

MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on December 4, 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 Engineer, Tami Jansma; Police Chief, Jamie Steffel; Golf Course Manager, Andrew Bauer; Public Works Director, Rollie Hoeke and Development Director, Patrick Andrews.

Alderwoman Fish moved Alderman Jorgenson seconded to approve the agenda as amended. Motion carried.

Alderman Steen moved Alderman Johnson seconded to approve the minutes of the November 16, 2023 briefing meeting and the minutes of the November 20, 2023 regular meeting. Motion carried.

Alderman Lawrence moved Alderman Steen seconded to approve the following claims.

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Alliance Communications	Utilities	2,762.13
Andrew Larive	Travel Reimbursement	454.57
Bierschbach Equipment & Supply	Rentals	1,132.00
BNSF	Sewer Project	2,000.00
Border States Electric	Repairs	85.32
Brandon Volunteer Fire Department	Contribution	136,068.50
Champion Tree Service	Ash Tree Removal	375.00
City of Brandon	Utilities	281.78
City of Sioux Falls	Utilities	110,691.67
Corson Village Sanitary District	November Reimbursement	856.81
Dakota Pump	Improvements	6,026.12
Dakota Supply Group	Supplies	317.71
Dalsin Inc	Hired Repairs	1,200.00
Delta Dental	Insurance	3,247.40
Direct Technologies	Hired Repairs	185.00
Division of Motor Vehicles	Title and Plates	26.70
DPC Industries	Chemicals	2,930.27
Dudley Laundry (Appeara)	Supplies	305.00
Fleetpride	Supplies	96.52
G&H Distributing	Supplies	88.40
General Traffic Controls	Traffic Light Repair	820.00
Geotek Engineering	Professional Services	6,200.50
Hawkins Water Treatment	Chemicals	6,979.00
HDR Engineering	Professional Services	16,889.02
Jack's Uniform & Equipment	Safety Supplies	136.79
Jeff Taylor Construction	Hired Repairs	3,000.00
Locators & Supplies	Clothing Supplies	1,270.30
Menards	Supplies	4.94

Metro Construction	Professional Services	35,045.00
Olson's Pest Technician	Monthly Contract	135.00
Orkin	Monthly Contract	145.99
Palisades Oil	Fuel	3,083.08
Palisades Propane	Utilities	508.46
Performance Press	Supplies	520.86
Physio Control (Stryker)	Equipment	1,092.00
Pitney Bowes	Postage	250.00
Pomp's Tire Service	Hired Repairs	407.75
PS Garage Doors	Hired Repairs	4,995.00
R&L Supply Ltd	Repairs	15.98
Rural Office of Community Services	October Reimbursement	12,078.06
SD Dept of Health	Annual Dues	275.00
SD Dept of Health	Water Testing	390.00
SD Public Assurance Alliance	Insurance	4,484.66
Sioux Falls Area Humane Society	Monthly Contract	318.89
Sioux Falls Networks	Equipment	499.75
Sioux Valley Energy	Utilities	37,348.85
Staples	Supplies	256.27
Stockwell Engineer	Water Tower Construction	12,845.70
Streicher's	Safety Supplies	2,269.99
Titleist	GC Resale	161.21
Two Way Solutions	Supplies	387.97
Verizon	Utilities	627.12
Xcel Energy	Utilities	10,819.57
City Administration	November 23, 2023 Payroll	4,128.79
Finance Officer	November 23, 2023 Payroll	6,008.65
Government Buildings	November 23, 2023 Payroll	140.28
Engineer	November 23, 2023 Payroll	4,013.91
Police	November 23, 2023 Payroll	30,724.62
Building Inspections	November 23, 2023 Payroll	3,983.69
Street Department	November 23, 2023 Payroll	6,566.35
Park Department	November 23, 2023 Payroll	4,779.59
Economic Development	November 23, 2023 Payroll	2,241.63
Water Department	November 23, 2023 Payroll	8,615.05
Sewer Department	November 23, 2023 Payroll	5,726.54
Golf Course Grounds	November 23, 2023 Payroll	3,295.09
Golf Course Lounge	November 23, 2023 Payroll	2,189.22
Golf Course Pro Shop	November 23, 2023 Payroll	3,922.93
Golf Course Community Room	November 23, 2023 Payroll	260.44
941 Payroll Taxes	November 23, 2023 Payroll	27,613.98
SD Retirement System Supplemental	November 23, 2023 Payroll	1,442.50
TASC Flex Plan	November 23, 2023 Payroll	960.52
Accounts Management	November 23, 2023 Payroll	75.00
SD Retirement System	November Payroll	31,863.38

BRANDON VALLEY BASEBALL ASSOCIATION SPECIAL ALCOHOL APPLICATION

A public hearing was held, as advertised, to consider a special event alcoholic beverage application from the Brandon Valley Baseball Association to host the State Amateur Baseball Tournament August 6-17, 2025. Stuart Peschl, Brandon Valley Baseball Association President, and Torrey Sundall, Brandon Valley Baseball Association Treasurer, were present for discussion. Alderwoman Fish moved Alderman Steen seconded to approve the application as presented. Motion carried.

BRANDON VALLEY BASEBALL ASSOCIATION SPECIAL EVENT APPLICATION

A request was received from the Brandon Valley Baseball Association to host the State Amateur Baseball Tournament at Aspen Park, August 6-17, 2025. Alderwoman Fish moved Alderman Johnson seconded to approve the application as presented. Motion carried.

BRANDON DEVELOPMENT FOUNDATION

Patrick Andrews, Brandon Development Director, gave an update on the Brandon Development Foundation.

ASSISTANT MANAGER JOB DESCRIPTION

The Golf Course Committee report was heard. Alderman Steen moved Alderman Kull seconded to approve the job description for an Assistant Golf Course Manager, as presented. Motion carried.

RESOLUTION #28-23

The Parks & Recreation Committee report was heard. Alderwoman Fish moved Alderman Johnson seconded to approve Resolution #28-23, setting pool fees. A roll call vote showed Fish, Johnson, Jorgenson, Kull, Lawrence, Steen aye. Motion carried.

RESOLUTION #28-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRANDON, SOUTH DAKOTA, ESTABLISHING CATEGORIES, DEFINITIONS AND FEES FOR THE BRANDON MUNICIPAL SWIMMING POOL.

WHEREAS, SDCL 9-38-71 authorizes the establishment and collection of admission charges and rent for use of swimming pools; and

WHEREAS, the City of Brandon has established the Brandon Municipal Swimming Pool.

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

Section 1: Age Categories and Definitions

- A. Child: Any person who is eighteen (18) years of age or under.
- B. Adult: Any person who is nineteen (19) through fifty-nine (59) years of age.
- C. Senior: Any person who is sixty (60) years of age or older.

D. Family: A family membership includes two (2) adults and all children who are eighteen (18) years of age or younger living in the same household.

Section 2: Annual Season Passes and Daily Entry Fees: All fees include sales tax. Non-refundable.

	<u>ANNUAL</u>	<u>DAILY</u>
Child:	\$40.00	\$4.00
Adult:	\$50.00	\$5.00
Senior:	\$40.00	\$4.00
Family:	\$100.00	

Section 3: Lesson fees: All fees include sales tax.

Lessons: \$40.00 per session plus materials.

BE IT FURTHER RESOLVED that reduced annual season passes be available at half price with the following requirements:

- A. Must be a resident of Brandon.
- B. Provide a current Photo ID.
- C. Provide current Dakota EBT Card, SD Medicaid Card, BVSD letter of free or reduced meals to qualify.

Adopted this 4th day of December 2023.

ATTEST:

Harry Buck
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

2024 GARBAGE HAULERS LICENSE RENEWALS

The Public Safety Committee and Administration Committee reports were heard. Alderman Steen moved Alderman Lawrence seconded to approve the following Garbage Haulers License renewals for 2024. Motion carried.

A-OK SANITARY SERVICE
PO Box 84912
Sioux Falls, SD 57118
605-331-1103

BOLTE'S SUNRISE SANITARY SERVICE
P.O. Box 7 - 47026 Boondocks Court
Worthing, SD 57077
605-361-7936

MARV'S SANITARY SERVICE
P.O. Box 733 - 816 E. Redwood Blvd.
Brandon, SD 57005
605-582-6766

NOVAK SANITARY SERVICE
5000 W. 8TH Str.
Sioux Falls, SD 57107
605-338-7126

RBS SANITATION, INC.
46914 Austin Street
Tea, SD 57064
605-213-3021

WASTE MANAGEMENT
2221 E. Rice Street
Sioux Falls, SD 57103
605-339-4970

2024 SEWER CLEANING LICENSE RENEWALS

Alderman Johnson moved Alderman Steen seconded to approve the following Sewer Cleaning License renewals for 2024. Motion carried.

Benders Sewer & Drain
1217 Mitchell Blvd.
PO Box 362
Mitchell, SD 57301
605-996-1765

The Comfort Heroes
502 S. Cliff Avenue
Sioux Falls, SD 57103
605-202-2020

Hander Plumbing & Heating
2407 W. 5th Street
Sioux Falls, SD 57104
605-339-9633

Jetter Clean Inc.
PO Box 87955
4020 W. Tickman Avenue
Sioux Falls, SD 57107
605-799-5595

Mr. Rooter of Sioux Falls
515 N. Garfield Circle
Sioux Falls, SD 57104
605-338-5517

Roto-Rooter
901 East 52nd Street North
P.O. Box 623 (57101)
Sioux Falls, SD 57104
605-336-8505

2024 CANNABIS LICENSE RENEWALS

Alderman Jorgenson recused himself from the discussion and vote. Alderman Kull moved Alderman Johnson seconded to approve the following Cannabis License renewals for 2024. Motion carried.

Cultivation License:

Native Roots, LLC, dba Rare Earth Craft Cannabis: 801 N. 9th Ave, Unit C
Dakota Herb, LLC: 803 N. 9th Ave
Dakota Gardens, LLC: 723 N. Splitrock Blvd
SHANGRI-LA, LLC: 1001 N. Splitrock Blvd
Crichton, Barber, DeGriselles, LLC, dba Cannanaut: 1807 N. Walnut, Suite West

Dispensary License:

Dakota Herb, LLC: 803 N. 9th Ave

CANNABIS MANUFACTURING LICENSE APPLICATION

Alderman Lawrence moved Alderman Steen seconded to approve the application from Shangri-La SD, LLC. for a medical cannabis manufacturing establishment license at 1001 N. Splitrock Blvd. Motion carried

UPWP AGREEMENT

Alderman Lawrence moved Alderman Jorgenson seconded to approve the agreement with the South Eastern Council of Governments to provide partial funding of the MPO study activities scheduled to be performed during the calendar year 2024, up to \$60,000.00. Motion carried.

HOUSE MOVING PERMIT

A building moving application was received from Jeff Erickson, 26 Golf Drive, Wentworth, SD to move the home currently located at 1604 E. Redwood Blvd. out of Brandon. Alderman Kull

moved Alderman Steen seconded to approve the building moving application as presented. Motion carried.

RESOLUTION #29-23

Alderman Kull moved Alderman Lawrence seconded to approve Resolution #29-23, setting Landscape Irrigation Permit fees. A roll call vote showed Fish, Johnson, Jorgenson, Kull, Lawrence, Steen aye. Motion carried.

RESOLUTION #29-23

WHEREAS, Chapter 6-4 of the Brandon Municipal Code establishes a permit and license for landscape irrigation contractors and owners. Paragraph 6-4-3 requires the Brandon City Council to set fees for these permits and licenses.

THEREFORE BE IT RESOLVED, that the City of Brandon sets the fee for landscape irrigation permits as follows:

Permit fee..... \$ 34.00

Dated this 4th day of December, 2023.

ATTEST:

Harry Buck
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

PROPOSAL FOR GROUP LIFE INSURANCE AND VISION INSURANCE

Alderman Fish moved Alderman Steen seconded to approve the proposal from Kansas City Life for group life insurance as presented with the city covering the employee cost estimated at \$204.92 per month and optional dependent life insurance covered by the employee. Also, approve the proposal from Kansas City Life voluntary vision coverage with the employee covering all costs. A roll call vote showed Fish, Johnson, Jorgenson, Steen aye; Kull, Lawrence nay. Motion carried.

REAL ESTATE EXCHANGE AGREEMENT WITH MSM ENTERPRISES, LLC.

Alderman Kull moved Alderman Lawrence seconded to approve the real estate exchange agreement between MSM Enterprises, LLC. and the City of Brandon for the properties legally described as Lots 1 & 2 Block 6 of Westview Estates and Tract 8 of Westview Estates. Motion

carried.

RESOLUTION #30-23

The Streets Committee report was heard. Alderman Steen moved Alderman Lawrence seconded to approve Resolution #30-23, setting street lighting rates. A roll call vote showed Fish, Johnson, Jorgenson, Kull, Lawrence, Steen aye. Motion carried.

RESOLUTION #30-23

WHEREAS, Brandon Municipal Ordinance #14-10-3 states: “The rates, fees, and charges for the benefits and safety provided by the street lighting services furnished by the City shall be as determined by the City Council from time to time and on file in the office of the municipal Finance Officer.”

WHEREAS, rates need to be considered on a regular basis to keep increases to a minimum yet providing enough revenue to ensure that the Street Light Fund is operating in the black.

NOW THEREFORE BE IT RESOLVED by the City Council of Brandon, South Dakota that the following user classifications and rates are hereby adopted:

User Classifications and Monthly Charge

All Single-Family Residential accounts with four units or less and Non-Residential accounts shall be charged the following rate:

\$6.56 per month

All Residential accounts with more than four units shall be charged using the following formula:

Total number of units divided by four multiplied by \$6.56 = monthly rate

BE IT FURTHER RESOLVED that the above rates will be effective beginning with the January 2024 utility bill.

Dated this 4th day of December 2023.

ATTEST:

Harry Buck
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

EASTSIDE SEWER OPTIONS

The Water & Sewer Committee report was heard. Nick VanOverschelde, 2604 W. Bitterroot Street, Sioux Falls, SD, developer of Chestnut Ridge, was present for discussion. Ellie Saxer, 1608 W. Bennet Drive, Brandon, SD, Brandon Valley School Board Member, was present for discussion. No action was taken, will be presented at the next regular City Council meeting.

2024 WATER METER REPLACEMENT PROGRAM

Alderman Steen moved Alderman Jorgenson seconded to approve change order #1 for the 2024 water meter replacement project, which will extend the completion date from April 20, 2024 to July 19, 2024 due to delivery of water meters being mid-April. Motion carried.

RESOLUTION #31-23

Alderman Kull moved Alderman Lawrence seconded to approve Resolution #31-23 which sets 2024 water rates. A roll call vote showed Fish, Johnson, Jorgenson, Kull, Lawrence, Steen aye. Motion carried.

**RESOLUTION #31-23
SETTING WATER RATES**

WHEREAS, Brandon Municipal Ordinance 14-4-2 authorizes the Brandon City Council to establish rates and charges for utility services provided by the city; and

WHEREAS, rates need to be considered on a regular basis to keep increases to a minimum yet providing enough revenue to ensure that the Water Fund is operating in the black.

NOW THEREFORE BE IT RESOLVED by the City Council of Brandon, South Dakota that the following user classifications and rates are hereby adopted:

Monthly Surcharge Rate

The monthly surcharge rates will be charged regardless of the amount of water used. The surcharge shall be added to each account for debt service payments on the water treatment plant bond. The following monthly surcharge rate is hereby set for the various meter sizes listed:

<u>Meter Size</u>	<u>Monthly Base Rate</u>
1" and smaller	\$ 28.20
1 ½"	\$ 56.40
2"	\$ 112.80
3"	\$ 253.80
4"	\$ 451.20
6"	\$ 922.68

Monthly Base Rate

The monthly base rate will be charged regardless of the amount of water used. The following monthly base rate is hereby set for the various meter sizes listed:

<u>Meter Size</u>	<u>Monthly Base Rate</u>
1" and smaller	\$ 9.91
1 ½"	\$ 19.87
2"	\$ 39.74
3"	\$ 89.39
4"	\$158.86
6"	\$357.46

User Classifications and Volumetric Charges

All Single Family Residential accounts with four units or less shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 12,000 gallons shall pay \$5.16 per 1,000 gallons
- Tier 2: 12,001 – 24,000 gallons shall pay \$6.65 per 1,000 gallons
- Tier 3: 24,001 – 36,000 gallons shall pay \$8.72 per 1,000 gallons
- Tier 4: 36,001 gallons and above shall pay \$13.01 per 1,000 gallons

All Residential accounts with more than four units shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 20,000 gallons shall pay \$5.16 per 1,000 gallons
- Tier 2: 20,001 – 60,000 gallons shall pay \$6.65 per 1,000 gallons
- Tier 3: 60,001 – 80,000 gallons shall pay \$8.48 per 1,000 gallons
- Tier 4: 80,001 gallons and above shall pay \$12.78 per 1,000 gallons

All Non-Residential accounts shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 20,000 gallons shall pay \$5.16 per 1,000 gallons
- Tier 2: 20,001 – 60,000 gallons shall pay \$6.15 per 1,000 gallons
- Tier 3: 60,001 – 80,000 gallons shall pay \$7.26 per 1,000 gallons
- Tier 4: 80,001 gallons and above shall pay \$9.64 per 1,000 gallons

All Non-Residential accounts that have a winter average consumption that is equal to or greater than 80,000 gallons shall be charged the following rate based upon the amount of water used as registered on the water meter:

\$6.15 per 1,000 gallons

All Sprinkler Only accounts shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 24,000 gallons shall pay \$6.97 per 1,000 gallons
- Tier 2: 24,001 – 36,000 gallons shall pay \$8.88 per 1,000 gallons
- Tier 3: 36,001 gallons and above shall pay \$13.01 per 1,000 gallons

BE IT FURTHER RESOLVED that the above rates will be effective beginning with the January 2024 utility bill.

Adopted this 4th day of December, 2023.

Harry Buck
Mayor

ATTEST:

Christina Smith
Municipal Finance Officer

(SEAL)

LEGISLATIVE PRIORITIES

Discussion held on forming a committee to develop a list of items that are important to the City of Brandon and to the City Council of Brandon to be presented to the South Dakota Legislature. Committee will be comprised of Mayor Buck, Alderman Steen and Alderman Lawrence.

At 7:04 p.m. Alderman Kull moved Alderman Jorgenson seconded to go into executive session to discuss potential litigation, per SDCL 1-25-2.3. Motion carried. At 7:14 p.m. Mayor Harry Buck declared the executive session ended.

At 7:15 p.m. on a motion by Alderman Lawrence seconded by Alderman Johnson the meeting was adjourned. Motion carried.

Melissa Labahn
Municipal Recording Clerk

Harry Buck
Mayor