

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

The Elk Point City Council met in regular session on Monday, June 2, 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 McLaury, City Administrator Nelsen, Police Chief Fleek, Public Works Director Buum and Finance Officer Hammitt.

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

McCreary moved and Leitru seconded a motion to approve the minutes from the May 5, 2014 council meeting. Unanimous.

Motion and second, Honomichl/McCreary to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$42,744.83; Enterprise Fund: \$24,317.67; Fringe Benefits: General Fund: \$10,060.17; Enterprise Fund: \$5,903.65; Bills: 3D Specialties, Inc.-repairs: \$681.53; Antonson, Mike-cell phone (6 months): \$120.00; Banyon Data Systems, Inc.-repairs: \$295.00; Barco Municipal Products-supplies: \$309.42; Bierschbach Equipment-street repairs: \$443.57; Bomgaars-uniforms: \$847.16; Border States Electric Supply-supplies: \$16,393.69; Bortscheller, Joyce-flower pots: \$1,170.00; Brock White Company-street repairs: \$4,362.03; Cardis Mfg. Co.-repairs: \$18.00; Cardmember Services-supplies: \$1,777.18; Chesterman Co.-pool concessions: \$210.00; City of Vermillion-tipping fees: \$3,374.40; Class C Solutions Group-supplies: \$102.48; Colonial Research Chemical Corp.-supplies: \$603.41; Continental Research Corp.-supplies: \$447.13; Craig K. Thompson, Atty.-professional services: \$1,244.80; Crop Production Services, Inc.-supplies: \$300.00; Dakota Pump, Inc.-repairs: \$3,873.16; Dakota Supply Group-supplies: \$1,726.56; Demco, Inc.-supplies: \$74.04; Electronic Engineering, Co.-police radios: \$139.55; EPJ Baseball/Softball Assoc.-donation: \$500.00; Fanta-C Auto-auto expense: \$160.00; Fejfar, Ashley-swimsuit reimbursement: \$39.48; First National Bank-interest: \$3,854.36; Flynn, Kathy-swimsuit reimbursement: \$43.00; Gates, Todd-cell phone (6 months): \$120.00; GCR Tire Center-repairs: \$905.36; Hammitt, Erika-travel & conference: \$62.00; Hanson, Mark-cell phone: \$20.00; Harbor Freight-supplies: \$77.98; Hawkins, Inc.-pool chemicals: \$1,493.55; Heiman Fire Equipment-repairs: \$151.00; Ingram Library Services-library books: \$91.38; iWorq Systems-dues: \$1,200.00; Johnson, Erik-swimsuit reimbursement for Victoria: \$43.00; Jones' Food Center-supplies: \$1,868.37; Kimball Midwest-repairs: \$90.64; Koupal, Julie-supply reimbursement: \$135.17; Lawson Products, Inc.-supplies: \$243.26; Leader-Courier-publications: \$561.19; Liberty National Bank-dump truck payment: \$25,774.15; McLaury Engineering, Inc.-professional services: \$150.00; Metering & Technology Solutions-water meters: \$4,044.64; MidAmerican Energy-utilities: \$265.11; Mid-American Research Chemical-repairs: \$451.88; Midwest Alarm Company, Inc.-monitoring services: \$64.50; Midwest Mini Melts-pool concessions: \$262.50; Nygren's True Value-supplies: \$947.96; Olson Welding-repairs: \$84.00; Per Mar Security Systems-professional services: \$288.00; Perkins Office Solutions-office expense: \$396.24; Peterbilt of Sioux City-repairs: \$52.81; Post Office-box rental: \$50.00; Queen City Wholesale, Inc.-pool concessions: \$150.20;

SD Department of Revenue-malt beverage license fees: \$1,100.00; SD Government Finance Officers Assoc.-travel & conference: \$75.00; Severson, Debra-swimsuit reimbursement for Alicia: \$39.42; Sioux Sales, Co.-uniforms: \$158.45; South Dakota One Call-locate tickets: \$36.75; Southeast Farmer Elevator Coop.-auto expense: \$3,626.46; Staples Credit Plan-supplies: \$77.19; Sturdevant's Auto Parts-repairs: \$775.24; Summer Rec-donation: \$500.00; Team laboratory Chemical Corp.-repairs: \$739.50; Tudogs Computing, LTD-office expense: \$97.50; Union County Electric Coop.-utilities: \$2,051.25; US Bank Equipment Finance-copier lease: \$162.47; Utility Equipment Co.-supplies: \$276.15; VanRoekel, Troy-cell phone: \$20.00; Verizon Wireless-utilities: \$265.57; Vermillion Ace Hardware-supplies: \$745.09; Welch, Jason-cell phone: \$20.00; Wow-utilities: \$63.56

Renee Chicoine attended the meeting to discuss her concerns with the agriculture property located behind her home on Country Club Drive. Ms. Chicoine discussed her concerns with pesticides and chemicals near a residential area. Information was presented on the possible dangers in the use of pesticides and chemicals in agricultural use. Mayor Trobaugh thanked Ms. Chicoine for attending and for the information provided to the council.

Emily Wells attended the meeting to request painting the speed bumps on Truman Ln. for the annual Rally for a Cure golf tournament. Motion made by Honomichl, seconded by Verros to allow the Women's League to paint the speed bumps with pink stripes and leave them pink for the annual Rally for a Cure held on June 18, 2014. Unanimous.

Motion made by Honomichl, seconded by McCreary to table the MidAmerican Energy Franchise Renewal until more information is obtained. All in favor.

Motion and second, Verros/Zevenbergen to approve the following Resolution. Unanimous.

CITY OF ELK POINT
RESOLUTION 2014-2

A RESOLUTION ESTABLISHING THE ELECTRIC RATES FOR THE ELK POINT
JEFFERSON SCHOOL

WHEREAS, the Elk Point Jefferson School District # 61-7 and the City of Elk Point negotiated special electric rates for the new school facility and existing buildings if they installed a High Efficiency Geothermal Water Source, and

WHEREAS, the special rates were established by the Elk Point City Council on October 20, 1997 for a period of 15 years, and

WHEREAS, the City of Elk Point reserved the right to increase the rate when the City received a rate increase from their supplier, East River Electric Power Cooperative, and

WHEREAS, the City of Elk Point did not increase the established rates of \$.032 per kilowatt hour on heating and cooling costs and \$.05 per kilowatt hour on all other costs when increases were received from their power supplier, and

WHEREAS, the 1997 negotiated rates will expire on October 20, 2012 and new rates will be established.

WHEREAS, the City of Elk Point has reviewed the power costs and the cost of operations of the City's electric utility system and establishes the following rates:

July 1, 2012 through June 30, 2013:

Heating and Cooling Costs: \$.046 per kilowatt hour
All Other Costs: \$.065 per kilowatt hour

These rates will become effective before the expiration of the 15 year period to coincide with the School budget year. The City has received previous rate increases that were not passed along to the school which is also taken into account when increasing the rates before the expiration of the 15 year period.

July 1, 2013 the rates will increase an additional \$.005 per kilowatt hour for the cost of the city's operation of the electric utility system. The following rates will be charged:

Heating and Cooling Costs: \$.051 per kilowatt hour
All Other Costs: .07 per kilowatt per hour

The 2013 rate increase may be higher if the City receives an increase in their power costs.

The City of Elk Point will review the electric rates annually in June and pass through any rate increase received from the City's power supplier, East River Electric Power Cooperative.

NOW, THEREFORE BE IT RESOLVED that the City of Elk Point has reviewed the power costs and the cost of operations of the City's electric utility system and establishes the following rates:

July 1, 2014 the rates will increase an additional \$.025 per kilowatt hour for the cost of the city's operation of the electric utility system. The following rates will be charged:

Heating and Cooling Costs: \$.076 per kilowatt hour
All Other Costs: .095 per kilowatt per hour

Dated this 2nd day of June 2014.

OF

THE GOVERNING BODY OF THE CITY
ELK POINT

By: Isabel Trobaugh

Mayor

ATTEST: Erika Hammitt
Finance Officer

Second Reading was given to Ordinance No. 367, an Ordinance of the City of Elk Point, SD, Amending the Zoning Ordinance of the City of Elk Point by Amending Section 11.04, Off-Street Parking.

ORDINANCE NO. 367

AN ORDINANCE OF THE CITY OF ELK POINT, SD, AMENDING THE ZONING ORDINANCE OF THE CITY OF ELK POINT BY AMENDING SECTION 11.04, OFF-STREET PARKING.

BE IT ORDAINED BY THE CITY OF ELK POINT, SD:

Section 1. That Section 11.04(A), of the Zoning Ordinance of Elk Point, SD, is hereby amended to read as follows:

11.04 Off-Street Parking

A. General Conditions

1. No parking spaces are permitted in the required front yard in an R-1, R-2 or R-3 District except for portions of the front yard necessary for hard surfaced driveways or as otherwise provided in this title. Parking is permitted in a side yard or rear yard in an R-1, R-2 or R-3 District, provided it is not nearer than two 2 feet to the property line.
2. Driveways shall conform to the prescribed standards within the City's Engineering Design Standards. Entrances and exits shall in no case be less than ten (10) feet nor more than forty (40) feet in width or fourteen (14) feet in vertical clearance. No driveway slope shall exceed 20%.
3. Except in conjunction with a legal nonconforming business, it is unlawful for any person to park, store, leave, or permit the parking, storing or leaving of any commercial vehicle for more than a seventy-two (72) hour period in a NRC, R-1, R-2, or R-3 District, unless the vehicle is parked in connection with the performance of a service.
4. All parking spaces and access drives thereto shall be hard-surfaced with asphalt, concrete, gravel, pavers or other like aggregate material.
5. Accessible parking spaces and passenger loading zones shall be provided in accordance with current building code.

6. On any lot in an R-1, R-2 or R-3 District, all travel trailers, trailers and recreational vehicles shall be parked or stored behind the City Right-Of-Way when they are to remain stationary. Travel trailers, trailers and recreational vehicles which are to remain stationary shall be owned by the owner/occupant of the property and shall not serve as temporary or permanent sleeping quarters for any person for more than seven (7) days within a thirty (30) consecutive day period.
7. The parking requirements in this section shall not be applicable to property in the CB Central Business District, except for residential uses which are authorized by a conditional use permit.

Adopted this 2nd day of June, 2014.

Isabel Trobaugh
Mayor

ATTEST:

Erika Hammitt
Finance Officer

Seal

First Reading: April 7, 2014
Second Reading & Adoption: June 2, 2014
Publication: June 12, 2014
Effective Date: July 2, 2014

Motion made by Verros, seconded by Leitru to approve the Ordinance with the corrected language and republish. All in favor.

Zevenbergen moved and Verros seconded a motion to approve the survey plat of Tract A and B of Block 5, Country Club Estates, City of Elk Point, Union County, South Dakota. Unanimous.

Motion and second, Verros/McCreary to approve the City of Elk Point, South Dakota Post-Issuance Tax Compliance Procedures for Tax-Exempt Bonds. All in favor.

McCreary moved and Buum seconded a motion to approve the 2014-2015 Retail On-Off Sale Malt Beverage License application for Pace's LLC. All in favor.

Motion made by McCreary, second by Buum to approve the 2014-2015 Retail On-Off Sale Malt Beverage License application for Los Amigos Mexican Restaurant, LLC. Unanimous.

Motion and second, McCreary/Buum, to approve the 2014-2015 Package Off Sale Malt Beverage License application for Jones Food Center. All in favor.

McCreary moved and Buum seconded a motion to approve the 2014-2015 Retail On-Off Sale Malt Beverage License application for Ollie's Drive Inn. Unanimous.

Motion and second, McCreary/Buum, to approve the 2014-2015 Package Off Sale Malt Beverage License application for Kum and Go. Unanimous.

Motion made by McCreary, second by Buum to approve the 2014-2015 Retail On-Off Sale Malt Beverage License application for Casey's General Store. All in favor.

McCreary moved and Buum seconded a motion to approve the 2014-2015 Retail On-Off Sale Malt Beverage License application for the Recreation and Development Association. Unanimous.

Motion and second, McCreary/Buum, to approve the 2014-2015 Retail On-Off Sale Malt Beverage License application for A-1 Quick Stop. Unanimous.

Motion made by Verros, seconded by Zevenbergen to declare three pumps and two blowers from the lagoon surplus property and sell to the City of Harrisburg. All in favor.

McCreary moved and Buum seconded a motion to advertise for bids for the water line replacement project on the North side of Pearl Street to Sioux Street. Unanimous.

Motion and second, Zevenbergen/Honomichl to give Seasonal Public Works employee Colton McCreary a \$.25/hour increase as recommended by Public Works Director Buum. Voting in favor: Zevenbergen, Honomichl, Buum, Verros and Leitru. Voting against: None. McCreary abstained. Motion carried.

Motion made by Leitru, seconded by Zevenbergen to approve a tax abatement request (\$205.96) for the Union County Historical Society on parcel number 03.07.24.1040 and 03.07.24.1045. All in favor.

McCreary moved and Buum seconded a motion to go into executive session to discuss personnel per SDCL #1-25-2.1 at 7:26pm. Unanimous.

Mayor Trobaugh declared the council out of executive session at 7:45pm.

Motion and second, Leitru/Buum to advertise for a Part Time Rubble Site/Recycling Center Attendant. All in favor.

City Administrator Nelsen distributed the Community Assessment report to the council.

Motion to adjourn, Verros/Buum. Unanimous.

Attest: Erika Hammitt
Finance Officer

Isabel Trobaugh
Mayor

Publish: June 12, 2014