

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, December 2, 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:** Sommerfeld moved to approve the agenda as presented. Second by Lauritzen. Motion carried.

**Approval of Minutes:** Lauritzen moved to approve the minutes of the regular meeting held on November 4, 2013. Miles seconded. Motion carried.

**Claims Approved:** Lauritzen moved to approve the claims as presented. Second by Andrews. Motion carried. A-Ox Welding Supply, supply 22.32; Borns Group, Nov billing 761.80; Cardmember Service, postage 24.46; City of Dell Rapids, utilities 177.62; Comfort Inn of Mitchell, travel 92.00; Crittenden, Holly, utility refund 5.77; Dakota Clearing & Grading, rubble site clearing 4515.31; Dakota Supply Group, manhole hooks 75.14; Dakota Care, health insurance 7493.21; Dell Rapids Senior Citizen Center, support 2000.00; Delta Dental, insurance 610.30; DGR, engineering 5306.01; EFTPS, withholding 5105.42; GeoTek, 15<sup>th</sup> St testing 225.00; Goldenwest Telecommunications, Dec telecommunications 775.57; Grandma T's, surplus auction day lunch 11.31; Gruis, Karla, maintenance 408.00; ICAP, Oct transit 3019.82; Jody's Collision, transit repair 118.95; Landmark Realty & Auctions, advertising 1259.50; LG Everist, crushed quartzite 246.48; Mid-American Research Chemical, degreaser 3575.29; MidAmerican Energy, natural gas 582.90; Midwest Alarm, alarm 29.38; Minnehaha Community Water, Nov water 8547.29; Minnehaha County Sheriff, law enforcement 60,212.00; North Central Intl, valve 214.28; Reliable Office Supply, ink 19.46; S & S Stump Removal, grind two stumps 150.00; Sanitation Products, sander parts 978.16; SD Dept of Transportation, Garfield Bridge engineering 16,889.92; SD Public Health Laboratory, wastewater testing 106.00; SD State Treasurer, sales tax 81.19; SDRS, retirement 4,759.60; Titan Machinery, parts & repair 957.74; Triebwasser, Leland, tire repair 38.10; Verizon Wireless, telecommunications 92.73; Xcel Energy, street lights/electricity 3998.03.

**Added or Increased Salaries:** General Government: Weiland, Justin merit increase of 2% from \$77,890.34 to \$79,448.15. November payroll - General Government: 11,955.14; Public Safety 2,030.00; Public Works 11,259.78; Library 2,443.19; Water 8,131.34; Wastewater 7,212.51.

**Deposit and Investment Policies - Funds Transfer:** Fund balance is sufficient within the Liquor Fund to execute the budgeted transfer of \$98,520 to the General Fund. Sommerfeld moved to approve the transfer of \$98,520 from Liquor Fund to General Fund. Haak seconded. Motion carried.

**Second Reading of Ordinance #781 – Golf Carts:** Discussion continues to be held on allowing golf carts to operate with the city limits and the requirements necessary for their safe operation. Burggraff moved to table the second reading of Ordinance #781 in order to make changes to allow for maximum capacity of riders and safe operation after dark. Andrews seconded. Motion carried.

**Second Reading of Ordinance #782 – 2013 Supplemental Budget Ordinance:** Kerzman stated that two additional items had been added since the first reading. Added funding for the Rubble Site at \$1,000 and Library for \$10,500, to cover the expense of the engineering for the utility changes. Crisp moved to approve the second reading of Ordinance #782. Sommerfeld seconded. Roll Call vote – Andrews-Aye, Burggraff-Aye, Crisp-Aye, Geraets-Aye, Haak-Aye, Lauritzen-Aye, Miles-Aye, Sommerfeld-Aye. Motion carried.

**First Reading of Ordinance #783 – Snow Removal:** Weiland presented the first reading which more clearly defines expectations with snow removal. Council issued direction to more clearly define the Central Business

District policy. Lauritzen moved to approve the first reading to include the suggested change. Geraets seconded. Motion carried.

**First Reading of Ordinance #784 – Urban Rural Service District:** Weiland relayed a scenario in how Urban Rural Service District would be implemented. It relates strictly to taxation and not zoning. Lauritzen moved to approve the first reading of Ordinance #784. Geraets seconded. Motion carried.

**First Reading of Ordinance #785 – Guns carried within municipal parks:** City Attorney Hammer conveyed that this ordinance amendment would repeal 15.5.80 and added one sentence to 15.5.95 which states ‘Any person may carry a concealed pistol if he or she has been issued a valid permit to carry a concealed pistol pursuant to SDCL 23-7-7.’ Our existing ordinance is in conflict with state law and should be made compliant. Burggraff moved to approve. Miles seconded. Motion carried.

**Visitors to be Heard:** None.

**Surplus Property Auction:** Weiland stated that he felt the auction was successful and thanked councilor Burggraff for his donated time in conducting the auction. Discussion held regarding donated property that was sold at auction. A purchaser was advised that the donated property could be returned to him. This is in conflict with surplus property law and payment must be received. Lauritzen moved to accept the sale of all items and property from the auction. Second by Andrews. Crisp requested a roll call vote. Burggraff abstained for conflict of interest. Andrews-Aye, Burggraff-Abstain, Crisp-Nay, Geraets-Aye, Haak-Aye, Lauritzen-Aye, Miles-Aye, Sommerfeld-Aye. Motion carried. Two-thirds vote necessary for the land sales was achieved.

**Fire Department Agreement:** Weiland presented the Fire Services Agreement which includes the funds budgeted within the 2014 budget. Sommerfeld moved to approve. Lauritzen seconded. Motion carried.

**Public Works – 10<sup>th</sup> Street Traffic Control:** Discussion was held regarding the flow of traffic along 10<sup>th</sup> Street since the creation of the through street. Consensus reached for the placement of a Yield sign for the southbound traffic from Orchard Hills when entering to 10<sup>th</sup> Street; Stop signs on the hospital property for traffic exiting from the parking lot north to 10<sup>th</sup> Street; and no signage change for Westview and 10<sup>th</sup> Street intersections.

**Water Quality – Northview Drive:** President Sommerfeld expressed his concerns to the council regarding the quality of water in his neighborhood since the looping of the water service has been completed at 15<sup>th</sup> Street. Weiland conveyed that there are also concerns along 10<sup>th</sup> Street where the flow has caused yellow, debris laden water for the residents. Sommerfeld requested the council consider replacement of the lead water lines as a priority for the citizens. Water samples were shown to the council. Consensus of the council to determine the cause of the water quality issue and provide a cost estimate for remediation.

**Fireworks Ordinance – Citizen Concern:** Mayor Fiegen wanted to inform the council of a call he received of an individual that was against the passage of an ordinance to allow fireworks on New Years’. Mayor Fiegen stated each of the concerns and informed the council of his responses.

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

- Letter received from the DENR and shared with the council regarding a violation of the Rubble Site operational permit in regard to the debris that was burned and allowed to smolder overnight. Only clean wood can be burned.
- Mill Wheel placement has been determined for the west end of the bike trail. The turbines are in multiple pieces and will be directed for repair from a welder.
- SE Sewer Extension location for a lift station was reviewed by the council. Intent is to not have to blast through rock and still maintain a reasonable elevation.

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

**Executive Session – Personnel:** Mayor Fiegen stated that executive session was added to the agenda in the event discussion was wanted for the performance review of City Administrator Weiland. He recommended a merit raise of 2%. No parties wished to convene for executive session. Andrews moved to approve the merit increase of 2%. Crisp seconded. Motion carried.

Lauritzen moved to adjourn. Andrews seconded. Council adjourned at 9:17 p.m.

LeAnn Kerzman  
Finance Officer