

**LENNOX CITY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 14, 2014
LENNOX CITY HALL – 107 S MAIN ST.**

The regular meeting of the Lennox City Council was called to order by Mayor Wiebers at 7:00 PM and all present recited the Pledge of Allegiance. Members present were Orville Wiebers, Tracy West, Darin Olson, Greg Poppenga, Russ Nelson, Phillip Fett and Mike Gregg. Staff present was Finance Officer Jerry Jones, Public Works Director Greg Stack, Water Supt. Roger Almond, and Street Supt. Dave Tipton. Other present were Mark Reinders, Denny Van Ruler, Wayne Peterson, Mitch Mergen, Debbie Schmidt, Brett Lovrien, Toby Brown, Gene Kuper, John and Kathy Kirchner, John Steever, Guy Brown, Marla Poppens, Kara Spieler, Peggy Almond, Heather Aesoph, Dennis Weeldreyer, Frank Jacobson and Richard Schriever.

AGENDA:

Motion by West, second by Poppenga to approve the agenda with the additions of executive session for personnel and under personnel, library hire and to delete floodplain ordinance #549 second reading. Motion carried.

MINUTES:

Motion by Poppenga, second by Olson to approve the minutes of the September 8, 2014 regular meeting and September 23, 2014 and September 29, 2014 special meetings. Motion carried.

PAYROLL REPORT:

Motion by Poppenga, second by Olson to approve the September 2014 payroll report. Upon roll call vote, all members present voted aye. Motion carried.

CLAIMS:

Motion by Gregg, second by West to approve September 2014 claims as presented. Upon roll call vote, all members present voted aye. Motion carried.

ACE	WATER	\$162.40
AMBILL ASSOCIATES	AMB AUG-SEPT	\$945.00
AVENET	GOV OFFICE WEB SITE	\$550.00
AVERA MCKENNAN PHARMACY	AMB SEPT MEDS	\$37.25
BADGER METER INC	WATER SERV 07/01-12/31/14	\$215.25
BARNES & NOBLE	LIBRARY	\$417.61
BEST WESTERN RAMKOTA INN	LIB	\$201.98
BEYOND TECHNOLOGY	GEN	\$3,034.99
BOUND TREE	AMB	\$775.27
DBA BRENDE ELECTRIC LLC	WATER	\$671.20
BUTLER MACHINERY CO.	STREET	\$591.66
CADWELL SANFORD DEIBERT & GARR	PROFESSIONAL FEES	\$4,639.59
CARDMEMBER SERVICE	SUPPLY	\$402.35
CARTRIDGE WORLD	POLICE	\$103.98
CENEX FLEETCARD	FUEL	\$1,208.88
CONCRETE MATERIALS	STREET PATCH CONCRETE	\$277.00
DANKO	FIRE ANNUAL PUMP TEST	\$1,817.84
DAVES SERVICE & REPAIR	REPAIR	\$1,127.84

DIAMOND VOGEL	REC	\$36.89
DAKOTA SUPPLY GROUP	SEWER	\$1,630.54
EASTERN FARMERS	WEED SPRAYING FOR THE PARK	\$662.80
ELLIOT CONSTRUCTION, INC	FIBER OPTICS INSTALLATION	\$29,244.02
EVELYN METCALF	GEN SEPT CLEANING	\$100.00
FIRST NATIONAL BANK	WATER REVENUE BOND SERIES 2009	\$91,198.80
FOLLETT SOFTWARE	LIBRARY BARCODES	\$47.32
G & H DISTRIBUTING INC	WWPLANT	\$24.96
GRAINGER	SEWER	\$93.00
IDEAL YARDWARE	PARK TRIMMER WIRE	\$49.99
INDEPENDENT PUBLISHING	PUBLISHING	\$219.66
KNOLOGY, INC.,. DBA WOW!	PHONE AND CABLE	\$1,252.62
KOYKER	PARK PIPE FOR TETHER BALL	\$116.46
ATTENTION: LACF TREASURER	ECON DEVEOPMENT	\$3,500.00
LEWIS & CLARK REGIONAL WATER S	WATER SEPT USE 3,309,429 GALS	\$8,171.91
LYLE SIGNS INC.	MUSEUM SIGN STATING SO	\$93.56
MACS INC	SEWER WRENCH AND SOCKETS	\$22.78
MARCO, INC.	POLICE	\$296.29
MATHESON LINWELD	AMB	\$144.71
MENARDS	WWTF	\$893.93
MIDAMERICAN ENERGY	UTILITIES	\$133.54
MR G TIRES	STREET FORD MOWER TIRE REPAIR	\$217.60
NEVES UNIFORMS	POLICE HAT	\$36.95
NORDMANN, LORRAINE	LIBRARY CONFERENCE 2014	\$199.50
ODLAND TIM	GEN CELLPHONE	\$45.00
OFFICE MAX	SUPPLY	\$297.46
ORVILLE JORGENSEN	POLICE CELLPHONE	\$45.00
PETTY CASH	SUPPLY	\$95.29
PHYSIO-CONTROL	AMB MAINTENCE 9/01/14-8/31/15	\$2,959.08
PITNEY	POSTAGE SUPPLIES	\$145.32
PITNEY BOWES	COPIER	\$400.00
PITNEY BOWES INC.	WATER/SEWER POSTAGE RENTAL	\$465.00
POPPENGA RONALD	WATER PVC CHANGE OUT	\$360.00
QUALIFIED PRESORT	UTILITY BILLS	\$525.38
RECHNAGEL CONSTRUCTION	GRAVEL	\$835.86
DBA RURAL ROUTE 1 SERVICES	RUGS	\$172.50
SCOTT BOLTE SANTITATION	TRASH PICKUP	\$249.20
SD DEPARMENT OF HEALTH	WATER/SEWER SAMPLES	\$884.00
UNEMPLOYMENT INS DIVISION	GEN LATE FEE	\$8.80
SF TWO WAY RADIO	FIRE REPAIRE 5 PAGERS	\$123.49
SIOUX FALLS HUMANE	POLICE	\$15.00
SIOUX VALLEY NEWS	GEN RENEW SUB FOR 2015	\$27.50
SOUTH DAKOTA ONE CALL	WATER JULY-SEPT 2014	\$190.00
SOUTH LINCOLN RURAL WATER	WATER SEPT USE	\$313.25
SOUTHEASTERN ELECTRIC	UTILITIES	\$947.16
STACK GREG	GEN OVER PAID ON AFLAC	\$169.14
STAN HOUSTON EQUIPMENT	REPAIR	\$245.56
STOCKWELL ENGINEERS	ENGINEERING FEES	\$10,834.16

STURDEVANT'S AUTO PARTS	REPAIR	\$183.44
SUNSHINE	SUPPLY	\$146.39
TIPTON, DAVE L.	STREET CELLPHONE	\$45.00
TMC	FIN SEPT	\$27.65
VERIZON WIRELESS	CELL PHONES	\$236.36
XCEL ENERGY	UTILITIES	\$8,229.48
XYLEM WATER SOLUTIONS USA INC.	WWTF REPAIR	\$6,165.19
***** REPORT TOTAL *****		\$190,954.58

VISITORS TO BE HEARD: None at this time.

FINANCE OFFICER REPORT: The Finance Officer presented the September 2014 committee budget report and the monthly ambulance report for informational purposes. Other items discussed the title for the new truck, the surplus truck brought \$2,000 at the Sioux Falls surplus auction, floor plans for the front office remodel, the railroad auction and the expense and revenue report on the project, the part time library position, the deposit box with be installed in the near future, the liquor licenses will be ready for renewal at the November meeting and the copy 2015 budget were given to each councilman. Motion by Poppenga, second by West to approve the finance officer report as presented. Upon roll call vote, all members present voted aye. Motion carried.

PUBLIC WORKS DIRECTOR REPORT: PWD Stack reported on the parts are ordered to repair the treatment plant and the need to finish the repair to the unit that is down, the amended water plans for the Main Street project, the TAP grant application for the Highway 17 project, the floodplain management ordinance is not ready for approval as the State is yet to approve the ordinance as written, the fiber has been installed to the City Hall, Police Dept., Ambulance and Fire Dept. and the fiber will be terminated in the buildings on Wednesday, October 15th, the cut over date by Midcontinent is yet to be set and the feedback information from WOW is yet to be received regards the phone system in the office and the miscellaneous charges that the City has been charged for. Motion by Poppenga, second by West to approve the public works director report as presented. Upon roll call vote, all members voted aye. Motion carried.

OLD BUSINESS:

Zoning Revisions Ordinance #550: The second reading of the zoning revision ordinance #550 was presented to the Council for their approval. Toby Brown of SECOG addressed the ordinance and added the amendment 1.05 Penalties for Violation to the revisions. Upon discussion, motion by Gregg, second by West to approve the second reading of the 2014 zoning revisions ordinance #550. Upon roll call vote, all members present voted aye. The zoning revisions ordinance #550 was passed and adopted on this 14th day of October, 2014.

NEW BUSINESS:

Mid American Energy Franchise Agreement: Mark Reinders from Mid American Energy met with the Council and explained that the franchise agreement for natural gas service has expired on October 5, 2014. Mr. Reinders explained the process in implementing a new franchise agreement between Mid American Energy and the City of Lennox. After further discussion, motion by West, second by Poppenga to set November 10, 2014 for the public hearing for the franchise agreement ordinance for the first reading. Motion carried.

Resolution 2014-10-14-01 Abatement of Nuisances Public Hearing: Mayor Wiebers opened the public hearing at 7:35 PM for the abatement of nuisance's resolution 2014-10-14-01. Mayor Wiebers asked for anyone to speak regarding the resolution. With no one to speak, Mayor Wiebers closed the public hearing at 7:38 PM. Motion by West, second by Olson to approve the resolution 2014-10-14-01 abatement of nuisances and to file with the Lincoln County Auditor. Upon roll call vote, all members present voted aye. The resolution 2014-10-14-01 abatement of nuisances was passed and adopted on this 14th day of October, 2014.

Rezoning Ordinance #551 Public Hearing: Mayor Wiebers opened the public hearing at 7:39 PM for the rezoning ordinance #551. Guy Brown, Roger Almond and Heather Aesoph spoke against the rezoning ordinance and Gene Kuper spoke in favor of passage of the rezoning ordinance. Richard Schriever questioned the procedure involved with a different issue. Mayor Wiebers closed the public hearing at 7:50 PM. Mayor then declared the first reading of the rezoning ordinance #551.

Emergency Text System: Marc Rasmussen from My Town Text presented information on the texting system to inform the public of public emergencies and ongoing activities in the community. The cost is \$50 per month and .04 per text per cell phone number signed up for the service. Mr. Rasmussen is offering a 90 day free trial and waiving the installation fee. After further discussion, motion by West, second by Nelson to approve receiving the service for the City of Lennox. Upon roll call vote, all members present voted aye. Motion carried.

Resolution 2014-09-08-01 LWCF Grant: PWD Stack presented and read the resolution 2014-09-08-01 for the LWCF grant application. After discussion, motion by Gregg, second by Olson to approve resolution 2014-09-08-01 LWCF grant application. Upon roll call vote, West-aye; Olson-aye; Nelson-aye; Poppenga-aye; Gregg-aye; Fett-nay; On a 5 to 1 vote, Resolution 2014-09-08-01 LWCF Grant was passed and adopted on this 14th day of October, 2014.

Inland Potable Services Inc. Contract: The contract from Inland Potable Services Inc. was presented for cleaning of the clear well at the water plant in the amount of \$1,600.00. After discussion, motion by West, second by Gregg to approve the contract with Inland Potable Services Inc for cleaning the clear well in the amount of \$1,600.00 to be done in conjunction with the cleaning of the two water towers. Upon roll call vote, all members present voted aye. Motion carried.

Travel Request: Motion by Gregg, second by West to approve the travel request for PWD Stack for floodplain administrators training and testing in Chamberlain on November 18th, 19th and 20th 2014. Upon roll call vote, all members present voted aye. Motion carried.

Reimbursement Resolution 2014-10-14-02: PWD Stack presented the resolution 2014-10-14-02 reimbursement of expenses from bond funds of the Central Basin Project. Greg explained the background information regarding the request. After further discussion, motion by West, second by Olson to approve the reimbursement resolution 2014-10-14-02. Upon roll call vote, all members present voted aye. The reimbursement resolution 2014-10-14-02 was passed and adopted on this 14th day of October, 2014.

Final Pay Request: The final pay request information from Banner Associates for the emergency generator capital improvement project was presented to the Council for approval. PWD Stack explained the extended warranty for the equipment. After discussion, motion by West, second by Nelson to approve the certificate of substantial completion of the emergency generator project. Upon roll call vote, all members voted aye. Motion carried. Motion by West, second by Gregg to approve the final change order #1 for the emergency generator project in the amount of a deduction of \$(427.32). Upon roll call vote, all members voted aye. Motion carried.

Motion by West, second by Nelson to approve the final pay request in the amount of \$14,497.97 for the emergency generator project. Upon roll call vote, all members voted aye. Motion carried.

4th Avenue Pavement Project: PWD Stack presented an agreement for professional services from Stockwell Engineers for the 4th avenue improvement project. Mitch Mergen reviewed the contract with the Council and answered questions from the Council. After further discussion, motion by West, second by Nelson to approve the design contract for the 4th Avenue Improvement Project contingent of the 20 day publication period of the resolution of necessity for the project area. Upon roll call vote, all members voted aye. Motion carried. Motion by West, second by Gregg to approve the \$12.00 credit which would reduce assessment to \$41.00 per foot for the street portion of the assessment for the properties that previously had blotter coat for the street surface. Upon roll call vote, all members present voted aye. Motion carried.

Lewis and Clark Resolution: Dennis Weeldreyer met with the Council and asked for direction on a vote of a resolution coming up for the Lewis and Clark Association board of directors. Mr. Weeldreyer informed the Council on the funding package possibilities to continue with the Lewis and Clark water pipeline. A number of issues need to happen as the process goes forward which involves the Iowa, Minnesota and South Dakota legislators. The passage of this resolution will involve the City of Lennox to contribute additional capital for the Lewis and Clark project but there be opportunities that the City Council can vote no on this issue. After further discussion, motion by West, second by Nelson to direct Mr. Weeldreyer to vote yes for the resolution regarding the funding for the Lewis and Clark project. Upon roll call vote, all members voted aye. Motion carried. Mr. Weeldreyer will meet with the Council in November to update the Council on the process of the resolution.

Flu Shots for Ambulance and Fire Dept. Personnel: Greg Poppenga requested the City to pay for the flu shots for ambulance and fire department personnel. Motion by West, second by Nelson to authorize the payment for the flu shots for all ambulance and fire department personnel. Motion carried.

Personnel Library Hire: Motion by Nelson, second by Olson to approve the hiring of Marge Schuttloffel as a part time library personnel at the pay rate of \$7.47 per hour. Motion carried.

Executive Session: Motion by West, second by Olson to go into executive session at 8:51 PM to discuss personnel. Motion carried. Mayor Wiebers declared executive session open. Mayor Wiebers declared executive session ended at 9:16 PM with no action taken.

Additional items discussed were the U-turn problems that have been happening on Main Street, the need to install the pedestrian crossing sign near a business in the industrial park, and the ambulance study to determine if districting would an option for the service.

Adjournment: With no further business, motion by West, second by Gregg to adjourn at 9:34 PM. Motion carried.

ATTEST: _____
Jerry Jones, Finance Officer

Orville Wiebers, Mayor

