

MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on August 17, 2020 in the Council Chambers at 308 S. Main Avenue, Brandon, South Dakota. Present were Dana Clark, Vickie David, Barb Fish, Tim Jorgenson, David Kull, Jack Parliament and Mayor Paul Lundberg. Others present were: City Administrator, Bryan H. Read; Finance Officer, Christina Smith; City Attorney, Lisa Marso; City Engineer, Tami Jansma, Police Chief, Joe Weir; Park Superintendent, Devin Coughlin; Golf Course Manager, Andrew Bauer and Public Works Director, Rollie Hoeke.

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

Alderman Kull moved Alderwoman Fish seconded to approve the minutes of the July 30, 2020 briefing meeting and the minutes of the August 3, 2020 regular meeting. Motion carried.

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

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
AE2S	Professional Services	15,861.50
Alliance Communications	Utilities	2,548.25
Alternative HR Development	Professional Services	3,294.89
Ambush Apparel	Supplies	310.00
B & B Golf Cars	Repairs	275.90
Beal Distributing, Inc.	GC Resale	4,110.30
Benders Sewer & Drain	Repairs	285.00
Bioverse	Supplies	1,600.00
Border States Electric	Supplies	51.38
Borns Group	Utilities	1,015.35
Boyce Law Firm	Professional Services	4,539.00
Brandon Ace Hardware	Supplies	2,857.09
Brandon Lumber Co.	Improvements	2,216.47
Brandon Valley Media Group	Publications	1,825.35
BV Area Chamber of Commerce	Fees	125.00
BV Ministerial Association	Donation	75.00
BV School District	Fuel	3,263.41
Cardmember Services	Various Dept. Supplies	1,321.89
Century Business Products	Copier Agreement	214.18
Cintas	Supplies	359.94
City of Sioux Falls Landfill	Fees	50.32
Coca-Cola/Chesterman	GC Resale	453.49
Concrete Materials	Improvements	4,178.67
Culligan Water Conditioning	Utilities	103.60
Dakota Beverage	GC Resale	2,130.60
Dakota Supply Group	Repairs	525.20
Detco	Supplies	977.08
DGR Engineering	Professional Services	38,873.55

Diamond Vogel	Supplies	362.80
Direct Technologies, LLC	Software	1,813.25
Division of Motor Vehicles	Water Supplies	30.00
EnviroMaster, Inc.	Supplies	109.45
Ferguson Waterworks	Supplies	5,417.51
Ferguson Waterworks	Water Meter Project	47,910.54
First Rate Excavate	Repairs	2,040.82
Frisbee	Repairs	550.97
Geotek Engineering & Testing Services	Professional Services	964.00
Girton Adams Company	Supplies	117.00
H & W Contracting LLC	Improvements	326,791.59
H2ose It Carwash	Supplies	300.00
Hawkins Water Treatment	Chemicals	7,808.05
Istate Truck, Inc.	Repairs	32.47
Johnson Brothers of SD	GC Resale	1,912.08
Kerry Thill	Reimbursement	69.82
L.G. Everist, Inc.	Supplies	545.83
Lamb Motor Company	Equipment	58,820.00
Lite Electric, LLC	Repairs	340.53
Locators & Supplies, Inc.	Supplies	118.84
Marv's Sanitary Service	Utilities	766.75
Metro Communications	Fees	58,225.00
Meyer Laboratory, Inc.	Supplies	770.39
Michael & Vickie Murphy	Reimbursement	29.00
MidAmerican Energy	Utilities	242.28
Midwest Turf	Repairs	2,202.39
Minnehaha Community Water Corp.	Utilities	96.00
Myrl & Roy's Paving, Inc.	Repairs	685.88
Newman Traffic Signs	Supplies	48.47
Northern Truck Equip. Corp.	Hired Repairs	595.80
Northwest Tire, Inc.	Repairs	40.20
Orkin	Professional Services	120.00
P2 Emulsions	Repairs	5,002.50
Palisades Oil Co.	Fuel	3,294.38
Pepsi-Cola	GC Resale	219.39
Performance Press	Supplies	246.00
Peters Distributing, Inc.	Repairs	108.12
Pfeifer's Implement Company, Inc.	Repairs	6,353.19
Pitney Bowes	Postage Refill	750.67
Pizza Ranch - Brandon	GC Resale	162.00
Pomp's Tire Service	Repairs	25.00
R & L Supply, Ltd.	Supplies	807.52
Reiter Enterprises	Rental	1,450.00
Sam's Club	GC Resale	604.42
SD Dept. of Revenue	Sales Tax	12,352.58
SD Engineering Society	Fees	115.00
SD One Call	Fees	295.68
Sioux Falls Networks	Professional Services	1,975.00

Sioux Falls Rubber Stamp Works, Inc.	Supplies	18.40
Sioux Falls Utilities	Wastewater Discharge	115,322.07
Sioux Valley Energy	Repairs	107.14
SiteOne	Rental	50.00
Soukup Construction Inc	Improvements	1,221,188.43
Southern Glazer's of SD	GC Resale	408.78
Stan Houston Equip. Co.	Equipment	7,425.00
Staples Advantage	Supplies	475.91
Stockwell Engineers, Inc.	Professional Services	36,104.38
Sturdevant's Auto Parts	Supplies	287.11
Summit Companies	Supplies	19.00
Sunshine	Supplies	397.43
Sure Test	Professional Services	104.40
Sysco Lincoln	GC Resale	1,810.01
Tim Anderson	Sidewalk Repairs	1,205.50
Titan Machinery	Repairs	754.91
Tony's Catering	GC Resale	3,709.50
Toro NSN	Service Agreement	155.00
Two Way Solutions, Inc.	Supplies	291.98
Univar USA, Inc.	Supplies	2,434.40
US Postmaster	Utility Billing	1,294.99
Vogel Motors	Repairs	994.00
WSP	Professional Services	33,588.50
Xcel Energy	Utilities	2,866.22
First National Bank	GC Equipment Loan	1,124.98
First National Bank	Biosolid Bond	80,970.17
City Administration	August 6, 2020 Payroll	3,397.32
Finance Office	August 6, 2020 Payroll	4,192.71
Government Buildings	August 6, 2020 Payroll	129.29
Engineer	August 6, 2020 Payroll	2,966.90
Police	August 6, 2020 Payroll	22,925.90
Building Inspections	August 6, 2020 Payroll	3,388.83
Street Department	August 6, 2020 Payroll	7,919.05
Park Department	August 6, 2020 Payroll	9,279.02
Economic Development	August 6, 2020 Payroll	597.15
Water Department	August 6, 2020 Payroll	7,874.77
Sewer Department	August 6, 2020 Payroll	4,053.02
Golf Course Grounds	August 6, 2020 Payroll	7,888.57
Golf Course Lounge	August 6, 2020 Payroll	5,041.85
Golf Course Pro Shop	August 6, 2020 Payroll	5,292.07
Golf Course Community Room	August 6, 2020 Payroll	998.79
941 Payroll Taxes	August 6, 2020 Payroll	24,350.39
SD Retirement System Supplemental	August 6, 2020 Payroll	712.50
TASC Flex Plan	August 6, 2020 Payroll	625.00
Accounts Management	August 6, 2020 Payroll	75.00

Alderman Fish moved Alderman Jorgenson seconded to approve the consent calendar which contained the following items: a plat of Lots 6, 7 & 8 Block 4 Westview Estates; a plat of Tract 2

Twin Rivers Crossing Addition ; a plat of Lots 31A & 32 Block 5 Brandon Park Second Addition and a plat of Lot 2 Block & Lots 14, 15 & 21 Block 2 Aspen Harbor Addition. Motion carried.

Ryan & Amy Dulaney, 612 S. Palmer Drive, were present for discussion. Ryan & Amy presented a letter to City Council, which was placed in the final council packet for the August 17, 2020 Council meeting. Ryan & Amy have concerns with the proposed pump house project to be constructed on the vacant lot next to their home.

Joe Brock, 1405 E. Birch Street, was present for discussion about the curb repair project being done in his neighborhood. Joe stated that the residents were not informed that this project was going to be done. Residents have lost access to their driveways, mailboxes.

COMMUNITY ROOM STAFF

The Golf Course Committee report was heard. Alderman Kull moved Alderwoman Clark seconded to approve Mary Kolbeck as Community Room staff at \$9.30 per hour. Motion carried.

GOLF COURSE CLEANING STAFF

Alderwoman Clark moved Alderman Parliament seconded to approve Dorothy Estenson as cleaning staff for the Golf Course at \$18.00 per hour. Motion carried.

CHAMBER REQUEST TO USE COMMUNITY ROOM

Alderwoman Fish moved Alderman Parliament seconded to approve the request from the Brandon Valley Chamber of Commerce to use the Community Room on August 25, 2020, with the rental fee waived; and to authorize staff to make these decisions regarding the Brandon Valley Chamber of Commerce in the future. Motion carried.

POOL IMPROVEMENTS PROJECT CHANGE ORDER

The Parks & Recreation Committee report was heard. Alderwoman Fish moved Alderman Kull seconded to approve change order #1 to Beck & Hofer Construction for the pool improvements projects in the amount of \$3,197.15. Motion carried.

SET PUBLIC HEARING DATE FOR CABLE TV FRANCHISE FOR MIDCO

The Public Safety and Administration Committee reports were heard. Alderwoman Fish moved Alderwoman Clark seconded to set September 8, 2020 as the public hearing date for the Cable TV Franchise Application for Midco. Motion carried.

SET PUBLIC HEARING DATE FOR CABLE TV FRANCHISE FOR ALLIANCE COMM

Alderwoman Fish moved Alderwoman Clark seconded to set September 8, 2020 as the public hearing date for the Cable TV Franchise Application for Alliance Communications. Motion carried.

RESOLUTION #21-20

Alderwoman Fish moved Alderwoman Clark seconded to approve Resolution #21-20. Alderman

Jorgenson recused himself from the discussion & vote. A roll call vote showed Clark, David, Fish, Kull, Parliament aye. Motion carried.

RESOLUTION #21-20

A RESOLUTION OF THE CITY OF BRANDON, SD, SETTING THE FRANCHISE FEE AND CAPITAL GRANT COLLECTED FROM ALL FRANCHISED CABLE OPERATORS

WHEREAS, pursuant to Brandon Ordinance 14-7-13(4) the City may require in a Franchise Agreement every Grantee shall provide to the City a one-time capital grant in an amount up to five thousand dollars (\$5,000.00) for access related expenditures (the "capital grant"), which the City understands that pursuant to federal law, a Grantee may collect the capital grant from subscribers as a separate line item on subscriber bills, in addition to the price for cable service; and

WHEREAS, pursuant to Brandon Ordinance 14-7-16(1) the City may require in a Franchise Agreement Grantee to pay a monthly Franchise Fee in the amount of zero percent (0%) to five percent (5%) of Grantee's gross revenues, which amount shall be established by the City Council by resolution every two years, and which amount a Grantee may collect the capital grant from subscribers as a separate line item on subscriber bills, in addition to the price for cable service; and

WHEREAS, the City is involved in negotiating Franchise Agreements with Alliance Communications and Midcontinent Communications in which both providers have represented a willingness to pay a one-time lump sum capital grant up to the \$5,000.00 amount without passing it on to their subscribers; and

WHEREAS, the City desires to establish the Capital Grant and the Franchise Fee for all Grantees effective August 17, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRANDON, SD:

That each Grantee of a Cable Franchise Agreement shall pay to the City within 30 days of publication of the Franchise Agreement, a one-time lump sum Capital Grant in the sum of \$5,000.00; and

That the Franchise Fee of 0% is set, which rate shall remain unless modified every two years as set forth in Brandon Ordinance 14-7-16.

Adopted this 17th day of August, 2020.

ATTEST:

Paul J Lundberg, Mayor

Christina Smith, Finance Officer

(Seal)

ORDINANCE #612

Alderswoman Fish moved Alderman Jorgenson seconded to give first reading to Ordinance #612: TITLE: AMENDING CHAPTER 11-2 SPECIAL TAX CLASSIFICATION. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parliament aye. Motion carried.

STONE RIDGE ESTATES PHASE 4 PRELIMINARY PLAN

Alderman Kull moved Alderman Jorgenson seconded to approve the preliminary plans for Stone Ridge Estates Phase 4 as presented. Motion carried.

TREE WASTE SITE UPDATE

Administration will be presenting a plan to City Council in September. No further action at this time.

TRANSIT MANAGEMENT AGREEMENT

The Street Committee report was heard. Alderman Jorgenson moved Alderswoman Clark seconded to approve the Transit Management Agreement with the Rural Office of Community Service for \$31,300.00 annually. Motion carried.

RESOLUTION #20-20

Alderswoman Fish moved Alderman Kull seconded to approve Resolution #20-20. A roll call vote showed Clark, David, Fish, Jorgenson, Kull, Parliament aye. Motion carried.

**RESOLUTION #20-20
TRANSPORTATION ALTERNATIVES GRANT APPLICATION TO THE SOUTH
DAKOTA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Brandon desires assistance from the South Dakota Department of Transportation -Transportation Alternatives Grant Program for the purpose of completing a new walking path as part of the Shared Use project; and

WHEREAS, the City Council hereby commits to the continued maintenance and operation of the trail; and

WHEREAS, the City Council hereby commits local match of not less than 18.05 percent of the project; and

WHEREAS, the City Council acknowledges its responsibility to secure right-of-way or easements for construction.

NOW THERE BE IT RESOLVED that the City Council hereby authorizes the filing of a grant application, including all understanding and assurances contained therein, for the Transportation

Alternatives Grant Program, and hereby authorizes the Mayor to in connection with the application and to provide such additional information as may be required.

Adopted this 17th day of August 2020.

ATTEST:

Paul J Lundberg, Mayor

Christina Smith, Finance Officer

(Seal)

CORE PHASE 1 CHANGE ORDER

Alderman David moved Alderman Jorgenson seconded to approve change order #2 to Soukup Construction for the Core Area Phase 1 project in the amount of \$79,187.20. A roll call vote showed Clark, Jorgenson, Kull, Parliament aye; David, Fish nay. Motion carried.

CORE AREA PHASE 1 PAY APPLICATION

Alderman Clark moved Alderman Jorgenson seconded to approve pay application #5 to Soukup Construction for the Core Area Phase 1 project in the amount of \$1,221,188.43. Motion carried.

CORSON RAILROAD CROSSING

Alderman Jorgenson moved Alderman Clark seconded to approve the agreement with Civil Design, Inc. for design of the reconstruction of the Corson/Brandon railroad crossing in the amount of \$10,000.00. Motion carried.

SD HWY 11 ROUNDABOUT SUPPORT LETTER

Alderman Clark moved Alderman Jorgenson seconded to approve the letter of support to the SDDOT Secretary of Transportation for the roundabout study at the intersection of Aspen Blvd. and Splitrock Blvd. Motion carried.

DECLARE 1998 DODGE PICKUP AS SURPLUS

Alderman Clark moved Alderman David seconded to declare a 1998 Dodge 2500 Laramie SLT, VIN #3B7KC26Z3WM272632, as surplus. Motion carried. Alderman Kull, Alderman Parliament and Alderman Jorgenson were appointed as the appraisal committee. Appraisal was \$499.00.

WATER TOWER PROJECT UPDATE

The Water & Sewer Committee report was heard. Alderman Clark moved Alderman

Parliament seconded to table further discussion on the water tower project until City Attorney Lisa Marso has a chance to review additional information that has been presented. Motion carried.

MAIN AVE INTERCEPTOR CHANGE ORDER

Alderman Kull moved Alderwoman Clark seconded to approve change order #3 to H&W Contracting for the Main Avenue interceptor project in the amount of (\$6,926.47). Motion carried.

MAIN AVE INTERCEPTOR PAY APPLICATION

Alderwoman Clark moved Alderwoman David seconded to approve pay application #11 to H&W Contracting for the Main Avenue interceptor project in the amount of \$326,791.59. Motion carried.

WATER METER REPLACEMENT PROJECT PAY APPLICATION

Alderwoman Clark moved Alderman Parliament seconded to approve pay application #1 to Ferguson Waterworks for the water meter replacement project in the amount of \$43,119.49. Motion carried.

WATER METER REPLACEMENT PROJECT PAY APPLICATION

Alderwoman Clark moved Alderman Parliament seconded to approve pay application #2 and final to Ferguson Waterworks for the water meter replacement project in the amount of \$4,791.05. Motion carried.

At 6:41 p.m. on a motion by Alderwoman Clark seconded by Alderwoman David the meeting was adjourned.

Melissa Labahn
Municipal Recording Clerk

Paul Lundberg
Mayor