

CITY PROCEEDINGS
AVON, South Dakota – APRIL 2, 2001

A regular meeting of the Avon City Council was held on the above date at the Avon Public Library at 7:00 p.m. Roll Call: Mayor Frey, Finance Officer Berndt, and Alderman: Kuhlman, DenOuden, Tjeerdsma, Reister, Tolsma, and Dertien. Also present Jack Brodeen and Dennis and Helen Spohr.

Meeting called to order by Mayor Frey at 7:10 p.m.

Motion by Reister and seconded by DenOuden to approve the agenda. All voted "aye". Motion carried.

Motion by Tolsma and seconded by Dertien to approve the minutes of the March 5, 2001 council meeting with the correction of the election notice which should have listed Alderman Dertien in Ward One and Alderman Reister in Ward Two. All voted "aye". Motion carried.

Motion by Tolsma and seconded by Dertien to approve minutes of March 19, 2001 meetings and minutes of the March 22, 2001 meeting as written. All voted "aye". Motion carried.

The following claims were presented for payment:

General Fund:

Allen Kocmich – mileage and meals	\$ 133.94
Avon Clarion – publication and police forms	\$ 454.99
Avon Postmaster – box rent	\$ 32.00
B & L Communications – police repairs	\$ 85.00
Blue Cross of SD – health insurance	\$ 612.50
Cahoy's – oil change, gas	\$ 65.53
Coast to Coast – misc. supplies	\$ 76.07
Commercial Asphalt – patch mix	\$ 318.40
Community Bank – ss & wh	\$ 1,056.76
Cover to Cover – books	\$ 16.11
D & L Oil – diesel and tire	\$ 119.00
Farmers Coop – salt	\$ 44.25
Golden West – phone bill	\$ 108.73
Jurren's Repair – filters and repairs	\$ 358.27
Myers Dray – monthly contract	\$ 2,750.00
Myers Garbage Collection – dumpster	\$ 42.00
Northwestern Public Service – electricity	\$ 1,102.06
One Call Locate	\$ 0.70
Ron's Market – ice melt for sidewalks	\$ 5.87
SD Retirement – retirement	\$ 398.40
State Treasurer – sales tax	\$ 134.04

Carol Berndt – wages	\$	769.77
Lloyd Hieb – wages	\$	525.04
Dennis Cihak – wages	\$	25.85
Roland Luke – wages	\$	881.66
Donald Mudder – wages	\$	897.89
JoEllen Wormsbecher – wages	\$	543.01

Water and Sewer

Avon Enterprise – UPS billing	\$	28.82
Avon Postmaster – postage	\$	105.50
BY Water – water	\$	2,264.00
Blue Cross of SD – health insurance	\$	612.50
Community Bank – ss & wh	\$	443.70
Dept. of Revenue – water samples	\$	232.00
Golden West – phone bill	\$	47.21
Light Equipment Division – gaskets	\$	9.40
Office Plus – business card holders	\$	5.49
Revenue and Reserve	\$	374.17
Sioux Pipe and Equipment – supplies	\$	204.61
SD Retirement – retirement	\$	165.48
Allen Kocmich – wages	\$	1,094.69

Avon Ambulance Fund

Avon Postmaster – postage	\$	34.00
American Medical Ass. – HCFA forms	\$	25.90
D & L Oil – diesel	\$	28.50
Golden West – phone bill	\$	61.90
Office Plus – binder	\$	2.29
Pier Insurance – liability	\$	1,089.58
Verizon Wireless – telephone	\$	28.36
Dave Brandt – reimbursement	\$	40.00
Louis Dykstra – reimbursement	\$	40.00
Robert Dykstra – reimbursement	\$	10.00
Donna Reister – reimbursement	\$	10.00
Charlene Tjeerdsma – reimbursement	\$	20.00
Kevin Tjeerdsma – reimbursement	\$	60.00
Carol Tolsma – reimbursement	\$	30.00

Motion by Kuhlman and seconded by Reister to pay the foregoing claims. All voted “aye”. Motion carried.

The following receipts were presented for approval:

Receipts for March 2001

City of Avon – water	\$	4,740.07
City of Avon – sewer	\$	2,456.00
City of Avon – garbage	\$	3,351.00
City of Avon – tax	\$	134.01
Otto Wormsbecker – ambulance	\$	139.00

Water Deposit – Ryan Rucktaeschel/Jennifer Borders	\$	25.00
SD Auditor – refund for retirement payments	\$	286.00
Passbook Interest	\$	1,370.71
Passbook Interest	\$	4.44
Interest – Revenue and Reserve	\$	199.21
Revenue and Reserve transfer	\$	374.17
Dept. of Revenue 1 st Penny	\$	4,483.21
2 nd Penny	\$	5,078.49
Bon Homme Co. Treasurer – general taxes	\$	2,890.33

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

Mayor Comments: We will need to purchase gravel for the streets, approval needed to purchase gravel for the season. Alderman Dertien felt that we should use the city truck to haul the gravel. Motion by Tolsma and seconded by DenOuden to approve the purchase of 20 semi loads of gravel. All voted “aye”. Motion carried.

We are in need of help for the city wide clean up at the end of April. Alderman Kuhlman had a high school student ask if there was the possibility of any summer jobs available through the city. Kuhlman will speak to the student about approximately 20 hours a week. It was also decided to hire Marlin Vilhauer to run the city landfill and for mowing again this summer.

Mayor Frey shared that Allen Kocmich had attended the Fortieth Annual Asphalt Conference. It concentrated on the small towns and there was even a presentation on Avon’s street project. Kocmich stated that the conference was very informative.

Mayor Frey also shared that he received a letter from Senator Johnson regarding bulletproof vests. He will pass the letter on to Police Chief Luke.

Mayor Frey informed the council that over \$5,500.00 has been collected on the delinquent water accounts.

Motion by DenOuden seconded by Dertien to declare Avon Community Bank as the official depositor for the year 2001. Roll call: Kuhlman, DenOuden, Tjeerdsma, Reister, Tolsma, and Dertien. All voted “aye”. None voted “naye”. Motion carried.

Motion by Reister and seconded by Tjeerdsma to approve the following resolution.


**RESOLUTION PROVIDING FOR TRANSFER OF FUNDS
FROM CONTINGENCY FUND TO ELECTIONS**

BE IT RESOLVED that the moneys in the Contingency Fund established to supplement the General Budget, be transferred to the following funds in the General Fund of the City of Avon, Bon Homme County, South Dakota, to supplement those accounts necessary to conduct the indispensable function of government of the City of Avon: Elections - Supplies \$700.00 and Salaries \$200.00.

Passed and approved this 2nd day of April, 2001.


James Frey - Mayor

ATTEST:


Carol Berndt - City Finance Officer
(SEAL)

Roll call: Kuhlman, DenOuden, Tjeerdsma, Reister, Tolsma, and Dertien. All voted "aye". None voted "naye". Motion carried.

Finance Officer Berndt on behalf of James Pelton requested a dance permit for June 30, 2001. Alderman Kuhlman introduced the following resolution and moved for adoption:

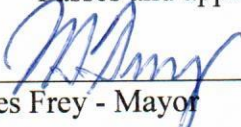
RESOLUTION PERMITTING USE OF ALCOHOLIC BEVERAGES

WHEREAS 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 person to consume or blend alcoholic beverages upon certain property which is owned by the public or non-profit corporation within the jurisdiction of governing municipality and

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

NOW THEREFORE, BE IT RESOLVED, that in accordance with SDCL 35-1-5.3, as amended, authorization is hereby given to James Pelton for the use of the Avon Legion Hall and to mix or blend and consume alcoholic beverages upon and within the aforesaid premises on the 30th day of June, 2001 between the hours of 9:00 p.m. and 1:00 a.m.

Passes and approved this the 2nd day of April, 2001.


James Frey - Mayor


Carol Berndt - Finance Officer

Motion to adopt the foregoing resolution was seconded by Reister. Roll call: Kuhlman, DenOuden, Tjeerdsma, Reister, Tolsma, and Dertien. All voted "aye". None voted "naye". Motion carried.

Alderman Reister on behalf of James and Darla Hento requested a dance permit for September 8, 2001. Alderman Reister introduced the following resolution and moved it adoption.

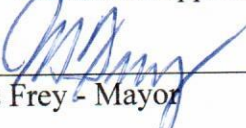
RESOLUTION PERMITTING USE OF ALCOHOLIC BEVERAGES


WHEREAS 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 person to consume or blend alcoholic beverages upon certain property which is owned by the public or non-profit corporation within the jurisdiction of governing municipality and

WHEREAS, the City Council of the for the City of Avon, Bon Homme County, South Dakota, has duly considered the request of James and Darla Hento for permission in accordance with the above said statute,

NOW THEREFORE, BE IT RESOLVED, that in accordance with SDCL 35-1-5.3, as amended, authorization is hereby given to James and Darla Hento for the use of the Avon Legion Hall and to mix or blend and consume alcoholic beverages upon and within the aforesaid premises on the 8th day of September, 2001 between the hours of 9:00 p.m. and 1:00 a.m.

Passed and approved this the 2nd day of April, 2001.


James Frey - Mayor


Carol Berndt - Finance Officer

Motion to adopt the foregoing resolution was seconded by Kuhlman. Roll call: Kuhlman, DenOuden, Tjeerdsma, Reister, Tolsma, and Dertien. All voted "aye". None voted "naye". Motion carried.

Both parties will be notified that there is an \$8.00 publication fee and \$100.00 deposit. The deposit is returned when the hall is found to have no damage. Berndt is to make sure who gives the OK for returning the deposit check.

Finance Officer Berndt presented the Park Board's recommendations for summer Employment for 2001:

- Concession Stand – Larry Hento Family
- Softball Coach – Larry Hento
- Baseball – Kelley Tjeerdsma – possible night practices
- Teeners – No applicants
- Head Lifeguard – Annie Lukkes
- Asst. Lifeguards – Robyn Dykstra
 - Ashley Berndt
 - Becky Pelton
 - Miranda Hill
- Swimming Lessons – Head – Robyn Dykstra
 - Asst. - Ashley Berndt
- Swim Team Coaches – Head – Becky Pelton
 - Asst. - Justin Lukkes

Police Chief Luke arrived at 7:50 p.m.

Motion by Reister and seconded by Tolsma to approve Larry Hento family as Concession Stand workers, and also approve Larry Hento as softball coach. All voted "aye". Motion carried.

Motion by Kuhlman and seconded by DenOuden to approve lifeguards, swim team coaches and swim instructors as recommended by the Park Board. All voted "aye". Motion carried.

The council had questions they wanted addressed regarding practice times for the boys program. Alderman Tjeerdsma will check with the Park Board Members to see if there would be a problem with night practices. There was also a concern that the games are also scheduled during the day. The council directed Alderman Tjeerdsma to see what could be worked out regarding baseball.

Alderman Reister wanted to go on record that he has concerns about the Ball Association hanging signs on the new fence surrounding the ball field. He has concerns that a strong wind could damage the fence if the signs are hung on the fence. The council discussed the issue it was decided that since they had already given approval and the signs are already being sold to proceed in installing them on the fence. Jack Brodeen shared that Kathy is already working on signs and that he thought it might be too late to reverse the decision at this point.

The monthly police report was given and concerns were shared about speed on main street. Police Chief Luke left at 8:50 p.m.

A discussion was held about the computer in the office. The machine is shutting down and locking up. Motion by Tolsma and seconded by Reister to approve Alderman Kuhlman and Finance Officer Berndt to do some additional research and purchase a computer, the cost not to exceed \$1,200.00. All voted "aye". Motion carried.

Committee Reports:

Pool: Alderman DenOuden estimated the deck would run around \$15,000.00 to replace decking and the wading pool. Jack Brodeen indicated there is money available from the Chamber of Commerce from Golden West grants. We need to look at patching the cracks around the pool for this season.

Streets: Mayor Frey again stated that he felt West Railway should be finished and paved. It was discussed that there would not be curb and gutter on the street and the mat

would wash out. The council thought that the water way should be addressed, that the road should be moved in line to the north and that it should sit for a year to see if it works. There were no final decisions made by the Council.

Alderman Tolsma again discussed the drainage of Pine and 3rd. Tolsma presented the prices that he and Commissioner Kocmich were able to obtain. The pipe they were looking at was 18 inches, which they felt would be more than adequate to drain the water. The estimated price of the pipe was \$13,900.00 and digging was \$15.00 per foot. Concerns were expressed about the property the water would drain on. Alderman Reister was instructed to contact the owner. It was decided that it might be best to hold a special meeting to concentrate on the street issue.


Parks: Trees for the park were discussed at a cost of \$42.00 a tree (\$5.00 return on pot). Motion by Kuhlman and seconded by Reister to purchase 12 trees (3 each of Patmore Ash, Fallgold Black Ash, and Deborah Maple). All voted "aye". Motion carried. They also discussed tree replacement at the softball field no action was taken.

Other Business: Dennis and Helen Spohr voiced concerns about the number of cats in the neighborhood. The council questioned if there might be an old ordinance concerning the number on animals, we will do some checking. Mayor Frey said he would speak to the pet owner and see if a solution can be reached.

Motion by Tjeerdsma and seconded by Dertien to set a Special Meeting for Wednesday, April 11, 2001 at 7:00 p.m. to canvass the votes of the Municipal Election. All voted "aye". Motion carried.


Motion by Kuhlman and seconded by Tjeerdsma to allow Finance Officer Berndt to pay the telephone bill prior to the monthly meeting. All voted "aye". Motion carried.

There being no further business before the come before the Council at this time a motion by Reister and seconded by Tjeerdsma to adjourn at 8:45 p.m. All voted "aye". Motion carried.



James Frey – Mayor

ATTEST:



Carol Berndt – City Finance Officer

Carol Berndt – City Finance Officer

(SEAL)