

**DELL RAPIDS CITY COUNCIL MINUTES**  
Monday, August 15, 2016 at 7:30 p.m.

President Mark Crisp 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, Mary Klockman, Tom Earley, Garry Haak, and Bill Schmidt.

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

Absent: Mike Sterud, James Borchert (arrived at 7:42)

Community Members Present:

- 1.) Bill Swift of 602 E 12<sup>th</sup> St.
- 2.) Micah Bader with Dells Tribune
- 3.) Matt Larson with Big Sioux Media
- 4.) Thelma Busk with Blooms on Main
- 5.) Larry Schildhauer, Public Works Director
- 6.) Barry Berg of 1307 Clark Ave.
- 7.) Paul Carrette with Boy Scotts
- 8.) Jasper Carrette with Boy Scots

**Pledge of Allegiance was recited.**

**Approval of Agenda:** Earley motioned to approve the agenda with the addition of an update from City Administration on the Transportation Study, seconded by Geraets. Motion carried.

**Mayoral Appointment**

Geraets motioned to appoint Tom Earley as Mayor until the April 11<sup>th</sup>, 2017 Municipal Election, seconded by Haak. Roll Call Vote: Geraets – Aye, Klockman – Aye, Crisp – Aye, Earley – Abstain, Haak – Aye, Schmidt - Aye

Tom Earley provided City Administration with a written resignation from his Ward Two Council Seat in order to assume the duties of Mayor. Crisp motioned to accept Mr. Earley's resignation, seconded by Haak. Motion carried.

The Oath of Office was recited by Tom Earley.

**Council Appointment**

Crisp recommended Barry Berg to fill the Ward Two vacancy. Mr. Berg gave the Council a brief history of his education. Crisp motioned to appoint Barry Berg to the vacant Ward Two seat until the April 11<sup>th</sup> 2017 Municipal Election, seconded by Geraets. Motion carried.

The Oath of Office was recited by Barry Berg.

Haak motioned to nominate Geraets as Vice President, seconded by Crisp. Motion carried.

**Approval of Minutes August 15, 2016 Regular Session:** Geraets motioned to approve the minutes, seconded by Haak. Motion carried.

**Approval of Minutes August 16, 2016 Special Meeting:** Crisp motioned to approve the minutes, seconded by Klockman. Motion carried.

**Visitors to be Heard:**

None

**Outdoor Even Permit- Downtown Trick or Treat Night – Friday October 28<sup>th</sup>, 4PM – 7PM – Downtown Business**

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

**Old Business**

**Quartzite Street Project – Pay Request #2 \$171,595.93 – Timmons Construction**

Geraets motioned to approve Pay Request #2, seconded by Haak. Motion carried.

**10<sup>th</sup> Street Project – Pay Request #1 \$+110,059.45 – T&R Contracting**

Geraets motioned to approve Pay Request #1, seconded by Borchert. Motion carried.

**Ordinance No. 839: 2017 Appropriations – First Reading**

Crisp motioned to approve the first reading of Ordinance #839, seconded by Klockman. Motion carried.

**Old 77 Drainage Improvements – Contract – TSW Agribusiness Inc.**

Tim Wolles has submitted a contract to complete the tiling of the Old 77 drainage ditch between 10<sup>th</sup> Street and south to 7<sup>th</sup> Street in the amount of \$48,705.00. This project began work on August 27<sup>th</sup> and continued through the week of August 29<sup>th</sup>. The Council received an email and a majority response from the Council was to proceed with the project as the weather was favorable. Geraets motioned to approve the contract, seconded by Haak. Motion carried.

**New Business**

**City Shop Improvements – Insulate and Heat – Consider Quotes**

The City received two quotes for insulation that includes the necessary thermal barrier paint coating. The first quote was from Northland Coatings Inc. in the amount of \$43,393 and the second quote was from Fiegen Insulation LLC in the amount of \$35,458.90. Crisp motioned to accept the low quote from Fiegen Insulation LLC, seconded by Klockman. Motion carried. The City solicited more but only received one quote for two propane heaters from Koopman and Sons in the amount of \$6,207.16. Crisp motioned to accept the quote from Koopman and Sons, seconded by Geraets. Motion carried.

**Resolution No. 2016-19: Set Hearing Date to Vacate A Section of First Street**

Property Owner Rick and Marilyn Williams discovered the existence of the 1<sup>st</sup> Street Right of Way that dissects two of their properties. In order to construct a new garage they are requesting the City vacate the section of 1<sup>st</sup> Street that dissects their properties. The Williams have collected signatures from all property owners that abut the 1<sup>st</sup> Street right of way east of Orleans and to the Big Sioux River. Borchert motioned to approve Resolution No. 2016-19, seconded by Geraets. Motion carried.

RESOLUTION NO. 2016-19

WHEREAS, there has been presented to the City Council of the City of Dell Rapids, South Dakota, and filed with the Municipal Finance Officer of said City, a duly verified Petition, in accordance with the terms and provisions of SDCL 9-45-7, to vacate the portion of First Street lying between Orleans Avenue and the Big Sioux River, in the City of Dell Rapids, Minnehaha County, South Dakota, signed by the

owners of all the real property abutting upon both sides of that part of the street lying between and adjacent to the South 84½ feet of Lots 7 and 8 and the South 84½ feet of the West Half (W½) of Lot 9, the East Half (E½) of Lot 9 and Lots 10, 11 and 12, all in Block 1 of Dell Rapids, Minnehaha County, South Dakota, and the West 132 feet of Tract 11 of County Auditor's Subdivision of the Southeast Quarter (SE¼) of Section 9, Township 104 North, Range 49 West of the 5<sup>th</sup> P.M., Dell Rapids, Minnehaha County, South Dakota.

NOW THEREFORE, BE IT RESOLVED that said Petition be filed in the office of the Municipal Finance Officer of said City and that said Municipal Finance Officer cause notice of hearing on said Petition to be published in the Dell Rapids Tribune in accordance with law,

BE IT FURTHER RESOLVED, that Monday, the 3rd day of October, 2016, at 7:30 o'clock, P.M., in the City Hall Council Chambers, be and it hereby is, appointed and named as the time and place of hearing on said Petition.

Dated this 6th day of September, 2016.

Mayor

ATTEST:

CLAIRE BAARTMAN

Municipal Finance Officer

(MUNICIPAL SEAL)

**Resolution No. 2016-20: Set Hearing Date to Vacate An Existing Drainage Easement Along Old Hwy 77 Between 10<sup>th</sup> Street and 8<sup>th</sup> Street**

The City has been working with the property owners along the Old 77 Drainage area south of 10<sup>th</sup> Street to construct a new drainage tile line with the intent to dry up back yard areas. A necessary step in completing this project is to establish a new drainage easement where the tile line will be located. Prior to establishing the new easement it is necessary to vacate the existing easement. The City has received signatures from all property owners affected by the existing easement, petitioning to vacate the easement. Geraets motioned to approve Resolution No. 2016-20, seconded by Crisp. Motion carried.

RESOLUTION NO. 2016-20

WHEREAS, there has been presented to the City Council of the City of Dell Rapids, South Dakota, and filed with the Municipal Finance Officer of said City, a duly verified Petition, in accordance with the terms and provisions of SDCL 9-45-7, to vacate a portion of the Existing Drainage Easement lying along the east side of Old Highway 77, in the City of Dell Rapids, Minnehaha County, South Dakota, signed by the owners of Lots 1A, 1B, 1C, 5, 6, 7, 8 and 9 in Block 1 of Blue Ridge Addition to the City of Dell Rapids, Minnehaha County, South Dakota, which said Lots adjoin the Existing Drainage Easement.

NOW THEREFORE, BE IT RESOLVED that said Petition be filed in the office of the Municipal Finance Officer of said City and that said Municipal Finance Officer cause notice of hearing on said Petition to be published in the Dell Rapids Tribune in accordance with law,

BE IT FURTHER RESOLVED, that Monday, the 3rd day of October, 2016, at 7:30 o'clock, P.M., in the City Hall Council Chambers, be and it hereby is, appointed and named as the time and place of hearing on said Petition.

Dated this 6th day of September, 2016.

Mayor

ATTEST:

CLAIRE BAARTMAN  
Municipal Finance Officer  
(MUNICIPAL SEAL)

**Animal Ordinance – Policy and Procedures Committee – Update**

The Policy and Procedures Committee – less one and the addition of another Council member – met prior to the Council meeting and decided it was best City Administration look into drafting an ordinance to allow fowl. However multiple restrictions and procedures should be put in place. No action was taken.

**Chicken Request – 602 E 12<sup>th</sup> Street – Bill Swift**

Mr. Swift approached the council asking for special permission to have 4 hens on his property. Mr. Swift provided pictures of the structure where the hens live as well as noted he will not have them through the winter. Crisp motioned to allow temporary approval - pending the outcome of the possible new Fowl Ordinance, seconded by Borchert. Motion Carried.

**Claims Payable**

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

VENDOR SORT KEY	DESCRIPTION	FUND	AMOUNT
A&B BUSINESS SOLUTIONS	AUGUST BILLING + REFILL	GENERAL FUND	167.24
A-OX WELDING SUPPLY COMPANY, INC	AUGUST RENTAL	GENERAL FUND	28.89
ADVANCED SYSTEMS INC	LIB COPIER CONTRACT	GENERAL FUND	149.10
BEAL DISTRIBUTING, INC	AUGUST MALT	LIQUOR FUND	30,054.80
BOOK SYSTEMS, INC	SUPPLIES - LABELS	GENERAL FUND	130.00
CENGAGE LEARNING, INC	2 BOOKS	GENERAL FUND	28.58
CITY OF DELL RAPIDS	AUGUST WATER	GENERAL FUND	503.47
CONCRETE MATERIALS	STREET R&M - ASPHALT	GENERAL FUND	1,179.72
COUNTY FAIR FOODS, INC	POOL CONCESSIONS	GENERAL FUND	60.43
DAKOTA BEVERAGE CO, INC.	AUGUST MALT	LIQUOR FUND	23,422.14
DAKOTACARE	HEALTH INSURANCE	GENERAL FUND	4,843.17
	HEALTH INSURANCE	WATER FUND	1,645.16
	HEALTH INSURANCE	WASTEWATER FUND	1,645.14
DAVENPORT, EVANS, HURWITZ & SMITH, L.L	DW-06 BOND DRAFTING	WATER FUND	6,798.88
DELL CITY GREENHOUSE	PARK AND MAIN ST. FLOWERS	GENERAL FUND	303.71
DELL RAPIDS ACE	MISC. SUPPLIES	GENERAL FUND	103.90

DELL RAPIDS COMMUNITY AMBULANCE	2016 ANNUAL SUPPORT	GENERAL FUND	40,000.00
DELLS FARM & TIRE	STREET SUPPLIES	GENERAL FUND	1,241.98
DELTA DENTAL	DENTAL INS	GENERAL FUND	434.01
	DENTAL INS	WATER FUND	117.04
	DENTAL INS	WASTEWATER FUND	117.05
DGR	ENGINEERING EXPENSES	GENERAL FUND	18,453.89
	ENGINEERING EXPENSES	WATER FUND	5,909.48
	ENGINEERING EXPENSES	WASTEWATER FUND	6,981.61
DJ'S MOWING SERVICE	MOWING - SPECIAL ASSESSMENT	GENERAL FUND	600.00
DUST-TEX SERVICES, INC	RUN CLEANING SERVICES	GENERAL FUND	46.66
EFTPS	FEDERAL WITHHOLDING	GENERAL FUND	5,405.84
	FEDERAL WITHHOLDING	WATER FUND	1,035.18
	FEDERAL WITHHOLDING	WASTEWATER FUND	961.69
FIRST BANK CARD	CC PMT	GENERAL FUND	640.56
GARBAGE N MORE	SEPT GARBAGE	GENERAL FUND	75.00
GLOBAL DISTRIBUTING	AUGUST MALT	LIQUOR FUND	152.53
GOLDEN WEST TELECOMMUNICATIONS	AUGUST TELE BILL	GENERAL FUND	436.57
	AUGUST TELE BILL	LIQUOR FUND	46.23
	AUGUST TELE BILL	WATER FUND	173.10
	AUGUST TELE BILL	WASTEWATER FUND	214.56
GRUIS, KARLA	48 HRS CLEAN CH/LIB	GENERAL FUND	960.00
HAWKINS, INC	WATER SUPPLIES	WATER FUND	1,201.30
HYDRO KLEAN	TV INSPECTION - SEWER	WASTEWATER FUND	1,943.03
ICAP, INC	BUS EXPENSE	GENERAL FUND	4,751.11
INGRAM LIBRARY SERVICES	3 BOOKS	GENERAL FUND	208.53
JOHNSON BROTHERS FAMOUS BRANDS INC	AUGUST MALT	LIQUOR FUND	13,963.28
KIDS REFERENCE COMPANY, INC	BOOKS	GENERAL FUND	316.15
LACEY'S PORTABLE RESTROOMS & ROLL OFFS	1 SOCCER / 1 BRWN PARK RES	GENERAL FUND	250.00
LG EVERIST, INC	STREET SUPPLIES	GENERAL FUND	556.99
MICROMARKETING LLC	LIBRARY DVD & BOOKS	GENERAL FUND	339.45
MID-AMERICAN RESEARCH CHEMICAL	LIFT STAT. DEGREASER - SUP	WASTEWATER FUND	4,760.07
MIDAMERICAN ENERGY COMPANY	UTILITY	GENERAL FUND	46.98
	UTILITY	WATER FUND	4.50
	UTILITY	WASTEWATER FUND	4.50
NAPA AUTO PARTS	SUPPLIES	GENERAL FUND	62.35
	SUPPLIES	WATER FUND	55.00
	SUPPLIES	WASTEWATER FUND	55.01
MIDSTATES UTILITY	MIDSTATES UTILITY: BUS R&M	GENERAL FUND	1,453.15
PENWORTHY	25 BOOKS	GENERAL FUND	399.01
REPUBLIC NATIONAL DISTRIBUTING CO	AUGUST LIQUOR	LIQUOR FUND	9,229.20
ROEMEN'S AUTOMOTIVE	TOW 8 VEHICLES FOR CHIP SEAL	GENERAL FUND	675.00
SAM'S MASTERCARD	CC PMT	GENERAL FUND	39.99
SANITATION PRODUCTS, INC	STREET SUPPLIES	GENERAL FUND	1,674.44

SCHUNEMAN EQUIPMENT COMPANY	PARK SUPPLIES	GENERAL FUND	202.76
SD MUNICIPAL LEAGUE	ANNUAL CONFERENCE	GENERAL FUND	500.00
SD PUBLIC ASSURANCE ALLIANCE	INSURANCE COVERAGE	GENERAL FUND	30,128.60
	INSURANCE COVERAGE	LIQUOR FUND	534.65
	INSURANCE COVERAGE	WATER FUND	4,599.05
	INSURANCE COVERAGE	WASTEWATER FUND	4,848.84
SD STATE TREASURER, DEPT OF REVENUE	VIDEO LOTTERY DRAW	LIQUOR FUND	1,043.42
SOUTH DAKOTA RETIREMENT SYSTEM	RETIREMENT	GENERAL FUND	3,682.25
	RETIREMENT	WATER FUND	999.10
	RETIREMENT	WASTEWATER FUND	967.19
SDRS SUPPLEMENTAL RETIREMENT PLAN	ROTH RETIREMENT	GENERAL FUND	290.00
	ROTH RETIREMENT	WATER FUND	50.00
	ROTH RETIREMENT	WASTEWATER FUND	50.00
SIOUX FALLS AREA HUMANE SOCIETY	JULY SERVICES	GENERAL FUND	191.44
SOUTH EASTERN COUNCIL OF GOVERNMENTS	GRANT EXPENSE	WASTEWATER FUND	7,000.00
SOUTHEAST SD TOURISM ASSOCIATION	MAP LISTING/2017 VACA GUID	GROSS RECEIPTS FUND	1,869.00
SOUTHERN WINE & SPIRITS OF SOUTH DAKOT	AUGUST LIQUOR	LIQUOR FUND	518.00
STRAWBALE WINERY	AUGUST WINE	LIQUOR FUND	138.00
T & R CONTRACTING, INC	10TH ST PAY REQUEST #1	GENERAL FUND	41,492.33
	10TH ST PAY REQUEST #1	WATER FUND	24,920.27
	10TH ST PAY REQUEST #1	WASTEWATER FUND	43,646.85
THYSSENKRUPP ELEVATOR CORPORATION	LIBRARY ELEV. CONTRACT	GENERAL FUND	682.00
TIMMONS CONSTRUCTION	QUARTZITE PAY REQUEST #2	GENERAL FUND	171,595.93
TYLER TECHNOLOGIES	ANNUAL SOFTWARE MAINTENANCE	GENERAL FUND	5,772.93
	ANNUAL SOFTWARE MAINTENANCE	WATER FUND	1,924.31
	ANNUAL SOFTWARE MAINTENANCE	WASTEWATER FUND	1,924.31
VERIZON WIRELESS	JUL 08- AUT 07 BILL	GENERAL FUND	80.69
	JUL 08- AUT 07 BILL	WATER FUND	24.09
	JUL 08- AUT 07 BILL	WASTEWATER FUND	24.10
VERN EIDE MANAGEMENT GROUP	JULY TEXTING SERVICES	GENERAL FUND	60.12
VIRG'S SERVICE	ARBOREAL	GENERAL FUND	344.14
XCEL ENERGY	UTILITY	GENERAL FUND	3,524.34
	UTILITY	WATER FUND	1,369.78
	UTILITY	WASTEWATER FUND	3,296.71
PAYROLL EXPENSES	8/01/2016 - 8/31/2016	GENERAL FUND	52,074.15
	8/01/2016 - 8/31/2016	WATER FUND	8,325.65
	8/01/2016 - 8/31/2016	WASTEWATER FUND	8,059.79

**Administrator's Report:**

**SDML Annual Conference, October 4-7, Rapid City, SD-** Deadline to register is September 15th  
**Transportation Study** - City Administrator Weiland gave a brief update on the meetings held thus far.

**Executive Session – SDCL 9-34-19 – Economic Development; SDCL 1-25-2 Personnel**

Klockman motioned to enter into Executive Session at 8:31PM, seconded by Crisp. Motion carried.  
Klockman motioned to exit Executive Session at 9:25PM, seconded by Crisp. Motion carried

No action was taken related to Executive Session

**Adjourn**

Klockman motioned to adjourn at 9:27PM, seconded by Schmidt. Motion carried.