

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, July 2, 2012 at 7:30 p.m.

Mayor Fiegen called the meeting to order at 7:37 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: Chad Andrews, Mark Downs, Vice-President Craig Lauritzen, Jim Rueckert, David Sommerfeld, President Carrie Testerman and Mayor Scott Fiegen. Absent: Keith DeLange and Todd Wiebenga. Staff Present: Administrator, Justin Weiland, Finance Officer, LeAnn Kerzman, and City Attorney, Dean Hammer.

**Approval of Agenda:** Mayor Fiegen stated that Executive Session that was posted on the agenda will not be needed. It will change to public session and move to item D of New Business. Sommerfeld moved and Andrews seconded the approval of the agenda with the stated change. Motion carried unanimously.

**Minutes:** Testerman moved and Lauritzen seconded to approve the minutes of the regular council meeting held on June 18, 2012. Motion carried unanimously.

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

A-1 Portable Toilets, service 251.00; American Legion, hall rent 120.00; Argus Leader, publishing 231.24; Avera Queen of Peace, testing 52.40; Bentz, Chris, refund 4.76; Best Western of Huron, FO school 252.00; Bierschbach Equip, flags 238.30; City of Dell Rapids, utilities 454.39; Claritus, postage ink 76.77; County Fair, pool concessions 189.43; DakotaCare, insurance 7026.06; Danko Emergency Equipment, siren install 5884.00; DR Ace Hardware, floor dry 43.96; Dells Diesel Service, service 1263.21; Dells Materials, bridge patch 92.00; Delta Dental, insurance 623.10; DeWild, Grant & Reckert, engineering 27,848.94; Diez, Dan, travel reimburse 116.40; First National Bank, quarterly loans 57,423.06; Hawkins, pool chemical 107.52; Heiman Fire Equip, equipment 171.00; Johnson, Jerica, WSI reimbursement 170.00; Lacey's Portable Restrooms, 12 restrooms 1140.00; Leighton, Karlie, WSI reimbursement 170.00; M&T Fire & Safety, gloves 241.98; McIsaac, Deborah, refund 1.78; MC & R Pools, vacuum and parts 3137.98; MidAmerican Energy, natural gas 68.94; Midwest Alarm, alarm loops 105.35; Mier, Robert, travel reimbursement 367.28; Miller, Mandy, refund 9.39; Minnehaha Community water, water 15,458.81; Outlaw Graphics, 22 banners 2970.00; Sam's Club Discover, pool concessions/travel 2204.85; Sanitation Products, 2 dumpsters 1600.00; SD Federal property, office supply 33.00; SD Public Health Lab, testing 130.00; Sioux Falls Area Humane Society, animal control 53.20; Sioux Falls Two Way Radio, repair 120.00; Southeast SD Tourism Association, membership 340.00; SD Retirement Systems, retirement 4783.52; Tender Lawn Care, property cleaning 100.00; Tyler Technologies, maintenance 550.00; Verizon Wireless, cell phone 114.46; Xavier, Jill, lesson refund 30.00; Xcel Energy, electricity 10028.72; Zee Medical, first aid supply 148.45.

**Resolutions and Ordinances - Ordinance #762 Second Reading of Amended Subdivision Regulations:** The ordinance rescinds Ordinance No. 373 and adopts the revised subdivision regulations. Sommerfeld moved to approve. Second by Lauritzen. Roll call vote. Andrews-Aye, Downs-Aye, Lauritzen-Aye, Rueckert-Aye, Sommerfeld-Aye, Testerman-Aye. Motion passed with six of six voting aye.

**Resolution #2012-14 Engineering Design Standards:** Lauritzen moved to approve Resolution #2012-14. Testerman seconded. Attorney Hammer asked what the effective date would be and was quoted August 7, 2012 by Weiland. Motion carried unanimously.

**Resolution #2012-15 Game Fish and Parks LWCF Grant Application Authorization:** Weiland asked the council for their agreement to apply for grant funding for the purchase of playground equipment for upgrades at the city park. Testerman moved to approve the resolution. Andrews seconded. Motion carried unanimously.

**RESOLUTION # 2012-15**  
**LWCF GRANT APPLICATION AUTHORIZATION**

**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:**

1. That the City Administrator, Justin Weiland is hereby authorized to execute and file an application on behalf of the City of Dell Rapids, South Dakota 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 City Playground Improvement Project for the City of Dell Rapids, South Dakota and its Environs.
2. That Justin Weiland, 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.
3. 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.

**CERTIFICATE OF RECORDING OFFICER**

The undersigned duly qualified and acting Finance Officer of the City of Dell Rapids, South Dakota, does hereby certify: That the attached Resolution is a true and correct copy of the Resolution, authorizing the filing of application with the National Park Service as regularly adopted at a legally convened meeting of the City of Dell Rapids duly held on the 2<sup>nd</sup> day of July, 2012 and further that such Resolution has been fully recorded in the journal of proceedings and records in my office.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 2<sup>nd</sup> day of July, 2012

/s/ LeAnn Kerzman

**LeAnn Kerzman, Finance Officer**

/s/ Scott Fiegen

**Scott Fiegen, Mayor**

**Visitors to be heard:** Jill Xavier of Trent addressed the council regarding her request of administration for a refund of swimming lessons. Two sessions of lessons were paid for in error by each parent of the child. One refund of \$30 was offered. Participant broke a bone on the third day of the lessons and was unable to continue. Sommerfeld moved to approve a refund of \$15 and a requested a policy be put in place regarding medical reasons for a participants inability to complete a lesson session. Testerman seconded. Motion carried unanimously.

**Public Hearing: Railroad Crossing Closure Discussion:** Jack Parliament, President of D&I Railroad, was present to discuss any further questions that the council or community has regarding possible closing or rehabilitating railroad crossings within Dell Rapids. In order for the state to consider an application for assistance, they want to see at least one crossing closed in order to rehabilitate another. After reviewing traffic counts and discussions with businesses and some property owners, possible closure crossings would be considered for State and Ladelle Avenues with rehabilitation considered for Beach and Washington Avenues. Residents were present to express their feelings regarding any possible closure locations. General consensus was not in favor of closure. Motion by Rueckert to postpone any action until the city could budget for the infrastructure costs associated with any upgrades. Sommerfeld seconded. Motion carried unanimously. Mayor Fiegen thanked Mr. Parliament for his time and information regarding the funding available to assist communities.

**Outdoor Event Applications – Bike MS: Sanford Pedal the Plains:** Amanda Nielsen on behalf of the MS Society of Sioux Falls, requested approval for the bike event which will be held August 4-5 at the Dell Rapids High School. Downs moved to approve with the fee waived for a non-profit group. Andrews seconded. Motion carried unanimously.

**Outdoor Event Application – First Baptist Church:** Carolyn VanHeerde applied on behalf of the First Baptist Church for the 140<sup>th</sup> anniversary celebration which will be held August 11-12 at 512 E 5<sup>th</sup> St. There will be music and entertainment. Downs moved to approve the application with the fee waived for a non-profit group. Rueckert seconded. Motion carried unanimously.

**Library Opt Out – Election Workers Wages:** Wages for elections workers must be set by the council for the opt out election to be held on July 17, 2012. Downs moved to approve a rate of \$9.00 per hour. Sommerfeld seconded. Motion approved unanimously.

**Personnel Policy Manual:** Policy Manual updates are being reviewed by the Policy & Procedures committee. Weiland stated that the group

**Sanitary Sewer Study:** Weiland requested additional engineering be conducted to the north and west to determine the practicality of sewer infrastructure growth. DGR would be retained to complete the studies at a cost of \$5,000 beyond what was already contracted for the SE area study. Downs moved to approve. Andrews seconded. Motion carried unanimously.

**Administration Travel Request:** Weiland requested council approval for ICMA conference training participation to be held in Phoenix, AZ from October 7-10, 2012. Downs moved to approve the out of state travel request. Lauritzen seconded. Motion carried unanimously.

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

- SRF Funding has been received by the SD DENR for the 15<sup>th</sup> St Phase II project in the following amounts. Drinking Water - \$897,000 loan with \$250,000 in principle forgiveness (grant); Clean Water (sewer) - \$612,000 loan and \$375,000 grant. This is a large savings for the city.
- Request from full-time library employee to reduce hours to 36 hours per week and retain all benefits. There is a current part-time opening that could absorb the difference in the hours at this time. Administration has granted approval.
- Quarry Days was a success with no major items to discuss or report.
- Library Opt-Out Election is scheduled for July 17. Absentee ballots are available and able to be cast.
- 2013 Budget preparations are being made. Specific requests or areas of concern should be taken to Administrator Weiland.

**Claims Approved for Payment by Other Municipal Boards** – Library Board Claims: Baker & Taylor Books, 18 books 211.79; Cardmember Services, postage 99.00; CDW Government, printer ink 464.24; Demco, due slips 478.25; Eco Water Systems, rental/cups 15.50; Huska, Deb, travel reimbursement 20.72; Ingram Library Services, 22 books 428.51; Micromarketing, 6 DVD's/22 books 782.68; MidAmerican Energy, natural gas 8.00; Pumpkin Books, 26 books 271.60; Sam's Club, 5 books/snacks 81.25; Video Plus, disc polishing 109.00; Xcel Energy, electricity 229.73.

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

Motion by Downs to adjourn the meeting. Second by Sommerfeld. Motion carried unanimously. Meeting adjourned at 9:05 p.m.

LeAnn Kerzman, Finance Officer