



**BOARD OF COMMISSIONERS
AGENDA**

DECEMBER 13, 2021

5:30PM – COMMISSION ROOM – 116 W CENTER ST

Please join the Zoom meeting from your computer, tablet or smartphone.

You can also dial in using your phone.

+1 312 626 6799

Meeting ID: 864 0934 6544

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPT AGENDA

APPEARANCES/ACKNOWLEDGEMENTS

- 1) Acknowledge Proposed Resolution No. 2021-30 - Sidewalk Improvement 2022 and Set Hearing Date - December 27, 2021

CONSENT CALENDAR

- 1) Minutes – December 6, 2021
- 2) Claims for Approval - December 15, 2021
- 3) Set Bid Date - Bid No. 908 - Chemicals 2022 - December 23, 2021 10:00am

UNFINISHED BUSINESS

NEW BUSINESS

- 1) Adopt Resolution No. 2021-31 - Sidewalk Repair Improvement 2022
- 2) Authorize Mayor to Sign Law Enforcement Officer Certification Agreement
- 3) Discussion Regarding Altering Time and Frequency of Regular City Commission Meetings

PUBLIC COMMENT

ANNOUNCEMENTS

ADJOURN

Supplementary agenda information may be accessed at www.cityofmadisonsd.com
AGENDAS – CITY COMMISSION

If special accommodations are necessary to attend any Board of Commissioners meeting, please contact the Finance Office at (605) 256-7500 at least 24 hours before meeting time. All attempts shall be made to accommodate a request.

PROPOSED RESOLUTION NO. 2021-30

A RESOLUTION TO DECLARE THE NECESSITY FOR SIDEWALK IMPROVEMENT 2022

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That the City hereby declares the necessity of constructing sidewalks within the City of Madison located adjacent to the following streets as noted with the projected locations being as follows:

A. Project 1 – NE 4th Street from N Harth Avenue to N Washington Avenue:

1. Lot 18 in Block 11 of Kennedy's Subdivision of Blocks No. Eleven (11) and Twelve (12) of Kennedy's Extension of Madison, Lake County, South Dakota; 114 linear feet of 4 inch sidewalk; 22 linear feet of 6 inch sidewalk; estimated total costs \$4363.72
2. North Forty-Five (45') of Lot One (1), Block Eleven (11), Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12), Kennedy's Extension to City of Madison, Lake County, South Dakota; 112 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3530.24
3. Lot One (1) and the North 5 feet of Lot Two (2), except the East 72 feet of the North 5 Feet of Lot Two (2), Block Twelve (12) of Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12) of Kennedy's Extension to Madison, Lake County, South Dakota; 83 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2616.16

B. Project 2 – N Lincoln Avenue from NE 1st Street to NE 3rd Street:

1. The North 86 feet of Lot One (1) and the North 86 feet of the East 30 feet of Lot Two (2) of Block Five (5) of Town Proprietor's Second Addition to Madison, Lake County, SD; 64 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2017.28
2. The South 71.75 feet of Lot Ten (10) and approximately the South 63 feet of the West Half (W ½) of Lot Nine (9) in Block Four (4) in Town Proprietor's Second Addition to the City of Madison, Lake County, SD; 72 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2269.44
3. Lots Six (6), Seven (7), Eight (8), and the East Half (E ½) and the North 70 feet of the West Half (W 1/2) of Lot Nine (9) and the North 70 feet of Lot Ten (10) in Block Four (4) of Town Proprietor's Second Addition to the City of Madison, Lake County, SD; 70 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2206.40

C. Project 3 – NE 1st Street from N Lincoln Avenue to N Grant Avenue:

1. Lot One (1), of Dingman's Resubdivision of Lots Nine (9) and Ten (10) in Block Seven (7) of Town Proprietor's Second Addition to Lake County, South Dakota; 84 linear feet of 4 inch sidewalk; 16 linear feet of 6 inch sidewalk; estimated total costs \$3208.00
2. Lots Four (4), Five (5) and Six (6) in Block Seven (7) in Town Proprietor's Second Addition, Madison, Lake County, South Dakota; 50 linear feet of 4 inch sidewalk; 15 linear feet of 6 inch sidewalk; estimated total costs \$2101.30
3. Lots One (1) and Two (2), Block Seven (7) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 97 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3057.44.

4. Lots Seventeen (17), and Eighteen (18) in Block Six (6) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 100 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3152.00
5. Lots Nineteen (19) and Twenty (20) Block Six (6) Town Proprietor's 2nd Addition to Madison City; 60 linear feet of 4 inch sidewalk; 35 linear feet of 6 inch sidewalk; estimated total costs \$3116.90

D. Project 4 – SE 1st Street from S Washington Avenue to S Garfield Avenue

1. The North One-Half (N ½) of Lot Nine (9), and all of Lot Ten (10), in Block Twenty-three (23), Original Plat of the City of Madison; 116 linear feet of 4 inch sidewalk; 20 linear feet of 6 inch sidewalk; estimated total costs \$4356.72
2. Lots One (1) and Two (2) in Block Twenty Three (23) of the Original Plat of Madison, Lake County, SD; 114 linear feet of 4 inch sidewalk; 22 linear feet of 6 inch sidewalk; estimated total costs \$4363.72
3. Lot Seven (7) and Lot Eight (8) in Block Fifteen (15) of Town Proprietor's Second Addition to Madison, South Dakota; 58 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$2178.36
4. Lot Six (6) in Block Fifteen (15) of Town Proprietor's Second Addition to City of Madison, South Dakota; 35 linear feet of 4 inch sidewalk; 15 linear feet of 6 inch sidewalk; estimated total costs \$1628.50
5. Lot Five (5) in Block Fifteen (15) of Town Proprietor's Second Addition to the City of Madison, South Dakota; 40 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$1611.00
6. Lot Four (4) of Block Fifteen (15) of Town Proprietor's Second Addition to the City of Madison, Lake County, South Dakota; 40 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$1611.00
7. Lots One (1) and Two (2) in Block Fifteen (15) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 97 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3057.44
8. Lot Nine (9) and Lot Ten (10) in Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 100 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3152.00
9. Lot Eight (8) of Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, SD; 34 linear feet of 4 inch sidewalk; 16 linear feet of 6 inch sidewalk; estimated total costs \$1632.00
10. The West Half (W ½) of Lot Six (6) and all of Lot Seven (7) in Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, SD; 75 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2364.00
11. Lot 5 and the East Half (E ½) of Lot 6 in Block 16 of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 16 linear feet of 4 inch sidewalk; 12 linear feet of 6 inch sidewalk; estimated total costs \$924.56
12. Lot 4 in Block 16 of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 40 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$1611.00

13. Lots One (1), Two (2), and Three (3) in Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 137 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$4318.24
 14. Lot 13 and Lot 14 in Block 13 of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 82 linear feet of 4 inch sidewalk; 18 linear feet of 6 inch sidewalk; estimated total costs \$3215.00
 15. Lots Fifteen (15) and Sixteen (16), Block Thirteen (13), Town Proprietor's Second Addition to the City of Madison and Lots Seventeen (17) and Eighteen (18), Block Thirteen (13), Town Proprietor's Second Addition to the City of Madison; 158 linear feet of 4 inch sidewalk; 42 linear feet of 6 inch sidewalk; estimated total costs \$6451.00
- E. Project 5 – N Union Avenue from NW 6th Street to NW 7th Street (Deferred Install)
1. The North One Hundred (N 100') Feet of the South Two Hundred Fifty (S 250') Feet except the East Seventy Six (E 76') Feet thereof in Lot Nine (9) of Block Two (2), Smith & Trow's Summit Addition to Madison, Lake County, South Dakota; 100 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3152.00
- F. The owners of lots set forth in projects one (1) – five (5) above shall construct sidewalk at their own expense on or before July 22, 2022. The City Commission may extend the deadline for installation of the sidewalk in the event a construction project, including sidewalk, is being undertaken during 2022.
- G. The general nature of the construction and materials to be used are as follows:
1. Sidewalks shall be 4 feet 8 inches in width and run the entire length of the real property.
 2. Concrete shall be a minimum of 4 inches thick and shall include aggregate customarily used in this locale for concrete that will be exposed to the elements.
 3. A gravel-based course with a minimum depth of 3 inches shall be used.
 4. Location and grade shall be approved by the Engineers Office.
- H. The estimated costs per linear foot for 4 inch sidewalk is \$31.52 and for 6 inch sidewalk is \$35.02.
- I. The class of lots to be assessed vary and may include each zoning district. Each lot shall benefit by having pedestrian access adjacent thereto. The assessed costs shall be apportioned at the respective linear footage length of 4 foot 8 inch wide sidewalk constructed adjacent to each lot.
- J. All work is to be constructed by licensed contractors in accordance with standard City of Madison specifications and details which are on file and can be reviewed during regular business hours at the finance office and the Engineers Office. Plans may be reviewed during regular business hours at the finance office.
- K. Exempt from the requirement to construct sidewalk are those areas which presently have sidewalk or have asphalt pavement in the areas where sidewalk will be required. Said asphalt pavement may remain provided it is marked and striped with paint or other approved material as a designated walkway and where said areas are in a condition equal to the condition standards required for sidewalk.
- L. The improvements for each affected real property may not be substantially uniform due to the need for retaining walls or other improvements/additional requirements necessary on some properties. The City shall be responsible for these additional costs if approval is given to the property owner in writing from the City Engineer prior to commencement of improvement.
- M. If a retaining wall is determined necessary by the City Engineer, the City shall pay for the initial construction of all retaining walls. Construction shall not commence until approval of the specifications, plans, details and a minimum of two (2) bids are obtained from the Office of City Engineer.

Reimbursement to the landowner of the wall shall be upon satisfactory completion of the retaining wall. No reimbursement for retaining wall construction shall be made unless, prior to construction, the specifications, plans, materials and bids are approved by the City Engineer. The City shall be responsible for the cost of installation of retaining walls if satisfactorily completed.

- N. Upon completion of construction the improvements shall become the responsibility of the landowner.
- O. If such sidewalk is not constructed in the manner and within the time prescribed hereinabove, then, pursuant to South Dakota Codified Law (SDCL) 9-46-4 the City of Madison, hereby this Resolution, shall cause the work to be done and the cost thereof to be assessed against the real property adjoining or abutting upon the sidewalks constructed as provided in SDCL 9-46-4.1.
- P. For any assessments ultimately becoming due, payments shall be payable under Plan One, as provided for in SDCL 9-43-102.
- Q. The above described improvement shall be herein referred to as Sidewalk Improvement 2022 which shall be deemed a description of the improvement as herein set forth.

Dated this __ day of December, 2021.

CITY OF MADISON

Mayor

ATTEST: _____
Finance Officer

**CITY OF MADISON
BOARD OF COMMISSIONERS PROCEEDINGS
MADISON, SD 57042**

December 6, 2021
Regular

The Board of Commissioners of the City of Madison met in regular session at 5:30pm on the 6th day of December with the following members present on roll call: Mayor Marshall Dennert and Commissioners Kelly Dybdahl, Jerae Wire, and Adam Shaw. Commissioner Jeremiah Corbin joined at 5:49pm.

The Pledge of Allegiance was recited.

Motion by Commissioner Shaw to adopt the December 6th agenda. Motion seconded by Commissioner Wire. Motion carried unanimously.

Motion by Commissioner Dybdahl, second by Commissioner Shaw, to approve the following items on the consent calendar: Minutes – November 22, 2021, Claims for Approval - December 8, 2021, Bills for Ratification - December 1, 2021, Personnel, Building Permit Report – October 2021, Cash Balances, Gross Salaries, Bills for Ratification – October, Adopt Resolution No. 2021-32 - Replat - Williams 19th Addition, Adopt Resolution No. 2021-33 - Replat - Williams 20th Addition, Adopt Resolution No. 2021-34 - Replat - Rittgers Subdivision, Authorize Mayor to Sign Engagement Letter Schoenfish & Company, Inc. - 2021 Annual Report and Audit Serv, Motion carried unanimously.

Claims for Approval - December 8, 2021:

Appera Mat Rentals 198.44; AT & T Mobility Monthly Cell Bill/Data Connect 374.30; Avenu Insights & Analytics Nov Application Host 3,295.29; Baker & Taylor Books 120.38; Bartels Cleaning Service MMU Cleaning Service 500.00; Bobs Electric of Madison Inc Capacitors 56.98; Builders FirstSource Plywood 65.18; Butler Machinery Co Parts 206.84; Carquest of Madison Coolant #55B 59.97; Central States Wire Products Wire 1,756.60; Century Business Products Inc Copier Contract 27.00; Christiansen Complete Water Water Delivery 86.15; City of Sioux Falls Bacteria Tests Oct 2021 73.00; Classic Convenience Inc Fuel 330.04; Coles Petroleum Products Inc Fuel 6,226.56; Concrete Materials Hot Mix 577.50; Core & Main GP LLC Meters/Replace Wires w/Cables 7,981.12; Dakota Riggers & Tool Supply Tools 706.58; Dakota State University Fall Posters/Brochures/Paper 324.30; DGR Engineering Long Range Plan 3,137.60; Etterman Enterprises Inc Cutting Oil/Pen Lube 132.82; F & M Coop Oil Co Fuel/Tire Repair 218.00; Family Resource Network Training-Lesson Planning 55.00; First Bank & Trust Bond Interest 8,936.04; Fox Promo LLC Sew on Patches 10.00; Gale Cengage Learning Books 152.75; Golden West Industrial Supply Disposable Gloves 185.23; Graybar Electric Co Inc 3/4 Entrance Head 24.32; Great America Financial Svcs Copier Agreements 630.09; Grey House Publishing Inc Books 325.50; Hach Co Chemicals 69.59; Hillyard Inc Floor Scrubber 8,081.27; Houston Engineering NW 9th St & Union Ave 35,610.95; Hunter Publishing Inc Minutes/Ordinances/Notices 565.78; Ingram Co Books 2,142.24; Itron Inc LM Receiver Boxes 12,490.00; J & J Earth Works Inc Water System Imp Project 511,024.85; J & M Construction Sidewalk Improvement Project 10,264.91; Jimsco Inc Rfnd Bldg Permit Overpayment 62.00; Johnson Brothers Excavation Road Sand 273.80; Josh's Tools LLC Trans Flush Adapters 136.76; Kimball Midwest Shop Supplies 95.13; KLJ Engineering LLC Apron Expansion Const 10,723.65; Lacey Well Drilling Well Digging 765.00; Lake County Register of Deeds November Easements/Copies 114.00; Lake County Treasurer Fuel 648.54; Lewis Drugs Inc Cat Food/Litter/Detergent 95.90; Library Ideas LLC Books 518.40; Madison Ace Hardware Paint Supplies/Oil/Rake 152.58; Madison Grocery Store Inc Crackers/Granola Bars/Turkeys 192.91; Madison Lawn Care Inc Lawn Mowing/Trimming 42.00; Madison Tires Inc Tires 2,316.00; Marco Technologies Copier Lease 275.47; Micromarketing LLC Books 595.95; Milton/JayMiracle L Refund After Deposit 35.51; Mott/Jeffrey A Refund After Deposit 136.03; MPower Technologies Inc Customer Support Service 420.00; Muth Electric Inc Replace E-Stops/Breaker 1,037.06; Nemec/Kyle Membership Reimbursement 295.00; Office Peeps Inc Toner/Paper/Copier Lease 371.42; OverDrive Books 144.31; Overhead Door Co Overhead Door Openers 320.00; Paraclete Press Inc Books 20.28; Pavlis/Xavier J Refund After Deposit 0.56; Pete Lien & Sons Inc Chemicals 4,784.45; Porta Pros Inc Toilet Rental-Memorial/RUS 260.00; Resykle LLC Valve Box Wrench 10.89; Running Supply Inc Chainsaw Kit/Door Openers/Misc 1,298.70; Sd Municipal League 2022 Annual

Dues 3,964.55; SD Public Health Laboratory Water Samples 146.00; SD Retirement System Premium Pay 2021 9,888.00; Sebco Books Inc Books 3,245.67; Sentimental Reflections Video Magazine Subscription 130.00; Shoenrock Plbg & Htg LLC Service Call-City Hall 81.63; Shpigler Consulting Inc AMI Monthly Support 7,354.29; Sioux Valley Energy Utilities 58.00; Springfield Vocational Ind Picnic Tables 7,050.04; Streichers Inc Uniform Pants/Shirts/Jackets 589.91; Sturdevants Madison Inc Catalytic Converter/Back-up Cam 751.41; Timmer Supply Co Boiler Parts 31.27; Tyler Technologies Inc Mapping/Training 2,781.25; USA Blue Book Gloves 503.28; Vast Broadband Monthly Invoice 3,152.35; Verizon Wireless Monthly ASP Cell Phone 80.93; Wheelco Brake & Supply Inc Air Filters 60.65.

Bills for Ratification - December 1, 2021:

PR #24 Deductions - City of Madison Flex One \$1,608.54; Health Pool of SD \$35,596.84; Office of Child Support Enforcement \$900.00; SDRS \$22,915.86; SDSRP \$2,575.50.

Personnel: Frank Mottl \$22.92/hour; Oakley Denne Volunteer Fireman; Bradley Eichmann Volunteer Fireman.

Cash Balances – October

General \$6,204,368.07; Park & Recreation \$873,662.94; Lodging & Entertainment Tax \$25,680.41; Community Development \$27,063.43; 2nd Cent Sales Tax \$2,423,387.60; Business Improvement District \$27,296.00; Special Maintenance Fee \$1,068,889.40; 2019 September Flood \$39,033.89; Swimming Pool Debt Service \$206,026.99; Gerry Maloney Nature Area \$-46,161.07; Water \$2,488,707.91; Electric \$4,486,071.78; Sewer \$1,749,550.27; Community Center \$-88,651.98; Solid Waste \$616,357.90; Recycling Center \$199,416.39; Cafeteria Plan \$7,409.67.

Gross Salaries – October

Mayor & Commission \$6,291.33; Finance \$21,182.95; Engineer \$13,795.30; Police \$96,835.81; Fire \$8,087.67; Highways & Streets \$47,384.28; Restricted Use Site \$2,036.25; Airport \$2,627.10; Library \$29,642.42; Planning & Zoning \$500.00; Park & Recreation \$27,577.57; Water \$43,138.24; Electric \$79,948.75; Sewer \$44,283.36; Community Center \$63,979.70; Solid Waste Collection \$10,901.16; Recycling \$4,851.81.

Bills for Ratification – October

Heartland Payment System Fees - Airport 105.31; IRS Electronic Tax Payment #20 35,383.36; CSI Fees - Community Center 141.40; Wells Fargo Bank Bank Card Discnt/Interch Fees 839.37; Money Movers Inc Program Processing Fees 8.50; Healthy Contributions Program Processing Fees 6.05; Wealth Mgmt TFM Clean Water SRF 461024-02 85,042.06; IRS Electronic Tax Payment #21 38,554.36; SD Department of Revenue Sales Tax - Excise Tax 44.66; SD Department of Revenue Sales Tax 49,384.42; IRS Electronic Tax Payment #22 37,467.46.

Mayor Dennert opened the public hearing on Wastewater Improvement Project up to \$6,000,000 - Board of Water & Natural Resources, a presentation was given by Pat Carey from Banner Associates and Christina Crouse from 1st District. This resolution provides authorization to proceed with application for SRF funding for the waterwater portion of project. Mayor Dennert closed the hearing.

Motion by Wire. seconded by Shaw to Authorize Mayor to Adopt Resolution No. 2021-35 - Waste Water SRF Authorizing Resolution Motion carried unanimously.

Commissioner Corbin joined meeting.

Mayor Dennert opened the public hearing on Drinking Water Improvement Project up to \$13,000,000 - Board of Water & Natural Resources, a presentation was given by Pat Carey from Banner Associates and Christina Crouse from 1st District. This resolution provides authorization to proceed with application for SRF funding for the drinking water portion of project. Mayor Dennert closed the hearing.

Motion by Shaw, seconded by Corbin to Authorize Mayor to Adopt Resolution No. 2021-36 - Drinking Water SRF Authorizing Resolution. Motion carried unanimously.

Motion by Dybdahl, seconded by Corbin to Authorize Mayor to sign Resolution No. 2021-37 - Lewis and Clark Rural Water System MGD Expansion Commitment Agreement. Ryan Hegg & Troy Larson from Lewis & Clark Rural Water provided an update on the project and noted that Lewis & Clark has applied for ARPA funds which if granted would reduce the cost for members. Motion carried unanimously.

Motion by Dybdahl, seconded by Wire to authorize Mayor to sign lease renewal document with Greater Madison Chamber of Commerce and Lake Area Improvement Corporation for zero dollars, with both entities contributing \$100 per month to assist with maintenance of the building. Motion carried unanimously.

Motion by Commissioner Corbin, second by Commissioner Wire, to adjourn. Motion carried unanimously.

The Board of Commissioners adjourned at 6:31pm.

/s/Sonya Wilt
Finance Officer

Published once at the approximate cost of \$__.

**CITY OF MADISON
NOTICE OF PUBLIC HEARING
PROPOSED RESOLUTION NO. 2021-30**

Notice is hereby given that a public hearing will be held on Monday, December 27th at 5:30pm, or as soon thereafter as the matter may be heard, in City Hall, Madison, South Dakota, in the Commission Room, to consider Proposed Resolution No. 2021-30 - Declare the Necessity for Sidewalk Improvement 2021.

Proposed Resolution No. 2021-30 has been prepared and is on file in the office of the Finance Officer. All persons owning or interested in any real estate in such district are entitled to examine the same. The City Commission will consider any objections to proposed resolution by owners of the property liable to be assessed.

Any persons wishing to present testimony may appear at said hearing or may file written comments by December 22, 2021 at 5:00pm with the Finance Officer at 116 W Center Street, Madison, South Dakota. Disabled individuals may contact the Finance Officer for information and/or special assistance. The request should be made 24 hours in advance of the hearing.

/s/Sonya Wilt
Finance Officer

**CITY OF MADISON
ADVERTISEMENT FOR BIDS**

Notice is hereby given that on the 23rd day of December 2021, until 10:00am, sealed bids will be received by the Board of Commissioners of the City of Madison, South Dakota at the Office of the Finance Officer and will then be publicly opened and read.

BID NO. 908 **275 Tons Unslaked Pebble Lime (plus or minus)**
 10,000 Lbs. Liquid Chlorine (plus or minus)
 15 Tons Carbon Dioxide (plus or minus)
 2000 Gal. Ferric Chloride (plus or minus)
 600 Gal. Hydrofluosilicic Acid (plus or minus)
 2000 Gal. Aqueous Ammonia (plus or minus)

Bids must be accompanied by a certified check, cashier's check or bank draft payable to the City of Madison in a sum equal to five percent (5%) of the total bid and drawn on a state or national bank or by bid bond in a sum equal to ten percent (10%) of the total bid issued by a surety authorized to do business in the State of South Dakota and made payable to the City of Madison. The check, bond or bank draft will be retained by the owner as liquidated damages if the successful bidder refuses or fails to enter into a contract in accordance with the bid when notified of the award.

Specifications for the items to be bid may be obtained at the issuing office: Office of the City Engineer, 116 W Center Street, Madison, South Dakota 57042.

Bid envelopes must be clearly marked Bid No. 908 - Chemicals.

The City of Madison reserves the right to reject any and all bids and to waive any irregularities.

By Order of the Board of Commissioners
City of Madison
Madison, South Dakota
Sonya Wilt
Finance Officer

RESOLUTION NO. 2021-31

A RESOLUTION TO DECLARE THE NECESSITY FOR SIDEWALK REPAIR IMPROVEMENT 2020

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That the City hereby declares the necessity of repairing and reconstructing sidewalks within the City of Madison located in front of and abutting upon the following described properties as noted below:

1. Lots Ten (10), Eleven (11) and Twelve (12) in Block Eight (8) of Waddell's Addition to the City of Madison, Lake County, South Dakota; Approximately 97 Square Feet, 4 Instances
2. Lot Two (2) in Block Three (3) of Coburn and Vandoren's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
3. The East Half (E 1/2) of Lot Seven (7) and the North Half of the East Half (N 1/2 E 1/2) of Lot Eight (8) in Block Two (2) of Coburn & Van Doren's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
4. The North 40 feet of Lot One (1) in Block One (1) of Coburn and Van Doren's Addition to Madison, Lake County, SD; Approximately 610 Square Feet, 9 Instances
5. Lot Eight (8) in Block Fifteen (15) of Henkin's First Addition to City of Madison; Approximately 47 Square Feet, 1 Instance
6. Lot Three (3) and the North Half (N 1/2) of Lot Four (4) in Block One (1) of Coburn and Van Doren's Addition to the City of Madison; Approximately 23 Square Feet, 1 Instance
7. Lot Four (4) in Block Five (5) of Coburn and Van Doren's Addition to Madison, SD; Approximately 9 Square Feet, 1 Instance
8. Lot Three (3) and the North 34 feet of Lot Four (4) in Block Twenty (20) of Smith and Trow's Summit Addition to Madison, Lake County, SD; Approximately 29 Square Feet, 2 Instances
9. The South Half (S 1/2) of Lots One (1), Two (2) and Three (3) in Block Four (4) of Clark and McKinnon's Addition to Madison, Lake County, South Dakota; Approximately 94 Square Feet, 4 Instances
10. The East Half (E 1/2) of Lot Eight (8) and all of Lot Nine (9) in Block Eight (8) of Waddell's Addition to Madison, South Dakota; Approximately 46 Square Feet, 2 Instances
11. Lot One (1) Except Lot H-1 contained therein, in Block Two (2) of Henkin's Second Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
12. The South 11 feet of Lot Three (3) and all of Lot Four (4) in Block Four (4) of Coburn and Van Doren's Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
13. The West Half (W 1/2) of Lot Fourteen (14) and all of Lot Fifteen (15), in Block Ten (10), Coburn and Van Doren's Addition to the City of Madison Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
14. Lot Four (4) in Block Nine (9) of Coburn and Van Doren's Addition to Madison, South Dakota; Approximately 117 Square Feet, 2 Instances

15. Lot Eight (8) in Block Thirty-Three (33), Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
16. The West Half (W ½) of Lot Five (5) and all of Lot Six (6) in Block Three (3) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
17. Lot Six (6) in Block Fifteen (15) of Henkin's First Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
18. Lots Five (5) and Six (6) and the East 10 feet of Lot Seven (7) in Block Ten (10) of Coburn and Van Doren's Addition to Madison, Lake County, SD; Approximately 116 Square Feet, 3 Instances
19. Lot Eleven (11) in Block Ten (10) of Town Proprietor's 1st Addition to Madison; Approximately 140 Square Feet, 1 Instance
20. Lots Eleven (11) and Twelve (12), Block Four (4), Clark and McKinnon's Addition to the City of Madison; Approximately 140 Square Feet, 5 Instances
21. The South Five Feet (S5') and the South Ten Feet (S10') of the East Twenty Feet (E20') of Lot Eleven (11) and all of Lot Twelve (12), Block Six (6), Coburn and VanDoren's Addition to the City of Madison; Approximately 83 Square Feet, 2 Instances
22. Lot Seven (7) Except the North 71 feet Lot Eight (8) Except the North 71 feet in Block Four (4) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
23. Lot Ten (10) in Block Sixteen (16) of Henkin's First Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
24. Lot Seven (7) of Block Ten (10) in Henkin's 1st Addition to the City of Madison, Lake County, South Dakota; Approximately 93 Square Feet, 2 Instances
25. Lot Eleven (11) in Block Sixteen (16) of Henkin's First Addition to Madison, Lake County, SD; Approximately 210 Square Feet, 2 Instances
26. Lots One (1) and Two (2) in Block Thirty-Four (34) of Smith and Trow's Summit Addition to Madison, Lake County, SD; Approximately 70 Square Feet, 2 Instances
27. Lot Nine (9) and the East Half (E ½) of Lot Eight (8) in Block Sixteen (16) of Henkin's First Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
28. The West Half (W 1/2) of Lot Eight (8) and all of Lot Nine (9) and the East Ten Feet (E10') of Lot Ten (10) in Block Eight (8) of Henkin's Second Addition to Madison, Lake County, South Dakota; Approximately 140 Square Feet, 4 Instances
29. Lot Three (3) in Block Thirty-four (34) of Smith and Trow's Summit Addition to the City of Madison, County of Lake, State of South Dakota; Approximately 23 Square Feet, 1 Instance
30. Lot Four (4) Except the North 34 feet thereof in Block Twenty (20) of Smith and Trow's Summit Addition to Madison, Lake County, SD; Approximately 93 Square Feet, 2 Instances
31. Lot Nine (9) in Block Five (5) of Clark and McKinnon's Addition to Madison, Lake County, South Dakota; Approximately 46 Square Feet, 2 Instances

32. Lot Ten (10) in Block Thirty-Three (33) of Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
33. The South Half (S ½) of Lot Three (3) and all of Lot Four (4) in Block Two (2) of Coburn and Van Doren's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
34. The South Sixty-Eight (68) feet of the East One-Half (E ½) in Block Seventeen (17) of Kennedy's Extension of Madison, Lake County, South Dakota and the East Three (3) feet of the South Sixty-Eight (68) feet of the vacated alley in Block Seventeen (17) of Kennedy's Extension to Madison, Lake County, South Dakota; Approximately 46 Square Feet, 2 Instances
35. Lot Four (4) in Block Sixteen (16) of Henkin's First Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
36. The South 90 feet of Lot One (1) and the South 90 feet of the East Half (E ½) of Lot Two (2) in Block One (1) of Clark and Mckinnon's Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 2 Instances
37. Lot Seven (7) in Block Nine (9) of Coburn and VanDoren's Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
38. The South Forty-Five Feet (S45') of Lot Five (5), and all of Lot Six (6), in Block Ten (10), of Town Proprietor's First Addition Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
39. Lot Seven (7) in Block One (1) of Coburn and VanDoren's Addition to Madison, Lake County, SD; Approximately 559 Square Feet, 8 Instances
40. The North 41 Feet of Lot Six (6) and all of Lot Seven (7) in Block Seven (7) of Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
41. The South Forty Two Feet (S42') of the South One Hundred Feet (S100') of Lot Thirteen (13) and the South Forty Two Feet (S42') of the South One Hundred Feet (S100') of Lot Fourteen (14) in Block Ten (10) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
42. Lot Ten (10) and the West 10 feet of Lot Nine (9) in Block Eleven (11) of Town Proprietor's First Addition to Madison, South Dakota; Approximately 47 Square Feet, 1 Instance
43. Lot One (1) of Gundersons First Addition to the City of Madison except Gundersons Second Addition to the City of Madison thereof, of Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
44. The North 71 feet of Lots Seven (7) and Eight (8) in Block Four (4) of Clark and McKinnon's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
45. The North 45 feet of Lot One (1) in Block Eight (8) of Coburn and VanDoren's Addition to Madison, South Dakota; Approximately 70 Square Feet, 3 Instances
46. Lot Twelve (12) in Block Sixteen (16) of Henkin's First Addition to Madison, Lake County, SD; Approximately 140 Square Feet, 2 Instances

47. The South 30 feet of Lot Eleven (11) and the East 45 feet of Lot Twelve (12) in Block Nine (9) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
48. The West Three Feet (W 3') of the East 94.66 feet and the West One-Third (W 1/3) of Lots Seven (7) and Eight (8) in Block Eight (8) of Coburn and Van Doren's Addition to Madison, South Dakota; Approximately 47 Square Feet, 1 Instance
49. Unit #3 West Park Condominiums, South 15 Feet of Lot 4 and all of Lot 5 and all of Lot 6, Block 11, Town Proprietor's First Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
50. The North half (N ½) of Lots Four (4), Five (5), and Six (6) in Block Nine (9), all in Waddell's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
51. The South 48 Feet of Lot Two (2) in Block Seven (7) of Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 47 Square Feet, 1 Instance
52. The West 82 feet of Lot Seven (7) and the West 82 Feet and the South 22 Feet of the West 24 Feet of the East 60 Feet of Lot Eight (8), all in Block Six (6) of Coburn and VanDoren's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
53. Lot Eleven (11) except the South 30 Feet thereof, in Block Nine (9) of Town Proprietor's First Addition to Madison, Lake County, South Dakota; Approximately 47 Square Feet, 1 Instance
54. Lot Twelve (12) in Block Ten (10) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 70 Square Feet, 2 Instances
55. Lot Eight (8), and the East Three-fourths (E3/4) of Lot Nine (9), in Block Ten (10), of Town Proprietor's First Addition to City of Madison; Approximately 116 Square Feet, 3 Instances
56. Lot 4 in Block 7 of Coburn and VanDoren's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
57. Lot Four (4) in Block Three (3) of Coburn and VanDoren's Addition to Madison, South Dakota; Approximately 140 Square Feet, 3 Instances
58. Lot 3 in Block 9 of Town Proprietor's First Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
59. The East One Hundred Twenty-Seven Feet (E127') and the West One Hundred Feet (W100') of the East Two Hundred Twenty-Seven Feet (E227') of Lot Two (2) and East One Hundred Twenty-Seven Feet (E127') and the West One Hundred Feet (W100') of the East Two Hundred Twenty-Seven Feet (E227') of Lot 3 of County Auditor's Fourth Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
60. The North Half (N1/2) of Lot One (1) and the East Half of the North Half (E1/2 N1/2) of Lot Two (2) in Block Nine (9) of Waddell's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
61. Lots One (1) and Two (2) in Block Two (2) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 61 Square Feet, 3 Instances

62. Lots Three (3) and Four (4) in Block One (1) of Whitmore's Addition to Madison, Lake County, South Dakota; Approximately 47 Square Feet, 1 Instance
63. The East 8 feet of the North 50 feet of Lot 13 and all of Lot 12 in Block 10 of Coburn and VanDoren's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
64. Lot Three (3) in Block Nine (9) of Coburn and VanDoren's Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 2 Instances
65. Lot Eight (8) except the West Fifteen Feet (W15') thereof, and Lot Seven (7) of Block Eleven (11) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 1 Instance
66. The East Half (E ½) except the South Sixty-Eight Feet (S68') thereof of Block Seventeen (17) of Kennedy's Extension of Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
67. Lot Three (3) in Block Ten (10) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 2 Instances
68. The East Half (E ½) except the South Sixty-Eight Feet (S68') thereof of Block Seventeen (17) of Kennedy's Extension of Madison, Lake County, South Dakota; Approximately 93 Square Feet, 2 Instances
69. Lots Five (5) and Six (6), in Block Nine (9) of Town Proprietor's First Addition to the City of Madison, Lake County, South Dakota; Approximately 390 Square Feet, 6 Instances
70. Lot Nine (9) in Block Ten (10) of Coburn and Van Doren's Addition to Madison, Lake County, South Dakota; Approximately 93 Square Feet, 1 Instance
71. Lot Two (2) Except the East 6 feet thereof, and all of Lot Three (3) in Block Ten (10) of Coburn and VanDoren's Addition to Madison, Lake County, SD; Approximately 116 Square Feet, 3 Instances
72. The West Half (W ½) of Lot Five (5) and all of Lot Six (6) in Block One (1) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 46 Square Feet, 2 Instances
73. The South 100 feet of Lot Twelve (12) in Block Eleven (11) of Henkin's First Addition to the City of Madison, Lake County, South Dakota; Approximately 70 Square Feet, 2 Instances
74. The South Half (S ½) of Lot Two (2) and all of Lot Three (3) in Block Nineteen (19) of Smith & Trow's Summit Addition to Madison, South Dakota; Approximately 9 Square Feet, 1 Instance
75. Lot Two (2) Except the South 21 feet thereof, of Gunderson's Second Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 1 Instance
76. High School Addition to the City of Madison described as the East 1484' of the West 2236' of the South 753' of the NW ¼ of Section 5-T106N-R52W of the 5th P.M., Lake County, SD; Approximately 23 Square Feet, 1 Instance
77. Lot Twenty-One (21), except the West Ninety-One (1') feet, Block Fifteen (15), Original Plat of Madison, Lake County, South Dakota; Approximately 60 Square Feet, 1 Instance

The City of Madison endeavored to notify the owners of the above-described lots and parcels of land of required sidewalk repairs by a desired deadline of November 1, 2021. Because the sidewalks were not repaired by the owners or occupants of said lots or parcels of land by the desired deadline, the City of Madison will cause the same to be reconstructed or repaired and the cost thereof assessed upon the abutting lots or parcels of land. The reconstruction or repair of the sidewalk shall also include a) the repair or reconstruction of thickened edge sidewalk adjacent to street surfacing; b) the filling of any voids beneath and/or adjacent to sidewalk; the repair of any structures beneath and/or adjacent to sidewalk; and similar such repairs and/or replacements associated with sidewalk reconstruction or repair as directed by the City Engineer. The owners of lots set forth above shall repair sidewalk at their own expense on or before July 22, 2022. Notice of the requirement to repair and deadline for repairing is hereby provided pursuant to SDCL 21-10-6 by provision of this resolution and appurtenant correspondence.

The general nature of the construction and materials to be used are as follows:

- a. Sidewalks shall be 4 feet 8 inches in width and run the entire length of the real property. Sidewalk dimensions for repair may be greater than the aforementioned width as determined by the City Engineer.
- b. Concrete shall be a minimum of 4 inches thick and shall include aggregate customarily used in this locale for concrete that will be exposed to the elements.
- c. A gravel base course with a minimum depth of three inches shall be used.
- d. Location and grade shall be approved by the Office of the City Engineer.

Exempt from the requirement to construct sidewalk are those areas which presently have asphalt pavement marked and striped with paint or other approved materials where sidewalk would normally be located where said areas are actually designated as so herein described and where said areas are in a condition equal to the condition standards required for sidewalk.

If such sidewalk is not reconstructed or repaired in the manner and within the time prescribed hereinabove, then, pursuant to SDCL 21-10-6 the City of Madison, by this Resolution, shall cause the work to be done and the cost thereof to be assessed against the lots affronting or abutting upon the sidewalks constructed, reconstructed or repaired as provided in SDCL 9-46-2 and subsequent sections.

All work to be constructed by licensed contractors in accordance with standard City of Madison specifications which are on file and can be reviewed at the Office of City Engineer.

A copy of the resolution will be recorded at the Register of Deeds Office, Lake County, SD as a notice to all potential or actual future landowners, of present or future assessment payments on said property.

Dated this ____ day of December, 2021.

CITY OF MADISON

Mayor

ATTEST: _____
Finance Officer

LAW ENFORCEMENT OFFICER CERTIFICATION AGREEMENT

THIS AGREEMENT, made and entered into this 6th day of December, 2021, by and between the City of Madison, South Dakota of, 116 W Center St, Madison, South Dakota, 57042, a municipal corporation, hereinafter for convenience referred to as "City" and Frank Mottl, hereinafter for convenience referred to as "Officer".

RECITALS

WHEREAS, the City of Madison is a municipal corporation operating under the laws of the State of South Dakota; and

WHEREAS, the City operates a police force to provide for the safety and welfare of its residents by enforcing the City ordinances and laws of the State of South Dakota, within its corporate boundaries; and

WHEREAS, the City is required from time to time to retain a Chief of Police and law Officers to enforce the City ordinances and State laws within its corporate boundaries; and

WHEREAS, the Officer has been employed on a probationary basis by the City as an uncertified Law Enforcement Officer; and

WHEREAS, the City desires to sponsor said Officer in the Law Enforcement Basic Certification Course; and

WHEREAS, the City has caused the Officer to be enrolled in the Law Enforcement Basic Certification Course commencing on March 7th, 2022.

AGREEMENT

NOW, THEREFORE, in consideration of mutual covenants herein contained, the parties hereto agree as follows:

1. The City of Madison has agreed to employ and the Officer has agreed to be employed as a probationary Law Officer for the City of Madison at a rate of \$23.95 per hour for all hours worked during a normal, 40 hour work week.
2. The Officer shall be eligible for consideration for pay increases from the City according to the normal pay policies of the City of Madison.

3. The City of Madison hereby agrees to sponsor said Officer in the South Dakota Law Enforcement Officer's Training Academy and the Officer agrees to enroll and use his best efforts in successfully completing said training program.

4. Officer acknowledges that he meets the minimum requirements of the South Dakota Administrative Rules Section 2.01.02.01 and upon successfully completing the Law Enforcement Basic Certification Course, will be eligible for certification as a law enforcement Officer in the State of South Dakota.

5. In exchange for the City sponsoring the Officer in the South Dakota Law Enforcement Basic Certification Course, the Officer agrees to work as a certified police Officer for the City of Madison for a minimum of three (3) years after successful completion of the Law Enforcement Basic Certification Course and certification by the State of South Dakota.

6. The City agrees to pay the Officer the sum of \$23.95 per hour for 40 hours per week for the Officer attending the Law Enforcement Basic Certification Course in Pierre, South Dakota.

7. The Officer agrees that if he does not work as a certified Law Officer for the City of Madison for at least three (3) full years after obtaining certification and his employment is terminated for any reason, the Officer agrees to reimburse the City for 100% of the wages paid to him during the Officer's attendance at the Law Enforcement Basic Certification Course in excess of that amount earned above the federal minimum wage then in effect. It is agreed and understood by the parties hereto that the reimbursement in this paragraph is a specific inducement to employing the Officer and the City is relying on such inducement.

8. It is agreed that there will be no refund of wages paid during the Law Enforcement Basic Certification Course period if the Officer works in excess of three years after certification or if his position is reduced by the City at any time for budgetary reasons.

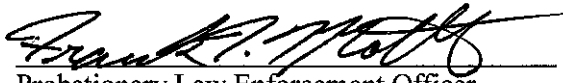
9. It is further agreed that 100% of any wages, in excess of the federal minimum wage, paid to Officer will be repaid by the Officer to the City in the event the Officer does not successfully pass and complete all of the requirements of the Law Enforcement Basic Certification Course for any number of weeks the Officer attends such training.

10. Nothing herein shall change the "at will" employment status of the Officer.

CITY OF MADISON

By: _____
Marshall Dennert, Mayor

Attest: _____


Probationary Law Enforcement Officer