

LENNOX CITY COUNCIL REGULAR MEETING

MONDAY, MAY 11, 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, Russ Nelson, Mike Gregg and Darin Olson. Absent was 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 Les Noonan, Marlyn Jacobson, Mitch Mergen, Brett Lovrien, Debbie Schmidt, Landon Poppens, Kent Plimpton, Paul Jacobson, Eric Machmuller, Jeff Nielsen, Roy Poppenga and Wayne Peterson.

AGENDA:

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

MINUTES:

Motion by Gregg, second by Olson to approve the minutes of the April 13, 2015 regular meeting and the April 22, 2015 special meeting. Motion carried.

PAYROLL REPORT:

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

CLAIMS:

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

ACE	SENIOR CENTER	\$151.59
DBA "MR TWISTER"	LIB SUMMER PROGRAM	\$200.00
BADGER METER INC	WATER ANNUAL SERVICE RENEW	\$1,176.00
BARNES & NOBLE	LIB 25 BOOKS	\$392.16
BATTERIES PLUS	WATER	\$119.70
BEYOND TECHNOLOGY	COMPUTER SUPPORT	\$1,458.40
BOEN & ASSOCIATES Inc	BALL TEAM INSURANCE	\$222.00
DBA BRENDE ELECTRIC LLC	FIRE	\$353.12
BROCK WHITE COMPANY	STREET	\$4,545.77
CARDMEMBER SERVICE	SUPPLIES	\$130.50
CARTRIDGE WORLD	AMB	\$103.98
CENEX FLEETCARD	FUEL	\$807.14
DAUBYS	REC FLAGS	\$613.50
DAVES SERVICE & REPAIR	FUEL AND REPAIR	\$1,093.34
DAWN REIF	GEN VACUUM	\$179.59
DRAGONS ARE TOO SELDOM	LIB SUMMER PROGRAM	\$275.00
EARTHBEND LLC	PHONE SYSTEM	\$5,082.00
EVELYN METCALF	APRIL CLEANING	\$100.00
FEDEX	POLICE RETURN PACKAGE	\$11.30
G & H DISTRIBUTING INC	WATER	\$136.72
HAWKINS, INC	WATER	\$5.00
HANISCH, RANDALL AND ELDONA	SPECIAL ASSESSMENT REFUND	\$2,588.29

HEALTH POOL	HELATH INSURANCE NEW EMPLOY	\$1,777.54
INDEPENDENT PUBLISHING	PUBLISHING	\$703.08
INTERSTATE POWER	SEWER	\$321.00
VAST BROADBAND	POLICE DISPATCH	\$112.02
LENNOX FIRE DEPARTMENT	FIRE TRAINING	\$400.00
LEWIS & CLARK REGIONAL WATER S	WATER APRIL 3,310,977 GAL USED	\$6,967.01
LEWIS DRUG	AMB GLUCOSESTRIPS	\$59.99
LIGHT & SIREN	LIGHTS FOR NEW CAR	\$1,600.00
MARCO, INC.	POOL	\$330.56
MATHESON LINWELD	AMB SUPPLIES	\$78.26
MC & R POOLS, INC.	POOL BLEEDER FITTING	\$224.65
MCLEOD'S PRINTING	CERTIFICATES FOR ELECTIONS	\$19.50
MENARDS	PARK	\$6.79
MIDCONTINENT	PHONES AND CABLE	\$830.12
MONARCH SALES	REC T-SHIRTS,JERSEY,SWEATSHIRT	\$2,389.88
NATIONWIDE	SOFTBALL TEAM INSURANCE	\$631.65
NEVES UNIFORMS	POLICE BADGES	\$127.90
NYBERG'S ACE	PARK	\$27.55
OFFICE MAX	GEN MATTS/CHAIRS FRONT ROOM	\$1,104.85
PETTY CASH	PARK REFUND FOR CAMPING	\$44.00
PITNEY BOWES	POSTAGE	\$400.00
PITNEY BOWES INC.	POSTAGE	\$465.00
PRAIRIE HERTIAGE CABINETRY	COPY ROOM COUNTERTOP	\$500.00
PREMIER ELECTRIC	WASTE WATER	\$918.36
QUALIFIED PRESORT LLC	NEWSLETTER	\$616.72
DBA RURAL ROUTE 1 SERVICES	RUGS	\$115.00
SCOTT BOLTE SANTITATION	TRASH PICKUP	\$220.96
SCOTT'S AUTOMOTIVE	TIRE REPAIR	\$20.00
SD CODE ENFORCEMENT ASSOCIATION	REGISTRATION FEE	\$100.00
SD DEPARMENT OF HEALTH	SAMPLES	\$546.00
SD DEPT OF REVENUE, SPECIAL TAX DIV.	TITLE FEE	\$10.00
SD GOVT FINANCE OFFICER	FIN FO SCHOOL	\$75.00
SD GOVT HUMAN RESOURCE	FIN HR TRAINING	\$50.00
SEAM DESIGN	POLICE SEW ON PATCHES	\$35.00
SOUTH LINCOLN RURAL WATER	RURAL WATER	\$237.65
SOUTHEASTERN ELECTRIC	UTILITIES	\$1,444.26
STAN HOUSTON EQUIPMENT	REPAIR	\$60.81
STOCKWELL ENGINEERS	ENGINEERING FEES	\$23,837.36
STURDEVANT'S AUTO PARTS	REPAIR	\$259.54
SUNSHINE	SUPPLIES	\$76.79
SVEN	REPAIR	\$157.36
TESSMAN COMPANY	REC CLAY	\$295.80
TMC	MARCH FEES	\$260.75
TOTAL STOP	POLICE	\$19.49
VERIZON WIRELESS	CELL PHONES	\$242.44
VISION VIDEO INTERACTIVE	APRIL MOBILE TEXTING SERVICE	\$49.95
XCEL ENERGY	UTILITIES	\$8,156.49

VISITORS TO BE HEARD: None at this time.

FINANCE OFFICERS REPORT:

The Finance Officer presented the April 2015 committee budget report and the Ambulance Dept. monthly activity report for informational purposes. The museum grant update summary prepared by Richard Schriever was presented to the Council, the 1993 Chevy pickup has been insured and title has been sent to Pierre to have the "abandon" status changed to city/county exempt status, the SD Municipal League budget training will be in Sioux Falls on July 23rd and Finance Officers and Council members are encouraged to attend, and the cost estimate for the fire hall addition is coming in at \$90,000 to \$148,000 more than budgeted for this year. The payroll periods was discussed and the Council agreed to go from the 15th and 31st pay periods to being paid every other Friday beginning in July, the countertop for the copy room is being done and an open house will be scheduled when completed, the Human Resource and Finance Officer School will be held in Pierre on June 9th to the 12th, three examples of statement of ethical conduct from other communities was for the Council to review and Mitch discussed the meeting with the railroad representative in regards to the sidewalk crossings across the tracks at Main Street, Elm and Cherry. Motion by West, second by Nelson to approve the Finance Officers report as presented. Motion carried.

PUBLIC WORKS DIRECTOR REPORT:

PWD Stack reported on the LWCFG has been approved and funded and is ready for the Mayor's signature, the Central Basin project has started and approximately 250' of storm sewer has been buried, he attended the Waste Water Seminar in Pierre, the repair at the waste water treatment plant was completed and the sanitary sewer jet-vac bids will be ready next week. Greg also informed the Council on the change of the wording for the drinking water SRF loan #01 that needs to be sent to the DENR board of directors in Pierre for the June meeting. The correction in the wording of the bonds will remove the amount of the loan from the City of Lennox constitutional debt limit. Motion by West, second by Gregg to approve the Public Works Director report as presented. Motion carried.

OLD BUSINESS:

Land and Water Conservation Fund Assistance Grant: Motion by Gregg, second by West to authorize Mayor Wiebers to sign the Land and Water Conservation Fund Assistance agreement on behalf of the City of Lennox. Motion carried.

Water and Sewer User Fee Charges: Councilman Gregg reported to the Council on the Street/Water and Sewer committee meeting and the meeting with Todd Anderson of Lennox Good Samaritan Nursing Home concerning the calculation of the user fees for the complex. The resolution referring to the user fee stated that the fee will be charged per unit. Mr. Anderson stated that the facility has 39 rooms and 31 bathrooms in conjunction with the rooms. The facility is being charged for 59 beds and Mr. Anderson asked for clarification of what is considered a unit for the nursing home. After discussion and further explanation, motion by Gregg, second by Nelson to reduce the number of monthly user fees assessed to the Good Samaritan Nursing Home from the 59 beds to 39 rooms. Upon roll call vote, all members present voted aye. Motion carried.

Water Usage Laveryl Van Ningen: The Council addressed the request from Laveryl Van Ningen from last month's meeting regarding the unrecorded water usage at his residence. After discussion, motion by Gregg, second by West to follow policy regarding the water used through the meter and allow Mr. Van Ningen to make payments over 24 months for the water used. Upon roll call vote, all members present voted aye. Motion carried.

ADJOURNMENT: At this time, Mayor Wiebers asked for adjournment of the Council. Motion by Gregg, second by West to adjourn at 7:37 PM. Motion carried.

RECONVENE REGULAR MEETING: Mayor Wiebers reconvened the meeting at 7:38 PM. Members present were Orville Wiebers, Tracy West, Greg Poppenga, Mike Gregg, Marlyn Jacobson, Les Noonan and Russ Nelson. Absent was Phil Fett.

COUNCIL APPOINTMENT APPROVAL: Mayor Wiebers asked for a motion by approve the appointments of Marlyn Jacobson, Ward I and Les Noonan, Ward II to the Lennox City Council. Motion by Poppenga, second by West to approve the appointment of Marlyn Jacobson as alderman for ward I and Les Noonan as alderman for ward II effective May 1, 2015. Upon roll call vote, all members present voted aye. Motion carried.

OATH OF OFFICE: Mayor Wiebers administered the oath of office to Alderman Marlyn Jacobson, Ward I, Alderman Les Noonan, Ward II and Alderman Tracy West, Ward III. The Aldermen signed the oath of office and then were officially seated as Aldermen of their respective wards.

COUNCIL ELECTION: Mayor Wiebers called for nominations for Council President. Poppenga nominated Mike Gregg as Council President and to have nominations cease and a unanimous ballot be cast. The motion was seconded by West. Upon roll call vote, all members present voted aye. Motion carried. Mayor Wiebers then called for nominations for Vice President. Gregg nominated Marlyn Jacobson as Council vice- president and to have nominations cease and a unanimous ballot be cast. The motion was seconded by Poppenga. Upon roll call vote, all members present voted aye. Motion carried.

COMMITTEE APPOINTMENTS: Motion by Poppenga, second by West to approve the Mayor's council appointments. Upon roll call vote, all members present voted aye. Motion carried.

Streets/Sewer/Water	Mike Gregg , Marlyn Jacobson, Phillip Fett
Zoning/Buildings	Les Noonan , Greg Poppenga, Mike Gregg
Police/Fire	Greg Poppenga , Marlyn Jacobson, Tracy West
Park/Recreation/Pool	Orville Wiebers , Mike Gregg, Greg Poppenga
Finance/Library	Tracy West , Mike Gregg, Les Noonan
Solid Waste/Weeds/Recycling	Phillip Fett , Marlyn Jacobson Tracy West
Ambulance/Health	Marlyn Jacobson , Les Noonan, Phillip Fett

The names in bold are the chairman of the committee.

POSITION APPOINTMENTS: Motion by West, second by Gregg to approve the appointments of Supt of Streets, Dave Tipton, Police Chief, Orville Jorgensen, Water Supt., Roger Almond and Greg Stack as zoning administrator, city authorized official and LCEDA representative. Upon roll call vote, all members present voted aye. Motion carried.

OFFICIAL DEPOSITORY: Motion by West, second by Gregg to approve the official depositories for city funds as Valley Exchange Bank, Lennox, SD, Home Federal Bank, Lennox, SD and the SD Public Funds Investment Trust, Ft. Pierre, SD. Motion carried.

OFFICIAL NEWSPAPER: Motion by Jacobson, second by Poppenga to approve the official newspaper for the City of Lennox as the Lennox Independent. Motion carried.

NEW BUSINESS:**Public Hearing for Rezone Request from NRC Floodplain/Conservation to General Business Ordinance #557:**

Mayor Wiebers opened the public hearing at 7:58 PM for the rezone request for parcel 250.40.29.001 "Lands in Lennox-Parcel A Ex Lot 1" from NRC Floodplain/Conservation to General Business. Mayor Wiebers asked for anyone to speak in favor or in opposition to the rezone request. As no one came forward to speak, Mayor Wiebers then closed the public hearing at 7:59 PM. Mayor Wiebers then declared the first reading of Ordinance #557 Rezone Property.

2015-2016 Malt Beverage License Renewals Public Hearing:

Mayor Wiebers opened the public hearing at 8:02 PM for the approval of the following malt beverage licenses for 2015-2016. Casey's General Store, package off-sale malt beverage/SD Farm Wine; Total Stop Convenience Store, retail on-package off sale malt beverage, Total Stop Convenience Store #2, retail on-package off sale malt beverage and Beamers Pub, retail on-package off sale malt beverage licenses. Mayor Wiebers ask those in attendance if there was anyone to speak on behalf of the licenses and anyone in opposition to the licenses. Jeff Nielsen explained to the Council the reason for the second on-off sale malt beverage for the Total Stop Convenience Store and answered any questions from the Council. Hearing no opposition or any other comments for the licenses, Mayor Wiebers closed the public hearing at 8:04 PM. Motion by Jacobson, second by Poppenga to approve the licenses for 2015-2016 for Casey's General Store, package off-sale malt beverage/SD Farm Wine, Total Stop Convenience Store, retail on-package off sale malt beverage, Total Stop Convenience Store #2, retail on-package off sale malt beverage and Beamers Pub, retail on-package off sale malt beverage. Upon roll call vote, all members present voted aye. Motion carried.

Street Vacation Petition Request: A petition requesting the vacation of north half of West Court Avenue from Elm Street to Juniper Street was presented for Council consideration. The petition will need to be published twice for the public hearing which will be held on the June 8th regular Council meeting.

Health Insurance Employers Subscription Agreement: The employers subscription agreement for the SD Health Pool was presented to the Council for approval. The premium reflected a 2% decrease but coverage for the employees reflected increases in the office co-insurance from \$20.00 per visit to \$25 per visit, co-insurance from 90-10 to 80-20, total out of pocket increase from \$1000/\$2000 to \$2000/\$4000 and the prescription plan changed from 15/25/40 to 10/30/50. A request to change the life insurance for employees from the \$15,000 which the City pays 100% of to a \$50,000 policy in which the city will pay for half and the employees will pay for the other half was considered by the Council. After discussion, motion by West, second by Gregg to approve the 2015-2016 Health Pool Employers Subscription Agreement and to increase the life insurance coverage for each employee and share the cost of the life insurance on a 50/50 basis. Upon roll call vote, all members present vote aye. Motion carried.

WORKERS COMP STATEMENT:

The Finance Officer presented a statement for workers comp coverage for volunteers of the City of Lennox and Mayor Wiebers read the statement. "Volunteers for the City of Lennox, South Dakota for 2015-2016 are recognized and it is the intent of the City Council to cover these volunteers for work comp purposes. The list is on file at the City Finance Office". Motion by Poppenga, second by Jacobson to approve statement and to satisfy the requirement for workers comp coverage. Motion carried.

PERSONNEL:

Life Guards : Motion by Jacobson, second by Gregg to approve the hiring of Maisey Bainbridge, Jordanna Kruse, Alyssa Zirpel and Dakota Halverson as life guards for the 2015 pool season. Motion carried.

Councilman Gregg stated that he and the Finance Officer interviewed two applicants for summer help on the street department. The Council agreed to allow the Street/Water/Sewer committee to make the decision as to who to hire for the position.

Contract Negotiations: Mayor Wiebers requested that the contract negotiations be removed from executive session to new business. The Mayor informed the Council that an individual is interested in the old city hall lot for business expansion. The City cannot sell any property owned by the City directly to any individual or business as the property needs to be available to any and all citizens. An avenue that can be done is to donate the property to the local economic development corporation and they can make arrangements to sell the property to the interested party. The City is responsible to cap the two wells on the property before the sale can be made and discussion also was held on the purchase price needed for the property. The Council agreed to contact the economic development corporation and discuss the sale of the property. Mayor Wiebers will attend the next economic development meeting and discuss the property and proposal.

ADJOURNMENT: With no further business, motion by Gregg, second by West to adjourn at 8:28 PM. Motion carried.

ATTEST: _____
Jerry Jones, Finance Officer

Orville Wiebers, Mayor