

## MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on November 7, 2022 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 Attorney, Lisa Marso; City Engineer, Tami Jansma; Police Officer, Andrew Bakker; 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 Alderwoman Clark seconded to approve the minutes of the October 13, 2022 briefing meeting and the minutes of the October 17, 2022 regular meeting minutes. Motion carried.

Alderwoman Clark moved Alderman Steen seconded to approve the following claims.

<b><u>VENDOR</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
Alliance Communications	Utilities	2,603.64
Alternative HR	Monthly Service	3,350.00
Avera Medical Group	Professional Services	35.18
Batteries Plus	Supplies	233.46
Beal Distributing	GC Resale	960.30
Blaine's Service	Hired Repairs	137.95
Border States Electric	Supplies	215.90
Boyce Law Firm	Professional Services	1,870.00
Brandon Lumber	Supplies	417.57
Brandon Valley Media Group	Publications	1,362.46
Chronogolf	Software	2,200.00
City of Sioux Falls	Traffic Lights Repair	737.13
Core & Main	Repairs	5,673.09
Corson Village	October Refund	933.50
Crane Sales & Service	Hired Repairs	2,154.33
Crescent Electric Supply	Supplies	364.44
Culligan	Utilities	153.25
Dakota Beverage	GC Resale	450.65
Delta Dental	Dental Insurance	3,140.00
Dennis Supply Company	Repairs	379.76
Devin Coughlin	Reimbursement	15.00
DGR Engineering	Professional Services	89,058.26
Direct Technologies	Hired Repairs	1,661.88
DirectTV	Utilities	365.73
Division of Motor Vehicles	Title and Plates	15.00
Enviromaster	Supplies	84.00
Fastenal Company	Supplies	1,171.61

Geotek Engineering & Testing Services	Improvements/Professional Services	3,955.50
Gopher Irrigation	Improvements	880.70
Graham Tire	Supplies	2,499.48
H2ose It Carwash	Carwash Tokens	400.00
Hach Company	Supplies	10.19
Hawkins Water Treatment	Chemicals	3,668.20
Henkel Corp.	Rebate	2,689.07
Hillyard Inc	Supplies	198.34
Interstate Office Products	Supplies	985.56
Jack's Uniform & Equipment	Safety Supplies	902.70
Jenny Jorgenson	Reimbursement/GC Resale	29.37
John Henry Foster	Supplies	32.13
Josh Messner	Reimbursement	43.65
Knife River	Repairs	258.70
Kogel Archaeological Consulting Services	Professional Services	9,925.00
Lacey Rentals	Rentals	588.75
Lamb Motor Company	Vehicle Purchase	37,910.00
Lawson Products	Supplies	110.78
Locators & Supplies	Improvements	82.52
Maguire Iron	Hired Repairs	19,350.00
Malloy Electric Bearing Supply	Supplies	377.84
MidAmerican Energy	Utilities	1,008.74
Midwest Turf & Irrigation	Repairs	18,327.75
Minnehaha Community Water Corp	Utilities	127.00
Modern Woodman	Insurance	1,759.03
Nick Gunderman	Reimbursement	15.00
Oakridge Nursery	Supplies	807.87
Orkin	Monthly Service	134.00
Palisades Oil Co.	Fuel	7,426.91
Performance Press	Supplies	59.00
Quality Auto Glass	Repairs	300.00
Rural office of Community Services	Transit Services	32,813.00
Sanitation Products	Supplies	1,566.99
Sarah Haak	Refund	500.00
Schwartzle Construction	GC Retaining Wall	457,730.72
SD Dept of Health	Professional Services	209.00
SD-DANR	Yearly Fee	1,450.00
Sioux Falls Area Humane Society	Professional Services	210.70
Sioux Falls Film Solutions	Professional Services	130.00
Sioux Falls Networks	Equipment	1,124.99
Sioux Falls Utilities	Utilities	104,245.31
Sioux Valley Energy	Water Treatment Plant	3,930.49
Sioux Valley Energy	Utilities	41,731.49
Sirchie Finger Prints	Safety Supplies	258.47
Soukup Construction	Hired Repairs	4,644.91
Staples	Supplies	650.36
Stockwell Engineers	Water Towers	7,412.15

Sturdevant's	Repairs	295.57
Sunset Law Enforcement	Supplies	2,023.20
Titan Machinery	Repairs	662.20
Transource Truck & Equipment	Repairs	305.98
Two Way Solutions	Hired Repairs	800.00
Valley Springs Body Shop	Repairs	1,418.12
Verizon	Utilities	506.24
Verizon	Utilities	533.41
Vogel Motors	Hired Repairs	226.00
Wellmark/BCBS	Health Insurance	75,350.26
Xcel Energy	Utilities	3,689.45
First National Bank Trust Department	Golf Course Equipment Loan	1,124.98
US Bank	Brandon Park-Holly/Main	598,527.50
US Bank	Water Revenue Bond	102,242.50
City Administration	October 27, 2022 Payroll	3,733.93
Finance Officer	October 27, 2022 Payroll	5,650.83
Government Buildings	October 27, 2022 Payroll	129.29
Engineer	October 27, 2022 Payroll	3,768.07
Police	October 27, 2022 Payroll	26,404.21
Building Inspections	October 27, 2022 Payroll	3,600.35
Street Department	October 27, 2022 Payroll	4,186.55
Park Department	October 27, 2022 Payroll	4,882.95
Economic Development	October 27, 2022 Payroll	2,017.55
Water Department	October 27, 2022 Payroll	8,881.78
Sewer Department	October 27, 2022 Payroll	5,400.86
Golf Course Grounds	October 27, 2022 Payroll	4,642.35
Golf Course Lounge	October 27, 2022 Payroll	3,322.59
Golf Course Pro Shop	October 27, 2022 Payroll	4,141.71
Golf Course Community Room	October 27, 2022 Payroll	901.34
941 Payroll Taxes	October 27, 2022 Payroll	25,011.01
SD Retirement System Supplemental	October 27, 2022 Payroll	1,175.00
TASC Flex Plan	October 27, 2022 Payroll	1,064.63
Accounts Management	October 27, 2022 Payroll	75.00
SD Retirement System	October 2022 Payroll	27,127.12
Direct Pay Reimbursement	November 7, 2022	2,263.35
Direct Pay Reimbursement	November 7, 2022	828.80
Direct Pay Reimbursement	November 7, 2022	1,080.50
Direct Pay Reimbursement	November 7, 2022	217.60
Direct Pay Reimbursement	November 7, 2022	1,269.50

Alderwoman Fish moved Alderwoman Clark seconded to approve the consent calendar which contained the following items: annual salary adjustment for Kyle Zigan, to step 13-6 on the wage scale, \$27.29 per hour, effective November 13, 2022; a plat of Chestnut Ridge Addition Tract 1; a plat of Heartland Business Park Addition Lot 11 Block 3 and a plat of Rovang Industrial Park Lot 4 Block 2. Motion carried.

Riley McKeown, 913 S. Parkview Blvd. was present to support the use of the tennis lights at the middle school courts. The high school tennis team uses these courts to practice, sometimes into the evenings after it gets dark.

A public hearing was held, as advertised, to consider a Re-Zone Application for Tract 2 S1/2 SW1/4 Burkmans Tracts SW1/4 SW1/4 26-102-48; Lots 1 & 2 Burkmans Tract 1 SE1/4 SW1/4 26-102-48 Brandon Township 102-48 and Lot 3 Tract 1 Burkmans Tracts SE1/4 SW1/4 26-102-48 (properties currently addressed as 1604, 1612 & 1620 E. Redwood Blvd). Applicants are requesting to re-zone from NRC-Natural Resource Conservation to R-3-High Density Residential. Steve Rubin, 512 N. Oak Ridge Road, was present for discussion. Steve has concerns with safety, increased traffic, drainage canal concerns. Brett Karber, 905 N. Freedom Circle, was present for discussion. Brett has concerns with increased traffic, safety, decrease in property values. Randy Nelson, 1624 E. Liberty Circle, was present for discussion. Randy has concerns with the proposed high density residential development next to single family homes. Zach Auch, 1704 E. Redwood Blvd. was present for discussion. Zach is opposed to the proposed zoning to high density residential. Charles Bigelow, 608 N. Oak Ridge Road, was present for discussion. Charles has concerns with increased traffic and parking needs. Michael & Siana Murphy, 917 N. Freedom Circle, were present for discussion. Michael & Siana have concerns with no buffer between the single family homes and the proposed high density residential, safety concerns, potential for trespassing, devaluation of neighboring properties. David Wiertzema, 616 N. Needles Drive, was present for discussion. David has concerns with increased traffic and property conditions of an apartment building. David Shelton, owner of subject property, Redwood Ranch LLC., was present for discussion. David will be holding a public meeting on Thursday, November 10, 2022 at 6:00pm at Brandon Pizza Ranch. Jim Reiter, 617 N. Oak Ridge Road, was present discussion. Jim has concerns with increased traffic and proposed building layout of this property. Alderman Kull moved Alderwoman Clark seconded to table discussion on proposed Ordinance #665: 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 Clark, Johnson, Kull, Steen aye; Jorgenson, Fish nay. Motion carried.

A public hearing was held to consider Ordinance #666. Alderwoman Fish moved Alderman Steen seconded to give first reading to Ordinance #666: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY ADDING CHAPTER 15-14-3(D), ADDITIONAL USE REGULATIONS, OFF-STREET PARKING, COOPERATIVE PARKING. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #667. Alderwoman Clark moved Alderman Johnson seconded to give first reading to Ordinance #667: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY AMENDING CHAPTER 15-14-6, ADDITIONAL USE REGULATIONS, FENCE REGULATIONS, AND CHAPTER 15-22-2 DEFINITIONS, DEFINITIONS. A roll call vote

showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #668. Alderwoman Fish moved Alderman Steen seconded to give first reading to Ordinance #668: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY AMENDING CHAPTER 15-11-10, HI: HEAVY INDUSTRIAL DISTRICT, LOT AND YARD REGULATIONS. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #669. Alderman Steen moved Alderman Johnson seconded to give first reading to Ordinance #669: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY PROVIDING OFF-STREET PARKING REGULATIONS FOR AN INDIVIDUALLY PLATTED LOT SURROUNDED BY COMMONLY OWNED SPACE, BY ADDING CHAPTER 15-14-3(A)(13), ADDITIONAL USE REGULATIONS, OFF-STREET PARKING, GENERAL CONDITIONS. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #670. Alderman Steen moved Alderman Kull seconded to give first reading to Ordinance #670: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY PROVIDING SIGN REGULATIONS FOR INDIVIDUALLY PLATTED LOTS SURROUNDED BY COMMONLY OWNED SPACE, BY ADDING CHAPTER 15-14-5(H)(9), SIGN REGULATIONS, PERMANENT SIGNS, INDIVIDUALLY PLATTED LOTS SURROUNDED BY COMMONLY OWNED SPACE. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #671. Alderman Johnson moved Alderwoman Clark seconded to give first reading to Ordinance #671: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY CLARIFYING DEFINITIONS RELATED TO OFF-STREET PARKING REGULATIONS BY AMENDING CHAPTER 15-22-2, DEFINITIONS, DEFINITIONS. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #672. Alderwoman Fish moved Alderwoman Clark seconded to give first reading to Ordinance #672: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE TO INCLUDE REGULATIONS REGARDING THE USE OF PRIVATE WASTEWATER SYSTEMS WITHIN THE CITY BY AMENDING CHAPTER 15-14-15, ADDITIONAL USE REGULATIONS, HOLDING TANKS IN LIEU OF SANITARY SEWER SYSTEMS. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

A public hearing was held to consider Ordinance #673. Alderman Jorgenson moved Alderwoman Fish seconded to give first reading to Ordinance #673: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE



Dolgen Midwest LLC Dollar General Store #15413 124 E Holly Blvd Brandon, SD 57005	Retail (On-Off Sale) Wine and Cider
BRV, LLC Convention Center Holiday Inn Express & Suites 1103 N. Splitrock Boulevard Brandon, SD 57005	(On-Sale) Liquor
CC & F RETAIL INC Coffee Cup Fuel Stop #7 1009 N. Splitrock Blvd Brandon, SD 57005	Retail (On/Off Sale) Wine and Cider and Package (Off-Sale) Liquor
Holiday Stationstores LLC 920 N Splitrock Blvd Brandon, SD 57005	Package (Off- Sale) Liquor
Bauer Enterprises LLC Splitrock C-Store 600 N Splitrock Blvd Brandon, SD 57005	Package (Off-Sale) Liquor
City of Brandon Golf Course Concessions 2100 E Aspen Boulevard Brandon, SD 57005-0095	Retail (On-Sale) Liquor and Package (Off-Sale) Liquor
LA FINCA INC El Tapatio 616 N Splitrock Blvd Brandon, SD 57005	Retail (On-Sale) Liquor
MG Oil Company Dakota Star Casino #2 1322 E Cedar St Brandon, SD 57005	Retail (On-Off Sale) Wine and Cider
MG Oil Company Dakota Star Casino 1320 E Cedar St Brandon, SD 57005	Retail (On-Off Sale) Wine and Cider

Sassy Nails & Spa LLC  
511 N Splitrock Blvd  
Brandon, SD 57005

Retail (On-Off Sale) Wine and Cider

Casey's Retail Company  
101 W Holly Blvd  
Brandon, SD 57005

Package (Off-Sale) Liquor

On My Tab Inc  
The Gruff  
507 N Splitrock Blvd  
Brandon, SD 57005

Retail (on-sale) Liquor

#### GOLF COURSE RETAINING WALL CHANGE ORDER

The Golf Course Committee report was heard. Alderman Johnson moved Alderman Jorgenson seconded to approve change order #1 to Schwartzle Construction for the golf course retaining wall project in the amount of \$45,019.99. Motion carried.

#### GOLF COURSE RETAINING WALL PAY APPLICATION

Alderman Kull moved Alderman Steen seconded to approve pay application #1 to Schwartzle Construction for the golf course retaining wall project in the amount of \$457,730.72. Motion carried.

#### TENNIS COURT LIGHTS AT BV MIDDLE SCHOOL

The Parks & Recreation Committee report was heard. Adam Rothenberger, Brandon Park Advisory Committee member will be meeting with the School District and Tennis Association to further discuss the tennis lights at the Brandon Valley Middle School. No further action at this time.

#### 2023 POOL FEES

Discussion held on pool fees for the 2023 season. No action required at this time.

#### TRACTOR PURCHASE

Alderwoman Fish moved Alderman Steen seconded to approve the purchase of a New Holland tractor from Titan Machinery in the amount of 39,400.00 for the Parks Department. Motion carried.

#### ASPEN PARK GRADING QUOTE

Alderwoman Fish moved Alderman Johnson seconded to approve the grading quote from Soukup Construction in an amount not to exceed \$100,000.00 for grading at Aspen Park. Motion carried.

#### HIRE POLICE OFFICER

The Public Safety Committee report was heard. Alderwoman Clark moved Alderman Kull

seconded to approve the hiring of Andrew Maslowski as a full-time non-certified officer, step 11-1 on the wage scale, to begin November 21, 2022. Motion carried.

2023 BUILDING PERMIT VALUATIONS

Staff is recommending a 12% increase to the values used for determining project values for a building permit. This 12% increase is based on the August ICC values. A resolution will be presented at the next regular meeting.

CONTRACT FOR PRINTER

Alderswoman Clark moved Alderman Johnson seconded to approve the contract with Century Business Products in the amount of \$3,969.63 for a color printer for the Police Department. 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.

RESOLUTION #30-22

Alderswoman Clark moved Alderman Steen seconded to approve Resolution #30-22. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

**RESOLUTION #30-22**

**WHEREAS**, the City of Brandon prepares and approves a budget each September for the following calendar year; and

**WHEREAS**, the budget for 2022 contains a contingency fund of \$100,000.00 that can be transferred to any general fund account by resolution of the City Council.

**WHEREAS**, the remaining balance in the contingency fund is \$100,000.00.

**THEREFORE LET IT BE RESOLVED**, that the following amounts be transferred for the budget year of 2022 from 101-4115-51000 Contingency to:

Recreation	101-4512-41100	Wages.....	\$ 1,300.00
Pool	101-4514-41100	Wages.....	\$ 30,000.00
Pool	101-4514-43300	Improvements.....	\$ 10,000.00
Core Area 1	540-4312-43300	Improvements.....	\$ 10,000.00

Dated this 7<sup>th</sup> day of November 2022.

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Harry Buck  
Mayor

ATTEST:

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Christina Smith  
Municipal Finance Officer

(SEAL)

TRANSIT MANAGEMENT AGREEMENT WITH ROCS

The Streets Committee report was heard. Alderman Kull moved Alderwoman Clark seconded to approve the transit management agreement with ROCS in the amount of \$31,300.00. Motion carried.

PURCHASE OF PICKUP PLOW

Alderman Steen moved Alderman Johnson seconded to approve the purchase of a truck snowplow from STS in the amount of \$8,100.00. Motion carried.

RUSHMORE PHASE 2

Alderwoman Clark moved Alderman Steen seconded to authorize staff to advertise for bids for the Rushmore Area Reconstruction Project Phase 2. Motion carried.

EXIT 406 GRANT APPLICATION

The SDDOT is asking that the City of Brandon be a co-sponsor on the grant application for the Exit 406 project since it is in the city limits of Brandon, and the City will be providing snow removal and will also be responsible for future repairs/maintenance. No action required.

EASTSIDE SEWER MAIN ARPA AGREEMENT

The Water & Sewer Committee report was heard. The City of Brandon received an ARPA grant from the SD DANR in the amount of \$478,837.00 for the Bethany Sewer Main Extension project. Alderwoman Fish moved Alderwoman Clark seconded to approve the grant agreement as presented. Motion carried.

PROPOSED 2023 WATER, SEWER & STREET LIGHT RATES

Proposed 2023 water, sewer and street light rates were presented. A formal resolution will be presented at the next regular meeting.

At 7:28 p.m. Alderwoman Clark moved Alderman Steen seconded to go into executive session for contract negotiations per SDCL 1-25-2.4. Motion carried. At 7:32 p.m. Mayor Buck declared the executive session ended.

At 7:32 p.m. on a motion by Alderwoman Clark seconded by Alderman Jorgenson the meeting was adjourned. Motion carried.

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Melissa Labahn  
Municipal Recording Clerk

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Harry Buck  
Mayor