

MINUTES OF REGULAR MEETING

The City Council of the City of Volga, SD met for a regular meeting Monday, February 6, 2023 at 5:30 PM in the conference room of City Hall; Mayor Randy presiding. Members present: Ken Fideler, Bev Cotton, Stacy Sahr, Kelly VanderWal, Matt Jaquet, and Doug Wermedal. Also present: City Administrator Michael Schulte, Finance Officer Krista Larson, City Attorney Steve Britzman, Community Engagement Coordinator Lindsey Grabow, Fire Chief Jamie Russell, Officer Dane Larsen, Chris Nordquist with DGR Engineering via Zoom, and Bev Jensen with the Volga Tribune.

Following the Pledge of Allegiance, Motion by Wermedal, seconded by VanderWal to approve the February 6, 2023 agenda and consent agenda as presented. All in favor. Motion carried 6 – 0. The consent agenda included the January 17, 2023 City Council Regular Meeting Minutes, January 23, 2023 City Council Special Meeting Minutes, and approval of Resolution #2023-06 Blend & Consume License – Celestino.

RESOLUTION #2023-07 APPROVING BLEND & CONSUME LICENSE CITY OF VOLGA, SD BE IT RESOLVED that in accordance with SDCL 35-1-5.5, prior authorization for persons to consume or blend alcoholic beverages on February 11, 2023 at the Volga Auditorium under the name of Celestino is hereby given. All such consumption or blending shall occur during the said event. Said property shall be considered for purposes of the Resolution to be the location of a special license and shall not constitute a public place as defined by Ordinance 145 of the City of Volga. Sale of alcohol beverages shall not be permitted at any time at the above described location. There shall be no consumption of any alcoholic beverage by any individual who is under twenty-one years of age. This permit shall commence at 12:00 AM on February 11, 2023 and shall conclude at 11:59 PM on February 11, 2023. Dated this 6th day of February, 2023. CITY OF VOLGA, SOUTH DAKOTA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer.

Visitors, Times Items, and Public Hearings

Chris Nordquist with DGR Engineering addressed the council and gave an overview of the upcoming transmission tie bid opening and project timeline. Installation will cause SDSP and Prairie Aqua Tech's to reduce their power load significantly during the tie-in. To alleviate the impact, contractors will be asked to work round the clock once the power is reduced to complete that portion of the project. During a recent meeting with both businesses, the project plan and timeline were discussed; the proposed timeframe may coincide with maintenance at SDSP in August 2023. Schulte noted that no changes had been made to the transmission tie route since the public open house meeting.

Public Safety

Motion by Cotton, seconded by Jaquet, to approve the first reading of Ordinance #2023-01 Adding Violation of Using and Electronic Device While Driving. VanderWal asked Officer Larsen if the Sheriff's Department was implementing this violation county wide. Larsen said driving and texting is now considered a primary offense statewide. Fideler and Larsen discussed that the fine would be applicable to someone texting and driving any motorized vehicle including a golf cart. On roll call: Fideler, Yes; Cotton, Yes; Sahr, Yes; VanderWal, Yes; Jaquet, Yes; Wermedal, Yes. Motion Carried 6 – 0.

ORDINANCE #2023-01 AN ORDINANCE PROHIBITING USE OF MOBILE ELECTRONIC DEVICES WHILE OPERATING A MOTOR VEHICLE IN THE CITY OF VOLGA, SOUTH DAKOTA. The City Council of the City of Volga ordains:

I. Sec. 11.3-28. Mobile electronic communication device regulations—Definitions.

Electronic communication device means wireless or cellular phones and any other mobile communication device that uses shortwave analog or digital radio transmission between the device and a transmitter to permit wireless communications to and from the user of the device.

Electronic message means a self-contained piece of digital communication that is designed or intended to be transmitted between two electronic communication devices. An electronic message includes, but is not limited to, email, a text message, an instant message, a command or request to access a web page, or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include the use of global positioning or navigation systems or voice or other data transmitted as a result of making a phone call or data transmitted automatically by a wireless communication device without direct initiation by a person.

Sec. 11.3-29. Prohibited use of mobile electronic device. No person may operate or be in actual physical control of a motor vehicle while using a mobile electronic device.

Sec. 11.3-30. Exceptions to prohibited use of electronic communication devices and electronic message. Section 11.3-29 shall not apply if the mobile electronic device is being used as follows: (1) A law enforcement officer, firefighter, emergency medical technician, paramedic, operator of an authorized emergency vehicle, or similarly engaged paid or volunteer public safety first responder during the performance of that person's official duties, and a public utility employee or contractor acting within the scope of that person's employment; (2) The use of a mobile electronic device for emergency purposes, including a text messaging device to contact a 911 system, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity, or to report to appropriate authorities a fire, traffic accident, serious road hazard, or medical or hazardous materials emergency, or to report the operator of another motor vehicle who is driving in a reckless or otherwise unsafe manner or who appears to be driving under the influence of alcohol or drugs, or to report a crime; (3) The use of a global positioning or navigation system feature of a mobile electronic device, but this exception does apply to manually entering information into the global positioning or navigation system feature of the device; (4) Reading, selecting, or entering a telephone number or name in a mobile electronic device for the purpose of making or receiving a telephone call and using the device for the call, or if a person otherwise activates or deactivates a feature or function of a mobile electronic device; or (5) The use of a mobile electronic device in a voice-operated or hands-free mode if the operator of the motor vehicle does not use the operator's hands to operate the device, except to activate or deactivate a feature or function of the device.

Sec. 11.3-31. Social networking sites – Prohibition. No person may access, read or post to a social networking site while operating a motor vehicle.

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.

Fire Chief Jamie Russell reported there were 9 medical calls, 1 motor vehicle accident, and 3 fire calls for of total of 13 calls in January. Russell also noted that the department had been on 5 calls in the first 6 days of February. Cotton noted that a community health worker at Brooking Health Systems may be able to assist with residents that make frequent medical calls.

Cotton asked about progress with the Caspian Ave and Hwy 14 stop light. Schulte noted that he had been in contact with the DOT, but further work will need to be done to improve the lights and to establish a clearer maintenance agreement.

Community Development

Schulte gave a 2022 building permit update with a total of \$5.89M of new construction, 57 total building permits, 12 new single-family homes, 3 twin homes, 12 fence permits, 13 commercial sheds or shops, and 14 basement finishes. There was \$9.8M worth of new construction in 2021 that included some larger builds such as Ace Hardware and an Edman Development 5-plex.

Motion by VanderWal, seconded by Cotton, to approve Resolution 2023-08 Approving Rates, Fines, and Fees for the City of Volga. Schulte noted this resolution would incorporate all fees that have previously been listed in various resolutions. Sahr asked that the fees be published on the City website. Staff will publish the resolution, and Schulte noted most listed fees are simply for staff to reference when billing. On roll call: Cotton, Yes; Sahr, Yes; VanderWal, Yes; Jaquet, Yes; Wermedal, Yes; Fideler, Yes. Motion Carried 6 – 0.

RESOLUTION #2023-08 A RESOLUTION REVISING & ESTABLISHING CERTAIN CITY CHARGES, FEES, FINES, AND RATES FOR 2023 CITY OF VOLGA, SOUTH DAKOTA BE IT RESOLVED by the City Council of the City of Volga, South Dakota, that effective February 7, 2023, the following charges, fees, fines, and rates be applied and established:

New Service Fees

Electric

Electric Hookup Administration Fee	\$20.00
Residential Service - 200 amp	\$400.00
Residential Service - 400 amp	\$600.00
Small Commercial Service	Time & Materials Based on Size & Existing Infrastructure
Services Exceeding 200 feet	Time & Materials
Boring Under Obstacles	Time & Materials
Large Commercial or Industrial Service	All New Associated Costs Charged to Customer

Water

Water Hookup Administration Fee	\$20.00
Water Meter 3/4"	\$330.00
Water Meter - 1"	\$380.00
Water Meter - 1 1/2"	\$708.96
Water Meter - 2"	\$965.16

Sewer

Sewer Hookup Administration Fee	\$20.00
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Utility and Administration Fees

Meter Deposit	\$200.00
Late Payment (Penalty) Charge	10% of Service Balance
Reconnect Fee	\$25.00
Credit Card Transaction Fee	3% of total
Insufficient funds/returned payment	\$30.00
Copies	\$0.25/Per B&W Page \$0.50/Per Color Page
Faxes	\$0.25/Per Page

Food and Alcohol

Off Sale Liquor License (Annual)	\$400.00
On Sale Liquor License (Annual)	\$1,200.00
Wine and Cider License (Annual)	\$500.00

Markups - Liquor	10% of Liquor Purchases
Markups - Malt beverages	5% of Malt Beverage Purchases
Full Service Restaurant License (Annual)	\$2,000.00
Food Truck Permit (Annual)	\$25.00
Food Truck Permit Violation	\$60 fine + \$72.50 costs
<u>Building and Zoning</u>	
Building Permit	\$0.02/sq ft (min \$25/max \$75)
Fence Permit	\$25.00
Shingling or Siding Permit	\$25.00
Deck Permit	\$25.00
Yard Shed Permit	\$25.00
Full Project Inspection	\$75/each
Small Project Inspection	\$25/each
Change of Zoning District/Amendment to Ordinance	\$50.00
Conditional Use Permit	\$50.00
Variance	\$100.00
Building Permit Extension	No Cost
	New Permit Needed Between 12-18 Months
Reissue Existing Building Permit	New Building Permit Costs
Failure to Obtain Building Permit	Twice of Original Permit Costs
<u>Facility Use</u>	
Auditorium Rental Fee - Single Use (daily rate)	\$50.00
Auditorium Rental Fee - Seasonal (annual)	\$25.00
Community Center Rental Fee (Monday-Thursday)	\$25.00
Community Center Rental Fee (Friday - Sunday)	\$50.00
Event w/ alcohol	\$200 refundable deposit
Auditorium Large Event (100+ people)	\$150 + \$500 refundable deposit
Community Gardens (per plot)	\$25.00
<u>Swimming Pool Fees</u>	
Swimming Pool - Season Pass - Single	\$50.00
Swimming Pool - Season Pass - Family (up to 6)	\$100.00
Swimming Pool - Season Pass - Nanny/Caregiver	\$10.00
Swimming Pool - Day Pass - 4&Under	Free
Swimming Pool - Day Pass - 5-18	\$2.00
Swimming Pool - Day Pass - Over 18	\$3.00
<u>Animals</u>	
Pet License - Altered (annual)	\$5.00
Pet License - Intact (annual)	\$10.00
Pet Permit Violation	\$25 fine + \$72.50 costs
Pet Impoundment	Determined by Brookings County
Pet Shelter License	\$100.00
Wild or Dangerous Animal	\$60 fine + \$72.50 costs
General Animal Ordinance Violation	\$60 fine + \$72.50 costs
Cruelty to Animals	\$60 fine + \$72.50 costs
<u>Licenses/Permits</u>	
Solicitor Permit (per solicitor)	\$100.00
Golf Cart Permit	\$25.00
Video Lottery Machine License	\$50/machine

Miscellaneous Offenses

Correction of snow removal by City	\$100/hour
Correction of vegetation nuisance by City	\$200/hour
Damage to fire apparatus or hydrant	\$60 fine + \$72.50 costs
Depositing snow, leaves, or other materials in city rights-of-way	\$60 fine + \$72.50 costs
Disposal on public property	\$60 fine + \$72.50 costs
Disturbing the Peace - 1st offense	\$60 fine + \$72.50 costs
Disturbing the Peace - 2nd offense	\$100 fine + \$72.50 costs
Disturbing the Peace - 3rd offense	\$200 fine + \$72.50 costs
Excavations violation	\$100 fine + \$72.50 costs
Failure to remove snow and ice from sidewalk	\$60 fine + \$72.50 costs
Fireworks violations	\$60 fine + \$72.50 costs
Fleeing from police officer	\$60 fine + \$72.50 costs
Golf cart operation and permitting	\$60 fine + \$72.50 costs
Indecent exposure	\$100 fine + \$72.50 costs
Littering	\$60 fine + \$72.50 costs
Loud and raucous noise	\$60 fine + \$72.50 costs
Public urination	\$60 fine + \$72.50 costs
Resisting a police officer	\$60 fine + \$72.50 costs
Solicitor, peddlers, transient merchants violation	\$60 fine + \$72.50 costs
Tree planting, care, removal violation	\$60 fine + \$72.50 costs
Vegetation nuisance	\$60 fine + \$72.50 costs
Water use restriction violation	\$100 fine + Court Costs

Parking Offenses

Blocking Alley	\$25 fine + \$72.50 costs
Blocking mailbox	\$25 fine + \$72.50 costs
Double parking	\$25 fine + \$72.50 costs
Fire Lane/Hydrant	\$25 fine + \$72.50 costs
In Crosswalk	\$25 fine + \$72.50 costs
In Intersection	\$25 fine + \$72.50 costs
No Parking Zone	\$25 fine + \$72.50 costs
Obstructing Traffic	\$25 fine + \$72.50 costs
On Boulevard	\$25 fine + \$72.50 costs
On Sidewalk	\$25 fine + \$72.50 costs
Parking during Snow Removal	\$25 fine + \$72.50 costs
Parking during State of Emergency	\$25 fine + \$72.50 costs
Parking in Excess of 72 hrs	\$25 fine + \$72.50 costs
Parking on left hand side	\$25 fine + \$72.50 costs
Parking where limited to disabled parking only	\$100 fine + \$72.50 costs
Parking where Parking is Limited	\$25 fine + \$72.50 costs
Parking where Restricted	\$25 fine + \$72.50 costs
Prohibited Area	\$25 fine + \$72.50 costs
Prohibited Truck and Trailer Parking	\$25 fine + \$72.50 costs
Trailer Parking in Residential District Restricted	\$25 fine + \$72.50 costs
Yellow Curb	\$25 fine + \$72.50 costs

Traffic Offenses

Age of Driver	\$60 fine + \$72.50 costs
Careless Driving	\$60 fine + \$72.50 costs
Diagonal/angle parking	\$40 fine + \$72.50 costs
Driving on Sidewalk	\$60 fine + \$72.50 costs
Driving Over Fire Hose	\$60 fine + \$72.50 costs
Exhibition Driving	\$60 fine + \$72.50 costs

Following Fire Apparatus	\$60 fine + \$72.50 costs
Operation of Snowmobiles	\$60 fine + \$72.50 costs
Unsafe Backing	\$60 fine + \$72.50 costs
Use of Jake Brakes	\$60 fine + \$72.50 costs
U-Turn Restricted	\$60 fine + \$72.50 costs
Yielding Right-of-Way to Emergency Vehicles	\$60 fine + \$72.50 costs
Using Electronic Device While Driving	\$100 fine + \$72.50 costs

Speeding

Speeding: Speed Limited	\$19 fine + \$72.50 costs
Designated Exceeding Limits	
Speeding: 1-5 mph Over Speed Limit	\$19 fine + \$72.50 costs
Speeding: 6-10 mph Over Speed Limit	\$39 fine + \$72.50 costs
Speeding: 11-15 mph Over Speed Limit	\$59 fine + \$72.50 costs
Speeding: 16-20 mph Over Speed Limit	\$79 fine + \$72.50 costs
Speeding: 21-25 mph Over Speed Limit	\$99 fine + \$72.50 costs
Speeding: Over 25 mph Over Speed Limit (Court Appearance)	\$154 fine + \$72.50 costs

Public Works and Services

Equipment (hourly rates unless otherwise stated)

Equipment - Operator (required for all equipment)	\$35.00
Equipment - Backhoe	\$80.00
Equipment - Bucket truck	\$100.00
Equipment - Case loader	\$100.00
Equipment - Dump truck	\$50.00
Equipment - Grader	\$100.00
Equipment - Jet vac (2 hr min)	\$100.00
Equipment - Mower	\$50.00
Equipment - Plow	\$2/foot
Equipment - Skid Steer	\$80.00
Equipment - Sweeper	\$80.00
Equipment - Trailer w/ truck	\$50.00
Equipment - Trencher	\$3.90/foot

City Cleanup

Oven	\$10.00
Water heater	\$10.00
Washer/Dryer (each)	\$10.00
Refrigerator/freezer/dehumidifier/AC (each)	\$16.00
Small Refrigerator (dorm size) (each)	\$12.00
Tires - Car/pickup (per tire)	\$10.00
Tires - Truck (per tire)	\$16.00
Tires - Tractor (per tire)	\$50.00

Passed and approved this 6th day of February, 2023. CITY OF VOLGA, SOUTH DAKOTA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer.

Public Works

Motion by Wermedal, seconded by Fideler, to Approve Updated Memorandum of Understanding with Brookings County. Wermedal noted that phase one of the planning for the Samara Ave project is completed. The next two phases will, once again, be split with Brookings County. The City's portion will be \$114,153.00 plus reimbursable expenses. On roll call: Sahr, Yes; VanderWal, Yes; Jaquet, Yes; Wermedal, Yes; Fideler, Yes; Cotton, Yes. Motion Carried 6 – 0. A copy of the complete memorandum is available upon request at City Hall.

Parks, Recreation, and Buildings

Community Engagement Coordinator Lindsey Grabow noted that the Summer Recreation Intern and Pool Supervisor positions have been posted and general rec and pool applications will be available soon. The park & recreation activities sign up will be held March 8, 2023, in the Sioux Valley Commons from 5:00 PM – 8:00 PM. A softball and baseball informational meeting will take place prior to sign-up in the PAC from 4:00 PM – 5:00 PM.

Jaquet asked for an update on a swimsuit spinner for the city pool. Staff will investigate potential solutions.

Electric

Schulte noted item 11.a., Discussion/Action – Utility Billing, will be discussed at a future meeting.

Motion by Jaquet, seconded by Wermedal, to authorize staff to advertise for Bids for the 69kV Transmission Tie Project. Schulte noted the planned route of construction has not changed since that last discussion. Bids will be opened on March 15, 2023. On roll call: VanderWal, Yes; Jaquet, Yes; Wermedal, Yes; Fideler, Yes; Cotton, Yes; Sahr, Yes. Motion Carried 6 – 0.

Finance and Economic Development

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

Vendor	Amount	Comments
CORPORATE TRUST, TFM	26281.21	CIPP Loan - Interest Only PMT
1ST DIST. ASSOC. OF LOCAL GOV.	\$2,850.00	10/22 - 09/23 DUES
AVERA OCCUPATIONAL MEDICINE	\$78.00	DOT Testing
BROOKINGS CO SHERIFF'S OFFICE	\$176.82	Animal Control 1/17/23 & 1/20/23
BROOKINGS COUNTY FINANCE	\$26,916.00	Samara Ave Project Cost Split w/County
CIVICPLUS	\$3,637.40	Website Annual Fees
CORE & MAIN	\$17,871.13	3 Hydrants & Meters
DAN ORTON	\$25.00	EMT Training Reimbursement
DAVES WINDOW CLEANING, INC.	\$60.00	Jan Window Cleaning
DELTA DENTAL	\$1,314.80	Dental Premiums (Jan&Feb '23)
DEWILD GRANT RECKERT	\$10,528.50	Transmission Tie Elec Engineering
GRAYBAR ELECT. CO. INC.	\$2,569.60	Shop Lighting Upgrades
HAWKINS INC.	\$20.00	Cylinder Returns
HEALTH POOL OF SOUTH DAKOTA	\$23,678.05	Premiums (Jan&Feb '23)
INFINITE WELDING & MACHINE	\$7.20	Batting Cage Supplies
JAY KLEINJAN	\$50.00	Volga Community Center Refund
L.G. EVERIST, INC.	\$914.94	Snow Removal Sand
M & T FIRE & SAFETY, INC.	\$188.93	LED Lights
MARIA CABRERA	\$200.00	Volga Auditorium Deposit Refund
MICRO COMPUTER SYSTEMS, INC.	\$199.50	Computer Repairs/Calls

NORTHERN TRUCK EQUIP. CO.	\$699.46	Coupler Repair
OFFICE PEEPS INC.	\$261.62	Monthly Copier Charges & Supplies
PROCHEM DYNAMICS	\$487.55	Bulk Sidewalk Salt-Public Buildings
PUBLIC HEALTH LABORATORY	\$56.00	Water Testing
RFD NEWS GROUP INC.	\$754.44	Published Items
RUNNINGS	\$786.09	Salt, Supplies, Repairs
SAFE-N-SECURE	\$261.94	Override Switches at Aud/CC
STEVEN J. BRITZMAN, ATTORNEY	\$3,181.44	Legal Fees 10/3/22-12/22/22
SWEENEY CONTROLS COMPANY	\$140.00	South Lift Repair
TONYA STEFFENSEN	\$1,200.00	January Cleaning 2023
VERIZON WIRELESS	\$329.18	Cell Services
VOLGA ACE HARDWARE	\$192.04	Shop Supplies
W.W. TIRE	\$1,484.20	Foam Fill Plow Tires & Supplies
GENERAL FUND	\$16,052.64	January Payroll
WATER FUND	\$5,395.25	January Payroll
ELECTRIC FUND	\$17,758.06	January Payroll
SEWER FUND	\$4,075.03	January Payroll

Motion by Fideler, seconded by VanderWal, to authorize staff to move forward with website hosting services with Revise and agenda builder software with Diligent. Schulte detailed his research and quotes from various website providers and agenda builder solutions. The city's current website interface with Civic Plus has not been overhauled since its origination. The updated solutions will help improve the City's website functionality and council agenda and packet capabilities. On roll call: Jaquet, Yes; Wermedal, Yes; Fideler, Yes; Cotton, Yes; Sahr, Yes; VanderWal, Yes. Motion Carried 6 – 0.

Larson presented a 2022 year-end and January 2023 financial report covering budget considerations, utility billing revenues, overall revenue guidelines and expenditures, sales tax, and various financial updates.

Fideler asked if the City has a cyber security policy in place. Schulte stated that cyber security is included in the City's overall policy and that various resources are available to test the city's security in which Schulte plans to coordinate in the future.

Other Business

Jaquet asked about a more permanent solution for the worn off lane lines on Caspian Ave. Schulte and Larson noted that past inquiries indicated that grinding in the lines would be a significant expense, but staff will investigate what has been researched in the past. Wermedal asked if any further answers had been given regarding Hwy 14 crossing and safety concerns. No further feedback or solutions had been provided. VanderWal said he would ask Sheriff Stanwick and an upcoming County Commission meeting.

Santema noted various upcoming meetings. The next City Council Meeting will be held on Tuesday, February 21, 2023 at noon.

Public Comments

Bev Jensen with the Volga Tribune asked for more information regarding the Samara Ave project. Council shared that an upcoming public input and information meeting will be held once further project and engineering details are complete.

Sahr, Wermedal, Schulte, and Grabow will form a joint committee with Superintendent Laura Schuster and School Board Members Clint Kooima and Clay Bastian to collaborate on upcoming collective matters.

Executive Session

Motion by Fideler, seconded by Wermedal, to enter an executive session pursuant to SDCL 1-25-2(1) Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee at 7:00PM. Motion carried 6 – 0. Motion by Fideler, seconded by VanderWal, to exit the executive session at 7:53PM. Motion carried 6 – 0. Motion by Fideler, seconded by VanderWal, to change the Finance Officer’s position from a non-exempt (hourly) to an exempt (salary) position and to set the salary at \$73,500 effective beginning in the next pay period. Motion carried 6 – 0.

Adjourn

Motion by Wermedal, seconded by Fideler, to adjourn the meeting at 7:57PM. Motion carried 6 – 0.

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