

MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on May 4, 2020 in the Council Chambers at 308 S. Main Avenue, Brandon, South Dakota. Present were Dana Clark, Vickie David, Barb Fish, David Kull and Chuck Parsons. Others present were: City Administrator, Bryan Read; Finance Officer, Christina Smith; City Attorney, Lisa Marso; City Engineer, Tami Jansma; Police Chief, Joe Weir and Park Superintendent, Devin Coughlin. Tim Jorgenson and Mayor Paul Lundberg were present via Zoom.

Alderwoman Clark moved Alderwoman David seconded to approve the agenda. Motion carried.

Alderman Parsons moved Alderman Kull seconded to approve the minutes of the April 20, 2020 regular meeting. Motion carried.

Alderwoman Fish moved Alderman Parsons seconded to approve the following claims. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
AFLAC	April Premium	1253.95
Alpha Technologies Services, Inc.	Supplies	859.60
Beal Distributing	GC Resale	609.00
Benders Sewer & Drain	Hired Repairs	570.00
Border States Electric	Supplies	93.51
Brandon Valley Media Group	Publications	778.00
Cable Specialists, Inc.	Equipment	7,567.00
Cadd Engineering Supply of SD	Professional Services	602.00
City of Sioux Falls	Fees	4,500.00
Core & Main LP	Supplies	884.51
Corson Village Sanitary District	April Refund	845.71
Crimestar	Fees	300.00
Dakota Beverage	GC Resale	243.05
Dakota Pump	Repairs	1,449.42
Delta Dental	May Premiums	2,926.90
Duke Aerial Equipment, Inc.	Rental	906.30
Ecolab	Supplies	389.79
EnviroMasater, Inc.	Supplies	259.85
Grainger	Supplies	865.20
Hauff Mid-American Sports	Supplies	192.00
Hawkins, Inc.	Chemicals	4,167.08
Heartland Paper Company	Supplies	753.04
Heiman Fire Equipment	Annual Maint.	2,423.00
Incode	Software	17,025.46
Jack's Uniform's & Equipment	Uniforms	474.09
Josten Concrete Products	Supplies	26.00
KB Sprinklers	Improvements	75.00
Locators & Supplies, Inc.	Supplies	206.38
Malloy Electric Bearing Supply	Repairs	99.71

Manley Tire & Oil Service	Repairs	45.32
Mid States Audio & Video	Supplies	254.25
Midstates, Inc.	Clothing	370.08
Midwest Turf & Irrigation	Repairs	656.10
Midwest Welding, Co.	Repairs	1,190.00
Modern Woodmen	May Premiums	1,876.08
Northwest Tire, Inc.	Supplies	716.00
Palisades Oil Co.	Fuel	2,291.78
Performance Press	Supplies	669.43
Peters Distributing, Inc.	Hired Repairs	7,375.33
Pitney Bowes	Meter Refill	750.00
R & L Supply Ltd.	Supplies	999.13
Sam Huewe	Reimbursement	70.00
SD Dept. of Health	Professional Services	150.00
Sioux Equipment	Repairs	273.02
Sioux Falls Humane Society	Professional Services	52.20
Sioux Valley Energy	Utilities	30,794.34
Sysco Lincoln	GC Resale	455.29
TSP, Inc.	Professional Services	39,627.90
Van Diest Supply	Supplies	1,525.00
Verizon	Utilities	495.20
Verizon	Utilities	483.76
Wellmark BCBS	May Premiums	51,434.64
Xcel Energy	Utilities	2,800.27
Xcel Energy	Fees	1,216.43
Zimco Supply Co.	Supplies	27,296.50
City Administration	April 16, 2020 Payroll	3,399.74
Finance Office	April 16, 2020 Payroll	4,251.04
Government Buildings	April 16, 2020 Payroll	143.14
Engineer	April 16, 2020 Payroll	2,093.40
Police	April 16, 2020 Payroll	21,960.69
Building Inspections	April 16, 2020 Payroll	3,370.21
Street Department	April 16, 2020 Payroll	5,641.27
Park Department	April 16, 2020 Payroll	4,229.03
Economic Development	April 16, 2020 Payroll	612.60
Water Department	April 16, 2020 Payroll	7,910.43
Sewer Department	April 16, 2020 Payroll	3,635.66
Golf Course Grounds	April 16, 2020 Payroll	3,863.20
Golf Course Lounge	April 16, 2020 Payroll	1,200.54
Golf Course Pro Shop	April 16, 2020 Payroll	2,017.00
Golf Course Community Room	April 16, 2020 Payroll	812.49
941 Payroll Taxes	April 16, 2020 Payroll	19,876.73
SD Retirement System Supplemental	April 16, 2020 Payroll	712.50
TASC Flex Plan	April 16, 2020 Payroll	624.96
Accounts Management	April 16, 2020 Payroll	75.00

Alderwoman Clark moved Alderwoman David seconded to approve the consent calendar which contained the following items: a plat of Lots 4, 5, 9, 12 and 13 Block 2; Lots 5, 6 and 7 Block 3

Twin Rivers Crossing Addition; a plat of Lot 18 Block 2 Aspen Harbor Addition and a plat of Lots 11, 12 and 13 Block 5 Stone Ridge Estates. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

PROCLAMATION #2020-02

Proclamation #2020-02 was presented declaring May 3-9, 2020 as Drinking Water Week.

**PROCLAMATION #2020-02
Mayor's Proclamation for Drinking Water Week**

WHEREAS, water is our most valuable natural resource; and
WHEREAS, only tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

WHEREAS, any measure of a successful society – low mortality rates, economic growth and diversity, productivity, and public safety – are in some way related to access to safe water; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of our city is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues by getting to know their water;

NOW, THEREFORE, be it resolved that by virtue of the authority vested in me as Mayor of Brandon, I do hereby proclaim May 3-9, 2020 as Drinking Water Week.



ATTEST:

Paul J. Lundberg
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

RESOLUTION #13-20

Alderwoman Clark moved Alderman Jorgenson seconded to amend Resolution #13-20 to repeal Ordinance #606. A roll call vote showed Clark, Jorgenson, Kull aye; David, Fish, Parsons nay. 3-3 tie, Mayor Lundberg nay. Motion failed.

Alderman Kull moved Alderwoman Clark seconded to amend Resolution #13-20 to take effect

on May 5, 2020. A roll call vote showed Clark, David, Fish, Kull, Parsons aye; Jorgenson nay. Motion carried.

RESOLUTION 13-20

A RESOLUTION OF THE CITY OF BRANDON, SOUTH DAKOTA TO ADDRESS A PUBLIC HEALTH EMERGENCY BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS 2019 (COVID-19)

WHEREAS, the City of Brandon has the authority pursuant to SDCL 9-29-1 to pass resolutions for the purpose of promoting the health, safety, morals and general welfare, of the community; and

WHEREAS, the City of Brandon has the authority pursuant to SDCL 9-32-1 to do what is necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, the City Council of Brandon, South Dakota adopted Ordinance No. 606 An Ordinance of the City of Brandon, South Dakota Declaring a Health Emergency and Limiting Public Gatherings Within the City on March 31, 2020; and

WHEREAS, Ordinance No. 606 allows the City Council to amend Ordinance No. 606 by Resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of Brandon, South Dakota that Ordinance No. 606 is hereby amended to read as follow:

ORDINANCE NO. 606

AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA DECLARING A HEALTH EMERGENCY AND LIMITING PUBLIC GATHERINGS WITHIN THE CITY

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of the virus causing the COVID-19 disease as a public health emergency; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of the virus causing the COVID-19 disease; and

WHEREAS, an outbreak of the COVID-19 disease, which is caused by the novel coronavirus SARS-CoV-2 (the “virus”), has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease caused by the virus transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, virus

infection can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, cases of infection from the virus causing the COVID-19 disease have been confirmed in Minnehaha County and the State of South Dakota, and cases of community transmission have occurred in South Dakota and can reasonably be expected to increase; and

WHEREAS, the CDC and health experts have recommended certain actions to mitigate the community transmission of COVID-19, including, but not limited to, social distancing measures and restricting the size of gatherings to slow the spread of the virus causing the COVID-19 disease; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing, all schools in the State of South Dakota have been closed until at least May 1, 2020; and

WHEREAS, on March 16th, the Federal Government issued guidance recommending that gatherings of more than ten (10) people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the states health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of the virus in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to the COVID-19 disease; and

WHEREAS, the City of Brandon has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass ordinances for the purpose of promoting the health, safety, morals and general welfare, of the community and to do what may be necessary or expedient for the promotion of health or the suppression of disease; and

NOW THEREFORE, BE IT ORDAINED, by the City of Brandon, South Dakota:

1. Definitions:
 - A. "Social Distancing" as used herein shall mean separation of at least six feet between party seating arrangements for businesses.
 - B. "Enclosed retail business that promotes public gathering" as used herein shall mean any facility operating as a bar, restaurant, brewery, café, casino, coffee shop, arcade, recreational or athletic facility, health club, entertainment venue, or similar place for public gatherings. Such term shall also include any parking lot and/or patio or other outdoor seating area for such facility.
 - C. "Party" or "Parties" as used herein means groups of ten (10) or fewer adult patrons. Minors are allowed and not included in party limits.

D. “Patron” as used herein shall refer to a customer and/or visitor to the business as defined above and does not include employees or staff of such business.

2. Private Business

Any enclosed retail business, as defined herein, that promotes public gathering shall modify business practices in order to ensure that at any given time there is not more than fifty percent (50%) of the business’s occupant load as determined by the International Fire Code adopted by the City of Brandon on the premises for on-site use of the services and/or consumption of the goods and there is sufficient space to have at least six (6) feet between parties who are not immediate family members or members of the same household (“maximum occupancy”). The maximum allowed occupancy must be posted at all entrances to the business in a manner that is visible. The business shall provide the City of Brandon with the maximum occupancy allowed prior to beginning business activities allowed under this ordinance.

3. The restrictions set forth in the above paragraph shall not apply to the following:
 - 1) Healthcare facilities, residential care facilities, congregate care facilities, and correctional facilities;
 - 2) Childcare facilities;
 - 3) Businesses that offer food and beverages solely for off-site consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than the portion of such businesses that are subject to the above restrictions;
 - 4) Hotel/motel room service;
 - 5) Crisis shelters, homeless shelters, soup kitchens, or other similar institutions;
 - 6) Traditional golf courses, but any bar or restaurant associated with a golf course shall abide by the above restrictions;
 - 7) Any emergency facility necessary for the response to the current COVID-19 emergency or any other community emergency or disaster;
 - 8) Official meetings of the city, school, township, county or state;
 - 9) The operations and meetings of any state or federal courts.

The businesses and entities identified in this section shall take all reasonable measures to ensure social distancing and sanitation is being utilized as is feasible, and comply with federal and state health guidelines in order to prevent the spread of the virus causing COVID-19. Such businesses are further encouraged to consider, to the extent applicable and feasible, providing for special access periods for populations particularly vulnerable to COVID-19.

4. Nothing herein shall act or be interpreted as authorization for any off-sale alcoholic beverage sales by any licenses in violation of their respective license as defined in SDCL Title 35, unless authorized to do so by the State of South Dakota.

5. The restrictions set forth above do not prohibit an owner, employee, contractor, vendor or supplier of the above-addressed entities from entering, exiting, using, or occupying that place of business in their professional capacity, so long as procedures are implemented to ensure social distancing to the full extent reasonably possible.
6. The business entity, owner and supervising manager of any business that refuses to comply with these regulations as adopted by ordinance by the city council shall be deemed to be in violation of the ordinance. The fine for a violation of this ordinance is \$500. Each day a violation of this ordinance is allowed to occur is considered a separate offense.
7. All other employers, both for profit and not for profit, within the City of Brandon are urged and encouraged to:
 - 1) Implement procedures to ensure social distancing between persons as is feasible and to ensure the business or entity operates in compliance with federal and state guidelines to prevent the spread of the virus causing COVID-19;
 - 2) Allow employees and staff to telework if possible;
 - 3) Limit unnecessary work gatherings;
 - 4) Eliminate non-essential travel; and
 - 5) Consider regular health checks for their employees and patrons including guidance from the CDC for COVID-19 screening if possible.
8. Citizens of Brandon
 - A. All individuals within Brandon are urged and encouraged to:
 - 1) Review and practice the recommended CDC hygiene practices designed to stop the spread of the virus causing COVID-19;
 - 2) Know the signs and symptoms of COVID-19, call a healthcare provider for instructions if experiencing symptoms of COVID-19, and stay at home if sick;
 - 3) Understand that those who are particularly vulnerable to COVID-19, including those over the age of 60 and those suffering from respiratory or cardiac conditions, should take extra precautions and remain home if possible;
 - 4) Implement social distancing measures and support businesses that are adjusting their business model to reduce the spread of the virus causing COVID-19; and
 - 5) Assist those who work in essential jobs such as emergency personnel, medical professionals and law enforcement.
9. This ordinance shall remain in effect until such time as it is amended, suspended, reinstated or repealed by Resolution of the Brandon City Council. This ordinance shall be reviewed at all regular and special meetings of the Brandon City Council until it is repealed.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this ordinance is necessary due to a health emergency, the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage.

Adopted this 31st day of March, 2020.

Paul Lundberg

ATTEST:

Christina Smith
Finance Officer

(SEAL)

BE IT FURTHER RESOLVED that pursuant to SDCL 9-19-13, that Ordinance No. 606, as amended, is necessary to suppress disease and for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective at 8:00 a.m. on May 5, 2020 and shall remain in effect until specifically repealed.

Adopted this 4th day of May, 2020.

Paul Lundberg

ATTEST:

Christina Smith
Finance Officer

(SEAL)

SWIMMING POOL RECOMMENDATION

The Golf Course Committee and Parks & Recreation Committee reports were heard. Discussion was held on pool operations for 2020. The Park Advisory Committee made recommendation that the pool be closed for the 2020 season. Alderwoman Fish moved Alderwoman Clark seconded to approve the recommendation to not open the pool for the 2020 season. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

DEPOSITORIES

The Public Safety Committee and Administration Committee reports were heard. Mayor Lundberg made the following recommendations for depositories of City funds: First National Bank of Sioux Falls, Sioux Falls, South Dakota; First National Bank in Sioux Falls, Brandon Branch, Brandon, South Dakota; Great Western Bank, Brandon Branch, Brandon, South Dakota; South Dakota Public Funds Investment Trust (FIT), Sioux Falls, South Dakota and Wells Fargo, Brandon Branch, Brandon, South Dakota. Alderman Parsns moved Alderwoman Clark seconded to approve the recommendations as presented. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

CITY OFFICIALS

Alderman Parsons moved Alderwoman Clark seconded to approve the following appointment of City Officials made by Mayor Lundberg, for a 1 year term: City Attorney, Boyce Law Firm, L.L.P., Lisa Marso. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

PARK ADVISORY COMMITTEE APPOINTMENTS

Mayor Lundberg appointed Leigh Zirbel and Adam Rothenberger to four year terms on the Park Advisory Committee. Alderman Parsons moved Alderwoman Clark seconded to approve the appointments. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

PLANNING AND ZONING APPOINTMENTS

Mayor Lundberg appointed Brookes Noem and Paul Bosch to three year terms on the Planning & Zoning Commission. Alderman Parsons moved Alderwoman Clark seconded to approve the appointment. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

REVOLVING LOAN FUND FOUNDATION APPOINTEE

Mayor Lundberg appointed Alderwoman Fish to a two year term on the Brandon Revolving Loan Fund Foundation. Alderman Parsons moved Alderwoman Clark seconded to approve the appointments. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

LIBRARY COMMITTEE APPOINTMENT

Mayor Lundberg appointed Alderman Jorgenson to the Library Committee. Alderman Parsons moved Alderwoman Clark seconded to approve the appointments. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

OFFICIAL NEWSPAPER

Mayor Lundberg recommended the Brandon Valley Journal as the official newspaper. Alderman Parsons moved Alderwoman Clark seconded to name the Brandon Valley Journal as the official newspaper of the City of Brandon for the next year. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

MAYORAL APPOINTMENTS

Mayor Lundberg made the following Committee Appointments, no Council action required.

Golf Course – Chuck Parsons

Park & Recreation – Barb Fish

Police – Dana Clark

Administration – Dave Kull

Streets – Tim Jorgenson

Water & Sewer – Vickie David

Audit Committee – Dave Kull and Vickie David (Dave Kull will stay on until the election)

Community Fund Representative – Dave Kull

BRANDON DESIGN STANDARDS

Tami Jansma, City Engineer, presented a draft of Chapter 13 of the Brandon Design Standards. No action required at this time.

LETTER OF ENGAGEMENT WITH DA DAVIDSON

Alderman Kull moved Alderwoman Clark seconded to approve the revised letter of engagement with DA Davidson for the issuance of Sales Tax Revenue Bonds. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

CITY HALL WALL REPAIR

Alderman Parsons moved Alderman Kull seconded to approve the quote from Walter Ree Masonry Construction in the amount of \$12,550.00 for the exterior wall repairs to City Hall. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

GIS INTERN

Alderwoman Fish moved Alderwoman Clark seconded to approve the hiring of Ryan Immecker as the GIS Intern for the summer of 2020 at \$15.00 per hour. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

HIRE SEASONAL EMPLOYEES

The Street Committee report was heard. Alderman Jorgenson moved Alderman Kull seconded to approve the following part time employees for the Public Works department. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

Brayden Gylling, \$13.90 per hour

Treyson Buckneberg, \$13.90 per hour

SALARY REVIEW AND ADJUSTMENT

Alderman Parsons moved Alderwoman David seconded to approve the annual salary adjustment for Rollie Hoeke, to step 63-13 on the wage scale, \$42.57 per hour, effective May 5, 2020. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

BRANDON TOWNSHIP DUST CONTROL

Alderman Parsons moved Alderman Kull seconded to approve the quote from BX Civil & Construction in the amount of \$5,165.12 for dust control on Redwood Blvd. and Chestnut Blvd. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

CARES GRANT FOR BRANDON TRANSIT SYSTEM

Alderman Kull moved Alderwoman Clark seconded to approve the grant application for the Brandon Transit System, in the amount of \$168,737.00. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

GOLF COURSE LIFT STATION QUOTE

The Water & Sewer Committee report was heard. Alderwoman David moved Alderwoman Clark seconded to approve the quote from Hydro Klean in the amount of \$49,500.00 for the Golf Course lift station repairs. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

At 6:47 p.m. on a motion by Alderwoman Clark seconded by Alderwoman David the meeting was adjourned. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parsons aye. Motion carried.

Melissa Labahn
Municipal Recording Clerk

Paul Lundberg
Mayor