

AVON, SOUTH DAKOTA - OCTOBER 5, 1998

The regular meeting of the Avon City Council was held on the above date at the Avon Public Library at 7:30 p.m. Roll Call: Mayor VanGerpen, Finance Officer Haenfler, and Alderman: Oster, VanGerpen, Einrem, Deurmier and Reister. Also present were William Radack, Linda Broecher, Paul Kuhlman, Duane Stimpson, Jim Christjans, Laval Haenfler, Albert Simek, Orval Elliott, ^{Nelson} Lee Lagendyk, Terry Schultz, Dave Roth, Roger Frey, Alvin Mudder and Roland Luke.

Meeting called to order by Mayor VanGerpen.

Motion by Einrem and seconded by Reister to approve the agenda with the addition of Terry Schultz. All voted "aye". Motion carried.

Motion by Einrem and seconded by Deurmier to approve the minutes of the September 9, 1998 meeting. All voted "aye". Motion carried.

The following claims were presented for payment:

CLAIMS FOR OCTOBER 1998

GENERAL FUND:

Avon Clarion—publication	\$ 338.68
Avon Enterprise—UPS fees	\$ 21.20
Berkley Administration--workmen's comp	\$ 1,276.00
Blue Cross of SD—health insurance	\$ 1,627.84
City of Sioux Falls—pool sample	\$ 11.00
Brian's Service—repairs	\$ 326.74
Coast to Coast--misc supplies	\$ 127.68
Community Bank--ss & wh	\$ 1,999.00
D & L Oil--oil, diesel	\$ 430.51
Demco Inc.--library supplies	\$ 63.45
Farmers Coop Elevator--salt, spraying	\$ 106.48
Golden West Co.—telephone	\$ 162.63
JD Evans--oil seal,air compressor,cylinder	\$ 736.44
Jurren's Repair—parts	\$ 37.79
Myers Dray--garbage collection	\$ 2,750.00
North Vue Café & Quick Stop--gasohol	\$ 43.36
Northwestern Public Service--electricity	\$ 1,145.37
One Call System—locate fee	\$ 15.00
Pier & Pier Insurance--liability insurance	\$ 4,641.00
Postmaster—stamps	\$ 32.00
RDO—parts	\$ 192.59
Schultz Building Center--gravel	\$ 379.94
Shopping News—advertisement	\$ 18.80
SD Retirement—retirement	\$ 766.00
Lois Simek	\$ 305.00
Stump Removal—remove stumps	\$ 50.00
The Library Store—library supplies	\$ 104.60

Salaries—library	\$ 396.18
Salaries—office	\$ 535.21
Salaries—police	\$ 2,222.93
Salaries—streets	\$ 2,193.82
Salaries—sanitation	\$ 166.23

WATER AND SEWER FUND

B-Y Water—water	\$ 3,159.50
Community Bank—lagoon payment	\$ 543.75
Dept of Revenue—water & lagoon sample	\$ 91.00
Golden West Co.—telephone	\$ 37.48
Revenue & Reserve—transfer	\$ 374.17

AMBULANCE FUND:

A-Ox Welding—oxygen	\$ 19.63
Commnet Cellular—telephone	\$21.78
D & L Oil—gasohol	\$25.67
Louie Dykstra—reimbursement	\$10.00
Robert Dykstra--reimbursement	\$10.00
Golden West Co.--telephone	\$61.90
Donna Reister--reimbursement	\$10.00
Mike Steffen--reimbursement	\$10.00
Carol Tolsma--reimbursement	\$10.00
Lora Tolsma--reimbursement	\$10.00

REVENUE & RESERVE BOND:

General Electric Capitol Corp.--annual payment	\$ 4,080.00
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Motion by Oster and seconded by Reister to pay the foregoing claims. All voted “aye”. Motion carried.

The following receipts were presented for approval:

RECEIPTS FOR SEPTEMBER 1998

City of Avon—water	\$ 5,705.87
City of Avon—sewer	1,774.50
City of Avon—garbage	3,052.52
City of Avon—tax	122.70
Crystal Rucktaeschel	25.00
Nathan Pritzkau	119.00
Revenue & Reserve—transfer	374.17
Clerk of Court—fines	205.07
Swimming Pool—swimming lessons	11.00
Maher & Arendt Attorneys—ambulance service	74.00
Jason Alberts—water deposit	25.00
Dept. of Revenue—sales tax (1 st -4455.68, 2 nd -3410/43)	7,866.11

Laddie Koupal—ambulance service	71.00
Arnold Johnson—park fee	3.00
Bryce Voigt—water deposit	25.00
Roland Luke—use of equipment	30.00
Community Bank—interest	2,145.76
Bon Homme Co. Treasurer—general	988.38
12% Municipal	<u>178.53</u>

Motion by Einrem and seconded by Oster to accept the foregoing receipts. All voted “aye”. Motion carried.

Finance Officer Haenfler gives Ordinance #262 entitled “1999 Annual Appropriation Ordinance” it’s second reading. Motion by Reister and seconded by Oster to approve the second reading of Ordinance #262 as read. Roll Call: Oster, VanGerpen, Einrem, Reister, and Deurmier all voted “aye”. None voted “naye”. Motion carried.

As advertised, the following ambulance bid was opened. The following bid was received:

Arrow Manufacturing, Rock Rapids, IA--\$3005.00

Motion by Oster and seconded by Reister to accept the bid of Arrow Manufacturing with the stipulation possession will be after the City receives replacement ambulance. All voted “aye”. Motion carried.

Alderman Reister introduced the following resolution and moved it’s adoption:

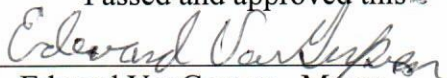
RESOLUTION

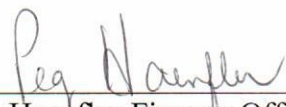
WHEREAS, the property on Railway Street from the alley east of Pine Street to the alley east of Birch Street, including said alley and the property on Birch Street between Lot 4, Block 13 Milwaukee 3rd Addition and Lot 4, Block 14 Milwaukee 3rd Addition be vacated as a city street; and,

WHEREAS, the city will retain access to maintain the sewer line; and,

THEREFORE, BE IT RESOLVED that City Council, Avon, Bon Homme County, South Dakota vacates Railway Street from the alley east of Pine Street to the alley east of Birch Street, including said alley and the property on Birch Street between Lot 4, Block 13 Milwaukee 3rd Addition and Lot 4, Block 14 Milwaukee 3rd Addition as a city street, and that this street property revert to the unit now owned by Lloyd Buchholz.

Passed and approved this 5th day of October, 1998.


Edward VanGerpen - Mayor


Peg Haenfler-Finance Officer

Motion to adopt the foregoing resolution was seconded by VanGerpen. Roll Call: Oster, VanGerpen, Einrem, Reister and Deurmier all voted "aye". None voted "naye". Motion carried.

Dave Roth on behalf of the Chamber presented to the Council the idea of purchasing new Christmas decorations with the money received as a donation from Golden West Co. There was \$5000.00 in total given to the Chamber, Avon Development, and the City. The new decorations would cost about \$1800.00. If the Chamber agreed to purchase new decorations that was fine with the Council.

Alvin Mudder on behalf of the Historical Society informed the Council that he had meet with some people from the state. The Historical Society can apply for the Deadwood Grant in 1999. The Historical Society would like the Wesleyan Church and there does not have to be any ties to the City. The old Giedd Country School has been given to the Historical Society. They would like to move it into town on the lot by the church if possible. The City was fine with the Historical Society receiving the church. Mudder will work with the issue and keep the Council informed.

^{Nelson}
~~Lee~~ Lagendyk requested some gravel on Pine Street between the Lutheran Church Parking Lot and the Lutheran Church. The Council informed him gravel will be put on the street when the street has been cut to grade and is ready.

Janet Rauch informed the Council her building is for sale. Rauch thought that the City could consider purchasing it and using it for the City Library and Offices. The Council suggested someone meet with Rauch to discuss things in more detail. Mayor VanGerpen will talk with Rauch.

Jerald Hayward and Carol Deurmier arrived at 8:35 p.m.

The Council held a lengthy discussion with the public about the streets. Hickory Street was the main area discussed. Residents did not care for the muddy street, wondered if gravel would be put on before winter, and what the exact plan was for Hickory Street. The Council informed the public that all the streets that are tore up will have gravel before winter. After discussing different options on how to flow the storm water, it was decided to run a underground pipe from about Brodeen's south to Railway Street. This will send the water out of town by the railroad tracks.

Bob Reister left at 9:00 p.m.

Terry Schultz discussed with the Council the idea of bringing a machine to lay curb and gutter. Schultz does not have time to lay it by hand this fall. Deurmier would have time in the spring. Schultz had a proposal to discuss with the Council relating to bringing the machine in to lay curb and gutter that he would like to discuss in executive session.

Jack Brodeen left at 9:15 p.m.

Mayor VanGerpen asked the public if there was any more questions or input. Orval Elliott stated that the waterway on Railway Street should be tore out. Oster informed Elliott that Oster had drove that street. Oster stated you could travel threw the waterway about 15 mph. The Council felt that was a reasonable speed and wondered why people where in such a big hurry.

At this time all the people from the public left.

The Council discussed with Schultz the possibility of the City hiring the machine to lay the curb and gutter. The City would do the billing and collecting for the curb and gutter. The Council was uncertain at this time if the City could do this. Finance Officer Haenfler will check into the matter.

Police Chief Luke informed the Council that most Police Departments purchase the handguns for the officers. Luke would like to purchase two handguns for the City Police Officers. In the past the officers have purchased their own gun. Luke felt that this way the City would know that the officer was carrying a good quality gun if the situation every would arise that the gun would have to be used. There is a sale on the handguns at the present time. Each gun would cost about \$400.00.

Motion by Einrem and seconded by Oster to authorize Police Chief Luke to purchase two handguns for the City Police Officers. The guns will be city property. All voted "aye". Motion carried.

The Council discussed the different options of draining the water on the three blocks of Pine Street. The Council agreed to run a underground pipe on Pine Street.

Motion by Oster and seconded by Deurmier to have Don Mudder get his CDL and the City will reimbursement after six months. All voted "aye". Motion carried.

The following resolution was introduced by Einrem and moved for it's adoption (see attached). Motion to adopt the resolution was seconded by Oster. Roll Call: Oster, VanGerpen, Einrem and Deurmier all voted "aye". None voted "naye". Motion carried. Absent Alderman Reister.

Motion by Einrem and seconded by VanGerpen to amend the date of the Public Auction of the City property. The auction will be held on Friday, October 16, 1998 at 5:00 p.m. just east of the softball field. All voted "aye". Motion carried.

The Chamber of Commerce can receive internet free of charge. The Chamber agreed to have internet hooked up to the City computer.

Motion by Einrem and seconded by VanGerpen to hook up the City computer to internet at no cost. All voted "aye". Motion carried.

Finance Officer Haenfler informed the Council that Fred Voigt would like the dump hours on Tuesday to be from 4:00 p.m. to 6:00 p.m. The Council did not feel that gave working people time to get to the dump. The hours where not changed.

Motion by Einrem and seconded by Oster to close the dump on October 31, 1998. All voted "aye". Motion carried.

Finance Officer Haenfler requested a alcoholic beverage permit for the Legion Hall on October 17, 1998. Alderman Deurmier introduced the following resolution and moved it's adoption:

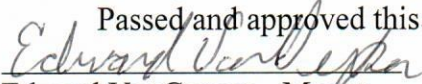
RESOLUTION PERMITTING USE OF ALCOHOLIC BEVERAGES

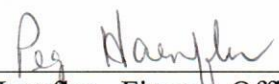
WHEREAS, SDCL 35-1-5.3, as amended, authorizes and permits the governing body of the City of Avon, Bon Homme County, South Dakota, to grant prior authorization for persons to consume or blend alcoholic beverages upon certain property which is owned by the public or non-profit corporation within the jurisdiction of the governing municipality and,

WHEREAS, the City Council of and for the City of Avon, Bon Homme County, South Dakota, has duly considered the request for permissioner in accordance with the above said statue,

NOW THEREFORE, BE IT HEREBY RESOLVED, that in accordance with SDCL 35-1-5.3, as amended, authorization is hereby given at the Avon Legion Hall to mix or blend and consume alcoholic beverages upon and with in the aforesaid premises on the 17th day of October, 1998 between the hours of 9:00 p.m. and 1:00 a.m.

Passed and approved this 5th day of October, 1998


Edward VanGerpen - Mayor


Peg Haenfler - Finance Officer