

DELL RAPIDS CITY COUNCIL MINUTES
Monday, June 21, 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, President Mark Downs, David Sommerfeld, Doug Grovenburg, Carrie Probst, Richard Woolf, Todd Wiebenga and John Paul. Absent: Vice President Carrie Testerman.
Staff Present: City Administrator S.L. Martin, Finance Officer LeAnn Kerzman, Public Works Director Larry Schildhauer and City Attorney Dean Hammer.

Addition to Agenda: Motion by Probst to approve the following additions to the agenda: Resolution 06-21-10-18, SRF Drinking Water Application for 15th Street and Resolution 06-21-10-19, SRF Sanitary-Stormsewer Application for 15th Street. Grovenburg seconded the motion. Motion carried unanimously.

Minutes - Motion by Paul to approve the June 7, 2010 regular city council meeting minutes. Second made by Downs. Motion carried unanimously.

Old Business: None.

Claims Approved: Motion by Paul to approve the following claims as presented. Downs seconded the motion. Motion carried unanimously.

Argus Leader, publishing 165.61; Bierschbach Equipment, 2 signs/2 stands 392.40; Bunkers Oil, 700 gal unleaded 1904.00; C & R Supply, battery 71.79; Concrete Materials, asphalt 3,302.00; Dakota Supply, meters 1,109.77; Denny's Electric, pool vacuum 189.27; Eddy, Julie WSI reimbursement 190.00; Hahn Handyman Service, 1101 N Orleans mow/404 E 5th St 245.00; Hasler, meter rental 62.85; Hauff Mid-American Sports, pool suits 800.10; Hawkins, pool chemicals 314.73; Huewe Plumbing, hang park sink 201.25; ICAP, May busing 2,397.38; Lacey's Portable Restrooms, 6 restrooms 550.00; LG Everist, ¾ Down 447.27; MC&R Pools, o-rings/50# alk 307.18; Midwest Alarm, alarm loops 105.35; Potrament, Nicole WSI reimbursement 190.00; Moore Wallace building permit forms 132.65; Rueb, Marisa WSI reimbursement 190.00; Schuneman Equipment mower repair/parts 436.26; S. E. H. fire station engineering 22,352.50; Steineke, Brittni WSI reimbursement 190.00; Verizon Wireless, May telecommunications 191.61; Vogt, Brown, Merry & Hammer June retainer 2,000.00; Xcel Energy, electricity 7,678.80.

Added or Increased Salaries: Public Library: Linsey Duffy annual review increase from \$8.90/hour to \$9.26/hour, Mary Fox annual review increase from \$10.01/hour from \$10.26/hour.

Visitors to be heard: Chris Gross was present to express her concerns and unsuccessful history in trying to seek assistance to control the feral cats in the area of 6th Street and State Avenue.

Gene Malloy (E 3rd Street & State Ave) was present to express his concern to the council regarding the amount of rain water and debris that becomes deposited in his yard during each rainfall and the amount of water being handled by his sump pump.

New Business: Resolution 06-21-10-16, Public Transit Grant Application – Budgets were presented from Inter Lakes Community Action for the council to review regarding staying with current services (option #1) or by running four days a week during the school year and two days a week during the summer (option #2). The council discussed. Paul made a motion to approve option #2. Long range notice of schedule change will be advertised to allow the scheduling of medical runs to Sioux Falls for riders. Grovenburg seconded the motion. Motion carried six (6) to one (1) with Probst dissenting.

City of Dell Rapids - RESOLUTION #06-21-10-16

Resolution to authorize the filing of an application for a grant under Section 5311 of the Surface Transportation Assistance Act.

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration (FTA) to support capital and operating assistance projects for nonurbanized public transportation systems Section 5311 of the Surface Transportation Assistance Act, and

WHEREAS, the South Dakota Department of Transportation, Division of Finance and Management, Office of Local Transportation Programs has been designated by the Governor to administer Section 5311; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including provision by it of the local share of project costs;

NOW, THEREFORE, BE IT RESOLVED BY the Governing Body of the **City of Dell Rapids**:

That the **Dell Rapids City Administrator** is authorized to execute and file an application on behalf of **City of Dell Rapids (Dell Rapids Transit)** with the South Dakota Department of Transportation to aid in the financing of capital and/or operating assistance projects pursuant to Section 5311 of the Surface Transportation Assistance Act.

That the **Dell Rapids City Administrator**, is authorized to furnish such additional information as SDDOT may require in connection with the application or the project.

CERTIFICATE

The undersigned duly qualified and acting **Mayor** of the **City of Dell Rapids** certifies that the foregoing is a true and correct statement.

/s/ Scott Fiegen

Mayor
Title
June 21, 2010

Date

ATTEST:
By /s/ LeAnn Kerzman
Finance Officer

Resolution 06-21-10-17, LWCF Grant Application – Downs made the motion to approve the resolution to apply for grant assistance from the Land and Water Conservation Fund for the construction and/or replacement of playground facilities. Probst seconded the motion. Motion carried unanimously.

RESOLUTION # 06-21-10-17 - A RESOLUTION AUTHORIZING PARTICIPATION IN THE LAND AND WATER CONSERVATION FUND (LWCF) GRANT PROGRAM.

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Dell Rapids, South Dakota that the City Administrator is hereby authorized to execute and file an application on behalf of the City of Dell Rapids with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish, and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the construction and/or replacement of playground facilities in Dell Rapids, South Dakota.

THAT the City Administrator is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.

THAT the City of Dell Rapids shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

THAT the City of Dell Rapids shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

Dated at Dell Rapids, South Dakota this 21st day of June, 2010.

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

ATTEST:
By /s/ LeAnn Kerzman, Finance Officer

Resolution #06-21-10-18, SRF Drinking Water Facilities Funding Application (15th Street)
– Sommerfeld made a motion to approve the resolution. Grovenburg seconded the motion.
Motion carried unanimously.

**CITY OF DELL RAPIDS - RESOLUTION # 06-21-10-18
DRINKING WATER FACILITIES FUNDING APPLICATION SPONSORSHIP**

WHEREAS, the City Council has determined the city is in need of 15th Street Improvements; and
WHEREAS, loan assistance is necessary to enable the City to construct this improvement; and
WHEREAS, up to a \$531,835 loan at 3.00% for 20 years from the Consolidated Water Facilities Construction Program (CWFCP) / Drinking Water State Revolving Fund Program (DWSRF) of the South Dakota Department of Environment & Natural Resources for this improvement is desirable; and
WHEREAS, the loan will be secured by Water Revenue Bond;
BE IT RESOLVED that the City Council hereby authorizes the filing of an application, including all understandings and assurances contained therein, for the South Dakota Consolidated Water Facilities Construction Program / Drinking Water State Revolving Fund Program, and hereby designates the Mayor to act as signatory in connection with the application, loan agreement, and other required forms, and to provide such additional information as may be required by the State of South Dakota.
Adopted this 21st day of June, 2010.

Official Seal:

/s/ Scott Fiegen, Mayor

ATTEST:
/s/ LeAnn Kerzman, Finance Officer

Resolution #06-21-10-19, SRF Sanitary-Stormsewer Funding Application (15th Street) –
Sommerfeld moved to approve. Paul seconded the motion. Motion carried unanimously.

**CITY OF DELL RAPIDS - RESOLUTION # 06-21-10-19
SANITARY / STORM SEWER FUNDING APPLICATION SPONSORSHIP**

WHEREAS, the City Council has determined the city is in need of 15th Street Improvements; and
WHEREAS, loan assistance is necessary to enable the City to construct this improvement; and
WHEREAS, up to a \$1,185,995 loan at 3.00% for 20 years from the Consolidated Water Facilities Construction Program (CWFCP) / Clean Water State Revolving Fund Program (CWSRF) of the South Dakota Department of Environment & Natural Resources for this improvement is desirable; and
WHEREAS, the loan will be secured by Wastewater Revenue Bond;
BE IT RESOLVED that the City Council hereby authorizes the filing of an application, including all understandings and assurances contained therein, for the South Dakota Consolidated Water Facilities Construction Program / Clean Water State Revolving Fund Program, and hereby designates the Mayor to act as signatory in connection with the application, loan agreement, and other required forms, and to provide such additional information as may be required by the State of South Dakota.
Adopted this 21st day of June, 2010.

Official Seal:

/s/ Scott Fiegen, Mayor

ATTEST:
/s/ LeAnn Kerzman, Finance Officer

Special Event Permit – Dell Rapids Society for Historic Preservation – Teri Fiegen was present to request the approval of a Photo Re-creation to be held on August 14 from 9 a.m. to 3 p.m. by closing 4th Street from State Street through LaDelle Ave. with a small band. Downs made a motion to approve the application and waive the permit fee for a non-profit. Sommerfeld seconded. Motion carried unanimously.

Dell Rapids Chamber of Commerce Fireworks Display Request – An outdoor event permit had previously been submitted for Quarry Days which did not include the planned fireworks display. Proof of insurance was submitted. Probst made a motion to approve. Second by Paul. Motion carried unanimously.

Request for Reconsideration by Board of Adjustment, Conditional Use Permit, 104 E 3rd Street – Grovenburg made a motion for the council to reconsider the application for weekend dog boarding to not exceed the allowed four (4) dogs. Paul seconded the motion. The council discussed. Sommerfeld commented that allowing the exception will create the precedent for more exceptions. Roll call vote called. Downs – Aye, Woolf – Nay, Sommerfeld – Nay, Grovenburg – Aye, Weibenga – Aye, Paul – Aye, Probst – Nay, Mayor Fiegen abstained. Motion failed 4 – 3.

S.E.H. Request to Proceed with Fire Station Construction Documents – Sommerfeld made a motion to proceed with Construction Documents. Grovenburg seconded the motion. Motion carried unanimously.

Progress Report – Lance Mayer, PE, DeWild Grant Reckert & Associates – Mayer was present to brief the council as to the status of the following projects:

Lift Station – Awaiting one lien waiver and some final punch list items to be completed before the project can be finalized;

Recreational Trail – There have been delays from the Federal Highway Department on the final approval to proceed with the project. That is now done and the project is in the hands of the SDOT for the approval of letting for bid.

15th Street – Facilities Plan is being finalized and will be sent to DENR. Funding applications are being completed and sent.

West View Drive – Roadway repair is currently on hold. Estimated project cost of \$250,000.

7th Steet Sidewalk – Drainage would not be affected by installing sidewalk. Culvert extension would accomplish our needs. Estimated project cost of \$36,000 for one side of roadway and \$70,000 for both. Project currently on hold.

The council provided direction that the Comprehensive Use Plan be reviewed.

City Administrators Report – Martin reported on the following:

- Letter received from Scott Larson (PJ Strawhecker, Inc) regarding the progress and training of community members for the Dell rapids Carnegie Public Library Capital Campaign;
- Sales tax spreadsheet from Department of Revenue presented for the council;
- Dell Rapids Volunteer Fire Department will be conducting smoke training on the city property at 409 6th St on Monday, June 28. Additional training will be conducted as scheduled by the Fire Department training officer. Demolition has not yet been scheduled for the property;
- S.E.H. has issued a letter to the Secretary of Transportation regarding the access to the state highway from the future fire station location;
- County Commission will be meeting tomorrow (June 22) and will consider ambulance changes;

- Public Hearing on Thursday (June 24), in Pierre, regarding the Consolidated funding request for 15th Street.

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

Claims Approved for Payment by Other Municipal Boards – Library Board Claims: Capstone Press, books 21.99; Ingram Library Svcs, books 115.77; Kapco book protection supply 137.36; MicroMarketing, books/DVD's 193.22.

Executive Session – Personnel: Downs made a motion to enter executive session to discuss personnel issues. Motion seconded by Paul. Motion carried. The council entered executive session at 8:52 p.m.

The council returned from executive session at 9:54 p.m.

Grovenburg made a motion to adjourn the meeting. Second by Sommerfeld. Motion carried unanimously. Meeting adjourned at 9:55 p.m.

Scott Fiegen, Mayor

LeAnn Kerzman, Finance Officer