

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, May 5, 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, 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:** Crisp moved to approve the agenda. Motion seconded by Lauritzen. Motion carried.

**Approval of Minutes:** Weiland stated a correction should be made to the statement that Ordinances #792, #793, #794 and #795 passed. They did not as a quorum of the full council would be needed to pass or five (5) votes. Crisp moved to approve the minutes of the regular meeting held on April 21, 2014 as corrected. Sommerfeld seconded. Motion carried.

**Visitors to be heard:** Rick Zwart was present and requested a consensus of the council on how he should proceed with his property since the ordinances have failed. Planned Development seems to be the most appropriate.

**Public Hearing – Liquor Off-Sale Application – Casey’s:** Application received from Casey’s General Store to sell off-sale liquor. All conditions have been met. Hammer inquired if a separate area will be maintained. Adam Niemeyer of Casey’s came forward and stated that locked cabinets have been installed in other locations and expects the same. Burggraff moved to approve. Sommerfeld seconded. Motion carried.

**Second Reading of Ordinance #796 – Rezone Lot 10, Block 6 Timber Ridge Addition:** Planning and Zoning had heard and recommended for approval to rezone Lot 10, Block 6 of Timber Ridge Addition from R-1 (Single Family Residential) to R-2 (Two Family Attached Residential District). Sommerfeld moved to approve. Geraets seconded. Roll call: Andrews-Aye: Burggraff-Abstain: Crisp-Abstain: Geraets-Aye: Haak-Aye: Lauritzen-Aye: Miles-Aye: Sommerfeld-Aye. Motion carried 6/0.

**Second Reading of Ordinance #797 – Rezone Lots 11, 12, 13 and 14, Block 6 of Timber Ridge Addition:** Planning and Zoning has heard and recommended for approval to rezone Lots 11, 12, 13 and 14, Block 6 of Timber Ridge Addition from R-1 (Single Family Residential) to R-3 (Medium Density Residential). Geraets moved to approve. Miles seconded. Roll call: Andrews-Aye: Burggraff-Abstain: Crisp-Abstain: Geraets-Aye: Haak-Aye: Lauritzen-Aye: Miles-Aye: Sommerfeld-Aye. Motion carried 6/0.

**Outdoor Event Permit – American Legion:** Application received from the American Legion to host a parade for Memorial Day on May 26 at 10 a.m. along 4<sup>th</sup> Street from Clark Ave to Garfield Avenue. Burggraff moved to approve and waive the fee. Haak seconded. Motion carried.

**American Legion – Cootie Days:** Application received from the American Legion to host Cootie Days in the City Park on June 13<sup>th</sup> and 14<sup>th</sup>. Haak moved to approve and waive the fee. Lauritzen seconded. Motion carried.

Mayor Fiegen called the new council to order at 7:58 p.m. 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.

Absent: None.

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

Haak 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.

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

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

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

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

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

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

**Finance Officer Authorization:** State law allows 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 it's corresponding liabilities. Motion by Lauritzen to approve. Burggraff seconded. Motion carried.

**Rules of Order:** Mayor Fiegen recommended Robert's Rules of Order be followed. So moved by Burggraff. Seconded by Haak. Motion carried.

**Claims Approved:** Lauritzen moved to approve the claims as presented. Burggraff seconded. Motion carried. A-Ox Welding Supply, rental 126.64; Beal Distribution, malt 28,634.96; Best Western Ramkota, travel 89.99; Borns Group, billing 789.58; City of Dell Rapids, utilities 166.00; City of Sioux Falls, water tests 232.00; Dakota Beverage, malt 19,039.86; Dakota Supply Group, parts 1486.57; Dauby's Sports Center, flags 135.00; Davenport, Evans, Hurwitz & Smith, bond council 9053.90; Dells Rapids Ace, supplies 337.36; Dell Rapids Chamber, annual support 12,000.00; Dells Electric, repair 932.54; Dells Farm & Tire, supply 176.00; Dells Materials, bench pad 305.30; Dells Plumbing, repair 87.01; DGR, engineering 15,215.28; EFTPS, withholding 5312.88; First Bank Card, GOED conference 250.00; Garbage N More, utility 75.00; Global Distributing, malt 65.79; GoldenWest Telecommunications, telecommunications 744.33; Gruis, Karla, cleaning services 408.00; Johnson Brothers, liquor 8235.27; Justice Fire & Safety, maintenance 392.50; Koopman & Sons Gas, propane 492.60; Lacey's Portable Restrooms, rental 250.00; LG Everist, supplies 494.90; McLeod's Printing, supplies 269.05; MidAmerican Energy, natural gas 765.21; Minnehaha Community Water, utility 9496.57; Napa Auto Parts, supply 104.55; R & R Mobility, transit repair 75.00; Republic National, liquor 12,779.86; Sam's Club Discover, pool chairs 1774.16; Sanitation Products, bearings 73.66; SD Governmental Finance Officer's Association, registration (2) 150.00; SD State Treasurer, lottery/sales tax 2514.81; SD Unemployment Insurance Division, insurance 136.42; SD Retirement System, retirement 5016.40; Steamway Cleaning, shampooing 235.20; Vogt, Brown, Merry & Hammer, retainer 1900.00; Xcel Energy, electricity/street lights 4484.60.

Utility Refunds: Kennedy, Vicki 36.69; Nemmers, Kim 25.94; Wickert, Miranda 11.67.

April Salaries by Department: General Government 12,018.07; Public Safety 2,263.04; Public Works 9535.63; Recreation 97.50; Library 5,089.26; Water 7792.43; Wastewater 7,737.83.

**Added or Increased Salaries:** Parks & Recreation – Lifeguards: Reecy, Kiley 8.50/hr; Leighton, Karlie 8.25/hr; Brown, Mikayla 8.25/hr; Utech, Lexy 8.00/hr; Huewe, Jacob 8.00/hr; Haak, Sarah 7.75/hr; Tisher, Jessica 7.75/hr; Brown, Taylor 7.50/hr; Miles, Megan 7.50; Morris, Lindsey 7.50; Mullaney, Ally 7.50/hr; Brenda, Jenna 7.50/hr. Admission Clerks: Vortherms, Katelyn 7.50/hr; Hammer, Ben 7.50/hr; Schumaker, Zane 7.50/hr; DeNoon, Matthew 7.25/hr; DeNoon, Jonathon 7.25/hr; Gillogly, Ben 7.25/hr; Wood, Drew 7.25/hr; Gullickson, Mackenzie 7.25/hr.

**Malt License/Operating Agreement Renewals:** Applications have been received and all conditions have been met to renew malt licenses for the following: Cubby's (Package Malt Beverage & SD Farm Wine); DellsPR Inc dba Pizza Ranch (Retail On-Off Sale Malt Beverage); T&C's (Package Off-Sale Malt Beverage & SD Farm Wine) and T&C's Other Place (Package Off-Sale Malt Beverage). Burggraff moved to approve. Andrews seconded. Motion carried. Operating Agreements will be entered into.

**Stop Sign Request:** Citizens from the intersections of 6<sup>th</sup> Street & Clark Avenue and 7<sup>th</sup> Street and Clarke Avenue were at the prior council meeting to express their concerns over the speed of traffic in their neighborhood and requested stop signs to be placed. There are guidelines for the placement of stop signs. Some of which include accident history, traffic count, pedestrian volume and sight distance. It was recommended that additional patrol by law enforcement be attempted prior to incurring any costs with a traffic study.

**Golf Cart Ordinance:** Many concerned citizens were in attendance about the golf cart ordinance requiring carts to be licensed. Mayor Fiegen referred the concerns of the group to the Policy and Procedures committee for review.

**Parks and Recreation: Seasonal Personnel:** Weiland presented a list of lifeguards and front desk employees that were recommended for hire by Pool Manager Remnitz. Lauritzen moved to approve as presented. Burggraff seconded. Motion carried.

Veterans Park Proposed Improvements – Item tabled until a representative could be present.

**Library Department - Lease Agreement:** A lease agreement was reached between the Dell Rapids School District and the Library Board for temporary housing of the library while the building construction occurs. Monthly rent of \$900 with a deposit to equal same. Burggraff moved to approve. Geraets seconded. Motion carried.

**Poppy Day Proclamation:** Mayor Fiegen recognized May 27<sup>th</sup> 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 26<sup>th</sup>, 2014, 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 5<sup>th</sup> day of May, 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

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

- Legal determination on number of votes required to pass an ordinance is five (5) votes. Due to the vote of the prior council meeting, Ordinances #792, #793 and #795 did not pass as stated during the meeting.
- H&W Contracting has completed the installation of pipe for the Library Utility Project.
- Two thefts of petty cash have occurred at the Carnegie Public Library. Appears to have been happening overnight. Security at the building has been tightened.
- CIP meeting for the council to establish capital improvement priorities will be held on Monday, May 12.
- Bid opening for the Garfield Bridge project will be held in Pierre on May 6 and Library Building bid opening will be Wednesday, May 7 at 2 p.m.

**Claims Approved for Payment by Other Municipal Boards:** Library Board: First Bank Card, books/supplies 570.73.

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

Haak moved and Burggraff seconded to adjourn. Motion carried. Meeting adjourned at 9:13 p.m.

LeAnn Kerzman, Finance Officer