

**SUMMERSET CITY COMMISSION
REGULAR MEETING
SUMMERSET MUNICIPAL BUILDING
7055 LEISURE LANE
THURSDAY OCTOBER 17, 2019 6:00 P.M.**

Mayor Lutz called the Regular Meeting to order at 6:00 p.m. Commissioners Hirsch, McCoy, Butler and Kitzmiller were present. Also present was the City Attorney, City Finance Officer and the City Administrator.

Mayor Lutz led the Pledge of Allegiance.

Motion by Kitzmiller, second by Hirsch to approve the agenda for October 17, 2019. Motion carried

Motion by McCoy, second by Kitzmiller to approve the October 17, 2019 Minutes as presented. Motion carried.

APPROVAL OF CLAIMS

Motion by Hirsch, second by Butler to approve the claims and hand checks in the amount of \$146,745.36, from October 4, 2019 through October 17, 2019 as amended. Motion carried.

A&B BUSINESS SOLUTIONS	Professional Services	313.86
ADAMS-ISC	Street Auto Expense	85.50
AFLAC REMITTANCE	Accidental Insurance	124.67
BLACK HAWK WATER USERS	Govt Utilities	25.00
CBH CO-OP	Auto Expense	2,226.32
COLTON JUSO	Uniform Allowance	400.00
CRESCENT ELECTRIC SUPPLY	WWTP Supplies	44.94
DEMERSSEMEN JENSEN	Professional Services	577.50
DIAMON D WATER	Govt Utilities	34.00
HARMON, LONNIE	Travel Reimbursement	73.00
HAWKINS INC.	WWTP Supplies	3,682.46
HERMANSON EGGE ENGINEERING	Professional Services	380.00
KIEFFER SANITATION	Sanitation Expense	2,523.50
LEAVITT HEARTLAND INS	Professional Services	50.00
MDU	Govt Utilities	177.80
MEADE COUNTY REG OF DEEDS	Annexation Expense	30.00
MIDCONTINENT COMMUNICATIONS	WWTP Utilities	195.12
MIDCONTINENT TESTING LABS	WWTP Testing	381.00
MIKE MARTIN	Park Repair Expense	56.81
NORTHWEST PIPE FITTINGS, INC	Street Auto Repair	31.19
POWLES & SONS	Surety Refund	134,000.00
RAPID CITY JOURNAL	Publishing	30.00
PALMER, BRANDY	Cell Phone Allowance	50.00
RAPID CITY JOURNAL	Publishing Expense	207.70
RAZOR'S EDGE GRAPHICS	LE Auto Expense	950.00
SD ONE CALL	Locating Expense	38.85
SD SECRETARY OF STATE	Professional Services	30.00
SERVALL UNIFORM & LINEN	Govt Repairs	106.14

RESOLUTION 2019-14

**CITY OF SUMMERSET
RESOLUTION 2019-14**

WHEREAS, pursuant to SDCL 9-32-11 and Summerset City Ordinance 5, Article X, Section 5.257, the City of Summerset entered into an exclusive contract for residential waste hauling and recycling with Red River Waste Solutions, LP, effective November 1, 2015; and

WHEREAS, the Contract for Residential Curbside Solid Waste Collection and Hauling and Recycling Services (the "Contract") set forth a three-year term, ending on November 1, 2018, and further provided to Red River an option to renew for three (3) additional one (1) year terms; and

WHEREAS, Red River Waste Solutions, LP subsequently assigned the Contract to Waste Connections of South Dakota, d/b/a Kieffer Sanitation, and the City of Summerset executed a written consent to this assignment in April of 2016; and

WHEREAS, Waste Connections of South Dakota, d/b/a Kieffer Sanitation has exercised in writing the option to renew the Contract for a one (1) year period in accordance with Section 1.

NOW THEREFORE BE IT RESOLVED, that the City of Summerset approves Kieffer Sanitation's exercise of the option to renew the Contract on the same terms and conditions, and the Mayor is authorized to execute a document extending the Contract for a one (1) year period between the dates of November 1, 2019 and November 1, 2020.

ATTEST:

Debbie Muzio
Finance Officer

Bryce Lutz
Mayor

Motion by Butler, second by Hirsch to approve Resolution 2019-14. Resolution approving the contract with Waste Connections of South Dakota, d/b/a Kieffer Sanitation for a one-year contract renewal. Roll call vote. All ayes.

RESOLUTION 2019-15

RESOLUTION # 2019-15

RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER TWO

WHEREAS the Summerset City Commission deems it necessary to create a tax incremental district, pursuant to SDCL 11-9-6, that overlaps and overlays Tax Incremental District Number One (TID #1) and includes additional real property as more particularly described herein; and

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9 for an overlay tax incremental district; and,

WHEREAS the Commission finds that:

1. Not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and
2. The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district
3. The aggregate assessed value of taxable property in the proposed district plus the tax incremental base of all other existing districts does not exceed ten percent (10%) of the total assessed value of property within the City of Summerset; and

NOW, THEREFORE, BE IT RESOLVED by the City of Summerset that the real property legally described below shall constitute the final boundaries of Tax Incremental District Number Two (TID #2):

Sun Valley Estates Subdivision:

Lot 234R

Block 1: Lots 1-16

Block 2: Lots 1-4

All of the above located in the SE 1/4 and the SW1/4 of Section 14, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

Stage Stop Subdivision:

Tract 1 and 2R

All of the above located in the SE ¼ of the SE ¼ of Section 23 and the SW ¼ of the SW ¼ of Section 24, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota

Sioux Land Estates Subdivision:

Tract 1R: Lot 7R and Lot D

Lots 13A and 13BR and 13CR and 13D

Lots 16 and 17 and 18

All of the above located in Section 25, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

Amwest Utilities Subdivision:

Lots 1, 2 and 3

All of the NE1/4 of Section 23, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

Lenlu Estates Subdivision:

Lot 2 of Lenlu Estates Subdivision, formerly a part of Lot A in the SW ¼ of Section 24, T3N, R3E of them B.H.M, Meade County, South Dakota less Lot 3A, 3B, 3C, 3D, and subject to easements as shown by Plat Book 10 Page 50 and Plat Book 11 Page 94 in the Office of the Register of Deeds, Meade County, South Dakota.

Summerset USA:

Block 1: Lot 234

Block 2: Lots 2R and 3R

Block 5: Lots 1-3

Block 7: Tract A

Block 8: Lot A

All of the above located in Section 25, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

That portion of Lot A of the NE1/4 of Section 25, T3N, R3E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 5 on Page 15, lying southerly of the northerly Independence Loop right-of-way, and lying southerly and westerly of Outlot 2 and the vacated right-of-way adjacent thereto, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 6").

That portion of Lot B of the E1/2 of the NW1/4 of Section 25, T3N, R6E, of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 5 on Page 15, lying southerly and easterly of the northerly Independence Loop right-of-way and westerly of the Republic Road right-of-way, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 4").

That portion of Lot B of the E1/2 of the NW1/4 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 5 on Page 15, lying southerly and easterly of the northerly Independence Loop right-of-way, and lying northerly and easterly of the Republic Road right-of-way, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 6").

That portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 7 on Page 28, lying northerly and westerly of the southerly Independence Loop right-of-way, lying northerly and easterly of the Republic Road right-of-way, and lying southerly and westerly of Outlot 2 and the vacated right-of-way adjacent thereto, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 6").

That portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 7 on Page 28, lying northerly and easterly of Outlot C, lying northerly and westerly of the Patriot Drive right-of-way, lying southerly and westerly of the Republic Road right-of-way, and lying southerly and easterly of the northerly Independence Loop right-of-

way, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 4").

That portion of the vacated portion of the Independence Loop right-of-way lying southerly and westerly of Outlot 2 of Summerset USA of the City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 21 of Pages 290-291, said portion now being a part of the unplatted portion of Lot A of the NE1/4 and a part of the unplatted portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota.

That portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 7 on Page 28, lying southerly and easterly of the Patriot Drive right-of-way, lying southerly and westerly of the Republic Road right-of-way, lying northerly and westerly of Lots 1 and 3 in Block 5 of Summerset, USA, and lying northerly and easterly of Outlot D of Summerset USA, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Remainder of Block 5").

Unplatted Lands:

The unplatted portion of the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 and the NE1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 25, T3N, R6E of the B.H.M., Meade County, South Dakota. All Previously portions of Block 9 of Summerset USA.

The unplatted portion of the SE1/4 of Section 14, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

The unplatted portion of the NE1/4 and the N1/2 of the SE1/4 lying Northeasterly of the Northeasterly right of way line of interstate 90, all of Section 23, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

Dated at Summerset, Meade County, South Dakota, this 17th day of October 2019.

CITY OF SUMMERSET

Bryce Lutz, Mayor

ATTEST:

Debbie Muzio, Finance Officer

Motion by Butler, second by McCoy to approve Resolution 2019-15. A Resolution creating Summerset Tax Increment District #2. Roll call vote. All ayes.

RESOLUTION 2019-16

**CITY OF SUMMERSET
RESOLUTION 2019-16
ANNEXATION RESOLUTION**

WHEREAS, there has been presented to the Board of Commissioners of the City of Summerset, South Dakota, a Petition for Voluntary Annexation of the real property described as:

Lot HG Revised of Shadowland Ranch Subdivision in Tract 6 of the SW ¼ of Section 25 in Township 3 North Range 6 East of the Black Hills Meridian Meade County, South Dakota, as shown by the plat recorded in the office of the Register of Deeds in Plat Book 13 on page 72: and

Lot I of Shadowland Ranch Subdivision in Tract 3 in the NW ¼ of Section 36, in Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, as shown by the Plat recorded in Plat Book 12 on page 4.

WHEREAS, the Petition for Annexation was heard at a duly noticed regular meeting of the Summerset Board of Commissioners on October 17, 2019, and has been signed and presented by Tal Petersen, of 10301 Quaal Road, Black Hawk South Dakota, dated October 17, 2019, and

WHEREAS, the Petition for Annexation pertains to a request to extend the boundaries of the City of Summerset by including the above described real property into the City of Summerset; and

WHEREAS, the City determines and expressly finds that all of the real property subject to the voluntary Petition for Annexation and as reflected in map attached as Exhibit A to be contiguous to the City of Summerset in all respects, and that the annexation of the real property is natural and reasonable, and

WHEREAS, the Petition has been submitted in accordance with SDCL 9-4-1, having been signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed to the municipality, it appearing to the satisfaction of the City of Summerset that Tal and Sheri Petersen are the sole legal owners of the described property; and

THEREFORE, BE IT RESOLVED, that said Petitions for voluntary annexation is hereby approved and adopted in all respects and that the described real estate as identified above and in the map attached as Exhibit A is now within the municipal boundaries of the City of Summerset; and whereas the City desires to inform all relevant authorities and public and private officers of its geographic corporate boundaries, as well as all legal descriptions of real property within said boundaries, the City requests the Meade County Register of Deeds to record the above legal description as within the boundaries of the City of Summerset.

Dated: October 17, 2019.

ATTEST:

Debbie Muzio
Finance Officer

Bryce Lutz
Mayor

Motion by Kitzmiller, second by Hirsch to approve Resolution 2019-16. Resolution approving annexation of Lot HG Revised of Shadowland Ranch Subdivision in Tract 6 of the SW ¼ of Section 25 in Township 3 North Range 6 East of the Black Hills Meridian Meade County, South Dakota, as shown by the plat recorded in the office of the Register of Deeds in Plat Book 13 on page 72: and

Lot I of Shadowland Ranch Subdivision in Tract 3 in the NW ¼ of Section 36, in Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, as shown by the Plat recorded in Plat Book 12 on page 4. Roll call vote, all ayes.

PAYROLL CHANGE

Motion by Kitzmiller, second by Butler to approve new full time Police Officer hire, Colton Juso, within budget at \$19.00/hour.

DISCUSSION ON NORMAN RANCH UTILTIY DEVELOPMENT

Discussion was done on developing the Norman Ranch area and the development of utilities.

UPCOMING EVENTS

Lighting Contest-Details to come
Angel Tree-Details to come
Book Drive-Details to come

CITIZENS INPUT

None

Motion by Kitzmiller, second by McCoy to enter executive session at 6.30 pm. Motion carried.

Motion by Butler, second by Hirsch to reconvene the regular meeting at 6:50 pm. Motion carried.

ADJOURNMENT

Motion for adjournment at 6:50 pm by Hirsch, second McCoy. Motion carried.

(SEAL)

ATTEST:

Debbie Muzio
Finance Officer

Bryce Lutz
Mayor