

**LENNOX CITY COUNCIL REGULAR MEETING  
MONDAY, DECEMBER 8, 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. Others present were Jean Lipetzky, Mid American Energy, Tammie Lesselyoung, Loraine Bauerle, Sandy DeVries, Larry DeVries, Dana Haan, Ronald Beck, Mary Brass, Grace Stack, Mitch Mergen, Debbie Schmidt, Toby Brown and Richard Schriever.

**AGENDA:**

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

**MINUTES:**

Motion by West, second by Gregg to approve the minutes of the November 10, 2014 regular meeting and December 1, 2014 special meeting. Motion carried.

**PAYROLL REPORT:**

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

**CLAIMS:**

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

ACE	SENIOR BULBS	\$119.28
AMERICAN ENGINEERING	SEWER	\$4,000.00
AVERA MCKENNAN PHARMACY	AMB MEDS FOR OCT	\$29.28
BARNES & NOBLE	LIB 23 BOOKS NOV	\$381.80
BOARD OF OPERATOR CERTIFICATIO	WATER/SEWER CERTIFICATIONS	\$36.00
BOUND TREE	AMB NOV SUPPLIES	\$397.98
DBA BRENDE ELECTRIC LLC	LIFT STATION	\$1,116.31
CADWELL SANFORD DEIBERT & GARR	FOOTBALL FIELD	\$2,355.58
CARDMEMBER SERVICE	SUPPLY	\$573.27
CENEX FLEETCARD	FUEL	\$1,322.93
COVAIS MIKE	SEWER JUDGMENT	\$2,595.98
DAKOTA PUMP & CONTROL	WASTE WATER	\$1,639.80
DANKO	FIRE DEPT REPAIR	\$1,541.15
DATA TECHNOLOGIES	SUPPORT CONTRACT	\$4,650.22
DAVES SERVICE & REPAIR	FUEL AND REPAIR	\$1,693.60
EVELYN METCALF	GEN NOV CLEANING	\$150.00
FARM HOM	REPAIR	\$169.50
FISHER SCIENTIFIC	SEWER	\$101.75
FOSS COMMUNICATIONS & SECURITY	FIBER CONNECTIONS	\$6,285.00
GRAINGER	WASTE WATER	\$505.09

HANISCH ELECTRIC	BANDSHELL FIX LIGHTS	\$126.99
HAWKINS, INC	WATER	\$10.00
INDEPENDENT PUBLISHING	PUBLISHING FOR NOV	\$538.31
JOSTEN CONCRETE	REC SEPTIC TANK	\$550.00
LADC	ECON BAL OF 2014 BUDGET	\$21,000.00
LENNOX MUNICIPAL BAND	CONCERT	\$3,119.82
LEWIS & CLARK REGIONAL WATER S	WATER USED 5,525,985 GAL USED	\$6,963.37
LINCOLN COUNTY HIGHWAY	STREET ICESAND USED2013-2014	\$5,909.38
LYLE SIGNS INC.	STREET SIGNS	\$135.33
MARCO, INC.	STREET	\$182.66
MATHESON LINWELD	AMB	\$180.90
MEYER DOUG	ECON LENNOX SIGN	\$4,114.14
MIDCONTINENT	PHONE AND CABLE	\$770.24
MIDWEST ALARM	GEN 1/1/15-3/31/15	\$63.00
NEVES UNIFORMS	POLICE	\$89.65
OFFICE MAX	CHAIR AND SUPPLY	\$139.33
ORIENTAL TRADING	GEN SANTA DAY STUFF	\$47.97
PITNEY BOWES	POSTAGE METER	\$400.00
PITNEY BOWES PURCHASE	WATER	\$7.60
POSTMASTER	GEN PO BOX RENT 1 YEAR	\$50.00
QUALIFIED PRESORT	UTILITY BILLS	\$518.61
RENT-ALL INC	STREET PUT UP LIGHTS	\$205.00
RHODE ISLAND NOVELTY	GEN SANTA DAY STUFF	\$63.40
DBA RURAL ROUTE 1 SERVICES	RUGS	\$115.00
SANFORD HEALTH	SEWER FLU SHOT	\$350.00
SCOTT BOLTE SANTITATION	TRASH PICKUP	\$224.41
SCOTT'S AUTOMOTIVE	STREET	\$445.00
SD DEPARMENT OF HEALTH	WATER/SEWER SAMPLES	\$1,156.00
SD SOLID WASTE MANAGEMENT	RUBBLE OPERATOR TRAINING	\$70.00
SD WATER/WASTEWATER ASSOC	CERTIFICATION RENEWAL FEES	\$20.00
SIOUX FALLS HUMANE	POLICE	\$45.00
SOUTH DAKOTA POLICE	POLICE MEMBERSHIP DUES 2015	\$97.96
SOUTHEAST COUNCIL OF GOVERNMENTS	2015 DUES	\$3,299.00
SOUTH LINCOLN RURAL WATER	WATER	\$196.25
SOUTHEASTERN ELECTRIC	UTILITIES	\$1,242.96
STAN HOUSTON EQUIPMENT	WATER	\$30.23
STOCKWELL ENGINEERS	ENGINEERING FEES	\$49,714.33
STURDEVANT'S AUTO PARTS	REPAIR	\$472.14
SUNSHINE	SUPPLY	\$91.82
TMC	FIN NOV	\$27.95
VANS AUTO ELECTRIC	TRUCK REPAIR	\$175.00
VERIZON WIRELESS	CELL PHONES	\$244.68
XCEL ENERGY	UTILITIES	\$7,020.30

\*\*\*\*\* REPORT TOTAL \*\*\*\*\*

\$144,731.25

**VISITORS TO BE HEARD:** None at this time.

**FINANCE OFFICER REPORT:**

The Finance Officer presented the November 2014 committee budget report and the Ambulance Dept. monthly report for informational purposes. Other items reported were the request to have a door installed in the kitchen area in the Senior Citizens Center, budget training for Council in July 2015, a budget request of the LEE transit for funds at the end of 2014 if any funds are available, SDML ambulance bill for the legislature for hardship ambulance depts., the LWCF grant approval in the amount of \$40,000 and the cost estimate for the remodel of the front office area. Motion by West, second by Gregg to approve the Finance Officer report as presented. Motion carried.

**PUBLIC WORKS DIRECTOR REPORT:**

PWD Stack reported on the LWCF grant approval and the TAP grant application which was denied this year, the 4<sup>th</sup> Avenue project design meeting for the public on December 18<sup>th</sup>, the floodplain administrator's class in Chamberlain and the restricted use and C & D operator training class in Madison which Dave and Tim will be attending on December 9, 2014. Motion by West, second by Olson to approve the Public Works Director as presented. Motion carried.

**OLD BUSINESS:**

**Mid American Energy Franchise Agreement Ordinance #552 Second Reading:**

The Mid American Energy Franchise Agreement Ordinance #552 was presented for the second reading and approval of the Council. After discussion, motion by Poppenga, second by Gregg to approve the second reading of Ordinance #552 Mid American Energy Franchise Agreement. Upon roll call vote, all members present voted aye. Motion carried.

**NEW BUSINESS:**

**Public Hearing Resolution of Necessity #2014-12-08-01:**

PWD Stack read the resolution of necessity #2014-12-08-01 for the 5<sup>th</sup> Avenue and Garfield St Project for the Council. Mayor Wiebers then opened the public hearing at 7:20 PM. Comments from the public were heard and questions were addressed. After discussion was held, Mayor Wiebers closed the public hearing at 7:31 PM. Motion by West, second by Gregg to approve the resolution of necessity #2014-12-08-01 for the 5<sup>th</sup> Avenue and Garfield Street project. Upon roll call vote, all members present voted aye. Resolution #2014-12-08-01 was approved and adopted on this 8<sup>th</sup> day of December, 2014.

**Sales Tax Statement of Support:**

The Finance Officer presented the sales tax statement of support for the effort of SDML to introduce legislation this coming legislative session to enact an additional municipal sales tax for specific infrastructure projects in the municipality. If passed in the legislature, the public of each municipality has the right for approval or denial of the additional sales tax for the specific project and when the project is completed and paid for, the sales tax would sun set and would have to be approved by the public before another project to be funded by the additional sales tax. After discussion, motion Gregg, second by West to support the effort of the SDML and offers the following statement, "The City of Lennox supports a local option additional municipal sales tax, with approval of our voters, for specific infrastructure projects." Upon roll call vote, all members present voted aye. Motion carried.

**Ordinance #553 Amending Chapter 8.01 General Provisions:**

PWD Stack presented and read the first reading of Ordinance #553 which amend chapter 8.01 general provisions the user responsible for operations and maintenance of water and sewer lines. After questions were

addressed, Mayor Wiebers declared the first reading of ordinance #553 amending chapter 8.01 general provisions.

**Museum Presentation for Deadwood Grant:**

Richard Schriever representing the Lennox Area Historical Society, met with the Council and requested permission to go forward with obtaining information to apply to the Deadwood Grant for the Lennox Museum. After discussion, consent of the Council is to go forward with the application and obtain on the cost for the architect and other expenses related to the application.

**Public Hearing for Resolution #2014-12-08-02:**

PWD Stack read the resolution #2014-12-08-02 Main Street Storm and Sanitary Sewer 2014 SRF application for Council consideration. Mayor Wiebers opened the public hearing at 7:54 PM for resolution #2014-12-08-02. Questions and concerns were addressed and Toby Brown, SECOG, reported on sewer user fees to pay for the loan for the project. The total amount of loan for the project has been adjusted from \$1.9 million to \$2.443 million to complete the project. A recommendation was made to secure the loan with storm sewer assessment fees and not to add a user fee to the sanitary sewer rate. With no further discussion, Mayor Wiebers closed the public hearing at 7:58 PM. Motion by West, second by Olson, to approve resolution #2014-12-08-02 Main Street Storm & Sanitary Sewer 2014 SRF Application. Upon roll call vote, all members present voted aye. Motion carried. Motion by West, second by Olson to amend resolution #2014-12-08-02 to change the amount of funds applied for from \$1,900,000 to \$2,433,000. Upon roll call vote, all members present voted aye. Motion carried.

**Street Maintenance Assessment Fee Discussion:**

PWD Stack presented the ordinance #398, an ordinance creating front foot assessments for street maintenance for discussion of the Council. He stated that the ordinance has been on the books since 2000 but the fee has never been set by resolution. Discussion was held on the optional rates per foot that can be assessed to property owners. The Council requested information on the amount of funds that can be raised at different rates on front footages of property. Motion by Gregg, second by West to table the street maintenance assessment fee. Motion carried.

**Planning Commission Resignation:**

Mayor Wiebers read the letter of resignation from Dave Van Middendorp from the Planning Commission. Motion by West, second by Nelson to accept the resignation of Dave Van Middendorp and to thank Dave for his years of service to the Planning Commission and the City of Lennox. Motion carried.

**Date for Special Meeting:**

The Council agreed to hold the special year end meeting on Tuesday, December 30, 2014 at 7:00 PM.

**Personnel Manual:**

The Finance Officer presented a proposal for the employee personnel manual as requested by Council. The Council addressed certain recommended changes and additions to the manual.

**Executive Session:**

Motion by West, second by Nelson to go into executive session at 8:50 PM to discuss personnel. Motion carried. Mayor Wiebers declared executive session ended at 9:39 PM with no action taken.

Other items discussed were to authorize the change of office hours in the Finance Office to Monday through Thursday, 7:30 AM to 5:30 PM and Friday 8:00 AM to 12:00 Noon effective January 1, 2015 and the options on the office remodel project.

**Adjournment:**

With no further business, motion by West, second by Nelson to adjourn at 9:42 PM. Motion carried.

ATTEST:

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Jerry Jones, Finance Officer

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Orville Wiebers, Mayor