff Lilly present. Cliff Lilly was present to ask question about the proposed Open Burning Ordinance and he was informed approved screen covered fire pits and grills would be allowed. Also discussed was that bonfires or burn barrels would not be

allowed. Existing ordinances not allowing for burning of garbage and other pertaining nuisance property ordinances still stand. Council Member Leibel moved for the adoption of Ordinance 2017-01. Council Member Michael Yost seconded the motion. All Council Member voted in favor. Motion carried. Second reading of Ordinance 2017-01 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

Mayor Doug Yost, City of Leola

ATTEST: Finance Officer, City of Leola

Public Hearing on Budget Ordinance 2017-02 was held with Richard Reis and Cliff Lilly present. Cliff Lilly was present to ask question about the proposed farm machinery ordinance and he was informed people were already using equipment for snow removal which are also used as farm machinery. The nuisance property ordinances still stand as far as grass is unpermitted to grow around equipment, smell and manure ordinances. Council Member Rau moved for the adoption of Ordinance 2017-02. Council Member Leibel seconded the motion. All Council Member voted in favor. Motion carried. The second 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 Doug Yost, 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 Doug Yost, City of Leola

Cliff Lilly told the Council he liked the progressive action they were taking and left the meeting.

The Council discussed the plumbing issues at the pool and the quote from Fischer's Plumbing to replumb the pool shower rooms and restrooms for \$4,460.00. Council Member Leibel moved to accept the quote of \$4,460.00. Council Member Rau seconded the motion. All Council Members voted in favor. Motion carried.

The Council discussed problems with the light smelling hot in the Library. It was decided Mayor Yost will research the problems with lights at the Library.

Council Member Leibel moved, with a second by Council Member Rau, to purchase a new computer for the City Office. All Council Members voted in favor. Motion carried. Finance Officer Kappes informed the Council the city's IT support business, Conquest Technology owned by David Malsam has sold to DNR ReadITech with its headquarters' in Ellendale, ND. Malsam's Office with remain in Aberdeen at 9 5th Avenue SE.

The Council discussed the \$20,000.00 to \$30,000.00 estimate to repair the dresser loader. Council Member Mardian moved, with a second by Council Member Michael Yost, to surplus the 1992 dresser loader. All Council Members voted in favor. Motion carried.

The Council received a letter from Maria Evans concerning her mother's house on her plans to sell it to an adjoining property owner.

The Council discussed the one vehicle restoration permit and it was decided to table it until someone is interested in purchasing the yearly permit.

The Council discussed the Special Exception granted to 21st Century Recycling and the variance granted to Nancy Ross and Tim Puclik at the 3rd quarter Zoning Meeting. July Building Permits Issued: 17-27 21st Century Recycling-Special Exception, 17-28 Wayne Weig, 17-29 Paul Neussendorfer, 17-30 Ronda Geffre, 17-31 Jeff Bixby, 17-32 Nancy Ross & Tim Puclik.

The Council discussed the progress on setting up Valley's Notify Plus, auto calling through Valley to notify the public about city issues.

Finance Officer Kappes informed the Council the updates were not yet done to the personnel manual but will be started once Jessica Wimer is back to work part time.

The Council discussed the mosquitoes spraying and the weed spraying of the parks and lagoon were not getting sprayed as they should. It was decided to get quotes from area contractors licensed to spray for weed and have Jeff Tschappat complete his testing for his recertification so mosquitoes can be sprayed.

Council Member Lipke moved, with a second by Council Member Michael Yost to authorizer Mayor Doug Yost to sign the Department of Transportation --- Authorize Signature on Sign & Delineation Project Agreement of the Federal Aid Construction Project in the Roadway Safety Improvement Category listed as Project PH 0010 (147) PCN 05HC in DOT's Statewide Transportation Improvement Program for the Fiscal Year 2019. All Council Members voted in favor. Motion carried. Mayor Yost signed the agreement concerning the street signs maintenance, which was attested by the finance officer.

Mayor Yost read a resignation letter received from Shawn Patton as Council Member Ward One effective today. Council Member Leibel moved with a second by Council Member Michael Yost, to accept the resignation of Shawna Patton. All present Council Members voted in favor. Motion carried.

Richard Reis addressed the Council of his interest in taking the newly created vacancy and informed the Council he had spoken to both Karl Moser and Gayle Seibel prior to coming to the meeting. Council Member Jon Mardian moved to appoint Richard Reis as Council Member Ward One for the remainder of the term. Council Member Michael Yost seconded the motion. All Council Members voted in favor except Council Member Rau. Motion carried. Richard Reis took oath of office and was seated as Council Member of Ward One.

The Council set the regular monthly September Council meeting for 7:30 P.M. Wednesday, September 6th due to the Labor Day Holiday.

The Council discussed the NEFOG Meeting to be held in Aberdeen and upcoming Election Workshop in Pierre on October 25th and granted the finance officer permission to attend.

The Council discussed the SDML Conference in Sioux Falls on Oct 3-6 at which time Council Member Rau, Jessie Wimer and Finance Officer Kappes will attend and the City Office will be closed. Anyone else planning to attend should know by the September 6th meeting.

The Council set the Special Session for the proposed 2018 Budget and hold the first reading on Monday August 21st at 7:30 P.M.

The Council discussed Gregg Whitlock an outreach representative from Congresswomen Kristie Noem's Office will be in Leola on Tuesday afternoon, August 8th to discuss any concerns.

The Council received information on a wellness grant to apply for funding to put in vending machines and snack bars with healthier food options. It was decided not to apply.

Vacancies on the SDML Workers Compensation Fund Board of Trustees and the Valley were discussed. Telecommunications Directors Board were discussed.

SD Retailers Association services were discussed by the Council.

The Council discussed cat problems within town along with city animal ordinances.

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

The Leola City Council will meet in the Council Room of the Municipal Building in Special Session for the 2018 Budget and have 1st reading of the Budget on Monday, August 21st at 7:30 P.M and in regular session at 7:30 P.M. on Wednesday, September 6th due to the Labor Day Holiday at 7:30 P.M.

ATTEST:

Candice Kappes, Finance Officer

Doug Yost, Mayor of Leola

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