

**COUNCIL PROCEEDINGS
REGULAR MEETING
OCTOBER 02, 2019**

A regular meeting of the Philip City Council was held on Wednesday, October 2, 2019, at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Michael Vetter, Council Members Trisha Larson, Terri Pelle, Marion Matt, Brit Miller and Marty Gartner. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Police Chief David Butler, Police Officer Ben Buls; and, City Attorney Stephanie Trask.

Absent: Scott Pinney.

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

Council reviewed correspondence from Don Ravellette with *The Pioneer Review* regarding the publication of the Sept. 3rd meeting minutes. Mr. Ravellette confirmed receipt of the meeting minutes on Sept. 4, but unfortunately, they unintentionally failed to publish them on Sept. 12th as requested. He expressed his apologies for the error and noted that they will be published on Oct. 3, 2019.

Motion was then made by Miller, seconded by Gartner to approve the Sept. 3rd meeting minutes as published on the City's website. Motion carried.

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

Gross Salaries – Sept. 30, 2019: Mayor & Council - \$4780.00; Admin - \$3658.45; Finance - \$3393.86; Public Works - \$13,440.25; Police - \$6217.46

Colonial Life	Employee Supplemental Ins 9/19	196.60
Credit Collections Bureau	Garnishment 9/19	103.58
EFTPS	SS/Medicare/Withholding 9/19	6662.19
NE Child Support Pay Ctr	Garnishment 9/19	659.18
SDRS	Employee Retirement 9/19	3504.83

Airport Hangar/Apron Design Project:

Dean Kurtz Construction Inc	Pay Req #1 thru 9/27/19	24183.25
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Southwest Philip Improv Project:

VISA – UMB Bank	Sp Assess Postage 89/19	35.30
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This Month's Bills:

A&B Welding Supply Co Inc	Cylinder/Acetylene 2019-2024	138.18
A-Z Shredding	Shredding Svc 9/19	20.00
Bad River Law Prof LLC	Atty/Legal Fees 9/19	310.00
Bradley, Kathleen	Cust Deposit Refund 10/19	100.00
Cenex Harvest States	Fuel/Supplies 8-9/19	385.53
CNH Productivity Plus Acct	ST Equip Repairs 9/19	155.80
Corporate Trust, TFM – US Bank	SRF #4 Pay #21 10/19	11326.05
	SRF #5 Pay #21 10/19	7905.24
Clubhouse Hotel & Suites	SDWWA Room 9/19	322.00
Coyles Super Valu	MB Supplies 9/19	7.99

D&T Auto Parts	MB/ST/AIR Supplies/Repairs 8/19	225.16
Delta Dental	Dental Ins 10/19	776.90
Display Sales	Banners/Flag 9/19	127.00
1 st Nat'l Bank – Philip	UB Postage 9/19	130.60
Golden West Telecom	Telephone/Internet 8-9/19	594.25
Haakon Co. Register of Deeds	Vacate Filing 9/19	30.00
Haakon Co Treasurer	Office Rent 10/19	500.00
Hanson Oil	Fuel/LP 8-9/19	1122.50
Health Pool of SD	Health Ins 10/19	10323.88
Hoag Diesel Service	Dump Truck Repairs 9/19	320.00
Hometown Computer Service	PD Computer Repairs 8/19	210.00
Jones Saddlery Bottle & Vet	PD Uniforms 8/19	10.00
Kieffer Sanitation	367 Residential Collections 9/19	4477.40
MG Oil Co	PD Fuel 8/19	29.89
Midwest Radar & Equipment	PD Radar Cert 9/19	80.00
Northwest Pipe Fittings, Inc	Fire Supplies 8/19	206.92
Office Depot	FO Supplies 9/19	24.31
Optilegra	Vision Ins 10/19	95.70
Pearson, Brian	SDWWA Mileage Reimb 9/19	99.76
Petty Cash	Supplies 6-9/19	29.57
Philip Hardware	Supplies 9/19	179.56
Philip Motor Inc	2013 Ford Repairs 8/19	144.51
Philip Standard	Fuel 9/19	22.50
Safety Benefits Inc	CA/PWD Conf Reg 10/19	130.00
Sanford Laboratories	Testing 8/19	24.00
SD Dept. of Revenue	Sales Tax Payable 9/19	409.78
	W Testing 9/19	15.00
The Philip Pit Stop	Fuel 8/19	57.27
Verizon Wireless	Cell Phone 8-9/19	133.68
VISA – UMB Bank	Travel/Supplies 8-9/19	70.34
West Central Electric Coop	Electric 8/1-9/1/19	3522.17
West Central Machine & Auto	AIR/W Equip Repairs 9/19	698.49
WR/LJ Rural Water Systems	3,590,000 gals 9/19	4487.50
	Contract Min. 9/19	2500.00
	Airport Water 9/19	42.50
	South Shop Water 9/19	22.50
Wohlenberg Ritzman & Co LLC	2018 Audit (Final) 9/19	13280.00
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Total Bills		90,042.98

Old Business: None.

Motion was made by Gartner, seconded by Matt to approve the second reading of the following Ordinance #2019-18. Motion carried with all members voting aye.

ORDINANCE #2019-18
AN ORDINANCE REPEALING CHAPTER 11, SECTIONS 1901 THROUGH 1918 AND
ESTABLISHING CHAPTER 11, SECTIONS 1900 THROUGH 1903 OF THE REVISED
ORDINANCES OF THE CITY OF PHILIP, SD

BE IT ORDAINED by the City Council of the City of Philip, South Dakota, that Chapter 11, Building Regulation, Sections 1901 through 1918 are hereby repealed; and, Chapter 11, Building Regulations, Sections 1900 through 1903 are hereby established to read as follows:

11-1900 MANUFACTURED HOMES

11-1900.1 DEFINITIONS

A. Manufactured Homes – A moveable or portable dwelling which is fabricated in one or more sections at a location other than the home site, constructed and towed on its own permanent chassis, designed for year-round occupancy, primarily to be used without a permanent foundation, but which may sit on a permanent foundation, and designed to be connected to utilities. If designed with more than one section, they are separately transportable, but designed to be joined together into one integral unit. They are also known and referenced as a mobile home. Manufactured homes are built according the US Department of Housing and Urban Development (HUD) Construction and Safety Standards.

The following shall not be included in this definition:

- 1) Travel trailers, pickup coaches, motor homes, camping trailer, or other recreational vehicles: and,
 - 2) Modular housing which is constructed in accordance with or exceeding the adopted building code regulations, substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.
- B. Type I Manufactured Home – A manufactured home as defined above with more than seven hundred (700) square feet of occupied space in one or more sections.
- C. Type IA Manufactured Home – A manufactured home as defined above with more than three hundred fifty (350) square feet of occupied space in one section. Also known as a Park Model home.
- D. Type II Manufactured Home – A manufactured home as defined above with more than one thousand two hundred (1,200) square feet of occupied space. Shall consist of more than one sections.
- E. Manufactured Home Park – Any area, tract, site or plot of land which has three (3) or more lots which are under common ownership and which manufactured homes are to be placed or located for year-round occupancy.
- F. Manufactured Home Lots – A privately owned plot of land which manufactured homes are to be placed or located for year-round occupancy.

11-1901 MANUFACTURED HOME PARKS – TYPE I & TYPE IA MANUFACTURED HOMES

11-1901.1 PURPOSE

The purpose of manufactured home parks for Type I and Type IA Manufactured Homes is to preserve and enhance property values in the City by providing designated, distinctive areas in which manufactured homes may be situated as a residential dwelling. The principal use of land is for Type I and Type IA Manufactured Homes in which individuals rent their lots.

Exception: Travel trailers, pickup coaches, motor homes or camping trailers may be allowed in a designated tourist pay camp area of the manufactured home park as approved by the City Council.

11-1901.2 DESIGNATED AREAS

The following areas are defined and classified as Manufactured Home Parks:

1. Outlot P, 14-1-20, Philip Acreage, City of Philip, Haakon County, SD
2. Outlot A-1, Rivercrest Addition, City of Philip, Haakon County, SD.
3. N555.6' of Lots 1 and 2 EX 25' Easement and N400' of N555.6' of Lots 3, 4 and 5, Block 4, Russells Addition, City of Philip, Haakon County, SD.

11-1901.3 ACCESSORY USES AND STRUCTURES

The following accessory uses and structures shall be permitted in a manufactured home park:

1. Garages;
2. Accessory buildings;
3. Decks;
4. Open and enclosed additions;
5. Home occupations;
6. In home daycares;
7. Signs, directional on-site and off-site;
8. Signs, real estate;
9. Signs, name and address plate; and,
10. Signs, easement and utility.

11-1901.4 PROHIBITED USES AND STRUCTURES

No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

11-1901.5 MINIMUM YARD REQUIREMENTS

All yards must meet the following criteria as measured from the lot line. This section shall apply to all buildings and structures, including but not limited to decks, patios, additions (open and enclosed), accessory buildings and garages:

1. Each lot shall have a minimum area of not less than four thousand (4,000) square feet.
2. The minimum distance required for the separation of a manufactured home from side and rear lot lines shall be six feet (6'). The minimum distance between two manufactured homes shall be a minimum of fifteen feet (15') from side to side and ten feet (10') from end to end.
3. The minimum setback distance required from a private drive, public right-of-way or corner lot shall be twenty feet (20'); and,
4. Garages, accessory buildings and additions shall not encroach on minimum yard requirements. Shall include decks and be no closer than eight feet (8') from another manufactured home.
 - a. Any existing garages, accessory buildings, additions and decks not in compliance with the minimum yard requirements at the time of enactment of this ordinance are considered a preexisting nonconformance use. Once removed, they shall not be replaced unless they meet the minimum yard requirements set forth herein.

11-1901.6 REGULATIONS

- A) Manufactured home park developments should be located to avoid the need for excessive traffic movement from the park to pass through an existing residential area or area suitable for future residential development; and,
- B) Access and Street Requirements:
 - 1. All manufactured home spaces must be served from internal private streets within the manufactured home park and there shall be no direct access from a manufactured home space to a public street or alley;
 - 2. Internal private streets must be graveled at a minimum and kept in good repair to prevent excessive potholes or pooling of water;
 - 3. A minimum of two (2) off-street parking spaces shall be provided for each manufactured home lot;
 - 4. No internal private street access to public streets shall be located closer than fifty feet (50') to any public street intersection;
 - 5. Stop signs shall be placed at all public street intersections and Yield signs placed appropriately on internal private streets;
 - 6. Entrance to manufactured home parks shall have direct connections to a public road and shall be designed to allow free movement of traffic on such public roads; and,
 - 7. Streets should be of adequate width to accommodate the contemplated parking and traffic load in accordance with the type of street with twelve feet (12') minimum moving lanes for collector streets, twelve feet (12') minimum moving lanes for minor streets, and eight feet (8') minimum lanes for parallel parking.
- C) Other requirements:
 - 1. Type I manufactured homes may be of single or multiple sections and shall not be less than fourteen feet (14') in width as assembled on the site, as measured across the narrowest portion;
 - 2. Type IA manufactured homes may be of single section and shall not be less than twelve feet (12') in width as assembled on the site, as measured across the narrowest portion;
 - 3. Provided with skirting material which is not highly combustible and installed around the perimeter of the home from the bottom of the manufactured home to the ground within thirty (30) days of placement;
 - 4. The hitch shall be removed;
 - 5. Any open or enclosed additions to the home must match the exterior of the home including that of the skirting and requirements as outlined in Section 2 above;
 - 6. Each manufactured home shall be supplied with electric services;
 - 7. Each manufactured home shall be connected to the City water and sewer systems with individual utility service lines and valves as approved by the Public Works Director.
 - 8. If individual garbage collection points are not available, each manufactured home park shall provide screened areas or enclosed containers accessible for garbage collection of an adequate size for the number of units served; and, will be collected by the City's residential contractor;
 - 9. Each manufactured home shall be anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design and per HUD regulations;
 - 10. Not less than ten percent (10%) of the gross site park area shall be devoted and maintained as recreational facilities for occupant needs;
 - 11. No manufactured home shall occupy more than seventy percent (70%) of the area of the lot on which it is situated;

12. A landscaped buffer area of ten feet (10') in width shall be provided and maintained around the perimeter of the park, except where walks and drives penetrate the buffer;
13. Each manufactured home shall meet or exceed the federal HUD Construction and Safety Standards.
14. Each manufactured home located in the designated flood plain must comply with Chapter 16, Section 5.0.
15. Additional development requirements may be prescribed as conditions for approval when determined to be necessary to ensure protection of the neighboring property's character, compatibility with land uses, and health and safety of manufactured home park occupants.

11-1901.7 LICENSING AND APPLICATION REQUIREMENTS

No person shall establish or maintain a manufactured home park, as defined herein, without first obtaining a license therefor from the governing body of the City of Philip, and agreeing, in writing, to comply with the terms of this Ordinance, provided that a plot ground upon which unoccupied manufactured homes are located for the purpose of sale or trade shall not be construed to be a manufactured home park, nor shall said situated manufactured homes be used at any time for the housing or sleeping of persons. All manufactured home parks in existence upon effective date of this ordinance (see 11-1901.2) are licensed and in all other respects comply fully with the requirements of this ordinance,

Application Process

Any real property owner desiring to establish, maintain or operate a manufactured home park shall make application in writing to the governing body of the City of Philip. The application shall include a detailed site development plan incorporating the regulations established herein. The plan shall be drawn to scale and indicate the following:

- A) Location, legal description and topography of the proposed manufactured home park, including adjacent property owners and proximity to state highways, and to city and county roads;
- B) Exterior and interior property or individual lot lines with dimensions and square footage of the proposed park;
- C) Location and dimensions of all easements and right-of-ways;
- D) Proposed lot layout, including parking and recreational areas;
- E) General street and pedestrian walkway plan;
- F) General utility, water and sewer plan with proximity and proposed connection to municipal and/or private utilities;
- G) Site drainage plan and development impact on culverts, etc.;
- H) Storm water pollution prevention plan and State issued permit; and,
- I) Certificate of compliance with all ordinances and regulations regarding manufactured home park licensing and zoning, health, plumbing, electrical, building, fire prevention, flood prevention and all applicable ordinances and regulations.

Before a license is granted, all applications shall be examined by the Building Committee, Public Works Director and Chief of Police. The applicant, premises and proposed plan shall be inspected to ensure compliance with all provisions of the City Ordinances and laws of the State of South Dakota regarding safety and sanitation. The findings shall be submitted to the City Council for action.

The City Council reserves the right to revoke any license issued pursuant to this Ordinance, if after due hearing, it determines that the holder thereof has violated any of the provisions

of this Ordinance or that any manufactured home or manufactured home park becomes a nuisance or is being maintained in any unsanitary or unsafe or unlawful manner.

11-1902 MANUFACTURED HOME LOTS – TYPE I MANUFACTURED HOMES

11-1902.1 PURPOSE

The purpose of manufactured home lots for Type I Manufacture Homes is to preserve and enhance property values in the City by allowing manufactured homes to be situated as a residential dwelling. The principal use of land is for Type I Manufactured Homes in which individuals own their lots.

11-1902.2 DESIGNATED AREA

The following area is defined and classified as Manufactured Home Lots for Type I and II Manufactured Homes:

1. Lots 1 thru 24, Hoags Valley Addition, City of Philip, SD

11-1902.3 ACCESSORY USES AND STRUCTURES

The following accessory uses and structures shall be permitted on a manufactured home lot:

1. Garages: one or two car permitted;
2. Accessory buildings: one (1) shed of 144 square feet or less permitted;
3. Decks;
4. Open and enclosed additions;
5. Home occupations;
6. In home daycares;
7. Signs, real estate;
8. Signs, name and address plate; and,
9. Signs, easement and utility.

11-1902.4 PROHIBITED USES AND STRUCTURES

No part of the manufactured home lot shall be used for nonresidential purposes.

11-1902.5 MINIMUM YARD REQUIREMENTS

All yards must meet the following criteria as measured from the lot line. This section shall apply to all buildings and structures, including but not limited to decks, patios (open and enclosed) and garages:

1. Each lot shall have a minimum area of not less than six thousand (6,000) square feet.
2. Each lot shall maintain a front yard of ten feet (10'); side yards of five feet (5'); and, rear yard of ten feet (10'). The minimum distance between two manufactured homes shall be a minimum of fifteen feet (15') from side to side and ten feet (10') from end to end.
3. Garages and accessory buildings shall not encroach on minimum yard requirements. Shall include decks and be no closer than eight feet (8') from another manufactured home.

11-1902.6 REGULATIONS

A) Access and Street Requirements:

1. A minimum of two (2) off-street parking spaces shall be provided on each manufactured home lot;

B) Other requirements:

1. Manufactured homes may be of single or multiple sections and shall not be less than fourteen feet (14') in width as assembled on the site, as measured across the narrowest portion;
2. Provided with skirting material which is not highly combustible and installed around the perimeter of the home from the bottom of the manufactured home to the ground within thirty (30) days of placement. This also applies to open and enclosed additions;
3. The hitch shall be removed;
4. Any open or enclosed additions to the home must match the exterior of the home including that of the skirting and requirements as outlined in Section 2 above;
5. Each manufactured home shall be supplied with electric services;
6. Each manufactured home shall be connected directly to the City water and sewer systems as approved by the Public Works Director.
7. Each manufactured home shall be anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design;
8. No manufactured home shall occupy more than seventy percent (70%) of the area of the lot on which it is situated;
9. Each manufactured home shall meet or exceed the federal HUD Construction and Safety Standards.
10. Each manufactured home located in the designated flood plain must comply with Chapter 16, Section 5.0.
11. Additional requirements may be prescribed as conditions for approval when determined to be necessary to ensure protection of the neighboring property's character, compatibility with land uses, and health and safety.

11-1902.7 PLACEMENT OF TYPE I MANUFACTURED HOMES ON LOT OUTSIDE OF DESIGNATED AREA

Type I Manufactured Homes existing on residential lots outside the designated area defined in City Ordinance 11-1902.2 at the effective date of this ordinance, may be replaced if the following requirements are met:

A) Access and Street Requirements:

1. A minimum of two (2) off-street parking spaces shall be provided on each manufactured home lot;

B) Other requirements:

1. Manufactured home may be of single section and shall not be less than fourteen feet (14') in width as assembled on the site, as measured across the narrowest portion;
2. The running gear and hitch must be removed;
3. Anchored to a foundation and permanent footing as follows:
 - a. Installed per HUD regulations;
 - b. Foundation around the perimeter shall be continuous from the footing to the bottom of the home; and, constructed with poured concrete or masonry block (8"x8"x16"), unpierced except for ventilation and access.
 - c. Permanent footing around the perimeter shall be a minimum of eight inches (8") thick by sixteen inches (16") wide poured concrete with the bottom at ground level and backfilled to the top of the footing for drainage.
4. Siding material of a type customarily used on site-constructed residences;
5. Gabled roof with a pitch of at least 2/12; and, roofing material of a type customarily used on site-constructed residences;
6. The age of the manufactured home may not exceed three (3) years from the date of manufacture;

7. The replacement of the Type I Manufactured Home must be completed within sixty (60) days of removal of the existing structure; or, it may not be replaced.
 8. Any open or enclosed additions to the home must match the exterior of the home and comply with the anchoring and foundation requirements in Section 3 above.
- C) Other requirements:
1. Comply with City Ordinances and Building Codes applicable to private dwellings.
 2. Each manufactured home shall meet or exceed the federal HUD Construction and Safety Standards.
 3. Each manufactured home located in the designated flood plain must comply with Chapter 16, Section 5.0.
 4. Additional requirements may be prescribed as conditions for approval when determined to be necessary to ensure protection of the neighboring property's character, compatibility with land uses, and health and safety.

11-1903 MANUFACTURED HOME LOTS – TYPE II MANUFACTURED HOMES

11-1903.1 PURPOSE

The purpose of manufactured home lots for Type II Manufactured Homes is to preserve and enhance property values in the City by allowing them to be situated as a permanent residential dwelling. The principal use of land is for Type II Manufactured Homes in which individuals own their lots.

11-1903.2 ACCESSORY USES AND STRUCTURES

The following accessory uses and structures shall be permitted on a manufactured home lot:

1. Garages;
2. Accessory buildings;
3. Decks;
4. Open and enclosed additions;
5. Home occupations;
6. In home daycares;
7. Signs, real estate;
8. Signs, name and address plate; and,
9. Signs, easement and utility.

11-1903.3 PROHIBITED USES AND STRUCTURES

No part of the manufactured home lot shall be used for nonresidential purposes.

11-1903.4 MINIMUM YARD REQUIREMENTS

All yards must meet the setback requirements for residential districts as outlined in Ordinances 11-401, 11-501 and 11-601.

11-1903.5 REGULATIONS

- A) Comply with City Ordinances and Building Codes applicable to private dwellings.
- B) Access and Street Requirements:
 1. A minimum of two (2) off-street parking spaces shall be provided on each lot;
- C) The placement of Type II Manufactured Homes shall meet or exceed the following installation regulations:
 1. Consist of two or more sections and shall not be less than twenty feet (20') in width as assembled on site, as measured across the narrowest portion;
 2. The running gear and hitch must be removed;
 3. Anchored to a foundation and permanent footing as follows:

- a. Installed per HUD regulations;
 - b. Foundation around the perimeter shall be continuous from the footing to the bottom of the home; and, constructed with poured concrete or masonry block (8"x8"x16"), unpierced except for ventilation and access.
 - c. Permanent footing around the perimeter shall be a minimum of eight inches (8") thick by sixteen inches (16") wide poured concrete with the bottom at ground level and backfilled to the top of the footing for drainage.
 - 4. Siding material of a type customarily used on site-constructed residences.
 - 5. Gabled roof with a pitch of at least 2/12; and, roofing material of a type customarily used on site-constructed residences.
 - 6. The age of the manufactured home may not exceed three (3) years from the date of manufacture.
 - 7. Any open or enclosed additions to the home must match the exterior of the home and comply with the anchoring and foundation requirements in Section 3 above.
- D) Other requirements:
- 1. Each manufactured home shall meet or exceed the federal HUD Construction and Safety Standards.
 - 2. Each manufactured home located in the designated flood plain must comply with Chapter 16, Section 5.0.
 - 3. Additional requirements may be prescribed as conditions for approval when determined to be necessary to ensure protection of the neighboring property's character, compatibility with land uses, and health and safety.

Dated this 2nd day of October 2019.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Passed First Reading: Sept. 3, 2019
 Passed Second Reading: Oct. 2, 2019
 Yeas: 5 Nays: 0
 (Published: Oct. 3 & 10, 2019)

New Business:

Southwest Philip Improv. Project:

No action was taken on the tabled Pay Request #10 to Thorstad Companies.

Council discussed assessing liquidated damages in the amount of \$750 per day to Thorstad Companies per Section 4.03 of the Construction Contract. This is due to their failure to meet the final competition deadline of Sept. 1, 2019. It was mentioned that additional compliance measures have been taken by Thorstad since the deadline, but they are still missing a lien waiver from subcontractor Northern Plains.

CA Smith went on to explain that Thorstad is currently proposing the option for their bonding company to provide confirmation to hold the city harmless from any potential claims or liability in lieu of the lien waiver from Northern Plains to satisfy final completion. According to the City's Engineer, this has been presented the SD Dept. of Environment (DENR) and they are willing to consider this to satisfy their requirements to approve closing the project. It is also recommended that City Attorney Trask review and

provide her legal opinion on the bonding company's statement prior to the Council's approval of the project completion including that of the final pay request.

CA Smith further advised that with this new information, additional engineering and attorney fees are anticipated to finalize the project. Should the Council approve assessing liquidated damages, these would compensate for those expenses.

Following, motion was made by Matt, seconded by Miller to assess liquidated damages in the amount of \$750 per day per Section 4.03 of the Construction Contract. This is effective Oct. 3, 2019 and will continue until the Council approves final completion and/or the City Attorney recommends the approval. Motion carried with all members voting aye.

Motion was made by Gartner, seconded by Matt to approve the following Resolution #2019-19. Motion carried with all members voting aye.

**RESOLUTION #2019-19
AUTHORIZING USE OF GENERAL FUND
COMMITTED SECOND PENNY FUNDS
W. PINE STREET OVERLAY**

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 \$79,477.68 in the committed second penny funds, which was reserved in the 2019 Annual Appropriations Budget (Ord. #2018-18) for the W. Pine Street Overlay.

Dated this 2nd day of October 2019.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Airport Hangar/Apron Reconstruction Projects:

The final closeout for the design project has been submitted to the SD Dept. of Transportation.

Council was provided a construction update on the hangar building which noted that the concrete footings are being poured.

By general consensus of the Council, Dean Kurtz Construction may park campers at the airport during the project as long as they do not impede on any airport activities.

Motion was made by Matt, seconded by Gartner to approve Dean Kurtz Construction pay request #1 in the amount of \$24,183.25. Motion carried with all members voting aye.

Council discussed the SD Aeronautics Commission's recent changes to funding future airport projects. More specifically, starting immediately, they will no longer fund hangar buildings and fueling stations. Then they will reduce their funding share from 5% to 3.5% with FY2021 grants.

Building/Flood Plain Dev. Permits:

Rod Brown – home; Kerry Burns – sidewalk replacement; Dakota Auto Supply – sidewalk; Joel & Jodi Kammerer – carport; Joe Millage – shed; Brandon Morrison – manufactured home (building & flood

plain development permit); Jerry Rhodes, Jr. – patio; John & Karyl Sandal – concrete pad replacement & sidewalk.

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

Motion was made by Miller, seconded by Matt to approve the Optilegra vision insurance renewal at the same premiums for the policy period of Dec. 1, 2019 to Nov. 30, 2020. Motion carried.

Council reviewed the following L/P Propane bids received in September 2019.

	<u>Sept. 3rd</u>
Hanson Oil	\$1.05/gal.
Midwest Cooperatives	\$3.10/gal.

Departmental Reports:

Administration

Motion was made by Matt, seconded by Miller to approve the 2018 audited financial statements as presented. Motion carried.

By general consensus of the Council, CA Smith was directed to pursue Disaster Declaration Public Assistance Funding to repair the Bad River embankment damages from the 2019 storm events.

Police

The quarterly report was reviewed with Chief Butler and Officer Buls.

Chief Butler advised that the City of Watertown has donated surplus vehicle equipment items to the City. The items must be picked up in Watertown so he will be working on obtaining them.

Council reviewed correspondence from the SD Dept. of Transportation (DOT) regarding crosswalk options and school signage on SD Hwy 73 to address safety concerns in the school zone. It was recommended to move the crosswalk at the Bryan St. intersection, north to the intersection of May St. for direct access to the front of the school building. In addition, school zone signage was discussed.

According to the SD DOT, the existing crosswalk at the Bryan St. intersection will be abandoned once the painting is gone. The proposal to install one at the May St. intersection was denied as there must be a refuge on both sides of the street. In turn, they would allow one at the Dupree St. intersection as there are landings on each side of SD Hwy 73.

No action was taken.

Rubble Site

The report noted that the winter schedule will start on Nov. 1, 2019.

Street

The monthly report was reviewed.

Water

The monthly report was reviewed and noted the water loss for the month of September 2019 at 9.65%.

Training/Travel:

Officer Buls will be attending a Search & Seizure training on Oct. 24th in Rapid City.

CA Smith will be participating on the TAP Recommendation Committee, meeting on Nov. 13th in Pierre.

CA Smith and PWD Reckling will be attending the Safety and Loss Control Conference, Nov. 20th-21st in Mitchell.

Public Comments: None.

In Other Business:

The finance office may have reduced hours between Oct. 8th and 11th as staff will be attending the SDML Annual Conference.

The next Regular Council Meeting will be held on Monday, Nov. 4th at 7:00 p.m. in the Community Rm.

With no further business to come before the Council, Mayor Vetter declared the meeting adjourned at 7:28 p.m.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator

(Published once on Oct. 10, 2019, at approximate cost of \$_____)