



**BOARD OF COMMISSIONERS AGENDA
MONDAY, APRIL 15, 2024
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/81542259321> | Meeting ID: 815 4225 9321
You can also dial in using your phone.
+1 312-626-67991

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPT AGENDA

CONSENT CALENDAR

- 1) Minutes – April 1, 2024
- 2) Bills for Approval – April 17, 2024
- 3) Bills for Ratification – April 4-10, 2024
- 4) Payroll Bills for Ratification – March 29, 2024
- 5) Personnel
- 6) Appoint board positions: Jacob DeBoer, Donna Fawbush, and John Groce to Planning Commission (5-year terms), Kerry Barlow to Planning Commission (alternate position)
- 7) Approve Application for Property Tax Abatement 2024-08
- 8) Set Bid Date 2010 25KW Generac Generator Surplus Sale
- 9) Set Bid Date 2001 Ford F150 Pickup 4x4 [Red] Surplus Sale
- 10) Set Bid Date - Multi-Community Asphalt Surface Treatment - April 30, 2024
- 11) Adopt Resolution 2024-11 Approve a Plat - Lots 1A Thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota

UNFINISHED BUSINESS

NEW BUSINESS

- 12) First Reading of Ordinance No. 1667 - Revising Ordinances Related to Excavations
- 13) Consider Award of Bid No. 951 - Fire Department Generator
- 14) Award Bid No. 953 - Surplus Wire / Hardware & Other Misc. Materials
- 15) Award Bid No. 947 - Hay Ground Bid
- 16) Authorize Mayor to Sign Change Order 9 - NW 9th St/Union Avenue Reconstruction - Winter Contracting, Inc.
- 17) Adopt City Commission Policies & Procedures
- 18) Discussion on vegetation height requirements
- 19) April 2024 Finance Update

PUBLIC COMMENT

ANNOUNCEMENTS

20) Next Regular Commission Meeting – Monday, May 6, 2024

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**

April 1, 2024
Regular

The Board of Commissioners of the City of Madison met in regular session at 5:31pm on the 1st day of April with the following members present upon roll call: Commissioners Kelly Dybdahl, Jeremiah Corbin, Jerae Wire, Adam Shaw and Mayor Lindsay.

Motion by Commissioner Dybdahl, seconded by Commissioner Wire to adopt the April 1, 2024, agenda. Motion carried unanimously.

Motion by Commissioner Shaw, seconded by Commissioner Corbin to approve the following items on the consent calendar: Minutes – March 18, 2024; Bills for Approval – April 3, 2024; Bills for Ratification – March 27, 2024; Payroll Bills for Ratification – March 15, 2024; Personnel; Set Bid Date – Lakeview Industrial Park Improvements – EDA Award No. ED23DEN0G0040 – April 18, 2024; Appoint board positions: Lisa Martin to Parks & Recreation Board (3-year term), Nick Bird to Parks & Recreation Board (1-year vacancy), Tim Peters to Airport Board (5-year term).

Bills for Approval – April 3, 2024

AIRPORT LIGHTING CO OF NY INC Runway Lights \$1,871.48, AMARIL UNIFORM COMPANY Shirt \$94.53, APPEARA Mat Rentals \$158.03, AT & T MOBILITY Service for Phones & Tablets \$2,020.26, BARTELS CLEANING SERVICE Professional Services \$500.00, BEACON ATHLETICS LLC Tarps \$3,219.20, BENDER SEWER AND DRAIN LLC Inspect Main Sewer Services \$3,300.00, BLUEPEAK Phone & Internet \$3,853.15, BOECKER/SAMUEL Meal Reimbursement – Snow Removal \$11.43, BORNS GROUP INC Printing & Postage \$1,470.81, CALDWELL TANKS Water Tower Construction \$18,582.75, CIVIC PLUS LLC CivicEngage Central \$150.00, COLES PETROLEUM PRODUCTS INC #2 Diesel – Generation Plant \$21,134.94, DELL MARKETING LP PC & Monitors \$1,997.25, DENNE/OAKLEY Meal Reimbursement \$7.56, F & M COOP OIL Fuel \$35.00, GEOTEK ENGINEERING & TESTING City Admin Bldg Project \$707.50, GONYO/GARY LEE Meal Reimbursement – Snow Removal \$11.97, GRAINGER Air Compressor Filters \$139.16, GRAYBAR ELECTRIC CO INC Lighting \$548.04, GREAT AMERICA FINANCIAL SVCS Copier Leases \$725.65, GREATER MADISON AREA CHAMBER Qtr 2 Appropriation \$23,750.00, HANSEN/RIKI Meal Reimbursement – Snow Removal \$5.75, HEIMAN INC Super Auto Eject \$377.16, HYDRO KLEAN LLC Televis Storm Lines \$10,182.00, JENCKS & JENCKS PC April Services/Contract \$5,500.00, JOHNSON BROTHERS EXCAVATION Black Dirt \$683.10, JUNG/DUSTIN Meal Reimbursement – Snow Removal \$6.00, KARLS TV & APPLIANCE Washer & Dryer \$1,515.77, LAKE AREA IMPROVEMENT CORP Qtrly Payments \$65,000.00, LEWIS DRUGS INC Distilled Water/Batteries \$5.96, MADISON ACE HARDWARE Fuel Mix \$69.98, MARCO TECHNOLOGIES Copier Lease \$285.47, MATERESE/JAMES Meal Reimbursement \$6.00, MIDCONTINENT COMMUNICATIONS Business Internet \$292.84, MIDWEST TURF & IRRIGATION Mower Parts \$4,299.01, MPOWER TECHNOLOGIES INC Integrator/Editor Annual Maint Agreement \$7,500.00, MUSTANG SEEDS INC Lawn Seed \$140.00, O REILLY AUTOMOTIVE INC Terminal/Adapter \$10.78, OFFICE PEEPS INC Copier Contract & Office Supplies \$453.25, OLINGER/SAVANNAH SDML Meeting Raffle Prizes \$39.57, ONE STOP Fuel \$75.67, PHEASANTLAND INDUSTRIES \$894.36, PORTA PROS INC DBA A-1 PORTABLE TOILETS Toilet Rentals \$315.00, RUNNINGS SUPPLY INC Gloves/Floor Squeegee/Hardware/Supplies \$241.00, RURAL ELECTRIC SUPPLY COOP 2 to 4 Copper Comp Connector \$2,108.20, SAD/AMY Tyler Conference Flights – 4 People \$2,108.00, SD MUNICIPAL LEAGUE District 2 Annual Meeting \$270.00, SD PUBLIC HEALTH LABORATORY Water Samples \$133.00, STURDEVANTS MADISON INC Parts/Filters/Adhesive \$138.41, TRANSWEST – SIOUX FALLS 2007 Yellow International 7300 \$40,100.00, TYLER TECHNOLOGIES INC Tyler Connect Registration \$5,596.00, WESCO DISTRIBUION INC Photo Eyes \$765.00, WESTALL/MATTHEW Meal Reimbursements \$35.34.

Bills for Ratification – March 27, 2024

ALEJANDRO VALENCIA WATER AEROBICS Classes at Community Center \$181.00, AMAZON CAPITAL SERVICES INC Computer & Accessories \$2450.60, APPEARA Mat Rentals \$87.19, AT & T MOBILITY Data \$224.30, BAKER & TAYLOR Books \$116.09, BLUEPEAK Internet \$49.95, BORDER STATES ELECTRIC SUPPLY Materials \$6509.12, BOUND TO STAY BOUND INC Books \$20.48, BRECK/HATTIE Classes at Community Center \$322.00, BUILDERS FIRSTSOURCE Lumber \$49.86, CARQUEST OF MADISON Chainsaw Fuel \$29.43, CITY OF SIOUX FALLS Pool/Spa Bacteria Tests \$176.00, DAKOTA STATE UNIVERSITY January 2024 Utilities \$34,777.21, DAVE'S CONSTRUCTION

INC Hydrant Reimbursement \$500.00, DEMCO INC Book Jackets \$291.92, DGR ENGINEERING 2024 Elec Conversion \$32,408.10, EAST RIVER ELECTRIC POWER COOP Monthly Transmission Services \$39,978.24, EBSCO INDUSTRIES INC USA Today \$63.61, F & M COOP OIL CO Forklift Propane \$25.95, FOCUS WELLNESS LLC Classes at Community Center \$104.00, GALE CENGAGE LEARNING Books \$311.79, GANT/BEN Reimbursement for EMS Refresher \$150.00, GRAYBAR ELECTRIC CO INC Generation Plant Material \$47.86, GUMDROP BOOKS INC Books \$840.30, GWORKS OR GIS WORKSHOP LLC Pubworks Subscription \$4,213.00, HANCO CORPORATION Tires \$788.63, HANSEN/RIKI Meal Reimbursement \$6.00, HASLETON/JARED Classes at Community Center \$1,500.00, HILLYARD INC Janitorial Supplies \$399.83, INFOTECH SOLUTIONS LLC Computer & Software Subscription Fees \$6551.43, INGRAM CO Books \$1,156.25, JUNIOR LIBRARY GUILD Books \$7,095.64, LAKE COUNTY INTERNATIONAL INC Oil \$77.73, LEIGHTON FAMILY FARMS Popcorn \$70.00, MADISON ACE HARDWARE Plunger, Brush \$143.90, MADISON GROCERY STORE INC ASP Groceries \$192.56, MALLOY ELECTRIC Parts \$453.82, MICROMARKETING LLC Books \$646.77, MIDCONTINENT COMMUNICATIONS Business Internet \$183.92, NEWS BANK INC Annual Subscription \$2,814.00, NORTHWESTERN ENERGY Utilities \$3,805.64, O REILLY AUTOMOTIVE INC Brake Rotors \$279.57, OFFICE PEEPS INC Wireless Mouse \$47.89, ONE STOP Fuel \$22.00, OVERDRIVE eBooks \$3,82.13, PENGUIN RANDOM HOUSE LLC Books \$78.00, PHEASANTLAND INDUSTRIES Shirts \$1,020.60, PROCHEM DYNAMICS LLC Cleaning Supplies \$390.54, PUSH PEDAL PULL INC Fitness Equipment \$35,028.82, RUNNINGS SUPPLY INC Milwaukee Blower \$669.51, RURAL ELECTRIC SUPPLY COOP (E-G1800) 2 to 4 Comp Connectors \$190.00, SAME DAY EXPRESS Delivery to SF Public Health Lab \$20.00, SD DEPT OF MOTOR VEHICLES Title/Plate Fees - 2023 Kawasaki UV \$26.70, SDDOT- AIRPORT CONFERENCE Registration - Ryan Hegg \$100.00, SDN COMMUNICATIONS Internet \$516.79, SIRCHIE ACQUISITION COMPANY LLC Replacement Pad \$29.95, SOUTH DAKOTA MAGAZINE 3 year Subscription \$70.00, STREICHES INC Uniform Shirt \$149.98, STURDEVANTS MADISON INC Buffer \$415.68, TERRA UNIVERSAL BOD Incubator \$6,237.19, THE BUG GUY LLC Exterior Treatment \$525.00, TIMMER SUPPLY CO Insulation \$53.81, UTILISMART CORPORATION Utility Data/Device Manager and SmartMAP \$3,893.00, VERMEER HIGH PLAINS Stumper Parts \$400.90, VICKMARK/CHRISTOPHER D Equipment Repair \$300.00, WEIST/SHERRY Water Aerobics \$811.64, WHEALY/MARK Spin Classes \$88.00, WHEELCO BRAKE & SUPPLY INC 8 Point Axle Nut Socket \$28.69, ZARAGOZA/MARIA Classes at Community Center \$144.00.

Payroll Bills for Ratification – March 15, 2024

HEALTH POOL OF SOUTH DAKOTA, \$47,026.66, IRS-EFTPS, \$47,538.48, OFFICE-CHILD SUPPORT ENFORCE, \$835.38, SD RETIREMENT SYSTEM, \$25,950.16, SD RETIREMENT SYSTEM, \$10,517.76.

Personnel

Minnick, Barbara \$32.19, Grant Administration; Johnson, Trevon \$11.24, Service Desk Assistant; Johnson, Katherine \$13.17, CC & MAC Lifeguard; Walker, Kiley \$13.17, CC & MAC Lifeguard; Hasleton, Charlotte \$13.17, CC & MAC Lifeguard; Valencia Lucha, Gonzalo Alejandro \$11.24, Service Desk Assistant; Meyer Henry \$13.17, CC & MAC Lifeguard; Brandenburger, Ava \$13.17, CC & MAC Lifeguard.

Motion by Commissioner Corbin, seconded by Commissioner Shaw to Approve Second Reading of Ordinance No. 1666 – Amend Public Nuisance Process. Motion carried unanimously. There were no changes made from the first reading.

Motion by Commission Shaw, seconded by Commissioner Dybdahl to Approve Resolution No. 2024-09 – Annexation of Lot 1, Lot 2, and Lot 3 of Schladweiler Addition. Motion carried unanimously. City Administrator Berreth explained that this is a standard annexation resolution. The purpose is to annex three lots recently created on the north side of HWY 34 just east of F&M. Dollar General intends to build a new store on the far west lot, and the other two lots would be available for future development. Following annexation, Dollar General would come to Planning Commission to request a rezone.

Motion by Commissioner Corbin, seconded by Commissioner Wire to Approve Recreation Trail Master Plan. Motion carried unanimously. Staff finalized the plan since the previous meeting.

Motion by Commission Corbin, seconded by Commissioner Shaw to Approve Resolution No. 2024-10 – Submit Recreational Trails Program (RTP) Grant Program. Motion carried unanimously. This is a resolution to apply for a Recreational Trail Program (RTP) grant for the purpose of constructing a trail around the new fishing pond by the new City Administration Building. The trail would be 9 feet wide and about 1800 feet long which circles the pond. Total cost is approximately

\$498,500. We are requesting 70% grant funds (\$348,950), which would leave the City committed to pay the remaining 30% of \$149,550.

Motion by Commissioner Corbin, seconded by Commissioner Shaw to Award Bid – Parks Restroom Project 2024-3 to Amert Construction. Motion carried unanimously. Bids were received for construction of restrooms at both Memorial and Totland Parks.

Motion by Commissioner Dybdahl, seconded by Commissioner Shaw to Award Bid – Park Creek Wall Improvement – Site 1 and Site 3 to Kesteloot Excavation. Motion carried unanimously. Initially, there was a concern with Kesteloot Excavation being able to handle a project the size of Site 3, but they were present via Zoom and indicated that their Subcontractor is Journey Group of Sioux Falls, SD, and they have done work this size before.

Motion by Commissioner Shaw, seconded by Commissioner Wire to Award Bid No. 942 – 2024 Electric Distribution Conversion – to MP Nexlevel for \$574,368. Motion carried unanimously. This is the labor for this year's electric distribution conversion project. Bids were reviewed and recommended by both staff and DGR.

Motion by Commissioner Corbin, seconded by Commissioner Wire to Award Sale of 2014 Dodge Charger to Autos, Trucks & More – Chadron, NE through Purple Wave for \$5200. Motion carried unanimously.

Motion by Commissioner Shaw, seconded by Commissioner Dybdahl to Award Sale of 2015 Dodge Charger to Troy Christians, Brandon, SD through Purple Wave for \$7700. Motion carried unanimously.

Motion by Commissioner Corbin, seconded by Commissioner Wire to Authorize Mayor to sign Project Closeout – Madison Municipal Airport AIP 3-46-0029-024-203. Motion carried unanimously.

Motion to Commissioner Corbin, seconded by Commissioner Shaw to Authorize Mayor sign Project Closeout – Madison Municipal Airport BIL-AIG 3-46-0029-024-2023. Motion carried unanimously.

Motion by Commission Corbin, seconded by Commissioner Dybdahl to Authorize Mayor to sign Change Order No. 9 – Madison Water System Improvements Project Phase 2A – Halme Inc. Motion carried unanimously. This is the final change order to establish final quantities and decreases the cost by \$124,106.30. The next step will be to assess final liquidated damages.

Motion by Commissioner Dybdahl, seconded by Commissioner Shaw to Approve Utility Easement on Highland Ave. Motion carried unanimously. This field area is the proposed area for the location of the Early Learning Center. In order to build the center, utilities currently running through the middle of the lot east/west will need to be relocated around the edge of the property, which this easement will allow for.

City Administrator Berreth provided a March Finance update. The April Finance update will be presented at the next meeting. He then provided the regular April Project updated.

Mayor Lindsay announced the following:

- April 1 – Sump pump water must be pumped to the street.
- Next Regular Commission Meeting – Monday, April 15, 2024, at 5:30pm.

Motion by Commissioner Wire, seconded by Commissioner Dybdahl to Adjourn at 6:37pm. Motion carried unanimously.

/s/Amy Sad
Finance Officer

Published once at the approximate cost of \$__.

CITY OF MADISON
PERSONNEL
APRIL 2024

NAME	EFFECTIVE DATE	PRESENT STATUS	RECOMMENDED STATUS	PRESENT RATE/SALARY	RECOMMENDED RATE/SALARY	POSITION
ALDRIDGE, DANIEL	4/6/2024		TEMP		13.17	CC & MAC LIFEGUARD
OINES, KYLEE	4/6/2024		TEMP		13.17	CC & MAC LIFEGUARD
HEILMAN, BERNIE	4/15/2024		TEMP - SEASONAL		15.50	PARK MAINTENANCE II
JOHNSON, RONALD	4/15/2024		TEMP - SEASONAL		15.50	PARK MAINTENANCE II
MATHISON, SCOTT	4/15/2024		TEMP - SEASONAL		18.50	PARK MAINTENANCE II
KAHLER, GREGORY	4/15/2024		TEMP - SEASONAL		16.00	PARK MAINTENANCE II
WOLLMANN, MATHEW	4/8/2024	TEMP	PT<20	28.72	28.72	POLICE OFFICER
SAHR, CALISTA	5/1/2024		TEMP		13.17	CC & MAC LIFEGUARD
WOLF, LILY	4/2/2024		PT<20		14.04	LIBRARY ASSISTANT I
SRINADHA REDDY, EMANI	4/8/2024		DSU - INTERNATIONAL STUDENT			SERVICE DESK

APPLICATION FOR ABATEMENT AND/OR REFUND OF PROPERTY TAXES

2023 Tax Year Payable 2024

Board of County Commissioners of Lake County, South Dakota
 NAME Rodney Beldin
 MAILING ADDRESS 617 SW 2nd St
 CITY Madison State SD Zip Code 57042
 Legal Description of Property E8' N50' Lot 13 + Lot 12 B1K10 COB + Van Doren

Application for an abatement / refund of taxes is being presented due to the following reason (check applicable provision)

- ☐ An error has been made in any identifying entry or description of the real property, in entering the valuation of the real property or in the extension of the tax, to the injury of the complainant;
- ☐ Improvements on any real property were considered or included in the valuation of the real property, which did not exist on the real property at the time fixed by law for making the assessment;
- ☐ The property is exempt from the tax;
- ☐ The complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessments;
- ☐ Taxes have been erroneously paid or error made in noting payment or issuing receipt for the taxes paid;
- ☐ The same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax for the year has been paid.
- ☐ A loss occurred because of flood, fire, storm, or other unavoidable casualty; Date of Loss _____
- ☐ Structures have been removed after the assessment date (upon verification by the director of equalization)
 Date structures removed _____
- ☒ Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in § 10-6A-4
- ☐ Applicant, having otherwise qualified for classification of owner-occupied single family dwelling, but missed the deadline as prescribed by law due to temporary duty assignment for the military.
- ☐ Other / Comments _____

(No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding - - Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reasons.

Subscribed and sworn to, before me this _____ day of _____, _____

Deb Walburg - Treasurer
 Applicant's Signature

 Notary / Auditor / Deputy Auditor

DATE RECEIVED in the County Auditor's office _____	Received by _____
Total Valuation <u>\$102,300.00</u>	Total Taxes on Property <u>\$1,411.18</u>
Amount Abated <u>\$648.04</u>	Amount ^{Due} Refunded <u>\$763.14</u>
Date Approved _____	Check Number _____

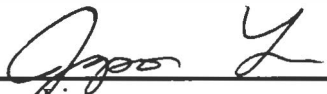


TO: Mayor/Commission
FROM: Nathan Zimmerman
DATE: 2/27/2024
RE: Declare Surplus Property

\$ 520.00
(Includes any applicable sales tax)

2010 25KW Generac Generator

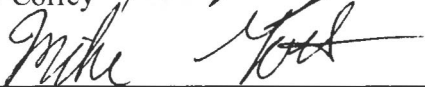
We, the undersigned, duly appointed by the Board of Commissioners of the City of Madison, South Dakota, hereby establish the above appraisal values for each of the surplus items.



Jayson Limmer



Andy Coffey



Mike Goth

Notice of Bid - Public Auction of Surplus Property

Closes May 14th, 2024, at 10:00 AM

Bid number 954 – 2010 25KW Generac Generator

Summary Notice of Sale - Public Auction of Surplus Property

NOTICE IS HEREBY GIVEN THAT THE CITY OF MADISON WILL HOLD A PUBLIC AUCTION OF SURPLUS PROPERTY BEGINNING ON APRIL 16th, 2024, AND ENDING ON MAY 14TH, 2025, 2024 AT APPROXIMATELY 10:00 AM.

Online auction site: www.purplewave.com

Item listed for auction:

- 2010 25KW Generac Generator

Items will be available for review at www.purplewave.com on Tuesday, April 16th, or at the City of Madison Electric Department at 435 S. Highland Ave, Madison, SD. Please call Tess Nelson at (605) 256-7521 to schedule appointments to view the item. All items are sold as is and where is.

Additional information may be obtained by contacting Jake Warembourg from Purple Wave at [605-660-8455](tel:605-660-8455), or by visiting the Purple Wave Website at www.purplewave.com.



TO: Mayor/Commission
FROM: Nathan Zimmerman
DATE: 3/15/2024
RE: Declare Surplus Property

\$ 590.00
(Includes any applicable sales tax)

2001 Ford F150 Pickup 4X4 - Red

We, the undersigned, duly appointed by the Board of Commissioners of the City of Madison, South Dakota, hereby establish the above appraisal values for each of the surplus items.



Jayson Limmer


Andy Coffey


Mike Goth

Notice of Bid - Public Auction of Surplus Property

Closes May 14th, 2024, at 10:00 AM

Bid number 955 – 2001 Ford F150 Pick Up 4x4 - Red

Summary Notice of Sale - Public Auction of Surplus Property

NOTICE IS HEREBY GIVEN THAT THE CITY OF MADISON WILL HOLD A PUBLIC AUCTION OF SURPLUS PROPERTY BEGINNING ON APRIL 16th, 2024, AND ENDING ON MAY 14TH, 2025, 2024 AT APPROXIMATELY 10:00 AM.

Online auction site: www.purplewave.com

Item listed for auction:

- 2001 Ford F150 Pickup 4x4 - RED

Items will be available for review at www.purplewave.com on Tuesday, April 16th, or at the City of Madison Street Department at 401 S. Highland Ave, Madison, SD. Please call Chad Patch at (605) 256-7519 to schedule appointments to view the item. All items are sold as is and where is.

Additional information may be obtained by contacting Jake Warembourg from Purple Wave at [605-660-8455](tel:605-660-8455), or by visiting the Purple Wave Website at www.purplewave.com.

SECTION 00100 INVITATION TO BID

Notice is hereby given, that FIRM sealed bids for the construction of **2024 Multi-Community Asphalt Surface Treatment** will be received by the **City of: Burke, Howard, Madison, Springfield, & Winner,** South Dakota at the office of **City of Madison, 116 W Center Street, Madison, SD 57042** until **2:00 P.M., C.S.T. on Tuesday April 30th, 2024,** and then publicly opened and read aloud.

The project consists of: **Asphalt Surface Treatment of various streets in cities of Burke, Howard, Madison, Springfield, & Winner South Dakota.**

The complete set of Contract Documents, including drawings and specifications, is on file with each Owner and the office of Brosz Engineering, Inc., **704 E Havens Avenue, Mitchell, SD 57301.** Digital Contract Documents are also available from QuestCDN and can be accessed from the Brosz Engineering website at **www.broszengineering.com** under the "Bid Information" page. The cost for downloaded (electronic) plans is \$20. The official Plan Holders list can be viewed for the project on the QuestCDN website. Only electronic plan holders downloaded via QuestCDN will receive addendum notifications. Contractors using any other means for obtaining plans and specifications must periodically check the QuestCDN website for any addenda.

Each bid must contain a certified check, a Cashier's check or Draft, for five percent (5%) of the amount of the bid; such check to be certified or issued by either a State or National Bank and payable to the City of Madison on behalf of the Group of Cities or in lieu thereof a Bid Bond for Ten percent (10%) of the amount of this bid, such bond to be issued by a Surety authorized to do business in the State of South Dakota and payable to the City of Madison on behalf of the Group of Cities as a guarantee that such bidder will enter into a contract with said **City of: Burke, Howard, Madison, Springfield, & Winner** thereof in accordance with the terms of such letting and bid in case such bidder is awarded the contract. The Certified Check or other guarantee or bid bond of the successful bidder will be returned to him forthwith upon the execution of the contract and surety hereafter provided for.

At the time the successful bidder enters into a contract for the construction of public improvement or the furnishing of any material or labor thereof, the Contractor will be required, before commencing such work, to furnish surety in an amount not less than the contract price, for the faithful performance of such contract, with additional obligation that such performance of such contractor will promptly pay all persons supplying him with labor or material in the prosecution of the work provided for in such contract. The Contractor shall also provide proof of liability insurance and workman's compensation insurance, as per Article 5 of the General Conditions.

The **City of: Burke, Howard, Madison, Springfield, & Winner** reserves the right to reject any or all Bids and waive any defects therein.

By order of **City of: Burke, Howard, Madison, Springfield, & Winner,** South Dakota dated this 15th day of April 2024.

By the Order of the Board of Commissioners
City of Madison
Madison, South Dakota
Amy Sad
Finance Officer
On Behalf of: **City of: Burke, Howard, Madison, Springfield, & Winner**

Prepared by
City of Madison
116 W Center Street
Madison, SD 57042

RESOLUTION NO. 2024-11

A RESOLUTION TO APPROVE A PLAT

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

That the plat of Lots 1A Thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota is hereby approved and that the City Finance Officer of the City of Madison is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Dated this __ day of April, 2024.

CITY OF MADISON

Mayor

ATTEST: _____
Finance Officer

[illegible]

SHEET 1 OF 2

216 S. Duluth Avenue • Sioux Falls, SD 57104
Phone: (605) 332-7211 • Fax: (605) 332-7222

Engineers • Surveyors

PLAT OF
LOTS 1A THRU 10A IN BLOCK 1, TROJAN VILLAGE ADDITION
TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA

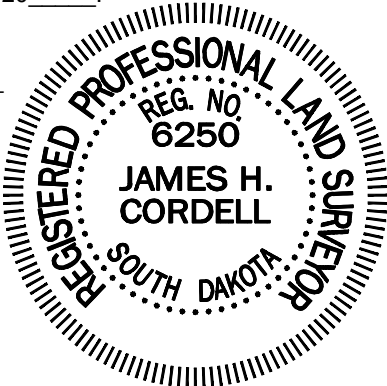
SURVEYOR'S CERTIFICATE

I, James H. Cordell, a Registered Land Surveyor of the State of South Dakota, do hereby certify that I did on or before March 27, 2024, survey and replat Lots 1 thru 10 in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota, into lots and a block as shown. The same shall hereafter be known and described as **Lots 1A thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota.**

I further certify that to the best of my knowledge the plat correctly represents the same, is true and correct and that it was made under my direct supervision.

Dated this _____ day of _____, 20____.

SD Registered Land Surveyor No. 6250



OWNER'S CERTIFICATE OF COMPLIANCE

We, Trojan Village, LLC, do hereby certify that we are the sole, absolute, and unqualified owner of all land included in the above plat and that said plat has been made at our request and in accordance with our instructions for the purpose of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations as well as all water pollution prevention control rules, codes and laws. This parcel of land is free from any encumbrances.

We hereby dedicate to the public for public use forever the streets, roads and alleys, parks and public grounds, if any, as shown on said plat, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, alleys, parks and public grounds whether such improvements are shown or not. We also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on or over those strips of land designated hereon as easements.

On our behalf as the owners and also binding on behalf of future successors and assigns, we hereby waive any rights of protest to any special assessment program which may be initiated by the City for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Madison.

We do hereby certify that this replat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, or law including but not limited to zoning, building, subdivision, and flood prevention.

We further certify that this platting of said described Lots 1A thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota, does hereby vacate the following platting: Lots 1 thru 10 in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota, said plat on file at the Register of Deeds office in Book 20 of Plats, page 141. Said plat, hereby vacated, is situated within Lots 1A thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota, as surveyed.

Dated this _____ day of _____, 20____.

Owner: Trojan Village, LLC

By: _____

Title: _____

STATE OF SOUTH DAKOTA)

§
COUNTY OF _____)

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, who acknowledged _____ self to be the _____ of Trojan Village, LLC, and that ___he as such _____ being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the company by _____ self as _____.

In witness thereof, I have hereunto set my hand and official seal.

My commission expires: _____

Notary Public, State of South Dakota

CITY ENGINEER'S CERTIFICATE

I, _____, City Engineer of the City of Madison, do hereby certify that this plat has been reviewed by me or my authorized agent and that this plat is recommended for approval by the City Commission.

Signed on this _____ day of _____, 20____.

City Engineer, Madison, South Dakota

PLANNING COMMISSION CERTIFICATE

Approval of the plat of Lots 1A thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota, is hereby granted by the City Planning Commission on this _____ day of _____, 20____.

Chair, City Planning Commission

CITY COMMISSION APPROVAL

Resolution Number _____

Be it resolved by the City Commission of the City of Madison, that the plat of Lots 1A thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota, is hereby approved and that the City Finance Officer of the City of Madison is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Adopted this _____ day of _____, 20____.

Mayor, City of Madison

Attest: _____
City Finance Officer

CITY FINANCE OFFICER'S CERTIFICATE

I, _____, the duly appointed, qualified and acting City Finance Officer of the City of Madison, South Dakota hereby certify that I have compared the copy of the foregoing Resolution No. _____ with the original as contained in the minutes of the said board of City Commissioners for the meeting of said board held on the _____ day of _____, 20____, and that the foregoing is a true and correct copy of said resolution and that the same has not been altered, modified, or amended, on this _____ day of _____, 20____.

City Finance Officer, Madison, South Dakota

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Lake County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the record of my office, have been fully paid.

Dated this _____ day of _____, 20____.

Treasurer, Lake County, South Dakota

DIRECTOR OF EQUALIZATION

I, Director of Equalization of Lake County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Director of Equalization, Lake County, South Dakota

REGISTER OF DEEDS

Filed for record this _____ day of _____, 20____, at _____ o'clock, _____.m., and recorded in Book _____ of Plats on Page _____.

Register of Deeds, Lake County, South Dakota

ORDINANCE NO. 1667

AN ORDINANCE TO REVISE ORDINANCES RELATED TO EXCAVATIONS

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

That Chapter 32, Article I, Section 32-7 of the Revised Ordinances of the City of Madison, also known as the Code of Ordinances, be amended to read as follows:

Sec. 32-7 – Installation of service lines

All work will be performed by a state licensed installer or contractor which includes installation of service lines connecting to the sanitary sewer main of the City shall also install tracer wire from the connection to said sanitary sewer main to the structure in accordance with City specifications and standards.

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

That Chapter 36, Article III of the Revised Ordinances of the City of Madison, also known as the Code of Ordinances, be amended to read as follows:

Sec. 36-85. – Public right-of-way

It shall be unlawful for any person to make any excavation within the public right-of-way for the purpose of installing or altering any utility installation without a utility excavation permit for such work from the Finance Office. The charge for such permit shall be as set by resolution of the Board of Commissioners and shall be on file with the Finance Office. Any work done under this permit shall be done in a manner and in a location as directed by the Director of Streets or representative.

Sec. 36-86. – Restoration and backfilling

Any City improvements damaged as a result of the excavation work shall be restored to a satisfactory condition equal to that which existed prior to the time damage occurred. Backfilling shall be done in a manner approved by the Director of Engineering.

Sec. 36-87. – Resurfacing

Replacement of surfacing material after an excavation shall be done by or under the direction of the Director of Streets.

Sec. 36-88. – Fees for City work

The cost for materials used or for work done by City forces shall be billed to the applicant of the permit excavation and shall be at rates set by resolution of the Board of Commissioners. Charges for work shall exclude engineering or administrative work. The fact of the City's involvement in any of the work shall not in any way relieve the permit applicant of any obligation the applicant may have under Section 10-148.

City force restoration work shall generally be limited to replacement of surfacing material and the charge for this work shall be billed to the permit applicant at the fees set forth above. Should any other additional

work by City forces be required, any costs for materials or labor shall be billed at their actual cost, plus 15 percent. The Contractor shall be responsible for compaction and related resurfacing if settling occurs.

Sec. 36-89. – Seasonal limitations

Except for emergency excavations, permits will not be issued October 1 through April 1. All excavation(s) must be completed by October 15th of each calendar year unless otherwise approved in writing by Director of Streets.

Sec. 36-90. – Backfilling

All excavations shall be backfilled, compacted, and surfacing placed according to City Specifications on file with the Office of the Director of Engineering.

The non-saturated excavated material may be used for backfill per City Specifications as approved by the Director of Engineering. As an alternate, granular material may be used to backfill all excavations within the roadway. The roadway is considered to extend five feet behind the curb and gutter for backfilling purposes.

All emergency excavations opened during the winter months shall be backfilled to the level of the existing surface with approved granular material. The replacing of the final surfacing material will await favorable weather. The Street Department may elect to bill the applicant for resurfacing fees prior to the date of resurfacing.

Secs. 36-91 – 36-110 – Reserved

Dated this 6th day of May, 2024.

CITY OF MADISON

Mayor

Attest: _____
Finance Officer

1st Reading:

2nd Reading:

Published:

Effective:

BID TABULATION SHEET
BID NO. 951
Fire Department Generator
Madison, South Dakota

2:00 PM

4/4/2024

NAME OF BIDDER	ACKNOWLEDGE ADDENDUM	BID SURETY	TOTAL BID
Electric Construction Company 3413 North Potsdam Avenue Sioux Falls, SD 57104		10%	\$106,000.00

BID TABULATION SHEET
BID NO. 953 - SURPLUS WIRE / HARDWARE & OTHER MISCELLANEOUS MATERIALS
4/2/2024 @ 2:00 pm / Madison, South Dakota

NAME OF BIDDER				
Metal Brokers, LLC Jeff Ross	\$2100.00			

BID TABULATION SHEET

BID NO. 947

Hay Ground Bid

Madison, South Dakota

2:30 PM

4/4/2024

NAME OF BIDDER	BID SURETY	Bid Total (50 Acres)
John Doblal	5%	\$900.00



Banner Associates, Inc.
2307 W 57th St, Ste 102
Sioux Falls, SD 57108
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

April 12, 2024

Mr. Ryan Hegg
City of Madison
116 W Center St
Madison, SD 572457042

RE: Madison NW 9th Street/Union Avenue Reconstruction – Change Order No. 9

SRF NO: C462024-03; C461024-05

Dear Mr. Hegg:

Change Order No. 9 for the NW 9th St/Union Ave Reconstruction project is being presented for approval of additional work completed during the reconstruction work on NW 9th Street.

The breakdown of unit prices and estimated costs is included in RFP #14 and reflected in Change Order No. 9. This work included additional concrete surfacing, addition of steps to transition sidewalk at the City right-of-way, 6" depth concrete sidewalk and modifications on the storm sewer system.

Banner has reviewed the change order and recommends acceptance in the amount of \$31,047.80. This change order will bring the total contract price to \$3,699,196.30.

The change order shall be broken out between funding sources as follows:

Funding Source	Amount This Change Order
Drinking Water SRF	\$17,076.29
Clean Water SRF	\$13,971.51
Total	\$31,047.80

Please let us know if you have any questions or comments.

Sincerely,

Weston J. Blasius
Banner Associates, Inc.

Cc: City of Madison – Ryan Hegg, Heather Peterson – Email

DANR – Dan Gerhardt – Email

1st District – Alex Kahnke, Mason Weidenbach – Email

Banner Associates – Cedric Hay; Spencer Gilk – Email

Banner File - F:\23885-00\Construction Phase\Change Orders\Change Order No. 9\Change Order No. 9 – Concrete Pavement, Sidwalk and Steps.pdf

Date of Issuance: 4/11/2024	Effective Date: 4/15/2024
Owner: City of Madison	Owner's Contract No.:
Contractor: Winter Contracting, Inc.	Contractor's Project No.:
Engineer: Banner Associates, Inc.	Engineer's Project No.: 23885.00
Project: NW 9 th St/Union Ave Reconstruction	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: Add bid items for "6" PCC Reinforced Approach Pavement", "6" Concrete Sidewalk", "Concrete Steps", "3'X5' Inlet Box Adjustment Ring", "2'x3' Inlet Box Plastic Adjustment Rings".

Add: 5 days to contract

Attachments: RFP #14, Marked-up Plan Sheets J-1, J-2 and J-3

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 3,475,000.00	Original Contract Times: Substantial Completion: <u>September 15, 2023</u> Ready for Final Payment: <u>October 6, 2023</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>8</u> : \$ <u>193,148.50</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>8</u> : Substantial Completion: <u>9 Days</u> Ready for Final Payment: <u>9 Days</u> days
Contract Price prior to this Change Order: \$ <u>3,668,148.50</u>	Contract Times prior to this Change Order: Substantial Completion: <u>Same as above</u> Ready for Final Payment: <u>Same as above</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>31,047.80</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>5 days</u> Ready for Final Payment: <u>5 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>3,699,196.30</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>October 6, 2023</u> Ready for Final Payment: <u>October 27, 2023</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u>Walter J. [Signature]</u>	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: <u>Mayor</u>	Title: _____	Title: _____	Title: _____	Title: _____
Date: <u>4/11/2024</u>	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

REQUEST FOR PROPOSAL (RFP)

RFP# 14

DATE: 4/3/2024

TO: **Winter Contracting**
305 5th St
Brookings, SD 57006
Attn: Bob Winter

FROM: **Banner Associates, Inc.**
2307 W 57th St, Ste 102
Sioux Falls, SD 57108

RE: **NW 9th Street/Union Ave Reconstruction**
BAI #23885.00

Please submit an itemized cost breakdown for changes in contract sum and contract time, resulting from the following proposed modification(s) to the Contract Documents.

PLEASE SUBMIT COST BREAKDOWN IN TEN (10) DAYS OR LESS

Refer to RFI No. NA

SUBJECT: **SIDEWALK, APPROACH PCC, AND ADJUSTMENT RINGS**

Please submit a bid price for the listed items below. Attached is the original billing statement received from Timmons Construction.

<u>Additional Bid Items</u>				
<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
PCC Approach Pavement: 6" thick, reinforced w/#4 epoxy coated rebar, 12" o.c.e.w	1636	Sq Ft	13. ⁸⁰	22,576. ⁸⁰
6" Concrete Sidewalk (at driveways)	280	Sq Ft	10. ⁹⁵	3066. ⁰⁰
Concrete Step: 2'x18', 1 step 18' long (606 NW 9 th St.)	1	Job	3280. ⁰⁰	3280. ⁰⁰
3'X5' Inlet box adjustment ring, 8" precast on site to replace 12" ring	1	EA	1000. ⁰⁰	1000. ⁰⁰
2'X3' Inlet Box Plastic Adjustment Rings	15	EA	75. ⁰⁰	1125. ⁰⁰
Total =				31,047. ⁸⁰

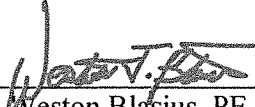
Price shall include all labor, tools, equipment, overhead costs, and miscellaneous work to complete the work associated with this request. All material and work shall comply with the project specifications. Provide additional line items if necessary to complete this scope of work.

If no change in contract time, state "none" here: Add 5 Days

If no change in contract amount, state "none" here:

If either or both above items are noted "none", please return this form within five (5) days.

ARCHITECT/ENGINEER
BANNER ASSOCIATES, INC.



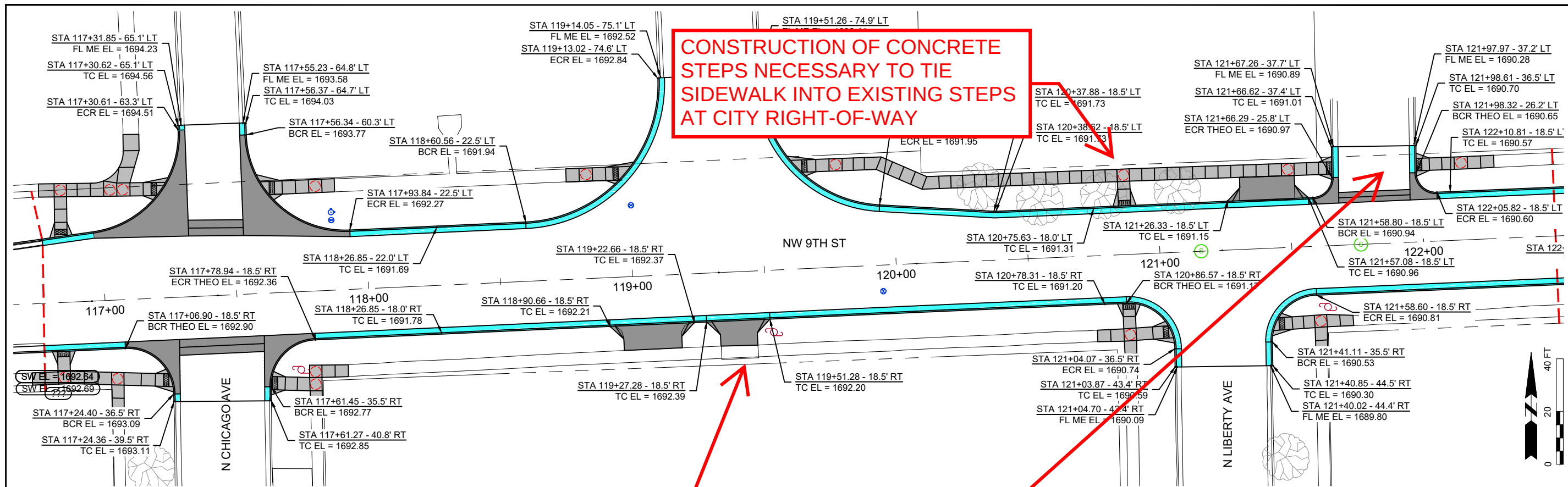
Weston Blasius, PE

Attachments: Timmons Construction Billing Statement

cc:

City of Madison – Ryan Hegg, Jan Tieman, Dan Whitlock

Banner Associates – Cedric Hay, Collin Anthony, Spencer Gilk

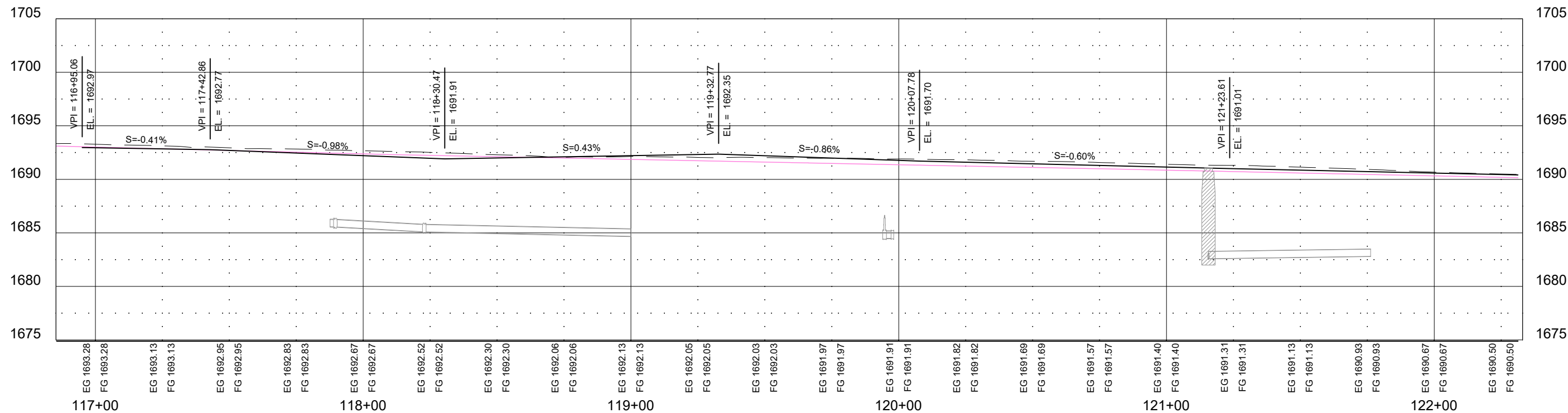


6" CONCRETE SIDEWALK USED THROUGH DRIVEWAY APPROACHES WHERE EXISTING HAD BEEN REMOVED

SURFACING TYPE MODIFIED TO 6" PCC REINFORCED APPROACH PAVEMENT TO MATCH THE EXISTING SURFACE TYPE THAT WAS REMOVED

QUANTITIES:
SY - ASPHALT CONCRETE
SY - 6" PCC APPROACH PAVEMENT
SY - 6" CONCRETE FILLET SECTION
SY - 6" CONCRETE VALLEY GUTTER
LF - CONCRETE CURB & GUTTER
SF - 4" CONCRETE SIDEWALK

NOTES:
CURB RADII ARE 15' TO BACK OF CURB UNLESS OTHERWISE INDICATED.



BANNER
engineering a better community
www.bannerassociates.com - Toll Free: 1.855.323.6342

PROJECT / SHEET TITLE:
CITY OF MADISON - NW 9TH STREET RECONSTRUCTION
NW 9TH ST SURFACING PLAN & PROFILE STA 117+50 TO STA 122+50

REV.	DATE	DESCRIPTION

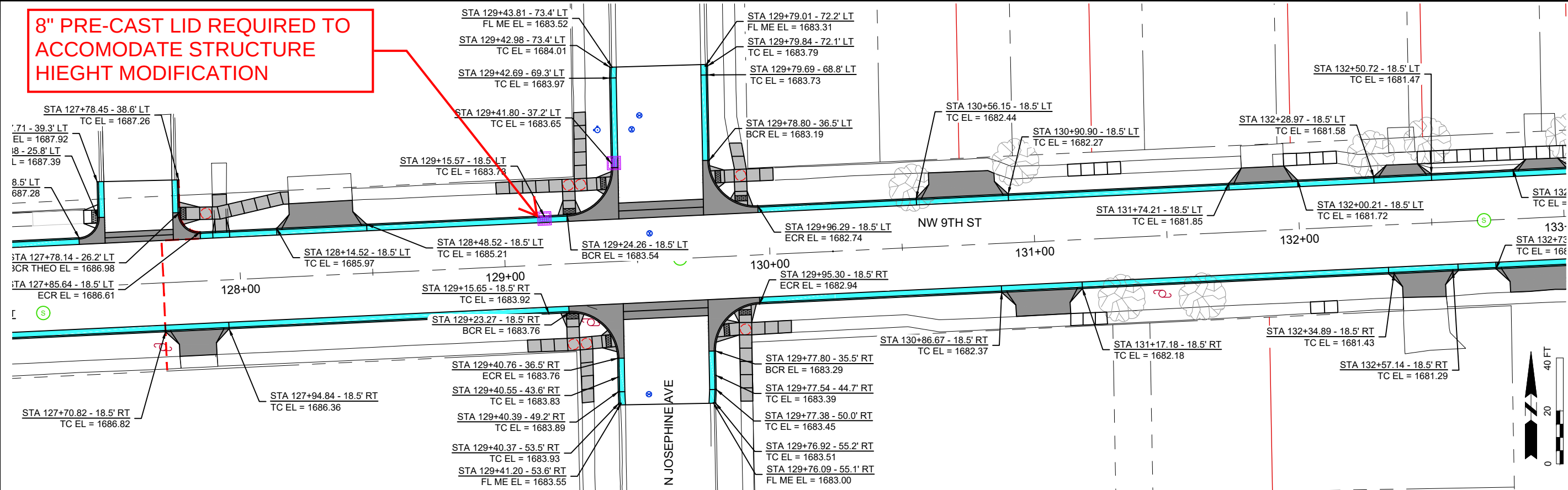
MADISON, SOUTH DAKOTA

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

JOB No.:	23885.00
DATE:	JUNE 2023
ENG / ARCH:	WJB
DESIGNER:	CRH
TECHNICIAN:	CKM

SHEET No.: J-1

8" PRE-CAST LID REQUIRED TO ACCOMODATE STRUCTURE HIEGHT MODIFICATION



LEGEND

	ASPHALT CONCRETE PAVEMENT		6" REINFORCED CONCRETE PAVEMENT		FIRE HYDRANT
	4" CONCRETE SIDEWALK		GRAVEL SURFACING		WATER VALVE
	6" CONCRETE SIDEWALK		STORM SEWER JUNCTION BOX		CURB STOPS
	6" CONCRETE PAVEMENT		DROP INLET		SURFACE DRAINAGE ARROW
	CONCRETE CURB & GUTTER		SANITARY MANHOLE		MATCH LINE FOR QUANTITIES
	8.5" NON-REINFORCED CONCRETE PAVEMENT		6" REINFORCED THICKENED EDGE CONCRETE SIDEWALK		

ABBREVIATIONS

TC:	TOP OF CURB ELEVATION
EL:	SPOT ELEVATION
ME:	MATCH EXISTING
BCR:	BEGIN CURB RADIUS
ECR:	END OF CURB RADIUS
R:	RADIUS
SW:	SIDEWALK FINISH GRADE
THEO:	THEORETICAL
POF:	POINT OF FILLET
FL:	FLOW LINE

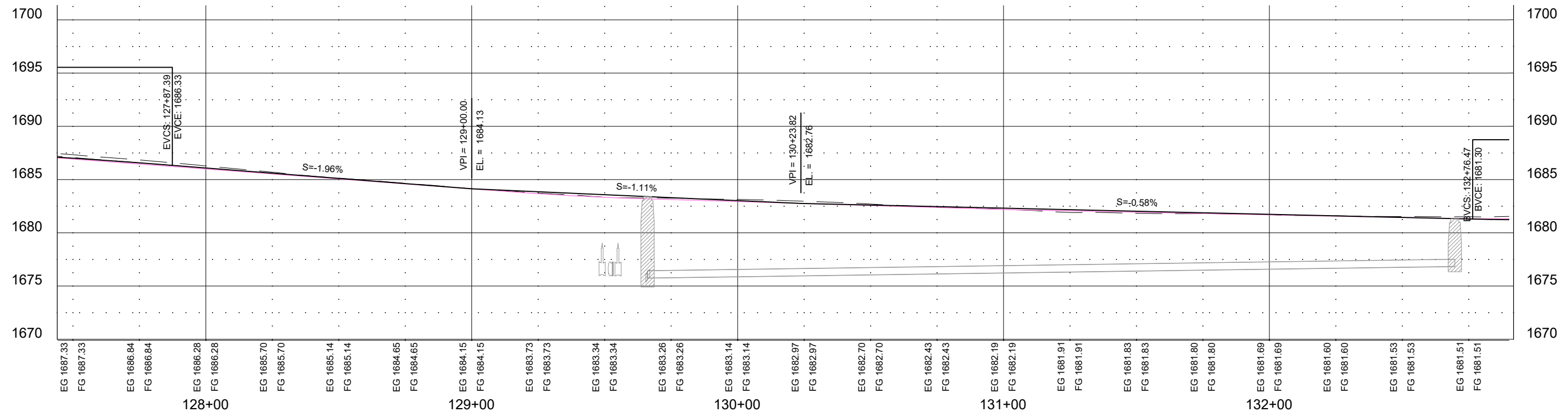
QUANTITIES:

TONS - BASE COURSE
TONS - GRAVEL SURFACING
SY - ASPHALT CONCRETE
SY - 6" PCC APPROACH PAVEMENT
SY - 6" CONCRETE FILLET SECTION
SY - 6" CONCRETE VALLEY GUTTER
LF - CONCRETE CURB & GUTTER
SF - 4" CONCRETE SIDEWALK
SF - 6" CONCRETE SIDEWALK
SF - 6" REINFORCED THICKENED EDGE CONCRETE
SF - TYPE B DETECTABLE WARNINGS

NOTES:

CURB RADII ARE 15' TO BACK OF CURB UNLESS OTHERWISE INDICATED.

6" CONCRETE SIDEWALK USED THROUGH DRIVEWAY APPROACHES WHERE EXISTING HAD BEEN REMOVED



PROJECT / SHEET TITLE:
CITY OF MADISON - NW 9TH STREET RECONSTRUCTION
NW 9TH ST SURFACING PLAN & PROFILE STA 127+75 TO STA 133+00

MADISON, SOUTH DAKOTA

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

JOB No.: 23885.00
DATE: JUNE 2023
ENG / ARCH: WJB
DESIGNER: CRH
TECHNICIAN: CKM

SHEET No.:

J-3

Page 27 of 31

BANNER
engineering a better community
www.bannerassociates.com - Toll Free: 1.855.323.6342

City of Madison

City Commission Policies & Procedures



Adopted April 2024

TABLE OF CONTENTS

SECTION I PURPOSE AND APPLICATION	3
1.1 PURPOSE OF POLICIES AND PROCEDURES	3
1.2 POLICIES AND PROCEDURES IN RELATION TO CITY ORDINANCES	3
1.3 MAYOR	3
1.4 CITY COMMISSION VS. COMMISSIONERS	3
SECTION II GOVERNANCE	4
2.1 PRINCIPLES OF GOVERNANCE	4
2.2 CODE OF CONDUCT	4
SECTION III AGENDA PROCESS AND MEETING PROCEDURES	6
3.1 AGENDA DEVELOPMENT	6
3.2 REGULAR MEETING AGENDA TIMELINE	6
3.3 QUESTIONS REGARDING AGENDA	6
3.4 OPEN MEETING LAW	6
3.5 TYPES OF MEETINGS	7
3.6 PARLIAMENTARY PROCEDURES	7
3.7 INTRODUCTION OF ITEMS	7
3.8 PUBLIC COMMENT	7
SECTION IV MAYOR – COMMISSIONER RELATIONS	9
4.1 MAYOR RESPONSIBILITIES	9
4.2 COMMISSIONER RESPONSIBILITIES	9
4.3 CITY COMMISSION TRAINING AND PROFESSIONAL DEVELOPMENT	9
4.4 CITY COMMISSION ORIENTATION	10
4.5 CONFLICTS OF INTEREST	10
4.6 BEHAVIOR AND CONDUCT	11
SECTION V CITY COMMISSION – STAFF RELATIONS	12
5.1 CITY ADMINISTRATOR	12
5.2 CITY STAFF	12
5.3 PUBLIC QUESTIONS, COMMENTS, AND CONCERNS	12
5.4 CONFLICT RESOLUTION	13
5.5 STAFF CONDUCT AND TRAINING	13
SECTION VI CITY – MEDIA RELATIONS	14
6.1 MEDIA RELATIONS	14
SECTION VII CODE OF ETHICS	15
7.1 CODE OF ETHICS	15

SECTION I

PURPOSE AND APPLICATION

1.1 PURPOSE OF POLICIES AND PROCEDURES

These policies and procedures are approved by the City Commission of the City of Madison, South Dakota as a guiding document for conducting official City business in a manner consistent with applicable South Dakota statutes and regulations, as well as City of Madison Codified Ordinances. This document also establishes orderly and respectful communication between and amongst Commissioners, staff, and the general public.

This document is not inclusive of all pertinent statutes or policies governing the City Commission. Rather, it is intended to supplement such rules and regulations and emphasize certain ones.

1.2 POLICIES AND PROCEDURES IN RELATION TO CITY ORDINANCES

These policies do not supersede the adopted ordinances of the City of Madison, but rather add to them in that members of the City Commission receive guidance and conduct business within the confines of shared expectations.

1.3 MAYOR

The terms “City Commission” or “Commissioners” should be construed to include the Mayor as well as City Commissioners unless stated otherwise.

1.4 CITY COMMISSION VS. COMMISSIONERS

This document includes individual duties, responsibilities, and actions as well as group duties, responsibilities, and actions. The terms “City Commission” or “Commission” should be construed to reference the Mayor and Commissioners as one group or governing body. The term “Commissioners” should be construed to reference the elected officials as individuals.

SECTION II

GOVERNANCE

2.1 PRINCIPLES OF GOVERNANCE

The City Commission consists of a Mayor and four Commissioners elected to 3-year terms. As the governing body for the City of Madison, the Commission holds responsibility for the integrity of governance and preserving values of representative local government.

The following statements serve as a guide to that commitment:

1. Each member of the Commission will strive to represent all residents of the City, both vocal and silent citizens, regardless of status.
2. Each member of the Commission will remain committed to promoting and protecting the best interest of all its citizens and entire community.
3. The Commission will guide the City through a collective voice and action and refrain from directing business as individual members.
4. The Commission will govern with an emphasis on strategic leadership rather than administrative detail.
5. The Commission will engage with the community regarding municipal affairs including communication and partnerships with Lake County, Madison Central School District, Dakota State University, and other community stakeholders.
6. The Commission will seek to improve the quality and image of public service through respect for each other and community members, a spirit of mutual goodwill, consistent transparency, and investment and support for employees of the City.

2.2 CODE OF CONDUCT

The City Commission will abide by the following Code of Conduct.

1. Lead by example. Be accountable and respectful.
2. Communicate openly and effectively and value the perspectives of others.
3. Deliberate in many voices but govern in one.
4. Listen and understand before making judgment.
5. Look for areas of agreement before differences.
6. Attend all meetings and events where my presence is expected unless there is a personal or professional conflict which cannot be avoided.
7. Be on time and start on time.
8. Be prepared by reading all relevant documents in advance of meetings or events.
9. Silence all personal communication devices, and do not allow them to distract from the work at hand.

10. Allow others to finish their comments before speaking.
11. Once a decision is made, state any reservations, but support the City decision.
12. Agree to disagree; move on to the next issue.
13. Come prepared to discuss issues. When possible, ask questions of staff prior to the meeting so that staff can be prepared.
14. Praise in public; provide constructive feedback in private.
15. Participate in discussions and focus on the issue; avoid side conversations. Be mindful that sidebar conversations are disruptive.
16. Avoid comments, body language, or distracting activity that conveys a message of disrespect for others.
17. Communicate in an open, direct manner; keep others informed.
18. Go directly to another member of the Commission if you have a personal issue with that member and not to other Commissioners, community members, or staff.
19. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources.
20. Be a positive ambassador for the City.

SECTION III

AGENDA PROCESS AND MEETING PROCEDURES

3.1 AGENDA DEVELOPMENT

1. The City Administrator is responsible for creation of the agenda including addition or removal of items and order of items on the agenda. Department heads may add or remove items from the agenda in conjunction with the City Administrator.
2. Any member of the City Commission has the unabridged right to place an item on the agenda provided it is communicated to City staff at least one week prior to the meeting. Items communicated less than one week prior may be discussed with the City Administrator and added if time allows for adequate preparation.
3. Members of the public may request an item to be added to the agenda. Any member of the City Commission or the City Administrator has the discretion whether to add the requested item to the agenda. If the item is not added, the requesting individual may speak to the item during Public Comment period.

3.2 REGULAR MEETING AGENDA TIMELINE

1. A draft agenda will be sent to City Commission by end of day Wednesday prior to the regular Commission meeting.
2. When items involving substantial financial implications or notable impact are expected on an upcoming agenda, staff will make all efforts to provide information on the item at least two weeks in advance. Items which arise within two weeks of the necessary meeting will be shared as soon as the information is available.
3. Final agenda with attached materials will be posted for Commission and public by end of day on Friday preceding the meeting.

3.3 QUESTIONS REGARDING AGENDA

Questions arising from Commissioners after receiving their agenda packet should be presented to the City Administrator for staff consideration prior to the Commission meeting. Additional information will be distributed to all Commissioners as appropriate.

3.4 OPEN MEETING LAW

The City Commission operates under the principle that the public has the right to be informed and to be a part of the decision-making process. As such, the City Commission will strictly follow South Dakota Open Meeting Law (SDCL 1-25).

1. Meetings will be appropriately noticed to the public and allow opportunity for public comment. Meetings include regularly scheduled meetings, special meetings, and teleconference meetings.
2. Open meeting law also applies to emails amongst a quorum of voting members and situations where a quorum of members find themselves at the same location in an

unplanned manner. In the latter case, members will take care to not discuss anything related to City business. When known in advance, a notice of quorum will be published to communicate to the public that a quorum may be present at a gathering or activity but City business will not be discussed and action will not be taken.

3. The City Commission reserves the right to meet in executive session for private discussions in accordance with SDCL 1-25-2. No action will be taken in executive session.

3.5 TYPES OF MEETINGS

1. Regular meetings will be held on the first and third Mondays of each month. In the event of a meeting falling on a scheduled holiday, the meeting will occur on the following day (Tuesday) unless determined otherwise.
2. Special meetings may be called as needed. Special meetings will still be held in compliance with SD Open Meeting Law.
3. Planning meetings will be held periodically to provide opportunities for the City Commission to engage in strategic planning, goal setting, updates on key projects or issues, or other planning purposes. In general, these meetings will occur quarterly but may be called more frequently if desired by the City Commission.

The planning meetings will be conducted as workshops designed to foster open dialogue among Commissioners, staff, and other stakeholders. The meetings will be open to the public and in compliance with SD Open Meeting Law. In general, the meetings will not involve formal decision-making on items of policy.

3.6 PARLIAMENTARY PROCEDURES

1. Discussion of agenda items will be initiated following introduction by the City Administrator or other staff as deemed appropriate. Commission discussion on the pending agenda item may take place before or after a motion has been made.
2. The Mayor will encourage all Commissioners to participate in discussion and debate, ensuring all members the opportunity to speak, limiting each speaker to ensure efficient use of time as appropriate.
3. Robert's Rules of Order Newly Revised will guide the general conduct of meetings.

3.7 INTRODUCTION OF ITEMS

The City Administrator will generally introduce each agenda item. The Administrator or other staff may provide a presentation for the item. Staff will make it clear whether Commission action is required, options for consideration, and staff recommendation as appropriate. If the City Administrator is absent for the meeting, the appropriate information will be sent to the Commission in advance or staff will be in attendance to present and answer questions.

3.8 PUBLIC COMMENT

1. In order to provide opportunity for members of the public to speak to the City Commission

on items not listed on the agenda and to comply with SDCL 1-25-1, there will be listed on each agenda an item for Public Comment.

2. The Mayor or designatee will recognize speakers and provide directions.
3. Each individual wishing to speak during Public Comment should sign in at the designated form located at the meeting room entrance. Speakers will be limited to three minutes unless allowed extended time by the Chair.
4. Speakers must direct their remarks toward the City Commission and not to staff or other members of the audience.
5. No action will be taken by the City Commission during Public Comment.
6. Members of the City Commission are not required to respond to comments or answer questions during Public Comment. Members may direct staff to research and place discussion or action on a future meeting agenda.

SECTION IV

MAYOR – COMMISSIONER RELATIONS

4.1 MAYOR RESPONSIBILITIES

Responsibilities which are specific to the position of Mayor include:

1. The Mayor will preside over all meetings. The Mayor will have a voice and vote in all matters before the Commission. The Mayor will designate a Commissioner to serve as Chair in the planned absence of the Mayor.
2. The Mayor will preserve order and decorum and is responsible for keeping the meetings orderly. The Mayor has ability, according to his or her judgment, to recognize Commissioners for discussion before they speak, limiting speaking time, encouraging debate among Commissioners, and keeping discussion only to the item being considered at that time.
3. Should a conflict arise among Commissioners, the Mayor serves as mediator and arbiter.
4. The Mayor will have any other specific duty or responsibility assigned to the Mayor through Resolution.

4.2 COMMISSIONER RESPONSIBILITIES

Responsibilities which are specific to City Commissioners and may also include the Mayor include:

1. Commissioners will be prepared to discuss and act upon the posted agenda.
2. Commissioners will take the initiative to be informed about Commission actions taken in their absence. This includes prior to a planned absence as well as after any absence.
3. Commissioners appointed to serve as liaison to a board, commission, or other group are responsible for appropriate attendance and participation in the group. Commissioners will inform the City Commission of activities as appropriate.
4. The City Commission will conduct an annual performance review of the City Administrator.
5. Commissioners will have any other specific duty or responsibility assigned to them through Resolution.

4.3 CITY COMMISSION TRAINING AND PROFESSIONAL DEVELOPMENT

Commissioners are encouraged to attend at least one relevant training, meeting, or conference per year, and others as found beneficial to the performance of their elective duties.

1. Funds for travel, registration, and other costs will be available for the Commission within the annual budget.
2. Selection of professional development events is at the discretion of each Commissioner and are limited to the amount budgeted.

3. Commissioners are encouraged to select training and professional development from the following:
 - South Dakota Municipal League
 - National League of Cities
 - Heartland Energy
 - Lake Area Improvement Corporation
 - Greater Madison Area Chamber of Commerce
 - Others as deemed appropriate

4.4 CITY COMMISSION ORIENTATION

The City Administrator will provide an individual meeting with new Commissioners to orientate them to the role. Information shared will include the following:

1. Background on facilities, policies, and procedures.
2. Information on pertinent documents such as the Strategic Plan, Capital Improvement Plan, Land Use Plan, Utility System studies, and Utility Rate studies.
3. Background on relevant on-going projects and initiatives.
4. Availability of South Dakota Municipal League conferences and trainings.
5. Other documents and resource materials necessary to the role of a Commissioner.

4.5 CONFLICTS OF INTEREST

To uphold the integrity of governance, Commissioners will self-identify and disclose conflicts of interest. In doing so, Commissioners display to the public that they will not use their official positions to influence government decisions to benefit their own personal interests.

1. Types of Conflict of Interest

The City Commission operates with the understanding of the following four types of conflicts of interest:

- a. Direct Pecuniary Interest – Voting on a matter benefiting the voting member's own property or affording a direct financial gain to the voter.
- b. Indirect Pecuniary Interest – Voting on a matter that financially benefits one closely tied to the voting member, such as a family member or employer.
- c. Direct Personal Interest – Voting on a matter that benefits the voting member, a blood relative, or close friend in a non-financial way but in a matter of great importance.
- d. Indirect Personal Interest – Voting on a matter in which an individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies.

2. Acknowledging a conflict of interest

Commissioners will acknowledge on their own accord when they have a conflict of interest on a City related topic. If the topic is on a Commission agenda, the Commissioner will disclose the conflict on the record prior to any discussion or action.

3. Disclosing a conflict of interest

Commissioners will disclose conflicts of interest in accordance with SDCL 6-1-17. If the conflict constitutes a direct pecuniary interest, the Commissioner is disqualified from discussion and voting in their official capacity.

If the conflict is an indirect pecuniary, direct personal, or indirect personal interest, the Commissioner decides whether the conflict disqualifies them from discussion and action. If they believe it does, they will abstain from that item. If the Commissioner does not believe it disqualifies them, they may proceed with discussion and voting. However, if the board does not agree that the person can act unbiased, they may vote on whether to disqualify the Commissioner. It requires two thirds vote to disqualify a member for a conflict of interest.

4. Disqualified Commissioners

Commissioners disqualified from voting either on their own accord or after a vote of the City Commission may choose whether to leave their seat and move to the audience. However, if the Commissioner wishes to speak to the item in a personal capacity, he or she must physically move to the audience to participate in the discussion as a member of the public.

4.6 BEHAVIOR AND CONDUCT

1. These City Commission Policies and Procedures, including the Code of Conduct and Code of Ethics, detail standards of behavior and practice expected for members of the City Commission. Members themselves hold the primary responsibility to understand the standards and ensure they are met. Doing so provides the public with full confidence in the integrity of governance within the City of Madison. The City Commission has the responsibility to intervene when actions of members appear to be in violation of the City Commission Policies and Procedures.
2. Commissioners who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the City Commission and/or removed from committee assignments or other privileges. Serious infractions of the City Commission Policies and Procedures may lead to other sanctions as deemed appropriate by the Commission.
3. When violations occur by a Commissioner, another Commissioner should discuss the violation directly with the offending Commissioner. If the offenses continue, then the matter should be referred to the Mayor in private, or another Commissioner if the Mayor is the individual in question. If they believe that the violation is valid and may warrant sanction, they may then bring the alleged violation to the full City Commission.
4. These sanctions are alternatives to any other remedy that might otherwise be available to remedy conduct that violates this code or state or federal law.

SECTION V

CITY COMMISSION – STAFF RELATIONS

5.1 CITY ADMINISTRATOR

The City Administrator is the primary link between the City Commission and staff. The Commission's relationship with the staff shall be through the City Administrator.

The City Administrator serves as the Chief Administrative Officer for the City. The Administrator directs and supervises daily operations and administration of all departments and makes recommendations to the City Commission for discussion and action. Strategic direction, policy, and action from the City Commission is implemented through the City Administrator.

5.2 CITY STAFF

1. Direction of work

The City Administrator is responsible for the direction and work of all employees of the City. As such, Commissioners will not direct the operations of any department or employee. This includes attempts to influence decision making, prioritize work, grant licenses or permits, or impact the enforcement of ordinances or nuisance violations.

Commissioners should also take care not to unintentionally direct staff. Due to a Commissioner's status, staff may place undue emphasis on anything the Commissioner says.

It is important to note that the City Commission cannot speak through one member but rather needs to direct the actions of the City through collective action. In all cases, direction for staff from the City Commission must be directed to the City Administrator.

2. Comments regarding employee performance

Any concerns, comments, or other feedback regarding an employee should be directed privately to the City Administrator. The Administrator will then determine what actions are necessary and take steps to address as needed. Commissioners will not express concerns about an employee's performance in public, to the employee directly, or to the employee's supervisor.

3. Solicitation of political support

Commissioners will not solicit any type of political support from City staff. This includes financial contributions, display of political signs, signatures for an election petition, or other political support. This does not prevent an employee from initiating political support for a Commissioner.

5.3 PUBLIC QUESTIONS, COMMENTS, AND CONCERNS

As public officials elected by residents of Madison, it is important for Commissioners to have close connections in the community and communicate regularly with their constituents. Often residents will approach a Commissioner regarding a question, comment, or concern. It is important for a Commissioner to understand the topic and address it appropriately.

Commissioners should direct items regarding general City services and operations to the appropriate City department. This includes code enforcement, nuisances, utility bills, utility services, potholes, trees, and other items. Commissioners should first provide the resident with contact information for that resident to contact the City department directly. If the resident has already done so, the Commissioner may collect the necessary information and discuss the item with the City Administrator. The City Administrator will act accordingly in consultation with the appropriate staff and City Ordinances.

5.4 CONFLICT RESOLUTION

In any conflict arising between staff and a Commissioner:

1. The City Administrator will visit with the Commissioner and discuss the problem and the impact on staff time, work, or well-being.
2. If the Commissioner and the City Administrator cannot reach a mutually agreed upon resolution, the City Administrator will ask the City Attorney to arbitrate a resolution to the issue.
3. If still unresolved, the City Administrator will ask the City Attorney to present the concerns to the Commission for final direction and resolution.

5.5 STAFF CONDUCT AND TRAINING

1. The City Administrator is responsible for the professional and ethical behavior of the City staff. All staff members will show respect and courtesy to each other, the City Commission, and the public at all times.
2. The City Administrator is responsible for staff development within the constraints of the approved budget.

SECTION VI

CITY – MEDIA RELATIONS

6.1 MEDIA RELATIONS

It is essential for exceptional local governance that the governing body maintains transparency and accountability with an informed public. The City Commission recognizes the important link between the City and an informed public provided by an active and involved media.

The guidelines in this section help foster relationships between the City Commission and the local and regional media and ensure their First Amendment rights of the press.

1. Media Introduction. When a new reporter is permanently assigned to cover City business, the City Administrator will extend an invitation to meet for a general introduction and an overview of City procedures.
2. Agenda Information. An agenda package will be automatically provided to any reporters who would like to receive agenda information prior to each meeting.
3. Spokesperson for City. The City Administrator is the official spokesperson for the City. The Administrator may connect media to elected officials or staff persons best suited to answer questions or provide clarifications on a given topic.

SECTION VII

CODE OF ETHICS

7.1 CODE OF ETHICS

Since the office of elected official is one of trust and service to the citizens of Madison, certain ethical principles shall govern the conduct of Commissioners, who shall:

1. Be courteous, honest and treat others with respect.
2. Focus on the vision and goals; no personal attacks or inferences.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.
4. Conduct public and private life as to be an example for fellow citizens.
5. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Commission.
6. Maintain and respect confidentiality as necessary.
7. Honor the letter and spirit of the law.
8. Follow the required conflict of interest and disclosure of interest required under state law.
9. Not seek nor accept gifts or special favors and shall believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest.
10. Refrain from rude and derogatory remarks and shall not belittle staff members, other Commissioners, or members of the public.
11. Not condone any unethical or illegal activity.
12. Recognize that the primary function of local government is to serve the best interests of all the people.
13. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Madison in compliance with South Dakota Open Meeting law.

City of Madison
Memorandum - Vegetation Height Discussion



To: Mayor and City Commission
From: Jameson Berreth, City Administrator
Subject: Discussion on vegetation height requirements
Date: April 15, 2024

Background

In November 2023, the City Commission received public comment regarding the maximum height of vegetation allowed within the City. The discussion briefly covered topics such as current regulations, growing native grasses, a No Mow May event, and other alternative height restrictions. No action was taken.

This agenda item is simply an opportunity to discuss the topic further and provide staff direction on whether to continue enforcing current regulations, prepare an ordinance to adjust regulations, and/or allow an event such as No Mow May where vegetation height restrictions are not enforced during the month of May. Vegetation height may need to be discussed for public boulevards as well as private properties as each can be handled differently if desired.

Staff recommendation

There is no staff recommendation as this is a discussion topic meant to provide direction to staff.



Finance Updates

March 2024

Notes

- General finance overview
- Can be expanded in future
- Update covers YTD through March



Revenue Guidelines

Fund	Description	2024 Budget	March 2024	2024 YTD	% of Budgeted
101	General Fund	\$ 18,174,689	\$ 283,547	\$ 1,267,186	7.0%
211	Lodging & Entertainment Tax	\$ 351,730	\$ 21,620	\$ 59,187	16.8%
213	2nd Cent Sales Tax	\$ 4,375,000	\$ 160,640	\$ 546,089	12.5%
602	Water Fund	\$ 11,310,839	\$ 176,027	\$ 686,538	6.1%
603	Electric Fund	\$ 18,606,026	\$ 950,444	\$ 2,959,003	15.9%
604	Sewer Fund	\$ 7,367,757	\$ 159,099	\$ 589,879	8.0%
612	Solid Waste Fund	\$ 521,151	\$ 37,491	\$ 117,688	22.6%
620	Community Center	\$ 1,000,397	\$ 47,423	\$ 208,006	20.8%
621	After School / Youth Program	\$ 117,195	\$ 31,219	\$ 51,115	43.6%

Expenditure Guidelines

Fund	Description	2024 Budget	March, 2024	2024 YTD	% of Budgeted
101	General Fund	\$ 18,174,689	\$ 692,229	\$ 1,944,350	10.7%
211	Lodging & Entertainment Tax	\$ 351,730	\$ -	\$ 58,750	16.7%
518	City Hall Construction	\$ 6,000,000	\$ 429,092	\$ 922,129	15.4%
602	Water Fund	\$ 11,310,839	\$ 299,742	\$ 575,854	5.1%
603	Electric Fund	\$ 18,606,026	\$ 1,017,087	\$ 2,188,298	11.8%
604	Sewer Fund	\$ 7,367,757	\$ 194,833	\$ 456,012	6.2%
612	Solid Waste Fund	\$ 521,151	\$ 40,530	\$ 105,222	20.2%
620	Community Center	\$ 1,000,397	\$ 137,753	\$ 273,469	27.3%
621	After School / Youth Program	\$ 117,195	\$ 12,768	\$ 28,974	24.7%

Cash on Hand

- General Cash - \$22.6 million total
 - Investments – \$18.4 million
 - Checking - \$2.9 million
 - Money Market - \$1.0 million
 - Other misc. Dept. specific accounts
- Restricted Cash - \$608,929
- Note: Does not include \$ 179,408 transfer between bank accounts

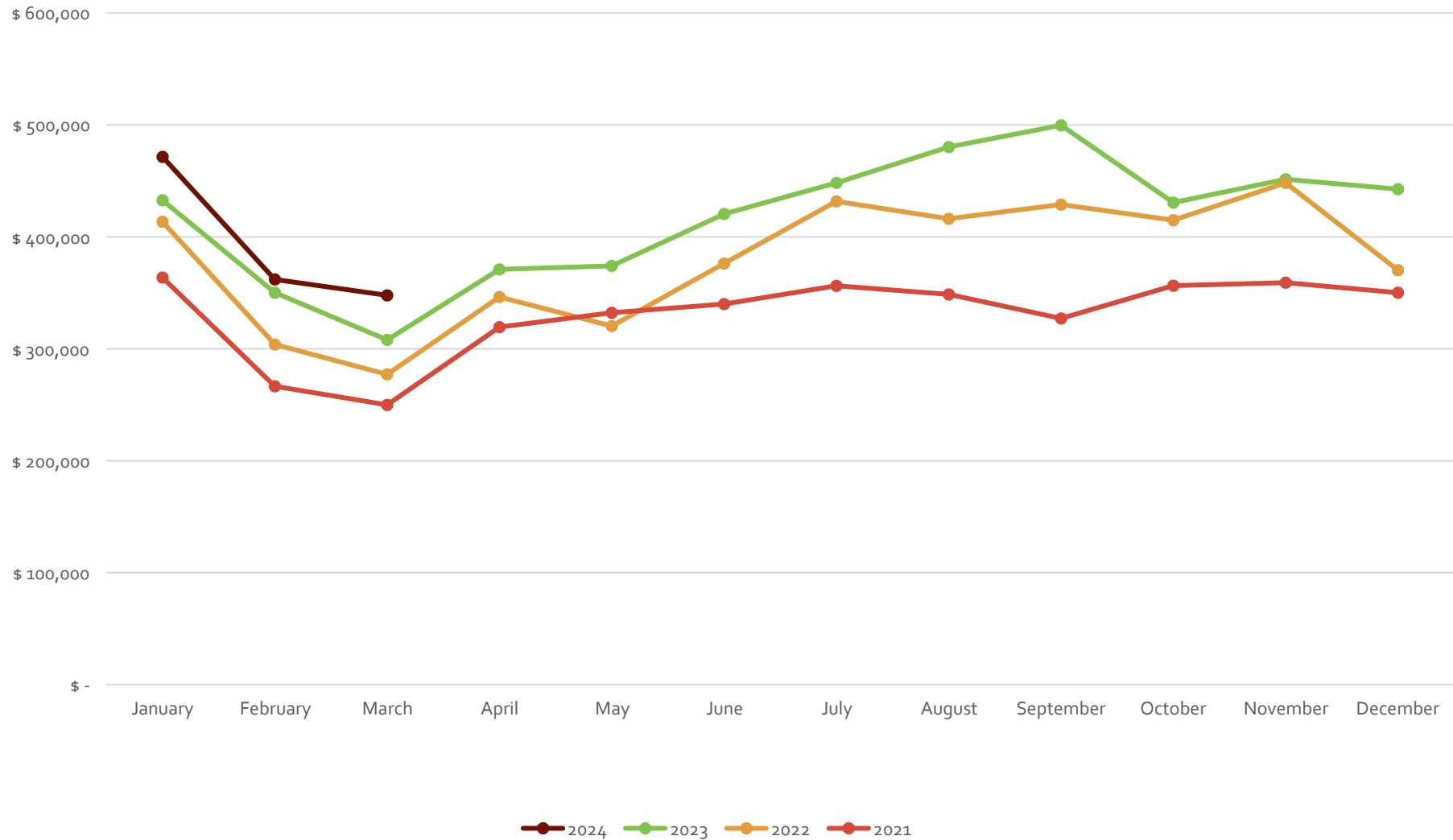


Sales Tax



	2024	2023	\$ Growth	% Growth
March	\$347,846	\$308,016	\$39,830	12.9%
YTD	\$1,181,416	\$1,090,984	\$90,432	8.3%

Sales Tax





Questions?