

**CITY OF PLATTE
CITY COUNCIL PROCEEDINGS
REGULAR MEETING
May 4, 2009**

Mayor Gustad called the meeting to order at Platte City Hall at 7:30 p.m. Those present for Roll Call were: Arnold Dalldorf, Rick Gustad, Rich Hoppe, Gary Iedema, Jerry Overweg, and Todd Spoelstra. Joel Foxley was absent. Others present were: Steve Christensen, Marlon Ferguson, Kevin Kuiper, Ralph Nachtigal, Paul Vanderboom, and Nicole Westerhuis.

AGENDA. No changes were made to the agenda.

MINUTES. Westerhuis read aloud the April 20 regular meeting minutes. Dalldorf moved and Spoelstra seconded to approve the minutes as read. Motion passed on voice vote.

REPORTS.

Councilmember Overweg. Checked on the hospital downspouts and found that they do comply with the ordinance.

Councilmember Iedema. Received a complaint regarding a clutter-filled yard. Spoke with the property owner, and it will be taken care of.

Councilmember Spoelstra. Received a complaint regarding the Brumbaugh house up on blocks. The door is open or off now, creating more of a nuisance.

Mayor & Remaining Councilmembers. No report.

Community Center. No report.

Platte Area Chamber of Commerce. No report.

Finance Officer. Westerhuis reported the following. 1) The zoning ordinance currently contains a section that addresses a penalty if a person does not obtain a building permit prior to commencing work on their building project. All present felt that this will suffice, and that the ordinance needs to be enforced. 2) Was elected to the Planning & Development District III executive board for a one year term. 3) The deadline for nominating petitions is Friday at 5 p.m. 4) Schoenfish & Co is currently auditing the 2007-08 records, and expect to be done here tomorrow. They will call toward the end of the month when they have the report done. 5) Checked further into the stimulus funds for retrofit/renovation of a heating/cooling system in a government building. The application and specific information will not be available until June or July. Will do preliminary work by checking with Paulson Sheet Metal regarding the potential energy savings.

Police Department. Chief Christensen distributed the following report for the month of April.

AGE RELATED ISSUES

JUVENILE CONTACTS (<18)	Nos.	ADULT CONTACTS (Over 18)	Nos.
Verbal Warnings	15	Verbal Warnings	5
Written Warnings	2	Written Warnings	7
Written Citations	0	Written Citations	3
Charged By Warrant	0	Arrest by Warrant	0
Total Traffic Stops (Non-Alcohol)	17	Total Traffic Stops (Non-Alcohol)	15

Complaints Received	0	Complaints Received	0
Field Sobriety Tests Only	0	Field Sobriety Tests Only	0
DWI Arrests	0	DWI Arrests	0
Open Container Citations	0	Open Container Citations	0
Underage Consumption Cit.	0	Underage Consumption Cit.	0
Total Alcohol Related Contacts	0	Total Alcohol Related Contacts	0

NON-AGE DELINEATED CONTACTS

Property Related Issues	Nos.	Family Violence	Nos.
Vehicle Accidents (under \$250)	0	Complaints	0
Vehicle Accidents (over \$250)	3	Arrests	0
Burglary Complaints	0	Protective Custody	0
Burglary Arrests	0		
Robbery Complaints	1	Dog Issues	
Robbery Arrests	0	Complaints	2
Theft Reports	0	Dogs Captured	0
Vandalism Reports	2	Dogs Terminated	0
Auto Thefts	0	Owners Warned	1
Hit & Run Property	0	Owners Issued Tickets	0
Officers Asst.	2		
Other Complaints	2	Other Animals – Complaints	0
911 Calls	6	Terminated	0

GENERAL OPERATIONS STATISTICS

Miles Driven on Ford Crown Vic 06	1162	Ambulance Assists	0
Miles Driven on Ford Crown Vic 09	1655	Community Service Performed	0 hrs.
Time Vehicle Out of Service	3 hrs.	Training Sessions Attended	21 hrs.
Hours Spent in Court	3 hrs.	Business Alarms	0
Funeral Escorts	2	Motorist Assists	1

1) Would like to attend a sex crimes investigation course and a domestic violence related homicide course in June.

Public Works. Kuiper reported the following. 1) Will discharge the lagoons this month. The ammonia level is high, so will discharge slowly. 2) Trying to finish up the picnic shelter and tennis/BB court at South Park. Northwestern installed the new street lights. 3) Travis Dyk tested Thursday for wastewater treatment. Waiting for the results. 4) The orbital motor on the street sweeper was replaced. 5) Will work on the swimming pool this month. The block wall in the shower room is in very poor condition. 6) The Keegel property is cleaned up and looks good. 7) May have to put in a new drain system at the swimming pool to comply with a Federal mandate put on all swimming pools. Waiting for verification on this as this pool is gravity fed.

Mayor Gustad stated the new playground looks like it could use more wood chips. Kuiper agreed that more need to be put in.

FERGIE'S PUB & BARRISTER – OUTSIDE SALES. Westerhuis explained that because of the upcoming smoking ban, Fergie's Pub asked if it is legal for a patron to step outside their back door with their beer to smoke a cigarette, and possibly sit at a small table outside the door. Westerhuis checked with both Carol Logan from the Department of Revenue and Regulation, and also City Attorney Tim Whalen, and both stated that as long as the property they are on is the property that is on their liquor license, it is legal. However, if someone steps into the street, they can be cited for open container. Marlon Ferguson asked permission to post signs stating that drinks cannot go beyond this point. The council agreed to allow signs to be posted. No official action taken.

PUBLIC FORUM. No requests.

WATER/SEWER EXTENSION – PAUL VANDERBOOM. Paul Vanderboom was present to request the water main to be extended to his new residence. Mayor Gustad asked the status of the re-plat of the area. Vanderboom stated that the plat is waiting for the city's property to be cleared up. Westerhuis gave a history review of the area. The state originally sold several old railroad tracts to the city in 1996. One of these tracts included property that extended outside city limits to the south into Herb Hoffman's field, and Hoffman sued on the basis that he was not offered the property for purchase. The city had to give the property back and received a refund in 1998. After that, there is no record of the city purchasing the tract inside city limits back from the state, therefore it is probably still owned by the state.

Vanderboom stated that the Dept of Transportation is willing to give the city an easement over the former railroad property so utilities can be brought over to his property. Mayor Gustad stated he doesn't want to commit to putting utilities in until the easement is in place, because if the state decides not to grant an easement, the city has utilities where it shouldn't. Vanderboom stated that both the water and sewer lines currently end east of where the easement would be granted anyway, so the utility extension should not be based on the easement.

Vanderboom asked if the city would pay for the cost of a manhole if he pays for the sewer line. Mayor Gustad stated that the cost of the manhole would need to be paid by Vanderboom, as it is part of the sewer line installation. Vanderboom stated that he plans to give the city the right-of-way rather than charging for it, and is asking that the city pay for the manhole in return. He stated he is ready to have Rod Berens dig in the sewer. Kuiper stated that if the sewer line is given to the city to maintain, it must be engineered when it is put in. If the line will remain privately owned, it doesn't have to be engineered. No official action taken.

BUILDING PERMITS. James and Teresa Neuman applied for a permit to move a storage shed and build a 4 foot addition onto it. **Hoppe moved and Overweg seconded approving Neuman's permit to move a storage shed and build a 4' addition. Motion passed on voice vote.** Farmer's Elevator Co applied for a permit to build a 16x32 shed. **Iedema moved and Spoelstra seconded approving Farmer's Elevator Co's permit to build 16'x32'electrical shed. Motion passed on voice vote.** Glenda Huggins applied for permit to build a fence. **Overweg moved and Hoppe seconded approving Huggins' permit to build a fence. Motion passed on voice vote.** Thomas and Vickie Boltjes applied for a permit to add on to fence. **Dalldorf moved and Spoelstra seconded approving Boltjes' permit to add on to fence. Motion passed on voice vote.** Kenny & Cheri Antonsen applied for a permit to build a 6x24 porch, two 8x24 additions, 28x28 attached garage, and move 30x30 garage. **Hoppe moved and Iedema seconded tabling Antonsen's permit until the next meeting to check on the measurements. Motion passed on voice vote.** Jerry and Myrna Overweg applied for a permit to build a fence. **Dalldorf moved and Iedema seconded approving Overweg's permit to build a fence. Motion passed on voice vote, with Overweg abstaining.**

FINANCE REPORT. Westerhuis gave the finance report for the period ending April 30, 2009.

BILLS. Westerhuis presented the bills. *(Attached as separate document)*. **Overweg moved and Hoppe seconded to approve the bills as presented. Motion passed on roll call vote 5 to 0.**

SD ARMY NATIONAL GUARD TRAINING REQUEST. Westerhuis stated that a request was received from the National Guard to use the Lake Platte training area on May 2-3. **Dalldorf moved and Iedema seconded allowing the National Guard to use the Lake Platte training area on May 2-3. Motion passed on voice vote.**

CONSUMPTION PERMIT – JOHN W STEKLY. Spoelstra moved and Hoppe seconded approving a consumption permit for John W Stekly for his wedding reception/dance to be held June 13, 2009 at the Community Center. Motion passed on roll call vote 4 to 1, with Hoppe, Iedema, Overweg and Spoelstra voting yes and Dalldorf voting no.

INTERFUND TRANSFERS. Spoelstra moved and Hoppe seconded transferring \$50,000 from the General Fund to the South Park Capital Project Fund, and \$395 from the General Fund to the Community Center Capital Outlay Fund. Motion passed on voice vote.

COUNCIL COMMENTS. There being no further business before the City Council, **Dalldorf moved and Overweg seconded to adjourn the meeting at 8:55 p.m. Motion passed on voice vote.**

DATED: _____

By: _____

Rick Gustad
Mayor

By: _____

Nicole Westerhuis
City Finance Officer