

LENNOX CITY COUNCIL REGULAR MEETING

MONDAY, JUNE 8, 2015

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, Marlyn Jacobson, Mike Gregg, Les Noonan and Phil Fett. Staff present was Finance Officer Jerry Jones, Public Works Director Greg Stack, Water Supt. Roger Almond, and Street Supt. Dave Tipton. Other present were Mitch Mergen, Brett Lovrien, Debbie Schmidt, Kent Plimpton, Glenn Nelson, Paul Jacobson, Frank Jacobson, Art Ringen, Judy Fett, Mike Klingbile, Carolyn and William Randall, Rise Jongeling, and Wayne Peterson.

AGENDA:

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

MINUTES:

Motion by Poppenga, second by Jacobson to approve the minutes of the May 11, 2015 regular meeting and the May 26, 2015 special meeting. Motion carried.

PAYROLL REPORT:

Motion by Gregg, second by Jacobson to approve the May 2015 payroll report. Upon roll call vote, all members present voted aye. Motion carried.

CLAIMS:

Motion by Gregg, second by Poppenga to approve May 2015 claims as presented. Upon roll call vote, all members present voted aye. Motion carried.

ACE	REC STRIPING PAINT	\$710.15
AMBILL ASSOCIATES	AMB APRIL BILLING	\$805.00
AVERA QUEEN OF PEACE	STREET DRUG TEST	\$56.40
BARNES & NOBLE	LIBRARY 29 BOOKS	\$431.04
CADWELL SANFORD DEIBERT & GARR	AMB	\$5,908.95
CARDMEMBER SERVICE	PIERRE MEETING/POOL EQUIP	\$2,309.71
CENEX FLEETCARD	FUEL	\$1,252.27
DANKO	FIRE	\$1,397.30
DAUBYS	REC BALLS & SCOREBOOKS	\$239.80
DAVES SERVICE & REPAIR	FUEL AND REPAIR	\$1,106.49
DENR	ANNUAL FEES	\$650.00
DIVISION OF MOTOR VEHICLES	POLICE VEHICLE REGISTRATION	\$14.00
EASTERN FARMERS	SPRAY WEEDS@WASTE WATER	\$156.11
EVELYN METCALF	GEN MAY CLEANING	\$150.00
FASTENAL	SUPPLY	\$125.27
FIRST RATE EXCAVATE INC	PAY REQUEST #1	\$250,310.39
FIRST RATE EXCAVATE INC	PAY REQUEST #2	\$169,331.97
FISHER SCIENTIFIC	WATER	\$179.20
HAWKINS, INC	POOL CHEMICALS	\$1,074.00
HEALTH POOL	PREMIUMS	\$621.50
HYDRO TECH SERVICE	WATER	\$1,402.50
INDEPENDENT PUBLISHING	PUBLISHING	\$441.78

INFRA-TRACK INC	SEWER	\$2,998.64
INTEK	GEN	\$318.95
JERRYS AUTO BODY	POLICE DECALS ON NEW CAR	\$310.00
TODD JOHNSON	POOL CLEAN OUT BOTTOM	\$160.00
VAST BROADBAND	POLICE PHONE	\$65.61
LAURA WELCH	POOL PAPER SUPPLIES	\$33.71
LAURIE KRUSE	POOL TRAINING	\$215.00
LEISINGER. ZACHERY	UMPIRE	\$20.00
ATTENTION: LACF TREASURER	MATCH	\$5,000.00
LENNOX SCHOOL DISTRICT	SAFE ROUTE TO SCHOOL	\$1,544.53
LEWIS & CLARK REGIONAL WATER S	WATER MAY GAL USED 3,427,430	\$6,971.72
LEWIS DRUG	AMB	\$59.99
LINCOLN COUNTY CLERK OF COURTS	ESCROW FOR OLD FOOTBALL FIELD	\$130,000.00
LUTHER, LAUREN R	POOL TRAINING	\$150.00
LUZE, MATTHEW	3@\$30 3@\$20 UMPIRE	\$150.00
MARCO, INC.	COPIER FEE	\$258.08
MARK LUVAAS	SOFTBALL REFUND	\$50.00
MATHESON LINWELD	AMB	\$86.64
MENARDS	POOL PAINT	\$69.81
MICHELLE ABRAHAM	POOL TRAIING FOR 2	\$430.00
MIDCONTINENT	PHONES AND CABLE	\$831.33
MIDWEST ALARM	GEN 7/01/15-9/30/15	\$66.00
MONARCH SALES	T-SHIRTS YOUTH	\$1,512.70
NELSON AUTO CENTER	POLICE VEHICLE	\$31,397.00
OFFICE MAX	LIB SUMMER PROGRAM	\$100.88
PETTY CASH	CONCESSION STAND	\$300.00
PITNEY	POSTAGE FEES	\$130.88
PITNEY BOWES	POSTAGE FEES	\$400.00
QUALIFIED PRESORT LLC	UTILITY BILLS	\$517.93
DBA RURAL ROUTE 1 SERVICES	RUGS	\$784.85
SANITATION PRODUCTS	STREET	\$177.45
SCOTT BOLTE SANTITATION	TRASH PICKUP	\$263.36
SD DEPARMENT OF HEALTH	SAMPLES	\$582.00
SD MUNICIPAL LEAGUE	COUNCIL BUDGET TRAINING	\$75.00
SF TWO WAY RADIO	FIRE RADIOS	\$4,736.02
SIOUX FALLS HUMANE	CONTRACT FEE	\$15.00
SOUTH LINCOLN RURAL WATER	UTILITIES	\$234.50
SOUTHEASTERN ELECTRIC	UTILITIES	\$1,203.36
START WITH A SHIRT	REC SHIRTS	\$3,315.16
STOCKWELL ENGINEERS	ALLEY IMPROV-CONST ADMIN	\$49,218.28
STURDEVANT'S AUTO PARTS	REPAIR	\$729.01
SUNSHINE	SUPPLY	\$72.18
TESSMAN COMPANY	REC FIELD DRY	\$219.00
TMC	MAY	\$30.30
TOTAL TREE SERVICE	RUBBLE REMOVE 3 STUMPS	\$180.00
VAN DIEST SUPPLY	INSECT CONTROL	\$1,227.90
VANTEK	LIGHTS ON NEW CAR	\$654.90
VERIZON WIRELESS	CELL PHONES	\$241.14

VISION VIDEO INTERACTIVE	MAY TEXT ALERT	\$51.47
WALLENSTEIN, BRAEDON	UMPIRE 2@20	\$40.00
WEST, TRISHA	POOL LIFEGUARD TRAINING	\$215.00
XCEL ENERGY	UTILITIES	\$8,168.19
ZIEGLER, ALISON	5@20 1@30 UMPIRE	\$130.00
ZIRPEL, ANGELA	POOL TRAINING	\$215.00
***** REPORT TOTAL *****		\$695,602.30

VISITORS TO BE HEARD: None at this time.

FINANCE OFFICERS REPORT:

The Finance Officer presented the May 2015 committee budget report and the Ambulance Dept. monthly activity report for informational purposes. The elected officials workshop in Pierre and budget workshop in Sioux Falls were discussed and how many councilmen are able to go to each. The office remodel is now complete and a public open house will be scheduled in the near future, the annual Sioux Falls Surplus Equipment auction is scheduled for September 26th and a text alert for Council members has been set up for reminders or other alert notices. Motion by West, second by Gregg to approve the finance officer report as presented. Motion carried.

PUBLIC WORKS DIRECTOR REPORT:

PWD Stack informed the Council that he attended the pre-construction meeting for the micro-sealing of city streets and the City of Lennox is scheduled to be done in the middle of July. Greg addressed the rubble site issues concerning the berms for the compost area as required by the State of South Dakota and the City cannot get an extension to have the berms installed so the deadline on June 18th will stand. Greg also discussed the purchase of equipment for the composting operation and the ability to incorporate the sludge from the WWTF in the compost. He has posted 5 properties because of complaints filed concerning the grass not being mowed and the request of condemning a property in city limits. Other items discussed was construction being done without a building permit and the need to have a penalty for such a violation, complaint of a pool with standing water and concerns of mosquitoes coming from the pool, a concern if the city will have enough material brought into the rubble site to justify the composting operation and the WWTF was inspected and passed the inspection. Motion by West, second by Noonan to approve the public works director report as presented. Motion carried.

BOARD OF ADJUSTMENT:

Mayor Wiebers adjourned the regular council meeting at 7:32 PM and convened the City Council as the Board of Adjustment. PWD Stack informed the Board of the issue for Wayne Fischer at the corner of 4th Ave and Hi Way 17 as to the Hi Way 17 project in 2016 as the State will be taking out the access to Mr. Fischer's property from Hi Way 17. The access to the building will not be able to be used from Hi Way 17 thus making the building front entrance unavailable. A potential remedy to the issue is to pick the building up and turn it a quarter of a turn so the front of the building will be facing south for access from 4th Avenue. The problem that this process will make the building be non-compliant to the city ordinances. After further discussion, the Council agreed in consensus that due to no fault of Mr. Fischer, this situation is being created by the Hi Way 17 project and to allow the building to be turned without any violation of city ordinance. PWD Stack then addressed the issue with the new Dollar General store and the placement of the approach into the store's parking lot. City Engineer commented that, according to the site plans, the approach needs to be 300' from any intersection and the plans do not meet this requirement. Main Street is being considered as a major collector thus requiring the 300' placement from an intersection. A traffic study could be conducted and if Main Street is considered a minor

collector street, and then the 300' set back would not be in effect. After consensus of the Council to have the approach placed as far north as possible on their property on the Main Street side but also to work with Dollar General to have their store in the City of Lennox. Mayor Wiebers then adjourned the Board of Adjustment at 7:56 PM and reconvened as the Lennox City Council.

OLD BUSINESS:

Public Hearing for Petition to Vacate Street: Mayor Wiebers opened the public hearing at 7:59 PM for the petition to vacate street. The petitioners are requesting to have the north half of West Court Avenue between N. Elm and Juniper Street vacated. Mayor Wiebers asked for any one in favor of the petition to come forward and speak. Glenn Nelson addressed the Council and explained the reason for the petition and the plans for the property. With no other in attendance coming forward in favor, Mayor Wiebers then asked for any one opposing the petition. Carolyn Randall, Frank Jacobson and Rise Jongeling presented their views for opposing the petition. Mayor Wiebers then closed the public hearing at 8:05 PM. PWD Stack then read resolution 2015-06-08-03, Petition to Vacate Street for the record. The Council had considerable discussion concerning the petition and numerous more comments from those in attendance were heard. Motion by Jacobson to table the decision to obtain more information was then offered. After further discussion, Mayor Wiebers declared the motion died due to lack of a second. After further discussion and comments, motion by Jacobson, second by Noonan not to approve resolution 2015-06-08-03, petition to vacate street, and not to make any improvements to Court Avenue between N. Elm Street and Juniper Street. More discussion was held and the vote was called for. Upon roll call vote, Fett-abstained; Gregg-aye; Jacobson-aye; Noonan-aye; West-aye; Poppenga-nay; Resolution 2015-06-08-03, Petition to Vacate Street was rejected.

NEW BUSINESS:

Resolution 2015-06-08-01 Waiver of Golf Cart Fees: PWD Stack read resolution 2015-06-08-01 providing an exemption for golf cart permit fees from July 2nd, 2015 to July 5th, 2015 during Lennox's old fashion Fourth of July Celebration. After discussion, motion by West, second by West to approve resolution 2015-06-08-01 providing for exemption for golf cart permit fees from July 2nd to July 5th 2015. Upon roll vote, all members present voted aye. Motion carried.

Well Sealing Bids: PWD Stack presented 3 bids for sealing the two wells on city property located at 3rd and Main St. and the bids are as follows: LTP Enterprises of Fargo, ND-\$16,200.00; Steffl Drilling and Pump of Willmar MN-\$13,800.00; Thein Well Company of Spicer MN-\$11,260.00. After discussion, motion by Jacobson, second by Poppenga to approve and accept the bid from Thein Well Company of Spicer MN in the amount of \$11,260.00. Upon roll call vote, all members present voted aye. Motion carried.

Year 1-Sanitary Sewer Cleaning: PWD presented 1 bid for the year 1 sewer cleaning project and was from Infra-Track of Worthing SD in the amount of \$15,683.30. After discussion, motion by West, second by Gregg to approve and accept the bid from Infra-Track of Worthing SD in the amount of \$15,683.30 and to be completed according to bid specifications. Upon roll call vote, all members present voted aye. Motion carried.

Resolution 2015-06-08-02 Public Nuisance Fees: PWD Stack read resolution 2015-06-08-02 public nuisance fees and explained the need to change the fee as the City is competing with the private sector that mow yards in the City of Lennox. The resolution increases the fee to the minimum of \$200.00 for the first hour and then \$125 per hour per person thereafter. After discussion, motion by Gregg, second by Noonan to approve and accept resolution 2015-06-08-02 public nuisance fees. Upon roll call vote, all members present voted aye. Motion carried.

First Rate Excavation Pay Request #2: PWD Stack presented the pay request #2 from First Rate Excavation for the Central Basin Project. Motion by Gregg, second by Jacobson to approve the pay request #2 from First Rate Excavation in the amount of \$169, 331.97. Upon roll call vote, all members present voted aye. Motion carried.

Personnel: Mayor Wiebers addressed the Council with the request from the Commercial Club for help from the City street department to help setup for the street dance on July 3rd. After discussion, the Council realized that Friday the 3rd of July will be a holiday for City employees and the employees will not be able to help with the setup. Other items discussed were the mosquito spraying was starting this evening and to advertize for the position of street laborer for city employee Jim Koerner as he retires in July. The Council agreed to research advertizing in the statewide ads that can be run the Lennox Enterprise.

ADJOURNMENT: With no further business, motion by West, second by Gregg to adjourn at 9:05 PM. Motion carried.

ATTEST: _____
Jerry Jones, Finance Officer

Orville Wiebers, Mayor