

**CITY OF PHILIP COUNCIL PROCEEDINGS  
REGULAR MEETING  
MAY 1, 2023**

A regular meeting of the Philip City Council was held on Monday, May 1, 2023, at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Brit Miller, Council Members Marion Matt, Marty Gartner, Joni Parsons, 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 II Robbie Shipp, Police Officer AJ Bartlett, Joe & Kathy Gittings; and later, City Attorney Stephanie Trask.

Absent: Council Member Greg Arthur.

The meeting was opened with the Pledge of Allegiance.

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

Motion was made by Matt, seconded by Parsons to approve the minutes of the last meeting as published. Motion carried.

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

**Gross Salaries – Apr. 28, 2023:** Admin - \$4853.33; Finance - \$4064.66; Police - \$8146.66; Econ Develop - \$600.00; Sewer - \$12003.31

Colonial Life	Employee Supplemental Ins 4/23	88.65
Credit Collections Bureau	Garnishment 4/23	200.86
EFTPS	SS/Med/WH 4/23	6555.71
NE Child Support	Garnishment 4/23	469.18
SDRS	Employee Retirement 4/23	3875.01
SDSRP	Sup Retirement 4/23	100.00

**Airport Runway Project:**

Helms & Assoc	Eng Study Pay #3 4/23	20337.50
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**Infrastructure Projects:**

SPN & Assoc	Kroetch Add Eng Design 4/22/23	6500.00
	Kroetch Add Plat Prep 4/22/23	2000.00

**This Month's Bills:**

American Water Works Assoc	Pearson Dues 7/23-6/24	79.00
Architectural Specialties LLC	AIR Hangar #1 Door Repair 4/23	2979.33
Artistic Custom Badges & Coins LLC	PD Badges 4/23	371.50
AT&T Mobility	Cell Phone 4/23	222.85
Century Business Products	Copier Maint 3-4/23	31.37
Churchich Recreation	Park Supplies (HCYW) 4/23	246.00
Clubhouse Hotel	GOED Conf Room 3/23	206.12
Corporate Trust, TFM – US Bank	SRF #6 Pay #12 5/23	4917.84
	SRF #7 Pay #12 5/23	5766.78
D&T Auto Parts	Supplies 3/23	231.74

Delta Dental	Dental Ins 5/23	726.30
Golden West Telecom	Telephone/Internet 3-4/23	638.99
Grossenburg Implement	Supplies 4/23	119.79
Haakon Co Treasurer	Office Rent 5/23	500.00
Haakon Co Young Women	Calendar 2023	10.00
Hanson Oil	Fuel/LP 3-4/23	1813.99
Health Pool of SD	Health Ins 4/23	10871.93
Kieffer Sanitation	372 Residential Collections 4/23	5103.84
McLeods Printing & Office Supply	Supplies 4/23	6.58
O'Connell Construction Inc	Gravel 4/23	854.46
Optilegra	Vision Ins 4/23	101.51
Philip Baseball Assoc	Ins Claim Proceeds (2022 Dep)	12274.78
Philip Geo-Thermal	Fire Hall Dues 2023	1533.66
Philip Hardware	Supplies 4/23	45.46
Philip Motor Inc	Supplies 3/23	28.79
Philip Standard	Fuel 4/23	136.40
Pioneer Review	Publishing 4/23	579.89
Qualified Presort Service LLC	Billing/Postage 4/23	290.39
QT PodFuel Sys	Support 2023	945.00
	Fuel Sys Repairs 4/23	2117.07
Sanitation Products Inc	Sewer Truck Repairs 2/23	1097.01
SD 811	Locates 1-3/23	5.25
SD Dept of Revenue	Sales Tax Payable 4/23	502.64
	Water Testing 4/23	15.00
SD Gov't Finance Officers Assoc	2023 Conf Reg 5/23	150.00
SD Gov't Human Resource Assoc	2023 Conf Reg 5/23	100.00
Sweeper Parts Sales	Supplies/Repairs 4/23	516.20
The Lodge at Deadwood	AIR Conf Rooms 3/23	160.00
	PC Conf Room 4/23	168.00
The Philip Pit Stop	Fuel 3-4/23	494.50
US Bank	Supplies/Travel 3-4/23	334.47
Vadim Municipal Software Inc	Asyst Meter Maint 6/23-6/24	130.65
Verizon Wireless	W AMR Internet 4-5/23	80.06
Vetter, Doreen	GOED Conf Travel 3/23	141.97
West Central Electric Coop	Electric 3/1-4/1/23	3364.36
WR/LJ Rural Water Systems	2,289,000 gals 4/23	3090.15
	Contract Min. 4/23	2500.00
	AIR Water 4/23	40.00
	South Shop Water 4/23	22.60
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Total Expenditures – 5/1/2023		\$95,501.72

**Old Business:**

None.

**Council adjourned and reconvened as the new Council for 2023/2024.**

Certificates of Election were presented, and oaths office were taken by the following individuals: Council Members: Scott Pinney in Ward I; Marion Matt in Ward II; Terri Pelle in Ward III; and, Joni Parsons in Ward III (1 year term).

Miller then presented the following Council Committee Appointments for 2023/2024. It was noted that the first person listed is the head of the committee.

<u>AIRPORT</u>	<u>BUDGET</u>	<u>BUILDING</u>	<u>GARBAGE</u>	<u>HEALTH/REC</u>	<u>NUISANCE</u>
Pinney	Matt	Matt	Arthur	Parsons	Pelle
Arthur	Pinney	Gartner	Matt	Pinney	Pinney
Pelle	Parsons	Arthur	Pelle	Pelle	Matt

  

<u>POLICE</u>	<u>SAFETY</u>	<u>STREET</u>	<u>WATER/SEWER</u>
Arthur	Gartner	Gartner	Pinney
Parsons	Pelle	Arthur	Gartner
Gartner	Parsons	Matt	Parsons

Mayor Miller then opened the floor for nominations for the Council President and Vice President for 2023/2024.

Motion was made by Pinney, seconded by Gartner to nominate Matt to the position of Council President and cease nominations. A unanimous ballot was cast to elect Matt as Council President for 2023/2024. Motion carried.

Motion was made by Pinney, seconded by Pelle to nominate Gartner to the position of Council Vice President and cease nominations. A unanimous ballot was cast to elect Gartner as Council Vice President for 2023/2024. Motion carried.

**New Business:**

**Infrastructure Improvement Projects:**

It was reported that Kroetch Addition infrastructure plans have been submitted to the SD Dept. of Ag and Natural Resources (DANR) for approval. The SD Dept. of Transportation (DOT) access and utility permit applications will also be submitted in the near future.

Motion was made by Matt, seconded by Parsons to authorize submitting a Housing Infrastructure Funding Program application to SD Housing Development Authority (SDHDA) for the Kroetch Addition project. The first round of applications is expected to open June 1, 2023. Motion carried.

Motion was made by Pinney, seconded by Gartner to authorize the Street Committee to solicit quotes for the removal work at Kroetch Addition. Motion carried.

**Residential Lease at 410 US Hwy 14:**

Motion was made by Matt, seconded by Pelle to terminate the residential lease agreement with Dillon Armour for the city’s property at 410 US Hwy 14. Tenant will be provided written notice of termination per section 13 of the lease agreement—providing 60 days’ notice to vacate the premises. Motion carried.

**Artesian Well Project:**

Council was updated on recent correspondence with the contractor, Jerry Hunt with Weston Engineering. He advised that due to some needed repairs on the rig, they are now planning to have the plug drilled out by the end of this week. (For the record, the contractor has incurred penalties of \$59,400 through today for noncompletion--leaving a remaining contract balance of \$44,614.92 upon completion.)

At 7:10 p.m., as previously advertised, a public hearing was held on the request of the following establishments for Malt Beverage Licenses for 2023/2024:

BMT, Inc., 73 Bar & Lounge - On/Off Sale & SD Farm Wine (RB); Bottle & Veterinary Supply - On/Off Sale Malt Beverage & SD Farm Wine (RB); Ginnys, LLC, ginnys – On/Off Sale & SD Farm Wine (RB); MG Oil Company - Corner Pantry #20 Philip – On/Off Sale & SD Farm Wine (RB); MG Oil Company – Homestead Casino – On/Off Sale & SD Farm Wine (RB); Rock & Roll Lanes, Inc., Rock & Roll Lanes – On/Off Sale & SD Farm Wine (RB); Retail Management Systems, Inc., The Philip Pit Stop - On/Off Sale & SD Farm Wine (RB); and, The Incorporated Steakhouse & Lounge – On/Off Sale & SD Farm Wine (RB).

With no one appearing for or against the requested licenses, motion was made by Pinney, seconded by Matt to approve the above Malt Beverage Licenses for 2023/2024 contingent upon property taxes being paid. Motion carried.

Airport Runway Project:

Motion was made by Pinney, seconded by Pelle to approve submitting an Airport Improvement Program (AIP) grant application for the runway reconstruction design project and authorize the mayor’s signature thereon. Motion carried.

Motion was made by Motion, seconded by Parsons to approve the design engineering agreement for the runway reconstruction design project with Helms & Associates. Motion carried.

Motion was made by Matt, seconded by Pinney to approve an Independent Fee Evaluation (IFE) for the design engineering services by DGR Engineering in the amount of \$4,000. Motion carried.

Meter Project:

Council was advised that more progress has been made, and there are currently 289 meters active on the AMR.

Airport Hangar Building Repairs:

Motion was made by Gartner, seconded by Pelle to authorize the sole source purchase of the required door replacements with Midland Doors per SDCL 5-18A-8, and rebid the remaining needed repairs. It was mentioned that the insurance company is still working on updating the claim following the April 20<sup>th</sup> inspection. Motion carried.

Building Code:

Motion was made by Matt, seconded by Gartner to approve the first reading of Ordinance #2023-07, Amending Chapter 11, Building Regulations--adopting the 2021 building and fire codes. Motion carried with all members voting aye.

Special Event Application:

Motion was made by Pinney, seconded by Matt to approve the 73 Bar & Lounge’s application to host a street dance on June 10, 2023, with the stipulation that no glass beverage containers are allowed in the public right-of-way. Consent has been received from the abutting property owners and proof of insurance still needs to be submitted. Motion carried.

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

	<u>Apr. 24, 2023</u>
Hansen Oil Company	\$1.69/gal.
CHS River Plains	\$2.03/gal.

Building/Flood Plain Dev. Permits:

Dakota Mill & Grain – grain bin & appurtenances; and David Fitzgerald – sewer line repair and/or replacement.

Motion was made by Matt, seconded by Gartner to approve the above permits as presented above. Motion carried.

Departmental Reports:

Administration

Motion was made by Pinney, seconded by Gartner to approve the 2022 Annual Financial Report. It has also been submitted to the SD Dept. of Legislative Audit and scheduled for publication next week. Motion carried.

Motion was made by Matt, seconded by Gartner to approve the following Resolution #2023-05 as presented. Motion carried.

**RESOLUTION #2023-05  
AUTOMATIC SUPPLEMENTAL APPROPRIATION**

**WHEREAS**, the City of Philip incurred expenses to repair the baseball association property damaged during the April 2022 wind storm event. In order to account for these additional expenditures and recoverable depreciation that were not previously appropriated for in 2023, it is proposed that the following automatic supplemental appropriations be and hereby is adopted in accordance with SDCL 9-21-9.2.

<b>FROM:</b>	101-00000-39140 Insurance Proceeds	\$12274.78
<b>TO:</b>	101-45220-43350 Youth Projects (Baseball)	\$12274.78

This resolution is effective upon passage.

Approved this 1<sup>st</sup> day of May 2023.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Motion was made by Gartner, seconded by Pelle to approve the following Resolution #2023-06 as presented. Motion carried.

**RESOLUTION #2023-06  
AUTHORIZING USE OF GENERAL FUND COMMITTED SECOND PENNY FUNDS  
KROETCH ADDITION PROJECT**

BE IT RESOLVED by the City Council of the City of Philip, South Dakota, that the Finance Officer is hereby authorized and directed to utilize \$125,000.00 in the committed second penny funds, which was reserved in the 2023 Annual Appropriations Budget (Ord. #2022-19) for the engineering and removals with the Kroetch Addition Capital Project.

Dated this 1<sup>st</sup> day of May 2023.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Police Dept.

The monthly report was reviewed with Officer Bartlett.

The pedestrian and traffic concerns around the school were mentioned again. It was recommended that the Street Committee schedule a meeting with the property owners in the area as well as representatives from the school to review options to address the concerns.

Motion was made by Pinney, seconded by Parsons to authorize submitting a Bulletproof Vest Partnership (BVP) grant application. If awarded, the funds will assist in purchasing the vest scheduled for replacement in 2024. Motion carried.

Street Dept.

The quarterly report was reviewed with PWMII Shipp.

It was reported that the drainage on E. Oak St., south of Les' Body Shop needs to be addressed as it is causing pot holes in the street. In addition, concerns about additional gravel and/or blading needed on S. Auto Ave. were mentioned.

The alley west of Corner Pantry was discussed again. It was noted that the council had approved designating this as a one-way, north of the Corner Pantry's property during last month's meeting.

Joe Gittings spoke regarding the condition of the alley being full of potholes and inquired about the possibility of asphaltting the alley, from Pine St. to the north end of Corner Pantry's property. He also suggested the alley be signed as "No Thru Traffic" instead of one-way only.

Discussion ensued. It was also mentioned that the bushes on the north end of the alley are a concern for the traffic's line of sight when entering Elm St. In addition, concreting that portion of the alley may provide better drainage and less maintenance.

Following, the Street Committee will schedule a meeting with representatives from the Corner Pantry (MG Oil Co.) and Gittings in the near future. PWD Reckling was also directed to obtain a quote from Gibson Concrete to concrete the alley as mentioned above.

Swimming Pool

Motion was made by Pinney, seconded by Parsons to approve the 2023 pool hours, swimming lesson schedule, rates, and policies. The rates are the same as in past years. The pool is also scheduled to open for the season on June 1, 2023. Motion carried. (A copy of this information is on file in the city office and posted on the website.)

Motion was then made by Matt, seconded by Gartner to approve the following as the 2023 swimming pool personnel and salaries per the Health/Rec. Committee's recommendation. Employment offer is contingent upon current certifications and pre-employment screening. The WSI hourly rate shall only apply if the employee obtains Water Safety Instruction (WSI) certification in 2023. Motion carried.

Betty Berry, Volunteer Lifeguard  
Baylor Burns, Lifeguard - \$12.00/hr; with WSI \$12.50/hr  
Creston Burns, Lifeguard - \$12.00/hr; with WSI \$12.50/hr  
Carson Fugate, Lifeguard - \$11.00/hr; with WSI \$11.50/hr  
Debbie Hansen, Volunteer Lifeguard

Jaida Haynes, Sub-Lifeguard/WSI - \$13.25/hr  
Talan Haynes, Lifeguard - \$12.00/hr; with WSI \$12.50/hr  
Brady Heltzel, Lifeguard/Water Aerobics - \$12.50/hr; with WSI \$13.50/hr  
Jackie Heltzel, Volunteer Lifeguard  
Evan Kroetch, Lifeguard - \$12.00/hr; with WSI \$12.50/hr  
Copper Lurz, Co-Manager/Lifeguard/WSI – \$15.50/hr  
Cylver Lurz, Manager Trainee/Fill-in Lifeguard/WSI - \$16.00/hr  
Dymond Lurz, Lifeguard - \$12.00/hr; with WSI \$12.50/hr  
Mary “Gayle” Rush, Paid Volunteer Lifeguard/WSI - \$575.00/season  
Ali Schofield, Lifeguard - \$13.00/hr; with WSI \$13.50/hr  
Alyn Spry, Lifeguard - \$12.00/hr; with WSI \$12.50/hr  
Drew Terkildsen, Lifeguard - \$11.00/hr; with WSI \$11.50/hr  
Doreen Vetter, Volunteer Lifeguard/Fill-in Water Aerobics  
Mallory Vetter, Co-Manager/Lifeguard/WSI - \$16.50/hr

Water Dept.

The monthly report was reviewed which noted a water loss of 9.47% for the month of April.

West Nile

Motion was made by Matt, seconded by Gartner to authorize submitting a grant application to the SD Dept. of Health for mosquito control chemical in the amount of \$3,000.00. Motion carried with all members voting aye.

Training/Travel:

PWD Reckling and PWMII Shipp will be attending the 2023 Mosquito Workshop on May 2<sup>nd</sup> in Rapid City.

CA Smith and FO Van Lint will be attending the 2023 SDML Human Resource and Finance Officer School on June 6<sup>th</sup>–9<sup>th</sup> in Pierre.

**Public Comments:**

Joe Gittings recommended the city paint a portion of the curb in front of his property at 103 W. Pine St., west of the alley. He mentioned that traffic parks in the area and blocks the line of sight when existing the alley.

**In Other Business:**

The City Finance Office will be closed May 29<sup>th</sup> in observance of the legal holiday.

The next regular meeting will be held on Monday, June 5<sup>th</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 8:06 p.m.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator  
(Published once on May 11, 2023, at approximate cost of \$\_\_\_\_\_)