

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, April 4, 2011 at 7:00 p.m.

The regular meeting of the Dell Rapids City Council was called to order by Mayor Scott Fiegen at 7:01 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 Mark Downs, Vice-President Carrie Testerman, Todd Wiebenga (arrived at 7:05 p.m.), David Sommerfeld, Carrie Probst, Keith DeLange and John Paul. Absent: Doug Grovenburg. Staff Present: City Administrator, Justin Weiland, City Attorney, Dean Hammer and Finance Officer, LeAnn Kerzman.

**Agenda:** Sommerfeld moved and Probst seconded approval. Motion carried unanimously.

**Minutes:** Probst moved and Downs seconded to approve the March 21, 2011 regular city council meeting minutes. Motion carried unanimously.

**Claims Approved:** Paul moved and Testerman seconded to approve the following claims as presented. Motion carried unanimously.

A-Ox Welding, cylinder rental 21.08; Ace Towing, towing 247.50; Argus Leader, publishing 27.61; Baumberger Vineyard, wine 120.00; Beal Distributing, malt 22,072.85; Berg Bag Company, sand bags 2708.00; Buskerud Construction, Rec Trail #6 \$114,844.40; Cardmember Services, solar light/office supply 295.71; Cask & Cork, wine 117.00; Dell Rapids Coop Grain, parts 10.90; Dell Rapids True Value, paint/detector 226.59; Delta Dental, insurance 625.60; DGR, engineering: trail 4265.04, elementary plan review 107.00; 15<sup>th</sup> St 15,248.13, river crossing 1512.55, high school addition 160.50; East, Vander Woude, Grant & Co, annual report 10,150.00; First National Bank, quarterly loan payments 57,423.06; Geo Tek, testing 423.00; Global Distributing, malt 110.37; Hanson Logo wear, logo clothing 214.84; Hawkins, water chemical 1452.10; Hoffman Sanitation, trash hauling 60.00; LG Everist, salt sand 292.65; MidAmerican Energy, natural gas 467.85; Midwest Alarm, security monitoring 105.35; Minnehaha community Water, water 8003.80; NAPA, supplies 80.69; Postmaster, postage 507.56; RDO Equipment, parts 90.30; Republic National Distributing, liquor 7569.01; Sam's Club Discover, towel dispenser, softball supplies, office supply 415.03; SDRS, retirement 4503.16; Sioux Valley Wireless, internet 64.93; Xcel Energy, street lights/electricity 4090.30.

**Claims Approved for Payment by Other Municipal Boards – Library Board Claims:** Baker & Taylor Books, 5 books 105.27; Creative Product Source, 100 coloring books 164.45; Dustex, rug service 10.03; Ecowater, water cooler rental 30.00; Gale Group, 3 books 68.24; Horn Book, magazine subscription 72.00; Ingram Library Services, 1 book 26.61; Jr Library Guild 4 levels 669.60; Micromarketing, 1 book/5 DVDs 161.22; MidAmerican Energy, natural gas 275.34; Minnehaha County Treasurer, property tax on land purchase 402.69; Paul J. Strawhecker, campaign support 2000.00; Penworthy, 16 books 302.87; Sam's Club Discover, 2 books and office supply 106.73; SEH, environmental engineering 1493.33.

**Visitors to be heard:** None.

**OLD BUSINESS: Sioux River Red Rock Trail, Buskerud Construction – Pay Request #6:** Buskerud Construction is requesting payment for work performed through March 26, 2011 in the amount of \$114,844.35. Lance Mayer of DeWild, Grant, Reckert & Associates briefed the council on the progress to date and the good condition of the bridge following the high water. Probst moved and Testerman seconded the approval of the request in the amount of \$114,844.35 contingent upon approval by South Dakota Department of Environment and Natural Resources approval. Motion carried unanimously.

**15<sup>th</sup> Street Construction – Cemetery Board Inquiry:** Members of both cemetery boards were present to inquire about how the road construction will affect the cemetery. Some of the concerns expressed were: curving 15<sup>th</sup> Street around the cemetery property, retaining the curve in Clarke Ave so the road exits at the top of the hill, installation of valley gutters instead of curb and gutter and the preservation of the pillars, and fencing. Lance Mayer of DGR explained the plans for the project and showed the drawings of the expected end result. He and Administrator Weiland stated there is specific verbiage in the documents relating to the pillars and the fencing to ensure their safety. The council listened to the concerns and expressed that the funding for the construction of the entire roadway is contingent upon approval by the South Dakota Department of Environment and Natural Resources and South Dakota Department of Transportation. In order to be eligible for the funding the construction of the roadway has to meet the minimum roadway standards. Kerzman reported the funding amounts the city has been awarded are currently a \$200,000 Community Access grant, \$1,185,995 in loans from DENR with \$635,995 in principle forgiveness (repayment waived funds). The consensus of the council was to continue with the plan as submitted by DGR.

**15<sup>th</sup> Street – Award Bid:** Bids received for the construction of the 15<sup>th</sup> Street Project were opened and read publicly on March 31<sup>st</sup>. The bidders are as follows: Winder Brothers Underground \$1,435,000.00; T&R Contracting, Inc. \$1,442,653.17; Buskerud Construction, Inc. \$1,468,939.10; Metro Construction, Inc. \$1,514,360.39; Dakota Contracting Corp. \$1,545,032.80; H&W contracting, LLC \$1,670,649.40; Triple R Paving \$1,710,064.61. Engineers estimate was \$1,800,000.00. Low bidder is Winter Brothers Underground, Inc. of Sioux Falls. Downs moved and Paul seconded awarding the bid in the amount of \$1,435,000.00 to Winter Brothers Underground, Inc. Motion carried unanimously.

**NEW BUSINESS: Dell Rapids Township Donation:** The Dell Rapids Township made a generous offer of \$10,000.00 for the new Fire and Rescue facility. The donation will be made in payments of \$2,500 for the next five (5) years. The council expressed their thanks and appreciation for the assistance. Downs moved and Sommerfeld seconded the acceptance of the funds. Motion carried unanimously.

**FIRST READING OF ORDINANCE #744 – Wastewater Rate Increase:** Weiland informed the council of the requirement of the SDDENR of a minimum rate requirement in order to continue to receive loans and grants through their offices. Dell Rapids rate for 5000 gallons of wastewater must be, at the minimum, at a rate \$31.77. The rate insures the repayment of all loans being drawn upon through the sewer fund. Adjusted minimum base rate of \$13.12 and usage of \$3.73 per 1000 gallons. Downs moved and Wiebenga seconded the first reading of the ordinance. Motion carried unanimously.

**FIRST READING OF ORDINANCE #745 – Fines for Parking Violations:** Proposed ordinance to adjust the rate for parking fines by \$10.00. Fines that were previously \$5.00 will now be \$15.00 and fines that were \$15.00 would now be \$25.00. Fines have not been raised for many years and the increase will help to cover the actual expenses incurred in recovering the cost associated with the collection of unpaid fines. Downs moved and Sommerfeld seconded the approval of the Ordinance #745. Motion carried unanimously.

**Hire Rubble Site Operator:** Weiland recommended the council hire Martin Blath as returning Rubble Site Operator at a rate of \$8.00 per hour. Downs moved and Testerman seconded the approval of the hiring of Mr. Blath at the stated rate. Motion carried unanimously.

While on the subject of the Rubble Site the council asked to select free days for dumping for Dell Rapids city residents. They will be Saturday, April 30<sup>th</sup> and Saturday, May 7<sup>th</sup> during the hours of 9 o'clock a.m. to 4 o'clock p.m.

**Administrators Report:** Weiland reported to the council -

- He and Code Enforcement Officer, Ben Gruis will be actively pursuing the clean-up of properties of vehicles and rubbish;
- Water Meter Galaxy Reading System is moving forward. The FCC has approved a radio license and the meters are being built.

**Executive Session – Personnel** – Pursuant to SDCL 1-25-2(1) Mayor Fiegen adjourned the council to executive session at 8:13 p.m. to discuss personnel. Downs moved and Sommerfeld seconded the council return from executive session at 8:15 p.m.

Downs moved and Paul seconded to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:15 p.m.

LeAnn Kerzman  
Finance Officer