

**Unapproved Minutes of
REDFIELD CITY COUNCIL**

July 6, 2010
7:00 PM

The City Council met in regular session at City Hall on Tuesday, July 6, 2010 at 7:00 PM.

MEMBERS PRESENT: Mayor Duane Sanger, Norm Sihrer, Eileen Kearney, Darrell Ronnfeldt, Kenneth Avery, Larry Eldeen, David Moeller, Frank Schwartz, and City Attorney Paul Gillette

MEMBERS ABSENT: Lue Anne Keating

STAFF PRESENT: Adam L. Hansen

VISITORS: Don Weigel, Mike Gutenkauf, Joel Toso, Lori Jo Mundstock

CALL TO ORDER: Mayor Sanger called the meeting to order at 7:00 PM.

ADOPT AGENDA: Motion by Avery, seconded by Schwartz to adopt the agenda as presented. Motion carried.

MINUTES: Motion by Ronnfeldt, seconded by Sihrer to approve the June 21, 2010 minutes. Motion carried.

REPORTS:

FIRE REPORT: Mayor Sanger gave the Fire Report as presented to him. There was a fire on June 28, 2010 at 7:15 am at 26 W. 6th Ave. The fire was caused by a low battery on the alarm system. Twenty-four firefighters were on duty for one hour for a total of \$240. There was a fire on July 3, 2010 at 4:05 am at 927 3rd Street East. The fire was caused by a short in the alarm. Twenty-three firefighters were on duty for two hours for a total of \$260. Motion by Sihrer, seconded by Kearney to approve the report for payment and place on file. Motion carried.

HOSPITAL REPORT: Motion by Ronnfeldt, seconded by Kearney to accept the Community Memorial Hospital and Clinic Board Minutes dated June 28, 2010, and place on file. Motion carried.

FINANCE REPORT: Hansen presented the May 2010 Treasurer's and Salaries Report, and the Comparison of General Fund Revenue to 2009 and 2008. Motion by Sihrer, seconded by Schwartz to accept the report and place on file. Motion carried.

VISITORS:

Clark & Wenck Engineering – Both engineering firms presented a power point of the bank stabilization study proposal. A discussion was held on the study and different options available to the City. Motion by Ronnfeldt, seconded by Sihrer to proceed with a study of the bank stabilization at a cost of \$75,000. Motion carried on a roll call vote with all members voting “Yes.”

Exit: Weigel, Gutenkauf, and Toso @ 8:02 pm

NEW BUSINESS:

Pay Request No. 18 to Puetz Construction for \$259,464.77 – Motion by Ronnfeldt, seconded by Sihrer to approve Pay Request No. 18 to Puetz Construction for \$259,464.77 for the CMH Addition. Motion carried on a roll call vote with all members voting “Yes.”

Fall-Winter Recreation Program Employees – Motion by Sihrer, seconded by Schwartz to pay the following list of employees: Ashley Zens, tumble/cheer instructor, \$293; Michelle Schmidt, tumble/cheer instructor, \$293.00; Amanda Boomsma, water exercise instructor, \$186.00; Diane Svacina, water exercise instructor, \$186.00; Tracey Millar, water exercise instructor, \$186.00; water exercise lifeguards @ \$8.00/hour: Jolene Jungwirth, Tori Jungwirth, Ted Jockheck, Megan Brace, Kristin Suchor, Cassie Nichols, Kyle Owens, Dylan Eggers, Sean Schwartz, and Shirley Holt, open gym supervisor @ \$8.00/hour. Motion carried.

Abatement of Mowing Charges – The list was called mowing charges, but was really water/sewer charges. Discussion was held on abating water and sewer charges for the property at 926 5th Street East. Motion by Ronnfeldt, seconded by Sihrer to abate the water and sewer charges. Motion carried.

Library Surplus – Motion by Sihrer, seconded by Schwartz to surplus an HP, Dell, Acer monitor, Compaq, Gateway, keyboard, and HP Printer at zero value. Motion carried.

2010 Asphalt Engineering Contract – Motion by Sihrer, seconded by Ronnfeldt to approve the 2010 Asphalt Engineering Contract with Clark Engineering for \$11,000. Motion carried.

Water Distribution and Wastewater Collection School - Motion by Sihrer, seconded by Moeller to send Water Dept. employee Moore to the 2010 Water Distribution & Wastewater Collection School in Watertown on August 24-26 at a cost of \$10.00 per test plus pay mileage, meals and lodging. Motion carried.

Armory Financing – Hansen gave an update on the financial documents and annual payments for the Amory Improvement Project.

ORDINANCES AND RESOLUTIONS:

Mayor Sanger gave the First Reading of **Ordinance No. 05-2010** (Re-Zone Lutter Addition). Motion by Eldeen, seconded by Schwartz to pass the First Reading of Ordinance No. 05-2010. Motion carried on a roll call vote with all members voting "Yes."

Mayor Sanger gave the Second Reading of Ordinance No. 01-2010 (Mowing).

ORDINANCE NO: 01-2010
Certain Weeds & Plants Declared Nuisances

08.08.060 Certain Weeds and Plants Declared Nuisances.

The following named weeds and plants shall be deemed dangerous and unhealthy and are declared to be nuisances: Ragweed, pusley, pigweed, nettle, thistle of any kind, sunflower, goldenrod, tumbleweed, burdock, cocklebur, sandbur, wild oats, sticktight, milkweed, mustard, and any and all other variety of weeds and vegetation deemed to be obnoxious, dangerous, and unhealthy or

deemed to be a nuisance by the building official and all other weeds and grasses growing upon any lot or parcel of land in the city to a greater height than eight inches of which have gone or are about to go to seed.

08.08.070 Notice to Property Owners.

The landowner or occupant of property who is in violation of Redfield City Ordinance No. 8.08.060 shall be given 48 hours notice to cure the violation. The 48 hours shall include all holidays, weekends, and non-business days. Notice shall be given personally or the property may be served by placing a copy of the notice on the door of the residence.

Dated this 6th day of July, 2010.

DUANE SANGER, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

Motion by Sihrer, seconded by Schwartz to adopt Ordinance No. 01-2010. Motion carried on a roll call vote with all members voting "Yes."

Mayor Sanger gave the Second Reading of **Ordinance No. 02-2010** (Cars & Storage).

ORDINANCE NO: 02-2010
Storage Vehicles

08.08.010 Designated

Whatever is dangerous to human health, whatever renders the ground, the water, the air or food a hazard or an injury to human health, and the following specific acts, conditions and things are, each and all of them, declared to constitute nuisances:

- A. Imperfect Plumbing. Any imperfect, leaking, unclean or filthy sink, water closet, urinal or other plumbing fixture in any building, used or occupied by human beings;
- B. Garbage and Refuse. Depositing, maintaining or permitting to be maintained or to accumulate upon any public or private property, any household waste water, sewage, garbage, tin cans, offal or excrement, any decaying fruit, vegetables, fish, meat or bones, or any foul, putrid or obnoxious liquid substance.
- C. Impure Water. Any well or other supply of water used for drinking or household purposes which is polluted or which is so constructed or situated that it may become polluted;
- D. Undressed Hides. Undressed hides kept longer than twenty-four (24) hours, except at the place where they are to be manufactured, or in a storeroom, or basement whose construction is approved by the health department;
- E. Manure. The accumulation of manure, unless it be in a properly fly-proof pit, bin or box;
- F. Breeding Place for Flies. The accumulation of manure, garbage, or anything whatever in which flies breed;
- G. Stagnant Water. Any excavation in which stagnant water is permitted to collect;
- H. Weeds. Permitting weeds to grow to maturity on any private property; including vacant lots;
- I. Poison Ivy. Permitting poison ivy to be or to grow upon any private property nearer than fifteen (15) feet from the sidewalk of any public street;

- J. Dead Animals. For the owner of a dead animal or fowl to permit it to remain un-disposed of longer than twenty-four (24) hours after its death;
- K. Polluting Bodies of Water. Throwing or leaving any dead animal or decayed animal of vegetable matter or any slops or filth whatever, either solid or fluid, into any pool of water;
- L. Privies and Cesspools. Erecting or maintaining any privy or cesspool except such sanitary privies and cesspools, the plans of which are approved by the State Health Department;
- M. Garbage, Handling Improperly. Throwing or letting fall or permitting to remain on any street, alley, or public ground, highway to dumping ground, and any highway within one mile of the city limits, any manure, garbage, rubbish, filth, fuel or wood while engaged in handling or removing any such substances.
- N. Rodents. Accumulation of junk, old iron, automobiles, or parts thereof, or anything whatever in which rodents may live or breed or accumulate;
- O. Bonfires in Public Places. Burning, causing or permitting to be burned in any street, alley, or public ground any dirt, filth, manure, garbage, sweepings, leaves, ashes, paper, rubbish or material of any kind;
- P. Rubbish on Street. The piling or depositing of any dirt, shavings, sawdust, leaves, ashes, manure, straw or waste material of any kind upon any street, alley or public ground, or in Turtle Creek, or Lake Redfield;
- Q. Offensive Premises. Permitting any grocery store, shop, factory, warehouse, stable, barn or other place to become nauseous or offensive;
- R. Dangerous Agencies. Anything that is dangerous to human health or which renders the ground, the water, the air or food a hazard or injury to the public health;
- S. Ice Boxes, Refrigerators, or Airtight Container. The keeping, leaving or permitting to remain outside of any dwelling, building or other structure or within any unoccupied or abandoned building, dwelling or other structures or premises, in a place accessible to children, of any discarded ice boxes, refrigerators or other container which has an air-tight door or lid, snap lock or other locking device which may not be released from the inside, without first removing the door or lid, snap lock or other locking device from the ice box, refrigerator or container, is declared to be a nuisance and the same shall be abated as provided by South Dakota Compiled Laws Sections 21-10-5, 21-10-6, and 21-10-9;
- T. Smokestacks and Smoke Nuisance. The construction, use, or maintenance of any smokestack or chimney which emits sparks, cinders, or dense smoke which is dangerous to the health, comfort, or property of persons, or the value of property. (Prior code § 6.1001(B))
- U. Storage Vehicles. Vehicles shall not be used as storage devices for personal property.

Dated this 6th day of July, 2010.

DUANE SANGER, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

Motion by Sihrer, seconded by Kearney to adopt Ordinance No. 02-2010. Motion carried on a roll call vote with all members voting "Yes."

Mayor Sanger gave the Second Reading of **Ordinance No. 03-2010** (Building Permits).

ORDINANCE NO: 03-2010

Building Permits

15.04.080 Building Permit

The owner or the owner's contractor, prior to the commencement of any construction shall make application for a building permit to the city finance officer. The application for a building permit shall include the plans for the construction or a statement of the construction to be made and the estimated cost of such construction. No application need be filed if the construction is carpet installation; exterior or interior painting; or replacement of appliances such as furnaces, water heaters, water softeners, air conditioning units or similar type applicants. A building permit is needed for all concrete work, replacement of shingles, windows, electrical and plumbing work that requires state inspection, and the construction or replacement of fences. No building permit shall be issued by the city finance officer except in conformity with the provision of this title and zoning ordinances, unless the applicant receives a written order from the city council as provided in Chapter 17.12 and pays the fees established in Chapter 17.04.

The city finance officer shall give the original of the building permit to the applicant after the finance officer indicates approval by signing. The city finance officer shall retain one copy of the permit.

Each spring, a notice will be published in the official newspaper to inform owners and contractors of the work that requires a building permit. If any owner or the owner's contractor fails to purchase a building permit prior to the commencement of the construction, an additional fee of ten dollars will be added to the building permit fee. If the city has to notify the owner of the need for the building permit, another additional fee of fifteen dollars will be added to the building permit fee (total addition of twenty-five dollars). (Ord.13-01 (part): Ord. 1-99 (part)).

Dated this 6th day of July, 2010.

DUANE SANGER, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

Motion by Sihrer, seconded by Schwartz to adopt Ordinance No. 03-2010. Motion carried on a roll call vote with all members voting "Yes."

Resolution No. 2010-10 (CAG) was read by Mayor Sanger.

RESOLUTION #10-2010

RESOLUTION OF FINANCIAL COMMITMENT, RESPONSIBILITY FOR ROAD MAINTENANCE, AND SUPPORT FOR PROJECT

WHEREAS, the City of Redfield is applying for a Community Access Grant through the South Dakota Department of Transportation (SDDOT) for the City of Redfield, and

WHEREAS, the SDDOT requires a 40 percent local match for the construction costs of a project up to a specified amount; and

WHEREAS, the SDDOT requires a 100 percent local match for the engineering and administration costs of a project; and

WHEREAS, the SDDOT required the local government agency to be responsible for the maintenance of improved road; and

WHEREAS, the City of Redfield is in full support of this project and grant application;

THEREFORE, BE IT RESOLVED that the City of Redfield will provide the local match needed to supplement the SDDOT grant. This match will be 40 percent of the construction costs as shown in the grant application; and

THEREFORE, BE IT RESOLVED that the City of Redfield will pay 100 percent of the engineering and administrative cost associated with the proposed project; and

THEREFORE, BE IT ALSO RESOLVED that the City of Redfield will be responsible for maintenance of the improved road; and

THEREFORE, BE IT ALSO RESOLVED that the City of Redfield expresses their full support and cooperation to the road improvement project and the SDDOT CAG application.

Dated this 6th day of July, 2010.

Duane Sanger, Mayor

ATTEST:

Adam Hansen, Finance Officer

Motion by Ronnfeldt, seconded by Sihrer to approve Resolution No. 2010-10. Motion carried on a roll call vote with all members voting "Yes."

COUNCIL MEMBER REPORTS:

Ronnfeldt questioned if storm sewer would be installed on South Main Street. He questioned why beer was not sold at the fairgrounds on the 4th of July, and was informed that no license was applied for the fairgrounds. The property owner at 623 7th Ave E would like to add brick landscaping on the edge of her property. The City attorney will draft an agreement.

Kearney questioned how the fireworks were funded this year. The City of Redfield paid Premier Pyrotechnics \$7,500, and local businesses also contributed. She commented on how nice the fireworks display was.

Moeller informed the Council that the water/sewer department purchased a new fresh air machine for when working in a manhole. He commented that the new lakeside generator is here and needs to be installed. He received a concern about U-Turns on Main Street. The mayor invited the person who is concerned to come to a council meeting.

Schwartz commented that the boat dock at Redfield Lake is missing boards. In addition, Schwartz suggested changing the dump hours to 9-5 on Tuesdays, Thursdays, and Saturdays. It was the consensus of the Council to change the hours.

PAY CLAIMS:

City Prepaid	\$2,006.14
City Unpaid	\$103,927.72
Hospital & Clinic Prepaid	\$141,003.69
Hospital & Clinic Unpaid	\$152,012.58

Additional Claims:

Motion by Sihrer, seconded by Avery to pay the above claims. Motion carried on a roll call vote with all members voting "Yes."

Exit: Mundstock at 8:57 pm

Motion by Schwartz, seconded by Kearney to enter executive session at 8:58 pm for personnel matters. Motion carried.

Motion by Schwartz, seconded by Kearney to exit executive session at 9:59 pm. Motion carried. No action was taken.

SUCH ADDITIONAL ITEMS WHICH MAY PROPERLY COME BEFORE THE COUNCIL:

Schwartz reported that the water slide railing at the pool is loose.

There being no further business, meeting was adjourned at 10:00 PM.

Duane Sanger
Mayor

Adam L. Hansen
Finance Officer

Recorder: Adam L. Hansen