

## MINUTES OF REGULAR MEETING

The City Council of the City of Volga, SD met for a regular meeting Monday, July 18, 2022 at 12:00 PM in the conference room of City Hall; Council President Ken Fideler presiding. Members present: Bev Cotton, Stacy Sahr, Kelly VanderWal, Matt Jaquet, and Doug Wermedal. Members absent: Mayor Randy Santema. Also present: City Attorney Steve Britzman, City Administrator Michael Schulte, Finance Officer Krista Larson, Deputy Finance Officer Brooke Johnson, Public Works Director Kevin Steen, Code Enforcement Officer Tim Austin, Sam Algood with the Volga Tribune, Deb Heidemann, and Christie Kindt.

Following the Pledge of Allegiance, Schulte noted an amendment to the agenda to add Executive Session – SDCL 1-25-2, #3 – Consulting with Legal Counsel of Reviewing Communications from Legal Counsel about Proposed or Pending Litigation or Contractual Matters and the end of the agenda.

Motion by Wermedal to approve the July 18, 2022 agenda as amended, seconded by VanderWal. All in favor. Motion carried 6 – 0. Motion by VanderWal, seconded by Wermedal, to approve the consent agenda. All in favor. Motion carried 6 – 0. The following items were on the consent agenda: Approval of the July 5, 2022 City Council Regular Meeting Minutes, and Resolution #2022-33 Blend & Consume License – Leon.

Jaquet joined the meeting at 12:06 PM.

### **Visitors, Timed Items, and Public Hearings**

Contracted Code Enforcement Officer Tim Austin addressed the council and gave an update on current problematic properties in town. Many residents have made progress on their violations, but a select few properties will be abated. VanderWal plans to sit in on more regular updates with Austin and more frequently update the council on code enforcement progress reports.

### **Public Safety**

No report.

### **Community Development**

Motion by VanderWal, seconded by Jaquet, to approve second reading of ORDINANCE #2022-04 AN ORDINANCE EXTENDING THE TERM OF A FRANCHISE GRANTED TO MEDIACOM MINNESOTA LLC, TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE, RECONSTRUCT AND REMOVE A CABLE TELEVISION SYSTEM IN THE CITY OF VOLGA, SOUTH DAKOTA. The City Council of the City of Volga ordains:

I. 1. Extension of Cable Television Franchise Agreement. The cable television Franchise now held by Mediacom Minnesota LLC, the Grantee, is hereby extended for an additional period of Five (5) years from the effective date of this Extension, unless renewed, revoked, terminated, shortened or extended, subject to the terms and conditions of the Franchise Agreement (hereinafter also referred to as the "Agreement"). This extension provides Grantee with the authority, right and privilege, to construct, reconstruct, operate, maintain, repair, replace and remove a Cable Television System and to provide cable service and any other cable services permitted by this Franchise or applicable law within the Streets in the City as it is now or may in the future be constituted. 2. Effective Date of Extension. The extension of the above-referenced Franchise Ordinance shall be effective following adoption of this Ordinance on the date that both

parties have executed this Franchise Agreement, provided that said date is no later than sixty (60) days after the date that the City Council approves this extension of Franchise Agreement. This renewal is further contingent upon the filing by Grantee with the City Finance Officer, of the executed Franchise Agreement and the required insurance certificates.

II. Any or all ordinances in conflict herewith are hereby repealed. CITY OF VOLGA, SOUTH DAKOTA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer. Schulte noted no changes were made from the first to the second and final reading. On roll call: Cotton, Yes; Sahr, Yes; VanderWal, Yes; Jaquet, Yes; Wermedal, Yes; Fideler, Yes. Motion Carried 6 – 0.

Motion by VanderWal, seconded by Jaquet, to approve second reading of ORDINANCE #2022-05 AN ORDINANCE TO AMEND SECTION 1.03.01 THE OFFICIAL ZONING MAP ADOPTED BY ORDINANCE 2015 01, APRIL 6, 2015 AS AMENDED, OF THE ZONING ORDINANCE OF THE CITY OF VOLGA BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VOLGA, SOUTH DAKOTA, AS FOLLOWS: I. Section 1.03.01 The Official Zoning Map adopted by Ordinance 2015-01, April 6, 2015, as amended, of the Zoning Ordinance of the City of Volga be amended to classify the following properties: Part of Lot 2 and the Full Lot 3 of Beukelman Addition (formerly known as *LOT 1 IN REEVE'S ADDITION IN THE SW1/4 OF THE SW1/4 SECTION 23, T110N, R51W OF THE 5<sup>TH</sup> P.M., BROOKINGS COUNTY, SOUTH DAKOTA, SUCH PLAT FILED AUGUST 9, 1994 IN BOOK 19 OF PLATS PAGE 17.*) To “R-2” Multiple Family Residential District from “A” Agricultural District II. Any and all other ordinances in conflict herewith are hereby repealed. CITY OF VOLGA, SOUTH DAKOTA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer.

Resident Christie Kindt, inquired about the mailing process of notices to neighboring properties and Schulte confirmed that the appropriate letters were sent for past and current properties being rezoned to neighboring and adjacent property owners. Resident Deb Heidemann inquired about alley access and street lighting at the end of Kasan Avenue where the re-zoned properties are located. Schulte explained that 10 feet of right of way will be designated on the west side of the lots to account for a potential alley if more land were to ever be annexed into city limits and developed. Currently, there are no plans to add an additional streetlight at the end of Kasan Ave. On roll call: Sahr, Yes; VanderWal, Yes; Jaquet, Yes; Wermedal, Yes; Fideler, Yes; Cotton, Yes. Motion Carried 6 – 0.

Motion by VanderWal, seconded by Cotton, to approve second reading of ORDINANCE #2022-06 AN ORDINANCE TO AMEND SECTION 1.03.01 THE OFFICIAL ZONING MAP ADOPTED BY ORDINANCE 2015-01, APRIL 6, 2015 AS AMENDED, OF THE ZONING ORDINANCE OF THE CITY OF VOLGA BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VOLGA, SOUTH DAKOTA, AS FOLLOWS: I. Section 1.03.01 The Official Zoning Map adopted by Ordinance 2015-01, April 6, 2015, as amended, of the Zoning Ordinance of the City of Volga be amended to classify the following properties: Lots 4A & Lots 5A of Plat of Lots 1 to 10 Plainview Plaza Addition to the City of Volga, Brookings County, South Dakota To “C-2” Highway Commercial District from “C-1” General Commercial District II. Any and all other ordinances in conflict herewith are hereby repealed. CITY OF VOLGA, SOUTH DAKOTA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer. Schulte noted no changes were made from the first to the second and final reading. On roll call:

VanderWal, Yes; Jaquet, Yes; Wermedal, Yes; Fideler, Yes; Cotton, Yes; Sahr, Yes. Motion Carried 6 – 0.

Motion by VanderWal, seconded by Jaquet, to approve Resolution 2022-34 A RESOLUTION AMENDING RESOLUTION #2022-22 OF ANNEXATION OF CONTIGUOUS TERRITORY TO THE CITY OF VOLGA, SOUTH DAKOTA. BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF VOLGA, SOUTH DAKOTA, AS FOLLOWS: WHEREAS, the City of Volga, South Dakota is authorized pursuant to South Dakota Codified Law §9-4-1 to annex contiguous territory upon receipt of a written Petition signed by not less than three-fourths of the registered voters residing within territory sought to be annexed and by the owners of not less than three-fourths (3/4) of the value of the territory sought to be annexed, and which describes the boundaries of territory contiguous to the municipality; and WHEREAS, the property proposed to be annexed is contiguous to the present boundaries of the City of Volga, and WHEREAS, the Petition for Annexation has been signed by the owners of not less than three-fourths (3/4) of the value of the territory sought to be annexed; and WHEREAS, there are no registered voters residing in the territory sought to be annexed; and WHEREAS, the City of Volga has determined that the statutory requirements for annexation of the following described property have been satisfied; and WHEREAS, the City of Volga has determined that the legal description provided in Resolution 2022-22 requires revision as set forth below; and WHEREAS, the governing body of the City of Volga has determined, subject to the following conditions, that the following described property is suitable for annexation to the City of Volga:

Lot One (1) of Reeve’s Addition in the Southwest Quarter of the Southwest Quarter (SW¼SW¼) of Section Twenty-three (23), Township One Hundred Ten (110) North, Range Fifty-one (51) West of the 5<sup>th</sup> P.M., County of Brookings, State of South Dakota, and

WHEREAS, the owners of the property which is the subject of this Annexation Resolution have executed an Annexation Agreement which provides the conditions under which the above-described property may be annexed. NOW THEREFORE, BE IT RESOLVED by the City of Volga, South Dakota, that the property described above is hereby annexed to the City of Volga, South Dakota. Passed and approved this 18<sup>th</sup> day of July, 2022. CITY OF VOLGA, SOUTH DAKOTA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer. Britzman noted that the updated Resolution provides a revised and more specific legal description for the annexed property acceptable by the Register of Deeds. On roll call: Jaquet, Yes; Wermedal, Yes; Fideler, Yes; Cotton, Yes; Sahr, Yes; VanderWal, Yes. Motion Carried 6 – 0.

### **Public Works**

Wermedal and Schulte provided an update on the CIPP project with an outlined timeline to complete the project by the end of July. The remaining items are accounted for and scheduled.

Schulte noted that after reviewing current data, Public Works Director Kevin Steen recommended that the current Level 1 Watering Restrictions are still appropriate. Council authorized staff to make future decisions regarding watering restriction adjustments to implement changes in a timely manner. Water tower pressure levels and well pumping continues

to be closely monitored. With dry conditions forecasted for the next 10 days, lawn watering restrictions may need to be implemented if changes in water tower water pressure occur.

Schulte gave a water treatment update. A representative from Aqua Pure is scheduled to visit the city next week and examine the city's distribution system. The city is working with Banner and Banner is communicating with a chemist from Hawkins on their recommendation of the city's water treatment mixture. Banner is waiting to hear back more from Hawkins.

### **Parks, Recreation, and Buildings**

Johnson noted that the pool will plan to close on August 10, 2022 for the season.

### **Electric**

Motion by Jaquet, seconded by Wermedal, to award the replacement transformer at SDSP to Wesco with a low bid of \$69,337.00. Schulte presented all submitted bids and noted that Electrical Superintendent Chad Collins is doing further research on refurbished transformers for future replacements. Britzman and Jaquet encouraged looking into how other municipalities are accounting for the higher costs of equipment into their rates and rate studies. Britzman noted that DGR may be a good resource. On roll call: Wermedal, Yes; Fiderler, Yes; Cotton, Yes; Sahr, Yes; VanderWal, Yes; Jaquet, Yes. Motion Carried 6 – 0.

### **Finance and Economic Development**

Motion by Jaquet, seconded by Cotton, to approve claims as presented. All in favor. Motion carried 6 – 0.

Recording of wages: Krista Larson, Finance Officer, \$32.00/hour effective July 18, 2022.  
Brooke Johnson, Deputy Finance Officer, \$24.00/hour effective July 18, 2022.

Vendor	Amount	Comments
AGFIRST FARMER COOP	\$1,338.04	Fuel and Repairs
Anne Lynch	\$189.52	Customer Deposit Refund
A-OX WELDING SUPPLY CO., INC.	\$80.66	Cylinder Rental
ARGUS DENTAL/VISION	\$56.52	July Vision Premiums
ASHLEY FUSS	\$250.55	Customer Deposit Refund
Banner Associates, Inc.	\$13,582.50	Engineering
BOBCAT OF BROOKINGS, INC.	\$16.44	VFD Supplies - DEF
BONNIE ROSENAU	\$32.40	Customer Deposit Refund
BRAIDEN ERNST	\$73.99	Customer Deposit Refund
BROOKINGS AREA UNITED WAY	\$90.00	Monthly Contributions
BROOKINGS CO SHERIFF'S OFFICE	\$9,541.45	Contract Law 5/29/22 - 6/25/22
BROOKINGS DUMPSTER SERVICE	\$13,559.66	June Trash Services
BROOKINGS REGISTER	\$1,077.68	Comm. Guide & Advertising
BRYANNA CHIPLEY	\$118.73	Customer Deposit Refund
CITY OF VOLGA	\$14,896.63	Utilities
CORPORATE TRUST, TFM	\$37,034.21	WWTF Principal & Interest Payment

CULLIGAN WATER CONDITIONING	\$81.45	Water and Dispensers
DAKOTA SUPPLY GROUP	\$3,958.45	1" Meter Setters
DAKOTALAND FEDERAL CR. UNION	\$1,661.82	Supplies and Repairs, Etc.
DENNIS BOUDREAU	\$76.07	Customer Deposit Refund
DOLLAR GENERAL 410526	\$16.45	Cleaning Supplies
EAST RIVER	\$10,135.16	06.2022 Transmission Service
EDMAN ENTERPRISES INC.	\$703.01	Fuel
EFTPS	\$7,565.24	Payroll Taxes
GAYLORD OR PAM SYRSTAD	\$53.26	Customer Deposit Refund
HAWKINS INC.	\$2,408.84	Mini bulk chemicals
HEARTLAND CONSUMERS POWER	\$5,834.00	Loan Principal (PMT 32)
HEARTLAND CONSUMERS POWER	\$396,298.84	06.2022 Transmission Service
HOMESTEAD DO-IT CENTER	\$37.16	Field Paint - Cotton
JANIE ISHAM	\$91.89	Customer Deposit Refund
JUSTIN BLACKLEDGE	\$45.80	Customer Deposit Refund
KAITLYN PRIEST	\$1.51	Customer Deposit Refund
KKQQ-FM/ ALPHAMEDIA USA, LLC	\$200.00	OTD Advertising
KRISTEN ALMEN	\$172.07	Customer Deposit Refund
LEWS FIREWORKS INC.	\$5,786.80	OTD Fireworks
LISA ANDERSON	\$121.07	Customer Deposit Refund
LOWES	\$105.40	Street Supplies
MIDWEST DESIGN	\$225.13	VFD Repairs to E2 & T2
MMUA	\$1,806.25	Safety Programs, 3rd Qtr 2022
OFFICE PEEPS INC.	\$1,645.84	Office Blinds & Supplies
PAYMENT SERVICE NETWORK	\$164.70	Monthly E-Payment Fees
RFD NEWS GROUP INC.	\$887.82	Publishing, Legal & Notices
RHETT VANDERWAL	\$118.91	Customer Deposit Refund
RIAN QUAM	\$164.60	Customer Deposit Refund
RONALD GRANUM	\$81.98	Customer Deposit Refund
RUNNINGS	\$46.52	Parade Candy
SAMANTHA SIMONSEN	\$126.03	Customer Deposit Refund
SD DEPARTMENT OF REVENUE	\$26,258.93	Sales Tax
SKULI TORFASON	\$254.11	Customer Deposit Refund
STUART C. IRBY CO.	\$41,040.00	Elec. Switch Gears
STURDEVANT'S AUTO SUPPLY	\$18.42	International Truck Repairs
SUEZ-UTILITY SERVICE CO., INC.	\$53,101.00	Water Tower Tank Maintenance
Tanner DeKam	\$64.77	Customer Deposit Refund
TATE SKOGLUND	\$114.86	Customer Deposit Refund
THOMSON REUTERS-WEST	\$255.95	Codified Law Books
TJ KISSNER	\$156.90	Customer Deposit Refund
TOWN & COUNTRY SHOPPER	\$471.00	OTD Advertising

TOWNCLOUD, INC.	\$50.00	Monthly Subscription
US DEPARTMENT OF ENERGY	\$21,803.60	06.2022 Transmission Service
Valley Fibercom	\$561.18	Telephone & Internet Services
VALLEY FITNESS	\$167.34	Monthly Contributions
VOLGA POSTMASTER	\$344.93	July Bulk Billing
WATER RIGHTS PROGRAM-DANR	\$105.00	Future Use Permit
WESCO DISTRIBUTING	\$377.00	Copper Ground Wire

**Other Business**

Christie Kindt addressed council with various concerns about the apartment building recently constructed near her property. She noted some downspouts face her yard that pose a problem with drainage onto her yard. She also noted difficulties communicating with the construction crews who worked on the project. Schulte confirmed that he sent Kindt two conditional use permit notification letters when meetings were taking place for the planning of the apartments. City staff will provide contact information of the owner of the property to Kindt. Council advised her to contact the owner but to call City Hall if concerns are not resolved.

Motion by VanderWal, seconded by Jaquet, to enter into Executive Session – SDCL 1-25-2, #3 – Consulting with Legal Counsel of Reviewing Communications from Legal Counsel about Proposed or Pending Litigation or Contractual Matters at 1:08 PM. All in favor. Motion carried 6 – 0. Motion by Jaquet, seconded by VanderWal, to leave Executive Session at 1:34 PM. All in favor. Motion carried 6 – 0.

VanderWal noted that he would plan to join monthly meetings with Code Enforcement Officer Tim Austin and Schulte going forward.

Motion by Wermedal, seconded by Jaquet, to adjourn at 1:38 PM. All in favor. Motion carried 6 – 0.

s/Randy Santema, Mayor, City of Volga  
s/Krista Larson, Finance Officer