

DELL RAPIDS CITY COUNCIL MINUTES
Monday, November 21, 2011 at 7:30 p.m.

Mayor Fiegen called the Dell Rapids City Council regular meeting to order at 7:30 p.m. at the Council Chambers in City Hall. The Pledge of Allegiance was recited and roll was taken finding the following Council Members present: Keith DeLange, Mark Downs, David Sommerfeld, Carrie Testerman and Mayor Scott Fiegen. Absent: Doug Grovenburg Craig Lauritzen, John Paul and Todd Wiebenga. Lauritzen arrived as role was completed.
Staff Present: City Administrator, Justin Weiland, Finance Officer, LeAnn Kerzman and City Attorney, Dean Hammer.

Approval of Agenda: Testerman moved and DeLange seconded the approval of the agenda with the addition of the Oath of Office for Lauritzen. Motion carried unanimously.

Oath: Craig Lauritzen read his Oath of Office to fill the vacated seat in Ward 3. Mayor Fiegen and council welcomed Mr. Lauritzen back to the council.

Minutes: Sommerfeld moved and Downs seconded to approve the minutes of the regular council meeting held on November 7, 2011. Motion carried unanimously.

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

Allied Oil & Supply, tires and repairs 6998.58; Anderson Publications, reading cards 35.00; Argus Leader, publishing 232.09; Baumberger Vineyard, Oct wine 120.00; Beal Distributing, Oct malt 21,211.85; City of Dell Rapids, on & off-sale licensing 1800.00; Dakota Beverage, Oct malt 19,023.00; DakotaCare, insurance/flex reimbursement 7246.03; Double H Paving, asphalt paving 16,811.93; Global Distributing, Oct malt 190.60; Hawkins, water chemicals 1429.30; HD Supply, water parts 693.22; Johnson Brothers, Oct liquor 8796.93; JP Cooke, pet licenses 63.49; LG Everist, garden bench 495.00; Linweld, tank rentals 31.62; Maximum Promotions, 2 flags 105.45; MidAmerican Energy, natural gas 75.53; Republic, Oct liquor 8423.60; Sanitation Products, sweeper parts 71.21; Sioux Falls Humane Society, Oct animal control 208.88; Sioux Falls Two Way Radio, siren repair 322.50; SD Dept of Revenue, sales tax 102.09; Virg's Service, saw maintenance 205.43; Vogt, Brown, Merry & Hammer, Nov retainer/dues 2020.00; Xcel Energy, 15th Street lights 13,751.80; Xcel Energy, street lights/electricity 8144.73.

Added or Increased Salaries: None.

Second Reading of Ordinance #752 – Amending Additional On-Sale Alcoholic beverage Licenses: Weiland explained that a state law change caused a difficulty in interpretation for the city. Attorney Hammer has been investigating a remedy but it appears that we do not have an additional liquor license to offer for resale. Testerman moved and Downs seconded to table the ordinance. Motion carried unanimously. Ordinance tabled.

Second Reading of Ordinance #753 – Supplemental Budget Appropriation: Downs moved and Lauritzen seconded to approve Ordinance #753 as presented. Kerzman stated that current budget versus expenses are supplied with the claims packet for the council to review. Motion carried unanimously.

ORDINANCE 753
2011 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

BE IT ORDAINED by the Governing Body of the City of Dell Rapids that the following sum is supplementally appropriated to meet the obligations of the municipality.

GENERAL FUND- 101

| | | |
|--------------------------|-----------------------------|---------------------|
| 410 | General Government | |
| | 4200 Public Safety | |
| | 4210 Law Enforcement | \$ 1,300.00 |
| 423 | Protective Inspection | |
| | 4231 Code Enforcement | \$ 17,000.00 |
| 430 | Public Works | |
| | 4390 Transit | \$ 10,000.00 |
| | 4410 Mosquito Control | \$ 300.00 |
| | Total Appropriations | \$ 26,700.00 |
| Source of Revenue | | |
| 101 | General Fund Reserve | \$ 26,700.00 |
| | Total Revenue | \$ 26,700.00 |

THIRD PENNY FUND- 211

| | | |
|--------------------------|-----------------------------|---------------------|
| 4653-45700 | Economic Development Group | \$ 11,000.00 |
| | Total Appropriations | \$ 11,000.00 |
| Source of Revenue | | |
| 4653-39101 | Fund Reserve | \$ 11,000.00 |
| | Total Revenue | \$ 11,000.00 |

BE IT FURTHER ORDAINED that this ordinance is necessary for the immediate preservation of the public health, safety and general welfare, and for the immediate support of the municipal government and its existing public institutions and it shall take effect upon passage.

Dated at Dell Rapids, South Dakota this 21st day of November, 2011.

FOR THE GOVERNING BODY OF THE
CITY OF DELL RAPIDS, SOUTH DAKOTA
By /s/ Scott Fiegen, Mayor

ATTEST:

By /s/ LeAnn Kerzman, Finance Officer

Second Reading of Ordinance #754 – Water Rate Increase: Sommerfeld moved and Downs seconded to approve the rate increase for water. Roll call vote: DeLange-Aye, Downs-Aye, Lauritzen-Aye, Sommerfeld-Aye, Testerman-Aye. Motion carried 5/5.

ORDINANCE 754

AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, BE AMENDED BY REVISING SECTION 21-37; PROVIDING A CHANGE TO WATER RATES PUMPED AND DELIVERED TO LOCATIONS OUTSIDE OF CITY LIMITS,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA:

Section 1. Effective January 1, 2012, Sec. 21-37 of the Revised Ordinances of the City of Dell Rapids, South Dakota, is hereby amended to read as follows:

“Sec. 21-37. Water rates.

Beginning with the December 20, 2011 water billing, the following rates are hereby established:

- (1) For water pumped and delivered to locations within the city limits of the city, the base rate shall be nine dollars and eighty eight cents (\$9.88), plus four dollars and twenty six cents (\$4.26) for each one thousand (1,000) gallons or part thereof metered per month.
- (2) For water pumped and delivered to locations outside the city limits of the city, the rate shall be as follows:
 - a. For water pumped and delivered to locations outside city limits of the city, the base rate shall be nine dollars and eighty-eight cents (\$9.88), plus four dollars and twenty-six cents (\$4.26) for each one thousand (1,000) gallons or part thereof metered per month for the first 50,000 gallons used.
 - b. For each one thousand (1,000) gallons or fraction thereof above fifty thousand (50,000) gallons of water used, the rate of six dollars and forty-nine cents (\$6.49) per one thousand (1,000) gallons or fraction thereof will charged for water used.
- (3) Bulk water rates for water purchased in bulk and handled by the user shall be five dollars and eighty-two cents (\$5.82) per one thousand (1,000) gallons.”

Adopted this 21st day of November, 2011.

FOR THE GOVERNING BODY OF THE
CITY OF DELL RAPIDS, SOUTH DAKOTA
By /s/ Scott Fiegen, Mayor

ATTEST:

By /s/ LeAnn Kerzman, Finance Officer

Second Reading of Ordinance #755 – Wastewater Rate Increase: Lauritzen moved and Testerman seconded to approve the second reading of ordinance #755 with a 5% rate increase. Roll Call vote: DeLange-Aye, Downs-Aye, Lauritzen-Aye, Sommerfeld-Aye, Testerman-Aye. Motion carried 5/5.

ORDINANCE 755

AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, BE AMENDED BY REVISING APPENDIX B OF THE UTILITIES RATE SCHEDULE; PROVIDING AN INCREASE TO SEWER RATES, EFFECTIVE DECEMBER 20, 2011.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA:

Section 1. That Section (a) of Appendix B of the Utilities Rate Schedule of the Revised Ordinances of the City of Dell Rapids, South Dakota, is hereby amended to read as follows:

- “(a) Effective on the December 20th, 2011, sewer billing, residential and commercial users are considered to be one (1) class of user and are assessed the following rates on a per user or per location basis:
- (1) Thirteen dollars and seventy-eight cents (\$13.78) minimum monthly charge and three dollars and ninety-two cents (\$3.92) per each one thousand (1,000) gallons of water or part thereof metered to the location per month. However, the sewer charge for residential users for the June 1, July 1, August 1, September 1, October 1 and November 1 sewer billings shall be computed based upon the average sewer usage for the preceding December 1, January 1, February 1, March 1, April 1 and May 1 sewer billings.”

Adopted this 21st day of November, 2011.

FOR THE GOVERNING BODY OF THE CITY OF
DELL RAPIDS, SOUTH DAKOTA
By /s/ Scott Fiegen, Mayor

ATTEST:

By /s/ LeAnn Kerzman, Finance Officer

Planning and Zoning Commissioner Appointment: Mayor Fiegen declared his selection to the open seat on the Planning and Zoning be filled by Paul Zweifel. Downs moved and Sommerfeld seconded to approve the appointment. Motion carried unanimously.

Minnehaha County Law Enforcement Contract for 2012: Contract for services for the year 2012 received in the amount of \$244,608 for the same amount of hours or 23 per day. The city continues to receive an annual credit of \$10,000 for the use of office space within city hall. Downs inquired if that amount should be increased as the cost for services increases each year. Weiland stated that the area has not seen improvements or changes in a very long time. Downs moved and DeLange seconded approving the contract as submitted. Motion carried unanimously.

DOT Agreement – Dell Rapids Transit: Annual renewal of the contract with the South Dakota Department of Transportation for the grant funding for the Dell Rapids Transit operated through Inter Lakes Community Action of Madison. Downs moved and Sommerfeld seconded to approve the contract. Motion carried unanimously.

Visitors to be heard: None.

City Administrators Report: Justin Weiland reported on the following:

- Joint meeting with Minnehaha County Commission on Monday, November 28th at 7 p.m. for the purpose of hearing the request from EROS Data Center for a height limitation on structures.
- SD DOT & Hwy 115 Coordination meeting held to discuss the cities 'wish list' of items to incorporation into the states plans for resurfacing and upgrades. The state was happy to hear from us ahead of time so some items can be considered before the engineering is finalized.
- Special Meeting to be held on Wednesday, November 30th at 7:30 p.m. for the purpose of a public hearing on a special alcoholic license application.
- Redistricting – Weiland met with Toby Brown of SECOG to redraw the wards which would allow all current council members to retain their seats. This is the recommended course of action for redistricting.

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: Library Building Fund: S.E.H., design thru 10/31/11 \$8802.98.

Downs moved and Testerman seconded to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:07 p.m.

LeAnn Kerzman
Finance Officer