

MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on April 3, 2023 in the Council Chambers at 308 S. Main Avenue, Brandon, South Dakota. Present were Dana Clark, Barb Fish, Bruce Johnson, Tim Jorgenson, David Kull, Colin Steen and Mayor Harry Buck. Others present were: City Administrator, Bryan Read; Finance Officer, Christina Smith; City Engineer, Tami Jansma; Police Chief, Jamie Steffel; Park Superintendent, Devin Coughlin; Golf Course Manager, Andrew Bauer; Public Works Director, Rollie Hoeke and Development Director, Patrick Andrews.

Alderwoman Clark moved Alderman Steen seconded to approve the agenda. Motion carried.

Alderman Kull moved Alderman Johnson seconded to approve the minutes of the March 16, 2023 briefing meeting and the minutes of the March 20, 2023 regular meeting minutes. Motion carried.

Alderman Steen moved Alderwoman Fish seconded to approve the following claims. Motion carried.

| <u>VENDOR</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|---------------------------------|---------------------------|----------------------|
| Alliance Communications | Utilities | 2,577.50 |
| Avera Medical Group | Professional Services | 64.88 |
| Axon Enterprise Inc | Police Supplies | 495.00 |
| Born Again Spaces | Pool Improvements | 1,987.25 |
| C&R Supply Inc | Snow Supplies | 24.84 |
| Cadd Engineering Supply | Supplies | 99.95 |
| Carlson & Stewart Refrigeration | GC Repairs | 608.16 |
| Cash WA Distributing | GC Supplies/Resale | 1,222.40 |
| Core & Main LP | Water Repairs | 1,385.36 |
| Corson Village | March Refund | 1,028.00 |
| Crimestar | Police Software | 350.00 |
| Dakota Fluid Power Inc | GC Repairs | 424.99 |
| Delta Dental of SD | April Premium | 3,460.10 |
| EnviroMaster Inc | GC Supplies | 84.00 |
| Fastenal Company | Supplies | 369.33 |
| Ferguson Waterworks | Water Supplies | 13,078.59 |
| Geotek Engineering | Professional Services | 2,504.00 |
| Grainger | Supplies | 256.04 |
| H2ose It Carwash | Supplies | 400.00 |
| Halliday Products Inc | Sewer Repairs | 75.73 |
| Innovative Office Solutions LLC | Police Supplies | 163.80 |
| Intoximeters | Police Supplies | 325.00 |
| ISC Companies Inc | Snow Repairs | 35.52 |
| Jack's Uniforms & Equipment | Police Supplies | 309.73 |
| Jessica Snedeker | Professional Services | 200.00 |
| Johnstone Supply | Repairs | 232.83 |
| Justice Fire & Safety | Police Supplies | 84.00 |

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|-----------------------------------|------------------------|------------|
| Lawson Products inc | Street Supplies | 1,014.73 |
| Manley Tire & Oil Service | Street Repairs | 30.00 |
| MidStates Audio | Repairs | 1,457.37 |
| Midwest Turf & Irrigation | GC Supplies/Equip | 36,086.08 |
| Modern Woodmen of America | April Premium | 2,167.70 |
| Palisades Propane | Utilities | 2,867.18 |
| Performance Press | Supplies | 932.68 |
| Pitney Bowes Lease Account | Supplies | 181.23 |
| Revier Pressure Washers | Supplies | 503.65 |
| Sanitation Products | Snow Repairs | 172.21 |
| SD Department of Health | Water Testing | 45.00 |
| SD Municipal League | Travel | 75.00 |
| Sioux Falls Ford | Police Repairs | 367.94 |
| Sioux Falls Utilities | February WW | 101,691.09 |
| Sioux Valley Energy | Utilities | 40,867.99 |
| Staples Advantage | Supplies | 108.83 |
| Taylor Made Golf | GC Resale | 231.81 |
| Titleist | GC Resale | 8,871.75 |
| Two Way Solutions Inc | Police Supplies | 1,241.98 |
| Tyler Technologies | Software | 36.25 |
| Verizon Wireless | Utilities | 849.22 |
| Wellmark BCBS | April Premium | 77,017.91 |
| Xcel Energy | Utilities | 6,498.11 |
| Zimco Supply Co | GC Supplies | 1,441.35 |
| Wells Fargo Financial Leasing | GC Equipment | 69,546.97 |
| Council | March 30, 2023 Payroll | 8,558.05 |
| Mayor | March 30, 2023 Payroll | 2,265.63 |
| City Administration | March 30, 2023 Payroll | 4,200.81 |
| Planning & Zoning | March 30, 2023 Payroll | 1,523.76 |
| Park Advisory Committee | March 30, 2023 Payroll | 784.96 |
| Finance Officer | March 30, 2023 Payroll | 6,099.95 |
| Govt Bldg | March 30, 2023 Payroll | 150.30 |
| Engineering | March 30, 2023 Payroll | 4,007.05 |
| Police | March 30, 2023 Payroll | 31,243.44 |
| Building Inspections | March 30, 2023 Payroll | 4,128.32 |
| Street Department | March 30, 2023 Payroll | 5,178.75 |
| Summer Recreation | March 30, 2023 Payroll | 86.30 |
| Park Department | March 30, 2023 Payroll | 5,159.50 |
| Chamber of Commerce | March 30, 2023 Payroll | 2,342.60 |
| Water Conservation | March 30, 2023 Payroll | 138.51 |
| Water Department | March 30, 2023 Payroll | 11,092.39 |
| Sewer Department | March 30, 2023 Payroll | 5,611.52 |
| Golf Course Grounds | March 30, 2023 Payroll | 3,414.61 |
| Golf Course Lounge | March 30, 2023 Payroll | 2,282.36 |
| Golf Course Pro Shop | March 30, 2023 Payroll | 2,102.25 |
| 941 Payroll Taxes | March 30, 2023 Payroll | 30,357.12 |
| Accounts Management | March 30, 2023 Payroll | 75.00 |
| SD Retirement System Supplemental | March 30, 2023 Payroll | 1,350.00 |

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|--------------------------|------------------------|-----------|
| SD Retirement System | March Contribution | 46,801.22 |
| Direct Pay Reimbursement | Direct Pay Reimburs | 602.00 |
| TASC Flex Plan | March 30, 2023 Payroll | 1,152.82 |

Alderwoman Clark moved Alderman Johnson seconded to approve the consent calendar which contained the following items: a wage adjustment for Devin Coughlin, to step 14-11 on the wage scale, \$35.42 per hour, effective April 4, 2023 and a wage adjustment for Adam Praska, to step 10-2 on the wage scale, \$22.53 per hour, effective April 4, 2023. Motion carried.

OFF-SALE LIQUOR LICENSE

A public hearing was held, as advertised, to consider an application for an off-sale liquor license for Kwik Trip to be located at 101 N. Heritage Road. Joe, District Manager for Kwik Trip, was present for discussion. Alderwoman Clark moved Alderman Steen seconded to approve the application as presented. Motion carried.

PROCLAMATION #2023-02

Proclamation #2023-02 was read by Mayor Buck declaring May 7, 2023 as Loyalty Day in Brandon, SD.

PROCLAMATION # 2023-02

WHEREAS, the citizens of this city are extremely proud of this Nations more than 200 year Heritage of Freedom and are loyal to the ideals, traditions, and institutions which have made our nation so great, and

WHEREAS, their obvious dedication to our way of life is indicative of a strong, continued desire to preserve the priceless American heritage, and

WHEREAS, they will be proud to stand up and publicly declare their determination toward actively and positively safeguarding our freedoms against any foreign or domestic enemies.

THEREFORE, I, Harry Buck, Mayor of the City of Brandon, S.D., hereby call upon all my fellow citizens to take full advantage of the special occasion known as Loyalty Day, celebrated annually throughout the nation on the seventh day of May, as an incentive for every true American to reaffirm his and her love of Flag and Country, and I urge that all individuals, schools, churches, organizations, business establishments and homes within my official jurisdiction display proudly the Flag of the United States of America and participate in public patriotic Loyalty Day activities which are to be co-sponsored by the Veterans of Foreign Wars of the United States, and others, on Loyalty Day, May 7, 2023.

ATTEST:

Harry Buck
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

PROCLAMATION #2023-03

Proclamation #2023-03 was read by Mayor Buck endorsing the annual sale of Buddy Poppies.

PROCLAMATION # 2023-03

WHEREAS, the annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922, and

WHEREAS, VFW Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans, and

WHEREAS, the basic purpose of the annual sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to “Honor the Dead by Helping the Living”.

THEREFORE I, Harry Buck, Mayor of the City of Brandon, South Dakota do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

ATTEST:

Harry Buck
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

PROCLAMATION #2023-04

Proclamation #2023-04 was presented declaring the month of May 2023 as Building Safety Month in Brandon, SD.

Proclamation #2023-04
Building Safety Month — May, 2023

Whereas, Brandon, South Dakota is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

Whereas, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play, and;

Whereas, our nation benefits economically and technologically from using the International Codes that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world;

Whereas, these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; which, according to a FEMA commissioned study by the National Institute of Building Sciences, provide \$11 in future mitigation benefits for every dollar invested, and;

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to America's prosperity, and;

Whereas, "It Starts with YOU," the theme for Building Safety Month 2023, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2023 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses, and;

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state

building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Harry Buck Mayor of the City of Brandon, South Dakota, do hereby proclaim the month of May 2023 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

Harry Buck
Mayor

ATTEST:

Christina Smith
Municipal Finance Officer

(Seal)

REQUEST FOR SALES TAX REBATE

A request was received from EBC Holdings, LLC. for a 2% local sales tax rebate on manufacturing equipment, estimated at \$78,000.00. Luke, Lloyd Companies, was present for discussion. The site is located in the Rovang Industrial Park, 20.6 acres of land, 90,000 square feet of manufacturing space and 5,000 square feet of office space. Will manufacture roof and floor trusses and wall panels. It was the consensus to table further action until staff has time to make a recommendation at the next regular City Council meeting.

HIRE SEASONAL STAFF

The Golf Course Committee report was heard. Alderwoman Clark moved Alderman Steen seconded to approve the following part-time seasonal staff for the 2023 season at the Brandon Golf Course. Motion carried.

Pro-Shop:
Karen Christian, \$14.25 per hour; Shelly Kolbeck, \$14.00 per hour

Marshal:
Doug Niklason, \$12.25 per hour; Ken Klein, \$12.25 per hour;
James Uecker, \$12.25 per hour; Mark Meyers, \$12.25 per hour;

Brent Fjerestrand, \$12.00 per hour

Cart Attendant:

Champ Stevens, \$12.25 per hour; Max Faber, \$12.25 per hour;
Carter Holmes, \$12.25 per hour

TENNIS COURT LIGHTS AT BV MIDDLE SCHOOL

The Parks & Recreation Committee report was heard. Staff is working on an agreement with the BV School District for the tennis courts lights at the Middle School, which will be presented at a future meeting.

PARKS SEASONAL EMPLOYEES

Alderwoman Fish moved Alderwoman Clark seconded to approve the following part-time seasonal staff for the 2023 season in the Parks Department. Motion carried.

Parks:

Misti Becker, \$16.25 per hour; Rick Peterson, \$16.25 per hour;
Duane Rippentrop, \$16.25 per hour; Brent Hubers, \$16.00 per hour;
Wyatt Haas, \$16.00 per hour; Ryder Haas, \$16.00 per hour;
Quin Biever, \$16.00 per hour; Carter Holmes, \$16.00 per hour;
Madison Trout, \$16.00 per hour

WATER LANTERN FESTIVAL

A special event application was received from Giovanna Schmeil to hold a water lantern festival at McHardy Park on September 2, 2023 from 5:30pm-9:30pm. Giovanna was present via conference call. Alderwoman Fish moved Alderwoman Clark seconded to approve the request as presented Motion carried.

LOYALTY DAY PARADE

The Public Safety Committee report was heard. Alderman Kull moved Alderman Jorgenson seconded to approve the Loyalty Day Parade and route, scheduled for May 7, 2022. Motion carried.

COMMUNICATIONS REPORT

The Administration Committee report was heard. A communications report was presented showing dates that messages were sent to the public via Textedly, Facebook, mailings and BV Journal articles. No action required.

HOUSE MOVING PERMIT

Dave Swier, SECOG, was present for discussion. SECOG is requesting to move a home into Brandon, to the property legally described as Lot 19 Except Lot H1 of Pearson's Subdivision (1509 S. Splitrock Blvd). Alderwoman Clark moved Alderman Steen seconded to approve the moving application as presented. Motion carried.

BLOCK PARTY APPLICATION

A request was received from Wade Hiller and Nathan Anderson to hold a block party on S. Yellowstone Drive, between Rushmore Drive and S. Oak Ridge Road on April 29, 2023 from 4:00pm to 9:00pm. Alderman Steen moved Alderwoman Clark seconded to approve the application as presented. Motion carried.

HOLLY/RICE CORRIDOR STUDY

The Streets Department committee report was heard. Alderman Steen moved Alderman Johnson seconded to approve the Holly Blvd/Rice Street Corridor Study contract with HDR Engineering for an hourly, not to exceed \$92,00.00. Motion carried.

RSOLUTUIION #11-23

The Water & Sewer Committee report was heard. Alderwoman Fish moved Alderwoman Clark seconded to approve Resolution #11-23. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

RESOLUTION #11-23

RESOLUTION AMENDING WATER RESTRICTIONS & VIOLATIONS

WHEREAS, the City of Brandon operates a municipal water system to provide safe drinking water to residents and to provide adequate water supply for public safety needs; and

WHEREAS, 14-2-1 of the Brandon City Code authorizes the Brandon City Council to regulate the distribution and use of water supplied by the City of Brandon; and

WHEREAS, the Brandon City Council approved Resolution #13-17 on August 21, 2017 that regulates the watering of yards; and

WHEREAS, the Brandon Water Conservation Subcommittee and Brandon Water Advisory Board have recommended that the City establish a three-tiered system to regulate the watering of yards, consisting of Green, Yellow and Red designations with separate trigger points for each designation, and recommended consequence for violations; and

WHEREAS, the Brandon City Council approved Resolution #14-21 Amending Water Restrictions and Violations.

NOW THEREFORE BE IT RESOLVED that Resolution #14-21 is repealed and the following three- tiered system to regulate outdoor watering of yards and grass is hereby established:

1. Green Designation: Watering is permitted only from 12:00 a.m. to 10:00 a.m. and from 6:00 p.m. to 11:59 p.m. with consumers having even numbered addresses watering on even numbered calendar dates and consumers with odd numbered addresses watering on odd numbered calendar dates.

Yellow Designation: Watering is permitted only from 12:00 a.m. to 10:00 a.m. and from 6:00 p.m. to 11:59 p.m. and on the address basis as follows: consumers having an address that ends:

In 0 or 1 on Mondays

In 2 or 3 on Tuesdays

In 4 or 5 on Wednesdays

In 6 or 7 on Thursdays

In 8 or 9 on Fridays.

A Yellow Designation is automatically in effect if the water treatment plant produces 1.8 million gallons of water per day for 5 consecutive days or if production reaches 2.1 million gallons for a single day. After a Yellow Designation is in effect, if water production is less than 1.8 million gallons per day for 5 consecutive days, then the designation shall change back to Green.

Red Designation: No watering of yards is permitted; Red Designation is automatically in effect when after a Yellow Designation the water treatment plant produces 1.8 million gallons per day for an additional 7 consecutive days or if production reaches 2.1 million gallons for a single day. After a Red Designation is in effect, if water production is less than 1.8 million gallons per day for 5 consecutive days then the designation shall change back to Yellow. However, if the Red Designation is in effect for two times in a calendar year, then it shall stay in effect until September 15 of that year at which time it shall change to Green.

For purposes of the tiered system, the term "watering" is defined to mean distribution of water directly through an irrigation system, sprinkler system, hose or pipe and not a can, bucket or pail.

Pursuant to 14-2-6 of the Brandon City Code, the City's Administrator may grant written exceptions to the watering restrictions.

BE IT FURTHER RESOLVED violations of these regulations are subject to the following surcharges in any calendar year:

First Offense: Written warning place on the door

Second Offense: \$250 Surcharge

Third or more Offenses: \$250 Surcharge, Water shut-off for 48 hours and \$50

Reconnection Fee

These surcharges shall be added to the violator's water bill with notice provided by regular mail.

BE IT FURTHER RESOLVED that notice of the Designations shall be provided by the City through the City's website, telephone system, text messaging system and legal newspaper(s).

Dated this 3rd day of April, 2023.

Harry Buck, Mayor

ATTEST:

Christina Smith, Finance Officer

(SEAL)

At 6:27 p.m. on a motion by Alderwoman Clark seconded by Alderman Steen the meeting was adjourned. Motion carried.

Melissa Labahn
Municipal Recording Clerk

Harry Buck
Mayor