

**LENNOX CITY COUNCIL REGULAR MEETING
MONDAY, NOVEMBER 14, 2016
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, Greg Poppenga, Chad Wulf, Alan Ratliff, Phil Fett and Mike Gregg. Staff present was Finance Officer Jerry Jones, Public Relations Director Amanda Anglin, Street Supt. Dave Tipton, Water/Wastewater Supt. Jeremy Gulbranson, and City Engineer Mitch Mergen. Other present were Kelli Bultena, Richard Schriever and Wayne Peterson.

AGENDA:

Motion by Gregg, second by Poppenga to approve the agenda as presented. Motion carried.

MINUTES:

Motion by Gregg, second by Poppenga to approve the minutes of the October 11, 2016 regular meeting and the October 24, 2016 special meeting. Motion carried.

PAYROLL REPORT:

Motion by Wulf, second by Ratliff to approve the October 2016 payroll report. Upon roll call vote, all members present voted aye. Motion carried.

CLAIMS:

Motion by Gregg, second by Poppenga to approve October 2016 claims as presented. Upon roll call vote, all members present voted aye. Motion carried.

ACE	REPAIR	\$383.15
ALLEGIANT EMERGENCY SERVICES	WWTF	\$1,724.43
AMERICAN GIRL	2 YEAR SUB	\$42.00
ANGLIN, AMANDA	TRAVEL MILEAGE	\$337.72
AVERA MCKENNAN PHARMACY	MEDS FOR SEPT	\$47.47
BARNES & NOBLE	BOOKS	\$849.65
BEACON ATHLETICS	CAGE UPRIGHT POSTS NET	\$7,233.00
BULLER, AUDREA	MILEAGE	\$15.91
CADWELL SANFORD DEIBERT & GARR	LEGAL FEES	\$27,371.50
CARDMEMBER SERVICE	SUPPLIES	\$290.88
CENEX FLEETCARD	FUEL	\$457.90
CITY OF LENNOX	CENTRAL BASIN ASSESSMENT	\$3,347.20
CITY OF SIOUX FALLS PUBLIC WORK	LAND FILL FEES	\$1,257.48
CONCRETE MATERIALS	CRUSHED CONCRETE	\$415.48
CONSUMER REPORTS	2017 SUB	\$20.00
COUNTY WIDE DIRECTORY	DIRECTORY LINCOLN/TURNER	\$65.00
CUMMINS CENTRAL POWER, LLC	GENERATOR REPAIR	\$924.40
DAKOTA FLUID POWER INC	MOTOR REPAIR	\$50.00
DANNEN TIM	BOOTS	\$85.19
DATA TECHNOLOGIES	FORMS FOR YEAR END	\$1,365.40
DAVES SERVICE & REPAIR	FUEL AND REPAIRS	\$1,618.35
DELL MARKETING L.P.	PROJECTOR	\$1,049.00
EVELYN METCALF	OCT CLEANING	\$150.00

FASTENAL	SUPPLIES	\$52.26
FRANTZEN REPORTING	TRANSCRIPT FEE	\$41.50
GREAT NORTHERN ENVIRONMENTAL	FILTERS	\$595.70
HAWKINS, INC	SUPPLIES	\$10.00
HENRY SCHEIN INC.	AMBULANCE SUPPLIES	\$668.40
INDEPENDENT PUBLISHING	PUBLISHING	\$1,175.00
INTOXIMETERS	POLICE	\$790.23
VAST BROADBAND	PHONE	\$66.91
LENNOX MUNICIPAL BAND	MILEAGE FOR MEMBERS	\$3,149.82
LENNOX PROPERTIES LLC	OLD FOOTBALL FIELD JUDGMENT	\$570,504.01
LENNOX PROPERTIES LLC	2015 PROPERTY TAXES BALLFIELD	\$1,286.59
LEWIS & CLARK REGIONAL WATER S	OCT 3,734,432 GAL USED	\$6,912.61
MACS INC	CLIPS FOR FLAG	\$17.97
MARCO, INC.	SEPT FEES	\$84.47
MATHESON LINWELD	AMBULANCE SUPPLIES	\$57.72
MC & R POOLS, INC.	WINTERIZE POOL	\$2,865.00
MENARDS	DRIVEWAY MARKERS	\$90.14
METERING & TECHNOLOGY SOLUTION	SUPPORT	\$3,840.00
MIDAMERICAN ENERGY	UTILITIES	\$184.58
MIDCONTINENT	PHONE AND CABLE	\$1,370.06
NORTH CENTRAL INTERNATIONAL	2001 INT AIRBRAKE CONTROL	\$236.91
PNC EQUIPMENT FINANCE, LLC	LADDER TRUCKLAST PAYMENT	\$85,099.42
PERRY, ALAN	CONFERENCE	\$91.41
PREMIER PYROTECHNICS	2017 FIREWORKS	\$4,000.00
PRESTO-X	OCTOBER FEES WWTF	\$70.00
QUALIFIED PRESORT LLC	UTILITY BILLS	\$539.09
RENT-ALL INC	RENTAL	\$195.00
DBA RURAL ROUTE 1 SERVICES	RUGS	\$137.00
SANFORD HEALTH	MEDICAL	\$9.00
SANITATION PRODUCTS	POLW TRUCK REPAIR AND SWEEPER	\$4,565.31
SCOTT BOLTE SANTITATION	TRASH PICKUP	\$220.96
SCOTT'S AUTOMOTIVE	REPAIR FAN 2008 FORD	\$187.31
SD ASSOCIATION OF CODE	2017 DUES	\$40.00
SD BUILDING OFFICIALS	2017 DUES	\$50.00
SD CITY MANAGEMENT ASSOC	2017 DUES	\$150.00
SD DEPARMENT OF HEALTH	SAMPLES	\$580.00
DEPT OF REVENUE	SALES TAX	\$176.31
SD GOVT FINANCE OFFICER	2017 DUES	\$70.00
SD MUNICIPAL LEAGUE	2017 DUES	\$1,654.65
MAINTENANCE ASSOCIATION	2017 DUES	\$35.00
SDML WORKERS COMPENSATION	2017 PREMIUM	\$18,438.00
SEAM DESIGN	UNIFORM PATCHES	\$10.00
SF TWO WAY RADIO	REPAIR	\$31.24
SIGLER FIRE EQUIPMENT{	POLICE	\$40.50
SIOUX FALLS HUMANE	OCT SERVICE	\$15.00
SIOUX INTERNATIONAL	SWITCH FOR GRASSHOPPER	\$22.05
SIOUX VALLEY NEWS	2017 SUB	\$27.50
SOUTH DAKOTA POLICE	2017 DUES	\$122.96

SOUTH LINCOLN RURAL WATER	RURAL WATER	\$269.15
SOUTHEASTERN ELECTRIC	UTILITIES	\$775.30
STOCKWELL ENGINEERS	ENGINEER FEES	\$11,377.94
STURDEVANT'S AUTO PARTS	REPAIR	\$41.81
SUNSHINE	SUPPLIES	\$157.08
SWEENEY CONTROLS	WWTF REPAIR	\$1,062.60
TOTAL TREE SERVICE	REMOVE TREE 313 CHERRY ALLY	\$1,175.00
TRUENORTH STEEL	STREET REPAIR	\$598.00
VANTEK	RADIO REPAIR	\$210.00
VERIZON WIRELESS	CELL PHONES	\$133.78
VERN EIDE MANAGEMENT GROUP	OCT #815 TEXT	\$82.60
XCEL ENERGY	UTILITIES	\$10,031.04
***** REPORT TOTAL *****		\$785,593.00

VISITORS TO BE HEARD: None at this time.

FINANCE OFFICER REPORT:

The Finance Officer presented the October monthly budget analysis and ambulance summary report for informational purposes. The Finance Officer discussed the employee evaluations that will be conducted on Monday November 28th beginning at 6:00 PM, the Central Basin Project assessments, contingency resolution and the supplemental ordinance. Motion by Ratliff, second by West to approve the Finance Officer report as presented. Motion carried.

PUBLIC RELATIONS DIRECTOR REPORT: Public Relations Director Amanda Anglin reported on the LCEDA annual meeting she attended and the building report for the City of Lennox, the approval of the Homeland Security Grant for the generator at the Ambulance building, the Safety Benefits meeting, the meeting with city engineer and city employees with Kevin and Cindy Kelly in regards to the property they own for development and the scheduled meeting on November 29th with Sayre and Associates concerning the annexed property of Lennox Properties LLC and the potential improvements on the property. Motion by West, second by Wulf to approve the Public Relations Director report as presented. Motion carried.

ENGINEERS REPORT: City Engineer Mitch Mergen presented his report on the numerous projects the City has scheduled and in progress. Motion by Ratliff, second by Wulf to approve the engineers report as presented. Motion carried.

OLD BUSINESS:

Surplus Truck Appraisal: The Finance Officer stated that the 1991 Ford Truck and sander did not sell at the Goemans Auction and now the appraisal value needs to be set on the unit to be able to sell. After discussion, motion by West, second by Gregg to set the appraised value on the 1991 Ford truck and sander at \$2,500 and to offer the unit to the public by sealed bids. Motion carried.

Sunny Side Mobile Home Park License: Building Inspector Tim Odland has reported that the Sunny Side Mobile Home Park has passed the inspection so the mobile home park license may be approved. General discussion was held concerning the need to have tougher rules and potential fines for mobile home parks that are not in compliance by the June 30th deadline each year. Public Relation Director Amanda Anglin reported that the City already has rules in place for such a situation but the City needs to enforce the rules. After further discussion, motion by Wulf, second by West to approve the 2016-2017 mobile home park license for Sunny Side Mobile

Home Park. Upon roll call vote, Fett-aye; Wulf-aye; Poppenga-aye; Ratliff-aye; West-aye; Gregg-nay. Motion carried on a 5 to 1 vote.

Ambulance Volunteer On-Call Pay Resolution 2016-11-14-01: The Ambulance Volunteer On-Call pay resolution #2016-11-14-01 was presented for Council approval in which the volunteers of the ambulance service will receive \$2.00 per hour of on-call pay. After discussion, motion by West, second by Ratliff to approve ambulance volunteer on-call pay resolution 2016-11-14-01 as presented. Upon roll call vote, all members present voted aye. Motion carried.

NEW BUSINESS:

Livestock Permit for Chickens: Motion by West, second by Wulf to approve the livestock permit for Cindy Heptig at 508 S. Main St. for 4 non-rooster chickens on the property. Motion carried.

Resolution 2016-11-14-02 Fee Schedule: Resolution 2016-11-14-02 fee schedule was presented for Council approval. The fee schedule resolution combines all the fees, approved by resolution, so the fees can be reviewed on an annual basis. After further discussion, motion by West, second by Wulf to approve resolution 2016-11-14-02 fee schedule as presented. Upon roll call vote, all members present voted aye. Motion carried.

2017 Liquor and Wine License Applications Public Hearing: Mayor Wiebers opened the public hearing at 7:45 PM for the following liquor and wine licenses applications for 2017: The Only One, retail on-sale liquor and package off-sale liquor; Brethorst-Burma Post #174, retail on-sale liquor and package off-sale liquor; Beamer's Pub, retail on-sale liquor; Sunshine, package off-sale liquor; and Dollar General Store, retail on sale wine and off-sale wine. With no one appearing or in opposition to the licenses applications, Mayor Wiebers closed the public hearing at 7:46 PM. Motion by Wulf, second by West to approve the 2017 liquor and wine licenses as presented. Upon roll vote, all members present voted aye. Motion carried.

Hi-Way 44 Project Wetland Purchase Agreement: Motion by Gregg, second by West to table the wetland purchase agreement as the agreement has not been prepared for the Council approval at this time. Motion carried.

Old Football Field Judgment: The Finance Officer presented a recommendation for the Council to approve in regards to the judgment against the City for the old football field property. After discussion, motion by Ratliff, second by West to authorize payment of said judgment to Lennox Properties LLC in the amount of \$570,504.01 for the old football field property. Upon roll call vote, all members present voted aye. Motion carried.

Reimbursement of Taxes: The Finance Officer presented a request from Lennox Properties LLC to be reimbursed for property taxes for the second half of 2015 payable in 2016 that were paid by Lennox Properties LLC. The City of Lennox took possession of the property on June 25, 2015 through condemnation procedure. After discussion, motion by West, second by Wulf to authorize payment of the 2015 second half taxes property taxes in the amount of \$1,286.59 to Lennox Properties LLC. Upon roll call vote, Fett-aye; Gregg-aye; Wulf-aye; Ratliff-aye; West-aye; Poppenga-abstain; Motion carried.

Banyon Software Proposal: The Finance Officer and Public Relations Director presented a proposal from Banyon for data software for the city bookkeeping system. The cost for the system is \$12,755.00 for the software, \$2,000.00 for training and \$3,360.00 for annual support fee. After discussion, motion by Ratliff, second by West to authorize purchase of the Banyon Date Software in the amount of \$16,115.00 which does not include training. Motion carried.

Industrial Street Vacation: Discussion was held on the vacation petition of Industrial Street but no action was taken.

Waterbury Lots: The Finance Officer reported that there has been interest in the Waterbury Lots located at 5th and Garfield to place a house that will be moved into the City. Discussion included the reason for purchasing the lots which was for access to the undeveloped lots to the west of the property and to have a concept plan for the lot layout for the property. After further discussion, motion by Fett, second by Gregg to table the Waterbury lot decision. Upon roll call vote, all members present voted aye. Motion carried.

Smoking Issue: Councilman Mike Gregg brought up for discussion the smoking issue in public buildings and the need to stiffen the law for City purposes. Different ideas were shared and City Attorney will be contacted to help with this request.

Council Committee Reports:

Street/Water/Sewer: Mike Gregg reported on the S/W/S committee meeting and the numerous items happening at the WWTF and the continuing research on the land applying the sludge verses sending the acceptable sludge to the landfill. The street dept. is continuing to sweep the streets, working on the ball fields and the drainage problem north of the railroad.

Zoning/Buildings: Nothing to report at this time.

Police/Fire: Greg Poppenga reported that things are running smoothly.

Park/Rec/Pool: Alan Ratliff reported that the poles for the new batting cage are in and the ground has been prepared for use next year, the chain link fence has been cleaned up, working on the middle field for better drainage and Jason Foss is gathering information for the new concession/storage shed. Mayor Wiebers then suggested having the park committee look over the existing building to see if it is in good enough condition to use for storage.

Finance/ Library: Tracy West reported on the CIP and the transparency and accountability of City funds.

Ambulance/Solid Waste/Rubble: Chad Wulf reported on the ambulance report and discussion has been held on having the rubble site open on an evening next year for the convenience for residents that work all day and may not be able to get to the site on Saturdays.

Motion by West, second by Gregg to approve the committee reports as presented. Motion carried.

PERSONNEL:

Certification Pay: Motion by West, second by Gregg to pay \$.25 per hour per each of the three certifications received by Jeremy Jacobson and to make the increase retroactive to when Jeremy received each certification. Motion carried.

Employee Evaluations: The Council will meet in special session on Monday, November 28, 2016 at 6:00 PM to conduct employee evaluations and a schedule for department heads will be completed.

EXECUTIVE SESSEION: Motion by West, second by Wulf to go into executive session at 8:44 PM to discuss personnel. Motion carried. Mayor Wiebers declared executive session ended at 9:20 PM.

City Administrator Position: After discussion, the Council agreed to look into a City Administrator position and to have a job description prepared.

ADJOURNMENT: With no further business, motion by Gregg, second by Poppenga to adjourn at 9:22 PM. Motion carried.

ATTEST: _____
Jerry Jones, Finance Officer

Orville Wiebers, Mayor