

## DELL RAPIDS CITY COUNCIL MINUTES

Monday, May 21<sup>st</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: Bill Schmidt, James Borchert, Gary Haak, Mike Geraets, Mark Crisp, Bob Mier, Chad Ronshaugen, and Barry Berg.

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

Absent: None

Community Members Present:

Deputy Walker – MCSO  
Sheriff Milstead – MCSO  
Deputy Braun – MCSO  
Rev Melissa Fletcher – First Baptist Church  
Keely Stauffencker – First Baptist Church  
Kasper and Carly Malsam – 713 E 5<sup>th</sup> St.  
Brandon & Marlana Wenzel – Quest Church  
Jason Pulscher- 711 E. 5<sup>th</sup> St.  
Tom Ludens – 205 Prospect Ave.  
Darrell Weinacht – 709 E 5<sup>th</sup> St.  
Ben Pierson – 708 E 5<sup>th</sup> St.  
Trent Bruce - DGR  
Chad Andrews – 807 E 4<sup>th</sup> St.  
Matt Larson – Big Sioux Media  
Clarence Fjellanger – Public Works Director

**Pledge of Allegiance was recited.**

**Approval of Agenda:** Mier motioned to approve the agenda (with amending the presentation by Sherriff Milstead to be moved up and speak after the Board of Adjustments), seconded by Borchert. Motion carried.

**Approval of Minutes May 7<sup>th</sup>, 2018 Regular Session:** Geraets motioned to approve the minutes (with the amendment to change the Variance request address to 713 E 5<sup>th</sup> St.), seconded by Crisp. Motion carried.

**Visitors to be Heard:**

None

**PUBLIC HEARING: VARIANCE REQUEST AT 713 E 5<sup>TH</sup> STREET – REQUEST 20’ SETBACK FROM FRONT PROPERTY LINE ON NORTH SIDE IN LIEU OF 25’ REQUIRED, FOR A VARIANCE OF 5’ AND REQUEST 9’ FEET SETBACK FROM REAR PROPERTY LINE ON SOUTH SIDE IN LIEU OF 25’ REQUIRED, FOR A VARIANCE OF 16’ FOR THE PURPOSE OF BUILDING A NEW SINGLE-FAMILY HOME**

Berg motioned to temporarily adjourn as the City Council, Seconded by Mier. Motion carried.  
Mier motioned to re-convene as the Board of Adjustments, Seconded by Schmidt. Motion carried.

Crisp motioned to grant the two variance requests with an assurance agreement that the property owner will not oppose the SE project planned for 2019 and 2020, seconded by Geraets. Roll Call: Schmidt – Aye, Borchert – Aye, Haak – aye, Geraets– Aye, Crisp – Aye, Mier – Aye, Ronshaugen – Aye, Berg - Aye. Motion carried 8-0. Motion carried.

Mier motioned to adjourn as the Board of Adjustments, seconded by Haak. Motion carried.  
Schmidt motioned to reconvene as the City Council, seconded by Mier. Motion carried.

### **Minnehaha County Sherriff Mike Milstead – Update**

Sherriff Milstead and Deputy Walker addressed the Council. Both talked about the rising drug issues in the County but noted the small percentage of issues in Dell Rapids. Sherriff Milstead also gave an overview of what services MCSO provides the City of Dell Rapids.

### **Public Hearing – On/Off Sale Malt Beverages and On/Off Sale SD Farm Wines:**

**Sirwick Inc. DBA Pizza Ranch** – Crisp motioned to approve seconded by Mier. Motion carried

**T&C’s Self Service** – Schmidt motioned to approve, seconded by Haak. Motion carried.

**JMMA Park Inc. DBA T&C’s Other Place** – Geraets motioned to approve, seconded by Borchert. Motion carried.

**Shopko Hometown #596** – Haak motioned to approve, seconded by Crisp. Motion carried.

### **Public Hearing: Ordinance No. 853: Rezone Spruce Glen Addition 20.64 Acres From NRC: Natural Resource Conservation District to R-1: Single Family Residential District – First Reading**

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

### **OLD BUSINESS**

#### **WWTF SBR Project – Pay Request #14 \$72,157.37 – KHC Construction**

Haak motion to approve Pay Request #14, seconded by Geraets. Motion carried.

### **Notice of Public Hearing to Consider Adoption of Assessment Roll for 10<sup>th</sup> Street Project – Iowa Avenue to Rebekah Avenue – June 18<sup>th</sup>, 7:30 PM**

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

### **NEW BUSINESS**

#### **Fowl Ordinance – Special Request for Pigeons – 807 E 4<sup>th</sup> Street – Chad Andrews**

Chad Andrews addressed the Council asking Ordinance 844 be amended to include Pigeons. Mayor Earley deferred the issue to the Policy’s and Procedures Committee.

#### **City Transit – Free Swimming Lesson Transportation and Hours**

Mier motioned to approve free rides to swimming lessons for the morning session as well as adjust hours to provide rides and Fridays during lessons, seconded by Borchert. Motion carried.

**2017 Audit/Single Audit Engagement Letter – KMWF and Associates**

Mier motioned to approve the 2017 Engagement Letter at a fee not to exceed \$16,500, seconded by Schmidt. Motion carried.

**Brown Park – Ball Field Rehab Proposal – Council Member Berg**

Councilman Berg brought up the idea to include a rehab to Brown Park in the 2019 budget. This would be a lesser expensive way to have another game eligible field for the baseball association.

**Personnel – Summer Seasonal Positions – Public Works Crew**

One of the individuals the City approved for the seasonal public works crew took a different job (Jake Steinecke). In replacement Public Works Director Fjellanger is recommending the hire of Adrian Juba at the rate of \$10.00 per hour. Mier Motioned to approve, seconded by Schmidt. Motion carried.

**Personnel – WWTF Operator Position**

-Defer until after Executive Session

**Claims Payable**

Schmidt motioned to approve claims payable, seconded by Mier. Motion carried.

VENDOR NAME	DESCRIPTION	FUND	AMOUNT
A&B BUSINESS SOULTIONS	APRIL BILL	GENERAL FUND	88.37
ARGUS LEADER	PUBLICATION	GENERAL FUND	639.04
	PUBLICATION	LIQUOR FUND	19.9
CORTRUST BANK	COUNTY FAIR TIF#1	GENERAL FUND	4,462.82
DELL RAPIDS ACE	MISCELLANEOUS	GENERAL FUND	86.5
DELL RAPIDS LAW FIRM	MAY RETAINER	GENERAL FUND	900
	MAY RETAINER	GENERAL FUND	900
DELLS ELECTRIC, INC	BACKSTOP	GENERAL FUND	267.98
DELTA DENTAL	DENTAL INS	GENERAL FUND	340.1
	DENTAL INS	WATER FUND	84.87
	DENTAL INS	WASTEWATER FUND	84.83
DGR	MISC	GENERAL FUND	781
	GARFIELD AVE S. PAVING	GENERAL FUND	1,134.00
	SIOUX RIVER RED ROCK TRAIL	GENERAL FUND	1,986.07
	SIOUX RIVER RED ROCK TRAIL	GENERAL FUND	2,711.80
	SD HWY 115 UTILITY	WATER FUND	1,027.50
	CITYWIDE INFRASTRUCTURE	WATER FUND	4,404.93
	SD HWY 115 UTILITY	WASTEWATER FUND	1,027.50
	WWTF	WASTEWATER FUND	13,819.05
	CITYWIDE INFRASTRUCTURE	WASTEWATER FUND	4,955.57
DIRECT AUTOMATION	APRIL SERVICES	GENERAL FUND	1140.62

	APRIL SERVICES	WATER FUND	15.63
	APRIL SERVICES	WASTEWATER FUND	390.62
DUST-TEX SERVICES, INC	CH RUG CLEANING SERVICES	GENERAL FUND	38.16
	LIB RUG SERVICE	GENERAL FUND	48.52
ENTRINGER BACKHOE & TRENCHING, LLC	PARK - STUMP REMOVAL	GENERAL FUND	1,173.47
ETS	CARD READER ACTIVATION	GENERAL FUND	12.7
GLOBAL DISTRIBUTING	MALT	LIQUOR FUND	708.13
GRUIS, BEN	TRAVEL REIMBURS. CONFERENC	GENERAL FUND	38
GRUIS, KARLA	CLEAN CH/LIB	GENERAL FUND	660
ICAP, INC	APR ACT EXP/JUNE MGMT FEE	GENERAL FUND	5,654.00
INGRAM LIBRARY SERVICES	BOOK	GENERAL FUND	123.85
J D'S HOUSE OF TROPHIES	RONSHAUGEN - NAME PLATE	GENERAL FUND	15.5
KHC CONSTRUCTION, INC.	PAY REQUEST #14	WASTEWATER FUND	72,157.37
LACEY'S PORTABLE RESTROOMS & ROLL OFFS	CAMPGROUND PORT. REST.	GENERAL FUND	266
LG EVERIST, INC	STREET R&M	GENERAL FUND	1,160.10
LINWELD, INC	APRIL RENTAL	GENERAL FUND	50.4
LOGIC INC.	LOTTERY REPLACE BA	LIQUOR FUND	343
MIDWAY SERVICE, INC.	BUS SERVICE	GENERAL FUND	35.65
MIDWEST ALARM	JUNE PUMP	WASTEWATER FUND	30.38
NAPA AUTO PARTS	OIL FILTERS - STREET SUPPL	GENERAL FUND	239.68
PENNING REPAIR	BUS - REMOVE WINTER COVER	GENERAL FUND	62.78
PAUL ZWEIFEL LLC	RETRN PMT RECEIVED ON ACCIDENT	WATER FUND	619.14
PRAIRIE BERRY WINERY	WINE	LIQUOR FUND	666
REPUBLIC NATIONAL DISTRIBUTING CO	APRIL LIQUOR	LIQUOR FUND	5,709.94
RESTAURANT EQUIPMENT REPAIR OF SF INC	BAR - NEW ICE MACHINE	LIQUOR FUND	4,200.00
SCHADE VINEYARD	WINE	LIQUOR FUND	264
SD MUNICIPAL LEAGUE	BUDGET TRAINING	GENERAL FUND	25
SD STATE TREASURER, DEPT OF REVENUE	RECREATION TAX	GENERAL FUND	58.77
	4.01.18-4.15.18 LOTTERY	LIQUOR FUND	1,688.97
SDRS SUPPLEMENTAL RETIREMENT PLAN	ROTH RETIREMENT	GENERAL FUND	199.28
	ROTH RETIREMENT	WATER FUND	47.86
	ROTH RETIREMENT	WASTEWATER FUND	47.86
SIOUX FALLS AREA HUMANE SOCIETY	APRIL SERVICES	GENERAL FUND	100.12
SOUTH DAKOTA DEPT OF REVENUE	STATE PORTION OF MALT RENE	LIQUOR FUND	600
SOUTHERN WINE & SPIRITS OF SOUTH DAKOT	APRIL LIQUOR	LIQUOR FUND	176.11
STRAWBALE WINERY	WINE	LIQUOR FUND	132
U DRIVE TECHNOLOGY	APRIL TEXT SERVICES	GENERAL FUND	86.12
VERIZON WIRELESS	APRIL 08 - MAY 07	GENERAL FUND	94.07
	APRIL 08 - MAY 07	WATER FUND	28.05
	APRIL 08 - MAY 07	WASTEWATER FUND	28.05
XCEL ENERGY	UTILITY	GENERAL FUND	5,865.78
	UTILITY	WATER FUND	71.79

## **ADMINISTRATOR'S REPORT:**

**Personnel – Performance Evaluation – Update:** A performance evaluation was conducted by Public Works Director Fjellanger for Public Works employee David Schuch. Based on the evaluation Mr. Schuch will receive a 3% raise (current \$19.39 to \$19.97) retro-active to his anniversary of 4/27.

**Free Rubble Site Days – Report:** Free Rubble Site Days was again a success for allowing free deposit of materials for the community. The totals for the three days are 238 loads from 218 customers. There were 23 appliances paid and mostly trees, leaves, furniture and construction materials.

**Emerald Ash Borer – Update:** Everyone has probably heard the news regarding the discovery of the Emerald Ash Borer in Sioux Falls. With this discovery a quarantine has been placed on Minnehaha County. This means that any trees or tree debris can't move outside of Minnehaha County. This also means ash trees can't be trimmed or cut down between Memorial Day and Labor Day. The inevitability of the appearance of the Ash Borer was always a matter of when, not if. Administration will be working with State and local officials to put together a plan on how to handle this issue within our community. Not only the Ash trees that exist within our City owned property but also how to handle dead and diseased trees on private property. A Survey conducted by the South Dakota Department of Agriculture identified that 48% of the public trees in Dell Rapids are Ash. It is necessary to put a plan in place to address this issue.

**Code Enforcement – Update:** The City received several complaints regarding properties out of compliance with nuisance laws. This includes random materials on properties and abandoned vehicles. Code Enforcement Officer Gruis has addressed several of these properties with formal letters. After inspection of several of the complaint properties, other properties became noticeable for code violations. Inspector Gruis is working on a comprehensive sweep of unlicensed and inoperable vehicles throughout the community. The City hasn't conducted a sweep in several years and these problem vehicles have started to accumulate. All properties in violation will be handled in a professional manner in accordance with the law. We always try and work with properties and their specific circumstances.

## **Project Updates:**

**Garfield Avenue Paving Project:** The contractor for the Garfield Avenue Project is still scheduled to begin the project in Mid-June. A pre-con meeting will likely be held sometime the first two weeks of June. The City has performed potholing of the main water main along Garfield Avenue to determine the specific depth. The Council had discussed lowering the elevation of Garfield south of Quartzite Avenue to match into the neighboring properties. It was discovered that there is only 4.5 feet of cover over the water main in the area planned for lowering. Therefore, the new Garfield Avenue asphalt surface will be placed at the existing elevation of the current road.

**Campground and Comfort Station Project – Update:** The Bid Specs for the Comfort Station are complete and out for bid. The submission date for bids is June 13<sup>th</sup> at 3:00 PM. The Council will consider awarding bids at the June 18<sup>th</sup> Council Meeting. The project will be placed on the Builders Exchange for dispersal out to regional contractors. The campground project plans have been completed by DGR Engineering. Administrator Weiland will be working with local contractors to work towards completing the campground utility installation (water, sewer and electric). The budget for this project is a concern as the change in location has created a situation

where we are developing two parcels of property. The old tractor pull area will still require the placement of fill, installation of drain tile and finally the installation of a parking lot. The new campground is also being expanded as the number of sites has increased from 10 to 15, the number of campsites with utilities has also increased. Therefore, Administrator Weiland will be seeking to complete the project within a reasonable budget and monitoring the expenses. He plans to update the Council on the progress and the budget as the project unfolds.

**Executive Session – Personnel and Pending Litigation**

Mier motioned to enter executive session at 9:46PM, seconded by Borchert. Motion carried.

Haak motioned to exit executive session at 10:57PM, seconded by Borchert. Motion carried.

No action taken as a result of executive session.

**Adjourn**

Haak motioned to adjourn at 10:58PM, seconded by Schmidt. Motion carried.