

**CITY OF FLANDREAU
1005 W. Elm Avenue
Flandreau, SD 57028-1404**

**COUNCIL PROCEEDINGS
September 7th, 2021**

The City Council of the City of Flandreau, South Dakota, met in regular session on Tuesday, September 7th, 2021 at 6:30 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Mayor Dan Sutton. Aldermen: Brad Bjerke, Mark Ekern, Mike Fargen, Bob Pesall, Karen Tufty, and Jason Unger. Absent: None. Also present were City Administrator Jeff Pederson; Finance Officer Karen Gundvaldson; and Corey Bruning, City Attorney.

The proposed agenda was reviewed. Motion by Unger and seconded by Tufty to adopt the proposed agenda. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Bjerke and seconded by Fargen to approve the minutes of August 16th, 2021. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Fargen and seconded by Unger to approve the minutes of August 30th, 2021. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Fargen to allow the following claims for the City and to pay them: Payroll 8/25/2021: general, 30,451.24; water, 1,224.05; electric, 4,061.54; sewer, 1,224.05; airport, 161.06; solid waste, 502.46; (22594) A-1 Portable Toilets, rentals, 443.00; Access Systems, contract, 341.13; Ahlers Automotive, repairs, 131.49; Allen Construction Company, Armory showers project, 37,444.30; Altec Industries, repairs, 848.85; AT & T Mobility, phones, 215.80; Big Sioux Comm Water System, purchase, 18,311.66; Booster Publishing, minutes/adv, 430.00; Border States Electric Supply, supplies, 1,985.30; Cannon Technologies, meters, 7,186.74; Cardmember Services, supplies/conference, 1,357.00; Cenex Fleetcard, gas/oil, 1,376.02; Chris Weinand, deposit refund, 250.00; Christiansen Complete Water, supplies, 26.83; Christie Owens, refund, 133.66; Cintas, rentals, 253.97; City of Flandreau-Petty Cash, postage, 106.73; Copper Cottage, repairs, 1,983.27; Custom Truck Equipment, deck system, 1,653.55; Cybercoach, repairs, 106.25; Duane Rice, rebate check, 200.00; Eng Services, solid waste, 28,056.19; Flandreau Veterinary, K-9 expenses, 186.76; FSST, utility taxes collected, 708.92; Galls, uniforms, 559.20; Graham Tire SF North, repairs, 260.02; Hawkins, supplies, 89.00; Helms & Associates, airport project, 1,319.60; Hillyard/Sioux Falls, supplies, 297.10; Jaymar, supplies, 1,699.79; Josue Silva Torres, refund, 49.87; M & T Fire & Safety, repairs, 50.00; Maynards of Flandreau, supplies, 1,157.60; Michael Johnson Construction, chips, 6,670.60; MidAmerican Energy, gas bill, 3,709.06; Mike Wede, rebate check, 200.00; Missouri River Energy Services, contract, 151.00; Moody County Enterprise, minutes/supplies, 556.42; Nestor Josue Pena, refund, 81.83; Office Peeps, supplies, 174.71; Ramsdell F&M, supplies, 1,441.28; Richard Damm, refund, 28.06; Rugged Depot, printers/PD vehicles, 4,550.00; SD Dept of Health Public Lab Services, water samples, 226.00; SD Dept of Public Safety, State Fire Marshal, inspection, 70.00; SD Retirement System, retirement, 9,648.10; SD Supplemental Retirement Plan, retirement, 242.31; Shane Two Bulls, refund, 118.71; Sioux Falls Area Humane Society, professional fees, 92.84; Sioux Valley Energy, electric, 148.00; Site One Landscape Supply, supplies, 1,177.58; South Dakota Division of Child Support, child

support, 375.00; Standard Insurance Co., life insurance, 256.57; Sturdevant's, supplies/repairs, 1,643.4; Terry Albers, rebate check, 200.00; Tyler Lumber Co., supplies, 778.57; Vast Broadband, phone/cable/internet, 886.76; Verizon Wireless, jet packs, 145.30; Vision Service Plan, vision insurance, 200.11; Waxdahl NAPA Plus, supplies, 285.91; Wesco, supplies, 25,206.54 (22652). June Electronic Loan/Bond Payments: First National Bank, Sales Tax Bond, 4,724.50; Loader Loan, 17,022.14; Aquatic Center, 15,673.64; WEP TIF, 1,262.80; ALCO TIF, 4,456.82; SVHTS TIF, 28,227.79. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Visitors to be Heard: None

Mayor Sutton shared that he has received feedback from community members regarding the proposed 2022 budget; overall the comments were positive. The Mayor indicated that City Administrator Pederson mailed a letter last week to the Bureau of Indian Affairs (BIA) regarding property located near the dam that the City is interested in acquiring. The signs regarding littering that were purchased in response to Titus Tollefson's request and proposal have arrived and will be installed throughout the community.

City Administrator Pederson has received a request from Valley Fiber Com to reroute the fiber optics they are installing from Pipestone Avenue to 3rd Avenue. Pederson noted that the property referenced in the letter to BIA includes the area that is currently being used as an entrance to the dam. JLG Architects has reviewed their fees now that final details for the Fire Station project have been determined. The original contract reflected their fee at 7.75% of project cost which equated to an estimate of \$116,250.00. They have modified the fee to 6.50% of project cost which is estimated to be approximately \$168,750.00 as the total project cost has increased from the original estimation. The financial information packet to apply for funding through Rural Development for the Fire Station will be mailed this week.

Motion by Pesall and seconded by Ekern to approve the Administrative Reports. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Old Business: None

New Business: First reading of Ordinance 604, 2022 Appropriation Ordinance, was held. Motion by Fargen and seconded by Ekern to use the budget line item for five lighted speed signs in the amount of \$15,000.00, add \$5,000.00 from projected surplus, and use the total of \$20,000.00 for one mobile speed sign with the balance to be used to purchase new Christmas decorations to install on light poles during the holiday season. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

First reading of Ordinance 605, An Ordinance that Amends Title 13 – Traffic Code, was held.

First Reading of Ordinance 606, An Ordinance Establishing Title 17 – Cannabis, to the Revised Ordinances of the City of Flandreau Creating Licensing Provisions for Cannabis Establishments, was held. Number of establishments, and annual licensing fees, as well as other sections of the Ordinance were discussed.

Motion by Fargen and seconded by Tufty to adopt Resolution No. 2021-08, A Resolution Regarding the Plat of Lots 1 and 2 in Block 2 of Flandreau Industrial Park Addition. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, and Tufty. Nays: None. Absent: None. Abstain: Unger. Motion carried.

Motion by Bjerke and seconded by Tufty to approve a Bi-lingual Pay Differential rate of an additional \$0.75 per hour for eligible police officers effective September 4th, 2021. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Fargen and seconded by Ekern to approve the Moody County Highway Department and Flandreau City Joint Work Agreement. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Council Comments: None

Motion by Unger and seconded by Ekern to go into executive session for a personnel/employee appeal at 7:24 p.m. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Pesall and seconded by Tufty to come out of executive session at 8:45 p.m. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Fargen and seconded by Bjerke to support the disciplinary action made by City Administrator Pederson with regard to Akamu Barboza. The following members voted aye: Bjerke, Ekern, Fargen, and Tufty. Nays: Pesall and Unger. Absent: None. Motion carried.

Motion by Pesall and seconded by Unger to go into executive session for a personnel/employee appeal at 8:50 p.m. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Pesall and seconded by Tufty to come out of executive session at 9:49 p.m. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Ekern to modify the decision made by City Administrator Pederson regarding Anthony Ullom by invoking a five-day unpaid suspension beginning on a date to be determined by the City Administrator and end the current suspension with pay effective immediately. The following members voted aye: Ekern, Fargen, Pesall, Tufty, and Unger. Nays: Bjerke. Absent: None. Motion carried.

The Mayor declared the meeting adjourned at 9:52 p.m.

Daniel D. Sutton
Mayor

ATTEST:

Jeff Pederson
City Administrator