

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

**COUNCIL PROCEEDINGS
October 7th, 2019**

The City Council of the City of Flandreau, South Dakota, met in regular session on Monday, October 7th, 2019 at 6:30 p.m. at the City Council Chambers, 1005 W. Elm Avenue, Flandreau, SD.

Present: Mayor Mark Bonrud. Aldermen: Brad Bjerke, Bob Pesall, Dan Sutton, Karen Tufty, Jason Unger, and Donald Whitman. Absent: None. Also present were City Administrator Jeff Pederson; Finance Officer Karen Gundvaldson; Police Chief Zach Weber; Police Officer Tom Klein; Brian Bergjord, Bruce Clark, David Lillibridge, Dan Rose, and Don Ulwelling, Planning & Zoning Commission; and Brenda Wade Schmidt, Moody County Enterprise.

A joint public hearing was held with Planning & Zoning to consider an amendment to existing Title 12, Zoning, to add a new Chapter 4.18, to allow small cell wireless communication facilities. There was no public input.

Motion by Clark and seconded by Rose to recommend amending existing Title 12, Zoning, to add a new Chapter 4.18, to allow small cell wireless communication facilities. The following members voted aye: Bergjord, Clark, Lillibridge, Rose, and Ulwelling. Nays: None. Absent: None. Motion carried.

City Council convened.

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

A public hearing was held to provide for public comment on the proposal of Mediacom to renew their Franchise to operate a Cable System in Flandreau for a period of five years. Public input was positive; Debby Bullis shared that they have been very helpful when she has required assistance.

Motion by Bjerke and seconded by Unger to approve the minutes of September 16th, 2019. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Whitman and seconded by Tufty to allow the following claims for the City and to pay them: (20599) Void. (20600-20601) Internal Revenue Service, professional fees. Payroll 9/25/2019: (20603-20604) general, 14,650.68; 3rd penny, 221.40; water, 3,808.34; electric, 7,108.64; sewer, 3,399.14; airport, 132.48; solid waste, 404.72; (20606) A-1 Portable Toilets, rentals, 155.00; Adele Davis, refund, 1.59; Ahlers Automotive, tire repair, 20.00; Big Sioux Comm Water System, purchase/usage, 15,651.78; Bobcat of Brookings, equipment, 2,400.00; Booster Publishing minutes/advertising, 283.05; Border States Electric Supply, electric dist. improvement; 495.00; Bridgeway Counseling Center, testing, 350.00; Bruning & Lewis Law Firm, professional fees, 425.00; Cardmember Services, reimbursements/supplies/conference, 3,728.88; Cenex Fleetcard, gas/oil, 1,226.40; Cintas, rentals, 211.05; City of Flandreau-Petty Cash, postage, 5.20; Community Counseling Services, 4th qtr subsidies, 1,900.00; Cybercoach, repairs, 85.00; Dakota Pump & Control Co., repairs, 777.55; Delta Dental Of South Dakota, dental insurance, 1,547.60; DGR Engineering, electric dist.

improvements, 2,268.92; F.R.S., Inc., safe room, 40,855.41; Farmers Implement & Irrigation, repairs/supplies, 804.75; Flandreau Veterinary Clinic, K-9 expense, 385.32; Flandreau Volunteer Fire Dept., 2nd & 3rd qtr calls/training, 2,352.00; FSST, utility taxes collected, 408.92; Hansen-Thomas, concrete repair, 6,882.67; James Grow, refund, 3.42; Jared Sutton, refund, 120.16; Justice Fire & Safety, repairs, 278.67; Kathy Lundgren, refund, 30.09; Krull's Garage, repairs, 814.47; Liberty Tire Services, supplies, 2,285.00; Marilyn Wade, rebate check, 400.00; Maynards of Flandreau, supplies, 27.14; Metron-Farnier, meters, 8,460.20; MidAmerican Energy, gas, 341.59; Missouri River Energy Services, conference, 50.00; Moody County Enterprise, publishing/advertising, 471.04; Office Peeps, supplies, 203.35; Ottertail Power Co., airport electric, 223.32; Pitney Bowes, postage, 1,005.00; Ramsdell F&M, tank rental, 35.00; River's Edge Cooperative, gas/oil, 2,664.89; Rose Flute Player, refund, 9.14; Sanitation Products, repairs, 2,340.94; SD Dept. of Health Public Lab Services, testing, 226.00. SD Dept. of Public Safety, State Fire Marshal, boiler inspection, 60.00; SD Retirement System, retirement, 10,136.44; SD Supplemental Retirement Plan, retirement, 322.31; Sioux Falls Area Humane Society, city contract-2019, 94.62; Sioux Valley Energy, electric, 143.00; Stan Houston, supplies, 60.74; Standard Insurance Co., insurance, 314.93; Sturdevant's Auto Supply, supplies, 541.81; T & R Electric Supply Co., repairs, 280.00; The Tessman Co., supplies, 206.29; U.S. Department of Energy, Western Area Power Administration, contract, 2,500.00; United Systems Tech, contract, 5.20; Vast Broadband, phone/cable/internet, 931.46; Verizon Wireless, jet packs/cell phone, 378.78; Vision Service Plan, insurance, 233.68; Waxdahl NAPA Plus, repairs/supplies, 368.14; Wesco, equipment/electric dist. improvements, 2,938.54; (20666). The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Mayor Bonrud indicated the next Council meeting scheduled for October 21st will be postponed until October 28th at 6:30 p.m. due to scheduling conflicts. He also shared that the second Community Safe Room is progressing nicely and should be complete soon.

The City Administrator shared that it is Public Power Week and a good opportunity to pause and take pride in the fact that Flandreau is one of a limited number of communities in South Dakota with its own municipal electric. He took the opportunity to recognize and commend the City electric employees. Also mentioned was the legislative issue still pending regarding service territories. Preliminary claim information totaling approximately \$78,000 has been forwarded to FEMA to see if damage to City property during the recent flood event may qualify for consideration. A representative from MRES will present information to Council sometime in November regarding AMR and smart meters. The City Administrator will be attending the SDML conference in Aberdeen this week. He then thanked Finance Officer Karen Gundvaldson for her work regarding the upcoming bond issues, loans and associated documents, as well as surcharge calculation.

Police Chief Zach Weber introduced new police officer Tom Klein who then spoke briefly of his background and training.

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

Old Business: None

New Business: First reading of Ordinance No. 591, An Ordinance that Amends Existing Title 12 Zoning to Add a New Chapter Regarding Small Cell Wireless Communication Facilities, was held.

Motion by Unger and seconded by Tufty to adopt Resolution No. 2019-09, A Resolution Providing for a Surcharge for Improvements to Water System, for Payment of a Revenue Bond, and Yearly Review of the Surcharge. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Sutton and seconded by Bjerke to adopt Resolution No. 2019-10, A Resolution Providing for a Surcharge for Improvements to Sewer System, for Payment of a Revenue Bond, and Yearly Review of the Surcharge. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Whitman and seconded by Tufty to adopt Resolution No. 2019-11, A Resolution Providing for a Surcharge for Improvements to Sewer System, for Payment of a Revenue Bond, and Yearly Review of the Surcharge. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Pesall and seconded by Unger to adopt Resolution No. 2019-12, A Resolution Establishing Water Utility Rates for Customers. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Bjerke and seconded by Whitman to adopt Resolution No. 2019-13, A Resolution Establishing Sewer Utility Rates for Customers. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Sutton and seconded by Unger to authorize CDBG Drawdown Request No. Thirteen (13) for \$48,312.18 and to authorize the Mayor to sign the drawdown request. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Bjerke and seconded by Whitman to approve Pay Request Number Five (5) from F.R.S. Inc., dba Solbros Construction, in the amount of \$40,855.41 for construction of Community Safe Room #2. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Pesall and seconded by Unger to approve the Franchise Agreement with Mediacom Minnesota LLC to renew their franchise to operate a cable system in Flandreau for a period of five years and to authorize the Mayor to sign the agreement. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Tufty to approve a pay rate of \$18.86 per hour for new hire, Police Officer Tom Klein. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Sutton and seconded by Tufty to approve a pay step increase for Crystal Roberts, Utility Billing Clerk, to \$18.14 per hour effective October 19th, 2019. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Motion by Whitman and seconded by Unger to approve a pay step increase for Anthony Ullom, Janitor, to \$14.74 per hour effective October 19th, 2019. The following members voted aye: Bjerke, Pesall, Sutton, Tufty, Unger, and Whitman. Nays: None. Absent: None. Motion carried.

Public Comments: Brenda Oswald questioned the previously approved pay request for the Community Safe Room, indicating they, as a sub-contractor, have not been paid for work completed. The City Administrator will contact the engineer for further information and options. John Givens, Darrel Decoteau Sr., Michael Miller, Sarah Oswald, Brenda Oswald, Brad Oswald, and Kimberly Schmidt, expressed frustration with the basement sewer backup issues encountered in properties on West Bridge Avenue during the recent heavy rainfall. Residents expressed concern about the possibility of it occurring again and suggested that review should take place of the recent construction project to determine whether the backups are a result of the relocation of the lift station. Monetary damage is significant for all with items lost that cannot be replaced. All were informed they may file a claim with the City that will be forwarded to the City's liability insurance provider, however, most claims are not eligible for reimbursement. All were encouraged to contact 211 to be added to the list of damaged properties should there be a disaster declaration issued that may result in assistance with their losses. In addition, City Council and the City Administrator will research possible solutions.

Council President Sutton took over chairing the meeting during Public Comments.

There were no Council Comments.

The Council President declared the meeting adjourned at 7:55 p.m.

Dan Sutton
Council President

ATTEST:

Jeff Pederson
City Administrator