

**COUNCIL PROCEEDINGS
REGULAR MEETING
OCTOBER 05, 2020**

A regular meeting of the Philip City Council was held on Monday, October 5, 2020, at 7:00 p.m. remotely via Zoom (Meeting ID: 846 0496 7240). Those present remotely were Mayor Michael Vetter, Council Members Trisha Larson, Terri Pelle, Marion Matt, Brit Miller, Scott Pinney and Marty Gartner. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Police Chief David Butler, Interim Police Chief Ben Buls, Public Works Director Matt Reckling; and later, City Attorney Stephanie Trask.

Absent: None.

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

Motion was made by Pinney, seconded by Pelle to approve the minutes of the last meeting as published in The Pioneer Review and on the City's website. Motion carried.

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

Gross Salaries – September 30, 2020: Mayor & Council - \$4355.00; Admin - \$3804.79; Finance - \$3529.06; Public Works - \$10913.04; Police - \$6493.06

Colonial Life	Employee Supplemental Ins 9/20	196.60
EFTPS	SS/Medicare/Withholding 9/20	6165.42
SDRS	Employee Retirement 9/20	3281.44
SDSRP	Sup Retirement 9/20	100.00

Add'l Bills – September 2020:

Automated Fueling System	2000 gal AIR fuel 9/20	7524.46
Dean Kurtz Construction	Hangar Bldg Pay Req #7 (Final) 9/20	2957.10

Airport Hangar / Apron Project:

KLJ Engineering LLC	Engineering thru 9/5/20	2698.66
Quinn Construction Inc	Apron Const Pay #3 (Final) 10/1/20	27236.49

This Month's Bills:

AT&T Mobility	Cell Phone 8-9/20	135.75
Bad River Law Prof LLC	Legal/Atty Fees 9/20	385.00
Bailey, Gary	Cust Dep Refund 10/20	100.00
Brant's Electric	Siren Repair 9/20	185.56
Century Business Products	Copier Maint 9/20	68.31
CNH Productivity Plus Acct	Supplies 8-9/20	92.64
Corporate Trust – US Bank	SRF #4 Pay #25 10/20	11326.05
	SRF #5 Pay #25 10/20	7905.24
D&T Auto Parts	Supplies 9/20	10.59
Dale, Charlie or Rachel	Cust Dep Refund 10/20	100.00
Delta Dental	Dental Ins 10/20	671.80
1 st Nat'l Bank – Philip	UB Postage 9/20	131.25
Golden West Telecom	Telephone/Internet 8-9/20	585.36

Haakon Co Treasurer	Office Rent 10/20	500.00
Hanson Oil	Fuel 8-9/20	445.07
Health Pool of SD	Health Ins 7/20	9496.93
Hoag Diesel Service	'98 Int'l Truck Repairs (Final) 9/20	128.14
Kieffer Sanitation	370 Residential Collections 9/20	4739.70
Midwest Radar & Equip	PD Radar Cert 2020	80.00
Morrison's Pit Stop	Tire Repair 9/20	46.13
Moses Building Center	Supplies 9/20	12.97
Northern Safety Co Inc	COVID Supplies 9/20	32.57
Northwest Pipe Fittings	Bulk Water Repairs 9/20	132.84
Optilegra	Vision Ins 10/20	80.76
Petersen's Variety	Supplies 9/20	23.35
Philip Hardware	Supplies 9/20	364.89
Philip Matched Bronc Ride	2020 Advertising Approp	1500.00
Philip Motor Inc	PD Repairs 9/20	235.12
Philip Standard Service	Oil Chg/Fuel 9/20	122.90
Pioneer Review	Publishing 9/20	481.67
RenoSys Corporation	PVC Pool Membrane Final 9/20	35199.00
SD Dept of Revenue	Sales Tax Payable 9/20	454.90
	W Testing 9/20	15.00
Sharp, Jessie	Cust Dep Refund 10/20	100.00
Stamp Fulfillment Services	Stamped Envelopes 10/20	1312.75
The Philip Pit Stop	Fuel 8/20	99.01
West Central Electric	Electric 9/1-10/1/20	3271.01
WR/LJ Rural Water Systems	5,034,000 gals 9/20	6292.50
	Contract Min. 9/20	2500.00
	AIR Water 9/20	52.50
	South Shop Water 9/20	22.50
<hr/>		
Total Bills		119,374.91

Old Business:

Motion was made by Matt, seconded by Pinney to approve the second reading of the following Ordinance #2020-10. Motion carried with all members voting aye.

**ORDINANCE #2020-10
2020 SUPPLEMENTAL APPROPRIATIONS ORDINANCE
SWIMMING POOL IMPROVEMENTS**

WHEREAS, the City of Philip, South Dakota, recognizes that the diamond brite finish in the swimming pool is heaving and cracking to the point that the membrane needs to be fortified; and,

WHEREAS, the City of Philip has been presented an opportunity to install a PVC membrane in the swimming pool this year; and,

WHEREAS, the City of Philip did not anticipate being able to complete this needed project when preparing the fiscal year 2020 appropriations.

NOW, THEREFORE, BE IT ORDAINED, that the following Supplemental Appropriations Ordinance be and hereby is adopted in order to recognize the revenues and expenses that will be forthcoming for the swimming pool improvements.

	<u>GENERAL FUND</u>
45100 SWIMMING POOL	
43300 Improv Other Than - Cap	\$ 39,150.00
<u>TOTAL SWIMMING POOL DEPT</u>	<u>\$ 39,150.00</u>
<u>TOTAL APPROP. & ACCUM.</u>	<u>\$ 39,150.00</u>

MEANS OF FINANCE

The following designates the fund or funds that money derived from the following sources is applied to.

	<u>GENERAL FUND</u>
10450 CMA ASSIGNED – BLDGS/IMPROV	
10450 Buildings/Improvements	\$ 39,150.00
<u>TOTAL CMA ASSIGNED – BLDGS/IMPROV</u>	<u>\$ 39,150.00</u>
<u>TOTAL MEANS OF FINANCE</u>	<u>\$ 39,150.00</u>

Dated this 5th day of October 2020.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Passed First Reading: Sept. 9, 2020
Passed Second Reading: Oct. 5, 2020
Yeas: 6 Nays: 0
(Published: Sept. 17 and Oct. 15, 2020)

New Business:

Airport Hangar Building / Apron Reconstruction Projects:

Motion was made by Gartner, seconded by Larson to approve Pay Request #3 (final – apron reconstruction) in the amount of \$25,436.49 to Quinn Construction. Motion carried.

Motion was made by Miller, seconded by Pinney to approve the Final Review and Acceptance for the Apron Reconstruction project, and authorize the Mayor’s signature thereon. Motion carried with all members voting aye.

Motion was made by Larson, seconded by Pelle to approve the following Resolution #2020-11 as presented. Motion carried.

**RESOLUTION #2020-11
AUTOMATIC SUPPLEMENTAL APPROPRIATION**

WHEREAS, the City of Philip Municipal Airport has been awarded grant funds from the Federal Aviation Administration (FAA) and SD Department of Transportation to complete the Hangar Building and Apron Reconstruction projects (AIP #3-46-0043-012-2019). The City did not anticipate a large portion of the projects carrying forward into 2020. In order to account for these additional grant funds and the expenditures that were not previously appropriated for in 2020, it is proposed that the following automatic supplemental appropriations be and hereby is adopted in accordance with SDCL 9-21-9.2.

FROM: 101-00000-26710 Unassigned Fund Balance \$ 1910.00

101-00000-33170	Airport Improv Grant – Federal	\$ 34435.00
101-00000-33401	Airport Improv Grant – State	\$ 1915.00

Total Means of Finance **\$ 38260.00**

TO:	101-43500-42220	Airport Engineering	\$ 17900.00
	101-43500-42230	Airport Contract Services	\$ 20360.00

Total Appropriations **\$ 38260.00**

Approved this 5th day of October 2020.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Bad River Shoreline Bank Repair Project:

Council was advised that a preconstruction meeting for the Category D project was held this morning. The contractor, Quinn Construction, also started working on the project today and anticipates the work being completed in approximately two weeks. In addition, it was reported that FEMA approved another extension until Nov. 30, 2020, to complete the Category B project which will be finalized at the completion of the Category D project.

Building/Flood Plain Dev. Permits:

Kay Ainslie – new shed and fence removal; and Rose Eisenbraun Potter – fence.

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

Special Event Application:

Motion was made by Pinney, seconded by Matt to formally approve the special event application submitted by Terry Holman to host a potluck in Firehall Park on Sept. 9, 2020. Motion carried.

Motion was made by Miller, seconded by Gartner to approve the Delta Dental’s insurance renewal at the same premiums for the policy period of Jan. 1 to Dec. 31, 2021. Motion carried.

Departmental Reports:

Administration

Motion was made by Pinney, seconded by Matt to approve the following Resolution #2020-12 as presented. Motion carried.

**RESOLUTION #2020-12
AUTOMATIC SUPPLEMENTAL APPROPRIATION**

WHEREAS, the City of Philip Municipal Airport has been awarded CARES Act grant funds from the Federal Aviation Administration (FAA) to help offset the decline in airport revenues arising from the COVID-19 public health emergency. Per the agreements with the FAA and State of South Dakota, the State will reimburse the City up to \$20,000 for airport operating expenses. In order to account for these additional funds and the expenditure shortfalls in 2020, it is proposed that the following automatic supplemental appropriations be and hereby is adopted in accordance with SDCL 9-21-9.2.

FROM:	101-00000-33170 Airport Improv Grant – Federal	\$ 2500.00
TO:	101-43500-42230 Airport Contract Services	\$ 600.00
	101-43500-42500 Airport Repair & Maint.	\$ 1500.00
	101-43500-42600 Airport Supplies	\$ 400.00

Approved this 5th day of October 2020.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Motion was made by Matt, seconded by Gartner to approve the following Resolution #2020-13 as presented. Motion carried.

**RESOLUTION #2020-13
AUTOMATIC SUPPLEMENTAL APPROPRIATION**

WHEREAS, the City of Philip has been awarded CARES Act grant funds from the State of South Dakota to address the COVID-19 public health emergency as outlined in Resolution #2020-06 and the Local Government COVID Recovery Fund Reimbursement Agreement. In order to account for these additional funds and the expenditures that were not previously appropriated for in 2020, it is proposed that the following automatic supplemental appropriations be and hereby is adopted in accordance with SDCL 9-21-9.2.

FROM:	101-00000-33114 CARES Act Grant - Federal	\$ 4000.00
TO:	101-45100-41100 Swimming Pool Salaries	\$ 3570.00
	101-45100-41200 Swimming Pool FICA/Med	\$ 230.00
	101-45100-42600 Swimming Pool Supplies	\$ 200.00

Approved this 5th day of October 2020.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Motion was made by Miller, seconded by Gartner to approve the following Resolution #2020-14 as presented. Motion carried.

**RESOLUTION #2020-14
SUPPLEMENTAL APPROPRIATIONS
CONTINGENCY TRANSFER**

WHEREAS, insufficient appropriation was made in the 2020 adopted budget for the following departments to discharge just obligations of said appropriations; and,

WHEREAS, SDCL 9-21-6.1 provides that transfers be made by resolution of the board from the contingency appropriation established pursuant to SDCL 9-21-6.1 to other appropriations;

NOW THEREFORE BE IT RESOLVED that the appropriation be transferred from the contingency budget to the following department budgets:

FROM:	101-41100-41150 Contingency	\$ 5000.00
TO:	101-41200-42600 Executive Supplies	\$ 100.00
	101-42200-42500 Fire Repair & Maint	\$ 200.00
	101-43100-42520 Street Equip Repair	\$ 2500.00
	101-43800-43311 R Site Improv Other-Non Cap	\$ 140.00
	101-44400-42600 Dog Kennel Supplies	\$ 60.00
	101-45100-42250 Pool Lifeguard Cert Fees	\$ 90.00
	101-45100-42260 Pool Am Red Cross Fees	\$ 60.00
	101-45100-43411 Pool Mach & Equip-Non Cap	\$ 1850.00

Dated this 5th day of October 2020.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Motion was made by Matt, seconded by Pinney to approve the website disclaimer and accessibility policies for the City. (These are on file in the Finance Office and will be posted on the website.) Motion carried.

Council reviewed an inquiry about single wide manufactured/mobile homes qualifying under City Ordinance #6-200.4, discretionary taxation for residential structures. It was noted that SDCL 10-6-35.2 does not specifically address these homes and in turn, it is a local decision to determine if they are eligible.

Discussion ensued. Comments were made regarding single wide manufactured/mobile homes not being considered a permanent structure. In addition, the majority are located in a manufactured home park on a rented lot.

Following, motion was made by Pelle, seconded by Matt to authorize only those manufactured/mobile homes located on a privately owned plot of land to qualify as a residential structure for the discretionary taxation as outlined in City Ordinance #6-200.4. Motion carried with all members voting aye.

Airport

Motion was made by Pinney, seconded by Gartner to approve the 2021 FAA Grant Initiation Request for Federal Assistance, and authorize the mayor's signature thereon. Motion carried.

Motion was made by Miller, seconded by Matt to approve the 2021 Airport Capital Improvement Plan as presented. Motion carried.

Garbage

Motion was made by Pinney, seconded by Miller to authorize advertising a reminder to all residents and businesses regarding garbage collection. More specifically, the requirement to bag all loose trash and use only approved garbage receptacles per City Ordinance #5-302. Motion carried.

Police

The quarterly report was reviewed with Chief Butler and Officer Buls.

Council was informed that the PEACE fund is open for the pipeline construction project. It was reported that they are accepting applications for preapproval of expenditures that may be incurred due to the pipeline (i.e. additional equipment, uniforms and personnel).

Following, motion was made by Pinney, seconded by Gartner to authorize submitting preapproval requests to the PEACE fund and advertise for part-time/temporary officers. Motion carried.

Rubble Site

Council reviewed the annual inspection report completed by the SD Dept. of Environment and Natural Resources on Sept. 9, 2020. It was noted that no discrepancies were reported.

It was also mentioned that the winter schedule will start on Nov. 1, 2020.

Street

The monthly report was reviewed.

Swimming Pool

Motion was made by Matt, seconded by Pinney to approve the final payment of \$35,199.00 to RenoSys for the PVC pool membrane project which was completed on Sept. 21, 2020. Motion carried.

Water

The monthly report was reviewed and noted the water loss for the month of September 2020 at 7.14%.

Council reviewed concerns with the City's artesian well that directly serves the Haakon County Highway Department, McQuirk, Michaels, Min-Kota Fisheries and Lake Waggoner Golf Course. More specifically, a leak(s) has been recently located on the well casing.

Mayor Vetter explained that both he and PWD Reckling have been working to locate a potential contractor to assess the well's condition and needed repairs. Currently, he is waiting to hear back from Westin Engineering who is familiar with these types of wells.

PWD Reckling went on to note that according to one contractor, "They are not interested in the work considering the depth and pressure of the well. If there are pinholes at the surface of the well, they are more than likely throughout the entire well. In addition, he stressed that the well may be leaking underground and could potentially blow from the bottom—damaging a large area." Reckling also mentioned that he recently noticed water seeping up through the road, east of the well.

Vetter further mentioned that this could be a considerable expense and questioned who would be responsible. The meetings hosted in 2004/2005 with the direct users to set up hot water well agreements and maintenance fund were referenced, noting that no action was taken due to the lack of interest.

By general consensus, Vetter and Reckling will continue to work with contractors to determine the needed repairs and obtain cost estimates.

Training/Travel:

Due to the 2020 SDML Annual Conference being cancelled, the SDML will be hosting the annual membership and affiliate business meetings virtually through Zoom. The meetings will be held Oct. 7th – 9th; and the log in information is available on the SDML website.

CA Smith will be attending a SDML Work Comp Board meeting on Nov. 5th – 6th in Pierre.

Interim Chief Bulls will be attending the LECC training on Nov. 17th – 18th in Sioux Falls.

CA Smith will be participating on the Transportation Alternatives Program (TAP) Recommendation Committee, meeting on Nov. 18th in Pierre.

At 7:34 p.m., motion was made by Pinney, seconded by Miller to enter into executive session per SDCL 1-25-2(1) and (3), personnel and legal. Motion carried.

At 8:10 p.m., motion was made by Gartner, seconded by Matt to adjourn executive session with the following action.

Motion was made by Gartner, seconded by Pinney to offer the open police officer position to Nathaniel Jordan at a starting wage of \$15.00 per hour, effective Dec. 1, 2020. Said offer is contingent upon fulfilling employment requirements. Motion carried with all members voting aye.

Public Comments: None.

In Other Business:

The next Regular Council Meeting will be held on Monday, Nov. 2nd at 7:00 p.m. in the Community Room or remotely via Zoom.

With no further business to come before the Council, Mayor Vetter declared the meeting adjourned at 8:12 p.m.

Michael Vetter, Mayor

ATTEST:

Brittany Smith, City Administrator

(Published once on Oct. 15, 2020, at approximate cost of \$_____)