



City of Flandreau City Council Meeting

*Agenda
Friday*

6:30 p.m., Friday
March 22nd, 2019

City Council Chambers
1005 W. Elm Avenue
Flandreau, SD

Meeting called by: Mayor Bonrud

Type of meeting: **Special**

Agenda topics

Pledge of Allegiance

Alderman Unger

- | | | |
|---|---|--------------|
| 2 | Adopt Agenda | City Council |
| 2 | Approve Minutes of March 12 th | City Council |
| 2 | Approve Minutes of March 15 th | City Council |
| 2 | Approve Minutes of March 18 th | City Council |
| 2 | Approve Minutes of March 18 th Board of Equalization | City Council |
| 2 | Public Comments | |

Administrative Reports

- | | | |
|---|--------------------------------|---------------|
| 5 | Mayor's Report | Mayor Bonrud |
| 5 | City Administrator's Report | Jeff Pederson |
| 2 | Approve Administrative Reports | City Council |

Old Business

None

New Business

- | | | |
|---|--|--------------|
| 5 | Jim Zandt Public Nuisance Declaration Appeal | City Council |
| 5 | Resolution 2019-02 Affirming City Council Commitment to Operate City Police Department
Council Comments | City Council |

Special notes: Other business properly referred to the City Council.

Jeff Pederson
City Administrator

Distribution:
Mayor Bonrud
Alderman Bjerke
Alderman Pesall
Alderman Sutton
Alderman Tufty
Alderman Unger
Alderman Whitman

Cc:
Newspaper: Moody County Enterprise
Radio: Carol Kiecksee
City Attorney: Corey Bruning

**CITY OF FLANDREAU
1005 W. Elm Avenue
Flandreau, SD 57028-1404**

**COUNCIL PROCEEDINGS
March 12th, 2019**

On March 12th, 2019, a quorum of the City Council comprised of Mayor Bonrud, Alderman Tufty, Alderman Pesall, and Alderman Unger was present at a Community Meeting hosted by the Flandreau Development Corporation and located at the William J. Janklow Community Center. Also present was Jeff Pederson, City Administrator.

Mayor Bonrud called the City Council to order at 6:00 p.m.

Items discussed included the establishment of bicycle lanes on Pipestone Avenue, and the review of community appearance codes.

The Mayor declared the meeting adjourned at 7:25 p.m.

Mark Bonrud
Mayor

ATTEST:

Jeff Pederson
City Administrator

**CITY OF FLANDREAU
1005 W. Elm Avenue
Flandreau, SD 57028-1404**

**COUNCIL PROCEEDINGS
March 15th, 2019**

The City Council of the City of Flandreau, South Dakota, met in special session on Friday, March 15th, at 5:00 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Aldermen: Brad Bjerke, Bob Pesall, Dan Sutton (via conference call), Karen Tufty, and Jason Unger. Absent: Mayor Bonrud and Alderman Donald Whitman. Also present were Jeff Pederson and Karen Gundvaldson, City of Flandreau; Paul Lewis, Acting City Attorney; Chief Zach Weber, Flandreau Police Department (FPD); Chief Jud Krull, Flandreau Volunteer Fire Department (FVFD); Jim Zandt, property owner of 101 and 103 E. 2nd Avenue; Don Duncan and Ed Duncan, Flandreau Bakery; Leslie Hurley; Fat Boys Bar; Kyle Haug, ROK Properties; numerous public safety officials and concerned citizens.

The meeting was chaired by Vice President Pesall in the absence of the Mayor.

The proposed agenda was reviewed. Motion by Tufty and seconded by Unger to adopt the proposed agenda. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, and Unger. Nays: None. Absent: Whitman. Motion carried.

Public Comments: Comments were heard from tenants and property owners affected by the recent evacuation of residences and closure of businesses and streets due to the damage to the south wall of the Jim Zandt property at 101 and 103 E. 2nd Avenue. Don Duncan, Flandreau Bakery; and Leslie Hurley, Fat Boys Bar; both discussed the issue of closure, indicating their desire to reopen and resume business operation.

Discussion took place regarding the need to obtain a report from a structural engineer of the property at 101 and 103 E. 2nd Avenue to determine whether it is safe for entry or should be demolished. Fire Chief Krull shared that he feels the building should not be entered without a professional opinion regarding structural soundness. Kyle Haug, ROK Properties, indicated he feels the building could be salvageable and spoke of his wish to purchase and restore the property in question should it be deemed structurally sound and available for sale.

Paul Lewis, Acting City Attorney, discussed declaring the property at 101 and 103 E. 2nd Avenue a public nuisance and explained procedures and options available to Mr. Zandt and the City. He also discussed what an Emergency Declaration entails.

Motion by Bjerke and seconded by Unger to declare the property at 101 and 103 E. 2nd Avenue a public nuisance. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, and Unger. Nays: None. Absent: Whitman. Motion carried.

Motion by Unger and seconded by Tufty that tenants, occupants, owners, guests, customers and invitees to 105 E. 2nd Avenue may enter the same but do so with full assumption of the risk of injury to property or themselves in the event of the collapse or further deterioration of 101 and/or 103 E. 2nd Avenue so long as 101 and/or 103 E. 2nd Avenue should be considered by the City of Flandreau to constitute a public nuisance. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, and Unger. Nays: None. Absent: Whitman. Motion carried.

Motion by Unger and seconded by Bjerke that occupants, owners, guests, customers and invitees to 111 N. Wind Street may enter the same but do so with full assumption of the risk of injury to property or themselves in the event of the collapse or further deterioration of 101 and/or 103 E. 2nd Avenue so long as 101 and/or 103 E. 2nd Avenue should be considered by the City of Flandreau to constitute a public nuisance. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, and Unger. Nays: None. Absent: Whitman. Motion carried.

The Council Vice President declared the meeting adjourned at 5:56 p.m.

Bob Pesall
Vice President

ATTEST:

Jeff Pederson
City Administrator

**CITY OF FLANDREAU
1005 W. Elm Avenue
Flandreau, SD 57028-1404**

**COUNCIL PROCEEDINGS
March 18th, 2019**

The City Council of the City of Flandreau, South Dakota, met in regular session on Monday, March 18th, 2019 at 6:15 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Mayor Mark Bonrud. Aldermen: Brad Bjerke, Bob Pesall (6:23 p.m.), Dan Sutton, Karen Tufty, Jason Unger (6:30 p.m.), and Donald Whitman. Absent: None. Also present were Jeff Pederson and Karen Gundvaldson, City of Flandreau; Corey Bruning, City Attorney; Kelly Kontz, Flandreau Public School Board; Donald Elverud, and Kathy Lunday, property owners; and Brenda Wade Schmidt, Moody County Enterprise.

The proposed agenda was reviewed. Motion by Whitman and seconded by Bjerke to adopt the proposed agenda. The following members voted aye: Bjerke, Sutton, Tufty, and Whitman. Nays: None. Absent: Pesall and Unger. Motion carried.

The Local Board of Equalization convened at 6:15 p.m.

The City Council convened at 6:34 p.m.

Motion by Sutton and seconded by Unger to approve the minutes of March 4th, 2019. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, and Unger. Nays: None. Abstain: Whitman. Absent: None. Motion carried.

Motion by Unger and seconded by Pesall to allow the following claims for the City and to pay them: Payroll 3/13/2019: general, 18,850.11; 3rd penny, 215.25; water, 3,651.38; electric, 7,427.01; sewer, 3,288.78; airport, 137.29; solid waste, 205.93; (19742) Avera Flandreau Medical Clinic, medical exam/employee, 75.00; Banner Associates, professional fees, 8,258.15; Big Sioux Comm Water System, water usage, 70.00; Booster Publishing, publishing/advertising, 1,235.80; Cardmember Services, supplies/uniforms/gas/repair/conference, 661.13; Core & Main, repairs, 209.40; Cybercoach, repairs, 234.49; Dave's Appliance Repair, repair, 142.79; David Schliinz, conference, 12.00; Display Sales Company, banners/Sesquicentennial, 7,220.00; Ekern Home Equipment, supplies 184.19; Elite Business Systems, contract/supplies, 273.60; Flandreau Veterinary Clinic, K-9 expenses, 106.40; FSST, utility taxes collected, 569.17; Galls, uniforms, 441.19; Governor's Office of Economic Development, conference, 150.00; GreatAmerica Financial SVCS., contract, 186.35; Greg's Welding, repairs, 200.00; Helms & Associates, airport project, 2,385.28; Krull's Garage, repairs, 2,224.06; Maynard's of Flandreau, supplies, 24.63; Metron-Farnier, Verizon meters, 3,170.91; MidAmerican Energy, gas bill, 3,598.83; Moody County Auditor, 211 system/Moody County Cares, 1,000.00; Moody County Enterprise, publishing/advertising, 190.49; Moody County Historical Society, 2019 subsidy, 7,000.00; Northern Safety Co., supplies, 287.67; NWTf-Big Sioux Chapter, deposit refund, 250.00; Pitney Bowes-Leasing, qtly charges, 451.68; Pitney Bowes-Purchase Powers, postage, 500.00; Postmaster, postage, 265.00; Powers Oil Company, diesel, 881.22; Productivity Plus Account, supplies/repairs, 368.70; Ramsdell F&M, propane, 228.59; River's Edge Cooperative, gas/propane, 3,521.00; SD Public Assurance Alliance, insurance, 66,454.20; SD Supplemental

Retirement Plan, retirement, 192.31; Sioux Falls Area Humane Society, professional fees, 132.12; Sioux Valley Energy, electric, 100.00; Staci Ackerman/SD Sheriffs' Assoc., conference, 85.00; Sturdevant's Auto Supply, supplies, 167.12; Taylor White, supplies, 48.25; Tyler Lumber Co., supplies, 204.91; Verizon Wireless, jet packs/cell phone, 379.01; Waxdahl NAPA Plus, supplies, 213.85; WW Tire Service, repairs, 513.12; (19788). February EFTs: CoBank, interest, 20,450.83; Dakotacare, health insurance, 19,765.57; EFTPS, taxes, 18,493.14; Missouri River Energy Services, energy cost, 136,914.15; SD State Treas-Sales Tax, taxes, 11,038.95; US Department of Agriculture, water bond payment, 3,381.00. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

There were no Public Comments.

Mayor Bonrud shared information discussed at Emergency Management meetings regarding the anticipated flooding that will occur this spring. Emergency Management is coordinating with all public safety entities as upcoming flooding is expected to be significant and similar to the flooding that occurred in 1969.

City Administrator Pederson informed Council that bids for Safe Room #2 will be accepted until March 29th, with a bid award taking place at the April 1st Council meeting. Estimated costs are at the projected budget amount and he is hopeful that construction can begin in April with completion in July. The grant for playground equipment at the Broad Avenue Mobile Home Park has been submitted for environmental clearance; final contract is expected in June. The contract for CodeRED has been signed and implementation has begun; a press release will be published this week. Two liability/damage claims have been filed with the City for issues created from snowplowing and the recent rainfall. City Administrator Pederson also updated Council on recent conversations with Jim Zandt, owner of 101 and 103 E. 2nd Avenue, regarding the public nuisance declared at the March 15th Council meeting. He also commended all that responded to the recent emergency situation and evacuation at the Zandt property and surrounding businesses.

Motion by Bjerke and seconded by Sutton to approve the Administrative Reports. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Old Business: None

New Business: Upon recommendation from Mayor Bonrud, a motion was made by Whitman and seconded by Unger to establish a Task Force consisting of community representatives and three Council members to review property appearance codes. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Sutton to surplus and dispose of existing and future copper and aluminum wire, and brass water meters that are obsolete or no longer useful. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Whitman and seconded by Pesall to approve a pay step increase for Tanner Harris, Heavy Equipment Operator, to \$17.27 per hour effective April 20th, 2019. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Tufty to approve a pay step increase for Crystal Roberts, Utility Billing Clerk, to \$16.78 per hour effective April 20th, 2019.

The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Whitman and seconded by Bjerke to approve a pay step increase for Anthony Ullom, Janitor, to \$14.33 per hour effective April 20th, 2019. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

There were no Council Comments.

Motion by Unger and seconded by Sutton to go into executive session for contractual matters at 7:33 p.m. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Sutton and seconded by Pesall to come out of executive session at 8:31 p.m. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

The Mayor declared the meeting adjourned at 8:31 p.m.

Mark Bonrud
Mayor

ATTEST:

Jeff Pederson
City Administrator

**BOARD OF EQUALIZATION
City of Flandreau
Moody County, South Dakota**

March 18th, 2019

The City Council, acting as the Local Board of Equalization for the City of Flandreau, Moody County, South Dakota, convened at 6:15 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Mayor Mark Bonrud. Aldermen: Brad Bjerke, Bob Pesall (6:23 p.m.), Dan Sutton, Karen Tufty, Jason Unger (6:30 p.m.), and Donald Whitman. Absent: None. Also present were Jeff Pederson and Karen Gundvaldson, City of Flandreau; Kelly Kontz, Flandreau Public School Board; Donald Elverud, and Kathy Lunday, property owners; and Brenda Wade Schmidt, Moody County Enterprise.

Donald Elverud objected to the 2019 real property assessment of parcel 21.50.27.25, described as 27 CITY OUTLOT E NW-1/4 27-107-48 (4.95 ACRES). He believes the assessed value of \$14,598 is too high and should be lowered to \$5,380 based on the layout of the land with a creek and floodplain. A motion was made by Whitman and seconded by Tufty to recommend lowering the recorded property value from \$14,598 to a value of \$5,380 for the reasons stated. The following members voted aye: Bjerke, Kontz, Sutton, Tufty, and Whitman. Nays: None. Abstain: Pesall. Absent: Unger. Motion carried.

Kathleen Lunday is appealing the 2019 real property assessment of parcel 21.01.08.06 at 306 E. 2nd Avenue, described as E-12-1/2' LOTS 4-5-6 & LOT 7 BLOCK 8 ORIGINAL PLAT. She believes the assessed value of \$79,888 (land \$3,563 and buildings \$76,325) should be lowered to \$59,700 (land \$3,563 and buildings \$56,137) based on recent purchase and reappraisal of property. A motion was made by Sutton and seconded by Bjerke to recommend lowering the recorded property value from \$79,888 to \$60,000 for the reasons stated. The following members voted aye: Bjerke, Kontz, Pesall, Sutton, and Tufty. Nays: Whitman. Absent: Unger. Motion carried.

Tammy Pitsenberger is appealing the 2019 real property assessment of parcel 21.35.01.12 at 606 Cedar Drive, described as E-1/2 LOT 11 & LOT 12 BROAD AVENUE MOBILE HOME PARK ADDITION. She believes the assessed value of \$39,410 (land \$4,380 and buildings \$35,030) should be lowered to \$28,000 (land \$4,380 and buildings \$23,620) based on recent purchase. A motion was made by Pesall and seconded by Whitman to recommend lowering the recorded property value from \$39,410 to \$28,000 for the reason stated. The following members voted aye: Bjerke, Kontz, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Sutton and seconded by Pesall to adjourn at 6:34 p.m. The following members voted aye: Bjerke, Kontz, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Karen Gundvaldson
Board Clerk