

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

1. Call to Order
2. Adopt Agenda
3. Minutes – June 12, 2023
4. Bills Payable
5. Reports:
 - a. Liquor
 - b. Police
 - c. Street/Safety
 - d. Water/Sewer
 - e. Building Permits
 - f. Finance
6. Public Comment
7. Public Hearing:
 - a. Administrative Hearing regarding vicious dog
8. Visitors:
 - a. Dan Nickolauson – Request to pay for sewer repairs
9. Travel Approval:
 - a.
10. New Business:
 - a. Authorize Hiring Part Time Liquor Clerk
 - b. Serocki Excavating, Inc.: Storm Sewer Repair Proposal
 - c. Authorize Purchase of Chevy Silverado - State Contract #17618
 - d. Stanek Constructors: Pay Request #8 – Water Treatment Plant Project
 - e. Authorize Courtesy Car at Airport
11. Ordinances and Resolutions:
 - a. Ordinance 688 – Zoning Amendment, second reading & adoption
 - b. Ordinance 689 – Off-Road Vehicles Amendment, second reading & adoption
12. Executive Session SDCL 1-25-2 (3) Legal
13. Information/Discussion Items:
 - a. Elected Official Code of Conduct
14. City Attorney Report
15. Mayor/Council Member Reports
16. Such Additional Items Which May properly come before the Council
17. Adjourn

The public is welcome to join the City Council meeting virtually via zoom:

Go to website: zoom.us/join

Meeting ID: 812 4278 7556

Passcode: 966117

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, June 12, 2023 at 6:30 p.m.

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

Others Present: Erin Cameron, Amber Kemnitz, Ellen Lekness, Jim Croymans, Myron Doud, Gary Spencer, Jason Deutsch, Jeff Pageler, David Solberg, Daniel Nickolauson, Laurie Haggerty, Terry Sutton, Chris Huber, Cory Deutsch, Larry Peterson, Gary Halseide

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

Agenda: Appel moved and Randolph seconded to approve agenda as presented. All voted aye.

Minutes: Stapleton moved and Randolph seconded to approve the May 8, 2023 minutes. All voted aye.

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

Liquor: Lekness presented the May 2023 liquor report. Signage options are being looked into.

Part Time Liquor Clerk: Stapleton moved and Just seconded to hire Kelsey Hansen as part time liquor clerk at a beginning wage of \$16.20 per hour. All voted aye.
Alderman German arrived at 6:35 p.m.

Police: Croymans reported on police department.

Travel: German moved and Appel seconded to approve travel for Officer Searles to attend SD Association of SRO Conference in Sioux Falls, SD on June 13-15, 2023. All voted aye.

Street/Safety: Doud reported for street department.

Street Repair/Chip Seal Bids: Bids were received for the street repair projects as follows:

Asphalt Patching – Bituminous Paving Inc.: \$129,384.00

Street Replacement – Bituminous Paving Inc.: \$133,135.00

Chip Seal – Bituminous Paving Inc.: \$297,787.00

Fog Seal – Bituminous Paving Inc.: \$62,692.00

German moved and Solberg seconded to accept Asphalt Patching bid in the amount of \$129,384.00 from Bituminous Paving Inc. and Chip Seal Bid in the amount of \$297,787.00 from Bituminous Paving Inc. All voted aye.

Water/Sewer: Spencer reported for the water and sewer department and provided updates on the Water Treatment Plant Project and the Water Storage Painting Project.

Building Permits: Council received a list of the following building permits that have been approved: 2023-6 J.Lincoln, 2023-7 D.Bowker, 2023-8 M.Moen.

Malt Beverage License Public Hearing: At 7:00 p.m. a public hearing was held for 2023-2024 retail on-off sale malt beverage & SD farm wine licenses and special event licenses. There was no public input. German moved and Stapleton seconded to approve the 2023-2024 retail on-off sale malt beverage & SD farm wine applications as follows: Dollar General, Doubletree Gallery, Freddie's Casino, Holiday Service, Inc., Hwy 10 Casino, K&K Convenience Store, Stillson Oil Co., Buche Hardware, The Soiree, The End Zone and special event malt beverage/malt liquor applications for the Sisseton Volunteer Fire Department at the Fire Hall on July 8, 2023 and the Hills & Valley Riding Club at the Miles Nelson Arena on July 22, 2023, August 25, 2023 and September 23, 2023. All voted aye.

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

Public Comment: None

Visitors:

David Solberg addressed Council regarding repairs to his sewer service line that he feels the City should pay for since the original repair many years ago was a result of a City project where his line was damaged and replaced. Mr. Solberg provided photos and a letter from a licensed plumber stating his opinion that the repair should be the responsibility of the City.

Sewer Repair Reimbursement: Just moved and Stapleton seconded to reimburse David Solberg for half the cost of his sewer service repair bill. All voted aye. Reimbursement amount will be \$2,653.65.

Daniel Nickolauson addressed Council regarding sewer service repair at his property with request for City to pay. Council discussed the possibility of the damage being caused during the Hwy 10 project. Council requested Mr. Nickolauson to get photos and a statement from the plumber who did the repair and return to the July 10, 2023 Council meeting.

Farmland Bid: Council received bids on farmland from Cody Hanson as follows:

Parcel 3: \$600.00

Parcel 4: \$700.00

Parcel 5: \$350.00

Just moved and Randolph seconded to accept farmland bids from Cody Hanson. All voted aye.

2023 Recreation Employees and Wages: Stapleton moved and Randolph seconded to approve summer recreation employees and wages as set by the recreation board as follows:

Kellie Stickland \$5,000.00/season (director); Brittany Appel \$15.00/hr; Trent Bestland \$15.00/hr; Missy Despeigler \$15.00/hr; Evelyn Fritz \$15.00/hr; Mason Gray \$15.00/hr; Sarah Groos \$15.00/hr; Karla Karst \$15.00/hr; Dan Karst \$15.00/hr; Brittany Klapperich \$15.00/hr; Dean Lehrke \$15.00/hr; Neal Nelson \$15.00/hr; Ben Pallesen \$15.00/hr; Cameo Pallesen \$15.00/hr; Tina Raw \$15.00/hr; Josh Stickland \$15.00/hr; Chesnie Anderson \$11.00/hr; Avaya

Carlson \$11.00/hr; LJ Crooks \$11.00/hr; Max Dahlen \$11.00/hr; Avery Hannasch \$11.00/hr; Bryson Hanson \$11.00/hr; Karlie Karst \$11.00/hr; Katie Karst \$11.00/hr; Cristal Lopez \$11.00/hr; Katerine Meyer \$11.00/hr; Tyler Monson \$11.00/hr; Emmalee Nielsen \$11.00/hr; Konner Sieber \$11.00/hr; Carter Stickland \$11.00/hr; Jacqueline Vasquez \$11.00/hr; Jackson Wegener \$11.00/hr; Kayana Wright \$11.00/hr.

All voted aye.

FAA Grant Agreement: Just moved and German seconded to authorize Mayor Jaspers to sign FAA Grant Agreement for AIP 3-46-0051-021-2023, the Airport Fence Improvement Project. All voted aye.

Fire Truck Purchase: Solberg moved and German seconded to authorize purchase of Rosenbauer Brush Truck with Ford Chassis utilizing Sourcewell Contract # 113021-RSD in the amount of \$244,112.00. All voted aye.

Stanek Constructors Pay Request #7: German moved and Stapleton seconded to approve pay request #7 submitted by Stanek Constructors in the amount of \$747,628.00 for the Water Treatment Plant Project. All voted aye.

Special Event Permits: Appel moved and Randolph seconded to approve special event permit submitted by the Sisseton Area Chamber of Commerce for a Farmer's Market in Drenttel Park every Thursday through September 2023. All voted aye.

Randolph move d and Solberg seconded to approve special event permit submitted by the Sisseton Area Chamber of Commerce for Celebrate Sisseton Event in City Parks and various other areas on July 7-9, 2023. All voted aye.

Zoning Amendment Public Hearing:

Appel moved and Solberg seconded to convene jointly as City Council and Planning Commission to conduct a Public Hearing to consider ordinance 688.

Planning Commission Recommendation to approve Ordinance 688: Deutsch moved and Peterson seconded to recommend approval of Ordinance 688.

Mayor Jaspers opened the Public Hearing calling on any comments from the public. Chris Huber commented on the size restrictions of the shipping containers and City Council and Planning Commission were all in agreement to eliminate the size restriction from the description.

Upon roll call vote of the Planning Commission, voting aye were Deutsch, Halseide and Peterson. Stickland and Veflin were absent. Motion carried.

Ordinance 688: Just moved and Randolph seconded to approve the first reading of Ordinance 688: an ordinance to amend certain provisions of its zoning ordinance, specifically Section 2.08.04 – Central Commercial District Conditional Uses and Section 2.09.04 Highway Commercial District Conditional Uses in order to add shipping containers as permitted storage units under the conditional use provisions. The City hereby adopts the following ordinance to

amend and supersede Section 2.08.04 – Central Commercial District Conditional Uses and Section 2.09.04 Highway Commercial District Conditional Uses.

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

Appel moved and German seconded to adjourn as a joint City Council and Planning Commission and reconvene as a City Council. All voted aye.

End Zone Outdoor Event: Solberg moved and German seconded to allow the End Zone Bar to have outdoor music on June 24, 2023 until 1:00 a.m. All voted aye.

Sisseton Youth Baseball Association Donation: Solberg moved and Appel seconded to donate \$10,000.00 to the Sisseton Youth Baseball Association. All voted aye.

Sisseton Swimming Pool Donation: Appel moved and Randolph seconded to donate \$35,000.00 to the Sisseton Swimming Pool Association for the 2023 season. All voted aye.

Ordinance 689: Just moved and Randolph seconded to approve the first reading of Ordinance 689: Amending Chapter 10.40 – Off-Road Vehicles.

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

Executive Session: Appel moved and Randolph seconded to enter into executive session at 8:14 p.m. pursuant to SDCL 1-25-2 (3) legal. All voted aye. Mayor Jaspers declared the meeting back into regular session at 8:40 p.m.

Information/Discussion: Elected Official Code of Conduct – committee has met and will plan to meet again before the July Council meeting.

City Attorney Report: None

Mayor/Council Report: German reported on meeting with Tribal Executives regarding the homeless shelter and property maintenance. Appel inquired about courtesy car at airport and if it had been authorized by Council. City will look into insurance coverage for an airport courtesy car and address at the July meeting.

Adjourn: Randolph moved and Solberg seconded to adjourn. All voted aye. Meeting adjourned at 9:20 p.m.

Amber Kemnitz, Finance Officer

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

Liquor Store Deposits	143,977.67
Less Sales Tax	-9,998.82
Gross Liquor Store Sales	133,978.85
Opening Inventory	188,249.99
Purchases	99,837.35
Total Merchandise	288,087.34
Closing Inventory	-178,814.49
Cost of merchandise for sale	109,272.85
Liquor Store Profit	24,706.00
Less Expenses	-17,513.43
Net Liquor Store Profit	7,192.57

10% tax on clubs

End Zone	532.66
Hickory St. Kitchen & Cocktails	208.51
Rosalie's	104.89
Taco's El Bajio	38.72
Doubletree Gallery	37.76
Dollar General	395.36
Freddie's Casino	0.00
Holiday	1,589.30
Hwy 10 Casino	60.12
K&K	1,657.46
Stillsons	1,023.67
The Soiree'	11.45
Total	5,659.90

Other Expenses

Salaries	11,345.19
FICA	851.41
Retirement	525.48
Work Comp	0.00
Group Insurance	1,512.76
Unemployment Insurance	0.00
Insurance/Prof Services	0.00
Publishing	0.00
Repair	75.00
Supplies	2,047.28
Equipment	0.00
Utilities	1,156.31
Total Expense	17,513.43

Breakdown - Liquor Store Deposits

Beer	63,525.53
Whiskey	60,262.70
Wine	5,117.09
Pop/Miscellaneous	2,626.54
Tobacco	1,647.32
Ice	799.09
Total	133,978.27

Net liquor store profit plus 10% from clubs

12,852.47

Sisseton Police Dept. 2023 Totals

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Yearly Total
Accidents	2	1	4	1	3	3	0	0	0	0	0	0	14
Assaults	4	4	1	5	7	5	0	0	0	0	0	0	26
DUI	3	2	1	4	4	1	0	0	0	0	0	0	15
Underage Consumption	4	1	2	1	5	8	0	0	0	0	0	0	21
Drug Violations	4	12	6	17	8	10	0	0	0	0	0	0	57
Disorderly Conduct	6	1	3	3	3	9	0	0	0	0	0	0	25
Theft	1	0	5	1	2	4	0	0	0	0	0	0	13
Vandalism	0	1	0	4	2	7	0	0	0	0	0	0	14
Misc (Tickets)	35	29	19	42	39	63	0	0	0	0	0	0	227
Arrests	17	10	10	28	19	24	0	0	0	0	0	0	108
Curfew	0	0	0	0	0	0	0	0	0	0	0	0	0
Warning Tickets	37	21	22	44	48	50	0	0	0	0	0	0	222
Monthly Total	113	82	73	150	140	184	0	0	0	0	0	0	742

CITY OF SISSETON - FINANCE REPORT**June 2023**

Balance last report		16,355,101.52
Receipts this month		
Property Tax	75,381.74	
Sales Tax	197,325.82	
Amusement Tax	0.00	
Building Permits	140.00	
Peddler/Pawnshop License	0.00	
Dog License	64.00	
Liquor/Malt Bev/Cannabis License	1,650.00	
Video Lottery License	0.00	
State/Federal Grants	156.13	
State/County Shared Revenue	0.00	
Bank Franchise	0.00	
Motor Vehicle License	2,685.11	
Local Hwy/Bridge Fund	0.00	
Sisseton Housing Pmt in Lieu of Taxes	0.00	
Accident Reports/Bike licenses	4.00	
Sales/Excise Tax	0.00	
Fire Dept Fees	250.00	
Hwy & Street	0.00	
Library/Recreation Fees	300.00	
Av Gas sales	2,054.47	
Fines	0.00	
Interest	42,998.54	
Rentals	575.00	
Rubble Site Charges	0.00	
Cable TV Franchise	0.00	
Contributions and Donations	11,634.00	
Miscellaneous (Includes pmt for SRO)	0.00	
Sale of Fixed Assets	0.00	
Compensation for loss-insurance proceeds	0.00	
Third Cent Sales Tax	13,351.69	
Grant	3,941.24	
Liquor Sales	133,978.85	
Sales Tax	9,998.82	
Operating Agreements	28.26	
10% Beverage Mark Up	5,178.88	
Other Liquor Revenue	0.00	
Federal Grant - Water Fund	0.00	
Utility receipts	105,723.71	
Bulk Water	18.50	
Sale of Water Supplies	0.00	
Sales Tax	0.00	
Sewer - Land Rent	0.00	
Other Solid Waste	0.00	
Total Receipts		607,438.76
<u>Total Expense</u>		<u>1,162,398.13</u>
Cash Balance End of Month		15,800,142.15

Respectfully Submitted by Amber Kemnitz, Finance Officer

Revenue - June 2023

	<u>Anticipated</u>	<u>YTD Revenue</u>	<u>Balance</u>
General Fund			
Property Tax	775,000.00	438,954.69	336,045.31
Sales Tax	1,350,000.00	533,352.22	816,647.78
Amusement Tax	325.00	0.00	325.00
Building Permits	1,000.00	310.00	690.00
Pawnshop License	200.00	100.00	100.00
Peddler License	100.00	0.00	100.00
Dog License	350.00	144.00	206.00
Liquor & Malt Beverage License	6,500.00	1,650.00	4,850.00
Cannabis License	5,000.00	5,000.00	0.00
Video Lottery Fees	2,500.00	3,350.00	-850.00
Federal Grants	0.00	26,534.77	-26,534.77
State Grants	0.00	1,639.96	-1,639.96
Bank Franchise Fee	15,000.00	9,083.36	5,916.64
Liquor Tax Reversion	16,000.00	3,989.00	12,011.00
Motor Vehicle License	35,000.00	16,495.30	18,504.70
Local Hwy/Bridge Fund	70,000.00	27,237.65	42,762.35
Other State Share Revenue	0.00	252.71	-252.71
Payment in Lieu of Tax	25,000.00	28,146.14	-3,146.14
County Road Tax	2,200.00	0.00	2,200.00
Accident Reports	150.00	78.00	72.00
Fire Dept Townships	34,000.00	30,317.22	3,682.78
BIA/SWST Fire Dept	0.00	0.00	0.00
Fire Dept Ins Co & Individual Pmts	2,500.00	2,350.00	150.00
Hwy & Street	500.00	0.00	500.00
Recreation	12,500.00	16,263.79	-3,763.79
Library Card Fees	500.00	104.23	395.77
AV Gas (Airport)	15,000.00	3,857.81	11,142.19
Fines	400.00	384.90	15.10
Dog Keeping	300.00	260.00	40.00
Interest	7,500.00	241,349.04	-233,849.04
Rentals	30,000.00	15,308.90	14,691.10
Rubble Site Charge	150.00	150.00	0.00
Private Donations	0.00	12,034.00	-12,034.00
Cable TV Franchise Fee	20,000.00	4,697.02	15,302.98
Other Miscellaneous Revenue	35,000.00	22,938.25	12,061.75
Dividend Income	0.00	0.00	0.00
Sale of General Fixed Assets	0.00	900.00	-900.00
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	1,449,005.08	1,113,669.92
Liquor, Lodging & Dining Sales Tax	85,000.00	38,291.17	46,708.83
Liquor	1,207,800.00	662,934.56	544,865.44
Water	531,500.00	257,516.17	273,983.83
Sewer	467,300.00	228,824.05	238,475.95
Sanitation	340,250.00	180,972.01	159,277.99
Total City Funds	5,194,525.00	2,817,543.04	2,376,981.96

Expenditures - June 2023

	<u>Appropriation</u>	<u>YTD Expense</u>	<u>Balance</u>
General Fund			
Legislative	54,850.00	14,307.06	40,542.94
Contingency	100,000.00	0.00	100,000.00
Executive	12,500.00	6,324.36	6,175.64
Elections	2,000.00	18.30	1,981.70
Legal	14,000.00	2,677.50	11,322.50
Finance Office	96,050.00	43,926.70	52,123.30
Financial Administration	53,000.00	0.00	53,000.00
General Government Building	55,800.00	17,623.77	38,176.23
Police	650,400.00	308,589.57	341,810.43
Fire	155,800.00	45,254.80	110,545.20
Street Department	863,000.00	72,119.30	790,880.70
Snow Removal	88,500.00	104,016.69	-15,516.69
Street Lighting	65,000.00	23,481.11	41,518.89
Street Cleaning	11,000.00	1,650.18	9,349.82
Airport	42,500.00	57,174.67	-14,674.67
Health	18,000.00	2,607.91	15,392.09
Recreation	65,000.00	37,837.10	27,162.90
Parks	27,650.00	5,284.77	22,365.23
Library	165,200.00	78,169.73	87,030.27
Economic Development	56,600.00	53,000.00	3,600.00
Capital Outlay	<u>90,000.00</u>	<u>0.00</u>	<u>90,000.00</u>
Total General Fund	2,686,850.00	874,063.52	1,812,786.48
Special Revenue Fund-Promotion	85,000.00	26,549.53	58,450.47
Enterprise Funds			
Liquor	1,197,800.00	488,248.13	709,551.87
Water	3,585,600.00	2,032,942.07	1,552,657.93
Sewer	177,800.00	60,356.71	117,443.29
Garbage	355,700.00	150,736.15	204,963.85
Total City Funds	8,088,750.00	3,632,896.11	4,455,853.89

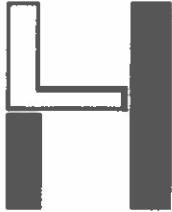
**City of Sisseton
Cash Fund Balance
June 2023**

Cash by Fund

General Fund	7,915,208.05
Lodging & Dining Sales Tax Fund	301,159.29
Liquor Fund	1,151,266.72
Liquor Fund - Change	900.00
Water Fund	2,952,575.94
Water Fund - Change	200.00
Sewer Fund	3,019,765.12
<u>Garbage Fund</u>	<u>459,067.03</u>
Total	15,800,142.15

Bank Reconciliation

Checking Account First Savings Bank	3,638,534.51
FIT GCR Acct	10,979,172.72
Wells Fargo Acct #4231	600,015.92
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	15,800,142.15



Serocki Excavating, Inc.

Box 332 Browns Valley, MN 56219
Lee Hansen (320) 695-2767
(320) 695-2589
FAX (320) 695-2585

PROPOSAL
AND ACCEPTANCE

PROPOSAL SUBMITTED TO CITY OF SISSETON
ADDRESS 406 2ND AVE. WEST SISSETON, S.D. 57262 ATTENTION: MYRON

DATE 12-Jun-23
PHONE / FAX Phone: (605)698-3481 FAX: (605)698-3271 Cell: (605)880-1796

PROJECT NAME AND LOCATION STORM DRAIN CULVERTS BY CITY DUMPSTERS

We will provide the labor, material and equipment necessary to perform the following

OPTION 1: STORM DRAIN CROSSING STREET TOTAL \$19,960.38 INCLUDES EXCISE TAX
 40 FEET OF 15" CROSSING STREET FROM SCHILTZS
 PARTS \$3,887.46
 LABOR AND EQUIPMENT \$11,288.98
 ASPHALT PATCH \$4,783.94

OPTION 2: 18 INCH ON NORTH SIDE IN FRONT OF DUMPSTERS TOTAL \$49,998.00 INC. EXCISE TAX
 140 FEET GOING WEST TO DITCH
 72 FEET GOING NORTH ALONG STORAGE BUILDING WITH A TEE
 PARTS \$13,052.80
 LABOR AND EQUIPMENT \$17,889.20
 ASPHALT PATCH \$19,056.00

EXISTING MATERIALS IN STREET WILL BE USED OR EXTRA FILL OR GRAVEL TO BE PROVIDED BY THE CITY.

THANK YOU, FOR LETTING US HAVE THE OPPORTUNITY TO SERVE YOU!

Lee R. Hansen

THIS PROPOSAL MAY BE WITHDRAWN BY US
if not accepted within 90 days

All material is guaranteed to be as specified. All work to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner will carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance.

AUTHORIZED SIGNATURE

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted

You are authorized to do the work as specified. Payment will be made as outlined.

Payment to be made as follows

UPON COMPLETION

Signature

Date

Signature

Date

Contractor's Application for Payment No. 2204-8

Application Period: Pay Application 8		Application Date: 7/7/2023	2204-8
To (Owner):	City of Sisseton, SD	From (Contractor):	Stueck Contractors
Project:	Sisseton Drinking Water Treatment Facility	Via (Engineer):	Helms & Associates
Owner's Contract No.:		Contract:	
		Contractor's Project No.:	22-04
		Engineer's Project No.:	

**Application For Payment
Change Order Summary**

Approved Change Orders Number	Additions	Deductions	
			1. ORIGINAL CONTRACT PRICE..... \$ 54,130,755
			2. Net change by Change Orders..... \$
			3. Current Contract Price (Line 1 ± 2)..... \$ 54,130,755
			4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)..... \$ 52,927,109
			5. RETAINAGE:
		a. 10% X \$2,894,409.10 Work Completed..... \$ 286,538	
		b. 10% X \$32,700.00 Stored Material..... \$ 33,270	
		c. Total Retainage (Line 5.a + Line 5.b)..... \$ 209,808	
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)..... \$ 2,717,301
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 2,529,325
			8. AMOUNT DUE THIS APPLICATION..... \$ 187,976
			9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above)..... \$ 11,413,454

Contractor's Certification
The undersigned Contractor certifies, to the best of its knowledge, the following:
(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment.
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature: *Jerry M. Kelly* Date: 7/7/2023

Payment of: \$ 187,976.00
(Line 8 or other - attach explanation of the other amount)

is recommended by: *John C. Pedregon* (Engineer) 7/7/2023 (Date)

Payment of: \$ 187,976.00
(Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) _____ (Date)

Approved by: _____ (Funding Partner) _____ (Date)

Approved by: _____ (Funding Partner) _____ (Date)

Contractor's Application

Progress Estimate - Unit Price Work

For (Contract):		Sisseton Drinking Water Treatment Facility										Application Number: Pay app 8							
Application Period:		Pay Application 8										Application Date: 7/7/2023							
A		B										C		D		E		F	
Bid Item No.	Item Description	Contract Information										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)	Balance to Finish (B - F)		
		Item Quantity	Units	Unit Price	Total Value of Item (\$)														
1	Mobilization	1	LS	\$190,000	\$190,000	100%	\$190,000						\$190,000		\$190,000	100%			
2	Cleaning and Grubbing & Removals	1	LS	\$5,500	\$5,500	100%	\$5,500						\$5,500		\$5,500	100%			
3	Unclassified Excavation (excluding foundation excavation and backfill)	797	CuYd	\$10	\$7,970	797	\$7,970						\$7,970		\$7,970	100%			
4	Contractor Furnished Borrow Material	2,346	CuYd	\$18	\$42,228	1767	\$31,806						\$31,806		\$31,806	75%	\$10,422		
5	Topsoiling From Stockpiles	401	CuYd	\$13	\$5,213												\$5,213		
6	Seeding, Fertilizing and Mulching	0.75	Aeres	\$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 I, PG 58-28	50	Tons	\$110	\$5,500												\$5,500		
13	12" PVC Water Piping	154	L.S.	\$120	\$18,480	40	\$4,800						\$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						\$3,400			31%	\$7,650		
16	12" Ductile Iron (Below Grade)	120	L.F.	\$200	\$24,000	120	\$24,000										\$24,000		
17	8" Ductile Iron (Below Grade)	35	L.F.	\$190	\$6,650	35	\$6,650										\$6,650		
18	4" Sewer Service Piping and Connection to Main	25	L.F.	\$180	\$4,500												\$4,500		
19	Concrete Manhole and Casing	1	L.S.	\$4,200	\$4,200									\$4,200			\$4,200		
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		

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract):		Sission Drinking Water Treatment Facility										Application Number: Pay app 8		
Application Period: Pay Application 8		A										Application Date: 7/1/2023		
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)	Balance to Finish (B - F)
35	4" PVC Underdrain Cleanouts and Fittings	3	Each	\$400	\$1,200									\$1,200
36	Inerior 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	100%	\$1,010,500				\$1,010,500		100%	\$6,500
41	8" Magnetic Flow Meter	1	L.S.	\$6,500	\$6,500									\$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	90%	\$1,322,783				\$1,322,783		90%	\$146,976
45	Electrical and Controls, Complete	1	L.S.	\$500,000	\$500,000	40%	\$200,000			\$28,500	\$228,500		46%	\$271,500
46	Inerior Domestic Plumbing, Complete	1	L.S.	\$145,000	\$145,000	60%	\$87,000				\$87,000		60%	\$58,000
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		\$2,894,409		\$32,700		\$2,927,109		71%	\$1,203,646

ORDINANCE 688

WHEREAS, the City of Sisseton desires to amend certain provisions of its zoning ordinance, specifically Section 2.08.04 – Central Commercial District Conditional Uses and Section 2.09.04 Highway Commercial District Conditional Uses in order to add shipping containers as permitted storage units under the conditional use provisions. The City hereby adopts the following ordinance to amend and supersede Section 2.08.04 – Central Commercial District Conditional Uses and Section 2.09.04 Highway Commercial District Conditional Uses.

Section 2.08.04 Conditional Uses:

The Board of Adjustment, subject to such requirements, may permit the following uses as a Conditional Use in the “C1” Central Commercial District as the Board deems necessary to protect and promote the health, safety, and general welfare:

1. Apartments;
2. Licensed day care centers;
3. On/off-sale liquor establishments;
4. Lumberyards;
5. Repair shops, gas and service stations;
6. Car washes provided that their operative machinery is within an enclosed structure and adequate drainage is provided;
7. Second floor apartments;
8. Nursing home;
9. Assisted living center;
10. Group Home;
11. Laundromat;
12. Public and private hospitals;
13. Public and private business or trade schools;
14. Wholesale business;
15. Bus Depot;
16. Automobile sales;
17. Shipping containers as a storage structure. Shipping container shall be defined as a standardized, reusable shipping vessel designed for the use in the transportation of freight and capable of being mounted or moved on a rail car, or mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. Shipping containers are typically used on a lot for storage provided the structure meets the siding requirements for accessory uses or is specifically listed as a Permitted Use, Special Permitted Use, Accessory Use, or Conditional use in the applicable district.

Section 2.09.04 Conditional Uses.

The following uses may be permitted by Conditional Use Permit in the “HC” Highway Commercial District by the Board of Adjustment subject to such requirements, as the Board deems necessary to protect and promote the health, safety, and general welfare.

1. Assisted living, nursing, or convalescent home;
2. Veterinary services and kennels;
3. Light manufacturing;
4. Public utility building and storage;
5. Grain elevators and terminal;

6. Bowling alley;
7. Private and public recreational facilities;
8. Butcher shop/meat locker;
9. Private or commercial campground and recreation;
10. Contractor shop and yards;
11. Communication towers or antenna over forty-five (45) feet in height;
12. Public buildings or facilities erected or established and operated by any governmental agency unless;
13. Propane distribution facility;
14. Signs on an otherwise vacant lot. See Section 4.04.07;
15. Shipping containers as a storage structure. Shipping container shall be defined as a standardized, reusable shipping vessel designed for the use in the transportation of freight and capable of being mounted or moved on a rail car, or mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. Shipping containers are typically used on a lot for storage provided the structure meets the siding requirements for accessory uses or is specifically listed as a Permitted Use, Special Permitted Use, Accessory Use, or Conditional use in the applicable district.

This ordinance shall take effect and be in force from and after twenty days after the date of publication, after final passage and adoption.

Passed this first reading this 12th day of June, 2023.

Passed this second reading and adoption this 10th day of July, 2023.

Terry Jaspers, Mayor

ATTEST:

Amber Kemnitz
City Finance Officer

Ordinance 689

Amending Chapter 10.40 – Off-Road Vehicles

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SISSETON, ROBERTS COUNTY, SOUTH DAKOTA, that Chapter 10.40 – Off-Road Vehicles of the City of Sisseton Municipal Code be amended as follows:

10.40.010 – Definitions.

“Off road vehicles” means any mechanical vehicle which runs by its own power and which by its nature cannot be registered and licensed under the terms of SDCL Chapter 32-5.

“Golf Cart” means a four-wheeled vehicle originally and specifically designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

“Operate” means to control the motion of or run the power plant on a vehicle or be in a position to do so while the vehicle is in motion or the power plant is running.

“Operator” means any person who operates or is in physical control of a vehicle.

“Streets” means any street, avenue, or alley within the corporate limits of the city, including ditches and boulevards within the right-of-way of a street or alley.

10.40.20 – Restrictions – Corporate Limits.

No off road vehicle shall be operated within the corporate limits of the city except upon the property of the operator thereof or with the permission of the owner of the property.

10.40.30 – Restrictions – Streets.

No off road vehicle shall be operated upon any street in the city, at any time unless the vehicle is licensed to do so by state law.

10.40.35 – Exceptions – Golf Carts

The use of golf carts on the municipal streets is hereby authorized subject to the following provisions:

- A. The person operating the golf cart must hold a valid driver’s license.
- B. The golf cart must be insured for liability.
- C. The golf cart shall display a slow-moving vehicle emblem in accordance with SDCL 32-15-20 or a white or amber warning light in accordance with SDCL 32-17-46.
- D. The operator of a golf cart shall comply with all city, county and state traffic rules and regulations applying to motor vehicles generally, except that a golf cart shall not be required to have a bell, horn or directional turn signals.

- E. The golf cart shall only be driven on City streets during daylight hours.
- F. While the golf cart is in motion, the operator and occupants shall be seated at all times and shall ride only upon the permanent and regular seats in the golf cart. It shall be unlawful for more than two people to occupy the front seat while the golf cart is in motion.
- G. The use of golf carts is authorized for City streets only, not to include State highways.

10.40.40 – Violation – Penalty.

Any person who violates any provision of this chapter shall be punished by a fine of not more than two hundred (\$200.00) and a jail sentence of not more than thirty (30) days or both.

This Ordinance shall take effect and be in full force from twenty (20) days after the date of publications following final passage and adoption.

Passed this first reading the 12th day of June, 2023.

Passed this second and final reading the 10th day of July, 2023.

Terry Jaspers – Mayor

ATTEST:

Amber Kemnitz – City Finance Officer