

**SUMMERSET CITY COMMISSION REGULAR MEETING  
SUMMERSET MUNICIPAL BUILDING  
7055 LEISURE LANE  
THURSDAY, APRIL 6th, 2023 6:00 P.M.**

Mayor Torno called the Regular Meeting to order at 6:00 p.m. Commissioners Hirsch, Kitzmiller, Nasser and Butler were present. The City Attorney and City Administrator were also present.

Mayor Torno led the Pledge of Allegiance.

Commissioner Butler gave the invocation.

**Motion** by Kitzmiller, second by Butler to amend the agenda by removing item #13 – Summerset Parks & Rec. Board and approve the rest of the agenda for the regular meeting of the Summerset City Commission for April 6th, 2023. Motion carried.

**CONSENT CALENDAR**

**Motion** by Hirsch, second by Nasser to approve the minutes of the regular meeting of March 16th, 2023. Motion carried.

**Motion** by Butler, second by Hirsch to approve the minutes of the special meeting of March 20th, 2023. Motion carried.

**APPROVAL OF CLAIMS**

**Motion** by Nasser, second by Kitzmiller to approve the claims and hand checks in the amount of \$910,760.43 from March 16th, 2023 through April 5th, 2023 as presented or amended. Motion carried.

A&B BUSINESS SOLUTIONS	Monthly Contract	548.96
AMBROSE, JONATHAN	Cell Phone Stipend	50.00
ANGLIN, MITCH	Cell Phone Stipend	50.00
AT&T MOBILITY	PD FirstNet	180.97
BAUMEISTER, STEPHANY	Cell Phone Stipend	50.00
BLACK HILLS ENERGY	March 2023	6,450.57
BLUEPEAK	fax/phone/internet	1,126.64
Butler, Dave	Cell Phone Stipend	50.00
CITY OF RAPID CITY	Solid Waste Disposal	3,493.35
DAKOTA PUMP, INC	WWTP - SBR Decant Weir TS	1,150.00
DAVIS, OWEN	Cell Phone Stipend	50.00
GREENAPSIS	Janitorial srvs and supplies	335.81
HAWKINS INC.	DeFoamer	2,467.20
HEALTH POOL OF SD	Emp Medical Ins. March 2023	14,714.62
HIRSCH, CLYDE	Cell Phone Stipend	50.00
HYDRO-KLEAN, INC	Televise Lines, Clean lift Sta	18,789.45
JJ'S ENGRAVING AND SALES	11 Name Plate Holders	77.00
KITZMILLER, MICHAEL	Cell Phone Stipend	50.00
Kayl, Anthony	Per diem - Driver Safety	482.00
MCCOMB SERVICES	IT Audit Documentation Report	5,000.00
MDU	Utilities	2,243.11
MID-AMERICAN RESEARCH CHEMICAL	WWTP Supplies - Super Zyme	376.92

Mehlhoff Construction	Refund Sign CUP	75.00
NASSER, ALEXIS	Cell Phone Stipend	50.00
O'GRADY, BRENDA	Cell Phone Stipend	50.00
ON-SITE FIRST AID & SAFETY	First Aid Supplies	236.49
RCS CONSTRUCTION INC	WWTP Expansion Pay Applic. #1	755,100.00
SCHIEFFER, LISA	Cell Phone Stipend	50.00
SDRS-SUPPLEMENTAL	March 2023 Contribution	540.00
SERVALL UNIFORM & LINEN SUPPLY	Monthly Fees	162.89
SMITH, JEFF	Cell Phone Stipend	50.00
STURGIS RESPONDER SUPPLY	Point Blank Body Armor	938.13
TORNO, MELANIE	Cell Phone Stipend	50.00
TRANSOURCE	Mack Truck	12,132.07
TYLER TECHNOLOGIES, INC	Annual Fees ERP Pro 2023-2024	13,041.52
UNITED STATES POSTAL SERVICE	First Class Presort	1,000.00
USA BLUEBOOK	AWWA Butterfly Valve 6'	1,052.23
WaterTree	Drinking Water	235.35
Wegner Motors	2023 Dodge Durango	41,618.00
AFLAC REMITTANCE PROCESSING	Emp Ins Prem March	62.40
SDRS	March 2023 Contributions	8,170.44
UNITED STATES TREASURY	Balance due on return	18,359.31

#### **APPROVAL OF PAYROLL – MARCH 2023 – SDCL 6-1-10**

**Motion** by Nasser, second by Butler to approve the March 2023 payroll. Motion carried.

Dept. 4000 - \$19,798.76 Wastewater/Public Works

Dept. 4110 - \$2,333.32 Commission

Dept. 4120 - \$1,916.67 Mayor

Dept. 4140 - \$10,394.60 Finance

Dept. 4210 - \$43,525.56 Police

Dept. 4652 - \$0.00 Planning & Zoning

#### **UTILITY BILLING ADJUSTMENTS**

**Motion** by Butler, second by Hirsch to approve the billing adjustment of \$45.00 for the period of March 1<sup>st</sup> to March 31<sup>st</sup>, 2023.

#### **COMMISSION REPORTS**

Kitzmilller, Butler, Nasser, Hirsch, and Torno gave monthly reports.

#### **90-DAY REVIEW STEPHANY BAUMEISTER (as Asst. Finance Officer/Interim FO)**

**Motion** by Nasser, second by Hirsch to open discussion. Motion carried.

Mayor Torno explained to the Board that since Ms. Baumeister came on board, she has within the 90 days went from Assistant to Interim Finance Officer and now is the Finance Officer. That raises were established along that time period. Ms. Baumeister will have another review as Finance Officer when the 90 days comes due, and it can be further discussed at that time.

**Motion** by Nasser, second by Butler to close discussion. Motion carried.

No action was taken.

#### **PAYROLL CHANGE – MITCH ANGLIN**

Anniversary 1% increase to \$22.89 effective March 26, 2023.

**Motion** by Kitzmiller, second by Butler to approve the increase to \$22.89. Motion carried.

#### **POLICE DEPARTMENT - SERGEANT PAY**

**Motion** by Hirsch, second by Butler, to open discussion. Motion carried.

Mayor Torno spoke to the history of the raises that just took place in the Police Department. The Sergeant's pay was still being looked at and was not a part of the same. Commissioner Hirsch discussed where to place the position when the Board begins looking at steps and grades. The Board discussed where the position is currently at compared to the School Resource Officer and Chief of Police.

**Motion** by Butler, second by Hirsch to close discussion. Motion carried.

**Motion** by Butler, second by Hirsch to set the Sergeant pay at \$29.80 and a \$1.00 increase after the 90-day review. Motion carried.

#### **SALARY DISCUSSIONS**

Commissioner Nasser abstained.

**Motion** by Hirsch, second by Kitzmiller to open discussion. Motion carried.

Mayor Torno stated that after having discussions with department heads and what was voted upon at the March 16<sup>th</sup> Commission meeting of going to 45 hours/overtime/holiday that it was discovered that the salaried employees would be going backwards with a loss in pay. Torno explained that she visited with the SD Department of Labor and was told there was no laws as it pertains to salaried people and the possibility of getting overtime. The Mayor stated that the salary should reflect all those hours within it and currently it does not. If the Board would decide to go back to 40 hours and include overtime/holiday, this would be a fix until steps and grades can be approved for FY Budget 2024.

Commissioner Kitzmiller asked where the money will be coming from to include this extra pay if we already have a set Budget for 2023. Kitzmiller explained that salaried employees know that they may have some long hours and other times it may not be like that.

Commissioner Butler discussed how Wastewater can have an alarm go off and the Department Head may get called out in the middle of the night. Butler also discussed the cost of living, growth, and what is happening in the surrounding area.

City Attorney Mike Wheeler gave an overview on the Fair Labor Standards Act and discussed the process of the same.

**Motion** by Hirsch, second by Butler to close discussion. Motion carried.

**Motion** by Butler, second by Hirsch, to take salaried employees to 40 hours a week. Voting yes: Butler, Torno, and Hirsch; Voting no: Kitzmiller; Abstained: Nasser. Motion carried.

#### **HIGH MEADOWS ROAD – UPDATE MIKE KITZMILLER**

**Motion** by Kitzmiller, second by Butler to open discussion. Motion carried.

Commissioner Kitzmiller gave a recap regarding the road and updated the Board on his discussions with Meade County. The County has stated that if Summerset wants the road, they can annex it in, and Meade County will then need to change the map with SD DOT. There will be a process that will need to go through the City Attorney Mike Wheeler if the City wants to spend that kind of money to have the same paved. Kitzmiller said there is possible other options, but it will need to be a process that gets followed.

City Attorney Mike Wheeler gave a brief overview on how annexation would work. The County might have to go through some other steps to complete the process.

Jim Guthrie, resident of Summerset, thanked Mr. Kitzmiller for checking into the matter. Guthrie asked what the City would be doing in moving forward in order to get that road from the County.

Discussions ensued on the potential of paving the road, the quote from HDR, and how the City could pay for the same.

Gwenn Markham expressed her concerns about the two houses that have always been there and what would happen to the driveways and would they be assessed for the same.

Anthony Kayl, Public Works Superintendent, addressed the quotes and that if the Board would move forward it would need to be done properly.

Sid Reade stated that speeding is a big issue on that road and that the City Police and the Deputy Sheriff's need to be present and picking up the people who are speeding.

Commissioner Nasser stated that whether it is paved or not people are going to speed, and the dust will be present coming down the hill.

Mayor Torno addressed the costs, and that the priority of other roads are needed regarding safety concerns for Summerset's citizens.

**Motion** by Hirsch, second by Butler to close discussion. Motion carried.

No action was taken.

#### **HDR TASK ORDER 2023-04 SIOUXLAND ROAD RECONSTRUCTION**

**Motion** by Kitzmiller, second by Nasser to approve HDR Task Order 2023-04. Motion carried.

**RESOLUTION 2023-06 - A RESOLUTION GIVING APPROVAL TO THE CERTAIN SEWER FACILITIES IMPROVEMENTS; GIVING APPROVAL TO THE ISSUANCE AND SALE OF A TAX INCREMENT REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND THE REVENUE BOND AND PLEDGING TAX INCREMENT REVENUES AND COLLATERAL TO SECURE THE PAYMENT OF THE REVENUE BOND; AND CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF FUNDS FOR OPERATION OF THE SYSTEM AND RETIREMENT OF THE REVENUE BOND AND PROVIDING FOR A SEGREGATED SPECIAL CHARGE OR SURCHARGE AS ADDITIONAL SECURITY FOR THE PAYMENT OF THE BONDS.**

**Motion** by Butler, seconded by Nasser, to approve Resolution 2023-06. Motion carried.

#### **CONDITIONAL USE PERMIT – B. MEHLHAFF**

**Motion** by Butler, seconded by Hirsch to approve the conditional use permit of Mehlhaff Construction, Inc. Motion carried.

#### **SD GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT – AWARD LETTER**

**Motion** by Butler, second by Nasser to approve accepting the award letter and signing the contract regarding the same. Motion carried.

#### **SET SPECIAL MEETING DATE APRIL 13<sup>th</sup> @ 7:30 a.m.**

Canvas Election Results from the April 11<sup>th</sup> 2023 Municipal Election.

**Motion** by Kitzmiller, second by Butler to approve the special meeting date. Motion carried.

#### **CITIZENS INPUT**

Stephanie White introduced herself and stated she was running for a Commission seat on the Summerset City Commission.

Angie Lutz acknowledged residents that went over and above to help neighbors in the community and thanked the Board for getting the new sound system.

**UPCOMING EVENTS:**

City Offices will be closed April 7<sup>th</sup> and April 10<sup>th</sup> for Good Friday and Easter Monday per declaration of Governor Kristi Noem.

Summerset Municipal Election is April 11<sup>th</sup> from 7:00 a.m. to 7:00 p.m.

**ITEMS FROM CITY ATTORNEY**

**Motion** by Hirsch, second by Nasser, to go into executive session at 7:19 p.m. per SDCL 1-25-2 for discussing legal, economic development, and personnel issues. Motion carried.

**Motion** by Kitzmiller, second by Nasser to come out of executive session and return to regular session at 7:30 p.m. Motion carried.

**ADJOURNMENT**

**Motion** by Butler, second by Nasser to adjourn the meeting at 7:30 p.m.

(SEAL)

ATTEST:

\_\_\_\_\_  
Stephany Baumeister  
Finance Officer

\_\_\_\_\_  
Melanie Torno  
Mayor

Published once \_\_\_\_\_, 2023 at a cost of \$\_\_\_\_\_.