

## **DELL RAPIDS CITY COUNCIL MINUTES**

Monday, April 3<sup>rd</sup>, 2017 at 7:30 p.m.

Mayor Tom Earley 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: Barry Berg, Bob Mier, Mark Crisp, Mike Geraets, Gary Haak and James Borchert.

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

Absent: Councilmen Mike Sterud and Bill Schmidt

Community Members Present:

- 1.) Matt Larson – Big Sioux Media
- 2.) Lance Mayer – DGR
- 3.) Mark Feehan 24665 S. Garfield Ave. – Wheelborg Bros. Inc.
- 4.) Dolly Feehan – 24665 S. Garfield Ave. – Wheelborg Bros. Inc.
- 5.) Patrick Bent – 24654 475<sup>th</sup> Ave. – J&P Roofing Systems Inc.
- 6.) Ricca Bent – 24654 475<sup>th</sup> Ave. – J&P Roofing Systems Inc.
- 7.) Jerry Bent – 24654 475<sup>th</sup> Ave. – J&P Roofing Systems Inc.
- 8.) Jody Brust – 24629 S. Garfield Ave. – Jody’s Collision & Auto, LLC
- 9.) Dan Klein – 600 Garfield Ave.
- 10.) Torin Lodmell – 24635 S. Garfield Ave.
- 11.) Deputy Lowe - MCSO

**Pledge of Allegiance was recited.**

**Approval of Agenda:** Haak motioned to approve the agenda, seconded by Mier. Motion carried.

**Approval of Minutes March 20<sup>th</sup>, 2017 Regular Session:** Berg noted his name was misspelled, Barry rather than Berry. Crisp motioned to approve the Minutes as amended, seconded by Haak. Motion carried.

**Visitors to be Heard:**

Deputy Lowe answered a few questions on vandalism in the park as well as a recent break-in.

**Outdoor Even Permits**

**American Cancer Society Relay for Life – July 28<sup>th</sup> – City Park**

Haak moved to approve and waive the fee, seconded by Geraets. Motion carried

**Quarry Rock Church – Easter Egg Hunt – April 15<sup>th</sup> – City Park**

Mier moved to approve the event, seconded by Haak. Crisp motioned to amend the motion to waive the fee, seconded by Borchert. Motion carried.

**American Legion Post #65 Cootie Days – June 9& 10 – City Park**

Haak motioned to approve the event and waive the fee, seconded by Borchert. Motion carried.

**Old Business**

## **Public Hearing – Resolution 2014-04: Resolution of Necessity for Garfield Avenue South Street Improvements**

The City Council tabled this Resolution at the March 20<sup>th</sup> meeting for a decision at the April 3<sup>rd</sup> meeting. The City Council has determined that improvements are necessary to Garfield Avenue. In order to move forward with the improvements and legally assess against the abutting property owners it is necessary to adopt a Resolution of Necessity.

Mayor Earley opened to floor to the Community:

- 1.) Torin Lodmell provided the Council with a brief history of his property. Mr. Lodmell stated he believes the project will decrease the value of his property and that the project should have been included in the industrial park expansion project.
- 2.) Ricca Bent asked the following questions of the Council: She asked the Geo-Tek Report had been received of Geo-Tek (not as of the Council meeting). She also asked who decided Garfield Ave. S. should be paved (Dell Rapids Economic Development Corporation and the Dell Rapids City Council). Finally, she asked the Council to consider who is really going to benefit from the paving of Garfield Ave. S.
- 3.) Jodie Brust noted he was still against the project and is still concerned with the height of the road and the pending water issue through his property.
- 4.) Mark Feehan added he is not in favor of paving Garfield Ave. South of Quartzite – the bid alternate.

The Council discussed and answered the community member's concerns and questions. Crisp motioned to approve Resolution 2014-04, and to move forward with the assessments as originally stated, and bid the project as originally stated, and if the bid appears reasonable accept the bid and the alternate, and look at Lots 1 and 9 to lower and blend the grade, seconded by Geraets. Motion Carried 5-1. There was further discussion as to the additional cost if the City decides to add truck route specifications to the project. There was a general consensus that the City would assume the additional cost if this takes place.

### **RESOLUTION OF NECESSITY RESOLUTION #2017-04**

**BE IT RESOLVED**, BY THE City Council of the City of Dell Rapids, South Dakota, that the convenience and necessity has arisen to improve substantially a portion of Garfield Avenue south of Centennial Place, in the City of Dell Rapids, Minnehaha County, South Dakota, by the addition of an asphalt street as fully specified in plans and specifications by the City's Engineer.

**BE IT FURTHER RESOLVED** that the material to be used in the project shall be according to plans and specifications prepared by engineers for the City of Dell Rapids, and on file in the office of the Municipal Finance Officer and open to public inspection and incorporated hereby.

**BE IT FURTHER RESOLVED** that the following is a description of the classes of lots and the legal descriptions of the affected property fronting or abutting upon the affected streets which lots and property are to be assessed and levied by way of special assessment to pay for said improvement:

Property lying within City limits described as: Lots 1, 2, 3 & 4 of Fiegen Development Park Addition to the City of Dell Rapids, the North 1125.74 feet of the West 852 feet of the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ ) in Section 15, Township 104 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, except Tracts 1 and 2 of Fiegen's Addition in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section 15; Lot 1 in Block 1 of Zweifel Addition to the City of Dell Rapids; Tract A of Lodmell's Subdivision of a Part of Kenefick's Subdivision of the E $\frac{1}{2}$  of Section 16, Township 104 North, Range 49 West of the 5<sup>th</sup> P.M., Minnehaha County, South Dakota; and

Property lying outside City limits described as: Tracts 4 and 7 of Lodmell's Subdivision of Part of Lot 9 of Kenefick's Subdivision of the E $\frac{1}{2}$  of Section 16, Township 104 North, Range 49 West of the 5<sup>th</sup> P.M., Minnehaha County, South Dakota; the North 460 Feet of the East 378.8 Feet of Lot 11 of Kenefick's Subdivision of the East Half (E1/2) of Section 16, Township 104 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, except the North 40 feet thereof; and Lot D, a Subdivision of Lot 11 of Kenefick's Subdivision of the East Half (E1/2) of Section 16, Township 104 North, Range 49 West of the 5<sup>th</sup> P.M., Minnehaha County, South Dakota.

**BE IT FURTHER RESOLVED** that the cost of said project shall be assessed against all assessable lots and tracts of land, whether platted or unplatted, fronting or abutting thereon, according to the provisions of SDCL 9-43-79 as to each of such lots or tracts above stated. The total cost of the project shall include the labor and materials for the Mobilization, Traffic control, Removals, unclassified excavation, Geo-textile fabric, 8" scarify and recompact, remove, sawcut and disposal of pavement, Incidental grading work, full depth reclamation, linear grading, Aggregate and Base Course, Gravel Surfacing, asphalt concrete composite (6"), Topsoil (Furnish & Place) and Terrace Grading, Permanent Seeding, Hydromulching, Erosion Control Blanket, Temporary Low Flow Silt Fence, Inlet Protection, 9" erosion Control Wattles, Vehicle Tracking Control, any other special items as required by the project or specifically requested by the property owner. After determining the amount of the total cost of said project, the same shall be assessed according to the provisions of SDCL 9-43-79, on a per-foot basis and/or as constructed quantity. The *estimated cost* of construction is as follows:

Mobilization – \$5.01 per L.FT of Frontage

Traffic Control - \$.98 per L. FT of Frontage

Subgrade Repair - \$1.91 per L. FT of Frontage

Removals, Excavation & Subgrade Prep – \$1.24 per L.FT of Frontage

Reclamation, Base Course, Grading - \$17.40 per L. FT of Frontage

Asphalt Street Surfacing - \$44.60 per L.FT of Frontage  
Topsoil - \$2.99 per L.FT of Frontage  
Seeding and Hydromulching - \$3.31 per L.FT of Frontage  
Erosion Control - \$1.36 per L.FT of Frontage EACH  
Contingencies – \$3.94 per L. FT of Frontage  
Engineering/Administration - \$14.92 per L.FT of Frontage

All lots, whether intermediate or corner lots will be assessed by the number of linear feet and/or as constructed quantity abutting upon the improvement. Costs for over width, over depth, over sizing and intersections will be paid by the City of Dell Rapids.

**BE IT FURTHER RESOLVED** that the assessments above described shall be determined immediately upon filing of the Assessment Roll in the office of the Municipal Finance Officer of the City of Dell Rapids and for those lots and tracts of land lying inside the City limits the assessments shall be divided into ten equal annual installments, which shall be payable under Plan One, with collection by the Minnehaha County Treasurer, as set forth in SDCL 9-43-102, *et seq*, as amended, and that all deferred installments shall bear interest at such rate determined by the City Council, according to law.

**BE IT FURTHER RESOLVED** that for those lots and tracts of land lying outside the City limits, the assessments will be delayed without interest, pursuant to SDCL 9-43-78, until such lots and tracts are annexed to the City limits where the assessments will then be divided into ten equal annual installments, which shall be payable under Plan One, with collection by the Minnehaha County Treasurer, as set forth in SDCL 9-43-102, *et seq*, as amended, and that all deferred installments shall bear interest at such rate determined by the City Council, according to law.

**BE IT FURTHER RESOLVED** that the Finance Officer is directed to take such action as is necessary to carry out the intent of the resolution.

THE CITY COUNCIL OF THE CITY  
OF DELL RAPIDS, SOUTH DAKOTA

\_\_\_\_\_  
Mayor Tom Earley

ATTEST:

\_\_\_\_\_  
Municipal Finance Officer Claire Baartman

**Campground Layout – Discussion**

The Council discussed the preliminary plan of the campground addition drawn up by DGR. There was discussion on angle of the gravel pads, dump station location, having 3 sites with sewer hook ups, and drain tile. There was also discussion on cutting and graveling all the pads this year rather than only doing half of them. This will save on costs in the future. General

consensus on the layout was given provided the discussion topics were taken into consideration. No action taken.

**New Business**

**Personnel – Summer Seasonal Positions: Assistant Pool manager, Public Works Seasonal**  
Swimming Pool Manager Megan Miles has conducted interviews and is recommending the hire of Kiah Schumacher as Assistant Manager at the rate of \$10.75 an hour. Public Works Director Schildhauer has reviewed applications and decided to hire three returning employees from the 2016 season. Recommend hiring Ryan Geraets, Josh Brown and Casey Hansen all at the rate of \$9.75 per hour. Mier motioned to approve, seconded by Borchert. Motion carried.

**Mayoral Proclamation – Arbor Day April 28<sup>th</sup>**

Mayor Earley read allowed the Proclamation declaring April 28<sup>th</sup> as Arbor Day in Dell Rapids. An Arbor Day tree planting ceremony has been set for Friday, April 28<sup>th</sup> to be held in the City Park west of the picnic shelters at 1 PM.

**Governor Declared Holiday Good Friday, April 14<sup>th</sup> Council Decision**

Governor Dugaard has declared Good Friday, April 14th as holiday for State employees. According the City’s Personnel Policy “No holiday declared by the President of the United States or by the Governor of the State of South Dakota shall be granted unless approved by the City Council”. Borchert motioned to declare Good Friday a holiday for City Employees, seconded by Mier. Motion Failed 2-4.

**Claims Payable**

Crisp motioned to approve claims payable, seconded by Haak. Motion carried.

VENDOR NAME	DESCRIPTION	FUND	AMOUNT
BADGER METER INC	2017 SERVICE RENEWAL	WATER FUND	1,207.56
	1ST QTR 2017 GATEWAY	WATER FUND	108.00
BALDWIN SUPPLY CO	POOL R&M	GENERAL FUND	917.16
BSN SPORTS INC	PITCHING PLATE	GENERAL FUND	210.53
BX CIVIL & CONSTRUCTION	SNOW REMOVAL	GENERAL FUND	5,495.00
CITY OF DELL RAPIDS	WATER USAGE	GENERAL FUND	168.08
DAKOTA FLUID POWER, INC.	STREET R&M	GENERAL FUND	7.47
DELL RAPIDS ACE	STREET R&M	GENERAL FUND	53.37
	WATER SUPPLIES	WATER FUND	16.98
DELL RAPIDS CHAMBER	2017 ANNUAL BANQUET	GENERAL FUND	175.00
	ANNUAL STIPEND	GENERAL FUND	16,000.00
	ANNUAL STIPEND	GROSS RECEIPTS FUN	19,000.00
DELLS PLUMBING	NORBYS UTILITY SINK REPAIR	LIQUOR FUND	77.23
DELTA DENTAL	DENTAL INS	GENERAL FUND	402.52
	DENTAL INS	WATER FUND	119.18
	DENTAL INS	WASTEWATER FUND	119.20
DGR	ENGINEERING	GENERAL FUND	12,354.46
	ENGINEERING	WATER FUND	392.00
	ENGINEERING	WASTEWATER FUND	392.00

EARLEY, THOMAS	2017 GOV ECON DEV. CONF.	GENERAL FUND	150.00
EFTPS	FEDERAL WITHHOLDING	GENERAL FUND	4,132.42
	FEDERAL WITHHOLDING	WATER FUND	989.17
	FEDERAL WITHHOLDING	WASTEWATER FUND	985.16
FENICLE, LES	SAFETY GLASSES	GENERAL FUND	75.00
	SAFETY GLASSES	WATER FUND	37.50
	SAFETY GLASSES	WASTEWATER FUND	37.50
FIRST BANK CARD	CC PMT	GENERAL FUND	725.19
GLOBAL DISTRIBUTING	MARCH MALT	LIQUOR FUND	485.15
GRUIS, KARLA	CLEAN CH/LIB	GENERAL FUND	640.00
HEALTH POOL OF SOUTH DAKOTA	HEALTH INSURANCE	GENERAL FUND	5,678.88
	HEALTH INSURANCE	WATER FUND	1,373.83
	HEALTH INSURANCE	WASTEWATER FUND	1,373.81
ONE TIME VENDOR LONG, WENDY	DEPOSIT REFUND	WATER FUND	19.28
HEINEMANN CONCRETE AND SNOW REMOVAL	SNOW REMOVAL	GENERAL FUND	80.00
J D'S HOUSE OF TROPHIES	MIER NAME PLATE	GENERAL FUND	14.00
LACEY'S PORTABLE RESTROOMS & ROLL OFFS	2 PORTABLE RESTROOM - PARK	GENERAL FUND	260.00
LG EVERIST, INC	STREET R&M	GENERAL FUND	204.97
MAXIMUM PROMOTIONS, INC	4X6 US(3) / SD(2) FLAGS	GENERAL FUND	273.50
MIDAMERICAN ENERGY COMPANY	UTILITY	GENERAL FUND	797.03
	UTILITY	WATER FUND	46.19
	UTILITY	WASTEWATER FUND	46.19
MIDWAY SERVICE, INC.	BUS: OIL CHGE AND EXHAUST CHECK	GENERAL FUND	81.55
NEOPOST USA INC.	POST MACHINE RENT	GENERAL FUND	74.85
NORTHERN STATES SUPPLY, INC.	PLOW BOLTS	GENERAL FUND	26.31
REPUBLIC NATIONAL DISTRIBUTING CO	2ND MARCH LIQUOR	LIQUOR FUND	2,667.78
SD STATE TREASURER, DEPT OF REVENUE	MARCH 1-MARCH 15 LOTTERY	LIQUOR FUND	1,010.40
SDRS SUPPLEMENTAL RETIREMENT PLAN	ROTH RETIREMENT	GENERAL FUND	145.00
	ROTH RETIREMENT	WATER FUND	25.00
	ROTH RETIREMENT	WASTEWATER FUND	25.00
SOUTH DAKOTA RETIREMENT SYSTEM	RETIREMENT	GENERAL FUND	3,695.19
	RETIREMENT	WATER FUND	965.78
	RETIREMENT	WASTEWATER FUND	964.09
SOUTHERN WINE & SPIRITS OF SOUTH DAKOT	MARCH LIQUOR	LIQUOR FUND	1,105.44
STRAWBALE WINERY	MARCH WINE	LIQUOR FUND	132.00
THOMAS BUS SALES, INC.	NEW BUS 20%	GENERAL FUND	11,251.40
VERN EIDE MANAGEMENT GROUP	FEBRUARY TEXTING SERVICE	GENERAL FUND	50.00
XCEL ENERGY	51-5005360-0	GENERAL FUND	1,295.62
	51-6337019-0	WATER FUND	1,065.25
	51-5468558-8	WASTEWATER FUND	3,041.34
**PAYROLL EXPENSES	3/01/2017 - 3/31/2017	GENERAL FUND	34,290.10
		WATER FUND	8,048.20
		WASTEWATER FUND	8,034.00

## **ADMINISTRATOR'S REPORT**

**Truck Route - Update:** The City of Dell Rapids has received a request from the contractor of the Interstate 29 overlay project (Central Services) to utilize Garfield Avenue as the truck route for their hauling of asphalt to the project. The Council discussed this issue in early March and decided to hire Geo-Tek to conduct a soil sample analysis of the base of Garfield Avenue to help the Council make a determination if trucks should be allowed on Garfield. Geo-Tek has conducted the soil borings but has not submitted their analysis to DGR. That is expected the first week of April. Administration has also discussed this request with the DOT. The DOT has responded that they are not in favor of the City allowing trucks to travel on Garfield Avenue. It is their opinion that Garfield Avenue is not suitable to carry the asphalt trucks for the project and they would prefer signing a haul route agreement for the existing 3<sup>rd</sup> Street truck route.

**Meeting with Sioux Falls Chamber of Commerce and Developers - Update:** Mayor Earley and Administrator Weiland attended a lunch meeting that was set up by the Sioux Falls Development Foundation and included the City of Baltic, Crooks, Dell Rapids and Sioux Falls developers. The Sioux Falls developers included Bender Commercial Realty, VanBuskirk and Lloyd Companies. The purpose of the meeting was to let these developers know what is happening outside of Sioux Falls across the region. The meeting went very well as a positive reaction was received from the developers and other members in the audience.

**AT&T Lease – Tower Structure Request –Update:** AT&T is requesting to remove the existing railing on the top of the 15<sup>th</sup> Street Water Tower and replace with a more robust railing for the placement of new antennae panels. AT&T has conducted a structural analysis of the tower and has submitted the plans for the new railing. The plans have been sent to DGR for their review and comments. The biggest concern with altering the tower is to make sure that the coating is not damaged in the process. DGR is making certain that any work done on the tower meets our standard for quality. They are requiring that any damage to the coating be addressed with the same spec materials as the original.

**Spring Newsletter:** City Administration decided to put together a short newsletter as an insert in this month's water bill. The main reason was to explain the sewer rate increase to customers as the new surcharge is included on this month's bill. There are also a number of other informational news and spring code enforcement issues that prove difficult to get the word out about each spring. The hope is that the newsletter will inform residents of upcoming events and inform them of responsibilities associated with property ownership.

### **Important Dates:**

**Minnehaha County Emergency Management EMS Study Public Meetings – April 4<sup>th</sup>**  
**GOED Conference – Sioux Falls – April 26<sup>th</sup>**

### **Adjourn**

Haak motioned to adjourn at 9:13PM, seconded by Mier. Motion carried.