

**COUNCIL MINUTES
CITY OF PARKER REGULAR MEETING
Monday, March 7, 2022 7:00 p.m.**

The Parker City Council met in regular session on Monday, March 7, 2022 in the council room of City Hall. Members present: Council members: Mayor Nelson, Berens, Harms, Deelstra, Poncelet, Kuchta, and Janzen. Other persons attending: Finance Officer Jans, Mike Jorgensen, Derek Nolan, Eric Meyer, Robert & Alexxis McKenney, Jessi Preheim, Robbi & Audrea Buller and Donna Rumbaugh. Mayor Nelson declared a quorum present and called the meeting to order at 7:00 p.m.

All action in following minutes carried by unanimous vote unless otherwise stated.

22.19 Motion by Harms, seconded by Berens to approve the February 7, 2022 meeting minutes as presented. Motion carried.

22.20 Motion by Kuchta, seconded by Poncelet to approve the March claims as presented, and to include WAPA, Heartland, and East River. List attached. Motion carried. February salaries: General Fund: \$29,556.14. Enterprise Funds: \$12,928.56. TOTAL: \$42,484.70.

Public Comments: Alexxis McKenney was present to discuss traffic at the intersection of Second and Walnut. Mckenney noted there are 22 kids in a 3-block radius. After discussion council decided to have law enforcement patrol the area and revisit next month. Eric Meyer was present to discuss drainage issues at the corner of Sanborn and Cedar.

RESOLUTION 22.03.07-1

A RESOLUTION AMENDING RESOLUTION 14.06 AMENDING SEWER RATES AND TO APPROVE A SURCHARGE APPLICABLE TO USERS OF THE CITY'S WASTEWATER SYSTEM

WHEREAS, The Parker City Council believes that it is necessary and in the best interest of the City of Parker, in order to pay all costs for the operation and maintenance of the sewer system, to amend the rates for the collection and disposal of wastewater provided by the City of Parker; and

WHEREAS, Section 8.0103 of the Parker Municipal Ordinances gives the Parker City Council the authority to revise sewer rates by Resolution of the Parker City Council; and

WHEREAS, the City has determined that it is necessary to make certain modifications and improvements to the City's wastewater system; and

WHEREAS, in order to pay for a portion of the cost of such improvements, including engineering costs, legal and financing costs, and other costs related to the Wastewater Improvement Project (C461026-02), Sanitary Sewer improvements Project (C461026-03), Wastewater Lift Station project (C461026-04), and the Sanitary Sewer Improvement Project (C461026-05), the City Council has determined that it is necessary and advisable to adopt a surcharge pursuant to SDCL 9-40-15 (the "Surcharge") to repay the costs associated with the Project, including but not limited to the pledging of the Surcharge to the South Dakota Conservancy District in order to finance the Project (the "Bonds").

NOW, THEREFORE, BE IT RESOLVED by the Parker City Council that subsection 2 will read as follows:

SECTION 1. The sewer rate structure will be as follows:

1. Residential service shall be set at a minimum charge of \$24.34 per month for those users who use 0-1 units* of water per month or less, plus 75 cents per cubic unit of water used.

Residential service shall be \$29.34 per month for those users who use between 2-10 units* of water per month plus 75 cents per cubic unit of water used.

Residential service shall be \$34.34 per month for those users who use above 10 units* of water per month plus 75 cents per cubic unit of water used.

Commercial service shall be set at a minimum charge of \$26.34 per month for those users who use 0-10 units* of water per month or less plus \$1.75 per cubic unit of water used.

Commercial service shall be \$30.34 per month for those users who use between 11-20 units* of water per month plus \$1.75 per cubic unit of water used.

Commercial service shall be \$34.34 per month for those users who use above 21 units* of water per month plus \$1.75 per cubic unit of water used.

Sewer rates will be established based on water consumption averages for the months of April and October. *A cubic unit is equal to 100 cubic feet.

2. Six dollars (\$6.00) of the minimum monthly fee shall be classified as the Surcharge for the Wastewater Improvement Project (C461026-02). Two dollars and fifteen cents (\$2.15) shall be classified as the Surcharge for the Sanitary Sewer improvements Project (C461026-03). Two dollars and fifty cents (\$2.50) of the minimum monthly fee shall be classified as the Surcharge for the Wastewater Lift Station project (C461026-04). And Four dollars and seventy-five cents (\$4.75) of the monthly fee shall be classified as the Surcharge for the Sanitary Sewer Improvement Project (C461026-05). The Surcharge rates shall be subject to adjustment from time to time by resolution of the City as necessary to repay the Project financing, in accordance with any loan agreements to be entered into the by City of and the State of South Dakota Conservancy District.
3. The revenues collected from the Surcharges shall be segregated from all other funds of the City and shall be pledged to secure the Bonds and shall be used for no purpose other than for repayment. The Bonds shall be payable solely from and secured solely by such segregated revenues, and not form the general revenues of the Wastewater System to make payments on the Bonds, but any moneys so advance shall be repaid from Surcharge collections within one year of the date of such advance.
4. The Surcharges shall automatically expire without the necessity of further action of the city upon retirement or full defeasance of the Bonds.
5. This Resolution is necessary for the immediate preservation of the public peace, health and safety, and support of the municipal government and its existing institutions and shall take effect immediately upon the passage and publication thereof pursuant to SDCL 9-19-13.

SECTION 2. This rate change is effective beginning with the April 1, 2022 bills due April 20, 2022.

Adopted this 7th day of March, 2022.
 Ron Nelson, Mayor
 ATTEST: Adam Jans, Finance Officer
 Publish: March 17, 2022

22.21 Motion by Berens, seconded by Poncelet to approve the proceeding resolution. Motion carried.

RESOLUTION 22.03.07-2

A RESOLUTION AMENDING RESOLUTION 13.01 A RESOLUTION AMENDING CITY WATER RATES AND TO APPROVE A SURCHARGE APPLICABLE TO USERS OF THE CITY'S WATER SYSTEM

WHEREAS, The Parker City Council believes that it is necessary and in the best interest of the City of Parker, in order to pay all costs for the operation and maintenance of the water system, to amend the rates for the sale of water provided by the City of Parker; and

WHEREAS, Section 8.0103 of the Parker Municipal Ordinances gives the Parker City Council the authority to revise water rates by Resolution of the Parker City Council; and

WHEREAS, the City has determined that it is necessary to make certain modifications and improvements to the City's water system; and

WHEREAS, in order to pay for a portion of the cost of such improvements, including engineering costs, legal and financing costs, and other costs related to the Drinking Water Improvement Project (C462026-02), Drinking Water improvement Project (C462026-03), and Drinking Water Improvement project (C462026-04), the City Council has determined that it is necessary and advisable to adopt a surcharge pursuant to SDCL 9-40-15 (the "Surcharge") to repay the costs associated with the Project, including but not limited to the pledging of the Surcharge to the South Dakota Conservancy District in order to finance the Project (the "Bonds").

NOW, THEREFORE, BE IT RESOLVED by the Parker City Council that Section 1; subsection 2, subsection 3, subsection 4, and subsection 5 will be added to read as follows:

SECTION 1. The water rate structure will be as follows:

1. Each resident and commercial customer shall pay a minimum monthly fee of Eighteen dollars (\$18.00) plus Five dollars and forty cents (\$5.40) per cubic unit of water used per month. A cubic unit is equal to 100 cubic feet.
2. Two dollars and fifty-five cents (\$2.55) of the minimum monthly fee shall be classified as the Surcharge for the Drinking Water Improvement Project (C462026-02). One dollar and twenty cents (\$1.20) of the minimum monthly fee shall be classified as the Surcharge for the Drinking Water improvement Project (C462026-03), and Five dollars (\$5.00) of the minimum monthly fee shall be classified as the Surcharge for the Drinking Water Improvement project (C462026-04), The Surcharge rates shall be subject to adjustment from time to time by resolution of the City as necessary to repay the Project financing, in accordance with any loan agreements to be entered into the by City of and the State of South Dakota Conservancy District.
3. The revenues collected from the Surcharges shall be segregated from all other funds of the City and shall be pledged to secure the Bonds and shall be used for no purpose other than for repayment. The Bonds shall be payable solely from and secured solely by such segregated revenues, and not form the general revenues of the Drinking Water System to make payments on the Bonds, but any moneys so advance shall be repaid from Surcharge collections within one year of the date of such advance.
4. The Surcharges shall automatically expire without the necessity of further action of the city upon retirement or full defeasance of the Bonds.
5. This Resolution is necessary for the immediate preservation of the public peace, health and safety, and support of the municipal government and its existing institutions and shall take effect immediately upon the passage and publication thereof pursuant to SDCL 9-19-13.

SECTION 2. This rate change is effective beginning with the April 1, 2022 bills due April 20, 2022.

Adopted this 7th day of March, 2022.
 Ron Nelson, Mayor
 ATTEST: Adam Jans, Finance Officer
 Publish: March 17, 2022

22.22 Motion by Kuchta, seconded by Janzen to approve the preceding resolution. Motion carried.

22.23 Motion by Harms, seconded by Kuchta to transfer Lot 1B of The Meadows, in the SW ¼ 9-99-53, City of Parker, Turner County, South Dakota to the Parker Development Corporation. Motion carried.

Discussion regarding sewer extension on West Sanborn Avenue. General consensus was to table request for sewer extension until a request for annexation has been done.

Department Reports: Deputy Jacobs was present for questions. Mayor Nelson advised Jacobs of issue on Second and Walnut and request to patrol that area harder. Street Superintendent Jorgensen gave council an update of the last snow fall.

22.24 Motion by Harms, seconded by Poncelet to go into Executive Session at 7:37 p.m. for the purpose of discussing personnel, consult with legal counsel, and other matters in accordance to SDCL 1-25-2. Motion carried.

Mayor Nelson declared out of Executive Session at 8:11 p.m.

22.25 Motion by Harms, seconded by to hire a Street Superintendent/Planning and Zoning Administrator, starting wage of \$23.00/hour with \$0.25 increase after six months. Motion carried.

22.26 Motion by Deelstra, seconded by Kuchta to adjourn at 8:15 p.m. Motion carried.

Ron Nelson, Mayor

Adam Jans, Finance Officer