

**CITY OF PHILIP COUNCIL PROCEEDINGS
REGULAR MEETING
MAY 2, 2024**

A regular meeting of the Philip City Council was held on Thursday, May 2, 2024, 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, Greg Arthur, Joni Parsons, Scott Pinney, and Terri Pelle. Incoming Council Member Tiana Weber. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Public Works Maintenance Robert Shipp, Tim and Lori Quinn, Chief of Police Ben Buls, City Attorney Stephanie Trask; and later, Police Officer AJ Bartlett.

Absent: None.

The meeting was opened with the Pledge of Allegiance.

Motion was made by Arthur, seconded by Pelle to approve the agenda as presented. Motion carried.

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

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

Gross Salaries – Apr. 30, 2024: Admin - \$5250.00; Finance - \$4203.33; Police - \$8833.33; Rubble Site - \$33.00; Econ Develop - \$1050.00; Sewer - \$12393.31

Colonial Life	Employee Supplemental Ins 4/24	88.65
Credit Collections Bureau	Garnishment 4/24	200.86
EFTPS	SS/Med/WH 4/24	6991.77
NE Child Support	Garnishment 4/24	469.18
SDRS	Employee Retirement 4/24	4034.94
SDSRP	Sup Retirement 4/24	100.00

ACH Payments:

Century Business Products	Copier Maint 3/24	44.60
Corporate Trust, TFM – US Bank	SRF #6 Pay #16 5/24	4917.84
	SRF #7 Pay #16 5/24	5766.78
Delta Dental	Dental Ins 5/24	757.10
Optilegra	Vision Ins 5/24	101.51
World Fuel Services/Ascent	AIR Fuel Fee 4/24	30.00
WR/LJ Rural Water Systems	2,161,000 gals 4/24	2917.35
	Contract Min. 4/24	2500.00
	AIR Water 4/24	40.00
	South Shop Water 4/24	20.00

Airport Improv Projects:

Helms & Assoc	Runway Eng Design thru 4/20/24	5387.65
	SRE Specs thru 4/20/24	540.00

Stewart Ave/NE Sewer Improv Projects:

Meierhenry Sargent LLP	Bond Counsel – Sales Tax SRF 4/24	8003.42
	Bond Counsel – Sewer SRF 4/24	10408.30

This Month's Bills:

Boom Concrete	HCYW Park Toilet 4/24	19774.00
Carley, Dak	Cust Dep Refund 5/24	63.10
CHS River Plains	Supplies 2/24	94.70
Core & Main LP	Meter Gun Repairs 4/24	484.73
D&T Auto Parts	Supplies 3/24	138.66
Fitch, Truett	Cust Dep Refund 5/24	100.00
Haakon Co Treasurer	Office Rent 3/24	500.00
Haakon Co Young Women	UB Adv 5/24	13.50
Hanson Oil	Fuel/Supplies/LP 3/24	3225.03
Health Pool of SD	Health Ins 5/24	11792.70
KAMO Properties	Cust Dep Refund 5/24	100.00
Kennedy Implement	Supplies 3/24	353.83
Kieffer Sanitation	375 Residential Collections 4/24	5246.25
Les' Body Shop	'22 Ford Repairs 3/24	5668.69
Lookout Plan + Code Consulting	Bldg/Code Review 3-4/24	571.52
McLeod's Printing	Supplies 4/24	245.08
Petty Cash	Pool 5/24	75.00
Philip Building Center	Tools/Materials 4/24	492.54
Philip Geo-Thermal	Fire Dept Dues 2024	1225.91
Philip Hardware	Supplies 4/24	175.40
Philip Motor Inc	PD Repairs 4/24	46.86
Philip Standard	Fuel/Repairs 3-4/24	941.25
Philip Volunteer Fire Dept	Fireworks Approp 2024	300.00
Qualified Presort Service LLC	Billing/Postage 4/24	315.75
SD 811	Locates 1-3/24	11.55
SD Dept of Revenue	Sales Tax Payable 4/24	496.76
	Water Testing 4/24	15.00
SD Federal Property Agency	Fire/Amb Supplies 3/24	241.00
SD Gov't Finance Officers Assoc	Conf Reg 5/24	75.00
SD Gov't Human Resources Assoc	Conf Reg 5/24	50.00
Sheraton Sioux Falls	GOED Conf Room 4/24	107.00
Smith, Brittany	Mileage Reimb 4/24	166.16
The Lodge at Deadwood	AIR/PD Conf Rooms 4/24	352.00
The Philip Pit Stop	Fuel 4/24	254.98
US Bank		6512.45
All Around Graphix	Uniforms 3/24	53.48
Amazon	Supplies/Equip/Uniforms 3-4/24	89.78
AT&T	Cell Phone 3/24	223.30
Golden West	Telephone/Internet 4/24	627.02
Microsoft Office	PD/FO 365 4/24	50.00
QTpod	AIR Contract/Repairs 4/24	1554.16
SD GOED	Conf Reg 3/28	200.00
Travel	Meals 4/24	164.46
USPS	Postage/Cap Prj 4/24	22.00
Verizon	W AMR 3/24	80.02
West Central Electric	Electric 2/24	3448.23
Vetter, Doreen	Mileage Reimb 4/24	368.50
Vadim Municipal Software	Flexnet Maint 6/24-6/25	137.18
Wohlenberg, Ritzman & Co LLC	Annual Report Prep FY2023	3700.00

Total Expenditures – 5/2/2024

\$105,866.63

Old Business: None.

Mayor Miller adjourned at 7:06 p.m. Parsons was thanked for her service as she left the council table at this time.

Council then reconvened as the new Council for 2024/2025.

Certificates of Election were presented to the following individuals: Mayor: Brit Miller; and Council Members: Greg Arthur in Ward I and Marty Gartner in Ward II.

Motion was made by Arthur, seconded by Gartner to approve the appointment of Tiana Weber to the vacant Ward III Council Member position. Motion carried.

The following individuals took an oath of office: Mayor Miller and Council Members Arthur, Gartner, and Weber.

Mayor Miller then opened the floor for nominations for the Council President and Vice President for 2024/2025.

Motion was made by Gartner, seconded by Arthur to nominate Matt to the position of Council President and cease nominations. A unanimous ballot was cast to elect Matt as Council President for 2024/2025. Motion carried.

Motion was made by Matt, seconded by Pinney 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 2024/2025. Motion carried.

Miller then presented the following Council Committee Appointments for 2024/2025. 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	Pelle	Weber	Pelle
Arthur	Pinney	Gartner	Matt	Pinney	Pinney
Pelle	Weber	Arthur	Weber	Pelle	Matt
<u>POLICE</u>	<u>SAFETY</u>	<u>STREET</u>	<u>WATER/SEWER</u>		
Arthur	Gartner	Gartner	Pinney		
Weber	Pelle	Arthur	Gartner		
Gartner	Weber	Matt	Arthur		

New Business:

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 2024/2025:

- 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); Kooks, LLC, Kooks – 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); Retail Management Systems, Inc., The Philip Pit

Stop - On/Off Sale & SD Farm Wine (RB); and, Rock & Roll Lanes, Inc., Rock & Roll Lanes – 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 2024/2025 contingent upon fees and property taxes being paid. Motion carried.

Infrastructure Projects:

Council reviewed an update from the city’s engineers, SPN & Assoc., regarding the status of the Stewart Ave/Northeast Sewer and Kroetch Addition projects.

The SDHDA Housing Infrastructure Financing Program (HIFP) Grant Agreement has been submitted.

It was then reported that during the joint public meeting with the Planning Commission held on May 2nd at 6:45 p.m., the Planning Commission approved a Resolution recommending the City Council approve the Kroetch Addition replat. This is a result of the mutual consent between the City and Doug and Joann West regarding the property boundary issue on the northeast end of Kroetch Addition. Said replat and real property transfer expenses to be covered solely by the Wests.

Motion was made by Matt, seconded by Arthur to approve the following Resolution. Motion carried.

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Philip, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 2nd day of May 2024; and

WHEREAS, it appears from an examination of the plat of LOTS 1, 2, 3, 4, 5 and 11, BLOCK 1 OF KROETCH ADDITION, A REPLAT OF LOTS 1, 2, 3, 4 and 5, BLOCK 1 OF KROETCH ADDITION IN THE S ½ OF THE NW ¼ OF SECTION 13, T 1 N, R 20 E, OF THE BLACK HILLS MERIDIAN, CITY OF PHILIP, HAAKON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Philip, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Philip, South Dakota, that the plat of LOTS 1, 2, 3, 4, 5 and 11, BLOCK 1 OF KROETCH ADDITION, A REPLAT OF LOTS 1, 2, 3, 4 and 5, BLOCK 1 OF KROETCH ADDITION IN THE S ½ OF THE NW ¼ OF SECTION 13, T 1 N, R 20 E, OF THE BLACK HILLS MERIDIAN, CITY OF PHILIP, HAAKON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, be and the same is hereby approved and the description set forth therein and the accompanying surveyor’s certificate shall prevail.

The undersigned hereby certifies that the foregoing resolution was passed by the City of Philip, South Dakota, at a meeting held on the 2nd day of May 2024.

/s/ Monna Van Lint
Finance Officer of the City of Philip

Motion was then made by Gartner, seconded by Arthur to authorize the transfer of Lot 11, Block 1 of Kroetch Addition, to Doug and Joann West per the mutual consent and agreement mentioned above. Motion carried.

Airport Projects:

The airport snow removal equipment bid opening has been scheduled for Wednesday, May 15th at 4:00 p.m.

The airport capital improvement plan (CIP) meeting with the Federal Aviation Administration (FAA) is scheduled for May 28th in Rapid City.

Motion was made by Arthur, seconded by Pinney to authorize advertising for bids for the airport runway rehabilitation construction project. Motion carried.

Executive Session:

At 7:16 p.m., motion was made by Pelle, seconded by Gartner to enter into executive session per SDCL 1-25-2(1)(3), personnel and contractual matters. Motion carried.

At 7:39 p.m., motion was made by Matt, seconded by Gartner to come out of executive session with the following action:

Motion was made by Pinney, seconded by Arthur to accept Tom Rodriguez’s resignation as the temporary public works maintenance/rubble site operator, effective Apr. 30, 2024. Mr. Rodriguez was thanked for his service to the city. Motion carried.

Motion was then made by Pelle, seconded by Pinney to approve the single quote received from Curt Arthur for the removal of the interior contents and partitions at the 175 S. Center Ave. property at an hourly rate of \$50.00 plus excise tax (total estimated hours is 300). Said approval is contingent upon providing additional requirements as recommended by Attorney Trask. Motion carried with Arthur abstaining.

Departmental Reports:

Administration

Motion was made by Matt, seconded by Gartner to approve the 2023 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 Arthur, seconded by Matt to approve the second reading of Ordinance #2024-02, Supplemental Appropriations, Fire Dept. Safety Equipment. Motion carried with all members voting aye.

Motion was made by Gartner, seconded by Pinney to approve the following Resolution #2024-03 as presented. Motion carried.

**RESOLUTION #2024-03
AUTOMATIC SUPPLEMENTAL APPROPRIATION**

WHEREAS, the City of Philip incurred damages to the 2022 Ford F150 from an accident in January 2024. In order to account for the insurance proceeds and expenses to repair the vehicle, not previously appropriated for in 2024, it is proposed that the following automatic supplemental appropriations be and hereby is adopted in accordance with SDCL 9-21-9.2.

FROM:	101-00000-39140 Insurance Proceeds	\$5168.69
TO:	101-42100-42520 Police Equip Repairs	\$5168.69

This resolution is effective upon passage.

Dated this 2nd day of May 2024.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Motion was made by Matt, seconded by Gartner to approve the first reading of Ordinance #2024-05, Supplemental Appropriations, Haakon County Young Women – Kiddie Park Bathroom Improvements. Motion carried with all members voting aye.

It was reported that a panel of the shared use path was damaged by Boom Concrete during the installation of the kiddie park vault toilet. The city will pursue repairing this before the pool opens and attempt to collect said expenses incurred for the repairs from Boom Concrete.

Economic Development

Motion was made by Arthur, seconded by Gartner to authorize contributing up to \$1,000 to Four Rivers Shrine Club for advertising the Naja Shrine Circus scheduled to be held in Philip on June 21, 2024. Motion carried with Pinney abstaining.

Fire Dept.

Motion was made by Matt, seconded by Pinney to approve Colton Fitzgerald and Gus James as volunteer firefighters. Motion carried.

Lake Waggoner

Council discussed the recent meeting with representatives from SD Game, Fish and Parks (GF&P) regarding the condition of Lake Waggoner. It was reported that GF&P did not locate or remove any carp but will monitor. In addition, they are planning to test the sediment depth in the lake in the fall or winter.

Police Dept.

The monthly report was reviewed with Chief Buls.

Street Dept.

The quarterly report was reviewed with PWMII Shipp.

Sewer

Motion was made by Pinney, seconded by Gartner to declare an emergency, and authorize the street committee, upon their recommendation, to purchase a 2011 Van-Con jetter/vactor truck from MacQueen Equipment for \$165,000 as the city's current truck is inoperable. Motion carried.

Motion was made by Gartner, seconded by Arthur to approve the first reading of Ordinance #2024-04, Supplemental Appropriations, Jetter/Vactor Truck. Motion carried.

Swimming Pool

Motion was made by Matt, seconded by Gartner to approve the 2024 pool hours, swimming lesson schedule, rates, and policies. The pool is scheduled to open on May 30th with reduced hours for the season due to the shortage of staff. Motion carried. (A copy of this information is on file in the city office and posted on the website.)

Motion was then made by Pinney, seconded by Arthur to approve the following as the 2024 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 2024. Motion carried.

- Betty Berry, Volunteer Lifeguard
- Baylor Burns, Lifeguard - \$14.50/hr; with WSI \$15.00/hr
- Creston Burns, Lifeguard - \$14.50/hr; with WSI \$15.00/hr
- Debbie Hansen, Volunteer Lifeguard
- Clarissa Heisinger, Lifeguard - \$13.00/hr; with WSI \$13.50/hr
- Brady Heltzel, Lifeguard/WSI/Water Aerobics - \$16.00/hr
- Jackie Heltzel, Volunteer Lifeguard
- Evan Henrie, Lifeguard - \$13.00/hr; with WSI \$13.50/hr
- Copper Lurz, Fill-in Lifeguard/WSI – \$16.00/hr
- Kale Peterson, Lifeguard - \$13.00/hr; with WSI \$13.50/hr
- Cylver Pinney, Manager/Fill in Lifeguard/WSI - \$20.00/hr
- Mary “Gayle” Rush, Paid Volunteer Lifeguard/WSI - \$575.00/season
- Drew Terkildsen, Part-time Lifeguard - \$14.00/hr; with WSI \$14.50/hr
- Doreen Vetter, Volunteer Lifeguard/Fill-in Water Aerobics
- Mallory Vetter, Assistant Manager/Lifeguard/WSI - \$17.50/hr

Water Dept.

The monthly report was reviewed which noted a water loss of 3.99% for the month of April.

West Nile

Motion was made by Gartner, seconded by Arthur to authorize submitting a grant application to the SD Dept. of Health for mosquito control chemicals. Motion carried with all members voting aye.

Training/Travel:

CA Smith will be attending the SDML Board meeting on May 22nd-23rd in Kadoka.

FO Van Lint will be attending the 2024 SDML Human Resource and Finance Officer School on June 11th–14th in Spearfish.

Public Comments:

Tim Quinn introduced himself and informed the council that he is running for county sheriff in the upcoming election.

In Other Business:

City offices will be closed May 27th in observance of the legal holiday.

The next regular meeting will be held on Monday, June 3rd 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 8:07 p.m.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator

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