

SELBY CITY COUNCIL
September 8, 2010

The Selby City Council met in regular session on Wednesday, September 8, 2010 at 7:00 p.m. Mayor Jeffrey Kusters called the meeting to order. Members present were: Mayor Jeff Kusters, Justin Baumann, Don Bohle, CJ Niemiller, Gene Perkins, Scott Schilling, and Kurt Wolf. Others present: Carmen Schorg, Finance Officer; Sharon Wolff, Selby Record; Police Chief Tonstad; Alan Schorg, and Supt. Rick Eisemann. Other guests at some time during the meeting were: Alex Rau, Sheldon Noess, Kelly Stout, Duane Mohr, Phyliss Pudwill, Carol Fahrni, Viv Witlock & Ted Dickey joined the meeting by teleconference. Note: All motions carried unanimously unless otherwise stated.

AGENDA

Motion by Schilling, second by Perkins to approve the agenda.

FINANCIAL REPORT

Motion by Baumann, second by Bohle to approve the financial report as presented for August 2010.

MINUTES

Motion by Baumann, seconded by Bohle to approve the minutes of the August 2, 2010 meeting as presented.

CLAIMS LIST

Motion by Schilling, second by Niemiller to approve paying all the following claims: Alltel- 120.90 phone; Banyon Data System – 1,365.00 utility billing support; CamWal – 448.02 electricity; Cardmember Services – 352.10 library/finance supplies; Dakota Dustex – 59.65 rugs; SD Dept of Rev – 84.00 water testing; SD Dept of Rev – 536.38 sales tax (July- Aug); DPC Industries – 860.16 pool chemicals; EcoLab – 83.00 clinic pest control; Rick Eisemann – 48.00 mileage reimb; Evergreen – 25.25 fire exting. Inspect; FedEx – 25.04 police evidence shipping; Hase Plumbing – 37.44 supplies; Heartland Waste – 2,514.60 garbage contract; Lindskov Imp – 198.41 mower parts; Ladean Moak – 75.00 tree disposal; MDU – 2,334.50 electricity/gas; Morrow, Agnes – 30.14 library supplies; Northern Plains – 44.38 chemicals; SD One Call – 12.60 locates; Pioneer Products – 1,358.49 fire supplies; Public Safety Center – 289.18 fire dept supplies; RDJ Specialties – 332.56 fire dept suppl; Reiss, Pam – 480.00 cleaning; Runnings – 16.93 supplies; Carmen Schorg – 74.00 meeting reimb; SD DOT – 48.00 signs on hwy; SD Municipal League – 2,495.00 Utility Billing software; Selby Auto – 2071.08 repairs; Selby Record – 143.34 publishing; Shortys - 965.66 gas/diesel; Stoicks – 80.27 supplies; USDA Rural Dev - 1609.00 loan payment; USDA Rural Dev – 1045.00 loan payment; Venture Communications- 545.68 phone; Von Wald Law – 541.01 legal services; WEB Water – 8,215.06 water purchased; Western Communications – 352.03 fire dept. radio upgrade; Patrick Evans – 80.00 deposit refund; Rory Fulks – 125.00 Deposit refund
Construction 2 Acct – Helms & Assoc - 19,237.72 engineering; Dahme Construction – 98,872.19 construction; Haar Plumbing – 89,709.06 construction
August payroll (by dept.): Public works 6,389.41, Finance office 2,534.40, Police 3,000.00, Library 948.51, Pool 6,681.48, Park 1,051.12, payroll taxes 1,576.29, Group insurance 2,169.92, Retirement 775.44

HOMEcomings ACTIVITIES

Alex Rau and Sheldon Noess were present to represent the Selby Area High school student council to ask permission for homecoming activities. Bonfire was referred to the fire department. Students were advised to use care and not break laws while whitewashing.

R C & D

Kelly Stout, North Central Resource Conservation & Development (R C & D), presented the organization's information about what they can do to help their member cities with finding grant funding for projects. They can be another set of eyes looking for help for small communities.

SEWER RATES

Ted Dickey, NECOG, joined the meeting by teleconference to explain that the state would not consider the city's application for funding of the sewer project until after the city agreed to raise their sewer rates to the minimum of \$22 per month. The sources of funding may not exist another year if we delay applying until

another time. Motion by Bohle, second by Perkins to approve the following resolution to increase sewer rates by \$5 for every sewer customer in the city:

RESOLUTION 2010-06

RESOLUTION TO SET SEWER RATES

WHEREAS the current sewer rates are not sufficient to qualify for assistance with future projects with the sewer in the City of Selby

THEREFORE be it resolved by the Selby City Council for Selby, South Dakota, to set sewer rates for all residential and commercial users;

Residential and Commercial Sewer - \$ 22.00 + \$1.00 per month for sewer per additional household. A household is defined to include each apartment, hotel room or motel room used for lodging. For sewer hooked to any property outside the city limits the charge will be \$28.00 per month. For Good Samaritan Society, a non-profit organization, the rate will be \$28.00 per month.

And be it further resolved that these sewer rates will go into effect November 1, 2010.

Dated this 8th day of September, 2010

Councilman Don Bohle moved for the adoption of the resolution, councilman Gene Perkins seconded the resolution, all members voted aye and the Mayor declared the resolution duly adopted.

Jeffrey Koters, Mayor

ATTEST: _____
Carmen Schorg, Finance Officer

**WATERLINE REPLACEMENT PROJECTS
PUBLIC PROGRESS HEARING**

Motion by Schilling, second by Baumann to open the public hearing. The project is almost complete. As no other comments were made about the project, the hearing was declared closed by the mayor. Street and cement repairs are still on schedule.

WALWORTH COUNTY JAIL ADMINISTRATION

Sheriff Duane Mohr and county commissioner Pudwill were present to answer questions and information about the proposed plan to hire Police Chief Tonstad to do the administration of the Walworth county jail. It would be for a limited number of hours per month and while on the county time clock all liability would be the county's. Motion by Wolf, second by Niemiller to allow Tonstad to accept this position pending Walworth County commission approval.

NUISANCE PROPERTIES

The city attorney has advised that there may have to be further legal action on one of the original properties from last year's list of nuisance properties. The first steps of action will be started for the newer list of properties.

BURNING ORDINANCES

Revisions of existing burning ordinances were ready for review. Motion by Schilling, second by Wolf to pass 1st readings of Ordinance No. 206 AN ORDINANCE PROHIBITING OPEN BURNING WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF SELBY AND EXCEPTIONS THERETO AND PROVIDING PENALTY FOR VIOLATIONS THEREOF and Ordinance No. 207 AN ORDINANCE PROHIBITING THE BURNING OF VARIOUS MATERIALS WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF SELBY AND PROVIDING PENALTY FOR VIOLATIONS THEREOF.

POLICE REPORT

Police chief Tonstad presented his written report for the month of August. Tonstad asked about getting protection for the side windows of his vehicle after an incident lately where they were almost broken out. He was advised to wait to see if there was grant money available.

SUPT. REPORT

Supt. Eisemann presented his report for August. They started winterizing some equipment. The new shop heating system was installed.

ACCEPT QUOTE FOR CEMENT WORK

A quote for just under \$12,000 for cement valley gutters was presented from Kampa Construction. Motion by Schilling, second by Perkins to accept the quote for 4 valley gutters to be constructed in various locations in the city to improve drainage.

LIONESSE CLUB

Carol Fahrni and Viv Witlock were present to inform the council about the Lioness Club plans to try to start a fitness center in the city. They have now located a building and were looking for the council's suggestions about funding and asked if there could be any break on city utilities. They are still looking for grants for funding. The mayor will look into this issue more.

GARBAGE –BRANCHES

The container was reported to be full of branches. The mayor will contact Heartland to arrange pickup of the container.

SURPLUS PROPERTY

Motion by Baumann, second by Wolf to advertise the 3 vehicles (2001 Crown Victoria police car, 1976 Ford Dump truck, 1995 Ford F150 pickup) with a closing date for sealed bids of October 1, 2010. Bids will be opened at the October 4, 2010 council meeting.

DECLARE SURPLUS PROPERTY

Motion by Schilling, second by Perkins to declare the following items surplus as they are no longer needed for the purpose for which they were intended: Reznor Hanging heater & Suntube Radiant heating system. They were appraised and the appraisals were filed. Motion by Schilling, second by Niemiller to advertise them to be sold by sealed bids with a closing date of November 1, 2010. Bids will be opened at the council meeting that night.

PARLIMENTARY PROCEDURE AND OPEN MEETING LAWS

Discussion about procedures and open meeting laws ensued. Councilman Schilling advised that the city attorney said that items could be added if the agenda had an item called unfinished business. Councilman Wolf objects as the citizens need to know where their money is being spent.

DATA ENTRY WORKER

With the new computer software installation will be data entry that will have to be completed by a deadline of only about 2 weeks for the next phase of software to be installed. Finance officer Schorg asked permission to hire extra help in the office during that time. Motion by Bohle, second by Schilling to authorize up to 40 hours of extra help at \$7.25 per hour.

POOL HELP

Motion by Bohle, second by Baumann to pay the extra help that was required at the pool \$106 and \$142 for the 1 ½ days and 2 days, respectfully, that was needed when the pool was short staffed.

BUILDING PERMITS

The list of building permits was reviewed.

2nd READING ANNUAL APPROPRIATIONS ORDINANCE NO. 205

Motion by Bohle, second by Perkins to approve the second reading of the annual appropriations ordinance with no changes from the first reading.

MISCELLANEOUS BUSINESS

Railway Street South was discussed as needing gravel. This will be researched further. The bridge inspection was completed and the city's bridge needs to have lower weight restrictions.

NEXT MEETING

Next meeting will be Monday, October 4, 2010.

EXECUTIVE SESSION

Motion by Bohle, second by Perkins to go into executive session pursuant to SDCL 1-25-2(3) for legal matters.

Note time: 9:38 p.m.

Mayor Kusters declared executive session ended at 9:50 p.m.

ADJOURNMENT

Motion by Bohle, seconded by Baumann to adjourn. Motion carried. Meeting adjourned at 9:50 p.m.

Jeffrey Kusters, Mayor

ATTEST:

Carmen Schorg, Finance Officer
Published once at the approximate cost of _____.