

AVON, SOUTH DAKOTA - MAY 3, 1999

The 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 VanGerpen, Finance Officer Haenfler, and Alderman: Oster, Reister, Einrem, and Deurmier. Absent Alderman VanGerpen. Also present were Jack Brodeen, Larry Hento, Kevin Tjeerdsma, Paul Kuhlman, Ron Dertien, John Den Ouden, Orval Elliott, and Glen Janssen.

Meeting called to order by Mayor VanGerpen.

Motion by Einrem and seconded by Reister to approve the agenda as presented.

All voted "aye". Motion carried.

Motion by Oster and seconded by Deurmier to approve the minutes of the April 5 & 14, 1999 meetings. All voted "aye". Motion carried.

The following claims were presented for payment:

CLAIMS FOR MAY 1999

GENERAL FUND:

Avon Clarion—publication	\$ 286.39
Blue Cross of SD--health insurance	\$ 1,220.88
Bon Homme Co. Implement--bearings	\$ 144.61
Coast to Coast--misc supplies	\$ 161.40
Community Bank--ss & wh	\$ 1,079.18
Cover to Cover—books	\$ 57.81
D & L Oil--oil, diesel, gasohol	\$ 693.25
Farm Plan--parts for grasshopper	\$ 79.01
Golden West Co.—telephone	\$ 128.32
Jurren's Electronics—scanner, fax machine	\$ 286.90
Jurren's Repair--parts	\$ 149.62
Myra Klock--election clerk	\$ 61.80
Midwest Radar & Equipment--certification	\$ 45.00
Myers Dray--dumpster	\$ 40.00
Myers Dray--garbage collection	\$ 2,750.00
Northwestern Public Service--electricity	\$ 1,079.99
One Call System--locate fee	\$ 32.50
Postmaster--stamps	\$ 33.00
Reta Ridgway--election clerk	\$ 61.80
Schultz Building Center--gravel, supplies	\$ 6,386.45
Share Corp.--pool cleaner	\$ 190.34
SD Retirement--retirement	\$ 610.00
State Treasurer--sales tax	\$ 248.01
Walmart--books	\$ 33.69
Whalen Law Office--attorney fees	\$ 698.28
Shirley Yonkers--election clerk	\$ 61.80
Salaries—office	\$ 561.41
Salaries—library	\$ 432.19
Salaries—police	\$ 2,259.10

Salaries—street	\$ 452.75
Salaries—sanitation	\$ 55.41
Salaries—mayor	\$ 1,006.20
Salaries--councilman	\$ 1,985.52

WATER AND SEWER FUND

Avon Enterprise--UPS	\$ 18.38
B-Y Water--water	\$ 2,289.50
Blue Cross of SD--health insurance	\$ 406.96
Community Bank--wh & ss	\$ 363.98
Dept of Revenue--water & lagoon samples	\$ 338.00
Golden West Co.--telephone	\$ 47.22
Allen Kocmich--wage 1695.00 less 476.01	\$ 1,218.99
Roland Luke--digging	\$ 115.00
Plainsco--grates	\$ 281.51
Revenue & Reserve--transfer	\$ 374.17
Schultz Building Center--radius	\$ 983.50
South Dakota Retirement--retirement	\$ 180.50

AMBULANCE FUND:

Commnet Cellular--telephone	\$ 21.70
D & L Oil--diesel	\$ 35.33
Golden West Co.--telephone	\$ 79.90
Dave Brandt--reimbursement	\$ 10.00
Louie Dykstra--reimbursement	\$ 21.25
Robert Dykstra--reimbursement	\$ 81.25
Donna Reister--reimbursement	\$ 10.00
Albert Simek--reimbursement	\$ 50.00
Charlene Tjeerdsma--reimbursement	\$ 11.25
Carol Tolsma--reimbursement	\$ 11.25
Mike Steffen--reimbursement	\$ 10.00

Alderman Einrem questioned some gravel that was purchased and put on one block of Pine Street, north of 4th Street. Mayor VanGerpen explained to the Council that he had authorized the gravel on Pine Street. Alderman Einrem explained that the Council had discussed this at a meeting a couple of months prior to this and had decided not to put gravel on the street because the gravel would not be reusable do to contamination.

Motion by Einrem and seconded by Deurmier to have Mayor VanGerpen pay for 80 tons of gravel that was put on Pine Street. Einrem and Deurmier voted "aye". Oster voted "naye". Reister abstained. Motion failed.

Mayor VanGerpen volunteered to pay for gravel.

Motion by Einrem and seconded by Reister to pay the foregoing claims as presented. Einrem, Deurmier and Reister all voted "aye". Oster voted "naye". Motion carried.

Mayor VanGerpen informed the Council he will not sign the check to pay Whalen Law Office until he checks into the matter further.

The following receipts were presented for approval:

RECEIPTS FOR APRIL 1999

City of Avon—water	\$ 4,689.73
City of Avon—sewer	1,865.50
City of Avon—garbage	3063.25
City of Avon—tax	122.92
Revenue & Reserve—transfer	374.17
Clerk of Court—fines	176.15
United States Treasury—gas tax refund	573.07
Dept. of Revenue—sales tax (1 st -31.46.00, 2 nd -2689.99)	5,835.99
Elizabeth Oorlog—ambulance service	157.00
Dept. of Revenue—alcoholic beverage fund	707.35
Cop Fast Grant—grant	4,480.22
Bon Homme Co. Treasurer—general	4,795.25
12% Municipal	<u>198.48</u>

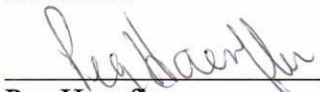
Motion by Oster and seconded by Reister to accept the foregoing receipts. All voted "aye". Motion carried.

Motion by Einrem and seconded by Reister to thank Dennis Deurmier and Rodney VanGerpen for their time served on the City Council. All voted "aye". Motion carried.

Motion by Deurmier and seconded by Einrem to adjourn at 7:15 p.m. and immediately reconvene as the newly elected City Council and re-organize said Council for the coming year. All voted "aye". Motion carried.


Edward VanGerpen - Mayor

ATTEST:


Peg Haenfler
City Finance Officer
(SEAL)

AVON, SOUTH DAKOTA - MAY 3, 1999

The regular meeting of the newly elected City Council was held on the above date at 7:15 p.m. at the Avon Public Library. Roll Call: Mayor VanGerpen, Finance Officer Haenfler, and Alderman: Oster, Reister, Einrem, Kuhlman, Den Ouden, and Dertien. Also present were Jack Brodeen, Glen Janssen, Orval Elliott, Larry Hento, and Kevin Tjeerdsma.

Mayor VanGerpen called the meeting to order.

Mayor VanGerpen administers the Oath of Office to Ron Dertien as Alderman of Ward One for a term of two years, to John Den Ouden as Alderman of Ward Two for a term of three years, and to Paul Kuhlman as Alderman of Ward One for a term of three years, and declares them duly installed as Alderman in their respective wards.

Motion by Einrem and seconded by Reister to approve the agenda as presented. All voted "aye". Motion carried.

Mayor VanGerpen calls for nominations for the Council President and Vice President. Motion by Oster and seconded by Reister to nominate Alderman Einrem for President of the City Council and a unanimous ballot be cast for Einrem. All voted "aye". Motion carried.

Motion by Oster and seconded by Den Ouden to nominate Alderman Reister for Vice President of the City Council and a unanimous ballot be cast for Reister. All voted "aye". Motion carried.

Mayor VanGerpen makes the following committee appointments to serve for the coming year: STREETS AND ALLEYS SEWER AND WATER BUILDINGS, PARK, LAND

EINREM-CHAIRMAN-3625
MAYOR VANGERPEN
DEN OUDEN

REISTER-CHAIRMAN-3539
EINREM
DERTIEN

OSTER-CHAIRMAN-3496
KUHLMAN
REISTER

BOARD OF HEALTH AND POOL
KUHLMAN-CHAIRMAN-3434
REISTER
OSTER

NUISANCE AND DUMP
DERTIEN-CHAIRMAN-3916
EINREM
DEN OUDEN

FINANCE AND PURCHASING
DEN OUDEN-CHAIRMAN-3394
OSTER
DERTIEN

Alderman Einrem questioned why Mayor VanGerpen was listed as part of the Streets and Alleys committee. Einrem felt that the Mayor oversaw all the committees. Mayor VanGerpen explained that he gets a lot of phone calls pertaining to the streets and felt he wanted to be part of the committee to keep on top of what was happening with the

streets. Alderman Einrem felt Alderman Reister should have been kept on the committee do to all the experience he has.

Motion by Dertien and seconded by Kuhlman to approve the foregoing committee appointments made by Mayor VanGerpen. Oster, Reister, Kuhlman, Den Ouden, and Dertien all voted "aye". Einrem voted "naye". Motion carried.

Mayor VanGerpen appointed Jarvis Winckler, Brad Poppe and Marsha Hubner to the Park Board for a term of three years. Motion by Oster and seconded by Den Ouden to approve these said appointments. All voted "aye". Motion carried.

Mayor VanGerpen appointed Sandy Pier and Joanne Bryan to the Library Board for a term of three years. Motion by Reister and seconded by Dertien to approve these said appointments. All voted "aye". Motion carried.

Mayor VanGerpen appoints Peg Haenfler as City Finance Officer. Motion by Oster and seconded by Den Ouden to approve said appointment. All voted "aye". Motion carried.

Mayor VanGerpen appoints Roland Luke as Police Chief. Motion by Oster and seconded by Reister to approve said appointment. All voted "aye". Motion carried.

Mayor VanGerpen then swears in the Finance Officer and Police Chief and declares them duly installed for one year term.

As advertised, a Public Hearing for the renewal of Malt Beverage License for Dutch's Corner was held. Motion by Reister and seconded by Den Ouden to approve the application of Michael Carr, dba Dutch's Corner, located on Lot 9, Block 6, Milwaukee 1st, Avon, SD, for retail (on-off sale) malt beverage license. Roll Call vote: Oster, Reister, Einrem, Kuhlman, Den Ouden, and Dertien all voted "aye". None voted "naye". Motion carried.

Jay Weber and Sharon VanGerpen arrived at 7:30 p.m.

Mayor VanGerpen informed the Council that during clean up week a deep freeze had been picked up by mistake that was just being air out.

Motion by Einrem and seconded by Oster to pay \$125.00 to the party for the deep freeze that was damaged by the City. All voted "aye". Motion carried.

Alderman Oster discussed the fire hydrant on the corner of 1st Street and Hickory Street. The hydrant is an older style and Alderman Oster wondered if it should be replaced while the street is being worked on. Alderman Reister felt that it was not necessary to change the hydrant at this time.

Alderman Einrem informed the Council that Corner Bar & Martin's Bar would like to request a one day liquor license for June 12 at the Legion Hall.

Motion by Reister and seconded by Den Ouden to approve a one day liquor license for Corner Bar & Martin's Bar for June 12 at the Legion Hall. Roll call: Oster, Reister, Einrem, Kuhlman, Den Ouden, and Dertien all voted "aye". Motion carried.

Alderman Einrem informed the Council that Flannery Engineering estimated the cost to engineer sewer project would be around \$1500.00.

Motion by Reister and seconded by Den Ouden to hire Flannery Engineering to engineer sewer project and to have Alderman Einrem contact them. All voted "aye". Motion carried.

Alderman Einrem on behalf of Maggie Einrem, requested a dance permit for September 11, 1999. Alderman Reister introduced the following resolution and moved it's adoption:

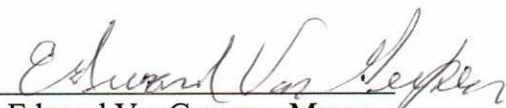
RESOLUTION PERMITTING USE OF ALCOHOLIC BEVERAGES

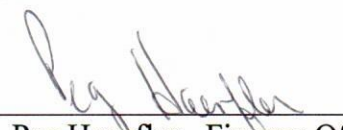
WHEREAS, SDCL 35-1-5.3, as amended, authorizes and permits the governing body of the City of Avon, Bon Homme County, South Dakota, to grant prior authorization for persons to consume or blend alcoholic beverages upon certain property which is owned by the public or a non-profit corporation within the 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 of Maggie Einrem 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 Maggie Einrem 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 11th day of September, 1999 between the hours of 9:00 p.m. and 1:00 a.m.

Passed and approved this 3rd day of May, 1999.


Edward VanGerpen - Mayor


Peg Haenfler - Finance Officer

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

Mayor VanGerpen opened up the discussion for public comments. Most of the people present were there to find out what the Council's plans were for the streets. The big questions was what streets would be matted this summer and which ones will be matted in the spring of 2000. A discussed followed with many comments and suggestions.

Barb Jonkers arrived at 8:00 p.m.

Motion by Oster and seconded by Dertien to mat 1 block of Pine Street between 2nd and 3rd Street, 1 block of Hickory Street between 1st and 2nd Street, 1 block of 1st Street between Walnut and Ash Street, 2 blocks of 1st Street east of Pine Street, and to mat all of the other streets that are tore up as early as possible in the spring of 2000. All voted "aye". Alderman Kuhlman abstained. Motion carried.

Barb Jonkers asked the Council if there would be extra black dirt available that they could have to put by there new house. The Council agreed that if there was extra dirt Jonkers would receive priority on the dirt.

Mensch's Greenhouse curb & gutter was discussed. The curb drains the water the right direction but is farther back then the 28' street.

Motion by Einrem and seconded by Kuhlman to leave the curb and gutter in front of Mensch's Greenhouse, do to it being a business, with the understanding that Lyle Mensch will pay for and maintain the additional mat past 28'. All voted "aye". Motion carried.

Bob Reister left at 8:35 p.m.

Finance Officer Haenfler read a letter received from the swim team parents. The letter was requesting that the city pay the head coach \$1100.00 and pay an additional \$500.00 to the assistant coach. The letter stated the number of participants, amount of time put in for practice, and all the duties involved with the position. The Council felt they needed some questions answered before making a decision on this matter. Finance

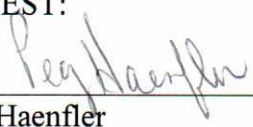
Officer Haenfler will contact the swim team parents and get more information. The matter will be discussed at the next Council meeting.

Dennis Deurmier addressed the Council about some unfinished jobs that should be worked on by the City. Alderman Dertien informed the Council about a manhole that needed work done to it. Mayor VanGerpen will inform Street & Water Commissioner of these things.

There being no further business to come before the Council at this time, a motion by Einrem and seconded by Den Ouden to adjourn at 9:30 p.m. All voted "aye". Motion carried.


Edward VanGerpen- Mayor

ATTEST:



Peg Haenfler
City Finance Officer
(SEAL)