

**MOBRIDGE CITY COUNCIL
REGULAR MEETING
April 15, 2013**

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Monday, April 15, 2013 at 5:30 PM. Mayor Jamie Dietterle, Finance Officer Heather Beck, City Administrator Steve Gasser, City Attorney Rick Cain and the following council persons were present: Cox, Cerney, Henderson and O'Connell. Yellow Boy and Carlson were absent.

ADOPT AGENDA:

The agenda was adopted on a motion by Cerney second by Henderson and carried.

MINUTES:

On a motion by O'Connell, second by Henderson and carried to approve the minutes from the April 1, 2013 regular meeting.

PUBLIC FORUM:

Diane Weick with SW Design Build was present to discuss building more townhomes. She stated that the waiting list for these units is quite long. They would once again be built by the Mobridge HRC. Weick inquired whether the Council would support another housing project. Moved by O'Connell, second by Cerney and carried, to approve a letter of support from the Mayor for the housing project.

BIDS FOR 2ND AVE WEST STORM SEWER PROJECT:

Gasser reported that an addendum was sent out to the contractors postponing the bid opening until April 22, 2013 at 1:30 PM due to the snow storm.

DEPARTMENT HEAD REPORTS:

BUILDING PERMITS – The following building permits were approved by the Zoning Officer & approved by Council on a motion by Cerney, second by Henderson and carried: Ruth Caplinn, 410 4th Ave W, tear down garage and replace with wire fence; Raeco Builders (SD DOT), new 62' x 95' x 18.6' heated truck storage building; and Jerald Reichert, 300 8th St E, replace windows and vinyl siding.

Brad Milliken, Water/WW Superintendent

IMPROVEMENTS AT 14TH ST W – Milliken discussed with the council the need to improve water and sewer lines from 2nd Ave W to Main along 14th St. The engineers estimate is \$66,352 for the water main and \$22,656 for the sewer main. Milliken reported that more information is needed for the sewer portion of the project. The Council decided to wait until more information was gathered before pursuing the project.

FIRE TRUCK BIDS – Milliken reported that the fire department was ready to advertise for bids for a fire truck. A grant was received in Sept. 2012. Moved by O'Connell, second by Cox and carried, to approve advertising for bids for a fire truck.

NEW BUSINESS:

CEMETERY DEED TRANSFERS - Moved by O'Connell, second by Cerney and carried, to approve the following cemetery deed transfers: Grave 7, Lot 42, Block H, Greenwood Cemetery 1st Addition, from the City of Mobridge to Curtis Cheskey and Grave 4, Lot 94, Block P, Greenwood Cemetery 1st Addition, from the City of Mobridge to Jeaneane Buckmeier.

STREET RESURFACING AND PROPANE BIDS – No bids were received. Moved by O'Connell, second by Cox and carried, to re-advertise for bids for street resurfacing. Moved by Cerney, second by O'Connell and carried, to approve for propane and fuel bids.

STREET DEPT SUMMER HELP – Moved by Henderson, second by Cerney and carried, to approve advertising for a summer full time street department person.

STEP INCREASES - Moved by O’Connell, second by Cerney and carried, to approve the following step increases: Jason Voegele increasing his hourly wage from \$18.50 to \$18.73 effective April 8, 2013; and Justin Dame increasing his hourly wage from \$14.56 to \$14.79 effective April 8, 2013.

ELECTION CANVASS - Mayor Dietterle appointed City Attorney Rick Cain, City Administrator Steve Gasser and Councilmember Gene Cox to canvass the Municipal Election held on April 9, 2013. Moved by Cox, second by O’Connell, and carried, to approve the canvass below.

Resolution 13-05 – Opt Out

No - 425 Yes - 391

ADVERTISING FOR TEMPORARY LIQUOR LICENSE - Moved by Cox, second by Henderson and carried, to approve advertising for a public hearing on May 6, 2013 at 5:40 PM for two applications for temporary on-sale liquor licenses to Mobridge Chamber of Commerce and Mobridge Rodeo Association.

AIRPORT HANGER AND LAND PROJECTS – Terry Helms of Helms Engineering was present to inform the council of the revenue generating hanger and land acquisition projects at the airport. The cost of the hanger project is estimated at \$504,000, which includes engineering fees. The City will have to pay 5% of the project cost, 5% paid by the State and 90% is paid by the FAA. Moved by O’Connell, second by Cox and carried, to approve a contract with the Helms and Associates for engineering services for the airport hanger project and the land acquisition project.

COLLECTION AGENCY – Beck requested permission from the Council to send delinquent accounts to a collection agency. The account would first receive a certified letter stating that the account would be sent to collections within a certain amount of time if not paid. United Accounts would charge the City 10% of the bill if collected within the first 15 days, 30% going through regular collection and 45% if the account required legal. If there is no collection, there is no charge. After some discussion, moved by Cerney, second by O’Connell and carried, to approve using a collection agency and to give authority to the finance committee to approve a policy as to when accounts would be sent to collections.

ORDINANCE NO. 925, AMENDING ORDINANCE 11-4-4 PERTAINING TO SEWER SERVICE CHARGES – Moved by O’Connell, second by Cerney and carried, to approve the 1st reading of Ordinance No. 925, amending ordinance 11-4-4, pertaining to sewer service charges.

RESOLUTION 13-07 – Moved by O’Connell, second by Cox and carried, to approve Resolution 13-07, Setting Fees for Sewer System Service.

**RESOLUTION NO. 13-07
SETTING FEES FOR SEWER SYSTEM SERVICE**

WHEREAS, the City of Mobridge desires to set by resolution the fees to be charged for Sewer System Service, both within the City Limits and Outside the City Limits.

NOW THEREFORE, be it RESOLVED,

Except as otherwise provided under ordinance 11-4-4, fees to be charged for service and usage are as follows:

Effective with the June 1, 2013 water billing:

A. Monthly sewer system service charges shall be as follows:

(1) Residence, apartments and mobile homes:

\$17.00, per month for each residential and/or apartment and/or mobile home connection; accumulative according to the number of residences, apartment users and mobile home users connected to one sewer outlet.

(2) Commercial connections:

Each separate commercial sewer connection shall pay a minimum service rental of \$17.00, per month, and where more than one commercial business shall be connected to one sewer outlet each business shall pay a minimum sewer rental of \$17.00, per month. The minimum sewer service charge shall be for 6,000 gallons of water per month used by said business. Where a business uses more than 6,000 gallons of water per month, an additional monthly sewer service charge shall be paid in the amount of \$.25 per 1000 gallons of water or portion thereof used by the business in excess of 6,000 gallons per month.

(3) Hotels and/or Motels with Combined Apartments and Sleeping Rooms and/or Business Connections:

- a. All hotels and motels having combined apartment and hotel or motel rooms and/or separate businesses connected to the sewer system with one sewer outlet shall pay a sewer service charge at the minimum commercial Rate of \$17.00, per month plus \$17.00, per month for each additional apartment or business connected thereto. The minimum sewer service charge shall be for 6,000 gallons of water per month used at that location. Where the combined location of the hotel, motel and apartment uses more than 6,000 gallons of water per month, an additional monthly sewer service charge shall be paid in the amount of \$.25 per 1000 gallons of water or portion thereof used at the location in excess of 6,000 gallons per month..
- b. An account for services will be kept for each user and a separate account for separate premises. Each owner will be liable for service to the users of his premises. Bills for service shall be rendered quarterly for residential and quarterly for commercial users and will be due within 30 days of date of billing. The charge for sewer service may be included on the water bill, but if so, shall be separately stated thereon. The City Finance Officer will keep account and render the bills; he or she will receive payments of bills and give receipts therefore.
- c. All sewer service charges when collected and all monies received from the date of any sewage collection facilities or equipment shall be placed in a separate fund and shall be used first to pay the normal, reasonable and current costs of operation and maintaining the facilities, and the balance shall be used as the Common Council may direct and as provided by law.
- c. All sewer service charges shall be charged against the owner, lessee and occupant of the premises, and if such charges shall not be paid when due, the City shall have the right to disconnect water and sewer service to the premises and to collect the delinquent charges by civil action in any court.

BE IT FURTHER RESOLVED,

Surcharge Fees:

Out of the fees set forth above, there shall be removed and placed in a separate segregated account the monthly sum of \$2.80 for each sewer connection which amount shall be deemed a surcharge for the sole purposes of repayment of the Clean Water State Revolving Fund loan C461016-04 all as set forth in the Resolution NO. 13-03. The \$2.80 surcharge shall remain and continue to be placed in the separate segregated account until the Revenue Bonds for the Clean Water State Revolving Fund loan C461016-04 are fully paid.

ARBOR DAY PROCLAMATION - Moved by Cerney, second by Henderson, and carried, to approve the following proclamation:

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I, Jamie Dietterle, Mayor of Mobridge, South Dakota, do hereby proclaim April 26, 2013 as, Arbor Day in the City of Mobridge, SD, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

ORDINANCE NO. 926, PERTAINING TO DESIGN-BUILD PROCUREMENT – Moved by O’Connell, second by Cerney and carried, to approve the 1st reading of Ordinance No. 926, amending Ch. 3-2, pertaining to design-build procurement.

DISCUSSION AND INFORMATION ITEMS:

AQUATIC CENTER – The pool committee was present to inform the council that the No vote will not deter their fundraising efforts. The committee is strong and will continue to move forward.

CLEAN UP DAYS – Gasser gave an update on the upcoming clean up days that will be held on May 13-18, 2013.

PAYMENT OF BILLS:

Moved by Cerney, second by Henderson and carried, to approve the following bills for payment:

A&B Business, supplies-48.14;Aflac, insurance -827.42 ;Alco, supplies-53.44 ;AmeriPride, supplies-43.41 ;Avera Queen of Peace, drug testing-374.50 ;Best Business Products, copier lease-175.00 ;Betty Jay, election worker-140.00 ;Blue Tarp Financial, supplies-867.52 ;Cam Wal Electric, street lights/utilities-296.90 ;Central Diesel, vehicle maintenance-386.85 ;Chamber of Commerce, prof services-7,442.73 ;Credit Collections Bureau, garnishment-201.34 ;Dakota Supply Group, supplies-73.22 ;Davis Martin, contract labor/trees/maintenance-3,969.00 ;Deputy Finance Officer, postage/supplies-89.19 ;Donna Sherwood, election worker-140.00 ;Doris Weiszhaar, election worker-140.00 ;Environmental Products & Assoc., repairs-915.42 ;Environmental Resource Assoc., water samples-319.77 ;Family Dollar, supplies-12.25 ;Farnams Genuine Parts, supplies-29.68 ;First National Bank, loan payment-3,275.48 ;Fleet Services, gasoline-1,327.38 ;Free-Dar Interprizes, snow removal-455.00 ;Galls, supplies-144.46 ;Gas N Goodies, supplies-136.61 ;Great Western Bank, payroll taxes-10,549.34 ;Greggs Drilling & Excavating, prof services-2,975.00 ;GTC Auto Parts, supplies-615.77 ;Heartland Waste, prof services-16,405.02 ;Hettinger-Mobr Candy, supplies-116.97 ;Homestead Building Supply, supplies-190.55 ;ISC, repairs-67.59 ;Jeff Torevell, travel-12.00 ;Jensen Rock & Sand, prof services-8.00 ;Key Insurance, insurance-4,201.00 ;Lind's Hardware, supplies-439.21 ;Lora Schultz, election worker-140.00 ;Lucky's, diesel-299.57 ;Lu's Cleaning, prof services-700.00 ;MDU, utilities-14,265.08 ;Merkels Foods, supplies-27.58 ;Midwest Pump & Control, repairs-410.87 ;Mobr Economic Development, other services-4,062.50 ;Mobr Manufacturing, repairs-36.00 ;Mobridge Fire Dept, training/meetings-340.00 ;Mobridge Gas Co., LP gas-48.10 ;Mobridge Tribune, publishing-731.23 ;MVTL Laboratories, water samples-379.00 ;NBS Calibrations, prof services-175.00 ;Oahe Vet, prof services-205.00 ;Plunketts, prof services-53.04 ;Rick's Café, supplies-35.31 ;Rose Holzer, election worker-140.00 ;Runnings, supplies-665.28 ;SD One Call, prof services-6.30 ;SD State Treasurer, sales tax-1,290.09 ;SDRS Supplement Retirement Plan, retirement-44.00 ;Servall Uniforms, supplies-115.23 ;Share Corp, supplies-632.35 ;Skymark Refuelers, equipment (fuel truck)-40,000.00 ;Slater Oil, propane/diesel-3,404.08 ;St. Paul Stamp Works, supplies-114.80 ;Total Administrative Services, flex-699.96 ;Ultimate Upholstery Solutions, vehicle maintenance-360.05 ;Unum Life Ins., health ins-177.90 ;US Dept of Education, garnishment-126.90 ;USDA-Rural Development, loan payment-2,925.00 ;USDA-Rural Development, loan payment-2,373.00 ;Vi Lillestol, election worker-140.00 ;Virgil Lenling, travel-133.94 ;Voyager Fleet Services, gasoline-398.91 ;West River Telecommunications, phone-1,454.65 ;Western Communications, radio maintenance-282.89 ;Western Rancher, supplies/repairs-20.46 ;Yellow Sub, conference-46.00.

Salaries: Administration – 2128.37; City Administrator – 1933.27; Police Department – 22486.17; Street Dept – 5142.40; Airport – 1188.00; Library – 2555.15; Auditorium – 1091.20; 24/7 Sobriety – 175.62; Water Dept – 7003.02; and Sewer Dept – 3495.03.

There being no further business to come before the council, the meeting adjourned at 6:48 PM on a motion by Henderson, second by O’Connell and carried.

Heather Beck, Finance Officer
Published once at the total approximate cost of \$

Jamie Dietterle, Mayor