

**MINUTES FOR THE REGULAR MEETING OF THE DELL RAPIDS CITY COUNCIL  
ON Monday, April 5, 2010 AT 7:30 p.m.**

The meeting was called to order by Mayor Fiegen at 7:40 p.m. at the Dell Rapids City Council Chambers. The Pledge of Allegiance was recited and roll was taken finding the following Council Members present including: Mayor Scott Fiegen, President David Sommerfeld, Vice-President Carrie Probst, Mark Downs, Doug Grovenburg, Richard Woolf, Carrie Testerman, Todd Wiebenga and John Paul. Absent: None  
Staff Present: Administrator S.L. Martin, Finance Officer LeAnn Kerzman and Attorney Dean Hammer.

**Minutes** - Motion by Woolf to approve the minutes of the regular council meeting held on March 15, 2010. Second made by Downs. Motion carried 8-0.

Motion by Downs to approve the Board of Equalization minutes of March 16, 2010. Second by Sommerfeld. Motion carried 8-0.

**Claims Approved:** Motion by Sommerfeld to approve the following claims as presented. Second by Testerman. Motion carried 8-0.

A-Ox Welding Supply, cylinders \$171.84; Argus Leader, publishing \$563.20; Avenet, website hosting \$504.00; Beal Dist, Mar malt \$21,749.58; Brown & Saenger, map display \$101.40; Cardmember Svcs, Staples \$116.85; Concrete Materials, cold mix \$913.10; Dakota Bev, Mar malt \$15,917.05; Dell Rapids Senior Citizens Center, annual support \$2,500.00; DGR, engineering \$19,301.00; Dressen Custom Trailers, picnic table parts \$127.86; Global Distributing, Mar malt \$396.62; Golden West, telecommunications \$805.58; Hoffman Sanitation, trash hauling \$60.00; Johnson Bros, Mar liquor \$8,163.89; LG Everist, salt sand \$6,081.56; Linweld, cylinders \$117.02; MidAmerican Energy, natural gas \$608.79; Midwest Oil Co., oil \$251.88; Minnehaha Community Water, Mar water \$7,420.68; Minnehaha County Register of Deeds, copies \$6.00; NAPA, supplies \$376.93; Republic Dist, Mar liquor \$6,950.83; Sam's Discover, cleaning supplies \$374.09; SD Finance Officer Assoc, annual school \$150.00; Second Chance, animal control \$166.80; USPS, bulk mail \$506.74; Valiant Vineyards, Mar wine \$322.80; Xcel Energy, street lights/electricity \$3,151.38.  
Salaries by Dept for March: General Government \$11,400.83; Public Safety \$1,263.07; Public Works \$22,188.49 and Culture and Recreation \$4,600.09.

**Resolutions and Ordinances: Second Reading of Ordinance #736** – An Ordinance to amend the Garbage and Refuse Ordinance to establish rates by Resolution instead of by Ordinance. Motion by Downs to approve. Second by Paul. Roll call vote with a unanimous approval.

**ORDINANCE 736**

**AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, BE AMENDED BY REVISING THE GARBAGE AND REFUSE ORDINANCE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA:**

**Section 1.** That Sec. 11-18 of the Revised Ordinances of the City of Dell Rapids, South Dakota, be amended to read as follows:

**“Sec. 11-18. Rates for use.**

Each individual, firm or business desiring to make use of any rubble site area shall pay to the city or its authorized agent the appropriate fee according to the rate schedule from time to time adopted by the city council.”

Dated at Dell Rapids, South Dakota this 5<sup>th</sup> day of April, 2010.

FOR THE GOVERNING BODY OF THE  
CITY OF DELL RAPIDS, SOUTH DAKOTA  
Scott Fiegen, Mayor

Attest:

By \_\_\_\_\_  
LeAnn Kerzman, Finance Officer

**Second Reading of Ordinance #737** - An Ordinance to amend Park & Recreation ordinance to establish rates by Resolution instead of by Ordinance. Motion by Probst to approve. Second by Sommerfeld. Roll Call with a unanimous approval.

**ORDINANCE 737**

**AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, BE AMENDED BY REVISING THE PARKS AND RECREATION ORDINANCE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA:**

**Section 1.** That Sec. 15.5-75, Item (2) of the Revised Ordinances of the City of Dell Rapids, South Dakota, be amended to read as follows:

**Sec. 15.5-75 Camping in city campground**

“(2) Daily non-refundable camping fees shall be paid according to the rate schedule from time to time adopted by the city council.”

Dated at Dell Rapids, South Dakota this 5<sup>th</sup> day of April, 2010.

FOR THE GOVERNING BODY OF THE  
CITY OF DELL RAPIDS, SOUTH DAKOTA

By \_\_\_\_\_  
Scott Fiegen, Mayor

Attest:

By \_\_\_\_\_  
LeAnn Kerzman, Finance Officer

**First Reading of Ordinance #738** – An Ordinance amending the 2001 revised zoning ordinance of and Minnehaha County and the City of Dell Rapids. Martin reported that the Planning and Zoning Commission has reviewed the ordinance and given their consent for council approval. Motion by Sommerfeld to approve. Second by Downs. Motion carried 8-0.

**First Reading of Ordinance #739** – An Ordinance regulating the operation of off-road vehicles. Motion by Woolf to approve. Second by Paul. Motion carried 8-0.

**Resolution #04-05-10-11** – A Resolution establishing Rubble Site Rates. Motion by Paul to approve. Second by Downs. Motion carried 8-0.

**RESOLUTION #04-05-10-11**

**Establishing Rubble Site Rates**

**WHEREAS**, the Dell Rapids City Council has designated a City Rubble Site to be used by Dell Rapids residents only, subject to all the licensing requirements granted by the South Dakota Department of Environment and Natural Resources;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Dell Rapids that the Rubble Site rates for the summer of 2010 will be as follows and will continue until such time as changes are warranted:

- (1) Residence passenger car and station wagon (branches and yard waste)... \$5.00
- (2) Residence passenger car and station wagon (other eligible material)... \$10.00

- (3) Pickup truck, panel trucks, one- and two-wheel trailers (branches and yard waste)... \$10.00
- (4) Pickup truck, panel trucks, one- and two-wheel trailers (other eligible material)... \$15.00
- (5) Four-wheel trailers.... \$20.00
  - a. Trucks having open-type boxes and trucks other than those specified in items (3) and (5):
  - b. Single axle truck.... \$25.00
  - c. Double axle truck....\$55.00
  - d. Semi dump trailer....\$110.00
- (6) White good appliances.... \$10/appliance

Dated at Dell Rapids, South Dakota this 5th day of April, 2010.

FOR THE GOVERNING BODY OF THE  
CITY OF DELL RAPIDS, SOUTH DAKOTA

By \_\_\_\_\_  
Scott Fiegen, Mayor

ATTEST:

By \_\_\_\_\_  
LeAnn Kerzman, Finance Officer

**Resolution #04-05-10-12** – A Resolution establishing City Campground rates. Motion by Sommerfeld to approve. Second by Testerman. Motion carried 8-0.

**Establishing City Campground Rates**

**WHEREAS**, the Dell Rapids City Council has designated a City Campground located within the City Park complex of Dell Rapids; and

**WHEREAS**, the Campground is available for Dell Rapids residents and visitors subject to Park rules and regulations approved by the Dell Rapids City Council;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Dell Rapids that the City Campground rates for the summer of 2010 will be as follows and will continue until such time as changes are warranted:

- (1) \$15 per night for each camper unit

Dated at Dell Rapids, South Dakota this 5th day of April, 2010.

FOR THE GOVERNING BODY OF THE  
CITY OF DELL RAPIDS, SOUTH DAKOTA

By \_\_\_\_\_  
Scott Fiegen, Mayor

ATTEST:

By \_\_\_\_\_  
LeAnn Kerzman, Finance Officer

**2008 Annual Audit** – Justin Schneider, CPA from KMWF & Associates, PC, presented an overview of the 2008 Audit report with the Finance Committee members and available council prior to the call to order of tonight’s meeting. The report is available for review at City Hall. Motion by Woolf to approve the report as presented. Second by Grovenburg. Motion carried 8-0.

**Fire Department** – Proposal received by Short Elliott Hendrickson Inc (SEH) to request to proceed with the Design Development Phase of the Fire Station construction at a cost of \$14,900. Future phases include Construction Documents, Bidding, Negotiation and Permitting Phase, Construction Administration Phase and Construction Completion. The council discussed the need for additional funding as the stimulus funding has not materialized. Motion by Sommerfeld to approve Design Development Phase. Second by Grovenburg. Motion carried 8-0.

**Planning Commission** – Mayor Fiegen announced his appointment of Charlie Pleskac to the Planning Commission to replace the seat vacated by Chris Mullaney. The council welcomed Mr. Pleskac.

**City Administrators Report** – Martin reported on the following:

- Nuisance Abatement - Motion by Probst to give notice to the property owner to abate the nuisance followed by a second by Paul. Motion carried 8-0.
- Rubble Site Free Clean-up Days – The council established the dates of April 24 9-4pm, April 27 1-6pm, April 29 1-6pm and May 1 9-4pm for free use of the rubble site for allowable materials.
- Joint meeting with the Minnehaha County Commissioners on April 27 at 9am for the review of the Joint Zoning Ordinance.
- County Planning has received an application for a horse barn construction that falls within joint territory to be reviewed.

**Visitors to be Heard** – Bill Huntimer was present to show photos and inform the council of the amount of walking traffic that uses the shoulder of the roadway and requested the council place sidewalk along the right-of-way and he would maintain the surface. Mayor Fiegen thanked him for the information.

Deb Brobjorg was present to request the addition of a deck to the rear entrance of Norby's. Drawings and cost estimates were presented for the council to consider.

Loretta Mattern was present representing the Dell Rapids Chamber of Commerce. Quarry Days for Dell Rapids will be June 25-27 and she will be submitting an Outdoor Event Permit request. The Quarry Days fireworks display will be handled by a different company, parade route to run from Garfield through 4<sup>th</sup> Street and they have a new web-site to represent the Chamber.

Charlie Pleskac reported on his planned event of DQ Days for July 23-25, 2010. Live music, beer garden and ice cream. He will be submitting an Outdoor Event application for the council's consideration.

**Treasurers Report** – A recap of all income and expenses since the last meeting were presented to the council for their review.

**Claims Approved for Payment by Other Municipal Boards** – Library Board Claims: Argus Leader, subscription \$149.26; Baker & Taylor, books \$77.74; Bearport Publishing, books \$714.25; Gale Group, books \$338.24; Ingram, books \$103.50; Junior Library Guild, books \$669.60; Library

Journal, subscription \$157.99; Micromarketing, books/DVD's \$651.04; Penworthy, books \$399.33; Pumpkin Books, books \$121.43.

**Executive Session** – Motion by Downs to enter executive session at 8:56 p.m. followed by a second by Probst for the purpose of discussion of personnel issues. Motion carried 8-0. Motion by Paul to return from executive session at 9:12 p.m. followed by a second from Grovenburg. Motion carried 8-0. The council expressed their direction that Kerzman will be responsible for the operation of the pool.

Motion by Sommerfeld to adjourn the meeting at 9:20 p.m. Second by Downs. Motion carried 8-0. Meeting adjourned.

Scott Fiegen, Mayor

LeAnn Kerzman, Finance Officer