

**CITY OF SISSETON**  
**March 11, 2019 AGENDA**  
Sisseton City Hall – 6:30 p.m.

**Agenda:**

1. Call to Order
2. Adopt Agenda
3. Minutes – February 11, 2019
4. Bills Payable
5. Reports:
  - a. Liquor
  - b. Police
  - c. Street/Safety Coordinator
  - d. Water/Sewer
  - e. Building Permits
  - f. Finance
  - g. City Attorney
6. Public Comment
7. Public Hearings:
  - a.
8. Old Business:
  - a. Follow up health board inspection
9. Visitors
  - a. Butch Alvarado: Roberts County Sportsmen’s Club Update
  - b. Sisseton Arts Council: Possible Art Display in Hwy 10 Roundabouts
  - c. Michael Schmit, Helms & Associates: Airport Runway Project
10. Travel Approval:
  - a. Annual MSHA Safety Training: March 20, 2019 Sisseton
  - b. SD Police Chiefs’ Association Annual Conference: April 23-25, 2019 Deadwood, SD
11. New Business:
  - a. Authorize Solicitation of Bids for Airport Improvement Project 3-46-0051-014-2019 Runway 16/34 Reconstruction
  - b. Authorize Mayor to sign Agency Agreement with SD DOT for FAA Funding of Airport Improvement Program Projects
12. Ordinances and Resolutions:
  - a. Ordinance 657: Duty of Owner (Lawn Mowing) – first reading
  - b. Ordinance 658: Duty of Chief of Police (Lawn Mowing) – first reading
13. Information and Discussion Items
  - a. Election cancelled
  - b. Zoning Ordinance
14. Mayor/Council Member Reports
15. Adjourn

*The meeting is open to the public and interested persons are encouraged to attend. The TDD number is 1-800-877-1113. Disabled individuals wishing assistance should contact the City Finance Officer for information and/or special assistance – the request should be made at least 24 hours in advance of the meeting.*

The City Council for the City of Sisseton met in regular session on Monday, February 11, 2019 at 6:30 p.m.

Members present were Mayor Terry Jaspers, Aldermen Brooks, German, Just, Solberg, Stapleton and Wegleitner.

Others Present: Erin Cameron, Amber Kemnitz, Ellen Lekness, Jim Croymans, Myron Doud, Gary Spencer, Terry & Debbie Sutton

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

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

**Minutes:** Solberg moved and Brooks seconded to approve the January 14, 2019 minutes. All voted aye.

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

Liquor: Lekness presented the January 2019 liquor report.

Police: Croymans reported on police department.

**Declare Property Surplus:** Solberg moved and German seconded to declare the 2007 Chevy Impala as surplus property and to appoint Brooks, Just and Stapleton as an appraisal board. All voted aye.

Street/Safety: Doud reported for street department.

Water/Sewer: Spencer reported for the water and sewer department. Mayor Jaspers updated Council on meeting with Water/Sewer Committee, Helms & Associates, Ross Hanson with IHS and Rural Development regarding the Water Treatment Plant Project and Sewer Main Project.

**Building Permits:** Stapleton moved and Wegleitner seconded to approve building permit 2019-1: Napa. All voted aye.

**Finance Report:** Brooks moved and Stapleton seconded to approve the January 2019 finance report. All voted aye.

City Attorney: A follow up health board inspection will be scheduled for a property that has not followed through with the requirements from a prior inspection.

**Travel:** Wegleitner moved and Stapleton seconded to approve registration and travel expenses for City Officials and staff to attend the SDML Annual District Meeting in Britton, SD on March 19, 2019. All voted aye.

**SD DOT ROW Agreement & Agreement of Sale:** Just moved and German seconded to authorize Mayor Jaspers to sign Right of Way Agreement and Agreement of Sale with SD

Department of Transportation for purchase of property in conjunction with the SD Hwy 10 project. All voted aye.

Information & Discussion: Council received the 2017 audit report from Wohlenberg Ritzman & Co. A copy of the audit is available for public review at City Hall. Mayor Jaspers updated Council on the Hwy 10 Project. The Mayor and Council discussed the closing of Shopko due to bankruptcy and Lewis Drug's plan to replace the void left with the closing of Shopko pharmacy. Council discussed issues with vehicles parked in the streets during snow removal. Council was in agreement to enforce ordinance and have vehicles towed if they are interfering with snow removal.

**Adjourn:** Stapleton moved and Wegleitner seconded to adjourn. All voted aye. Meeting adjourned at 8:05 p.m.

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Amber Kemnitz, Finance Officer

**City of Sisseton  
Liquor Store Report  
February 2019**

Liquor Store Deposits	82,152.62
Less Sales Tax	-5,699.55
Gross Liquor Store Sales	76,453.07

Opening Inventory	130,859.74
Purchases	55,549.08
Total Merchandise	186,408.82
Closing Inventory	-130,265.73
Cost of merchandise for sale	56,143.09

Liquor Store Profit	20,309.98
Less Expenses	-11,671.22
<b>Net Liquor Store Profit</b>	<b>8,638.76</b>

10% tax on clubs

End Zone	333.84
Hickory St. Kitchen & Cocktails	321.27
Rosalie's	259.59
Taco's El Bajio	41.41
Billys	55.56
Doubletree Gallery	73.20
Dollar General	126.51
Holiday	947.63
K&K	1,193.10
Shopko	38.94
Stillsons	376.19
<b>Total</b>	<b>3,767.24</b>

Other Expenses

Salaries	7,888.54
FICA	603.47
Retirement	322.36
Work Comp	0.00
Group Insurance	767.70
Unemployment Insurance	0.00
Insurance/Prof Services	0.00
Publishing	0.00
Repair	171.60
Supplies	857.46
Equipment	0.00
Utilities	1,060.09
Total Expense	11,671.22

Breakdown - Liquor Store Deposits

Beer	34,234.71
Whiskey	34,158.67
Wine	4,668.37
Pop/Miscellaneous	1,781.99
Tobacco	1,518.94
Ice	75.19
<b>Total</b>	<b>76,437.87</b>

**Net liquor store profit plus 10% from clubs**

**12,406.00**



**CITY OF SISSETON - FINANCE REPORT****February 2019**

Balance last report		12,505,723.40
Receipts this month		
Property Tax	31,815.33	
Sales Tax	109,370.07	
Amusement Tax	0.00	
Building Permits	50.00	
Peddler/Pawnshop License	0.00	
Dog License	57.00	
Liquor/Malt Bev. License	0.00	
Video Lottery License	450.00	
State/Federal Grants	27,259.45	
State/County Shared Revenue	0.00	
Bank Franchise	0.00	
Motor Vehicle License	4,967.54	
Local Hwy/Bridge Fund	0.00	
Sisseton Housing Pmt in Lieu of Taxes	0.00	
Accident Reports	52.00	
Sales/Excise Tax	0.00	
Fire Dept Fees	0.00	
Hwy & Street	0.00	
Library/Recreation Fees	0.00	
Av Gas sales	111.54	
Fines	10.00	
Interest	15,132.05	
Rentals	130.00	
Rubble Site Charges	0.00	
Cable TV Franchise	0.00	
Contributions and Donations	0.00	
Miscellaneous (Includes pmt for SRO)	10,686.66	
Sale of Fixed Assets	1,600.00	
Compensation for loss-insurance proceeds	0.00	
Third Cent Sales Tax	5,026.81	
Liquor Sales	76,453.08	
Sales Tax	5,699.54	
Operating Agreements	8.90	
10% Beverage Mark Up	4,404.54	
Utility receipts	95,493.76	
Bulk Water	0.00	
Sale of Water Supplies	1,211.90	
Sales Tax	0.00	
Sewer - Land Rent	0.00	
Other Solid Waste Revenue	0.00	
Total Receipts		389,990.17
<u>Total Expense</u>		<u>213,919.71</u>
<b>Cash Balance End of Month</b>		<b>12,681,793.86</b>

Respectfully Submitted by Amber Kemnitz, Finance Officer

## Revenue - February 2019

	<u>Anticipated</u>	<u>YTD Revenue</u>	<u>Balance</u>
<b>General Fund</b>			
Property Tax	775,000.00	31,815.33	743,184.67
Sales Tax	1,100,000.00	61,081.81	1,038,918.19
Amusement Tax	335.00	0.00	335.00
Taxi License	0.00	0.00	0.00
Building Permits	1,200.00	50.00	1,150.00
Pawnshop License	200.00	100.00	100.00
Peddler License	100.00	0.00	100.00
Dog License	300.00	65.00	235.00
Liquor & Malt Beverage License	5,000.00	1,550.00	3,450.00
Video Lottery Fees	2,500.00	2,550.00	-50.00
Federal Grants	0.00	26,584.22	-26,584.22
State Grants	75,000.00	6,535.23	68,464.77
Bank Franchise Fee	12,000.00	0.00	12,000.00
Liquor Tax Reversion	15,000.00	0.00	15,000.00
Motor Vehicle License	30,000.00	4,967.54	25,032.46
Local Hwy/Bridge Fund	60,000.00	0.00	60,000.00
Other State Share Revenue	0.00	0.00	0.00
Payment in Lieu of Tax	16,000.00	0.00	16,000.00
County Road Tax	2,200.00	0.00	2,200.00
Accident Reports	150.00	88.00	62.00
Fire Dept Townships	22,000.00	4,225.85	17,774.15
BIA/SWST Fire Dept	0.00	0.00	0.00
Fire Dept Ins Co & Individual Pmts	7,500.00	0.00	7,500.00
Hwy & Street	500.00	0.00	500.00
Recreation	10,000.00	0.00	10,000.00
Library Card Fees	750.00	0.00	750.00
AV Gas (Airport)	7,500.00	136.00	7,364.00
Fines	150.00	0.25	149.75
Dog Keeping	100.00	30.00	70.00
Interest	15,000.00	37,901.51	-22,901.51
Rentals	25,000.00	1,619.90	23,380.10
Rubble Site Charge	0.00	0.00	0.00
Private Donations	125,000.00	0.00	125,000.00
Cable TV Franchise Fee	20,000.00	0.00	20,000.00
Other Miscellaneous Revenue	65,000.00	8,964.88	56,035.12
Dividend Income	0.00	0.00	0.00
Sale of General Fixed Assets	0.00	1,600.00	-1,600.00
Compensation for loss-ins. proceeds	0.00	0.00	0.00
<u>Operating Transfers In</u>	<u>60,000.00</u>	<u>0.00</u>	<u>60,000.00</u>
Total General Fund	2,453,485.00	189,865.52	2,263,619.48
Liquor, Lodging & Dining Sales Tax	75,000.00	3,089.72	71,910.28
State Grant	0.00	0.00	0.00
Interest	0.00	0.00	0.00
Liquor	1,052,500.00	158,785.84	893,714.16
Water	451,000.00	75,446.21	375,553.79
Sewer	411,000.00	66,696.99	344,303.01
Sanitation	295,650.00	49,724.81	245,925.19
<b>Total City Funds</b>	<b>4,738,635.00</b>	<b>543,609.09</b>	<b>4,195,025.91</b>

## Expenditures - February 2019

	<u>Appropriation</u>	<u>YTD Expense</u>	<u>Balance</u>
<b>General Fund</b>			
Legislative	50,235.00	5,193.69	45,041.31
Contingency	100,000.00	0.00	100,000.00
Executive	12,200.00	3,142.10	9,057.90
Elections	2,200.00	0.00	2,200.00
Legal	12,000.00	892.50	11,107.50
Finance Office	89,350.00	10,937.94	78,412.06
Financial Administration	43,000.00	0.00	43,000.00
General Government Building	40,200.00	4,438.92	35,761.08
Police	569,000.00	77,659.26	491,340.74
Fire	76,000.00	3,896.24	72,103.76
Street Department	513,500.00	13,145.54	500,354.46
Snow Removal	54,800.00	24,041.10	30,758.90
Street Lighting	51,500.00	3,696.40	47,803.60
Street Cleaning	9,000.00	0.00	9,000.00
Airport	189,000.00	37,989.09	151,010.91
Health	9,000.00	249.42	8,750.58
Recreation	258,900.00	342.41	258,557.59
Parks	28,100.00	359.05	27,740.95
Library	161,300.00	17,086.24	144,213.76
Economic Development	125,950.00	15,361.62	110,588.38
<u>Capital Outlay</u>	<u>92,500.00</u>	<u>0.00</u>	<u>92,500.00</u>
Total General Fund	2,487,735.00	218,431.52	2,269,303.48
<b>Special Revenue Fund-Promotion</b>	75,000.00	801.86	74,198.14
<b>Enterprise Funds</b>			
Liquor	1,073,700.00	90,628.39	983,071.61
Water	442,200.00	18,530.83	423,669.17
Sewer	626,200.00	13,283.83	612,916.17
Garbage	257,900.00	31,756.78	226,143.22
<b>Total City Funds</b>	<b>4,962,735.00</b>	<b>373,433.21</b>	<b>4,589,301.79</b>



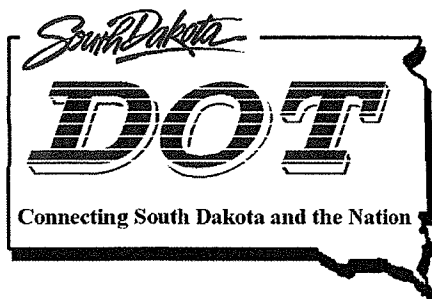
**City of Sisseton  
Cash Fund Balance  
February 2019**

Cash by Fund

General Fund	6,710,839.26
Lodging & Dining Sales Tax Fund	139,012.72
Liquor Fund	1,144,767.72
Liquor Fund - Change	700.00
Water Fund	1,994,363.83
Water Fund - Change	200.00
Sewer Fund	2,358,322.48
<u>Garbage Fund</u>	<u>333,587.85</u>
<b>Total</b>	<b>12,681,793.86</b>

Bank Reconciliation

Checking Account First Savings Bank	1,117,720.02
FIT GCR Acct	9,396,010.97
Wells Fargo Acct #4231	599,344.77
Dacotah Bank 7/23/19	507,289.95
Citibank 6/6/19	500,000.00
Peoples State Bank 8/29/19	500,000.00
RCNB - Library Trust	49,730.53
Dacotah Bank - Celebrate Sisseton	10,797.62
<u>Change Fund</u>	<u>900.00</u>
<b>Cash Balance</b>	<b>12,681,793.86</b>



Department of Transportation  
Division of Secretariat  
Office of Air, Rail & Transit  
700 East Broadway Avenue  
Pierre, South Dakota 57501-2586  
OFFICE: 605/773-3574  
FAX: 605/773-2804

February 8, 2019

Amber Kemnitz, Finance Officer  
City of Sisseton  
406 2nd Avenue West  
Sisseton, SD 57262

RE: Agency Agreement

Dear Ms. Kemnitz:

As described in the body of the enclosed agreement, state law requires that all federal funding for airports goes through the SDDOT before being distributed to the airport sponsor. What this means is that you pay all costs for Airport Improvement Program (AIP) projects yourself and then I reimburse you the federal share of those costs. This is a blanket agreement that applies to all FAA funds. A separate State financial agreement will be issued for each AIP project as appropriate determining the state's share of that project's costs.

Please sign and return the enclosed *Agency Agreement* so that SDDOT will be able to continue processing financial reimbursements on all airport projects that include FAA funding. This agreement will be kept on file and updated as necessary.

**As per Agreement, an executed copy of the minutes of the SPONSOR's commission authorizing the execution of this Agreement by the Mayor as the authorized representative for the SPONSOR should be attached hereto.**

A fully executed copy will be returned for your files. If you have any questions, please contact me at (605) 773-4430 or email me at [jennifer.boehm@state.sd.us](mailto:jennifer.boehm@state.sd.us)

Sincerely,

A handwritten signature in black ink that reads "Jennifer Boehm". The signature is written in a cursive, flowing style.

Jennifer Boehm, Aeronautics Program Assistant

Enclosures

**AGENCY AGREEMENT  
BETWEEN  
STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION  
AND  
CITY OF SISSETON**

This Agreement is made and entered into by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and the city of Sisseton, South Dakota, referred to in this Agreement as the "SPONSOR."

**BACKGROUND:**

1. South Dakota Codified Law ("SDCL") § 50-7-17 provides "[n]o governmental agency in this state, whether acting alone or jointly with another governmental agency, may submit to the administrator of the federal aviation administration any project application under the provisions of any act of Congress which provides airport planning, construction, and development funds or other funds for the expansion and improvement of the airport system as such act shall pertain to the State of South Dakota, unless the project application has been first approved by the department (South Dakota Department of Transportation). No governmental agency may directly receive or disburse any funds granted by the United States under such act, but the governmental agency shall designate the department as its agent to receive and disburse funds."
2. The SPONSOR wishes to develop a municipal airport and seeks federal funding under the terms of any act of Congress ("ACT").
3. Pursuant to SDCL § 50-4-1, the STATE has statutory authority to assist in the development of aviation and aviation facilities within the state for the purpose of safeguarding the interests of those engaged in all phases of the industry and of the general public and promoting aeronautics.
4. The designation of the STATE as the SPONSOR'S agent to accept and receive federal funds on the SPONSOR'S behalf for airports or other airport purposes and to contract for the acquisition, construction, improvement, maintenance, or operation of airports or other aviation facilities is necessary in order for the SPONSOR to secure the financial assistance and aid it needs for the development of the airport.

**THE PARTIES AGREE AS FOLLOWS:**

**1. THE STATE'S RESPONSIBILITIES**

- A. The STATE will act as agent of the SPONSOR pertaining to the planning, prosecution, and completion of the airport development included and described in the above-mentioned project application submitted to secure federal aid, including, but not limited to, the following:
  - (1) The receipt and disbursement of all funds required to pay the costs of the proposed project including the receipt and disbursement of all funds made available by the federal government to pay the federal share of allowable project costs. The federal funds will be paid to SPONSOR under such terms and conditions as may be imposed by the Federal Aviation Administration ("FAA") in making the grant.
  - (2) The performance of all administrative services required in the preparation and processing of project documents and in securing approval of the project and the payment of applicants for grant payments by the federal government.
- B. The STATE acknowledges the approval of the project and project applications for the development of the airport by the SPONSOR to be submitted to the FAA under the provisions of the ACT.

C. The STATE, upon receipt of any funds to be deposited with the State Treasurer of South Dakota in accordance with the laws of the State of South Dakota appertaining to the deposit of federal and public funds, will cause a state warrant to be issued to the SPONSOR for the funds upon presentation of verified invoices or receipts for the funds, duly executed by the SPONSOR and approved by the STATE.

2. SPONSOR'S RESPONSIBILITIES

A. The SPONSOR agrees, after approval of the project application by the FAA and upon the acceptance of the grant agreement, the SPONSOR will perform or cause to be performed the development and management of the airport in the manner set forth in the grant agreement and under the conditions and terms as imposed by the ACT and any amendments, the rules and regulations of the FAA, and any supplemental guidance or grant assurances. The SPONSOR further agrees to assume all responsibilities and obligations pertaining to the ownership of airport property and to continued operation and maintenance of the airport as set for in the application for federal assistance (FAA Form 5100-100) submitted for a grant of federal funds.

B. The SPONSOR understands, pursuant to the ACT, federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of federal funds for this project, the SPONSOR, as a recipient of federal assistance, must include specific contract provisions in certain contracts, requests for proposals, or invitations to bid.

C. As owner of legal title to the airport property, the SPONSOR will take such formal action as may be required by the provisions of the ACT and the regulations issued pursuant to the ACT.

D. The SPONSOR will provide to the STATE an original and duplicate of all communications and notices with regard to the proposed project.

3. Nothing contained in this Agreement is intended to be, nor will it be construed to be, in violation of the laws of the United States or the State of South Dakota, nor in violation of the rules and regulations of the FAA or the STATE.

4. The SPONSOR has designated its Mayor as the SPONSOR'S authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the SPONSOR. A copy of the SPONSOR'S Commission or Council minutes or resolution authorizing the execution of this Agreement by the Mayor as the SPONSOR'S authorized representative is attached to this Agreement as **Exhibit A**.

This Agreement is binding upon the signatories not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the SPONSOR to enter into the same.

City of Sisseton, South Dakota

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: Mayor

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Auditor/Clerk

(CITY SEAL)

**Ordinance 657**

Amending Ordinance 8.28.010 Duty of Owner

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SISSETON, ROBERTS COUNTY, SOUTH DAKOTA, that Ordinance 8.28.010 Duty of Owner be amended as follows:

8.28.010 – Duty of Owner.

No owner, occupant, or other person in charge of any lot, lots, tract, parcel, or any grounds in the city shall permit any grass or weeds to grow upon the property, or any grounds along any sidewalk adjoining the same, to a height exceeding three inches above such sidewalk or in any such manner as to impede, obstruct, or render inconvenient to travel upon the sidewalk; nor shall any owner, occupant, or person in charge of any lot or grounds in the city allow any weeds, grass, or other vegetation to grow thereon to a height exceeding ten (10) inches. No person shall cause any solid waste, trash, soil, grass clippings, tree branches, leaves, or waste material of any kind to be deposited on any public street.

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

Passed this first reading the 11<sup>th</sup> day of March 2019.

Passed this second and final reading the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Terry Jaspers, Mayor

ATTEST:

\_\_\_\_\_  
Amber Kemnitz, Finance Officer

**Ordinance 658**

Amending Ordinance 8.28.020 Duty of Chief of Police

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SISSETON, ROBERTS COUNTY, SOUTH DAKOTA, that Ordinance 8.28.020 Duty of Chief of Police be amended as follows:

8.28.020 – Duty of Chief of Police.

It shall be the duty of the chief of police to see that all lots and grounds along the sidewalks are kept free from grass and weeds as hereinbefore provided and to notify all owners and occupants or persons responsible for such property of their duty to cut or remove the same. Such notice need not be given personally, but may be given generally by one publication in the official newspaper of the city. In case of default thereof by any such person, the chief of police of the city shall cause to be cut, mown, or removed such grass or weeds and shall cause the cost for removing and cutting same to be taxed and assessed against the lot, lots, tract, parcel, or grounds, and shall file with the county auditor of the county of Roberts and state of South Dakota, a statement of the costs incurred in cutting and removing such grass or weeds to be taxed against such property, and that the same shall become a lien upon such property immediately after the filing of such statement with the county auditor as herein provided.

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

Passed this first reading the 11<sup>th</sup> day of March 2019.

Passed this second and final reading the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Terry Jaspers, Mayor

ATTEST:

\_\_\_\_\_  
Amber Kemnitz, Finance Officer