

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

The Parker City Council met in regular session on Monday, November 7, 2022 in the council room of City Hall. Members present: Council members: Harms, RBuller, JBuller, Poncelet, Janzen and Mayor Nolan. Absent: Kuchta. Other persons attending: Finance Officer Jans, Ryan Knutson, Donna Rumbaugh, Audrea Buller, Laura Lukes, Tanya Wickstrom, Stephanie Groeneweg, Sarah Prouty, John Silvernail, and Pat Benny. Mayor Nolan 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.

22.126 Motion by RBuller, seconded by Janzen to approve the October 12, 2022 regular meeting minutes. Motion carried.

22.127 Motion by JBuller, seconded by Harms to approve the November claims as presented except Parker Pharmacy, and to include WAPA, Heartland Energy and East River. List attached. Motion carried. October salaries: General Fund: \$30,067.71. Enterprise Fund: \$13,886.53. Total salaries: \$43,954.24.

22.128 Motion by Harms, seconded by Janzen to approve claim to Parker Pharmacy. Poncelet abstained. Motion carried.

Public Comments: Tanya Wickstrom was present to ask questions regarding the phase 6 and 7 utility improvement project.

22.129 Motion by Harms, seconded by Poncelet to approve the 2023 liquor licenses for Twisted Pines, Jones Food Center, Kelley's Bar and TJ Kerner's. Motion carried.

22.130 Motion by Poncelet, seconded by JBuller to allow Parker High School access to the community building for wrestling practice. Motion carried.

22.131 Motion by Poncelet, seconded by RBuller to allow Parker Youth Wrestling access to the community building for practice. Motion carried.

Pat Benny and Ryan Knutson were present for discussion regarding 5<sup>th</sup> Street and the possibility of paving in the future. Consensus was to dust coat the road until utility improvements are complete.

**RESOLUTION 22.11.07-1**

**A RESOLUTION AMENDING RESOLUTION 22.03.07-1 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 Five dollars and ten cents (\$5.10) 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 by the 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 from the general revenues of the Wastewater System to make payments on the Bonds, but any moneys so advanced 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 December 1, 2022 bills due December 20, 2022.

Adopted this 7<sup>th</sup> day of November, 2022.

Derek Nolan, Mayor

ATTEST: Adam Jans, Finance Officer

Publish: November 17, 2022

22.132 Motion by RBuller, seconded by JBuller to approve the preceding resolution as presented. Motion carried.

#### **RESOLUTION 22.03.07-2**

A RESOLUTION AMENDING RESOLUTION 22.03.07-2 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 (\$5.90) 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 and thirty cents (\$5.30) 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 December 1, 2022 bills due December 20, 2022.

Adopted this 7<sup>th</sup> day of November, 2022.

Derek Nolan, Mayor

ATTEST: Adam Jans, Finance Officer

Publish: November 17, 2022

22.133 Motion by Harms, seconded by Janzen to approve the preceding resolution as presented. Motion carried.

Discussion regarding City Hall hours.

22.134 Motion by Poncelet, seconded by Janzen effective January 1, 2023 City Hall hours shall change to Monday-Thursday 7:30 a.m. to 5:00 p.m. and Friday 7:30 a.m. to 12:00 p.m. Motion carried.

22.135 Motion by Poncelet, seconded by JBuller to approve the amended engineering agreement for the phase 6 and 7 utility improvement project. Motion carried.

Council Concerns: JBuller questioned nuisance property. Poncelet addressed vehicles parking on the sidewalk. Janzen questioned the Ferrellgas property. RBuller asked for an update regarding the last dog attack.

Department Reports: Deputy O'Connor and Deputy Perez were available for questions. Street Superintendent Hertel was available for questions and gave monthly update. a sidewalk issue on east 3<sup>rd</sup> Street. Finance Officer Jans gave monthly update.

22.136 Motion by RBuller, seconded by JBuller to adjourn at 8:18 p.m. Motion carried.

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Derek Nolan, Mayor

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Adam Jans, Finance Officer