

## MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on May 6, 2024 in the Council Chambers at 308 S. Main Avenue, Brandon, South Dakota. Present were Barb Fish, Bruce Johnson, Tim Jorgenson, David Kull, Colin Steen and Mayor Harry Buck. Kevin Lawrence was present via conference call. Others present were: City Administrator, Bryan Read; Finance Officer, Christina Smith; City Attorney, Lisa Marso; 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.

Alderman Steen moved Alderman Kull seconded to approve the agenda. Motion carried.

Alderman Johnson moved Alderman Steen seconded to approve the minutes of the April 11, 2024 briefing meeting and the minutes of the April 15, 2024 regular meeting. Motion carried.

Alderman Kull moved Alderman Jorgenson seconded to approve the following claims.

<b><u>VENDOR</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
AE2S	Improvements	78,504.29
AFLAC	Insurance	801.61
Alliance	Utilities	2,773.89
Amazon	Supplies	39.87
Andrew Maslowski	Reimbursement	47.47
Austin Peterson	Reimbursement	51.43
Auto Owners Insurance	Insurance	2,247.00
Avera McKennan	2024 EAP	2,235.60
Avera Medical Group	Professional Services	227.41
Axon Enterprise	Equipment	4,184.64
Beal	GC Resale	920.95
Bioverse	Supplies	1,640.07
BNSF	License	2,016.00
Brandon Mini Storage	Dues	660.00
Brandon Plumbing	Hired Repairs	467.35
Cash WA	GC Resale	2,578.43
Catalyst	Monthly Contract	5,310.00
Century Business	2024 Dues	1,787.26
City of Brandon	Utilities	246.45
City of Sioux Falls	Hired Repairs	4,529.00
Corson Village	April Reimbursement	1,125.67
Dakota Beverage	GC Resale	2,473.90
Dakota Pump	Repairs	1,909.98
Dakota Pump & Control	Repairs	6,347.47
Dakota Supply Group	Supplies	3,501.53
Delta Dental	Insurance	3,828.30
Dudley Laundry	Supplies	773.14
Ellis & Eastern	Improvements	100,000.00
Enviromaster	Supplies	129.00

Ferguson	Water Meters	74,304.00
FOP Lodge 1	2024 Dues	1,584.00
General Traffic Controls	Supplies	28,420.00
Geotek	Professional Services	883.00
Getty Abstract	Land Purchase	123.88
GFOA	2024 Dues	170.00
Girton Adams Company	Repairs	150.00
Hauff Mid America Sports	Ball Field Supplies	796.00
Hawkins	Chemicals	4,922.90
HDR	Professional Services	33,121.98
Henkel	1st Quarter 2024	48,210.83
Home Builders Association	2024 Dues	600.00
Incode	Software	3,045.00
Interstate Power Systems	Supplies	261.18
Jamie Steffel	Reimbursement	37.50
Jason Jellis	Mailbox Reimbursement	70.00
Johnson Bros	GC Resale	4,887.24
KC Life Insurance	Insurance	565.10
Kully Supply	Supplies	712.98
Kyle Zigan	Reimbursement	166.42
Lacey Rentals	Rentals	580.00
Locators & Supplies	Supplies	130.96
Midwest Turf	Repairs	2,049.68
Miller Painting	Improvements	64,602.00
Minnehaha Community Water Corp	Utilities	143.50
Modern Woodman	Insurance	2,213.55
Oakridge	Repairs	490.00
Ode Co.	Professional Services	7,193.43
Olson's Pest	Monthly Contract	135.00
Palisades Oil	Fuel	4,480.35
Palisades Propane	Utilities	552.66
Pepsi	GC Resale	724.55
Performance Press	Publishing Supplies	1,285.00
Pizza Ranch	GC Resale	166.50
Public Safety Equipment	Hired Repairs	431.00
Republic National	GC Resale	1,079.30
Richard Hibdon	Reimbursement	27.18
ROCS	Jan-March Reimbursement	44,824.97
SD Dept of Health	Water Testing	75.00
SD DMV	Fees	15.00
SD Municipal League	Fees	125.00
SF Rubber Stamp	Supplies	51.40
SF Utilities	Utilities	120,306.39
Sioux Valley Energy	Construction Aid	4,326.54
Sioux Valley Energy	Improvements	16,285.74
Sioux Valley Energy	Utilities	41,324.51
Site One	Repairs	877.85
Small Lot	GC Resale	1,220.85

Southern Police Institute	Fees	1,375.00
Staples Advantage	Misc. Supplies	942.62
Staples Enterprises	Fuel	53.85
The Lodge at Deadwood	Travel Fees	340.00
Titleist	GC Resale	10,045.32
Verizon	Utilities	834.31
Wellmark BC/BS	Insurance	80,498.20
Xcel Energy	Utilities	3,338.36
City Administration	April 25, 2024 Payroll	4,340.20
Finance Officer	April 25, 2024 Payroll	6,419.88
Government Buildings	April 25, 2024 Payroll	130.25
Engineer	April 25, 2024 Payroll	4,182.24
Police	April 25, 2024 Payroll	34,615.77
Building Inspections	April 25, 2024 Payroll	4,120.45
Street Department	April 25, 2024 Payroll	6,133.72
Summer Rec	April 25, 2024 Payroll	157.86
Park Department	April 25, 2024 Payroll	5,022.28
Economic Development	April 25, 2024 Payroll	2,370.27
Water Department	April 25, 2024 Payroll	9,255.83
Sewer Department	April 25, 2024 Payroll	6,866.53
Golf Course Grounds	April 25, 2024 Payroll	6,329.69
Golf Course Lounge	April 25, 2024 Payroll	5,188.49
Golf Course Pro Shop	April 25, 2024 Payroll	4,881.97
941 Payroll Taxes	April 25, 2024 Payroll	31,301.95
SD Retirement Supplemental	April 25, 2024 Payroll	1,527.50
SD Retirement	April 2024	33,381.92
TASC Flex Plan	April 25, 2024 Payroll	1,343.85
Accounts Management	April 25, 2024 Payroll	75.00
Direct Pay Reimbursement	May 6, 2024	358.78

ORDINANCE #702

Alderman Jorgenson moved Alderman Johnson seconded to give second reading to Ordinance #702: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA PROVIDING THAT THE REVISED ZONING ORDINANCE NUMBER 531 AND THE OFFICIAL ZONING MAP OF THE CITY OF BRANDON, SOUTH DAKOTA BE AMENDED TO PROVIDE FOR THE RE-ZONING OF THE FOLLOWING DESCRIBED PROPERTY. A roll call vote showed Fish, Johnson, Jorgenson, Kull, Lawrence, Steen aye. Motion carried.

PROCLAMATION #2024-05

A proclamation was presented declaring May 7, 2024 as Chuck Parsons and Tim Jorgenson Day in the City of Brandon, SD.

**PROCLAMATION # 2024-05**

**WHEREAS**, Chuck Parsons and Tim Jorgenson were appointed to the Brandon Planning and Zoning Commission in 1999 and 2007, respectively, serving as either a board member or Chairperson: and

**WHEREAS**, Chuck Parsons served three years on the Brandon City Council and Tim Jorgenson served five years on the Brandon City Council; and

**WHEREAS**, during his time on the City Council, Tim Jorgenson has served as the City Council Liaison for the Street Department and as the City Council representative on the Brandon Revolving Loan Fund; and

**WHEREAS**, during his time on the City Council, Chuck Parsons served as the City Council Liaison for the Golf Course; and

**WHEREAS**, Chuck Parsons and Tim Jorgenson have both served on the Board of Directors for the Brandon Development Foundation.

**THEREFORE** I, Harry Buck, Mayor of the City of Brandon, South Dakota do proclaim May 7, 2024 as Chuck Parsons and Tim Jorgenson Day in the City of Branon in recognition of their dedication and service to the citizens of Brandon.

ATTEST:

Harry Buck  
Mayor

\_\_\_\_\_  
Christina Smith  
Municipal Finance Officer

(SEAL)

At 6:05 p.m. on a motion by Alderman Jorgenson seconded by Alderman Johnson the meeting was adjourned.

**CALL TO ORDER OF THE NEW COUNCIL**

The Oath of Office was administered by Finance Officer Christina Smith to Alderman Bruce Johnson, Ward III and Alderman Randy Marso, Ward I.

Mayor Harry Buck called the new Council to order.

Council members present were Barb Fish, Bruce Johnson, David Kull, Randy Marso and Colin Steen. Kevin Lawrence was present via conference call.

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

#### ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT

Alderman Steen moved Alderman Johnson seconded to keep Alderwoman Fish as Council President. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

Alderman Steen moved Alderman Johnson seconded to keep Alderman Kull as Council Vice-President. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

#### DRAW FOR SEATING

It was the consensus of the Council to not draw for seating.

Alderman Steen moved Alderman Kull seconded to approve the consent calendar which contained the following items: a plat of Tracts 1, 2, 3, 4, 5,6, 7 and 8 of River Park Addition; a plat of Lot 9B in Block 5 of Original Town of Brandon; a plat of Lot 4 in Block 3 of Encore Park Addition; Tax Abatement #2024-0257 and Tax Abatement #2024-0256. Motion carried.

Stan Schoeneman, 515 S. Lakota Avenue, was present for discussion. Stan received a letter from the City, in regards to a new commercial project they are doing in Brandon, which stated they did not get the proper inspection(s). Stan informed Council that they did in fact call for inspections, and the inspections were done as required. Stan asked that the letter be revoked.

Ryan Postma, 408 N. Willow Creek Avenue, Sioux Falls, SD was present for discussion. Ryan owns the excavation business that did the work on the above mentioned commercial project for Stan Schoneman. Ryan asked that the letter be revoked.

#### ORDINANCE #703

A public hearing was held, as advertised, to consider Ordinance #703. Alderman Steen moved Alderwoman Fish seconded to give first reading to Ordinance #703: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA ABOLISHING BUSINESS IMPROVEMENT DISTRICT #1. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

#### ORDINANCE #704

A public hearing was held, as advertised, to consider Ordinance #704,. Alderwoman Fish moved Alderman Steen seconded to give first reading to Ordinance #704: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA PROVIDING THAT THE REVISED ZONING ORDINANCE NUMBER 531 AND THE OFFICIAL ZONING MAP OF THE CITY OF BRANDON, SOUTH DAKOTA BE AMENDED TO PROVIDE FOR THE RE-ZONING

OF THE FOLLOWING DESCRIBED PROPERTY. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #705

A public hearing was held, as advertised, to consider Ordinance #705. Alderman Johnson moved Alderman Kull seconded to give first reading to Ordinance #705: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY ADDING CHAPTER 15-15-3(A)(8)(c), ADDITIONAL USE REGULATIONS, OFF-STREET PARKING. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #706

A public hearing was held, as advertised, to consider Ordinance #706. Alderman Steen moved Alderman Johnson seconded to give first reading to Ordinance #706: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY ADDING VIDEO LOTTERY AS A CONDITIONAL USE IN THE CB: CENTRAL BUSINESS DISTRICT BY AMENDING CHAPTER 15-8-3, CB: CENTRAL BUSINESS DISTRICT, CONDITIONAL USES. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #707

A public hearing was held, as advertised, to consider Ordinance #707. Alderwoman Fish moved Alderman Johnson seconded to give first reading to Ordinance #707: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY ADDING VIDEO LOTTERY AS A CONDITIONAL USE IN THE NB: NEIGHBORHOOD BUSINESS DISTRICT BY AMENDING CHAPTER 15-9-3, NB: NEIGHBORHOOD BUSINESS DISTRICT, CONDITIONAL USES. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #708

A public hearing was held, as advertised, to consider Ordinance #708. Alderman Kull moved Alderman Johnson seconded to give first reading to Ordinance #708: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY ADDING VIDEO LOTTERY AS A CONDITIONAL USE IN THE GB: GENERAL BUSINESS DISTRICT BY AMENDING CHAPTER 15-10-3, GB: GENERAL BUSINESS DISTRICT, CONDITIONAL USES. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

HIRE SEASONAL STAFF

The Golf Course Committee report was heard. Alderman Steen moved Alderman Lawrence seconded to approve the following seasonal staff for the 2024 season at the Brandon Golf Course. Motion carried.

Pro-Shop: Karen Christian, \$14.50 per hour

Marshal: Doug Niklason, \$12.00 per hour; Ken Klein, \$12.50 per hour;  
James Uecker, \$12.50 per hour; Mark Meyers, \$12.00 per hour

Cart Attendant: Carter Olthoff, \$12.00 per hour

Lounge/Beverage Cart: Danika Radke, \$7.95 per hour

#### HIRE POOL STAFF

The Parks & Recreation Committee report was heard. Alderwoman Fish moved Alderman Johnson seconded to approve the following staff for the 2024 season at the Brandon pool with lifeguards contingent upon certification. Motion carried.

Cashiers: Briana DeBlieck, \$11.20 per hour; Seth Hegg, \$11.20 per hour;  
Samantha Jacobs, \$11.20 per hour; Kayla Davis, \$11.20 per hour;  
Jacey Meyers, \$11.20 per hour; Jerricho Coughlin, \$11.20 per hour

Manager: Courtney Moeller, \$18.30 per hour

Assistant: Rachael Spencer, \$17.55 per hour

Head Guards: Elise Meyers, \$17.80 per hour; Jackson Hegg, \$17.55 per hour

Lifeguards: Carmen Moeller, \$17.30 per hour; Megan Nustad, \$17.30 per hour;  
Megan Erkonen, \$17.30 per hour; Ava Mitzel, \$17.30 per hour;  
Bella Anders, \$17.30 per hour; Sidney Van Horn, \$16.30 per hour;  
Kenzie Polasky, \$16.30 per hour; Mayer Matthies, \$16.30 per hour;  
Kenzie Welch, \$16.30 per hour; Ali Nustad, \$16.30 per hour;  
Emma Burch, \$16.30 per hour; Hayden McGuire, \$16.30 per hour;  
Sam Davis, \$16.30 per hour; Laura Murray, \$16.30 per hour;  
Matsen Menage, \$16.30 per hour; Victoria Morris, \$16.05 per hour;  
Zavier McGuire, \$16.05 per hour; Bonita Tiesler, \$16.05 per hour;  
Mary-Katherine Joseph, \$16.05 per hour; Leah Jellis, \$16.05 per hour

#### REQUEST TO SELL IN PARKS

A request was received from Carmen Giles, Family Treats Homemade Ice Cream, to sell ice cream at the Cities parks, to include Sunday's and extended hours. Alderwoman Fish moved Alderman Johnson seconded to approve the peddler's license form as presented. Motion carried.

#### 2024 TREE TRIMMING AND REMOVAL PROJECT

Alderman Steen moved Alderman Johnson seconded to approve the bid from Champion Tree Service and Snow Removal, LLC. in the amount of \$25,100.00 for the 2024 tree trimming and removal project. Motion carried.

#### DECLARE LIGHT POLES SURPLUS

Alderman Johnson moved Alderman Marso seconded to declare the old field B light poles as surplus, with a total value of less than \$500.00. Motion carried.

#### REQUEST TO WAIVE DEVELOPER PARK FEES

Alderwoman Fish moved Alderman Steen seconded to approve the request from Aspen Ridge Development to waive the developer park fees for their development. Motion carried.

#### DEPOSITORIES

The Public Safety Committee and Administration Committee reports were heard. Alderwoman Fish moved Alderman Marso seconded to approve the following depositories as presented: First National Bank in Sioux Falls Brandon Branch; First National Bank in Sioux Falls; First Interstate Bank Brandon Branch; Wells Fargo Brandon Branch and South Dakota Public Funds Investment Trust. Motion carried.

#### CITY ATTORNEY

Alderman Marso recused himself from the discussion and vote. Alderwoman Fish moved Alderman Johnson seconded to approve the appointment of City Attorney, Boyce Law Firm, L.L.P., Lisa Marso. Motion carried.

#### OFFICIAL NEWSPAPER

Alderwoman Fish and Alderman Kull recused themselves from the discussion and vote. Alderman Johnson moved Alderman Steen seconded to name the Brandon Valley Journal as the official newspaper of the City of Brandon for the next year. Motion carried.

#### PARK ADVISORY COMMITTEE APPOINTMENT

Alderman Marso moved Alderman Johnson seconded to approve the appointment of Adam Rothenberger and Leigh Zirbel to 4 year terms on the Park Advisory Committee. Motion carried.

#### PLANNING AND ZONING APPOINTMENTS

Alderman Steen moved Alderwoman Fish seconded to approve the appointment of Brian Heidbrink and Alica Thiele to 3 year terms on the Planning & Zoning Commission. Motion carried.

#### PLANNING & ZONING COUNCIL REPRESENTATIVE

Alderman Steen moved Alderman Johnson seconded to appoint Barb Fish as the Council representative on the Planning & Zoning Commission, that will also serve as the Chair of that Commission. Motion carried.

#### REVOLVING LOAN FUND FOUNDATION APPOINTEE

Alderman Marso moved Alderman Johnson seconded to approve the appointment of Alderwoman Fish to one year remaining on her current term and Alderman Steen to serve a 2 year term on the Brandon Revolving Loan Fund. Motion carried.



LIBRARY COMMITTEE APPOINTMENT

Alderman Steen moved Alderman Johnson seconded to approve the appointment of Alderman Kull to the Library Committee. Motion carried.

MAYORAL APPOINTMENTS

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

Golf Course – Bruce Johnson  
Park & Recreation – Randy Marso  
Public Safety – Kevin Lawrence  
Administration – Dave Kull  
Streets – Barb Fish  
Water & Sewer – Colin Steen  
Audit Committee – Colin Steen and Bruce Johnson

CIP MEETINGS

A CIP meeting is scheduled for May 13, 2023 at 4:00pm.

AMENDMENT TO PURCHASE AGREEMENT WITH ENCORE PARK

Alderman Marso moved Alderman Steen seconded to approve the amendment to the purchase agreement with Encore Park, LLC. to acquire Lot 11 Block 3 of Heartland Business Park Addition and Lot 4 Block 2 of Encore Park Addition. Motion carried.

HOUSING INFRASTRUCTURE FINANCE PROGRAM

Alderman Marso moved Alderman Johnson seconded to approve the grant agreement with South Dakota Housing Development Authority (SDHDA) in an amount up to \$1,154,205.00 for the east side sewer project. Motion carried.

HIRE EMPLOYEE

The Streets Committee report was heard. Alderman Marso moved Alderman Johnson seconded to approve the hiring of Alex Walker for a full-time position as a Public Works Maintenance Specialist I at a beginning wage of \$21.33 per hour, start date of May 7, 2024. Motion carried.

RESOLUTION #22-24

Alderman Steen moved Alderman Marso seconded to approve Resolution #22-24. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

**RESOLUTION #22-24  
BRIDGE REINSPECTION  
PROGRAM RESOLUTION  
FOR USE WITH SDDOT RETAINER CONTRACTS**

**WHEREAS**, 23 CFR 650, Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

**THEREFORE**, the City of Brandon is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire IMEG Consultants Corp. (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Dated this 6<sup>th</sup> day of May, 2024, at Brandon, South Dakota.

\_\_\_\_\_  
Harry Buck  
Mayor

ATTEST:

\_\_\_\_\_  
Christina Smith  
Finance Officer

**BIG SIOUX DRAINAGE PROJECT EASEMENT**

The Water & Sewer Committee report was heard. Alderman Johnson moved Alderman Steen seconded to approve the pipeline and drainage easement with the SD Game, Fish and Parks for the Big Sioux drainage structure repair. Motion carried.

**BIG SIOUX DRAINAGE PROJECT BIDS**

Alderman Marso moved Alderman Johnson seconded to approve the bid from LT Companies for the Big Sioux drainage structure repair project in the amount of \$686,000.00. Motion carried.

<u>Company</u>	<u>Bid Amount</u>
LT Companies	\$686,000.00
First Rate Excavate	\$877,238.00
Soukup Construction	\$887,887.00

ENCORE PARK UTILITY EASEMENT

Alderman Fish moved Alderman Steen seconded to approve the permanent utility easement with CSH, LLC., as shown in Exhibit A, for the Encore Park utilities. Motion carried.

SIOUX FALLS FORCEMAIN PROJECT

Alderman Johnson moved Alderman Marso seconded to approve the license agreement #258 with Ellis and Eastern Company for the proposed sanitary sewer forcemain crossing. Motion carried.

DRAINAGE EASEMENT WITH ELLIS & EASTERN

Alderman Marso moved Alderman Johnson seconded to approve the easement agreement with Ellis and Eastern Railroad for the drainage area under E. Dogwood Street. Motion carried.

At 6:40 p.m. Alderman Steen moved Alderman Johnson seconded to go into executive session to discuss potential litigation, per SDCL 1-25-2.3. Motion carried. At 6:45 p.m. Mayor Harry Buck declared the executive session ended.

At 6:45 p.m. on a motion by Alderman Steen seconded by Alderman Lawrence the meeting was adjourned. Motion carried.

---

Melissa Labahn  
Municipal Recording Clerk

---

Harry Buck  
Mayor