

## **DELL RAPIDS CITY COUNCIL MINUTES**

Monday April 2<sup>nd</sup>, 2018 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, Mike Sterud, Bob Mier, Mark Crisp, Mike Geraets, Gary Haak, James Borchert, and Bill Schmidt.

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

Absent: None

Community Members Present:

- 1.) Brandon & Marlana Wenzel – Quest Church
- 2.) Kathy Dorale – 509 Sunset Drive
- 3.) Jeff Fiegen – 509 Sunset Drive
- 4.) Tom Ludens – 205 Prospect Ave
- 5.) Matt Larson – Big Sioux Media

**Pledge of Allegiance was recited.**

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

**Approval of Minutes: March 19<sup>th</sup>, 2018 – Regular Session**

Crisp motioned to approve, seconded by Haak. Motion carried

**Visitors to be Heard:**

None

**Outdoor Event Permits**

**Chamber of Commerce – Re-Scheduled Easter Egg Hunt – April 7<sup>th</sup> – City Park**

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

**American Cancer Society Dell Rapids Relay for Life – July 27<sup>th</sup> – City Park**

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

**Old Business**

**South East Infrastructure Project -DENR Loan/Grant Award – Council Discussion**

The State Water Board approved a Clean Water package totaling \$4,953,000. The CW loan portion in the amount of \$2,661,700 at an interest rate of 1.5% with a grant portion of \$2,000,000. This package also includes Non-Point Source Funding of \$337,700. The DENR calculates the City will need to implement a surcharge in the amount of \$7.20 to cover the debt at a level of 110%. The State Water Board also approved a Drinking Water package totaling \$2,486,000. The DW package is strictly a loan in the amount of \$2,486,000. The loan rate is in the amount of 2.5% for 30 years. The DENR calculates that a surcharge of \$7.70 will need to be implemented to cover 110% of the loan payments. The City Staff plan to work with DENR to

analyze our current debt prior to recommending an implementation to our rate structure. General consensus to move forward with the project was given by the council – No action was taken.

**New Business**

**Resolution No. 2018-03: Petition To Annex Contiguous Territory To The City Of Dell Rapids Legally Described As The East 905 Feet Of The West 1,438.95 Feet Of The North 1,316.18 Feet Of The Ne ¼ Of Section 8, Township 104 Range North 49 West Of The 5th Principal Meridian, Minnehaha County, South Dakota, Including The Portion Of Tract 3, Tract 4 And Lot 4a In Tract 4 Of Dell Rapids Golf And Recreation Addition Contained Therein**

Motion by Haak to approve Resolution No. 2018-03, seconded by Mier. Roll Call: Berg – Aye, Sterud – Aye, Mier – Aye, Crisp – Aye, Geraets – Aye, Haak – Aye, Borchert – Aye, Schmidt – Aye. Motion Carried.

**RESOLUTION NO. 2018-03**

**A RESOLUTION ANNEXING CERTAIN CONTIGUOUS TERRITORY TO THE CITY OF DELL RAPIDS, SOUTH DAKOTA.**

WHEREAS, Spruce Glen Inc., has submitted a written petition requesting the annexation of the hereinafter described real property to the City of Dell Rapids, South Dakota; and WHEREAS, the City has examined said petition and explored the background thereof; and the City Council, as the governing body of said City, has found that the subject property is contiguous to the City, that the petition was signed by all of the registered voters and all of the owners of the subject property, that there is no apparent opposition to such annexation;

NOW THEREFORE, BE IT RESOLVED BY the City Council of the City of Dell Rapids, South Dakota, that

The East 905.00 feet of the West 1,438.95 feet of the North 1,316.18 feet of the NE¼ of Section 8, Township 104 North, Range 49 West of the 5th Principal Meridian, Minnehaha County, South Dakota, including that portion of Tract 3, Tract 4 and Lot 4A in Tract 4 of Dell Rapids Golf & Recreation Addition contained therein, all as shown on the attached Exhibit "A,

be and the same is hereby annexed to the City of Dell Rapids, South Dakota, and the Mayor of the City is hereby authorized and directed to cause an accurate map of the

property, together with a copy of this resolution, duly certified, to be recorded in the Office of the Register of Deeds of Minnehaha County, South Dakota.

Introduced by Alderman \_\_\_\_\_, seconded by Alderman \_\_\_\_\_, and on vote \_\_\_\_ for and \_\_\_\_ against, the Mayor declared the Resolution passed and adopted.

Dated this \_\_\_\_ day of April, 2018.

THOMAS J. EARLEY  
Mayor

ATTEST:

CLAIRE BAARTMAN  
Municipal Finance Officer

(MUNICIPAL SEAL)

*Prepared by: Dean A. Hammer  
Dell Rapids Law Firm  
PO Box 100, Dell Rapids, SD 57022-0100  
1-(605) 428-5444*

#### CERTIFICATE OF MAYOR OF MUNICIPALITY

I, Thomas J. Earley, the duly elected, qualified and acting Mayor of the City of Dell Rapids, South Dakota, do certify to the Register of Deeds of Minnehaha County, South Dakota, that the attached Resolution and map are true and correct copies and representations of the territory annexed to the City of Dell Rapids, South Dakota thereby changing the corporate limits of the municipality, the attached Resolution, map and this certificate being provided and recorded as specified by SDCL 9-4-11, as amended.

Dated this \_\_\_\_ day of May, 2018.

(MUNICIPAL SEAL)

Thomas J. Earley  
Mayor  
City of Dell Rapids, South Dakota

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF MINNEHAHA)

On this the \_\_\_\_ day of May, 2018, before me, the undersigned officer, personally appeared Thomas J. Earley, who acknowledged himself to be the Mayor of Dell Rapids, South Dakota, and that he, as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing his name as the Mayor of Dell Rapids, South Dakota.

In witness whereof I hereunto set my hand and official seal.

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Notary Public – South Dakota  
My commission expires:

**Resolution No. 2018-04: Game Fish and Parks Recreational Trail Program Grant – Council Support**

Motion by Schmidt to approve Resolution No. 2018-4 m seconded by Haak. Roll Call: Berg – Aye, Sterud – Aye, Mier – Aye, Crisp – Aye, Geraets – Aye, Haak – Aye, Borchert – Aye, Schmidt – Aye. Motion Carried.

**CITY OF DELL RAPIDS, SOUTH DAKOTA  
RESOLUTION 2018-04  
RESOLUTION OF GOVERNING BODY  
RECREATIONAL TRAILS PROGRAM APPLICATION SPONSORSHIP**

WHEREAS, the State of South Dakota has authorized the making of grants to public bodies to aid in financing the availability and maintenance of recreational trails for both motorized and non-motorized use;

NOW, THEREFORE BE IT RESOLVED:

That Tom Earley, Mayor of Dell Rapids, is hereby authorized to execute and file an application on behalf of the City of Dell Rapids, South Dakota with the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for a Recreational Trails Program grant to aid in financing the Recreational Trail for the City of Dell Rapids, South Dakota and its Environs.

That Tom Earley, Mayor of the City of Dell Rapids, South Dakota, is hereby authorized and directed to furnish such information as the South Dakota Department of Game, Fish & Parks may reasonably request in connection with the application which is hereby authorized to be filed.

That the City of Dell Rapids shall provide a minimum of 20% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

Adopted this 2<sup>nd</sup> day of April, 2018 by the City Council of the City of Dell Rapids, South Dakota.

By:

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Tom Earley, Mayor

**CERTIFICATE OF RECORDING OFFICER**

The undersigned duly qualified and acting Finance Officer of the City of Dell Rapids, South Dakota does hereby certify: That the attached Resolution is a true and correct copy of the Resolution authorizing the filing of an application with the National Park Service as regularly adopted at a legally convened meeting

of the City of Dell Rapids, South Dakota duly held on the 2<sup>nd</sup> day of April, 2018 and further that such Resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF I have hereunto set my hand this 2<sup>nd</sup> day of April, 2018.

(SEAL)

\_\_\_\_\_  
Claire Baartman, Finance Officer

**Mayoral Proclamation – Declare Arbor Day April 27<sup>th</sup>, 2018**

Mayor Earley read allowed the Proclamation declaring April 27<sup>th</sup> as Arbor Day in Dell Rapids. An Arbor Day tree planting ceremony has been set for Friday, April 27<sup>th</sup>, 2018.

**Personnel – Hire Public Works Director**

Defer to after Executive Session

**Claims Payable**

Schmidt motioned to approve the bills, seconded by Mier. Motion carried.

| VENDOR NAME                          | DESCRIPTION                | FUND            | AMOUNT    |
|--------------------------------------|----------------------------|-----------------|-----------|
| ADVANCED SYSTEMS INC                 | COPIER USAGE CONTRACT      | GENERAL FUND    | 24.5      |
| ARGUS LEADER                         | EQUALIZATION MINUTES       | GENERAL FUND    | 119.8     |
|                                      | CC MINUTES                 | GENERAL FUND    | 139.6     |
| ARGUS LEADER MEDIA                   | LIB - RENEWAL 3/01/18-2/28 | GENERAL FUND    | 231.52    |
| AVERA QUEEN OF PEACE HEALTH SERVICES | REMOTE DRUG TEST           | GENERAL FUND    | 61        |
| BEAL DISTRIBUTING, INC               | MALT                       | LIQUOR FUND     | 31,436.70 |
| BX CIVIL & CONSTRUCTION              | 2.26.18 SNOW REMOVAL       | GENERAL FUND    | 800       |
|                                      | 3.07.18 SNOW REMOVAL       | GENERAL FUND    | 2,425.00  |
| CITY OF DELL RAPIDS                  | MARCH WATER USE            | GENERAL FUND    | 171.51    |
| CORE & MAIN                          | 6X15 and 4X20 CLAMPS       | WATER FUND      | 435.73    |
| DAKOTA BEVERAGE CO, INC.             | MARCH MALT                 | LIQUOR FUND     | 26,598.37 |
| DAKOTA SUPPLY GROUP                  | MULT. REPAIR SLEEVES       | WATER FUND      | 1142.43   |
| DELL RAPIDS ACE                      | STREET R&M                 | GENERAL FUND    | 29.94     |
| DELLS FARM & TIRE                    | PARK REPAIR                | GENERAL FUND    | 127       |
| DELTA DENTAL                         | DENTAL INS                 | GENERAL FUND    | 457.28    |
|                                      | DENTAL INS                 | WATER FUND      | 86.82     |
|                                      | DENTAL INS                 | WASTEWATER FUND | 82.2      |
| DGR                                  | ENGINEERING                | GENERAL FUND    | 20779.49  |
|                                      | ENGINEERING                | WATER FUND      | 1285.83   |
|                                      | ENGINEERING                | WASTEWATER FUND | 5307.89   |
| DIRECT AUTOMATION                    | MARCH CH SERVICES          | GENERAL FUND    | 477.21    |
|                                      | MARCH LIBRARY SERVICES     | GENERAL FUND    | 716.2     |
| EARLEY, THOMAS                       | MCEDA REGISTRATION REIMBUR | GENERAL FUND    | 150       |
| EFTPS                                | FEDERAL WITHHOLDING        | GENERAL FUND    | 3,953.95  |
|                                      | FEDERAL WITHHOLDING        | WATER FUND      | 1450.36   |

|  |                            |                 |          |
|--|----------------------------|-----------------|----------|
|  | FEDERAL WITHHOLDING        | WASTEWATER FUND | 1121.75  |
| FIRST BANK CARD                        | STREET - COLD MIX          | GENERAL FUND    | 818      |
|  | LIBRARY CC                 | GENERAL FUND    | 462.76   |
| GARDNER MEDIA LLC                      | GARDNER MEDIA LLC          | GENERAL FUND    | 120.12   |
| GLOBAL DISTRIBUTING                    | GLOBAL DISTRIBUTING        | LIQUOR FUND     | 561.28   |
| GRUIS, KARLA                           | CLEAN CH/LIB               | GENERAL FUND    | 640      |
| HEALTH POOL OF SOUTH DAKOTA            | HEALTH INSURANCE           | GENERAL FUND    | 6473.08  |
|  | HEALTH INSURANCE           | WATER FUND      | 1,438.00 |
|  | HEALTH INSURANCE           | WASTEWATER FUND | 1351.42  |
| INGRAM LIBRARY SERVICES                | BOOKS                      | GENERAL FUND    | 184.25   |
| KIBBLE EQUIPMENT                       | SNOW BLOWER REPAIR         | GENERAL FUND    | 281.77   |
| LG EVERIST, INC                        | ST R&M                     | GENERAL FUND    | 2015.62  |
| MICROMARKETING LLC                     | AUDIO BOOKS                | GENERAL FUND    | 290.41   |
| MIDAMERICA BOOKS                       | BOOKS                      | GENERAL FUND    | 258.94   |
| MIDAMERICAN ENERGY COMPANY             | UTILITY                    | GENERAL FUND    | 751.98   |
|  | UTILITY                    | WATER FUND      | 48.94    |
|  | UTILITY                    | WASTEWATER FUND | 48.94    |
| NEOPOST USA INC.                       | QTR 2 POST MACHINE RENTAL  | GENERAL FUND    | 74.85    |
| NORTH CENTRAL INT'L, INC               | STREET R&M                 | GENERAL FUND    | 276.93   |
| OLYMPIA BOOK COMPANY INC.              | 31 BOOKS                   | GENERAL FUND    | 398.18   |
| KLU DT, MIRANDA                        | DEPOSIT REFUND             | WATER FUND      | 87.52    |
| REPUBLIC NATIONAL DISTRIBUTING CO      | LIQUOR                     | LIQUOR FUND     | 9,634.52 |
| RESTAURANT EQUIPMENT REPAIR OF SF INC  | DISHWASHER REPAIR          | LIQUOR FUND     | 251.13   |
| REVIZE LLC                             | NEW WEBSITE SERVICE        | GENERAL FUND    | 6,306.00 |
| SD DEPT OF TRANSPORTATION              | DR PORTION OF BRIDGE INSPE | GENERAL FUND    | 260.99   |
| SD GOVERNMENTAL FINANCE OFFICERS ASSOC | CB/DL FINANCE OFFICER SCHO | GENERAL FUND    | 75       |
|  | CB/DL FINANCE OFFICER SCHO | WATER FUND      | 37.5     |
|  | CB/DL FINANCE OFFICER SCHO | WASTEWATER FUND | 37.5     |
| SD HUMAN RESOURCE ASSOCIATION          | CB AND LB HR SCHOOL        | GENERAL FUND    | 50       |
|  | CB AND LB HR SCHOOL        | WATER FUND      | 25       |
|  | CB AND LB HR SCHOOL        | WASTEWATER FUND | 25       |
| SD STATE TREASURER, DEPT OF REVENUE    | DR LICNESE PLATES+SHIPPING | GENERAL FUND    | 112.55   |
| SDRS SUPPLEMENTAL RETIREMENT PLAN      | ROTH RETIREMENT            | GENERAL FUND    | 201.62   |
|  | ROTH RETIREMENT            | WATER FUND      | 46.99    |
|  | ROTH RETIREMENT            | WASTEWATER FUND | 46.39    |
| SOUTH DAKOTA RETIREMENT SYSTEM         | RETIREMENT                 | GENERAL FUND    | 4,236.75 |
|  | RETIREMENT                 | WATER FUND      | 1322.29  |
|  | RETIREMENT                 | WASTEWATER FUND | 1114.04  |
| SOUTHERN WINE & SPIRITS OF SOUTH DAKOT | LIQUOR                     | LIQUOR FUND     | 1,026.00 |
| THE LIBRARY STORE                      | SUPPLIES                   | GENERAL FUND    | 453.58   |
| VANTEK                                 | REPAIR AND MAINT           | GENERAL FUND    | 132.88   |
|  | REPAIR AND MAINT           | WATER FUND      | 132.88   |
| XCEL ENERGY                            | UTILITY                    | GENERAL FUND    | 1928.75  |

|                          |                           |                 |           |
|--------------------------|---------------------------|-----------------|-----------|
|                          | UTILITY                   | WATER FUND      | 1324.2    |
|                          | UTILITY                   | WASTEWATER FUND | 3546.98   |
| XEROX FINANCIAL SERVICES | COPIER CONTRACT - LIBRARY | GENERAL FUND    | 48.72     |
| **PAYROLL EXPENSES       | 3/01/2018 - 3/31/2018     | GENERAL FUND    | 38,310.01 |
|                          | 3/01/2018 - 3/31/2018     | WATER FUND      | 11,019.30 |
|                          | 3/01/2018 - 3/31/2018     | WASTEWATER FUND | 9,283.71  |

## ADMINISTRATOR/FINANCE OFFICER REPORT

- A. Administrator Conferences April and May:** Administrator Weiland will be attending two conferences in the upcoming weeks. The South Dakota City Managers Conference is being held in Pierre on April 11<sup>th</sup> and 12<sup>th</sup>. As the President of the SDCMA, Administrator Weiland has been in charge of organizing this conference. Administrator Weiland will also be attending the Great Open Spaces City Manager (GOSCMA) conference in Cody, Wyoming on May 2<sup>nd</sup> through the 4<sup>th</sup>. Administration will be representing SD as the president of our local organization. Administration has also opted to attend the GOSCMA conference in replacement of the annual ICMA conference held in Baltimore this year.
- B. 10<sup>th</sup> Street Assessment - Update:** All owners have now committed to the upfront assessment. With this new information, Administration plans to file the assessment roll. The Council will set the public hearing at the April 16<sup>th</sup> meeting for adoption of the roll at the May 7<sup>th</sup> Council meeting.
- C. Dell Rapids Carnegie Library 2017 Annual Survey:** This report has been included in the packet for the City Council's information. Library Director Moeller plans to provide a report on library activities to the Council at a future meeting.
- D. Waste Water Treatment Operator Position – Extended Deadline:** The City didn't receive a qualified applicant for the WWTF operator position by the March 26<sup>th</sup> deadline. Administration has extended the deadline for application to April 18<sup>th</sup>. Administration has also ramped up search and recruitment by spreading the word through the DENR on an email and making calls to class II operators in our region. With the plant scheduled to go on-line in May, Administration is considering finding an operator a primary focus.
- E. Spruce Glen Addition/Rocky Run Floodplain Notice of Revision:** Stockwell Engineers has performed a study of the Rocky Run Creek from 15<sup>th</sup> Street to the Hwy 115 intersection. This study has been submitted and approved by FEMA. The City has acknowledged the receipt of the Study and the publication is considered notification to the public that Rocky Run creek will now be considered a mapped Zone A floodplain zone. Following publication of this notice and approval by FEMA the flood zone will become effective.

**F. Upcoming Meetings:**

- a. Joint Minnehaha County Meeting – April 24<sup>th</sup>, 9 AM – Sioux Falls:** The first reading for the Ordinance revision is to take place on April 3<sup>rd</sup>. It is not necessary for the City to be present for the first reading. The Council will need to be in attendance for the April 24<sup>th</sup> meeting occurring at 9 AM. The meeting will take place on the 2<sup>nd</sup> Floor of the Minnehaha County Administration building.

**Executive Session – Personnel**

Haak motioned to enter executive session at 8:23 PM, seconded by Borchert. Motion carried.

Mier motioned to exit executive session at 9:15 PM, seconded by Borchert. Motion carried.

Crisp motioned to appoint Clarence Fjellanger as Public Works Director at an annual salary of \$68,192 commencing on April 22<sup>nd</sup>, 2018, seconded by Haak. Motion carried.

Crisp motioned to appoint Paul Wildermuth as interim Assistant Public Works Director commencing on April 22<sup>nd</sup> and until a new Assistant is hired, seconded by Mier. Motion carried.

**Adjourn**

Mier motioned to adjourn at 9:18 p.m., seconded by Schmidt. Motion carried.