

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, September 16, 2013 at 7:30 p.m.

Mayor Scott 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, Lee Burggraff, Mark Crisp, Mike Geraets, Gary Haak, Vice President Craig Lauritzen, Paul Miles, President David Sommerfeld 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:** Fiegen stated item A of New Business - 'Rocky Run Floodplain Interpretation Inquiry - Zwart' would not be heard. Lauritzen moved to approve the agenda. Second by Sommerfeld. Motion carried.

**Approval of Minutes:** Burggraff moved to approve the minutes of the regular meeting held on September 3, 2013. Andrews seconded. Motion carried.

Lauritzen moved to approve the minutes of the special meeting held on September 9, 2013. Miles seconded. Motion carried.

**Claims Approved:** Burggraff moved to approve the claims as presented. Second by Sommerfeld. Motion carried.

Baumberger Vineyard & Winery, Aug wine 240.00; Beal Distributing, Aug malt 36,757.07; Borns Group, billing 984.48; Boyer Trucks, parts 61.31; Bunkers Oil, fuel 6755.05; County Fair Foods, concessions 51.68; Dakota Beverage, Aug malt 29,141.22; Dakota Technology Consulting, server/laptop 7507.18; Dell Rapids Ace, supply 92.58; Dell Rapids Coop Grain, seed 137.50; DR Lumber Company, supplies 419.14; Dells Farm & Tire, supply/repair 360.00; Dells Investment Group, refund 1578.64; Dells Materials, supply 276.00; DGR, engineering 31,299.40; EFTPS, withholding 4824.05; GeoTek, services 3910.50; Global Distributing, Aug malt 183.50; GoldenWest, telecommunications 811.98; Gruis, Karla, maintenance 374.00; Hawkins, chemical 1374.83; Hoffman Sanitation, utility 75.00; Johnson Brothers Famous Brands, Aug liquor 7046.56; Jorgensen Concrete, 10<sup>th</sup> St sidewalk 8200.80; Lacey's Portable Restrooms, rental 500.00; LG Everist, supplies 51.50; Linweld, rental 34.41; MidAmerican Energy Company, natural gas 22.39; Midwest Alarm, alarm 29.38; NAPA Auto Parts, parts 480.67; North Central Int'l, parts 555.90; Republic National Distributing, Aug liquor 8132.44; Schuneman Equipment, parts 323.63; SD Dept. of Transportation, billboard renew 48.00; SD Municipal League, conference 795.00; SD State Treasurer, Dept. of Revenue, sales tax payable/lottery 3541.78; Tyler Technologies, software maintenance 8311.43; Vogt, Brown, Merry & Hammer, retainer 950.00; Xcel Energy, electricity/street lighting 6654.13.

**Added or Increased Salaries:** Library – Huska, Deb re-hire as part-time, temporary Librarian, wage of \$15.00 per hour for less than ten hours per week.

**Second Reading of Ordinance #777 – 2014 Annual Appropriations Ordinance:** Motion by Burggraff to introduce the second reading of Ordinance 777 – 2014 Appropriations Ordinance. Sommerfeld seconded. Roll call vote: Andrews-Aye, Burggraff-Aye, Crisp-Aye, Geraets-Aye, Haak-Aye, Lauritzen-Aye, Miles-Aye, Sommerfeld-Aye. Motion carried eight to zero.

**Resolution 2013-11: SE Sewer Extension Funding Application Support:** Weiland presented Resolution 2013-11 which states the council's intent to apply for funding not to exceed \$1,300,000 for the installation of sanitary sewer south along Garfield Avenue and appoints the mayor as authorized to sign all pertinent documents. Lauritzen moved to approve. Andrews seconded. Motion carried.

### RESOLUTION NO. 2013-11

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of Dell Rapids (the "City") has determined it is necessary to proceed with improvements to its Wastewater System, including but not limited to the 2013 Wastewater Improvements Project (the "Project"); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$1,300,000 to the South Dakota Board of Water and Natural Resources for the Project.
2. The Mayor is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
3. The Mayor is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at Dell Rapids, South Dakota, this 16<sup>th</sup> day of September 2013.

APPROVED:  
/s/ Scott Fiegen  
Mayor  
City of Dell Rapids

(Seal)

Attest: /s/ LeAnn Kerzman  
City Finance Officer

**Visitors to be heard:** Jim Schildhauer, 15<sup>th</sup> Street, expressed his displeasure with the trees within the boulevard in front of his property being removed.

**Public Hearing – Variance Request for Spruce Glen Development:** Jon Brown of Stockwell Engineering was present to represent Spruce Glen Development. Proposed plat requests a street width of 29' in lieu of the design standard of 37' for a variance of 8'. Also requesting a 40.5' cul de sac bulb radius street width instead of the standard 42.5' for a variance of 2'. Mr. Brown stated that the development would install a concrete street instead of the more maintenance asphalt street. Sommerfeld stated his disagreement with the narrowing based on the space needed for emergency vehicles for access. Sommerfeld moved to deny the variance for the street variance of 8'. Crisp seconded. Motion carried. Sommerfeld moved to deny the variance of 2' on the bulb radius. Crisp seconded. Motion carried.

**Outdoor Event Permit – Homecoming Events:** Application received from Jennifer Ruesink and Joni Smith homecoming parade to be held for St Mary and Dell Rapids Public Schools on Friday, September 27 at 1 p.m. along 4<sup>th</sup> Street between Garfield and Clarke Avenue. Burggraaf moved to approve. Andrews seconded. Motion carried.

**15<sup>th</sup> Street/State Ave/Garfield Ave Improvement Project – Sewer:** Weiland stated that funds would be sufficient within the current funding package to pursue additional quantities of sewer line installation south along Garfield Ave of approximately 800 to 1000 feet. Crisp moved to approve the additional work. Lauritzen seconded. Motion carried.

**Surplus Property Committee – Plat Discussion:** Weiland shared a plat plan for the city property at State Ave and Second Street. Consensus of the council to use the plat that has a smaller salable portion of land and shared liability for access.

**Urban Rural Service District – Consideration and Discussion:** Weiland briefed the council on Urban Rural Service District which allows the city to annex rural property into city limits and allow the property to stay at the existing tax rate. Rural residential would not be eligible for the rural status but would be subject to the city mill levy. The council expressed their interest in the concept and requested further information.

**Claims Approved for Payment by Other Municipal Boards:** Library Board: Baker & Taylor Books, 15 books 164.97; Cengage Learning, 3 books 50.72; Eco Water Systems, rent 16.50; Ingram Library Services, 14 books 281.76; Kent Adhesive Products, magazine covers 119.00; Kid's Reference Company, 39 books 588.87; Micromarketing, 2 books/3 books on cd 150.84; Penworthy, 40 kid's books 750.54; Sam's Discover, 3 books/5 DVD's/supplies 290.58.

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

- Weiland has been negotiating with Verizon regarding the lease of space on the water tower and leasing land space for an equipment shed at the tower site.
- Library Director job description has been posted with a closing date of October 16. Confirmed wage of \$15.00 per hour for Deb Huska to perform duties of Director on a part-time, temporary basis.
- Planning Commission Ordinance needs a complete update and time to be done correctly. Expected to have it completed by the beginning of the new year.
- Zoning Ordinance Amendments being considered for Planning and Zoning review were brought to the council's attention.

**Items for Discussion:** Burggraaf asked about the possibility of community gardens within Dell Rapids.

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

Sommerfeld moved to adjourn and Haak seconded. Motion carried. Meeting adjourned at 9:07 p.m.

LeAnn Kerzman  
Finance Officer