

DELL RAPIDS CITY COUNCIL MINUTES

Monday, May 7, 2012 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 Pledge of Allegiance was recited and roll was taken finding the following Council Members present: Vice President Keith DeLange, Doug Grovenburg, Craig Lauritzen, David Sommerfeld, Mayor Scott Fiegen. Absent: Mark Downs (arrived immediately after roll was called), John Paul, Carrie Testerman, President Todd Wiebenga.

Staff Present: Administrator, Justin Weiland, Finance Officer, LeAnn Kerzman, City Attorney, Dean Hammer.

Approval of Agenda: Sommerfeld moved and Grovenburg seconded the approval of the agenda. Motion carried unanimously.

Minutes: Grovenburg moved and Sommerfeld seconded to approve the minutes of the regular council meeting held on April 16, 2012. Motion carried unanimously.

Motion to adjourn made by Sommerfeld and seconded by Grovenburg at 7:32 p.m. Motion carried unanimously.

Mayor Fiegen called the newly formed council to order at 7:33 p.m. Roll was taken finding the following members present: Chad Andrews, Keith DeLange, Mark Downs, Craig Lauritzen, David Sommerfeld and Mayor Scott Fiegen. Absent: Carrie Testerman, Todd Wiebenga.

Installation of Council Members: Certificates of election have been issued to alderpersons Chad Andrews (Ward 4) and Craig Lauritzen (Ward 3), for three year terms of office to commence immediately until May 2015. One year appointment offered by Mayor Fiegen to David Sommerfeld (Ward 1) and Jim Rueckert (Ward 2). Downs moved and DeLange seconded the approval of the appointments. Motion carried unanimously. All swore their Oaths of Office.

Council Organization and Designees:

President: Sommerfeld moved and Downs seconded to appoint Testerman as Council President.

Vice President: Sommerfeld moved and Downs seconded to appoint Lauritzen as Council Vice-President.

Finance Officer: Sommerfeld moved and Rueckert seconded to appoint LeAnn Kerzman as Finance Officer.

City Attorney: Downs moved and Lauritzen seconded to appoint Dean Hammer of Vogt, Brown, Merry & Hammer as City Attorney.

Deputy City Attorney: Downs moved and Lauritzen seconded to appoint Max Merry as Deputy City Attorney.

Finance and Utilities Committee: Downs moved and Lauritzen seconded to appoint Sommerfeld, DeLange and Downs to the committee.

Policy and Procedures Committee: Sommerfeld moved and Rueckert seconded to appoint Testerman, Andrews and Wiebenga to the committee.

Surplus Property Appraisal Committee: Downs moved and Lauritzen seconded to appoint the city council in full.

Economic Development: Downs moved and DeLange seconded to appoint Lauritzen as the city's representative to both the Minnehaha County Economic Development Association and Dell Rapids Economic Development Corporation.

Library Board Liaison: Lauritzen moved and Sommerfeld seconded to appoint Rueckert as the Carnegie Library Trustee.

Official Newspaper: Lauritzen moved and Downs seconded to appoint the Dell Rapids Tribune.

Official Depositories: Lauritzen moved and Rueckert seconded to appoint Wells Fargo, Home Federal, First National Bank and SD FIT Funds.

Rules of Order: Downs moved and Lauritzen seconded to adopt Robert's Rules of Order. All appointment unanimously approved.

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

A-Ox Welding, rental 21.08; Argus Leader, publishing 566.90; Bierschbach Equipment & Supply, trash pump/rental 410.00; Borns Group, bill print service 738.94; Bryan Rock Products, aggregate 445.99; BSN Sports, nets/bases 1317.96; Bunkers Oil, fuel 1739.50; Cardmember Services, floral 30.00; City of Dell Rapids, utilities 155.82; City of Sioux Falls, testing 174.00; Cubby's, fuel 311.16; Dauby's, anchors 72.00; Delta Dental, insurance 684.80; DR Ace Hardware, paint/supply 121.57; DR Ambulance, annual support 40,000.00; DR Coop Grain, supplies 1058.46; DR Fire Dept, Travis Roth, Kreisers supplies 198.13; DR Public Schools, Haven, annual support 6000.00; Dells Diesel, repair 2240.28; Dells Electric, rental 675.51; Dells Farm & Tire, repair 15.00; Dells Materials, supply 1905.75; DGR, engineering 33,652.71; Geraets Trucking, haul aggregate 618.72; Golden west, telecommunications 788.64; Hanson Logowear, uniforms 245.81; Hawkins, chemical 1496.33; Hoffman Sanitation, utilities 60.00; ICAP, March transit 4456.68; Justice Fire & Safety, extinguisher maint 168.50; Lacey's, restroom rental 480.00; LG Everist, road stone 212.93; Linweld, rental 32.40; Marco, drum 106.06; Mid-American Energy, gas 141.18; Midwest Alarm, security monitoring 105.35; Minnehaha Community Water, April water 9339.81; Mulder Refrigeration, repair 249.90; NAPA, supplies 70.66; Restaurant Equipment Repair, repair 340.82; Sam's Discover, supplies 367.46; SD Dept of Revenue, sales tax 14.90; SD Governor's Office of Ec Dev, conference 290.00; SDRS, retirement 4725.96; SD Unemployment Insurance, insurance 126.71; Shell Fleet, fuel 206.02; Tender Lawn Care, snow removal 60.00; Verizon, telecommunication 113.62; Xcel Energy, electricity/street lights 1857.05.

Payroll by Department for January: General Government 12,127.24; Public Safety 2,130.28; Public Works 23,539.80; Culture & Recreation 5,205.26.

Visitors to be heard: None present.

Board of Adjustment – Variance Request: Mayor Fiegen declared the council convened as the Board of Adjustment at 7:42 p.m. for the purpose of hearing a variance request submitted by Dells Auto at 320 N Hwy 115. Request for two feet (2') set-back from side property line on east side in lieu of seven feet (7') required per ordinance for a variance of five feet (5') for the purpose of an addition to the existing structure. Downs moved to approve the request and was followed by a second from DeLange. Motion passed with Sommerfeld dissenting.

Mayor Fiegen declared the city council reconvened at 8:51 p.m.

Carnegie Library Improvements: Tom Early and Joann Beck, Library Board members, were present to urge the cities continued support of the expansion project through a taxing opt out to fund the remainder of the project. Weiland explained that the council can hold a public hearing on a resolution to opt out of the property tax. A petition can be taken out to refer the decision to a vote or the council can refer the opt out to an election. Sommerfeld moved to proceed with the public hearing and the

resolution to consider the opt out with the council's intention of directing the opt out to an election to be held in July. DeLange seconded the motion. Motion carried unanimously.

Write-off of Utility Uncollectible Accounts: Balances were submitted to Minnehaha County as assessments to the property where the services were received and contact has been made by the existing owners to prove they are not the party liable for the fees. The following accounts were presented by Finance Officer Kerzman and recommended to be written-off as uncollectible: #04-01260-01 \$50.58. The following were recommended to be retained as collectible: 01-01822-00 \$18.11; 01-00930-01 \$93.93; 01-00940-00 \$130.50; 01-00940-01 \$45.50; 01-00960-00 \$27.53; and 01-00960-01 \$125.57. Motion by Andrews followed by a second from Lauritzen to write-off the one recommended account and denies the remainder. Motion carried unanimously

Railroad Crossings Closure Proposal: Jack Parliament, President of the D & I Railroad Company (subsidiary of L.G. Everist) was present to discuss railroad crossing improvements or possible closures of intersections within Dell Rapids. The Railroad Crossing Improvement Program (RCIP) is a federally funded program that provides for the safety improvements where a public roadway intersects an active railroad track. The match is 90/10 with the local government entity matching the 10%. Closing some or any of the crossings assists with the portion of the funding that the program would provide. After discussion, a few councilmembers would consider a closure at State Avenue. Weiland suggested that the D&I submit a petition to vacate each intersection separately and a public hearing will be held to hear from the property owners and the community regarding each application. The upgrades would then allow the D & I to make further upgrades to the line by matching elevations at the crossings by replacing main line rail and ties.

Library Board Appointments: Requests have been received by Mayor Fiegen to reappoint library board members, Tom Early and Helen Aspaas. Downs moved and Andrew seconded to approve the appointments. Motion carried unanimously.

Poppy Day Proclamation: Mayor Fiegen read the following Proclamation.

PROCLAMATION - POPPY DAY

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and
WHEREAS, millions who have answered the call to arms and have died on the field of battle; and
WHEREAS, a nation of peace must be reminded of the price of war and the debt owed to those who have died in war; and
WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and
WHEREAS, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower; and
NOW, THEREFORE, I, Scott Fiegen, Mayor of the City of Dell Rapids, do hereby proclaim Monday, May 28, 2012, as **Poppy Day** and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

Dated at Dell Rapids, South Dakota this 7th day of May, 2012.

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

ATTEST:

By LeAnn Kerzman, Finance Officer

City Hall Improvements: Weiland presented a quote to install doors and windows on city hall. Quote included lower cost materials and the council requested to see the quote again with commercial grade quality materials included.

Drinking Water Excellence Award: Mayor Fiegen recognized Larry Schildhauer, Clarence Fjellanger and Paul Wildermuth for receiving the DENR's Secretary's Award for Drinking Water Excellence. The certified operators have demonstrated excellence in water system management and maintenance.

City Administrators Report – Weiland reported on the following:

- Policy and Procedures committee has met to review and provide changes to a rough draft of a personnel manual.
- Quarry Days President, Charlie Pleskac, wasn't available tonight but will be at the May 21st council meeting to present the Quarry Days Outdoor Event application.
- SDDOT is considering the list of suggested improvements and requests for incorporation into SD Highway 115 south. They have planned for roadway and bridge improvements and requested input from the city as well. Weiland will be meeting with them this week.
- Engineering assessments along 7th Street, Sunset Drive and Iowa Avenue have been received.
- DGR has also completed the Subdivision Ordinance revisions and Engineering Design Standards. They will be presented to Planning and Zoning for review and brought to the council for a public hearing thereafter.

Claims Approved for Payment by Other Municipal Boards – Library Board Claims: Baker & Taylor, 14 books 176.76; Creative Product Source, supply 309.10; Eco Water, rental 8.00; Integrated Business Solutions, service 37.50; Ingram Library Services, 10 books 190.80; Junior Library Guild, 48 books 684.00; Micromarketing, 1 DVD/6 books 263.90; MidAmerican Energy, natural gas 35.29; Penworthy, 46 books 863.12; Pumpkin Books, 6 books 114.02; Quality Books, 2 books 26.32; Western Books, 66 books/4 DVD's 1029.75.

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 Lauritzen. Motion carried unanimously. Meeting adjourned at 9:40 p.m.

LeAnn Kerzman, Finance Officer