

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

The Elk Point City Council met in regular session on Monday, May 5, 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: Zevenbergen, Boom, Verros, Honomichl, Fanta and McCreary. No one was absent. Also present were: City Attorney Thompson, City Administrator Nelsen, Public Works Director Boom, Police Chief Fleek and Finance Officer Hammitt.

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

South Dakota State Representative of District 16, Jim Bolin introduced himself to the council and citizens and thanked the council for their service.

McCreary moved and Honomichl seconded a motion to approve the minutes from the April 7, 2014 council meeting. Unanimous.

Motion and second, Verros/Boom to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$68,902.00; Enterprise Fund: \$34,398.57; Fringe Benefits: General Fund: \$15,541.00; Enterprise Fund: \$8,654.46; Bills: American Best Pool Supply-machinery & equipment: \$2,889.99; Analytical & Consulting-lagoon testing: \$1,415.75; Appletree Inst.-insurance: \$10,747.52; Aquafix-supplies: \$1,657.95; B& D Diamond Pro, Inc.-supplies: \$310.20; Banyon Data Systems, Inc.-annual support: \$1,590.00; Best Western Ramkota, Inc.-travel & conference: \$94.99; Bomgaars-supplies: \$34.56; Border States Electric Supply-supplies: \$14,206.34; Brock White Company-street repairs: \$3,185.88; Campbell Supply-supplies: \$61.99; Cardis Mfg. Co.-supplies: \$246.50; Cardmember Services-supplies: \$1,616.70; City of North Sioux City-machinery & equipment: \$200.00; City of Sioux Falls-water testing: \$87.00; City of Vermillion-tipping fees: \$3,109.20; Civil Air Patrol Magazine-subscriptions: \$95.00; Class C Solutions Group-supplies: \$672.14; Coast to Coast Solutions-supplies: \$78.76; Country Estates Truck Repair-tire repair: \$10.00; Craig K. Thompson, Atty.-professional fees: \$862.05; Dakota Pump, Inc.-repairs: \$2,960.07; Ditchwitch of SD-repairs: \$769.50; D-P Tools, Inc.-supplies: \$125.20; Earthbend-supplies: \$185.00; Gates, Todd-auto expense: \$15.03; Grainger-supplies: \$226.29; Hammitt, Erika-travel & conference: \$69.00; Hanson, Mark-uniforms: \$196.95; Hawkins, Inc.-repairs: \$2,682.92; Heiman Fire Equipment-repairs: \$799.72; Hundertmark, Inc.-supplies: \$3,750.00; Ingram Library Services-library books: \$113.02; Intoximeters-supplies: \$28.00; Janitor's Closet-supplies: \$279.72; Jensen Insurance Agency-insurance: \$45.00; Jones' Food Center-supplies: \$90.00; Junior Library Guild-library books: \$183.00; Leader-Courier-publishing: \$188.30; Maximum Promotions-supplies: \$1,133.54; Menards-supplies: \$172.97; MidAmerican Energy-utilities: \$711.75; Midwest Wheel Companies-repairs: \$277.80; MPH Industries, Inc.-repairs: \$147.30; Nelsen, Dennis-travel & conference: \$128.00; Nygren's True Value-supplies: \$716.46; Office Systems, Co.-office expense: \$386.53; Pedersen Machine, Inc.-repairs: \$679.63; Perkins Office Solutions-office expense: \$137.12; Post Office-postage: \$2,000.00; Royal Car Wash-auto expense: \$357.00; Sheehan Mack Sales & Equipment-repairs: \$55.21; Sioux Sales, Co.-uniforms: \$39.95; South Dakota One Call-locate tickets: \$14.70; Southeast Farmers Elevator Coop.-gas: \$3,350.23; Steffen Group-snow removal: \$13.09; Sturdevant's

Auto Parts-repairs: \$140.53; Sundheim Well Repair-repairs: \$7,492.58; Team Laboratory Chemical Corp.-street repairs: \$1,887.64; Tudog's Computing, LTD-repairs: \$130.00; Union County Electric Coop.-utilities: \$2,002.55; UPS-office expense: \$24.32; US Bank Equipment Finance-copier lease: \$162.47; USA Blue Book-supplies: \$92.40; VanRoekel, Troy-utilities: \$20.00; Verizon Wireless-utilities: \$268.27; Wallace Caswell, Inc.-repairs: \$14,911.00; Welch, Jason-utilities: \$20.00; WOW-utilities: \$9.00

Motion made by Verros, seconded by Buum to deny payment to the Union County Sheriff's Office for invoice 14-00676 in the total amount of \$1,200.87 for dispatch services. Unanimous.

Second Reading was given to the following ordinance:

### 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 not to exceed seven (7) days within a thirty (30) consecutive day period provided said travel trailers, trailers and recreational vehicles are owned by the owner/occupant of the property and not used as temporary or permanent sleeping quarters for any person.
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 5<sup>th</sup> day of May, 2014.

Isabel Trobaugh  
Mayor

ATTEST:

Erika Hammitt  
Finance Officer

Seal

First Reading: April 7, 2014  
Second Reading & Adoption: May 5, 2014  
Publication: May 15, 2014  
Effective Date: June 4, 2014

Verros moved and Zevenbergen seconded a motion to approve Ordinance No. 367. All in favor.

Discussion was held on the 18-hole disc golf course proposal at the City Park. Council agreed that the 2014 budget will not allow the total cost of the 18-hole disc golf course and more fundraising should be done to help alleviate some of the costs.

Motion and second, Honomichl/Verros to adjourn. Unanimous.

The oath of office was given to Mayor Trobaugh, Ward One council member Zevenbergen, Ward Two council members Leitru & McCreary and Ward Three council member Verros.

Mayor Trobaugh reconvened the meeting with the following members present: McCreary, Leitru, Honomichl, Verros, Buum and Zevenbergen.

A public hearing was held at 7:00pm for MidAmerican Energy Franchise renewal. The public and MidAmerican Energy representatives were heard and the hearing was closed. The council requested more information on whether it would be feasible for the city to take over the natural gas lines. More discussion will be held at the June 2<sup>nd</sup> council meeting.

Verros moved to nominate Zevenbergen as Council President. Second by Honomichl. Voting in favor: Honomichl, McCreary, Leitru, Buum and Verros. Voting against: none. Zevenbergen abstained. Motion passed. Verros moved that nominations cease and a unanimous ballot be cast for Zevenbergen. Honomichl seconded the motion. Voting in favor: Buum, Honomichl, Verros, McCreary and Leitru. No one voting against. Zevenbergen abstained. Motion passed.

Zevenbergen moved to nominate Verros as Council Vice President. Second by Honomichl. Voting in favor: Honomichl, Buum, Leitru, McCreary and Zevenbergen. Voting against: none. Verros abstained. Motion passed. Zevenbergen moved that nominations cease and a unanimous ballot be cast for Verros. Honomichl seconded the motion. Voting in favor: Buum, Honomichl, Zevenbergen, Leitru and McCreary. No one voting against. Verros abstained. Motion passed.

Motion by Zevenbergen, second by Verros to approve the following Mayoral city officials appointments: Finance Officer: Erika Hammitt; Public Works: Jerry Buum; Police Chief: Ryan Fleek. Unanimous.

Motion by Verros, second by Buum to approve the following Mayoral committee appointments: Labor and Benefits: Zevenbergen, McCreary and Honomichl; Codes and Policies: Buum, Honomichl and Verros; Rates and Fees: Leitru, Verros and Buum; Budget: Zevenbergen, Leitru and McCreary. All in favor.

Honomichl moved and McCreary seconded a motion to appoint the Leader Courier as the City official newspaper. Unanimous.

Motion by Honomichl, second by McCreary to appoint First Dakota National Bank, Liberty National Bank and SD Federal Investment Trust as official depositories. All in favor.

It was moved and seconded, Zevenbergen/Buum, to approve the following Library Board Trustee for the stated term: Connie Nelsen – 3 year. Unanimous.

Buum moved and Leitru seconded a motion to advertise for the vacant Planning and Zoning Commission position. This position will be a 5-year term. All in favor.

Motion made by Buum, seconded by Leitru to appoint McCreary as the Council Representative on the Elk Point Economic Development of Directors Board. Unanimous.

Motion and second, Verros/Honomichl to approve the Union County Historical Society's request to apply the remainder 2014 budgeted amount for utilities to the new museum location. All in favor.

Discussion was held on holding a spring clean for Elk Point customers. Motion made by Zevenbergen, seconded by Buum to rent six dumpsters and to have free dumping 1 full week by

appointment and during regular landfill hours. The free dumping will be held June 2<sup>nd</sup> through the 8<sup>th</sup>. Unanimous.

Discussion was held on the proposed Resolution Establishing the Electrical Rates for the Elk Point Jefferson School. The Resolution will be presented at the next regular council meeting.

Verros moved and Buum seconded a motion to write off the following uncollectable account receivables. All in favor.

1. Gregg, Tom-mowing assessment: \$390.14
2. Washington Mutual-mowing assessment: \$100.00

Elk Point Economic Development Corporation member, Brian Coyle addressed the council to discuss the needs for a road into the industrial park. Coyle explained that without the road, the park is not eligible for state funds that might help with the infrastructure the park needs to attract new businesses. An engineering study on the infrastructure of the future park needs to be completed. The EDC is ready to commit almost all of its funds (\$40,000) to move forward with the study. EDC is requesting the City pledge money toward the study, which is estimated to be an additional \$40,000. Motion made by McCreary, seconded by Verros to move forward with the engineering study and donate up to \$40,000.00 out of reserves to the Economic Development Corporation. Voting in favor: McCreary, Verros, Leitru, Buum and Honomichl. Voting against: Zevenbergen. Motion carried.

Motion and second to adjourn, Verros/McCreary. Unanimous.

Attest: Erika Hammitt  
Finance Officer

Isabel Trobaugh  
Mayor

Publish: May 15, 2014