

**CITY OF PHILIP COUNCIL PROCEEDINGS
REGULAR MEETING
NOVEMBER 6, 2023**

A regular meeting of the Philip City Council was held on Monday, November 6, 2023, at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Brit Miller and Council Members Joni Parsons, Terri Pelle, Marion Matt, Marty Gartner, Greg Arthur, and Scott Pinney. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Chief of Police Ben Buls, Police Officer AJ Bartlett, Jacob Sonne with SPN & Assoc., Haakon Co. Director of Equalization Sara Pfeifle, and City Attorney Stephanie Trask.

Absent: None

The meeting was then opened with the Pledge of Allegiance.

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

Regular Meeting Items:

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 Gartner, seconded by Arthur to approve the payment of the bills from the appropriated funds as listed below. Motion carried.

Gross Salaries – Oct. 31, 2023: Admin - \$4853.33; Finance - \$4064.66; Public Works - \$11656.65; Police - \$8146.66; Rubble Site - \$125.00; Econ Develop - \$800.00

Colonial Life	Employee Supplemental Ins 10/23	88.65
Credit Collections Bureau	Garnishment 10/23	200.86
EFTPS	SS/Med/WH 10/23	6493.76
NE Child Support	Garnishment 10/23	469.18
SDRS	Employee Retirement 10/23	3833.41
SDSRP	Sup Retirement 10/23	100.00

Airport Runway Rehab Design:

Helms & Assoc	Eng Design thru 10/28/23	16162.96
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Infrastructure Projects:

Pioneer Review	Stewart/NE Publishing 10/23	270.67
	Kroetch Add Publishing 10/23	147.67
SPN & Assoc	Kroetch Eng Bidding 10/23	2500.00
	NE Sewer Easements 10/23	1036.25
	Stewart Eng Final Design 10/23	2080.00
	Stewart/NE Bidding 10/23	3000.00

ACH Payments:

Century Business Products	Copier Maint 9-10/23	23.63
Corporate Trust TFM - US Bank	SRF #6 Pay #14 11/23	4917.84
	SRF #7 Pay #14 11/23	5766.78
Delta Dental	Dental Ins 11/23	726.30
Optilegra	Vision Ins 11/23	101.51

WR/LJ Rural Water Systems	2,625,000 gals 10/23	3543.75
	Contract Min. 10/23	2500.00
	AIR Water 10/23	42.60
	South Shop Water 10/23	20.00

This Month's Bills:

Bad River Law Prof LLC	Atty/Legal 8-10/23	1170.00
Best Western Ramkota – Rapid	FO SDML Conf Room 10/23	213.98
Brant’s Electric LLC	St Light Pole Wiring 10/23	1199.40
CHS River Plains	LP 9/23	814.08
Core & Main	Meter/Supplies 10/23	3280.87
D&T Auto Parts	Supplies 9/23	22.30
Haakon Co Treasurer	Office Rent 11/23	500.00
Hanson Oil	Fuel 8-9/23	613.24
Health Pool of SD	Health Ins 11/23	10871.93
Ingram Pest Service Inc	RS Pest Control 10/23	70.00
J&J Asphalt Co	12.02 T Hot Mix 10/23	961.60
Kennedy Implement Inc	ST Equip Repairs 9-10/23	976.56
Kieffer Sanitation	376 Residential Collections 10/23	5260.24
Morrison’s Pit Stop	PD Repairs 10/23	22.50
Nemec Construction LLC	Building Repairs 10/23	10671.79
On Site First Aid & Safety	Srv/Supplies 10/23	187.70
Philip Hardware	Supplies 10/23	193.32
Philip Motor Inc	Supplies 10/23	71.06
Philip Standard	Fuel 9/23	672.40
Pioneer Review	Publishing 9/23	2727.76
	Subscription 12/23-11/24	45.00
	Publishing 10/23	471.40
Pocketful of Posies	Plant/Gift 8-9/23	95.58
Qualified Presort Service LLC	Billing/Postage 10/23	333.16
	Billing/Postage 11/23	331.49
Radarsign LLC	Sign Repair 10/23	1095.00
Rhodes, Jason or Tammy	Cust Dep Refund 11/23	125.00
Roy’s Repair	ST Repairs 11/23	217.75
SD 811	Locates 7-9/23	25.20
SD Dept of Revenue	Water Testing 10/23	71.00
	Sales Tax Payable 10/23	459.39
Shipp, Robert	Mileage Reimb 11/23	112.66
The Philip Pit Stop	Fuel 9-10/23	446.58
US Bank		1542.52
Amazon	Supplies 9-10/23	194.26
AT&T	Cell Phone 9/23	222.76
Best Western Ramkota	Adm SDML Room 10/23	213.98
Brunt Workwear	Uniforms 10/23	179.48
Buffalo Wild Wings	Meals 10/23	15.01
Golden West	Telephone/Internet 10/23	533.91
Microsoft Office	PD/FO 365 10/23	50.00
Minervas	Meals 10/23	47.70
USPS	Postage 10/23	5.40
Verizon	Water AMR 10/23	80.02
West Central Electric	SD Hwy 73 St Light Poles 10/23	6963.67

Western Communications	Supplies 10/23	253.10
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Total Bills		95,929.19

Old Business: None.

New Business:

Airport Runway Design Project:

Council reviewed a project status update from Helms & Associates.

Artesian Well Project:

It was reported that the contractor, Weston Engineering, has finished most of the well repairs and all equipment was removed from city property on or about Oct. 24, 2023. The valve is installed, but the connections to those supplied directly by the well still need to be completed. This will be done by McQuirk Ditching and City personnel soon.

Meter Project:

It was noted that more progress has been made, and there are currently 390 meters active on the AMR with approximately 55 remaining.

Insurance Claim Repairs:

Council was informed that Randy Nemec with Nemec Construction has completed all the repairs to city buildings with the exception of two windows and covering exposed OSB board at the municipal building. This work will be completed later in the month--once the windows are in stock.

The Airport Hangar Building Repairs project is also anticipated to start the week of Nov. 13, 2023.

At 7:05 p.m., as previously advertised, a public hearing was held on the request of the following establishments for Liquor and Wine Licenses for 2024.

BMT, Inc.-73 Bar & Lounge - Lots 12 & 13, Block 06, Original Town, City of Philip, SD: On-Sale Retail Liquor; Bottle & Veterinary Supply LLC - N 19' Lot 19, Block 6, Original Town, City of Philip, SD: Off-Sale Package Liquor; Dakota Country Pharmacy, Inc. - Lot 20, Block 6, Original Town, City of Philip, SD: Off-Sale Package Liquor; Kooks, LLC-Kooks - Lots 16 & 17, Block 06, Original Town, City of Philip, SD: On-Sale Retail Liquor; MG Oil Company-Corner Pantry #20 Philip: Lots 5, 6 & 7, Block 1, Original Town, City of Philip, SD: Off-Sale Package Liquor; Retail Management Systems, Inc.-The Philip Pit Stop – Outlot 2, High School Addition, City of Philip, SD: On/Off Sale Wine & Cider License; and, Rock & Roll Lanes, Inc. – Lots 08-21 Inclusive, Block 01, Highway Addition, City of Philip, SD: On-Sale Retail Liquor.

Chief Buls confirmed that the Police Dept. has no concerns regarding the above license renewals.

Following review and with no one appearing for or against the requested license applications, motion was made by Matt, seconded by Gartner to approve the above Liquor and Wine Licenses for 2024 contingent upon the applications and fees being submitted along with property taxes being paid. Motion carried with all members voting aye.

Jacob Sonne, City Engineer with SPN & Assoc., addressed the council regarding the following infrastructure projects.

Kroetch Addition Project:

Sonne reviewed the following project construction bids for the Hansen Ave. Street and Utility Improvements that were received and opened on Oct. 31, 2023:

H&W Contracting LLC: Bid Schedule A - \$1,265,856.36; Bid Schedule B - \$400,910.00;
Bid Schedule C - \$50,000.00; Total Bid = \$1,716,766.36

Sharpe Enterprises Inc: Bid Schedule A - \$1,456,939.00; Bid Schedule B - \$322,586.00;
Bid Schedule C - \$32,000.00; Total Bid = \$1,811,525.00

Crow River Construction: Bid Schedule A - \$1,363,319.50; Bid Schedule B - \$437,295.00;
Bid Schedule C - \$25,000.00; Total Bid = \$1,825,614.50

JR Civil LLC: Bid Schedule A - \$1,616,146.70; Bid Schedule B - \$482,693.50;
Bid Schedule C - \$38,000.00; Total Bid = \$2,136,488.20

Engineer's Estimate: Bid Schedule A - \$911,992.00; Bid Schedule B - \$394,930.00;
Bid Schedule C - \$25,000.00; Total Estimate = \$1,331,922.00

Sonne reported that the lowest project bid submitted by H&W Contracting exceeded SPN's estimate by 29% or \$226,205.20 with no contingencies. Discussion ensued on various options to proceed forward with the project. It was mentioned that Bid Schedule C only includes the lift station backup generator which could be considered at a later date.

Following, motion was made by Matt, seconded by Pinney to award Bid Schedule A and Bid Schedule B of the Hansen Ave. Utility and Street Improvement Project to H&W Contracting LLC in the amount of \$1,666,766.36 contingent upon funding agency approval. Motion carried with all members voting aye.

Motion was then made by Gartner, seconded by Arthur to approve the Conditional Commitment with the SD Dept. of Housing Authority (SDHDA) for the Housing Infrastructure Financing Program (HIFP) grant award of \$400,000 contingent upon concurrence with the regulations set forth therein and authorize the mayor's signature on the grant agreement once it is available. Motion carried.

Motion was made by Arthur, seconded by Pinney to authorize submitting a request to West River Water Development District (WRWDD) for project funding. Motion carried with Matt abstaining.

NE Sewer & Stewart Avenue Improvement Project:

Sonne reviewed the following project construction bids for the Stewart Ave. Sanitary Sewer Improvements and Northeast Sanitary Sewer Improvements that were received and opened on Oct. 31, 2023:

H&W Contracting LLC: Bid Schedule A - \$1,488,708.50; Bid Schedule B - \$597,935.90;
Total Bid = \$2,086,644.40

Crow River Construction: Bid Schedule A - \$1,614,269.00; Bid Schedule B - \$694,757.50;
Total Bid = \$2,309,026.50

Sharpe Enterprises Inc: Bid Schedule A - \$1,783,891.50; Bid Schedule B - \$751,152.50;
Total Bid = \$2,535,044.00

JR Civil LLC: Bid Schedule A - \$2,103,186.10; Bid Schedule B - \$869,389.40;

Total Bid = \$2,972,575.50

Engineer's Estimate: Bid Schedule A - \$1,203,390.50; Bid Schedule B - \$730,710.00;
Total Estimate = \$1,934,100.50

Sonne reported that the lowest project bid submitted by H&W Contracting exceeded SPN's estimate by 8%. More specifically, Stewart Ave. exceeded the estimated by \$164,318 with no contingencies while the Northeast Sewer was \$205,874 below the estimate. It was mentioned that this project includes sufficient grant and loan funding to cover all project expenses. Sonne also referenced special assessments in which the concrete prices as bid are considerably higher while the retaining wall is lower than estimated.

Following, motion was made by Gartner, seconded by Pinney to award Bid Schedule A (Stewart Ave. Sanitary Sewer Improvements) and Bid Schedule B (Northeast Sanitary Sewer Improvements) to H&W Contracting LLC in the amount of \$2,086,644.40 contingent upon funding agency approval. Motion carried with all members voting aye.

Haakon Co. Director of Equalization:

Sara Pfeifle, Haakon Co. Director of Equalization, addressed the Council regarding the ongoing work in her office. This ranged from current market trends, property assessments, sale ratios and owner occupied status to name a few.

175 S. Center Ave. Property:

It was reported that the HVAC units have been removed from the roof, and temporary repairs will be completed to seal up the roof for the time being. The building will also be winterized.

There were no L/P Propane bids received in October.

Departmental Reports:

Administration

The quarterly report included a review of the year-to-date financials (revenues, expenses, bank balances, investments, and sales tax revenues).

Council reviewed and accepted the City's Audited Financial Report for 2022 as prepared by Wohlenberg, Ritzman & Co. LLC.

Motion was made by Matt, seconded by Parsons to approve the Delta Dental's insurance renewal for the policy period of Jan. 1 to Dec. 31, 2024. Said renewal reflects a monthly premium increase of 4.23%. (For the record, a 5% increase was appropriated for in 2024.) Motion carried.

Motion was made by Pinney, seconded by Arthur to approve the second reading of Ordinance #2023-21, Supplemental Appropriations, Scottie Booster Club – Tennis Court Lighting Improvements. Motion carried with all members voting aye.

Motion was made by Arthur, seconded by Gartner to approve the first reading of Ordinance #2023-22, Supplemental Appropriations, Property Purchase & Repairs. Motion carried with all members voting aye.

Airport

The quarterly report referenced the year-to-date airport fuel revenues and expenses.

Police

The monthly report was reviewed.

Street

The monthly report was reviewed.

Water

The monthly report was not available.

Training/Travel:

CA Smith will be participating on the TAP recommendation committee and attending the meeting on Nov. 14th in Pierre or virtually.

PWM Snyder will be attending a Water Distribution course on Dec. 5th-7th in Rapid City.

At 8:08 p.m., motion was made by Matt, seconded by Arthur to enter into executive session per SDCL 1-25-2(1), personnel. Motion carried.

At 8:21 p.m., motion was made by Pelle, seconded by Pinney to come out of executive session with the following action:

Motion was made by Matt, seconded by Gartner to continue advertising for the open public work maintenance and part-time administrative assistant positions. Motion carried.

Public Comments: None.

In Other Business:

The City has been awarded the 2023 Safety & Loss Control Award from the SDML Workers Compensation Fund.

City offices will be closed on Nov. 10th, 23rd and 24th in observance of the legal holidays.

The next Regular Council Meeting will be held on Monday, Dec. 4th 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 8:22 p.m.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator

(Published once on Nov. 16, 2023, at approximate cost of \$_____)