

**COUNCIL PROCEEDINGS  
REGULAR MEETING  
May 6, 2019**

A regular meeting of the Philip City Council was held on Monday, May 6, 2019, at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Michael Vetter, Council Members Marion Matt, Brit Miller, Marty Gartner, Scott Pinney and Terri Pelle. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Public Works Director Matt Reckling, Chief of Police David Butler, Virgil and Carla Smith, Casey Bulyca and Seth Green with Waste Connections of SD DBA Kieffer Sanitation; and later, Public Works Maintenance I Rick Coyle and City Attorney Stephanie Trask.

Absent: Trisha Larson.

Motion was made by Gartner, seconded by Matt to approve the agenda as presented. Motion carried.

Motion was made by Matt, seconded by Pinney to approve the minutes of the Apr. 1<sup>st</sup> meeting as published in The Pioneer Review and on the City's website. Motion carried.

Motion was then made by Miller, seconded by Gartner to approve the payment of the bills from the appropriated funds as listed below. Motion carried.

**Gross Salaries – Apr. 30, 2019:** Admin - \$3658.45; Finance - \$3393.86; Police - \$5957.46; Sewer - \$13440.25

Colonial Life	Employee Supplemental Ins 4/19	196.60
Credit Collections Bureau	Garnishment 4/19	103.58
EFTPS	SS/Medicare/Withholding 4/19	5846.51
NE Child Support Pay Ctr	Garnishment 4/19	659.18
SDRS	Employee Retirement 4/19	3463.23

**Add'l Bills – April 2019:**

Philip Motor, Inc.	2013 Ford F150 XLT	17450.00
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**Airport Hangar/Apron Design Project:**

KLJ Inc	Design Eng thru 3/30/19	17138.31
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**Southwest Philip Improv Project:**

SPN & Assoc	Const/Adm Eng thru 4/27/19	4208.20
Thorstad Companies	Pay Req #6 thru 4/26/19	22667.05

**Sunshine Dr Overlay Project:**

SPN & Assoc	Const Adm Eng thru 4/27/19	1767.50
Thorstad Companies	Const thru 4/26/19	2660.41

**This Month's Bills:**

Bad River Law Prof LLC	Atty/Legal Fees 4/19	295.00
Genex Harvest States	Fuel/LP 3/19	2003.74
	Fuel 4/19	242.59
Certified Pool Trainers	Reckling/Shipp Reg 4/19	750.00
CNH Productivity Plus Acct	ST Supplies 4/19	179.44

Comfort Suites	CPO Rooms 4/19	114.00
Core & Main LP	W Supplies/Meters 4/19	3362.80
D&T Auto Parts	ST Supplies/ SW Repairs 3/19	545.98
	ST Equip Repairs 4/19	32.28
Delta Dental	Dental Ins 5/19	776.90
1 <sup>st</sup> Nat'l Bank – Philip	UB Postage 4/19	128.80
Golden West Telecom	Telephone/Internet 3-4/19	572.11
Goldstar Products Inc	W Supplies 4/19	577.80
Haakon Co Treasurer	Office Rent 5/19	500.00
	2013 Ford Title/Reg 5/19	15.00
Haakon Co. Young Women	W Supplies 5/19	9.60
Hanson Oil	Fuel/LP 4/19	844.25
Health Pool of SD	Health Ins 5/19	10323.88
Hoag Diesel Service	ST Repairs 2/19	80.00
Hometown Computer Service	Park Camera Repairs 4/19	315.00
JT Vehicle Systems	PD Camera Installs 2/19	877.50
Les' Body Shop	ST Equip Repairs 4/19	590.00
McQuirk Ditching	W Backhoe 4/19	826.53
Morrison's Pit Stop	ST Supplies/PD Repairs 3/19	420.58
Moses Building Center	W/ST Supplies 4/19	26.19
Office Depot	FO Supplies 4/19	86.72
Optilegra	Vision Ins 5/19	95.70
Petty Cash	Pool 5/19	75.00
Philip Chamber of Commerce	2019 Approp/Dues	2000.00
Philip Geo-Thermal	FD Dues 2019	686.12
Philip Hardware	PD/ST/W/SW Supplies 3/19	38.43
	FO/ST/W Supplies 4/19	47.82
Philip Motor Inc.	FO/ST/SW Supplies 3/19	25.00
Philip Standard	PD/ST/W Fuel 4/19	861.10
Pioneer Review	Publishing 4/19	572.45
Schofield Welding Co	ST Repairs 4/19	20.00
SDARWS	W Contract Srv 2/19	125.00
SD Dept. of Revenue	W Testing 4/19	15.00
	Excise Tax Payable 4/19	2.90
	Sales Tax Payable 4/19	420.71
SD Gov't Finance Officers Assoc	Smith/Van Lint Conf Reg 5/19	150.00
SD Gov't Human Resource Assoc	Smith/Van Lint Conf Reg 5/19	100.00
SD One Call	Locates 1-3/19	3.15
Smith, Brittany	Mileage Reimb 4/19	67.41
The Philip Pit Stop	Fuel/Supplies 3-4/19	308.71
TranSource	ST Supplies 4/19	956.13
Twilight 1 <sup>st</sup> Aid & Safety	Eye Wash Serv/Supplies 4/19	178.89
Verizon Wireless	Cell Phone 3-4/19	132.33
VISA – UMB Bank	FO Supplies 3-4/19	25.00
Walker Refuse	363 Residential Collections 4/19	4791.60
West Central Electric	Electric 2/27-4/1/19	3540.49
	Electric 4/1-5/1/19	3226.85
WR/LJ Rural Water Systems	3,785,000 gals 4/19	4731.25
	Contract Min. 4/19	2500.00
	Airport Water 4/19	40.00
	South Shop Water 4/19	22.50

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Total Expenditures – 5/6/19

\$98,697.70

**Old Business:**

None.

**New Business:**

Council convened as the new Council for 2019/2020.

Certificates of Election were presented to following Council Members: Scott Pinney in Ward I; Marion Matt in Ward II; and, Terri Pelle in Ward III.

Oaths of Office were then taken by Council Members Pinney, Matt and Pelle.

Mayor Vetter then opened the floor for nominations for the Council President and Vice President for 2019/2020.

Motion was made by Miller, seconded by Gartner to nominate Matt to the position of Council President. With no further nominations, a unanimous ballot was cast to elect Matt as Council President for 2019/2020. Motion carried.

Motion was then made by Miller, seconded by Matt to nominate Gartner to the position of Council Vice President. With no further nominations, a unanimous ballot was cast to elect Gartner as Council Vice-President for 2019/2020. Motion carried.

Vetter then presented the following Council Committee Appointments for 2019/2020. It was noted that the first person listed is the head of the committee.

<b><u>AIRPORT</u></b>	<b><u>BUDGET</u></b>	<b><u>BUILDING</u></b>	<b><u>GARBAGE</u></b>	<b><u>HEALTH/REC</u></b>	<b><u>NUISANCE</u></b>
Pinney	Matt	Matt	Miller	Larson	Pelle
Miller	Miller	Gartner	Matt	Pinney	Pinney
Pelle	Larson	Pinney	Pelle	Pelle	Matt
<b><u>POLICE</u></b>	<b><u>SAFETY</u></b>	<b><u>STREET</u></b>	<b><u>WATER/SEWER</u></b>		
Miller	Gartner	Gartner	Pinney		
Larson	Pelle	Miller	Gartner		
Gartner	Larson	Matt	Larson		

Casey Bulyca and Seth Green with Waste Connections of SD DBA Kieffer Sanitation addressed the Council.

Bulyca expressed his appreciation to the City for their continued business. He then inquired if there were any questions or concerns with the garbage collection services being provided in the City.

Mayor Vetter mentioned positive comments for their services as well as the new contract prices.

With nothing further, Bulyca and Green left the meeting at this time.

**Southwest Philip Improv. / Sunshine Dr. Overlay / W. Pine St. Overlay Projects:**

CA Smith provided a brief construction update to the Council.

Motion was made by Matt, seconded by Gartner to approve Thorstad Companies Pay Request #6 in the amount of \$25,327.46 contingent upon receipt of all appropriate paperwork required for the funding agencies approval. Motion carried with all members voting aye.

Motion was made by Gartner, seconded by Miller to approve Change Order #3 in the amount of \$1,106.64 (bid schedule D – property owner requested reinforced concrete approach pavement) contingent upon receipt of all appropriate paperwork required for the funding agencies approval. Motion carried with all members voting aye.

Motion was then made by Miller, seconded by Matt to approve Work Change Directive #2 in the amount of \$2,857.50 for the replacement of the alley pan on Philip Ave., north of the Oak St. intersection contingent upon receipt of all appropriate paperwork required for the funding agencies approval. Motion carried with all members voting aye.

An updated option for the W. Pine St. overlay project was reviewed. This reflects moving the scope of the work to end approximately 150 feet west of the highway right-of-way. It was noted that the section being removed from the plans is in good condition—recently chip sealed. The cost savings for this modification is approximately \$10,000; previously approved change order was \$93,860 while the new estimate is \$83,980. In addition, this will reduce the amount of signage and related expenses that would be required if working in the highway right-of-way.

Following, motion was made by Matt, seconded by Gartner to approve the updated plan for the W. Pine St. Overlay which includes a two-inch overlay from the Stanley Ave. intersection to approximately 150 feet west of the highway right-of-way. The work will be completed through the previous approved change order with quantities adjusted. Motion carried with all members voting aye.

#### Airport Improvement Projects:

Council reviewed an update on the hangar building and apron reconstruction project. It was noted that the design plans have been submitted to the Federal Aviation Administration (FAA) for review.

#### Special Event Applications:

Motion was made by Matt, seconded by Gartner to approve the Philip Chamber of Commerce’s special event application to host their annual “Scotty Philip Days,” June 14-15, 2019. The planned events include those as in years past—street dance, parade, water fights, bean bag toss tournament, etc. The Chamber will be providing security for the dance on Friday while Saturday’s bean bag tournament will be patrolled by the Police Dept. The parade route has also been adjusted this year due to construction. Written permission from Brock Slovek to utilize a portion of his property during the street dance as well as a copy of the Chamber’s insurance must be provided prior to the event. Motion carried.

Motion was made by Gartner, seconded by Pinney to approve the Philip Volunteer Fire Dept.’s (PVFD) request for the City to be a guarantor on their pumper truck loan through West Central Electric. The PVFD has agreed to assign and maintain the annual payment of \$7,000 in their truck fund throughout the ten-year loan period. Motion carried with all members voting aye.

Council reviewed the Hazard Mitigation Grant Program which provides 80/20 funding for mitigation projects. This was previously discussed during budget meetings as a potential future funding option to replace the pool bathhouse with a storm shelter/bathhouse building.

Mayor Vetter explained that CA Smith had made an inquiry with the City of Beresford who completed a similar project. In addition, she reached out to Jim Poppen with the SD Office of Emergency Management

(OEM) for more information. They have offered to do a conference call to review the program in more detail if the Council is interested.

By general consensus of the Council, CA Smith will reach out to Jim Poppen with SD Office of Emergency Management to set up a meeting to review the program further.

Council then went on to discuss an opportunity to utilize AlertSense, a public mass notification and emergency alerting software, through the Haakon Co. Emergency Management.

Discussion ensued. It was mentioned that while this will be beneficial during emergencies, other notification software would be useful for other alerts and announcements. For instance, garbage collection delays, closures, water breaks, etc.

By general consensus of the Council, CA Smith will look into other notification software companies and report back with her findings.

At 7:20 p.m., as previously advertised, a public hearing was held on the request of the following establishments for Malt Beverage Licenses for 2019/2020:

BMT, Inc., 73 Bar & Lounge - On/Off Sale & SD Farm Wine (RB); Ginnys, LLC, ginnys – On/Off Sale & SD Farm Wine (RB); MG Oil Company - Corner Pantry #20 Philip – 101 W. Pine St., Ste 1 - On/Off Sale & SD Farm Wine (RB); MG Oil Company – Homestead Casino – 101 W. Pine St., Ste 2 - On/Off Sale & SD Farm Wine (RB); Pizza Etc. LLP, Pizza Etc. – On/Off Sale & SD Farm Wine (RB); Rock & Roll Lanes, Inc., Rock & Roll Lanes – On/Off Sale & SD Farm Wine (RB); and, Retail Management Systems, Inc., The Philip Pit Stop - On/Off Sale & SD Farm Wine (RB).

Chief Butler advised that the Police Dept. has no concerns with the above license requests. It was also reported that all establishments have paid their property taxes.

With no one appearing for or against the requested licenses, motion was made by Pinney, seconded by Miller to approve the above Malt Beverage Licenses for 2019/2020 contingent upon all application fees being paid. Motion carried.

Motion was made by Pinney, seconded by Gartner to authorize submitting a grant application to the SD Dept. of Health for mosquito control chemical in the amount of \$3,000.00. Motion carried with all members voting aye.

Building/Flood Plain Dev. Permits:

Don Carley – sidewalk replacement; Mike Clements – driveway & sidewalk replacement; Dusty & Brooke Formanek – fence, retaining wall & driveway; Rene Konst – deck replacement; Dale Morrison (507 Hone St.) – sewer line repair/replacement; Philip Health Services – move house from 413 Pine St. to 109 High St. with new basement, water & sewer; Philip Health Services – long-term care addition & remodel; Sacred Heart Catholic Church – replace curb & gutter & install driveway approach; Ryan Seager – concrete pad; and, Virgil & Carla Smith – shed & driveway.

Motion was made by Matt, seconded by Pinney to approve the above permits as presented. In addition, Philip Health Service's shall also comply with the City Engineer's, SPN & Assoc., recommendations for their long-term care expansion and remodel. Motion carried.

Council reviewed an update from the Building Committee regarding the placement and regulations for manufactured homes on residential lots in the City. This also included a draft ordinance amending the regulations for manufactured homes and parks.

A copy of the draft ordinance is on file in the City Finance Office for review. In addition, it will be sent out to the current manufacture home park owners for input prior to the next meeting.

The following L/P Propane bids received last month are as follows. Due to the tied bids, propane was purchased from Hanson Oil.

	<u>Apr. 15, 2019</u>
Hansen Oil Company	\$1.30/gal.
Midwest Cooperatives	\$1.30/gal.

Departmental Reports:

Administration

Council was advised that according to the City’s Auditors, the 2018 Annual Financial Report will be finalized by the end of May.

Motion was made by Miller, seconded by Matt, to approve the following Resolution #2019-07. Motion carried with all members voting aye.

**RESOLUTION #2019-07  
SUPPLEMENTAL APPROPRIATIONS  
CONTINGENCY TRANSFER**

**WHEREAS**, insufficient appropriation was made in the 2019 adopted budget for the following departments to discharge just obligations of said appropriations; and,

**WHEREAS**, SDCL 9-21-6.1 provides that transfers be made by resolution of the board from the contingency appropriation established pursuant to SDCL 9-21-6.1 to other appropriations;

**NOW THEREFORE BE IT RESOLVED** that the appropriation be transferred from the contingency budget to the following department budgets:

FROM:	101-41100-41150 Contingency	\$ 3,415.00
TO:	101-41200-42600 Exec – Mayor & Council Supplies	\$ 1,500.00
	101-41400-42800 FO Mach & Equip Non Cap	\$ 500.00
	101-42100-42230 Police Contract Srv	\$ 160.00
	101-42100-42610 Police Uniforms	\$ 1,000.00
	101-43100-41100 Street Salaries	\$ 235.00
	101-43100-41200 Street FICA/Med	\$ 20.00

Dated this 6<sup>th</sup> day of May 2019.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Airport

Motion was made by Miller, seconded by Pinney to authorize the Civil Air Patrol to host Aerospace Day at the airport from June 21-23, 2019. Motion carried.

Garbage

Council reviewed the residential garbage collection rates, effective June 1<sup>st</sup>, in comparison to the household garbage rate charges of \$15.50 per month. It was noted that the contract prices increase annually throughout the contract period. Should the City maintain the current rate charged for household collection, the administration fees collected will average out during the entire contract period. In addition, this would allow for the same rate to be charged—not fluctuating for the next three years or possibly even six years if the contract is renewed.

Motion was made by Matt, seconded by Gartner to maintain the current household garbage rate of \$15.50 per month during the new residential garbage contract period of June 1, 2019 to May 31, 2022. Motion carried with all members voting aye.

Police Department

The monthly report was reviewed.

It was reported that Jameson Tebben has been hired as the additional officer for Friday evening during Scotty Philip Days.

Motion was made by Gartner, seconded by Matt to approve the first reading of the following Ordinance #2019-08. Motion carried with all members voting aye.

**ORDINANCE #2019-08  
2019 SUPPLEMENTAL APPROPRIATIONS ORDINANCE  
POLICE DEPARTMENT – RADIO RECEPTION AMPLIFIER**

**WHEREAS**, the City of Philip, South Dakota, is the recipient of a donation from TransCanada to purchase and install an amplifier to increase State Radio reception for emergency responders in the Philip area; and,

**WHEREAS**, the City of Philip did not anticipate this needed equipment and its costs along with the donation from TransCanada when preparing the fiscal year 2019 appropriations.

**NOW, THEREFORE, BE IT ORDAINED**, that the following Supplemental Appropriations Ordinance be and hereby is adopted in order to recognize the revenues and expenses that will be forthcoming for the Police Department’s radio reception amplifier.

	<b><u>GENERAL FUND</u></b>
42100 POLICE DEPT	
43411 Mach & Equip – NonCap	\$ 6,740.40
<b><u>TOTAL POLICE DEPARTMENT</u></b>	<b><u>\$ 6,740.40</u></b>
<b><u>TOTAL APPROP. &amp; ACCUM.</u></b>	<b><u>\$ 6,740.40</u></b>

**MEANS OF FINANCE**

The following designates the fund or funds that money derived from the following sources is applied to.

**GENERAL FUND**

36700 CONTRIBUTIONS/DONATIONS	
36700 Contributions & Donations	\$ 6,740.40
<b><u>TOTAL CONTRIBUTIONS/DONATIONS</u></b>	<b><u>\$ 6,740.40</u></b>
<b><u>TOTAL MEANS OF FINANCE</u></b>	<b><u>\$ 6,740.40</u></b>

Dated this \_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Michael Vetter, Mayor

ATTEST:

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Monna Van Lint, Finance Officer

Passed First Reading: May 6, 2019  
Passed Second Reading:  
Yeas: 5 Nays: 0  
(Published: May 16, 2019)

Motion was then made by Gartner, seconded by Pinney to approve the following policies for the police department: Response to Resistance, replacing Use of Force policy); Mobile Video Recording Equipment, replacing Use of Audio & Visual Recording policy; and, Body Worn Camera. Motion carried.

Rubble Site

Motion was made by Matt, seconded by Miller to authorize changing the opening date for the third weekend in June from Saturday, June 15<sup>th</sup> to Friday, June 14<sup>th</sup> due to Scotty Philip Days. Motion carried.

Street Dept.

The quarterly report was reviewed with PWMI Rick Coyle.

**RESOLUTION #2019-06  
AUTHORIZING USE OF STREET DEPARTMENT  
ASSIGNED CASH FOR PURCHASE OF AN OIL DISTRIBUTOR AND PICKUP**

**BE IT RESOLVED** by the City Council of the City of Philip, South Dakota, that the Finance Officer is hereby authorized and directed to utilize \$79,600.00 in the street department capital outlay accumulation funds, which was reserved for the 2019 Annual Appropriations Budget (Ord. #2018-10) for the purpose of purchasing a new Stepp Oil Distributor and 2013 Ford F150 pickup.

Dated this 6<sup>th</sup> day of May 2019.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer



Council discussed the possibility of installing a sidewalk on the southside of May St., from the sidewalk on SD Hwy 73 west to the intersection of Scottie Ave. It was noted that this would provide additional safety for pedestrians around the school area and may qualify for funding from TransCanada. The City Engineers have also reviewed the area and provided two separate options for consideration when installing the ADA corner on the west end.

Following, motion was made by Miller, seconded by Gartner to authorize submitting a grant application to TransCanada for funding the sidewalk as described above. Motion carried with all members voting aye.

### Swimming Pool

Motion was made by Gartner, seconded by Pinney to approve the 2019 pool hours, swimming lesson schedule, rates and policies. (For the record, the only change from the 2018 season is as follows: the 2-week swimming lesson session has been changed to 1-week.) Motion carried. (A copy of this information is on file in the Finance Office.)

Motion was then made by Matt, seconded by Miller to approve the following as the 2019 swimming pool personnel and salaries per the Health/Rec. Committee's recommendation. Employment offer is contingent upon passing lifeguard certification and pre-employment screening. Motion carried.

Samantha Fillingim, Lifeguard/WSI - Full Time - \$9.25/hr  
Debbie Hansen, Volunteer Lifeguard  
Jewel Jones, Lifeguard - Full Time - \$9.35/hr with WSI \$9.60/hr  
Corbin Kramer, Lifeguard/Co-Manager in Training – Full Time - \$9.60/hr; with WSI - \$9.85/hr  
Copper Lurz, Lifeguard – Full Time - \$9.10/hr  
Cylver Lurz, Lifeguard/WSI/Co-Manager in Training – Full Time - \$10.25/hr  
Kiarra Moses, Lifeguard - Full Time - \$9.35/hr  
Austin Pinney, Lifeguard - Part Time - \$10.00/hr.  
Josie Rush, Lifeguard - Part Time - \$9.75/hr  
Mary “Gayle” Rush, Paid Volunteer Lifeguard/WSI - \$575.00/season  
Tristen Rush, Lifeguard/WSI/Manager – Full Time thru mid-July - \$13.75/hr  
Chael Thorn, Lifeguard - Full Time - \$9.10/hr  
Mallory Vetter, Lifeguard - Full Time - \$9.35/hr; with WSI - \$9.60/hr  
Doreen Vetter, Volunteer Water Aerobics Instructor

The swimming pool will open on Friday, May 31, 2019.

### Water Dept.

The monthly report was reviewed which noted a 3.24% water loss for the month of April.

### Training/Travel:

CA Smith and FO Van Lint will be attending the 2019 SDML Human Resource and Finance Officer Schools, June 11<sup>th</sup> - 14<sup>th</sup> in Pierre.

### Public Comments:

None.

### In Other Business:

The City Finance Office will be closed May 27<sup>th</sup> in observance of the legal holiday.

The next regular meeting will be held on Monday, June 3rd at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse.

With no further business to come before the Council, Mayor Vetter declared the meeting adjourned at 8:05 p.m.

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Michael Vetter, Mayor

ATTEST:

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Brittany Smith, City Administrator

(Published once on May 16, 2019, at approximate cost of \$\_\_\_\_\_)