

DELL RAPIDS CITY COUNCIL MINUTES

Monday, April 7, 2014 at 7:30 p.m.

Mayor Scott Fiegen called the Dell Rapids City Council meeting to order at 7:30 p.m. at the City Hall Council Chambers. The Roll was called finding the following members present: Chad Andrews, Lee Burggraff (left at 9 p.m.), Mark Crisp, Mike Geraets, Gary Haak, Vice President Craig Lauritzen, Paul Miles, President David Sommerfeld (via Skype) 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: Lauritzen moved to approve the agenda. Motion seconded by Burggraff. Motion carried.

Approval of Minutes: Burggraff moved to approve the minutes of the regular meeting held on March 17, 2014. Lauritzen seconded. Motion carried.

Claims Approved: Lauritzen moved to approve the claims as presented. Seconded by Crisp. Motion carried. A-Ox Welding Supply, rental 20.16; Argus Leader Media, subscription renewal 155.95; Badger Meter, backhaul 206.25; Beal Distributing, March malt 26,110.22; Borns Group, billing 790.02; BX Civil, snow removal 945.00; City of Dell Rapids, utilities 82.61; Midwestern Mechanical dba Copper Cottage, fire station furnace repair 1575.70; Dakota Beverage, malt 17,294.47; DakotaCare, insurance 8008.46; Dell Rapids Ace, supplies 473.21; Dell Rapids Haven, annual support 6600.00; Dell Rapids Lumber, supplies 367.48; Dell Rapids Society for Historic Preservation, support 2000.00; Dells Electric, repair 37.09; Delta Dental, insurance 630.90; DGR, engineering 29,176.50; Ed's Produce, gloves 75.00; EFTPS, payroll liability 5,413.76; Entringer Backhoe & Trenching, repair 275.00; First Bank Card, ICMA membership/summer reading 1,807.85; First Bankcard, supplies 164.59; First National Bank, loan installments 77,868.43; Garbage N More, trash hauling 75.00; GeoTek Engineering & Testing, former landfill/river crossing 1512.75; Global Distributing, malt 43.84; Golden West, telecommunications 742.99; Gruis, Karla, maintenance 408.00; ICAP, transit 3990.26; Johnson Brothers Famous Brands, liquor 8541.68; Mid-American Research Chemical, supplies 210.34; MidAmerican Energy, utilities 1623.98; Minnehaha Community Water, utilities 9156.57; NAPA Auto Parts, supplies 534.07; Niehaus, Ariel, refund 25.06; RDO Equipment, antenna 34.43; Republic National, liquor 10,857.90; Sam's Club Discover, supply 231.82; Sanitation Products, sweeper parts 544.27; SD Association of Code Enforcement, training 50.00; SD Municipal League, District Meeting 180.00; SD State Treasurer, Dept. of Revenue, sales tax/ lottery draw 3.07; SD Retirement, retirement 5064.18; Seating & Athletic Facility, 3 5 row bleachers 10,653.00; Short, Elliott Hendrickson, engineering 15,832.11; Tender Lawn Care, snow removal 25.00; Virg's Service, repair 81.52; Vogt, Brown, Merry & Hammer Trust Account, land purchase 36304.78; Witte Industries, thaw services 150.00; Xcel Energy, electricity/street lighting 5196.89.

Added or Increased Salaries: March payroll - General Government: 12,049.42; Public Safety 2,316.08; Public Works 9,708.69; Library 5,053.18; Water 7,858.41; Wastewater 7,858.42. Public Works Department: Hire of Martin Blath as part-time Rubble Site Operator at a wage of \$8.78 per hour beginning on April 19, 2014. Parks & Recreation: Hire of Katrina Remnitz as Pool Manager at a rate of \$11.00 per hour.

Resolutions & Ordinances – Public Hearing and First Reading of Ordinance #792 – Amending the 2011 Zoning Ordinance, Section 14.03, Accessory Buildings, Garages, Recreational Facility and Misc.

Structures: Weiland explained the change would allow application for on conditional use permit for a front yard structure which is not to exceed 1200ft². Planning & Zoning has heard and recommended approval. Haak moved to approve the first reading of Ordinance #792. Seconded by Andrews. Motion carried six (6) to two (2) with Sommerfeld and Crisp voting nay.

First Reading of Ordinance #793 – Amendments and Change of Zone: Planning and Zoning heard and recommended council approval. The appeal processes already exists within state law. Ordinance adds wording that after a rezone or change of zoning district classification, a petition may be filed, within 20 days of second reading, by 40% of the property owners within 250 feet of the proposed district to contest and approval of 2/3 of the council is needed to pass. Burggraff moved to approve. Haak seconded. Motion carried.

First Reading of Ordinance #794 – Amending Chapter 21, Conditional Use Permits: Planning and Zoning board recommendation to not approve. Weiland stated that Conditional Use applications would be heard and decided by the Planning and Zoning Board and appeals would be considered by the City Council as the board of appeals. A protest could be filed after the council decision if a petition is filed by forty percent of the adjacent property owners within 250ft and passed by 2/3 of the council. Burggraff moved to approve. Miles seconded. Motion carried six (6) to two (2) with Haak and Andrews opposed.

First Reading of Ordinance #795 – Cable Television Franchise Agreement: Mr. Rick Reed of GoldenWest was present to answer any questions. Weiland stated the current franchise agreement is expiring. Currently the city collects 3% revenue and is able to increase this amount to 5% which would then be passed along to the end user. Haak moved to approve the first reading of Ordinance #795 at the existing rate of 3%. Lauritzen seconded. Motion carried.

Visitors to be Heard: No one came forward to address the council.

Outdoor Event Permit – Relay for Life: Application received from LuAnn Heidebrink representing the American Cancer Society for the annual Relay for Life event to be held within City Park and along the Sioux River Red Rock Trail on Friday, July 25 from noon to 6:30 a.m. Saturday. Lauritzen moved to approve the application while waiving the fee. Andrews seconded. Motion carried.

Dell Rapids Chamber Easter Egg Hunt: Application received from Dan Ahlers for the annual Chamber Easter Egg Hunt to be held in City Park on Saturday, April 12 at 10:00 a.m. Burggraff moved to approve and waived the fee. Haak seconded. Motion carried.

Plat Approval – Pony Hills Second Addition, Block 1 Lots 5A and 6A with Tracts 1 and 2: Plat received from owners Mark Crisp, Roger Schmidt, Vicki Schmidt, Paul Wildermuth and Cheryl Wildermuth. Weiland stated the change will extend lots 5A and 6A by 25 feet to the north. Burggraff moved to approve the plat. Andrews seconded. Motion carried.

General Government – Governor Declares Good Friday Holiday: Governor Daugaard declared the afternoon of Good Friday, April 18 as a state employee holiday. Employee Handbook states that the city council will then hear and decide on action for city employees. Miles moved to deny. Crisp seconded. Motion carried.

Streets – 15th Street West – Curb and Gutter: Council member Crisp expressed his interest to install curb and gutter surrounding his property on W 15th Street. The current roadway is the edge of city limits and half of the road is owned by the county. There are currently no plans for roadway improvement. Hammer suggested an Assurance Agreement which could be entered into with a property owner when pulling a building permit to protect the cities interest. Andrews moved to table pending additional information. Haak seconded. Motion carried.

Summer Seasonal Personnel: Weiland stated that he is recommending Katrina Remnitz as the Pool Manager at a rate of \$11.00 per hour and Martin Blath as Rubble Site Monitor at a rate of \$8.75 per hour. Haak moved to approve. Burggraff seconded. Motion carried.

Rubble Site: Weiland recommended start date of the Rubble Site of April 19. Hours are Tuesdays and Thursdays from 1-6 p.m. and Saturdays from 9 to 4 p.m. Community Clean-up Free Days suggested as Thursday, May 1 and Saturday, May 3. Appliances continue to have a \$10 fee assessed. Burggraff moved to approve as recommended. Crisp seconded. Motion carried.

Subdivision Ordinance – Public Open Space Requirements: When new residential developments are considered the council currently may require 5% space for city use. Crisp requested the council consider land or cash consideration to the city for all developers as a requirement. He proceeded to expound on who the developers within Dell Rapids are and asked additional questions about each. No council action taken.

Water – Northview Drive Water Quality: Weiland stated that tonight was the deadline agreed upon for action on the water quality issue for the area. The appointed group has met and agreed on the following: quality has improved; continued flushing will continue; the line shouldn't be replaced in 2014; replacement should be considered on the capital improvement plan and credits for water service will end now. Vice-President Lauritzen thanked Kellee Miles for the time and energy in assisting in working on a solution.

Wastewater – Beach Avenue Sewer Line Replacement: Meetings with D&I Railroad have continued with the following proposed agreement: D&I to cover the cost of the raise in road grade and surfacing with concrete; all tracks to be replaced with asphalt between tracks by D&I; and 60 additional feet of sewer to be replaced due to additional track replacement. Lauritzen moved to approve as stated and agreed between parties. Andrews seconded. Motion carried.

Claims Approved for Payment by Other Municipal Boards – Library Board Claims: None.

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

City Administrators Report – Weiland reported on the following:

- Capital Improvement Plan needs input from the council for updating. Work session scheduled for Monday, May 12 at 7 p.m.
- SE Sewer Extension Project will be bid on May 14 and the loan closing within days.
- District Meeting in Tea is Thursday, April 10.
- Governor's Office of Economic Development Conference will be in Sioux Falls on April 15 and April 16. Mike Geraets and Justin Weiland are registered to attend.

Lauritzen moved to adjourn. Miles seconded. Council adjourned at 9:14 p.m.

LeAnn Kerzman
Finance Officer