

MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on December 5, 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 Chief, Jamie Steffel; 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.

Alderwoman Fish moved Alderman Johnson seconded to approve the minutes of the November 17, 2022 briefing meeting and the minutes of the November 21, 2022 regular meeting minutes. Motion carried.

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

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Alliance Communications	Utilities	2,539.58
AM Conservation Group	Water Conservation Supplies	1,286.56
Amanda Jeseritz	Reimbursement	1,025.00
Bandon Volunteer Fire Department	Contribution	127,680.00
Bok Financial	Agent Fee	350.00
Border States Electric	Improvements	2,263.39
Brandon Plumbing & Heating	Improvements	6,454.09
Brandon Valley School District	Fuel	4,852.86
Brock White	Repairs	193.92
Champion Tree Service	Professional Services	5,690.00
Core & Main	Improvements	30,555.00
Corson Village Sanitary District	November Refund	929.20
Country Inn & Suites-Watertown	Travel Expenses	203.98
Crescent Electric Supply	Improvements	80.28
Dakota Fluid Power	Supplies	191.10
Delta Dental	Insurance	3,027.20
Diesel Machinery	Supplies	4,368.00
Direct Technologies	Software	1,053.82
Elisabeth Hunstand	Community Promotion	700.00
Fleetpride	Supplies	80.94
General Traffic Controls	Supplies	2,022.16
Geotek Engineering & Testing Services	Improvements	4,991.00
Hawkins Water Treatment	Chemicals	5,833.40
Jack's Uniform Equipment	Safety Supplies	1,712.28
Jessica Snedeker	Professional Services	200.00
Lawson Products	Supplies	1,748.01
Med-Star Paramedic Ambulance	Monthly Contract	4,166.63
Minnehaha Community Water Corp	Utilities	94.50

Mobotrex Inc	Safety Supplies	510.00
Modern Woodmen of America	Insurance	1,941.53
Motorola Solutions	Equipment	59.92
Palisades Propane	Utilities	1,136.58
R&L Supply Ltd	Supplies	257.60
Rural Office of Community Services	Transit Services	11,190.06
SD Dept of Health	Water Testing	163.00
SD Dept of Health	GC Yearly License	275.00
SD State Plumbing Commission	2023 License Renewal	275.00
Sioux Falls Networks	Equipment	4,599.99
Sioux Valley Energy	Utilities	38,046.23
Stanek Constructors, Inc	Improvements	1,254,947.90
Staples	Supplies	467.79
Stockwell Engineers	Water Towers	8,389.35
Titleist	GC Resale	641.62
Tom's Backhoe Service	Improvements	292,556.40
TSP Inc	Improvements	1,250.00
Two Way Solutions	Hired Repairs	148.50
Verizon Wireless	Utilities	528.42
VFW Post 4726-Brandon	Rentals	1,500.00
Wellmark BC/BS	Health Insurance	76,174.56
Xcel Energy	Utilities	7,244.54
First National Bank Trust Department	Golf Course Equipment Loan	1,124.98
City Administration	November 24, 2022 Payroll	3,733.93
Finance Officer	November 24, 2022 Payroll	5,650.83
Government Buildings	November 24, 2022 Payroll	129.29
Engineer	November 24, 2022 Payroll	3,623.87
Police	November 24, 2022 Payroll	24,886.79
Building Inspections	November 24, 2022 Payroll	3,611.51
Street Department	November 24, 2022 Payroll	4,388.14
Park Department	November 24, 2022 Payroll	4,461.21
Economic Development	November 24, 2022 Payroll	2,017.55
Water Department	November 24, 2022 Payroll	9,064.07
Sewer Department	November 24, 2022 Payroll	4,771.05
Golf Course Grounds	November 24, 2022 Payroll	2,103.47
Golf Course Lounge	November 24, 2022 Payroll	2,027.62
Golf Course Pro Shop	November 24, 2022 Payroll	2,472.85
Golf Course Community Room	November 24, 2022 Payroll	145.92
941 Payroll Taxes	November 24, 2022 Payroll	22,879.55
SD Retirement System Supplemental	November 24, 2022 Payroll	1,187.50
TASC Flex Plan	November 24, 2022 Payroll	1,064.63
Accounts Management	November 24, 2022 Payroll	75.00
SD Retirement System	November 2022	26,810.36

Patrick Andrews, Brandon Development Director and Secretary/Treasurer for the Brandon Development Foundation was present for discussion. Patrick presented information on the Small Business Basics Seminar, registration now open.

ORDINANCE #665

Patrick Andrews, Brandon Development Director, explained the Re-Zone process and presented a flow chart for informational purposes. Bonnie & Randy Nelson, 1624 E. Liberty Circle, were present for discussion. Bonnie discussed that the west portion of this lot is currently zoned R-1 and the far east is currently R-1. Bonnie & Randy are opposed to the R-3 zoning request.

Courtney & Zach Auch, 1704 E. Redwood Blvd., were present for discussion. Zach expressed his concerns with safety, increased traffic, sewer. Courtney added that there are currently no sidewalks in the area and kids would have to cross a busy street to get to the bus. Patrick Andrews presented information on permitted uses and conditional uses in an R-3 Zoning District. Jim Meyers, 400 N. Riverwood Circle, was present for discussion. Jim has concerns with there being only one entrance to this proposed development and no garages for the apartments.

Siana Murphy, 917 N. Freedom Circle, was present for discussion. Siana has concerns with no additional information being presented, as requested by City Council at the November 21, 2022 first reading. Siana asked what kind of buffer would be placed between the proposed R-3 and current R-1 properties, concerns with the drainage canal currently on the property.

Riley Walz, 609 N. Tamarac Avenue, was present for discussion. Riley was present to show his support for the neighbors of this property and opposes the proposed re-zone.

Margaret Hoffman, 409 N. Needles Drive, was present for discussion. Margaret has concerns with increased traffic, drainage and opposes the proposed re-zone.

Steve Rubin, 512 N. Oak Ridge Road, was present for discussion. Steve has similar concerns as mentioned above and expressed his concerns with communication between the City and residents.

Ben Soles, 721 S. 4th Circle, was present for discussion. Ben was present to support the proposed R-3 zoning request and feels the City of Brandon needs more developments like this.

Haley Park, 101 E. Conifer Street, was present for discussion. Haley was present to support the neighbors of this proposed development and opposes the request to re-zone to R-3.

Bryce Jones, 812 N. Snowberry Circle, was present for discussion. Bryce has concerns with safety for kids crossing the street.

Robert Edmonds, 1521 E. Keystone Drive, was present for discussion. Robert has concerns with water supply.

Dusten Hendrickson, applicant, 1130 Indian Hills Road, Brookings, SD was present for discussion. Dusten has started the process of the traffic study. Dusten said they have plans to add a berm along the north side, plant pine trees.

Caleb Veldhouse, partner of applicant, was present for discussion. Caleb mentioned that they held two neighborhood meetings. The property would get re-platted into one lot along with the Conditional Use application for having more than 36 dwelling units. No building permit would be issued until after the property is re-platted.

David Shelton, owner of Redwood Ranch LLC., was present for discussion.

Steve Rubin added that the Planning & Zoning Commission passed the Re-Zone without once mentioning any safety concerns.

Riley Walz added his experience with the Re-Zone attempt for 600 N. Pasque Flower Trail and said their should be cushioning between R-1 & R-3 zones.

Melissa Olivier, 1508 E. Birch Street, was present for discussion. Melissa has significant safety concerns with the proposed development.

Siana Murphy added that she is opposed to the high density residential district as proposed.

Alderman Steen mentioned no further information has been presented since the November 21, 2022 City Council meeting for the first reading. Alderwoman Clark feels more information is needed. Alderman Jorgenson discussed past developments that have not decreased property values, there is a need for multi-family developments, multi-family developments do not mean crime will increase.

Alderwoman Clark moved Alderman Steen seconded to deny the second reading of 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; Fish, Jorgenson nay. Motion carried.

ORDINANCE #674

Applicant, Daryl Viereck, 7321 W. 65th Street, was present for discussion. Alderwoman Clark moved Alderwoman Fish seconded to give second reading to Ordinance #674: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA, PROVIDING THAT THE REVSIED 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, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

TENNIS COURT LIGHTS AT BV MIDDLE SCHOOL

The Golf Course Committee and Parks & Recreation Committee reports were heard. No further discussion on the tennis courts lights at this time.

PURCHASE MOWERS

Alderwoman Fish moved Alderman Steen seconded to approve the purchase of two 2022 Ferris 72” finish mowers from Titan Machinery, Luverne, MN in the amount of \$24,500.00. Motion carried.

HIRE POLICE OFFICER

The Public Safety Committee report was heard. Alderwoman Clark moved Alderman Kull seconded to approve the hiring of DeQuari Jennings for the position of Police Officer, step 13-3 on the wage scale, effective January 16, 2023. 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.

GARBAGE HAULERS LICENSE RENEWALS FOR 2023

Alderwoman Clark moved Alderman Johnson seconded to approve the following Garbage Haulers License renewals for 2023. 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

SEWER CLEANING RENEWALS FOR 2023

Alderman Steen moved Alderwoman Clark seconded to approve the following Sewer Cleaning License renewals for 2023. 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, Inc.
dba Hander Plumbing & Heating
2407 W. 5th Street
Sioux Falls, SD 57104
605-339-9633

Mr. Rooter
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

DRAFT CHANGES TO EMPLOYMENT POLICY MANUAL

A draft of changes to the Employment Policy Manual were presented for review. No action needed at this time.

RESOLUTION #39-22

Alderman Johnson moved Alderman Steen seconded to approve Resolution #39-22. A roll call vote showed Clark, Fish, Johnson, Jorgenson, Kull, Steen aye. Motion carried.

RESOLUTION #39-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRANDON, SOUTH DAKOTA, ESTABLISHING A FEES FOR A HOME OCCUPATION PERMIT APPLICATION.

WHEREAS, the City of Brandon has adopted Chapter 15 of the Brandon Municipal Code, establishing criteria for a Home Occupation, and

WHEREAS, Brandon Municipal Code 15-18-2 states “A schedule of fees, charges and expenses for permits, change of zone, appeals, and other matters pertaining to this Zoning Ordinance shall be established by resolution of the City Council.”

KNOW THERE BE IT RESOLVED, that a fee of \$375.00 be established for a Home Occupation Permit Application.

Dated this 5th day of December 2022.

ATTEST:

Harry Buck
Mayor

Christina Smith
Municipal Finance Officer

(SEAL)

AGREEMENT BETWEEN SECOG & CITY OF BRANDON

Alderman Johnson moved Alderman Steen seconded to approve the sub-recipient agreement between SECOG and the City of Brandon, as presented. Motion carried.

CANNABIS RENEWALS

Alderman Kull moved Alderwoman Clark seconded to approve the following cannabis license renewals for 2023. Motion carried.

Cannabis Dispensary
Dakota Herbs, LLC – 803 N. 9th Ave
Shangri-La Dispensary – 1001 N. Splitrock Blvd

Cannabis Cultivation
Cannanaut – 1807 N. Walnut Ave, Bld 2
Dakota Gardens – 723 N. Splitrock Blvd
Dakota Herb, LLC – 803 N. 9th Ave
Native Roots, LLC – 801 N. 9th Ave, Bldg 3, Unit C
Shangri-La, LLC – 1001 N. Splitrock Blvd

2023 CONCRETE & ASPHALT REPAIR PROJECT BIDS

The Streets Committee report was heard. Alderwoman Clark moved Alderman Steen seconded to approve the bid from Big Al’s Concrete in the amount of \$717,958.90 for the 2023 concrete & asphalt repair project. Motion carried.

<u>Company</u>	<u>Bid Amount</u>
Carl V. Carlson	\$1,303,959.25
Black Top Paving	\$1,431,073.75
Big Al’s Concrete	\$717,958.90

WEST SIDE SANITARY SEWER PROJECT CHANGE ORDER

The Water & Sewer Committee report was heard. Alderman Steen moved Alderman Johnson seconded to approve change order #1 to Tom’s Backhoe Service in the amount of (\$64,796.75) for the west side sanitary sewer project. Motion carried.

WEST SIDE SANITARY SEWER PROJECT CERT. OF SUBSTANTIAL COMPLETION

Alderman Clark moved Alderman Steen seconded to approve the Certificate of Substantial Completion from Tom's Backhoe Service for the West Side Sanitary Sewer Project. Motion carried.

ENGINEERS STATEMENT OF FINAL COMPLETION & OWNERS ACCEPTANCE

Alderman Kull moved Alderman Steen seconded to approve the Engineer's Statement of Final Completion and Owner's Acceptance of Contract Construction for the West Side Sanitary Sewer Project. Motion carried.

WEST SIDE SANITARY SEWER PROJECT PAY APPLICATION

Alderman Johnson moved Alderman Clark seconded to approve pay application #7 and final to Tom's Backhoe Service in the amount of \$292,556.40 for the West Side Sanitary Sewer Project. Motion carried.

WATER TOWER CHANGE ORDER

Alderman Steen moved Alderman Kull seconded to approve change order #4 to AB Contracting, LLC. for a time extension on the water tower project, to July 14, 2023. Motion carried.

WATER TOWER CHANGE ORDER

Alderman Johnson moved Alderman Steen seconded to approve change order #5 to AB Contracting, LLC. in the amount of \$18,392.64 for the water tower project. Motion carried.

WATER TREATMENT PLANT PROJECT PAY APPLICATION

Alderman Clark moved Alderman Steen seconded to approve pay application #1 to Stanek Constructors, Inc. in the amount of \$1,254,947.90 for the water treatment plant project. Motion carried.

At 7:24 p.m. on a motion by Alderman Clark seconded by Alderman Johnson the meeting was adjourned. Motion carried.

Melissa Labahn
Municipal Recording Clerk

Harry Buck
Mayor