

Council Minutes
Regular Session
Monday, January 4, 2016

The Council of the City of Freeman met in regular session on Monday, January 4, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Lisa Edelman and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Jay Hofer, Gary Tschetter, Steve Waltner, Scott Eberts, Herman Wipf and Todd Graber.

Minutes of the December 21 Council meeting

Olson moved to accept the December 21, 2015 special session minutes as presented. Broders seconded the motion. All votes aye.

Vouchers & Salaries

Becker moved to approve the vouchers and salaries listed below for payment. Waltner seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	2,474.99	GOLDEN WEST, telephone service	820.24
PAYROLL - RECYCLE	1,243.74	GREAT NORTHERN ENVIRON, supplies	450.52
PAYROLL - GOV'T BUILDING	175.69	HD SUPPLY, water supplies	3,625.38
PAYROLL - POLICE DEPT	4,250.89	HUMANA, ambulance overpayment	64.50
PAYROLL - ADMINISTRATOR	2,779.07	IMT GROUP, fidelity bond	144.00
PAYROLL - ECON DEVELOPMENT	926.35	INTEK, liquor duct cleaning	795.00
PAYROLL - FINANCE	1,270.63	JOHNSON BROS/BAKE'S, on/off sale	2,425.35
PAYROLL - WATER	3,390.08	JOHNSON BROS/HOOTZ, on/off sale	5,840.55
PAYROLL - SEWER	911.39	JOHNSON BROS/SHOPPING CTR, off sale	1,677.78
PAYROLL - REFUSE	1,887.87	JOSH ANDERSEN, meals	16.00
PAYROLL - STREET	488.24	KOERNER CONST, snow removal	145.41
PAYROLL - PARK/POOL	488.24	LAWNS UNLIMITED, spraying	50.00
PAYROLL - COMMUNITY CENTER	212.35	MATHESON, ambulance supplies	247.30
PAYROLL - AMBULANCE	1,049.87	MID-AMERICAN, supplies	321.94
MERCHANTS STATE BANK, 941 deposit	6,225.36	MILLER CONSULTING, computer	2,308.25
SD RETIREMENT	3,283.10	MITCHELL LANDFILL, garbage fees	3,010.02
SUPPLEMENTAL RETIREMENT	350.00	NORM'S, supplies	43.89
WELLMARK, health insurance	7,770.88	NORTHWESTERN ELEC, electric & gas	5,879.38
A & B BUSINESS, copier maintenance	442.81	PETERBUILT, repair	33.52
ACH FEES, payroll & utilities	30.00	PITNEY BOWES, postage	300.00
AFLAC, employee insurance	669.52	PITNEY BOWES, machine rental	148.50
AMAZON, library books & videos	736.46	PLUNKETT'S, pest control	56.00
AMPI, repair	28.93	POST OFFICE, library box rent	90.00
APPEARA, rugs	88.49	PRINTED IMPRESSIONS, supplies	43.60
ARCHITECTURAL ROOFING, library repair	3,522.00	RDO EQUIPMENT, repair	31.52
ARENS ENGINEERING	144.60	REPUBLIC/BAKE'S, on/off sale	2,537.02
AVERA HOSPITAL, pre-employ screen	405.00	REPUBLIC/HOOTZ, on/off sale	6,864.93
B-Y WATER, water purchase	2,684.00	REPUBLIC/SHOPPING CTR, off sale	830.70
B-Y WATER INTEREST	3,168.00	RURAL MFG, supplies	1,800.17
CENTRAL STATES WIRE, recycle supplies	941.00	SAARIE AUTO BODY, repair	733.29
CHIEF SUPPLY, police supplies	326.66	SEAFOG, dues	30.00
CITY OF FREEMAN, utilities	39.00	SECOND CENTURY, publishing	1,157.21
CODY FRANSEN, meals & mileage	86.80	SEH, INC, wastewater project engineering	9,938.92
COUNTRY PRIDE COOP, gas & diesel	1,882.71	SF TWO WAY RADIO, repair	536.46
EQUIPMENT BLADES, supplies	1,332.72	SD DEPT OF ENVIRON, cert renewal	6.00
FENSEL'S ELECTRIC, supplies	245.60	SD DEPT OF REVENUE, refuse sales tax	680.92

FINK LAW, attorney fees	610.39	SOUTHEASTERN ELECTRIC, lagoon elect.	1,320.30
FIRST NATIONAL BANK, 6th St loan pmt	13,638.81	STERN OIL COMPANY, fuel & supplies	1,130.78
FIRST NATIONAL BANK, sewer loan pmt	8,499.81	THOMSON WEST, subscription renewal	92.25
FRED HAAR, repairs	5.33	USTI, software support	4,636.00
FREEMAN INTERNATIONAL, repair	83.60	VERIZON WIRELESS, cell phones	204.46
FREEMAN LUMBER, supplies	331.35	WESTERN OFFICE, ambulance desk	1,205.08
FREEMAN HOSPITAL, ambulance salary	466.10		
		VOUCHERS	120,312.17
		SALARIES	21,549.40
		TOTAL VOUCHERS & SALARIES	141,861.57

Financial Report

Waltner moved to approve the financial report. Broders seconded the motion. Roll call: all votes aye.

Hearing for Amendment of Zoning Ordinance

The Council considered a petition for amendment of the zoning ordinance for the reclassification of property from R-1 to B-2 for the property described as follows:

Lot 3 and 4 of Outlot 40 to the City of Freeman, Hutchinson County, South Dakota

In order for a zoning amendment to be approved, the City Council shall determine that the proposed amendment will meet the following standards:

- a) It will in no way endanger public health, safety, comfort, and general welfare;
- b) It will not be injurious to the enjoyment of other property in the immediate vicinity; and
- c) The establishment of the rezoning will not impede the orderly development and improvement of other nearby property for the uses permitted in the district.

No one was present at the meeting to show approval or rejection of the amendment.

Upon finding that the above standards have been met, Becker moved to approve the zoning amendment as presented. Olson seconded the motion. Roll call: all votes aye.

A request was made to waive the rezoning fees since this property has been used as a business for more than 20 years. Gering moved to waive the rezoning fees. Becker seconded the motion. Roll call: all votes aye.

Auch entered the meeting at 7:52 p.m.

Ordinance 2016-01

The Council gave first reading to ordinance 2016-01 to amend the City of Freeman Zoning Ordinance, Ordinance 2007-02 to reclassify certain properties from Single-Two Family District (R-1) to General Commercial District (B-2).

Hearing for Amendment of Zoning Ordinance

The Council considered a petition for amendment of the zoning ordinance for the reclassification of property from R-1 to B-2 for the property described as follows:

Lot 1, Lot 2 and Lot 3, Reno Addition to the City of Freeman, Hutchinson County, South Dakota

In order for a zoning amendment to be approved, the City Council shall determine that the proposed amendment will meet the following standards:

- a) It will in no way endanger public health, safety, comfort, and general welfare;

- b) It will not be injurious to the enjoyment of other property in the immediate vicinity; and
- c) The establishment of the rezoning will not impede the orderly development and improvement of other nearby property for the uses permitted in the district.

No one was present at the meeting to show rejection of the amendment.

Upon finding that the above standards have been met, Broders moved to approve the zoning amendment with the requirement that a fence or natural buffer be installed between the R-1 and B-2 properties. Auch seconded the motion. Roll call: all votes aye.

Ordinance 2016-02

The Council gave first reading to ordinance 2016-02 to amend the City of Freeman Zoning Ordinance, Ordinance 2007-02 to reclassify certain properties from Single-Two Family District (R-1) to General Commercial District (B-2).

Board of Adjustment

Auch moved that the Freeman City Council go into Board of Adjustment at 8:03 p.m. Broders seconded the motion. All votes aye. The Council was declared in session as Board of Adjustment.

Variance request – 605 S Cherry

The Board of Adjustment reviewed the application of a variance filed by Gary Tschetter for an insufficient front yard setback on the installation of a deck.

Gary Tschetter requested a front yard setback of 11'8" for the installation of a deck and steps. The existing steps were 13'6" from the property line.

In order for a variance to be approved, the board shall base its findings on evidence presented in the application, comments received from adjacent property owners and to make an affirmative decision, it must determine that the proposed variance will meet the following conditions:

- a) Denial of the variance would result in hardship to the property owner due to physical characteristics of the site;
- b) The conditions upon which an application for a variance is based are unique to the property for which the variance is sought;
- c) The petition for a variance is not based exclusively upon a desire to increase the value or income potential of the property;
- d) The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
- e) The proposed variance will not jeopardize the intent and general and specific purposes of the variance ordinance.

Upon finding that the above conditions have been met, Waltner moved for the Board of Adjustments to approve the variance of the property located at 605 S Cherry St, City of Freeman for a front yard setback of 11'8" from the property line. Auch seconded the motion. Roll call votes aye: Auch, Becker, Broders, Gering, Olson, Waltner and Sorensen. No votes: none. Motion carries 7-0.

Variance request – 420 S Hwy 81

The Board of Adjustment reviewed the application of a variance filed by Vermeer Freeman Manufacturing, Inc. for insufficient side yard setback on the addition of a steel unloading bay.

Scott Eberts presented a drawing of the proposed addition to the East side of the main building. The addition would be 3'6" from the property line.

In order for a variance to be approved, the board shall base its findings on evidence presented in the application, comments received from adjacent property owners and to make an affirmative decision, it must determine that the proposed variance will meet the following conditions:

- a) Denial of the variance would result in hardship to the property owner due to physical characteristics of the site;
- b) The conditions upon which an application for a variance is based are unique to the property for which the variance is sought;
- c) The petition for a variance is not based exclusively upon a desire to increase the value or income potential of the property;
- d) The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located;
- e) The proposed variance will not jeopardize the intent and general and specific purposes of the variance ordinance.

Upon finding that the above conditions have been met, Auch moved for the Board of Adjustments to approve the variance of the property located at 420 S Hwy 81, City of Freeman for a side yard setback of 3'6" from the property line. Broders seconded the motion. Roll call votes aye: Auch, Becker, Broders, Olson, Waltner and Sorensen. No votes: Gering. Motion carries 6-1.

Auch declared the Board of Adjustment adjourned at 8:38 p.m.

Property Insurance

Todd Graber gave a presentation on the existing property insurance for the City of Freeman. The annual premium for the property coverage with Continental Western Insurance is \$20,877.00 and the annual premium for the same coverage with South Dakota Public Assurance Alliance is \$9,021.00. The City would be able to utilize a local agent in Freeman for the liability and property insurance for a percentage of the premium. Waltner moved to change the property insurance coverage to South Dakota Public Assurance Alliance. Broders seconded the motion. Roll call aye votes: Auch, Becker, Broders, Olson and Waltner. No votes: Gering. Motion carries 5-1.

NEA Grant

Administrator Vizecky informed the Council that the NEA grant requirements for the Freeman Arts Earth Center require a South Dakota architect and Koch Hazard from Sioux Falls has agreed to assist with this project. Payments for architecture work will be paid to Koch Hazard utilizing grant funds.

Street Lights

Administrator Vizecky stated that a resident requested a street light at 3rd and Juniper. An assessment of other areas in Freeman that may need a street light or no longer need one will be brought to the Council.

Other Business

Jay Hofer requested that the 15% charge for liquor be waived one time to assist with the startup of his business. He said Bake's wasn't required to pay 15% on all liquor before the new contract was signed. Since this was not an agenda item, it will be put on the agenda for next month's meeting.

Executive Session

Auch moved to go into executive session at 9:59 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Becker seconded the motion. All votes aye. Auch moved out of executive session at 10:46 p.m.

Waltner moved to approve the following salaries for 2016. Auch seconded the motion. Roll call: all votes aye.

Mayor	\$900/qtr, \$55/special meeting
Council member	\$450/qtr, \$55/special meeting
Planning & Zoning	\$55/meeting
Police Chief - Richard Cummings Jr	\$18.73/hour
Police Officer – Jonathan Slevin	\$16.48/hour

Police Officer (part-time) – Craig Hansen	\$16.45/hour
Police Officer (part-time) – Doris Higgins	\$16.45/hour
Police Officer (part-time/non-cert) – Cole German	\$14.75/hour
City Administrator – Carroll Vizecky	\$55,136/year
Finance Officer – Lisa Edelman	\$20.75/hour
Administrative Assistant – Diane Schnabel	\$14.55/hour
Water Superintendent – Duane Walters	\$21.00/hour
Sewer Operator – Ken Haar	\$16.50/hour
Refuse/Maintenance – Josh Dziadek	\$15.54/hour
Custodian (part-time) – Gregg Uecker	\$12.00/hour
Comm Center Custodian (part-time) – Doris Higgins	\$11.52/hour
Recycle/Rubble Site (part-time) – Jerry Saner	\$11.60/hour
Recycle/Rubble Site (part-time) – Jim Smidt	\$11.33/hour
Recycle Manager (part-time) – Laverne Graber	\$11.76/hour
Librarian, (32 hours/week) – Leann Kaufman	\$14.15/hour
Library (part-time) – Nancy Schmidt	\$9.36/hour
Library (part-time) – Athena Brandt	\$9.00/hour
Library (part-time) – Bonnie Tschetter	\$8.96/hour
Fire Chief	\$1,034/year
Fire Mechanic	\$918/year
Ambulance Chief	\$1,034/year
Ambulance Mechanic	\$266/year
Ambulance EMT	\$13.11/hour

Next Meeting

The next regular meeting will be Monday, February 1, 2016 at 7:30 p.m.

Adjournment

Broders moved to adjourn at 10:52 p.m. Waltner seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Thursday, January 14, 2016

The Council of the City of Freeman met in special session on Thursday, January 14, 2016 at 12:00 noon at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Charles Gering, Eva Olson and Donna Waltner. Also attending was City Administrator Carroll Vizecky. Guests in attendance included the following: Dan Oakland.

Executive Session

Auch moved to go into executive session at 12:07 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Becker seconded the motion. All votes aye. Auch moved out of executive session at 1:04 p.m. No action taken.

Next Meeting

The next regular meeting will be Monday, February 1, 2016 at 7:30 p.m.

Adjournment

Becker moved to adjourn at 1:04 p.m. Olson seconded the motion. All votes aye.

Carroll Vizecky, City Administrator

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, February 1, 2016

The Council of the City of Freeman met in regular session on Monday, February 1, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Lisa Edelman and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Ron Baker, Steve Waltner, Eric Prunty, Josh Andersen, Todd Graber and Jay Hofer.

Minutes of the January 4 & 14 Council meetings

Waltner moved to accept the January 4, 2016 regular session and the January 14, 2016 special session minutes as presented. Olson seconded the motion. All votes aye.

Vouchers & Salaries

Becker moved to approve the vouchers and salaries listed below for payment except Titan Machinery in the amount of \$896.36. Broders seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	2,421.01	HERITAGE PHARMACY, supplies	69.77
PAYROLL - RECYCLE	1,261.68	HUTCH CO TREASURER, refuse license	1,192.00
PAYROLL - GOV'T BUILDING	201.41	JOHNSON BROS/BAKE'S, on/off sale	1,882.22
PAYROLL - POLICE DEPT	4,583.56	JOHNSON BROS/HOOTZ, on/off sale	985.15
PAYROLL - ADMINISTRATOR	2,011.11	JOHNSON BROS/SHOPPING CTR, off sale	633.42
PAYROLL - ECON DEVELOPMENT	670.37	JOSH ANDERSEN, mileage & meals	239.25
PAYROLL - FINANCE	1,267.51	KENNETH HAAR, mileage	25.62
PAYROLL - WATER	3,611.03	KLEINSASSER HTG, repair	2,576.00
PAYROLL - SEWER	1,989.34	LIFT SOLUTIONS, repair	788.63
PAYROLL - REFUSE	1,825.30	LISA EDELMAN, mileage	103.40
PAYROLL - STREET	454.56	MATHESON, ambulance supplies	75.17
PAYROLL - PARK/POOL	454.56	MERCHANTS STATE BANK, holiday party	333.42
PAYROLL - COMMUNITY CENTER	376.18	MERCHANTS STATE BANK, loan pmt	34,435.67
PAYROLL - COUNCIL	4,644.37	MICHAEL TODD CO, repair	500.17
PAYROLL - AMBULANCE	720.37	MARC, supplies	524.94
MERCHANTS STATE BANK, 941 deposit	7,442.10	MITCHELL LANDFILL, garbage fees	2,282.28
SD RETIREMENT	3,411.46	MR G'S, repair	449.05
SUPPLEMENTAL RETIREMENT	350.00	NORM'S, supplies	58.47
WELLMARK, health insurance	7,770.88	NORTHWESTERN ELEC, electric & gas	7,647.32
AB CONTRACTING, wastewater project	10,000.00	OVERDRIVE, annual fees	600.00
ACH FEES, payroll & utilities	30.00	OVERHEAD DOOR CO, repair	150.00
AFLAC, employee insurance	669.52	PAUL RIGO, meals	72.93
ALLEGIANT, new ambulance	166,870.00	PETERBUILT, repair	928.71
ALLEGIANT, fire equipment	74,124.00	PITNEY BOWES, postage	404.00
ALTERNATIVE HRD, HR consulting	1,475.00	PLUNKETT'S, pest control	56.00
AMAZON, library books & videos	1,296.15	REPUBLIC/BAKE'S, on/off sale	2,390.02
APPEARA, rugs	132.64	REPUBLIC/HOOTZ, on/off sale	2,590.75
AVERA QUEEN OF PEACE, dot physical	94.00	REPUBLIC/SHOPPING CTR, off sale	331.06
B-Y WATER, water purchase	3,846.70	RAMKOTA HOTEL, lodging	182.00
B-Y WATER INTEREST	3,168.00	SAARIE AUTO BODY, repair	480.25
CITY OF FREEMAN, utilities	39.00	SECOND CENTURY, publishing	425.20
CODY FRANSEN, meals & mileage	72.57	SEH, INC, wastewater proj engineering	7,086.13
COLE PAPERS, supplies	198.26	SF TWO WAY RADIO, repair	866.64
CONCRETE MATERIALS, deicing sand	1,236.20	SIOUX FALLS HEALTH, water testing	87.00
COUNTRY PRIDE COOP, gas & diesel	1,520.88	SD DEPT OF MOTOR VEHICLES, title	10.00
DEMCO, supplies	161.40	SD DEPT OF REVENUE, refuse sales tax	654.30

DISTRICT III, membership dues	2,255.00	SD ONE CALL, water locates	48.30
EMERGENCY MED PROD, supplies	425.98	SDPAA, ambulance insurance	1,020.00
EQUIPMENT BLADES, supplies	1,372.32	SDPAA, property insurance	7,702.00
FENSEL'S ELECTRIC, supplies	346.46	SOUTHEASTERN ELECTRIC, lagoon elec	1,170.30
FINK LAW, attorney fees	75.00	SPECIALTY AUTO, police repair	84.81
FOLLETT SOFTWARE, annual support	1,000.00	STERN OIL COMPANY, fuel & supp	834.60
FREEMAN AMBULANCE, CPR training	112.00	STUCKY ELECTRIC, repair	391.95
FREEMAN INTERNATIONAL, repair	32.81	TITAN MACHINERY, repair	896.36
FREEMAN LUMBER, supplies	559.36	USTI, supplies	403.00
FREEMAN HOSPITAL, amb salary	158.23	VERIZON WIRELESS, cell phones	204.97
FREEMAN SHOPPING CENTER, supplies	40.26	VON EYE CONSTRUCTION, excise tax	514.75
GOLDEN WEST, telephone service	814.19	WESTERN OFFICE, ambulance supplies	478.28
HD SUPPLY, water supplies	1,950.00		
HEIMAN FIRE EQUIPMENT, supplies	3,010.85		
		VOUCHERS	381,927.48
		SALARIES	26,492.36
		TOTAL VOUCHERS & SALARIES	408,419.84

Financial Report

Auch moved to approve the financial report. Olson seconded the motion. Roll call: all votes aye.

Hootz 15% Liquor Purchases

Jay Hofer asked that the 15% markup be waived for the December liquor purchases. Becker moved to refund the 15% on the December liquor purchases for Hootz in the amount of \$1,794.72 and for Bake's in the amount of \$705.41. Motion failed for lack of a second.

Ambulance Annual Report

Josh Andersen presented the annual report for the ambulance to the Council.

Ambulance Surplus Property

Auch moved to declare the 2003 Ford Medic ambulance as surplus property. Broders seconded the motion. Roll call: all votes aye. Mayor Sorensen will appoint 3 residents to appraise the surplus property.

Sewer Rate Appeals

AKA Properties appeal their sewer rate due to water leaks under 2 different trailers. Broders moved to reduce the sewer rate to an average of 35,667 gallons for a rate of \$237.19 per month. Auch seconded the motion. Roll call: all votes aye.

Jake Gross appealed his sewer rate due to lawn watering. Auch moved to reduce the sewer rate to an average of 5000 gallons for a rate of \$33.25 per month. Olson seconded the motion. Roll call: all votes aye.

Property Insurance

Auch moved to hire Todd Graber as a local agent for insurance with the final contract to be presented at the next regular meeting. Waltner seconded the motion. Roll call: all votes aye.

Ordinance 2016-01

Auch moved to give second reading and adopt ordinance 2016-01, an ordinance to amend the City of Freeman Zoning Ordinance, Ordinance 2007-02 to reclassify certain properties from Single-Two Family District (R-1) to General Commercial District (B-2). Broders seconded the motion. Roll call: all votes aye.

ORDINANCE 2016-01

**AN ORDINANCE AMENDING ORDINANCE 2007-2,
KNOWN AS "THE OFFICIAL ZONING ORDINANCE OF THE
CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA"
PROVIDING FOR RECLASSIFICATION OF PROPERTY
AND AMENDMENT OF OFFICAL ZONING MAP**

WHEREAS, the City of Freeman adopted Ordinance 2007-2 providing for zoning regulations known as "The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota" with official zoning map; and

WHEREAS, the City has proposed reclassification of certain properties from Single Family District (R-1) to General Commercial District (B-2) for certain property as hereafter provided; and

WHEREAS, the City Planning Commission, after notice, held public hearing on said Petition on December 29, 2015 and recommended approval of the zoning changes; and

WHEREAS, the City Council gave notice of a public hearing on said Petition, held hearing on Monday, January 4, 2016, accepting the proposed amendment and recommendation of City Planning Commission; and

WHEREAS, on January 4, 2016, the City Council gave First Reading to this Ordinance to provide for amendment and reclassification of the perspective properties; and

WHEREAS, on February 1, 2016, at a duly convened meeting of the City Council, the above Ordinance received its Second Reading after which, Auch moved the adoption and Broders seconded the motion for the following:

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA, that the City of Freeman Zoning Ordinance 2007-2, known as "The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota" and the Official Zoning Map of said Ordinance is hereby amended to provide as follows:

The property described as Lot 3 and 4 of Outlot 40 to the City of Freeman, Hutchinson County, South Dakota

is hereby reclassified from Single Family District (R-1) to General Commercial District (B-2).

Upon roll call vote, Auch, Becker, Broders, Gering, Olson and Waltner voted in favor of the motion. No votes in opposition, whereupon the Mayor declared the Ordinance adopted.

Dated this 1st day of February 2016.

Sam Sorensen, Mayor
City of Freeman

ATTEST:

Lisa Edelman, Municipal Finance Officer

(SEAL)

First Reading: January 4, 2016
Second Reading: February 1, 2016
Published: February 11, 2016

Ordinance 2016-02

Olson moved to give second reading and adopt ordinance 2016-02, an ordinance to amend the City of Freeman Zoning Ordinance, Ordinance 2007-02 to reclassify certain properties from Single-Two Family District (R-1) to General Commercial District (B-2). Becker seconded the motion. Roll call: all votes aye.

ORDINANCE 2016-02

**AN ORDINANCE AMENDING ORDINANCE 2007-2,
KNOWN AS "THE OFFICIAL ZONING ORDINANCE OF THE
CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA"
PROVIDING FOR RECLASSIFICATION OF PROPERTY
AND AMENDMENT OF OFFICAL ZONING MAP**

WHEREAS, the City of Freeman adopted Ordinance 2007-2 providing for zoning regulations known as "The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota" with official zoning map; and

WHEREAS, the City has proposed reclassification of certain properties from Single Family District (R-1) to General Commercial District (B-2) for certain property as hereafter provided; and

WHEREAS, the City Planning Commission, after notice, held public hearing on said Petition on December 29, 2015 and recommended approval of the zoning changes; and

WHEREAS, the City Council gave notice of a public hearing on said Petition, held hearing on Monday, January 4, 2016, accepting the proposed amendment and recommendation of City Planning Commission; and

WHEREAS, on January 4, 2016, the City Council gave First Reading to this Ordinance to provide for amendment and reclassification of the perspective properties; and

WHEREAS, on February 1, 2016, at a duly convened meeting of the City Council, the above Ordinance received its Second Reading after which, Olson moved the adoption and Becker seconded the motion for the following:

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA, that the City of Freeman Zoning Ordinance 2007-2, known as "The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota" and the Official Zoning Map of said Ordinance is hereby amended to provide as follows:

The property described as Lot 1, Lot 2 and Lot 3, Reno Addition to the City of Freeman, Hutchinson County, South Dakota

is hereby reclassified from Single Family District (R-1) to General Commercial District (B-2).

Upon roll call vote, Auch, Becker, Broders, Gering, Olson and Waltner voted in favor of the motion. No votes in opposition, whereupon the Mayor declared the Ordinance adopted.

Dated this 1st day of February 2016.

Sam Sorensen, Mayor
City of Freeman

ATTEST:

Lisa Edelman, Municipal Finance Officer

(SEAL)

First Reading: January 4, 2016

Second Reading: February 1, 2016

Published: February 11, 2016

Ordinance 2016-03

The Council gave 1st reading to Ordinance 2016-03, an ordinance to appropriate funds for the ambulance fund for the purchase of a new ambulance in the amount of \$166,870.00.

Pool Personnel

Olson moved to advertise for guards and managers for the pool. Broders seconded the motion. Roll call: all votes aye.

Engineer Hire for Feasibility Study

Mayor Sorensen read quotes from 2 engineering firms for a feasibility study of Railway Street from Main to Juniper. Becker moved to hire Brosz Engineering for the low quote of \$6,000.00 to do a feasibility study of Railway Street from Main Street to Juniper Street. Broders seconded the motion. Roll call: all votes aye.

Advertise for 2016 Asphalt Bids

Auch moved to advertise for asphalt bids according to South Dakota DOT specs using class G, type 2 asphalt for approximately 750 ton. Waltner seconded the motion. Roll call: all votes aye.

Fire Department Roster

Becker moved to approve the fire department roster dated January 5, 2016 with the exception of #31 who resigned on January 26, 2016. Broders seconded the motion. Roll call: all votes aye.

Annual Audit

Waltner moved to enter into an agreement with Schoenfish & Co, to perform the annual audit for the year ended December 31, 2015. Olson seconded the motion. Roll call: all votes aye.

Other Business

Mayor Sorensen informed the Council that the City of Freeman is being sued by Twila Kribell in a slip and fall incident on December 20, 2013.

Executive Session

Auch moved to go into executive session at 9:25 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Waltner seconded the motion. All votes aye. Auch declared out of executive session at 11:36 p.m.

Becker moved to accept the resignation of the administrative assistant. Olson seconded the motion. Roll call: all votes aye.

Auch moved to advertise for a full-time administrative assistant. Broders seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, March 7, 2016 at 7:30 p.m.

Adjournment

Becker moved to adjourn at 11:39 p.m. Waltner seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Thursday, February 4, 2016

The Council of the City of Freeman met in special session on Thursday, February 4, 2016 at 7:00 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky and Finance Officer Lisa Edelman.

Executive Session

Waltner moved to go into executive session at 7:04 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Olson seconded the motion. All votes aye.

Auch entered executive session at 7:17 p.m.

Auch moved out of executive session at 7:52 p.m.

Becker moved to accept the resignation of the water superintendent effective February 16, 2016 and to thank him for his years of service. Waltner seconded the motion. Roll call: all votes aye.

Waltner moved to advertise for a full-time water superintendent. Auch seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, March 7, 2016 at 7:30 p.m.

Adjournment

Auch moved to adjourn at 7:56 p.m. Becker seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, March 7, 2016

The Council of the City of Freeman met in regular session on Monday, March 7, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Lisa Edelman and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Steve Waltner, Craig Maloney and Todd Graber.

Minutes of the February 1 and 4 Council meetings

Broders moved to accept the February 1, 2016 regular session and the February 4, 2016 special session minutes as presented. Waltner seconded the motion. All votes aye.

Vouchers & Salaries

Becker moved to approve the vouchers and salaries listed below. Olson seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	2,384.43	HD SUPPLY, water supplies	1,019.26
PAYROLL - RECYCLE	1,267.07	HEIMAN FIRE EQUIPMENT, fire equip	450.85
PAYROLL - GOV'T BUILDING	176.54	JOE ANDERSEN, ambulance supplies	26.51
PAYROLL - POLICE DEPT	4,343.71	JOHNSON BROS/BAKE'S, on/off sale	1,711.99
PAYROLL - ADMINISTRATOR	2,022.50	JOHNSON BROS/HOOTZ, on/off sale	815.65
PAYROLL - ECON DEVELOPMENT	674.16	JOHNSON BROS/PRAIRIE HOUSE, on sale	109.76
PAYROLL - FINANCE	1,357.06	JOHNSON BROS/SHOPPING CTR, off sale	1,174.42
PAYROLL - WATER	3,372.84	LEANN KAUFMAN, mileage	42.18
PAYROLL - SEWER	3,205.51	MATHESON, ambulance supplies	26.14
PAYROLL - REFUSE	1,843.80	MARC, supplies	378.96
PAYROLL - STREET	448.54	MILLER CONSULTING, computer	632.50
PAYROLL - PARK/POOL	448.54	MITCHELL LANDFILL, garbage fees	2,268.63
PAYROLL - COMMUNITY CENTER	113.38	MOTOROLA, ambulance radio	2,563.50
PAYROLL - AMBULANCE	1,004.89	MR G'S, repair	286.28
MERCHANTS STATE BANK, 941 deposit	6,982.11	NORM'S, supplies	39.99
SD RETIREMENT	3,530.60	NORTHWESTERN ELEC, electric & gas	6,550.64
SUPPLEMENTAL RETIREMENT	350.00	OVERHEAD DOOR CO, repair	250.00
WELLMARK, health insurance	7,171.58	PITNEY BOWES, postage	301.50
ACH FEES, payroll & utilities	30.00	PLUNKETT'S, pest control	56.00
AFLAC, employee insurance	592.84	REPUBLIC/BAKE'S, on/off sale	1,680.01
AMAZON, library books & videos	2,206.37	REPUBLIC/HOOTZ, on/off sale	1,555.40
AMPI, scale use	2.00	REPUBLIC/PRAIRIE HOUSE, on sale	218.78
APPEARA, rugs	89.15	REPUBLIC/SHOPPING CTR, off sale	751.68
AUTO BLDG CONTROLS, annual maint	549.00	RURAL MFG, repair	101.66
BARNES & NOBLE, books	167.03	SAARIE AUTO BODY, repair	479.74
B-Y WATER, water purchase	3,659.70	SANITATION PRODUCTS, repair	426.52
B-Y WATER INTEREST	3,168.00	SECOND CENTURY, publishing	936.35
CDW-G, library computers	3,373.45	SEH, INC, wastewater proj engineering	3,327.99
CITY OF FREEMAN, utilities	39.00	SF TWO WAY RADIO, repair	361.98
COUNTRY PRIDE COOP, gas & diesel	463.37	SMITH TREE SERVICE, tree trimming	675.00
DEMCO, supplies	161.40	SD ASSOC RURAL WATER, annual dues	500.00
EMERGENCY MED PROD, supplies	614.95	SD DEPT OF REVENUE, refuse sales tax	652.03
FENSEL'S ELECTRIC, supplies	378.81	SD REDBOOK, fire training	1,035.70
FINK LAW, attorney fees	302.27	SOUTHEASTERN ELECTRIC, lagoon elec	2,122.42
FRED HAAR, repair	103.84	STERN OIL COMPANY, fuel & supp	614.72
FREEMAN INTERNATIONAL, repair	77.50	STUCKY ELECTRIC, repair	10.00
FREEMAN LUMBER, supplies	134.73	TITAN MACHINERY, maintenance	627.61

FREEMAN HOSPITAL, amb salary	191.47	VANTEK, supplies	114.50
FREEMAN SHOPPING CENTER, supplies	35.81	VERIZON WIRELESS, cell phones	205.05
GOLDEN WEST, telephone service	1,017.37		
		VOUCHERS	70,494.25
		SALARIES	22,662.97
		TOTAL VOUCHERS & SALARIES	93,157.22

Financial Report

Waltner moved to approve the financial report. Broders seconded the motion. Roll call: all votes aye.

Malt Beverage License

The Council considered the application for a malt beverage license submitted by the following:

- 1) Retail on-off sale Malt Beverage for 2016
 Application of: Total Stop Convenience Store
 Location of: 601 S US Hwy 81
 Freeman, SD 57029

No one was present at the meeting to show rejection of this application. Auch moved to approve the license as presented. Olson seconded the motion. Roll call: all votes aye.

Hearing for Amendment of Zoning Ordinance

The Council considered a petition for amendment of the zoning ordinance for the reclassification of property from R-2 to B-2 for the property described as follows:

Lots 7, 8, 9, 10, 11 and 12, Block 10 of Buechler’s Addition to the City of Freeman,
 Hutchinson County, South Dakota

Becker moved to approve the zoning amendment as presented. Motion failed for lack of a second.

Bid Opening – Asphalt work

Mayor Sorensen announced that the bids for asphalt work would be opened at this time. The following bids were received:

<u>Bidder</u>	<u>Class G, Type 1 20% RAP Asphalt</u>	<u>Class G, Type 1 Asphalt</u>
ASCO	\$89.20/ton	\$93.80/ton
Myrl & Roy’s Paving, Inc.	\$84.99/ton plus mobilization	\$92.50/ton plus mobilization
Double H Paving, Inc.	\$83.50/ton	\$92.20/ton

Auch moved to accept the low bid for Class G, Type 1 20% RAP Asphalt from Double H Paving, Inc. in the amount of \$83.50 per ton. Broders seconded the motion. Roll call: all votes aye.

Property Insurance – Local Agent

Waltner moved to enter into an agreement with Todd Graber to serve as the local agent for the City of Freeman for property insurance, liability insurance, equipment insurance, vehicle insurance and crime and bond insurance at the rate of 10% of the policy contributions charged by SDPAA. Auch seconded the motion. Roll call: all votes aye.

Sewer Rate Appeals

Bridget Johnson appealed her sewer rate due to a plumbing problem. Auch moved to reduce the sewer rate to an average of 4500 gallons for a rate of \$29.93 per month. Waltner seconded the motion. Roll call: all votes aye.

Preston Zachariasen appealed his sewer rate due to a plumbing problem. Waltner moved to reduce the sewer rate to an average of 6000 gallons for a rate of \$39.90 per month. Broders seconded the motion. Roll call: all votes aye.

Jody Heeg, owner of Prairie House Restaurant appealed their sewer rate due to an ice machine leaking. Auch moved to reduce the sewer rate to an average of 12,600 gallons for a rate of \$83.79 per month. Becker seconded the motion. Roll call: all votes aye.

Ordinance 2016-03

Broders moved to give second reading and adopt ordinance 2016-03, an ordinance to appropriate funds for the ambulance fund for the purchase of a new ambulance in the amount of \$166,870.00. Olson seconded the motion. Roll call: all votes aye.

**ORDINANCE 2016-03
AN ORDINANCE PROVIDING FOR A
SUPPLEMENTAL APPROPRIATION
TO BUDGET ORDINANCE 2015-16**

**BE IT ORDAINED BY THE CITY OF FREEMAN,
HUTCHINSON COUNTY, SOUTH DAKOTA**

WHEREAS, the City of Freeman hereby appropriates additional dollars to the expense fund for the ambulance fund in the amount of \$166,870.00.

WHEREAS additional funds are available from reserve funds and donations, therefore the Council desires to increase the ambulance fund, per accepted government accounting standards in compliance with SDCL 9-21-7;

WHEREAS the Council seeks to distribute funds for authorized uses as needed, and furthermore;

NOW THEREFORE BE ORDAINED by the Council of the City of Freeman, South Dakota that budget ordinance 2015-16 be hereby supplemented to increase the ambulance fund for the purchase of a 2016 Chevrolet 4500 ambulance in the amount of \$166,870.00 as necessary to meet the obligations of the municipality, shall be disbursed in accordance to the terms of this supplemental appropriation.

Dated this 7th day of March 2016

Sam Sorensen, Mayor
City of Freeman

ATTEST:

Lisa Edelman, Municipal Finance Officer

(SEAL)

First Reading: February 1, 2016
Second Reading: March 7, 2016
Published: March 17, 2016

Heartland Economic Development Grant

Administrator Vizecky informed the Council that he applied for a grant to pay for half of the event cost to attend the Heartland Economic Development Course in Missouri in April. Waltner moved to approve Administrator Vizecky attending the Heartland Economic Development training course contingent upon receiving grant money for half of the total expense to attend the training. Olson seconded the motion. Roll call: all votes aye.

Landfill Cleanup

Becker moved to hire Knodel Contractors for the low quote of \$1,500.00 to push down material in the landfill. Auch seconded the motion. Roll call: all votes aye.

Surplus Property

Auch moved to declare the following property as surplus:

1979 30 Kw Generator
1 HP Pro 300 SFF computer
2 HP Conpaq 4000 Pro SFF computers
1 NV ql-711v monitor
2 HP I1706 monitors
3 keyboards

Gering seconded the motion. Roll call: all votes aye.

Becker, Olson and Broders were appointed to appraise the surplus property.

Annual Report

Olson moved to accept the annual report as presented. Broders seconded the motion. Roll call: all votes aye.

Executive Session

Auch moved to go into executive session at 10:08 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Broders seconded the motion. All votes aye. Gering declared out of executive session at 10:40 p.m.

Olson moved to hire Megan Harnisch as administrative assistant at a wage of \$13.75/hour contingent upon passing the pre-employment screenings. Auch seconded the motion. Roll call: all votes aye.

Broders moved to hire Todd Hawke as the water superintendent, waiving the handbook requirement in section 6.3D of residency in the City of Freeman, at a starting wage of \$16.50/hour with a \$1.00/hour increase upon passing water certification, contingent upon obtaining a class B CDL within 3 months and passing the pre-employment screenings. Waltner seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, March 21, 2016 at 7:30 p.m.

Adjournment

Becker moved to adjourn at 10:46 p.m. Broders seconded the motion. All votes aye.

Council Minutes
Regular Session
Monday, March 21, 2016

The Council of the City of Freeman met in regular session on Monday, March 21, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Lisa Edelman and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Clifford L. Tjaden, Steve Waltner, Richard Cummings and Cory Schrag.

Board of Equalization

Mayor Sorensen welcomed Cory Schrag to the Equalization Board representing the Freeman School Board. At 7:30 p.m. Auch moved to convene as the Board of Equalization to hear requests for property value adjustments. Broders seconded the motion. All votes aye.

Equalization Meeting
Monday, March 21, 2016

Roll call present: School Board – Cory Schrag
City Council – Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson,
Donna Waltner and Mayor Sam Sorensen

Roll call absent: None

AKA Properties LLC completed the PT 17 form to appeal the valuation of a mobile home saying that the property is in a state of disrepair and uninhabitable. Parcel #240.80.00.020 is valued at \$5280 and they are requesting the value be changed to zero. No action was taken on the appeal and it will be referred to the County to make any adjustments.

Auch declared the Board of Equalization adjourned at 7:39 p.m.

Minutes of the March 7 Council meeting

Waltner moved to accept the March 7, 2016 regular session minutes as presented. Broders seconded the motion. All votes aye.

Hearing for Amendment of Zoning Ordinance

The Council considered a petition for amendment of the zoning ordinance for the reclassification of property from R-1 to B-2 for the property described as follows:

Part of Outlot 3; and Lot 5, Block 15 in Buechler's Addition all in the City of Freeman,
Hutchinson County, South Dakota

In order for a zoning amendment to be approved, the City Council shall determine that the proposed amendment will meet the following standards:

- a) It will in no way endanger public health, safety, comfort, and general welfare;
- b) It will not be injurious to the enjoyment of other property in the immediate vicinity;
- c) The establishment of the zoning reclassification will not impede the orderly development and improvement of other nearby property for the uses permitted in the district.

No one was present at the meeting to show approval or rejection of the amendment.

Upon finding that the above standards have been met, Auch moved to approve the zoning amendment as presented. Olson seconded the motion. Roll call: all votes aye.

Ordinance 2016-04

The Council gave first reading to ordinance 2016-04 to amend the City of Freeman Zoning Ordinance, Ordinance 2007-02 to reclassify certain properties from Single-Two Family District (R-1) to General Commercial District (B-2)

Resolution – Flood Hazard Prevention

Administrator Vizecky presented a flood hazard prevention resolution to the Council. The approval of this resolution will allow the fire department to apply for grant money to purchase a generator for the fire hall. Auch moved to approve the resolution for flood hazard prevention. Waltner seconded the motion. Roll call aye votes: Auch, Becker, Broders, Olson and Waltner. No votes: Gering. Motion passed 5-1.

RESOLUTION

WHEREAS, certain areas of the City of Freeman, are subject to periodic flooding, causing serious damages to properties within these areas; and

WHEREAS, it is the intent of this Council to require the recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to SDCL 9-36 and 7-18-14.

NOW THEREFORE BE IT RESOLVED, that the Freeman City Council hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force, in those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and
2. Vests the Mayor of the City of Freeman with the responsibility, authority and means to:
 - a) Assist the Administrator, at his/her request, in the delineation of the limits of the area having special flood hazards.
 - b) Provide such information concerning present uses and occupancy of the floodplain, mudslide (i.e. mudflow) or flood-related erosion areas as the Administrator may request.
 - c) Maintain for public inspection and furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM), any certificates of flood proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new construction of substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been flood proofed, the elevation (in relation to mean sea level) to which the structure was flood proofed.
 - d) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplains, mudslide (i.e. mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of the map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

- f) Submit an annual report to the Administrator concerning the community's participation in the program, including but not limited to the development and implementation of floodplain management measures.
3. Appoints the Mayor of the City of Freeman with the responsibility, authority, and means to implement the commitments as outlined in this Resolution.
4. Agrees to take such official action as may be reasonably necessary to carry out the objectives of the adopted floodplain management measures.

Adopted and approved this 21st day of March 2016.

SIGNED: _____
Sam Sorensen, Mayor, City of Freeman

ATTEST: _____
Lisa Edelman, Municipal Finance Officer

Liquor Building Roof Repair

Cost estimates were presented to the Council to repair the shingles on the roof of the liquor building that blew off in the high winds several weeks ago. Gering moved to hire Mike Peterson to repair the liquor building roof. Broders seconded the motion. Roll call aye votes: Auch, Broders, Gering, Olson and Waltner. No votes: Becker. Motion passed 5-1.

Memorial Park Stone Repair

A cost estimate from Rausch Bros. Monument Co. was presented to replace the broken tablet at the Veteran's Memorial. The cost to replace the broken tablet is \$5,700 and the insurance company will cover the cost after the \$1,000 deductible. Auch moved to approve the replacement of the broken tablet at the Freeman Veteran's Memorial in the amount of \$5,700 plus to have the tablet pinned to the base for an additional cost of \$550 after receiving a copy of the minutes from the VFW board approving the use of the memorial fund interest for the repairs after the insurance payment. Waltner seconded the motion. Roll call: all votes aye.

Tractor Lease

Broders moved to enter into an agreement with Fred Haar Co. for the lease of a John Deere 6135E Cab Tractor at no cost. Olson seconded the motion. Roll call: all votes aye.

Purchase Gravel

Broders moved to approve the purchase of gravel to be delivered to the City street shop for \$10.10 per ton. Auch seconded the motion. Roll call: all votes aye.

Purchase Weed Spray

Olson moved to approve the purchase of Veg-A-Kill weed spray from Mid-American Research Chemical Corp. in the amount of \$41.30 per gallon. Broders seconded the motion. Roll call: all votes aye.

Contract Approval

Waltner moved to enter into a contract with Lawns Unlimited to spray and fertilize the City properties per the estimate provided. Olson seconded the motion. Roll call: all votes aye.

Ray Spangler Property

Administrator Vizecky updated the Council on the recommendations of City Attorney Mike Fink regarding the property. The Council requested a plan with different options be presented at the April Council meeting.

Other Business

Administrator Vizecky passed around pictures of the building that Bake's Bar is in that show that the building is in need of repair. The Council instructed Administrator Vizecky to contact Ron Baker regarding the repair of the building.

Police Chief Richard Cummings spoke to the Council regarding his decisions regarding Mike Bender's release.

Next Meeting

The next regular meeting will be Monday, April 4, 2016 at 7:30 p.m.

Executive Session

Auch moved to go into executive session at 8:56 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Broders seconded the motion. All votes aye. Gering moved out of executive session at 9:16 p.m. No action taken.

Adjournment

Becker moved to adjourn at 9:17 p.m. Olson seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Monday, March 28, 2016

The Council of the City of Freeman met in special session on Monday, March 28, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky and Finance Officer Lisa Edelman.

Executive Session

Auch moved to go into executive session at 7:31 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Waltner seconded the motion. All votes aye.

Gering moved out of executive session at 8:38 p.m.

Waltner moved to accept the resignation of finance officer Lisa Edelman. Olson seconded the motion. Roll call: all votes aye.

Auch moved to advertise for a full-time finance officer with a starting wage of \$18-\$21 per hour based on qualifications and for the position to remain open until filled with a review of the applications to begin April 18 at 5:00 p.m. Broders seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, April 4, 2016 at 7:30 p.m.

Adjournment

Gering moved to adjourn at 8:43 p.m. Becker seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, April 4, 2016

The Council of the City of Freeman met in regular session on Monday, April 4, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Lisa Edelman, City Attorney Mike Fink and Jeremy Waltner from the Freeman Courier. Guests in attendance included the following: Colin Marcusen, Clifford L. Tjaden, Steve Waltner, Richard Cummings and Eric Prunty.

Minutes of the March 21 & 28 Council meetings

Waltner moved to accept the March 21, 2016 regular session and the March 28, 2016 special session minutes as presented. Broders seconded the motion. All votes aye.

Vouchers & Salaries

Auch moved to approve the vouchers and salaries listed below. Olson seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	3,936.76	HEIMAN FIRE EQUIPMENT, service	852.85
PAYROLL - RECYCLE	1,938.10	HERITAGE PHARMACY, supplies	54.65
PAYROLL - GOV'T BUILDING	289.79	INSURANCE SERVICES, servicing agent	1,774.85
PAYROLL - POLICE DEPT	7,380.71	JOE ANDERSEN, EMT reimbursement	225.00
PAYROLL - ADMINISTRATOR	2,766.77	JOHNSON BROS/BAKE'S, on/off sale	885.13
PAYROLL - ECON DEVELOPMENT	922.26	JOHNSON BROS/HOOTZ, on/off sale	1,610.82
PAYROLL - FINANCE	2,205.30	JOHNSON BROS/SHOPPING CTR, off sale	1,218.51
PAYROLL - WATER	3,418.75	JP COOKE, animal tags	102.65
PAYROLL - SEWER	4,290.57	KENDRA SCHAMBER, EMT reimbursemnt	225.00
PAYROLL - REFUSE	2,302.93	KLEINSASSER HTG, repair	924.71
PAYROLL - STREET	706.57	KNODEL CONTRACTORS, gravel	1,219.07
PAYROLL - PARK/POOL	706.57	LIBRARY IDEAS, subscription	1,288.00
PAYROLL - COMMUNITY CENTER	32.28	MARC, supplies	1,032.50
PAYROLL - AMBULANCE	1,168.35	MATHESON, ambulance supplies	133.12
MERCHANTS STATE BANK, 941 deposit	9,648.60	MEGAN HARNISCH, mileage	28.98
SD RETIREMENT	4,874.82	MILLER CONSULTING, computer repair	150.00
SUPPLEMENTAL RETIREMENT	1,140.00	MITCHELL LANDFILL, garbage fees	2,783.43
WELLMARK, health insurance	7,171.58	MR G'S, repair	22.00
A & B BUSINESS, copier maintenance	579.01	NORM'S, supplies	51.98
ACH FEES, payroll & utilities	40.00	NORTHWESTERN ELEC, electric & gas	5,871.50
AFLAC, employee insurance	434.22	ONE OFFICE SOLUTION, supplies	69.81
ALLEGIANT EMERGENCY, fire supplies	32.00	PITNEY BOWES, machine rental	148.50
AMAZON, library books & videos	642.04	PITNEY BOWES, postage	300.00
APPEARA, rugs	88.49	PLUNKETT'S, pest control	56.00
AVERA HOSPITAL, pre-employ screen	520.00	PRINTED IMPRESSIONS, supplies	20.00
BARCO, signs	74.82	REPUBLIC/BAKE'S, on/off sale	1,171.32
BARNES & NOBLE, books	151.98	REPUBLIC/HOOTZ, on/off sale	2,979.59
B-Y WATER, water purchase	3,631.70	REPUBLIC/SHOPPING CTR, off sale	810.82
B-Y WATER INTEREST	3,168.00	RURAL MFG, repair	28.11
CHIEF SUPPLY, police supplies	150.13	SAARIE AUTO BODY, repair	108.01
CHRIS WOLLMANN, EMT reimb	225.00	SANITATION PRODUCTS, repair	58.83
CITY OF FREEMAN, utilities	39.00	SECOND CENTURY, publishing	901.83
COMMERCIAL ASPHALT, supplies	827.55	SEH, INC, wastewater proj engineering	1,331.53
COUNTRY PRIDE COOP, gas & diesel	1,016.19	SMIDT FURNITURE, supplies	159.80
FENSEL'S ELECTRIC, supplies	144.23	SD DEPT OF HEALTH, sewer testing	44.00
FINK LAW, attorney fees	854.24	SD DEPT OF REVENUE, refuse sales tax	658.15

FIRST NATIONAL BANK, 6th St pmt	13,638.81	SDPAA, memorial insurance	32.00
FIRST NATIONAL BANK, lagoon pmt	16,668.22	SOUTHEASTERN ELECTRIC, lagoon elec	2,267.50
FIRST NATIONAL BANK, sewer final pmt	8,295.21	STERN OIL COMPANY, fuel & supp	746.11
FRED HAAR, repair	64.84	TODD HAWKE, safety clothing	150.47
FREEMAN INTERNATIONAL, repair	60.00	VERIZON WIRELESS, cell phones	205.14
FREEMAN LUMBER, supplies	96.55		
FREEMAN HOSPITAL, amb salary	843.01		
GOLDEN WEST, telephone service	910.14	VOUCHERS	108,732.65
		SALARIES	32,065.71
		TOTAL VOUCHERS & SALARIES	140,798.36

Financial Report

Becker moved to approve the financial report. Olson seconded the motion. Roll call: all votes aye.

Wastewater Project

Colin Marcusen the project manager from SEH, Inc. spoke about the new generator at the lagoon.

Resolution of Approval

The Council reviewed a replat request from Ray Wipf. Auch moved to approve the following resolution of approval for the plat modification as presented. Waltner seconded the motion. Roll call: all votes aye.

RESOLUTION OF APPROVAL

WHEREAS, it appears that the owners thereof have caused a plat to be made of the following described real property:

Replat of a part of Outlot 3; a part of Outlot 4; Lot 5, Block 15 in Buechler's Addition; and Tract C in Lot 1, Block 4 in the Milwaukee Railroad Addition, all in the City of Freeman, Hutchinson County, South Dakota, hereafter to be known as: Tract 1, Wipf Addition to the City of Freeman, Hutchinson County, South Dakota.

and have submitted such plat to the City Council of the City of Freeman, South Dakota for approval; and

WHEREAS, such plat has been submitted to the planning commission of the City of Freeman, South Dakota for a report and recommendation thereon to the City Council as required by law; now

THEREFORE be it resolved, that such plat has been executed according to the law and that the same is hereby approved. The City Finance Officer is authorized and directed to endorse on such plat a copy of this resolution and certify the same.

Dated this 4th day of April, 2016.

Sam Sorensen, Mayor

Lisa Edelman, Finance Officer

Election Workers

Olson moved to appoint Judy Walter, Diane Ellinger, Evelyn Duerksen, Clara Martha Graber and Judy Schrag as election workers and Corrine Handel and Audrey Mutchelknaus as alternates. Broders seconded the motion. Roll call: all votes aye.

Ordinance 2016-04

Waltner moved to give second reading and adopt ordinance 2016-04, an ordinance to amend the City of Freeman Zoning Ordinance, Ordinance 2007-02 to reclassify certain properties from Single Family Residential District (R-1) to General Commercial District (B-2). Auch seconded the motion. Roll call: all votes aye.

ORDINANCE 2016-04

**AN ORDINANCE AMENDING ORDINANCE 2007-2,
KNOWN AS "THE OFFICIAL ZONING ORDINANCE OF THE
CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA"
PROVIDING FOR RECLASSIFICATION OF PROPERTY
AND AMENDMENT OF OFFICIAL ZONING MAP**

WHEREAS, the City of Freeman adopted Ordinance 2007-2 providing for zoning regulations known as "The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota" with official zoning map; and

WHEREAS, the City has proposed reclassification of certain properties from Single Family Residential District (R-1) to General Commercial District (B-2) for certain property as hereafter provided; and

WHEREAS, the City Planning Commission, after notice, held public hearing on said Petition on March 21, 2016 and recommended approval of the zoning changes; and

WHEREAS, the City Council gave notice of public hearing on said Petition, held hearing on Monday, March 21, 2016, accepting the proposed amendment and recommendation of City Planning Commission; and

WHEREAS, on March 21, 2016, the City Council gave First Reading to this Ordinance to provide for amendment and reclassification of the perspective properties; and

WHEREAS, on April 4, 2016, at a duly convened meeting of the City Council, the above Ordinance received its Second Reading after which, Waltner moved the adoption and Auch seconded the motion for the following:

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF FREEMAN, HUTCHINSON COUNTY, SOUTH DAKOTA, that the City of Freeman Zoning Ordinance 2007-2, known as "The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota" and the Official Zoning Map of said Ordinance is hereby amended to provide as follows:

The property described as Part of Outlot 3; and Lot 5, Block 15 in Buechler's Addition all in the City of Freeman, Hutchinson County, South Dakota

is hereby reclassified from Single Family Residential District (R-1) to General Commercial District (B-2).

Upon roll call vote, Auch, Becker, Broders, Gering, Olson and Waltner voted in favor of the motion. No votes in opposition, whereupon the Mayor declared the Ordinance adopted.

Dated this 4th day of April 2016.

Sam Sorensen, Mayor
City of Freeman

ATTEST:

Lisa Edelman, Municipal Finance Officer

(SEAL)

First Reading: March 21, 2016

Second Reading: April 4, 2016

Published: April 14, 2016

Ordinance 2016-05

The Council gave 1st reading to Ordinance 2016-05, an ordinance enacting Title 18 regarding flood damage prevention.

Clean-up Days

Auch moved to have the clean-up days on Saturday, June 11 and 18, 2016 with no tipping fees except for CRT's. Broders seconded the motion. Roll call: all votes aye.

Advertise for Wastewater Pickup

Administrator Vizecky presented a notice for bids for a wastewater pickup. The Council asked if there were any pickups approved through the State bid process that could be purchased. That information will be brought back to the next meeting.

Temporary Part-Time Library Assistant

Olson moved to hire Sarah Miller as the temporary part-time library assistant at 9.00 per hour. Broders seconded the motion. Roll call: all votes aye.

Pool Personnel

Olson moved to hire the following swimming pool personnel for the 2016 season:

Co-managers to be paid \$10.00 per hour plus concessions shared equally:

Kari Saarie, Nicole Saarie and Taylor Hermsen

Returning lifeguards with WSI to be paid \$9.25 per hour:

Nicole Saarie and Baily York

Returning lifeguards without WSI to be paid \$9.00 per hour:

Madysen Pravecek and Xaviar Ward

New lifeguards without WSI to be paid \$8.65 per hour:

Dalton Bodewitz

Becker seconded the motion. Roll call: all votes aye.

Police Report

Chief Cummings asked the Council to consider the purchase of a used vehicle from Rapp Chevrolet. The vehicle is a 2008 Chevrolet Impala with 26,000 miles for a price of \$9,800.00. Cummings said it would need approximately \$1,000.00 for a cage, decals and radio.

Other Business

Nuisance letters were sent out for clean-up of yards with a 30 day deadline. It was discussed with City Attorney Mike Fink what the next steps would be to get these properties cleaned up. Administrator Vizecky informed the Council that Ron Baker has hired a contractor to repair his building on Main Street.

Executive Session

Auch moved to go into executive session at 9:28 p.m. pursuant to SDCL 1-25-2(1) regarding personnel and SDCL 1-25-2(3) regarding pending litigation. Becker seconded the motion. All votes aye. Gering moved out of executive session at 10:43 p.m. No action taken.

Next Meeting

The next regular meeting will be Monday, May 2, 2016 at 7:30 p.m. A special meeting will be held on Wednesday, April 13, 2016 at noon.

Adjournment

Auch moved to adjourn at 10:43 p.m. Broders seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Wednesday, April 13, 2016

The council of the City of Freeman met in special session on Wednesday, April 13, 2016 at 12:00 noon at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Lisa Edelman and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Clifford L. Tjaden, Steve Waltner, Richard Cummings and Eric Prunty.

Minutes of the April 4 Council meeting

Broders moved to accept the April 4, 2016 regular session minutes as presented. Auch seconded the motion. All votes aye.

Canvass of Election

Auch moved to certify the results of the April 12, 2016 municipal election. Waltner seconded the motion. Roll call: all votes aye, Broders abstained from voting.

Council member Ward II, Two year term

93 votes	Steve Waltner
36 votes	Randy Broders

Landfill Project

Waltner moved to enter into an agreement for engineering services for the landfill project with Brosz Engineering, Inc. in the amount of \$24,930.00. Auch seconded the motion. Roll call: all votes aye.

Purchase Police Vehicle

Auch moved to purchase a 2008 Chevrolet Impala from Rapp Chevrolet for \$9,700.00. Olson seconded the motion. Roll call: all votes aye.

Wastewater Vehicle

Administrator Vizecky presented several State Bid specs for the Council to review. Broders moved to purchase a ¾ ton 4 X 4 extended cab short box Chevrolet Silverado pickup from State Bid in the amount of \$25,870.00. The motion failed for lack of a second.

Auch requested that this agenda item be tabled until the May meeting.

Ordinance 2016-06

The Council gave 1st reading to Ordinance 2016-06, an ordinance to appropriate funds for the police department for the purchase of a used vehicle plus expenses for a cage, decals and radio in the amount of \$11,000.00.

Approve Inter-Fund Loan

Auch moved to approve an inter-fund loan between the ambulance fund and the general fund for a fire equipment purchase in the amount of \$74,124.00 to be repaid over the next 7 years. Becker seconded the motion. Roll call: all votes aye.

Ordinance 2016-07

The Council gave 1st reading to Ordinance 2016-07, an ordinance to appropriate funds for the fire department for the purchase of fire equipment in the amount of \$74,124.00 from a loan from the ambulance fund.

SDPAA Umbrella Coverage

Administrator Vizecky informed the Council that the South Dakota Public Assurance Alliance has an enhanced crime coverage that will put a million dollar umbrella coverage for all employees and council for bonding purposes. Waltner moved to contract with SDPAA for the enhanced crime umbrella coverage. Olson seconded the motion. Roll call: all votes aye.

Advertise for Part-time Mowing

Becker moved to advertise for a part-time, as-needed, seasonal property maintenance worker. Broders seconded the motion. Roll call: all votes aye.

Other Business

Finance Officer Edelman requested that the audit for 2015 run through April 13, 2016.

Appoint Interim Finance Officer

Olson moved to appoint Megan Harnisch as the interim finance officer for the City of Freeman effective April 14, 2016. Waltner seconded the motion. Roll call aye votes: Auch, Becker, Broders, Olson and Waltner. No votes: Gering. Motion passed 5-1.

Accept Water Superintendent Resignation

Auch moved to accept the resignation of the water superintendent Todd Hawke effective April 22, 2016. Broders seconded the motion. Roll call: all votes aye.

Advertise for Water Superintendent

Auch moved to advertise for a full-time water superintendent and leave the position open until filled. Waltner seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, May 2, 2016 at 7:30 p.m.

Adjournment

Broders moved to adjourn at 1:01 p.m. Becker seconded the motion. All votes aye.

Lisa Edelman, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
2015-2016 Council
Monday, May 2, 2016

The Council of the City of Freeman met in regular session on Monday, May 2, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Randy Broders, Charles Gering, Eva Olson and Donna Waltner. Also attending were City Administrator Carroll Vizecky, Interim Finance Officer Megan Harnisch, Attorney Mike Fink, and Jeremy Waltner from the Freeman Courier. Guests in attendance included the following: Terry Jacobsen, Clifford Tjaden, Charlie Waltner, Robbie Huber, Eric Prunty from Brosz Engineering, Daniel Harnisch, Shane Vetch, Jonathan Slevin, and Richard Cummings.

Minutes of the April 13, 2016 Special Session Meeting

Olson moved to accept the April 13, 2016 special session minutes as presented. Auch seconded the motion. All votes aye.

Vouchers & Salaries

D. Waltner moved to approve the vouchers and salaries listed below. Broders seconded the motion. Roll call: all votes aye.

Payable Vouchers – April 2016

Payroll Liabilities Payable			
Aflac	434.19		
SD Retirement System	3,610.20		
SD Supplemental Retirement	760.00		
TOTAL Payroll Liabilities	4,804.39		
Sales Tax Payable			
SD Department of Revenue	772.61		
TOTAL Sales Tax Liabilities	772.61		
Vendor Payable			
American Library Association (ALA)	100.00	Matheson Tri-Gas	111.86
Amazon.com	699.21	Michael Todd & Company	217.53
American Technical Services	2,600.00	Mike Peterson	469.39
Appearra	88.49	Miller Consulting	300.00
Barnes & Noble	145.80	Mitchell Regional Landfill	2,985.84
Brosz Engineering	1,482.50	Mr. G's Tires	192.00
B-Y Water District	3,866.30	Norm's Thrifty White	53.58
B-Y Water Interest	3,168.00	NorthWestern Energy	1,943.25
C & B Operations (Fred Haar)	178.48	One Office Solution	53.54
Chad Soulek	250.10	Paul Rigo	1,147.67
Channing Bete Company	264.33	Pitnety Bowes	2.50
City of Sioux Falls	87.00	Plunkett's Pest Control	56.00
CMC Excavation	1,671.43	Printed Impressions	110.50
Cody Fransen	50.42	Qualitt Inn (SD024)	379.96
Country Pride Coop	173.32	RDO Equipment	15.99
DEMCO	(161.40)	Republic National Distributing (Bake's)	1,255.27
Diane Ellinger	150.00	Republic National Distributing (Hootz)	2,515.62
Evelyn Duerksen	150.00	Schmidt Country	112.00
Fensel's Electrical Supply	611.59	Second Century Publishing	786.85
Fink Law Office	693.26	Short Elliott Hendrickson	1,239.97
Freeman Emergency Services (City of Freeman)	39.00	SD Association of Towns & Townships	466.50
Freeman International	359.70	SD Department of Health	132.00
Freeman Regional Health	227.37	SD One Call	22.05
Freeman Shopping Center	17.52	SD Public Assurance Alliance	135.00
Golden West	942.71	Southeastern Electric	2,485.00
Hach Company	86.17	Specialty Automotive	663.18
HD Supply Waterworks	132.80	Stern Oil Company	1,131.70

Heiman Fire Equipment	1,427.00	Valley Electric Service	135.95
Jamboree Foods	34.65	Verizon Wireless	204.94
Johnson Brothers (Bake's)	1,392.14		
Johnson Brothers (Freeman Shopping Center)	271.74	TOTAL Vendor Payable	43,958.99
Johnson Brothers (Hootz)	1,373.82		
Johnson Brothers (Prairie House)	174.95	TOTAL Accounts Payable	49,535.99
Josh Anderson	1,150.15		
Judy Schrag	150.00		
LeAnn Kaufman	584.80		

Salaries Vouchers – April 2016

Administrator	1,761.12
Ambulance	886.86
Community Center	164.74
Council & Mayor	4,339.63
Planning & Zoning	609.50
Economic Development	587.04
Finance Office	1,831.20
Government Building	237.48
Library	2,558.38
Park/Pool	480.91
Police	4,254.19
Recycle	1,298.99
Refuse	2,241.40
Sewer	3,452.77
Street	480.91
Water	3,495.42
TOTAL NET Salaries Paid	28,680.54

Financial Report

Becker stated an account allocation correction needed on a voucher.

D. Waltner moved to approve the financial report as presented. Olson seconded the motion. Roll Call – Aye Votes: Broders, Olson, D. Waltner, Auch, and Becker. No Votes: Gering. Motion passed 5-1.

Zoning Reclassification – Robbie Huber (Lots 7, 8, 9, 10, 11, & 12 Block 10 Buechler Addition)

Auch moved to approve the zoning reclassification request. Gering seconded the motion. Roll Call – Aye Votes: Gering, Auch, Becker, and Sorensen. Abstain Votes: Olson, D. Waltner, and Broders. Motion passed 4-0.

RECLASSIFICATION OF PROPERTY

RESOLUTION AMENDING ZONING DISTRICT BOUNDARIES

WHEREAS, the City of Freeman adopted Ordinance 2007-2 providing for zoning regulations known as “The Official Zoning Ordinance of the City of Freeman, Hutchinson County, South Dakota” with official zoning map; and

WHEREAS, the City has proposed reclassification of certain properties from a Multi Family District (R-2) to General Commercial District (B-2) for certain property as hereafter provided; and

WHEREAS, the City Planning Commission, after notice, and pursuant to City Ordinance Section 1513, held public hearing on said Petition on March 1, 2016 and recommended approval of the zoning changes; and

WHEREAS, the City Council pursuant to City Ordinance Section 1513, gave notice of the public hearing on said Petition, held hearing on Monday, March 7, 2016, and

WHEREAS, the City Council accepted the proposed amendment and recommendation of the City Planning Commission on May 2, 2016.

NOW THEREFORE, BE IT RESOLVED, that the Official Zoning Map of said Ordinance is hereby amended to provide as follows:

The property described as Lots 7, 8, 9, 10, 11 and 12 Block 10 of Buechler Addition to the City of Freeman, Hutchinson County, South Dakota

is hereby reclassified from Multi-Family (R-2) to General Commercial District (B-2); the official zoning Map shall be modified accordingly.

Upon roll call vote, Olson, abstain, Broders, abstain, D. Waltner, abstain, Gering, yea, Becker, yea, Auch, yea and Sorensen, yea.

Date this 2nd day of May 2016.

Sam Sorensen, Mayor
City of Freeman

ATTEST:

Megan Harnisch, Municipal Interim Finance Officer

Adjournment

Auch moved to adjourn at 8:00 p.m. D. Waltner seconded the motion. All votes aye.

Megan Harnisch, Interim Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
2016-2017 Council
Monday, May 2, 2016

The Council of the City of Freeman met in regular session on Monday, May 2, 2016 at 8:00 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Clifford Tjaden, Charles Gering, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, Interim Finance Officer Megan Harnisch, Attorney Mike Fink, and Jeremy Waltner from the Freeman Courier. Guests in attendance included the following: Terry Jacobsen, Randy Broders, Donna Waltner, Eva Olson, Eric Prunty from Brosz Engineering, Daniel Harnisch, Shane Vetch, Lance Edwards, Dawn Waltz, Jonathan Slevin, and Richard Cummings.

Oath of Office

Mayor Sam Sorensen administered the oath of office to the following:

Having duly circulated petitions and declared nominated without competitive election:

Clifford Tjaden, Council Member Ward I for a term of one year

Having duly circulated petitions and elected:

Charly Waltner, Council Member Ward II for a term of two years

Council Appointment – Council Member Ward III

Mayor Sorensen nominated Terry Jacobsen for the Council Member Ward III vacancy.

Auch nominated Eva Olson for the Council Member Ward III vacancy.

Verbal Vote – Votes for Eva Olson: Auch, and Becker. Votes for Terry Jacobsen: Gering, Waltner, and Tjaden. Terry Jacobsen appointed 3-2.

Oath of Office

Having been appointed by the council:

Terry Jacobsen, Council Member Ward III for a term of one year

Election of Officers

Waltner moved to nominate Clifford Tjaden as council President. Gering seconded the motion.

Roll Call – all votes aye.

Tjaden moved to nominate Kevin Auch as council Vice President. Waltner seconded the motion. Roll Call – all votes aye.

Committee Appointments

Council absolved the Community Center Committee, agreeing that any future concerns regarding the Community Center be considered by the Gov't Building Committee.

Russ Becker moved to accept the following committee appointments assigned by Mayor Sorensen. Tjaden seconded the motion. Roll Call – all votes aye.

Ambulance: Charles Gering Terry Jacobsen

Development: Sam Sorensen & Charlie Waltner

Fire Dept: Kevin Auch & Russ Becker

Gov't Building: Sam Sorensen & Charles Gering

Library: Russ Becker
Liquor: Clifford Tjaden, Russ Becker, & Terry Jacobsen
Parks/Pool: Kevin Auch, Russ Becker, & Terry Jacobsen
Police: Charles Gering & Sam Sorensen
Revolving Loan Fund: Sam Sorensen & Terry Jacobsen
Rubble/Recycle/Refuse: Charly Waltner & Lonnie Tjaden
Sewer: Charly Waltner & Kevin Auch
Streets: Kevin Auch & Charles Gering
Tree City: Charly Waltner
Water: Russ Becker & Lonnie Tjaden
Zoning: Lonnie Tjaden & Sam Sorensen
Zoning Administrator: Lonnie Tjaden

Planning & Zoning Commission Appointments

Auch moved to appoint Christa Helma, Reno Huber, Randy Koerner, Janver Stucky, and Charly Waltner to the Planning Commission. Tjaden seconded the motion. Roll Call – all votes aye.

Newspaper Designation

Tjaden moved to designate the Freeman Courier as the official newspaper for the City of Freeman and to publish all proceedings and legal notices in the Freeman Courier. Jacobsen seconded the motion. Roll Call – all votes aye.

Bank Designation

Waltner moved to designate the following banks as depositories for funds of the City of Freeman: CorTrust Bank of Freeman, Home Federal Bank of Freeman (and its rollover to Great Western Bank), and Merchants State Bank of Freeman. Tjaden seconded the motion. Roll Call – all votes aye.

Restricted Landfill Project (Brosz Engineering)

Eric Prunty spoke on behalf of Brosz Engineering.

Auch moved to forward the application documents to DENR for approval after the final draft has been approved by the individual Council Members. Waltner seconded the motion. Roll Call – all votes aye.

Nuisance & Abandoned Automobile Notices (Chapter 4.01 (13) Chapter 6.0) Abatements

Waltner moved to proceed with enforcement on John Stahl's location on Main Street, David Kivijarvi's location on North County Road, Laura Hofer's location at 417 S Relanto, and Ray Spangler's home location. Motion failed for lack of a second. Moved into more discussion.

Council agreed to provide the owners of nuisance properties an opportunity to attend the next board meeting with an argument as to the condition of their property.

Public Hearing – Wine & Malt Beverage License Renewals

The Council considered the following for wine and malt beverage licenses:

1. Retail on-off sale Malt Beverage for 2016/2017
Application of: Bake's
Location of: 231 N Main St
Freeman, SD 57029
2. Package off-sale Malt Beverage
& SD Farm Wine for 2016/2017
Application of: Casey's Retail Company
dba Casey's General Store #3245
Location of: 1206 E 6th St

Freeman, SD 57029

3. Package off-sale Malt Beverage for 2016/2017
Application of: Uecker Supermarket Inc
dba Freeman Shopping Center
Location of: 609 S US Hwy 81
Freeman, SD 57029
4. Package off-sale Malt Beverage for 2016/2017
Application of: Dolgen Midwest LLC
dba Dollar General Store #10796
Location of: 305 N US Highway 81
Freeman, SD 57029
5. Retail on-off sale Malt Beverage for 2016/2017
Application of: Freeman Convenience LLC
dba Total Stop Convenience Store #9466
Location of: 601 S US Hwy 81
Freeman, SD 57029
6. Retail on-off Malt Beverage for 2016/2017
Application of: Prairie House Restaurant LLC
Location of: 1121 S US Hwy 81
Freeman, SD 57029
7. Retail on-off sale Malt Beverage for 2016/2017
Application of: Rick D Blue
dba Blue's Family Restaurant
Location of: 175 W 3rd St
Freeman, SD 57029
8. Retail on-off Malt Beverage for 2016/2017
Application of: WWIT LLC
dba Hootz
Location of: 115 E 3rd St
Freeman, SD 57029

No persons present at the meeting expressed rejection of these applications.

Tjaden moved to approve the wine and malt beverage licenses as presented. Becker seconded the motion. Roll Call – all votes aye.

Movie on Main Street Event Request

Shane Vetch requested approval for the Movie on Main Street Event to take place on August, 7, 2016.

Waltner moved to approve the event request. Jacobsen seconded the motion. Roll Call – all votes aye.

Tri-Athlon Event Request

Mara Andersen & Emmarie Edwards requested approval for use of the City Pool at the Tri-Athlon Event to take place on July 23, 2016.

Waltner moved to approve the event request. Gering seconded the motion. Roll Call – all votes aye.

Shine & Show Event Request

Dawn Waltz requested approval for the Shine & Show Event to take place on July 9, 2016.

Jacobsen moved to approve the event request. Becker seconded the motion. Roll Call – all votes aye.

2nd Reading of Ordinance 2016-05 – Flood Damage Prevention

Tjaden moved to table Ordinance 2016-05 until the June 6, 2016 regular session. Waltner seconded the motion. Roll Call – all votes aye.

2nd Reading of Ordinance 2016-06 – Supplemental Budget

Tjaden moved to approve Ordinance 2016-06. Becker seconded the motion. Roll Call – all votes aye.

**ORDINANCE 2016-06
AN ORDINANCE PROVIDING FOR A
SUPPLEMENTAL APPROPRIATION
TO BUDGET ORDINANCE 2015-16**

**BE IT ORDAINED BY THE CITY OF FREEMAN,
HUTCHINSON COUNTY, SOUTH DAKOTA**

WHEREAS the City of Freeman hereby appropriates additional dollars to the expense fund for the police department in the amount of \$11,000.00.

WHEREAS additional funds are available from reserve funds, therefore the Council desires to increase the police department, per accepted government accounting standards in compliance with SDCL 9-21-7;

WHEREAS the Council seeks to distribute funds for authorized uses as needed, and furthermore;

NOW THEREFORE BE ORDAINED by the Council of the City of Freeman, South Dakota that budget ordinance 2015-16 be hereby supplemented to increase the police department for the purchase of a 2008 Chevrolet Impala police car in the amount of \$9,800.00 plus expenses for a cage, decals and radio as necessary to meet the obligations of the municipality, shall be disbursed in accordance to the terms of this supplemental appropriation.

Dated this 2nd day of May 2016

SIGNED: _____
Sam Sorensen, Mayor

(SEAL)

ATTEST:

Megan Harnisch, Interim Finance Officer
First Reading April 14, 2016
Second Reading May 2, 2016
Published: May 19, 2016

2nd Reading of Ordinance 2016-07 – Supplemental Budget

Waltner moved to approve Ordinance 2016-07. Becker seconded the motion. Roll Call – all votes aye.

**ORDINANCE 2016-07
AN ORDINANCE PROVIDING FOR A
SUPPLEMENTAL APPROPRIATION
TO BUDGET ORDINANCE 2015-16**

**BE IT ORDAINED BY THE CITY OF FREEMAN,
HUTCHINSON COUNTY, SOUTH DAKOTA**

WHEREAS the City of Freeman hereby appropriates additional dollars to the expense fund for the fire department in the amount of \$74,124.00.

WHEREAS additional funds are available from ambulance fund loan, therefore the Council desires to increase the fire department, per accepted government accounting standards in compliance with SDCL 9-21-7;

WHEREAS the Council seeks to distribute funds for authorized uses as needed, and furthermore;

NOW THEREFORE BE ORDAINED by the Council of the City of Freeman, South Dakota that budget ordinance 2015-16 be hereby supplemented to increase the fire department for the purchase of fire equipment in the amount of \$74,124.00 as necessary to meet the obligations of the municipality, shall be disbursed in accordance to the terms of this supplemental appropriation.

Dated this 2nd day of May 2016

SIGNED: _____
Sam Sorensen, Mayor

(SEAL)

ATTEST:

Megan Harnisch, Interim Finance Officer

First Reading: April 13, 2016
Second Reading: May 2 2016
Published: May 19, 2016

Surplus of 1994 Police Car (SDCL 6-13-4)

Waltner moved to approve the surplus in form of seal bid due by June 6, 2016. Becker seconded the motion. Roll Call – all votes aye.

Advertising Bids For Sale of Surplus Ambulance (SDCL 6-13-1)

Tjaden moved to approve the surplus in form of seal bid due by June 6, 2016. Auch seconded the motion. Roll Call – all votes aye.

Police Report

Police Chief Cummings presented the Police Report.

Administrator's Report

Administrator Carroll Vizecky presented the Administrator's Report.

Water Deposit Refund – Tim Gudmundson (201 S Dewald)

Auch moved to approve the water deposit refund. Tjaden seconded the motion. Roll Call – all votes aye.

Other Business

Mayor Sorensen thanked Marlin Friessen for all that he does in the community.

Mayor Sorensen extends a request (on behalf of Attorney Bill Fuller) for a special session to take place on Thursday, May 5, 2016 at 7:30 pm regarding depositions for the John Stahl litigation.

Mayor Sorensen suggests the Finance Officer position also be discussed at the May 5, 2016 special session.

Mayor Sorensen extends a request (on behalf of John Stahl) for an appeal to be heard regarding the condition of his property located on the intersection of 4th and Main Street.

Mayor Sorensen extends a request (on behalf of Freeman's residents) for the Community Center's access for residents to walk in the gymnasium to continue. Waltner moved to extend the residents' access through May 31, 2016. Gering seconded the motion. Roll Call – all votes aye.

Auch extends a request (on behalf of Ralph's Feed) for the North County Road ditch to be cleaned due to water setting continuously.

Adjournment

Waltner moved to adjourn at 10:30 PM. Tjaden seconded the motion. All votes aye.

Megan Harnisch, Interim Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Thursday, May 5, 2016

The Council of the City of Freeman met in special session on Thursday, May 5, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following 2016-2017 members were present: Charly Waltner, Terry Jacobsen, Russ Becker, Charles Gering, Kevin Auch, and Clifford Tjaden. Also attending were City Administrator Carroll Vizecky, Interim Finance Officer Megan Harnisch, Attorney Mike Fink, and Attorney Bill Fuller. Guests in attendance included the following: Randy Broders, Eva Olson, and Donna Waltner.

Executive Session – Pursuant to SDLC 1-25-2(3) – Pending Litigation

Auch moved to go into Executive Session – Pursuant to SDLC 1-25-2(3) – Pending Litigation at 7:31 pm. Waltner seconded the motion. Verbal Vote – all votes aye.

Auch declared out of Executive Session at 8:37 pm.

Executive Session – Pursuant to SDLC 1-25-2(1) – Personnel

Auch moved to go into Executive Session – Pursuant to SDLC 1-25-2(1) – Personnel at 8:39 pm. Waltner seconded the motion. Verbal Vote – all votes aye.

Auch declared out of Executive Session at 10:33 pm.

Hire Finance Officer

Jacobsen moved to hire Adam Van Ningen as the Finance Officer effective immediately at \$19.00/hour with a review after 6 months of employment. Waltner seconded the motion. Roll Call – all votes aye.

Adjournment

Tjaden moved to adjourn at 10:35 pm. Waltner seconded the motion. All votes aye.

Megan Harnisch, Interim Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, June 6, 2016

The Council of the City of Freeman met in regular session on Monday, June 6, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Adam Van Ningen, Attorney Mike Fink, and Jeremy Waltner from the Freeman Courier. Guests in attendance included the following: Adam Salis, Daniel Stricker, Levi Hintz, Laura Hofer, Tanner Hofer, David Kivijarvi, Ray Spangler, Christa Helma, Josh Andersen, and Eric Prunty from Brosz Engineering

Minutes of the May 2, 2016 Regular Meetings and May 5, 2016 Special Session

Waltner noted inconsistencies between Steve Waltner and Charly Waltner and moved to accept the minutes with a change to Charly Waltner for consistency. Jacobsen seconded the motion. All votes aye.

Vouchers & Salaries

Tjaden moved to approve the vouchers and salaries listed below. Jacobsen seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	3,297.23	HD SUPPLY, supplies	1,131.24
PAYROLL - RECYCLE	1,457.44	HUTCHINSON CONSERVATION DIST, supplies	176.80
PAYROLL - GOV'T BUILDING	568.68	JAMBOREE FOODS, supplies	13.73
PAYROLL - POLICE DEPT	6,277.71	JOHNSON BROS/BAKE'S, on/off sale	911.84
PAYROLL - ADMINISTRATOR	3,180.92	JOHNSON BROS/HOOTS, on/off sale	979.13
PAYROLL - ECON DEVELOPMENT	1,060.32	JOHNSON BROS/SHOPPING CTR, off sale	548.96
PAYROLL - FINANCE	539.75	KLEINSASSER HTG, repair	487.00
PAYROLL - WATER	1,297.62	KOERNER CONSTRUCTION, Schamber bldg	1,474.49
PAYROLL - SEWER	4,212.18	LAWNS UNLIMITED, fertilizer	1,083.30
PAYROLL - REFUSE	2,683.56	MILLER CONSULTING, computer setup	37.50
PAYROLL - STREET	709.89	MIRICLE RECREATION EQUIP, repairs	30.60
PAYROLL - PARK/POOL	807.45	MITCHELL LANDFILL, garbage fees	3,267.81
PAYROLL - COMMUNITY CENTER	251.71	MR G'S, LP refill	22.00
PAYROLL - AMBULANCE	1,910.92	NINETY-FOUR SERVICES, ambulance repair	143.87
MERCHANTS STATE BANK, 941 deposit	5,430.73	NORM'S, supplies	84.74
SD RETIREMENT	2,960.22	NORTHWESTERN ELEC, electric & gas	4,750.65
SUPPLEMENTAL RETIREMENT	760.00	PIONEER DESIGNS, police vehicle wrap	300.00
WELLMARK, health insurance	5,828.16	PITNEY BOWES, postage	301.50
ACH FEES, payroll & utilities	30.00	PLUNKETT'S, pest control	56.00
ADAM VAN NINGEN, mileage	29.40	PRINTED IMPRESSIONS, supplies	124.30
AFLAC, employee insurance	417.92	QUALITY INN, occupancy tax - nonexempt	8.00
AMAZON, library books & videos	632.90	REPUBLIC/BAKE'S, on/off sale	1,494.80
APPEARA, rugs	132.83	REPUBLIC/HOOTS, on/off sale	3,655.50
BROSZ ENGINEERING, feasibility study	6,256.00	REPUBLIC/SHOPPING CTR, off sale	323.46
B-Y WATER, water purchase	4,462.00	RESEARCH TECHNOLOGY INT'L, supplies	58.40
B-Y WATER INTEREST	3,168.00	RUML PLUMBING, repair	76.50
CHARLES LARSON TRUCKING, recycling	1,600.00	RURAL MFG, repair	28.02
CITY OF FREEMAN, utilities	39.00	SAARIE AUTO BODY, repair	2,902.56
CLARITUS, supplies	87.66	SD DEPT OF HEALTH, sewer testing	176.00
COLE PAPERS, supplies	310.24	SD DEPT OF ENV & NAT RES, drinking water	600.00
COUNTRY PRIDE COOP, gas & diesel	1,028.21	SD DEPT OF HEALTH, amb license	12.00
EMERGENCY MEDICAL PRODUCTS, supplies	183.39	SD DEPT OF REVENUE, refuse sales tax	910.44
FENSEL'S ELECTRIC, supplies	276.89	SD GOV'T FINANCE OFF, finance off school	75.00
FINK LAW OFFICE, attorney fees	784.82	SD LIBRARY ASSOC, conference	215.00
FRED HAAR, repair	101.22	SDPAA, property insurance	119.00

FREEMAN INTERNATIONAL, repair	966.90	SECOND CENTURY, publishing	639.93
FREEMAN LUMBER, supplies	224.37	SOUTHEASTERN ELECTRIC, lagoon elec	2,635.00
FREEMAN HOSPITAL, amb salary	803.11	STERN OIL COMPANY, fuel & supp	917.44
FREEMAN SHOPPING CENTER, supplies	33.79	TOTAL STOP - CENEX, fuel	47.50
GOLDEN WEST, telephone service	1,014.38	UNIV OF ARKANSAS, FEAR grant expense	25,617.38
HAWKINS, supplies	1,935.86	US POST OFFICE, po box renewal	52.00
HERITAGE PHARMACY, amb supplies	241.99	VERIZON WIRELESS, cell phones	204.86
		VOUCHERS	96,434.24
		SALARIES	28,255.38
		TOTAL VOUCHERS & SALARIES	124,689.62

Financial Report

Jacobsen moved to approve the financial report as presented. Waltner seconded the motion. Roll call: all votes aye.

1st Reading – Comprehensive Plan

Administrator Vizecky presented the comprehensive plan stating it doesn't bind the city to anything, just gives direction for timelines of future projects. No action taken.

Nuisance and Abandoned Vehicles

Ray Spangler spoke regarding his property on Juniper Street. Spangler agreed that the electric line will get trenched in and the outside maintenance will be completed by August 1st, 2016.

Adam Salis spoke regarding tree trimming and the delay in getting letters sent out. He stated disapproval in the manner of receiving the letters and that he had trimmed branches in November. Salis also spoke regarding his property on Cedar Street. He agreed to have everything cleaned by July 5th, 2016.

Laura and Tanner Hofer spoke regarding their property on Relanto Street. T. Hofer agreed to have all clutter cleaned and organized by July 5th.

Daniel Stricker spoke regarding his property on Dewald Street. Stricker agreed to have everything cleaned up or a progress report for the council on July 5th.

David Kivijarvi spoke regarding his property on North County Road. Kivijarvi agreed to have weeds removed and everything cleaned up by July 5th.

Christa Helma spoke against 309 Wipf Street stating the decrease in home values surrounding the property. Vizecky stated that he sent an invitation to the property owner but they were not in attendance.

Sorensen was happy with the number of people that showed up. Vizecky reported that invitations were sent out to 7 individuals, 1 cleaned up their property prior to the meeting, 5 showed up to discuss, and 1 person didn't attend.

Tjaden moved to authorize Attorney Mike Fink to draw up a class 2 misdemeanor notice for Denise Schild. Waltner seconded the motion. Roll call: all votes aye.

Landfill Project

Eric Prunty reviewed the final plans that were sent to SD DENR. Waltner moved to advertise for bids based on receiving an approval letter from DENR with a completion date of December 1st. Auch seconded the motion. Roll call: all votes aye.

Open Sealed Bids for Ambulance

No bids were received. Ambulance is considered surplus property and can be sold for no less than 90% of it's appraised value (SDCL 6-13-5).

Athletic Association Fund Request

Auch moved to approve funding the athletic association \$3,500. Gering seconded the motion. Roll call: all votes aye.

Railway Street Feasibility

Eric Prunty of Brosz Engineering discussed a community access grant application for road work on Main Street and Railway. Prunty also reviewed materials and costs and how financing could be structured with grants and low interest loans. Tjaden commented that it is too early in the process to have a resolution for the grant deadline of July 15th and that an updated cost analysis was needed.

Special Events Alcoholic Beverage License

The Council considered the application for a one day malt beverage license submitted by the following:

One day on-sale malt beverage license for Saturday, August 13, 2016

Application of:	Location of:	Rain Location:
Freeman Fire Department	Freeman City Park	Freeman Fire Hall
	115 N Wipf St	320 N Main St
	Freeman, SD 57029	Freeman, SD 57029

No persons were at the meeting to show rejection of this application. Tjaden moved to approve the one day malt beverage license for Saturday, August 13, 2016. Jacobsen seconded the motion. Roll call: all votes aye.

Ordinance 2016-05 – Flood Damage Prevention

Jacobsen moved to give second reading and adopt ordinance 2016-05, an ordinance regarding flood damage prevention. Auch seconded the motion. Roll call aye votes: Auch, Jacobsen, and Tjaden. No votes: Gering and Waltner. Ordinance 2016-05 passes 3-2.

ORDINANCE 2016-05

AN ORDINANCE ENACTING: TITLE 18 OF THE REVISED
ORDINANCES OF THE CITY OF FREEMAN (1990),
HUTCHINSON COUNTY, SOUTH DAKOTA REGARDING
FLOOD DAMAGE PREVENTION

Be it ordained by the City of Freeman, Hutchinson County, South Dakota, that title 18 is hereby enacted as follows:

TITLE 18 – FLOOD DAMAGE PREVENTION

Chapter 18.01 – Statutory Authorization, Findings of Fact, Purpose and Methods

18.0101 Statutory Authorization

The Legislature of the State of South Dakota has in (statutes) SDCL 9-36 and 7-18-14 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of

Freeman, South Dakota, does ordain as follows:

The city/town of Freeman elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program, established in the aforesaid act, provides that areas of the town having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. The National Flood Insurance Program was broadened and modified with the passage of the Flood Disaster Protection Act of 1973 and other legislative measures. It was further modified by the National Flood Insurance Reform Act of 1994. The National Flood Insurance Program is administered by the Federal Emergency Management Agency, a component of the U.S. Department of Homeland Security.

18.0102 Findings of Fact

(1) The flood hazard areas of the Corporate Boundaries are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

18.0103 Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Insure that potential buyers are notified that property is in a flood area.

18.0104 Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Chapter 18.02 - Definitions

18.0201 Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its' most reasonable application.

1. Area of future-conditions flood hazard means the land area that would be inundated by the 1-percent-annual-chance (100-year) flood based on future-conditions hydrology.
2. Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
3. Area of special flood-related erosion hazard is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area; in preparation for publication of the FIRM, Zone E may be further refined.
4. Area of special flood hazard is the land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE, or V. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".
5. Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.
6. Base Flood Elevation (BFE) – Is the water surface elevation of the one (1) percent annual chance flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
7. Basement means any area of the building having its floor subgrade (below ground level) on all sides.
8. Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
9. Building--see structure.
10. Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
11. Erosion means the process of the gradual wearing away of land masses. This peril is not per se covered under the Program.
12. Existing construction means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

13. Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
14. Existing structures--see existing construction.
15. Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
16. Flood or Flooding means:
 - (a) A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
 - (3) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
 - (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.
17. Flood elevation determination means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.
18. Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.
19. Flood Insurance Study or Flood elevation study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
20. Flood plain or flood-prone area means any land area susceptible to being inundated by water from any source (see definition of "flooding").
21. Flood proofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
22. Floodway--see regulatory floodway.
23. Floodway encroachment lines mean the lines marking the limits of floodways on Federal, State and local flood plain maps.
24. Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated

for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

25. Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
26. Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
27. Historic Structure means any structure that is:
 - (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - (c) Individually listed on a state inventory of historic places in states with historic reservation programs which have been approved by the Secretary of the Interior; or
 - (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.
28. Levee means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
29. Levee System means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
30. Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor;
Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Title 18.
31. Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
32. Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
33. Map means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.
34. Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
35. New construction means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective

date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

36. New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
37. Recreational vehicle means a vehicle which is:
 - (a) Built on a single chassis;
 - (b) 400 square feet or less when measured at the largest horizontal projection;
 - (c) Designed to be self-propelled or permanently towable by a light duty truck; and
 - (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
38. Regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
39. Special flood hazard area: see “area of special flood hazard”.
40. Special hazard area means an area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, A99, AH, VO, V1-30, VE, V, M, or E.
41. Start of Construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
42. Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. Structure, for insurance purposes, means:
 - (1) A building with two or more outside rigid walls and a fully secured roof that is affixed to a permanent site;
 - (2) A manufactured home (“a manufactured home,” also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
 - (3) A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.For the latter purpose, “structure” does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

43. Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
44. Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:
 - (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
 - (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."
45. Variance means a grant of relief by a community from the terms of a flood plain management regulation.
46. Violation means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sec. 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
47. Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

Chapter 18.03 – General Provisions

18.0301 Lands to Which this Ordinance Applies

The ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Freeman.

18.0302 Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the City of Freeman," dated September 2, 2009, with accompanying Flood Insurance Rate Maps (FIRM), dated September 2, 2009 and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

18.0303 Establishment of Development Permit

A Development Permit shall be required to ensure conformance with the provisions of this ordinance.

18.0304 Compliance

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

18.0305 Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

18.0306 Interpretation

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

18.0307 Warning and Disclaimer or Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

18.0308 Severability

If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.

Chapter 18.04 - Administration

18.0401 Designation of the Floodplain Administrator

The Mayor is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

18.0402 Duties & Responsibilities of the Floodplain Administrator

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (2) Review the permit application to determine whether proposed construction or other development, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this ordinance.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

18.0403 Permit Procedures

- (1) Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of

proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

Additionally, the following information is required:

- a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures at least one foot above;
- b. Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;
- c. A certificate from a registered professional engineer or architect that the nonresidential flood proofed structure shall meet the flood proofing criteria of this ordinance;
- d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
- e. Maintain a record of all such information.

(2) Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

- a. The danger to life and property due to flooding or erosion damage;
- b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- c. The danger that materials may be swept onto other lands to the injury of others;
- d. The compatibility of the proposed use with existing and anticipated development;
- e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- g. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan for that area.

18.0404 Variance Procedures

(1) The appeal Board as established by the community shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(6) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance.

(7) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(8) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(9) Prerequisites for granting variances:

a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

b. Variances shall only be issued upon,

(i) showing a good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

c. Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(10) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that

(i) The criteria outlined in Article 4, Section D (1)-(9) are met, and

(ii) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

Chapter 18.05 – Provisions for Flood Hazard Reduction

18.0501 General Standards

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

- (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

18.0502 Standards for Subdivision Proposals

- (1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with this ordinance.
- (2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of this ordinance.
- (3) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

18.0503 Penalties for Noncompliance

In accordance with Section 59.2(b) of CFR 44, Chapter 1, of the National Flood Insurance Program (NFIP) regulation, to qualify for the sale of Federally-subsidized flood insurance, a community must adopt floodplain management regulations that meet or exceed the minimum standards of Section 60. "These regulations must include effective enforcement provisions." In accordance with Section 60.1(b) of CFR 44, Chapter 1, of the NFIP regulations, "These regulations must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone (i.e. mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over less restrictive conflicting local laws, ordinances or codes."

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates

this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$ 500.00 or imprisoned for not more than 30 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Freeman from taking such other lawful action as is necessary to prevent or remedy any violation.

Dated this 2nd day of May, 2016

Sam Sorensen, Mayor

(SEAL)

ATTEST:

Adam Van Ningen, Finance Officer

First Reading: April 4, 2016
Second Reading: June 6, 2016
Published: June 23, 2016
Effective Date: July 6, 2016

Waste Water Vehicle

Vizecky provided details on a state approved pickup. Gering moved to approve the purchase of a Chevrolet Silverado Class CL Truck ¾ Ton 4x4 Extended Cab Short Box from Jerry's Automotive, Contract #16868 at \$28,889 with an additional \$795 for a Long Box Length 8' with vinyl seats for a total of \$29,684. Auch seconded the motion. Roll call: all votes aye.

Police Report

It was noted that Officers Cummings, Slevin, and Hansen were all recertified on the Taser.

Administrators Report

Administrator Vizecky provided his administrators report.

Other Business

Vizecky read a letter from Laverne and Janice Graber regarding barking dogs at Craig Paulson's house. The letter noted dates, times, and duration of dogs barking. It was noted that Paulson should be contacted regarding concerns of barking dogs and given a chance to respond.

Sorensen noted that two workers should be present during the city's clean up days Saturday June 11 and Saturday June 18.

Sorenson discussed a grant for a possible Frisbee Golf course to be added to one of the parks.

Vizecky discussed the need of a certified water operator and the possibility of finding another city to share the costs.

Executive Session – Pursuant to SDLC 1-25-2(1) – Personnel

Auch moved to go into Executive Session – Pursuant to SDLC 1-25-2(1) – Personnel at 11:15 pm. Waltner seconded the motion. Verbal Vote – all votes aye.

Auch declared out of Executive Session at 11:40 pm.

Part-Time Mowing

Waltner moved to hire Gregg Uecker and Jim Smidt at \$12.50 per hour for mowing. Gering seconded the motion. Roll call: all votes aye.

Hiring Life Guards

Auch moved to hire Skylar Godwin at \$8.65 per hour and Jalen Kaufman at \$9.25 per hour. Tjaden seconded the motion. Roll call: all votes aye.

July Meeting

Tjaden moved to change the city council meeting to Tuesday, July 5, 2016. Waltner seconded the motion. Roll call: all votes aye.

Adjournment

Tjaden moved to adjourn at 11:45 pm. Gering seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Tuesday, July 5, 2016

The Council of the City of Freeman met in regular session on Tuesday, July 5, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Charles Gering, Russ Becker, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Adam Van Ningen, and Jeremy Waltner from the Freeman Courier. Guests in attendance included the following: Adam Salis, Daniel Stricherz, David Kivijarvi, Erin Lachman, Charles Larsen, Jonathan Slevin, Eric Prunty and Ron Gillen from Brosz Engineering, and Eric Ambrosion from District III.

Minutes of the June 6, 2016 Regular Meeting

Waltner moved to accept the June 6, 2016 regular session minutes as presented. Jacobsen seconded the motion. All votes aye.

Vouchers & Salaries

Becker moved to approve the vouchers and salaries listed below. Waltner seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	3,553.49	HAWKINS, supplies	2,111.00
PAYROLL - RECYCLE	1,463.01	HUTCHINSON HWY DEPT, asphalt supplies	4,773.00
PAYROLL - GOV'T BUILDING	159.96	JAMBOREE FOODS, supplies	6.53
PAYROLL - POLICE DEPT	6,394.87	JOHNSON BROS/BAKE'S, on/off sale	3,337.45
PAYROLL - ADMINISTRATOR	3,180.92	JOHNSON BROS/HOOTZ, on/off sale	1,583.45
PAYROLL - ECON DEVELOPMENT	1,060.32	JOHNSON BROS/SHOPPING CTR, off sale	215.42
PAYROLL - FINANCE	1,840.76	JOSH ANDERSEN, fire school meal reimb	44.54
PAYROLL - WATER	1,368.72	KLEINSASSER HEATING, A/C repair	79.00
PAYROLL - SEWER	4,357.31	LAWNS UNLIMITED, fertilizer	169.80
PAYROLL - REFUSE	2,779.68	MC&R POOLS, repairs	411.64
PAYROLL - STREET	718.22	MADYSEN PRAVECEK, training reimb	74.20
PAYROLL - PARK/POOL	7,209.16	MATHESON TRI-GAS, rental equip	34.47
PAYROLL - COMMUNITY CENTER	194.34	MERCHANTS STATE BANK, domain renewal	31.67
PAYROLL - AMBULANCE	1,214.09	METTLER FERTILIZER, supplies	330.69
MERCHANTS STATE BANK, 941 deposit	6,944.64	MILLER CONSULTING, supplies & security	480.00
SD RETIREMENT	3,122.00	MR G'S, repairs	78.00
SUPPLEMENTAL RETIREMENT	760.00	NICOLE SAARIE, training reimb	62.50
WELLMARK, health insurance	7,316.40	NORM'S, supplies	175.66
ACH FEES, payroll & utilities	40.00	NORTHWESTERN ELEC, electric & gas	5,257.48
A&B BUSINESS, supplies	573.13	ONE OFFICE SOLUTIONS, supplies	159.06
ADAM VAN NINGEN, mileage & hotel	533.74	PITNEY BOWES, postage	904.50
AFLAC, employee insurance	417.92	PITNEY BOWES, machine rental	148.50
AMAZON, library books & videos	872.84	PLUNKETT'S, pest control	56.00
APPEARA, rugs	44.34	REPUBLIC/BAKE'S, on/off sale	1,041.45
ARENS ENGINEERING, landmark surveying	980.00	REPUBLIC/HOOTZ, on/off sale	1,780.62
AVERA, employee prescreening	276.85	REPUBLIC/SHOPPING CTR, off sale	1,337.57
BESTWESTERN, fire school hotel	209.98	RICHARD DANT, repairs	87.50
BROOKINGS AREA TRANSIT, donation	5,000.00	SAARIE AUTO BODY, repair	748.70
B-Y WATER, water purchase	5,369.35	SD DEPT OF REVENUE, testing	86.00
B-Y WATER INTEREST	3,168.00	SD DEPT OF REVENUE, refuse sales tax	928.83
CARROLL VIZECKY, pool supplies	30.84	SD LIBRARY ASSOC, conference	45.00
CHANNING BETE, training materials	407.66	SD MUNICIPAL LEAGUE, training	25.00
CHIEF SUPPLY, police supplies	208.83	SD MUNICIPAL LEAGUE, workshop	50.00
CITY OF FREEMAN, utilities	39.00	SECOND CENTURY, publishing	617.12
CITY OF MITCHELL LANDFILL, garbage fees	3,055.65	SENSOURCE	240.00

CLIMATE SYSTEMS, repairs	250.00	SEH, professional fees	3,341.95
COUNTRY PRIDE, fuel	174.60	SOUTHEASTERN ELECTRIC, lagoon elec	2,005.00
DEMCO, library supplies	66.19	SOUTHERN WINE & SPIRITS, Hootz liquor	156.11
FENSEL'S ELECTRIC, supplies	233.21	SPECIALTY AUTOMOTIVE, repair	203.03
FENSEL'S GREENHOUSE, planters	232.00	SPENCER QUARRIES, patch mix	937.60
FIRST NATIONAL BANK, 6th street loan	13,638.81	STERN OIL COMPANY, fuel & supp	1,742.31
FIRST NATIONAL BANK, lagoon loan	16,668.22	TOTAL STOP - CENEX, fuel	124.81
FRED HAAR, repair	156.80	USTI, supplies	263.00
FREEMAN INTERNATIONAL, repair	927.55	VALLEY ELECTRIC, repairs	481.30
FREEMAN LUMBER, supplies	225.95	VAN DIEST SUPPLY, mosquito spray	2,044.50
FREEMAN HOSPITAL, amb salary	99.73	VANTEK COMMUNICATIONS, supplies	63.50
FREEMAN SHOPPING CENTER, supplies	39.62	VERIZON WIRELESS, cell phones	204.94
GOLDEN WEST, telephone service	1,006.70		
		VOUCHERS	112,170.95
		SALARIES	35,494.85
		TOTAL VOUCHERS & SALARIES	147,665.80

Financial Report

Jacobsen moved to approve the financial report as presented. Waltner seconded the motion. Roll call: all votes aye.

Hearing for Variance

Waltner moved to go into Board of Adjustments at 7:33 pm. Tjaden seconded the motion. All votes aye. The Council was declared in session as Board of Adjustment.

Variance request – 104 S Walnut Street

The Board of Adjustment reviewed the application of a variance filed by Erin Lachman for an insufficient front yard setback on the installation of a deck.

Erin Lachman requested a front yard setback of 12' for the installation of a deck. The existing house is 28' from the property line.

In order for a variance to be approved, the board shall base its findings on evidence presented in the application, comments received from adjacent property owners and to make an affirmative decision, it must determine that the proposed variance will meet the following conditions:

- a) Denial of the variance would result in hardship to the property owner due to physical characteristics of the site;
- b) The conditions upon which an application for a variance is based are unique to the property for which the variance is sought;
- c) The petition for a variance is not based exclusively upon a desire to increase the value or income potential of the property;
- d) The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
- e) The proposed variance will not jeopardize the intent and general and specific purposes of the variance ordinance.

Upon finding that the above conditions have been met, Waltner moved for the Board of Adjustments to approve the variance of the property located at 104 S Walnut Street, City of Freeman for a front yard setback of 12' from the property line. Tjaden seconded the motion. Roll call votes aye: Tjaden, Becker, Waltner, Gering, Jacobsen, and Sorensen. No votes: none. Motion carries 6-0.

Waltner declared the Board of Adjustment adjourned at 7:42 pm.

Nuisance and Abandoned Vehicles Update

Adam Salis spoke regarding his property on Cedar Street. He used 3 300 gallon garbage containers to clean up and will keep one container to continue cleaning. There is still more work to do but progress has been made.

Laura Hofer's property on Relanto Street. Hofer wrote a letter to Vizecky regarding current condition and her son's lack of intention to clean things up. Hofer also stated that they are planning on moving out July 31st. Tjaden moved to have attorney Mike Fink serve the property owner for nuisance violation August 1st if everything isn't cleaned up. Waltner seconded the motion. Roll call: all votes aye.

David Kivijarvi spoke regarding his property on North County Road. Kivijarvi said that he had picked up items and sprayed weeds and was waiting for them to turn brown before removing them. Tjaden said it looks like nothing was done. Jacobsen commented on the potential rodent problems. Waltner commented that there wasn't enough progress. Waltner moved to have attorney Mike Fink serve the property owner for nuisance violation. Jacobsen seconded the motion. Roll call: all votes aye.

Daniel Stricherz spoke regarding his property on Dewald Street. Stricherz stated he has been working on cleaning everything up. The council agreed that he has made good progress.

Transportation Grant

Eric Prunty and Ron Gillen from Brosz Engineering spoke regarding the feasibility study and reevaluation of the current costs on the repairs to Main Street from North County Road to Railway Street and Railway Street from Main to Juniper. Gering commented that it would be nice to get rid of overhead wires and try to work with North Western Energy to see if they would be interested. Questions were raised regarding sidewalks and if there would be a need for a retention pond due to the drainage.

Eric Ambroson from District III spoke regarding the funding possibilities and scenarios. He also spoke of the timeline in order to apply for possible grants with the nearest being a DOT Community Access grant deadline of July 15th. Discussions also covered the current debt capacity of the city and utility surcharge rates.

Resolution of Local Commitment for Transportation Project

Gering moved to adopt the Resolution for Local Commitment. Waltner seconded the motion. Roll call: all votes aye.

Nuisance Property Police Update

Officer Slevin distributed a letter stating the policy of the police to gather signatures when hand delivering letters. He stated that 2 of the nuisance letters were not signed by the property owners and that the signature letters were handed to Vizecky after being distributed. The policy does not require the police department to keep a copy due to not being a police report. Slevin stated that he does place water shut off notices in doors without signatures. Waltner stated that he would like a copy of the signatures at the next meeting.

Landfill Project

Eric Prunty spoke regarding the current status of the landfill project. SD DENR needs a 30 day public notice and that began on June 30th. Prunty stated that the waiting period would end on July 29th and assuming there aren't any issues we should have something from DENR by the meeting on August 1st. Waltner stated that it would be in our best interest to wait to advertise for bids until we hear back from the DENR.

Sewer Main Lining Project

Vizecky spoke regarding the money left for sewer lining. The council agreed to get a bid from Insituform and address the worst parts of the sewer.

Seal Coating

Vizecky provided costs to seal coat this year. Gering suggested another load of oil since we still have left over budget for it and can cover twice the number of streets. Council all agreed to double the coverage since it was in the budget.

City Hall Copier

Bids from A&B Business Solutions and Century Business Products were presented to either purchase or lease a copier. Walnter moved to purchase the Kyocera TASKalfa 3051ci from Century Business Products along their maintenance agreement at a purchase price of \$5,932.89. Tjaden seconded the motion. Roll call: all votes aye.

Community Center Land

The land south of the community center has already been declared as surplus. Tjaden moved to advertise the land for sale in the newspaper with a deadline of 4:30 pm on August 1, 2016 and open sealed bids at the August 1, 2016 city council meeting. Jacobsen seconded the motion. Roll call: all votes aye.

Street Project Update – Walnut, 7th, and Dewald Streets

Vizecky presented work that will be completed starting July 11, 2016. Waltner raised questions regarding drainage and how long the project will take. Vizecky spoke regarding his talks with the hospital's Administrator, Nick Bradner, and the detour that will be posted in the newspaper this week. Tjaden suggested talking to Bradner regarding gravel parking and the possibility of paving it to help drainage.

2nd Reading – Comprehensive Plan

Waltner moved to hear the second reading of the comprehensive plan. Becker seconded the motion. Roll call aye votes: Becker, Waltner, Jacobsen, and Tjaden. No votes: Gering. Motion carries 4-1.

Tjaden moved to adopt the City of Freeman Comprehensive Plan Resolution of Adoption. Jacobsen seconded the motion. Roll call aye votes: Becker, Waltner, Jacobsen, and Tjaden. No votes: Gering. Motion carries 4-1.

Police Report

Gering noted to wait until November on getting new tires for the police pickup.

Administrators Report

Administrator Vizecky provided his administrators report.

Other Business

Tjaden noted complaints of the police staff not answering their radios or cell phones when they are on call and wants to have 24/7 police coverage.

Tjaden requested the rates for camping as he is noticing some campers there for long periods of time. Jacobsen noted dead hanging branches in park after recent storms.

Becker mentioned a discussion from the liquor committee regarding the possibility of a fenced area for Hootz.

Waltner suggested putting a notice in the paper regarding tree branches again this year.
Sorensen mentioned concerns of grass being mowed/blown onto 6th street.
It was brought up that one-time garbage pickup charges for 90 gallon containers is not in the current ordinance. Since this was not an agenda item it will be placed on the agenda next month.

Next Meeting

The next regular meeting will be Monday, August 1, 2016 at 7:30 p.m.

Adjournment

Becker moved to adjourn at 11:31 pm. Waltner seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, August 1, 2016

The Council of the City of Freeman met in regular session on Monday, August 1, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included the following: John Koch, Todd Graber, Duane Walters, Dan Waldhauser, Patrick Hofer, Janver Stucky, Glenn Roth, Jay Hofer, and Eric Prunty Brosz Engineering.

Minutes of the July 5, 2016 Regular Meeting

Waltner moved to accept the July 5, 2016 regular session minutes as presented. Jacobsen seconded the motion. All votes aye.

Vouchers & Salaries

Jacobsen moved to approve the vouchers and salaries listed below. Auch seconded the motion. Roll call: all votes aye.

PAYROLL - LIBRARY	3,204.28	HAWKINS, supplies	2,195.91
PAYROLL - RECYCLE	1,559.33	HD SUPPLY WATERWORKS, supplies	509.98
PAYROLL - GOV'T BUILDING	242.40	JERRY'S AUTO, sewer truck	29,684.00
PAYROLL - POLICE DEPT	6,123.94	JH DIESEL & AG REPAIR, repairs	28.32
PAYROLL - ADMINISTRATOR	3,180.92	JOHN KOCH, rental refund	75.00
PAYROLL - ECON DEVELOPMENT	1,060.32	JOHNSON BROS/BAKE'S, on/off sale	1,043.26
PAYROLL - FINANCE	1,778.53	JOHNSON BROS/HOOTZ, on/off sale	1,006.99
PAYROLL - WATER	1,394.35	JOHNSON BROS/SHOPPING CTR, off sale	1,323.66
PAYROLL - SEWER	4,417.29	JOSH DZIADEK, mileage	44.94
PAYROLL - REFUSE	2,687.29	KARI SAARIE, reimb for pool items	274.58
PAYROLL - STREET	659.85	KOERNER CONSTRUCTION, repairs	153.06
PAYROLL - PARK/POOL	9,677.46	MC&R POOLS, supplies	1,389.50
PAYROLL - COMMUNITY CENTER	289.61	MANNES FLORAL, funeral flowers	45.00
PAYROLL - AMBULANCE	1,418.95	MATHESON TRI-GAS, supplies	87.66
PAYROLL - COUNCIL	4,645.00	MICHAEL TODD CO, signs	658.15
MERCHANTS STATE BANK, 941 deposit	8,012.04	MID AMERICAN RESERARCH, supplies	765.39
SD RETIREMENT	3,084.02	MR G'S, repairs	1,510.00
SUPPLEMENTAL RETIREMENT	760.00	NORM'S, supplies	47.77
WELLMARK, health insurance	9,259.12	NORTHWESTERN ELEC, electric & gas	6,334.13
ACH FEES, payroll & utilities	30.00	PETERBILT OF SIOUX FALLS, repairs	139.05
ADAM VAN NINGEN, mileage	39.90	PLUNKETT'S, pest control	56.00
AFLAC, employee insurance	478.76	PRINTED IMPRESSIONS, supplies	276.50
AMAZON, library books & videos	739.04	PULLMAN PLUMBING, water heater	622.55
APPEARA, rugs	88.49	REPUBLIC/BAKE'S, on/off sale	815.00
BAILY YORK, reimb 50% lifeguard fees	222.50	REPUBLIC/HOOTZ, on/off sale	3,144.46
BROSZ ENGINEERING, professional fees	250.00	REPUBLIC/SHOPPING CTR, off sale	404.99
B-Y WATER, water purchase	8,487.00	RURAL MANUFACTURING, repairs	45.06
B-Y WATER INTEREST	3,168.00	SAARIE AUTO BODY, repair	2.34
CENTURY BUSINESS PRODUCTS, copier	5,932.89	SCHOENFISH, audit	7,500.00
CITY OF FREEMAN, utilities	39.00	SD DEPT OF REVENUE, testing	282.00
CITY OF MITCHELL LANDFILL, garbage fees	3,094.26	SD DEPT OF REVENUE, sales tax	1,125.09
COUNTRY PRIDE, fuel	786.25	SD DEPT OF REVENUE, vehicle title	16.20
DEMCO, library supplies	65.40	SECOND CENTURY, publishing	522.46
DOUBLE H PAVING, asphalt	79,403.49	SIOUX FALLS PUBLIC HEALTH, testing	87.00
EMERGENCY MEDICAL PRODUCTS, amb	430.52	SOUTH DAKOTA ONE CALL, message fees	67.20

FENSEL'S ELECTRIC, supplies	191.67	SOUTHEASTERN ELECTRIC, lagoon elec	1,885.00
FENSEL'S GREENHOUSE, tree	169.99	SPENCER QUARRIES, patch mix	1,064.00
FINK LAW OFFICE, professional fees	1,292.97	STERN OIL COMPANY, fuel & supp	1,288.82
FRED HAAR, repair	12.15	TERRY JACOBSEN, mileage	174.72
FREEMAN LUMBER, supplies	1,195.90	UNIVERSAL ACOUSTIC, repairs	308.38
FREEMAN HOSPITAL, amb salary	311.15	VALLEY ELECTRIC, repairs	280.26
FREEMAN SHOPPING CENTER, supplies	16.21	VERIZON WIRELESS, cell phones	204.97
FREEMAN SUMMER REC, donation	3,500.00	WEIDENBACH CONSTR, sidewalk	260.63
GOLDEN WEST, telephone service	1,020.99		
		VOUCHERS	199,831.69
		SALARIES	37,694.52
		TOTAL VOUCHERS & SALARIES	237,526.21

Financial Report

Tjaden moved to approve the financial report as presented. Waltner seconded the motion. Roll call: all votes aye.

Fire and Ambulance Insurance

Todd Graber presented the differences between South Dakota Public Assurance Alliance and Continental Western Group insurance rates.

Waltner moved to carry insurance with South Dakota Public Assurance Alliance and get updated values for all equipment. Auch seconded the motion. Roll call: all votes aye

Freeman Community Development Corporation (FCDC)

John Koch presented on the FCDC desire to have a part-time Marketing Coordinator Position created for the city. Glenn Roth, representing the Freeman Growth Foundation, distributed a brochure regarding the effects of new jobs on community revenue. Koch and Roth both spoke regarding the desire to purchase ground for an Industrial Park and the council was generally in favor of the idea.

Bid Opening – Land South of the Community Center

Mayor Sorensen announced that the bids for land south of the community center on Wipf Street would be opened at this time. The following bid was received:

<u>Bidder</u>	<u>Amount</u>
Daniel Waldhauser	\$32,001

Tjaden moved to accept the bid for \$32,001 from Dan Waldhauser with a closing on or about September 7th, 2016 and \$1,000 earnest money to be received on August 2nd. Jacobsen seconded the motion. Roll call: all votes aye.

Nuisance and Abandoned Vehicles Update

Vizecky spoke regarding pending litigation against Denise Schild. Vizecky said that there is only one car left and agreed to deferred prosecution, pending the property no longer gets to nuisance status again.

Laura Hofer's property on Relanto Street has improved.

Vizecky also spoke regarding John Stahl's property at 395 S Main Street. Property clean-up has moved forward and the council thanked him for the progress. A completion date for the repairs was requested.

Council agreed to look into other nuisance properties and invite them to future council meetings.

Ordinance 2016-08

The Council gave first reading to ordinance 2016-08 to amend the City of Freeman Refuse Rate Ordinance, Ordinance 4.0411 to include rate charges for weekly refuse pickup.

Advertise for Children/Teen Library Assistant

Walnter moved to advertise internally for 7 days for the open library position, if no one accepts then advertise externally, if internally accepted then advertise for the newly vacant part-time position. Jacobsen seconded the motion. Roll call: all votes aye.

Liquor Payments/Hootz Fence

Van Ningen discussed the desire to have the liquor distributors send a copy of all liquor invoices to the city but allow the business owners to pay the invoice themselves. The city would send monthly invoices to the business owners for the 15% liquor tax. Jay Hofer of Hootz spoke in favor of the change. Council would like all business owners and distributors that would be affected to be contacted to find out if they would agree to the change as well.

Jay Hofer of Hootz spoke regarding his desire to increase the description of his rental space to include an outside area to the south of city hall.

Becker moved to change the lease description to include an area of 20' up to the end of the city hall building. Auch seconded the motion. Roll call votes aye: Auch, Becker, Jacobsen, and Tjaden. No votes: Gering and Waltner. Motion carries 4-2.

Campground Rules

Van Ningen provided a campground rules document to the council. Council would like to see an updated version that is more condensed.

Surplus Vehicles

Council agreed to try to sell the surplus police car at Wieman's next online auction. Council agreed to give Josh Andersen more time to sell the surplus Ambulance. Council also agreed to sell the surplus ambulance in the next Wieman online auction if it is not sold by the online entry deadline.

Transportation Grant

Vizecky spoke regarding the need for a resident income survey that is needed for the DOT grant application that was submitted. He stated that the survey is good for 5 years even if the grant is not given this year. Waltner stated he would like to have public meeting to hear how residents feel about the main street project.

Landfill Project

Eric Prunty spoke regarding the permit being received and the plans were approved from the DENR for the landfill project.

Tjaden moved to advertise for bids with a completion date of September 1, 2017 and bid opening at the August 22, 2016 council meeting. Auch seconded the motion. Roll call: all votes aye.

Sewer Main Lining Project

Vizecky spoke regarding the money left for sewer lining. The council agreed that we should do the budgeted work.

Street Project Update – Walnut, 7th, and Dewald Streets

Duane Walters voiced concern that the road was now higher than it previously was and that there are now more drainage problems than before. Council members discussed the need to have the drainage and roadwork assessed to promote drainage and come back to the council with a plan of action.

Police Report

Police Chief Richard Cummings prepared his police report for the council to view.

Administrators Report

Administrator Vizecky provided his administrators report. It was noted that Sioux Nation will no longer take stray animals after November 1st so the city must find an alternate option by then.

Other Business

Sorensen noted that the 2015 audit was accepted by the state.

Vizecky mentioned that we are continuing to advertise for a water superintendent.

Jacobsen talked about the Elected Officials seminar he attended and some ideas that arose from the conference.

Next Meeting

The next regular meeting will be Monday, August 22, 2016 at 7:30 p.m.

Adjournment

Tjaden moved to adjourn at 11:21 pm. Waltner seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, August 22, 2016

The Council of the City of Freeman met in regular session on Monday, August 22, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included the following: John Koch, Glenn Roth, Duane Walters, Richard Dant, Police Chief Richard Cummings, Kelly Knodel, Craig Derry, Fred Saylor, Eric Ambrosion from District III, and Eric Prunty from Brosz Engineering.

Minutes of the August 1, 2016 Regular Meeting

Auch moved to accept the August 1, 2016 regular session minutes as presented. Waltner seconded the motion. All votes aye.

Bid Opening – Landfill Project

Mayor Sorensen announced that the bids for Landfill Project would be opened at this time. The following bids were received:

<u>Bidder</u>	<u>Amount</u>
Knodel Contractors	\$331,126.75
David VanDenPol Construction	\$148,392.75
Dakota Constructors Inc	\$155,147.58
Bowes Construction	\$92,282.06
VanderPol Dragline Inc	\$173,901.15
Robert Johnson Construction	\$162,132.00
Holstein Excavating Inc	\$138,456.25
Matthaei Excavating	\$133,285.25
RS Halstead Corp	\$99,927.38

Gering moved to award the contract to the lowest bid of \$92,282.06 from Bowes Construction. Jacobsen seconded the motion. Roll call: all votes aye.

Freeman Community Development Corporation (FCDC)

Sorensen opened the floor for questions about the Marketing Coordinator position and Industrial Park/Dakota 81 that was discussed at the August 1st meeting. Glenn Roth asked the council to consider funding the Marketing Coordinator position.

Nuisance and Abandoned Vehicles Update

Vizecky spoke regarding letters sent to other nuisance properties and that visible changes have been made. Richard Dant spoke regarding his property which will be cleaned up by the end of October.

High Water Bills

Craig Derry spoke regarding how high his water usage was. Council also heard from Van Ningen and Jacobsen regarding their utility bills as well and feel that investigation is needed as to why usage is so high.

Street Project Update

Council was presented with recommendations based on Brosz Engineering's observations of the roadwork. Discussion was focused on drainage and ensuring consistency on driveway approaches in the future. Eric Prunty of Brosz Engineering recommended using a good binding material to fill edge of roads.

Main Street Project

Council would like to see drainage issues fixed on Main Street, particularly the 2 blocks from the Lumberyard north. Eric Ambrosen from District III discussed funding possibilities for new construction and an Industrial Park if Main Street isn't completed now.

Auch moved to rescind the Main Street grant application. Tjaden seconded the motion. Roll call: all votes aye.

Police On-Call Pay

Gering moved to pay police personnel \$25 per pay period for On-Call pay. Jacobsen seconded the motion. Roll call: all votes aye.

Police Radios and Office Space

Police Chief Richard Cummings presented 2 bids for new police radios due to the old ones not holding a charge and not having good signal strength.

Tjaden moved to purchase 3 XPR 3500 VHF portable radios with a base antenna and antenna line kit from B&L Communications for \$1,752. Auch seconded the motion. Roll call: all votes aye.

Cummings also presented an option to convert the old water building into the Freeman Police Station stating privacy and discretion as main reasons for moving. He requested \$3,000 for 2017's budget for all materials needed to get the space up to a usable level.

Ordinance 2016-08

Waltner moved to give second reading and adopt ordinance 2016-08, an ordinance to amend the City of Freeman Refuse Rate, Ordinance 4.0411. Tjaden seconded the motion. Roll call: all votes aye.

ORDINANCE 2016-08

AN ORDINANCE AMENDING TITLE 4, SECTION 4.11 OF THE REVISED ORDINANCES OF THE CITY OF FREEMAN (1990), FREEMAN HUTCHINSON COUNTY, SOUTH DAKOTA REGARDING REFUSE RATES AND CHARGES

Be it ordained by the City of Freeman, Hutchinson County, South Dakota, that title 4, section 4.11 is hereby amended to read as follows:

4.0411

Rates and Charges

ITEM 1. For residents and businesses located within the City limits, the charge for a 90-gallon container for once a week pickup shall be \$13.00. A second 90-gallon container may be added for a monthly charge of \$12.00. Additional pickups shall be subject to a charge of \$4.00 per container per pickup. No more than two (2) 90-gallon containers shall be allowed for any collection point.

ITEM 2. Residents who are certified to be a recipient of fuel assistance under the Low Income Energy Assistance Program (LIEAP) shall pay a monthly rate of \$8.00 for one 90-gallon container for the time period that they so qualify.

ITEM 3. For residents and businesses located within the City limits, the charge for a 300-gallon container for once a week pickup shall be \$45.00. For each additional container, a \$34.00 charge per month shall be made. Additional pickups shall be subject to a charge of \$13.00 per container per pickup.

ITEM 4. Non-residents and business not located within the City limits, but residing within the one (1) mile area outside of Section 35, Township 99 North, Range 56, West of the 5th PM who desire to have garbage pickup service shall be charged a monthly fee of \$16.00 for the first 90-gallon container; \$15.00 for the second 90-gallon container; \$55.00 for the first 300-gallon container and \$46.00 for each additional 300-gallon container. Additional pickups for the 90-gallon container shall be subject to a charge of \$5.00 per container per pickup. Additional pickups for the 300-gallon container shall be subject to a charge of \$15.00 per container per pickup. No more than two (2) 90-gallon containers shall be allowed.

ITEM 5. Sanitation service charges for residents and businesses will be billed with water and/or sewer used fees and such charges will be effective with the first monthly billing after this Ordinance shall become effective. Charges will be collected at the same time, in the same manner and by the same officers as water charges are collected by the City. If the sanitation service charges are not paid within twenty (20) days after billing, it shall be deemed delinquent, and the water service to such user or property may be discontinued until charges are paid.

ITEM 6. Sanitation service charges for those who reside within one (1) mile of Section 35, Township 99 North, Range 56 West of the 5th PM, shall be billed monthly.

Dated October 16, 2006

ITEM 7. The charges for a recyclable receptacle shall be \$80.00 a month for a weekly pickup and \$40.00 a month for a bi-weekly pickup. Additional pickups shall be \$20.00 for each additional pickup.

Dated January 7, 2008

Dated this 22nd day of August, 2016

Sam Sorensen, Mayor

(SEAL)

ATTEST:

Adam Van Ningen, Municipal Finance Officer

First Reading: August 1, 2016

Second Reading: August 22, 2016

Published: September 1, 2016

Effective: September 22, 2016

Ordinance 2016-09

The Council gave 1st reading to Ordinance 2016-09 making appropriations and levying the property tax for the year 2017.

Campground Rules

Tjaden moved to adopt the campground rules as presented. Waltner seconded the motion. Roll call: all votes aye.

Water Supervisor

Vizecky discussed the city's requirement for a Water Supervisor. Fred Saylor of Menno was present and informed the council he is Class 2 certified in Water Distribution, Water Treatment, Wastewater Treatment, and Wastewater Collection and would be willing to help until a permanent solution was hired.

Library Temp As Needed Clerk

Council received a recommendation from the Library board to hire a Library Temp As Needed Clerk.

Other Business

Transit's increased usage was discussed.

Gering asked about reservations for the campground. First come first serve was discussed.

Vizecky noted some street sweeper repairs.

Next Meeting

A special session will be held Tuesday, August 23, 2016 at 12:00 p.m.

The next regular meeting will be Wednesday, September 7, 2016 at 7:30 p.m.

Executive Session

Waltner moved to go into Executive Session at 10:44 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Tjaden seconded the motion. All votes aye. Tjaden declared out of executive session at 11:45 p.m. No action taken.

Adjournment

Tjaden moved to adjourn at 11:48 pm. Waltner seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Tuesday, August 23, 2016

The Council of the City of Freeman met in special session on Tuesday, August 23, 2016 at 12:00 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Terry Jacobsen, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier.

Library Temp As Needed Clerk

Sorensen read the library board recommendation to hire Judy Graber for their Library Temp As Needed position as heard at the previous city council meeting.

Waltner moved to hire Judy Graber as Library Temp As Needed @ \$9.00 per hour. Jacobsen seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Wednesday, September 7, 2016 at 7:30 p.m.

Adjournment

Waltner moved to adjourn at 12:10 pm. Becker seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Wednesday, September 7, 2016

The Council of the City of Freeman met in regular session on Wednesday, September 7, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were City Administrator Carroll Vizecky, City Attorney Mike Fink, Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Lynette Hansen, Brenda Schweitzer, Karen Stucky, Megan Harnisch, Daniel Harnisch, Eva Olson, Richard Cummings, Donna Waltner, Mike Fink, Janver Stucky, and Eric Prunty of Brosz Engineering.

Minutes of the August 22 and 23, 2016 Regular and Special Meetings

Waltner moved to accept the August 22, 2016 regular session and August 23, 2016 special session minutes as presented. Jacobsen seconded the motion. All votes aye.

Vouchers & Salaries

Becker moved to approve the vouchers and salaries listed below. Waltner seconded the motion. Roll call: all votes aye.

PAYROLL - AMBULANCE	1149.93	H&H CONTRACTING, repairs	1,912.50
PAYROLL - FINANCE	1,760.58	HD SUPPLY, supplies	267.15
PAYROLL - ADMINISTRATOR	3,180.92	JAMBOREE, supplies	79.10
PAYROLL - GOV'T BUILDING	195.60	JEMS, subscriptoin	16.00
PAYROLL - POLICE DEPT	6,581.14	JOSHUA NEUHARTH, ambulance overpymt	300.00
PAYROLL - STREET	752.54	JOHNSON BROS/BAKE'S, on/off sale	1,128.98
PAYROLL - RECYCLE	1,342.34	JUNIOR LIBRARY GUILD, books	204.60
PAYROLL - PARK/POOL	7,959.46	KARI SAARIE, reimb for pool items	186.33
PAYROLL - LIBRARY	3,608.96	KLEINSASSER HTG, library a/c repairs	181.13
PAYROLL - COMMUNITY CENTER	338.69	KNODEL CONTRACTORS, trucking	1,185.82
PAYROLL - ECON DEVELOPMENT	1,060.32	LAWNS UNLIMITED, street sweeping	150.00
PAYROLL - WATER	1,321.75	MATHESON TRI-GAS, supplies	91.59
PAYROLL - SEWER	4,445.61	MATTHEW BENDER & CO, supplies	67.24
PAYROLL - REFUSE	2,802.01	METTLER FERTILIZER, lagoon spray	466.28
MERCHANTS STATE BANK, 941 deposit	7,137.08	MIDAMERICAN RESEARCH, supplies	114.76
SD RETIREMENT	3,115.14	MIDWEST RADAR EQUIP, supplies	120.00
SUPPLEMENTAL RETIREMENT	760.00	MILLER CONSTULTING, IT consulting	56.25
WELLMARK, health insurance	7,915.70	MR G'S TIRES, repairs	110.00
ACH FEES, payroll & utilities	30.00	NINETY-FOUR SERVICES, repairs	65.48
AFLAC, employee insurance	478.76	NORM'S, supplies	58.19
ALLEGIANE EMERGENCY SVCS, supplies	330.00	NORTHERN TRUCK & EQUIP, repairs	301.28
AMAZON, library books & videos	869.82	NORTHWESTERN ELEC, electric & gas	6,637.39
APPEARA, rugs	178.88	PITNEY BOWES, postage	600.00
BROSZ, professional services	5,972.50	PITNEY BOWES, lease	148.50
B-Y WATER, water purchase	7,222.00	PLUNKETT'S, pest control	56.00
B-Y WATER INTEREST	3,168.00	RAUSCH GRANITE, memorial tablet	5,700.00
CENTURY BUSINESS PRODUCTS, copies	72.00	REPUBLIC/BAKE'S, on/off sale	1,150.13
CITY OF FREEMAN, utilities	39.00	RURAL MANUFACTURING, repairs	226.68
CITY OF MITCHELL LANDFILL, garbage fees	3,417.18	SAARIE AUTO BODY, repair	1,049.17
CLIMATE SYSTEMS, a/c repairs	534.68	SANITATION PRODUCTS, repairs	474.58
COUNTRY PRIDE, fuel	405.61	SD DEPT OF REVENUE, testing	155.00
DEMCO, library supplies	286.14	SD DEPT OF REVENUE, sales tax	1,006.25
FENSEL'S ELECTRIC, supplies	546.01	SD DEPT OF REVENUE, vehicle title	5.00
FINK LAW OFFICE, professional fees	300.12	SECOND CENTURY, publishing	574.83
FRED HAAR, repair	68.63	SOUTHEASTERN ELECTRIC, lagoon elec	1,877.50

FREEMAN ATHLETIC, donation & ins	4,614.71	SPENCER QUARRIES, rock chip	2,098.80
FREEMAN INTERNATIONAL, repairs	402.73	STERN OIL COMPANY, fuel & supp	1,433.20
FREEMAN LUMBER, supplies	166.13	SUPERIOR LAMP, supplies	63.02
FREEMAN HOSPITAL, amb salary	163.54	TOTAL STOP - CENEX, gas	39.74
FREEMAN SHOPPING CENTER, supplies	54.51	TRI-STATE WELDING, repairs	275.00
GOLDEN WEST, telephone service	1,017.89	UNITED SYSTEMS TECHNOLOGY, supplies	406.00
		VERIZON WIRELESS, cell phones	204.97
		VOUCHERS	80,511.20
		SALARIES	36,499.85
		TOTAL VOUCHERS & SALARIES	117,011.05

Financial Report

Tjaden moved to approve the financial report as presented. Waltner seconded the motion. Roll call: all votes aye.

Freeman Transit

Brenda Schweitzer and Lynette Hansen spoke regarding the community's ridership, the usefulness in the community, and how they try to keep expenses local. Due to the increased ridership 1 to 2 vehicles and 1 bus will be needed in the next few years. Grants for 80% are available with the local community needing to cover the remaining 20% through grants, donations, and fundraising.

Nuisance Property Update

Vizecky spoke regarding nuisance properties and letters that were sent. No one that received letters showed up to respond. Council requested second letters sent to the individuals so there is significant improvement by October 3rd they will forward to attorney for prosecution.

Liquor Lease Contract

Liquor committee met regarding liquor store. Hootz doesn't want to purchase new equipment based on their lease. Jay Hofer told members that the coolers temperatures aren't staying consistent. Hofer also requested the city paint and repair the building exterior.

Special Event Alcoholic Beverage License

The Council considered the application for a one day malt beverage license submitted by the following:

One day on-sale malt beverage license for Saturday, September 24, 2016

Application of:	Location of:
Freeman Baseball Association	Freeman Community Center
	224 Wipf Street
	Freeman, SD 57029

No persons were at the meeting to show rejection of this application. Auch moved to approve the one day malt beverage license for Saturday, September 24, 2016. Jacobsen seconded the motion. Roll call: all votes aye.

Landfill Project Update

Eric Prunty of Brosz Engineering gave a status update regarding the Landfill Project. A preconstruction meeting is scheduled for 2:00 on Thursday September 8, 2016.

Waltner moved to approve a Notice to Proceed. Gering seconded the motion. Roll call: all votes aye.

Sewer Main Lining Update

Vizecky contacted Hydro-Klean to complete the sewer lining and routine maintenance.

Street Update – DeWald, 7th, & Walnut

Vizecky spoke with Knodel regarding millings for roadwork. DeWald Street was observed during recent rains and some silting has occurred.

Gering moved to purchase millings from Knodel Contractors on an as needed basis for \$14 per ton. Auch seconded the motion. Roll call: all votes aye.

Hire Fred Saylor on As Needed Basis

Auch moved to hire Fred Saylor at \$20 per hour plus \$0.42 per mile. Becker seconded the motion. Roll call: all votes aye.

Surplus Old White Sewer Pickup

Waltner moved to surplus the white sewer pickup and send to Weiman's Auction. Tjaden seconded the motion. Roll call: all votes aye.

Police Report

Police Chief Richard Cummings spoke regarding the need for a Spanish translator. Two body cameras are beyond repair and need to be replaced. Cummings mentioned the new antenna is working well.

Administrators Report

Administrator Vizecky provided his administrators report. Vizecky noted that according to District III, Freeman is 3rd in the District in business startup and retention. Vizecky also noted that he applied for a grant for a new playground.

Other Business

It was noted that Sioux Nation will no longer take stray animals after November 1st so the city must find an alternate option by then.

Executive Session

Auch moved to go into Executive Session at 9:23 p.m. pursuant to SDCL 1-25-2(3) pending litigation and SDCL 1-25-2(1) personnel. Becker seconded the motion. All votes aye. Tjaden declared out of executive session at 10:11 p.m.

Tjaden moved to give a raise to Megan Harnisch of \$.50 per hour for a total of \$14.25 per hour effective September 12, 2016. Auch seconded the motion. Roll call: all votes aye.

Tjaden moved to give a raise to Ken Haar of \$.50 per hour for a total of \$17.00 per hour retroactive to July 4, 2016. Waltner seconded the motion. Roll call: all votes aye.

City Administrator Position

Question was raised if the city still needs this position. Donna Waltner and Eva Olson spoke in favor of the position.

Tjaden moved to eliminate the City Administrator position effective immediately and defund it for the 2017 budget. Waltner seconded the motion. Roll call aye votes: Waltner, Gering, Jacobsen, and Tjaden. No votes: Auch and Becker. Motion carries 4-2.

Gering moved to pay Vizecky for full month of September, inclusive of vacation and benefits. Waltner seconded the motion. Roll call: all votes aye.

Sorensen thanked Vizecky for his service.

Council agreed to have notice in the newspaper regarding the committees each council member is on.

Litigation

Council agreed to move forward with Ray Spangler and have attorney Mike Fink serve notice of safety issues that must be resolved by November 1st.

2nd Reading of Ordinance 2016-09

Council gave 2nd reading to Ordinance 2016-09 making appropriations and levying the property tax for the year 2017. No action taken.

Advertise for Marketing Coordinator

Council discussed details of Marketing Coordinator position and would like to invite Freeman Community Development to another meeting to discuss job description.

Next Meeting

The next regular meeting will be Monday, September 19, 2016 at 7:30 p.m.

Adjournment

Tjaden moved to adjourn at 11:35 pm. Jacobsen seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes

Regular Session

Monday, September 19, 2016

The Council of the City of Freeman met in regular session on Monday, September 19, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Kevin Auch, Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were Finance Officer Adam Van Ningen and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Duane Walters, Megan Harnisch, Daniel Harnisch, Ken Haar, John Koch, Nick Bradner, Richard Cummings, Josh Dziadek, Glenn Roth, Colleen Schultz-Herman, and Theresa Keith.

Minutes of the September 7, 2016 Regular Meeting

Waltner moved to accept the September 7, 2016 regular session minutes as presented. Becker seconded the motion. All votes aye.

FCDC Update

John Koch presented an updated job description for a Marketing Coordinator for 24 hours per week. Glenn Roth also spoke regarding the assistance desired from the position with the Freeman Growth Foundation.

Tjaden moved to adopt the job description as presented by the Freeman Community Development Corporation and advertise for a Marketing Coordinator position to be closed when filled. Waltner seconded the motion. Roll call: all votes aye.

Employee Reports

Megan Harnisch spoke regarding an article published in the newspaper regarding meter readings and felt it was not accurate with what she stated at the prior city council meeting. She also discussed the need to write off an ambulance charge balance that was uncollectible.

Ken Haar spoke regarding the need to hire another employee to help with his work load.

Josh Dziadek stated that the garbage truck needs new tires and will get a quote for the next council meeting.

Richard Cummings presented a letter about animal control and the need for all residents to license their pets, especially since the vet will no longer take in animals starting November 1st. He also stated that he will need new tires on his police pickup.

Street Shop Equipment

Jacobsen moved to purchase cordless tools for the Street Shop and Refuse at a cost not to exceed \$1,400. Gering seconded the motion. Roll call: all votes aye.

Ordinance 2016-09

Tjaden moved to give second reading and adopt the budget ordinance 2016-09 for 2017. Becker seconded the motion. Roll call: all votes aye.

Ordinance 2016-09 Second Reading of Budget Ordinance Fiscal Year 2017

An ordinance making appropriations for the Fiscal year beginning January 1, 2017 and ending December 31, 2017 and levying the property tax for the year 2017.

Be it ordained by the City Council of the City of Freeman, South Dakota,

That the following sums of money, or as much, therefore as may be authorized by law, as may be needed or deemed necessary to defray all expenses and liabilities for the City, be and the same as is hereby appropriated for the corporate purpose and objects of said City hereafter specified for the fiscal year commencing on the 1st day of January, 2017 and ending on the 31st day of December 2017.

Be it further ordained by the City Council of the City of Freeman, South Dakota

That a summary by funds of the appropriate amounts be attached to said ordinance FY2017 and that said summary be made a part of said ordinance.

And that there is hereby levied upon all taxable property within the City of Freeman for the purpose of Providing funds to meet the expenses and liabilities of said City, herein set forth for the fiscal year 2017 a tax sufficient to raise the following amounts, which as received by the City Finance Officer, shall be credited to the following funds to-wit:

For General Fund.....\$ 468,430.00
 Total Tax Levy.....\$ 468,430.00

And the City Finance Officer is hereby authorized and directed to certify said tax levy to the County Auditor of Hutchinson County, State of South Dakota, to the end that the same may be spread and assessed as provided by law.

ORDINANCE #2016-09

Budget 2017

Tax Supported Funds/General Fund	<u>Estimated Expense</u>	<u>Cash Balance</u>	<u>Estimated Revenue</u>	<u>Tax Levy</u>
Contingency Fund	35,000.00			
Mayor/Council	35,750.00			
Attorney	6,300.00			
Finance Office	49,780.00			
Insurance Bond	2,400.00			
Financial Administration	29,600.00			
Vehicle Reserve	6,000.00			
Government Building	28,700.00			
Police Department	160,850.00			
Fire Department	49,700.00			
Streets	276,250.00			
Landfill/Recycle	158,450.00			
Memorial Park	1,900.00			
Park/Pool	148,900.00			
Tree City	3,000.00			
Library	125,480.00			
Community Center	43,000.00			
Promoting City, Zoning, Development	130,050.00			
Judgement & Losses	1,000.00			
Liquor Operating Agreement	11,000.00			
General Fund Debt Retirement	89,000.00			
Total General Fund	1,392,110.00			
Taxes, Previous				468,430.00
Taxes, Delinquent			4,200.00	
Taxes, Mobile Home			600.00	
Sales Tax City			550,000.00	
Amusement Tax			150.00	
Taxes, Penalty			1,000.00	
Beer License			1,000.00	
Federal Grants			110,000.00	
Other State Grants			71,150.00	
Bank Franchise Tax			6,200.00	
Port of Entry Tax			3,500.00	

Liquor Tax Reversion	6,000.00
Motor Vehicle 5%	14,000.00
State Hwy Bridge	18,000.00
Other Revenue	1,000.00
County Road 25%	750.00
County Wheel	5,000.00
Building Permit	400.00
Animal Licenses & Fees	1,000.00
Swimming Pool Fees	5,500.00
Swimming Lessons	1,200.00
Sales Tax Collected at Pool	450.00
Camping Fees	1,000.00
Interest	5,680.00
City Owned Operating Agreement	12,000.00
Rental	21,000.00
Contributions & Donations	25,000.00
Contributions & Payments	4,250.00
Liquor Operating Agreement	12,650.00
Cable TV Franchise	7,000.00
Liquor Licenses	1,500.00
Landfill/Tipping Fees	6,000.00
Recycle Goods Sold	10,000.00
Sale of Fixed Assets	1,500.00
Library Fines	15,000.00

Total Tax Supported Budget	\$ 1,392,110.00	-	\$ 923,680.00	\$ 468,430.00
Cash Balance/Capitol Outlay				
Total Tax & Balance	\$ 1,392,110.00	-		\$ 1,392,110.00

Budget 2017

Self Supporting Funds	Estimated <u>Expense</u>	Cash <u>Balance</u>	Estimated <u>Revenue</u>
Ambulance			
Operation	86,100.00		86,100.00
Total	\$ 86,100.00	\$ -	\$ 86,100.00
Sewer			
Operation	265,800.00	-	332,500.00
Debt repayment	66,700.00		
Total	\$ 332,500.00	\$ -	\$ 332,500.00
Water			
Operation	225,900.00		264,000.00
B-Y interest payment	38,100.00		-
Total	\$ 264,000.00	\$ -	\$ 264,000.00
Refuse			
Operation	156,200.00		156,200.00
Total	\$ 156,200.00	\$ -	\$ 156,200.00
Cemetery			
Operation	100.00		100.00
Total	\$ 100.00		\$ 100.00
Total Self-supporting funds	\$ 838,900.00	\$ -	\$ 838,900.00
Total General Fund	1,392,110.00	-	923,680.00
Total Tax Levy	-	-	468,430.00

Total Tax appropriated funds	\$ 1,392,110.00	\$	-	\$ 1,392,110.00
Total All Funds	\$ 2,231,010.00	\$	-	\$ 2,231,010.00
Total Revenue & Cash balance				\$ 2,231,010.00

Dated this 7th day of September, 2016.

Sam Sorensen, Mayor

ATTEST:

Adam Van Ningen, Municipal Finance Officer

(Seal)

First Reading: August 22, 2016
 Second Reading: September 7, 2016
 Second Reading: September 19, 2016
 Published: September 29, 2016

Landfill Update

Due to the recent weather, construction has not started. The landfill may need to be closed on Wednesday September 28, 2016 depending on when they are able to start.

Pool Repairs

Repairs on the pool started Monday, September 19th and will continue on the 20th.

Water Tower Repair

An estimate of \$6,500 has been received and is in the budget. The project is expected to start on Monday October 10, 2016.

Sewer Main Lining Update

Hydro-Klean has been contracted to complete the sewer lining and routine maintenance. Their start date is unknown due to some of their other jobs.

Street Update – DeWald, 7th, & Walnut

Work still needs to be completed. A driveway needs to be removed and reconstructed as well as adding the binding and gravel up to the new asphalt.

Water Drainage

Water drainage concerns were noted in various areas of Freeman with the recent rains.

Other Business

Tjaden asked to get quotes from businesses in town to get signs identifying our vehicles. Jacobsen recommended an art contest to help with design.

Tjaden asked about the status of Hootz' fence.

Jacobsen said that someone from Golden West is willing to meet with the council regarding the Freeman television station that isn't being used.

Jacobsen brought up the possibility of using the community center for a Youth Center when other activities are not occurring at the community center or at one of the schools.

Auch was asked about mosquito spraying due to cases of West Nile found in Freeman. Becker will spray.

Waltner spoke regarding busted out windows at Lions Park.

Waltner distributed materials from Tree City. They received a grant of \$1,900 to replace trees.

Sorensen shared that a mosquito grant was received from the state for \$1,000.

Sorensen also stated that there will be a meeting with SD DOT regarding lighting on Highway 81.

Sorensen talked about the desire to get water to Knodel Contractors.

Sorensen mentioned that the next meeting will have discussion regarding a keg cooler.

Tim Waltner suggested the council continue to try to give more information to the public.

Tim Waltner also gave a couple suggestions for working with the schools on creating a city logo.

Auch submitted his letter of resignation from city council.

Charly Waltner moved to accept the resignation of Kevin Auch from Ward III effective at the end of the council meeting. Tjaden seconded the motion. Roll call: all votes aye.

Executive Session

Auch moved to go into Executive Session at 10:46 p.m. pursuant to SDCL 1-25-2(1) personnel. Becker seconded the motion. All votes aye. Gering declared out of executive session at 11:33 p.m.

Next Meeting

Waltner moved to have a special meeting Thursday September 22nd @ 8:30 pm for interviews. Tjaden seconded the motion. Roll call: all votes aye.

Adjournment

Waltner moved to adjourn at 11:37 pm. Tjaden seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Thursday, September 22, 2016

The Council of the City of Freeman met in special session on Thursday, September 22, 2016 at 8:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending was Finance Officer Adam Van Ningen.

Executive Session

Tjaden moved to go into Executive Session at 8:31 p.m. pursuant to SDCL 1-25-2(1) regarding personnel. Waltner seconded the motion. All votes aye. Tjaden declared out of executive session at 9:53 p.m.

Jacobsen moved to hire Duane Walters as Water Superintendent effective October 3, 2016 at \$21.50 per hour assuming he passes the pre-employment physical. Tjaden seconded the motion. Roll call: all votes aye.

Other Business

Council discussed moving water and sewer to east side of Highway 81 and the need for annexation for properties to get the city services.

Council discussed the planned Highway 81 DOT lighting project to be completed in 2018.

Next Meeting

The next regular meeting will be Monday, October 3, 2016 at 7:30 p.m.

Adjournment

Tjaden moved to adjourn at 10:15 pm. Jacobsen seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, October 3, 2016

The Council of the City of Freeman met in regular session on Monday, October 3, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Kelly Knodel, Jay Hofer, Josh Dziadek, Donna Brosz, Richard Cummings, and Eric Prunty of Brosz Engineering.

Minutes of the September 19 and 22, 2016 Regular and Special Meetings

Waltner moved to accept the September 19, 2016 regular session minutes as presented. Jacobsen seconded the motion. All votes aye. Waltner moved to accept the September 22, 2016 special session minutes as presented. Becker seconded the motion. All votes aye.

Vouchers & Salaries

Tjaden moved to approve the vouchers and salaries listed below. Becker seconded the motion. Roll call: all votes aye.

PAYROLL - AMBULANCE	1,637.63	FINK LAW OFFICE, professional fees	816.68
PAYROLL - FINANCE	2,824.82	FIRST NATIONAL BANK, lagoon loan	16,668.22
PAYROLL - ADMINISTRATOR	7,168.41	FIRST NATIONAL BANK, 6th street loan	13,638.81
PAYROLL - GOV'T BUILDING	394.60	FREEMAN INTERNATIONAL, repairs	116.50
PAYROLL - POLICE DEPT	9,771.31	FREEMAN LUMBER, supplies	4.56
PAYROLL - STREET	1,283.93	FREEMAN HOSPITAL, amb salary	293.85
PAYROLL - RECYCLE	2,150.08	FREEMAN SHOPPING CENTER, supplies	10.48
PAYROLL - PARK/POOL	2,726.28	GOLDEN WEST, telephone service	1,016.27
PAYROLL - LIBRARY	4,830.79	H&H CONTRACTING, repairs	1,224.00
PAYROLL - COMMUNITY CENTER	102.76	HD SUPPLY, supplies	211.88
PAYROLL - ECON DEVELOPMENT	2,389.49	HUTCHINSON COUNTY HWY, street sealing	30,156.60
PAYROLL - WATER	2,025.04	LEANN KAUFMAN, travel to conference	106.80
PAYROLL - SEWER	6,606.99	MATHESON TRI GAS, rental	18.45
PAYROLL - REFUSE	3,826.11	MERCHANTS STATE BANK, supplies reimb	109.96
MERCHANTS STATE BANK, 941 deposit	10,188.63	MILLER CONSTULTING, IT consulting	670.00
SD RETIREMENT	5,031.78	MR G'S TIRES, repairs	389.40
SUPPLEMENTAL RETIREMENT	1,140.00	NORM'S, supplies	40.97
WELLMARK, health insurance	7,915.70	NORTHWESTERN ELEC, electric & gas	5,644.21
A&B BUSINESS, printing supplies	157.66	ONE OFFICE SOLUTIONS, supplies	127.48
ACH FEES, payroll & utilities	30.00	PITNEY BOWES, postage	300.00
AFLAC, employee insurance	478.76	PLUNKETT'S, pest control	56.00
AMAZON, library books & videos	793.13	PRINTED IMPRESSIONS, supplies	75.60
APPEARA, rugs	90.58	RESEARCH TECHNOLOGY, repairs	9.95
B&L COMMUNICATIONS, police radios	1,885.60	RICHARD CUMMINGS, supplies	79.77
BEST WESTERN, library conference	183.98	SAARIE AUTO BODY, repair	244.73
BOWES CONSTRUCTION, landfill project	28,638.22	SANITATION PRODUCTS, repairs	526.10
BROSZ, professional services	530.00	SD DEPT OF REVENUE, testing	110.00
B-Y WATER, water purchase	5,224.45	SD DEPT OF REVENUE, sales tax	1,222.59
B-Y WATER INTEREST	3,168.00	SD MUNICIPAL LEAGUE, conference	115.00
CENTRAL FARMERS COOP, supplies	39.03	SECOND CENTURY, publishing	826.65
CHIEF SUPPLY, police supplies	149.83	SOUTHEASTERN ELECTRIC, lagoon elec	2,207.50
CITY OF FREEMAN, utilities	39.00	SPECIALTY AUTOMOTIVE, repairs	661.57
CITY OF MITCHELL LANDFILL, garbage fees	3,275.22	STERN OIL COMPANY, fuel & supp	1,314.32
CLIMATE SYSTEMS, a/c repairs	237.62	THOMAS BRODERS, reimbursement	210.00
DETCO, supplies	1,202.82	TOTAL STOP - CENEX, gas	172.78

FENSEL'S ELECTRIC, supplies	486.55	VALLEY ELECTRIC, repairs	302.55
		VERIZON WIRELESS, cell phones	205.03
		WEIDENBACH CONSTRUCTION, rock	17.25
		VOUCHERS	150,809.07
		SALARIES	47,738.24
		TOTAL VOUCHERS & SALARIES	198,547.31

Financial Report

Waltner moved to approve the financial report as presented. Jacobsen seconded the motion. Roll call: all votes aye.

Annexation of Knodel Contractors

Kelly Knodel spoke regarding how he feels as a part of the Freeman community and his desire to be annexed into the city. Knodel would like to be zoned as Industrial and would like to get sewer and water to his building site soon.

Waltner moved to annex Knodel Contractors into the City of Freeman zoned as Industrial. Becker seconded the motion. Roll call: all votes aye.

Freeman Regional Active Shooter Response

Donna Brosz spoke regarding the emergency plans Freeman Regional is putting in place and their need for a rally location for their employees. Freeman Regional identified the community center as the rally location and the council agreed.

Liquor Store Cooler Replacement

Jay Hofer spoke regarding the need to replace the current keg cooler and compared two different models.

Waltner moved to purchase a True 2 Section 69 Inch Wide 2 Solid Door Club Top Direct Draw Beer Dispenser from Restaurant Supply.com for \$2,703.99. Tjaden seconded the motion. Roll call: all votes aye.

Executive Session

Waltner moved to go into Executive Session at 8:17 p.m. pursuant to SDCL 1-25-2(1) personnel. Becker seconded the motion. All votes aye. Waltner declared out of executive session at 8:47 p.m.

Garbage Truck Tires

Waltner moved to purchase 4 tires from Mr G @ \$312 per tire plus \$25 labor for a total of \$1,348. Tjaden seconded the motion. Roll call: all votes aye.

Special Event Alcoholic Beverage License

The Council considered the application for a one day malt beverage license submitted by the following:

One day on-sale malt beverage license for Saturday, November 5, 2016

Application of:	Location of:
Freeman Fire Department	Freeman Community Center
	224 Wipf Street
	Freeman, SD 57029

No persons were at the meeting to show rejection of this application. Waltner moved to approve the one day malt beverage license for Saturday, November 5, 2016. Jacobsen seconded the motion. Roll call: all votes aye.

Landfill Project Update

Eric Prunty of Brosz Engineering gave an update regarding the Landfill Project. Prunty stated the work was started on Thursday September 29th and they are nearly half done moving dirt. Seeding and fencing haven't been scheduled yet.

Police Report

Police Chief Richard Cummings presented his report. Cummings gave quotes for the pickup tires that need to be replaced.

Gering moved to purchase 4 Wrangler ATS tires from Mr G at \$124 per tire plus mounting at a total cost of \$556.00. Becker seconded the motion. Roll call: all votes aye.

Other Business

Waltner talked about the possibility of needing to replace doors at the community center. Waltner also was asked about leaving up curtains at the community center between two weddings.

Jacobsen said that Golden West is willing to come to Freeman and discuss its channel, it will take about an hour.

Gering said residents were happy with the mosquito spraying and would like to see it again.

Sorensen passed around pictures showing the completed repair work to the water tower light.

Sorensen told the council that the grant application for a playground was rejected.

Van Ningen mentioned that the surplus Ambulance was sold to Canistota.

Executive Session

Waltner moved to go into Executive Session at 9:45 p.m. pursuant to SDCL 1-25-2(3) pending litigation, SDCL 1-25-2(4) contract negotiation, and SDCL 1-25-2(1) personnel. Jacobsen seconded the motion. All votes aye. Waltner declared out of executive session at 10:28 p.m.

Becker moved to increase the salaries at the library for Nancy Schmidt to \$10.11 per hour, Bonnie Tschetter to \$9.71 per hour, and Judy Graber to \$9.75 per hour effective October 10, 2016. Tjaden seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, October 17, 2016 at 7:30 p.m.

Adjournment

Tjaden moved to adjourn at 10:30 pm. Jacobsen seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes

Regular Session

Monday, October 17, 2016

The Council of the City of Freeman met in regular session on Monday, October 17, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, and Charly Waltner. Clifford Tjaden was absent. Also attending were Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included Todd Graber.

Minutes of the October 3, 2016 Regular Meeting

Waltner moved accept the October 3, 2016 regular session minutes after we add that the community center is the rally location for hospital employees in the event of an Active Shooter. Jacobsen seconded the motion. All votes aye.

Car Bed Trailer

Council discussed the need to replace the bed of the car trailer.

Land Purchase Option

Waltner moved that the city exercise the option set forth in the May 2015 purchase agreement with Greg and Kathy Kleinsasser and authorize the down payment of \$5,000 to be held in a trust account until closing on March 1, 2017. Jacobsen second the motion. Concerns were raised on how long it would be until the city needed the land and if the money could be better spent in other areas. Roll call aye votes: Gering and Waltner. No votes: Becker, Jacobsen, and Sorensen. Motion fails 3-2.

Insurance Renewal

Todd Graber of Insurance Services spoke regarding the city's property insurance. He presented property values that were determined by the insurance company and the updated costs for insurance that has a renewal effective November 8, 2016.

Jacobsen moved to accept the updated costs of property insurance as presented from Todd Graber of Insurance Services. Becker seconded the motion. Roll call: all votes aye.

Graber then presented the new Health Insurance rates that are effective December 1st. The rates went down 6.6% mostly due to reduced claims incurred over the past year.

Land South of Community Center

Sorensen read a letter received from Dan Waldhauser to withdraw his offer to purchase the surplus land to the south of the community center.

Waltner moved to readvertise for sealed bids in the newspaper with a November 21st bid closing. Becker seconded the motion. Roll call: all votes aye.

Hometown Christmas Lights

There was discussion on allowing Hometown Christmas to put garland and lights on the main street light poles. City Council members were all in favor of the event and allowing the lights.

Improvement Recommendations

Mayor Sorensen discussed a list of items from SD Public Assurance Alliance on improvements and maintenance items that can be done to help keep our insurance rates low.

Resolution of Annexation

Mayor Sorensen stated that a conversation with BY Water hasn't happened yet and there are a few items that need to be worked out before the city is ready for an Industrial Park.

Ordinance 2016-10

The council gave first reading to Ordinance 2016-10, an amendment to Ordinance 15.0101 to include the possible punishment of jail time.

Ordinance 2016-11

The council gave first reading to Ordinance 2016-11, an ordinance to repeal Ordinance 16.0101.

Landfill Update

The council was updated on Bowes Construction pulling out of the Rubble Site due to how wet it has been there.

Other Business

Sorensen thanked the council members on behalf of Duane Walters and Ken Haar for allowing them to attend the Hydro Klean training on manholes.

Sorensen mentioned the Canton Chief-of-Police came through town and commented on how clean our town looked. The council wanted to thank all the citizens for their efforts to keep our community clean. Waltner mentioned that we should now allow the community center to be open for anyone who wants to walk indoors but walking will not be allowed on days of events.

Waltner mentioned some items that are in need of repair at the recycle center.

Waltner also said that he is working on extending or reapplying for a grant awarded to tree city since we are getting too late in the year for the work to get done.

Jacobsen said he was able to get the siren by the school working again but the copper line will no longer be located and we will need to figure out another option for the siren before the line ever gets cut.

Becker stated that he was going to try to get out and spray for mosquitos again.

Sorensen shared that the Freeman Transit officially has reached a 100% increase over last year in ridership. Also, they have been awarded a new bus and need to raise a total of \$12,000 to cover their portion of the cost.

Tim Walnter confirmed that there is still an opening on the Council. Mayor Sorensen said he was working on a replacement and still has a few people to contact.

Sorensen attended the South Dakota Municipal League Annual Conference and updated the council on the meetings he sat through.

Next Meeting

The next regular meeting will be Monday, November 7, 2016 at 7:00 p.m.

Adjournment

Becker moved to adjourn at 9:34 pm. Jacobsen seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, November 7, 2016

The Council of the City of Freeman met in regular session on Monday, November 7, 2016 at 7:00 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were Finance Officer Adam Van Ningen, Attorney Mike Fink, and Tim Waltner from the Freeman Courier. Guests in attendance included the following: Clint Sargent, Duane Walters, Ken Haar, Josh Dziadek, Dee Millar, and Eric Prunty of Brosz Engineering.

Board of Appeals

Tjaden moved to go into Board of Appeals for Mr. John Stahl's property located on Main Street, pursuant to Freeman City Ordinances Chapter 14.04 at 7:01 pm.

Attorney Mike Fink handed out findings from American Technical Services regarding Mr. Stahl's building on Main Street. Fink also handed out rebuttals from Apex Structural Design on behalf of Mr. Stahl. Mr. Stahl's attorney Clint Sargent spoke on Mr. Stahl's behalf, stating that in their opinion the building does not meet the definition of a dangerous building under Freeman's Ordinances.

Waltner moved to adopt the Apex report, other than the chimney described needs to be removed within 30 days. Jacobsen seconded the motion. Roll call: all votes aye.

Tjaden declared out of Board of Appeals at 7:37 pm.

Minutes of the October 17, 2016 Regular Meeting

Waltner moved to accept the October 17, 2016 regular session minutes as presented. Jacobsen seconded the motion. All votes aye.

Vouchers & Salaries

Tjaden asked about CMC Excavating invoice to repair damage done to sewer by a Golden West contractor. Jacobsen recommended getting documentation together to send to Golden West. Jacobsen moved to approve the vouchers and salaries listed below. Tjaden seconded the motion. Roll call: all votes aye.

PAYROLL - AMBULANCE	968.56	GARY BLOCK, refund overpayment	10.00
PAYROLL - COUNCIL/MAYOR	4,086.48	GOLDEN WEST, telephone service	976.48
PAYROLL - FINANCE	1,256.08	GRAHAM TIRE, tires	457.88
PAYROLL - GOV'T BUILDING	401.00	HD SUPPLY, supplies	5,105.15
PAYROLL - POLICE DEPT	4,584.86	HERITAGE PHARMACY, supplies	268.40
PAYROLL - STREET	491.81	HILLYARD, supplies	109.86
PAYROLL - RECYCLE	1,380.06	INSURANCE SERVICES, notary bond	100.00
PAYROLL - PARK/POOL	491.81	JAY HOFER, cooler reimbursement	2,703.99
PAYROLL - LIBRARY	2,792.75	JONATHAN SLEVIN, body cameras reimb	158.00
PAYROLL - COMMUNITY CENTER	227.55	LAWNS UNLIMITED, fall fertilizer	708.30
PAYROLL - WATER	3,058.21	LEANN KAUFMAN, library supplies	10.62
PAYROLL - SEWER	3,227.20	MC&R POOLS, repairs	981.75
PAYROLL - REFUSE	1,922.71	MATHESON TRI GAS, rental	53.33
MERCHANTS STATE BANK, 941 deposit	6,679.79	MID-AMERICAN RESEARCH, supplies	385.79
SD RETIREMENT	2,900.98	MIKALE BAKER, water deposit refund	100.00
WELLMARK, health insurance	6,572.28	MISTY GOODMANSON, water deposit	100.00
ACH FEES, payroll & utilities	40.00	MR G'S TIRES, repairs	1,448.00
AFLAC, employee insurance	408.76	NORM'S, supplies	91.28
AMAZON, library books & videos	728.05	NORTHERN TRUCK, repairs	6,749.12

APPEARA, rugs	89.92	NORTHWESTERN ELEC, electric & gas	5,245.14
ARMANDO CORTEZ, water deposit refund	100.00	ONE OFFICE SOLUTIONS, supplies	305.56
AVERA SACRED HEART, screening	156.85	PETERBILT OF SIOUX FALLS, repairs	87.41
BARNES & NOBLE, books	232.50	PITNEY BOWES, postage	300.00
BEN FRIESEN, water deposit refund	100.00	PLUNKETT'S PEST CONTROL, pest control	56.00
BLOOMBERG BNA, supplies	80.00	PULLMAN PLUMBING, repairs	53.57
BROSZ, professional services	23,604.00	RICKY LEE, water overpayment refund	65.71
B-Y WATER, water purchase	4,498.80	RURAL MFG, repairs & garbage cans	4,517.81
B-Y WATER INTEREST	3,168.00	SAARIE AUTO BODY, repair	1,285.27
CENTRAL FOUNDATIONS, water tower	6,000.00	SAM SORENSEN, mileage	277.20
CENTURY BUSINESS, copier maintenance	125.35	SD DEPT OF REVENUE, testing	71.00
CHELSEA STEEN, water deposit refund	100.00	SD DEPT OF REVENUE, sales tax	1,012.35
CHIEF SUPPLY, police supplies	50.78	SD PUBLIC ASSURANCE ALLIANCE, insurance	41,847.17
CITY OF FREEMAN, utilities	39.00	SECOND CENTURY, publishing	1,170.98
CITY OF MITCHELL LANDFILL, garbage fees	1,455.87	SECRETARY OF STATE, notary applications	60.00
CLARITUS, supplies	87.99	SIOUX FALLS CASE, payloader oil change	644.47
CMC EXCAVATION, water & sewer repairs	3,845.67	SIOUX FALLS PUBLIC HEALTH, testing	87.00
COMMERCIAL ASPHALT, refund overchg	3,844.65	SIOUX FALLS TWO WAY RADIO, repairs	263.18
COUNTRY PRIDE, fuel & diesel	1,910.59	SD ONE CALL, message fees	59.85
DAN WALDHAUSER, refund	1,000.00	SOUTHEASTERN ELECTRIC, lagoon elec	1,825.00
ECONO LODGE, ambulance hotel	792.00	SPECIALTY AUTOMOTIVE, repairs	4.03
EMERGENCY MEDICAL, supplies	58.19	STERN OIL COMPANY, fuel & supp	1,407.98
EMP SERV, water deposit refunds	112.15	STUCKY ELECTRIC, repairs	168.04
FENSEL'S ELECTRIC, supplies	2,348.73	TOMMY MCELROY, water deposit refund	39.94
FINK LAW OFFICE, professional fees	506.38	TOTAL STOP - CENEX, gas	730.91
FRED HAAR, repairs	14.85	VERIZON WIRELESS, cell phones	205.03
FREEMAN ATHLETIC ASSOC, refund water	685.80		
FREEMAN INTERNATIONAL, repairs	179.75		
FREEMAN LUMBER, supplies	19.74	VOUCHERS	155,390.26
FREEMAN HOSPITAL, amb salary	477.33	SALARIES	24,889.09
FREEMAN SHOPPING CENTER, supplies	66.96	TOTAL VOUCHERS & SALARIES	180,279.35

Financial Report

Tjaden moved to approve the financial report as presented. Becker seconded the motion. Roll call: all votes aye.

Resolution for Plat of Waltner Addition

Tjaden moved to accept the resolution for Plat of Waltner Addition. Waltner seconded the motion. Roll call: all votes aye.

Resolution for Annexation of Knodel Contractors

Waltner moved to approve the Resolution for Annexation of Knodel Contractors into the City of Freeman zoned as Industrial. Becker seconded the motion. Roll call: all votes aye.

Advertise for Water/Sewer Bids

Eric Prunty of Brosz Engineering provided a map and estimated costs to provide water and sewer service to Knodel Contractors lot. Council would like to see bids for 2 completion dates, one by the end of December and another by May 1st, 2017.

Gering moved to advertise for bids for water and sewer to Knodel Contractors pending DENR approval to be opened Monday November 21st. Jacobsen seconded the motion. Roll call: all votes aye.

Tjaden moved to bring water and sewer to Donovan Friesen's lot on West Plum Street at a cost of \$6,651.01 from CMC Excavation. Jacobsen seconded the motion. Roll call: all votes aye.

Highway 81 Lighting

Council discussed the option of adding 1' of concrete to the future light poles on Highway 81 to accommodate possible future banners. All council members were in agreement that we need to add the extra concrete.

Special Event Alcoholic Beverage License

The Council considered the application for a one day malt beverage license submitted by the following:

One day on-sale malt beverage license for Saturday, January 28, 2017

Application of:

Freeman Regional Health
Services Foundation

Location of:

Freeman Community Center
224 Wipf Street
Freeman, SD 57029

No persons were at the meeting to show rejection of this application. Waltner moved to approve the one day malt beverage license for Saturday, January 28, 2017. Becker seconded the motion. Roll call: all votes aye.

Community Center Doors

Council reviewed bids from Heartland Glass Company and Viking Glass for replacing the front entry doors. Due to unknown repairs to the HVAC system the discussion was tabled until the next meeting.

Police Report

Police Chief Richard Cummings prepared a report that was given to the council members.

Other Business

November work calendars from Duane Walters and Ken Haar were presented to the council members. Council viewed pictures of combines left on John Stahl's Main Street property. Council viewed pictures of Ray Spangler's house showing windows have been put in the basement. Council viewed pictures of the road edge work that was completed on Dewald, 7th, and Walnut streets. Council viewed a picture of the completed water tower footing work. An updated form for the Rubble Site and Recycle Center was reviewed. Sorensen mentioned that the rubble site building needs to be rebuilt. Council reviewed the building permits from the last month.

Executive Session

Waltner moved to go into Executive Session at 9:11 pm pursuant to SDCL 1-25-2(3) contractual matters and SDCL 1-25-2(1) personnel. Jacobsen seconded the motion. All votes aye. Gering declared out of executive session at 9:46 pm.

Sorensen read the resignation letter from Josh Dziadek. Waltner moved to accept Josh Dziadek's letter of resignation. Jacobsen seconded the motion. Roll call: all votes aye.

Waltner moved to offer Adam Van Ningen a one dollar raise based on his six month review, effective immediately. Tjaden seconded the motion. Roll call: all votes aye.

Becker moved to hire Marian Gering at \$9.50 per hour as the Children/Teen Library Assistant, effective November 8, 2016. Jacobsen seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, November 21, 2016 at 7:30 p.m.

Adjournment

Becker moved to adjourn at 9:55 pm. Waltner seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, November 21, 2016

The Council of the City of Freeman met in regular session on Monday, November 21, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included Kelly Knodel, Glenn Roth, Duane Walters, and Eric Prunty of Brosz Engineering.

Minutes of the November 7, 2016 Regular Meeting

Tjaden moved accept the November 7, 2016 regular session minutes as presented. Waltner seconded the motion. All votes aye.

Community Center Land Bids

Sorensen announced that the bids for the land south of the Community Center would be opened at this time. The following bids were received:

<u>Bidder</u>	<u>Amount</u>
Salem Mennonite Home	\$28,800 contingent on changing the zoning from R-1 to R-2

Tjaden moved to accept the bid from the Salem Mennonite Home of \$28,800. Jacobsen seconded the motion. Roll call: all votes aye.

Utility Extension Bids

Sorensen announced that the bids for the Utility Extension Project would be opened at this time. The following bids were received.

<u>Bidder</u>	<u>May 1st, 2017 Completion</u>	<u>December 31st, 2016 Completion</u>
Metro Construction	\$141,467.20	\$141,467.20
EJM Pipe Services Inc	\$172,715.00	\$224,530.00
H&W Contraction, LLC	\$126,410.00	\$133,910.00
First Rate Excavate	\$84,978.00	\$85,978.00

Eric Prunty of Brosz Engineering left to review the bids.

Resolution to Provide Approach to 3rd Street

Property on the corner of 4th Street and Highway 81 is for sale and there is an agreement to purchase the property. Glenn Roth spoke regarding the sale and said the buyer and seller are willing to sell the approach. Freeman Community Development Corporation is willing to purchase the approach and will allow the city to move the approach along Highway 81 when 3rd Street is completed so there is access to Highway 81. The buyer would like to maintain some access to the north portion of their property and would like the city to provide an approach from 3rd Street at the time the approach is moved and 3rd Street is completed. The council would like the resolution to be filed with the Register of Deeds at the time of closing.

Tjaden moved to approve the resolution. Jacobsen seconded the motion. Roll call: all votes aye.

Community Center HVAC

Duane Walters informed the council that the filters were bad and caused a freeze up of the pipes. Also there was a bad belt and we are waiting on the belt to be replaced. Walters also said there is a wire that needs to be replaced on the stage so the temperature can regulate properly.

Community Center Entrance Doors

Waltner moved to purchase 2 sets of 2 doors from Viking Glass for \$6,835.00 unless it changes the occupancy from the Fire Marshall, if so, then purchase 2 sets of 3 doors from Viking Glass for \$7,855.00. Jacobsen seconded the motion. Discussion on just having 3 doors instead of waiting on the Fire Marshall and the benefits of 3 doors. Also discussed the additional costs associated with the extra door when 2 sets of doors are needed. Roll call aye votes: Becker and Waltner. No votes: Gering, Jacobsen, and Tjaden. Motion failed 2-3.

Gering moved to purchase 2 sets of 3 doors for \$7,855.00 per set to be completed by Viking Glass. Tjaden seconded the motion. Roll call aye votes: Waltner, Gering, Jacobsen, and Tjaden. No votes: Becker. Motion carries 4-1.

Utility Expansion Project

Eric Prunty returned after reviewing all the bids and said all the information checked out and was good. Prunty recommended going with the lowest bidder, First Rate Excavate. Kelly Knodel said he was familiar with their work and has used them as a subcontractor in the past.

Jacobsen moved to accept the bid from First Rate Excavate for \$85,978.00 with a December 31, 2016 completion date once the easements are signed and received. Gering seconded the motion. Roll call: all votes aye.

Waltner moved to authorize Mayor Sorensen to sign the Notice of Award. Becker seconded the motion. Roll call: all votes aye.

Eric Prunty updated the council on the Landfill project and said the Bowes Construction may still do additional work this fall.

John Deere 770D Grader

Becker moved to purchase the John Deere 770D road grader from Hutchinson County for \$52,000.00. Jacobsen seconded the motion. Roll call: all votes aye.

Waltner moved to declare the old road grader as surplus and take it to Wieman Auction for sale. Becker seconded the motion. Roll call: all votes aye.

Banyon Software

Sorensen described the demonstration that was done by Banyon and how many differences he saw compared to our current software. Council discussed the pros and cons of changing.

Waltner moved to purchase Banyon Software for \$20,594.00. Jacobsen seconded the motion. Roll call: all votes aye.

Resolution of Budget Allocation

Council reviewed the allocation of the Contingency budget to properly cover the expenses needed for the city through the end of the year.

Waltner moved to adopt the Resolution of Budget Allocation. Becker seconded the motion. Roll call: all votes aye.

Library Emergency Lights

The council was informed that the emergency lights are not working at the library. They are looking into the cost of new batteries.

Other Business

Sorensen received a request to allow elementary girls basketball in the community center for dribbling drills. Council agreed to let them in when there aren't other events going on.

Sorensen showed pictures of the before and after clean-up at David Kivijarvi's.

Waltner mentioned a concern he received about a lack of lighting between 6th Street and 7th Street.

Jacobsen asked about the status of the GoldenWest TV station for Freeman.

Becker asked about any bids that were received for painting the liquor building. Sorensen said he requested bids from 2 contractors and neither got back to him. It will have to wait until 2017.

Becker asked about the status of the vacant council seat. Sorensen is awaiting an answer.

Gering requested the status of the light for the flag outside City Hall.

Tim Waltner suggested letting the paper know about items even when there isn't a change, for example the garbage pickup during Friday's snow storm.

Executive Session

Waltner moved to go into Executive Session at 9:39 pm pursuant to SDCL 1-25-2(1) personnel. Becker seconded the motion. All votes aye. Tjaden declared out at 9:58 pm.

Becker moved to hire Kenneth Haar @ \$17.00 per hour as the Sanitation/Maintenance Worker starting Wednesday, November 23, 2016. Waltner seconded the motion. Roll call: all votes aye.

Waltner moved to advertise for a Wastewater Operator. Tjaden seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, December 5, 2016 at 7:30 p.m.

Adjournment

Tjaden moved to adjourn at 10:04 pm. Becker seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Special Session
Friday, December 2, 2016

The Council of the City of Freeman met in special session on Friday, December 2, 2016 at 5:00 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Absent were Russ Becker and Charles Gering. Also attending was Finance Officer Adam Van Ningen. Guest in attendance included Josh Hofer, Dawn Walz, and Janver Stucky.

Executive Session

Waltner moved to go into Executive Session at 5:05 pm. pursuant to SDCL 1-25-2(1) regarding personnel. Jacobsen seconded the motion. All votes aye. Tjaden declared out of executive session at 6:12 pm.

Other Business

Sorensen announced there will be a special meeting on Tuesday, December 13th at 12:00 pm with a speaker regarding TIF districts.

Hootz has requested a special event license to use the old Fire Hall on January 14th, 2017.

Next Meeting

The next regular meeting will be Monday, December 5, 2016 at 8:30 p.m.

Adjournment

Tjaden moved to adjourn at 6:14 pm. Waltner seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, December 5, 2016

The Council of the City of Freeman met in regular session on Monday, December 5, 2016 at 8:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. Also attending were Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier. Guests in attendance included the following: John Munkvold, Glenn Roth, and Jay Hofer.

Minutes of the November 21, 2016 Regular Meeting

Waltner moved to accept the November 21, 2016 regular session minutes as presented. Becker seconded the motion. All votes aye.

Vouchers & Salaries

Tjaden moved to approve the vouchers and salaries listed below. Gering seconded the motion. Roll call: all votes aye.

PAYROLL - AMBULANCE	2,420.33	GLENN ROTH LAW, rent reimb	25.00
PAYROLL - FIRE	1,802.67	GOLDEN WEST, telephone service	970.07
PAYROLL - FINANCE	1,264.49	HD SUPPLY, supplies	7,890.06
PAYROLL - GOV'T BUILDING	200.10	HYDRO KLEAN, sewer cleaning	22,975.29
PAYROLL - POLICE DEPT	4,273.88	JAMBOREE, supplies	31.96
PAYROLL - STREET	783.59	JANET CHRISTENSEN, mileage & meal	62.87
PAYROLL - RECYCLE	1,345.83	LAWNS UNLIMITED, sprinkler blowout	150.00
PAYROLL - PARK/POOL	467.98	MATHESON TRI GAS, rental	72.84
PAYROLL - LIBRARY	2,801.79	MERCHANTS STATE BANK, postage	22.95
PAYROLL - COMMUNITY CENTER	133.84	MILLER CONSULTING, library	786.00
PAYROLL - WATER	3,806.90	MR G'S TIRES, repairs	296.90
PAYROLL - SEWER	3,290.91	NEW TEC, INC, tires	577.62
PAYROLL - REFUSE	1,729.21	NORTHWESTERN ELEC, electric & gas	5,374.78
MERCHANTS STATE BANK, 941 deposit	6,835.39	ONE OFFICE SOLUTIONS, supplies	151.25
SD RETIREMENT	3,124.70	OVERHEAD DOOR CO, repairs	165.00
WELLMARK, health insurance	6,138.48	PETERBILT OF SIOUX FALLS, repairs	92.19
ACH FEES, payroll & utilities	30.00	PITNEY BOWES, postage	300.00
		PLUNKETT'S PEST CONTROL, pest control	56.00
AFLAC, employee insurance	567.38	PRINTED IMPRESSIONS, supplies	33.50
AMAZON, library books & videos	701.99	RDO EQUIPMENT, repairs	440.67
APPEARA, rugs	91.37	SAARIE AUTO BODY, repair	56.72
AVERA SACRED HEART, screening	88.40	SD ASSOC OF CODE ENFORCEMENT, dues	40.00
BANYON DATA SYSTEMS, software	12,025.00	SD BUILDING OFFICIALS, dues	50.00
BARNES & NOBLE, books	64.16	SD CITY MANAGEMENT, dues	150.00
BLAZE PUBLICATIONS, advertising	120.00	SD DEPT OF REVENUE, testing	44.00
B-Y WATER, water purchase	4,077.90	SD DEPT OF REVENUE, sales tax	846.60
B-Y WATER INTEREST	3,168.00	SD GOV'T FINANCE OFFICER, dues	40.00
CENTRAL STATES WIRE, supplies	711.50	SD HUMAN RESOURCES ASSN, dues	25.00
CENTURY BUSINESS, copier maintenance	50.32	SD MUNICIPAL LEAGUE, dues	1,250.56
CITY OF FREEMAN, utilities	39.00	SD PUBLIC ASSURANCE ALLIANCE, insurance	270.13
CITY OF MITCHELL LANDFILL, garbage fees	2,942.16	SD STREET MAINTENANCE, dues	35.00
CMC EXCAVATION, water & sewer repairs	7,861.03	SDML WORKER'S COMP, insurance	10,901.00
COUNTRY PRIDE, fuel	362.57	SECOND CENTURY, publishing	584.46
DEMCO, supplies	92.52		

EMP SERV, water deposit refunds	87.85	SONJA ENNS, water deposit refund	100.00
FENSEL'S ELECTRIC, supplies	1,187.63	SOUTHEASTERN ELECTRIC, lagoon	1,719.88
FLAGS USA, flags	609.00	STERN OIL COMPANY, fuel & supp	674.88
FRED HAAR, repairs	151.55	TOTAL STOP, fuel	391.38
FREEMAN AMBULANCE, training	2,678.00	USBORNE BOOKS, library books	105.80
FREEMAN INTERNATIONAL, repairs	275.19	VALLEY ELECTRIC, repairs	450.35
FREEMAN LUMBER, supplies	362.05	VERIZON WIRELESS, cell phones	204.79
FREEMAN HOSPITAL, amb salary	772.53		
		VOUCHERS	113,631.17
		SALARIES	24,321.52
		TOTAL VOUCHERS & SALARIES	137,952.69

Financial Report

Gering moved to approve the financial report as presented. Waltner seconded the motion. Roll call: all votes aye.

Council Member Appointment

Sorensen brought John Munkvold to be appointed to the Ward III alderman vacancy. Waltner moved to appoint Munkvold to the Ward III vacancy until the next election. Jacobsen seconded the motion. Roll call: all votes aye.

Finance Officer Adam Van Ningen administered the oath of office to John Munkvold.

Renewal of Liquor and Wine Licenses

The council considered applications for liquor licenses for 2017 submitted by the following:

- 1) On-Sale Liquor license for 2017
Application of: Bake's
Location of: 231 S Main
Freeman, SD 57029
- 2) Off-Sale Liquor license for 2017
Application of: Bake's
Location of: 231 S Main
Freeman, SD 57029
- 3) Off-Sale Liquor license for 2017
Application of: Freeman Shopping Center
Location of: 609 S US Hwy 81
Freeman, SD 57029
- 4) On-Sale/Off-Sale Wine license for 2017
Application of: Dollar General Store #10796
Location of: 305 N US Hwy 81
Freeman, SD 57029
- 5) On-Sale Liquor license for 2017
Application of: Prairie House Restaurant, LLC
Location of: 1121 S US Hwy 81
Freeman, SD 57029

- 6) On-Sale/Off-Sale Wine license for 2017
Application of: Blue's Family Restaurant
175 W 3rd St
Freeman, SD 57029

- 7) On-Sale Liquor license for 2017
Application of: Hootz
Location of: 115 East 3rd St
Freeman, SD 57029

- 8) Off-Sale Liquor license for 2017
Application of: Hootz
Location of: 115 East 3rd St
Freeman, SD 57029

Glenn Roth spoke against the renewal of Bake's license stating that conditions that were agreed upon were not met. The council will look into the conditions.

Tjaden moved to renew the liquor licenses for 2017. Becker seconded the motion. Roll call aye votes: Tjaden, Munkvold, Becker, Waltner, and Jacobsen. No votes: Gering. Motion passes 5-1.

Joint Election Agreement

The Council was presented with the proposed agreement for a joint election with the Freeman Public School. Tjaden moved to enter into an agreement with the Freeman School District 33-1 to hold a joint election if needed, per agreement. Jacobsen seconded the motion. Roll call: all votes aye.

Verizon Wireless

Council discussed the current Verizon wireless plan and the phone usage. Jacobsen suggested giving employees a stipend for using their personal phones and keeping 2 phones for the police.

Executive Session

Waltner moved to go into Executive Session at 9:18 pm pursuant to SDCL 1-25-2(1) personnel. Jacobsen seconded the motion. All votes aye. Becker declared out of executive session at 10:24 pm.

Hiring Marketing Coordinator

Becker moved to hire Josh Hofer at \$18.00 per hour part-time providing he passes the pre-employment screening. Jacobsen seconded the motion. Roll call: all votes aye.

Update on Hwy 81 Utility Expansion Project

Sorensen was notified by Brosz Engineering about some work that needs to be reconciled with BY Water due to where the Sewer pipe lines up with their water line.

Resolution of Budget Allocation

Waltner moved to approve the Resolution of Budget Allocation for Software. Jacobsen seconded the motion. Roll call: all votes aye.

Logo Contest

The city only received one logo submission so they decided to extend the deadline to February 6th to hopefully gain more involvement.

Purchase Agreement

Waltner moved to authorize Mayor Sorensen to sign the purchase agreement for the land south of the community center. Becker seconded the motion. Roll call: all votes aye.

Police Report

Police Chief Richard Cummings prepared a report that was given to the council members.

Other Business

Sorensen notified the council that there will be an informational meeting at Noon on December 13, 2016 regarding TIF Districts.

Sorensen said that Safety Benefits met with city staff and reviewed Loss Control on city property.

Sorensen stated the police department met with the City Attorney regarding Marsy's Law.

Sorensen mentioned that the Fire Station generator should pass the emissions review soon and can be ordered once we receive approval from DENR.

Sorensen had been contacted by someone about putting up a pole building on Plum Street.

Waltner said they planted 9 trees in the last 2 weeks from a donation received by Modern Woodmen.

Becker said a concerned resident contacted him about the snow and ice on 6th Street after the last snow storm.

Gering noticed the light on the flagpole was fixed.

Hire Wastewater Operator

Jacobsen moved to hire Cody Fransen as Wastewater Operator at \$18.50 per hour providing he passes all pre-employment screenings. Tjaden seconded the motion. Roll call: all votes aye.

Next Meeting

The next regular meeting will be Monday, December 19, 2016 at 7:30 p.m.

Adjournment

Gering moved to adjourn at 11:09 pm. Munkvold seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor

Council Minutes
Regular Session
Monday, December 19, 2016

The Council of the City of Freeman met in regular session on Monday, December 19, 2016 at 7:30 p.m. at the Freeman City Hall. Mayor Sam Sorensen presided and the following members were present: Russ Becker, Charles Gering, Terry Jacobsen, Clifford Tjaden, and Charly Waltner. John Munkvold was absent. Also attending were Finance Officer Adam Van Ningen, and Tim Waltner from the Freeman Courier.

Minutes of the December 5, 2016 Regular Meeting

Tjaden moved accept the December 5, 2016 regular session minutes as presented. Waltner seconded the motion. All votes aye.

Special Event Alcoholic Beverage License -

The Council considered the application for a one day malt beverage license submitted by the following:

One day on-sale malt beverage license for Saturday, January 14, 2017

Application of:
Hootz

Location of:
"Old" Freeman Fire Station
185 E 3rd Street
Freeman, SD 57029

No persons were at the meeting to show rejection of this application. Gering moved to approve the one day beverage license for Saturday, January 14, 2017. Jacobsen seconded the motion. Roll call: all votes aye.

Update on Community Center Land

Sorensen informed the council of the signed purchase agreement and the need to hire a surveyor to divide the property.

Waltner moved to contact multiple surveyors and accept the lowest estimate. Tjaden seconded the motion. Roll call: all votes aye.

Other Business

Sorensen read a proclamation of School Choice Week that will be sent to the newspaper for publishing. Sorensen read a request on behalf of the Freeman Regional Health Services Foundation to provide a donation to their Gala.

Waltner moved to gift the Freeman Regional Health Services Foundation one 2017 Family Pass to the Freeman Swimming Pool. Tjaden seconded the motion. Roll call: all votes aye.

The council discussed that the rubble site will be closed when the temperatures are below zero. Also, the rubble site will be closed on Saturday December 24, 2016 and Saturday December 31, 2016. Jacobsen reminded everyone that the garbage needs to be set out the night before scheduled pick up. Tjaden commented on how well he felt the snow was removed during the recent storm. Gering received some ambulance billing questions. Council would like a proposal for a plan of action. Tim Waltner shared his agreement in how efficient the snow was removed. He noted vehicles not removed from streets, particularly in front of the post office.

Executive Session

Waltner moved to go into Executive Session at 8:23 pm pursuant to SDCL 1-25-2(1) personnel and SDCL 1-25-2(4) contract negotiation. Becker seconded the motion. All votes aye. Gering declared out at 9:36 pm.

Tjaden moved to give a 3% increase to all personnel except the 2 employees hired in December and give Bonnie Tschetter the 3% increase plus \$0.04 per hour. Becker seconded the motion. Roll call: all votes aye.

South Dakota DOT Grant

Council confirmed their desire to rescind the grant application to SD DOT for Main Street.

Next Meeting

Tjaden moved to change the next regular meeting to Thursday, January 5, 2016 at 7:30 pm. Jacobsen seconded the motion. All votes aye.

Adjournment

Waltner moved to adjourn at 9:45 pm. Jacobsen seconded the motion. All votes aye.

Adam Van Ningen, Finance Officer

Sam Sorensen, Mayor