

DELL RAPIDS CITY COUNCIL MINUTES

Monday, August 6, 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: Keith DeLange, Vice-President Craig Lauritzen, Jim Rueckert, David Sommerfeld, President Carrie Testerman and Mayor Scott Fiegen. Absent: Chad Andrews (arrived at 7:31), Mark Downs, and Todd Wiebenga.

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

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

Minutes: Testerman moved and Lauritzen seconded to approve the minutes of the regular council meeting held on July 16, 2012. Motion carried unanimously.

Lauritzen moved and Sommerfeld seconded to approve the minutes of the special meeting held on July 19, 2012. Motion carried unanimously.

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

A-OX Welding, rental 42.70; Argus Leader, publishing 353.37; Blooms on Main, plant 40.00; Borns Group, July billing 925.39; Brown & Saenger, office supply 173.74; Bunkers Oil, fuel 7521.50; Cardmember Services, fuel/supply 36.93; City of Dell Rapids, utility 438.90; City of Sioux Falls, testing 191.70; Concrete Materials, asphalt 1855.10; County Fair, pool concessions 40.65; Cubby's, fuel 36.08; DakotaCare, insurance/flex reimbursement 7036.06; Dakota Supply Group, water meter project 300,680.68; Davenport, Evans, Hurwitz & Smith, bond counsel-meters 3060.30; DR Ace Hardware, supply 132.63; DR Baseball Association, pool concessions 475.55; DR Coop Grain, lawn chemical 299.10; DR Lumber, lumber 80.76; Dells Electric, siren install 355.10; Dells Farm & Tire, repair 12.00; Delta Dental, insurance 623.10; DeWild, Grant & Reckert, engineering 33,907.70; Double H Paving, asphalt repair 326,860.13; Dressen Custom Trailer, adapter 11.95; Fastenal, supply 66.28; Golden West, telecommunications 700.87; Hawkins, chemical 6397.58; HD Supply, repair supply 1131.08; Hoffman Sanitation, utility 60.00; Kerzman, LeAnn, travel reimbursement 26.06; LG Everist, supply 387.08; Linweld, rental 65.88; Longville Logic, ink 12.60; MidAmerican Energy, natural gas 71.77; MidAmerican Research Chemical, enzyme block 613.47; Minnehaha Community water, water 21,346.78; Minnehaha County Register of Deeds, copy 2.00; Mulder Refrigeration, repair 511.20; Napa Auto Parts, supply 267.43; Northern State University, play equipment 100.00; Northern Truck Equipment, supply 35.34; Sam's Club Discover, pool concessions/office supply 2398.54; Schuneman Equipment, mower parts 311.59; SD Public Assurance Alliance, insurance 32,863.76; Shell Fleet, fuel 46.01; SF Area Humane Society, animal control 165.60; Sioux Falls Two-Way Radio, 9th & 77 siren 193.33; SD DOT, Garfield bridge engineering 874.94; SD Lottery, annual licensing 1000.00; SD Retirement System, retirement 4736.90; SD Unemployment Insurance, 2nd quarter insurance 40.47; Stan Houston, tyvek suits 38.15; Verizon Wireless, cell phone 115.17; Virg's Service, chain saw repair 329.88; Weiland, Justin, travel reimbursement 660.00; Xcel Energy, electricity 5891.00.

Resolutions and Ordinances – First Reading of Ordinance #763 - Sewer Rate Increase: Weiland briefed the council regarding the rate increase proposed for wastewater services. Current rate is \$13.78 monthly minimum and \$3.92 per 1000 gallons of usage for a monthly rate of \$33.38 for an average user with 5,000 gallons consumption. Increase would be \$15.28 monthly minimum and \$4.22 per 1000 gallons of usage for a monthly rate of \$36.38 for an average user with 5,000 gallons of consumption. Testerman moved to approve. Motion seconded by Andrews. Motion passed unanimously.

First Reading of Ordinance #764 – Drinking Water Surcharge: Weiland presented the Ordinance to the council which establishes a monthly surcharge of \$3.00 to begin January 1, 2013, for the repayment of a bond for the installation of the water system improvements. The surcharge applies specifically to the \$897,000 bond and will be used solely for the repayment of the loan for a period of twenty years. Lauritzen moved to approve ordinance #764. DeLange seconded. Motion carried unanimously.

Resolution #2012-17 Bond Schedule for Truck Route Violations: Weiland explained to the council that Resolution #2012-17 requests that Circuit Court Judge Caldwell raise the bond schedule amount for truck route violations from \$55.00 to \$95.00. Lauritzen moved to approve Resolution #2012-17. Rueckert seconded. Motion carried unanimously.

RESOLUTION 2012-17

A RESOLUTION SETTING A BOND SCHEDULE AMOUNT FOR TRUCK ROUTE VIOLATIONS

WHEREAS, the DELL RAPIDS City Council has determined a need to adjust the bond schedule for violations of the City's Truck Route Ordinance; and,

WHEREAS, pursuant to Section 20-133 Truck Routes of the City of Dell Rapids City Ordinances, the City Council has determined that the current bond schedule amount of \$55.00 does not cover the cost of court related fees in Minnehaha County; and;

WHEREAS, the City of Dell Rapids City Council with the passage of Resolution 2012-17 is making a formal request to Presiding Circuit Court Judge Kathleen K. Caldwell to raise the bond schedule amount to \$95.00.

THEREFORE BE IT RESOLVED by the City of Dell Rapids City Council the following bond schedule for violations to City Ordinance 20-133 Truck Routes, is hereby adopted, pending the approval of Presiding Circuit Court Judge Kathleen K. Caldwell.

A. 20-133 Truck Routes. \$95.00

Adopted this 6th day of August, 2012.

(Seal)

/s/ Scott Fiegen, Mayor

ATTEST:

/s/ LeAnn Kerzman, Finance Officer

Resolution #2012-18 Wastewater System Revenue Bond: Resolution #2012-18 allows the city to enter into a revenue bond in the amount of \$612,000 for improvements to the wastewater system. Sommerfeld moved to approve the resolution. Rueckert seconded. Motion carried unanimously. Copies of the Resolution are available for viewing at City Hall.

Resolution #2012-19 Water System Revenue Bond: Resolution #2012-19 allows the city to enter into a revenue bond in the amount of \$897,000 for improvements to the water system. Repayment of the bond will be through surcharge revenue. Sommerfeld moved to approve Resolution #2012-19. Lauritzen seconded. Motion carried unanimously. Copies of the Resolution are available for viewing at City Hall.

Visitors to be heard: None.

Public Hearing – Variance Requests: Mayor Fiegen declared the council adjourned at 7:30 p.m. and convened the Board of Adjustment. Variance request received from Swift Properties LLC to subdivide the property located at 1102 Harrison Ave into two lots along the shared wall of the existing duplex. Such a division would create one lot that is comprised of a total lot area of 4125 square feet. Existing ordinance states that minimum lot size be 5000 square feet hence the request for a variance of 75 square feet. Discussion ensued with the council, Troy Swift and Tom Schwebach. Sommerfeld moved to deny the request. Andrews seconded. Motion carried unanimously.

Request for a Variance received from Paul Zweifel for the property located at 804 S Hwy 115 for the purpose of constructing an addition to an existing structure. Said addition would cause the request for the variance of seven feet of setback in lieu of the required ten feet. Mr. Zweifel was available via

teleconference. Discussion ensued with the council. Lauritzen moved to deny the request as a hardship did not exist. Testerman seconded. Motion carried unanimously.

Mayor Fiegen declared the board of adjustment adjourned and the city council reconvened at 7:54 p.m.

Streets – Wyland Addition Project, Change Order #1: Weiland presented Change Order #1 for a deduction of \$21,716.05 to the Wyland Addition street improvements. Majority of the change is based on the better than expected quality of the base course of the road upon excavation. Lauritzen quickly moved to approve the deduction. Motion seconded by Testerman. Motion carried unanimously.

Wyland Addition Project – Pay Request #1: Weiland presented pay request #1 in the amount of \$286,306.49 for the street improvement project at Wyland Addition. Retainage in the amount of \$15,408.64 will be held for the sod work yet to be completed. Sommerfeld moved to approve Pay Request #1 in the amount of \$286,306.49. Andrews seconded. Motion carried unanimously.

Parking Permit Request: Request received from a volunteer emergency services worker that lives on 4th Street to allow overnight parking along 4th Street in order to respond to emergency calls in a timely manner. Lauritzen moved to approve the permit for a period of one year. DeLange seconded. Motion carried unanimously.

Finance - 2011 Audit, Letter of Engagement – KMWF & Associates submitted a letter of engagement for the council to consider for audit services for the year 2011. Estimated cost for services of \$16,400. Lauritzen moved to approve KMWF for audit services for 2011. Testerman seconded. Motion carried unanimously.

General Government – Risk Management Policy: Weiland presented a Risk Management Policy for the council to consider. Adoption of the policy will show the intent of the council to implement loss control policy. Testerman moved to approved. Sommerfeld seconded. Motion carried unanimously.

Personnel – Library: Library Board approved the hiring of Judi Webb for the part-time position of Library Assistant at a rate of \$8.00/hour. Testerman moved to approve. DeLange seconded. Motion carried unanimously.

City Administrators Report – Weiland reported on the following:

- 7th Street Improvement meeting was held on the Monday last with affected property owners. Consensus of the residents in attendance was the acceptance of installation of curb and gutter but not sidewalks.
- Galaxy Meter Reading project is underway and as of Saturday there had been 741 meters changed out within the one week's time frame.
- August 27 will be budget preparation meeting with the council.
- Grant approval received through the SD Game Fish & Parks Recreational Trails Program for improvements to the Ace Park Trail in the amount of \$21,940.00.
- SDML Annual Conference will be held on October 2 through the 6th in Pierre. Interested attendees should contact Finance Officer Kerzman for registration.

Claims Approved for Payment by Other Municipal Boards – Library Board Claims: Ahlers, Bonnie, election worker 119.25; Argus Leader, publishing 145.37; Brown & Saenger, election supply 39.95; Carol's Country Café, election worker meal 25.80; City of Dell Rapids, election reimbursement 191.50; Golden West, telecommunications 172.69; McKee, Delores, election worker 1121.50; MidAmerican Energy, utility 8.00; Mitchell, Doris, election worker 119.25; Performance Press, postcard mailing 550.00; Sam's Club, 9 books/office supply/snacks 254.64.

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

Executive Session pursuant to SDCL 9-34-19 for competitive service offering: Sommerfeld moved and Rueckert seconded that the council enter into executive session at 8:24 p.m. Council member Downs was reached by phone to be present for the discussion. Motion carried unanimously. The council came out of executive session at 9:36 p.m. Downs disconnected the telephone connection from the meeting at this time.

Lauritzen moved to adjourn. Second by Sommerfeld. Motion carried unanimously. Meeting adjourned at 9:38 p.m.

LeAnn Kerzman, Finance Officer