

## DELL RAPIDS CITY COUNCIL MINUTES

Tuesday, September 3, 2013 at 7:30 p.m.

Mayor Scott 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, Paul Miles, President David Sommerfeld and Mayor Scott Fiegen. Absent: Vice President Craig Lauritzen.

Staff Present: Administrator Justin Weiland, Finance Officer LeAnn Kerzman, Public Works Director Larry Schildhauer and City Attorney Dean Hammer.

Pledge of Allegiance was recited.

**Approval of Agenda:** Sommerfeld moved to approve the agenda. Second by Andrews. Motion carried.

**Approval of Minutes:** Sommerfeld moved to approve the minutes of the regular meeting held on August 19, 2013. Miles seconded. Motion carried.

Andrews moved to approve the minutes of the special meeting held on August 26, 2013. Sommerfeld seconded. Motion carried.

**Claims Approved:** Andrews moved to approve the claims as presented. Second by Burggraff. Motion carried. A-Ox Welding Supply Company, welding supply 121.24; American Fence, fence improvements 1016.78; Cardmember Services, travel 387.10; Cardmember Services, postage 14.12; City of Dell Rapids, utilities 453.42; City of Sioux Falls, testing 146.20; Dells Materials, supply 1354.00; Delta Dental, insurance 648.30; DGR, engineering 16,212.11; EFTPS, withholding 9,226.34; Eng Services, supply 3157.74; Entringer Backhoe & Trenching, repair 280.61; Frieberg, Nelson & Ask, professional service 37.50; Gruis, Karla, maintenance 408.00; HD Supply & Waterworks, supply 1271.00; ICAP, transit 8401.97; Kerzman, LeAnn, reimbursement 53.10; Lacey's Portable Restrooms & Roll Offs, rental 275.00; LG Everist, supplies 202.11; Minnehaha County Economic Development Association, dues 9888.00; Metro Construction, pay request #4 208,781.61; MidAmerican Energy Company, natural gas 57.68; Minnehaha Community Water, utility 15,433.80; Minnehaha County Sheriff, 3<sup>rd</sup> quarter law enforcement 60,212.00; Quality Heating & Air Conditioning, Norby's repair 472.44; Roemen's Automotive, Impala service 51.00; Sam's Club/Discover, supplies 651.50; SD Dept. of Transportation, Garfield bridge engineering 873.30; SD State Treasurer, Dept. of Revenue, sales tax payable/lottery 995.55; SD Retirement System, retirement 7468.12; Tender Lawn Care, mowing 45.00; Titan Machinery, service & supply 3143.39; Verizon Wireless, telecommunications 93.43; Virg's Service, service 287.61; Xcel Energy, electricity/street lighting 4264.56.

**Added or Increased Salaries:** August payroll – General Government \$17,917.71; Public Safety \$4,137.60; Public Works \$34,181.02; Parks & Rec \$29,317.76; Library \$15,990.01.

**Second Reading of Ordinance #775 – Amend Animal Ordinance for Violations:** Weiland presented Ordinance #775 which increases penalty amounts for animal violations. Increases for first offense from \$50 to \$100, second offense \$100 to \$150 and 3<sup>rd</sup> offense to remain the same at \$200. Miles moved to approve the second reading of Ordinance #775. Andrews seconded. Roll Call vote: Andrews-Aye, Burggraff-Aye, Crisp-Aye, Geraets-Aye, Haak-Aye, Miles-Aye, Sommerfeld-Aye. Motion carried by a vote of 7/7.

**First Reading of Ordinance #775 – Application to Rezone Lot 4 thru Lot 17 in Block 10 of Spruce Glen Addition and Lots 8 and Lot 9 of Block 14 of Spruce Glen Addition from NRC (Natural Resource Conservation) to R-1 (Single Family Residential):** Weiland informed the council of the application for change in zoning, submitted by Chad Hansen for Spruce Glen, which was heard by the Planning and Zoning Commission on August 27<sup>th</sup> and approved for passage. Sommerfeld moved to approve. Miles seconded. Motion carried.

**First Reading of Ordinance #777 – 2014 Annual Appropriations Ordinance:** Prior to action on the first reading of the ordinance, discussion was held on each of the following subjects within the budget ordinance: **Minnehaha County Sheriff Contract** – Discussion by council to reduce the number of hours of service time in order to keep the cost the same. Captain Hoekmann was present and stated he was concerned with a reduction in

service time while the city continues to grow which will cause response times to be greater. Motion by Geraets to reduce coverage from 160 hours per week to 154 hours per week in order to keep the cost consistent. Miles seconded. Motion carried with Andrews voting nay.

**Chamber of Commerce** – Dan Ahlers and Katie Luttmann were present to represent the Chamber and offered information to support the continuation of annual funding of \$13,500 instead of the proposed cut of 40% or \$8,000. No action taken.

**Code Enforcement/Building Inspector Position** – Discussion was held regarding the need and use of the position. No action taken.

**Vehicle Fleet and Equipment Replacement Fund** – Weiland, Kerzman and Schildhauer explained the Equipment Replacement fund as a ‘savings’ built from year to year so major equipment can be purchased when the council determines the need. A schedule is in place so dollars can be transferred to the reserve to make purchases when needed. No action taken.

**Wastewater Fund – SE Sewer Extension Project** – Discussion was held regarding scaling back the project if the effect would be a substantial increase in rates. No action taken.

An additional budget meeting will be held on Monday, September 9 at 7 p.m. in order to discuss each item further. Sommerfeld moved to approve the first reading of Ordinance #777 – 2014 Annual Budget Ordinance. Andrews seconded. Motion carried with Crisp voting nay.

**Outdoor Event Application – Connections for a Healthy Community:** Rev. Melissa Fletcher and Beth Prasek were present to request the use of the City Park band shell for a motivational speaker with a concert to be held on Wednesday, September 4 from 7 to 9 p.m. and to waive the application fee. Burggraff moved to approve the application and waive the fee. Geraets seconded. Motion carried.

**Streets - 15<sup>th</sup> Street/Garfield Ave Construction Project – Pay Request # 4 \$208,781.61:** Trent Bruce, PE of DGR, briefed the council on the progress to date on the project and supported Metro Construction’s pay request in the amount of \$208,781.61 for work performed through August 28, 2013. Sommerfeld moved to approve pay request #4 in the amount of \$208,781.61. Crisp seconded. Motion carried.

**Planning Commission Membership:** Weiland presented the original Planning and Zoning ordinance from September 26, 1972, for the council to review. The seven member board size, terms and wage are set by ordinance and would need an ordinance to change any of the items. Discussion held on reducing the board to five members, no pay for not attending meetings and term expirations without reappointment. No action taken.

**Visitors to be heard:** Jim Rueckert, State Avenue, addressed the council and asked that they consider allowing additional franchise holders to provide telecommunications services within Dell Rapids.

Bob O’Brien, Trent, inquired about trees along north Old Hwy 77, pot holes on the state highway and driving lane size requirements of roadways.

**Claims Approved for Payment by Other Municipal Boards:** Library Board: Learning Opportunities, 30 books 430.50; Skip Jensen, 49 books 283.00.

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

- Spruce Glen has submitted a variance request to the Planning & Zoning Commission to request a narrower street within their development from 37 to 29 feet with no parking restrictions.

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

Miles moved to adjourn and Andrews seconded. Motion carried. Meeting adjourned at 9:53 p.m.

LeAnn Kerzman  
Finance Officer