

**DELL RAPIDS CITY COUNCIL MINUTES**  
**Monday, August 16, 2010 at 7:30 p.m.**

The meeting was called to order by Mayor Fiegen 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, Vice President Carrie Testerman, David Sommerfeld, Doug Grovenburg, Carrie Probst, Todd Wiebenga, Richard Woolf and John Paul. Absent: Todd Wiebenga.  
Staff Present: Finance Officer/Interim City Administrator LeAnn Kerzman and City Attorney Dean Hammer.

**Addition to Agenda:** Testerman moved and Probst seconded the addition of a Mayoral Proclamation. Motion passed unanimously.

**Minutes:** Motion by Sommerfeld to approve the August 2, 2010 regular city council meeting minutes. Grovenburg seconded. Motion carried unanimously.

**Claims Approved:** Motion by Testerman to approve the following claims as presented. Sommerfeld seconded the motion. Motion carried unanimously.

A-OX Welding, rental 20.46; Argus, publishing 260.96; Avera, vaccine 38.00; Beal, malt 33,641.62; Bunkers Oil, fuel 2972.50; Central States Fire, bulb 28.46; County Fair, concessions 101.18; Dairy Queen, employee recognition 117.42; Dakota Beverage, malt 25,243.16; DR Baseball Assoc, concessions 60.18; DR Coop Grain, supplies 470.10; DR Lumber, supplies 195.14; DR Township, gravel 859.87; DR True Value, bulbs 121.65; Dustex, entry mat 29.71; Global Distributing, malt 12.93; Goldenwest, telecommunication 826.34; Hasler, postage fee 15.00; Heiman Fire Equip, smoke fluid 79.90; Hoffman Sanitation, trash 110.00; Job Target, job ad 125.00; Johnson Brothers, liquor 5453.82; Linweld, rent 27.90; M & T Fire & Safety, labor 409.86; MidAmerican Energy, gas 65.41; Midwest Alarm, loops 105.35; NAPA, supplies 127.15; Pfeifers, light 29.75; Republic National, liquor 5781.15; Schuneman Equip, chain saw/parts 652.40; SDRS, retirement 3835.24; Virg's Service, sharpening 418.88; Vogt, Brown, Merry & Hammer, retainer 2000.00; Xcel Energy, electricity 4211.68.

**Added or Increased Salaries:** Parks & Recreation – Eddy, Julie WSI & review \$7.80 to \$8.30; Potrament, Nicole WSI & review \$7.75 to \$8.25; Rueb, Marisa WSI & review \$8.05 to \$8.55; Steineke, Brittany \$7.75 to \$8.00.

**Public Hearing:** Public Hearing to consider the application for a Retail On-Off Sale Malt Beverage License to be held by Shelley B. Ellingson d/b/a Dells Bowl & Café. Sommerfeld moved and Grovenburg seconded to approve the application. Motion carried unanimously. An Operating Agreement will be sent to Ellingson.

**Outdoor Event Permit:** Quarry Rock Church would like to host ASAH, a Christian rock band from Sioux Falls, in City Park on September 24<sup>th</sup> at 7 p.m. as a fundraiser for the youth group. Requesting \$100 application fee be waived. The council reviewed the application. Testerman moved and Paul seconded approving the application and waiving the fee for a non-profit organization. Motion carried unanimously.

**Petition for Annexation:** Petition to annex Tract 3 of Everist Addition in the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼ ) of Section 16, Township 104 North, Range 49 West of the 5<sup>th</sup> P.M., Minnehaha County, South Dakota, according to the recorded plat thereof (including the East 100 feet of said Tract 3, previously annexed to the City of Dell Rapids on February 7, 2000, by Resolution NO. 4-00, as recorded in book 236 of Miscellaneous on page 901) signed by Mayor Fiegen on behalf of the citizen of Dell Rapids. Said property is adjacent to the existing Rubble Site along the westernmost edge and was acquired by the city through a negotiation with LG Everist. Downs moved, Probst seconded to approve the Petition. Motion carried unanimously.

**Resolution No. 08-16-10-22 – A Resolution Annexing Certain Contiguous Territory to the City of Dell Rapids, South Dakota:** Paul moved and Grovenburg seconded approving the following resolution to support the annexation of the therein described property. Motion carried unanimously.

RESOLUTION NO. 08-16-10-22

A RESOLUTION ANNEXING CERTAIN CONTIGUOUS TERRITORY TO THE CITY OF DELL RAPIDS, SOUTH DAKOTA.

WHEREAS, the City of Dell Rapids, South Dakota, has submitted a written petition requesting the annexation of the hereinafter described real property to the City of Dell Rapids, South Dakota; and WHEREAS, the City has examined said petition and explored the background thereof; and the City Council, as the governing body of said City, has found that the subject property is contiguous to the City, that the petition was signed by all of the registered voters and all of the owners of the subject property, that there is no apparent opposition to such annexation;

NOW THEREFORE, BE IT RESOLVED BY the City Council of the City of Dell Rapids, South Dakota, that Tract 3 of Everist Addition in the Southeast Quarter of the Northwest Quarter (SE¼NW¼) of Section 16, Township 104 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, according to the recorded plat thereof (including the East 100 feet of said Tract 3, previously annexed to the City of Dell Rapids on February 7, 2000, by Resolution No. 4-00, recorded in book 236 of Miscellaneous on page 901), be and the same is hereby annexed to the City of Dell Rapids, South Dakota, and the Mayor of the City is hereby authorized and directed to cause an accurate map of the property, together with a copy of this resolution, duly certified, to be recorded in the Office of the Register of Deeds of Minnehaha County, South Dakota.

Introduced by Alderman Paul, seconded by Alderman Grovenburg, and on vote 7 for and 0 against, the Mayor declared the Resolution passed and adopted.

Dated this 16th day of August, 2010.

SCOTT FIEGEN  
Mayor

ATTEST:  
LEANN KERZMAN  
Municipal Finance Officer

**First Reading of Ordinance No. 740 – Readopting Ordinance:** Proposed ordinance will incorporate all ordinances since the last compilation approved and adopted on October 4, 1999. Second reading to be delayed until the Planning and Zoning revisions have been approved. Downs moved to approve the first reading followed by a second from Paul. Motion carried unanimously.

**Mayoral Proclamation – St Mary Centennial Week:** Mayor Fiegen read the following proclamation:

City of Dell Rapids Proclamation  
**ST. MARY CENTENNIAL**

WHEREAS, the St. Mary Academy was opened in 1910 under the guidance of Father Charles Boley, celebrates 100 years of Catholic education. The traditions of the early school still live on as the students, the teachers, and families are united in faith and called by God to develop our children spiritually, intellectually, socially, creatively, emotionally, and physically while emphasizing a comprehensive academic program to respond to the challenge of an ever changing world; and

**WHEREAS** the St Mary Catholic Schools dedicated teachers and parents have continuously exerted a creative energy towards providing Catholic Christian attitudes, programs, and environments, wherein high moral standards are taught, lived, and extended for the 100 years; and

**WHEREAS**, St. Mary school system is the only pre-school through senior high Catholic school in South Dakota supported by a single parish and now serves 213 students; and

**WHEREAS**, a great number of our citizens have been educated in the St Mary Catholic Schools, and as a result contribute to Dell Rapids integrity, growth, and rich heritage by service to the city and its citizens.

**NOW, THEREFORE, I, Scott Fiegen**, Mayor of the City of Dell Rapids, South Dakota, do hereby proclaim the week starting August 15, 2010, as,

**St. Mary Centennial Week**

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

BY Scott Fiegen, Mayor

ATTEST:

BY LeAnn Kerzman, Finance Officer

**Interim City Administrators Report:**

- 5<sup>th</sup> Street Masonry Culvert – DGR provided an analysis of the deterioration of the waterway and road surface with an estimated improvement option of \$330,000 or culvert replacement under road only (\$170,000) and future replacement on north side to drainage channel (\$410,000).
- Missouri River Conservation Forestry Project Grant funds are being used for the acquisition of trees for city owned property. City parks and new development boulevards will be the likely recipients.
- Recreational Trail Project meeting to be held to inform the public of the progress and upcoming construction with Buskerud Construction. Article forthcoming in the Tribune.
- SDML Annual Conference to be held in Rapid City on October 6-8. Rooms are reserved.
- Fire Station plans are prepared and Bidding Documents are forthcoming.

**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: Baker & Taylor Books, books 35.25; Ingram Library Svcs, books 55.07; Penworthy, books 530.07; SDLA, registration 180.00.

**Executive Session – Personnel:** Downs made a motion to enter executive session to discuss qualifications of finalists for the City Administrator position opening. Grovenburg seconded the motion. Motion carried. The council entered executive session at 7:55 p.m.  
The council returned from executive session at 8:24 p.m.

Downs moved and Testerman seconded to adjourn the meeting. Motion carried unanimously.  
Meeting adjourned at 8:25 p.m.

LeAnn Kerzman  
Finance Officer  
Interim City Administrator