

City Council Proceedings  
August 3, 2020  
7:30 P.M.

The Roscoe City Council met in regular session in the City Office with President Faw. Members present were Hettick, Bauman, Holscher, Lehr, and Rohrbach. Others present: Jim Fonder and Peg Margeson.

Holscher moved and Lehr seconded to approve the agenda. All aye. Motion carried

Hettick moved and Rohrbach seconded to approve the minutes of the July 6, 2020, meeting as read. All aye. Motion carried.

Holscher moved and Rohrbach seconded to approve the payment of the following bills. All aye. Motion carried.

**Pre-Authorized payment – July 16, 2020:** Agtegra – herbicide - \$187.60; SD DMV – gator title - \$10.00; SD DMV – license plate - \$11.20; SD One call – June locates - \$4.20; SD Unemployment Insurance – 2 qrt - \$2.19; SDRS – Jim retirement - \$218.50; Visa – supplies - \$18.56; Wiedrich Construction – materials and labor - \$13,000.00; EFTPS – WHT, SS, & Med. Tax - \$1985.87;

**July 16, 2020 Payroll:** Hwy & Streets – \$985.77; Water Dept.- \$123.24; Sewer Dept - \$123.24; Mos Spraying: \$11.95;

**August 3, 2020 payroll:** Mayor & Council –\$663.80; FO – \$1519.85; Hwy & Streets – \$1732.83; Water Dept.- \$149.67; Sewer Dept - \$149.67; Mos. Spraying - \$40.04; Res. Use Site – \$280.52; Park – \$495.44

**August 3, 2020 bills:** Agtegra – propane - \$191.99; BDM Gravel – gravel - \$2256.00; Dept of Health – water testing - \$15.00; Gibson Publishing – July minutes - \$53.32; Health Pool of SD – health ins - \$689.74; John Deere Financial – parts/supplies - \$154.42; Montana Dakota Utilities – utilities - \$1401.49; Michael Todd & Company – supplies - \$187.82; ProAg Supply – sprayer - \$1995.45; Ryan’s Candy – office supplies - \$96.40; SD State Treasurer – sales tax - \$13.05; SD Retirement System – remaining July. retirement - \$674.72; Venture Communications – phone service & internet - \$255.80;

Lehr moved and Holscher seconded to approve the paying of Helm’s & Associates July invoices after receiving the loan/grant drawdown money. Totals are: \$638.50 and \$994.00. All aye. Motion carried.

Hettick moved and Lehr seconded to approve the July Financial Statement and bank reconciliation. All aye. Motion carried.

Peg Margeson spoke to the Council during the public comments on the flower beds in the park and properties not maintaining their upkeep.

Rohrbach moved and Bauman seconded to approve the following building permits. All aye. Motion carried.

Esther Preszler	Lots 13-15, & W1/2 Lot 16; Block 15; Lennox Addition	Removed old sidewalk and replaced it with ramp/new sidewalk
William Grismer	Lots 13-18; Block 5; Original Plat	Build 26'x 38' garage, w/ yard setback variance at 20' instead of 25'

Ricky's Restaurant & Lounge are having live outdoor entertainment on August 11<sup>th</sup>, from 9:30 pm to 11:30 pm. Bauman moved and Holscher seconded to approve Resolution 2020-4 to allow for this outdoor entertainment going later in the night. All aye. Resolution passed.

**RESOLUTION 2020-4  
OUTSIDE ENTERTAINMENT**

**WHEREAS**, Ricky's Restaurant & Lounge at 101 North Mitchell St, Edmunds County, Roscoe has requested from the City to allow outdoor entertainment in their parking lot from 9:00 P.M. Tuesday, August 11, 2020, to 11:30 P.M. Tuesday, August 11, 2020.

**FURTHERMORE**, Ricky's Restaurant & Lounge assumes all liability and is responsible for clean-up and damage resulting from this occasion.

**FURTHERMORE**, the City of Roscoe assumes no liability, is not responsible for the clean-up and is not responsible for accidents or damages resulting from this occasion.

**THEREFORE, BE IT RESOLVED**, that the Roscoe City Council hereby grants approval to allow outdoor entertainment in the designated area from 9:00 P.M. to 11:30 P.M. Tuesday, August 11, 2020.

**APPROVED**, this 3<sup>rd</sup> day of August, 2020 by the Roscoe City Council in regular session at the Roscoe City Office, Roscoe, SD.

Signed: \_\_\_\_\_  
Leland Treichel, Mayor

Attest: \_\_\_\_\_  
Nicole Bauman, Finance Officer

Jim Fonder met with the council on various issues:

- Drainage in area of Williams St on north side of Hwy 12. Area is low and filled with cattails.
- Drainage on Williams St between Addison Ave and 1<sup>st</sup> Ave. Fonder would like to put in storm sewer drains and pipe to help the flow of water to leave the area.
- Park building – questions on electrical: should it have its own meter or will it get enough power from combining with other electrical? And having someone else dig for the water and sewer pipes to connect to the bathroom hock-ups.

Bauman moved and Holscher seconded to approve requesting a change order with Wiedrich Construction for hiring a subcontractor to run outside water/sewer lines, and also for concrete apron, and on demand water heater. All aye. Motion carried.

Mayor Treichel arrived and took over presiding the meeting from Council President Faw.

Holscher moved and Lehr seconded to authorize Helms & Associates to advertise for contractor bids for the water/sewer project, now that the engineering designs are done and approved by the State. Bids will be opened Sept. 3 at 11 am. All aye. Motion carried.

Bauman moved and Rohrbach seconded to approve the auto-supplement to the 2020 budget of \$1038.00 from the State of South Dakota to the mosquito spraying department expenses for supplies, as Roscoe received grant money to help fight against West Nile. All aye. Motion carried.

FO Bauman discussed with the Council various issues:

- She is working on updating the City's personnel policy as per our Loss Control review through Workers' Comp. She has the sample policy from the SDML as well as a copy of the City of Ipswich's policy – which is also the same as the SDML sample policy, just updated with their own items.
- Bauman discussed changes made to the rough draft of the 2021 budget. Council asked Fonder about street sweeper, if it could be fixed instead of replaced. No other changes or discussion were needed for the budget.
- WEB Water will be increasing their bulk water rate for every 1000 gallons. Roscoe's new rate that started 2020 (\$3.50 per 1000 gallons) will still cover WEB's cost, but if they increase again, then the Council will have to look into also increasing.
- Bauman informed the Council on what she learned about how to move forward with working with MDU. She also emailed the surrounding cities to see if they are having any issues as well and to let them know what Roscoe would be doing – documenting any problems and talking with residents to get their input.

Bauman moved and Rohrbach seconded to approve the first reading of Ordinance #378: 2021 Appropriations. All aye. Motion carried.

Hettick moved and Faw seconded to approve the second reading of Ordinance #377: Ordinance to amend City Ordinance 3-1-15. All aye. Motion carried.

#### ORDINANCE 377

#### An Ordinance Amending Chapter 3-1 Nuisances

Be it ordained the Municipality of the City of Roscoe to amend Chapter 3-1.

Be it ordained that section 3-1-15 is hereby added to read as follows:

3-1-15 – Notice of Violations. Whenever the City has determined that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person(s) responsible as prescribed below.

- A. Such notice shall:
  - 1. Be in writing;
  - 2. Include a legal description of the real estate sufficient for identification;
  - 3. Include a statement of the violation or violations and why the notice is being issued;
  - 4. Include an order to correct the violation and bring the property into compliance with the provisions of this Code within a specified, reasonable amount of time. Notice and continuing order to cut weeds and grass may be given at the beginning of or during the growing season and shall require the owner or person responsible for the property, within seven days after the mailing thereof or within two days after personal delivery thereof and at all times subsequent during the growing season as may be necessary, to cut and remove all weeds and grass as described in section 3-1-2(C).; and
  - 5. Inform the property owner of the right of appeal.
- B. Such notice shall be deemed to be properly served if a copy thereof is:
  - 1. Delivered personally;
  - 2. By leaving the notice and order with a family member of a property owner or occupant over the age of 14 years who is upon the property;
  - 3. Sent by certified mail, with return signature, addressed to the last known address of the property owner or occupant;
  - 4. By electronic mail if a course of dealing in such communication has been established with and accepted by the property owner or persona responsible for the property; or
  - 5. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure or premises affected by the notice.

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Mayor Leland Treichel

ATTEST: \_\_\_\_\_  
Finance Officer Nicole Bauman

Placed upon its first reading on 7/6/2020

Placed upon its second reading 8/3/2020

Approved this 3rd day of August

Published this 12th day of August

Published 1 time at an approximate cost of \$\_\_\_\_\_

Mayor Treichel briefed the Council as part of his job with Emergency Management. There have been some changes in keeping track of businesses or places that store large quantities of chemicals – such as Agtegra, so that emergency personnel are informed of any potential hazards before dealing with emergencies at these places.

The next regular meeting is Monday, September 7, 2020, @ 7:30 pm.

Holscher moved and Rohrbach seconded to adjourn. Motion carried.

Leland Treichel  
Mayor

Attest:  
Nicole Bauman  
Finance Officer

Published once at the total approximate cost of\_\_\_\_\_.