

DELL RAPIDS CITY COUNCIL MINUTES

Monday, July 15, 2013 at 7:30 p.m.

Mayor Fiegen called the meeting to order at 7:30 p.m. at the Dell Rapids City Council Chambers. The Roll was called finding the following members present: Chad Andrews, Lee Burggraff, Mark Crisp, Mike Geraets, Gary Haak, Vice President Craig Lauritzen, Paul Miles, President David Sommerfeld and Mayor Scott Fiegen. Absent: None.

Staff Present: Administrator Justin Weiland, Finance Officer LeAnn Kerzman, and City Attorney Dean Hammer. Pledge of Allegiance was recited.

Approval of Agenda: Lauritzen moved to approve the agenda. Second by Miles. Motion carried.

Approval of Minutes: Sommerfeld moved to approve the minutes of the regular meeting held on July 1, 2013. Andrews seconded. Motion carried.

Claims Approved: Lauritzen moved to approve the claims as presented. Second by Andrews. Motion carried. Argus Leader, publishing 124.08; Badger Meter, telecommunication 206.25; Baumberger Vineyard & Winery, wine 96.00; Beal Distributing, malt 34,409.78; Bierschbach Equipment, supplies 50.00; Bunkers Oil, fuel 5257.40; BX Civil & Construction, dust control 1000.00; C & R Supply, part 12.40; Concrete Materials, asphalt 261.95; County Faire Foods, concessions 129.93; Dakota Beverage, malt 26,499.66; Dakotacare, flex reimbursement 10.00; Dell Rapids Ace Hardware, supplies 319.49; Dell Rapids Coop Grain, supplies 1283.40; Dell Rapids Lumber, supplies 134.57; Dell Rapids Volunteer Fire Department, annual support 34,242.08; EFTPS, withholding 8251.76; GeoTek Engineering, testing 5044.00; Global Distributing, malt 164.61; Goldenwest, telecommunications 806.23; Gruis, Karla, maintenance 391.00; Haak, Thelma, WSI reimburse 190.00; Hawkins, chemicals 1804.77; HD Supply Waterworks, parts 745.23; Hoffman Sanitation, maintenance 75.00; Johnson Brothers, liquor 10,673.49; Jorgensen Concrete, bleacher pads 2754.00; Justice Fire & Safety, training 120.00; Lacey's Portable Restrooms, rental 875.00; LG Everist, supplies 123.45; Linweld, rental 33.30; Midwest Alarm, monitoring 29.38; Napa Auto Parts, mirror 22.94; Queen City Wholesale, concessions 457.79; Republic National Distributing, liquor 10,076.61; RP Klein Construction, repairs 17,582.00; Schuneman Equipment Company, parts 86.30; SD One Call, locates 238.65; SD State Treasurer, sales tax/lottery 2153.05; Sioux Falls Area Humane Society, animal control 301.33; Stange, Julie, WSI reimburse 190.00; Tender Lawn Care, mowing 225.00; Virg's Service, maintenance 211.90; Vogt, Brown, Merry & Hammer, retainer 1900.00; Xcel Energy, electricity 5757.45.

Added or Increased Salaries: June payroll - Weiland presented merit increase for Public Works employee David Schuch from \$16.54 to \$16.87 or 2%.

Public Hearing and First Reading of Ordinance #773 – Application for Rezone Lot 1 of Block 2 and Lots 5, 6, & 7 of Block 4 of Timber Ridge Addition: Application received from Lee Burggraff to rezone Lot 1 Block 2 and Lots 5, 6, & 7 of Block 4 of Timber Ridge Addition from NRC (Natural Resource Conservation) to R-1 (Residential - Single Family Detached). Application heard by the Planning and Zoning board with a recommendation for approval. Sommerfeld moved to approve the first reading of Ordinance #773. Lauritzen seconded the motion. Crisp and Burggraff recused themselves from voting. Motion carried.

Public Hearing – Malt Beverage License Application: Clarence Fjellanger was present representing PBR Amateur Baseball and requested a special malt beverage license while they host the regional tournament July 26 to August 3rd at Rickeman Field. Lauritzen moved to approve. Burggraff seconded. Motion carried.

Visitors to be heard: None.

Outdoor Event Permit – Light the Night: Application received from the American Legion Auxiliary to host 'Light the Nite' memorial on September 20th from 8 to 10 p.m. at Veterans Memorial Park. Request to waive the fee. Andrews moved to approve and waive the fee. Geraets seconded. Motion carried.

Library – Siouxland Libraries Presentation: Mary Johns of Siouxland Libraries was present to inform the council on the cooperative agreement that is in place for the remainder of libraries in Minnehaha County and the services that they provide.

Streets - 15th Street/Garfield Ave Construction Project: Weiland briefed the council on the progress to date on the project. Concrete pour on Garfield will begin on Thursday, July 18. 15th Street is milled and gravel approaches installed. State is prepared for final grade and 13th Street has been asphalted.

Sidewalk for the school property adjacent to Garfield Avenue would require three Excel Energy power poles to be moved if the sidewalk were to be placed as standard dictates. Weiland met with the school board and they prefer the sidewalk to abut Garfield Ave and remove the boulevard. The city does not prefer this option because of the need for snow removal and the storage of the snow from the street. School is willing to push the snow from the sidewalk onto their property if sidewalk could be placed adjacent to the street. Lauritzen asked that a written agreement be prepared so the details are recorded for both parties' interests.

Beach Ave sewer line replacement is still being considered for inclusion with the 15th Street Project. Item of concern is the blasting that is required to increase the depth of the trench so the piping can lay on material instead of directly upon the bedrock. Direction from council to discuss more with LG Everist/D&I Railroad for options.

12th Street Detention Pond – Sidewalk: Crisp secured bids from three contractors for the installation of sidewalk around the 12th Street & Clark detention pond. Bid included the base material to be provided at the city expense. Brian Graham Construction \$17,600.00; KatAmund Trades \$19,095.00 and Jorgensen Concrete LLC \$17,636.31. Lauritzen moved to approve the apparent low bid from Brian Graham Construction in the amount of \$17,600. Burggraff seconded. Motion carried.

7th Street – Stop Signs: Geraets requests the council consider the removal of the two stop signs at the intersection of East 7th Street and Beach Avenue (east-west traffic). Weiland stated that LG Everist is not in support of the removal of the stop signs. Geraets moved to remove the two stop signs for the east-west traffic at the intersection of East 7th Street and Beach Avenue. Haak seconded. Roll call vote called. Andrews-Nay; Burggraff-Aye; Crisp-Aye; Geraets-Aye; Haak-Aye; Lauritzen-Aye; Miles-Aye; Sommerfeld-Aye. Motion carried seven to one.

Surplus Property Committee: Title search work continues to establish clear title. Crisp presented suggestions for repairing the old ice skating warming house and discussion ensued regarding camping.

Library Building Project: Finance & Utility committee meet with the Library Board. They toured the old elementary school and recommended that the city pay for the engineering for the utility relocation. Motion by Miles for the city to pay for the engineering of the 'reasonable' relocation of utilities. Library Board would be responsible for the cost of relocation, addition, main floor remodel and the understanding that the parking lot is not included as they do not have sufficient funds. Second by Sommerfeld. Motion carried with Geraets dissenting.

Fire Station Project – Engineering Additional Funds: Mike Kuno of SEH was present to request additional funds in the amount of \$12,672.26 for work performed on the construction of the Fire & Rescue Station. Weiland stated that the contract amount of \$99,500 has been met and paid and any additional funds would require council action to approve. The council listened to Kuno's explanation and determination of costs. Crisp moved to pay the invoice in the amount of \$12,672.26. Miles seconded. Motion carried six to two with Geraets and Burggraff opposed.

Claims Approved for Payment by Other Municipal Boards: Library Board: Baker & Taylor Books, 6 books 80.64; Cengage Learning, book 23.24; Creative Product Source, 250 magnets 187.40; Eco Water Systems, rental 8.00; Ingram, 9 books 171.51; Micromarketing, 2 books/1 disc 66.18; SD Library Network, membership 675.00; Video Plus, maintenance 89.50.

City Administrators Report – Weiland reported on the following:

- Merit reviews have been conducted and the following is recommended: David Schuch, Street Laborer \$16.54 per hour increase of 2% to \$16.87 per hour.
- In order for the Carnegie Library to remain on the State Historical Society designation of ‘Historic’, the windows must be restored and not replaced.
- SDRS Roth 457 plan is a new savings service offered through South Dakota Retirement. It is fully funded by the employee and an optional savings plan. No cost to the city. It is being offered to employees as a choice.
- A zoning ordinance amendment is being considered for planned unit developments. A meeting will be held with attorneys, SECOG and administration to form an option to present to the council.

Treasurer’s Report: A recap of all income and expenses that occurred since the last meeting, was presented to the council.

Executive Session: Crisp moved for the council to adjourn to executive session for the purpose of discussion on the qualifications, competence, performance, character and fitness of employees. (SDCL 1-25-2) Second by Burggraaf. Motion carried and the council entered executive session at 9:36 p.m. Council returned from executive session at 10:04 p.m.

Sommerfeld moved to adjourn and Crisp seconded. Motion carried. Meeting adjourned at 10:04 p.m.

LeAnn Kerzman, Finance Officer