

Unapproved Minutes
Gettysburg, South Dakota
June 7, 2010

Pursuant to the due call and notice thereof, the City Council met in regular session on June 7, 2010 at 7:00 PM at the City Finance Office. Those present Mayor Jerry Knox, and Council members Bill Wuttke, Pat Everson, Josh Bausch, Nathanael Williams, Fran VanBockel and Peggy Lehman. Also present was Russell Anderson, Maintenance Supervisor, Sharleen Eliason, Finance Officer, Gayle Kludt, Police Chief, Gene King, Bryan Hause, Larry Madsen, Colby Kaup, Kyle Hawkinson, Sandy Shutter, Molly McRoberts, and City Attorney Michael Larson.

Council President Wuttke led the pledge of Allegiance. The Oath of Office was given to Jerry Knox and was officially welcomed as the Mayor of Gettysburg. Jerry Knox had previously been in the hospital at Saint Mary's in Rochester Mn. for the last council meeting and had taken the oath for Mayor there. Council President Wuttke apologized to the Council for having to read it in the paper and not knowing that it was going on the internet.

Motioned by Wutke seconded by Williams, motion carried to approve the minutes from May 3rd with the following corrections: The following building permits were approved by the City Council motioned by Bausch, seconded by Lehman, motion carried to approve the following building Permits: Kerry Wager Lots 1 & 2 Block 71 Platts addition : fence Northern Plains 1 steel bin Lots 14,15,16,17,18.19 Block 8 Northside Addition and Moving Permit by Larry Madsen for a storage van at 906 E Commerical. Motioned by VanBockel, seconded by Bausch motion carried to approve the moving permit with the set fee of \$25.00.

Motioned by Everson seconded by Bausch motion carried to approve the vouchers payable and to pay the following bills in June that arrived later: Dakota Backup—76.89 A Kiefer—99.94, Dakota Beverage...346.32, Sopers---24.50, One Call—10.17, Sharleen Eliason—28.49, Judy Nagel—15.78, United Industries—1160.43, Holzwarth Sales—1213.01 and A-Tech-Sewer relining 208,494.60 for a total of 211,470.13.

VOUCHERS PAYABLE

Payroll Expense by Department:

Total Payroll Expense by Department		
Mayor & Council	May Payroll	00.00
Finance Office	May Payroll	3,484.92
Police	May Payroll	6,249.28
Streets	May Payroll	3,831.53

Snow Removal	May Payroll	00.00
Garbage	May Payroll	748.16
Airport	May Payroll	593.60
Swimming Pool	May Payroll	826.98
Parks	May Payroll	1,551.81
Water	May Payroll	2,302.88
Sewer	May Payroll	2,019.98
Ambulance	May Payroll	194.18
West Nile	May Payroll	00

Total Payroll Expense by Department		21,803.32
NET PAYROLL		16,522.16
ADOLPH KIEFER	POOL SUPPLIES	591.65
AFLAC	CANCER INS.	103.25
AFLAC	CANCER INS.	103.25
ANDERSON, RUSSELL	POOL SUPPLIES	71.97
A-TECH SEWER	CLEAN &TELEV SEWER	19,835.00
AVERA ST LUKES	CPR INSTRUCTORS	580.00
BANK OF THE WEST	WITHHOLDING TAXES	2,310.52
BANK OF THE WEST	WITHHOLDING TAXES	2,718.58
B & L COMPUTER	POLICE PROGRAM	240.00
BEST BUSINESS	MAINT COPIER & SUPP	28.78
BLAINE SCHMIDT	WSI	150.00
BLIESE MACHINE SHOP	IRON AND SUPPLIES	27.50
CAM WALL ELECTRIC	WELCOME SIGN	10.00
CAM WALL ELECTRIC	WELCOME SIGN (A)	10.00
CAPITAL SPORTS	BASEBALL SUPPLIES	122.95
CENEX FLEET	FUEL-AMBULANCE	308.43
CITY OF GETTYSBURG	PETTY CASH	47.54
CITY OF GETTYSBURG	WATER OUTRD-TREAS PAL	49.10
COLONIAL RESEARCH	POOL SUPPLIES	477.05
DAKOTA BACKUP	COMPUTER BACKUPS	73.94
DAKOTACARE INS.	EMPLOYEE INS	5,019.93
DAKOTA FARM & RANCH	SUPPLIES	1,073.09
DAYS INN	POLICE WORKSHOP	54.99
DUCKWALLS	SUPPLIES	295.00
ELIASON,SHAR	MILEAGE PIERRE	129.00
FARM PLAN	REPAIR & SUPPLIES	329.29
GAS N GOODIES	CAR WASHES-POLICE	42.00
GAYLE KLUDT	EVIDENCE LOCKERS	747.00
GETTYSBURG DEVELOPMENT	TRIPLE B	1,757.47
GETTYSBURG INN & SUITES	POLICE	70.00
GETTYSBURG IN ACTION	FRISBEE GOLF	1,000.00
GETTYSBURG MEMORIAL HOSP	EMPLOYEE TESTING	50.00
HABERER, BRIAN	WSI FOR AUSTIN	150.00
HAWKINS	POOL SUPPLIES	2,739.96
HEARTLAND WASTE	GARBAGE	4,012.83

HOLZWARTH SALES	SUPPLIES	691.47
JENSEN ROCK & SAND	SUPP	1,257.75
JOSIE FAIRBANKS	WSI TRAINING	150.00
LADERAL	POOL SUPPLIES	7.66
LOGAN ELECTRIC	FIREHALL –BATTERY	189.59
MID DAKOTA WATER	WATER	12,297.60
MIDWAY PARTS	PARTS	347.44
MN WIRELESS	WIRELESS	69.00
MONTANA DAKOTA UTILITIES	ELECTRICITY	3,619.95
NEW CREATIONS	SUPPLIES	280.00
NORTHERN PLAINS COOP	FUEL	1,886.30
NORTHERN PLAINS COOP	SUPPLIES	703.76
NORTHWEST PIPE	SUPPLIES	1,031.45
NORTHWEST PIPE	SUPPLIES	269.76
ONE CALL	WATER LOCATES	13.56
POTTER COUNTY NEWS	PUBLICATIONS	741.71
POTTER COUNTY NEWS	PUBLICATIONS	295.22
PRAXAIR	SUPPLIES	176.20
PRAXAIR	SUPPLIES	115.88
RED RIVER GRAIN CO	SUPPLIES	81.30
RED RIVER GRAIN CO	SUPPLIES	427.47
RIPS REPAIR	OIL CHANGE	36.95
SCHLACHTER LUMBER	SUPPLIES	16.79
SCHLACHTER LUMBER	SUPPLIES	141.67
SD DEPT OF REVENUE	MALT BEV LIC	624.00
SD DEPT OF REVENUE	GARBAGE TAX	272.82
SD RETIREMENT	RETIREMENT	2,589.63
SDACC	GENE KING WORKSHOP	60.00
SERVALL	FO RUGS	41.94
SOVELL, EMILY	LEGAL	50.00
THORSTENSON TRUCKING	AG LIME	1,293.73
THORSTENSON TRUCKING	AG LIME	1,251.33
TITAN ACCESS ACCT	SUPPLIES	718.18
TRUE VALUE	SUPPLIES	143.30
TRUE VALUE	SUPPLIES	306.59
USDA RURAL DEVELOPMENT	LOAN –FIRE HALL	25,122.00
US POSTMASTER	STAMPS	264.00
US POSTMASTER	POST CARDS	170.24
VENTURE COMMUNICATIONS	PHONES	562.94
VERIZON WIRELESS	CELL PHONES	192.59
WUTTKE, BETHANY	CPR	25.00
WUTTKE, BILL	CANDY POOL	442.44
TOTAL CHECKS		120,831.44

Council member VanBockel entered the Meeting.

At this appointed time the Public Meeting for the Malt Beverage License for the 2010-2011 year was opened to the public for comments. Hearing no comments motioned by Wuttke, seconded by Lehman, motion carried to approve the following malt Beverage permits:

The Burg's Gas	800 E Hwy 212, Gettysburg SD	Retailer(On-Off Sale)
Liberty Lanes	107 N. Exene, Gettysburg SD	Retailer (On & Off-sale)
J & B Quick Stop	410 W Garfield, Gettysburg, SD	Retailer (On & Off-Sale)
Gas N' Goodies	106 E. Garfield, Gettysburg, SD	Retailer (On & Off-sale)

Motioned by Everson, seconded by Williams, motion carried to approve a one day malt beverage permit for the Gettysburg Fire Department for the Car show that will be held on June 26, 2010 at the City Park.

Larry Madsen appeared before the Council to inquire about his moving Permit. It was missed in the last months council minutes and will be put in as a correction as it was approved. Larry Madsen was questioning the moving permit regarding having a bonded mover and this part of the ordinance will be reviewed by the Council at a later date.

Larry Madsen asked the Council if they are continuing the American Elm tree project. It was discussed at the last meeting and was voted in favor to continue to the project. Larry asked what the procedures were for this year . The Council stated that it will be a verbal release for Mr. Madsen is to mark the diseased trees and Don Frost will be hired to cut down the diseased trees and then our City Maintenance Crew will be taking them out to the City Landfill at no cost to the landowner. There will be news articles placed in the Potter County News and the list will be kept at the City Finance Office. Motioned by Wuttke , seconded by VanBockel, motion carried to pay Larry Madsen the same wages as last year which is \$20.00 per hour.

Coby Kaup and Kyle Hawkinson was present to discuss the closing of an alley and the new building that Red River Grain has proposed to the City Council. They are proposing to close the alley located by Lots 1,2,3,4,4,6,7,8,9,10,11 and 12 block 56 Western Town Lot Company's Addition to the City of Gettysburg. That an alley runs north and south between said lots, that the Petitioner is the owner of all of the property abutting and adjoining said alley on the east and west sides thereof; that said alley which is herein requested to be closed , That the reasons set forth and urged for the proposed closing and vacating of said street are as follows:

1. That it has not been used as a public alley or right of way by the public for more than twenty (20) years as based upon the knowledge, information and belief of the Petitioner herein.
2. That said alley will never be needed as a public alley or right-of way at any time within the foreseeable future.
3. That said alley would serve no useful purpose as a public alley or right-of-way at any time in the foreseeable future insofar as can be determined by the Petitioner herein.

Mr. Michael Larson, attorney was present to present this petition to the Council. He said this is just for information or to start the process but that it will need to be published for two weeks and then 30 days later have a public meeting. Red River Grain is proposing to build a 60 x 100 new building to house the office and chemicals. Council member Wuttke stated that Venture does have a large number of phone wires down this alley and that MDU also has a gas line. There also was a discussion on truck traffic and per Chief of Police, Gayle Kludt this is not an issue regarding traffic.

Motioned by Everson, Seconded by VanBockel to table this until the next meeting.

A vote was taken with the following results: aye-Everson, VanBockel and nay Bausch, Williams, Lehman and Wuttke. Motion did not pass. Motioned by VanBockel, seconded by Williams, motion carried to start the legal process to close the alley, but with the stipulation that the City needs to have letters from Venture and MDU that they are in favor of moving their equipment and are in favor of closing the alley.

Chief Gayle Kludt presented her police report to the Council. The computer is ready for the Justice System but it still needs Microsoft Access 2007 installed then she will deliver this computer to Moberge for the Justice System use. The evidence lockers are in at Menards in Aberdeen but someone needs to go after them. Homeland Security grant is also paying for a digital camera along with the evidence lockers. Code enforcement was discussed and there are two properties that need mowing and Gayle cannot locate the owners. On June 9th one previous moving permit that was granted last year will expire and Gayle will notify the landowner that a new moving permit will have to be reissued and that

same person will be getting a code enforcement letter on a building that is not in compliance with City ordinances. Several properties need to have the Health Officer and Chief of Police determine if they have a code violation and they will respond according to City ordinances.

Ordinance 2010-5-3 was presented to the Council for the first reading. This is an ordinance regarding golf carts on City Streets. This ordinance defines golf carts regulations on the City Streets. Motioned by VanBockel, seconded by Lehman with the following results: aye: VanBockel, Lehman and Williams , Nay: Wuttke Everson and Bausch, Since the vote was tied Mayor Knox voted aye and this will be presented to the Council next month for the second reading.

Sandy Shutter appeared before the council to show pictures of the fence that she would like to put on her property. She would like an easement for five feet of City property that was given to the City by Dr AA Buechler for park and playground purposes only. (Where the ice rink is located). She showed the pictures of where she would like to put the chain link fence. Michael Larson stated that a personal easement to Sandy Shutter would not void the agreement between Dr Buechler and the City and by doing a personal easement it would only be granted to Sandy Shutter and if she ever sold her property the easement would expire. This easement would make it easier to add the chain link fence by the trees on the easement property.

The following building permit was presented to the council:

Sandy Shutter chain link fence East half lot 9 & all lot 10 Block 11 Western Addn

Motioned by VanBockel, seconded by Wuttke, motion carried to grant a personal easement to Sandy Shutter for 5 feet of adjoining city property for a chain link fence only and if she sells property then easement is not transferable.

RESOLUTION 2010- 5

WHEREAS, Sandra A. Shutter is the owner of the East half (E½) of Lot Nine (9), and all of Lot Ten (10), Block Eleven (11), Western Addition to the City of Gettysburg, Potter County, South Dakota; and

WHEREAS, the City of Gettysburg, a Municipal Corporation, is the owner of Lot Seven (7), Lot Eight (8), and the West half (W½) of Lot 9, Block Eleven (11), Western Addition to the City of Gettysburg, Potter County, South Dakota; and

WHEREAS, Sandra A. Shutter desires to use a strip of land five (5) feet in width along and on the West boundary line of the East Half (E½) Lot Nine (9), Block Eleven (11), Western Addition to the City of Gettysburg, Potter County, South Dakota, to be used for the construction, installation, maintenance, and thereafter use, of a fence, together with the right of ingress and egress over and across such strip of land as previously described.

THEREFORE, Be It Resolved that a easement be granted to Sandra A. Shutter, as owner, for the purposes of construction, installation, maintenance, and thereafter use, of a fence, together with the right of ingress and egress over and across such a strip of land five (5) feet in width along and on the West boundary line of the East Half (E½) Lot Nine (9), Block Eleven (11), Western Addition to the City of Gettysburg, Potter County, South Dakota, as presently platted to permit said encroachments as situated thereon.

ATTEST:

Sharleen Eliason, City Finance Officer

Gerald Knox, Mayor
City of Gettysburg

Russell Anderson, Maintenance Supervisor showed the Council a sample of the sewer relining material. The sewer relining project has done about 8,000 feet with 20,000 feet yet to finish the project. It will take about 7 more weeks to completely finish the project. The surplus sale will be with the County and it will be held the 2nd Saturday in July. Russell stated that we need to declare the Elgin Street Sweeper , Case Tractor, and the 19 ft batwing mower as surplus. Motioned by Bausch, seconded by Wuttke, motion carried to declare the above as surplus.

There being no other bids received the Council acted upon the bid from Northern Plains Coop in the amounts of : Super unleaded \$2.67, no lead \$ 2.77 # 2-- 2.50 and # 1---\$2.63. Motioned by Lehman, seconded by Bausch, motion carried to accept the fuel bid.

Change order # 2 from LaQua Logics, Inc. (A-Tech) was previously discussed but we need a

formal vote since all signatures are now on form by Funding Agency. Change order # 2 increases the sewer relining project by \$49,300.50 to total amount of 1,014,097.50. Motioned by Bausch, seconded by Williams ,motion carried to approve this change order.

The following building permits were presented to the Council for their review:

Gary & Sandy Nagel fence & Deck –East 35’ lot 10, West 40’ Lot 11

East 10 ft lot 11 all of Lot 12 Block 4 Schlachters Addn

Jeremy Genzler—Storage building- West ½ Lot 3 Block 1 Browsers addn

Ionic Lodge # 83 Storage & garage/meeting room—Lots 1,2 & 3 Block 17 Western Town

Red River Grain-new office and chemical building—tabled until alley is vacated.

Motioned by VanBockel, seconded by Williams, motion carried to approve permits.

The following demolition permits were presented to the Council for their review:

Hawkinson Estate- house lot 1 less n 65ft Block 1 Cranes Addn

Nancy Larrington-house--- S one hundred fifty two feet of outlot one Browsers Addn

Motioned by Wuttke, seconded by VanBockel motion carried to approve.

The following moving permits were presented to the Council for their review:

Dale Bramlee 2 storage vans---lot 11 Hurley’s First Addn Gettysburg (610 S Potter)

Nancy Larrington—single wide trailer S 152’ outlot one Browsers Addn

Motioned by Wuttke, seconded by VanBockel motion carried to approve these permits.

Ordinance # 2010-5-4 supplement budget for Fire truck was presented to the Council.

The City purchased a used Fire Truck from the City of Pierre last yr and they are just now receiving their new truck and the Fire Truck will be delivered in July. Motioned by Bausch, seconded by VanBockel, motion carried to approve this first reading.

Mark Wiederrich from Goldsmith Heck Engineers, Inc., Sioux Falls sent plans, specifications and a copy of the bidding documents for review for the 2010 Gettysburg Municipal Project. And if funding is confirmed they are tentatively scheduling to advertise the project July 9 and to open bids by July 22, 2010. This is for project # AIP no 3-46-0017-08-2010 GHE 209703. Mark stated in a telephone call that they are not sure of what the Federal funds will be and at what percentage the City’s share will be. Motioned by Lehman, seconded by Bausch, motion carried to approve this pending grant approval.

Council member Bausch stated that the ambulance needs supplies for the ambulance.

They are requesting an oxygen bottle holder for the one vehicle in the amount of around \$160.00. He also stated that they need new straps for their ADS machine-but Lehman suggested to wait with this until we know if we are going to purchase a new machine.

Motioned by VanBockel, seconded by Wuttke, motion carried to purchase the oxygen bottle holder and to wait with the straps for the ADS machine.

The auditorium was vandalized last month and the damage area needs to be cleaned up and repairs are needed. Council members were questioning the lease agreement as to whose responsibility it is. It was suggested to have Shawn Donovan attend the next council meeting to discuss some issues. Council member Bausch stated that he will try and find someone

to clean up the kitchen area. Motioned by Lehman, seconded by Wuttke motion carried to approve having Bausch hire someone to clean the kitchen area.

Charlotte Henely will be the motivational facilitator for the mandatory meeting that will be held Thursday night at the FireHall & Rescue building from 7:00 to 10:00 PM. The Finance office has ordered brownies and cookies from the Bakery and will purchase lemonade , ice and grapes from Langers. A contingency resolution is needed to transfer funds into Community Services in the amount of \$1000.00. Motioned by VanBockel seconded by Bausch, motion carried to approve this resolution:

RESOLUTION 2010-6

BE IT ORDAINED by the City of Gettysburg that the following sum is supplemental appropriated to meet the obligation of the municipality. The following sum of \$1000.00 is transferred from Contingencies to the Community Service Fund. This is for the motivational workshop being sponsored.

Transfer from Contingencies 101-41150-42900.....	1,000.00
Expense Community Services 101-45140-42900	1,000.00

Attest:

Sharleen Eliason, City Finance Officer

Gerald Knox, Mayor

Finance Officer Eliason asked for all Department Heads and Council Members to remember to turn in Budget requests as she will be working on the budget in July. Mayor Knox also suggested that when we are filling out the requests to try and foresee where we want Gettysburg to be in 5 years and try to request funds to achieve this.

Park grants we are still waiting to hear on. Car Show will be in the Park on June 26, 2010.

Motioned by Wuttke, seconded by Bausch, motion carried to adjourn into executive session at 9:55 PM. Council reconvened at 10:20 PM.

Correspondence included a thank you card from Kay Joachim in behalf of the Census for the use of the FireHall & Rescue building for their training.

Round table Josh Bausch mentioned the Welcome signs needed attention. The Chamber is planning on having the signs redone and the City will check the budget to see if we can help with this. Council member VanBockel asked if anyone wants to participate in the Mayor's race at Oahe Speedway and if no interest she will do it again. Mayor Knox stated that VanBockel should participate in this race and represent the City of Gettysburg. It was mentioned that the next Council date is scheduled for Monday July 5th and this would be the holiday for the City employees. It was decided that it is so hard to reschedule that

it will be scheduled for July 5th.

There being no other business to come before the Council. Motioned by Everson seconded by Lehman to adjourn at 10:30 PM.

ATTEST:

WITNESS:

Sharleen Eliason, Finance Officer

Gerald Knox, Mayor

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