

BERESFORD CITY COUNCIL
Tuesday, September 8, 2020

Members Present: Mayor Nathan Anderson presiding, Troy Boone, Gerald Dahlin, Troy Doeden, Art Schott, Teresa Sveeggen, and Mike Tiedeman

Also Present: Elaine Johnson, Finance Officer; Jerry Zeimetz, City Administrator; Sam Nelson (for Tom Frieberg), City Attorney

Adopt Agenda: A motion to adopt the amended agenda was made by Dahlin and seconded by Sveeggen. All present Council members voted aye; motion carried.

Meeting Minutes: A motion to approve the meeting minutes from August 17, 2020 was made by Sveeggen and seconded by Doeden. All present Council members voted aye; motion carried. A motion was made by Doeden and seconded by Sveeggen to approve the special meeting minutes from August 27, 2020. All present Council members voted aye; motion carried.

Visitors to be heard:

Peter Smith from the Rural Office of Community Services (ROCS) Transit was present to give Council an update on changes to the ROCS Transit Program. Council thanked him for his time.

Jerry Spethman, a representative from D.A. Davidson Companies gave a presentation to Council in regard to proposed refunding of 2012 and 2013 Certificates of Participation and 2012 GO Bond. Following discussion, the following motions were made:

- Resolution 2020-11 – Refunding COP Series 2012A – Bridges Golf Course: A motion was made by Doeden to approve Resolution 2020-11, refunding Certification of Participation Series 2012A for Bridges Golf Course, so long as there is a net present value savings (NPVS) of \$6000. The motion was seconded by Sveeggen and all present Council members voted aye; motion carried.

Resolution 2020-11 (published separate of minutes)

- Resolution 2020-12 – Refunding COP Series 2012B – West Substation: A motion was made by Doeden to approve Resolution 2020-12, refunding Certification of Participation Series 2012B for the West Substation, so long as there is a net present value savings (NPVS) of \$7000. The motion was seconded by Tiedeman and all present Council members voted aye; motion carried.

Resolution 2020-12 (published separate of minutes)

- Resolution 2020-13 – Refunding COP Series 2013 – Bridges Clubhouse/Event Center: A motion was made by Doeden to approve Resolution 2020-13, refunding Certification of Participation Series 2013 for the Bridges Clubhouse/Event Center, so long as there is a net present value savings (NPVS) of \$28,000. The motion was seconded by Schott and all present Council members voted aye; motion carried.

Resolution 2020-13 (published separate of minutes)

- Resolution 2020-14 – Refunding GO Bond Series 2012 – Lewis and Clark Regional Water: A motion was made by Doeden to approve Resolution 2020-14, refunding General Obligation Bond Series 2012 for the Lewis and Clark Regional Water System, so long as there is a net present value savings (NPVS) of \$29,000. The motion was seconded by Dahlin and all present Council members voted aye; motion carried.

Resolution 2020-14 (published separate of minutes)

Old Business

Second Reading and Adoption of Ordinance 2020-05: A motion to adopt Ordinance 2020-05, an ordinance regulating landscaping around electrical structures, was made by Sveeggen and seconded by Doeden. All present Council members voted aye; motion carried.

Ordinance 2020-05 (published separate of minutes)

Lewis and Clark Regional Water System: The final True Up cost for the Lewis and Clark Regional Water System is \$113,224.43. A payment of \$28,000 has been budgeted in 2021 as the first payment; this obligation will be paid off in approximately four years.

New Business

Ordinance 2020-06: City Administrator Zeimetz reviewed and discussed at length the 2021 budget with Council. The first reading of Ordinance 2020-06 - Fiscal Year 2021 Appropriations was held and placed on file at City Hall.

Resolution 2020-15: A motion was made by Schott to approve Resolution 2020-15, a resolution to establish cost for a full-service on-sale restaurant license. The motion was seconded by Tiedeman and all present Council members voted aye; motion carried.

RESOLUTION NO. 2020-15

RESOLUTION ESTABLISHING THE FEE FOR ON-SALE LIQUOR LICENSES FOR FULL-SERVICE RESTAURANTS IN THE CITY OF BERESFORD, SOUTH DAKOTA

BE IT RESOLVED by the City Council for the City of Beresford, Lincoln and Union Counties, South Dakota,

WHEREAS, the City of Beresford adopted Ordinance 2020-04 establishing procedures for the issuance and regulation of on-sale liquor licenses for full-service restaurants in the City of Beresford, South Dakota; and

WHEREAS, pursuant to Ordinance 2020-04 and SDCL 35-4-117, the City Council is required to establish the fair market value of full-service restaurant licenses; and

WHEREAS, the City Council has determined that the fair market value to be established by ordinance and under state statute is less than the minimum license fee required,

NOW THEREFORE, be it resolved by the City Council of the City of Beresford, Lincoln and Union Counties, South Dakota that the initial license fee for the issuance of a full-service restaurant on-sale liquor license shall be Two Thousand Five Dollars (\$2,005.00), One Dollar (\$1.00) for each person reported in the most recent Beresford decennial census and that said fee shall be effective for a period of ten (10) years after the adoption of Ordinance 2020-04 unless a population growth reported by the federal decennial census requires an increase in the fee, which said increase shall be approved by the City Council by further resolution after the federal decennial census is released.

Dated this 8th day of September, 2020.

CITY OF BERESFORD

Nathan Anderson, Mayor

ATTEST:

Elaine Johnson, Finance Officer

Resolution 2020-16: Following discussion, a motion was made by Doeden to approve Resolution 2020-16, a resolution amending sewer rates, to be effective on November 1, 2020 bills. The motion was seconded by Tiedeman and all present Council members voted aye; motion carried.

RESOLUTION NO 2020-16

A RESOLUTION AMENDING SEWER RATES TO USERS OF THE CITY'S WASTEWATER SYSTEM

WHEREAS, the Beresford City Council believes that it is necessary and in the best interest of the City of Beresford, in order to pay all costs for the operation and maintenance of the sewer system, to amend the rates for the collection and disposal of wastewater provided by the City of Beresford; and

WHEREAS, Section 8.0103 of the Beresford Municipal Ordinances gives the Beresford City Council the authority to revise sewer rates by Resolution of the Beresford City Council; and

WHEREAS, the City has determined that it is necessary to make certain modifications and improvements to the City's wastewater system; and

NOW, THEREFORE, BE IT RESOLVED by the Beresford City Council as follows:

SECTION 1. The sewer rate structure will be as follows:

1. All residential customers shall pay a minimum monthly fee of thirteen dollars and sixty cents (\$13.60) plus two dollars and thirty-five cents (\$2.35) per one thousand gallons of water used per month in excess of one thousand gallons up to a maximum of 5,000 gallons. There will be no consumption charge for any additional water used over 5,000 gallons.

All commercial and industrial customers shall pay a minimum monthly fee of thirteen dollars and sixty cents (\$13.60) plus two dollars and thirty-five cents (\$2.35) per one thousand gallons of water used per month.

2. Four dollars and seven cents (\$4.07) of the minimum monthly fee shall be classified as the Surcharge for Sanitary Sewer Pipe Replacement Project C461187-02 and three dollars and seven cents (\$3.07) of the minimum monthly fee shall be classified as the Surcharge for SD Hwy 46 Sanitary Sewer Improvements Project C461187-03. The Surcharge rates shall be subject to adjustment from time to time by resolution of the City as necessary to repay the Project financing, in accordance with any loan agreement to be entered into by the City and the South Dakota Conservancy District.
3. The revenues collected from the Surcharges shall be segregated from all other funds of the City, and shall be pledged to secure the Bond, and until adequate provision has been made for the debt service on the Bond, shall be used for no purpose other than for the repayment thereof. The Bond shall be payable solely from and secured solely by such segregated revenues, and not from the general revenues of the Wastewater System; provided that the City may from time to time advance moneys from the general

revenues of the Wastewater System to make payments on the Bond, but any moneys so advanced shall be repaid from Surcharge collections within one year of the date of such advance.

4. The Surcharges shall automatically expire without the necessity of further action of the City upon retirement or full defeasance of the Bond.

SECTION 2. This rate change is effective beginning with the November 1, 2020 bills.

Adopted this 8th day of September, 2020.

Nathan Anderson, Mayor

ATTEST:

Elaine Johnson, Finance Officer

Petition for Annexation: A petition submitted by Glyndon and Mary Knutson to annex the following property into Beresford City limits was discussed: Lot 1 of Curve Addition in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 8, Twsp 95, R 50 W of the 5th PM, Union County, SD.

Resolution 2020-17: A motion to approve Resolution 2020-17, a resolution of annexation, was made by Dahlin and seconded by Schott. All present Council members voted aye; motion carried.

RESOLUTION NO 2020-17

RESOLUTION OF ANNEXATION

BE IT RESOLVED by the City Council for the City of Beresford, Lincoln and Union Counties, South Dakota,

WHEREAS, the City of Beresford has received a petition for the annexation of certain real property located in Union County, South Dakota, which is legally described as follows, to-wit:

Lot 1 Curve Addition in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4), Section 8, Township 95 North, Range 50 West of the 5th P.M., Union County, South Dakota.

WHEREAS, all of the owners of the described property have consented to and requested annexation; and

WHEREAS, there are no registered voters residing on said property; and

WHEREAS, the property is contiguous to the existing boundaries of the city limits for the City of Beresford, South Dakota;

NOW THEREFORE, be it resolved that the above described property is hereby annexed into the municipal boundaries of the City of Beresford, Union and Lincoln Counties, South Dakota:

BE IT FURTHER RESOLVED, a copy of this Resolution of Annexation be delivered to Union County for purposes confirming the changes to the city boundaries.

Dated this 8th day of September, 2020.

CITY OF BERESFORD

Nathan Anderson, Mayor

ATTEST:

Elaine Johnson, Finance Officer

Pay Request #2: A motion was made by Doeden to approve pay request #2 from Altitude Energy in the amount of \$168,294.99 for East Substation construction and West Substation modifications. The motion was seconded by Schott and all present Council members voted aye; motion carried.

2020-21 Safety Management Program Contract: A motion was made by Schott and seconded by Dahlin to approve the 2020-21 Safety Management Program contract with the Minnesota Municipal Utilities Association in the amount of \$11,700.00. All present Council members voted aye; motion carried.

Encroachment Easement: A request for an encroachment easement for the property at 303 N. 4th Street was discussed. A motion to approve the encroachment easement was made by Schott and seconded by Sveeggen. All present Council members voted aye; motion carried.

Appointment to Library Board: A motion was made by Boone to approve the appointment of Laura Hoelsing to the Library Board for a 3-year term expiring June, 2023. The motion was seconded by Doeden and all present Council members voted aye; motion carried.

Step Pay Increase: Doeden made a motion, and Schott seconded, to approve a step-pay increase for Kathy Stuessi from \$18.34/hour to \$18.85/hour, effective August 27, 2020. All present Council members voted aye; motion carried.

Subsidy Drawdown Requests:

- A motion was made by Doeden and seconded by Dahlin to approve the 2020 budgeted subsidy drawdown request from the Beresford Women Entrepreneurs for \$1500. All present Council members voted aye; motion carried.
- Dahlin made the motion, seconded by Doeden, to approve the 2020 budgeted subsidy drawdown request from the Beresford Community Cupboard in the amount of \$2500. All present Council members voted aye; motion carried.

Payment of Bills: A motion to pay the following bills was made by Doeden and seconded by Tiedeman; all present Council members voted aye; motion carried.

A-1 Portable Toilets, rental, \$128.00; AFLAC, ins., \$1591.98; Altitude Energy, east substation, \$168,294.99; Appeara, service, \$669.96; Azar Comp. Software, digital serv. ctr., \$250.00; Badger Comm., resale, \$188.99; Baker & Taylor, books, \$372.33; Beal Dist., beer, \$3517.45; Beresford Cablevision, CATV, \$409.00; BMTC, switch bldg. rent, \$18,915.73; Beresford Mun. Util., utility bills, \$20,434.21; Beresford Republic, publishing, \$338.25; Big 10, affiliate fees, \$101.76; Border States Elec., east substation, \$1094.85; Beresford Com. Food Cupboard, 2020 subsidy, \$2500.00; Canon Fin. Serv., copier contract, \$177.00;

Carlson's Body Shop, service, \$887.92; Cengage Learning, books, \$108.16; CenturyLink, toll settlement, \$68.40; Chesterman Co., resale, \$1044.59; CHS, fuel, \$3416.48; City of Vermillion, tipping fees, \$6672.33; Colonial Life, insurance, \$31.04; Concrete Materials, asphalt/chip seal, \$14,889.29; Consortia, consulting fee, \$3500.00; D&D Door, service, \$174.90; D&R

Elec., sewer lift, \$217.35; Dakota Bev., beer, \$2375.94; Decker Drilling & Excavating, bore, \$663.27; Delta Lighting Prod., COVID supplies, \$388.18; Delta Star, east substation, \$613,343.20; DGR Engineering, east substation, \$7645.00;

EFTPS, fed. excise tax, \$668.22; Fiber Ring Rev., pooling fees, \$4294.89; Fiesta Foods, supplies, \$166.82; Fox Sports, affiliate fees, \$3409.38; Gov't Brands Shared Serv., hosting fee, \$780.00; Gray Tele. Group, affiliate fees, \$4529.25; Grossenburg Implement, grease, \$84.80; GT Golf Sup., merchandise, \$261.87; Heartland Pymt. Sys., CC fees, \$1355.50; Heartland Sports, golf nets, \$2994.60; Heggies Pizza, resale, \$553.30; Hillyard, supplies, \$407.26; iconective, annual operating exp., \$377.89; Interstate TRS Fund, TRS fund, \$450.63; Johnsen H&C, AC service, \$431.64; Johnson Bros. Famous Brands, liquor, \$922.28;

KTTW Fox, affiliate fees, \$1879.20; L&C Rural Water, water, \$24,781.84; Library of Congress, copyright fee, \$789.78; Locators & Supplies, cable repair, \$229.55; Loffler, contract charge, \$304.18; Loren Fischer, disposal serv., \$5045.37; Madison Group, transmission equip., \$5692.00; Mid America Comp. Corp., billing fees, \$2908.02; Midwest Tape, books, \$492.08; Midwest Turf & Irr., equip. repair, \$185.97; Modular Protection, fire protection system, \$870.00; Missouri River Energy Serv., hydro/suppl. power, \$218,481.05; Mr. Golf Car, lease cars, \$3262.50; Nat'l Cable TV, affiliate fees, \$22,105.57;

Kevin/Dyan Nelson, refund, \$83.86; NY Life, ins., \$108.00; Nexstar Broadcasting, affiliate fees, \$2584.88; Northern Plains Lumber, \$18.69; Olson's Pest Tech., service, \$47.00; Patriot Comm., FTTH construction, \$6284.00; Pederson Machine, equip. repair, \$157.22; Power & Tel, transmission equip., \$7597.26; Quill Corp., supplies, \$370.33; Ben Reiter, mileage/supplies, \$61.52; Republic Nat'l Dist., liquor, \$1502.09; RESCO, east substation, \$39,828.00; Sanitation Prod., street sweeper, \$807.10; SD Lottery, renewal, \$100.00; SD Dept of Rev., sales tax, \$30,424.39; E911 surcharge, \$740.00;

SD Public Health Lab, water labs, \$30.00; SD State Treas., telecom relay svc., \$101.45; Sec. of State of SD, notary public, \$30.00; Sensource, platinum shield prog., \$220.00; Shegrud Backhoe Serv., water line repair, \$550.80; Showtime Networks, affiliate fees, \$95.76; Simplot Grower Sol., spray for landfill, \$360.90; Southeastern Elec., well #2, \$238.56; Southern Glazers, liquor, \$1150.84; SpotOn, CC fees, \$326.11; T Time Golf, merchandise, \$1384.70; Mike Tadlock, refund, \$56.90; Taylor Made Golf Co., merchandise, \$489.60; Techline, east substation, \$3811.50; The Tessman Co., grass seed, \$238.00;

The Road Guy Const. Co., asphalt mix, \$1917.00; Tifoci Optics, clothing, \$277.01; Toast, subsc., \$103.31; Total Stop Conv. Store, fuel, \$1597.41; UPS, shipping fees, \$124.00; US Foods, supplies, \$1956.22; USAC, schools & libraries, \$2051.62; US Bank, water SRF, \$27,792.93; Valmont/Newmark, east substation, \$14,277.00; Vantage Point, CALEA, \$160.00; Walt's Homestyle Foods, resale, \$40.00; WESCO Dist., east substation, \$26,737.05; WGN, affiliate fees, \$151.87; Wholesale Supply Co., supplies/resale, \$599.18; Women Entrep., 2020 subsidy, \$1500.00.

August 2020 Payroll Totals: Finance \$5133.54; Gov't Bldg. \$132.60; Police, \$22,276.90; Street, \$15,532.88; Parks, \$6345.82; Liquor Store \$7399.92; Water \$6113.34; Electric, \$27,120.36; Sewer \$8619.07; Telephone \$34,744.82; Rubble/Recycling \$1767.34; Library \$8651.64; Swimming Pool \$7738.51; City Administrator \$7557.24; Golf Course \$5253.88; Clubhouse \$12,122.61; Event Center \$332.50.

Adjournment: The meeting was adjourned at 8:27 p.m. through a motion from Doeden and a second from Dahlin. All present Council members voted aye; motion carried.

Elaine Johnson, Finance Officer
Recorded by Kathy Stuessi