

**MOBRIDGE CITY COUNCIL  
REGULAR MEETING  
February 19, 2013**

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Tuesday, February 19, 2013 at 5:30 PM. Mayor Jamie Dietterle, Finance Officer Heather Beck, and City Attorney Rick Cain and the following council persons were present: Cox, Cerney, Henderson, O'Connell, Yellow Boy and Carlson (by phone).

**ADOPT AGENDA:**

The agenda was adopted on a motion by Yellow Boy second by Cox and carried with the following additions: Valorie Ford to give an update on fundraising efforts for the new swimming pool.

**MINUTES:**

On a motion by Henderson, second by O'Connell and carried to approve the minutes from the February 4, 2013 regular meeting.

**PUBLIC FORUM AND VISITORS:**

Valorie Ford was present to update the council on the pool committee's fundraising efforts.

**DEPARTMENT HEAD REPORTS:**

- Justin Jungwirth, Police Chief
  - DISPATCHER** - Chief Jungwirth reported that the E911board will be adding to the City's yearly fees in order to hire another dispatcher to adhere to the State's requirements of two dispatchers on duty at all times. Moved by O'Connell, second by Yellow Boy and carried, to approve advertising for a dispatcher.
  - STEP INCREASE** – Moved by Cox, second by Henderson and carried, to approve a step increase for Memorie Carlson increasing her wage from \$16.63 to \$16.85 per hour effective February 11, 2013.
- Wastewater Department
  - **NEW HIRE** – Moved by O'Connell, second by Cox and carried, to approve hiring Jeff Torevell as full time Wastewater Operator with an hourly wage of \$13.48 with full benefits effective February 18, 2013.

**OLD BUSINESS:**

**ORDINANCE NO. 920, REVISION OF ZONING ORDINANCE 18.06** – Moved by O'Connell, second by Henderson and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 920, a revision of zoning ordinance 18.06 within regards to parking standards with amendments.

**ORDINANCE NO. 920**

**AN ORDINANCE ENTITLED: AN ORDINANCE IN  
REVISION OF SECTION 18.06  
OF THE ZONING ORDINANCES OF THE CITY  
OF MOBRIDGE, SOUTH DAKOTA**

BE IT ORDAINED by the City of Mobridge, South Dakota:

That Section 18.06 Off-street Parking of the THE ZONING ORDINANCES OF THE CITY OF MOBRIDGE shall be amended to read as follows:

**18.06 Off-street Parking and Loading Standards.**

1. Purpose. The purpose of this Section is to provide, through special regulations for adequate off-street parking and loading facilities, as necessary for efficient and convenient community activity and for the prevention of traffic congestion.

2. Off-Street Parking Spaces Required.

A. In all districts, in connection with any use, there shall be provided, at the time any building or structure is erected or enlarged or increased in capacity, off-street parking spaces in accordance with the schedule set forth in Section 18.06.2.B. It shall be the intent that the following required parking spaces be used in connection with the building for which they are required and at no time will existing provided parking spaces be reduced in number.

B. Schedule of Parking Spaces Required.

TYPE OF USE	NUMBER OF PARKING SPACES
(1) Uses not Listed	Requirements for most nearly similar use specifically listed, as determined by the Board of Zoning Adjustment.
(2) RESIDENTIAL	
Dwelling, all types	2 spaces for each dwelling unit
Rooming Houses	1 for every 2 sleeping rooms or 1 for every 2 paying and Elderly Housing occupants, whichever is greater.
(3) PUBLIC INSTITUTION – ALL AMUSEMENT AND ASSEMBLY	
Administrative Offices of Government, Dance Halls, Lodge Halls, Exhibition Halls, Skating Rinks, Swimming Pools and Places of Assembly without Fixed Seats	1 for each 200 sq. ft. of floor area
(4) SERVICES	
Medical and Dental Offices and Clinics, Laundry and Dry Cleaning Pick-up, Bars, Taverns, and Night Clubs	1 for each 100 sq. ft. of floor area
Hospitals	1 for each employee plus 1 for each bed.
Barber Shops and Beauty Parlors	2 per operator
Hotels, Motels and Tourist Homes	1 for each living or sleeping unit
Business and Professional Offices	1 for each 200 sq. ft. of floor area
Restaurants, of the following Types:	
Indoor Service Only	1 for each 100 sq. ft. of floor area

Including Curb Service	1 for each 100 sq. ft. of floor area in addition to curb service stalls provided
Providing Primarily Carryout Service	1 for each 30 sq. ft. of floor area
<b>5. RETAIL SALES</b>	
Retail Stores and Shops	1 space for each 600 sq. ft. of floor area
<b>6. GENERAL COMMERCIAL AND INDUSTRIAL</b>	
Commercial Service	1 for each 600 sq. ft. of floor area or 1 for each 2 employees on maximum shift, whichever is greater
Manufacturing Plants	1 for each 1200 sq. ft. of floor area or 1 for each 2 employees on maximum shift, whichever is greater
Wholesale Establishments and Warehouses	1 for each 300 sq. ft. of floor area or 1 for each 2 employees on maximum shift, whichever is greater

C. Application of Schedule.

(1) Floor Area Defined. For purpose of applying the requirements of divisions (3) through (6) of Section **18.06.2.B**, "Floor Area" shall mean the gross floor area used or intended to be used by tenants, or for services to the public or customers, patrons, clients or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It shall not include areas used principally for non-public purposes, such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings, for toilet or rest rooms, for utilities or for dressing rooms, fitting or alteration rooms and hallways.

(2) Required off-street parking facilities shall be located on the same lot as the structure or served, except that a parking facility providing the sum of parking spaces required for several uses may be provided contiguous to and in common with the several structures and uses served.

3. Off-street Loading Space Required

A. Requirements. In any district there shall be provided and maintained off-street loading space in connection with every building or part thereof hereafter erected which is to be occupied by any commercial or industrial use. For any such use off-street loading space shall be provided as specified in Section 18.06.3.3.

B. Schedule of Loading Spaces Required.

Size of Building in Gross Square Feet	Number of Loading Spaces
Less than 5,000	None
5,000 to 19,999	One
20,000 to 39,999	Two
40,000 to 64,999	Three
65,000 to 100,000	Four
Each additional 100,000 square feet or	One Additional or fraction thereof

C. Application of Schedule.

Joint Loading Space. Owners or occupants of several establishments of buildings not separated by a street may jointly provide the required off street loading space, provided (1) that no loading dock shall be more than two hundred (200') feet distance from the service door of the building it is intended to serve and (2) that the gross area of all the establishments or buildings to be served by such joint loading facility shall be used to determine the required number of loading spaces.

D. Development Standards for Off-Street Loading Space.

(1) Each loading space shall not be less than (10') feet in width, fifty (50') feet in length and fourteen (14') feet in vertical clearance, provided that, if it is shown that the building or establishment in question is not and will not be served by trucking vehicles more than thirty-five (35') feet in length, the Board of Zoning Adjustment may grant an exception reducing the required length of loading space to a length no less than the maximum length of such servicing vehicles but in no case to be less than twenty-five (25') feet.

(2) No loading space shall be located closer than twenty-five (25') feet to any lot in any Residential District unless wholly within a completely enclosed building or unless separated from such Residential District lot by a wall, solid fence or hedge not less than six (6') feet in height.

(3) Access to Loading Areas. Every loading area shall have vehicular access to and from a public street or alley.

**ORDINANCE NO. 921, REVISION OF ZONING ORDINANCE 12.02** – Moved by Yellow Boy, second by O'Connell and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 921, a revision of zoning ordinance 12.02 within regards to the addition of self storage facility.

**ORDINANCE NO. 921**

**AN ORDINANCE ENTITLED: AN ORDINANCE IN  
REVISION OF SECTION 12.02 SECTION 1  
OF THE ZONING ORDINANCES OF THE CITY  
OF MOBRIDGE, SOUTH DAKOTA**

BE IT ORDAINED by the City of Mobridge, South Dakota:

That the following Principal use shall be added to Section 12.02 Section 1 GENERAL COMMERCIAL DISTRICT of THE ZONING ORDINANCES OF THE CITY OF MOBRIDGE:

W. Self-Storage facility

**ORDINANCE NO. 922, REVISION OF ZONING ORDINANCE 4.01** – Moved by O'Connell, second by Henderson and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 922, a revision of zoning ordinance 4.01 within regards to the addition of self storage facility.

**ORDINANCE NO. 922**

**AN ORDINANCE ENTITLED: AN ORDINANCE IN  
REVISION OF SECTION 4.01  
OF THE ZONING ORDINANCES OF THE CITY  
OF MOBRIDGE, SOUTH DAKOTA**

BE IT ORDAINED by the City of Mobridge, South Dakota:

That the following definition of “SELF-STORAGE FACILITY shall be added to Section 4.01 of THE ZONING ORDINANCES OF THE CITY OF MOBRIDGE:

Self-Storage Facility. A structure containing three or more units which are available for lease or rent by persons other than residents of the premises for the storage of goods not related to the sale or manufacture of goods on the same lot.

**ORDINANCE NO. 919, PERTAINING TO SEWER SERVICE CHARGES** – Moved by O’Connell, second by Cox and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 919, pertaining to sewer service charges.

**ORDINANCE NO. 919**

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, AMENDING 11-4-4 PERTAINING TO SEWER SERVICE CHARGES

BE IT ORDAINED by the City of Mobridge, South Dakota:

That Section 11-4-4 of Chapter 6 of Title of the Revised Ordinances of the City of Mobridge, South Dakota, and the same is hereby amended as follows:

**11-4-4 Service Charges**

A. Monthly sewer rental charges shall be determined by Resolution of the Council of the City of Mobridge.

**PRIORITY SPENDING FOR LIBRARY PROJECT** – The Dept. of Legislative Audit recommended that the Council approve the order of spending for the library project. Moved by Cerney, second by Henderson and carried, to approve the following priority spending for the library project: 1) CDBG 2) Foundation Donation 3) Library Savings 4) Library Fine and Shelf Pay 5) City General Fund.

**NEW BUSINESS:**

**ORDINANCE NO. 923, REVISION OF ZONING ORDINANCE 13.02** – Moved by Yellow Boy, second by O’Connell and carried, to approve the 1<sup>st</sup> reading of Ordinance No. 923, a revision of zoning ordinance 13.02 within regards to an addition to principal use in commercial district.

**DEADWOOD GRANT** - Moved by Cox, second by O’Connell and carried, to approve the Mayor signing an application to the Deadwood Historic Preservation Commission for \$3,000 to be used for mural assessment and documentation.

**RESOLUTION 13-07, SEWER RATES** – Moved by O’Connell, second by Cox and carried, to approve Resolution 13-07, sewer rates.

**RESOLUTION NO. 13-07**

**SETTING FEES FOR SANITARY SEWER RATES**

**WHEREAS**, the City of Mobridge desires to set by resolution the fees to be charged for sanitary sewer usage, both within the City Limits and Outside the City Limits.

**NOW THEREFORE**, be it RESOLVED,

Effective with the April 1, 2013 utility billing, the fees to be charged for sanitary sewer usage shall be as follows:

**(1) Residence, apartments and mobile homes:**

\$17.00, per month for each residential and/or apartment and/or mobile home connection; accumulative according to the number of residences, apartment users and mobile home users connected to one sewer outlet.

**(2) Commercial connections:**

Each separate commercial sewer connection shall pay a minimum service rental of \$17.00, per month, and where more than one commercial business shall be connected to one sewer outlet each business shall pay a minimum sewer rental of \$17.00, per month. The minimum sewer rental shall be for 10,000 gallons of water per month used by said business purposes, where a business uses more than 10,000 gallons of water per month for business purposes an additional monthly rental shall be paid each month, the amount thereof determined on a graduated scale as follows:

Gallons of Water Used	Amount
0 to 10,000 (minimum)	\$17.00
20,000 to 39,999	\$ 5.00
40,000 to 79,999	\$ 5.00
80,000 to 119,999	\$ 5.00
120,000 to 200,000	\$ 5.00

**(3) Hotels and/or Motels with Combined Apartments and Sleeping Rooms and/or Business Connections:**

a. All hotels and motels having combined apartment and hotel or motel rooms and/or separate businesses connected to the sewer system with one sewer outlet shall pay sewer rental at the case minimum commercial Rate of \$17.00, per month for the first 2,000 gallons of water used; and \$17.00, per month for each additional apartment or business connected thereto; and shall be given credit of 3,500 gallons of water per month for each apartment user, and 10,000 gallons per month for each commercial user; and the overage, if any, shall be paid at the graduated scale Rate set forth under paragraph (2) above.

b. An account for services will be kept for each user and a separate account for separate premises. Each owner will be liable for service to the users of his premises. Bills for service shall be rendered monthly for residential and commercial users and will be due within 15 days of date of billing. The charge for sanitary sewer service may be included on the water bill, but if so, shall be separately stated thereon. The City Finance Officer will keep account and render the bills; he or she will receive payments of bills and give receipts therefore.

c. All sewer service charges when collected and all monies received from the date of any sewage collection facilities or equipment shall be placed in a separate fund and shall be used first to pay the normal, reasonable and current costs of operation and maintaining the facilities, and the balance shall be used as the Common Council may direct and as provided by law, subject to the Surcharge Fees set forth below.

d. All sewer service charges shall be charged against the owner, lessee and occupant of the premises, and if such charges shall not be paid when due, the City shall have the right to disconnect water or sewer service to the premises and to collect the delinquent charges by civil action in any court.

**BE IT FURTHER RESOLVED,**

**Surcharge Fees:**

Out of the fees set forth above, there shall be removed and placed in a separate segregated account the monthly sum of \$2.80 for each sewer connection which amount shall be deemed a surcharge for the sole purposes of repayment of the Clean Water State Revolving Fund loan C461016-04 all as set forth in the Resolution NO. 13-03. The \$2.80 surcharge shall remain and continue to be placed in the separate segregated account until the Revenue Bonds for the Clean Water State Revolving Fund loan C461016-04 are fully paid.

Until such time as the above fees become effective, the sewer rental availability and usage charges shall remain the same as they were on January 1, 2013.

**BROWN BAG PERMIT HEARING** – Moved by Yellow Boy, second by Cerney and carried, to approve advertising for a hearing for a brown bag permit application.

**DISCUSSION AND INFORMATION ITEMS:**

**AIRPORT FUEL TRUCK** – The Council held a discussion on purchasing an airport fuel truck. Moved by Yellow Boy, second by O’Connell and carried, to approve travel for Lenling and Kent Slater to go to Ohio to look at the truck at an approximate cost of \$1000-1200.

**COUNTY TAX PROPERTIES** – Cox gave an update on the discussion with the county regarding properties that they take for unpaid taxes.

**TOWNHALL MEETING** – Mayor Dietterle reminded the Council that there will be a town hall meeting Wednesday, February 20, 2013 at 10:30 AM at the Moose Lodge with Senator John Thune.

**PAYMENT OF BILLS:**

Moved by Cox, second by Cerney and carried, to approve the following bills for payment:

Beadles Chevy, vehicle maintenance-37.99 ;Best Business Products, copier lease-175.00 ;Cam Wal Electric, street lights/utilities-311.85 ;Carlson Services, repairs-150.00 ;Chamber of Commerce, prof services-8,653.08 ;Charles Dutt Electric, repairs-205.73 ;Credit Collections Bureau, garnishment-201.34 ;Custom Micro Interactive, software-2,520.00 ;Deputy Finance Officer, supplies-69.54 ;Family Dollar, supplies-46.80 ;Fed Ex, prof services-11.47 ;Ferguson Waterworks, supplies-364.68 ;Fleet Services, gasoline-1,277.93 ;Gas N Goodies, gasoline/diesel-287.63 ;Giengers Sales, supplies-208.00 ;Graybar, repairs-383.67 ;Great Western Bank, payroll taxes-9,845.74 ;GTC Auto Parts, repairs/supplies-429.99 ;Hach Company, chemical/supplies-272.10 ;Helms & Assoc., prof services-27,500.00 ;Insite Instrumentation Group, repairs-1,158.00 ;Jensen Rock & Sand, prof services-83.00 ;Lind's Hardware, supplies-2,116.29 ;Lu's Cleaning, prof services-827.50 ;MDU, utilities-15,548.85 ;Moberidge Tribune, publishing-542.52 ;Napa, repairs/supplies-75.16 ;Oahe Vet, prof services-180.00 ;Office Depot, supplies-212.59 ;Payless Foods, supplies-111.92 ;Plunketts Pest Control, prof services-53.04 ;Premier Equipment, supplies-16.70 ;SD DENR, membership dues-12.00 ;SD State Treasurer, sales tax-1,303.25 ;SDRS Supplement Retirement Plan, retirement-44.00 ;Slater Oil, diesel/gasoline/LP gas-7,395.79 ;TASC, prof services-187.00 ;Total Administrative Services, flex-699.96 ;TSP, Inc., prof services-6,481.16 ;USDA-Rural Development, loan payment-2,925.00 ;USDA-Rural Development, loan payment-2,373.00 ;Walworth County Reg of Deeds, prof services-75.00 ;West Plains Engineering, street lights-300.00 ;West River Telecommunications, phone-1,468.12 ;Western Communications, radios-233.65.

Salaries: Administration – 2128.37; City Administrator – 1933.27; Police Department – 21392.02; Street Dept – 4350.25; Airport – 1188.00; Library – 2698.84; Auditorium – 1152.58; 24/7 Sobriety – 226.60; Water Dept – 6599.50; and Sewer Dept – 2406.52.

There being no further business to come before the council, the meeting adjourned at 6:07 PM on a motion by Cerney, second by Cox and carried.

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Heather Beck, Finance Officer

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Jamie Dietterle, Mayor

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