

**-Unapproved Minutes of
REDFIELD CITY COUNCIL**

November 16, 2015

7:00 p.m.

The City Council met in regular session at City Hall on Monday, November 16, 2015 at 7:00 p.m.

MEMBERS PRESENT: Mayor Jayme Akin, Mike Siebrecht, Eileen Kearney, Randy Maddox, Darrell Ronnfeldt, Joe Morrissette, Larry Eldeen, David Moeller, and Frank Schwartz

STAFF PRESENT: Adam L. Hansen and City Attorney Tim Bormann

VISITORS: Kevin Schurch, Shannon Voegele, Shelley Voegele, Dennis Weideman, Nancy Terry, Scott Anderson, Karla Anderson, Shannon Marvel, Heidi Appel, Tonya Jungwirth, @ 7:01 p.m., Mike Byrum @ 7:03 p.m.

CALL TO ORDER: Mayor Akin called the meeting to order at 7:00 p.m.

ADOPT AGENDA: Motion by Eldeen, seconded by Maddox to adopt the agenda as presented. Motion carried.

MINUTES: Motion by Morrissette, seconded by Schwartz to approve the November 2, 2015 minutes. Motion carried.

CONSENT CALENDAR:

Motion by Schwartz, seconded by Morrissette to approve the following items on the consent calendar:

Departments' Reports: -

- A. Fire Report – reports dated November 12, 2015
- B. Parks & Recreation Report – minutes dated October 20, 2015
- C. Building Permits – Report dated October 2015
- D. Senior Citizens Report – minutes dated November 2015

Receive and place on file. Motion carried.

REPORTS:

Hospital Report – Motion by Ronnfeldt, seconded by Eldeen to approve the CMH Hospital minutes dated October 26, 2015. Motion carried.

VISITORS:

Kevin Schurch – Spink County Sheriff – Schurch updated the Council on his departments' monthly activities.

PUBLIC HEARINGS:

2016 Retail (On/Off Sale) Wine License (County Seat) – Mayor Akin opened the public hearing at 7:10 p.m. for a new retail on/off sale wine license at the County Seat in the City of Redfield. Heidi Appel spoke in favor of granting the license. The hearing was declared closed at 7:12 p.m. Motion by Schwartz, seconded by Morrissette to approve the license. Motion carried.

2016 NEW LICENSE:

#New Simon and Heidi Appel Retail (On/Off Sale) Wine 608 Main Street
d/b/a County Seat – Furniture,
Home Décor and More

EXIT: Appel @ 7:13 p.m.

2016 Package-Retail Liquor License Renewals - Mayor Akin opened the public hearing for the 2016 package retail liquor licenses in the City of Redfield at 7:13 p.m. There being no one present to testify and no written comments received the hearing was declared closed at 7:14 p.m. Motion by Siebrecht, seconded by Maddox to approve the renewals. Motion carried.

OFF-SALE LICENSES:

Business	Address	License Number	Open Sunday
-B&L Food Stores, Inc Redfield Food Center	516 Main St.	PL-4418	Yes
Travis Thomas d/b/a/Chrystals LLC	1202 W. 3 rd St.	PL-4793 RW-20422	Yes Yes
Bi-Rite Liquors, Inc. d/b/a Bi-Rite Liquors	14 E. 7 th Ave.	PL-4795	Yes
Kesslers Inc. d/b/a Kesslers Inc.	1310 3 rd St. W.	PL-20046	

ON-SALE LICENSES:

Business	Address	License No.	Open Sunday
Monte A. Evans d/b/a Starters Lanes & Sports Lounge	723 Main St.	RL-5903	Yes
St Roosters LLC d/b/a St Roosters LLC	424 Main St.	RL-5904	Yes
American Legion d/b/a Clay Kiser Post 92	612 Main St.	RL-5905	Yes
Travis Thomas d/b/a Chrystals	1202 W. 3 rd St.	RL-21019	Yes
Shopko Stores Operating Co LLC d/b/a Shopko Hometown #558	614 3 rd St. W.	RW-21709	Yes

Restricted to off sale only.

2015 Package-Retail Liquor License Transfers (Terry’s) – Mayor Akin opened the public hearing for the 2015 package retail liquor license transfer in the City of Redfield at 7:14 p.m. Shannon and Shelley Voegele distributed pictures of an accident caused by the applicant and spoke against

granting the transfer. Scott Anderson spoke against granting the transfer. Darrell Ronnfeldt inquired about the statutes regarding alcohol licenses. City Attorney Bormann addressed the issue. Sheriff Kevin Schurch asked the City Council to deny the license; Schurch reported having law enforcement problems associated with the Ashton Bar when Mr. Weideman was operating it. Dennis Weideman spoke about his history of running bars throughout South Dakota. Weideman addressed the accident situation and expressed remorse. Larry Eldeen inquired about how many bars Weideman has owned. Ronnfeldt reported receiving calls asking for the denial of the transfer. Bormann explained the alcohol and video lottery requirements for granting a transfer. Nancy Terry explained the history of Terry's and how the working relationship will work with Weideman in charge. S. Anderson spoke about moral character. The hearing was declared closed at 7:32 p.m. The Council having heard the testimony of the witnesses and reviewed the facts in the manner contemplated under South Dakota law; a motion was made by Morrissette, seconded by Kearney to deny the transfer of the licenses to Dennis Weideman based on non-moral character; because the person having the license should have high moral character and responsibility. Discussion ensued about the license transfer and contacts from Redfield citizens regarding the transfer. Motion carried.

Exit: Voegele, Voegele, Weideman, Terry, Anderson, Anderson, Marvel, Jungwirth, Byrum @ 7:44 p.m.

2016 Package-Retail Liquor Licenses (Terry's) – The public hearing was not held based on Dennis Weideman being ineligible to hold a license based upon the preceding public hearing.

OLD BUSINESS:

Notice of Code Enforcement Activities – Yost's report was presented his report to the Council for their review. Various properties were discussed.

NEW BUSINESS:

Armory Parking Lot - Motion by Eldeen, seconded by Morrissette to lease the property for five years to NWPS. Motion failed on a roll call vote with Siebrecht, Kearney, Moeller, Maddox, and Ronnfeldt voting "Nay."

Housing Demolition Request Motion by Siebrecht, seconded by Moeller to deny the request. Motion carried.

Healthcare Insurance Options Motion by Schwartz, seconded by Morrissette to have a two tier deductible health insurance for employees, with the City of Redfield paying the full single premium amount of plan 1 for both plan 1 and 2. Motion carried.

Pay request #1 Pool Project Motion by Maddox, seconded by Ronnfeldt to approve pay request number 1 in the amount of \$45,865 to Solid Water Slide Repair. Motion carried on a roll call vote with all members voting "Yes."

Exit: Schurch @ 8:11 p.m.

ORDINANCES AND RESOLUTIONS:

Hansen gave the Second Reading of Ordinance No. 04-2015 (Building Permit Ordinance).

ORDINANCE NO: 04-2015

Building Permit Ordinance

BE IT ORDAINED BY THE CITY OF REDFIELD, SD:

That **Chapter 15.04 – Building Code** be amended and adopted as follows:

15.04.081 – Building Permit Fee.

Upon approval of the plans or work statement for the proposed construction, and the payment of the fee provided in this chapter, the city finance officer shall furnish the applicant a building permit. The fee for such permit shall be as follows:

- A. For all apartment buildings, single-family dwellings and all commercial buildings, mobile homes and modular homes (to include full cost plus foundation improvements), including those to be erected by any charitable organization, church, school or by any governmental subdivision, the following fees shall be charged:

Application Permit of Administrative Form	Amount of Fee, Charge or Expense	Collection Procedures
\$0 - \$5,000	\$10.00	Payment made out to the City of Redfield credited to General Fund and collected by the City Finance Officer.
\$5,001 - \$10,000	\$15.00	
\$10,001 - \$20,000	\$20.00	
\$20,001 - \$30,000	\$30.00	
\$30,001 - \$50,000	\$50.00	
\$50,001 - \$80,000	\$75.00	
\$80,001 or more	1/10 of 1% (0.001) construction cost	

In excess of \$50,000 – Shall require the preparation of plans and specifications by a registered engineer or architect whose stamp or seal shall be affixed to the plans and specifications.

- B. Trailer homes moved to or from the city, or from one location to a new location within the city, shall pay a building permit fee in the amount of ten dollars.
- C. The building permit fee for the removal of a building shall be ten dollars.

All other parts of **Chapter 15.04 – Building Code** of the Redfield Municipal Code shall remain unchanged and in full force and effect.

That **Chapter 17.12 – Administration and Enforcement** be amended and adopted as follows:

17.12.050 - Building permits—Required.

Building permits shall be required as defined by Chapter 15.04 of the Redfield Municipal Code. Prior to any new construction, or any exterior renovation with a proposed budget in excess of Fifty Thousand and no/100 Dollars (\$50,000.00), the City shall be presented a site plan, prepared by an engineer, architect, or other competent professional, showing the floor plan and an exterior rendering of the proposed construction.

17.12.240 - Character of neighborhood.

The use shall not involve any activity not in character with the majority of the uses in the neighborhood unless, by design, setback, nature or operation, and other devices, the character of the neighborhood will be maintained.

New construction shall be complimentary to the neighborhood and shall not be constructed in such a manner of form that shall be offensive or distracting from the remainder of the neighborhood.

All other parts of **Chapter 17.12 – Administration and Enforcement** of the Redfield Municipal Code shall remain unchanged and in full force and effect.

That **Chapter 17.28 – Residential Districts** be amended and adopted as follows:

17.28.030 - Accessory uses.

Accessory uses and structures customarily incidental to permitted principal uses and on the same parcel shall be permitted in the residential districts with the following conditions.

17.28.031 – Definitions

The following words, terms and phrases, when used in this section, and all sections pertaining to accessory buildings or structures, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Detached Residential Accessory Building – a 1-story accessory building primarily used or intended for the storage of automobiles and other miscellaneous equipment, No door or other access opening shall exceed 14 feet in height.

Storage or Tool Shed – a 1-story accessory building of less than 60 square feet gross area with a maximum roof height of 12 feet.

Permit Required – All accessory buildings and structures require either a certificate of zoning compliance or a building permit as determined by the City of Redfield.

Principal Structure Necessary – No accessory buildings or structures shall be constructed nor accessory use located on a lot until a building permit has been issued for the principal structure to which it is an accessory.

Proximity to Principal Structure – Accessory buildings shall maintain a six (6) foot setback from the principal structure. An accessory building or structure will be considered as an integral part of the principal building if it is located six (6) feet or less from the principal structure.

17.28.032 – Pole Construction Buildings

Pole construction buildings may be built to a maximum of one hundred twenty (120) square feet, any such structure larger than one hundred twenty (120) square feet shall not be permitted in districts zoned R or R-MH. A land owner may apply for a conditional use permit if the parcel of land on which it is desired to place a pole construction building abuts land which is zoned C, HC, or I.

17.28.033 – Structure Location

No detached garages or other accessory building shall be located nearer the front lot line than the principal building on that lot, unless, by resolution of the City Council, an exception is made to permit such to occur.

17.28.034 – Openings and Doors

Garage doors and other openings shall not exceed fourteen (14) feet in height for all accessory buildings or structures.

17.28.035 – Attached Structures

An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

- a. An attached structure must not exceed the footprint size of the principal building;
- b. An attached structure shall meet the required yard setbacks for a principal structure as established herein; and
- c. An attached structure shall not exceed the height of the principal building to which it is attached.

17.28.036 – Detached Structures

Detached accessory buildings and structures shall adhere to the following requirements:

- a. Detached accessory structures shall be located to the side or rear of the principal building and are not permitted within the required front yard or within a side yard abutting a street;
- b. Detached accessory structures shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of twenty-two (22) feet or the height of the principal structure. Building projections or features, such as chimneys, cupolas, and similar decorations are permitted so long as said feature does not exceed twenty-five (25) feet in height.
- c. No more than 30% of the rear yard area may be covered by an accessory structure.

All other parts of **Chapter 17.28 – Residential Districts** of the Redfield Municipal Code shall remain unchanged and in full force and effect.

BE IT ORDAINED BY THE CITY OF REDFIELD, SOUTH DAKOTA: That this Ordinance Amending Chapter 15.04, Chapter 17.12, and Chapter 17.28 of the Redfield Municipal Code is Hereby Read, Approved, and Adopted as Follows:

JAYME AKIN, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

FIRST READING: November 2, 2015

SECOND READING: November 16, 2015

PUBLISHED: November 25, 2015

EFFECTIVE DATE: January 1, 2016

Motion by Schwartz, seconded by Maddox to adopt Ordinance No. 04-2015. Motion carried on a roll call vote with all members voting "Yes."

Hansen gave the Second Reading of Ordinance No. 06-2015 (Supplemental Appropriations Ordinance).

ORDINANCE NO: 06-2015
2015 Supplemental Budget Appropriations

Be it ordained by the City Council of Redfield, SD that the following sum is supplementally appropriated to meet the obligations of the municipality for the year 2015

General Fund (101):

Dept. 41100 Legislative		
Object 42103 Liability Insurance	\$	10,000
Dept. 43100 Street		
Object 43400 Machinery & Equipment	\$	100,000
Dept. 43500 Airport Operations		
Object 42200 Professional Services	\$	100,000
Object 42500 Repairs and Maintenance	\$	10,000
Dept. 44130 West Nile		
Object 41100 Salaries	\$	17,500
Object 44130 Chemicals	\$	30,000
Dept. 45100 Recreation		
Object 42500 Repairs and Maintenance	\$	15,000
Object 42600 Supplies & Materials	\$	30,000
Object 43200 Buildings	\$	150,000
Dept. 45140 Senior Citizens Activities		
Object 42900 Other Current Expense	\$	2,500
Dept. 45200 Parks		
Object 43400 Machinery & Equipment		\$16,000
Dept 45300 Swimming Pool		
Object 41100 Part Time Salaries	\$	20,000
Object 42600 Supplies & Materials	\$	10,000
Object 43300 Improvements Other Than	\$	55,000
Dept 45500 Libraries		
Object 42500 Repairs and Maintenance	\$	14,000
Object 43200 Buildings	\$	12,000

Dept. 51100 Transfers Out		
Object	\$	55,000
Total General Fund:		\$657,000
Means of Finance: Cash on Hand, Grant		
3 rd Penny Sales Tax (211)		
Dept 45700 Historic Preservation		
Object 41101 Part Time Salaries	\$	20,000
Dept 46530 Promoting the City		
Object 45300 Marketing	\$	5,000
Total 3 rd Penny Fund		\$25,000
Means of Finance: Cash on Hand		
Industrial Development Fund		
Dept. 46500 Economic Development		
Object 45600 Subsidies	\$	85,000
Total Industrial Development Fund		\$85,000
Shar Winn Construction (502)		
Dept 43000 Public Works		
Object 43300 Improvements Other Than	\$	50,000
Dept 43200 Sanitation		
Object 43300 Improvements Other Than	\$	50,000
Total Shar Winn Fund		\$100,000
Means of Finance: Cash on Hand, Loan		
Sewer Fund (604)		
Dept 43200 Sanitation		
Object 42503 Contract Services	\$	25,000
Object 44200 Interest	\$	20,000
Total Sewer Fund		\$45,000
Means of Finance: Cash on Hand		
Flex Spending Pass Through (753)		
Dept. 41400 Financial Administration		
Object 42900 Other Current Expense	\$	10,000
Total Dept 41400	\$	10,000
Total Flex Spending Pass Through		\$10,000
Means of Finance Cash on Hand		

Dated this 16th day of November, 2015.

JAYME AKIN, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

First Reading: November 2, 2015

Second Reading: November 16, 2015

Publication: November 25, 2015

Motion by Siebrecht, seconded by Maddox to adopt Ordinance No. 06-2015. Motion carried on a roll call vote with all members voting "Yes."

INFORMATION AND DISCUSSION ITEMS:

Asphalt Zipper – Hansen is looking into it.

Park & Rec Grant – Appel applied for and was awarded the healthy SD Grant. Wellmark Foundation Community Kickstarter program is awarding Redfield with \$9,988 for a community bike program.

COUNCIL MEMBER REPORTS:

Schwartz inquired about zoning issues in residential neighborhoods.

Moeller had a question about a private sewer line back up and insurance ramifications.

Siebrecht inquired if the boat dock will be removed from Redfield Lake for the winter. He stated cement work will need to be done by the boat dock in spring 2016.

Ronnfeldt updated the Council that the library wall project is done and has been professionally cleaned.

Maddox inquired about the RHS building project.

Mayor Akin informed the Council that December 15 will be the City/County Christmas Party.

PAY CLAIMS:

City Prepaid	\$6,410.43
City Unpaid	\$36,453.65
Hospital & Clinic Prepaid	\$465,003.88
Hospital & Clinic Unpaid	\$98,847.17
Additional Claims:	

Motion by Siebrecht, seconded by Schwartz to pay the above claims with the addition of the following: Century Link \$277.72 for phone, fax & internet, AM Family Life Assurance \$850.93 for insurance premiums, Aberdeen Family Y \$275.00 for registration fee for tournament, Starann Hier \$50.00 for refund water exercise, Solid Water Slide Repair \$45,865 for slide repair. Motion carried on a roll call vote with all members voting "Yes."

There being no further business, meeting was adjourned at 8:53 p.m.

Jayne Akin
Mayor

Adam L. Hansen
Finance Officer

Recorder: Adam L. Hansen