

DELL RAPIDS CITY COUNCIL MINUTES

Monday, January 6, 2014 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 (via teleconference) and Mayor Scott Fiegen.

Absent: None.

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

Approval of Agenda: Lauritzen moved to approve the agenda as presented. Second by Andrews. Motion carried.

Approval of Minutes: Lauritzen moved to approve the minutes of the regular meeting held on December 16, 2013 with a correction of the typo of the Crisp vote on Northview Drive water from Aye to Nay. Haak seconded. Motion carried.

Claims Approved: Lauritzen moved to approve the claims as presented. Second by Andrews. Motion carried. A-Ox Welding Supply, cylinder rental/gloves 66.92; Badger Meter, backhaul 206.25; Borns Group, Dec billing 762.35; Bunkers Oil, fuel 4297.60; BX Civil, snow removal 6635.00; City of Dell Rapids, water 155.09; Dakota Pump & Control, maintenance 996.94; Dakota Supply Group, sewage pumps 834.48; DakotaCare, insurance/flex 8011.08; Dell Rapids Coop Grain, fittings 78.21; Dells Electric, hour meter 119.63; Delta Dental, insurance 670.20; DGR, engineering 11,084.02; EFTPS, payroll liability 11,043.13; First Bank Card, DVD's/supply 958.51; First National Bank, loan installments 77,868.43; Garbage N More, trash removal 75.00; Golden West, telecommunications 737.47; Gruis, Karla, maintenance 612.00; Hach Company, chlorine 110.07; Hanson, Heath, utility refund 30.00; Hydro Klean, maintenance 13,617.38; ICAP, Nov transit 3339.35; LG Everist, salt sand 2857.25; MidAmerican Energy, natural gas 1551.64; Midwest Alarm, lift alarm 29.38; Minnehaha Community Water, Dec water 8624.81; Minnehaha County Register of Deeds, Mortrude gift 30.00; Owens Inspection Services, clean ground storage 900.00; Petrik, Wayne, library bookshelves 2500.00; Sam's Club/Discover, fee 39.99; SD Association of Code Enforcement, membership 40.00; SD Building Officials, membership 50.00; SD City Management, membership 150.00; SD DENR, discharge fee 2500.00; SD Govt Finance Officers Association, membership 70.00; SD Human Resource Association, membership 50.00; SD Municipal League, dues 1942.30; SD Municipal Liquor Control Association, dues 25.00; SD State Treasurer, sales tax payable 139.53; SD Street Maintenance Association, workers comp 13,456.00; SDRS, retirement 5031.84; South East Area Finance Officers Group, dues 100.00; South Eastern Council of Governments, dues 4732.00; T&C's Self Service, propane 15.00; Titan Machinery, cutting edges 4012.82; Postmaster, po box fee 130.00; Xcel Energy, electricity/street lighting 4572.94.

Added or Increased Salaries: Library: Fritz, Rebecca position change from full-time to part-time with no wage change; Rodgers, Megan position change from part-time to full-time from \$8.14/hour to 9.50/hour. December payroll - General Government: 12,165.62; Public Safety 1,653.75; Public Works 11,845.44; Library 4,528.89; Water 7,351.12; Wastewater 7,324.08.

Second Reading of Ordinance #786 – Zoning Amendment – Reducing Required Side Set Backs in

Residential: Weiland presented the second reading of Ordinance #786 which would change side setbacks from 7ft in residential lots that are less than or equal to 66ft to 5ft. He further explained that this would apply to currently platted 'lots of record' and not future plats. Hammer clarified that it also only applies to R1 zoned lots. Residents currently have an option to submit a variance request under the existing law. Planning & Zoning Board recommended approval. Lauritzen moved to approve the second reading. Miles seconded. Roll Call vote.

Andrews-Nay; Burggraff-Aye; Crisp-Nay; Geraets-Aye; Haak-Aye; Lauritzen-Aye; Miles-Aye; Sommerfeld-Aye. Motion carried six (6) to two (2).

Second Reading of Ordinance #787 – Zoning Amendment – Accessory Structures Entered from Alley

Setback: Weiland explained that the purpose is to change the rear setback on alley adjacent property from the current 10ft to 3ft. Planning and Zoning Board recommended approval. Discussion was held on whether the ‘entered directly from an alley’ portion of the ordinance needed to be included and the possibility of a side street entrance. Crisp moved to table the item. Lauritzen seconded. Motion carried.

Second Reading of Ordinance #788 – Zoning Amendment – Private Garage as Conditional Use in NRC

District: Mayor Fiegen introduced the second reading of Ordinance #788 to allow the construction of a private garage as a conditional use on NRC zoned property. Discussion ensued with council disputing the need for a garage structure to be able to be constructed prior to the construction of a primary residence with an NRC zone. The intent is to allow annexed property to have options. Burggraff moved to table. Haak seconded. Motion carried and item tabled.

Second Reading of Ordinance #789 – Zoning Amendment – Reuse of School or Church as an Office with

Conditional Use: Ordinance #789 has passed approval by the Planning and Zoning Commission and would allow the reuse of a church for office space after approving the use through a conditional use application process. Burggraff relayed that he had been approached by an area resident that was not in agreement. Lauritzen moved to approve the second reading of Ordinance #789. Second by Geraets. Roll Call – Andrews-Aye, Burggraff-Nay, Crisp-Nay, Geraets-Aye, Haak-Nay, Lauritzen-Aye, Miles-Nay, Sommerfeld-Nay. Motion failed by a vote of five (5) to three (3).

Resolutions – 2014 Payroll Resolution: In accordance with SDCL 6-1-10, the municipality is providing a complete list of all the salaries of all officers and employees. Weiland presented the council with a recommendation for a Cost of Living increase of 1.5% based on the 2013 average to apply to all except city council and planning and zoning board members. Fiegen stated November COLA is the rate that has historically been considered and that rate was 1% for 2013. Lauritzen moved to approve at a rate of 1%. Geraets seconded. Motion carried.

**RESOLUTION #2014-01
2014 PAYROLL RESOLUTION**

WHEREAS, effective and responsive delivery of City goods and services is dependent upon the employment of a highly competent and motivated workforce; and
WHEREAS, the City of Dell Rapids wishes to increase base wages for employees by giving a 1.5% cost of living adjustment to the wage scale for benefitted and part time employees.
NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Dell Rapids hereby approves and adopts the following wage rates to be disbursed in the calendar year 2014.
PROVIDED, HOWEVER, the City may make wage increases for the completion of education requirements, for passing certification tests, for fulfillment of job requirements set at the date of employment, or for meritorious achievement.

<u>NAME</u>	<u>JOB TITLE</u>	<u>2014 WAGE</u>
GENERAL GOVERNMENT		
Justin Weiland	City Administrator	\$80,242.63 / yr
FINANCE OFFICE		
LeAnn Kerzman	Finance Officer	\$51,085.15 / yr
Diane LeBrun	Billing Clerk	\$18.27 / hr
LIBRARY		
Brittany Risty	Library Director	\$38,864.80 / yr
Megan Rodgers	Library Clerk	\$9.50 / hr
PUBLIC WORKS		
Larry Schildhauer	Public Works Director	\$69,788.58 / yr
Clarence Fjellanger	Asst. Public Works Director	\$25.51 / hr

Les Fenicle	Equipment Operator	\$22.49 / hr
Paul Wildermuth	Equipment Operator	\$18.20 / hr
Randy Decker	Laborer	\$16.43 / hr
David Schuch	Laborer	\$17.04 / hr

PLANNING AND CODE ENFORCEMENT

Benjamin Gruis	Building Inspector	\$17.68 / hr
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PART TIME NON-BENEFITED

CITY COUNCIL

Scott Fiegen	Mayor	\$3,741.51 / yr
David Sommerfeld	Council Member	\$2,443.53 / yr
Gary Haak	Council Member	\$2,443.53 / yr
Mark Crisp	Council Member	\$2,443.53 / yr
Paul Miles	Council Member	\$2,443.53 / yr
Craig Lauritzen	Council Member	\$2,443.53 / yr
Lee Burggraff	Council Member	\$2,443.53 / yr
Chad Andrews	Council Member	\$2,443.53 / yr
Mike Geraets	Council Member	\$2,443.53 / yr

PLANNING COMMISSION

Bob Lamberty	Chairman	\$815.21 / yr
Roger Dearduff	Commissioner	\$815.21 / yr
Paul Zweifel	Commissioner	\$815.21 / yr
Rod Pierson	Commissioner	\$815.21 / yr
Charlie Pleskac	Commissioner	\$815.21 / yr

LIBRARY

Rebecca Fritz	Library Clerk	\$9.50 / hr
Judi Webb	Library Clerk	\$8.22 / hr

Dated at Dell Rapids, South Dakota this 6th day of January, 2014.

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

By/s/ Scott Fiegen, Mayor

ATTEST:

By /s/LeAnn Kerzman, Finance Officer

Visitors to be Heard: None.

Public Hearing: Cubby’s Application for Off-Sale Liquor License for 2014: A public hearing was called due to the applicant having had an alcoholic beverage sales violation within the past licensing year. The council did discuss with the applicant when the license was first applied for at the end of November, 2013. No objections were raised. All conditions of application have been met. Burggraff moved to approve the application. Geraets seconded. Motion carried unanimously.

Planning & Zoning – Appoint Five Member Board: Mayor Fiegen gave his recommendation to the Planning and Zoning Board as: Roger Dearduff, Bob Lamberty, Rod Pierson, Paul Zweifel and Charlie Pleskac. Lauritzen moved to approve the mayor’s recommendations. Haak seconded. Motion carried.

Library – Accept Resignation/Appointment: Burggraff moved to accept the resignation of John Rasmussen. Miles seconded. Motion carried. No recommendation received yet from the library board for a replacement.

The Library Board recommended the following change in personnel. Rebecca Fritz move from full-time to part-time effective January 6 at a rate of \$9.50 per hour and that Megan Rodgers move from part-time to full-time (34 hours per week) at \$9.50 per hour. Miles made a motion to approve the recommendation of the Library Board as stated. Andrews seconded. Motion carried.

Safe Routes to School – Appoint Consulting Engineer: In compliance with procedures for the Safe Routes to School Grant, Crisp moved to approve DGR as the consulting engineer for the installation of the flashing beacons. Andrews seconded. Motion carried.

Garfield Avenue Bridge Improvements – Approve Agreements: Weiland provided the following documents from the state to the council for their review: Letting Authorization Form, Federal Aid Resolution, Utilities Certificate and Right of Way Certificate. Lauritzen moved to approve all documents. Andrews seconded. Motion carried.

Verizon Wireless Agreement – Water Tower Lease Agreement: Weiland presented lease agreement documents for Verizon Wireless to lease space on the 10th Street Water Tower and construct a shelter on the 10th St and Orleans Ave city owned property. Burggraff moved to approve. Crisp seconded. Motion carried.

Sioux Falls Humane Society – 2014 Contract Agreement: Weiland shared the contract for services for animal control between the City and the Sioux Falls Area Humane Society for 2014. Lauritzen moved to approve. Miles seconded. Motion carried.

Community Gardens – Discussion: Location suggested for a community garden plot to run adjacent to the Big Sioux River south of the City Park and to the east of the existing ball fields.

Northview Drive – Water Main Replacement: Attorney Hammer began the discussion with an explanation for conflict of interest and expressed that for a conflict to exist there would be a gain to the interested party. In his opinion, there is none as the water service is of a lesser quality than the rest of the community and the request is to meet the status quo and not to exceed it. Mayor Fiegen declared a committee of Haak, Lauritzen and Andrews to address the issues and concerns. Burggraff moved to postpone the project until April 1, 2014. Intent of this delay is to try to correct the water quality without moving to total line replacement. Haak seconded. Motion carried with Sommerfeld voting Nay.

City Administrators Report – Weiland reported on the following:

- Legislative Rib Dinner to be held February 4th and 5th in Pierre. Includes a legislative briefing, opportunity to meet with legislators and attend legislative committee meetings.
- SE Sanitary Sewer Extension DENR application hearing for funding to be held on Friday, January 10.
- January 21 regularly scheduled council meeting moved to Tuesday, January 22 due to the Martin Luther King holiday.
- Mid-American Energy is boring across the Big Sioux River in order to remove their line from along the Garfield Street Bridge.
- Sales tax revenues have continued to increase and data was provided to the council.
- Building Permits for 2013 were up and provided to the council for their review.

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

Andrews moved to adjourn. Lauritzen seconded. Council adjourned at 9:39 p.m.

LeAnn Kerzman
Finance Officer