

DELL RAPIDS CITY COUNCIL MINUTES

Monday, June 6, 2016 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: Mike Geraets, Mike Sterud, Mary Klockman, Mark Crisp, Tom Earley, Gary Haak, and James Borchert.

Staff present: Administrator Justin Weiland, Finance Officer Claire Baartman, and City Attorney Dean Hammer

Absent: None

Community Members Present (who addressed the Council):

- 1.) Kelly Peterson with the Dell Rapids Volunteer Fire Department
- 2.) Wayne Mergen with the Dell Rapids Volunteer Fire Department
- 3.) Dan Diez with the Dell Rapids Volunteer Fire Department
- 4.) Toby Morris of Dougherty & Company LLC

Pledge of Allegiance was recited.

Mayoral Appointment to Ward 1 Council Seat

Mayor Fiegen asked to pass until the June 20th meeting.

Approval of Agenda: Geraets requested to strike 'Auxiliary' from item X. A. Cootie Days, June 10th and 11th – American Legion. Earley motioned to approve the agenda as amended, seconded by Klockman. Motion carried.

Approval of Minutes May 16, 2016 Regular Session: Geraets requested to strike 'Auxiliary' from Outdoor Event Permits D. Cootie Days, June 10th, 11th – American Legion. Haak motioned to approve as amended, seconded by Borchert. Motion carried.

Visitors to be Heard:

None

TIF District #3 – Fiegen Development Park

A.) Public Hearing – Resolution No. 2016-11: Establish TIF District #3

Toby Morris with Dougherty & Company LLC presented to the council how TIF District #3 would work and how it would be financed. Earley motioned to approve Resolution No. 2016-11 as presented by Mr. Morris, seconded by Klockman. Motion carried.

RESOLUTION 2016-11

RESOLUTION PROVIDING FOR THE CREATION OF THE CITY OF DELL RAPIDS TAX INCREMENTAL DISTRICT NUMBER THREE

WHEREAS, the Planning Commission has recommended the District Boundaries and Project Plan for the City of Dell Rapids Tax Incremental District Number Three, and has recommended its creation; and

WHEREAS, the City of Dell Rapids (the "City") has the powers, pursuant to SDCL 11-9-2, to create the City of Dell Rapids Tax Incremental District Number Three, and to define its boundaries.

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. **Authority and Declaration of Necessity.** The City of Dell Rapids declares the necessity for the creation of the City of Dell Rapids Tax Incremental District Number Three (hereinafter sometimes referred to as the "District"), pursuant to SDCL Chapter 11-9. Further, the City finds that the improvement of the area within the District is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within the City by the construction of a new facility that will create new jobs.
2. **Findings.** The City Commission makes the following findings with regard to economic development:
 - a. More than 50% of the property in the District by area will stimulate and develop the general economic welfare and prosperity of the city;
 - b. Improvements to the District will significantly and substantially enhance the value of all property within the District;
 - c. The aggregate assessed value of the District plus the tax incremental base of all other existing Districts in the city does not exceed Ten (10%) percent of the total assessed valuation in the City;
 - d. Development of the District will enhance sales tax revenue.
 - e. Development of the District for economic development purposes will improve the quality of life for residents of the City by creating new jobs.
3. **Findings of Maximum Percentage of Tax Incremental Districts.** The aggregate assessed value of the taxable property in the District, plus all other tax incremental districts does not exceed Ten (10%) percent of the total assessed valuation of the City of Dell Rapids.
4. **Creation of District.** There is hereby created, pursuant to SDCL Chapter 11-9, the City of Dell Rapids Tax Incremental District Number Three. The District is hereby created on the day this Resolution becomes effective which shall be twenty (20) days after publication of this Resolution.
5. **Designation of District Boundaries.** The District shall be located with the northern, southern, western, and eastern boundaries of the following described real property: *Lots 1, 2, 3, 4, 5 & 6 of Fiegen Development Park Addition to the City of Dell Rapids, Minnehaha County, South Dakota, Quartzite Street as shown on the Plat of Lot 1 of Fiegen Development Park Addition to the City of Dell Rapids, Minnehaha County, South Dakota, Quartzite Street as shown on the Plat of Tract A of Lodmell's Subdivision of a part of Kenefick's Subdivision of the E½ of Section 16, Township 104 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, and the entire portion of Garfield Avenue lying between Quartzite Street and Centennial Place.*
6. **Creation of Tax Incremental Fund.** There is hereby created, pursuant to SDCL 11-9-31, a City of Dell Rapids Tax Incremental District Number Three Fund, which shall be a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number Three shall be deposited into the Tax Incremental District Number Three Fund. All funds in the Tax Incremental District Number Three Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL Chapter 11-9.
7. **Adoption of Tax Increment Plan.** The City of Dell Rapids does hereby adopt the Tax Increment Plan #3 as presented.

Passed and approved this 6th day of June, 2016.

CITY OF DELL RAPIDS

Scott Fiegen, Mayor

ATTEST:

Claire Baartman, Finance Officer

Published: June ____, 2016

Effective: June ____, 2016

B.) TIF District #3 – Plan Adoption

Not needed as #7 was added to the Resolution above. No action taken.

C.) TIF District #2 – Resolution No. 2016-12: Dissolve TIF District #2

Klockman motioned to table until the 20 day referendum period is over on Resolution 2016-11, seconded by Haak. Motion carried.

Public Hearing – For Sale of Alcoholic Beverages Temporary One Day License – June 25th, 2016

1.) Retail on Sale Liquor – Norby’s, Deb Brojborg Applicant

2.) Retail on Sale Liquor – RP Kramer DBA Dells Bowl, Pam Kramer Applicant

Crisp motioned to approve Norby’s and Dells Bowl a temporary one day on-sale liquor license for June 25th, 2016, Seconded by Klockman. Motion carried.

Public Hearing – For Retail On-Sale Liquor License – A Harsma Concessions 405 South Garfield Avenue; Resolution 2016-13: Enter into Operating Agreement with A. Harsma Concessions.

Haak motioned to approve Resolution 2016-13, seconded by Klockman. Motion carried.

RESOLUTION 2016 - 13

A RESOLUTION AUTHORIZING THE CITY OF DELL RAPIDS, SOUTH DAKOTA, TO ENTER INTO AN OPERATING AGREEMENT WITH THE HOLDER OF AN ON-SALE LIQUOR LICENSE PURSUANT TO AND IN CONFORMITY WITH SDCL CHAPTER 35-4.

WHEREAS, the City of Dell Rapids, South Dakota, is engaged in the ownership and operation of a municipal on-sale and off-sale liquor store within the City of Dell Rapids, South Dakota; and

WHEREAS, pursuant to SDCL 35-4-11 and City Ordinance Sec. 4-15, the City has authority to issue to itself additional on-sale alcoholic beverage licenses in conformity with SDCL 35-4-2(4); and pursuant to SDCL 35-4-2.1 and City Ordinance Sec. 4-7, the City has additional authority to provide any such on-sale licensee the privilege of Sunday operations during the hours allowed by law; and

WHEREAS, SDCL 35-4-19 allows the City to enter into an operating agreement with another person for the purpose of operating one of the additional on-sale licenses described above; and, in fact, no on-sale license may compete with and within the City unless such operating agreement is entered into, except as otherwise provided by law; and

WHEREAS, "A Harsma Concessions, 405 South Garfield Avenue, Dell Rapids South Dakota, 57022, herein called "OPERATOR" has made application to the City for the use of one of the additional on-sale licenses, and has made request of the City for an operating agreement therefore;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, that the Operating Agreement between the City and the above named operator, be and the same hereby is approved and adopted and the Mayor and Municipal Finance Officer are hereby authorized and directed to execute the same on behalf of the City of Dell Rapids, South Dakota, said Operating Agreement being hereby incorporated herein by this reference thereto as if set forth herein in full.

Dated this 6th day of June, 2016.

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

By _____

ATTEST:

By _____

Claire Baartman, Finance Officer

Outdoor Event Permits

A.) Cootie Days, June 10th & 11th – American Legion

Klockman motioned to approve and waive the fee, seconded by Geraets. Motion carried

B.) Revive Fitness 5K/10K Charity Run – August 27th – City Park and Rec Trail

Klockman motioned to approve the 5K/10K Charity Run waiving the fee provided the Revive will be giving the proceeds to another Organization, seconded by Borchert. Motion carried.

Old Business

Ordinance No. 834: Amend Truck Route – Second Reading and Adoption

Earley motioned to approve the second reading and adoption of Ordinance No. 834, Seconded by Klockman. Roll Call Vote: Geraets – Aye, Sterud – Aye, Klockman – Aye, Crisp – Aye, Earley – Aye, Haak – Aye, Borchert – Aye. Motion carried 7-0.

Swimming Pool Camera System – Consider Alternatives – Mike Pica

The best option for a camera system has yet to be determined. Haak motioned to table until the June 20th meeting, seconded by Borchert. Motion carried.

Property Maintenance Services – Award Contractor Bid

Haak motioned to approve the low bid award to DJ’s Mowing Service at the hourly rate of \$50.00 per hour, seconded by Crisp. Motion carried.

New Business

Fire Department - ISO Rating – Update

Kelly Peterson, Wayne Mergen, and Dan Diez presented to the council on the latest ISO rating received. The last rating was done in 2000; at that time the Fire Department received a rating of a 6. This year the Fire department was received a rating of a 4. This is the lowest rating a volunteer fire department can receive. This ultimately affects home owners insurance with some companies willing to lower rates because of the lower ISO rating. No action was taken.

Utility Customer Shut Off Timing – Discussion

City Staff compiled and provided the Council with statistics on average monthly late payments, shut off notices, and how many properties are shut off for being 2 months delinquent. It was also discussed as to number of properties that were sent to the county in past years for long term outstanding bills. After some discussion it was decided to keep the current shut off at 2 months delinquent rather than lowering it to 1 month delinquent.

Utility and Parking Ticket – Collection List

Earley motioned to approve the Utility and Parking Ticket list to send to collections, seconded by Haak. Motion carried.

Liquor/Mal Beverage Licensing – Memorial Day Sales Proposal

It came to Finance officer Baartman’s attention that those individuals with on and off sale liquor licenses are not allowed to sell any sort of alcoholic beverage on Memorial Day; however, those that hold a malt or wine license are allowed to sell. The council is in support of an Ordinance to allow those with liquor licenses to sell on Memorial Day. No action was taken.

City Hall Roof

City Administration provided the council with a couple of quotes/options for a new roof on City Hall. The Council requested to obtain a few more quotes prior to making a decision. No action was taken.

Personnel – Seasonal Staff Additional Hires

Earley motioned to hire Sam Schwebach at \$9.00 as a lifeguard pending certification and Ryan Geraets at \$9.25 as a seasonal public works employee, seconded by Haak. Motion carried.

Administrator Out of State Travel – ICMA Conference

Borchert motioned to approve out of state travel for City Administrator Weiland, seconded by Klockman. Motion carried.

Claims Payable

Haak motioned to approve the Claims, seconded by Crisp. Motion carried.

VENDOR NAME	DESCRIPTION	FUND	AMOUNT
A-OX WELDING SUPPLY COMPANY, INC	MAY CYL RENTAL	GENERAL FUND	28.15
ADAPCO, INC	MOSQUITO SPRAY -GUARDIAN	GENERAL FUND	8,242.40
ADVANCED SYSTEMS INC	LIBRARY COPIER CONTRACT	GENERAL FUND	304.48
ARGUS LEADER MEDIA	CITY HALL ARGUS RENEWAL	GENERAL FUND	225.76
BAARTMAN, CLAIRE	REIMB. FOR POOL SUPPLIES	GENERAL FUND	30.8
BAUMBERGER VINEYARD & WINERY	MAY WINE	LIQUOR FUND	120
BEAL DISTRIBUTING, INC	MAY MALT	LIQUOR FUND	39,115.65
BIERSCHBACH EQUIPMENT & SUPPLY	WATER/SEWER SUPPLIES	WATER FUND	119.6
	WATER/SEWER SUPPLIES	WASTEWATER FUND	49.8
BSN SPORTS INC	PARK SUPPLIES -PITCHING MAT	GENERAL FUND	189.47
CENGAGE LEARNING, INC	BOOKS	GENERAL FUND	537.08
CITY OF DELL RAPIDS	WATER USAGE	GENERAL FUND	305.68
COAST TO COAST SOLUTIONS	500 STICKERS	GENERAL FUND	215.74
CORTRUST BANK	TIF #1 COUNTY FAIR 2016(1)	GENERAL FUND	4,859.43
COUNTY FAIR FOODS, INC	POOL POP/WATER	GENERAL FUND	33.97
CREATIVE PRODUCT SOURCE INC	1000 LOLLIPOPS	GENERAL FUND	261.86
DAKOTA SUPPLY GROUP	WATER/SEWER SUPPLIES	WATER FUND	112.62
	WATER/SEWER SUPPLIES	WASTEWATER FUND	96.62
DELL CITY GREENHOUSE	1.75" MAPLE - ARBOR DAY ANNUAL BUDGETED	GENERAL FUND	175
DELL RAPIDS CHAMBER	DISBURSEMENT	GENERAL FUND	16,000.00
DELL RAPIDS COOP GRAIN	SPRAY WEEDS	GENERAL FUND	226.3
DELL RAPIDS LUMBER COMPANY	SUPPLIES AND R&M	GENERAL FUND	207.81
DELL RAPIDS SENIOR CITIZEN CENTER	2016 STIPEND + \$1,000 APPROVED	GENERAL FUND	3,500.00

DELLS ELECTRIC, INC	PARK R&M	GENERAL FUND	1,174.63
DELLS FARM & TIRE	STREET R&M	GENERAL FUND	45
DELLS MATERIALS	STREET SUPPLIES	GENERAL FUND	555.5
DELLS PLUMBING	2 DRINKING FOUNTAIN/ REPAIR	GENERAL FUND	2,097.84
DELTA DENTAL	DENTAL INSURANCE	GENERAL FUND	430.46
	DENTAL INSURANCE	WATER FUND	118.82
	DENTAL INSURANCE	WASTEWATER FUND	118.82
DEPARTMENT OF ENVIRONMENT & NATURAL RE	FY17 ANNUAL DRINKING WATER	WATER FUND	500
	FY17 ANNUAL DRINKING WATER	WASTEWATER FUND	500
DJ'S MOWING SERVICE	MOWING SPECIAL ASSESSMENTS	GENERAL FUND	500
EFTPS	FEDERAL WITHHOLDING	GENERAL FUND	3,827.55
	FEDERAL WITHHOLDING	WATER FUND	944.32
	FEDERAL WITHHOLDING	WASTEWATER FUND	988.75
FIRST BANK CARD	CC PMTS - SUPPLIES	GENERAL FUND	1,734.93
GARBAGE N MORE	JUNE GARBAGE	GENERAL FUND	75
GLOBAL DISTRIBUTING	MAY MALT	LIQUOR FUND	910.53
GOLDEN WEST TELECOMMUNICATIONS	MAY TELE. BILL	GENERAL FUND	427.65
	MAY TELE. BILL	LIQUOR FUND	46.23
	MAY TELE. BILL	WATER FUND	169.99
	MAY TELE. BILL	WASTEWATER FUND	210.86
GRUIS, KARLA	CLEAN CH/LIB 32 HOURS	GENERAL FUND	640
HANSON LOGOWEAR INC	SUMMER APPEARL	GENERAL FUND	581.24
	SUMMER APPEARL	WATER FUND	133.99
	SUMMER APPEARL	WASTEWATER FUND	133.98
HAWKINS, INC	POOL SUPPLIES	GENERAL FUND	101.7
	WATER SUPPLIES	WATER FUND	1,266.28
HEINEMANN RESTORATION	POOL R&M - CAULK	GENERAL FUND	200
INGRAM LIBRARY SERVICES	BOOKS	GENERAL FUND	176.74
JOHNSON BROTHERS FAMOUS BRANDS INC	MAY LIQUOR	LIQUOR FUND	11,489.44
JUSTICE FIRE & SAFETY, LLC	BUS FIRE EXT. INSPECTION	GENERAL FUND	55
KIDS REFERENCE COMPANY, INC	BOOKS	GENERAL FUND	121.46
LACEY'S PORTABLE RESTROOMS & ROLL OFFS	PORTABLE RESTROOMS	GENERAL FUND	865
MICROMARKETING LLC	BOOKS	GENERAL FUND	452.9
MIDAMERICAN ENERGY COMPANY	UTILITY	GENERAL FUND	123.93
	UTILITY	WATER FUND	10.23
	UTILITY	WASTEWATER FUND	10.23
MINNEHAHA COMMUNITY WATER, CORP	MAY WATER 8,084 @ 1.56/1K	WATER FUND	12,611.04
NAPA AUTO PARTS	SUPPLIES	GENERAL FUND	450.27
PENWORTHY	BOOKS	GENERAL FUND	179.66
PRAIRIE BERRY WINERY	MAY WINE	LIQUOR FUND	684
REPUBLIC NATIONAL DISTRIBUTING CO	2ND HALF MAY LIQUOR	LIQUOR FUND	9,959.09
SAM'S MASTERCARD	SUPPLIES	GENERAL FUND	145.47
	SUPPLIES	WATER FUND	52.98

	SUPPLIES	WASTEWATER FUND	52.98
SD ASSOCIATION OF RURAL WATER SYSTEMS,	2016-2017 MEMBERSHIP	WATER FUND	800
SD STATE TREASURER, DEPT OF REVENUE	RECREATION TAX	GENERAL FUND	1011.39
	5.01.16 - 5.15.16 LOTTERY	LIQUOR FUND	1,180.00
SDRS SUPPLEMENTAL RETIREMENT PLAN	ROTH RETIREMENT	GENERAL FUND	145
	ROTH RETIREMENT	WATER FUND	25
	ROTH RETIREMENT	WASTEWATER FUND	25
SOUTH DAKOTA RETIREMENT SYSTEM	RETIREMENT	GENERAL FUND	3486.96
	RETIREMENT	WATER FUND	1042.85
	RETIREMENT	WASTEWATER FUND	1062.05
SOUTHERN WINE & SPIRITS OF SOUTH DAKOT	LIQUOR	LIQUOR FUND	135
DERAAD WELDING & MACHINE	R&M	GENERAL FUND	125
GOSMIRE, JESSY	DEPOSIT REFUND	WATER FUND	1.9
STRAWBALE WINERY	MAY WINE	LIQUOR FUND	264
THE LIBRARY STORE	SUPPLIES	GENERAL FUND	431.63
VERNON FRYE	REIMB. FOR 2 BUS KEYS MADE	GENERAL FUND	4.22
WOOD, DREW	WSI REIMBURSEMENT	GENERAL FUND	320
XCEL ENERGY	UTILITY	GENERAL FUND	1000.17
	UTILITY	WATER FUND	91.56
	UTILITY	WASTEWATER FUND	3032.9
PAYROLL EXPENSES	MAY PAYROLL	GENERAL FUND	32,442.90
		WATER FUND	8,690.18
		WASTEWATER FUND	8,850.26
		WASTEWATER FUND	

Administrator Report:

Personnel- Performance Evaluations: Performance evaluations were conducted for two Public Works Department employees, Director Larry Schildhauer and David Schuch. Both employees have been awarded 2% merit increases based on their performance in the past year. PW Director Larry Schildhauer will increase from a salary of \$72,769.48 to \$73,315.87, effective to his anniversary date of April 21st. Dave Schuch's hourly wage will increase from \$17.93 to \$18.29, effective to his Anniversary date of April 27th.

Project Updates:

Quartzite Street: The contractor, Timmons Construction, is making progress on the Quartzite Street project. The sewer is installed and the water should be completed by the week of June 6th. Grading of the project will get under way with final grade and curb and gutter to follow. Combined with this project, the DREDC is also using the underground sub-contractor, Prunty, to install a few utility services and drainage infrastructure. There will be a project progress meeting held this coming Tuesday, the 7th following the DOT Hwy 115 meeting at the Old 77 Grill.

10th Street Project Status - Update: The plans for the 10th Street project have been submitted to the DOT and DENR for approval. Once those plans are accepted DGR will move forward with advertising for bids. This project should still be on schedule for bidding in late June/early July. Administrator Weiland and Lance Mayer met with owners of the Odd Fellows property to provide information on the project design and discuss temporary construction access to the property. Sanford is still considering the

drainage plan submitted a few weeks ago. The City should have an answer regarding the plan within the next week.

Old 77 Drainage - Tiling and Grading Project - Update: The planned tiling and grading project for the Old 77 drainage area south of 10th Street has made progress. DGR Engineers have performed a topographic survey and are close to finalizing both the tiling and grading plan. The project will require that new permanent easements be signed by the property owners affected by the project. This will need to be completed prior to starting the project.

Rickeman Field/Campground Comfort Station: Administration is nearly finished finalizing quotes and the plans to construct a men/women comfort station with showers at Rickeman Field. The City budgeted \$70,000 to complete this project in 2016. The project is coming in on budget at this point in the planning. Work on the sewer extension and the structure is tentatively planned to take place in July and August.

Capital Improvement Plan Prioritization - June 20th Meeting: City Administration is finalizing a potential future project wish list to be used for the CIP Plan prioritization exercise. Please make sure that any projects the Council would like to see on this list be provided to Administrator Weiland.

Minnehaha Co. Joint Jurisdiction - Conditional Use Appeal- June 21st 9 AM (QUORUM OF COUNCIL NEEDED): Attached is the appeal request for the City/Minnehaha County joint zoning jurisdiction. A public hearing was held on May 23rd and the conditional use request by J&P Roofing to use the Old 77 Bar and Grill property and building as a Contractor's Shop was approved by both the County and the City P&Z. Following the completion of the meeting the attached appeal was filed. Therefore the City Council is now scheduled to attend an appeal hearing that has been set for June 21st at 9 AM in Sioux Falls at the Minnehaha County Administration building on the 2nd Floor. Please put this into your calendars and make your best attempt to be in attendance at the hearing.

Municipal League - Elected Official's Workshop - Pierre, July 20th: Attached is the schedule for the Elected official's workshop to be held July 20th in Pierre. If any Council members are interested in attending the Elected Officials Workshop, please let Finance Officer Baartman know and she will get you signed up.

July 4th Regular Meeting move to Tuesday July 5th: The first regular meeting in July falls on July 4th, Independence Day. Administration is taking the liberty to move the meeting until the next day, Tuesday July 5th.

Motion to adjourn at 9:33 p.m. by Haak, second by Klockman. Motion carried.