

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

**COUNCIL PROCEEDINGS
July 15th, 2019**

The City Council of the City of Flandreau, South Dakota, met in regular session on Monday, July 15th, 2019 at 6:33 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Mayor Mark Bonrud. Aldermen: Brad Bjerke, Bob Pesall, Dan Sutton, Karen Tufty, Jason Unger, and Donald Whitman. Absent: None. Also present were Jeff Pederson and Karen Gundvaldson, City of Flandreau; Chief Zach Weber, Flandreau Police Department; Corey Bruning, City Attorney; Jim Zandt, Dave Obenauer, Chad Achterberg, Kyle Haug, and Don Duncan, Zandt Building; Bruce Allen, Skateboard Park; Kelley Ramsdell, Healthy Hometown Committee; and Brenda Wade Schmidt, Moody County Enterprise.

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

Motion by Bjerke and seconded by Tufty to approve the minutes of July 5th, 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 Tufty to approve the minutes of July 8th, 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 Sutton to allow the following claims for the City and to pay them: (20281) A-1 Portable Toilets, rentals, 288.00; Big Bear's BBQ, vouchers/car show, 160.00; Big Sioux Comm Water System, water usage, 134.20; Bob's Electric, repairs, 2,287.68; Bruning & Lewis Law Firm, professional fees, 1,312.50; Butler Machinery Co., repairs, 69.94; Chesterman Co., supplies, 304.20; Cintas, rentals, 263.47; Ekern Home Equipment, repairs/supplies, 799.20; Elifeguard, supplies, 1,128.00; Elite Business Systems, contract/supplies, 272.47; Gall, supplies, 135.89; Hawkins, supplies, 1,687.26; Leah Parsons, vouchers/car show, 50.00; Office Peeps, supplies, 39.90; Pitney Bowes-Leasing, qtly charges, 74.97; Postmaster, fire dept. box rent/postage, 415.00; Powers Oil Co., gas/oil, 1,009.19; Rausch Granite, repairs, 75.00; River's Edge Cooperative, gas/oil, 2,129.95; SD Supplemental Retirement Plan, retirement, 292.31; Waxdahl NAPA Plus, repairs/supplies, 326.77; (20303). The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Public Comments: Bruce Allen addressed Council regarding his donation of equipment for a skateboard park with a possible location at the Aquatic Center or Duncan Park. The equipment takes a space approximately 50' x 60' and would need a 5-6" concrete pad underneath. Discussion was held and comments were favorable. The item will be placed on a future agenda once cost estimates are obtained.

Mayor Bonrud extended congratulations to those involved with making the recent Sesquicentennial Celebration such a success. Events were well attended. In addition the recent Airport Fly-In was well received and enjoyed by many.

City Administrator Pederson shared that construction on Safe Room #2 is progressing with side walls up. Phase 4 of the Electric Distribution Improvement Project is under way and progressing well. The City Park closed this past weekend due to flooding; it is unlikely that the campground will be utilized this summer due to the extensive clean-up needed once water recedes. The Community Appearance Codes Task Force continues to meet. Members have been reviewing national code and the appearance of other cities; specific portions of the City code will be reviewed at the next meeting. The committee regarding the Flandreau Golf Course met earlier this evening; possible scenarios for managing the course are ongoing. The FSST Pow Wow has been relocated to an area near the Casino due to flooding. Alderman Unger then indicated Riverside Park Days scheduled for the first weekend in August has been cancelled; the Ministerial Association will still hold church services at the park at a location to be determined when the event is near.

Motion by Pesall and seconded by Tufty 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: City Administrator Pederson requested City Attorney Corey Bruning update those present on recent events and the abatement process of the Zandt building. The motion made at the July 8th meeting was read concerning the action required by Mr. Zandt tonight. When asked, Mr. Zandt indicated he would like Dave Obenauer, High Rise of Sioux Falls, Inc. to update Council on progress made in the past week. Mr. Obenauer introduced Chad Achterberg, who would be working on the project should Council allow it. Both indicated work would be complete in 8-12 weeks with Wind Street open for thru traffic in 7-10 days. Requirements stipulated in the July 8th motion were not met; Mr. Obenauer shared a letter from an engineer that indicates it would be two weeks before he would be able to provide any opinion. Documents provided by Mr. Obenauer showing past projects were circulated for Council review. Concern was expressed regarding Mr. Zandt's lack of progress in the past four months, maintenance of the building over the past several years, cost of repairs, and future work to repair/update the interior. Comments were heard from nearby business owners, Don Duncan and Kyle Haug.

Mayor Bonrud left the meeting at 7:35 p.m. and Council President Dan Sutton took over chairing the meeting; the Zandt building discussion continued. Discussed was extended delays in abating the nuisance should Council allow repairs to begin and the possibility of work halting due to unforeseen issues. The asbestos removal and demolition would more than likely have to be re-bid which would delay resolving the nuisance. The City Administrator asked Mr. Obenauer if he had made arrangements with Mr. Zandt to place into escrow the amount of money associated with the restoration contract, to which Mr. Obenauer replied that he had not.

Motion by Pesall and seconded by Unger to extend the deadline to mitigate the Zandt building nuisance under the following conditions: (1) Work must be complete within 12 weeks with Wind Street open for two-way traffic within 2 weeks, (2) Zandt assumes the costs incurred by the City for fencing and other expenses incurred by the City as a direct result of the collapse, (3) Zandt provides

final approval of the repairs as safe, by a structural engineer, and (4) Funds for the project in the amount of \$127,000.00 must be deposited into escrow with Bruning and Lewis Law Firm on July 16th, 2019 to ensure payment to the contractor and City costs. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, and Whitman. Nays: Unger. Absent: None. Motion carried.

Motion by Bjerke and seconded by Tufty to table awarding the bid for asbestos removal of the Zandt building until acknowledgment of receipt of escrow on July 16th, 2019 in the amount of \$127,000.00. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Bjerke and seconded by Tufty to table awarding the bid for demolition of the Zandt building until acknowledgment of receipt of escrow on July 16th, 2019 in the amount of \$127,000.00. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

New Business: Kelley Ramsdell, representing the Healthy Hometown Committee working on the prospect of bicycle lanes in the city, introduced committee members present. After numerous meetings held throughout the year, an event to test a simulated bicycle lane on Pipestone Avenue, and a survey conducted of community members, the committee is proposing a bicycle lane and road share on 1st Avenue as the first phase of creating a bike friendly community. The committee recommendation is to have a dedicated bicycle lane next to the curb on the north side (westbound lane) of 1st Avenue from Lindsay Street to Veterans Street; the south side (eastbound lane) on 1st Avenue would be designated as a shared road for bicycles and vehicles. Vehicle parking would be removed from the north side of 1st Avenue. Rules of shared lanes were discussed; education for motorist and bicyclists is needed and would be provided by the Flandreau Police Department and the Healthy Hometown Committee. Action on the proposed Bicycle Lane and Road Share on 1st Avenue is deferred until the August 5th Council meeting.

There were no Council Comments.

The Council President declared the meeting adjourned at 8:17 p.m.

Dan Sutton
Council President

ATTEST:

Jeff Pederson
City Administrator