

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, June 6, 2011 at 7:00 p.m.

Council President Probst called the meeting to order at 7:00 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: President Carrie Probst, Vice President Todd Wiebenga, Mark Downs, John Paul, Doug Grovenburg (arrived at 7:15), and Carrie Testerman. Absent: Mayor Scott Fiegen, Keith DeLange, and David Sommerfeld.

Staff Present: Administrator, Justin Weiland, Finance Officer, LeAnn Kerzman, Attorney, Dean Hammer.

**Approval of Agenda:** Downs moved and Testerman seconded the approval of the agenda. Motion carried unanimously.

**Minutes:** Downs moved and Wiebenga seconded to approve the minutes of the regular council meeting held on May 16, 2011. Motion carried unanimously.

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

A-Ox Welding, cylinder rental 21.08; Adapco, mosquito chemical 4398.00; Argus Leader, publishing 145.84; Baumberger Vineyard, wine 120.00; Beal Distributing, May malt 24,928.94; Cardmember Services, office supplies 305.78; County Fair, pool concessions 203.50; Dakota Beverage, May malt 19,903.60; Dauby's Sports Center, recreation supply 57.60; Davenport Evans, bond fee 11,368.00; Dell Rapids Ambulance, annual support 40,000.00; DR Coop Grain, chemical 1065.00; DR True Value, paint/supply 570.21; Dells Farm & Tire, tire repair 27.00; Delta Dental, insurance 625.60; DeWild, Grant & Reckert, engineering 14,451.18; FastSigns, pool signage 101.00; FIG's (Jeff Fiegen), t-shirts 493.00; First Bank & Trust, loan payment 18,816.00; GeoTek, 15<sup>th</sup> St testing 1375.00; Goldenwest, telecommunication 879.27; Hanson Logowear, summer employee clothing 825.41; Hauff Mid-America Sports, softballs 45.00; Hawkins, pool chemicals 3729.30; HD Supply, 10 lids 251.20; Heinemann Restoration, pool caulking 300.00; Hinrichs, David, flag/light pole painting 4340.00; Hoffman Sanitation, May dumpster 60.00; ICAP, April busing 3273.10; Integrated Business Solutions, Galaxy install 187.50; Justice Fire & Safety, extinguisher 60.00; LG Everist, road stone 1768.82; Logic, lottery repair 360.00; MidAmerican Energy, natural gas 112.24; Midwest Alarm, alarm service 105.35; Minnehaha Community Water, May water 9636.48; Owens Inspection Services, water tower inspect/repair 3721.48; Petrik, Andrea, reimburse pool supply 22.99; Republic National, May liquor 9070.14; Sam's Discover, pool concessions 1170.27; SD Assoc of Rural Water, membership 610.00; SD Dept of Revenue, ½ malt license 887.50; SD Public Health Lab, ww testing 500.00; SD Retirement, May retirement 4496.36; Tri-State Garage Door, repair 1976.00; Variety Foods, concessions 110.46; Winter Brothers Underground, #1 15<sup>th</sup> Street 103,204.95; Xcel Energy, electricity/street lights 3251.39; Zee Medical, first aid supply 195.30.

**Second Reading of Revised Zoning Regulations:** Administrator Weiland asked the council to table the second reading so further input from the community can be gained. Downs moved and Wiebenga seconded tabling the second reading. Motion carried unanimously.

**Visitors to be heard:** James and Jamie Borchert and Sandra Weisenburger were present to express their concerns over the vandalism and speeding in and along City Park on 3<sup>rd</sup> Street. The council recognized the continuing problem and will work with law enforcement.

**Public Hearing – Malt Beverage License Renewal:** Malt beverage license renewals were received from the following:

*Retail (on-off sale) Malt* - Dells PR Inc, dba Pizza Ranch, 500 W 4<sup>th</sup> St, DR, SD; RP Kramer LLC, dba Dells Bowl and Café, 320 E 4<sup>th</sup> St, DR, SD

*Package (off-sale) Malt* - DR Clarke Inc, dba County Fair Food Store, 701 East 4<sup>th</sup> Street, DR, SD; JMMA Park, T&C's "Other Place", 700 Garfield Ave, DR, SD

*Package (off-sale) Malt Beverage & SD Farm Wine* - Cubby's Inc, dba Cubby's – Dell Rapids, 220 Highway 115 N, DR, SD; Monkey's, 313 Garfield Ave, DR, SD; JMMA Park, T&C Self Service, 402 Highway 77, DR, SD.

Downs moved and Testerman seconded to approve the applications and enter into Operating Agreements with each applicant contingent upon all license requirements being met. Motion carried unanimously.

**Old Hwy 77 Drainage – Citizen Request:** Weiland provided a history of the drainage situation to the council members. There is a drainage easement that runs behind and beside the homes in the development. The city had told the homeowners that the city would attempt to resolve the flow for drainage. The current concern is that because the water table is so high, an attempt to grade the areas would cause more of a problem than a correction. Property owners expressed their concerns and suggestions for possible solutions.

**Sioux River Red Rock Trail – Change Order #2:** Mr. Lance Mayer of DGR presented the council with Change Order #2 for the recreational trail. Change order address change in time only without any dollars affected due to the wet year and flooding. Completion date change from June 18, 2011 to October 15, 2011. AliceAnn Krantz of Buskerud Construction was also present. She relayed to the council that if construction were to continue now, the grade of the trail behind Rickeman field would be lower than the current level of the river. Testerman moved and Grovenburg seconded the approval of the change order. Motion carried unanimously.

**15<sup>th</sup> Street - Pay Request #1:** Lance Mayer reported on the progress of construction on 15<sup>th</sup> Street from Old Hwy 77 to Clarke Ave. Water and sewer are being installed. Mayer recommended approval of pay request #1 in the amount of \$103,204.95. Downs moved and Wiebenga seconded to approve the application for payment. Motion carried unanimously.

**New Business: Outdoor Event Application – Burn Out, Mud Races, Mud Volleyball and Bean Bag Tournament:** Application received from Tom Herding, owner of the Old Dutch Inn. Events to coincide with Quarry Days on Saturday, June 25<sup>th</sup> (burn out and mud races) and on Sunday, June 26<sup>th</sup> (mud volleyball and bean bag tournament). Wiebenga moved and Grovenburg seconded approving the application contingent upon securing one full-time and one reserve deputy. Motion carried unanimously.

**Elementary School – 12<sup>th</sup> and 14<sup>th</sup> Street Hammerhead Request:** Weiland introduced Dell Rapids Schools Superintendent, Tom Ludens. Mr. Ludens stated that the school does not want to install the hammerheads at the ends of 12<sup>th</sup> and 14<sup>th</sup> Street where they meet the school property. He stated that the school board had thought the city would assist in the cost of installing Ripple Creek Road and when they learned the city was not (January 3, 2011 City Council Minutes) they wanted to remove the hammerheads from the plans because there was insufficient dollars to install them. There was also the concern that they would be used for parking and dropping

off/picking-up students. He stated the estimated cost for installing both of the hammerheads is \$29,500.

Lance Mayer, DGR, stated that meetings were held with the school, the city and the respective engineers to include the hammerheads within the design plans for the school prior to it being bid.

The original plat showed a roadway between 12<sup>th</sup> and 14<sup>th</sup> streets. Cul-de-sacs were agreed upon as an alternative when the school voiced the concern over the road being used as an access point for traffic. The school then stated that cul-de-sacs came too close to the playground area and the wanted the city to consider the hammerheads as an alternative. (May 6, 2010) The city agreed to the hammerheads as a viable option and they were included on the plans that went to bid for the project.

Weiland stated that concessions need to be given to the existing property owners to allow for the safety of the public. Whether it is allowed or not, there will be cars using 12<sup>th</sup> and 14<sup>th</sup> Street and turning around in private driveways. It is already a problem with multiple persons viewing the construction in progress and turning in private drives. Not installing the hammerheads, as planned, will cause a permanent problem.

Downs moved and Testerman seconded the recommendation that the school install the hammerheads because of the safety issue that would cause by not doing so.

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

- Preview of the logo selected to be used on business cards and letterhead by the city.
- Finance Officer School scheduled for June 8-10 in Pierre has been canceled due to the flooding.
- Second Chance Rescue Center has changed their mission and is no longer available as a kennel service. Weiland has been in contact with the Humane Society for continued services.
- Drainage is an issue at multiple locations throughout the city. There is a drainage assessment fee that can be established if it is something the council wishes to pursue.
- Future council meetings will return to the time of 7:30 p.m.

**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: Baker & Taylor, book 15.14; EcoWater, water cooler 74.50; Gale Group, books 203.81; Ingram Library Services, books 43.67; JFJ Disc Repair, polish 147.70; Marco, copier maint 93.75; Micromarketing, books/DVD's 319.43; OverDrive, on-line book fees 1500.00; Sam's Club Discover, books 195.00; Short Elliott Hendrickson, engineering 593.46.

Motion by Downs to adjourn the meeting followed by a second by Testerman. Motion carried unanimously. Meeting adjourned at 8:29 p.m.

LeAnn Kerzman, Finance Officer