

Unapproved Minutes
 Gettysburg, South Dakota
 July 6, 2005

Pursuant to the due call and notice thereof, the City Council met in regular session on July 6, 2005 at 7:00 PM at the City Finance Office. Those present included Mayor Jerald A. Bown, Finance Officer Sharleen Eliason and Council members Bobbie Potts, Bill Wuttke Pat Everson(arrived at 8:45PM), Larry Madsen, Jack Axsom and absent Tonya Tanner. Also present was Chief of Police, Joe Senyak, Maintenance Supervisor Russell Anderson, Andrea Marty, Diane Bender from Gettysburg Whitlock Economic Development, Duane Quiett and Craig Smith.

Motioned by Potts seconded by Wuttke, motion carried to approve the minutes from June 6 & June 22, 2005 with no corrections noted.

Motioned by Wuttke seconded by Tanner, motion carried (Madsen-nay) to approve vouchers payable.

VOUCHERS PAYABLE

Payroll Expense by Department:

Total Payroll Expense by Department

Mayor & Council	June Payroll	00.00
Finance Office	June Payroll	2,971.16
Police	June Payroll	4,064.82
Streets	June Payroll	4,227.50
Snow Removal	June Payroll	00.00
Garbage	June Payroll	313.50
Airport	June Payroll	198.50
Swimming Pool	June Payroll	4,355.40
Parks	June Payroll	1,169.50
Water	June Payroll	2,004.13
Sewer	June Payroll	402.00
Ambulance	June Payroll	3,960.90

Total Payroll Expense by Department	23,667.41
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Net Payroll	19,373.62
ANDERSON, RUSSELL	SUPPLIES 88.20
ARBACH, PATTI	½ MILEAGE TO MEETING 19.20
AVERA QUEEN OF PEACE	EMPLOYEE TESTING 58.85
BANK OF THE WEST	WITHHOLDING 2,153.45

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BEST BUSINESS PRODUCTS	MAINT COPIER	41.00
BEST WESTERN RAMKOTA	FO SCHOOL	142.00
BROSZ ENGINEERING	SEWER PROFF FEES	720.00
CARQUEST	SUPPLIES	65.43
CELLULAR ONE	AMBULANCE PHONE	42.35
CENEX FLEET FUELING	AMBULANCE FUEL	50.60
COLONIAL RESEARCH	SUPPLIES	507.59
DAKOTA FARM & RANCH	SUPPLIES	676.38
DAKOTACARE INS.	INSURANCE	3,153.87
DUCKWALLS	SUPPLIES	101.32
ECONOMIC DEVELOPMENT	QUARTERLY PAYMENT	6,750.00
FARM PLAN	SUPPLIES	424.38
FINGERPRINT EQUIP	SUPPLIES	118.91
FIRST NATIONAL BANK	SRF LOAN	10,748.12
GALL'S	SUPPLIES	257.97
GALL'S	SUPPLIES	57.98
GAS N GOODIES	CAR WASHES & SUPPLIES	70.98
GETTYSBURG DEVELOPMENT	TRIPLE B TAX	2,035.51
GMAC	LOAN PAYMENT	
38,850.00		
HANSEN PLUMBING	SUPPLIES	8.40
HAWKINS	POOL SUPPLIES	4,026.16
HEARTLAND WASTE	GARBAGE	2,974.25
HELMS & ASSOC	AIRPORT PROJECT	2,962.78
HIGHWAY IMPROVEMENT	ASPHALT CRACKSEALING	4,999.68
KOHLMAN, BIERSBACH & ANDERSON	2005 AUDIT	2,907.00
LAMB MOTOR CORP	OIL CHANGE	407.80
MICHAEL TODD & CO	SUPPLIES	272.02
MIDWAY PARTS	MISC SUPPLIES	224.43
MID DAKOTA	WATER	10,388.47
MIDLAND CONTRACTING	AIRPORT PROJECT	113,134.49
MONTANA-DAKOTA	MISC. ELECTRIC DEPTS	2,848.63
NEW CREATIONS	SUPPLIES	402.16
NORTHERN PLAINS COOP	FUEL	1,624.69
NORTHWEST PIPE	SUPPLIES	2,218.07
ONE CALL	WATER LOCATES	15.84
PEPSI	SWIMMING POOL	138.00
POTER COUNTY NEWS	PUBLICATION	379.18
PRAXAIR	AMBULANCE SUPPLIES	45.01
RIP'S REPAIR	POLICE CAR REPAIRS	492.71
RYANS CANDY	POOL CONCESSIONS	447.95
SANITATION PRODUCTS	SUPPLIES	240.04
S & H HAPPENINGS	SUPPLIES	22.61
SCHLACHTER LUMBER	SUPPLIES	56.32
SCHATZ ELECTRIC	PROFF SERVICE	38.96

SD DEPT OF REVENUE	WATER SAMPLES	36.00
SD DEPT OF REVENUE	SALES TAX GARBAGE	162.90
SD DEPT OF REVENUE	DRINKING WATER FEES	600.00
SD FEDERAL PROPERTY	AIR COMPRESSOR	2,222.50
SD PUBLIC ASSURANCE	INSURANCE	572.00
SD RETIREMENT	RETIREMENT	1,860.24
SERVALL	FO RUGS	10.80
SHIELDS TIRE SERVICE	SUPPLIES	29.50
SOPER, ANITA	SERVICES	200.00
SOVELL, EMILY	LEGAL FEES	666.00
TRUE VALUE	SUPPLIES	245.96
US POSTMASTER	STAMPS	173.25
VENTURE	PHONES	537.61
VERIZONE WIRELESS	CELL PHONES	171.95

TOTAL CHECKS 248,149.73

The Council discussed curb Stops. There was letters sent regarding inoperable curb stops to 19 individuals and only 9 inoperable curb stops are still inoperable. Council directed Russell Anderson to hire a plumber to do the work and the charges plus 10% administration costs will be incorporated into the individuals water account. This will be done in accordance with City Ordinance # 13.04.160. Certified letters will be sent informing those that are not in compliance. Russell Anderson contacted Hansen Plumbing

and they will do the curb stops this month. Motioned by Potts, seconded by Madsen, motion carried to have certified letters sent informing those 9 individuals that a contractor has been hired by the City to do the necessary repair work of curb stops and they will be billed for this according to Ordinance # 13.04.160.

Emily Sovell, City Attorney, has been working with Cell-one regarding a contract for a repeater on the Water tower. Motioned by Wuttke, seconded by Tanner, motion carried, to approve the cell one contract pending final approval of the revision by Mayor Bown and City of Gettysburg Attorney Sovell. The agreed contract is for the a period of five years at a rental rate of \$500.00 per month, with an increase of 3% each year.

Diane Bender, Gettysburg Whitlock Economic Development, presented the Quarterly reports to the Council. Motioned by Wuttke, seconded by Tanner, motion carried to accept the quarterly reports.

Craig Smith, representing Duane and Jan Quiett, asked the Council if they had any concerns regarding the vacating of Elm Street. At this time Mayor Bown declared that the public meeting to vacate Elm Street as published in the Potter County news on June 16th and 23rd was open to the public for comments. Motioned by Axsom, seconded by Wuttke, motion carried to approve the following resolution to vacate part of Elm St.

RESOLUTION 2005-4

RESOLUTION TO VACATE PART OF ELM STREET

WHEREAS Duane K. Quiett and Janel K. Quiett, husband and wife, have presented a petition to the Mayor and Common Council of the City of Gettysburg, Potter County, South Dakota, a Municipal Corporation, alleging as follows:

THAT the Petitioners, Duane K. Quiett and Janel K. Quiett, husband and wife, are the owners of Lots One (1) through (8), both inclusive, and Lots Thirteen (13) through Sixteen (16), both inclusive, Block Eleven (11), and Lots One (1) through Seven (7) both inclusive, Original Town to the City of Gettysburg, South Dakota, and Tract 6, Potter Sully Land Company's Addition to the City of Gettysburg, South Dakota.

THAT Elm Street runs between the above described lots as fully set forth in the Petition; that the petitioners are the sole owners of all of the property abutting and adjoining said street on the east and west sides thereof, that said street has not been used as a public street or right of way by the public, has never been improved and is a dead end street terminating at the south boundary of Tract 6, which is an abandoned railroad right of way; there is no residential property adjacent to the above described property based upon the knowledge, information and belief of the petitioners herein; that said street will never be needed or used as a public street or right of way at any time within the foreseeable future, that said street would serve no useful purpose as a public street or right of way at any time in the foreseeable future insofar as can be determined by the petitioners herein.

WHEREAS, the said Petition has been duly examined, and the matter investigated by the Mayor and the City Council of the City of Gettysburg, and it appearing that said Petition should be granted and said Elm Street be vacated as described in the Petition in conformity to the requirements of statute.

THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the City of Gettysburg, Potter County, South Dakota hereby officially close and vacate that portion of Elm Street running north and south between Lots One (1) and Thirteen (13), Block Eleven (11), and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7), Block Twelve (12); all in Original town to the City of Gettysburg, and terminating on the north at the north boundary of Lot One (1), Block Eleven (11), and the north boundary of Lot One (1), Block twelve (12), Original Town, abutting and adjoining the South boundary of Tract 6, Potter Sully Land Company's Addition to Gettysburg, South Dakota, and on the south at the north boundary of Custer Avenue lying between Blocks 11 and 12, Original Town to the City of Gettysburg, South Dakota.

BE IT FURTHER RESOLVED, that the finance officer shall be, and hereby is, directed to file in the office of the Register of Deeds of Potter County, South Dakota, a transcript of this Resolution, duly certified.

The question being upon the adoption of the Resolution, the roll was called, and the

following votes were recorded:

Ayes: Axsom, Tanner, Potts, Madsen and Wuttke

Nayes: none

Absent: Everson

WHEREUPON the Mayor declared the motion to adapt the Resolution be carried.

Dated this 6th day of July 2005.

ATTEST:

APPROVED:

Sharleen Eliason, Finance Officer

Jerald A. Bown, Mayor

STATE OF SOUTH DAKOTA)
COUNTY OF POTTER :ss.
CITY OF GETTYSBURG)

FINANCE OFFICERS' CERTIFICATE

I, the undersigned, being the duly qualified and acting Finance Officer of the City of Gettysburg, Potter County, South Dakota, do hereby certify that I have compared the attached and foregoing Resolution vacating that portion of Elm Street running north and south between Lots One (1) and Thirteen (13), Block Eleven (11), and lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) and Seven (7), Block Twelve (12), all in Original Town to Gettysburg, South Dakota, terminating on the north by the north boundary of Lot One (1), Block Eleven (11) and Lot One (1), Block Twelve (12), and the South boundary of Tract 6, Potter Sully Land Company's Addition to the City of Gettysburg, South Dakota, and terminating on the south by the south boundary of Lot Thirteen (13), Block Eleven (11) and Lot Seven (7), Block Twelve (12), both in Original Town to Gettysburg, South Dakota, and the north boundary of Custer Avenue running East and West between said lots, with the original Resolution and Minutes of the City Council meeting held on the 6th day of July ,2005, and that the same is full, true and correct transcript of said Minutes and said Resolution as on file in the records of my office.

Witness my hand and seal of said City this 6th day of July, 2005.

Finance Officer, City of Gettysburg
Potter County, South Dakota

Joe Senyak, Chief of Police, discussed with the Council the need for clarification regarding the fireworks ordinance. Right now our ordinance does not specify the time that fireworks can be discharged. Motioned by Axsom, seconded by Tanner, motion carried to table this

till next month. Joe Senyak also discussed a dog that is in our care. Joe Senyak did deliver a letter to an individual regarding safety issues with a garage. They will correct the situation within the time limit agreed upon. Joe Senyak has been receiving questions regarding curfew hours and he has placed an article in Cops Corner for next week regarding this.

Council member Bobbie Potts extended a thank you for a job well done to Russell Anderson, Maintenance supervisor, and the Maintenance crew, regarding the clean up program for all the trees that were damaged by the windstorm. Russell stated that everyone in the town joined in and helped clean up rubble. A thank you was published in the Potter County News and a thank you was also published in the Eagle Butte news thanking the Fire Dept personnel from Eagle Butte that came and helped. Russell Anderson, Maintenance Supervisor, reported that Jensen's completed the Chip and Seal Street project this past week. The Chip and Seal project was completed differently for the east part of town versus the west part of town and when Brosz engineering firm was contracted they stated that last years project had different specs than this year's project. Last years project specs called for one prime coat, oil , then one layer of crushed rock. This year's project specs called for one prime coat, oil, rock then repeat oil then rock again. The streets on the East part of town with only one coat of oil and rock and already bleeding through and Russell was questioning if the chip and seal will last. Mayor Bown talked to Brosz Engineer Robert Williams and he stated that the specs were different because of the cost involved. The end of July there is going to be a Chip and Seal project on Court Street and Russell Anderson will obtain quotes for redoing another coat on the streets East of town that were completed and possibly doing one more block down by the Cenex Station. Hydraulics was installed on the tractors that were purchased through the State. The lagoon inspection by DENR went very well. A culvert needs to be extended out by Blaine and Kansas St. The old ambulance that was previously declared surplus will be given to the Maintenance Department for use as a utility vehicle.

There being no other bid received, Council member Potts , seconded by Madsen, motion carried to accept the following fuel bid from Northern Plains Coop: SNL-\$ 2.14 # 2-\$1.91 # 1—1.91, and LP 1.10.

The following building permits were submitted to the Council for their approval:

Reece Brown	709 South Park St	wood fence
Josh Baush	701 South Park St	storage unit
Robert Lundquist	Block 2 Lot 9 Schlachter's Addn	storage unit

Motioned by Potts, seconded by Axsom, motion carried to approve the above building permits.

The following Demolition Permit was presented to the Council for their approval:

Potter County	Lot 17,18, 19 and 20 Block 11 Original Town	house
Richard Penrod	Lot 2-9 block 57 WTLCO addition	old church

Motioned by Axsom, seconded by Wuttke, motion carried to approve the demolition

permits.

At this time hay bids for the airport were presented. The City Finance Office received one bid from Jerry Hawkinson for the amount of \$50.00. Motioned by Potts, seconded by Madsen, motion carried to accept this bid with the understanding that no new seeding area is to be mowed.

With the wind storm damage the auditorium roof was damaged and it was declared an emergency due to the fact with raining it would cause more damage. Russell Anderson did contact the following contractors: Weather All, Joe Beetsch, John Simon, Logan Electric, Rick Simon, First Dakota, Chase Roofing and Sharpe Construction. With all the wind damage the only contractor to contact us and give us a quote was Weather All. The quotes are as follows:

1. to demo the rest of the old steel roof, fix flashing, back wall and foam entire roof deck

Demolition of old roof, flashings, and back wall	\$ 3,720.00
Rebuild all flashing on roof and rebuild back wall	10,897.00
spray –apply a polyurethane foam roofing system on existing tar roof	22,400.00
excise taxes	<u>740.00</u>
	Total of 37,757.00

2. This bid is to demo rest of steel roof and rebuild a new steel in its place & to fix back wall.

Demolition of old roof, flashings and back wall	\$ 3,720.00
Rebuild a new steel roof over the existing tar roof and rebuild back wall	\$37,112.00
excise taxes	816.00
	Total of 41,628.00

The City has insurance with Hagens, Ron Burmood, claims adjuster stated since the quotes were comparable that the City Council could choose which method they felt would work

for the auditorium. Motioned by Wuttke, seconded by Potts, motion carried to accept the quote # 1 for the new weather all roof with open down spouts.

There have been inquires about house trailers being taken to the rubble site. Some trailers have titles that would possibly have to be transferred. Motioned by Axsom, seconded by Wuttke, motion carried to treat a trailer home just like a house that is be demolished. To have it dismantled and hauled to rubble site.

Pet Vet Day will be on July 21, 2005 at the Potter County Fairgrounds from 1:00 to 5:30 PM. Finance Office will be available there to register your pet and Dr Frusher from Selby will be there to do a small animal clinic.

The chlorine controller for the swimming pool is not working properly. The company has since went out of business and there are no parts available. Motioned by Axsom, seconded

by Madsen, motion carried to approve the purchase of a new controller at approximately a cost of \$ \$1725.00.

Council member Everson entered the meeting at 8:45 PM.

The FAA has contacted the Finance Office regarding a lease that has equipment on the Fire Hall tower. Emily Sovell, City attorney has been contacted and will check into the legalities regarding the lease. The lease is for 800.00 per year for a period commencing from October 1, 2005 through September 30, 2015 and the lease number is DTFAGL-05-L. Motioned by Wuttke, seconded by Potts, motion carried to approve lease pending City Attorney Emil Sovell's approval.

Council member Jack Axsom, presented the Council a completed code enforcement presentation packet that he will be presenting to local organizations. A committee of Council members and our City Attorney will also review our City ordinances before starting the code enforcement process to clean up our town before the 125th anniversary of Gettysburg.

Kohlman, Biersbach & Anderson completed the audit for the fiscal year ending 2005 for the City.

Brosz Engineering faxed a draft copy of the sewer study. It will be reviewed and discussed at a later meeting.

In round table discussion Council member Wuttke asked that a card be sent to the Fire Department from Eagle Butte that came and helped with the tree clean up.

Motioned to adjourn at 9:21 PM by Council member Potts, seconded by Axsom, motion carried.

Attest:

Witness:

Sharleen Eliason, Finance Officer

Jerald A Bown, Mayor