

## UNAPPROVED MINUTES OF THE REGULAR MEETING OF THE ELK POINT CITY COUNCIL

The Elk Point City Council met in regular session on Monday, July 7, 2014 at 7:00pm in the council chamber of City Hall located at 106 W. Pleasant Street with Mayor Trobaugh presiding and these members present: Honomichl, McCreary, Verros, Leitru, Zevenbergen and Buum. No one was absent. Also present were: City Attorney Thompson, City Engineer Representative Michael Nebelsick, City Administrator Nelsen, Police Chief Fleek, Public Works Director Buum and Finance Officer Hammitt.

Motion made by McCreary, seconded by Zevenbergen to approve the agenda. All in favor.

Honomichl moved and Buum seconded a motion to approve the minutes from the June 2, 2014 council meeting. Unanimous.

Motion and second, Zevenbergen/Honomichl to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$51,798.97; Enterprise Fund: \$26,219.41; Trust & Agency: \$1,440.00; Fringe Benefits: General Fund: \$10,930.03; Enterprise Fund: \$6,128.06; Trust & Agency: \$110.16; Bills: 3D Specialties, Inc.-supplies: \$817.88; Analytical & Consulting-maintenance: \$126.75; Aquafix-repairs: \$350.00; Barkley Asphalt Inc.-street repairs: \$2,322.07; Bierschbach Equipment-rentals: \$557.00; Bomgaars-uniforms: \$231.92; Border States Electric Supply-supplies: \$4,277.33; Brock White Company-street repairs: \$4,896.36; California Contractors Supplies-supplies: \$119.60; Campbell Supply-repairs: \$128.06; Cardmember Services-supplies: \$1,540.61; Chesterman Co.-pool concessions: \$144.00; City of Vermillion-tipping fees: \$4,628.00; Country Estates Truck Repair-repairs: \$200.00; Craig K. Thompson, Atty.-professional services: \$1,325.02; Crop Production Services, Inc.-repairs: \$208.90; Dakota Riggers & Tool Supplies, Inc.-supplies: \$385.71; Dakota Supply Group-supplies: \$220.00; D-P Tools, Inc.-repairs: \$313.70; Elk Point Chamber-dues: \$123.00; Farmers Elevator Coop.-pest control: \$240.00; Federal Express Corporation-office expense: \$15.11; Ferdig's Body Shop, Inc.-professional services: \$50.00; First National Bank-principal & interest: \$52,155.06; Fleet US, LLC-supplies: \$54.00; Gall's-uniforms: \$32.93; Geary, Andrea-travel reimbursement: \$12.00; Hammitt, Erika-travel reimbursement: \$75.00; Hanson, Mark-uniforms: \$108.36; Hawkins, Inc.-supplies: \$5,750.89; Hopkins Cable, LP-conversion: \$33,198.00; Humanear, Inc.-domain & web service renewal: \$335.00; Ingram Library Services-library books: \$182.47; Jones' Food Center-supplies: \$1,003.17; K&P Services, Inc.-tipping fees: \$1,516.02; Koupal, Julie-reimbursement for supplies: \$142.48; Leader-Courier-publishing: \$291.96; MaGuire Iron, Inc.-maintenance: \$1,596.50; McLaury Engineering, Inc.-professional services: \$1,383.75; Menards-repairs: \$41.52; MidAmerican Energy-utilities: \$110.57; Midwest Mini Melts-pool concessions: \$262.50; Midwest Ready Mix-supplies: \$162.00; Midwest Turf & Irrigation-repairs: \$153.69; Nygren's True Value-supplies: \$808.45; O'Reilly Auto Parts-auto expense: \$38.84; Pedersen Machine, Inc.-repairs: \$610.93; Perkins Office Solutions-office expense: \$86.11; Peterbilt of Sioux City-supplies: \$435.77; Queen City Wholesale, Inc.-pool concessions: \$338.40; RDA-principal & interest: \$2,267.55; Road Machinery & Supplies, Co.-repairs: \$422.60; Roan, Gary-professional services: \$1,130.00; Sanford Health Plan-insurance: \$10,747.52; Sanitation Products-inventory for resale: \$1,638.00; SD DENR-drinking water

dues: \$600.00; Sheehan Mack Sales & Equipment-repairs: \$474.29; South Dakota One Call-locate tickets: \$86.10; Southeast Farmers Elevator Coop.-auto expense: \$4,181.16; Southeast SD Tourism Assoc.-membership dues: \$231.50; Standard Battery, Inc.-supplies: \$13.92; Sturdevant's Auto Parts-repairs: \$1,484.04; Sundheim Well Repair-repairs: \$1,601.80; Team Laboratory Chemical Corp.-street repairs: \$529.00; Tudog's Computing, LTD-professional services: \$390.00; Union County Electric Coop.-utilities: \$2,164.55; US Bank Equipment Finance-copier lease: \$162.47; USA Blue Book-supplies: \$290.92; Utility Equipment Co.-supplies: \$5,068.34; Van Diest Supply Company-supplies: \$790.00; VanRoekel, Troy-utilities: \$20.00; Verizon Wireless-utilities: \$265.82; Welch, Jason-utilities: \$20.00; WOW-utilities: \$43.57; Zimco Supply Company-fertilizer & pest control: \$406.00

Motion made by Zevenbergen, seconded by Honomichl to deny payment to the Union County Sheriff's Office for invoice 14-00829 in the total amount of \$1,200.87 for dispatch services. Unanimous.

Dennis Pitz attended the meeting to discuss his property located at 110 W. Rose Street. Mr. Pitz received a letter from the City regarding the violation of Ordinance. No. 347, Section I of Chapter 3.01, Nuisances. City Attorney Thompson informed the council of the two options regarding a remedy. The City could proceed formally and file for an abatement of the nuisance or work with Mr. Pitz and remedy the nuisance for the time being. Discussion was held.

First Reading was given to Ordinance No. 368 with the revision in Section 1. Ordinance No. 368 is an ordinance granting to MidAmerican Energy Company, its successors and assigns, the right and non-exclusive franchise to acquire, construct, erect, maintain and operate in the City of Elk point, South Dakota, a natural gas system and to furnish and sell natural gas to the City and its inhabitants.

Leitru moved and Zevenbergen seconded a motion to approve Chief Fleek's recommendation to give Police Officer Kyle Frye a step increase (\$.39/hour) for successfully completing his 6 month probation period. All in favor.

Motion and second, McCreary/Leitru to reclassify Victoria Johnson from Entry Level Lifeguard to Entry Level WSI Certified Lifeguard (\$8.25) effective May 29, 2014. Unanimous.

Motion made by Zevenbergen, seconded by Verros to approve a burn permit for Recreation and Development Association. All in favor.

Zevenbergen moved and Verros to approve a burn permit for Tony Mau. Unanimous.

Motion and second, Verros/Zevenbergen to extend the current franchise agreement with WOW for an additional 60-days to allow time to draft and process the new franchise agreement through the council review process. The current franchise agreement is up for renewal on September 1, 2014. All in favor.

Motion made by Verros, seconded by McCreary to write off accounts #00000542-02-5 for \$427.04 and #00001987-03-2 for \$157.85 as uncollectable utility accounts due to bankruptcy. Unanimous.

No applications were received for the part-time landfill attendant position. The position will be opened up until the next regular council meeting.

Verros moved and Leitru seconded a motion to appoint Honomichl as the delegate and McCreary as the alternate delegate as Chairman for the East River annual meeting. All in favor.

Motion and second, Verros/Leitru to appoint McCreary as the alternate authorized representative to the Basin Electric Cooperative annual meeting. Unanimous.

Motion made by Honomichl, seconded by Zevenbergen to go into executive session to discuss personnel per SDCL #1-25-2.1 and communications with legal counsel SDCL #1-25-2.3 at 7:53pm. All in favor.

Mayor Trobaugh declared the council out of executive session at 8:19pm.

Honomichl moved and Verros seconded a motion to increase City Attorney Thompson's fees from \$115.00/hour to \$130.00/hour effective immediately. Unanimous.

Motion to adjourn, Zevenbergen/Verros. All in favor.

Attest: Erika Hammitt  
Finance Officer

Isabel Trobaugh  
Mayor

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