

**CITY OF PLATTE
CITY COUNCIL PROCEEDINGS
UNAPPROVED REGULAR MEETING
April 2, 2012**

Mayor Gustad called the meeting to order at Platte City Hall at 7:30 p.m. Those present for Roll Call were: Arnold Dalldorf, Joel Foxley, Rich Hoppe, Rick Gustad, Jarrod Lang, and Jerry Overweg. Councilmember Todd Spoelstra arrived at 7:35 p.m. Others present were: Randall Brumbaugh, Kevin Kuiper, Shauna Meyerink, Ralph Nachtigal, Elizabeth Nepodal, Rob Reiser, Brandon Semmler, Todd VanManen, and Tim Whalen.

AGENDA.

MINUTES. Councilmember Foxley motioned to approve the March 19th regular meeting minutes as presented. Motion seconded by Lang. Motion carried on voice vote.

REPORTS.

Councilmember Lang: reported that he had received a question from an individual regarding a semi trailer parked on the corner of 4th Street and Pennsylvania across from the Trinity Lutheran Church. The major concern is for traffic flowing West driving East, that visibility and safety are a hindrance. Councilmember Dalldorf agreed with Lang, also stating he has been approached regarding the same. Councilmember Lang also reported that he had been approached from an individual who questioned that no notice was really given regarding the closure of the Platte Airport for the Airport Lighting Project. Mayor Gustad informed Lang that as soon as plans were made to begin the project, the NOTAM was updated and all pilots have access to that before flying.

Councilmember Foxley: reported that he was questioned by a business owner along Main Street who was wondering who would be responsible for the trimming of the trees along the business district. It was noted that the thought would be the maintenance department would trim those trees as necessary.

Remaining Councilmembers: No report.

Mayor Gustad: Mayor Gustad reported 1) That Alvin VanZee, RCWD Manager, had stopped to inform the City that Randall Community Water District will be increasing their rates effective June 1, 2012. The rate will increase from \$1.70 per thousand gallons to \$1.90 per thousand gallons. 2) Mayor Gustad received a number of thank you letters from the second graders and brought them to the meeting for anyone who wished to read them.

Finance Officer. Meyerink reported on the following topics: 1) The Platte Municipal Airport is currently closed as work has begun on the Airport Lighting Project. The NOTAM has been set while work is in progress at the airport. 2) The letter requested from the IRS has been received with anticipation to help with fundraising for the new swimming pool through grants. 3) Reminder that April 10th is the election date set for Ward I. This will be a joint election with the Platte-Geddes School.

Police Department.

Chief Semmler reported on the following topics: 1) Officer Ellens has been cleared to begin driving starting on Saturday April 7th. 2) Officer Ellens will be out of town Thursday and Friday for the SD Transportation Conference in Sioux Falls. 3) Due to several dog complaints, Chief Semmler reported that he has purchased a dog catch pole in the event a stray dog needs to be approached.

Public Works. City Superintendent Kuiper reported on the following topics: 1) After verifying the amount with Meyerink, Kuiper reported that a total of \$11,000.00 was budgeted for overhead doors and shingles at the shop. After the budget was finalized last fall, Kuiper approached the area contractors regarding the project. At the time, there were no contractors available for the project. Recently, a local contractor approached Kuiper inquiring if the project was still available. Kuiper asked the contractor for a quote. Kuiper questioned the council if they would like to advertise for quotes from all area contractors or since all were approached last fall can we accept the current quote submitted. Councilmember Foxley stated it would be best to allow all contractors to submit a quote for the work. Quotes will be reviewed at the April 16th regular meeting. The council also discussed that the quote should be for shingles, not a tin roof.

PUBLIC FORUM.

VanMaanen relayed to the council the plan to begin work at the new track within the next couple of weeks unless weather permits otherwise. The ground looks much dryer this year as opposed to last year at this time.

CLAIMS.

Councilmember Hoppe motioned to approve the claims as submitted. Motion seconded by Spoelstra. Motion carried on roll call vote of 6-0. (Attached as separate document)

BUILDING PERMITS.

OLD BUSINESS.

NEW BUSINESS.

Public Hearing for Variance Request (Reiser): Mayor Gustad opened the public hearing at 8:03 p.m. for public comment. Reiser stated the proposed building will be an enhancement to his business and the area. He also affirmed that no concerns have been indicated from adjacent landowners. With no further comments from the public, Mayor Gustad closed the public hearing at 8:07 p.m. Councilmember Spoelstra questioned what the Planning Commission's recommendation was. Councilmember Overweg reminded the council that the Planning Commission recommended the approval of the proposed building being built across all interior lot lines; however, the remainder of the building meet Platte's Zoning Ordinance required setbacks. Mayor Gustad asked Meyerink to clarify the setbacks according to the Zoning Ordinance. Councilmember Hoppe posed the question to Reiser, would he consider shortening the building and moving it to the south to meet the side-yard and rear-yard setbacks? Reiser stated he requested the variance to enhance the property and operations of his business along with the use of the lot. Councilmember Overweg expressed his concern regarding fire danger. Councilmember Spoelstra shared the he was in favor of the building because of business operations; however, would rather see compliance to the zoning. If the building met all required setbacks, would it be a hardship to your business asked Councilmember Dalldorf. Reiser explained there would be an approximate 20-25 percent loss of storage space if the building was shortened and moved that much. **Councilmember Foxley motioned to approve the building spanning across all interior lot lines, a side yard setback of 8' on each side, a 25' front yard setback, and a 10' rear yard setback. Motion seconded by Spoelstra. Motion carried on a board of adjustment roll call vote of 7-0.**

Tim Whalen (Proposed Idea of Land Sale): Whalen explained that he had been in contact with Councilmember Spoelstra regarding the sale of the land on the west side of Lake Platte. Whalen described the actions the council would need to take to sell the land. The easiest way would be to surplus the property and hold a public auction. A second option proposed was to surplus the property and then go through the sealed bid process. All proceeds from either option could easily

be donated to the new swimming pool fund with no concern. If the property was deemed surplus, the City would not be able to un-surplus the land. Mayor Gustad questioned Whalen that if the property was sold, since it cannot be annexed into the City limits, would the City have any responsibility to the installation of water and sewer. Nothing deemed to qualify the City to have any obligations to such as the ground would be sold as is which would put the responsibility to the purchaser. Whalen recommended to the council to either sell all or none of the land. Councilmember Dalldorf expressed his concern of the public losing the land as public use. Whalen told the council it is critical to obtain public input before any decisions are made. No further action or comments were stated regarding the sale of the land.

Developers Agreement: Todd VanMannen clarified that the agreement reads that the City obtains the authorization of saying when the curb & gutter must be placed. City Attorney Tim Whalen has reviewed the agreement and no other concerns were mentioned prior to the meeting.

Councilmember Lang moved and Foxley seconded to approve the Developers Agreement between Chad & Darla Johnson and the City of Platte as proposed. Motion carried on roll call vote of 6-0.

Sewer Study: VanMaanen explained to the council that SD DENR is requiring a sewer study of the system for the City's annual permit renewal. This survey is to be completed by January 1, 2013, with any new implementation requirements due six months following. VanMaanen requested the council's permission to begin the sewer study by placing flow meters in the City's sanitary sewer system during the summer months. Councilmember Hoppe questioned VanMaanen on the estimated cost of such project. VanMaanen estimated the project at a couple thousand dollars over the summer but could not give an exact cost. **Councilmember Dalldorf motioned to allow Todd VanMaanen of Eisenbraun & Associates to begin the sanitary sewer study in Platte. Motion seconded by Overweg. Motion carried on voice vote.**

Resolution of Annexation: Meyerink presented the following resolution.

RESOLUTION NO. 040212-01

WHEREAS, Chad and Darla Johnson have petitioned the City of Platte, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Platte.

NOW, THEREFORE, BE IT RESOLVED by The City Council of the City of Platte, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Platte, South Dakota:

DESCRIPTION OF TRACT TO BE ANNEXED

A Plat of Lot 1 of Blocks 2, Lot 1, 2 and 3 of Block 3, Lots 1 and 2 of Block 4, Lot 1 of Block 5 and Outlot 2 of Sunset Acres, City of Platte, South Dakota, formerly known as: Lot 1 of Block 2, Lots 1, 2 and 3 of Block 3, Lot 1 of Block 4, Outlots 1 and 2 of Sunset Acres, City of Platte, South Dakota and a portion of Lot C-4 lying in the Northeast Quarter (NE1/4) of Section 23, Township 99 North, Range 68 West of the 5th P.M., Charles Mix County, South Dakota.

Adopted this 2nd day of April, 2012.

s/
Rick Gustad, Mayor of Platte

/s/

Shauna Meyerink, City Finance Officer

Councilmember Hoppe moved and Dalldorf seconded approving Resolution #040212-01. Motion passed on voice vote.

Resolution of Plat Approval: Meyerink presented the following resolution.

RESOLUTION #040212-02

A RESOLUTION TO APPROVE A PLAT OF PROPERTY ADJACENT TO THE
CITY OF PLATTE, SOUTH DAKOTA

WHEREAS, the owners of the land platted as Lots K-1 and K-2, located in the NE ¼ of the SW ¼ of Section 14, T99N, R68W of the 5th P.M., Charles Mix County, SD has submitted said plat to the City Council of the City of Platte, South Dakota for their consideration and acceptance; and

WHEREAS, the City Council has examined the same and found that it appears that the system of streets and alleys, if any, set forth therein conforms to the system of streets and alleys of the existing plats of the City; and

WHEREAS, all provisions of any subdivision regulations have been complied with; and

WHEREAS, all taxes and special assessments upon the tract or subdivision have been fully paid; and

WHEREAS, said plat and the survey thereof have been lawfully executed;

NOW THEREFORE BE IT RESOLVED, that the said plat be approved.

Dated this 2nd day of April, 2012.

s/
Rick Gustad, Mayor of Platte

/s/
Shauna Meyerink, City Finance Officer

Councilmember Spoelstra moved and Lang seconded approving Resolution #040212-02. Motion passed on voice vote.

Rescind Offer of Summer Employment: The public works committee recommended rescinding the previous offer of employment for swimming lesson instructors. **Councilmember Hoppe motioned to rescind the motion to offer employment to Melanie Sondgeroth and Lisa Brumbaugh as swimming lesson instructors for a total of \$750.00 for the summer. Motion seconded by Foxley. Motion carried on voice vote.**

Swimming Lessons Instructors: The public works committee recommended to offer positions of swimming lesson instructors at \$1,600.00 for the summer. **Councilmember Hoppe motioned to hire Melanie Sondgeroth and Lisa Brumbaugh as swimming lesson instructors during the**

2012 summer season for \$1,600.00. Motion seconded by Spoelstrea. Motion carried on voice vote.

Appointment of Election Officials: Councilmember Dalldorf moved and Spoelstra seconded to appoint Elsie Tronvold as Election Superintendent, Donna DenBesten and Glenna Kimball as Election Deputies. Motion carried on voice vote.

2nd Reading of Supplemental Ordinance No. 325: Supplemental Ordinance No. 325 will provide annual appropriation to conduct the indispensable functions of the Auditorium of the General Fund. This will transfer funds from donations and reserves to the general fund auditorium department in the amount of \$24,000.00. **Councilmember Foxley motioned and Lang seconded approving the second reading of Supplemental Ordinance No. 325. Motion carried on roll call vote of 6-0.**

Insurance Quote for Corn Maze: Meyerink presented a quote from Darrin Erickson through Great Plains Brokerage for a special events policy. This policy would cover the four to six week period during the upcoming corn maze. **Councilmember Hoppe motioned to accept the General Liability policy insurance quote of \$615.00 through Great Plains Brokerage for the Platte Swimming Pool Corn Maze. Motion seconded by Spoelstra. Motion carried on voice vote.**

Committee Recommendation of New Sewer Rates: Meyerink presented the committees new proposed sewer rates in the following resolution.

**CITY OF PLATTE
RESOLUTION NO. 040212-03**

WHEREAS, the City Council of the City of Platte finds that the sewer department needs additional funds to sustain its own maintenance and operation, and

WHEREAS, the City's current rate schedule would prohibit the receipt of state aid in the financing of projects, and

WHEREAS, the City's current rate schedule is not able to sustain the rise in electrical costs associated with the aeration of its lagoon

WHEREAS, the last sewer rate increase implemented by the City Council was in 2010 regarding the base rate only, and

WHEREAS, the City Council held a public hearing on the proposed rate increase, where no public comment was offered,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Platte that following rate structure and rules shall become effective with water and sewer bills issued at the beginning of May for payment by June 15, 2012.

Heavy Use Non-Residential	\$20.00/Base with 5,000 gallon grace \$2.25/1,000 gallons for the first 10,000 gallons \$1.50/1,000 gallons for the next 15,000 gallons \$1.00/1,000 gallons for the remaining gallons
Multiple Use Dwellings	\$20.00 Base \$2.75 per 1,000 gallons
Miscellaneous Accounts (motels)	\$20.00 for the house \$8.00 per unit

Dated this 2nd day of April, 2012.

/s/

Rick Gustad, Mayor of Platte

/s/

Shauna Meyerink, City Finance Officer

Councilmember Spoelstra moved to approve Sewer Rate Resolution #040212-03. Motion seconded by Foxley. Motion carried on voice vote.

2011 Annual Report: Meyerink presented the 2011 Annual Financial Report. **Councilmember Spoelstra moved and Hoppe seconded approving the 2011 Annual Financial Report. Motion passed on voice vote.**

COUNCIL COMMENTS. There being no further business before the City Council, **Spoelstra moved and Lang seconded to adjourn the meeting at 9:05 p.m. Motion passed on voice vote.**

DATED: _____

By: _____

Rick Gustad

Mayor

ATTEST:

Shauna Meyerink
City Finance Officer