

DELL RAPIDS CITY COUNCIL MINUTES

Monday, May 6, 2013 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 Roll was called finding the following members present: Chad Andrews, Keith DeLange, Mark Downs, Vice-President Craig Lauritzen, Jim Rueckert, David Sommerfeld, President Carrie Testerman, Todd Wiebenga and Mayor Scott Fiegen. Absent: None.

Staff Present: Administrator Justin Weiland, Finance Officer LeAnn Kerzman, and City Attorney Dean Hammer. Pledge of Allegiance was recited.

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

Minutes: Downs moved to approve the minutes of the regular meeting held on April 15, 2013. Andrews seconded. Kerzman stated the rubble site for appliances was stated incorrectly at \$5 per appliance and should have been \$10. Motion carried with the correction.

Visitors: Comment from the public regarding trash around city park and wondering about clean-up. Weiland stated that due to the weather, the Public Works department is a little behind in their spring preparations but would relay the concerns.

County Fair TIF District – Development Agreement: Weiland presented the Development Agreement which is the document binding parties to the Tax Increment Financing Plan. It addresses clarifications regarding drainage and protects the city from shortfalls. Downs moved to approve. Sommerfeld seconded. Motion carried.

Motion to adjourn made by Downs. Second by Rueckert. Motion carried at 7:36 p.m. Mayor Fiegen presented certificates of appreciation to all outgoing Aldermen and thanked them for their service.

Mayor Fiegen called the council to order at 7:37 p.m. Finance Officer Kerzman requested all new council members stand and recite their Oath of Office. Lee Burggraff, Mark Crisp, Mike Geraets, Gary Haak, Paul Miles and Mayor Scott Fiegen all recited and signed their Oaths.

Roll was taken finding the following present: Chad Andrews, Lee Burggraff, Mark Crisp, Mike Geraets, Gary Haak, Craig Lauritzen, Paul Miles, David Sommerfeld and Mayor Scott Fiegen.

Election of Officers: Andrews moved to appoint David Sommerfeld as council President. Lauritzen seconded. Motion carried.

Andrews moved to appoint Craig Lauritzen as Vice-President. Miles seconded. Motion carried.

Appointment of Administrative Officers: Sommerfeld moved to appoint LeAnn Kerzman as Finance Officer. Andrews seconded. Motion carried.

Lauritzen moved to appoint Dean Hammer of Vogt, Brown, Merry and Hammer as City Attorney. Burggraff seconded. Motion carried.

Sommerfeld moved to appoint Max Merry of Vogt, Brown, Merry and Hammer as Deputy City Attorney. Burggraff seconded. Motion carried.

Finance & Utilities Committee: Mayor Fiegen recommended Sommerfeld, Crisp and Lauritzen. So moved by Burggraff. Andrews seconded. Motion carried.

Policy & Procedures: Mayor Fiegen recommended Andrews, Haak and Burggraff. So moved by Sommerfeld. Seconded by Lauritzen. Motion carried.

Surplus Property Appraisal: Mayor Fiegen recommended the council as a whole. So moved by Crisp. Seconded by Lauritzen. Motion carried.

Minnehaha County Economic Development Association and Dell Rapids Economic Development Corporation: Mayor Fiegen recommended Mike Geraets. So moved by Burggraff. Second by Sommerfeld. Motion carried.

Library Board Liaison: Mayor Fiegen recommended Paul Miles to represent the council. So moved by Crisp. Second by Andrews. Motion carried.

Official Newspaper: Mayor Fiegen recommended the Dell Rapids Tribune be designated. So moved by Lauritzen. Seconded by Burggraff. Motion carried.

Depositories: Mayor Fiegen recommended First National, Home Federal, Wells Fargo and SD FIT Funds. So moved by Sommerfeld. Seconded by Andrews. Motion carried.

Finance Officer Authorization: Kerzman explained that as of July 1, 2013 there will be a change to state law which will allow the council to preapprove expenditures, up to a specific dollar amount if they so choose, to allow payment of the city's financial liabilities. The intent is to prevent any late fees, to capitalize on any possible payment discounts and approve recurring payment items such as payroll and its corresponding liabilities. Motion by Burggraff to approve. Sommerfeld seconded. Motion carried.

Rules of Order: Mayor Fiegen recommended Robert's Rules of Order be followed. So moved by Lauritzen. Seconded by Andrews. Motion carried.

Claims Approved: Sommerfeld moved to approve the claims as presented. Andrews seconded. Motion carried.

A-Ox Welding Supply, rental 44.29; Argus Leader, publishing 391.39; Badger Meter, 3 months Gateway 206.25; Borns Group, April billing 756.23; Bunkers Oil, fuel 3369.11; bx Civil & Construction, snow removal 5666.25; Cardmember Service, supplies 62.26; City Galss & Glazing, pivot 25.01; City of Dell Rapids, utilities 128.57; City of Sioux Falls, water tests 174.00; Concrete Materials, patch material 1240.00; County Fair Foods, supplies 8.10; Dakota Supply Group, parts 493.96; Dakotacare, health insurance 7272.09; Dauby's, base plugs 72.00; Dells Rapids Ace, supplies 114.03; Dell Rapids Coop Grain, part 14.87; Dells Electric, repair 63.27; Delta Dental, insurance 648.30; DGR, engineering 12,203.88; EFTPS, withholding 5297.39; Entringer Backhoe & Trenching, repair 829.07; First National Bank, loan payments 77,868.43; Frieberg, Nelson & Ask, TIF legal 1367.15; Goldenwest, telecommunications 740.60; Graybar, bulbs 296.40; Gruis, Karla, cleaning services 527.00; Hawkins, chemical 527.00; Hoffman Sanitation, trash hauling 75.00; Huewe Plumbing, Heating & AC, repair 232.30; ICAP, transit 6289.29; JD's House of Trophies, supplies 67.50; Lacey's Portable Restrooms, rental 250.00; LG Everist, supplies 1730.61; Locators & Supplies, lights 389.99; Mid-American Research Chemical, supply 2041.50; MidAmerican Energy, natural gas 973.25; Midwest Alarm, alarm loop 75.97; Millborn Seeds, seed 425.00; Minnehaha Community Water, utility 8184.17; Napa Auto Parts, supply 349.10; North Central Int'l, supply 7.32; Sam's Club Discover, supply 381.29; SD Governmental Finance Officer's Association, registration (2) 150.00; SD Unemployment Insurance Division, insurance 116.71; SD Retirement System, retirement 4975.26; Superior Lamp, bulbs 495.78; Verizon Wireless, telecommunications 84.37; Weiland, Justin, ICMA dues reimburse 608.00; Xcel Energy, electricity/street lights 4073.19.

Utility Refund: Ljunggren, Gale \$900.12.

April Salaries by Department: General Government 14,649.50; Library 5072.29; Public Works 24,707.36.

Added or Increased Salaries: None.

Visitors to be heard: None.

Resolutions and Ordinances – Ordinance #771 Rezoning 608 E 3rd St: Weiland informed the council that Brian Graham has made application to rezone 608 E 3rd Street from R-1: Single Family Residential to B-2: General Business District in order to install accessory structures and sell. Planning and Zoning has heard the request and has voiced their recommendation for approval. Accessory structure is a permitted use within a General Business District. Burggraff moved approve the first reading of Ordinance #771. Sommerfeld seconded. Motion carried.

Planning and Zoning: Re-Plat of Lot A in Tract 1 of Haak Addition: Weiland presented the plat for approval of the council on request of Paul Zweifel. Planning and Zoning has viewed the plat and recommends approval. This plat creates Lot A. Motion by Crisp to approve. Seconded by Haak. Motion carried.

Plat of Lot B in Tract 5 of Lodmell's Subdivision of Part of Lot 9 of Kenefick's Subdivision: Weiland presented the re-plat of Lot B in Tract 5 of Lodmell's Subdivision of Part of Lot 9 of Kenefick's Subdivision requested by Paul Zweifel. This plat creates Lot B and was recommended for approval by Planning and Zoning. Motion by Lauritzen to approve. Second by Burggraff. Motion carried.

Plat of Lot 1 in Amundson Addition: Weiland presented the re-plat of Lot 1 of Amundson Addition requested by Paul Zweifel. Planning and Zoning voted for the approval of the re-plat. This plat creates Lot 1. Crisp moved to approve. Second by Miles. Motion carried.

Plat of Lots 1, 2, 3 and 10, Block 1 of Zweifel Addition: Weiland presented the plat of Lots 1, 2, 3 and 10, Block 1 of Zweifel Addition as requested by Paul Zweifel. This completes the creation of the Zweifel Planned Development and is slightly different from the original, proposed plan with only one access road. Planning and Zoning recommended approval of the plat. Sommerfeld moved to approve. Crisp seconded. Motion carried.

Outdoor Event Permit – Memorial Day: Application and request received from the Dell Rapids American Legion to hold a parade on Memorial Day, Monday, May 27th at 10:00 a.m. on 4th Street between Garfield and Clark Avenues and to waive the application fee. Motion by Geraets to approve the application and waive the fee. Second by Burggraft. Motion carried.

Cootie Days: Application and request received from the Dell Rapids American Legion to host the annual Cootie Days celebration beginning on June 14 at 4 p.m. and ending on June 15 at midnight with the fee waived for a local non-profit organization. Motion by Lauritzen to approve the application and waive the fee. Second by Andrews. Motion carried.

HUD Grant – Housing Study: Weiland informed the council of an opportunity for a housing study with the help of SECOG (South Eastern Council of Governments). Cost of \$7,500 with 50 % paid by South Dakota Housing and Development Authority and the remainder shared among SECOG communities with a Dell Rapids cost of \$1,875.00. Sommerfeld moved to participate in the study. Second by Lauritzen. Roll Call vote requested. Andrews-Nay, Burggraft-Nay, Crisp, Nay, Geraets-Nay, Haak-Nay, Lauritzen-Aye, Miles-Nay, Sommerfeld-Aye. Motion failed.

Library – Appointment of Library Directors: The Library Board has made their recommendations to Mayor Fiegen for the Library Board. Mayor Fiegen requested the renewal of term for Virginia Miller. Motion by Crisp to approve followed by a second from Lauritzen. Motion carried. Mayor Fiegen recommended the vacant seat of Helen Aspaas be filled by Sharon Jud. Recognized the resignation of JoAnn Beck and recommended the Library Board consider the appointment of James Borchert for her seat. That appointment will be brought to the council following the consideration of the Library Board. Motion by Crisp to approve the appointment of Sharon Jud. Second by Andrews. Motion carried.

Poppy Day Proclamation: Mayor Fiegen recognized May 27th as Poppy Day and 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 27th, 2013, 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 6th day of May, 2013.

FOR THE GOVERNING BODY OF THE
CITY OF DELL RAPIDS, SOUTH DAKOTA

/s/ Scott Fiegen, Mayor

ATTEST:

By /s/ LeAnn Kerzman, Finance Officer

Public Works – City Parking Lot: Joe Weinacht was present to express his concerns to the council regarding trash, loitering and damage to his property adjacent to the city parking lot on 3rd Street. Council recommended Weiland invite Sheriff Milstead to a meeting to discuss and to investigate camera options.

Connection of 10th Street between Iowa and Rebekah: Mike Geraets proposed that temporary access on 10th Street be pursued now with the implementation of a gravel roadway in order to alleviate traffic flow from 15th Street and allow better access. Discussion held requesting that city crew could remove the trees and install a gravel roadway without the unnecessary cost of engineering. Motion by Geraets to proceed followed by a second from Miles. Motion carried.

Council Pay: Motion by Crisp to request the council not accept pay so the additional funds could be used to install sidewalks. Second by Geraets. Roll call vote called. Andrews-Nay, Burggraff-Aye, Crisp-Aye, Geraets-Aye, Haak-Nay, Lauritzen-Nay, Miles-Aye, Sommerfeld-Nay. Tie vote. Mayor Fiegen-Nay. Motion failed.

City Administrators Report – Weiland reported on the following:

- Safe Routes to School presentation will be given in Pierre on May 16 by Weiland for consideration of the grant application.
- Transit Service Coordinated Plan and Grant reimbursement has been approved by the SD Department of Transportation (SD DOT) for full reimbursement.
- 15th Street Phase II construction has begun. Preconstruction meeting was held and signage and tree removal will begin. MidAmerican Energy is also relocating lines and is working now. Ongoing construction meetings will be held on the first and third Tuesdays at 10 a.m.

Claims Approved for Payment by Other Municipal Boards: Library Board: Baker & Taylor Books, 12 books 139.20; Center Point Large Print, 4 books 83.28; Demco, supplies 352.90; Eco Water, rental 8.00; Ingram Library Services, 12 books 232.34; Micromarketing, 9 audios 273.31; Penworthy, 34 children’s books/34 cd’s 659.48; Pumpkin Books, 1 book 18.99; Sam’s Club, 8 books/1 DVD/supply 351.11; Western Books, 102 books 1425.85.

Treasurer’s Report: A recap of all income and expenses, that occurred since the last meeting, was presented to the council.

Burggraff moved and Lauritzen seconded to adjourn. Motion carried. Meeting adjourned at 9:15 p.m.

LeAnn Kerzman, Finance Officer