

DELL RAPIDS CITY COUNCIL MINUTES
Monday, September 17, 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, Mark Downs, Vice-President Craig Lauritzen, Jim Rueckert, David Sommerfeld, Todd Wiebenga and Mayor Scott Fiegen. Absent: Keith DeLange, President Carrie Testerman (arrived at 7:32 p.m.).

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

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

Minutes: Downs moved to approve the minutes of the special meeting held on August 27, 2012. Testerman seconded. Motion carried unanimously.

Lauritzen moved and Andrews seconded to approve the minutes of the regular council meeting held on September 4, 2012. Attorney Hammer noted a correction to the legal description for the rezone from Lot 1 Block 1 to Lot 1A, Lot 1B and Lot 1C in Block 1 of Blue Ridge Addition. Motion carried unanimously to approve with the correction.

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

A-Ox Welding Supply, cylinder rental 214.05; Argus Leader, publishing 332.22; Baumberger Vineyards, wine 378.00; Beal Distributing, malt 30,391.08; Borns Group, bill printing 744.11; Boy Scout Troop 53, announcers booth 200.00; Concrete Materials, asphalt 1041.95; County Fair Foods, supplies 9.31; Cubby's, fuel 40.14; Dakota Beverage, malt 25,263.55; Dell Rapids Ace Hardware, cable ties/supply 41.13; DR Chamber of Commerce, utility refund 7.99; DR Lumber, step stool 63.84; Dells Farm & Tire, repair 55.00; Dells Materials, curb & gutter 237.50; Dells Plumbing, repair 76.10; Entringer Backhoe, new service 382.65; First National Bank, interest DW #4 793.12; Global Distributing, malt 84.79; Golden West, telecommunications 874.48; Hasler, meter rental 62.85; Hoffman Sanitation, trash hauling 75.00; Johnson Brothers Famous Brands, liquor 5928.65; LG Everist, garden bench 570.00; Linweld, tank rental 33.48; Logic, lottery repair 97.00; Magnuson Cleaning Services, cleaning 560.00; Midwest Alarm, loops 105.35; NAPA Auto Parts, tie/oil 80.55; Owens Inspection, tower inspection 900.00; Republic National Distributing, liquor 9460.40; Schildhauer, Larry, clothing allowance 200.00; SD Dept of Revenue, sales tax payable 325.13; SD Dept of Transportation, billboard fee 48.00; SDML, election school 40.00; Strawbale Winery, Aug wine 124.00; Vogt, Brown, Merry & Hammer, retainer 2000.00; Xcel Energy, electricity 5891.00.

Resolutions and Ordinances – Second Reading of Ordinance #763 - Sewer Rate Increase: Weiland briefed the council that the ordinance was passed with an effective year of 2012, which was in error and should be 2013, as was intended. Downs moved to approve. Motion seconded by Rueckert. Roll Call Vote: All voting in the affirmative. Motion passed unanimously by a vote of seven to zero.

Second Reading of Ordinance #766 – 2013 Budget Appropriation Ordinance: Weiland presented the Ordinance to the council which establishes a budget for the 2013 fiscal year. Sommerfeld moved to approve ordinance #766. Andrews seconded. Roll Call Vote: All voting in the affirmative. Motion carried unanimously with a vote of seven to zero.

**ORDINANCE 766
2013 APPROPRIATIONS ORDINANCE**

AN ORDINANCE ADOPTING THE 2012 APPROPRIATIONS ORDINANCE FOR THE CITY OF DELL RAPIDS, SOUTH DAKOTA

BE IT ORDAINED by the Governing Body of the City of Dell Rapids that the following sums are appropriated to meet the obligations of the municipality.

2013 Budget

GENERAL FUND

REVENUES:

310 General Property Taxes	951,080.00
Sales Tax	775,000.00
Other Tax-Related	3,100.00
320 Licenses and Permits	18,550.00
330 Intergovernmental Revenue	152,608.00
340 Charges for Goods and Services	56,200.00
350 Fines and Forfeits	2,050.00
360 Miscellaneous Revenue	26,245.00
390 Transfer from Liquor Fund	98,520.00
390 Transfer from General Fund Reserve	<u>469,101.00</u>
TOTAL GENERAL FUND REVENUES	<u>\$2,552,454.00</u>

EXPENDITURES:

410 General Government:	
4110 Legislative	48,796.00
4120 Executive	151,659.00
4123 Planning Commission	8,500.00
4130 Elections	1,300.00
4140 Finance Office	115,320.00
4150 Contingency Transfer	30,000.00
4190 Buildings and Maintenance	<u>84,350.00</u>
TOTAL Policy and Administration	\$439,925.00
420 Public Safety:	
4210 Law Enforcement	240,848.00
4220 Fire Department	57,676.00
4231 Code Enforcement	<u>46,550.00</u>
TOTAL Public Safety	\$345,074.00
430 Public Works:	
4300 Snow Removal	59,100.00
4310 Street Department	1,208,836.00
4320 Rubble Site	9,200.00
4390 Dell Rapids Transit	41,000.00
4410 Mosquito Control	<u>4,014.00</u>
TOTAL Public Works	\$1,322,150.00
440 Health and Welfare:	
4440 Humane Society	2,000.00
4460 Ambulance	<u>40,000.00</u>
TOTAL Health and Welfare	\$42,000.00
450 Culture and Recreation:	
4510 Recreation	13,000.00
4512 Swimming Pool	93,130.00
4520 Parks	140,540.00
4550 Library	<u>152,635.00</u>
TOTAL Culture and Recreation	\$399,305.00
465 Economic Development and Assistance:	
4650 Community Support	<u>4,000.00</u>
TOTAL Economic Development and Assistance	\$4,000.00
TOTAL GENERAL FUND EXPENDITURES	<u>\$2,552,454.00</u>

SPECIAL FUNDS

211 – GROSS RECEIPTS TAX

4653 - Revenues:	
31300 Sales Tax	38,000.00
36100 Interest Earned	<u>400.00</u>
TOTAL Revenues	\$38,400.00
4653 - Expenses:	
42900 Current Expenses	3,000.00
45300 Transfer to 3 rd Penny Reserve	19,900.00
45600 Chamber of Commerce	13,500.00
45710 MCEDA	<u>2,000.00</u>
TOTAL Gross Receipts	<u>\$38,400.00</u>

226 - LIBRARY FINES & MEMBERSHIP FEE FUND

4560 - Revenues:	
35400 Fines & Forfeits & Memberships	4,800.00
TOTAL Revenues	\$4,800.00
4560 - Expenses:	
Current Expenses	3,750.00

Capital Assets	1,050.00
Total Expenses	\$4,800.00

301 - DEBT SERVICE FUND

Revenues:	
4400 Special Assessments	6,483.00
4400 Fund Reserve	0.00
TOTAL Revenues	\$6,483.00
Expenses:	
4400 Transfer to Fund Reserve	6,483.00
TOTAL Expenses	\$6,483.00

500 – CAPITAL PROJECTS FUNDS

501 - PUBLIC LIBRARY BUILDING FUND

4551 Revenues:	
36100 Interest	800.00
36700 Contributions	20,000.00
TOTAL Revenues	\$20,800.00
4551 Expenditures	
TOTAL Expenditures	\$20,800.00

ENTERPRISE FUNDS

601 - LIQUOR FUND

Revenues:	
Miscellaneous Revenue	15,500.00
Video Lottery	55,000.00
Operating Agreements	725,000.00
10% Operating Revenue	72,500.00
TOTAL Liquor Fund Revenues	\$868,000.00
Expenses:	
Current Expenses	4,080.00
Capital Assets	3,000.00
Operating Agreements	725,000.00
Lottery	29,000.00
Transfer to General Fund	98,520.00
Depreciation	8,400.00
TOTAL Liquor Fund Expenses	\$868,000.00

602 - WATER FUND

Revenues:	
Operating Revenue	558,324.00
Late Charges	6,000.00
Interest	1,500.00
Miscellaneous Revenue	1,500.00
Transfer from Water Reserve	0.00
Capital Contributions	250,000.00
Water Revenue Bond	647,000.00
TOTAL Water Fund Revenues	\$1,464,324.00
Expenses:	
4331 Water Supply	124,000.00
4334 Water Distribution	1,247,555.00
4335 Water Billing	39,165.00
45300 Transfer to Water Reserve	\$53,604.00
TOTAL Water Fund Expenses	\$1,464,324.00

604 - WASTEWATER FUND

Revenues:	
Wastewater Charges	464,805.00
Sale of Materials	3,000.00
Late Charges	5,000.00
Interest Earned	1,500.00
Transfer from Fund Reserve	56,455.00
Capital Contributions	375,000
WW Revenue Bond	612,000
TOTAL Wastewater Fund Revenues	\$1,517,760.00
Expenses:	
Wastewater Collection and Treatment	1,478,315.00
Wastewater Billing	39,445.00
TOTAL Wastewater Fund Expenses	\$ 1,517,760.00

650 – EQUIPMENT REPLACEMENT FUND

Revenues:	
36100 Interest Earned	500.00
36200 Equipment Rental	132,100.00

39101 Transfer from ERF Reserve	<u>26,700.00</u>
TOTAL Revenues	\$159,300.00
Expenditures:	
43400 Equipment Purchases	26,700.00
45300 Transfer to Fund Reserves	<u>132,600.00</u>
TOTAL Expenses	\$159,300.00

Dated at Dell Rapids, South Dakota this 17th day of September, 2012.

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

ATTEST:
/s/ LeAnn Kerzman, Finance Officer

First Reading of Ordinance #767 and Public Hearing on Request for Rezone: Weiland presented the request to rezone Lot 1 Block 5 of Timber Ridge Addition from NRC (Natural Resource Conservation) to R-3 (Medium Density Residential) and Lot 10 through 14 in Block 6 of Timber Ridge Addition from NRC to R-1 (Single Family Residential). Downs moved to approve the first reading of Ordinance #767. Lauritzen seconded. Motion carried unanimously.

Visitors to be heard: None.

Mayor Fiegen declared at 7:33 p.m. that they will adjourn as the council and reconvene as the board of adjustment.

Public Hearing for Variance Request – Lot 1 in Block 5 of Timber Ridge Addition: Mark Crisp was present to brief the council regarding his request for a variance of 5’ on the front property line and a variance of 15’ from the rear property line on the south side for the proposed construction of a 4-plex. Weiland stated that the Planning and Zoning did meet to discuss the issue and felt a variance should be applied. Lauritzen moved to approve. Andrews seconded. Motion carried unanimously.

Public Hearing for Variance Request – Tract 1 in Block 5 of Timber Ridge Addition: Mark Crisp again requested a 5’ variance on the front lot line on the north side of the property and a variance of 15’ from the rear property line on the south side for the purpose of constructing a 4-plex. Weiland stated that Planning and Zoning felt a variance should be applied. Testerman moved to approve. Sommerfeld seconded the motion. Motion carried unanimously.

Public Hearing for a Variance Request – 605 E 5th Street: Lee Burggraff requested a 13’ variance from the rear property line to the south for the purpose of constructing a 20’ by 60’ commercial storage building. Adjacent property owners were present to state their opinions regarding the request. Lauritzen moved to approve. Wiebenga seconded. Motion carried unanimously. The mayor declared the council reconvened at 8:12 p.m.

Final Plat of Lot 1 Block 5 of Timber Ridge Addition: Plat presented for the council. Testerman moved to approve the final plat contingent upon an Assurance Agreement being put in place. Lauritzen seconded. Motion carried unanimously.

Final Plat of Tract 1 Block 5 of Timber Ridge Addition: Plat presented for the council. Lauritzen moved to approve the final plat contingent upon an Assurance Agreement being put in place. Andrews seconded. Motion carried unanimously.

Wyland Addition Improvement Project – Pay Request #2, Certificates of Substantial and Final Completion: Wiebenga moved to approve pay request #2 in the amount of \$21,408.64, and Certificates of Substantial and Final Completion. Motion seconded by Sommerfeld. Motion carried unanimously.

Campground Electrical Pedestal Upgrades: Weiland stated that two quotes were received for upgrades to the electrical service at the campground. Each site would have its own plug-in and pads would be designated. Dells Electric was the low bidder with an estimate of \$12,478.59. Sommerfeld moved to approve. Testerman seconded. Motion carried unanimously.

Safety Committee Designation: Weiland presented the formation of a Safety Committee for the purpose of oversight and implementation of safety goals. Appointed Safety Coordinator will be Ben Gruis. Members of the committee will be: Larry Schildhauer, Chairman; Justin Weiland, Vice-Chair; Ben Gruis, Secretary; and Todd Wiebenga, Council Representative. Downs moved to approve the committee as presented. Andrews seconded. Motion carried unanimously.

City Administrators Report – Weiland reported on the following:

- Tax Increment Financing (TIF) is being discussed with Planning and Zoning and the Economic Development group. Weiland requested a consensus of the council if they are willing to hear requests. He further explained that a TIF recipient continues to pay their property taxes and the funds are applied against infrastructure costs. Consensus of the council shows their support.
- September 25 meeting at Reformed Church. Staff present at 6 p.m. with informational meeting beginning at 7 p.m. Purpose is to address any questions or concerns regarding 15th Street Phase II Construction Project. All interested persons are welcome to attend.

Claims Approved for Payment by Other Municipal Boards – Library Board Claims: Baker & Taylor Books, 2 books 47.22; Country Books, CW Christmas 31.98; Eco Water Systems, rental 24.00; Feature Films for Families, 3 DVD's 45.80; Gale Group, 6 books 118.94; Ingram Library Services, 24 books 441.77; Micromarketing 28 DVD's 685.98; Pumpkin Books, 1 set 103.35; Taste of Home Books, Christmas 31.98.

Executive Session pursuant to SDCL 9-34-19 for competitive service offerings: Downs moved and Rueckert seconded that the council enter into executive session at 8:43 p.m. for the purpose of discussion of competitive service offerings. Motion carried unanimously.
The council came out of executive session at 9:19 p.m.

Sommerfeld moved to adjourn. Second by Wiebenga. Motion carried unanimously. Meeting adjourned at 9:20 p.m.

LeAnn Kerzman, Finance Officer