

**Unapproved Minutes of
REDFIELD CITY COUNCIL**

April 17, 2017

7:00 p.m.

The City Council met in regular session at City Hall on Monday, April 17, 2017 at 7:00 p.m.

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

MEMBERS ABSENT: David Moeller

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

VISITORS: Kevin Schurch, Rich Rische, Jeff Payant, Jim Burdick, Sean Christman, John Christman, Roger Markegaard, Kenny Neu, Melinda Neu, Richelle Williams, Wade Schlotter, Lynn Brace @ 7:02 p.m., Shiloh Appel @ 7:10 p.m.

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

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

MINUTES: Motion by Morrissette, seconded by Eldeen to approve the April 3, 2017 minutes. Motion carried.

CONSENT CALENDAR:

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

Departments' Reports:

- A. Parks & Recreation Report – minutes dated January 30, 2017, minutes dated February 21, 2017, and minutes dated March 27, 2017
- B. Building Permits – Report dated March, 2017
- C. Senior Citizens Report – minutes dated April, 2017
- D. Monthly Fuel Quote

Receive and place on file. Motion carried.

BID OPENINGS AND AWARDS:

2017-2018 Stump Removal Bids – The following 2017-2018 stump removal quotes were received: Dakota Tree Company \$95.00 per stump; Eager Beaver \$25.00. Motion by Maddox, seconded by Kearney to accept low bid of \$25.00 per stump from Eager Beaver for May 1, 2017 through April 30, 2018. Motion carried.

VISITORS:

Kevin Schurch – Sheriff Schurch updated the Council on his department's activities.

Exit: Schurch @ 7:12 p.m.

PUBLIC HEARINGS:

Public Hearing for April 17, 2017 for a Variance Request at 1326 1st St. East (D. Levtzow) – Mayor Akin opened the public hearing open at 7:12 p.m. for a variance request at 1326 1st St. East, the zoning board’s recommendation was to approve the variance. The hearing was declared closed at 7:14 p.m. Motion by Kearney, seconded by Schwartz to approve the variance. Motion carried.

Public Hearing for April 17, 2017 for Resolution of Necessity for 2017 Curb and Gutter Project (2017-03) – The resolution of necessity was read by Mayor Akin.

**CITY OF REDFIELD
#2017-03
RESOLUTION OF NECESSITY
2017 CURB & GUTTER REPLACEMENT**

A RESOLUTION DECLARING IT NECESSARY TO PLACE OR REPLACE CURB AND GUTTER ADJOINING CERTAIN PROPERTIES WITHIN THE CITY OF REDFIELD, SOUTH DAKOTA.

BE IT RESOLVED by the Governing Body, in and for the City of Redfield, South Dakota:

Section 1. It is necessary to place or replace curb and gutter, in the proper manner by plans and specifications by Clark Engineering Corp., in and for the City of Redfield, South Dakota, on city streets adjoining the property described herein:

Schedule A: NEW CURB AND GUTTER

Schedule B: REPAIR OF EXISTING CURB AND GUTTER

First Name	Last Name	Company	Legal Description	Footage	Schedule
Lynn	Brace		Lot 1, Shar-Winn Estates	299	A
Jan	Booze		Lot 2, Shar-Winn Estates	170	A
Jeffrey	Payant		Lot 3, Shar-Winn Estates	299	A
Donald	Hardie		Lot 4, Shar-Winn Estates	299	A
Dennis	Harmening		Lot 5, Shar-Winn Estates	170	A
Rocky	Schmitt		Lot 6, Shar-Winn Estates	299	A
Terry	Downing		Lot 7, Shar-Winn Estates	277	A
Richard	Rische		Lot 8, Shar-Winn Estates	103	A
Richard	Rische		Lot 9, Shar-Winn Estates	80	A
Diana	Neu		Lot 10, Shar-Winn Estates	111	A

First Name	Last Name	Company	Legal Description	Footage	Schedule
Kenny	Neu		Lot 13, Shar-Winn Estates	145	A
Galland & Kim & Nyla %Harry	Fischer		Lot 15, Shar-Winn Estates	145	A
Marvin	Fixsen Fischer Mannie		Lot 17, Shar-Winn Estates	275	A
Francis	McNeely		Lot 18, Shar-Winn Estates	137	A
John	Cass		Lot 19, Shar-Winn Estates	137	A
Caroline	Lambert		Lot 20, Shar-Winn Estates	135	A
Shirley	Sheridan		Lot 21, Shar-Winn Estates	135	A
Richard	Bottum		Lot 22, Shar-Winn Estates	135	A
Larry	Luxton		Lot 23, Shar-Winn Estates	96	A
Dora	Moeller		Lot 24, Shar-Winn Estates	108	A
Delbert	Schnabel		Lot 25, Shar-Winn Estates	200	A
James	Burdick		Lot 26, Shar-Winn Estates	200	A
Cecil	Yungwirth		Lot 27, Shar-Winn Estates	200	A
Gary	Newman		Lot 28, Shar-Winn Estates	200	A
Gary	Newman		Lot 29, Shar-Winn Estates	200	A
Jeff	O'Daniel		Lot 30, Shar-Winn Estates	326	A
		Redfield Ind. School District	Lots 5-7, Block 2, American Legion Addition	150	A
		Redfield Ind. School District	Lots 1-7, Block 3, American Legion Addition	384	A
Shirley	Vearrier		S40' of E110.45' of Lot 13 & E 110.45' of Lot 14, Block 1, Myers 1st	201	B

First Name	Last Name	Company	Legal Description	Footage	Schedule
Sean	Christman		Lots 12-17, Blk 9, Packards 3 rd	295	A
		RADC	Lots 18-22, Blk 9, Packards 3 rd	250	A
Carol	Leinen		Lots 6-11, Blk 10 Packards 3 rd	295	A
		Fifth Avenue Holdings, LLP	Lots 15-18, Blk 16, Albert Keeps 1 st	200	B

Section 2. The cost and the expense of the installation or the replacement shall be levied by special assessment upon the above described property in proportion to the number of feet as provided by statute. Material used for the project shall be concrete and other materials related to the project.

Such special assessment shall be payable in ten (10) equal annual installments in accordance with the accepted bid and cost incurred, and the said assessment and installments shall be payable under Plan 2, "Collection by the Municipal Treasurer" as provided by SDCL 9-43.

Section 3. The estimated cost per linear foot for curb and gutter is \$42.00, and approach pavement will be approximately \$94.25 per square yard.

Section 4. The full cost of new curb and gutter will be assessed to the real estate owner. One half the cost of replacing curb and gutter will be assessed to the owner of the real estate.

Section 5. The City of Redfield proposes to assume the cost of engineering and the public intersections.

Section 6. The details, plans, and specifications may be reviewed at the Finance Office during regular office hours.

Adopted this ____ day of _____, 2017

Mayor

ATTEST:
(seal)

Finance Officer

Date adopted: _____
Date published: _____

Mayor Akin opened the public hearing on the resolution of necessity at 7:19 p.m. Sean Christman inquired about the investigation the City Council did for the project and the cost of the curb and gutter at his property. City Attorney Bormann discussed the liability issues pertaining to storm water and how curb and gutter could alleviate that. S. Christman inquired about how the debt for the curb and gutter works. S. Christman cited SDCL 9-43-101 regarding waivers for certain people. Mayor Akin

inquired about how many lots S. Christman owns. Rich Rische testified about the need for curb and gutter at the Shar-Winn development. Lynn Brace discussed that he is in favor of the project and the need for curb and gutter at his residence. Roger Markegaard testified about fixing the street and adding some gravel would fix the drainage issues on 4th St. W. Jeff Payant discussed how he is in favor of the project and how drainage is an issue that curb and gutter will resolve. Jim Burdick thanked the City of Redfield for annexing Shar-Winn into city limits, for all the improvements the City has built, and curb and gutter is the finishing touch to those improvements. Jeff Payant inquired about approach pavement. S. Christman testified he is not against the curb and gutter project, but against the cost to his property. S. Christman testified that he is against the project because it is a violation of his 5th amendment rights. Mayor Akin explained three options the City could do with the curb and gutter project. City Attorney Bormann explained SDCL 9-43 to those in attendance. S. Christman discussed SDCL 9-43-101. City Attorney Bormann asked S. Christman who owns the property in question and S. Christman stated he owned the property. Mayor Akin declared the public hearing closed at 7:53 p.m. Motion by Ronnfeldt, seconded by Morrissette to approve the resolution of necessity as presented. Kearney inquired about the two different schedules on the resolution. Siebrecht inquired about the cost being cheaper because of the large amount of footage of curb and gutter. Motion carried on a roll call vote with all members voting "Yes."

Exit: S. Christman, J. Christman, Markegaard, Rische, Payant, Burdick, K. Neu, M. Neu, Williams, Schlotter, Brace @ 7:57 p.m.

OLD BUSINESS:

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

NEW BUSINESS:

Change Order #1 – Firetruck – Motion by Maddox, seconded by Schwartz to accept Change Order #1 in the amount of \$10,797.00. Motion carried on a roll call vote with all members voting "Yes".

No Parking Zone on Detour Route – Motion by Maddox, seconded by Schwartz to have a temporary no parking zone by the pool and a one-way road by the pool through October 2017. Motion carried.

SD Historical Society Conference April 29, 2017 in Sioux Falls, SD for luncheon – Motion by Eldeen, seconded by Morrissette to send Mary Lou to conference in Sioux Falls, SD. Motion carried.

Approve Annual Notices – Motion by Morrissette, seconded by Schwartz to approve the annual notices. Motion carried.

Approve Summer Help – Motion by Schwartz, seconded by Morrissette to hire the following 2017 summer employees: Wendi Owens, Aquatic Supervisor @ \$11.80/hour, Lifeguard Instructor @ \$20.00/hour, and WSI @ \$15.00/hour; Carol Lambert, Aquatic Supervisor @ \$11.50/hour; Kate Gillette, WSI @ \$15.00/hour, contingent on passing of the WSI class; Carsten McNeil, Lifeguard @ \$10.00/hour, contingent on passing certification. Motion carried.

COUNCIL MEMBER REPORTS:

Schwartz updated Council on the progress of the cement pads for frisbee golf, comfort station coming along well at Hav-A-Rest, and the need for a three way stop on the bridge detour.

Siebrecht inquired about the City purchasing a portable speed sign on a trailer. He informed the council that the cars have been removed from the impound lot. Marketing the City of Redfield was discussed.

Ronfeldt commented on the need to fix a broken window at the old fire station.

Morrisette inquired about the changing a stop sign to a yield sign on 6th St. E. and 9th Ave.

Mayor Akin informed the Council about the annual CMH Board of Governors meeting April 24th.

PAY CLAIMS:

City Prepaid	\$34,506.15
City Unpaid	\$68,082.99
Hospital & Clinic Prepaid	\$76,975.11
Hospital & Clinic Unpaid	\$357,643.88
Additional Claims:	

Motion by Kearney, seconded by Schwartz to pay the above claims in addition to The Redfield Press \$1,151.75 for March legals & advertising, CenturyLink \$283.36 for phone, fax & internet, and AWSPA \$650.00 for women's league fees, in addition to approving AWSPA \$50.00 in case of forfeit. Motion carried on a roll call vote with all members voting "Yes."

There being no further business, meeting was adjourned at 8:47 p.m.

Jayme Akin
Mayor

Adam L. Hansen
Finance Officer

Recorder: Adam L. Hansen