

MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on August 7, 2023 in the Council Chambers at 308 S. Main Avenue, Brandon, South Dakota. Present were Barb Fish, Bruce Johnson, Tim Jorgenson, David Kull, Kevin Lawrence, Colin Steen and Mayor Harry Buck. Others present were: City Administrator, Bryan Read; Finance Officer, Christina Smith; City Attorney, Lisa Marso; City Engineer, Tami Jansma; Golf Course Manager, Andrew Bauer and Public Works Director, Rollie Hoeke.

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

Alderman Steen moved Alderman Johnson seconded to approve the minutes of the July 13, 2023 briefing meeting; the minutes of the July 17, 2023 regular meeting and the minutes of the July 31, 2023 special meeting. Motion carried.

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

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
A-1 Pumping & Excavating	Professional Services	170.00
All Star Pro Golf	GC Resale	1,304.24
Asphalt Surfacing Company	2023 Slurry Seal	269,724.70
Avera Medical Group	Professional Services	265.10
Beal Distributing	GC Resale	3,263.20
Bernatello's Foods	GC Resale	162.00
Brandon Valley Area Chamber of Commerce	Biz Bash Booth	225.00
Braxton Elliott	Reimbursement	61.00
Builders Supply Company	Supplies	84.12
BX Civil Construction	Dust Control	6,913.50
Cash-WA Distributing	GC Resale	1,064.52
Champion Tree Service	Tree Removal	750.00
Chesterman/Coca Cola	GC Resale	531.80
Churchich Recreation	Toddler Swing	466.00
City of Brandon	Hockey Water-Sewer	151.01
Clark Engineering	Professional Services	10,170.80
Construction Products & Consultants	Repairs	179.00
Corson Village Sanitary District	Reimbursement	1,032.29
Dakota Beverage	GC Resale	6,444.70
Dakota Fluid Power	Repairs	97.76
Dakota Riggers	Safety Supplies	60.00
Dean's Distributing	Fuel	257.45
Delta Dental	Dental Insurance	3,460.10
DGR Engineering	Improvements	111,805.51
DPC Industries Inc	Chemicals	1,803.24
Dudley Laundry Co (Appeara)	GC Linens	416.21
Econo Sign & Barricade	Stormwater Maintenance	59.99
Fastenal	Supplies	583.44

Geotek Engineering & Testing Services	Professional Services	4,361.75
Girton Adams Company	Supplies	225.00
Glass Doctor	Hired Repairs	430.57
Grainger	Supplies	294.80
Hawkins Water Treatment	Chemicals	10,422.47
HDR Engineering	Professional Services	36,605.25
Henkel US Operations Corp	Tax Rebate	5,160.38
Jack's Uniform & Equipment	Safety Supplies	166.83
Jensen Electric	RC Track Trench	15,992.80
Johnson Brothers Famous Brands	GC Resale	3,635.82
Justice Fire & Safety	Professional Services	357.10
Knife River	Repairs	2,354.40
Lacey Rentals	Rental	130.00
Lisa Marso	Reimbursement	138.67
MC&R Pools	Chemicals	42.64
Meyer Laboratory	Supplies	330.87
Mid States Audio & Video	Hired Repairs	3,071.87
Midwest Turf & Irrigation	Equipment Repair	821.56
Modern Woodman	Insurance	2,379.94
Myrl & Roy's Paving	Repairs	4,060.69
Nordstrom's Automotive	Hired Repairs	800.00
Orkin	Monthly Contract	145.99
Palisades Oil	Fuel	2,845.64
Pepsi-Cola	GC Resale	567.80
Performance Press	Supplies	998.92
Petty Cash	Elise Meyers-Reimbursement	7.42
Phillip Youngdale	Reimbursement	150.00
Pitney Bowes	Postage Refill	750.00
Pizza Ranch	GC Resale	125.98
R&L Supply	Transit Water Heater	645.28
RDO Equipment	Mower Purchase	32,293.00
Republic National Distributing Company	GC Resale	1,492.80
Revier Pressure Washers	Supplies	114.45
SD Dept of Health	Water Testing	635.00
SD One Call	Utilities	239.68
Severance Brewing Company	GC Resale	234.00
SFC Civil Constructors	McHardy Bridge Improv	244,960.65
Sioux Falls Area Humane Society	Professional Services	203.91
Sioux Falls Utilities	Utilities	107,196.46
Sioux Valley Energy	Utilities	43,364.68
Sioux Valley Energy	RC Track Trench	1,887.76
Sirchie Finger Prints Lab	Supplies	51.50
SiteOne Landscape Supply	Irrigation Repairs	375.72
Southern Glazer's of SD	GC Resale	282.45
Stan Houston	Safety Supplies	880.92
Staples	Misc. Supplies	456.28
Stockwell Engineer	Water Tower Construction	9,780.50
Thein Well Company	Hired Repairs-Well 8	34,338.16

Titleist	GC Resale	1,232.99
US Bank	Water Surcharge Bond	600.00
Van Diest Supply	Weed Control	504.40
Verizon Wireless	Utilities	621.01
Wirtjes Repair	Hired Repairs	65.42
First National Bank Trust Department	GC Equipment Loan	1,124.98
City Administration	July 20, 2023 Payroll	4,128.79
Finance Officer	July 20, 2023 Payroll	6,008.65
Government Buildings	July 20, 2023 Payroll	140.28
Engineer	July 20, 2023 Payroll	3,958.22
Police	July 20, 2023 Payroll	32,337.83
Building Inspections	July 20, 2023 Payroll	3,902.95
Street Department	July 20, 2023 Payroll	6,709.67
Summer Recreation	July 20, 2023 Payroll	2,608.76
Pool	July 20, 2023 Payroll	24,203.15
Park Department	July 20, 2023 Payroll	8,451.90
Economic Development	July 20, 2023 Payroll	2,241.63
Water Department	July 20, 2023 Payroll	11,055.26
Sewer Department	July 20, 2023 Payroll	5,197.22
Golf Course Grounds	July 20, 2023 Payroll	10,858.86
Golf Course Lounge	July 20, 2023 Payroll	6,894.77
Golf Course Pro Shop	July 20, 2023 Payroll	7,674.04
Golf Course Community Room	July 20, 2023 Payroll	1,233.89
941 Payroll Taxes	July 20, 2023 Payroll	39,364.58
SD Retirement System Supplemental	July 20, 2023 Payroll	1,455.00
TASC Flex Plan	July 20, 2023 Payroll	1,152.82
Accounts Management	July 20, 2023 Payroll	75.00
SD Retirement System	July Payroll	32,346.24
City Administration	August 3, 2023 Payroll	4,128.79
Finance Officer	August 3, 2023 Payroll	6,008.66
Government Buildings	August 3, 2023 Payroll	140.28
Engineer	August 3, 2023 Payroll	4,013.91
Police	August 3, 2023 Payroll	30,963.06
Building Inspections	August 3, 2023 Payroll	4,014.34
Street Department	August 3, 2023 Payroll	8,380.52
Summer Recreation	August 3, 2023 Payroll	4,080.47
Pool	August 3, 2023 Payroll	28,781.96
Park Department	August 3, 2023 Payroll	8,230.32
Economic Development	August 3, 2023 Payroll	2,241.63
Water Department	August 3, 2023 Payroll	9,624.57
Sewer Department	August 3, 2023 Payroll	5,381.78
Golf Course Grounds	August 3, 2023 Payroll	10,661.42
Golf Course Lounge	August 3, 2023 Payroll	8,081.28
Golf Course Pro Shop	August 3, 2023 Payroll	7,811.41
Golf Course Community Room	August 3, 2023 Payroll	1,879.64
941 Payroll Taxes	August 3, 2023 Payroll	41,608.35
SD Retirement System Supplemental	August 3, 2023 Payroll	1,455.00
TASC Flex Plan	August 3, 2023 Payroll	1,152.82

Accounts Management	August 3, 2023 Payroll	75.00
Direct Pay Reimbursement	August 3, 2023 Payroll	134.70
Direct Pay Reimbursement	August 3, 2023 Payroll	1,500.00

Alderman Jorgenson moved Alderwoman Fish seconded to approve the consent calendar which contained the following items: a wage adjustment for Anthony Lingen, to step 13-10 on the wage scale, \$32.41 per hour, effective August 1, 2023; a wage adjustment for Zach Hagstrom, to step 13-10 on the wage scale, \$32.41 per hour, effective August 1, 2023; a wage adjustment for Cory Carlson, to step 10-14 on the wage scale, \$29.55 per hour, effective August 11, 2023; a plat of Lot 7A Block 6 of the Original Town of Brandon; a plat of Lot 4 Block 1 Rovang Industrial Park Addition and a plat of Lot 2 Block 6 Tallgrass Addition. Motion carried.

Lisa Marso, 1325 S. Parkview Place, was present for discussion. Lisa thanked the Council for their support of Brandon’s 50th Celebration.

ORDINANCE #690

Alderman Jorgenson moved Alderwoman Fish seconded to give second reading to Ordinance #690: 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.

REQUEST FOR FOOD TRUCKS AT VANBUSKIRK PARK

The Golf Course Committee and Parks & Recreation Committee reports were heard. A request was received from A.J. Menden, 1801 W. Thomas Circle, to have food trucks at VanBuskirk Park for a block party on August 25, 2023 from 4:00pm-7:00pm. Alderman Steen moved Alderman Lawrence seconded to approve the request as presented. Motion carried.

REQUEST FOR ALCOHOLIC BEVERAGE PERMIT

A request was received from A.J. Menden, 1801 W. Thomas Circle, for an alcoholic beverage consumption permit at VanBuskirk Park for a block party on August 25, 2023 from 4:00pm-7:00pm. Alderman Kull moved Alderman Johnson seconded to approve the request as presented. Motion carried.

REQUEST FOR ALCOHOLIC BEVERAGE PERMIT

A request was received from Todd Jacobs, 701 S. 6th Avenue, for an alcoholic beverage consumption permit at McHardy Park for a wedding on August 26, 2023 from 11:00am-9:00pm. Alderman Kull moved Alderman Steen seconded to approve the request as presented.. Motin carried.

REQEUST FOR PEDDLERS PERMIT

The Public Safety Committee report was heard. A request was received from Chef Courtney’s Homemade BBQ for a peddler’s license to operate on Sunday’s. Alderman Steen moved Alderman Johnson seconded to approve the request as presented. Motion carried.

QUOTES FOR PATROL VEHICLE

Alderman Lawrence moved Alderman Johnson seconded to approve the purchase of either a 2023 Chevrolet Tahoe for \$41,407.00 or a 2023 Chevrolet Silverado for \$46,371.40 from Karl Motors, Ankeny, IA – which ever vehicle becomes available first. Motion carried.

REQUEST FOR BLOCK PARTY

The Administration Committee report was heard. A request was received from Sara Watters, 2416 E. Trevino Lane, to host a block party on August 19, 2023 from 11:00am-11:00pm to include barricading the street. Alderman Steen moved Alderwoman Fish seconded to approve the request as presented. Motion carried.

REQUEST FOR BLOCK PARTY

A request was received from Aaron Carroll, 301 S. 8th Avenue, to host a block party on September 2, 2023 from 3:00pm-10:00pm to include barricading the street. Alderman Kull moved Alderman Johnson seconded to approve the request as presented. Motion carried.

RESOLUTION #16-23

Alderman Lawrence moved Alderman Steen seconded to approve Resolution #16-23, creating TIF No. 8. A roll call vote showed Fish, Johnson, Jorgenson, Kull, Lawrence, Steen aye. Motion carried.

RESOLUTION #16-23

RESOLUTION APPROVING AND RECOMMENDING OF TAX INCREMENTAL DISTRICT PLAN NUMBER EIGHT, CITY OF BRANDON

WHEREAS, the Planning Commission of City of Brandon, South Dakota, received an application to create a Tax Incremental District and thereafter prepared a Notice of Hearing held on August 3rd, 2023, advising interested parties that they were being given a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District on real property consisting of the following parcels:

District Legal Description:

- TR 3 LEE'S ADDN NE1/4 2-101-48 SPLIT ROCK TOWNSHIP 101-48

All Located in the City of Brandon, Minnehaha County, South Dakota including within and adjacent rights-of-ways.

WHEREAS, such Notice was published in the official newspapers in City of Brandon not less than ten (10) nor more than thirty (30) days from the date of the hearing which was held on August 3rd, 2023.

WHEREAS, a copy of the Notice was sent prior to publication by first-class mail to the Chief Executive Officers of the following taxing entities:

City of Brandon
Minnehaha County
Brandon Valley School District
East Dakota Water Development District
Brandon Rural Fire
Brandon Rural Ambulance

WHEREAS, a hearing was held on August 3rd, 2023, as provided in such Notice, and all interested parties were allowed a reasonable opportunity to be heard on the proposed Tax Incremental District Eight plan;

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

Authority and declaration of necessity. Pursuant to SDCL §§ 11-9-4 & 11-9-13, City of Brandon - City Council hereby declares the necessity to form a tax incremental district in the City of Brandon.

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. **Authority and Declaration of Necessity.** The City Council declares the necessity for the approval of Tax Incremental District Number Eight plan, City of Brandon, Minnehaha County (hereinafter sometimes referred to as the “District”), pursuant to SDCL Chapter 11-9, and finds that the improvement of the area within the District are likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within the County and the City of Brandon.
2. **Findings.** The City Council makes the following findings with regard to economic development:
 - A. The proposed improvements will create new jobs and diversify the overall economic base of the City of Brandon through economic development.
 - B. The South Dakota Department of Revenue has reviewed the TIF Plan and classified the Tax Increment District Six of City of Brandon to be Economic Development.
 - C. Not less than twenty-five percent, by area, of the real property within the district is a blighted area as defined under SDCL 11-9-11.

- D. At least fifty percent of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources development.
- E. The improvement of the area is likely to significantly enhance the value of substantially all other real property in the district;
- F. The aggregate assessed value of the District plus the tax incremental base of all other existing Districts in the City does not exceed Ten (10%) percent of the total assessed valuation in the City;

- 3. **Boundaries of District.** The Boundaries of the district are determined to be as follows:
 - TR 3 LEE'S ADDN NE1/4 2-101-48 SPLIT ROCK TOWNSHIP 101-48

All Located in the City of Brandon, Minnehaha County, South Dakota including within and adjacent rights-of-ways.

- 4. **Findings of Annual Appropriation TID.** Tax Increment District #8 will be designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.
- 5. **Creation of Tax Incremental Fund.** There is hereby created, pursuant to SDCL 11-9-31, a Tax Incremental District Number Eight Fund, which shall be a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number Eight shall be deposited into the Tax Incremental District Number Eight Fund. All funds in the Tax Incremental District Number Eight Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL Chapter 11-9
- 6. **Approval of Tax Increment Project Plan.** The City Council of the City of Brandon does hereby approve the Tax Increment Plan Number Eight, a copy of which is on file with the City Finance Officer.

Dated this 7th Day of August 2023.

CITY OF BRANDON, SOUTH DAKOTA

BY: _____
Harry Buck, Mayor

ATTEST:

Christina Smith, City Finance Officer

LETTER OPPOSING H.R. 3372 HEAVIER TRUCKS LEGISLATION

A letter was received regarding a bill being proposed in Congress, H.R. 3372, which would raise the weight limit of heavy trucks on our nation's roads to 91,000 pounds (a 14% increase). It was the consensus to not take any action.

ISG PROPOSAL FOR ARCHITECTURAL SERVICES

Discussion tabled until after executive session.

SLURRY SEAL PROJECT

The Streets Committee report was heard. Alderman Jorgenson moved Alderman Johnson seconded to approve pay application #1 and final to Asphalt Surfacing Companies in the amount of \$269,724.70 for the annual slurry seal project. Motion carried.

EXIT 406 PROJECT

Alderman Jorgenson moved Alderwoman Fish seconded to approve the temporary easement with the SDDOT for the Exit 406 project, as presented. Motion carried.

EXIT 406 PROJECT

Alderman Jorgenson moved Alderman Kull seconded to approve the permanent easement with the SDDOT for the Exit 406 project, as presented. Motion carried.

DECLARE 2010 FORD F150 SURPLUS

Alderman Steen moved Alderman Johnson seconded to declare the 2010 Ford F150 pickup, VIN # 1FTMF1EW3AKB68871, as surplus. Motion carried. Mayor Buck appointed Alderman Jorgenson, Alderman Kull and Alderman Johnson as the appraisal committee. Value over \$500.00, will be sold at auction or on Purple Wave auction site.

MCHARDY BRIDGE PROJECT

Alderman Lawrence moved Alderman Steen seconded to approve change order #1 to Journey Group Companies dba SFC Civil Constructors in the amount of \$42,818.00 and change the substantial completion date from August 1, 2023 to August 11, 2023 for the McHardy Bridge project. Motion carried.

MCHARDY BRIDGE PROJECT

Alderman Jorgenson moved Alderman Johnson seconded to approve pay application #1 to Journey Group Companies dba SFC Civil Constructors in the amount of \$244,940.65 for the McHardy Bridge project. Motion carried.

SIDEWALK AGREEMENT WITH EBC HOLDINGS

Alderman Jorgenson moved Alderman Kull seconded to approve the sidewalk construction agreement with EBC Holdings, LLC. for the property legally described as Lots 1 & 2 Block 3 of the Rovang Industrial Park, as presented. Motion carried.

SIDEWALK AGREEMENT WITH FAREWAY STORES, INC.

Alderman Kull moved Alderman Lawrence seconded to approve the sidewalk construction agreement with Fareway Stores, Inc. for the property legally described as Lot 1 Block 1 of Encore Park, as presented. Motion carried.

WATER TREATMENT PLANT CHANGE ORDER

The Water & Sewer Committee report was heard. Alderman Steen moved Alderman Jorgenson seconded to approve change order #2 to Stanek Constructors in the amount of \$3,589.00 for the water treatment plant project. Motion carried.

WATER TOWER PROJECT CONTRACT EXTENSION

Alderman Jorgenson moved Alderman Steen seconded to approve administration amendment #2 with Stockwell Engineers, Inc. in an hourly not to exceed \$50,000.00 for the water tower project. Motion carried.

SPLITROCK CREEK REHABILITATION PROJECT

Alderman Kull moved Alderman Johnson seconded to approve the Splitrock Creek Rehabilitation project in the amount of \$44,470.00 with Splitrock Landscaping & Nursery, Inc. Motion carried.

LEAD & COPPER FLYER

A flyer will be placed in the water/sewer bills next month explaining how to detect where lead pipes are located. No further action required.

At 6:25 p.m. Alderwoman Fish moved Alderman Jorgenson seconded to go into executive session to discuss contract negotiations, per SDCL 1-25-2.4. Motion carried. At 6:47 p.m. Mayor Harry Buck declared the executive session ended.

At 6:47 p.m. on a motion by Alderwoman Fish seconded by Alderman Jorgenson the meeting was adjourned. Motion carried.

Melissa Labahn
Municipal Recording Clerk

Harry Buck
Mayor