

The City Council for the City of Sisseton met in regular session on Monday, May 11, 2020 at 6:30 p.m.

Members Present: Mayor Terry Jaspers, Aldermen Brooks, German, Just, Solberg, Stapleton and Wegleitner.

Others Present: Erin Cameron, Amber Kemnitz, Ellen Lekness, Jim Croymans, Jason Deutsch, Dean Lehrke, Wade Veflin, Mel Huff, Trent Bestland, Bob Hull

Others Present via Teleconference: Emily Hanson, Craig Bair

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

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

**Minutes:** Solberg moved and Stapleton seconded to approve the April 13 and May 4, 2020 minutes. All voted aye.

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

Liquor: Lekness presented the April 2020 liquor report. Liquor Store hours will be adjusted by Management based on staff availability.

Police: Croymans reported on police department.

Street/Safety & Water/Sewer: Mayor Jaspers reported on Street & Water/Sewer Departments.

**Chip Seal Bids:** Bids were received for the 2020 chip seal project for approximately 46 blocks as follows:

Bituminous Paving Inc. \$130,992.00

Brooks moved and Solberg seconded to accept bid from Bituminous Paving Inc. in the amount of \$130,992.00 for the 2020 Chip Seal Project. All voted aye.

**Street Patching Proposals:** Stapleton moved and Wegleitner seconded to hire Serocki Excavating to do street patching at \$4.00 per square foot. All voted aye.

**Building Permits:** Stapleton moved and Just seconded to approve the following building permits: 2020-8 T.Zephier, 2020-9 Schiltz Foods. All voted aye.

**Conditional Use Public Hearing:** At 7:00 p.m. a public hearing was held for a conditional use of Lots 4-7; N2 of Lot 8 in Block 1 submitted by Emily Hanson. The conditional use permit would allow the property to be used as a hair salon in a General Residential District. Emily Hanson informed Council that the property will be used as both her residence and hair salon. There was no public input. German moved and Just seconded to approve the Conditional Use Permit 2020-7 submitted by Emily Hanson. Voting aye were, Brooks, Just, Stapleton, Solberg, Wegleitner, German and Jaspers. Motion carried.

**Finance Report:** Wegleitner moved and Brooks seconded to approve the April 2020 finance report. All voted aye.

Public Comment: None

**Ball Park Groundskeeper:** Just moved and Solberg seconded to hire Dan Karst as Ball Park Groundskeeper at a wage of \$11.50 per hour. All voted aye.

**Purchase Lawn Mower:** Solberg moved and Stapleton seconded to authorize purchase of Country Clipper lawn mower from Keller Repair for \$8,694.26. All voted aye.

**Special Events:** The Friends and Neighbors Club submitted an application for a Carnival in Anderson Park on June 3-6, 2020. Due to the Covid-19 pandemic, Council was in agreement that it would not be appropriate to have a carnival at this time. No action was taken on the Special Event Application.

German moved and Solberg seconded to approve the special event application submitted by Sisseton Area Chamber to have a Farmer's Market in Drenttel Park every Thursday during July – September 2020 with the condition that the permit can be revoked if deemed necessary by the City Council. All voted aye.

Public Hearing – Land Leases: At 7:15 p.m. a public hearing was held concerning the 2021-2023 land leases. There was no public input.

Bid Opening – Land Leases: Bids were opened for land leases as follows:

Parcel 1: Russell Veflin \$17,204.00; Andrew, Allen & Robert Meyer \$15,500.00

Parcel 2: Rydell Nieland \$16,759.96

Parcel 3: Gary Hanson \$800.00

Parcel 4: Gary Hanson \$400.00

Parcel 5: Gary Hanson \$350.00

Parcel 6: Clarence Knapp \$315.00; Brian Heinecke \$502.00

Parcel 7: No Bid

**Farmland Bids:** Brooks moved and Solberg seconded to accept the high bids for the 2021-2023 land leases with the land to be leased to the bidders as follows:

Parcel 1: Russell Veflin \$17,204.00

Parcel 2: Rydell Nieland \$16,759.96

Parcel 3: Gary Hanson \$800.00

Parcel 4: Gary Hanson \$400.00

Parcel 5: Gary Hanson \$350.00

Parcel 6: Brian Heinecke \$502.00

All voted aye.

**Airport Transfer of 2020 Entitlement Funds:** Just moved and Stapleton seconded to approve transfer of unused 2020 entitlement funds in the amount of \$52,000.00 from Sisseton Municipal Airport to State of South Dakota. All voted aye.

**Airport Runway Project Asphalt Testing:** Solberg moved and Just seconded to authorize solicitation of Statement of Qualifications to conduct Asphalt Testing for the Airport Runway Reconstruction Project. All voted aye.

**SD Department of Health West Nile Prevention Grant:** Just moved and Brooks seconded to approve authorization for City to apply for SD Department of Health West Nile Prevention Grant. All voted aye.

**BX Civil & Construction, Inc. Pay Request #7:** German moved and Stapleton seconded to approve pay request #7 from BX Civil & Construction, Inc. in the amount of \$44,673.77 for the SD Hwy 10 Water & Sewer Project. All voted aye.

**2019 Annual Report:** Solberg moved and Just seconded to approve the 2019 Annual Report. All voted aye.

**Resolution 2020-4:** Brooks moved and Wegleitner seconded to approve Resolution 2020-4 as follows:

WHEREAS, the City of Sisseton owns real property which is not necessary for the operation of City government and has been therefore leased to private parties, and

WHEREAS, said leases are due to expire April 1, 2021, and

WHEREAS, the City Council deems it to be in the best interest of the City of Sisseton to renew said leases, now therefore **BE IT RESOLVED** by the City Council of the City of Sisseton that it intends to lease the following property:

PARCEL 1) The cultivated portion of the Northwest Quarter (NW1/4), Section Twenty-five (25), Township One Hundred Twenty-six (126) North, Range Fifty-one (51) West of the Fifth Principal Meridian, Roberts County, South Dakota, consisting of approximately 101.2 acres of cropland.

PARCEL 2) The East Half of the Southwest Quarter (E1/2SW1/4) and the West Half of the Southeast Quarter (W1/2SE1/4) Section Thirty-five (35) Township One Hundred Twenty-seven (127) North of Range Fifty-one (51) West of the Fifth Principal Meridian, all in Roberts County, South Dakota. This parcel contains approximately 100.6 acres cropland.

PARCEL 3) The hayland of the Northwest Quarter (NW1/4), Section Twenty-five (25), Township One Hundred Twenty-six (126) North, Range Fifty-one (51) West of the Fifth Principal Meridian, Roberts County, South Dakota, consisting of approximately 40 acres of hayland.

PARCEL 4) All pastureland located in Outlots One (1), Five (5) and Six (6) in the Southwest Quarter (SW1/4), Section Twenty-seven (27), Township One Hundred Twenty-six (126) North, Range Fifty-one (51) West of the Fifth Principal Meridian. Approximately 25 acres.

PARCEL 5) All pasture located in Lots A in the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township One Hundred Twenty-six (126) North of Range Fifty-one (51) West of the Fifth Principal Meridian. Approximately 15 acres.

PARCEL 6) All hayland located in lots A in the Northeast Quarter (NE1/4), of Section Twenty-three (23), Township One Hundred Twenty-six (126) North of Range Fifty-one (51) West of the Fifth Principal Meridian and all hayland located in Lot A in the Northwest Quarter (NW1/4) of Section Twenty-four (24), Township One Hundred Twenty-six (126) North of Range Fifty-one (51) West of the Fifth Principal Meridian. Hayland inside the lagoon fences including the berms around the ponds is NOT included in this parcel. Approximately 20 acres.

PARCEL 7) The East half of the Southwest Quarter (E1/2 SW1/4) Section Two (2), Township One Hundred Twenty-six (126), North, Range Fifty-one (51) West of the Fifth Principal Meridian. Approximately 60 acres of hay or crop land.

A public hearing on the resolution of intent to so lease said parcels of land was held at the City Council Chambers of the City of Sisseton in the City Hall of Sisseton, South Dakota, on Monday, the 11<sup>th</sup> day of May, 2020 at the hour of 7:15 p.m. pursuant to the terms of SDCL 9-12-5.2.

Dated at Sisseton, South Dakota this 11<sup>th</sup> day of May 2020.

The City of Sisseton

All voted aye.

Sisseton Youth Baseball Association: Members of the SYBA updated Council on the Baseball Complex Project and discussed possibility of replacing grandstand at the main field.

Bair Aviation Fuel Proposal: Council reviewed proposal from Craig Bair regarding allowing Bair to have a private fueling system for his aerial application business. Council was in agreement to allow and will provide an agreement to Bair with action at the regular June Council meeting.

**Resolution 2020-6**: Stapleton moved and Wegleitner seconded to approve Resolution 2020-6 as follows:

BE IT RESOLVED by the City Council of Sisseton, in Roberts County, South Dakota in a meeting assembled that the form of Amended Section 125 Cafeteria Plan effective June 1, 2020, presented to this meeting is hereby approved and adopted and that the proper officers of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

BE IT FURTHER RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

BE IT FURTHER RESOLVED, that the proper officers of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

Dated at Sisseton, Roberts County, South Dakota this 11<sup>th</sup> day of May 2020.

All voted aye.

**Ordinance 664:** Brooks moved and German seconded to approve the second reading and adoption of Ordinance 664 Amending Ordinance 10.32.210 PENALTIES – VIOLATIONS: TO UPDATE THE FINE SCHEDULE AND ADD DESIGNATED 2 HOUR PARKING AREAS TO THE FINE SCHEDULE. Upon roll call vote, voting aye were Brooks, Just, Stapleton, Solberg, Wegleitner and German. Motion carried.

**Ordinance 665:** Stapleton moved and Solberg seconded to approve the second reading and adoption of Ordinance 665 AN EMERGENCY ORDINANCE TO AMEND ORDINANCE 663 TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE SPREAD OF COVID-19 CORONAVIRUS. Upon roll call vote, voting aye were Brooks, Just, Stapleton, Solberg, Wegleitner and German. Motion carried.

Information & Discussion: Mayor Jaspers will provide a letter of support to Sisseton Milbank Railroad as they seek a Federal US DOT BUILD Grant to replace rails.

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

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Amber Kemnitz, Finance Officer

April 2020 Bills Payable

Bank Charge-Credit Card	bank charge	995.46
Edgewood Healthcare	donation	1,200.00
Efraimson Electric Inc.	airport project	28,351.40
First Savings Bank	fees	73.95
Health Pool of SD	health insurance	15,374.04
J&J Earthworks Inc.	airport project	39,375.00
Postmaster	supplies	164.73
Postmaster	supplies	300.00
SD Retirement	retirement	6,732.07
Sisseton Area Chamber	donation	5,000.00
Sisseton Ministerial Association	donation	2,000.00
Venture	utilities	1,344.36
Verizon	utilities	170.44
EFTPS	payroll tax	8,236.11
Payroll:	administration	9,498.01
	public safety	36,351.50
	public works	14,417.25
	culture/recreation	11,303.39
	economic development	3,403.20
	liquor	11,614.78
	water	5,692.05
	sewer	5,692.05
	sanitation	10,396.20
		217,685.99

May 11, 2020 Bills Payable

Coca Cola	merchandise	260.50
Ellwein	merchandise	24,934.00
Henry's	merchandise	1,480.18
Johnson Bros.	merchandise	14,248.26
Madison Bottling	merchandise	215.93
Porter Distributing	merchandise	9,864.10
Republic National Distributing	merchandise	10,105.71
SD Treasurer	sales tax	6,563.95
Southern Glazer's	merchandise	3,325.05
Republic National Distributing	merchandise	4,539.17
Southern Glazer's	merchandise	2,081.90
Cengage Learning	books	53.23
Columbia House	books	25.94
Demco	supplies	275.32
Jayne Nieland	travel	54.89
Penworthy	books	478.75
Janet Schmidt	supplies	11.47
Wells Fargo Credit Card	books/material/supplies	511.57
Ace Hardware	supplies	2,520.61
Allegiant Emergency Services	supplies	230.09
Ameripride	supplies	167.85
Auto Value Parts	supplies	18.98
Brewster Building Center	supplies	57.98
Erin Cameron	prof services	446.25
CHS	utilities	3,441.66
City of Sisseton	supplies	105.96
Crossroads Electric	repair	487.13
Jim Croymans	supplies	245.75
Dakota Western	supplies	69.56
FedEx	supplies	13.92
First Call Auto Parts	supplies	800.52
Galls	supplies	67.18
Hawkins	supplies	2,756.02
Heiman Fire Equipment	supplies	719.25
Helms & Associates	prof services	12,159.47
Heritage Museum	promotion	420.00
Holiday Service	supplies	718.01
Jerry's U-Save	supplies	13,275.00
Keller Repair	supplies	335.60
Kibble Equipment	supplies	248.95
LTP Enterprises Inc.	repair	18,970.25
McLeod's	supplies	162.70

Media One	promotion	720.00
Milbank Communications	repair	119.50
Otter Tail Power Company	utilities	6,449.31
Otter Tail Power Co. Treas.	repair	1,423.94
Pies Fire Equipment	repair	47.25
Productivity Plus	supplies	438.00
Protection Systems Inc.	monitoring service	625.00
RC Treasurer - Landfill	landfill rent	8,269.29
SD Public Health Lab	lab fees	43.00
SD Treasurer	sales tax	1,267.25
Serocki Excavating	repair	2,916.07
Sisseton Courier	publishing & supplies	1,375.44
Sisseton Vet Clinic	prof services	180.00
Stillson Service	supplies	1,601.02
Stoney Brook Fire & Safety	supplies	1,184.25
Teal's	supplies	9.87
Traverse Electric	utilities	2,542.60
Tri State Building Center	supplies	622.12
Tri State Water	supplies	16.40
Twin Valley Tire	repair & supplies	1,575.90
Valley Office Products	supplies	66.44
Valley Rental & Recycling	recycling service	500.00
Verizon	utilities	68.52
Wage Works	prof services	485.00
Watch Guard	equipment	11,830.00
Wex Bank	supplies	680.76
Whetstone Valley Electric Coop	utilities	26.00
Wohlenberg Ritzman & Co.	prof services	3,000.00
Xerox	copier lease	110.46

185,662.00



ORDINANCE 664

AN ORDINANCE AMENDING CHAPTER 10.32.210 – PENALTIES – VIOLATIONS TO UPDATE THE FINE SCHEDULE AND ADD DESIGNATED 2 HOUR PARKING AREAS TO THE FINE SCHEDULE.

BE IT ORDAINED BY THE MUNICIPALITY OF SISSETON, ROBERTS COUNTY, SOUTH DAKOTA, that Ordinance 10.32.210 shall be amended as follows:

10.32.210 – Penalties – Violations.

A. The amount of fines for parking violations will be kept on file in the office of the clerk of courts. The offending automobile’s owner or operator will be issued a ticket listing the date of offense, license number of the vehicle, make of the vehicle, ordinance violation number, and location of offense with reference to street or avenue. Whenever a notice by way of ticket is left by any member of the police department with the owner or operator of the offending vehicle in violation of any parking ordinance requesting the person to report to court, the person shall appear at the hour and place designated, and default in so doing shall in itself, be deemed a violation of this chapter. The owner or operator has the option of paying the fine in advance of the noticed hearing with the clerk of courts office, or contest the ticket at the noticed hearing.

B. The fines for parking violations within the city are as follows:

Section	Violation	Fine
10.32.010	Parking in a No Parking Zone	\$30.00
10.32.040	Parking Large or Obstructive Item/Vehicle Prohibited	\$30.00
10.32.050	Parking in Handicapped Parking	\$75.00
10.32.060	Parking Near Fire Hydrant	\$50.00
10.32.070	Parallel and Diagonal Parking	\$30.00
10.32.080	Prohibited Vehicle Parking Over 20 Feet Long or 7 Feet Wide	\$30.00
10.32.110	Parking in Traffic to Converse	\$10.00
10.32.120	Double Parking	\$20.00
10.32.130	Parking in Alley	\$30.00
10.32.140	Parking on Crosswalk	\$30.00
10.32.160	Backing up to Curb – Other than Unloading	\$20.00
10.32.170	Parking Blocking Private Driveway	\$30.00
10.32.190	Vehicle Left in Disrepair Over 30 Days	\$30.00

10.32.200	Emergency Limited Parking (Street Cleaning, etc.) Pay Penalty and Cost of Removal	\$20.00
Resolution 2020-1	Violation of 2 Hour Parking Zones	\$20.00

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

Passed this first reading this 13<sup>th</sup> day of April, 2020.

Passed this second and final reading this 11<sup>th</sup> day of May, 2020.

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Terry Jaspers, Mayor

ATTEST:

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Amber Kemnitz, Finance Officer

## Ordinance 665

### **AN EMERGENCY ORDINANCE TO AMEND ORDINANCE #663 TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE SPREAD OF COVID-19 CORONAVIRUS**

#### **BE IT ORDAINED BY THE MUNICIPALITY OF SISSETON, ROBERTS COUNTY, SOUTH DAKOTA,**

WHEREAS, the City of Sisseton previously adopted an emergency Resolution and an emergency Ordinance pursuant to SDCL 9-29-1 and 9-32-1, namely Resolution 2020-3 and Ordinance No. 663, as an emergency response to Coronavirus (Covid-19). Both of which implemented social distancing guidelines recommended by the Centers for Disease Control (CDC) to slow the outbreak of the Coronavirus (Covid-19); and

WHEREAS, the emergency resolution and emergency ordinance allows the City of Sisseton to make adjustments to the emergency resolution and emergency ordinance as necessary; and

WHEREAS, the purpose of the social distancing requirements is to slow the spread of the disease so that the region's health care systems are not overwhelmed; and

WHEREAS, the City has been in communication with the region's health care systems and the state government and they have modeling that allows them to make predictions of the impact of certain social distancing regulations on the number of cases in the City and the overall impact on the health care systems; and

WHEREAS, the number of Coronavirus (Covid-19) cases in the City of Sisseton, Roberts County, and northeast South Dakota have remained relatively low; and

WHEREAS, the number of hospitalizations from the City of Sisseton, Roberts County, and northeast South Dakota supports the fact that the number of positive cases in this area is consistent with the number reported by the state, which is relatively low; and

WHEREAS, based upon the number of Coronavirus (Covid-19) cases in the City of Sisseton, Roberts County, and northeast South Dakota, the number of hospitalizations from the area, and the available modeling with regard to the virus, the Mayor and City Council believe some of the social distancing restrictions can be modified without causing the number of cases in the City to rise to a level that will overwhelm hospital capacity if proper procedures are put in place.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Sisseton that:

1. Resolution 2020-3 is hereby rescinded.
2. Any business identified in paragraphs 1-4 of the emergency ordinance may reopen to serve patrons on-site pursuant to the conditions established in this resolution.
3. Businesses identified in Paragraphs 1-4 of the emergency ordinance which reopen to serve patrons on-site shall limit the number of customers to 50% of its normal capacity so long as 6 feet social distancing is maintained between parties who are not in the same household.

4. Businesses identified in Paragraphs 1-4 of the emergency ordinance, that have reduced occupancy requirements to allow for social distancing shall mark certain seats “not available due to social distancing guidelines” to ensure compliance.
5. Businesses identified in Paragraphs 1-4 who have video lottery machines in operation must establish a cleaning protocol and social distancing protocol in a manner consistent with the recommendations of the CDC and the South Dakota Department of Health.
6. All businesses in the City of Sisseton open to the public shall operate in a manner consistent with the recommendations from the CDC, the South Dakota Department of Health, and any applicable state regulations, executive orders, and the Governor’s Back to Normal plan (as may be amended from time to time) that are set forth for the public in order to slow the spread of Coronavirus (Covid-19).
7. All businesses in the City of Sisseton open to the public shall follow the established guidelines issued by the CDC and the South Dakota Department of Health for cleaning schedules, disinfecting schedules, sanitation schedules, personal hand washing and hand sanitizing, and food handling.
8. All businesses in the City of Sisseton serving food or drinks are encouraged to wear masks covering their face and nose for their protection and the protection of the public.
9. All businesses in the City of Sisseton serving food or drinks are encouraged to utilize paper menus, disposable dishes, disposable glassware, and disposable utensils as much as possible.
10. Businesses are encouraged to conduct daily employee screenings for illness.
11. Ordinance 663 shall remain in full force except as modified herein.
12. This Ordinance shall automatically repeal with Ordinance 663.

**BE IT FURTHER ORDAINED**, that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage and publication.

Dated this 11<sup>th</sup> day of May, 2020.

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Terry Jaspers, Mayor

ATTEST

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Amber Kemnitz, Finance Officer

Passed upon its First Reading May 4, 2020

Passed upon its Second Reading May 11, 2020

Approved this 11<sup>th</sup> day of May, 2020.

Published this 19<sup>th</sup> day of May, 2020.

The City of Sisseton is an equal opportunity provider.

Published 1 time at an approximate cost of \_\_\_\_\_.