

**CITY COUNCIL MEETING**  
**April 6, 2009**

The Faulkton City Council met in regular session on April 6, 2009 in the City Hall meeting room with Finance Officer Lisa Raethz (L.Raethz) and the following council members present: Kathy Biedenfeld, Dave Hadrick, William Kalkman, Slade Roseland, Gene Traver, and Steve Wanner. Others present: Verne Hansen, Shane Machtemes, Dean Marske, Jim Moritz, Jerod Raethz(J.Raethz), Jim Slunecka, April Sorensen, and Kelly Stevens. Mayor Tim Bormann called the meeting to order at 7:30 p.m. with all those present reciting the "Pledge of Allegiance".

**2009.40. Minutes.** Councilman Wanner made the motion, seconded by Biedenfeld, the minutes of the March 2, 2009 meeting be approved. All members present voted aye. **2009.41.** Motion was made by Councilman Hadrick, seconded by Roseland, the minutes of the March 11, 2009 special meeting be approved. Unanimous.

**2009.42. Financial Report.** Motion by Councilman Roseland, seconded by Traver, to approve the finance report. All members present voted aye.

**2009.43. Claims.** The following bills were approved for payment on a motion by Councilman Wanner, seconded by Roseland. Unanimous.

**Payroll for March- Total: \$10,562.13.** Mayor: \$250.00, Council \$2,000.00, Finance Officer \$2,250.00, Street Department: \$2,838.75, Water & Sewer Department \$3,153.38, Snow Removal \$70.00.

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AFLAC .....	Premium .....	111.62
Alltel .....	Cell Phone Contract.....	33.44
BerMac, Inc .....	Diesel & Car Wash .....	349.20
Brad Manning Digging .....	Clean manholes & jet sewer ...	455.00
Butler Machinery Co. ....	Cutting Edges(4).....	626.44
City of Faulkton-Petty Cash.....	Postage & fees.....	62.58
Dacotah Bank .....	941 taxes .....	2,019.82
Dakota Dust-Tex.....	Supplies & Mats .....	53.60
Dakota Supply Group .....	Clamps & Plugs.....	1,534.32
Faulk County Record .....	Minutes, Notices, Supplies ....	688.61
Faulkton Farmers Elevator .....	Gas .....	583.59
Faulkton Hardware.....	Supplies & Repairs .....	93.81
Hansons Inc. ....	Digging & Snow Removal .....	858.22
Health Pool of SD.....	Premium .....	4,485.08
Homan Welding LLC.....	Supplies & Hardware.....	4.59
KC Lumber .....	Supplies for door.....	46.21
King Insurance .....	FO Bond .....	381.00
Lyle Signs.....	brackets .....	76.40
Menards-Aberdeen.....	Rotary tool kit.....	59.64
Northern Plains Coop.....	LP Dispenser.....	12.00
NorthWestern Energy.....	Electricity .....	2,225.70

SD Dept. of Health .....	Lab Fees .....	12.00
SD Dept of Transportation .....	Snow Plow Blade .....	943.46
SD Retirement .....	Employer/Employee Contrib.	1,016.31
SD Secretary of State .....	Trademark Filing Fee.....	100.00
SD Workers Comp. Trust Fund.....	Workers Comp .....	65.00
Sewer Duck .....	Clean Sewer line .....	178.00
Sopers Honda Sales .....	4-wheeler mirror .....	11.00
Sovell, Emily .....	Legal fees.....	202.67
Sport Supply Group .....	Diamond Supplies .....	725.90
USA Blue Book.....	Supplies .....	187.49
Venture Communications.....	Phones, Fax, DSL, Website ...	214.46
Vogel's Auto .....	Shop Supplies .....	116.41
Web Water .....	February water used .....	4,738.20

**City Maintenance Report.**

**Misc. Maintenance.**

**Street Sweeper.** J.Raethz said the street sweeper should be here this week or next.

**2009.44. Overhead Door Quotes.** J.Raethz presented the council with quotes for a new overhead door for City Hall. Quotes were as follows: House of Glass Inc. \$2,100.18, Lake Area Door Inc. \$2,135.47, and Overhead Door Company of Watertown Inc. \$2,395.00. Motion was made by Councilman Traver, seconded by Kalkman, to take the low bid of \$2,100.18 from House of Glass Inc. and purchase the new overhead door. Unanimous.

**Electricity at Park.** J.Raethz said he has been in contact with Ken Thompson about installing electricity in the park (to the new shelter and the new garden). Thompson informed Raethz that he didn't think the entrance was significant enough to do what we wanted. He suggested revamping or replacing the existing electrical box and then NorthWestern would install a new transformer. Thompson thought the cost would be \$3,000-4,000. The Council directed J.Raethz to get quotes by the next meeting.

**Mosquito Grant.** J.Raethz informed the council he applied for a mosquito grant from the state for chemicals.

**Hot Mix.** Councilman Kalkman suggested purchasing a load of hot mix as soon as it is available to repair potholes. J.Raethz stated he didn't know when the hot mix would be available but as soon as the omega mix unthaws he will begin work on the potholes.

**Sewer Line (VFW & Pine St.).** J.Raethz stated he received a quote of \$5,103 from Hanson's Inc. to install a manhole at VFW Road & Pine St. and run approximately 250ft of sewer line by Bill Warren's shop.

**Rubble Site.** It was decided to open the rubble site on April 18<sup>th</sup>, weather being the determining factor.

<b>OLD BUSINESS</b>
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**2009.45. Commercial Sewer Rates - Ordinance No. 12.** Mayor Bormann read for its Second Reading Ordinance No. 12 entitled, "An Ordinance amending Faulkton City Ordinance Chapter 9-2-15 (B), for the City of Faulkton, Faulk County, South Dakota". Motion was made by Councilman Roseland, seconded by Kalkman, to approve, adopt, and publish said ordinance. Unanimous.

**2009.46. Commercial Sewer Rates Resolution #2009.01.** Motion was made by Councilman Traver, seconded by Wanner, to approve the following resolution increasing commercial and/or industrial sewer rates. Unanimous.

**RESOLUTION #2009-01  
RESOLUTION TO ESTABLISH NEW COMMERCIAL AND/OR  
INDUSTRIAL SEWER RATES FOR THE  
CITY OF FAULKTON, SD.**

WHEREAS, Faulkton City Ordinance No.12 states that the fee for users averaging 2,000 cubic feet or over will be charged a fee, which will be on file with the City Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Faulkton City Council for Faulkton, South Dakota, that sewer rates for commercial and/or industrial users shall be as follows:

Those commercial and/or industrial users averaging over 2,000 cubic feet will be charged a minimum sewer fee of Ten Dollars (\$10.00) per month plus \$1.00 per 100 cubic feet over the minimum.

BE IT FURTHER RESOLVED that these water rates shall go into effect on April 26, 2009, payable May 1, 2009.

Dated this 6<sup>th</sup> day of April, 2009.

Attest:

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Timothy D. Bormann, Mayor

\_\_\_\_\_  
Lisa Raethz, Finance Officer

**2009.47. Water Project. Consolidated Funds:** Mayor Bormann stated he and J.Raethz attended the meeting of the state water board on March 27<sup>th</sup> and the City of Faulkton's application for \$500,000 in consolidated funds was approved. **Rural Development Loan:** Motion was made by Councilman Hadrick, seconded by Wanner, to have Mayor Bormann sign the grant/loan application to Rural Development. The application still does not bind the City to the project. **CDBG/Income Surveys:** The City also plans on applying for Community Development Block Grant funds in which income surveys need to be completed by 54% of the population. The Council decided to do phone surveys. L.Raethz will check with Pat Holdren (County Auditor) about using the Courthouse facility to conduct the surveys.

**2009.48. Vacate Portion of Oak Street.** This being the time and place fixed by published notice for hearing on the petition of Faulkton Area Medical Center to request the vacation of Oak Street lying between 13<sup>th</sup> Avenue South and 15<sup>th</sup> Avenue South, except the South 80' thereof, Faulkton, Faulk County, South Dakota, with no public opposition present. After review and consideration, Councilman Roseland moved to adopt the following resolution, seconded by Wanner. Unanimous.

**RESOLUTION #2009-02  
RESOLUTION VACATING STREET**

WHEREAS, Faulkton Area Medical Center presented a petition to the City Council requesting the vacation of Oak Street lying between 13<sup>th</sup> Avenue South and 15<sup>th</sup> Avenue South, except the South 80' thereof, Faulkton, Faulk County, South Dakota; and said petition was duly filed in the City Finance Office on the 9<sup>th</sup> day of March, 2009 and;

WHEREAS, said petition was brought on for hearing before the City Council on the 6<sup>th</sup> day of April 2009, at 7:30 p.m. pursuant to notice duly published, as required by law, and;

WHEREAS, from the evidence and testimony presented at the time of hearing it appears to the City Council of the City of Faulkton, that said portion of Oak Street be vacated because said street as designated upon the plat thereof in the office of the Register of Deeds is not now and has not been used, worked, or traveled as a street at any time during the period of twenty years subsequent to the recording of said plat and that said street has not been used, worked or traveled as a street for more than twenty years prior to the making of this petition and that it is for the best interest of the City of Faulkton and all persons concerned that said petition be granted.

WHEREAS, the vacating of that portion of Oak Street into a uniform 80' street right-of-way and would accommodate the parking lot design on the project plans for the Faulkton Area Medical Center addition.

NOW, THEREFORE, BE IT RESOLVED that Oak Street lying between 13<sup>th</sup> Avenue South and 15<sup>th</sup> Avenue South, except the South 80' thereof, Faulkton, Faulk County, South Dakota; be vacated;

ALSO, that a certified copy of this resolution be filed for record in the office of the Register of Deeds of Faulk County, South Dakota.

Adopted by the Faulkton City Council this 6<sup>th</sup> day of April, 2009.

ATTEST:

\_\_\_\_\_  
By: Timothy D. Bormann, Mayor

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Lisa Raethz, Finance Officer

**FAMC-Right of Way Easement Request.** Verne Hansen (FAMC) and Dean Marske (Clark Engineering) were in attendance to present the council with a preliminary plan for the additional hospital parking. The FAMC is requesting the City of Faulkton grant them an easement to a portion of the city's right-of-way on Oak Street in order for them to add additional parking spaces. Marske stated an 18" culvert would be installed under the parking area to move water to the west. The plan also eliminated any standing water on the southeast corner of the hospital. The council didn't appear to have any objections to said plan. Hansen and Marske asked to be placed on the May council meeting agenda to present a final plan.

<b>NEW BUSINESS</b>
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**2009.49. FAMC-Water Aerobics Proposal.** April Sorensen, FAMC Water Aerobics Instructor, was in attendance and presented the council with a report from last years water aerobics. The report showed participation in the program as well as a profit/loss breakdown. The FAMC lost \$741.46 on the program last year. Sorensen stated the committee still wanted to continue with the program since it benefited the community. The FAMC plans on raising the rates of the classes and cutting back on instructor wages, but would like the City to consider adjusting their pool rental fee to help with the loss. The Council presented Sorensen with several questions then tabled any action until

later in the meeting. When the council continued on the topic Sorensen presented them with a proposal of a \$5 per class rental fee with a maximum of \$300 for the season (previously \$10/class, \$500 max). Motion was made by Councilman Biedenfeld, seconded by Hadrick, to accept that proposal. Unanimous.

**4-H Building Sewer Issues.** Jim Slunicka, Shane Machtemes, and Kelly Melius were present to address their concerns with the sewer line installed at the new 4-H building. The City had placed the sewer line only 6" under the ground and it goes west 150'. The problem they are having is the line continues to freeze up in the winter months, making use of the facility difficult during shooting sports. Councilman Wanner stated the area is very flat and that digging deeper to the north in the existing line would only cause problems. Council directed J.Raethz to look into other options of going north. No action was taken.

**Consolidated Board of Equalization.** Councilman Wanner stated he would sit on the Consolidated Board of Equalization on April 27<sup>th</sup> at the courthouse.

**2009.50. Sidewalk Sales.** Motion was made by Councilman Roseland, seconded by Kalkman, to approve Favorite Things, Faulkton Hardware, and Uniquely Yours to conduct seasonal sidewalk sales in 2009. Unanimous.

**2009.51. Street Bid Opening. 2 Blocks Asphalt Concrete.** The City received two bids for the 2-block asphalt concrete street project of 13<sup>th</sup> Avenue from Pearl Street to Oak Street. Lien Transportation Co. \$79,865.75 and Jensen Rock & Sand Inc. \$68,050.00. Both bids included a bid bond for 10% of the bid amount. Motion was made by Councilman Roseland, seconded by Wanner, to award the street bid to Jensen Rock & Sand Inc. at \$68,050.00. Unanimous. **2009.52. Asphalt Surface Treatment.** The City received three bids for the labor portion of the 25-block asphalt surface treatment project. Topkote Inc. \$0.34 per square yard, Jensen Rock & Sand Inc. \$0.364 per square yard, and Bituminous Paving Inc. \$42,300 (invalid bid-did not bid the labor, bid materials). All bids included a bid bond for 10% of the bid amount. Motion was made by Councilman Biedenfeld, seconded by Traver, to award the street bid to Jensen Rock & Sand Inc. at \$0.364 per square yard. Unanimous. The Council did not award the bid to the lowest bidder, Topkote Inc., as the council determined Topkote was not a responsible bidder.

**Paint-up, Clean-up, Fix-up Week.** The Council agreed to have the City participate in Paint-up, Clean-up, Fix-up Week from May 17-23<sup>rd</sup>. The City will provide curbside pickup during the week for items acceptable at the rubble site.

**2009.53. Temporary Liquor License.** Motion was made by Councilman Wanner, seconded by Roseland, to approve J&J Recreation for a Temporary Liquor License for June 20, 2009 at the Community Center. Unanimous.

**District 6 Annual Meeting.** L.Raethz reminded the Council of the District 6 Annual Meeting on April 8<sup>th</sup> in Doland.

**2009.54. Executive Session.** *Time:* 8:55p.m. Motion was made by Councilman Biedenfeld, seconded by Roseland, to go into executive session for the purpose of discussing the qualifications, competence, performance, and character of employees. Unanimous. Out of executive session at

9:07p.m. The following actions were made:

**2009.55. Rubble Site Supervisors.** Motion was made by Councilman Roseland, seconded by Biedenfeld, to hire Arlie Spangler and Charles Hadrick at \$7.25/hour as rubble site supervisors. Unanimous.

**2009.56. Maintenance Help.** Motion was made by Councilman Wanner, seconded by Kalkman, to hire Andrew Bowar for the summer maintenance help at \$7.50/hour. Unanimous.

**2009.57. Swimming Pool Manager/Lifeguards.** Motion was made by Councilman Traver, seconded by Wanner, to hire Vanessa Tisher as pool manager at \$8.50/hour. Unanimous. **2009.58.** Motion was made by Councilman Hadrick, seconded by Biedenfeld, to hire the following lifeguards at \$7.50/hour: Trish Price, Shelby Eschenbaum, and Kalli Hossle. Unanimous. **2009.59.** Motion was made by Councilman Biedenfeld, seconded by Hadrick, to hire the following lifeguards at \$7.25/hour: Courtney Hardie and Desirae Wieseler. Unanimous.

**2009.60. Adjournment.** There being no other business to come before the council, the meeting adjourned on a motion by Councilman Wanner, seconded by Roseland. Motion carried. Time: 9:11 p.m.

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Timothy D. Bormann, Mayor

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Lisa Raethz, Finance Officer