



BOARD OF COMMISSIONERS AGENDA
Monday, March 6, 2023
5:30 PM – COMMISSION ROOM – 116 W CENTER ST

Please join the Zoom meeting from your computer, tablet or smartphone.
<https://us06web.zoom.us/j/88003043651>

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPT AGENDA

APPEARANCES/ACKNOWLEDGEMENTS

CONSENT CALENDAR

- 1) Minutes – February 21, 2023
- 2) Bills for Approval – March 8, 2023
- 3) Bills for Ratification – March 1, 2023
- 4) Payroll Bills for Ratification – March 3, 2023
- 5) Personnel
- 6) February Building Permit Report
- 7) Ratification of transfer - Haskin Trust Library Donation to Madison Public Library Endowment Fund – January 10, 2023
- 8) Acknowledge Bid Date – Bid No. 921 – Construction of Underground Electric Primary and Street Light Circuitry – March 22, 2023 at 2:00 pm

UNFINISHED BUSINESS

- 1) Approve 2nd Reading Ordinance No. 1656 – Amend Water Tap

NEW BUSINESS

- 1) Approve Resolution No. 2023-07 – Rescind Resolution No. 2021-2022 Water Tap Fees & Charges
- 2) Public Hearing – Transfer Retail (on-sale) Liquor License from Hot Shots Bar LLC to Bar 605 LLC
- 3) Approve contract with Banner Associates for Strategic Communications services
- 4) Discussion regarding future closure of NW 9th Street
- 5) Review & Award Bid 917 – Sidewalk Improvement Project 2023-1
- 6) Review & Award Bid 918 – HDPE Conduit, pull boxes, transformers
- 7) Review & Award Bid 919 – Water Department Building Renovation Project
- 8) Discussion on utility rates and surcharges

PUBLIC COMMENT

ANNOUNCEMENTS

- 1) No Election will be held April 11th, 2023
- 2) Next Regular Commission Meeting – Monday, March 20, 2023 at 5:30 pm

ADJOURN

Anyone wishing to speak to an item on the agenda must be acknowledged by the chair and come to the podium to address the Mayor and City Commission. Addressing other audience members will not be permitted.

Supplementary agenda information may be accessed at www.cityofmadisonsd.com

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.

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

February 21, 2023
Regular

The Board of Commissioners of the City of Madison met in regular session at 5:30pm on the 21st day of February with the following members present on roll call: Commissioners Jeremiah Corbin, Jerae Wire, Kelly Dybdahl, Adam Shaw and Mayor Lindsay via zoom.

The Pledge of Allegiance was recited.

Motion by Commissioner Corbin, seconded by Commissioner Dybdahl to adopt the February 21st agenda. Motion carried unanimously.

Motion by Commissioner Dybdahl, seconded by Commissioner Wire, to approve the following items on the consent calendar. Minutes – January 25, 2023, Minutes – February 6, 2023, Minutes – February 17, 2023, Bills for Approval – February 22, 2023, Bills for Ratification – February 15, 2023, Payroll Bills for Ratification – February 17, 2023, Personnel, Approve quote from Compliance Services, Inc. for Generation Plant Stack Testing required by DENR/EPA for \$7,375 plus travel expense, Approve quote from Emerald Transformer for disposal of High PBC Transformers in amount of 10,880, Declare Surplus Property and appoint appraisers – City Hall Office Equipment, Designate Additional Depository for Municipal Funds for 2023 – SD Public Funds Investment Trust

Bills for Approval – February 22, 2023

APPEARA, Services, 116.89, BANNER ASSOCIATES INC, Invoice Short-Pay, 508.00, BIG SIOUX COMMUNITY WATER SYS, January Water Usage, 10,555.04, BLUEPEAK, Fire Dept. Internet, 49.95, BUILDERS FIRSTSOURCE, Lumber, 90.90, CENTRAL STATES WIRE PRODUCTS, Bundling Wire, 2,050.15, CITY OF BROOKINGS, January Gate Fees, 3,865.84, CIVIC PLUS LLC, Custom Online Code Hosting, 261.37, CORE & MAIN GP LLC, Compound Meter Head, 285.00, DOLLAR GENERAL CORP, Kleenex, Forks, Napkins, Plates, 52.85, EAST RIVER ELECTRIC POWER COOP, January 2023 Transmission Services, 22,247.28, ETTERMAN ENTERPRISES INC, Supplies - Hardware, 182.33, EVERTEL TECHNOLOGIES LLC, Evertel Subscription (3/1/23 - 2/29/24), 900.00, F & M COOP OIL CO, Mount & Balance Tires - #11B, 176.00, FEISTNER/MATTHEW, Meal Reimbursement, 168.00, FIRST BANK & TRUST, Heartland January 2023 Services, 455,221.87, FOX PROMO LLC, Embroider Logo for Uniforms, 518.00, GALLS LLC, Flash Bang Pouch, 72.24, HALME INC, Water System Improvements Phase 2A - No. 1, 240,870.74, HAWKINS INC, Chlorine, 544.02, HOME SERVICE WATER CONDITION, Salt, 70.00, HYDRO TECH SERVICE, Clarifier Ladder, 7,446.00, J H LARSON ELECTRICAL CO, Memorial Ice Rink Lights, 4,750.00, LYLE SIGNS INC, Custom Signs, 234.01, MADISON ACE HARDWARE, Drill Bits, Hardware, 21.84, MARTIN/JEREMY, Meal Reimbursement - Certification Class, 48.00, MC&R POOLS INC, CPO Course Tuition - B. Rogers, 365.00, NORTHWESTERN ENERGY, Municipal Utilities, 2,061.28, OFFICE PEEPS INC, Paper, Pens, 264.23, OTTOSON/CURT, Meal Reimbursement - Certification Class, 82.00, PASQ, Strategic Planning/Consulting, 3,120.83, PORTA PROS INC DBA A-1 PORTABLE TOILET, Toilet Rental - Memorial Park, 170.00, RSA, Professional Services - City Admin Bldg Phase I, 35,400.00, RUNNINGS SUPPLY INC, Spray Paint, Duct Tape, Dum-Dums, Frooties, 172.78, SD ASSOC OF RURAL WATER SYSTEM, ATC Conference Registration - Nighbert, 275.00, SD DEPT OF AGRICULTURE, Certification Testing - 4/6/23, 120.00, SD SHERIFFS ASSOC, SD Sheriffs & Police Chiefs Conference, 115.00, SIOUX VALLEY ENVIRONMENTAL INC, A-6 2 Gallon Kit, 510.00, STURDEVANTS MADISON INC, Hitch & Jack, 501.48, TIMMER SUPPLY CO, Band Saw Tool, 379.00, US DEPT OF ENERGY, January 2023 Services, 141,596.12, UTILISMART CORPORATION, *PREVIOUS YEAR*UtilityData/Device Manager, 13,345.67, VALIANT LIVING INC, Contracted Expenses - January, 5,096.00, W W GRAINGER INC, Filter, 77.31, WHEELCO BRAKE & SUPPLY INC, Filter, 78.74.

Bills for Ratification – February 15, 2023

A A A COLLECTIONS INC, Jan 2023 Collection Services, 80.55, APPEARA, Mat Rentals, 138.84, AT & T MOBILITY, Service for Phone & Tablets, 2,018.09, AVERA MEDICAL GROUP, Outreach Services, 70.20, AXON ENTERPRISES INC, Drone (AXON AIR, DJI Matrice 30T), 16,016.00, BERRETH/JAMESON, SDML Gov't Day/City Mgmt Meetings - Pierre, 77.50, BLACKSTONE PUBLISHING, CD Books, 139.27, BLOM/JED, Batteries (9v), 13.51, BORNS GROUP INC, PRINTING & POSTAGE, 920.25, BROWN/ROY, Meal Reimbursement, 14.00, BUILDERS FIRSTSOURCE, Lumber,

15.20, CHRISTIANSEN COMPLETE WATER, AquaFlo Filters, 155.57, DAHL/KESTER, Part Time Animal Control, 400.00, DAKOTA STATE UNIVERSITY, DSU Health Fair Booth, 30.00, DAVES WINDOW CLEANING INC, Madison Public Library Window Cleaning, 260.00, DESIGNARC GROUP LLC, Water Shop Building, 4,240.00, DUTTON-LAINSON COMPANY, Integral Connector Encoder, 3,252.00, EQUIPMENT BLADES INC, Cutting Edges, 980.10, EVANS/CHRIS, Travel Reimb - MMU Utilities Director Interview, 1,020.71, F & M COOP OIL CO, Fuel, 1,118.30, FEISTNER/MATTHEW, Meal Reimbursement, 40.00, FIRST PREMIER BANK, Interest Payment RD Loan, 8,992.78, FLOCK SAFETY, LPR Camera System, 7,125.00, FOX PROMO LLC, Embroidering, 144.00, GALE CENGAGE LEARNING, Books, 30.39, GONYO/GARY LEE, Meal Reimbursement, 14.00, GRAHAM TIRE SF NORTH, Tires, 684.60, GREAT AMERICA FINANCIAL SVCS, LEASE COPIER, 306.80, GREATER MADISON AREA CHAMBER, 2023 MDHL Bus Ride/Meals - Lindsay/Berreth, 70.00, HEIMAN INC, Valve - City Engine 2,445.65, HOME SERVICE WATER CONDITION, Salt Delivery, 45.00, HUNTER PUBLISHING INC, Feb 9 Publications and Minutes, 817.59, INFOTECH SOLUTIONS LLC, Computer & Software Subscription Fees, 6,351.99, JD POWER, Used Car Guide, 252.00, JOSH'S TOOLS LLC, Yearly Subscription, 752.46, KOLORWORKS, Paint (1qt), 26.79, KRUG PRODUCTS INC, Hose Assembly, 163.49, LEADER PRINTING, Envelopes - #10 Window w Tint, 1,088.00, LEBAHN/DAVID, NW Park Bathroom Repairs, 7,650.00, LEGAL AND LIABILITY RISK MANAGEMENT, 2023 Conference, 850.00, LEWIS DRUGS INC, Cat Food & Cleaning Supplies, 86.90, LEWIS&CLARK REGIONAL WATER SYS, January Fees, 270.00, LIMMER/JAYSON, Meal Reimbursement, 14.00, MADISON ACE HARDWARE, Tools, 226.54, MADISON GROCERY STORE INC, Pop (Special Event - Glow Pool Party), 72.41, MICROMARKETING LLC, DVDs, 842.28, MIDWEST ALARM CO, Services, 94.35, NORTHWESTERN ENERGY, Utilities, 2,846.38, O REILLY AUTOMOTIVE INC, Unit #81 MV Parts, 80.36, OFFICE PEEPS INC, Chair, 974.19, ONE STOP, Fuel, 72.73, PRO GARAGE DOOR, Repairs, 189.29, PROSOURCE SPECIALTIES LLC, Backpacks, Sticker Sheets, 540.86, REMOTE SYSTEMS INTEGRATION, RSINet Data Service Qtr 4, 180.00, RUNNINGS SUPPLY INC, Cat Litter, Dog Food, Pet Door, 622.10, SANITATION PRODUCTS INC, Filters, 424.74, SCHOLASTIC INC EDUCATION, Book, 17.99, SD FEDERAL PROPERTY AGENCY, Boots, Tools, Overshoes, 232.00, SD ONE CALL, One Call Services, 4.27, SHOENROCK PLBG & HTG LLC, AC/Heat City Hall Roof, 81.63, SIOUX VALLEY ENERGY, Utilities, 446.00, SOUTHEAST TECHNICAL COLLEGE, CDL Program - Jeremy Martin & Curt Ottoson, 4,300.00, STATE STEEL OF SOUTH DAKOTA, Tubing, 2,333.64, STREICHERS INC, Belt Keepers, Pants, 132.97, STUART IRBY TOOL CO, FR Gloves, 562.50, STURDEVANTS MADISON INC, Alternator, 145.55, SUTTEN/SKYLER, CDL Renewal, 33.00, TIMMER SUPPLY CO, Black Union, 13.76, TRITECH SOFTWARE SYSTEMS, 2023 Annual Fees, 11,662.76, TYLER TECHNOLOGIES INC, Go-Live Assistance (PD Executime), 562.50, W W GRAINGER INC, Metal Grating, 203.64, WESCO DISTRIBUTION INC, Inventory / Materials, 361.80, WHEELCO BRAKE & SUPPLY INC, Shop Towels, 130.44, WINROW/KAYLEE, ASP - Day at the Capitol, 206.51.

Payroll Bills for Ratification – February 17, 2023

Accounts Management Inc, 265.18; Health Pool of South Dakota, 40,071.76; IRS-EFTPS, 42,481.38; Office-Child Support Enforce, 1,669.72; SD Retirement System, 22,988.99; SD Retirement System, 3,270.00.

Personnel

Blom, Jedediah 32.53/hour; VanDenHemel, Chad 28.47/hour.

Motion by Commissioner Corbin, seconded by Commissioner Wire to approve the First Reading Ordinance No. 1656 – Amend Water Tap. Motion carried unanimously.

Motion by Commissioner Wire, seconded by Commissioner Dybdahl to approve and adopt Resolution No. 2023-05 - Lake County Pre-Disaster Mitigation Plan 2024-2029. Motion carried unanimously.

Motion by Commissioner Dybdahl, seconded by Commissioner Corbin approve and adopt Resolution No. 2023-06 - City of Madison Investment Policy. Motion carried unanimously.

Mayor Lindsay announced there are two Commissioner openings for 2023. Next Regular Meeting will be Monday, March 6, 2023.

Motion by Commissioner Shaw, seconded by Commissioner Wire, to Adjourn at 5:38 pm.

/s/Sonya Wilt
Finance Officer

Published once at the approximate cost of \$__.

CITY OF MADISON
PERSONNEL
March 2023

NAME	EFFECTIVE DATE	PRESENT STATUS	RECOMMENDED STATUS	PRESENT RATE/SALARY	RECOMMENDED RATE/SALARY	POSITION
Swartwout, Isaak	2/20/2023		PT<20		13.31	Personal Trainer
Dougan, Carson	2/27/2023		PT<20		10.80	After School Program

February 2023 Building Permit Report

Date	Permit No.	Owner	Address	Use	Type of Construction	Contractor	Estimated Build Cost	Permit Fee
2/1	8253	Momentum Management LLC	1527 NW 2nd Street	Res	Remodel building to add seven apartments	Self	\$200,000.00	\$978.00
2/1	8254	City of Madison	209 E Center Street	Com	Closing one doorway, creating a new opening	G & M Repair 107 N Chicago Avenue Madison, SD 57042	\$3,000.00	-
2/7	8255	Norguard Properties	109 N Egan Avenue	Com	Add 4 walls, replace HVAC, remove drop ceiling, new flooring	Barger Construction 203 SW 1st Street Madison, SD 57042	\$20,000.00	\$196.00
2/9	8256	Woodland Partners LLC	Corner HWY 34 & S Washington Avenue	Com	Install 19 x 32 double faced billboard East of prior board	Stein Sign Display 2020 4th Avenue Watertown, SD 57201	\$44,212.00	\$95.00
2/10	8257	KN Construction	1205 NE 11th Street	Res	Lower level finish. Two bedroom and one bathroom	KN Construction 27297 Wetlands Road Harrisburg, SD 57032	\$21,840.00	\$212.00
2/16	8258	Birch Hill Home	109 N Egan Avenue	Com	FCO logo and letters to building front	Pride Neon 3010 W 10th Sioux Falls, SD 57104	\$4,950.00	\$40.00
2/21	8259	George Jones	611 NE 3rd Street	Res	Upper deck and car port	RH General Construction 1022 NW 3rd Street Madison, SD 57042	\$2,800.00	\$260.00
2/23	8252	Sunny's Properties	224 N Washington Avenue	Com	New channel signs to replace previous signs	Stein Sign Display 2020 4th Avenue Watertown, SD 57201		\$30.00
	8					Total	\$296,802.00	\$1,811.00

January 13, 2023

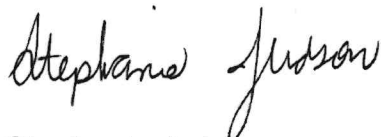
Madison Public Library
209 E Center Street
Madison, SD 57042

Thank you for your donation of **\$92,812.40**. Your contribution has been added to the **Madison Public Library Endowment Fund**, a permanent endowment fund within the South Dakota Community Foundation.

The South Dakota Community Foundation is a 501(c)(3) organization (TID# 46-0398115). Per IRS regulations, this letter is the receipt for your donation and confirms that you have not received, nor will receive in the future, any goods or services in direct exchange for this donation, and it confirms that the South Dakota Community Foundation has exclusive legal control over the contributed assets. All gifts are subject to the South Dakota Community Foundation's governing documents and variance power.

Thank you for your commitment to the **Madison Public Library Endowment Fund** and the South Dakota Community Foundation.

Sincerely,



Stephanie Judson
President

Paid via Cashier's Check 1-10-2023





Minutes from the Madison Public Library Board of Trustees Meeting November 15, 2022

Board President John Nelson called the meeting to order.

Board Members in attendance: John Nelson, Carrie Studer, Laura Reed, and Rimal Bhaskar.

Board Members absent: Mike Trimble, Kelly Dybdahl, and Kelli Wollmann

A quorum was present.

Lisa Martin was present as secretary.

Studer motioned to accept agenda. Reed seconded. The motion passed.

Bhaskar motioned to accept the minutes of 10.18.22. Studer seconded. The motion passed.

Reed motioned to accept the bills. Studer seconded. The motion passed.

Martin reported on the activities in the library including Homework Hangout, the teen Halloween Hangout, storytime, the musician visit from Kerry Grombacher sponsored by the Friends of the Library, the book club read for One Book SD, and Family Portraits by the DSU Photo Club.

Concerning the Marjorie Haskins Trust, Martin received approval from the city's lawyer for wording to safeguard the funds. The Studer motioned to add it to the official record of the board minutes. Reed seconded. The motion passed.

The following is to be kept in mind when the board is using the funds from the Marjorie Haskins gift:

The Madison Public Library was bequeathed \$92,812.40 from Marjorie Haskins, a resident of Madison, music lover, and patron of the library.

It is the intention of the Madison Public Library Board of Trustees that the gift be put into an endowment fund, named the Madison Public Library Endowment Fund managed by the South Dakota Community Foundation with the Library Director as the Fund Contact.

According to the letter from Wells Fargo Wealth & Investment Management dated 11/18/21, this gift is "to be administered by the Board of Trustees of the Madison Public library with an emphasis on music and music appreciation items in and for the Library: this [sic] to include audio and/or audio visual materials; it being my wish an [sic] desire that the Library provide for and promote and enhance the appreciation of all type of music but with the particular emphasis on classical music."

The Trustees would like to recognize the wishes and desire of Marjorie Haskins by committing the majority of the distributable income from the fund to promote and enhance the appreciation of music. The exact use of the funds is to be determined on a case-by-case basis by the Madison Public Library Board of Trustees with the help of the Director.

Martin reported on the success of the first staff development day. The library was closed to allow staff to learn a new computer system and move the children's collection.

Bashkar made a motion to accept the Marshall family gifts. Reed seconded. The motion passed and the board officially accepted.

The Marshall family, siblings Luther Marshall III, David Marshall, Kay Marshall, and Joan Marshall and their father Luther Marshall Jr., is a family with deep roots in Madison SD. They have donated 2 trees to the library in honor of their grandmother, Minnie Burki Taylor, and mother, Charrold (Cherrie) Marshall. These trees were planted in November 2022 on the west side of the library. The spruce tree is currently identified with a pink granite plaque. The Marshall family plans to add another plaque for the buckeye tree. They are asking to honor their mother and wife, who passed away in January 2022, by creating a makerspace to be named after her with a donation of \$10,000. They also hope to create a South Dakota collection within the library with a donation of \$2,000 and name it for their grandmother. The Makerspace and the South Dakota Collection are in to be named in perpetuity as follows: "Cherrie Marshall Makerspace" & "Minnie Burki Taylor South Dakota Collection".

Martin announced that the library is looking to hire for 2 new positions, a Programmer & Library Assistant II at 40 hours per week and 2 PT employees. Martin is working with HR and DSU to create positions for Work Study. The library will hire for FT positions first.

The library has leased a new printer that prints in color. Studer motioned that the board keep the price of printing black and white copies \$0.10 and set the price for color copies to \$0.25. Bashkar seconded. The motion passed.

Martin announced that Pat Richardson has worked for the library for over 24 years. She will retire December 30 and will be missed. Her Retirement Open House will be Dec. 16 1-3pm. The board wished Pat a happy retirement.

With one retirement and one resignation, the library will be down to 2 FT employees until new staff is hired. Martin asked the board to be allowed to temporarily adjust library hours as not to burnout library employees. Bashkar motioned to give the Director authority to make the call to temporarily adjust library hours due to staffing shortages and to notify the public of the changes in an adequate amount of time. Studer seconded. The motion passed.

Martin informed the board of a planned update for the Children's Area in the library. She also warned due to shifts in spaces, like adding a Makerspace, that the staff needs more room. She asked to create an office out of the storage space off the meeting room. It will mean moving a door and removing counters. Martin assured the board that there was money in the budget for the space refresh. Studer motioned that the Director be given permission to explore costs and plans to create the office. Reed seconded. The motion passed.

Martin wanted to make the board aware that the Friends of the Library invited the local band Conte Loch to play at the library in March. In lieu of a performers' fee, the band asks to sell t-shirts. The library often allows performers to sell merchandise.

There were no public comments and no one waiting to enter into the room for comment.

The meeting was adjourned.

Respectfully submitted, Lisa Martin

ADVERTISEMENT FOR BIDS

Notice is hereby given that on the 22nd day of March, 2023, until 2:00 p.m., sealed bids will be received by the Board of Commissioners of the City of Madison, South Dakota, at the Office of the Finance Officer, 116 W Center Street, Madison, South Dakota 57042 and will then be publicly opened and read.

BID NO. 921 CONSTRUCTION OF UNDERGROUND ELECTRIC PRIMARY AND STREET LIGHT CIRCUITRY, INCLUDING THE INSTALLATION OF CABLES, BOX PADS, GROUND SLEEVES, PEDESTALS, AND OTHER RELATED EQUIPMENT AND MATERIAL

The above work shall be in accordance with the specifications and proposed form of contract now on file in the City offices in said City of Madison, South Dakota, by this reference made a part hereof, as though fully set out and incorporated herein.

Complete digital project bidding documents are available at www.questcdn.com. You may download the digital plan documents for \$22.00 by inputting Quest project #8407457 on the website's Project Search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information. An optional paper set of the proposal forms and specifications for individual use may be obtained from the office of the Engineer, DGR Engineering, 1302 South Union, P.O. Box 511, Rock Rapids, Iowa 51246, telephone 712-472-2531, Fax 712-472-2710, e-mail: dgr@dgr.com, upon payment of \$75.00, none of which is refundable.

Each proposal shall be made out on proposal forms furnished by the Engineer and shall be accompanied by either (1) a cashier's check or draft or check certified and drawn on a solvent State or National bank, in an amount equal to five percent (5%) of the amount of the Bid; or (2) a bid bond executed by a corporation authorized to contract as a surety in the State of South Dakota, in an amount not less than ten percent (10%) of the amount of the Bid. The bid security shall be made payable to the City of Madison, South Dakota. The bid security must not contain any conditions either in the body or as an endorsement thereon. Such bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days after the award of contract and post satisfactory Performance and Payment Bonds.

Bid envelopes must be clearly marked Bid No. 921 - Construction of Underground Electric Primary and Street Light Circuitry.

Payment to the Contractor will be made on the basis of ninety percent (90%) upon certification of work completed; ten percent (10%) thirty-one (31) days after final completion and acceptance.

The construction may be started after the execution of the Construction Agreement. All work shall be fully completed by October 1, 2023. See Section 01 3213 "Construction Schedule" in the Technical Specifications for more details on construction timing requirements.

The Board of Commissioners reserves the right to defer acceptance of any bid for a period not to exceed thirty (30) days after the date bids are received and no bid may be withdrawn during this period. The Board also reserves the right to waive irregularities and to reject any or all bids.

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

ORDINANCE NO. 1656

AN ORDINANCE TO AMEND CHAPTER 44 WATER UTILITY

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

That Section 44-25 of the Revised Ordinances of the City of Madison, also known as the Code of Ordinances, be amended to read as follows:

Section 44-25 – Tapping water mains; fees.

1. The City shall establish by Resolution, or in lieu thereof, an administrative fee and cost schedule indicating the effective date of such schedule, from time to time, the unit charge for the tapping of water mains within the City of Madison.
2. The City shall furnish the labor and materials to make connection to the City's water mains. The fees for such services shall be on the basis of the most current Resolution, or in lieu thereof, the most current administrative fee and cost schedule indicating the effective date thereupon and available for inspection at the Madison City Finance Office.

Dated this ____ day of _____, 2023

CITY OF MADISON

/s/Roy Lindsay
Mayor

ATTEST: /s/Sonya Wilt
Finance Officer

1st Reading:
2nd Reading:
Published:
Effective:

RESOLUTION NO. 2023-07

A RESOLUTION TO REPEAL RESOLUTION NO. 2021-22 TO ESTABLISH COSTS FOR TAPPING WATER MAINS AND WATER METER COST

WHEREAS, the City Commission of the City of Madison passed Ordinance No. 1656 An Ordinance to Amend Chapter 44 Water Utility which allows fees and cost schedule for tapping water mains to be set by Resolution; and

WHEREAS, Ordinance No. 1656 states that in lieu of a Resolution setting fees and cost schedule for tapping water mains, such fees and cost schedule may be set administratively; and

WHEREAS, the City Commission desires to allow fees and cost schedule for tapping water mains to be set administratively;

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

The City of Madison hereby repeals and rescinds Resolution 2021-22 until such time when the City Commission may desire to pass a new Resolution to establish costs for tapping water mains and water meter cost.

Dated this ____ day of March, 2023.

CITY OF MADISON

/s/Roy J Lindsay Jr.
Mayor

ATTEST: /s/Sonya Wilt
Finance Officer

Date Received: _____
Date Issued: _____

Uniform Alcoholic Beverage License Application

License No. RL-5239

A. CORPORATION, LLC OR SOLE PROPRIETOR NAME AND MAILING ADDRESS

Name <u>Bar 405 LLC</u>		Phone Number <u>605-691-1117</u>	
Address <u>P.O. Box 91</u>	City <u>Madison</u>	State <u>SD</u>	Zip <u>57042</u>

C. INDICATE CLASS OF LICENSE BEING APPLIED FOR (Submit separate application for each class of license).

- ☒ Retail (on-sale) Liquor
☐ Retail (on-sale) Liquor - Restaurant
☐ Convention Center (on-sale) Liquor
☐ Package (off-sale) Liquor
☐ Retail (on-off sale) Wine and Cider
- ☐ Retail (on-off sale) Malt Beverage & SD Farm Wine
☐ Package Delivery
☐ Hunting Preserve
☐ Other _____

Is this license in active use?	☒ YES ☐ NO
Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? (If yes, please list on additional sheet)	☐ YES ☒ NO

B. DOING BUSINESS AS NAME AND PHYSICAL ADDRESS

Name		Phone Number	
Address	City	State	Zip

Is place of business located in a municipality?	☒ YES ☐ NO
County	<u>LAKE</u>
Do you own or lease this property?	☒ OWN ☐ LEASE
Are real property taxes paid to date?	☒ YES ☐ NO
Are you of good moral character having never been convicted of a felony?	☒ YES ☐ NO

D. LEGAL DESCRIPTION OF LICENSED PREMISE:

Legal Description: <u>N 100' Lot 21 & N 100' Lot 20, Blk 19, Orig Plat #196M</u>
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E. State Sales Tax Number 10337142-ST

F. ☐ New License ☒ Transfer? (\$150) ☐ Re-issuance

G. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are correct; that the said applicant complies with all of the statutory requirements for the class of license being applied in SDCL 35-2-2.1 and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Date <u>02/04/2023</u>	Print Name <u>Nicholas J. Wills</u>	Signature 
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H. APPROVAL OF LOCAL GOVERNING BODY Notice of hearing was published on 2/27/23. Public hearing on the application was held 3/6/23, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

FOR LOCAL GOVERNMENT USE

(Seal) Mayor or Chairman	Date
--------------------------	------

If disapproved, endorse reason thereon and return to applicant

Renewal—no public hearing held: ☐
Establishment is ineligible for video lottery: ☐
Amount of fee collected with application: \$ 150.00
Amount of fee retained: \$ 150.00
Forwarded with application: \$ ✓

2/9/23
CK# 001011

AFFIDAVIT

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF)

Laurie A. Gates being first duly sworn on oath
deposes and says: That on the 22nd day of March, 20 23
he was the owner of the license/business/stock of Hot Shots Bar situated
on (legal description) N 100¹ Lot 21, N 100¹ Lot 20 Bk 19 Orig in the city/county of
PLAT # 196M
Madison/ Lake South Dakota, and that on the said date he made a transfer/sale of
said license/business/stock operated under an alcoholic beverage license to

Nic Wills of Madison, S.D.

Jamin A Gates (owner)
(signature)

____ (owner)
(signature)

Subscribed and sworn to before me this 6 day of February, 20 23

J. Collins (Notary Public)
Commission Expires: 8/2/23



(Notary Seal)



Banner Associates, Inc.
409 22nd Avenue South
Brookings, SD 57006
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

March 3, 2023

Mr. Jameson Berreth
City of Madison
116 W Center Street
Madison, SD 57042

Re: Letter of Contract and Scope of Services
Strategic Communications
Madison Community Construction Website
Madison, SD

Dear Mr. Berreth

Banner Associates, Inc. ("Banner") is pleased to submit this Letter of Contract and Scope of Services ("Scope") for Strategic Communications services regarding constructing a website for construction information and updates for City of Madison-related construction projects.

Strategic Communications Scope of Services

- 1) Website Creation – Banner will create a website for which project information and updates can be posted. Banner will purchase the domain and create a website that will include information specific to various construction projects such as construction progress updates, project phasing and timeline, FAQs, relevant project documents, and a location to sign up for project updates via email. One design iteration is included in this Scope. Banner will continue to own and maintain the domain name unless purchased through a separate contract agreement agreed upon by the City of Madison. The scope and contents of the website are subject to change upon completion of the 2023 construction season. The scope assumes 5 projects will be posted to the website.

Exclusions:

Based on our understanding of the project, the following items are excluded from this Scope:

- Any additional owner reviews beyond those detailed in this Scope.
- Professional engineering, environmental, or land surveying services.
- Public Meeting and advertising
- Construction updates to the website throughout construction of the various projects
- Link from Owner website to Madison Community Construction website.

Client Obligations:

- Timely review of website at each milestone per Banner's request.
- Approval of website domain name.



Professional Services Compensation:

We propose the Services in this Scope for the hourly (not to exceed) amount including reimbursable expenses of \$12,000 plus applicable taxes. Any work beyond this Scope will be billed separately based on our hourly rates in accordance with the attached fee schedule.

Schedule of Work:

1. Website will be constructed by March 31, 2023.

This Letter of Contract incorporates and includes Banner's Schedule of Labor Rates and Expenses and General Conditions.

If you have any questions regarding this contract, contact me directly. We look forward to hearing from you!

Sincerely,

Richard Uckert, PE
Business Development Department Head
richu@bannerassociates.com
605.696.9168

Gregg Jorgenson, PE
Operations Department Head
greggj@bannerassociates.com
605.696.9129

Enclosure:

Schedule of Labor Rates/General Conditions

ACKNOWLEDGMENT OF ACCEPTANCE

Accepted this ____ day of _____

Client: City of Madison

Entity: _____



Banner Associates, Inc.
409 22nd Avenue South
Brookings, SD 57006
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

SCHEDULE OF LABOR RATES AND EXPENSES

January 2023

Administrative	\$65.00 to \$175.00/Hour
Surveying/Geomatics	\$75.00 to \$160.00/Hour
Engineering Technician.....	\$70.00 to \$125.00/Hour
Environmental Scientist.....	\$85.00 to \$150.00/Hour
Staff Engineer	\$95.00 to \$110.00/Hour
Project Engineer	\$110.00 to \$170.00/Hour
Project Manager	\$130.00 to \$250.00/Hour

1. Meals at State Rates.
2. Lodging at actual cost.
3. Reimbursables:

Mileage.....	\$0.70/Mile
Photocopy	0.07/Copy
Black & White 11x17 Laser Prints.....	0.14/Sheet
4. All other direct project expenses at actual cost of materials.

Rates are subject to change annually.

GENERAL CONDITIONS

Agreement. The entire Agreement between the Client and Banner shall consist of the Letter of Contract, the Schedule of Labor Rates and Expenses and these General Conditions ("Agreement"). The Agreement represents the entire, integrated Agreement and supersedes all other negotiations, representations or agreements, either written or oral. The Agreement may be amended only by written agreement of the Parties. Banner's services are limited to those specifically identified in the Agreement.

Authorization to Proceed. Execution of this Agreement by the Client will be authorization for Banner to proceed with the Services, unless otherwise provided in the Agreement.

Cost Opinions. Any opinion of cost provided by Banner will be on a basis of experience and judgment, but, since construction costs are dependent upon many market and other conditions over which Banner has no control, Banner shall not be responsible for variations between actual costs and any opinion of cost.

Standard of Care. In the performance of its professional services, Banner will use that degree of care and skill ordinarily exercised by similarly situated professionals under like and similar circumstances. No express or implied warranties are applicable to, or provided with, any of Banner's services

Payment. Monthly invoices will include charges incurred during the preceding month. Payment of the invoice is due within thirty (30) days following the date of the invoice. A charge of one and one-half percent (1 1/2%) per month, or the maximum legal rate for commercial accounts, whichever is less, will be charged for late payment. Client shall be responsible for reimbursing Banner for all costs incurred in collecting delinquent amounts owed by Client.

Termination. This Agreement may be terminated for convenience upon 30 days' written notice, or for cause, if either party fails to substantially perform as required under the Agreement through no fault of the other party and does not commence to diligently correct such nonperformance within 5 days of receipt of written notice. Upon termination, Banner will be paid for all services authorized and performed up to the termination date plus reasonable termination expenses incurred by Banner as a result of the termination.. This Agreement will otherwise terminate upon completion of all applicable requirements of the Agreement. The Indemnity and Limitation of Liability Provision shall survive any termination of this Agreement.

Indemnity and Limitation of Liability. The Client agrees to defend, indemnify and hold Banner and its professionals, officers, employees representatives and agents harmless from and against all claims, costs, expenses (including attorney's fees and expenses) asserted against Banner in connection with the Project, including, but not limited to claims involving hazardous substances, except to the extent caused by the sole negligence of Banner. Banner's liability to the Client for losses, damages or injuries arising out of the performance of Banner's services or the Project will be limited to a sum not to exceed the greater of \$50,000 or Banner's fee (to a maximum of \$1,000,000 or the amount of any insurance available to cover such liability if less than \$1,000,000).

Severability. If any provision of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement shall not be affected and shall continue to be valid and enforceable to the fullest extent permitted by law.

Hazardous Substances. Unless specifically stated in this Agreement, Banner shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to, hazardous materials or toxic substances in any form at the Project site

Interpretation. This Agreement and any claims or disputes arising out of, or relating to, the Agreement shall be governed by the laws of the State of South Dakota, other than any choice of law provisions under South Dakota law.

No Third Party Beneficiaries. This Agreement is for the sole benefit of Client and Banner and nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, any third party against either Client or Banner.

Responsibility for Construction. The Client agrees that in accordance with generally accepted construction industry standards, Banner shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Project, since they are solely the responsibility of the contractor, and Banner shall not have control over or charge of, and shall not be responsible for, acts or omissions of the contractor, including, but not limited to the contractor's failure to perform its work in accordance with industry standards and the requirements of any plans and specifications.



THE CITY OF MADISON

116 W. Center
Madison, South Dakota 57042

City of Madison Bid Tabulation Sheet Bid No. 917 Sidewalk Improvement Project 2023-1 Bid Date: March 1, 2023 at 10:00 A.M.	Big Al's Contracting Inc. 4304 S Vista Lane Sioux Falls, SD 57105
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ITEM NUMBER	ITEM DESCRIPTION	UNIT	ITEM TOTAL	UNIT PRICE	TOTAL BID PRICE
1	Remove Concrete Sidewalk/Pavement	SqFt	290	\$2.50	\$725.00
2	4" Concrete Sidewalk	SqFt	277	\$12.00	\$3,324.00
3	4" Concrete Sidewalk, Mainline	SqFt	13310	\$9.25	\$123,117.50
4	6" Concrete Sidewalk, Mainline	Ft	2164	\$10.50	\$22,722.00
5	8" Concrete Sidewalk, Pavement	SqFt	0	\$0.00	\$0.00
6	Remove and Install 4" Repair Concrete Sidewalk/Pavement, Mainline	SqFt	3323	\$14.00	\$46,522.00
7	Remove and Install 6" Repair Concrete Sidewalk/Pavement, Mainline	SqFt	1005	\$15.00	\$15,075.00
8	Remove and Install 8" Repair Concrete Sidewalk/Pavement, Mainline	SqFt	70	\$18.00	\$1,260.00
9	Remove and Replace Concrete Curb and Gutter	Ft	152	\$85.00	\$12,920.00
10	Detectable Warning Panel	SqFt	104	\$65.00	\$6,760.00
Total Bid					\$232,425.50

Bid Security: 10% Bid Bond furnished by each bidder



BID SUMMARY

FURNISHING ELECTRICAL MATERIALS

CITY OF MADISON

MADISON, SOUTH DAKOTA

CITY BID NUMBER 918

Bid Letting: February 28, 2023
2:00 p.m.
City Office
Page 1 of 1

Bidder and Address	Bid Security	Bid No. 1 HDPE Conduit		Bid No. 2 Pull Boxes		Bid No. 3 Single Phase Transformers			Bid No. 4 Three Phase Transformers		
		Total Bid	Manuf/Delivery	Total Bid	Manuf/Delivery	Total Base Price	Evaluation Price	Manuf/Delivery	Total Base Price	Evaluation Price	Manuf/Delivery
WESCO 2501 East 3rd St Sioux City, IA 51101	10% Bid Bond	\$91,500.00	EnDot 6-7 weeks	NO BID		NO BID			\$611,620.00	\$882,321.60	ABB/Hitachi 35-65 weeks
Dakota Supply Group 3610 N. St. Paul Sioux Falls, SD 57104	10% Bid Bond	[1] \$75,000.00	Duraline 45 days	\$5,408.95	Quazite 226 Business days	NO BID			\$439,581.26	\$707,630.86	WEG 110-120 weeks
Irby Utilities 1575 B Samco Road Rapid City, SD 57702	10% Bid Bond	\$88,500.00	Blue Diamond 3 weeks	NO BID		\$120,669.00	\$175,211.80	Howard 72-75 weeks ARO	\$339,643.00	[2] \$680,110.20	Howard 50-52 weeks ARO
Graybar Electric 3810 North 1st Ave Sioux Falls, SD 57104	10% Bid Bond	\$75,000.00	Duraline 45 days	\$7,870.00	Quazite 226 Business days	NO BID			NO BID		
RESCO 4100 30th Ave S. Moorhead , MN 56561-0160	10% Bid Bond	\$79,800.00	Duraline 45 days	NO BID		NO BID			\$323,604.00	\$636,477.60	ERMCO 26-48 weeks ARO

Notes:

[1] Award determined by lottery due to tie.

[2] Corrected amounts shown shaded

March 2, 2023



Jameson Berreth (Via Email Only)
City of Madison
116 West Center St.
Madison, SD 57042

**RE: Recommendation for Contract Awards
Furnishing Electrical Materials – 2023
DGR Project No. 415933
City of Madison Bid Number 918**

Dear Mr. Berreth:

Bids were received on electrical materials for the above referenced project at the Madison City Hall on February 28, 2023. All bids were reviewed for mathematical accuracy and conformity to the specifications. We hereby recommend for award the following Bids:

Bid No. 1 – HDPE Conduit

Low Bidder:	Dakota Supply Group 3610 N. St. Paul Sioux Falls, SD 57104
Manufacturer:	Duraline
Total Bid:	\$75,000.00
Clarifications:	Dakota Supply Group and Graybar both supplied bids equaling \$75,000.00. In the event of a tie, the winning bid is to be determined via lottery per SDCL 15-18A-5(10). City staff performed the lottery which was won by Dakota Supply Group.

Bid No. 2 – Pull Boxes

Low Bidder:	Dakota Supply Group 3610 N. St. Paul Sioux Falls, SD 57104
Manufacturer:	Quazite
Total Bid:	\$5,408.95

Bid No. 3 – Single Phase Padmount Transformers

Low Bidder: Irby Utilities
1575 B Samco Road
Rapid City, SD 57702

Manufacturer: Howard

Total Base Bid: \$120,669.00

Evaluation Price: \$175,211.80

Clarifications: The evaluation price refers to the equipment's life cycle cost when considering the value of energy losses associated with the transformers. The evaluation price formulas consider factors including current and expected future energy pricing, expected transformer loading, and equipment life.

Bid No. 4 - Three Phase Padmount Transformers

Low Bidder: RESCO
4100 30th Ave S.
Moorhead, MN 56561-0160

Manufacturer: ERMCO

Total Base Bid: \$323,604.00

Evaluation Price: \$636,477.60

Clarifications: The evaluation price refers to the equipment's life cycle cost when considering the value of energy losses associated with the transformers. The evaluation price formulas consider factors including current and expected future energy pricing, expected transformer loading, and equipment life. RESCO did include an escalation/de-escalation clause that will determine the final price at time of shipment of each unit. Based on current market trends and the fact RESCO's price from ERMCO would have to increase nearly 7% before they would exceed the second low bidder, we are recommending award to RESCO. In addition to the lower price RESCO also provided a better lead time than the second low bidder.

The total value of all bids as recommended will be \$524,681.95, plus escalation/de-escalation for the three phase transformers.

Jameson Berreth
March 2, 2023
Page Three

We have enclosed a bid summary form which provides details on all the bids. We will be sending this form to each of the bidders. Please let us know when awards have been made, and we will prepare contracts for signature. Feel free to contact us with any questions.

Sincerely,

DGR Engineering

A handwritten signature in cursive script, appearing to read "Chad Rasmussen", followed by a horizontal flourish.

Chad Rasmussen, P.E.

CAR:spm
Enclosure

City of Madison
Memorandum – Water Building Remodel



To: Mayor and City Commission
From: Jameson Berreth, City Administrator
Subject: Bid results of Water Building Remodel and next steps
Date: March 3, 2023

The intent of this memo is to update the Mayor and Commission on the bid results from the water building remodel project and seek action or direction on how to proceed.

Background

The City owns an underutilized cold storage building on its property at 435 S Highland Avenue. For several years the City discussed renovating the building to use it for the Water Distributions & Sewer Collections (WD&SC) department. This includes storage for inventory materials and equipment, parking for WD&SC vehicles, a wash bay for all City vehicles, and bathroom space. In 2020, the City budgeted \$100,000 and advertised this work for bid. The four bids received ranged from \$258,800 to \$289,000. It was believed that COVID increased cost of both materials and labor. All bids were rejected, and the project did not continue.

Recently, the City re-examined the project and reduced the scope of the project by removing the wash bay, leaving the exterior steel siding rather than replacing, and making other minor adjustments. This was done with the intent of reducing the overall price of the project.

Using estimates from DesignArc, the architect hired for the project, the City budgeted \$380,000 for the project. The revised project was advertised for bid and received two bids at \$560,725.75 from Hegg Companies of Sioux Falls, SD and \$754,000 from Sentry of Watertown, SD. Required completion date is August 1, 2023.

Options

To provide staff with direction on the building remodel, there are four options to consider.

Option #1 – Accept low bid of \$560,725.75 from Hegg Companies. Additional required funds would come from cash from each of the three utility funds.

Option #2 – Engage with Hegg Companies as low bidder to negotiate the price. Some items could be removed or modified to reduce the project cost.

Option #3 – Reject all bids. Revisit project designs to identify modifications to reduce the scope further. Extend the completion deadline to entice more bidders. Rebid as soon as possible.

Option #4 – Reject all bids. Postpone the project to another year when pricing and contractor availability may be more favorable.

Staff recommendation

Due to exceptionally high bids received and no local bidders, staff recommend pursuing Option #3. It is unlikely that the City could negotiate with the low bidder and achieve a price as low as what is budgeted. To do so would require substantial change in scope. It is advised to reject all bids to consider such changes in scope and rebid in a competitive process.

Extending the project completion deadline to include fall or winter months may lead to bids received from contractors looking for interior work at that time.

Additionally, postponing the project entirely may not be ideal due to the new vac truck scheduled for delivery this fall which will not fit into the existing WD&SC space.

Public Water Works
Renovation
Madison, SD 57042

Bid No. 919

City of Madison
Public Water Works
435 S. Highland Ave.

Madison, SD 57042

Bid Tab

Monday, February 23, 2023
11:30 AM CT

CONTRACTOR	North Start Logistics, LLC, DBA Sentry	Hegg Companies			
BASE BID	\$754,000.00	\$560,725.75			
MODIFICATION	\$0.00	\$0.00			
TOTAL	\$754,000.00	\$560,725.75			
OVERALL TOTAL	\$754,000.00	\$560,725.75			
ADDENDA	1, 2, & 3	1, 2, & 3			
BID BOND	10%	10%			

Prepared By: Tom Squires
Witnessed By: Roxie Ebdrup