

LENNOX CITY COUNCIL REGULAR MEETING

MONDAY, JULY 13, 2015

LENNOX CITY HALL – 107 S MAIN ST.

The regular meeting of the Lennox City Council was called to order by Mayor Wiebers at 7:05 PM and all present recited the Pledge of Allegiance. After the Pledge of Allegiance, Mayor Wiebers requested a moment of silence in memory of City Water Supt. Roger Almond. Members present were Orville Wiebers, Tracy West, Greg Poppenga, Marlyn Jacobson, Mike Gregg and Les Noonan. Staff present was Finance Officer Jerry Jones, Public Works Director Greg Stack, and Street Supt. Dave Tipton. Other present were Ross Kuchta, Brett Lovrien, Debbie Schmidt, Kent Plimpton, Glenn Nelson, Landon Poppens, Paul Jacobson, Frank Jacobson, Aaron Kjose, Bobby Conner, Brock Rops and Wayne Peterson.

AGENDA:

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

MINUTES:

Motion by Poppenga, second by Gregg to approve the minutes of the June 8, 2015 regular meeting and the June 22, 2015 special meeting. Motion carried.

PAYROLL REPORT:

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

CLAIMS:

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

ACE	REPAIR	\$146.62
AMERICAN ENGINEERING	SOIL TESTING FOR CENTRAL BASIN	\$825.00
AVERA MCKENNAN PHARMACY	MEDS FOR JUNE	\$37.54
BADGER METER INC	WATER METERS	\$237.00
BARNES & NOBLE	BOOKS 28	\$550.01
BOEN AND ASSOCIATES	BASEBALL INSURANCE	\$176.00
BOLTES SUNRISE SANITARY	CITY WIDE CLEAN UP	\$2,416.80
BSN SPORTS	REC STEEL DRAG - BROOM	\$707.83
BUTLER MACHINERY CO.	FILTERS	\$81.66
CADWELL SANFORD DEIBERT & GARR	LEGAL	\$6,957.27
CARDMEMBER SERVICE	SUPPLY AND REPAIR	\$860.98
CENEX FLEETCARD	FUEL	\$1,355.82
CHRISTINA PETTERS	FOR TEAM HOT SHOTS	\$82.50
CITY OF TEA	BASEBALL REGISTRATION	\$450.00
CONCRETE MATERIALS	ASPHALT	\$1,322.72
DANKO	REPAIR HURST CUTTER	\$177.00
DAVES SERVICE & REPAIR	FUEL AND REPAIR	\$1,492.59
DELTA DENTAL	INSURANCE PREMIUM	\$314.00
DEVRIES, ALEX S	UMPIRE	\$940.00
DEVRIES, DEREK J	UMPIRE	\$880.00

DIAMOND VOGEL	PAINT	\$1,057.15
DICK LUND CONCRETE	CURB AND SIDEWALK REPAIR	\$1,595.28
DOUGHERTY, CATHERINE	UMPIRE	\$50.00
DAKOTA SUPPLY GROUP	REPAIR	\$1,398.41
EVELYN METCALF	CLEANING FOR JUNE	\$100.00
FASTENAL	REPAIR	\$198.39
FIRST NATIONAL BANK	CLEAN WATER SRF #4	\$23,863.23
FIRST NATIONAL BANK	DRINKING WATER SRF #1	\$26,154.05
FIRST NATIONAL BANK	DRINKING WATER SRF #2	\$4,462.77
FIRST RATE EXCAVATE INC	PAY REQUEST #3	\$276,121.40
HANISCH ELECTRIC	LIGHTS @ PARK SHOP LIGHT PARK	\$805.94
HAWKINS, INC	CHEMICALS	\$4,265.66
INDEPENDENT PUBLISHING	PUBLISHING	\$618.08
INFRA-TRACK INC	JETTING 3RD AND ACADEMY	\$693.52
INTERSTATE ALL BATTERY CENTER	WASTEWATER	\$837.24
J J KELLER	SEWER EPA MANUELS	\$827.00
JASON CHENOWETH INC.	WEED CONTROL WWP RUBBLE	\$857.50
JOHNSTON, KORLYN R	UMPIRE	\$35.00
VAST BROADBAND	PHONE	\$74.89
L.E.E.	SENIOR TRNSIT BUS CONTRIBUTION	\$3,000.00
LADC	1ST HALF 2015 BUDGET	\$23,375.00
LETZE, ANDREA	REFUND FOR LESSONS-3	\$60.00
LEWIS & CLARK REGIONAL WATER S	WATER USED 3,319,132 GALS	\$8,044.47
LEWIS DRUG	BATTERIES	\$12.80
LINCOLN COUNTY HIGHWAY	ICE SAND USED 2014 12TON@39.95	\$479.40
LUZE, MATTHEW	UMPIRE	\$140.00
MARCO, INC.	COPIER FEE	\$279.83
MATHESON LINWELD	AMBULANCE SUPPLY	\$161.22
MAYFIELD, GENE	UMPIRE	\$55.00
MICHAELS FENCE	MAIN FENCE BALL DIAMOND	\$8,327.64
MIDAMERICAN ENERGY	UTILITIES	\$107.13
MIDWEST LAB	WWTF SLUDGE SAMPLES	\$543.51
ODLAND TIM	CELL PHONE	\$45.00
OFFICE MAX	OFFICE SUPPLY	\$386.68
ORVILLE JORGENSEN	CELL PHONE	\$45.00
RAY BUNJER	GRAVEL ON BOYNTON	\$1,206.04
PITNEY BOWES	POSTAGE	\$400.00
QUALIFIED PRESORT LLC	UTILITY BILLING	\$525.21
REILLY, CHAD	UMPIRE	\$650.00
RENVILLE, MARIA	MAILBOX	\$43.31
DBA RURAL ROUTE 1 SERVICES	RUGS	\$214.35
SCOTT BOLTE SANTITATION	TRASH PICKUP	\$220.96
SCOTT'S AUTOMOTIVE	AIR CONDITIONING	\$86.79
SD DEPARMENT OF HEALTH	SAMPLES	\$562.00
DEPT OF REVENUE & REGULATIONS	SALES TAX	\$1,285.53
SF TWO WAY RADIO	AMB PROGRAMING RADIOS	\$3,606.32
SHAYKETT APPRAISAL COMPANY INC	PROPERTY APPRAISAL	\$1,500.00
SIGLER FIRE EQUIPMENT{	RECHARGE	\$42.93

SIOUX FALLS HUMANE	MAY HOUSEING	\$15.00
SOUTH DAKOTA LIBRARY ASSOCIATI	REGISTRATION FEE	\$245.00
SOUTH DAKOTA ONE CALL	LOCATING FEES	\$286.93
SE COUNCIL OF GOVERNMENTS	ASSIST FOR CONSOLIDATED GRANT	\$3,000.00
SOUTH LINCOLN RURAL WATER	RURAL WATER	\$218.75
SOUTHEASTERN ELECTRIC	ARMIN	\$1,246.56
STACK GREG	CELL PHONE	\$120.00
STAN HOUSTON EQUIPMENT	REPAIR	\$227.62
STOCKWELL ENGINEERS	PROJECT FEES	\$59,587.50
STURDEVANT'S AUTO PARTS	REPAIR	\$290.93
SUNSHINE	SUPPLIES	\$1,154.08
TIPTON, DAVE L.	CELL PHONE	\$45.00
TMC	ETF FEES	\$30.65
VAN DIEST SUPPLY	INSECT CONTROL	\$3,577.75
VANTEK	INSTALL LIGHTBAR	\$1,483.83
VERIZON WIRELESS	CELL PHONES	\$241.14
VISION VIDEO INTERACTIVE	JUNE TEXT ALERT	\$58.43
XCEL ENERGY	UTILITIES	\$9,223.90
ZIEGLER, ALISON	UMPIRE	\$40.00

***** REPORT TOTAL *****

\$500,526.05

VISITORS TO BE HEARD: Aaron Kjose and Bobby Conner expressed their concerns of the netting around the baseball field has not been installed to project property from foul balls and the concern of kids running out in the streets to collect the foul balls. Mayor Wiebers explained that the netting is budgeted this year and will be installed this fall after the ball season is over as the installation of the netting will conflict with ball games. Also discussed was the fact that the netting will not stop each foul ball and potential damage to property. Brock Rops addressed the Council concerning the Central Basin project and the project potentially not being completed this fall as projected. Ross Kuchta of Stockwell Engineers explained that the project is approximately 3 to 4 weeks behind of schedule but they are planning on starting on the alley portion of the project which will move things along on schedule. Brock was concerned if the street and driveway at his property is torn up and not replaced this fall and he cannot use his garage, who will be responsible for damage to his vehicle if vandalism occurs. Mayor Wiebers asked City attorney Lovrien to address that issue. Mr. Lovrien stated that each resident's home owner or vehicle insurance would need to cover the damage if it occurs during the project.

FINANCE OFFICER REPORT:

The Finance Officer presented the June 2015 committee budget report and the Ambulance Dept. monthly activity report for informational purposes. The Council was given budget sheets for the 2016 budget year in connection with their committees and they were asked to look over the information and fill in the reports if they choose to. The SDML budget training in Sioux Falls is scheduled for July 23rd at the Ramkota and any one can still attend if they would like to. Motion by Gregg, second by West to approve the Finance Officer report as presented. Motion carried.

PUBLIC WORKS DIRECTOR REPORT:

PWD Stack presented the sample results from the WWTF sludge and the results are in compliance with SD DENR requirements and the sludge can be incorporated with the materials to be composted in the rubble site. The WWTF inspection went very well with minor corrective comments in regards to the sludge that has been

stored for over 2 years which is in violation of DENR rules. The contracts with Their Well Company for capping the two city wells and Infra-Track for sewer main cleaning have been received and await the Mayor's signature. The PWD informed the Council that the quote received for the compost windrow turner will be a little higher as the machine needs to be fitted with a wire collector which would raise the quoted price approximately \$500. Also the chip sealing is scheduled to begin in late July or early August and the Micro Sealing is to begin in early August also. Those in attendance had concerns of the water continuing to run down the street in the Meadows Addition from sump pumps and damaging the streets before the micro sealing can take place. Motion by West, second by Gregg to approve the Public Works Director report as presented. Motion carried.

OLD BUSINESS:

Ordinance #558 Second Reading:

PWD Stack presented ordinance #558 Revisions of Municipal Ordinance Amending Chapter 8.03 Sewer Provisions for the second reading. After discussion, motion by West, second by Gregg to approve and adopt Ordinance #558 Revision of Municipal Ordinance Amending Chapter 8.03 Sewer Provisions upon the second reading. Motion carried.

NEW BUSINESS:

Public Hearing for Petition to Vacate Street: Mayor Wiebers began discussion for the petition to vacate street by having City Attorney Lovrien address the issues of the process for this petition to be heard in front of the Council again. State law says that before a public hearing for any street or alley vacation can be published for the Council to act on, the Council needs to approve to have the public hearing published and to have the public hearing held for the Council to act on. The City Attorneys recommendation is to have the Council approve to have the public hearing published to be held during the regular Council meeting on August 10, 2015. Upon further discussion, motion by West, second by Gregg to follow City Attorneys advice and to approve the publishing of the public hearing notice for the petition to vacate street to be held during the August 10, 2015 regular Council meeting. Upon roll call vote, all members present vote aye. Motion carried.

Central Basin Project Change Order #1: PWD Stack presented change order #1 for additional dirt work done at the industrial park. After considerable discussion and comments, motion by West, second by Gregg to table Central Basin Project Change Order #1. Motion carried.

Central Basin Project Pay Request #3: PWD Stack presented pay request #3 from First Rate Excavate for the Central Basin Project in the amount of \$267,121.40. After discussion and comments from Ross Kuchta, motion by West, second by Gregg to approve the Central Basin Project pay request #3 to First Rate Excavate in the amount of \$267,121.40. Upon roll call vote, all members present voted aye. Motion carried.

Mobile Home Parks Permits: Mobile Home Park permits and fees from Long Creek Park, LLC, Hamerly Trailer Court, West Park Place and Sunnyside Mobile Home Park were presented for Council approval. PWD Stack reported on the inspection done by Building Inspector Tim Odland and stated that Long Creek Park and Hamerly Trailer Court has no violations, West Park Place had minor violations but have taken care of those and Sunnyside Mobile Home Park has numerous violations and not all of the violations have been corrected to date. The violation of the trailer home that has been considered condemned is still at the lot. The owner of Sunnyside Mobile Home Park stated that he attempting to obtain the title for the abandon trailer then the plan is to move the trailer. The Council agreed the trailer has been in condemnable condition for too long and no mobile home park permit should be approved until the trailer home has been removed. Upon further discussion, motion by West, second by Jacobson to approve the 2015 mobile home park permits for Long Creek Park, LLC, Hamerly Trailer Court and West Park Place and not to approve mobile home park permit to Sunnyside Mobile Home Park due to non-compliance of the City of Lennox mobile home park ordinance. Upon roll call vote, all members present voted aye. Motion carried.

Brown Bear Compost Turner: PWD Stack discussed further the cost of the Brown Bear compost turner and requested that action on this item to be delayed to July 27th special meeting or until the bids for skid steer loader are received for Councils approval.

SDRS Enrollment Resolution #2015-07-13-01: The Finance Officer presented SDRS Enrollment resolution #2015-07-13-01 for Council approval. The resolution approves any new hire city employees to submit an additional \$25 per month automatically to the SDRS supplemental retirement plan and after the first year, an additional \$10 will automatically added to the monthly submittal. This resolution states that after July 1, 2015 or when SDRS receives the paper work, this will be in effect for all new hires to the City of Lennox. Any employee may opt out the additional funds for their retirement by contacting SDRS. After further discussion, motion by West, second by Gregg to approve SDRS Enrollment Resolution #2015-07-13-01. Upon roll call vote, all members present voted aye. Motion carried.

Personnel: The Finance Officer presented the job applications for the street and utilities laborer position for the Council to review. The closing date for the position is set for July 24th. Also presented was the job application for the part time paramedic position with the Lennox Area Ambulance Service from Alan Perry. After discussion, motion by Jacobson, second by Poppenga to approve the application from Alan Perry for the part time paramedic position with the Lennox Ambulance Service and to set the pay rate at \$13.00 per hour. Upon roll call vote, all members present voted aye. Motion carried. The job description for the Water and Sewer Supt. was discussed and where to advertize for the position. After discussion, motion by Poppenga, second by West to approve to advertize for the Water and Sewer Supt. position with the publications as discussed. Motion carried.

Special Meeting: The next special meeting will be held on Monday, July 27th at 7:00 PM.

ADJOURNMENT: After no further business, motion by West, second by Noonan to adjourn at 8:40 PM. Motion carried.

ATTEST: _____
Jerry Jones, Finance Officer

Orville Wiebers, Mayor