

**CITY OF PHILIP COUNCIL PROCEEDINGS  
REGULAR MEETING  
APRIL 3, 2023**

A regular meeting of the Philip City Council was held on Monday, April 3, 2023, at 7:06 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Brit Miller, Council Members Joni Parsons, Greg Arthur, Marion Matt, Marty Gartner, Scott Pinney, and Terri Pelle. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Public Works Director Matt Reckling, Public Works Maintenance/Utility Billing Brian Pearson, Chief of Police Ben Buls, Police Officer AJ Bartlett, City Attorney Stephanie Trask, and Jerry and Karen Kroetch.

Absent: None.

The meeting was opened with the Pledge of Allegiance.

Motion was made by Matt, seconded by Pinney to approve the agenda as presented. Motion carried.

Motion was made by Pelle, seconded by Matt to approve the minutes of the March 6<sup>th</sup> meeting as published. Motion carried.

Motion was made by Pinney, seconded by Gartner to approve the minutes of the March 20<sup>th</sup> meeting as published. Motion carried.

Motion was then made by Matt, seconded by Parsons to approve the payment of the bills from the appropriated funds as listed below. Motion carried.

**Gross Salaries – Mar. 31, 2023:** Mayor & Council - \$5205.00; Admin - \$4853.33; Finance - \$4064.66; Police - \$8146.66; Rubble Site - \$112.00; Econ Develop - \$600.00; Water - \$12003.31

|                           |                                |         |
|---------------------------|--------------------------------|---------|
| Colonial Life             | Employee Supplemental Ins 3/23 | 88.65   |
| Credit Collections Bureau | Garnishment 3/23               | 200.86  |
| EFTPS                     | SS/Med/WH 3/23                 | 7389.19 |
| NE Child Support          | Garnishment 3/23               | 469.18  |
| SDRS                      | Employee Retirement 3/23       | 3875.01 |
| SDSRP                     | Sup Retirement 3/23            | 100.00  |

**Airport Runway Project:**

|               |                       |          |
|---------------|-----------------------|----------|
| Helms & Assoc | Eng Study Pay #2 3/23 | 19066.04 |
|---------------|-----------------------|----------|

**Infrastructure Projects:**

|             |                                |          |
|-------------|--------------------------------|----------|
| SPN & Assoc | Kroetch Add Eng Design 2/25/23 | 32500.00 |
|             | NE Sewer Eng Adm/Legal 2/5/23  | 5236.10  |
|             | Kroetch Add Eng Design 3/25/23 | 13000.00 |

**This Month's Bills:**

|                                |                     |          |
|--------------------------------|---------------------|----------|
| AT&T Mobility                  | Cell Phone 3/23     | 223.06   |
| Bad River Law Prof LLC         | Legal/Atty 3/23     | 550.00   |
| Bartlett, Andrew               | Uniform Reimb 4/23  | 100.00   |
| Century Business Products      | Copier Maint 2-3/23 | 31.36    |
| Corporate Trust, TFM – US Bank | SRF #4 Pay #35 4/23 | 11326.05 |
|                                | SRF #5 Pay #35 4/23 | 7905.24  |

|                             |                                  |              |
|-----------------------------|----------------------------------|--------------|
| Delta Dental                | Dental Ins 4/23                  | 726.30       |
| Golden West Telecom         | Telephone/Internet 2-3/23        | 659.81       |
| Grossenburg Implement       | Repairs 3/23                     | 57.26        |
| Haakon Co Treasurer         | Office Rent 4/23                 | 500.00       |
|                             | Hansen Sub Taxes (Jan-Apr. 2022) | 106.40       |
| Hanson Oil                  | Fuel/LP 2-3/23                   | 3131.71      |
| Health Pool of SD           | Health Ins 4/23                  | 10871.93     |
| Kennedy Implement           | Supplies 2-3/23                  | 111.24       |
| Kieffer Sanitation          | 373 Residential Collections 3/23 | 5117.56      |
|                             | RS Roll Off 2/23                 | 560.00       |
| Matt, Marion                | Mileage Reimb 3/23               | 82.53        |
| McQuirk Ditching LLC        | ER Spillway Excavation 3/23      | 6857.16      |
| O'Connell Construction Inc  | 30.8T Gravel 3/23                | 277.20       |
| Optilegra                   | Vision Ins 4/23                  | 101.51       |
| Petro Tech Inc              | AIR Fuel System Part 3/23        | 75.05        |
| Philip Body Shop            | ST Equip Repairs 2/23            | 140.00       |
| Philip Building Center      | Bldg Materials 3/23              | 8770.65      |
| Philip Hardware             | Supplies/Repairs 3/23            | 113.57       |
| Philip Standard             | Fuel 3/23                        | 883.35       |
| Philip Vol Fire Dept        | Fireworks Approp 2023            | 300.00       |
| Pinney, Scott               | Mileage Reimb 3/23               | 82.53        |
| Pioneer Review              | Publishing 3/23                  | 694.04       |
| Radarsign, LLC              | Supplies 3/23                    | 95.00        |
| SD Dept of Revenue          | Sales Tax Payable 3/23           | 477.46       |
|                             | Excise Tax Payable 3/23          | 24.12        |
|                             | Water Testing 3/23               | 15.00        |
| SD Federal Property Agency  | Supplies 2-3/23                  | 1040.00      |
| Shipp, Robert               | Property Tax Refund 2021-2022    | 235.44       |
| The Philip Pit Stop         | Fuel 2-3/23                      | 385.38       |
| Titan Machinery             | Loader Repairs 3/23              | 4502.47      |
| US Bank                     | Supplies/Fuel/Uniforms 3/23      | 494.49       |
| Verizon Wireless            | W AMR Internet 3-4/23            | 80.06        |
| WR/LJ Rural Water Systems   | 2,166,000 gals 3/23              | 2924.10      |
|                             | Contract Min. 3/23               | 2500.00      |
|                             | AIR Water 3/23                   | 40.00        |
|                             | South Shop Water 3/23            | 20.00        |
| <hr/>                       |                                  |              |
| Total Expenditures – 4/3/23 |                                  | \$142,991.17 |

**Old Business:**

None.

**New Business:**

**Rezoning Petition:**

It was reported that during the joint public meeting with the Planning Commission/Board of Adjustments held on April 3<sup>rd</sup> at 6:30 p.m., no action was taken on the petition filed by Truett and Daniella Fitch to rezone the following property from residential to commercial: Outlot C, Philip Acreage, City of Philip, SD.

Infrastructure Improvement Projects:

Council reviewed an update from SPN & Assoc. on the following projects: Northeast Sewer, Stewart Ave., and Kroetch Addition. It was also noted that the CDBG and SRF applications for the Northeast Sewer and Stewart Ave. improvements have been submitted.

Airport Projects:

The airport committee will be meeting with the engineers on Apr. 24<sup>th</sup> to review options for the runway project—rehabilitation or reconstruction.

Artesian Well Project:

Council was updated on recent correspondence with the contractor, Jerry Hunt with Weston Engineering. He advised that the rig is centered over the well and they plan to have the plug drilled out by next week. (For the record, the contractor has incurred penalties of \$51,000 through today for noncompletion-- leaving a remaining contract balance of \$53,014.92 upon completion.)

Meter Project:

Council was advised that more progress has been made, and there are currently 276 meters active on the AMR.

Airport Hangar Building Repairs:

The following two bids were received and opened on March 27<sup>th</sup> at 3:30 p.m., as previously advertised.

RainTite Roofing & Construction: Claim #1 - \$79,812, Claim #2 - \$39,916, Total - \$119,728

American Contracting & Consulting, LLC: Claim #1 - \$91,225, Claim #2 - \$122,890, Total - \$214,115

Following, motion was made by Arthur, seconded by Pinney to reject both of the bids received as outlined above due to deficiencies and noncompliance with State Bid Laws, and rebid the repair project in the near future. Motion carried.

Building/Flood Plain Dev. Permits: Tara Schofield – roof

Motion was made by Gartner, seconded by Matt to approve the above permit as presented contingent upon installing gutter along the north roof line, adjacent to Pine St. Motion carried.

The L/P Propane bids received during the last month are as follows.

|                    | <u>Mar. 3, 2023</u> | <u>Mar. 20, 2023</u> |
|--------------------|---------------------|----------------------|
| Hansen Oil Company | \$1.99/gal.         | \$2.03/gal.          |
| CHS River Plains   | \$1.89/gal.         | \$2.03/gal.          |

Departmental Reports:

Administration

The property evaluation and safety and loss control surveys completed by Safety Benefits in March 2023 were reviewed. The surveys included various recommendations for city properties, equipment, and policies which have been or will be addressed in the near future.

Motion was made by Pinney, seconded by Parsons to approve Personnel Policy #2.13.1, Media Policy, and #2.14.3, Non-Employee Passenger Policy and Waiver Form as presented. Copies are on file in the city office. Motion carried.

Motion was made by Matt, seconded by Pelle to approve the surplus of the following equipment, and sold or disposed of as stated below. Motion carried.

Sell at Philip Livestock Machinery & Miscellaneous Equipment Auction

1979 Ford 1T Flat Bed - purchased Jan. 1988 - \$2,799  
2008 7' Sterling Western Steel Sander - purchased Dec. 2008 - \$4,438.57  
2000 Chevy Blazer - purchased Mar. 2000 - \$15,259  
Commander 10' Rotary Mower - purchased Oct. 2008 - \$3,650

Dispose of:

John Deere LT150 Riding Mower - purchased Oct. 2002 - \$2,400

Motion was made by Matt, seconded by Arthur to authorize soliciting for a 3-year contract for audit and annual report preparation services. Motion carried.

Economic Development

No update was available on the billboard sign.

Police Department

The monthly report was reviewed with Chief Buls.

Rubble Site (Quarterly)

The report included a reminder that the summer month's schedule will start on May 1<sup>st</sup> with spring clean-up days being May 5<sup>th</sup>-6<sup>th</sup> and pickup day on May 8<sup>th</sup>, 2023.

Swimming Pool

The Health/Rec. Committee will meet during the week of April 24<sup>th</sup> to review pool applications and policies for 2023.

Street Dept.

The monthly report was reviewed.

Safety concerns with pedestrian and vehicular traffic around the school were discussed. This included the review of a potential option to only allow one-way traffic on part or all of Scottie Ave.

Following discussion, Police Chief Buls was asked to visit with the school on this matter and report back.

Traffic concerns in the alley west of the Corner Pantry, between Pine St. and Elm St. were then reviewed. The options presented to address these concerns were allowing only southbound or no thru traffic in the alley. This would only apply from the Corner Pantry property north to Elm St.

Following, motion was made by Pinney, seconded by Gartner to identify the above alley as a one-way for south bound traffic, north of the Corner Pantry property. Motion carried.

Water Dept.

The quarterly report was reviewed which noted the water loss of 11.23% for the month of March.

**Training/Travel:**

Chief Bulls will be attending the Law Enforcement Liability Risk Management Conference on May 1<sup>st</sup>-3<sup>rd</sup> in Deadwood.

CA Smith will be attending the SDML WC NLC RISC Conference on May 9<sup>th</sup>-12<sup>th</sup> in Portland, OR.

At 7:42 p.m., motion was made by Matt, seconded by Gartner to enter into executive session per SDCL 1-25-2(4), contract negotiations. Motion carried.

At 7:55 p.m., motion was made by Arthur, seconded by Gartner to come out of executive session with the following action:

Motion was made by Pinney, seconded by Gartner for the city to abstain from providing breathe alcohol testing to private business for utilization with inhouse programs as it is outside the scope of city services. The police officers may offer resources and trainings on this matter to local businesses if requested. Motion carried.

**Public Comments:**

None.

**In Other Business:**

The next regular meeting will be held on Monday, May 1<sup>st</sup> at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse.

With no further business to come before the Council, Mayor Miller declared the meeting adjourned at 7:56 p.m.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator  
(Published once on April 13, 2023, at approximate cost of \$\_\_\_\_\_)