

**CITY OF SISSETON
CITY COUNCIL MEETING
April 10, 2023
AGENDA
Sisseton City Hall – 6:30 p.m.**

1. Call to Order
2. Adopt Agenda
3. Minutes – March 13, 2023
4. Bills Payable
5. Reports:
 - a. Liquor
 - b. Police
 - c. Street/Safety
 - d. Water/Sewer
 - e. Building Permits
 - f. Finance
 - g. City Attorney
6. Public Comment
7. Public Hearing:
 - a.
8. Visitors:
 - a.
9. Travel Approval:
 - a. PD Criminal Patrol Tactics Training: Sisseton – May 16-18, 2023
 - b. Van Diest Mosquito Workshop: Aberdeen, SD April 19, 2023
10. New Business:
 - a. Fire Dept. New Member
 - b. Authorize bid solicitation for Chip Seal & Street Patching Projects
 - c. Stanek Constructors: Pay Request #5 – Water Treatment Plant Project
 - d. Authorize Mayor to sign Helms & Associates Amendment #2 to Agreement for Professional Services for AIP 3-46-0051-20-2022
 - e. Airport Fence Improvement Project AIP 3-46-0051-021-2023 Bid: – Accept or Reject Bid
 - If Bid Accepted: Authorize Mayor to sign FAA Grant Application for Airport Fence Improvement Project
 - If Bid Rejected: Authorize Re-solicitation of Bids
11. Ordinances and Resolutions:
 - a. Resolution 2023-1: SWO Warming Shelter Sprinkler Waiver
12. Executive Session SDCL 1-25-2 (1) Personnel & (4) Contract Negotiations
13. Information and Discussion Items:
 - a. Stavig House Museum – SD Hall of Fame Acts of Excellence Award
 - b. City Wide Clean-up
14. Mayor/Council Member Reports
15. Such Additional Items Which May properly come before the Council
16. Adjourn

The public is welcome to join the City Council meeting virtually via zoom:
Go to website: zoom.us/join
Meeting ID: 824 0468 1727
Passcode: 531506

Or contact City Hall at 698-3391 and a link can be e-mailed to you
THE MEETING IS OPEN TO THE PUBLIC – DOORS OPEN AT 6:00 PM

The City Council for the City of Sisseton met in regular session on Monday, March 13, 2023 at 6:30 p.m.

Members Present: Mayor Jaspers, Alderwomen Appel & Randolph, Aldermen German and Stapleton. Alderman Solberg was absent.

Others Present: Erin Cameron, Amber Kemnitz, Jim Croymans, Myron Doud, Gary Spencer, Jason Deutsch, Jeff Pageler, Terry Sutton

Others Present via Zoom: Payton Carda

Call to Order: Mayor Jaspers called the meeting to order at 6:30 p.m.

Agenda: German moved and Just seconded to approve agenda as presented. All voted aye.

Minutes: Stapleton moved and Randolph seconded to approve the February 13, 2023 minutes. All voted aye.

Bills Payable: Randolph moved and Stapleton seconded to approve the bills payable as presented. All voted aye.

Liquor: Council received the February 2023 liquor report.

Police: Croymans reported on police department.

Street/Safety: Doud reported for street department. Alderman Solberg arrived at 6:35 p.m. Council discussed the possibility of providing garbage service to RC jail and were in agreement to provide the service as an exception to a government entity.

Water/Sewer: Spencer reported for the water and sewer department.

Building Permits: None

Finance Report: Just moved and Solberg seconded to approve the February 2023 finance report. All voted aye.

City Attorney: No Report

Public Comment: None

Visitors: Payton Carda with First District Association of Local Governments discussed the Roberts County Pre-Disaster Mitigation Plan.

Travel: German moved and Stapleton seconded to approve travel for Chief Croymans to attend the SD Police Chiefs Conference in Deadwood, SD on April 11-13, 2023, for Sergeant Stauss to attend taser instructor certification course in Madison, SD on May 19, 2023 and for Officer Searles to attend DARE training in Pierre, SD on June 12-23, 2023. All voted aye.

Patrol Officer Employment: Appel moved and German seconded to hire Dillon Lentsch as a full time patrol officer at a wage of \$22.50/hr. All voted aye.

Solberg moved and Randolph seconded to hire Devon Appel as a full time community service officer at a wage of \$22.50/hr. All voted aye.

Employment Agreement: Just moved and Stapleton seconded to approve employment agreement for Public Works Department. All voted aye.

Airport Fence Project Bid Solicitation: German moved and Randolph seconded to authorize solicitation of bids for the Airport Fence Improvement Project: AIP 3-46-0051-021-2023. All voted aye.

Pickleball Court: Mayor Jaspers has received requests from the public to set up a pickleball court. Council was in agreement to utilize the old tennis court as a pickleball court. Mayor Jaspers will discuss plans with park and rec boards.

Special Event Application: Solberg moved and German seconded to approve Special Event Application submitted by the Friends and Neighbors Club for a Carnival in and around Anderson Park on May 31 – June 3, 2023. All voted aye.

Resolution 2023-2: Plat: Stapleton moved and Just seconded to approve Resolution 2023-2 as follows: BE IT RESOLVED by the City Council of Sisseton, South Dakota in a regular meeting assembled that the plat of Block 5 & 6 of Mouw's Subdivision to the City of Sisseton, Roberts County, South Dakota, located in the SW1/4 Section 27, T126N, R51W of the 5th P.M., Roberts County, South Dakota be approved this 13th day of March 2023 in accordance with the provisions of SDCL Chapter 11-3 and all acts amendatory thereto.

Dated at Sisseton, Roberts County, South Dakota this 13th day of March 2023.

All voted aye.

Ordinance 687: Just moved and Appel seconded to pass the second reading and adoption of Ordinance 687 DISCRETIONARY TAX FORMULA.

Upon roll call vote, voting aye were Appel, Just, Stapleton, Solberg, Randolph and German. Motion carried.

Resolution 2023-1: SWO Warming Shelter Sprinkler Waiver: No action by City Council.

Information & Discussion: The April 11, 2023 municipal election is canceled.

SDML District 1 Annual Meeting will take place in Sisseton on March 14, 2023. Council received an offer to purchase surplus property that was advertised for bid in July 2022 but did not receive any bids.

Surplus Property: German moved and Randolph seconded to accept \$900.00 for the sale of surplus lots 10-12 in block 88. All voted aye.

Alderman Solberg would like to explore purchasing a fuel tank for the city shop to purchase bulk fuel for equipment. Alderman Just brought up contacting a contractor to look at re-siding the sanitation shop. Mayor Jaspers congratulated the Sisseton Redmen Girls Basketball team on achieving 3rd place at the State Tournament as well as the Cheerleaders who were awarded the Spirit of Six Award and Students from Sisseton School who performed the National Anthem.

Adjourn: Appel moved and Just seconded to adjourn. All voted aye. Meeting adjourned at 7:50 p.m.

**City of Sisseton
Liquor Store Report
March 2023**

Liquor Store Deposits	113,700.87
Less Sales Tax	-7,898.66
Gross Liquor Store Sales	105,802.21
Opening Inventory	158,142.55
Purchases	80,238.74
Total Merchandise	238,381.29
Closing Inventory	-180,668.82
Cost of merchandise for sale	57,712.47
Liquor Store Profit	48,089.74
Less Expenses	-22,278.81
Net Liquor Store Profit	25,810.93

10% tax on clubs

End Zone	532.17
Hickory St. Kitchen & Cocktails	360.79
Rosalie's	141.35
Taco's El Bajjo	22.50
Doubletree Gallery	0.00
Dollar General	274.51
Freddie's Casino	0.00
Holiday	1,520.74
Hwy 10 Casino	72.42
K&K	1,832.94
Stillsons	974.73
The Soiree'	16.03
Total	5,748.18

Other Expenses

Salaries	15,981.02
FICA	1,206.05
Retirement	770.84
Work Comp	0.00
Group Insurance	1,512.76
Unemployment Insurance	0.00
Insurance/Prof Services	0.00
Publishing	0.00
Repair	0.00
Supplies	1,840.95
Equipment	0.00
Utilities	967.19
Total Expense	22,278.81

Breakdown - Liquor Store Deposits

Beer	42,252.10
Whiskey	55,176.03
Wine	4,623.35
Pop/Miscellaneous	2,186.44
Tobacco	1,496.74
Ice	66.00
Total	105,800.66

Net liquor store profit plus 10% from clubs

31,559.11

CITY OF SISSETON - FINANCE REPORT

March 2023

Balance last report		16,651,102.64
Receipts this month		
Property Tax	0.00	
Sales Tax	116,284.11	
Amusement Tax	0.00	
Building Permits	0.00	
Peddler/Pawnshop License	0.00	
Dog License	24.00	
Liquor/Malt Bev/Cannabis License	0.00	
Video Lottery License	150.00	
State/Federal Grants	4,811.21	
State/County Shared Revenue	252.71	
Bank Franchise	0.00	
Motor Vehicle License	0.00	
Local Hwy/Bridge Fund	0.00	
Sisseton Housing Pmt in Lieu of Taxes	0.00	
Accident Reports/Bike licenses	36.00	
Sales/Excise Tax	361.37	
Fire Dept Fees	13,082.84	
Hwy & Street	0.00	
Library/Recreation Fees	5,559.63	
Av Gas sales	383.46	
Fines	71.63	
Interest	40,798.55	
Rentals	9,579.00	
Rubble Site Charges	0.00	
Cable TV Franchise	0.00	
Contributions and Donations	2,368.24	
Miscellaneous (Includes pmt for SRO)	3,415.00	
Sale of Fixed Assets	0.00	
Compensation for loss-insurance proceeds	0.00	
Third Cent Sales Tax	8,996.69	
Liquor Sales	105,802.21	
Sales Tax	7,898.66	
Operating Agreements	0.00	
10% Beverage Mark Up	3,513.51	
Other Liquor Revenue	0.00	
Federal Grant - Water Fund	0.00	
Utility receipts	117,352.42	
Bulk Water	0.00	
Sale of Water Supplies	1,364.00	
Sales Tax	0.00	
Sewer - Land Rent	8,379.98	
Other Solid Waste	132.92	
Total Receipts		450,618.14
<u>Total Expense</u>		<u>337,383.50</u>
Cash Balance End of Month		16,764,337.28

Respectfully Submitted by Amber Kemnitz, Finance Officer

Revenue - March 2023

	<u>Anticipated</u>	<u>YTD Revenue</u>	<u>Balance</u>
General Fund			
Property Tax	775,000.00	19,139.47	755,860.53
Sales Tax	1,350,000.00	201,505.50	1,148,494.50
Amusement Tax	325.00	0.00	325.00
Building Permits	1,000.00	65.00	935.00
Pawnshop License	200.00	0.00	200.00
Peddler License	100.00	0.00	100.00
Dog License	350.00	32.00	318.00
Liquor & Malt Beverage License	6,500.00	0.00	6,500.00
Cannabis License	5,000.00	5,000.00	0.00
Video Lottery Fees	2,500.00	2,950.00	-450.00
Federal Grants	0.00	10,613.91	-10,613.91
State Grants	0.00	599.34	-599.34
Bank Franchise Fee	15,000.00	9,083.36	5,916.64
Liquor Tax Reversion	16,000.00	0.00	16,000.00
Motor Vehicle License	35,000.00	5,811.33	29,188.67
Local Hwy/Bridge Fund	70,000.00	0.00	70,000.00
Other State Share Revenue	0.00	252.71	-252.71
Payment in Lieu of Tax	25,000.00	0.00	25,000.00
County Road Tax	2,200.00	0.00	2,200.00
Accident Reports	150.00	44.00	106.00
Fire Dept Townships	34,000.00	18,457.03	15,542.97
BIA/SWST Fire Dept	0.00	0.00	0.00
Fire Dept Ins Co & Individual Pmts	2,500.00	1,250.00	1,250.00
Hwy & Street	500.00	0.00	500.00
Recreation	12,500.00	5,483.57	7,016.43
Library Card Fees	500.00	104.23	395.77
AV Gas (Airport)	15,000.00	663.12	14,336.88
Fines	400.00	234.13	165.87
Dog Keeping	300.00	147.50	152.50
Interest	7,500.00	113,270.24	-105,770.24
Rentals	30,000.00	11,718.90	18,281.10
Rubble Site Charge	150.00	0.00	150.00
Private Donations	0.00	400.00	-400.00
Cable TV Franchise Fee	20,000.00	0.00	20,000.00
Other Miscellaneous Revenue	35,000.00	10,221.00	24,779.00
Dividend Income	0.00	0.00	0.00
Sale of General Fixed Assets	0.00	0.00	0.00
Compensation for loss-ins. proceeds	0.00	1,772.12	-1,772.12
<u>Operating Transfers In</u>	<u>100,000.00</u>	<u>0.00</u>	<u>100,000.00</u>
Total General Fund	2,562,675.00	418,818.46	2,143,856.54
Liquor, Lodging & Dining Sales Tax	85,000.00	13,306.02	71,693.98
Liquor	1,207,800.00	298,319.12	909,480.88
Water	531,500.00	124,930.48	406,569.52
Sewer	467,300.00	117,093.15	350,206.85
Sanitation	340,250.00	90,644.81	249,605.19
Total City Funds	5,194,525.00	1,063,112.04	4,131,412.96

Expenditures - March 2023

	<u>Appropriation</u>	<u>YTD Expense</u>	<u>Balance</u>
General Fund			
Legislative	54,850.00	7,245.33	47,604.67
Contingency	100,000.00	0.00	100,000.00
Executive	12,500.00	4,314.53	8,185.47
Elections	2,000.00	18.30	1,981.70
Legal	14,000.00	1,338.75	12,661.25
Finance Office	96,050.00	22,113.26	73,936.74
Financial Administration	53,000.00	0.00	53,000.00
General Government Building	55,800.00	9,495.07	46,304.93
Police	650,400.00	171,207.15	479,192.85
Fire	155,800.00	19,723.56	136,076.44
Street Department	863,000.00	25,542.40	837,457.60
Snow Removal	88,500.00	70,783.35	17,716.65
Street Lighting	65,000.00	11,465.97	53,534.03
Street Cleaning	11,000.00	0.00	11,000.00
Airport	42,500.00	19,875.24	22,624.76
Health	18,000.00	2,211.60	15,788.40
Recreation	65,000.00	445.59	64,554.41
Parks	27,650.00	2,722.75	24,927.25
Library	165,200.00	38,357.48	126,842.52
Economic Development	56,600.00	8,000.00	48,600.00
Capital Outlay	<u>90,000.00</u>	<u>0.00</u>	<u>90,000.00</u>
Total General Fund	2,686,850.00	414,860.33	2,271,989.67
Special Revenue Fund-Promotion	85,000.00	3,139.55	81,860.45
Enterprise Funds			
Liquor	1,197,800.00	186,595.00	1,011,205.00
Water	3,585,600.00	235,092.64	3,350,507.36
Sewer	177,800.00	25,820.43	151,979.57
Garbage	355,700.00	71,175.41	284,524.59
Total City Funds	8,088,750.00	936,683.36	7,152,066.64

**City of Sisseton
Cash Fund Balance
March 2023**

Cash by Fund

General Fund	7,344,093.51
Lodging & Dining Sales Tax Fund	299,584.12
Liquor Fund	1,086,201.08
Liquor Fund - Change	900.00
Water Fund	4,627,566.66
Water Fund - Change	200.00
Sewer Fund	2,948,103.34
<u>Garbage Fund</u>	<u>457,688.57</u>
Total	16,764,337.28

Bank Reconciliation

Checking Account First Savings Bank	4,728,639.13
FIT GCR Acct	10,853,414.45
Wells Fargo Acct #4231	599,864.70
Dacotah Bank 7/23/23	522,150.80
RCNB - Library Trust	59,168.20
<u>Change Fund</u>	<u>1,100.00</u>
Cash Balance	16,764,337.28

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract):		Sisseton Drinking Water Treatment Facility		Application Number: Pay app 5					
Application Period:		Pay Application 5		Application Date: 4/6/2023					
Bid Item No.	Item Description	Contract Information				E	F	Balance to Finish (B - F)	
		Item Quantity	Units	Unit Price	Total Value of Item (\$)				
1	Mobilization	1	LS	\$190,000	\$190,000		\$190,000	100%	
2	Cleaning and Grubbing & Removals	1	LS	\$5,500	\$5,500		\$5,500	100%	
3	Unclassified Excavation (excluding foundation excavation and backfill)	797	CuYd	\$10	\$7,970		\$5,000	63%	\$2,970
4	Contractor Furnished Borrow Material	2,346	CuYd	\$18	\$42,228				\$42,228
5	Topping From Stockpiles	401	CuYd	\$13	\$5,213				\$5,213
6	Seeding, Fertilizing and Mulching	0.75	Acres	\$4,200	\$3,150				\$3,150
7	Erosion Control Blanket	2,500	SqYd	\$3	\$7,500				\$7,500
8	6" Concrete Apron	1800	SqFt	\$14	\$25,200				\$25,200
9	4" Concrete Sidewalk	875	SqFt	\$10	\$8,750				\$8,750
10	6" Gravel Surfacing	264	Tons	\$25	\$6,600				\$6,600
11	Base Course (depth varies)	150	Tons	\$25	\$3,750				\$3,750
12	Asphalt Paving, Class G, Type 1, PG 58-28	50	Tons	\$110	\$5,500				\$5,500
13	12" PVC Water Piping	154	L.S.	\$120	\$18,480	40	\$4,800	26%	\$13,680
14	12" PVC Sewer Piping	30	L.S.	\$132	\$3,960				\$3,960
15	8" PVC Water Piping	130	L.F.	\$85	\$11,050	40	\$3,400	31%	\$7,650
16	12" Ductile Iron (Below Grade)	120	L.F.	\$200	\$24,000	60	\$12,000	50%	\$12,000
17	8" Ductile Iron (Below Grade)	35	L.F.	\$190	\$6,650	35	\$6,650	100%	
18	4" Sewer Service Piping and Connection to Main	25	L.F.	\$180	\$4,500				\$4,500
19	Concrete Manhole and Casting	1	L.S.	\$4,200	\$4,200		\$4,200	100%	
20	8" D.I. Wye w/ Cap	1	Each	\$3,200	\$3,200				\$3,200
21	12" D.I. Wye w/ Cap	2	Each	\$3,750	\$7,500				\$7,500
22	8" Gate Valve w/ Box	1	Each	\$3,650	\$3,650				\$3,650
23	12" Gate Valve w/ Box	2	Each	\$6,500	\$13,000				\$13,000
24	Connect to Existing 12" Raw Water	1	L.S.	\$7,000	\$7,000				\$7,000
25	Connect to Existing 8" Backwash Supply	1	L.S.	\$6,000	\$6,000				\$6,000
26	Connect to Existing 12" Potable Water	1	L.S.	\$7,000	\$7,000				\$7,000
27	Connect to Existing Sewermain and Services Complete	1	L.S.	\$2,500	\$2,500				\$2,500
28	10" Saddle w/ 1-1/2" Corporation Stop	1	Each	\$1,000	\$1,000				\$1,000
29	1-1/2" Curb stop w/ Box	1	Each	\$1,000	\$1,000				\$1,000
30	1-1/2" PE Water Service Pipe	1	L.S.	\$8,500	\$8,500				\$8,500
31	6" Storm Sewer	132	FT	\$65	\$8,580				\$8,580
32	Storm Sewer Gutter Connection/Cleanout	2	Each	\$750	\$1,500				\$1,500
33	Storm Sewer/Underdrain Outlet Structure	2	Each	\$750	\$1,500				\$1,500
34	4" PVC Sch 40 Underdrain w/ Sock	336	L.F.	\$35	\$11,760				\$11,760
35	4" PVC Underdrain Cleanouts and Fittings	3	Each	\$400	\$1,200				\$1,200

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract):		Sisseton Drinking Water Treatment Facility										Application Number: Pay app 5	
Application Period:		Pay Application 5										Application Date: 4/6/2023	
Bid Item No.	Item Description	Contract Information				B		C	D	E	F		
		Item Quantity	Units	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date				Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)
36	Interior Raw, Backwash, Filtered, Potable Piping, Valves and Appurtenances	1	L.S.	\$175,000	\$175,000								\$175,000
37	Gas Chlorine Chemical Feed System, Complete Allowance	1	L.S.	\$44,500	\$44,500								\$44,500
38	Potassium Permanganate Chemical Feed System, Complete, Allowance	1	L.S.	\$27,700	\$27,700								\$27,700
39	Fluoride Chemical Feed System, Complete, Allowance	1	L.S.	\$32,200	\$32,200								\$32,200
40	700 GPM Packaged Gravity Filter, Complete	1	L.S.	\$1,010,500	\$1,010,500								\$754,664
41	8" Magnetic Flow Meter	1	L.S.	\$6,500	\$6,500				\$255,836		\$255,836	25%	\$6,500
42	6" Magnetic Flow Meter	1	L.S.	\$5,500	\$5,500								\$5,500
43	3" Pressure Relief Valves, Remove and Replace Existing in Booster Station	2	Each	\$4,250	\$8,500								\$8,500
44	Pre-Cast Building, Complete	1	L.S.	\$1,469,759	\$1,469,759	60%	\$881,855	\$28,500	\$881,855	60%	\$881,855	60%	\$587,904
45	Electrical and Controls, Complete	1	L.S.	\$500,000	\$500,000	15%	\$21,750		\$21,750	6%	\$28,500	6%	\$471,500
46	Interior Domestic Plumbing, Complete	1	L.S.	\$145,000	\$145,000	15%				15%	\$21,750	15%	\$123,250
47	Heating, Ventilation, Air Conditioning, Complete	1	L.S.	\$100,000	\$100,000								\$100,000
	Subtotal of All Base Bid Unit Price & Lump sum Bid Items				\$3,994,250								\$3,994,250
A1-1	Mobilization	1	L.S.	\$7,500	\$7,500								\$7,500
A1-2	Existing Water Plant Demolition	1	L.S.	\$65,975	\$65,975								\$65,975
A1-3	Existing Water Plant Improvements	1	L.S.	\$63,030	\$63,030								\$63,030
	Alternate Bid 1 Total				\$136,505								\$136,505
Totals					\$4,130,755		\$1,386,791	\$32,700	\$1,419,491	34%	\$2,711,264		\$2,711,264

**AMENDMENT NUMBER 2
TO
AGREEMENT FOR PROFESSIONAL SERVICES
FOR AIP# 3-46-0051-20-2022**

AGREEMENT FOR PROFESSIONAL SERVICES, dated December 15, 2021 by and between the **City of Sisseton**, South Dakota as OWNER and **Helms and Associates**, a division of Schmucker, Paul, Nohr and Associates, Inc. as ENGINEER, hereinafter referred to as the Agreement for Professional Services, for improvements known as SISSETON MUNICIPAL AIRPORT PHASE I HANGAR TAXILANE RECONSTRUCTION & SECURITY FENCING IMPROVEMENTS, hereinafter referred to as the PROJECT, is hereby amended as follows:

- A. Whereas, the OWNER requests the ENGINEER to provide the following services for the **Security Fencing Portion** of the PROJECT.
 - 1. Bidding and Negotiation Services as described in Exhibit A, Section B of the Agreement, and
 - 2. Construction Administration Services as described in Exhibit A, Section C of the Agreement, and
 - 3. Resident Engineering, Inspection and Staking Services, as described in Exhibit A, Section D of the Agreement.

- B. The OWNER and the ENGINEER agree that the ENGINEER shall be paid as described in Item 3, Paragraph A. LUMP SUM COMPENSATION, Table A, Bidding & Negotiation, with the following costs to be added to the PROJECT:

- 1. Bidding & Negotiation.

Costs	\$ 7,577.02
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- C. The OWNER and the ENGINEER agree that the ENGINEER shall be paid as described in Item 3, Paragraph B, COST PLUS FIXED FEE COMPENSATION, Table B, Construction Administration and Resident Engineering Services, with the following costs to be added to the PROJECT:

- 1. Construction Administration.

Costs	\$ 14,362.97
Fixed Fee	<u>\$ 1,907.33</u>
TOTAL	\$ 16,270.30

2. Resident Engineering Services.

Costs	\$ 15,859.27
Fixed Fee	\$ 2,011.53
TOTAL	\$ 17,870.80

These costs are summarized in Attachment "B", pages B-5, B-6 and B-7.

Therefore, the Agreement for Professional Services is hereby amended to add the FEES listed in paragraph B and C of the amendment to those in the agreement. The new totals for all services are itemized on Amendment #2, Attachment "B".

D. The Amendment changes the Project Number from A.I.P. 3-46-0051-20-2022 to **A.I.P. 3-46-0051-021-2023**.

IN WITNESS WHEREOF the parties hereto have made and executed this Amendment Number 2 this _____ day of _____, 2023.

OWNER: CITY OF SISSETON, SD

Terry Jaspers, Mayor

ATTEST: _____
Amber Kemnitz, Finance Officer

ENGINEER: HELMS AND ASSOCIATES
a division of Schmucker, Paul, Nohr and Associates, Inc.

Bob J. Babcock, President

ATTEST: _____
Michael A. Schmitt, Associate

ATTACHMENT "B"

SUMMARY OF ENGINEERING COSTS

A.I.P. PROJECT NO. 3-46-0051-20-2022

HANGAR TAXILANE RECONSTRUCTION & SECURITY FENCING
SISSETON MUNICIPAL AIRPORT
SISSETON, SOUTH DAKOTA

	Original Contract	Amendment Number 1	Amendment Number 2	Amendment Number 3	PROJECT TOTAL
SECTION 1					
ENVIRONMENTAL REVIEW & FIELD SURVEY	\$ 10,039.44				
ENGINEER'S DESIGN REPORT	\$10,987.99				
PRELIMINARY DESIGN	\$ 12,046.34				
FINAL DESIGN	\$ 22,793.46				
LUMP SUM TOTAL	\$55,867.23				<u>\$55,867.23</u>
<u>ADDITIONAL SERVICES FOR REMAINDER OF HANGAR TAXILANES</u>					
ENVIRONMENTAL REVIEW & FIELD SURVEY		\$4,633.77			
PRELIMINARY DESIGN		\$11,301.17			
FINAL DESIGN		<u>\$12,435.17</u>			
LUMP SUM TOTAL		\$28,370.11			<u>\$28,370.11</u>
SECTION 2					
<u>SECURITY FENCING</u>					
*BIDDING & NEGOTIATION SERVICES			<u>\$7,577.02</u>		
LUMP SUM TOTAL			\$7,577.02		<u>\$7,577.02</u>
<u>HANGAR TAXILANE RECONSTRUCTION</u>					
*BIDDING & NEGOTIATION SERVICES				<u>\$0.00</u>	
LUMP SUM TOTAL				\$0.00	<u>\$0.00</u>
SECTION 3					
<u>SECURITY FENCING</u>					
*CONSTRUCTION ADMINISTRATION COSTS			\$14,362.97		
**FIXED FEE			<u>\$1,907.33</u>		
TOTAL			\$16,270.30		<u>\$16,270.30</u>
<u>HANGAR TAXILANE RECONSTRUCTION</u>					
*CONSTRUCTION ADMINISTRATION COSTS				\$0.00	
**FIXED FEE				<u>\$0.00</u>	
TOTAL				\$0.00	<u>\$0.00</u>
SECTION 4					
<u>SECURITY FENCING</u>					
*RESIDENT ENGINEERING SERVICES COSTS			\$15,859.27		
**FIXED FEE			<u>\$2,011.53</u>		
TOTAL			\$17,870.80		<u>\$17,870.80</u>
<u>HANGAR TAXILANE RECONSTRUCTION</u>					
*RESIDENT ENGINEERING SERVICES COSTS				\$0.00	
**FIXED FEE				<u>\$0.00</u>	
TOTAL				\$0.00	<u>\$0.00</u>
TOTAL PROJECT ENGINEERING SERVICES					\$125,955.46

*TO BE ADDED BY AMENDMENT UPON RECEIPT OF FAA GRANT OFFER FOR CONSTRUCTION
** MAXIMUM LIMITING FEES

April 7, 2023

Amber Kemnitz, Finance Officer
City of Sisseton
406 2nd Ave. W.
Sisseton, SD 57262

Re: Fence Improvements
Sisseton Municipal Airport
Sisseton, South Dakota
AIP #3-46-0051-021-2023
Helms #A-8547

Dear Ms. Kemnitz,

We would like to take this opportunity to make our "Engineer's Recommendation of Award" for the above referenced project.

The description of work is:

This project shall consist of the construction of apron area security fencing and gates. This work shall include the removal of existing fence and gates, construction of new fencing (barbed wire and chain link), installation of new gates, and other items of related construction.

The City of Sisseton only received one bid for this project from Dakota Fence Company, Fargo, ND. The Base Bid price of \$148,319.00 was 58% over the Engineer's Estimate and the Alternate Bid No. 1 price of \$28,910.00 was 93% over the Engineer's Estimate.

We have reached out to two other prospective bidders and they have indicated that they will provide a bid if the project were to be re-bid. Since there was only one bid on this project and it was significantly higher than the Engineer's Estimate as well as the potential for receiving multiple bids if it were re-bid, our recommendation would be to reject Dakota Fence Company's bid and re-advertise the project.


Along with re-bidding the project, we will make some changes to the Plans and/or Contract Documents & Technical Specifications. Based on discussions with the City, we would anticipate

breaking out the "Removals" as an Alternate Bid to give the City some flexibility to complete that work themselves if it makes fiscal sense.

We would ask for authorization to re-advertise the Project on April 18th and April 25th with a Bid Letting on May 1st at 3:00 p.m. This would also require a special City Council Meeting on May 1st at 5:30 to make tentative award as well as to sign the FAA Grant Application which is due to the FAA no later than May 5, 2023.

If you have any questions, comments, or need any further information, please feel free to contact our office at your convenience.

Sincerely,
Helms and Associates

A handwritten signature in black ink that reads "Michael A. Schmit". The signature is written in a cursive style with a large, prominent initial "M".

Michael A. Schmit, P.E.

Cc: Mark Schrader, FAA – Dakota-Minnesota Airports District Office
Jon Becker, SD-DOT – Office of Air, Rail, and Transit

**FENCE IMPROVEMENTS
SISSETON MUNICIPAL AIRPORT
AIP #3-46-0051-021-2023
A-8547**

BIDDERS MUST BID BASE BID AND ALTERNATE BID NO. 1

Base Bid

Item #	Spec #	Item Description	Quantity	Unit	Unit Price	Total Price
1	C-105	Mobilization	1	L.S.	\$ 12,000 ⁰⁰	\$ 12,000 ⁰⁰
2	S-100	Construction Safety Phasing Plan	1	L.S.	\$ 7,500 ⁰⁰	\$ 7,500 ⁰⁰
3	F-160	Barbed Wire Fence	47	Ft	\$ 90 ⁰⁰	\$ 4,230 ⁰⁰
4	F-160	Two-Post Brace Panel	4	Each	\$ 800 ⁰⁰	\$ 3,200 ⁰⁰
5	F-160	Connect to Existing Barbed Wire Fence	3	Each	\$ 100 ⁰⁰	\$ 300 ⁰⁰
6	F-162	10' Chain Link Fence	578	Ft	\$ 89 ⁰⁰	\$ 51,442 ⁰⁰
7	F-162	20' Chain Link Cantilever Roll Gate	3	Each	\$ 9,325 ⁰⁰	\$ 27,975 ⁰⁰
8	F-162	4' Chain Link Walk Gate	3	Each	\$ 2,745 ⁰⁰	\$ 8,242 ⁰⁰
9	Plans	Perimeter Signs	5	Each	\$ 500 ⁰⁰	\$ 2,500 ⁰⁰
10	Plans	Remove and Dispose of Barbed Wire Fence	341	Ft	\$ 17 ⁰⁰	\$ 5,797 ⁰⁰
11	Plans	Remove and Dispose of Wood Fence	350	Ft	\$ 66 ⁰⁰	\$ 23,100 ⁰⁰
12	Plans	Remove and Salvage 20' Steel Swing Gate	3	Each	\$ 480 ⁰⁰	\$ 1,440 ⁰⁰
13	Plans	Remove and Salvage 4' Walk Gate	2	Each	\$ 300 ⁰⁰	\$ 600 ⁰⁰

Subtotal Base Bid items 1 – 13 inclusive \$ 148,346⁰⁰

Written: One Hundred Forty Eight Thousand Three Hundred
Forty Six Dollars & 10/100 Dollars
 All Items Furnished and Installed

*For Base Bid, Unit Prices will govern where used. Incorrect extensions or totals will be corrected and the corrected figures will be used in determining the low bidder. Final contract amount after construction will be determined based upon final quantities and unit price.

Alternate Bid No. 1 - Electric Gate Operator and Controls

Item #	Spec #	Item Description	Quantity	Unit	Unit Price	Total Price
1-1	F-162	Electric Gate Operator and Controls	1	Each	\$ 28,910 ⁰⁰	\$ 28,910 ⁰⁰

Subtotal Alternate Bid No. 1-1 to 1-1 inclusive \$ 28,910⁰⁰

Written: Twenty Eight Thousand Nine Hundred
Ten Dollars + 10/100 Dollars

All Items Furnished and Installed

*For Alternate Bid No. 1, Unit Prices will govern where used. Incorrect extensions or totals will be corrected and the corrected figures will be used in determining the low bidder. Final contract amount after construction will be determined based upon final quantities and unit price.

RESOLUTION 2023-1

A RESOLUTION WHEREIN THE SISSETON CITY COUNCIL ADOPTS THE RECOMMENDATIONS OF THE SISSETON FIRE CHIEF AS IT CONCERNS SISSETON WAHPETON OYATE'S (SWO) APPLICATION FOR MODIFICATION OF FIRE CODE REQUIREMENTS PURSUANT TO SISSETON ORDINANCE 15.16.050.

WHEREAS, the Sisseton Fire Chief, pursuant to Sisseton Ordinance 15.16.050 has authority upon receipt of written application, to waive certain portions of the enforceable fire code; and

WHEREAS, the City of Sisseton and Sisseton Fire Chief have received an Application for Modification under Sisseton Ordinance 15.16.050 from SWO requesting the Sisseton Fire Chief waive the requirement of a fire suppressant sprinkler system at the tribal warming house located at 410 2nd Avenue East; and

WHEREAS, the application was made and based upon mitigation measures such as installing additional smoke detectors, additional fire extinguishers, 24/7 staffing, instituted a smoking ban, and provide additional security to the building; and

WHEREAS, based upon the representations made by SWO the Sisseton Fire Chief has approved said application for waiver; and

NOW THEREFORE, BE IT RESOLVED, by the City of Sisseton, that Resolution 2023-1 is adopted as follows:

1. The Sisseton Fire Chief's waiver as set forth above his hereby adopted and approved by the Sisseton City Council.

Dated this 10th day of April, 2023.

CITY OF SISSETON

Terry Jaspers, Mayor

ATTEST:

Amber Kemnitz, Finance Officer

(SEAL)

Application to Fire Chief for Modification under Sisseton Ordinance 15.16.050

Applicant:	Sisseton-Wahpeton Oyate P.O. Box 509 Agency Village, SD 57262 Contact: swosecretary@swo-nsn.gov	
Subject Property:	410 2 nd Ave. East Sisseton, SD 57262	
Zone:	C1	
Owner:	Sisseton-Wahpeton Oyate	
Area of Building:	1200 Sq. Ft. per floor	Area in use: 1200 Sq. Ft. (basement for storage purposes only)
Number of Stories:	2	
Status:	Existing Building, with Existing Lawful & Conforming Use under Conditional Use Permit No. 2019-35 (as modified by Addendum A dated October 5, 2021)	

Applicant's Request:

In accordance with 15.16.050, the Owner is requesting that the Fire Chief modify any provisions of the Fire Prevention Code necessary to allow the Sisseton-Wahpeton Oyate Warming House to continue to operate without requiring the installation of an automatic sprinkler system. At the building located at 410 2nd Ave. East, the Tribal government provides charitable services to those in need of temporary shelter from November 1 through April 30. Both Roberts County and Sisseton-Wahpeton Law Enforcement agencies use the facility for those in need of shelter.

The Owner submits that installation of automatic sprinkler systems at the building presents practical difficulties in carrying out the strict letter of any applicable code requiring an automatic sprinkler system. The Owner has conducted a feasibility analysis and determined the installation of automatic sprinkler systems would be prohibitively expensive at this time and could cost nearly \$100,000. The Owner submits that the mitigation measures it has taken vis-à-vis the Fire Chief's safety concerns will allow the continued use of the property within the spirit of the code and will protect public safety all while making sure that substantial justice is done by allowing the shelter to remain in use.

To bolster safety and fire prevention and extinguishing capability, the Owner has installed additional smoke detectors, alarms, and fire extinguishers; provided for 24/7 staffing; instituted a smoking ban on the property; and provided additional security to the building.

Only to the extent allowed by applicable law and the limits and exclusions of the Tribe's insurance coverage, the Tribe agrees to release, indemnify and hold the City and the Fire Chief harmless from any claim the Tribe may have (other than a right of appeal under applicable City Code), or may be filed against the Tribe, arising from the approval of this *Application to Fire Chief for Modification under Sisseton Ordinance 15.16.050*. Neither this application nor any action taken in relation to this application may be construed as a waiver of either the City's or the Tribe's immunity from suit. The Tribe expressly retains all aspects of its sovereign immunity.

Owner's Signature: 	Date: 3-14-23
Title: Tribal Chairman	

FOR FIRE DEPARTMENT USE ONLY BELOW THIS LINE

<p style="text-align: center;">Fire Chief Action</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied</p>	<p>Received by: (printed name of staff receiving the application)</p> <p>_____</p> <p style="text-align: center;">Fire Chief's signature</p> <p style="text-align: right;">Date</p> <p>_____</p>
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**YOU ARE INVITED TO ATTEND THE
SOUTH DAKOTA HALL OF
FAME
PRESENTATION OF THE
ACTS OF EXCELLENCE
AWARD
TO THE
STAVIG HOUSE MUSEUM
2:30 PM WEDNESDAY
MAY 3, 2023**