

**DELL RAPIDS CITY COUNCIL MINUTES**  
**Monday, June 7, 2010 at 7:30 p.m.**

The meeting was called to order by President Downs at 7:30 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 (via teleconference), President Mark Downs, Vice President Carrie Testerman, David Sommerfeld, Carrie Probst, Richard Woolf, Todd Wiebenga and John Paul. Absent: none.  
Staff Present: City Administrator S.L. Martin, Finance Officer LeAnn Kerzman.

**Minutes** - Motion by Probst to approve the May 17, 2010 regular city council meeting minutes. Second made by Grovenburg. Motion carried 8-0.

**Old Business:** None.

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

A-Ox Welding Supply, cylinder rental 20.46; Ackerman Refrigeration, ice machine repair 114.80; Argus Leader, publishing 549.33; Avera, vaccinations 1,524.00; Beal Distributing, May malt 26,126.03; Brown & Saenger, 6 bulletin bars 95.16; Cardmember Svcs, domain names/softball 600.81; Central States, 3 shelves 557.20; City of Sioux Falls, appliance disposal 148.80; Claritus, solution 37.17; County Fair, pool concessions 69.93; Dakota Beverage, May malt 20,084.96; DR Coop Grain, chemical app 1,094.72; Dell Rapids Lumber, paint supplies 399.91; DR True Value, supplies 181.43; Dells Electric, city ship rewire/street light repair 12,149.00; DGR, engineering 16,439.50; First Bank & Trust, Special Assessment #6 & #10 35,520.00; Golden West, telecommunications 776.78; Hahn Handyman Service, 1101 N Orleans mow 150.00; Hanson Logowear, summer clothing 807.56; Hawkins, pool chemicals 885.96; Heinemann Restoration, caulking pool 405.00; Kurt Heinemann Roofing, reshingle park shelters 4,131.00; Hoffman Sanitation, May trash collection 60.00; Huewe Plumbing, laundry tub & faucet 135.00; ICAP, April busing 2,324.33; Johnson Brothers, May liquor 7512.93; KMWF & Associates, 2008 Audit 3,000.00; Linweld, tank rental 27.90; MidAmerican Energy, natural gas 143.10; Minnehaha Community Water, May water 8,787.16; Minnehaha County Sheriff, 2<sup>nd</sup> qtr law enforcement 53,660.00; NAPA Auto Parts, supplies 3.69; Nate Hansen, building permit refund overcharge 147.00; One Call Systems, 47 locates 53.11; PC Whizardz, adjust AVG settings 25.00; Republic National Distributing, May liquor 8,090.32; Sam's Discover, pool concessions 755.69; Samantha Kohlen, WSI reimbursement 190.00; Schuneman Equip, JD diesel mower 9,321.37; SD Association Rural Water, annual dues 610.00; SD Public Health Lab, ww testing 303.00; Second Chance, animal control 161.52; Sioux Falls Two-Way Radio, program/repair radios 621.42; USPS, bulk mail 507.15; Xcel Energy, electricity 238.22.

**Added or Increased Salaries:** Public Works: David Schuch annual review increase from \$14.64/hour to \$15.01/hour. Swimming Pool: Austin Gee \$7.75/hour.

**Visitors to be heard:** Jay Bent was present to request the council assist in stopping the truck traffic down the alleyway in the 500 block between Hwy 115 and Juniata. There is a sign posted that does state 'No Trucks' and law enforcement has been alerted and watched the area. A suggestion was made to install fence posts or barriers to prevent further crushing of the culvert and restrict the turning area for entrance to the alley.

**New Business: Proclamation – Dell Rapids Class “A” Track Champions** – President Downs read the Proclamation recognizing the Dell Rapids Quarriers Track Team for their championship win in the state track meet. Coach Fiedler was present to accept the recognition and standing ovation of the council.

**City of Dell Rapids Proclamation  
RECOGNIZING THE DELL RAPIDS QUARRIERS:  
REPEAT CHAMPIONS IN TRACK & FIELD**

*Whereas*, The 2010 South Dakota Class “A” State Track Meet was held May 28<sup>th</sup> and 29<sup>th</sup>, 2010, at Howard Wood Field in Sioux Falls; and

*Whereas*, in 2009 the Dell Rapids High School Boys Track Team won its first Class “A” State High School Track and Field Championship in 40 years; and

*Whereas*, it is often easier to win a championship than it is to defend a championship; and

*Whereas*, senior Matt Dunbar repeated his 2009 State championship effort with meet record times in the 110-meter hurdles and 300-meter hurdles, on his way to a Class “A” MVP performance; and

*Whereas*, Dunbar, fellow senior Pat Curry, and sophomores Channing and Zachary Barber set a Class “A” meet record in the 4 X 100 meter relay; and

*Whereas*, freshman Cole Langer and junior Greg Schwebach provided late season surprises with 3<sup>rd</sup>- and 4<sup>th</sup>-place finishes in the shotput, and sophomores Channing and Zachary Barber finished 3<sup>rd</sup> and 4<sup>th</sup> in the 100-meter dash; and

*Whereas*, the Boys Track Team tallied 60 points in the stiff winds of Howard Wood Field to capture its 2<sup>nd</sup> consecutive Class “A” championship; and

*Whereas*, special recognition should be accorded senior Alyssa Frantz for the Quarriers’ Girls Track Team, repeating her “Class A” championship effort in the 100-meter dash and her second-place finish in the 200-meter dash;

*Now, Therefore*, I, Scott Fiegen, Mayor of Dell Rapids, do hereby commend the dedication and resolve of Coach Doug Fiedler, Coach Justin Stanford, Coach Jim Schroeder, Coach Steve Hegge, and the 2010 Dell Rapids High School track and field athletes for their repeat performances as State Champions.

Dated at Dell Rapids, South Dakota, this 7<sup>th</sup> Day of June, 2010.

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

By /s/ Scott Fiegen, Mayor

ATTEST:

By /s/ LeAnn Kerzman, Finance Officer

**Public Hearing: Malt Liquor Licensing Renewals** – After proper public notice being duly given, a public hearing was held to hear the applications for renewal of malt liquor licenses. The following applications were received:

**PACKAGE OFF-SALE:** County Fair Inc, 701 E 4<sup>th</sup> Street, Dell Rapids, SD; Cubby’s Inc, 220 Highway 115 N, Dell Rapids, SD; Monkey’s, 313 Garfield Ave, Dell Rapids, SD; JMMA Park Inc, T&C’s, 402 Hwy 77, Dell Rapids, SD; JMMA Park Inc, T&C’s Other Place, 700 Garfield Ave, Dell Rapids.

**PACKAGE ON-OFF SALE:** Dells PR Inc, Pizza Ranch, 500 W 4<sup>th</sup> Street, Dell Rapids, SD  
Testerman made a motion to renew all applications with the exception of Dells Bowl as the application was not submitted for renewal. Grovenburg seconded the motion. Motion carried unanimously.

**Appeal Conditional Use Application for 815 E 8<sup>th</sup> Street #404** – Homeowner, Trista Torgusen, was present to appeal the application for a pet grooming business to be conducted from a mobile home she owns on a lot that she rents from the property owner, Myrna Kroger. Ms. Kroger has given her approval of the use. Homeowner will not be living on the property. Sommerfeld stated that he prefers to not have a business operating in a residential zoned area.

The argument was made that there are already many home based businesses operating in residential areas. The application does not meet the permitted use of the R-2 zoned area. Sommerfeld made a motion to not issue the conditional use. Motion seconded by Woolf. Vote taken with Paul voting in the negative. Application failed 7/1.

**Application for Conditional Use – 104 E 3<sup>rd</sup> Street:** Kim Valness submitted an application for conditional use to board no more than four (4) small dogs primarily on weekends. Concerns by neighbors regarding the noise of barking dogs were duly noted. Paul made a motion to allow the permit with stipulations and the permit can be rescinded at any time due to continued noise complaints. Wiebenga seconded the motion. Roll Call vote: Testerman, Nay; Downs, Yea; Woolf, Nay; Sommerfeld, Nay; Grovenburg, Nay; Weibenga, Yea; Paul, Yea; Probst, Nay. Motion defeated 5/3.

**Report on Library Capital Fund-Raising Campaign:** Library Board members Virginia Miller, Carrie Testerman, Tom Early, President Joann Beck and Scott Larson from Paul J. Strawhecker Inc. were present to provide information and answer questions from the council. Tom Early presented an excellent overview of the history, needs and campaign update. The council thanked them for the information and the opportunity to be involved.

**Definition of Duties – Project Financing:** Mayor Fiegen asked that LeAnn Kerzman, Finance Officer, be responsible for the financing of all special projects. Administrator Martin will continue as project manager. Motion by Sommerfeld to approve the designation as stipulated. Second made by Probst. Motion carried unanimously.

**Building Official/Code Enforcement:** Mayor Fiegen asked the council to consider either a full-time person to work Code Enforcement/Building Official and as a laborer with the Public Works Department to be supervised by Schildhauer or a part-time position office assistant with Code and Building duties assumed by the City Administrator. Probst provided a document comparing Tea and Harrisburg to Dell Rapids. The other cities do not have a City Administrator. Tea and Harrisburg have a Planning & Zoning Administrator and Tea also has an Economic Development Director. Discussion was held. Direction was given to proceed to search for a full-time, benefitted Code Enforcement/Building Inspection Official who would also work in Public Works and as a back-up to office staff.

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

- Request received from Joan Rasmussen to waive the \$100 Outdoor Event permit fee as the intent of the parade was to raise funds for Honor Flight. The council reviewed her e-mail.
- Installation of sidewalk along Iowa & Sunset would run an approximate cost of \$60,000 without considering storm water repair.

**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: Allstate Imaging, ink cartridges 165.00; Baker & Taylor Books, books 16.15; Capstone Press, books

729.64; Cardmember Svcs, summer reading 76.28; Gale Group, books 232.13; Ingram Library Svcs, books 38.92; Learning Opportunities, books 157.20; Marco, copier maint contract 75.00; MicroMarketing, books/DVD's 202.87; Petrik, Wayne, shelf backs 45.50; Pumpkin Books, books 113.41; Sam's Club Discover, books/office supplies 285.23; Paul J. Strawhecker, expenses/campaign 7848.10; Vogt, Brown, Merry & Hammer, Tiesen home purchase 71,844.14.

**Executive Session – Personnel:** Testerman made a motion to enter executive session to discuss personnel issues. Motion seconded by Sommerfeld. Motion carried. The council entered executive session at 9:35 p.m.

The council returned from executive session at 9:50 p.m.

Motion by Probst to adjourn the meeting. Second by Wiebenga. Motion carried unanimously. Meeting adjourned at 9:56 p.m.

Scott Fiegen, Mayor

LeAnn Kerzman, Finance Officer