

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, June 4, 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: Chad Andrews, Keith DeLange, Jim Rueckert, David Sommerfeld, President Carrie Testerman, Todd Wiebenga, and Mayor Scott Fiegen. Absent: Mark Downs (arrived at 7:55 p.m.) and Vice President Craig Lauritzen.

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

**Approval of Agenda:** Testerman moved and Andrews seconded the approval of the agenda. Motion carried unanimously.

**Minutes:** Sommerfeld moved and Rueckert seconded to approve the minutes of the regular council meeting held on May 21, 2012. Motion carried unanimously.

**Claims Approved:** Testerman moved and Andrews seconded to approve the following claims as presented. Motion carried unanimously.

A-Ox Welding Supply, cylinder rental 21.00; Adapco, mosquito chemical 865.48; Argus Leader, publishing 114.59; Borns Group, bill printing 742.68; City of Dell Rapids, water/wastewater 524.26; Concrete Materials, asphalt 7295.60; County Fair, concessions 204.22; Cubby's, fuel 154.34; Dauby's, pitching rubbers 52.00; Delta Dental, insurance 623.10; Dells Electric, repair 4111.48; DeWild, Grant & Reckert, engineering 26,860.12; Electric Supply, light repair 1827.97; Entringer Backhoe & Trenching, storm maintenance 510.20; First Bank & Trust, final loan payoff-W 2<sup>nd</sup> St 16,704.00; GeoTek, testing 7895.40; Hanson Logowear, pool clothing 325.80; Hasler, postage 500.00; Hawkins, pool chemical 1879.42; HD Supply Waterworks, drain 39.99; Heinemann Restoration, pool repair 960.00; ICAP, April transit 4503.96; Lacey Rentals, portable restrooms 930.00; Lewis Drug, supply 3.87; LG Everist, rock 246.51; Marc, chemical 2047.45; MAS Media Design, banner design 300.00; Maxwell Food Equipment, squeegee 15.12; Mid-American Energy, natural gas 56.16; Midwest Alarm, loops 105.35; Minnehaha Community Water, water & parts 11,985.24; Minnehaha County Fire Chiefs, books 154.00; Minnehaha County Sheriff Dept, 2<sup>nd</sup> quarter services 58,652.00; Peterson, Kelly, National EMT Registry fee 70.00; Sam's Club/Discover, pool concessions 1104.74; SD DENR, water permit 1000.00; SD Public Health Lab, wastewater samples 395.00; SD Retirement, May contribution 4875.08; Shell Fleet, fuel 230.00; Sioux Falls Two Way Radio, siren maintenance 1935.98; Tender Lawn Care, mowing 80.00; Xcel Energy, electricity/street lights 4027.60.

Salaries by department for May: General Government 12,050.65; Public Safety 2237.20; Public Works 26,786.90; and Culture & Recreation 5208.61.

**Resolutions and Ordinances: Resolution #2012-10 Opt Out:** Weiland presented the Opt Out Resolution which would generate \$60,000 per year for the next twenty years by increasing property taxes. The resolution refers the decision to an election to be held on July 17, to let the matter be decided by the voters. Library Board member, Tom Earley spoke in favor of the opt out. Testerman moved to approve Resolution 2012-10. Rueckert seconded. Motion carried unanimously.

### RESOLUTION 2012-10: RESOLUTION FOR OPT OUT

THE CITY COUNCIL OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, do state that the City Council is unable to operate under the tax limitation measure currently in statue. We therefore OPT OUT of such tax limitation in the amount of \$60,000 per year starting with calendar year 2012 taxes payable in the calendar year 2013. This opt out will be for 20 years, which will be through taxes payable in the calendar year 2032. This action has been taken by the City Council and approved by at least a two-thirds vote of the City Council.

As provided in SDCL 10-13-36, the City Council has elected to refer the proposed opt-out to a vote of the people. The referral election will be held on July 17, 2012.

If the opt-out is approved by the voters, the county auditor will be authorized to spread an excess levy to raise tax dollars in the above stated amount.

Signed /s/ Keith DeLange	Council Member
/s/ Chad Andrews	Council Member
/s/ Craig Lauritzen	Council Member
/s/ Jim Rueckert	Council Member
/s/ David Sommerfeld	Council Member
/s/ Carrie Testerman	Council Member
/s/ Todd Wiebenga	Council Member

Dated this 4<sup>th</sup> day of June, 2012.

/s/ SCOTT FIEGEN  
Mayor

ATTEST:  
/s/ LEANN KERZMAN  
Municipal Finance Officer

**Resolution #2012-11 Pre-Disaster Mitigation Plan:** The resolution expresses the councils' participation and support in the Lincoln and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2011 update's implementation. Downs moved to approve. Testerman seconded. Motion carried unanimously.

**Resolution No. 2012-11**

A resolution by the Dell Rapids City Council, declaring City support for the adoption of the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2011 Update.

WHEREAS, the Dell Rapids City Council supports the contents of the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2011 Update; and

WHEREAS, the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2011 Update will be utilized as a guide for planning as related to FEMA Pre-Disaster Mitigation, and other purposes as deemed appropriate by the Dell Rapids City Council.

NOW THEREFORE IT BE RESOLVED, that the Dell Rapids City Council do hereby adopt, support, and will facilitate the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2011 Update's implementation.

Adopted this 4<sup>th</sup> day of June, 2012.

/s/ Scott Fiegen, Mayor

ATTEST:  
/s/ LeAnn Kerzman, Finance Officer

**Visitors to be heard:** None expressed interest in being heard.

**Outdoor Event Permit – Dell Rapids Chamber of Commerce for Tour DeKota:** Weiland informed the council of the application submitted by Chamber President Charlie Pleskac for the Tour DeKota bicycle ride to start on Sunday, June 17 and end again in Dell Rapids on Friday, June 22 at City Park. Riders requested shower usage at the city pool and the ability to tent in City Park prior to the start of the event. Motion to approve the application and waive the fee by Wiebenga and seconded by DeLange. Motion carried unanimously.

**Outdoor Event Permit – American Legion Cootie Days:** Application submitted by Commander Timothy Woltjer to request Cootie Days Fundraiser be held on June 8-10 at City Park. Activities to include carnival park rides, games, food booth and bingo. Sommerfeld moved to approve and waive the application fee and was followed by a second from Testerman. Motion carried unanimously.

**Outdoor Event Permit – Old Dutch Inn Mud Races & Burnout:** Application submitted by Tom Herding to host Mud Races and a Burnout on the property adjacent to the business on Garfield Avenue on Saturday, June 23 from 2-8 p.m. Andrews moved to approve the application stipulating that two additional off-duty Minnehaha County deputies be hired by the Old Dutch Inn to police the event. Motion Seconded by Sommerfeld. Motion carried unanimously.

**Outdoor Event Permit – Church Service in the Park:** Application submitted by Seth Severtson of River Community Church to hold church service and celebration in City Park on August 26<sup>th</sup> from 3-7:30 p.m. Wiebenga moved to approve the application and waive the fee. DeLange seconded. Motion carried unanimously.

**Outdoor Event Permit – Crazy Days:** Crazy Days participating businesses requested the council reconsider charging the \$100 fee for an outdoor event application. Testerman moved to rescind the fee. Wiebenga seconded. Motion carried unanimously.

**Railroad Crossing Closure Discussion:** Jack Parliament, President of D&I Railroad presented financial estimates for possible consideration to receive federal assistance in closing or rehabilitating railroad crossings within Dell Rapids. In order for the state to consider an application for assistance, they want to see at least one crossing closed. The council discussed options and requested additional information on traffic counts.

**SRF Loan Application:** Weiland discussed amending the current SRF application from being financed with only water rates but to add a water surcharge instead. A surcharge is dedicated specifically for the repayment of the loan and does not count toward the cities debt capacity limit. Proposed surcharge would be \$4.00 per user per month. Sommerfeld moved to amend the SRF application to show repayment by a surcharge instead of by rates. Second by Rueckert. Motion carried unanimously.

**Personnel – Resignation:** Weiland informed the board that Wilma Bogenhagen has submitted her resignation after seventeen years of service as maintenance for city hall and the library. Sommerfeld moved to accept her resignation. Andrews seconded. Motion carried unanimously.

**Re-Plat Request for Spruce Glen:** Plat has been submitted requesting a re-plat in Spruce Glen Addition from lot 3 Block 3 into lots 2A and 4A. Wiebenga moved to approve. Sommerfeld seconded. Motion carried unanimously.

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

- Maintenance at City Hall is out for quotes for doors and windows. The existing bathroom door size is not correct to code.
- Subdivision Ordinance revision and Engineering Design Standards are completed and will be presented for the council to consider at the next meeting on June 18.
- Turkey Vultures are a problem. We have received permission from the state to remove up to five birds as they are protected but are quite destructive.
- Development Corporation land purchase transaction is completed and the next step is the annexation process.

**Claims Approved for Payment by Other Municipal Boards** – Library Board Claims: Cardmember Services, craft items/supplies 515.04; Dell Rapids Ace, damprid 29.96; Dell Rapids Lumber, downspout 42.51; MidAmerican Energy, natural gas 15.90; Sam's Discover, materials/supply 193.52.

**Treasurers Report** – A recap of all income and expenses, since the last meeting, were presented to the council for their review.

Motion by Sommerfeld to adjourn the meeting. Second by Downs. Motion carried unanimously. Meeting adjourned at 9:19 p.m.

Mark Crisp expressed his concerns to the council prior to leaving the meeting.

LeAnn Kerzman, Finance Officer