

City of Watertown

Proposed City Council Agenda

City Hall, 23 2ND ST NE

Watertown, South Dakota

July 15, 2024, 5:30 PM



Page

1. CALL TO ORDER

2. PRAYER

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. ACTION TO APPROVE THE AGENDA

6. OPEN FORUM

7. CONSENT AGENDA

- (a) Approval of the minutes of the Council meeting held on July 1st, 2024. 3 - 7
[City Council - Jul 01 2024 - Minutes](#)
- (b) Authorization to Renew the Westlaw Subscription for the City Attorney's Office 8 - 12
[Westlaw Subscription](#)
- (c) Application for a Weekly Seasonal Event Retail On-Sale License to Watertown Mavericks d/b/a Maverick's Steak and Cocktails for Thursday Night Live, 225 E Kemp, Downtown Plaza and that portion of Kemp Ave adjacent to Downtown Plaza for Thursday, July 25, 2024 from 5:30 PM to 9:30 PM and Thursday, August 8, 2024 from 5:30 PM to 9:30 PM. 13 - 17
[Maverick's - Thursday Night Live](#)

8. PRESENTATIONS & REPORTS

9. CONTRACTS & CHANGE ORDERS

10. ORDINANCE FIRST READINGS

- (a) First Reading of Ordinance No. 24-10, Zoning Text Amendment to Chapter 21.90 Definitions of the Revised Ordinances of the City of Watertown to define the use of "Storage Facility, Indoor" 18 - 22
[Ordinance No. 24-10](#)

11. PUBLIC HEARINGS & SECOND READINGS

- (a) Approval of Resolution No. 24-16, Necessity for Sidewalk, Curb and Gutter, and Asphalt Surfacing Improvements for 315 Kemp Avenue East. 23 - 25
 - 1. Public Hearing
 - 2. Council Action

[Resolution No. 24-16](#)

- (b) Second Reading of Ordinance No. 24-11, authorizing Down Payments to Vendors on Contracts with the City of Watertown.

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[Ordinance No. 24-11](#)

- 12. OTHER BUSINESS**
- 13. CITY COUNCIL MEMBER ANNOUNCEMENTS AND INTRODUCTION OF TOPICS FOR FUTURE DISCUSSION**
- 14. CITY MANAGER REPORT**
- 15. EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2**
- 16. ADJOURNMENT**

Kristen Bobzien
Chief Financial Officer

The City of Watertown, South Dakota does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. ADA Compliance:

The City of Watertown fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Finance Office 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

Watertown
City Council Meeting Minutes
July 1, 2024

The City Council met in regular session at 5:30 PM in the City Hall Council Chambers, 23 2ND ST NE. Mayor Ried Holien presiding.

Present upon roll call: Alderperson Peters, Schutte, Tupper, Buhler, Danforth, Jurrens and Mayor Holien.

Motion by Buhler, seconded by Danforth, to approve the agenda as presented. Items approved as part of the consent agenda: minutes of the Council meeting held on June 17th, 2024; Mayor's appointment of Chris Carter (term until 2028) and Mike Luken (term until 2029) to the Watertown Municipal Utilities Board; volunteer list for the Police Department Camp Chance that is held in July for Work Comp; declaration of miscellaneous office supplies as surplus property and authorization to dispose as junk; authorization for the Police Department to declare Camp Chance trailer as surplus and trade in at Advantage RV's & Trailers; authorization for the City Manager, Police Chief, and Finance Officer to sign amended 911 service contracts for 2023 - 2024 with Clark County, Codington County, Day County, Deuel County, Grant County, and Hamlin County; application for a Special Retail On-Sale License to the City of Watertown d/b/a Cattail Crossing Golf Course for the Dakota Tour PRO-AM Golf Tournament at Cattail Crossing Golf Course, 351 S. Lake Drive, from 12:00 PM on Thursday, July 25, 2024 until 3:00 PM on Sunday, July 28, 2024; application for a Special Event Retail On-Sale License to Cloud 9 Golf Course, Inc. d/b/a Cloud 9 Golf Course for a private wedding at 1014 33rd Street SW, Lot 2B Lot 2A & 2B Blk 1 Isabella 1st Addition, from 3:00 PM on Saturday, July 13th, 2024 until 1:00 AM on Sunday, July 14th, 2024; authorization for the City Manager to sign a Prairie Lakes Wellness Center Sponsorship Renewal Agreement with Clarity Telecom, LLC dba Bluepeak; approval of a bid award for one CAT 930 front-end wheel loader and accessories via a Sourcewell bid to Butler CAT, and approval of a Lease Financing Agreement with Tax-Exempt Leasing Corporation for a seven-year term, in the annual amount of \$53,504.90, totaling \$374,534.30, and authorizing the City Manager to execute all required lease documents and issuing a special check for the lease payment; approval of a Bid Award for the 2024 Event Center HVAC, Project No. 2404, to Active Heating in the amount of \$148,000.00; approval of bills and payroll and authorization to pay. Motion Carried.

BILLS:

1889 MEAT CO	SUPPLIES	2,268.00	LAKE AREA ZOOLOGICAL SOCIETY	REIMB	16,213.60
81 KWIK STOP	SUPPLIES	657.00	LANGUAGE LINE SERVICES, INC.	SERVICE	175.70
A & B BUSINESS SOLUTIONS, INC.	SERVICE	499.22	LATC/CORP ED	SERVICE	2,750.00
ABERDEEN REGIONAL AIRPORT	TRAINING	225.00	LEARNING OPPORTUNITIES, INC.	SUPPLIES	486.02
ADVANCED ENGINEERING & ENVIRONMENTAL SERVICES INC	SERVICE	3,693.50	LES MILLS US TRADING, INC.	DUES	688.00
ADVANTAGE RV'S & TRAILERS INC.	EQUIP	3,600.00	LES SCHWAB TIRE CENTERS	SERVICE	1,390.34
AGWRX COOPERATIVE - WATERTOWN MAIN	SUPPLIES	1,372.02	LEVI PEARSON	REIMB	5,190.35
AMAZON CAPITAL SERVICES	SUPPLIES	3,245.31	LOCATORS & SUPPLIES, INC.	SUPPLIES	341.90
AMERICAN ENGINEERING TESTING, INC.	SUPPLIES	7,560.25	LUKE ANDERSEN	SERVICE	600.00
AMERICAN LEGION STATE HQ – EMBLEM SUPPLIES	SUPPLIES	110.00	LUKE BAUMBERGER	SERVICE	400.00
AMERICAN RED CROSS - TRAINING SERVICES	TRAINING	1,028.00	M & M DISTRUTION, LLC	SUPPLIES	750.00
AMERICAN TRUST INS., LLC	SERVICE	50.00	MACK CONCRETE & HAULING LLC	CONSTR	66,958.50
ANDOR INC.	SERVICE	19,148.33	MACKSTEEL WAREHOUSE INC.	SUPPLIES	378.19
A-OX WELDING CO, INC.	RENT	141.95	MAC'S INC.	SUPPLIES	891.66
AQUA-TERRA CANADA INC.	SUPPLIES	12,142.00	MAHOWALD LAWN CARE, LLC	SERVICE	2,040.00
ASPHALT PRESERVATION COMPANY, INC	CONSTR	535,291.90	MARCO TECHNOLOGIES, LLC	SERVICE	44.71
ASSOCIATED SUPPLY COMPANY	SUPPLIES	75.28	MARSH & MCLENNAN AGENCY LLC	DUES	3,405.00
AT ANALYTICAL	SERVICE	480.00	MATHESON TRI-GAS, INC.	SUPPLIES	427.02
AT&T MOBILITY	SERVICE	1,548.13	MATT PAULSON	SERVICE	570.00
AUTO VALUE WATERTOWN	PARTS	1,563.61	MCKEEVER, INC.	SUPPLIES	5,387.29
AVERA HOME MEDICAL EQUIPMENT	SUPPLIES	96.00	MENARD'S	SUPPLIES	8,155.79

Agenda Item 7.(a) Approval of the minutes of the Council meeting held on...

AVERY MUNGER	SERVICE	100.00	MICRO MARKETING ASSOCIATE	SUPPLIES	454.39
BAKER & TAYLOR	SUPPLIES	4,745.10	MIDCONTINENT COMMUNICATIONS	SERVICE	148.39
BATTERIES UNLIMITED, INC.	SUPPLIES	339.99	MIDWEST MEDICAL SERVICES	SUPPLIES	137.50
BC AG INC.	SUPPLIES	2,482.50	MIDWEST TAPE	SUPPLIES	74.22
BECKY SPROUSE	MILEAGE	94.68	MIDWEST TURF & IRRIGATION	SUPPLIES	1,772.22
BELSON OUTDOORS, INC.	SUPPLIES	1,938.00	MIDWEST VETERINARY SERVICE	SERVICE	50.92
BLUEPEAK	SERVICE	8,008.54	MILLBORN SEEDS INC.	SUPPLIES	7,560.00
BMI	SERVICE	391.50	MINI MELTS OF AMERICA, INC	SUPPLIES	3,136.00
BORNS GROUP	POSTAGE	1,900.00	MOLLY BARARI	SERVICE	50.00
BOULDER BIBS	SUPPLIES	66.61	MUNICIPAL UTILITIES	SERVICE	180,558.97
BOUND TREE MEDICAL LLC	SUPPLIES	5,386.99	MUTH ELECTRIC, INC.	SERVICE	5,281.73
BOW WOW PET WASTE INC.	SUPPLIES	455.92	NANCY BENTHIN	REIMB	740.00
BOWES CONSTRUCTION, INC.	CONSTR	1,378.30	NAPA CENTRAL	PARTS	709.67
BRAD GAUER	SERVICE	510.00	NATHAN BJERKE	REIMB	581.34
BRADY JORDAN	SERVICE	450.00	NB GOLF, LLC	SERVICE	1,179.49
BRANDI HANTEN	REIMB	255.00	NINJA CROSS SYSTEMS	SUPPLIES	27,697.50
BRIAN'S GLASS INC.	SUPPLIES	392.72	NORTH CENTRAL LABORATORIES	SUPPLIES	1,845.23
BROTHERHOOD ARMS	SUPPLIES	1,200.00	NORTHERN PLAINS SEAMLESS INC	SUPPLIES	408.16
BRUCE KLEINSASSER	TRAINING	1,250.00	NORTHERN TRUCK EQUIPMENT CORP	PARTS	5,858.46
BRYAN GAIKOWSKI	SERVICE	450.00	NSI LAB SOLUTIONS INCORPORATED	SUPPLIES	90.00
BUILDERS SUPPLY COMPANY	SUPPLIES	17.10	NYBERG'S ACE HARDWARE, INC.	SUPPLIES	100.68
BULLET SPORTSWEAR AND GRAPHICS	SUPPLIES	8,824.25	OFFICE PEEPS, INC.	SUPPLIES	2,568.88
BUREAU OF ADMINISTRATION	SERVICE	10.41	OLD DUTCH FOODS, INC.	SUPPLIES	417.60
BUTLER MACHINERY CO INC.	SERVICE	13,585.77	ONE SOURCE FITNESS	SERVICE	70.00
C&R FIRE SUPPRESSION	SERVICE	5,200.00	O'REILLY AUTO PARTS	PARTS	62.41
CALAMP WIRELESS NETWORKS CORPORATION	PARTS	744.28	OVERHEAD DOOR CO INC.	SERVICE	435.46
CAMPSPOT	SERVICE	879.20	PAMELA R. KANNAS	SERVICE	41.00
CAPITAL CONSTRUCTION LLC	SERVICE	3,673.47	PARK & PLAY USA, LLC	SUPPLIES	1,791.00
CARRICO LAW PROF. LLC	SERVICE	10,500.00	PATRICK SHANE JORDAN	SERVICE	275.00
CARTNEY BEARING CORPORATION	SUPPLIES	67.60	PAYTON WELBORG	SERVICE	280.00
CASHWAY LUMBER INC.	SUPPLIES	123.15	PENTAIR AQUATIC ECO-SYSTEMS	SUPPLIES	83.67
CASTLEROCK CONSTRUCTION AND CONCRETE INC.	CONSTR	72,128.70	PENWORTHY COMPANY	SUPPLIES	105.85
CENGAGE LEARNING	SUPPLIES	186.34	PERFORMANCE TOWING	SERVICE	1,078.75
CENTURY BUSINESS PRODUCTS, INC	SERVICE	506.65	PERMA-BOUND	SUPPLIES	108.08
CENTURYLINK	SERVICE	173.51	PETERBILT OF FARGO	SERVICE	3,030.54
CHAD KOISTINEN	REIMB	35.00	PHIL BAKER MUSIC	SERVICE	500.00
CHAMPION LIGHTING & SUPPLY	SUPPLIES	621.68	PICKLEBALL INC.	SUPPLIES	195.97
CHELSEA CASHMAN	REFUND	100.00	PIETZ PROPERTIES	RENT	630.00
CINTAS CORPORATION NO. 2	SERVICE	56.29	PIZZA RANCH	SUPPLIES	672.51
CIVIL DESIGN, INC.	CONSTR	19,825.00	PLAISTED COMPANIES	SUPPLIES	5,200.21
CLARKE MOSQUITO CONTROL PRODUCTS, INC	SUPPLIES	607.61	POLICE PETTY CASH FUND	CASH	125.40
CLIFF KRIESE	REIMB	35.00	POMP'S TIRE SERVICE, INC.	SERVICE	204.40
CLUB CADDIE HOLDINGS INC.	SOFTWARE	6,600.00	POPHAM CONSTRUCTION, LLC	SERVICE	2,200.00
COCA COLA BOTTLING COMPANY	SUPPLIES	2,858.30	PORTER DISTRIBUTING CO.	SUPPLIES	3,184.65
CODINGTON CLARK ELECTRIC COOPERATIVE, INC.	SERVICE	647.55	POSTMASTER	SERVICE	1,046.00
CODINGTON CO REGISTER OF DEEDS	SERVICE	97.00	PRAIRIE LAKES HEALTHCARE	SUPPLIES	422.00
COLE BRENDEN	SERVICE	540.00	PRAIRIE LAKES HEALTHCARE	TRAINING	510.00
COLOR BLAZE SUPPLY LLC	SUPPLIES	1,074.06	PREMIER SPECIALTY VEHICLES, INC	EQUIP	211,104.16
COMMERCIAL CLEANING SERVICES INC	SERVICE	8,775.00	PRINT EM NOW	SUPPLIES	1,378.50
CONNECTING POINT, INC.	SUPPLIES	49,214.77	PRODUCTIVITY PLUS ACCOUNT	SERVICE	11,915.21
CONNECTIONS INC EAP	SERVICE	677.97	QUALITY FLOW SYSTEMS INC.	SUPPLIES	436.02
CORE & MAIN LP	SUPPLIES	6,185.48	QUESTIONS & SOLUTIONS ENGINEERING	CONSTR	29,467.00
COUNTRY ROAD BARN	SUPPLIES	256.00	R.N.O.W., INC	SUPPLIES	1,438.81
COUNTY FAIR FOODS	SUPPLIES	457.06	RANGE SERVANT AMERICA, INC.	SUPPLIES	1,351.00
COWBOY COUNTRY STORE	SUPPLIES	15.96	RC FIRST AID	SUPPLIES	22.50
CREATIVE CONCEPTS, INC.	SUPPLIES	297.30	RC TECHNOLOGIES, INC	SERVICE	78.20
CREATIVE REWARDS & SPECIALTIES	SUPPLIES	30.00	RDO EQUIPMENT CO.	SERVICE	1,798.85
CREATIVE VISIONS LANDSCAPE & DESIGN, INC.	SERVICE	420.00	REDLINGER BROS INC.	SERVICE	193.88
CRITTER MART & MORE	SUPPLIES	12.99	REID PETERSON	TRAVEL	89.36
CROUCH RECREATIONAL DESIGN, INC	SUPPLIES	9,000.00	REILLY REPAIR INC.	SERVICE	569.66
CULLIGAN	SERVICE	1,007.25	RICE LAKE	CONSTR	389,182.66
CUSTOM TRUCK ONE SOURCE LP	PARTS	608.04	RJM CONSTRUCTION, LLC	CONSTR	342,569.81
DAKOTA BUTCHER	SUPPLIES	473.35	RMA ARMAMENT, INC.	SUPPLIES	2,240.04
DAKOTA CUSTOM TURF, LLC	SUPPLIES	784.00	ROGUE FITNESS	SUPPLIES	1,432.66
DAKOTA PORTABLE TOILETS, INC.	RENT	2,065.00	RON'S SAW SHOP	PARTS	2,821.73
DAKOTA POTTERS SUPPLY, LLC	SUPPLIES	440.70	ROY'S SPORT SHOP INC.	SUPPLIES	1,619.45
DAKOTA PUMP & CONTROL, INC.	SERVICE	732.66	RRR HVAC RESCUE LLC	SERVICE	645.00
DAKOTA SUPPLY GROUP	SUPPLIES	442.67	RUNNINGS FARM AND FLEET	SUPPLIES	5,569.32
DALTON BAUMBERGER	SERVICE	675.00	RYAN BEAUCHAMP	TRAVEL	54.00
DANR - FISCAL OFFICE	PERMIT	277.00	SAFETY VISION	SUPPLIES	1,298.91
DARWIN DAME	REIMB	317.00	SAME DAY EXPRESS, INC.	SERVICE	280.00
DEHUMIDIFIED AIR SOLUTIONS INC.	SERVICE	6,080.00	SANFORD HLTH OCCUPATIONAL MEDICINE	SERVICE	283.00
DELL MARKETING L P	SUPPLIES	205.06	SANFORD USD MEDICAL CENTER	SERVICE	1,200.00
DEMCO, INC.	SUPPLIES	1,601.45	SANITATION PRODUCTS INC.	SUPPLIES	1,930.00
DEPENDABLE SANITATION INC.	SERVICE	4,181.66	SARAH OVERVAAG	TRAVEL	164.65

Agenda Item 7.(a) Approval of the minutes of the Council meeting held on...

DEREK LANDEEN	REIMB	224.00	SCHERBENSKE AUTO REPAIR, INC.	SERVICE	1,831.60
DIAMOND VOGEL, INC	SUPPLIES	318.11	SCHNEIDER ELECTRIC	SERVICE	122.45
DK DIESEL INJECTION SERVICE, INC	SERVICE	828.91	SD DEPT OF HEALTH	TESTS	70.00
DON ROWLAND	REIMB	181.57	SD DEPT OF TRANSPORTATION	INSPECTIONS	3.56
DONALD ZUBKE	REIMB	1,000.00	SD PUBLIC ASSURANCE ALLIANCE	SERVICE	1,958.96
DOUG RUESINK	SERVICE	240.00	SD SECRETARY OF STATE	DUES	30.00
DUGAN SALES & SERVICE INC.	EQUIP	1,453.95	SDN COMMUNICATIONS	SERVICE	766.99
DUININCK, INC	CONSTR	1,253,445.53	SHERWIN WILLIAMS	SUPPLIES	6,612.90
EASTSIDE EQUIPMENT LLC	PARTS	594.89	SHIRTS IN THE WORKS INC	SUPPLIES	292.65
EBSO INFORMATION SERVICES	SUPPLIES	1.66	SIGN PRO	SUPPLIES	2,801.00
ELECTRIC CONSTRUCTION COMPANY	CONSTR	4,877.56	SIGN SOLUTIONS USA, LLC	SUPPLIES	243.40
ELECTRIC MOTORS & MOORE INC.	SUPPLIES	396.00	SIOUX RURAL WATER SYSTEM	SERVICE	87.90
ELKS LODGE	SERVICE	1,280.00	SIOUX VALLEY COOP	SUPPLIES	59,180.18
ELLWEIN BROTHERS, INC.	SUPPLIES	6,184.30	SIOUX VALLEY GREENHOUSE	SUPPLIES	1,315.50
EMS MANAGEMENT & CONSULTANTS, INC	SERVICE	2,680.00	SITEONE LANDSCAPE SUPPLY, LLC	SUPPLIES	10,319.21
ENERGY LABORATORIES, INC.	SUPPLIES	1,033.00	SNYDER INDUSTRIES, INC.	SUPPLIES	16,100.58
ENGELSTAD ELECTRIC	SERVICE	1,316.84	STAN HOUSTON EQUIPMENT INC.	RENT	1,258.85
FARMERS IMPLEMENT & IRRIGATION	PARTS	1,049.18	STAR LAUNDRY & CLEANERS, INC.	SERVICE	881.75
FAST THREADS INC	SUPPLIES	436.76	STEIN'S INC.	SUPPLIES	146.93
FASTENAL COMPANY	SUPPLIES	673.09	STEVE'S WORLD INC.	SERVICE	8,113.98
FEDERAL EXPRESS CORPORATION	SERVICE	47.57	STREICHER'S INC.	SUPPLIES	2,610.00
FELD FIRE	SUPPLIES	8,946.00	STROMSETH DIRT WORKS LLC	SERVICE	356.00
FERGUSON WATERWORKS #2516	SUPPLIES	2,998.98	STUART C. IRBY CO.	SUPPLIES	151.67
FIRST NATIONAL BANK OMAHA	SUPPLIES	12,059.69	SUPERIOR TECH PRODUCTS	SERVICE	3,852.50
FISHER SCIENTIFIC	SUPPLIES	46.90	SUTTON LAWN & SNOW LLC	SERVICE	1,476.00
FLEETPRIDE, INC	PARTS	192.98	TECH SALES CO.	PARTS	498.50
FORESTRY SUPPLIERS, INC.	SUPPLIES	177.25	TED AARESTAD	REFUND	38.00
GAGE ARNOLD	SERVICE	91.00	TEGRA GROUP, INC.	SERVICE	29,892.20
GALL'S INC.	SUPPLIES	1,272.60	TELEDYNE INSTRUMENTS, INC.	SUPPLIES	715.00
GANNETT MEDIA CORP	SERVICE	1,927.29	TERRY DUFFY	SERVICE	150.00
GARY WECKWERTH	SERVICE	5,000.00	THE LIBRARY STORE, INC.	SUPPLIES	259.36
GAST SALES, INC	SUPPLIES	1,409.00	THE ORIGINAL MARKETING GROUP	SERVICE	626.83
GATEKEEPER SYSTEMS, INC.	SOFTWARE	4,680.00	THE TESSMAN COMPANY	SUPPLIES	1,800.00
GCSAA	DUES	465.00	THOMSON REUTERS - WEST	DUES	953.18
GLASS PRODUCTS INC.	SERVICE	657.39	TIMOTHY & DIANE LARSON	REIMB	152.00
GOPHER	SUPPLIES	2,221.83	TODAY'S BUSINESS SOLUTIONS, INC.	SERVICE	2,168.76
GRACE OPDAHL	SERVICE	300.00	TRAFFIC CONTROL CORPORATION	PARTS	104.00
GRACIE HAUG	SERVICE	442.00	TRANSOURCE TRUCK & EQUIPMENT, INC.	SERVICE	3,695.61
GRAINGER	SUPPLIES	954.96	TRANSUNION RISK AND ALTERNATIVE	SERVICE	75.00
GREGG DESPIEGLER	SERVICE	660.00	TRAV'S OUTFITTER, INC.	SUPPLIES	1,501.00
GUARDIAN ALLIANCE TECHNOLOGIES, INC.	SERVICE	204.00	TREE FARM	SUPPLIES	3,299.75
HANCOCK TRAP CO. LLC	SUPPLIES	97.60	TROY KNEELAND	SERVICE	800.00
HAWKINS INC.	SUPPLIES	4,323.25	TRUCK CENTERS COMPANIES EAST LLC	PARTS	105.70
HDR ENGINEERING INC.	CONSTR	167,665.13	TSP, INC.	CONSTR	8,069.21
HEFTY SEED COMPANY	SUPPLIES	2,453.36	TWIN CITY HOSE, LLC	SUPPLIES	205.99
HELMS & ASSOCIATES	CONSTR	22,854.98	TWO WAY SOLUTIONS, INC.	SERVICE	1,322.81
HILLYARD / SIOUX FALLS	SUPPLIES	3,798.02	TYLER TECHNOLOGIES, INC.	SERVICE	1,522.50
HOBBY LOBBY STORES, INC.	SUPPLIES	40.72	ULINE	SUPPLIES	263.64
HOWARD VETERINARY CLINIC	SERVICE	20.00	UPS STORE	SHIPPING	54.49
HUFF CONSTRUCTION, INC	CONSTR	109,070.08	US BANK NATIONAL ASSOCIATION	LEASE	80.00
HUGHEY AND PHILLIPS LLC	SUPPLIES	139.06	US BANK ST PAUL	DEBT	600.00
HY VEE FOOD STORE	SUPPLIES	1,057.96	US FOODS - SIOUX FALLS	SUPPLIES	17,819.92
IMAGE TREND, INC.	DUES	11,343.50	USA BLUE BOOK	SUPPLIES	92.95
INFORMA PRINCETON LLC	SERVICE	9,600.00	VALVOLINE INSTANT OIL CHANGE - WTN	SERVICE	62.87
INFOUSA MARKETING, INC.	SUPPLIES	402.00	VEOLIA ES TECHNICAL SOLUTIONS, LLC	SERVICE	17,313.32
INNOVATIVE TIMING SYSTEMS, LLC	SUPPLIES	25,293.00	VERIZON WIRELESS	SERVICE	658.35
ITC, INC	SERVICE	623.07	VESTIS SERVICES, LLC	SERVICE	78.27
J & B SCREEN PRINTING INC.	SUPPLIES	217.50	WAL-MART	SUPPLIES	747.40
J & J EARTHWORKS, INC.	CONSTR	25,000.00	WARNE PLUMBING & HEATING	SERVICE	357.14
J H LARSON ELECTRICAL CO.	SUPPLIES	538.49	WATERTOWN BOYS AND GIRLS	SUBSIDY	17,485.43
JAMES BENNING	SERVICE	480.00	WTN BUSINESS DISTRICT IMPROVEMENT	SUBSIDY	23,611.50
JCL - SIOUX FALLS BRANCH	SUPPLIES	207.07	WTN CONVENTION & VISITORS BUREAU	SUBSIDY	29,000.00
JEFFERSON LINES	SERVICE	165.00	WTN CONVENTION & VISITOR'S BUREAU	TICKETS	80.00
JOHN DEERE FINANCIAL	SERVICE	2,961.99	WATERTOWN FORD	PARTS	2,545.24
JOHN GILMAN	REIMB	1,040.00	WTN LAWN & GARDEN & SMALL ENGINE REPAIR INC	SUPPLIES	223.50
JOSIE ANDERSEN	SERVICE	403.00	WATERTOWN MUNICIPAL BAND	SUBSIDY	6,187.50
JUSTIN LAWN & TREE SERVICE, INC.	SERVICE	1,050.00	WATERTOWN OPTIMIST CLUB	SERVICE	1,500.00
KAITLYN GUBRUD	SERVICE	468.00	WATERTOWN TRUCK & TRAILER INC	SERVICE	2,931.86
KAPLAN FELBERG	SERVICE	625.00	WATERTOWN WHOLESALE	SUPPLIES	1,232.75
KARL EMERGENCY VEHICLES	EQUIP	17,608.59	WELLS FARGO FINANCIAL LEASING, INC.	LEASE	7,454.00
KATHY ANTOINE	TRAINING	700.00	WEST RIVER BEVERAGE, INC.	SUPPLIES	972.00
KIBBLE EQUIPMENT	PARTS	424.22	WILDLIFE CONTROL SUPPLIES	SUPPLIES	404.02
KIXX	ADV	500.00	WINSUPPLY OF WATERTOWN	SUPPLIES	31.00
KPHR	ADV	240.00	WW TIRE SERVICE INC.	SERVICE	1,077.00

Agenda Item 7.(a) Approval of the minutes of the Council meeting held on...

KXLG	ADV	550.00	YEAGER DIESEL	SERVICE	754.47
KYLE HOLLENBECK	TRAVEL	204.00	YOUNG'S PRIMETIME PRINTING	SUPPLIES	66.00
L MARQUARDT ELECTRIC INC.	SERVICE	3,413.02	ZIMCO SUPPLY CO.	SUPPLIES	2,009.00
LAKE AREA / BIT	SERVICE	188.13			

PAYROLL:

	Sal	SS	Pen	Ins		Sal	SS	Pen	Ins
Mayor/CC	10,304.10	611.81	-	-	Mosquito	1,004.00	76.81	-	-
City Manager	25,592.37	1,834.16	1,528.34	4,124.55	Animal Cntrl	9,811.80	716.66	583.91	1,765.12
Human Resources	14,770.18	1,064.28	881.41	2,308.03	Forestry	25,693.65	1,880.15	1,322.48	3,951.79
Finance	31,759.99	2,293.97	1,900.80	4,665.57	Library	42,176.23	3,046.35	2,366.45	9,142.67
Info Tech	24,980.60	1,840.68	1,489.24	3,657.69	Comm Develop	24,106.27	1,739.90	1,436.77	3,399.62
Engineer	37,741.95	2,791.36	1,619.47	3,973.24	Park & Rec.	280,817.99	20,982.45	10,798.95	27,510.98
Police	276,975.64	20,316.36	21,570.99	37,840.81	PLWC	70,896.32	5,416.17	2,419.64	6,382.48
Fire	274,287.12	4,002.92	21,447.32	44,650.90	E-911	55,776.24	4,065.80	3,344.17	9,122.58
Pulic Works	19842.34	1471.43	1185.74	1620.91	Sewer	79,176.08	5,803.32	4,740.98	11,841.21
Street	78,857.44	5,723.83	4,330.60	13,229.88	Landfill	89,003.19	6,337.44	5,332.98	19,173.43
Cemetery	16,711.72	1,239.84	671.20	1,765.12	Airport	29,825.37	2,180.19	1,784.73	4,797.49
Add'l 8.00 Long	T. Barthel, R. Kinnunen & K. Lingen (Police), D. Traufler (Fire), J. Weeks (Cemetery), J. Volkart (Library), A. Struwe (P&R), K. Konrad & O. Wulff (Zoo)								
Add'l 8.00 Long	J. Hemiller (PLWC), N. Geist (Parks), T. Kaasa (Airport) New Hire Police K. Jacobson (5,052.67/mo/40.00/mo cell) New Hire WWTP T. Block (4,279.60/mo)								
New Hire E911	K. Steiner (4,075.07/mo) New Hire Street S. Knopf & J. LaFramboise (17.00/hr) New Hire Mosquito D. Ulmer (16.00/hr) New Hire Zoo A. Lickei (11.25/hr)								
New Hire Zoo	S. Springer, C. Woodward & B. Leddy (13.00/hr) New Hire Cemetery B. Thompson (12.50/hr), J. Engelbrecht (13.00/hr) New Hire P&R P. Meek (12.00/hr)								
New Hire P&R	T. Lawrence, L. Kettwig, C. Kannas, D. Hartman, J. Elshere, M. Carter, P. Boydston, K. Bender, H. Bastian, L. Paulson, C. Paszek, B. Peterson (12.00/hr)								
New Hire P&R	E. Redfield, D. Selchert, B. Stark, A. Stromseth, K. Swenson & T. Tipton (12.00/hr) M. Grimsrud, E. Hendricks & M. Hendricks (12.75/hr)								
New Hire P&R	A. Abraham (14.50/hr/20.00/game) New Hire Golf L. Keller, B. Johnson, K. Russell & S. Lechner (12.00/hr) P. Barrios & E. Schlimgen (17.00/hr)								
New Hire Golf	A. Clyaburn (16.00/hr) New Hire Parks C. Christianson & J. Maag (13.00/hr), P. Schmidt (13.50/hr), B. Moeller & J. Miklos (15.00/hr)								
New Hire PLWC	C. Knippling (12.00/hr), E. Bluel (12.50/hr), B. Johnson & T. Wittenberg (13.00/hr), E. Spilde (16.00/hr), O. Owens (17.50/hr), H. Gaffaney (18.00/hr)								
New Hire Pool	E. Peterson & A. Kruger (12.50/hr), N. Akin, A. Bruemmer, P. Engels, M. Fostvedt, M. Kannas, M. Perez-Ramos, S. Stanton (14.00/hr) J. Lloyd (15.00/hr)								
New Hire Pool	E. Broek, H. Hendricks, K. Leadabrand, G. List, A. Schulz, K. Stiefl, E. Swiden (15.00/hr) M. Wente & R. Robles Torres (15.50/hr) E. Brist (16.00/hr)								
New Hire Pool	V. Roebke (16.50/hr) Salary Inc WWTP B. Miles (6,460.13/mo), D. Dame (5,477.33/mo), R. Jennen (5,928.00/mo), C. Peterson (4,582.93/mo)								
Salary Inc WWTP	C. Jensen, J. Eccles & W. Mills (4,279.60/mo) Salary Inc Laboratory K. Steiner & A. Davis (4,492.80/mo) Salary Inc Street J. Rethke (4,811.73/mo)								
Salary Inc Supervision	D. Rodiek (1,000/mo) Salary Inc Ambulance J. Roth & C. Rieffenberger (20.00/hr) Salary Inc Golf J. Engels (15.25/hr), M. Bawdon (15.00/hr)								
Salary Inc Golf	M. Thury (14.75/hr), J. Lenox (13.75/hr), S. Pearson (13.50/hr), C. Lenox (12.75/hr) Salary Inc PLWC A. Schulz, K. Stiefl, G. List, E. Swiden (15.00/hr)								
Salary Inc PLWC	M. Wente & R. Robles Torres (15.50/hr), C. Langerock (16.00/hr), V. Roebke (16.50/hr) Salary Inc P&R C. Hansen (12.00/hr), C. Thompson (12.25/hr)								
Salary Inc Parks	K. Karst (13.00/hr), A. Kahre (16.00/hr) Salary Inc Pool L. Haslem, S. Sparks & K. Woods (13.00/hr), E. Dornbusch, K. Saxton & K. Woods (14.50/hr)								
Salary Inc Pool	B. Hlavacek (14.00/hr), C. Pike (15.00/hr), P. Walter, S. Rieffenberger, A. Walter, K. Carter, M. Dornbusch, E. Kranz, L. Peterson & L. Grund (15.50/hr)								
Salary Inc Pool	H. Landmark (15.50/hr), J. Haslem, C. Miller, G. Muller, E. Stark, A. Torgerson, M. A. Schmeling & E. Spilde (16.00/hr) B. Le, E. Miller, H. Gast (16.50/hr)								
Salary Inc Pool	S. Foust, D. Greenman & E. Jensen (16.50/hr), R. Warne, A. Morin, K. Brownlee, M. Cyrus & M. Kangas (17.00/hr), I. Peterson & K. Schulte (17.50/hr)								
Salary Inc Pool	O. Owens & K. Buechler (17.50/hr), E. Tisher & A. Dettmann (18.00/hr), M. Falak (18.50/hr), C. Rieffenberger (21.25/hr), S. Kranz (21.75/hr)								

Mayor Holien called for Open Forum. No comments.

Mayor Holien provided the State of the City Address. No action taken.

Randy Tupper was nominated as Deputy Mayor by Alderperson Schutte. Michael Danforth was nominated as Deputy Mayor by Alderperson Buhler. Hearting no further nominations, Randy Tupper was elected as Deputy Mayor. Motion Carried.

Motion by Schutte, seconded by Peters, to approve a Bid Award for the 2024 Golf Course Improvements, Project No. 2420, to Mack Landscaping in the amount of \$206,927.00. Jesse Nygard of Creative Visions Landscape and Design addressed the Council in regards to the Bid Award. Motion Carried.

Agenda Item 7.(a) Approval of the minutes of the Council meeting held on...

Ordinance No. 24-11, authorizing Down Payments to Vendors on Contracts with the City of Watertown, was placed on its first reading and the title was read. No action taken.

Ordinance No. 24-07, Amending the Zoning Map of the City of Watertown, SD, for a Portion Berven's Addition, from I-1 Light Industrial District to C-3 Highway Commercial District, was placed on its second reading and the title was read. This being the time and place for a public hearing on Ordinance No. 24-07, the Mayor called for public comment. Hearing no comments from the public, motion by Peters, seconded by Tupper, to approve Ordinance No. 24-07 as presented. Motion Carried.

Motion by Tupper, seconded by Buhler, to approve Resolution No. 24-15, a Resolution of Acceptance for Subdivision Improvements for Kampeska Dunes 3rd Subdivision Detention Pond, Installed by the Developer, Paul and Laurie Carlson and DLT Development Inc. Motion Carried.

Alderperson Tupper announced if weather prohibits the Fireworks Display on the Fourth of July, the event will be held on July 5th at the Anza Soccer Fields.

City Manager Mack stated the Fourth of July Parade will begin at 1:45 PM in Downtown Watertown.

City Manager Mack announced there will not be a City Council Work Session Meeting on July 15th.

Motion by Tupper, seconded by Buhler, to adjourn until 5:30 PM on Monday, July 22nd, 2024. Motion Carried.

The City of Watertown, South Dakota does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of service.

Dated at Watertown, South Dakota, July 1st, 2024.

ATTEST:

Kristen Bobzien, Chief Financial Officer

Ried Holien, Mayor



City Council Agenda Item

Subject: Authorization to Renew the Westlaw Subscription for the City Attorney's Office
Meeting: City Council - Jul 15 2024
From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

This renewal is for the legal research software for a 3 year contract term. The legal department will be foregoing updated hardbound books as most legal research is done online which will be a subsequent savings of approximately \$1000+ per year. Negotiated a lower increase per year to 4% and received a one-time renewal credit of \$500 which will be applied at invoicing.

City Attorney has also provided login information to the Community Development Manager and Finance Officer as they are the departments that tend to also utilize legal research tools.

Order Form will change from Matt Roby to Lisa Carrico with the attorney@watertownsd.us address. Order attachment on the last page reflects the proper title and street address. Email address will change before signing to attorney@watertownsd.us .

This subscription will also allow for AI assisted research which should speed up some of the legal research conducted. Will not increase overall budget for 2024 for the legal department and will also be reflected in the budget for 2025.

FINANCIAL CONSIDERATIONS:

\$1,240.41 a month for 36 months.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the renewal of the Westlaw Subscription for the City Attorney's Office.

ATTACHMENT(S):

[Westlaw Legal Technology](#)

 Thomson Reuters™	Order Form Contact your representative reed.flathmann@thomsonreuters.com with any questions. Thank you.	Order ID: Q-08656043
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Sold To Account Address Account #: 1000395781 WATERTOWN CITY ATTORNEY MATT ROBY PO BOX 910 23 2ND ST NE WATERTOWN SD 57201-3623 US “Customer”	Shipping Address Account #: 1000395781 WATERTOWN CITY ATTORNEY MATT ROBY PO Box 910 23 2ND ST NE WATERTOWN SD 57201-3623 US	Billing Address Account #: 1000395781 WATERTOWN CITY ATTORNEY MATT ROBY PO Box 910 23 2ND ST NE WATERTOWN, SD 57201-3623 US
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ProFlex Products See Attachment for details			
Material #	Product	Monthly Charges	Minimum Terms (Months)
40757482	West Proflex	\$1,240.41	36

Minimum Terms

Your subscription is effective upon the date we process your order (“Effective Date”) and Monthly Charges will be prorated for the number of days remaining in that month, if any. Your subscription will continue for the number of months listed in the Minimum Term column above plus any Bridge Term that may be outlined above counting from the first day of the month following the Effective Date. Your Monthly Charges during the first twelve (12) months of the Minimum Term are as set forth above. If your Minimum Term is longer than 12 months, then your Monthly Charges for each year of the Minimum Term are displayed in the Attachment to the Order Form.

Post Minimum Terms

Your subscription will automatically renew at the end of the Minimum Term. Each Automatic Renewal Term will be 12 months in length (“Automatic Renewal Term”), and we will notify you of any change in the Monthly Charges at least 60 days before each Automatic Renewal Term starts. You are also responsible for all Excluded Charges.

Federal government subscribers that chose a multi-year Minimum Term, those additional years will be implemented at your option pursuant to federal law. Either of us may cancel the Automatic Renewal Term by sending notice in writing at least 30 days before an Automatic Renewal Term begins. Send your notice of cancellation to Customer Service, 610 Opperman Drive., P.O. Box 64833, Eagan, MN 55123-1803.

Banded Product Subscriptions. You certify your total number of attorneys (full-time and part-time partners, shareholders, associates, contract or staff attorneys, of counsel, and the like), corporate users, personnel or full-time-equivalent students is indicated in this Order Form. Our pricing for banded products is made in reliance upon your certification. If we learn that the actual number is greater or increases at any time, we reserve the right to increase your charges to the market rate for all of your attorneys.

Miscellaneous

Agenda Item 7.(b) Authorization to Renew the Westlaw Subscription for th...

Applicable Law. If you are a state or local governmental entity, your state's law will apply, and any claim may be brought in the state or federal courts located in your state. If you are a non-governmental entity, this Order Form shall be interpreted under Minnesota state law and any claim by one of us shall exclusively be brought in the state or federal courts in Minnesota. If you are a United States Federal Government subscriber, United States federal law will apply, and any claim may be brought in any federal court.

Material Change. If, at any time during the Minimum Term or the Renewal Term, there is a material change in your organizational structure including, but not limited to merger, acquisitions, combination, significant increase in the number of attorneys at a location covered by the agreement, divestitures, downsizing or dissolution, the parties agree to immediate good faith renegotiation of the terms and conditions of this ordering document, during which we may modify your rates proportionally. If you acquire the assets of, or attorneys from, another entity that is a current subscriber, you assume all obligations under the agreements that apply to those assets and attorneys, and you will pay the invoiced charges on both those agreements as they become due, until a superseding agreement is negotiated in good faith.

Charges, Payments & Taxes. You agree to pay all charges in full within 30 days of the date of invoice. You are responsible for any applicable sales, use, value added tax (VAT), etc. unless you are tax exempt. If you are a non-government customer and fail to pay your invoiced charges, you are responsible for collection costs including attorneys' fees.

Excluded Charges And Schedule A Rates. If you access products or services that are not included in your subscription you will be charged our then-current rate ("Excluded Charges"). Excluded Charges will be invoiced and due with your next payment. For your reference, the current Excluded Charges schedules are located in the below link. Excluded Charges may change from time-to-time upon 30 days written or online notice. We may, at our option, make certain products and services Excluded Charges if we are contractually bound or otherwise required to do so by a third party provider or if products or services are enhanced or if new products or services are released after the effective date of this ordering document. Modification of Excluded Charges or Schedule A rates is not a basis for termination under paragraph 9 the General Terms and Conditions.

<https://legal.thomsonreuters.com/content/dam/ewp-m/documents/legal/en/pdf/other/plan-2-pro-govt-agencies.pdf>
<http://static.legalsolutions.thomsonreuters.com/static/agreement/plan-2-pro-govt-agencies.pdf>

eBilling Contact. All invoices for this account will be emailed to your e-Billing Contact(s) unless you have notified us that you would like to be exempt from e-Billing.

Credit Verification. If you are applying for credit as an individual, we may request a consumer credit report to determine your creditworthiness. If we obtain a consumer credit report, you may request the name, address and telephone number of the agency that supplied the credit report. If you are applying for credit on behalf of a business, we may request a current business financial statement from you to consider your request.

Cancellation Notification Address. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803

Returns and Refunds. You may return a print product to us within 45 days of the original shipment date if you are not completely satisfied. Please see <http://static.legalsolutions.thomsonreuters.com/static/returns-refunds.pdf> or contact Customer Service at 1-800-328-4880 for additional details regarding our policies on returns and refunds.

Document Intelligence Product Specific Terms: The following product specific terms shall apply to the Document Intelligence products on this order form, and are incorporated by reference: <http://www.thomsonreuters.com/document-intelligence-PST>.

Product Specific Terms and Service Levels: The following product specific terms and service levels shall apply to the HighQ products on this order form, and are incorporated by reference:

- HighQ Product Specific Terms <http://tr.com/HighQ-PST>
- HighQ Service Levels: Thomson Reuters shall provide service availability, maintenance and support for the term of the Agreement. Details are available at: <http://tr.com/HighQ-SLA>. Note that Sections 3.3 of the SLA does not apply to any HighQ Light packages

Product Specific Terms. The following products have specific terms which are incorporated by reference and made part of this Order Form if they apply to your order. They can be found at <https://static.legalsolutions.thomsonreuters.com/static/ThomsonReuters-General-Terms-Conditions-PST.pdf>. If the product is not part of your order, the product specific terms do not apply. If there is a conflict between product specific terms and the Order Form, the product specific terms control.

- Campus Research
- Hosted Practice Solutions
- ProView eBooks
- Time and Billing
- West km Software
- West LegalEdcenter
- Westlaw
- Westlaw Doc & Form Builder
- Westlaw Paralegal
- Westlaw Patron Access
- Westlaw Public Records

Drafting Tools Product Specific Terms: The following product specific terms shall apply to the Drafting Tools products (Drafting Assistant, Clause Finder, Clause Finder: Internal Agreements) on this order form, and are incorporated by reference: <http://tr.com/drafting-tools-product-specific-terms>.

The Federal Product Specific Terms can be found here: <http://tr.com/federal-product-specific-terms>

Confidentiality of Ordering Document. You understand that disclosure of the terms contained in this ordering document would cause competitive harm to us, and you agree not to disclose these terms to any third person.

Amended Terms and Conditions

Agenda Item 7.(b) Authorization to Renew the Westlaw Subscription for th...

Thomson Reuters General Terms and Conditions apply to all products ordered, except print products, and is located at <http://tr.com/us-general-terms-and-conditions>. The terms of this order are governed by the Master Partner Agreement between Thomson Reuters and the Billing Agent, effective as of 23 October 2023; the Teaming Partner Addendum, effective as of 23 October 2023 which includes the Amendment of NASPO Flow Down Clauses. The Billing Agent agrees to include the Thomson Reuters General Terms and Conditions as well as any Product-Specific Terms as a flow-down to the “Buying Agent”.

Sell to (“Buying Agent”) Terms and Conditions

Thomson Reuters General Terms and Conditions apply to all products ordered, except print products, and is located at <http://tr.com/us-general-terms-and-conditions> as well as any Product-Specific Terms on this Order Form. In the event there is a conflict of terms between the Thomson Reuters General Terms and Conditions and this Order Form, the terms of this Order Form control. This Order Form is subject to our approval.

Government Non-Availability of Funds for Online, Practice Solutions or Software Products

You may cancel a product or service with at least 30 days written notice if you do not receive sufficient appropriation of funds. Your notice must include an official document, (e.g., executive order, an officially printed budget or other official government communication) certifying the non-availability of funds. You will be invoiced for all charges incurred up to the effective date of the cancellation.

Acknowledgement: Order ID: Q-08656043

Signature of Authorized Representative for order	Title
Printed Name	Date

This Order Form will expire and will not be accepted after 7/31/2024.



Attachment

Order ID: Q-08656043

Contact your representative reed.flathmann@thomsonreuters.com with any questions. Thank you.

Payment, Shipping, and Contact Information

Payment Method:

Payment Method: Bill to Account
Account Number: 1000395781
This order is made pursuant to:

Order Confirmation Contact (#28)

Contact Name: Carrico, Lisa
Email: lisa@carricolaw.net

Shipping Information:

Shipping Method: Ground Shipping - U.S. Only

eBilling Contact

Contact Name Lisa Carrico
Email lisa@carricolaw.net

ProFlex Multiple Location Details			
Account Number	Account Name	Account Address	Action
1000395781	WATERTOWN CITY ATTORNEY	23 2ND ST NE WATERTOWN SD 57201-3623 US	New

ProFlex Product Details			
Quantity	Unit	Service Material #	Description
1	Each	40757482	West Proflex
1	Attorneys	41933475	Westlaw Litigation Collection, Enterprise access, Government
1	Attorneys	42077755	Westlaw All Analytical, Enterprise access, Government
1	Attorneys	42958180	Practical Law with Dynamic Toolset, Government
1	Attorneys	43102993	Westlaw Precision Preferred with AI-Assisted Research National Primary Law, Enterprise access, Government

Account Contacts			
Account Contact First Name	Account Contact Last Name	Account Contact Email Address	Account Contact Customer Type Description
Lisa	Carrico	lisa@carricolaw.net	EML PSWD CONTACT

Lapsed Products	
Sub Material	Active Subscription to be Lapsed
40757481	West Proflex

Charges During Minimum Term											
Material #	Product Name	Year 1 Charges per Billing Freq	% incr Yr 1-2*	Year 2 Charges per Billing Freq	% incr Yr 2-3*	Year 3 Charges per Billing Freq	% incr Yr 3-4*	Year 4 Charges per Billing Freq	% incr Yr 4-5*	Year 5 Charges per Billing Freq	Billing Freq
40757482	West Proflex	\$1,240.41	4.00%	\$1290.03	4.00%	\$1341.63	N/A	N/A	N/A	N/A	Monthly

Charges During Minimum Term

Pricing is displayed only for the years included in the Minimum Term. Years without pricing in above grid are not included in the Minimum Term. Refer to your Order Form for the Post Minimum Term pricing. Refer to Order Form for Billing Frequency Type.



City Council

Agenda Item

Subject: Application for a Weekly Seasonal Event Retail On-Sale License to Watertown Mavericks d/b/a Maverick's Steak and Cocktails for Thursday Night Live, 225 E Kemp, Downtown Plaza and that portion of Kemp Ave adjacent to Downtown Plaza for Thursday, July 25, 2024 from 5:30 PM to 9:30 PM and Thursday, August 8, 2024 from 5:30 PM to 9:30 PM.

Meeting: City Council - Jul 15 2024

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

Payment and proof of insurance has been provided for this weekly seasonal event license. According to SDCL 35-4-124, no public hearing is required for these licenses if the person applying for the license holds an on-sale alcoholic beverage license in the municipality.

FINANCIAL CONSIDERATIONS:

The applicant has applied for two Weekly Season Special Event licenses and has paid licensing fees of \$100 to the City of Watertown.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the Weekly Seasonal Event Retail On-Sale License to Watertown Mavericks d/b/a Maverick's Steak and Cocktails for Thursday Night Live, 225 E Kemp, Downtown Plaza and that portion of Kemp Ave adjacent to Downtown Plaza for Thursday, July 25, 2024 from 5:30 PM to 9:30 PM and Thursday, August 8, 2024 from 5:30 PM to 9:30 PM.

ATTACHMENT(S):

[Maverick's Steak and Cocktails](#)



CITY OF
WATERTOWN
FINANCE DEPARTMENT

Special Event & Weekly Seasonal Event Alcohol Beverage License Application

1. License Type(s) Requested

☐	Special Malt Beverage Retailers License
☐	Specail On-Sale Wine Retailers License
TR ☒	Special On-Sale License
☐	Special Off-Sale Package Wine Dealers License
☐	Special Off-Sale Package Wine Dealers License – Donated Beverages
☐	Special Off-Sale Package Malt Beverage Dealers License – Donated Beverages
☐	Special Off-Sale Package Dealers License – Donated Beverages

2. Name and Description of Special Event

Thursday Night Live @ Foundation Plaza

3. Event Date(s) and times: 7/25 530pm-930pm, 8/8 530pm-930pm

(Licenses can be issued for a period of time to be established by the Council for a duration of a special event, but not to exceed fifteen (15) consecutive days)

4. Describe Event Location: Foundation Plaza of Watertown SD
Event Address: 217 East Kemp Avenue, Watertown SD

5. Event Applicant and Applicant Address: Maverick's Steak & Cocktails
100 E Kemp avenue

To apply for a Special Event License, you must be one of the following (please check one)

☐	Civic
☐	Charitable
☐	Educational
☐	Fraternal
☐	Veterans Organization
☐	Existing On-Off Sale Malt Beverage Licensee
☐	Existing On-Off Sale Wine Licensee
☒	Existing On-Sale Liquor Licensee

6. Event Coordinator's Name: Todd O'Riley
Email: toddO@maverickssteak.com
Business Ph# 605-753-8952

Agenda Item 7.(c) Application for a Weekly Seasonal Event Retail On-Sale...

7. Name of Entity Serving Alcohol (if not applicant): _____

8. Method of alcohol consumption:

☒	Sold and consumed on site
☐	Sold/Auctioned and consumed off site -for example, a winery basket at a silent auction

9. Estimated number of Participants _____
Estimated number of Minors _____

Method in which applicants plan to prevent underage consumption: Banding / ID checking

***Thursday Night Live Applicants must use wrist bands as method to prevent underage consumption**

10. For outdoor events, please submit a drawing illustration of the event area, including stage/platforms, alcohol serving area(s), food serving facilities, garbage collection receptacles, restroom facilities and other amenities.

11. Post-event clean-up is required prior to vacating the area.

12. **Insurance Requirements:** Per City Ordinance, licensees shall maintain liability insurance in an amount of not less than One Million Dollars (\$1,000,000) for bodily injury, death, disability, and property damage liability during the time the special alcoholic beverage license is in effect. **Licensee shall also maintain Liquor Liability insurance with a limit of not less than One Million Dollars (\$1,000,000) for each occurrence, and if such insurance contains a general aggregate limit, the general aggregate limit shall apply separately or be no less than two times the occurrence limit.** The City shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the special alcoholic beverage license during the time such license is in effect. The licensee must also agree to indemnify and hold the City of Watertown, its officers, agents, and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings that may arise as the result of the alleged negligence of the applicant and/or that is in any way connected or associated with the event(s) for which any special alcoholic beverage license is issued which do not solely arise from errors or omissions of the City of Watertown, its officers, agents, or employees. Please submit proof of insurance with your application.

13. **Fee:** For Special Event Alcoholic Beverage Licenses, a fee of \$300 is required. For Special Weekly Seasonal Alcoholic Beverage Licenses, the fee is \$50/per day of event at one location. If applicable, a \$40 notice of public hearing fee must also be submitted by separate check. Fees are to be made payable to the City of Watertown and must be submitted with your application.

14. **Legal Notice:** For certain applicants, the City of Watertown is required by South Dakota state law to publish a legal notice in the local newspaper at least 7 days prior to City Council action. In order to make publication deadlines, we need your completed application at least 20 days prior to the City Council meeting.

15. **Public Hearing & Council Action:** A public hearing and City Council action is required on all special event alcohol licenses in which the applicant does not hold an existing alcoholic beverage license.

A public hearing *is not* required if the applicant holds an existing alcoholic beverage license per SDCL 35-4-124. City Council action is required, however.

The Watertown City Council meets the first and third Monday of each month. This application will be scheduled only after all required documents are submitted to the Records & Licensing Manager and internal approvals are completed.

16. Miscellaneous Information for City Council Review:

Maverick's Steak & Cocktails wishes to increase
in the events within Watertown.

17. **Certificate:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all requirements for the Special Event Alcohol License in the City of Watertown, SD.

Good only G.M. Maverick
Signature

7-10-24
Date

Submit completed application to: City Finance Office, Attn: Records/Licensing Manager, PO Box 910, Watertown SD 57201
Phone# (605) 882-6203 • Fax# (605) 882-6218 • licenses@watertownsd.us

To Be Completed by Records & Licensing Manager:

1. Notice of public hearing was published on _____ in the Watertown Public Opinion.
2. Public Hearing and/or Council action was held on _____.
The Watertown City Council took action to
_____ Approve
_____ Disapprove license due to _____.
3. The following restrictions were imposed: _____

_____.
4. Receipt Number _____
5. Special Event License Number _____
6. Mailed to applicant on _____.
7. Signature of City Manager: _____ Date _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/11/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Revo Insurance Alliance 5325 US 12 E Aberdeen, SD 57401		CONTACT NAME: Kyle Maple PHONE (A/C, No, Ext): 605-225-3770 E-MAIL: kyle@revoalliance.com ADDRESS:		FAX (A/C, No): 605-225-3766
INSURED Watertown Mavericks, LLC dba Mavericks Steak & Cocktails 205 6th Ave. SE, Suite 300 Aberdeen SD 57401		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: AmGUARD Insurance Company		16535
		INSURER B: Bowhead Insurance Company, Inc.		16924
		INSURER C: Travelers Insurance		41769
		INSURER D:		
		INSURER E:		
INSURER F:				

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
A	☒ GENERAL LIABILITY ☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR		WABP284000	06/15/2024	06/15/2025	EACH OCCURRENCE \$ 1,000,000			
	GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000			
						MED EXP (Any one person) \$ 5,000			
						PERSONAL & ADV INJURY \$ 1,000,000			
A	☒ AUTOMOBILE LIABILITY ☐ ANY AUTO ☒ ALL OWNED AUTOS ☒ HIRED AUTOS	☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS	WABP284000	06/15/2024	06/15/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000			
						BODILY INJURY (Per person) \$			
						BODILY INJURY (Per accident) \$			
						PROPERTY DAMAGE (Per accident) \$			
B	☒ UMBRELLA LIAB ☐ EXCESS LIAB	☐ OCCUR ☐ CLAIMS-MADE	CXS-006793-00	06/15/2024	06/15/2025	EACH OCCURRENCE \$ 15,000,000			
	☐ DED ☐ RETENTION \$					AGGREGATE \$ 15,000,000			
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	UB-3Y81845A-24-42-G	06/15/2024	06/15/2025	☒ WC STATUTORY LIMITS ☐ OTHER			
						E.L. EACH ACCIDENT \$ 1,000,000			
						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000			
A	Liquor Liability		WABP284000	06/15/2024	06/15/2025	Occurrence 1,000,000			
						Aggregate 1,000,000			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Watertown 23 2nd Street NE Watertown SD 57201	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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ACORD 25 (2010/05)

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City Council

Agenda Item

Subject: First Reading of Ordinance No. 24-10, Zoning Text Amendment to Chapter 21.90
Definitions of the Revised Ordinances of the City of Watertown to define the use of
"Storage Facility, Indoor"

Meeting: City Council - Jul 15 2024

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

The context that was presented at the July 2, 2024 Plan Commission meeting is included below this paragraph for reference of the full summary of what brought the proposed definition of "Storage Facility, Indoor" before the Plan Commission and City Council. At the July 2nd meeting, the Plan Commission did not recommend (1-6) moving forward with adding the use to the BP Business Park District until further design considerations were taken to protect the BP District but did recommend (7-0) the use being adopted into ordinance. If the definition of "Storage Facility, Indoor" is adopted, the use will not be available for any districts as permitted or conditional uses until it would be included in applicable districts, most likely at the time of recodification of the zoning ordinance.

JULY 2 PLAN COMMISSION AGENDA ITEM BACKGROUND INFORMATION:

An application was submitted by Jim Owen as the acting agent for Curmar LLC who is the owner of 1425 Mickelson Drive requesting the use of indoor, climate control storage be included in the BP Business Park District as a conditional use. Currently, ordinance does not define or include such a use, this zoning text amendment includes the addition of the use of "Storage Facility, Indoor" in Chapter 21.3003 BP Business Park District and Chapter 21.90 Definitions.

This item was discussed at the June 6, 2024 Plan Commission meeting where a motion was made to table the item until the landowners of the business park could be notified of the request to participate in a future meeting. Staff made contact with the Redlin Art Center and Watertown Development Company by phone conversation and email as the two entities that own vacant property in the district. Staff mailed letters on Wednesday, June 26, 2024, to all property owners within the BP District to inform them of the upcoming meeting and background of the discussion and request.

This use of "Storage Facility, Indoor" would differ from Storage Units that are allowed by Conditional Use in the R-3 Multi-Family Residential, C-1 Community Commercial, C-2 Local Commercial, C-3 Highway Commercial, and C-L Lake Commercial Districts. Storage units are allowed by Permitted Use in the I-1 Light Industrial and I-2 Heavy Industrial Districts. Currently, the BP Business Park District is silent on Storage Units altogether. The BP District is bound by the interstate on the east side and is primarily adjoined by I-1 Light Industrial District but also abuts C-3 Highway Commercial District.

The definition for the use of "Storage Facility, Indoor" to be included as a conditional use in the BP Business Park District is proposed as:

Storage Facility, Indoor: A building(s) for the storage of non-hazardous commercial or private goods and materials in a climate-controlled structure with individual units within a common structure with access to units available from the interior only, without water or sewer utilities for individual units.

The BP District was established in 2002. Almost the entire BP District was platted as the Interstate Office Addition where there are recorded covenants "to protect the substantial investment of the Watertown Development Company, its joint venture partners and purchasers and developers of property, by assuring the area will be developed and maintained with high standards for quality and aesthetics, to insure proper development and use of said property, to prevent the erection on said property of structures built of improper design or materials, to encourage the erection of attractive improvements as appropriate locations, to prevent haphazard and inharmonious improvements, to secure and maintain proper setbacks from streets and adequate free spaces between structures, and in general to provide adequately for a high type and quality of improvement of said property in accordance with general plan." The plat of the Interstate Office Addition was platted in 1992 and the covenants were established in 1998. The city does not enforce covenants but any property owner within the area the covenants encompass are obligated to comply. The covenants require higher design standards and regulation of uses than the city ordinance for the BP Business Park District.

The purpose of the BP District is stated in ordinance is:

1. The goal of the business park zoning district is to provide a flexible site for the formation of a coordinated mix of land uses including offices, arts and medical facilities, light manufacturing and limited commercial uses which harmonize and complement each other
2. Encourage more creative, higher quality urban development
3. Provide high standards for site planning, architecture, and landscape design to meet the needs of the most discriminating establishments

This area is sensitive and important as it showcases our City from the I-29 corridor with high-visibility. This type of use or building is typically designed to look more office-like and for the particular property of 1425 Mickelson Drive, the use would be retrofitted into the existing building on the site. Ordinance is not created for a single subject, however, which is why careful consideration needs to be taken with implementing new uses to zoning districts as it will be available for all properties within the district. The covenants of the area would control the design of future new construction in the district to implement indoor storage facilities.

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Brandi Hanten, Community Development Manager

STAFF RECOMMENDATION / SUGGESTED MOTION:

First Reading; No Action

ATTACHMENT(S):

[Illustration](#)

[Ordinance No. 24-10](#)

FOR ILLUSTRATION PURPOSES ONLY

ORDINANCE NO. 24-10

**AN ORDINANCE AMENDING CHAPTER 21.90 DEFINITIONS OF THE
REVISED ORDINANCES OF THE CITY OF WATERTOWN TO DEFINE
THE USE OF STORAGE FACILITY, INDOOR**

BE IT ORDAINED by the City of Watertown, South Dakota, that Chapter 21.90 Definitions of the Revised Ordinances of the City of Watertown be amended to include the definition of Storage Facility, Indoor as follows:

**Chapter 21.90
DEFINITIONS**

Stand - Roadside: a structure for the display and sale of products with no space for customers within the structure itself.

Stealth: any tower or telecommunications facility which is designed to enhance compatibility with adjacent land uses, including, but not limited to, architecturally screened roof mounted antennas, antennas integrated into architectural elements, and towers designed to look other than like a tower such as light poles, power poles, and trees. The term stealth does not necessarily exclude the use of uncamouflaged lattice, guyed, or monopole tower designs.

Storage Facility, Indoor: A building(s) for the storage of non-hazardous commercial or private goods and materials in a climate controlled structure with individual units within a common structure with access to units available from the interior only, without water or sewer utilities for individual units.

Storage Shops: A building(s) for personal use only as a storage facility. Each structure is allowed to have water and sewer utilities. Commercial uses and living quarters are prohibited. (Ord. 20-10; Rev 5-1-2020)

Storage Units: a building(s) for the storage of commercial or private goods and materials in individual units within a common structure, without water or sewer utilities.

Story: that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under floor space is more than six (6) feet above grade for more than fifty percent (50%) of the total perimeter or is more than twelve (12) feet above grade at any point, such basement or unused under floor space shall be considered as a story.

ORDINANCE NO. 24-10

**AN ORDINANCE AMENDING CHAPTER 21.90 DEFINITIONS OF THE
REVISED ORDINANCES OF THE CITY OF WATERTOWN TO DEFINE
THE USE OF STORAGE FACILITY, INDOOR**

BE IT ORDAINED by the City of Watertown, South Dakota, that Chapter 21.90 Definitions of the Revised Ordinances of the City of Watertown be amended to include the definition of Storage Facility, Indoor as follows:

**Chapter 21.90
DEFINITIONS**

Storage Facility, Indoor: A building(s) for the storage of non-hazardous commercial or private goods and materials in a climate controlled structure with individual units within a common structure with access to units available from the interior only, without water or sewer utilities for individual units.

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 24-10 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2024.

Kristen Bobzien, Chief Financial Officer

First Reading: July 15, 2024
Second Reading: August 5, 2024
Published: August 10, 2024
Effective: August 30, 2024

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Reid Holien
Mayor



City Council

Agenda Item

Subject: Approval of Resolution No. 24-16, Necessity for Sidewalk, Curb and Gutter, and Asphalt Surfacing Improvements for 315 Kemp Avenue East.

Meeting: City Council - Jul 15 2024

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

The proposed resolution of necessity for sidewalk, curb and gutter, and asphalt surfacing assessment is for 315 Kemp Avenue East known as "The Ruins", where "The Palace" apartments were demolished. The sidewalk, curb and gutter, and asphalt were removed as part of the building permit for the multi-family residential project that was issued on December 29, 2021 and will expire on December 29, 2024. The project has been at a standstill since late 2023. Staff has sent correspondence with a list of items that need immediate attention, as well, in regards to the structure.

In accordance with Chapter 18.0315, within thirty (30) days after existing sidewalks are removed, replacement of sidewalks shall be required unless approval is given in writing by the City Engineer. The property owner was notified via letter dated February 16, 2024 requesting the sidewalk and associated public infrastructure be replaced by May 1, 2024. A follow up letter was mailed on March 21, 2024, noting the assessment action that may be required if the property owner did not complete the installation by the May 1st deadline.

This resolution is to allow the City to install the public infrastructure, including sidewalk, curb and gutter, and asphalt replacement, and assess it to the adjacent property owner. The project has been quoted and construction is planned for summer 2024.

FINANCIAL CONSIDERATIONS:

The estimated cost for 315 Kemp Avenue East is based on the quotes received, resulting in the landowners' total estimated cost of **\$293.53 per linear foot (LF)** (**\$37,454.90** total for the 127.6 LF property width). The final cost to be assessed will be based on the actual as-constructed costs under the awarded quote and may vary from the quoted/estimated amount (as outlined in State Statutes).

OVERSIGHT / PROJECT RESPONSIBILITY:

Marci Lewno, Engineer I
Justin Petersen, City Engineer

STAFF RECOMMENDATION / SUGGESTED MOTION:

Agenda Item 11.(a) Approval of Resolution No. 24-16, Necessity for Sidew...

Staff recommends approval of the resolution through the following motion:

I move to accept Resolution No. 24-16, Necessity for Sidewalk, Curb and Gutter, and Asphalt Surfacing Improvements for 315 Kemp Avenue East.

ATTACHMENT(S):

[24-16 RESOLUTION OF NECESSITY FOR SIDEWALK IMPROVEMENTS](#)

RESOLUTION NO. 24-16

**PROPOSED RESOLUTION OF NECESSITY FOR SIDEWALK, CURB AND
GUTTER AND ASPHALT SURFACING IMPROVEMENTS
PROJECT NUMBER 2410**

BE IT RESOLVED by the City Council of the City of Watertown, South Dakota, as follows:

1. The City council of the City of Watertown hereby declares the following sidewalk improvements to be a necessity with the estimated costs per foot of property abutting upon the improvement as stated for this project:

PROJECT NO. 2410

Construct 12-foot-wide sidewalk with a 6-inch depth concrete surfacing and 6-inch depth gravel base, City standard curb and gutter, and asphalt surfacing 4-inch depth for 315 Kemp Avenue East. The estimated cost is \$293.53 per foot of frontage.

2. The general nature of the improvements and materials to be used are above set forth.

3. A description of classes of lots to be assessed is as follows: 315 Kemp Avenue East, and parts thereof above described.

4. The method of apportionment of benefits is as follows: The cost of the improvements will be assessed against 315 Kemp Avenue as the sole property especially benefitted by the improvements.

5. The above described improvements shall be hereafter referred to as sidewalk improvement number 2410 , which shall be deemed a description of the improvements to the sidewalk, curb and gutter, and asphalt surfacing as hereinafter set forth.

6. The details, plans, and specifications for the sidewalk improvement are available at the City of Watertown Finance Office for review during regular office hours M-F 8 AM – 5 PM.

Dated at Watertown, South Dakota, this ____ day of _____, 20____.

The above and foregoing Resolution was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon roll call motion carried, whereupon the Mayor declared the same to be duly passed and adopted.

I hereby certify that Resolution 24-16 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 20____.

ATTEST:

CITY OF WATERTOWN

Kristen Bobzien
Finance Officer

Ried Holien
Mayor



City Council

Agenda Item

Subject: Second Reading of Ordinance No. 24-11, authorizing Down Payments to Vendors on Contracts with the City of Watertown.

Meeting: City Council - Jul 15 2024

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

This Ordinance will allow City Staff to process a down-payment to vendors as required during the contract/purchase process. Currently, pre-payment is not allowed based on State Law. By establishing this Ordinance, City Staff will have the ability to expedite payments to vendors for goods and services.

FINANCIAL CONSIDERATIONS:

N/A

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve Ordinance No. 24-11, authorizing Down Payments to Vendors on Contracts with the City of Watertown.

ATTACHMENT(S):

[Ordinance No. 24-11](#)

ORDINANCE NO.: 24-11

**RESOLUTION ADOPTING ORDINANCE 24-11 AUTHORIZING DOWN
PAYMENTS TO VENDORS ON CONTRACTS
WITH THE CITY OF WATERTOWN**

AN ORDINANCE authorizing prepayments of claims under contracts and sales orders for equipment, goods and services with the City of Watertown:

WHEREAS the City Council for the City of Watertown, pursuant to Section 5.08 of the Home Rule Charter, shall provide the procedures for administering the City's annual budget;

WHEREAS South Dakota Codified Law 9-23-1 prohibits prepayments of claims against the municipality for services before they have been provided unless the municipality has adopted an ordinance in advance that specifies the maximum amount allowable for any such prepayment and if a service contract exists;

WHEREAS the City's Procurement Policy provides for the parameters under which contracts are approved by the City including those that require direct approval by the City Council and contracts which can be approved administratively by the City Manager and authorized designees; and

WHEREAS the current economy has changed whereby certain vendors are requiring down payments in advance of production of goods and services being rendered and as a result a need exists to provide parameters for prepayment of claims under SDCL 9-23-01;

WHEREAS the City Council of the City of Watertown hereby acknowledges that as part of the proper order of fiscal business for the City the need exists to provide authorization to the City Manager and authorized designees for processing down payments without the necessity of further City Council approval;

AN ORDINANCE, providing for a standing authorization for prepayment of claims under the following conditions:

BE IT ORDAINED by the City of Watertown, South Dakota that the following authorizations are given to the City Manager or her designee for prepayment of claims to vendors;

- A. The prepayment as stated in a contract or sales order directly approved by the City Council at a duly called meeting may be paid without further authorization of the City Council.

- B. The prepayment as stated in a contract or sales order approved administratively through the City's Procurement Policy is authorized so long as said amount does not exceed twenty-five percent (25%) of the total amount owed under the contract or sales order.

This shall be the standing ordinance of the City of Watertown until further amendment by the City Council for the City of Watertown.

Adopted this 15th day of July, 2024

CITY OF WATERTOWN

Ried Holien, Mayor

ATTEST:

Kristen Bobzien
Finance Officer