

DELL RAPIDS CITY COUNCIL MINUTES

Monday, June 16, 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, Mark Crisp, Mike Geraets, Gary Haak, Vice President Craig Lauritzen, Paul Miles and President David Sommerfeld.

Absent: Lee Burggraff.

Staff Present: Administrator Justin Weiland, Finance Officer LeAnn Kerzman, Building Inspector/Code Enforcement Officer Ben Gruis, Library Director Brittney Moeller, and City Attorney Dean Hammer. Pledge of Allegiance was recited.

Approval of Agenda: Sommerfeld moved to approve the agenda. Motion seconded by Lauritzen. Motion carried.

Approval of Minutes: Lauritzen moved to approve the minutes of the regular meeting held on June 2, 2014. Andrews seconded. Motion carried.

Claims Approved: Lauritzen moved to approve the claims as presented. Second by Haak. Motion carried. A-Ox Welding Supply Company, rental/supply 195.77; Argus Leader, advertising 222.19; Beal Distributing, May beer 39,294.25; Borns Group, May billing 785.99; Bunkers Oil, fuel 3464.00; C & R Supply, supply 272.24; City of Dell Rapids, utility 237.18; Clubhouse Hotel & Suites, travel 124.00; Dakota Beverage, malt 34,785.15; Dakota Supply Group, supplies 105.91; Dakota Care, insurance 8008.46; Dell Rapids Custom Trailers, parts 48.25; Dell Rapids Ace, supplies 202.48; Dell Rapids Coop Grain, seed/chemical 1031.25; Dell Rapids Economic Development Corporation, appropriation 60,000.00; Dell Rapids Lumber Company, supply 1147.35; Dells Farm & Tire, repair 102.00; EFTPS, payroll liability 6072.83; Garbage N More, maintenance 75.00; Global Distributing, malt 38.62; Golden West Telecommunications, communications 747.78; Gruis, Karla, maintenance 408.00; Hanson Logo wear, clothing 1163.27; Johnson Brothers Famous Brands, liquor 11,682.22; Lacey's Portable Restrooms & Roll Offs, rentals 1854.80; LeBrun, Diane, mileage 113.77; LG Everist, supply 648.10; Linweld, rental 36.27; MC&R Pools, test kit/cables 277.37; Tisher, Stacy, WSI reimburse 250.00; Overhead Door, Ambulance door repair 140.82; Owens Inspection Services, tower inspections 900.00; Sanitation Products, sweeper bearing 180.27; SD Association of Rural Water Systems, membership 725.00; SD DENR, licensing fee 1000.00; SD Federal Property Agency, supply 43.54; SD State Treasurer, Dept. of Revenue, sales tax/ lottery draw 1528.06; SDRS, supplemental retirement 200.00; Sioux Falls Area Humane Society, animal control 425.70; State Chemical Solutions, drain cleaner 212.33; Strawbale Winery, wine 132.00; Verizon Wireless, communications 93.76; Virg's Service, repair 147.29; Vogt, Brown, Merry & Hammer, retainer 1900.00; Welbig, Jeff, mow/trim 252.00; White Headed Robin Winery, wine 96.00; Xcel Energy, electricity/street lighting 6258.23.

Resolutions & Ordinances – Ordinance #801 – Amending Chapter 10, B-2 or the Zoning Ordinance:

Weiland explained that this was the first reading to allow the option of a conditional use within B-2 (General Business District). Lauritzen moved to approve. Sommerfeld seconded. Motion carried.

Ordinance #802 – Rezone Protest: Weiland explained that this same protest process does exist under state law. This ordinance is including the same within Dell Rapids Planning and Zoning Ordinances upon the request of council. Sommerfeld moved to approve the first reading. Geraets seconded. Motion carried with Andrews voting nay.

Ordinance #800 – Golf Cart licensing amendment: Weiland explained that changes to the ordinance include specifics as to golf cart use along cart paths at Dells Rocky Run, a decrease of the yearly fee from \$25 to \$5 and a sticker will continue to be required but will be ordered in a smaller size. Haak moved to approve the second reading of Ordinance #800. Andrews seconded. Roll Call: Andrews-Aye; Crisp-Aye; Geraets-Aye; Haak-Aye; Lauritzen-Aye; Miles-Aye; Sommerfeld-Aye. Motion carried seven (7) to zero (0).

Public Hearing – Temporary Liquor Licenses: Applications have been received from Norby’s and RP Kramer dba Dells Bowl for the issuance of special event liquor licenses to be issued in conjunction with the street dance during Quarry Days on Saturday, June 28. Haak moved to approve each application. Miles seconded. Motion carried.

Carnegie Library – Bid Award: The council had tabled the decision on awarding the bid for the construction for the addition/remodel project at the Carnegie Library from the prior council meeting as it was underfunded by at least \$360,000. Tom Earley spoke on behalf of the benefit of the city proceeding with funding the project. Many library board members, employees and supporters were in attendance. Miles made a motion to loan the Library Building Fund the \$360,000 from the General Fund to be paid back over the next ten (10) years through their budget. Also, conditions change to the SEH contract to reduce the amount of on-site visits from 12 to 6 and attendance at meetings to teleconference in order to save costs. Crisp seconded. Mayor Fiegen requested a roll call vote. Andrews-Nay; Crisp-Aye; Geraets-Aye; Haak-Aye; Lauritzen-Aye; Miles-Aye; Sommerfeld-Nay. Motion defeated as a 2/3 majority is required for passage.

Discussion ensued regarding the use of a loan versus a one-time expenditure of general fund dollars. Kerzman stated that she had proposed implementing a loan situation to show the need for continued community support in funding the project. Sommerfeld stated his acceptance without the loan stipulation. Miles moved to approve the expenditure of \$360,000 with the same engineering deducts as stated previously and award the low bid to Gil Haugen Construction in the amount of \$1,094,400. Crisp seconded. Mayor again called for roll call vote. Andrews-Nay; Crisp-Aye; Geraets-Aye; Haak-Aye; Lauritzen-Aye; Miles-Aye; Sommerfeld-Aye. Motion carried six (6) to one (1).

Warming House Update: Tom Schwebach, Peter and Joan Rasmussen were present to report on their progress in retaining the former ice skating rink warming house as municipal property. Contact has been made with the South Dakota Historical Preservation committee for inclusion on the list of historic properties and a letter submitted. Rip rap bids are requested to maintain the riverbank from any future erosion. Quote for tuck pointing. These bids and quotes will be used to submit for grants requests for the restoration of the structure and land. Marie Schwebach submitted a letter to the council in support of maintaining the building as city property. Mayor Fiegen thanked the group for their work.

Text Messaging for Community Messages: The council heard a presentation from Mr. Marc Rasmussen of My Town Text. The program allows citizens to sign-up to receive city text messages and can reply to the sender. Sortable messages based on snow removal, pool closures, special events, etc. Cost is \$50 per month and .04 per text sent or received.

Planning & Zoning – Covered Decks on Rear Property and Accessory Structures on Adjoining Lots: Weiland explained that a resident had covered their rear porch without first obtaining a building permit at city hall. Resident was notified by Building Inspector. Councilman Crisp became involved in the situation and requested placement on the agenda. Discussion regarding the deck, centered on the intent of the homeowner three years ago and the changes in the ordinance between when the home was built in 2011 and today. City Attorney Hammer stated that: A building permit is only good for 180 days and a new permit was necessary; under the current ordinance the structure is not permitted; and in the year 2011 the ordinances would have allowed only a roof and not a three season room. At this point the penalty would be double the original building permit and/or an application for a variance.

Accessory structures being placed on adjoining lots was questioned by Crisp as being interpreted correctly. Hammer and Weiland explained that in the situation in question, it is one parcel with a home on one lot and a garage on another. Zoning Ordinance defines a lot as a parcel of land and an accessory structure is a permitted use within an R-1 district.

Visitors to be heard: None.

Veterans Park Improvements: Mike Geraets reported that plans are moving forward for improvements planned at Veterans Park.

City Administrators Report – Weiland reported on the following:

- Outdoor Event Permit submitted by the Baptist Church for a concert with ‘Battlefingers’ within City Park to be held on June 20 from 6-9:30 p.m. Event will be approved administratively.
- DOT has been involving the city with plans for the Hwy 115 construction planned for 2016/2017 and design aspects reflect inputs given.
- Recap of the gas line leak and fire that occurred on 9th Street. Affected water flows but well managed.
- SE Sanitary Sewer Project has completed contracts to begin work.
- Capital Improvement Plan – Administrator is awaiting priority rankings from one council member before the completed results will be reviewed with the council.

Claims Approved for Payment by Other Municipal Boards: Library Board: Advanced Systems, contract/copies 19.29; Cartridge World, toner 129.99; Cengage Learning, 2 books 27.48; Coast to Coast Solutions, suckers 264.48; Gumdrop Books, 65 books 1241.81; Ingram Library Services, 16 books 335.92; Micromarketing, 10 audio books 368.90; Penworthy, 2 books 33.92; SEH, underground engineering 2848.89; Video Plus, 7 DVD’s/106 cleaned 116.53.

Executive Session – Sommerfeld moved to adjourn to executive session for the purpose personnel under SDCL 1-25-2. Andrews seconded. Motion carried at 9:34 p.m. Return from executive session at 10:02 p.m.

Miles moved to adjourn. Sommerfeld seconded. Council adjourned at 10:02 p.m.

LeAnn Kerzman
Finance Officer