

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

**COUNCIL PROCEEDINGS
May 23rd, 2019**

The City Council of the City of Flandreau, South Dakota, met in special session on Thursday, May 23rd, 2019 at 6:30 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Mayor Mark Bonrud. Aldermen: Brad Bjerke, Bob Pesall, Dan Sutton (via telephone conference), Karen Tufty, Jason Unger, and Donald Whitman. Absent: None. Also present were Jeff Pederson and Karen Gundvaldson, City of Flandreau; Corey Bruning, City Attorney; Jim Zandt, property owner; and Brenda Wade Schmidt, Moody County Enterprise.

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

There were no Public Comments.

The City Administrator shared information regarding cost estimates for asbestos removal and demolition of the Zandt property located at 101 and 103 E. 2nd Avenue. Cost estimate for asbestos removal is \$17,500; grant funding is available, however, only non-profit entities may apply. Cost estimate for demolition is \$155,000.

Mr. Zandt was asked to speak and he shared that his insurance company will not pay anything on his submitted claim. He would still like to fix the building but has been unable to locate a contractor to remove and replace the south wall as well as complete other repairs as noted in the engineering report received earlier. After hearing the costs associated with asbestos removal and demolition, he feels he can't afford to demolish the building.

City Attorney Corey Bruning indicated there are two options to abate the Zandt property as it had been declared a nuisance at an earlier date: 1) the City can abate the nuisance by contracting for asbestos removal and demolition of the building and then file a special assessment against the property; or 2) SDCL allows civil judgement against the property owner after the City abates the nuisance.

Discussion was briefly held regarding the funding necessary should the City abate the nuisance with a suggestion made to utilize restricted funds that were set aside for another project.

Motion by Unger and seconded by Pesall to allow Mr. Zandt 45 days to demolish the building and also solicit bids for demolition should the City abate the nuisance. After discussion, Unger withdrew his motion.

Motion by Unger and seconded by Pesall to allow Mr. Zandt 45 days to abate the nuisance at 101 and 103 E. 2nd Avenue by demolition, removal and site clean-up of the building. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried. Mr. Zandt was then asked if he understood the action required of him and he indicated he understood.

Motion by Unger and seconded by Pesall to have the City Administrator request bids for demolition, removal and site clean-up of the building located at 101 and 103 E. 2nd Avenue should Mr. Zandt fail to abate the declared nuisance at

the property within the allowed 45 days. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

There were no Council Comments.

The Mayor declared the meeting adjourned at 5:40 p.m.

Mark Bonrud
Mayor

ATTEST:

Jeff Pederson
City Administrator