

**PROPOSED AGENDA
CITY COUNCIL REGULAR MEETING
CITY HALL
23 SECOND STREET NORTHEAST
WATERTOWN, SOUTH DAKOTA**

Monday, March 7th, 2016

7:00 PM

Call to Order

Prayer

Pledge of Allegiance

Roll Call

1. Approval of consent agenda
 - a. Approval of the minutes of the Council meetings held on February 10 and February 16, 2016
 - b. Approval to write-off uncollectible ambulance accounts receivable in the amount of \$11,373.29
 - c. Authorization to declare the Zoo house as surplus property to sell at public auction
 - d. Mayor's appointment of Mike Danforth, Glen Vilhauer, and Bruce Buhler as City Council representatives to serve on the 2016 Consolidated Board of Equalization
 - e. Authorization for the Mayor to sign the annual Household Hazardous Waste agreement with Veolia for the 2016 event scheduled for Saturday, April 23, 2016
 - f. Authorization for Police Department to apply for a grant through the State Drug Forfeiture Fund to purchase Body Worn Cameras (BWC)
 - g. Approval of bills & payroll and authorization to pay
2. Approval of agenda
3. Urban Renewal District - 2015 Annual Report of Finances and Activities
4. Presentation of the Preliminary 2015 City Financial Report
5. Application for a new retail (on-off sale) malt beverage & SD farm wine license to Harry's Haircuts & Hot Towels, LLC, d/b/a Harry's Haircuts & Hot Towels, located at 16 West Kemp
 - a. Public hearing
 - b. Council action
6. Application for a new retail (on-off sale) wine license to BMG, Inc., d/b/a Ringo's, located at 520 10th St. NW
 - a. Public hearing
 - b. Council action
7. Vacation of South Broadway Street - Resolution No. 16-10
 - a. Public hearing
 - b. Council action
8. Ordinance No. 16-02 creating a bond fund and levying taxes for the payment of General Obligation Bonds
 - a. Second reading
 - b. Council action

9. Proposed lease agreement with Nick & Matt Kranz, Inc. for city owned land located at the Wastewater Facility
10. First reading of Ordinance No. 16-03 amending Section 2.0103 and 2.0103A regulating the permitted times for sale and consumption of alcohol within and for the City of Watertown
11. Consideration of lease agreement with Yamaha through Evolution Powersports for the use of a UTV by the Fire Department
12. Authorization for Mayor to sign an agreement for engineering services with Aason Engineering for the Bridge Rehabilitation Project in the amount of \$25,000
13. Authorization for Mayor to sign documents related to the State Water Resources Management System grant for the Flood Control Study (Resolution 16-11)
14. Authorization for Mayor to sign a detour agreement with the Department of Transportation for the Highway 81 Reconstruction Project
15. Consideration of abatement of property taxes not recommended by the Codington County Director of Equalization (tax exempt)
16. Consideration of bids received for the Upper Big Sioux Watershed Amdahl Wetland Complex Project
17. Consideration of the Revised Storm Water Management Program and Annual Report
18. Authorization for the Mayor to sign the 2015 MS4 Annual Report
19. Consideration of bids received for the Sanitary Sewer Replacement Project
20. Consideration of bids received for the 15th St. NE Project
21. Consideration of Change Order No. 1 to the contract with McLaughlin & Schultz, Inc. for the 15th St. NE Project to correct an irregularity in the bid form
22. Authorization for Mayor to sign an agreement for engineering services with Aason Engineering for the construction phase of the 15th Street NE Project in the amount of \$35,288
23. Old Business
24. New Business
25. Liaison member reports
26. Executive Session pursuant to SDCL 1-25-2
27. Motion to adjourn

Rochelle M. Ebbers, CPA
Finance 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.

Item #1a- February 10 Meeting Minutes

**OFFICIAL PROCEEDINGS
CITY COUNCIL, CITY OF
WATERTOWN, SOUTH DAKOTA**

February 10, 2016

The City Council met in special session at 12:00 PM in the Council Chambers, City Hall, 23 2nd Street NE. Mayor Steve Thorson presiding. Present upon roll call: Aldermen Thorson, Rieffenberger, Solum, Buhler, Danforth, Vilhauer, and Alderwoman Mantey. Absent were Aldermen Tupper, Roby and Albertsen.

Motion by Danforth, seconded by Solum, to approve the agenda as presented. Motion carried.

Motion by Mantey, seconded by Buhler, authorizing the Airport to advertise for bids for Essential Air Service. Motion carried.

Motion by Danforth, seconded by Mantey, to adjourn until 7:00PM on Tuesday, February 16, 2016. 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, the 10th day of February, 2016.

ATTEST:

Rochelle Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL, CITY OF
WATERTOWN, SOUTH DAKOTA**

February 16, 2016

The City Council met in regular session at 7:00 PM in the Council Chambers, City Hall, 23 2nd Street NE. Mayor Steve Thorson presiding. Present upon roll call: Aldermen Danforth, Thorson, Solum, Buhler, Tupper, Vilhauer, Albertsen and Alderwoman Mantey. Absent were Aldermen Rieffenberger and Roby.

Motion by Mantey, seconded by Vilhauer, to approve the following item on the consent agenda: minutes of the Council Meeting held on February 1, 2016; and approval of applications for abatement/refund of property taxes for record #954 in the amount of \$272.82, record #7174 in the amount of \$250.56, record #10312 in the amount of \$114.48 and record #17520 in the amount of \$49.05 and approval of business license application for Brian Harrington as a Gas Fitter (\$50) and Jared Landmark as a Gas Fitter (\$50). Motion carried.

Mayor Thorson added the approval of an encroachment agreement to the agenda. Motion by Tupper, seconded by Danforth, to approve the agenda as amended. Motion carried.

This being the time scheduled for the public hearing on the temporary location transfer of a retail (on-sale) liquor license owned by Zeus, Inc d/b/a Second Street Station for a period from 4:00pm, February 19, 2016, to 2:00 am, February 20, 2016 from 15 2nd St. SW, Lots 1-2 less N97' & Lot 3 less N91' & all of Lot 14, Block 34, Second Railway Addn to 1910 West Kemp, W17' of Lot 60, & all of Lots 61-71, W110' of Lots 72-82, & all of Lots 83-93, Way's 4th Lake Drive Addn; the Mayor called for public comment. Hearing no comment from the public, motion by Buhler, seconded by Albertsen, to approve the transfer as presented. Motion carried.

This being the time scheduled for the public hearing on the temporary location transfer of a retail (on-sale) liquor license owned by Zeus, Inc d/b/a Second Street Station for the period after 2:01 am, February 20, 2016 from 1910 West Kemp, W17' of Lot 60, & all of Lots 61-71, W110' of Lots 72-82, & all of Lots 83-93, Way's 4th Lake Drive Addn to 15 2nd St. SW, Lots 1-2 less N97' & Lot 3 less N91' & all of Lot 14, Block 34, Second Railway Addn; the Mayor called for public comment. Hearing no comment from the public, motion by Tupper, seconded by Mantey, to approve the transfer as presented. Motion carried.

Ordinance No. 16-01 amending Section 21.5402 (Gateway Overlay District) of the Revised Ordinances of the City of Watertown was placed on its second reading and the title was read. This being the time scheduled for a public hearing on Ordinance No. 16-01, the Mayor called for public comment. Hearing no comments from the public, motion by Danforth, seconded by Buhler, to approve Ordinance No. 16-01 as presented. Motion carried.

Ordinance No. 16-02 creating a bond fund and levying taxes for the payment of General Obligation Bonds was placed on its first reading and the title was read. No action was taken.

Motion by Vilhauer, seconded by Mantey, to approve Resolution No. 16-09 relating to General Obligation Refunding Bonds, Series 2016; authorizing the issuance and making provisions for their payment. Motion carried.

Motion by Tupper, seconded by Danforth, to approve the proposal from Audio and Visual Connections for audio equipment and installation at the Community Recreation Facility in the amount of \$107,041.00. Motion carried.

Motion by Danforth, seconded by Buhler, to approve the Lease agreement with Yamaha through Evolution Powersports for the use of a UTV by the Police Department for \$1.00. Motion carried.

Motion by Albertsen, seconded by Solum, approving the purchase of a bucket truck for the Forestry Department in the amount of \$11,500.00 from the Contingency Fund. Motion carried.

Park & Recreation Director Jay DeLange presented the tabulation of bids received for the Fairway Mower for the Golf Course. Bids were opened at 10:00 AM on January 25, 2016 and are as follows: Midwest Turf & Irrigation bid

of \$45,421.00, trade-in of \$1,500.00 for a total bid of \$43,921.00 and Davis Equipment bid of \$70,574.40, trade-in of \$0 for a total bid of \$70,574.40. Motion Mantey, seconded by Thorson, to approve the bid from Midwest Turf & Irrigation in the amount of \$43,921.00. Motion carried.

Park & Recreation Director Jay DeLange presented the tabulation of bids received for the Automatic Reel Grinder for the Golf Course. Bids were opened at 10:00 AM on January 25, 2016 and are as follows: MTI Distributing, Inc. bid of \$33,595.00, trade-in of \$1,500.00 for a total bid of \$32,095.00, Davis Equipment bid of \$24,500.00, trade-in of \$500.00 for a total bid of \$24,000.00 and Midwest Turf & Irrigation bid of \$33,491.000, trade-in of \$1,500.00 for a total bid of \$31,991.00. Motion Buhler, seconded by Mantey, to reject all bids with the intent to not rebid, and reallocate the budget to the clubhouse repair/remodel project. Motion carried.

Motion by Tupper, seconded by Danforth, authorizing the Engineering Department to advertise for bids the following projects: Uptown Alley reconstruction project; Koch Complex/Extension Center parking lot improvements project; Seal coat, asphalt concrete and milling and crack sealing project and 2016 Street Improvement projects. Motion carried.

Motion by Buhler, seconded by Solum, approving Change Order No. 1 to the contract with Industrial Process Technology for the Wastewater UV Disinfection Improvement Project increasing the contract amount \$2,499.26. Motion carried.

Motion by Tupper, seconded by Albertsen, authorizing the Mayor to sign a permitted encroachment agreement for 1300 N. Maple Street. Motion carried.

Motion by Solum, seconded by Vilhauer, to adjourn until 7:00 PM Monday, March 7, 2016. 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, the 16th day of February, 2016

ATTEST:

Rochelle Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

**AMBULANCE MANAGEMENT
WRITE-OFFS / CREDIT BUREAU OR COURT
February 2016**

<u>Call No.</u>	<u>Amount</u>
32266	781.05
32147	662.15
32406	664.85
32509	770.25
32669	770.25
32682	782.40
32845	768.90
31242	398.40
32145	84.38
32135	102.12
32451	816.05
32499	704.00
32402	660.80
32038	704.30
32181	75.47
32362	250.00
32843	666.20
31425	681.05
31426	246.92
32431	783.75
	11373.29

Approved:

Mayor

Finance officer



ENVIRONMENTAL SERVICES PRICING QUOTATION

February 5, 2016

CITY OF WATERTOWN WWTP
1300 11TH STREET SE
WATERTOWN, SD 57201
Attention: CHAD MCMILLAN
Tel: (605) 882-6219

RE: Environmental Services Quotation Ref # Q497012212

Dear CHAD MCMILLAN:

Thank you for requesting pricing for the proper handling, treatment and/or recycling of your hazardous and non-hazardous waste from Veolia ES Technical Solutions, L.L.C (Veolia). Based upon the information you provided, we have prepared a customized solution based upon review of that information, and includes the following scope of work:

Scope of Work:

- Provide a field crew with a permitted waste hauling vehicle. All personnel are trained and authorized for Hazardous Waste Site Operations per OSHA's 29CFR1910.120.
- Classification of the materials (DOT Hazard Class).
- Segregation as to compatibility, hazard class and disposal requirements.
- Packaging directly into 55-gallon drums and/or DOT approved fiberboard boxes in accordance with DOT regulations (49 CFR), and over packing, when required.
- Compilation of packing slips, listing materials packed in each container.
- Proper labeling, according to state and federal regulations.
- Completion of manifests and associated shipping documents.
- Loading and transportation services via MCS-90 endorsed DOT transporter.
- Ultimate treatment at a customer approved treatment/recycling facility.

All work performed will be in strict compliance with all federal, state and local regulations and laws. CITY OF WATERTOWN WWTP must also comply with all applicable laws and regulations pertaining to generators of hazardous waste. Veolia will not accept improperly identified or unidentified materials.

Reactive Chemical Language (if applicable)

Some of the chemicals may not avail themselves for disposal in this manner. Due to their highly reactive nature (chemical explosives, organic peroxides, peroxide formers, pyrophorics, flammable solids, dangerous when wet and other controversial items), innovative disposal technologies have been developed to specifically address these areas.

Should such reactive materials be encountered during the scope of this project, Veolia will identify these and prepare an inventory. This inventory will serve as the basis for a quotation from Veolia's Highly Reactive and Explosive materials specialists. The ensuing quotation will cover all aspects of handling, labor, packaging, transportation and disposal.

Depending upon the method of disposal and the location of the disposal facility, other applicable hazardous waste taxes and/or surcharges imposed by the state will be charged.

The foregoing price quote is firm, provided that the materials covered by the quote conform to the descriptions and quantities listed. In the event that the quantity of material differs from the amount listed in the quote or the nature of the material differs from the description listed, additional charges may apply. This quote will remain valid for thirty (30) days from the date of this letter. This quotation supersedes any previous or existing quotations for similar services. The pricing offered may be subject to proper profiling and approval of the waste stream in accordance with the destination disposal facility's waste acceptance requirements.

Our services are backed by unwavering commitments to our Customers:

Liability Protection
\$15,000,000 in Pollution Liability Insurance backed by an industry leading indemnity program.

Service First, Safety Always
Veolia's commitment to our customers is that we provide services in a safe and compliant manner and the Veolia commitment to our employees is that they leave work in the same condition as when they arrived.

Turning Waste into a Resource
A fundamental tenet that drives Veolia employees to find the best recycling and treatment solutions for the most complex, environmental challenges.

Local Service, National Strength
Veolia provides customer and technical service at the local level by employees who know and understand regional and state regulations. They are supported by a Fortune 500® organization that has the financial and human resources to ensure success.

Our Customers make us better
"When we began discussions with Veolia, we were pleased with the flexibility their company offered to tailor the program to our multiple needs."

Jennifer R. Dolin,
Environmental Marketing
Manager
OSRAM Sylvaia

Return All Signed Paperwork to:
Rep Name: Corey Cremers
Fax: 763-786-3514 | Email: corey.cremers@veolia.com
www.Veolia.com Page | 1



ENVIRONMENTAL SERVICES PRICING QUOTATION

In the event your waste materials qualify as LTL (less than truckload) transportation may require up additional time between pick up request and actual pick up date, depending upon geographical location. Expedited services can be arranged upon request, but will be assessed additional fees. Waste materials shipped to Veolia in salvage drums will be subject to additional handling fees.

In the event you have an existing agreement in place with Veolia, the work will be performed in accordance with the terms of that agreement and no further contracting is required, other than acceptance of this price quote.

Veolia Payment Terms: Net thirty (30) days.

Your approval of the quotation can be made by signing the attached document and returning it via fax or email.

To obtain services, we request you complete, sign and return either by fax or email the completed Environmental Services Agreement (ESA) and Credit Application. Once the information is reviewed and approved, we can schedule the work at a time mutually agreed to by both parties.

Feel free to contact me at the number below should you require additional information or have questions about our services. We certainly look forward to developing a mutually-beneficial relationship.

Sincerely,

VEOLIA ES TECHNICAL SOLUTIONS, L.L.C.

Corey Cremers,
Project Manager
T: 763-786-3660
F: 763-786-3514
E: corey.cremers@veolia.com

AGREED TO AND ACCEPTED BY:

Signature: _____

Name: _____

Title: _____

Date: _____

PO# _____



MANIFEST FROM:
 CITY OF WATERTOWN WWTP
 1300 11TH STREET SE

 WATERTOWN, SD 57201

RETURN MANIFEST TO:
 *** Same Address ***

CERTIFICATE TO:
 *** Same Address ***

CONTACT: CHAD MCMILLAN	QUOTE DATE: 02/05/2016	TERRITORY: CB1
PHONE: (605) 882-6219	FAX: (605) 882-6375	SALES REP: AARON UECKER

Line	Service	Description	Quantity	Price	Unit	Extension
	Miscellaneous:	MOBILIZATION/DEMOBILIZATION FEE <i>*INCLUDES MOBILIZATION, LABOR, PER DIEM, SUPPLIES, FUEL SURCHARGE, FEDERAL/STATE TAXES*</i>	1.00	5219.00	EACH	\$5219.00
Line Total						\$5219.00
	Waste Stream:	4 FOOT FLUORESCENT LAMPS Technology: Metals recovery (retort,smelt, Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: UOM IS EACH UNIT	449.00	1.06	EA	\$475.94
Line Total						\$475.94
	Waste Stream:	8 FOOT FLUORESCENT LAMPS Technology: Metals recovery (retort,smelt, Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: UOM IS EACH UNIT	44.00	1.49	EA	\$65.56
Line Total						\$65.56
	Waste Stream:	AEROSOLS Technology: Store,bulk,transfer off-site Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: 55 GAL OPEN HEAD (17H) DM	2.00	199.00	EA	\$398.00
Line Total						\$398.00
	Waste Stream:	PAINTCAN LABPACKS Technology: Store,bulk,transfer off-site Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: POUNDS <i>NON POURABLE OIL PAINT</i>	2160.00	1.26	EA	\$2721.60
Line Total						\$2721.60
	Waste Stream:	OIL BASED PAINT Technology: Store,bulk,transfer off-site	2.00	561.00	EA	\$1122.00



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PHONE: (605) 882-6219	FAX: (605) 882-6375	SALES REP: AARON UECKER

Line	Service	Description	Quantity	Price	Unit	Extension
	Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: CECOS PAK/CUBIC YARD BOX <i>POURABLE OIL PAINT</i>					
Line Total						\$1122.00
	Waste Stream: FLAMMABLE SOLVENTS Technology: Store,bulk,transfer off-site Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: 55 GAL CLOSED HEAD PLASTIC DM		1.00	100.00	EA	\$100.00
Line Total						\$100.00
	Waste Stream: LEAD ACID, NICAD, ALKALINE BATTERIES Technology: Metals recovery (retort,smelt, Facility: GOPHER RESOURCE CORPORATION UOM/Container: UOM IS EACH UNIT		54.00	2.32	EA	\$125.28
Line Total						\$125.28
	Waste Stream: MERCURY COMPOUNDS/DEVICES Technology: Metals recovery (retort,smelt, Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: 5 GALLON CONTAINER		1.00	299.00	EA	\$299.00
Line Total						\$299.00
	Waste Stream: VARIOUS LABPACKS Technology: Store,bulk,transfer off-site Facility: VEOLIA ES TECHNICAL SOLUTIONS UOM/Container: POUNDS <i>INCLUDES FLAMMABLES, CORROSIVES, TOXICS, FLAMMABLE SOLIDS, SPONTANEOUSLY COMBUSTIBLE, DANGEROUS WHEN WET, ASBESTOS, OXIDIZERS.</i>		115.00	1.26	EA	\$144.90
Line Total						\$144.90

QUOTATION WORKSHEET

No. Q497012212

Page 03



MANIFEST FROM:
 CITY OF WATERTOWN WWTP
 1300 11TH STREET SE

 WATERTOWN, SD 57201

RETURN MANIFEST TO:
 *** Same Address ***

CERTIFICATE TO:
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CONTACT: CHAD MCMILLAN	QUOTE DATE: 02/05/2016	TERRITORY: CB1
PHONE: (605) 882-6219	FAX: (605) 882-6375	SALES REP: AARON UECKER

Line	Service	Description	Quantity	Price	Unit	Extension
	Waste Stream:	LITHIUM BATTERIES	18.00	6.91	EA	\$124.38
	Technology:	Metals recovery (retort,smelt,				
	Facility:	VEOLIA ES TECHNICAL SOLUTIONS				
	UOM/Container:	POUNDS				
Line Total						\$124.38
	Waste Stream:	FLUORESCENT LAMPS	86.00	1.26	EA	\$108.36
	Technology:	Metals recovery (retort,smelt,				
	Facility:	VEOLIA ES TECHNICAL SOLUTIONS				
	UOM/Container:	UOM IS EACH UNIT IRREGULAR/CFL				
Line Total						\$108.36
	Waste Stream:	HID LAMPS	7.00	4.68	EA	\$32.76
	Technology:	Metals recovery (retort,smelt,				
	Facility:	VEOLIA ES TECHNICAL SOLUTIONS				
	UOM/Container:	UOM IS EACH UNIT IRREGULAR/CFL				
Line Total						\$32.76
	Waste Stream:	PROPANE #1	16.00	5.30	EA	\$84.80
	Technology:	Other recovery or reclamation				
	Facility:	ALL SAFE, INC.				
	UOM/Container:	Small Cylinder				
Line Total						\$84.80
	Waste Stream:	SODIUM HYDROXIDE SOLUTION	1.00	199.00	EA	\$199.00
	Technology:	Stabilization prior to Landfil				
	Facility:	MICH. DISPOSAL WASTE TREATMENT				
	UOM/Container:	30 GALLON CONTAINER				
Line Total						\$199.00

QUOTATION WORKSHEET

No. Q497012212

Page 04



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 WATERTOWN, SD 57201

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CONTACT: CHAD MCMILLAN	QUOTE DATE: 02/05/2016	TERRITORY: CB1
PHONE: (605) 882-6219	FAX: (605) 882-6375	SALES REP: AARON UECKER

Line	Service	Description	Quantity	Price	Unit	Extension
	Waste Stream:	FIRE EXTINGUISHER	1.00	14.00	EA	\$14.00
	Technology:	Energy recovery at this site				
	Facility:	ALL SAFE, INC.				
	UOM/Container:	MEDIUM CYLINDER				
Line Total						\$14.00
Quote Total						\$11234.58

All terms and conditions described in the previous pages will apply.

February 23, 2015

Attorney General Marty J. Jackley
Office of the Attorney General
1302 East HWY 14 Suite 1
Pierre, South Dakota 57501-8501

Dear Mr. Jackley,

The Watertown Police Department is seeking grant funding through the State Drug Forfeiture Fund to purchase Body Worn Cameras (BWC). We are requesting funds to purchase the equipment, software and support services for 26 cameras that will be deployed to our patrol division. The total amount of the grant requested is \$23,639.00 (see attached quote).

The WPD began a BWC pilot program in January 2015. We have tested a variety BWCs to include Digital Ally, Wolfcom, ProVision, and Axon. These cameras were tested by our patrol division and their input along with other data was accumulated. We reviewed the studies done by other agencies and universities regarding the use of BWCs. After extensive research the WPD has determined that the TASER AXON BWC coupled with Evidence.com storage solution is the best fit for our agency.

The WPD consulted Codington County State's Patrick McCann regarding the possible deployment of BWCs and more specifically regarding the copying and distribution of the digital evidence. We received his full support for a BWC program. The WPD formed a policy steering committee that included members from the patrol division and command staff. A modified version of the IACP BWC Model Policy was adopted and is included for your review.

It is the WPD's opinion that the benefits of deploying the BWCs will greatly outweigh the concerns. In 2015 the WPD made approximately 671 drug arrests. This number is on the rise due in part to the increased trafficking of Methamphetamines. The evidence collected by the BWCs will be invaluable for the successful interdiction, investigation and prosecution of drug offenders. The BWCs will also provide additional significant benefits to our community and agency as seen in the numerous studies across the country.

Thank you for your time and consideration for the grant request. The WPD would greatly appreciate your support of this project.

Respectfully,

Lee McPeck
Chief of Police
Watertown Police Department

City of Watertown, South Dakota
Urban Renewal Board
Summary of Activities - 2015

Brief overview – In 2015, the Board began to meet as needed to address specific issues and review loan applications. The first meeting official meeting was held on March 12, 2015. By unanimous vote, Randy Tupper was named Chairman and Beth Mantey, Vice Chair.

Highlights of Board Activity – Based on the Opportunity study of 2014-2015, the URB agreed to and adopted the following goals as follows:

Enhancing the appeal of downtown Watertown by restoring the original character of building fronts in the neighborhood.

Streetscape

- Provide benches of good quality and appropriate style
- Add trees, planters, etc. to encourage pedestrian use

Signage

- Replace signs as necessary to promote signage of an historic nature
- Remove signs from fascia panels
- Minimize window signs, particularly those not of an historic nature
- Remove obsolete signage

Awnings

- Replace or add awnings to achieve awnings of a size proportionate to the building
- Replace or add awnings to achieve awnings of a style consistent with the historic nature of the building

Brick Fronts

- Remove modern cladding materials
- Remove faux finishes

Windows and Doors

- Restore original openings
- Replace aluminum doors and windows or promote cladding to promote historic appearance
- Replace residential materials with commercial grade

The Board discussed requiring loan applicants to include examples of what work will be done and what materials will be used at the time of the loan request. This will help ensure that the work done in the Urban Renewal District will conform to the Historic aspect as well as helping establish conformity among buildings. This, in addition to expanding the scope of the loan program beyond facades only, was implemented. Only building improvements and fixtures that are permanent to the building and increase the value will be allowed. Items that are specific to a business and can be removed will not be covered under the low interest loan program.

The recommendations of the SANBD Parking Committee, in partnership with the city street and police departments, were adopted lifting both the two-hour and overnight parking restrictions. A policy requiring vehicles to be removed from the streets of UR District when snowfall exceeds 2" was also adopted and new signs were placed throughout the area. City Attorney Fox drafted appropriate code changes. The City Council approved the new recommendations.

The process of transitioning the Downtown Flower project, bike racks, equipment transfer to the Park and Recreation Department was successfully completed and is reflected in the 2016-17 budget. The Tree Farm was contracted as the supplier of the Uptown flowers. The Tree Farm will plant/place all flowers in the spring and the P&R Department will take them down in the fall. Specific dates were established in CY 2015 for routine tasks in the Uptown area such as installation and removal of bike racks and other similar items. Weather permitting, the installation and removal dates are to be April 1st to October 1st. It was requested that the City look into what can be done to help with the watering situation in Lori's Garden. There was discussion on misting hoses being installed and looking at fixing the current sprinkler system. This project was turned over to Parks Department. Additionally, new benches and picnic tables were purchased to replace worn out ones and add more places for visitors to stop and rest/enjoy the flowers, sculptures and architecture.

Following a request received by the Mayor's office, regarding changing the uptown restrooms hours to accommodate the uptown activities, Chairman Tupper arraigned for electronic locks to be programmed to remain open until 5:30pm and 7:00pm on Thursday nights as business are open longer that day and Thursday night live events.

Adam Lalim and Nancy Turbak-Berry were appointed as citizen members under the new board structure, replacing Aldermen Solum and Roby. The number of board members remain at five.

The Art Walk/Sculpture Exchange Program was successfully launched with the first statue installed in Lori's Garden. This is a project that was identified as part of the H20-20 process and has now become its own entity with funds housed at the WCF. The goal is for 10 sculptures. Watertown Community Foundation requested that the Urban Renewal fund pay for a sign in Lori's garden at a cost of \$650, which, with the approval of the council, was granted.

In addition to city wide replacement, current uptown business district banners- both seasonal and year round, and in addition, holiday decorations were repaired or replaced where needed.

The biggest highlight of 2015 was the organization and implementation of a 1 ½ day Charrette for downtown. In cooperation and coordination of a steering committee, MSH Architects, the Watertown Community Foundation, H20-20 SANSO, and financial support of the City Council, the event held at the Goss was well attended and well received by the entire community – an overwhelming success! A final summarization

and recommendations will be presented to the URB and City Council as soon as it is available.

The assessments levied upon commercial property remains in abeyance and is reflected in both the UBD and City Budgets.

Report prepared 2/16/16

CITY OF WATERTOWN
URBAN RENEWAL

Comparative Statement of Revenue, Expenditures, and Changes in Fund Balance
For Fiscal Years Ended December 31, 2015 and 2014

	2015	2014
Revenues:		
Grant Revenue	\$ -	\$ -
Rentals - Buildings	2,400.00	2,400.00
Special Assessments	-	52,564.63
Interest Earned on Investments	654.43	520.92
Donations from External Organizations	1,200.00	-
Interest Collected on Loans	1,583.47	2,551.52
TOTAL REVENUES	5,837.90	\$ 58,037.07
Expenditures:		
Current:		
Personal services	505.02	2,962.46
Insurance Premiums	112.31	191.39
Publication Fees	-	172.50
Supplies and Materials	6,033.70	5,450.30
Repairs and Maintenance	2,565.61	3,791.13
Utilities	4,825.00	4,056.00
Capital Outlay	21,323.71	9,131.62
Flower Project	14,456.33	15,664.48
Write-off Uncollectible Loans	6,100.77	-
TOTAL EXPENDITURES	55,922.45	41,419.88
Excess (deficiency) of Revenues over Expenditures	(50,084.55)	16,617.19
Fund Balance Beginning of Year	241,568.90	224,951.71
Fund Balance End of Year	\$191,484.35	\$241,568.90

CITY OF WATERTOWN
 URBAN RENEWAL
 COMPARATIVE BALANCE SHEET
 December 31, 2015 and 2014

	2015	2014
ASSETS		
Cash	\$159,389.72	\$160,734.13
Receivables:		
Special Assessments Receivable (current)	-	-
Special Assessment Receivable (delinquent)	864.90	864.90
Revolving Loans	33,079.15	80,988.64
Accrued Interest on Investments	191.00	176.00
TOTAL ASSETS	193,524.77	242,763.67
LIABILITIES		
Vouchers Payable	1,849.42	1,018.77
Deferred Revenue	191.00	176.00
TOTAL LIABILITIES	2,040.42	1,194.77
FUND EQUITY		
Reserved for Urban Renewal Loans	95,683.89	45,806.35
Fund Balance	95,800.46	195,762.55
Total Fund Equity	191,484.35	241,568.90
TOTAL LIABILITIES AND FUND EQUITY	193,524.77	\$242,763.67

Item #4- Financial Report ANNUAL REPORT FOR CITY OF WATERTOWN, SOUTH DAKOTA
AS OF AND FOR THE YEAR ENDED DECEMBER 31, 2015

GOVERNMENTAL FUNDS					
	General Fund	Capital Improvement Fund	Capital Project Fund	Other Governmental Funds	Total Governmental Funds
Beginning Balance	\$ 8,910,152	\$ 21,254,933	\$ 9,296,974	\$ (4,459,687)	\$ 35,002,372
Revenues and Other Sources:					
Property Taxes	3,172,754	-	-	972,128	4,144,882
Sales and Use Taxes	7,215,762	7,208,929	-	782,783	15,207,474
Other Taxes	368,337	-	-	-	368,337
Licenses and Permits	234,333	-	-	-	234,333
Intergovernmental	1,179,753	384,887	-	56,673	1,621,313
Charges for Goods and Services:					
General Government	20,922	-	-	-	20,922
Public Safety	1,138,417	-	-	587,924	1,726,341
Public Works	165,286	-	-	-	165,286
Health and Welfare	1,525	-	-	-	1,525
Culture and Recreation	-	-	-	2,121,697	2,121,697
Conservation and Development	7,575	-	-	-	7,575
Fines and Forfeits	33,944	-	-	16,599	50,543
Interest Revenue	32,037	476,333	52,694	10,024	571,088
Rentals	-	-	-	155,955	155,955
Special Assessments	40,642	55,321	-	-	95,963
Donations/Contributions	49,415	1,570	1,200	275,905	328,090
Miscellaneous	267,989	54,619	-	59,672	382,280
Sale of Fixed Assets	51,086	208,069	-	12,623	271,778
Capital Contribution	-	353,144	-	-	353,144
Bond Proceeds	-	3,532,712	20,967,161	-	24,499,873
Total Revenue and Other Sources	\$ 13,979,777	\$ 12,275,584	\$ 21,021,055	\$ 5,051,983	\$ 52,328,399
Expenditures and Other Uses:					
General Government	\$ 2,103,449	\$ -	\$ -	\$ 214,242	\$ 2,317,691
Public Safety	6,797,869	437,157	-	794,254	8,029,280
Public Works	2,226,891	2,952,668	-	-	5,179,559
Health and Welfare	144,736	-	-	-	144,736
Culture and Recreation	1,117,686	1,065,610	8,542,760	4,313,395	15,039,451
Conservation and Development	288,510	302,000	-	800,256	1,390,766
Debt Service	-	-	-	-	-
Principal Retirement	-	4,798,929	-	350,000	5,148,929
Interest	-	876,077	-	546,929	1,423,006
Administrative Charges	-	3,017	-	-	3,017
Bond Issuance Costs	-	68,483	333,535	-	402,018
Total Expenditures and Other Uses	\$ 12,679,141	\$ 10,503,941	\$ 8,876,295	\$ 7,019,076	\$ 39,078,453
Transfers In	1,661,350	750,781	-	2,360,000	4,772,131
Transfers (Out)	(2,060,000)	(886,025)	(750,781)	(50,000)	(3,746,806)
Increase/Decrease in Fund Balance	\$ 901,986	\$ 1,636,399	\$ 11,393,979	\$ 342,907	\$ 14,275,271
Ending Balance:					
Nonspendable	\$ 179,622	\$ 5,205,802	\$ -	\$ 34,635	\$ 5,420,059
Restricted	20,517	5,281,794	-	1,200,453	6,502,764
Assigned	1,537,580	12,403,736	20,690,953	974,895	35,607,164
Unassigned	8,074,419	-	-	(6,326,763)	1,747,656
Total Fund Balance	\$ 9,812,138	\$ 22,891,332	\$ 20,690,953	\$ (4,116,780)	\$ 49,277,643
Governmental Long-term Debt					\$ 42,246,095

PROPRIETARY FUNDS							
	Sewer Fund	Electric Fund	Water Fund	Gas Fund	Airport Fund	Other Proprietary Funds	Total Proprietary Funds
Beginning Net Assets	\$ 58,389,805	\$ 28,338,225	\$ 14,394,819	\$ 18,382,329	\$ 20,272,028	\$ 8,622,830	\$ 148,400,036
Revenues	6,082,792	28,055,013	5,452,851	9,987,326	1,029,057	3,004,086	53,611,125
Expenses	3,707,166	25,550,929	4,347,965	7,870,532	1,235,528	2,625,820	45,337,940
Transfers In (Out)	(275,750)	(719,040)	-	(479,360)	636,025	(187,200)	(1,025,325)
Ending Balance:							
Restricted	\$ 58,261,193	\$ 21,679,468	\$ 20,748,828	\$ 7,755,748	\$ 20,701,582	\$ 7,094,020	\$ 136,240,839
Unrestricted	2,228,488	8,443,801	(5,249,123)	12,264,015	-	1,719,876	19,407,057
Total Net Assets	<u>\$ 60,489,681</u>	<u>\$ 30,123,269</u>	<u>\$ 15,499,705</u>	<u>\$ 20,019,763</u>	<u>\$ 20,701,582</u>	<u>\$ 8,813,896</u>	<u>\$ 155,647,896</u>
Long-term Debt	\$ 10,708,482	\$ -	\$ 17,257,601	\$ -	\$ -	\$ -	\$ 27,966,083

The preceding financial data does not include fiduciary funds or component units. Information pertaining to those activities may be obtained by contacting the Finance Office at 605-882-6203.

Municipal funds are deposited as follows:

Depository	Amount
Great Western Bank	\$ 42,964,418.00
Reliabank	2,001,089.00
Home Federal Bank	10,403,319.00
Plains Commerce Bank	17,602,820.00
SD FIT	600,000.00
Avanti Federal Credit Union	400,940.00
First Premier Bank	401,100.00
Total Cash and Investments	<u>\$ 74,373,686.00</u>

Date Received _____

License No. _____

Date Issued _____

Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address

Harry's Haircuts & Hot towels LLC
16 W. Kemp
Watertown SD 57201

Owner's Telephone #: 605-886-5803

B. Business Name and Address

Harry's Haircuts & Hot towels LLC
16 W Kemp
Watertown SD 57201

Business Telephone #: 605-878-3711

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0

Number of other On-sale Liquor Licenses held: 0

Is this License in active use? Yes No New

D. Legal description of licensed premise:

Parcel I: E25' of Lot 14, Blk 8 of Wtn; & Lot 1 of Monks' Subd of Lots 12, 13 & 14, Blk 8 of Wtn.
Parcel II: W25' of E50' of Lot 14, Blk 8 of Wtn & Lot 2 of Monks' Subdiv of Lots 12, 13, & 14, Blk 8 of Wtn.

Have you ever been convicted of a felony? Yes No

Do you own or lease this property? (Check one)

E. State Sales Tax Number: 1030-4115-ST

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? Transfer? (\$150) Re-issuance?

H. 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 of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 15 day of February Print Name: Michael A. Lawrence Signature: [Signature]

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: Codington

This application was subscribed and sworn to before me this 16th day of February 2016

Approving Officer's Telephone number 605-882-6203 (18) Signature: [Signature]

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on _____ . Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: _____

Renewal - no public hearing held

Amount of fee collected with application \$ 365.00

Amount of fee retained \$ 202.50

Forwarded with application \$ 162.50

For Local Government Use

(Seal) _____

Mayor or Chairman

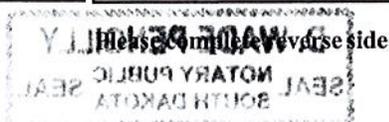
If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____



**Company supplement information
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota)
:ss
County of)

Affidavit

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC HARRYS HAIRCUTS & Hot Treats Tawels LLC
 Address of office and principal place of business of corporation/partnership/LP/LLC 1522 Parkview Drive
 Date of incorporation 10/19/2015
 Date of last report filed with Secretary of State 2015
 Are all managing officers of this corporation/partnership/LP/LLC of good moral character? Yes
 Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
<u>Kayleigh Lawrence</u>		<u>1522 Parkview Drive Watkhan SD</u>	<u>Regitor</u>
<u>Michael Lawrence</u>		<u>1522 Parkview Drive Watkhan SD</u>	<u>Regitor</u>

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

16 W. Kemp Watkhan SD

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

[Signature]

Subscribed and sworn to before me this 16 of February, Codington County, State of South Dakota.

My commission expires 11-09-2018

[Signature]
(Notary Public)



SD EForm - 0873 V6

Date Received _____

License No. _____

Date Issued _____

Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address

BMA, Inc
Box 352
Watertown, SD 57201

Owner's Telephone #: 605 888-3780

B. Business Name and Address

Ringo's
520 10th St NW
Watertown, SD 57201

Business Telephone #: 605 878-3030

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0

Number of other On-sale Liquor Licenses held: 0

Is this License in active use? Yes No *New*

D. Legal description of licensed premise:

N 110' of Lots 11-13 N 110', f 220', f Lot 14, Blk 3, Davis Addn

Have you ever been convicted of a felony? Yes No

Do you own or lease this property? (Check one)

E. State Sales Tax Number: 1028-2491-ST

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? Transfer? (\$150) Re-issuance?

H. 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 of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 5th day of Feb Print Name: Brad Maynard Signature: Brad Maynard

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: Codington

This application was subscribed and sworn to before me this 5th day of February

Approving Officer's Telephone number 605 882-6203 (18) Signature: W. Wick

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on February 27, 2016. Public hearing on the application was held March 7, 2016, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: _____

Renewal - no public hearing held

Amount of fee collected with application \$ 540.00

Amount of fee retained \$ 540.00

Forwarded with application \$ 0

For Local Government Use

(Seal) _____

Mayor or Chairman

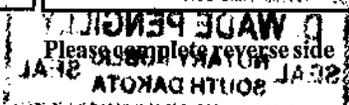
If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____



**Company supplement information
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota)
 :SS)
County of)

Affidavit

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC _____
Address of office and principal place of business of corporation/partnership/LP/LLC _____
Date of incorporation _____
Date of last report filed with Secretary of State _____
Are all managing officers of this corporation/partnership/LP/LLC of good moral character? _____
Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? _____

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner Brad Maunard

Subscribed and sworn to before me this 5th of February 2016, Codington County, State of South Dakota.

My commission expires 11-09-2018



D. Wade Pengilly
(Notary Public)



Request for City Council Action

TO: City Council
THROUGH: Shane Waterman, City Engineer
FROM: Jeff Brink, Planner/Engineer II
MEETING DATE: March 7, 2016
SUBJECT: South Broadway Street– Vacation

Petitioner: Glacial Lakes Energy, LLC, Owner of the adjacent properties

Background: Petitioner requests that South Broadway Street be vacated from approximately 630 feet south of the southern Hwy 212 Right of Way Line (the southern edge of Hesco Inc.) to the northern edge of the 10th Street South Right of Way line. The reason that the petitioner is requesting the vacation is the proposed construction of a multiple loop railroad track.

Facts:

- This stretch of Broadway way is approximately 2500 feet long.
- There is one railroad crossing and one bridge crossing located within this stretch of Broadway.
- There is one bridge crossing located just north of the requested vacation.
- Traffic counts were done in 2005, 2011, 2012, and 2015. The South Bypass was constructed in 2012. The traffic counts show that the amount of traffic has been reduced since the construction of the South Bypass.
 - 2005 had 1994 vehicles per day
 - 2011 had 2033 vehicles per day
 - 2012 had 1988 vehicles per day
 - 2015 had 1139 vehicles per day

Recommendation: The Plan Commission recommended approval of the vacation.

Action: Plan Commission decision on Resolution 16-10

History: 01/15/16 Petition Received
02/04/16 Plan Commission Public Hearing
03/07/16 City Council Public Hearing and action

Future: 03/12/16 Published – *if Approved*
04/01/16 Effective

Prepared by:
James A. Seurer, CEO
Glacial Lakes Energy, LLC
301 20th Ave SE
PO Box 933
Watertown, SD 57201
(605) 753-1981 or (605) 695-3736

PETITION FOR VACATION OF A PUBLIC RIGHT OF WAY ADJACENT TO:

“Former Maxine Andree Property”

**Lot 1 of Lukens Addition to the City of Watertown,
South Dakota (former Andree property),**

“Former Elizabeth Hanten Property”

**The South Half of the Northwest Quarter, less Hanten Industrial Park
Addition, and less that portion of South Broadway Street Outlot located
therein, and less road right of way, all in Section 6, Township 116 North,
Range 52 West of the 5th P.M., Codington County, South Dakota.**

**Government Lot 3, less Little River City Addition, and less Stein Addition,
and less that portion of South Broadway Street Outlot located therein, and
less the East 20 feet thereof; AND Government Lot 4 less Sioux Diversion
Addition, and less Hanten Industrial Park Addition, and less Railroad right
of way, and less road right of way, all in Section 6, Township 116 North,
Range 52 West of the 5th P.M., Codington County, South Dakota.**

“Former City of Watertown Property”

**All that portion of Lot 8 and 9 of the plat entitled: “Hanten Industrial Park Addition to the
Municipality of Watertown, in the County of Codington, South Dakota,” located North and East of
the plat entitled, “Lots H1 in Lots 8 and 9 of Hanten Industrial Park Addition to the Municipality
of Watertown, Codington County, South Dakota.”**

**“All that portion of Lot 4 of the Plat entitled: Glacial Lakes Energy Addition to the Municipality of
Watertown, in the County of Codington, South Dakota,” Less the Plat entitled: “Glacial Lakes
Energy Third Addition to the Municipality of Watertown, in the County of Codington, South
Dakota.”**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA:**

The undersigned, being the owner(s) of all the real property abutting both sides of a public right-of-way hereinafter described, hereby petitions the City Council of Watertown, South Dakota, to vacate said public right-of-way pursuant to the statutes in such cases made and provided, particularly SDCL 9-45-7, et seq., and said Petitioner respectfully shows and represents the following:

1. The public right-of-way sought to be vacated is described as follows:

“South Broadway Street” or, more specifically, that portion of Broadway Street on the south boundary of the Hesco Inc. property southward to its intersection with the 20th Ave Bypass

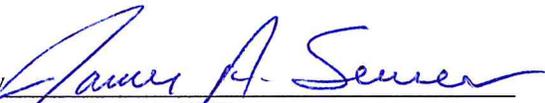
2. A drawing of the public right-of-way proposed to be vacated is attached hereto and marked as Exhibit "A" and incorporated herein by reference.

4. Pursuant to SDCL 9-45-7, this petition is being submitted because South Broadway, in its current state, will prevent the construction of a railroad loop track to benefit Glacial Lakes Energy, LLC and its shareholders as well as the Watertown, Codington County, and other area communities in the Watertown trade area. The project will open exporting opportunities to Glacial Lakes Energy, a locally owned company, thereby enhancing its economic position and, ultimately, community through increased prosperity. Glacial Lakes Energy has distributed nearly \$93 million in earnings to its shareholders in the past 2 years.

5. The project will also reduce railroad crossings on US 212 which will improve safety of local commuters and area residents.

WHEREFORE, Petitioner respectfully requests that the governing body of the City of Watertown, South Dakota, order this Petition filed with the City Finance office and direct that notice of the time and place when the Petition will be considered be given by publication once each week for two successive weeks, with the final publication being a minimum of 10 days prior to the public hearing; and, that upon said hearing the governing body adopt a resolution vacating said right-of-way, all according to the law in such cases being provided, and particularly under SDCL 9-45-7, et seq.

Dated at Watertown, South Dakota, this 18th day of December, 2015.

By 
James A. Seurer, CEO
Glacial Lakes Energy, LLC

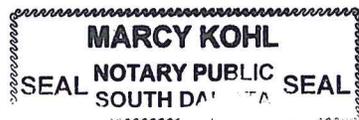
State of South Dakota)
)SS:
County of Codington)

On this the 18th day of December, 2015, before me, the undersigned officer, personally appeared **James A. Seurer, CEO of Glacial Lakes Energy, LLC** known to me or satisfactorily proven to be the person whose name is subscribed to within this instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.


Notary Public

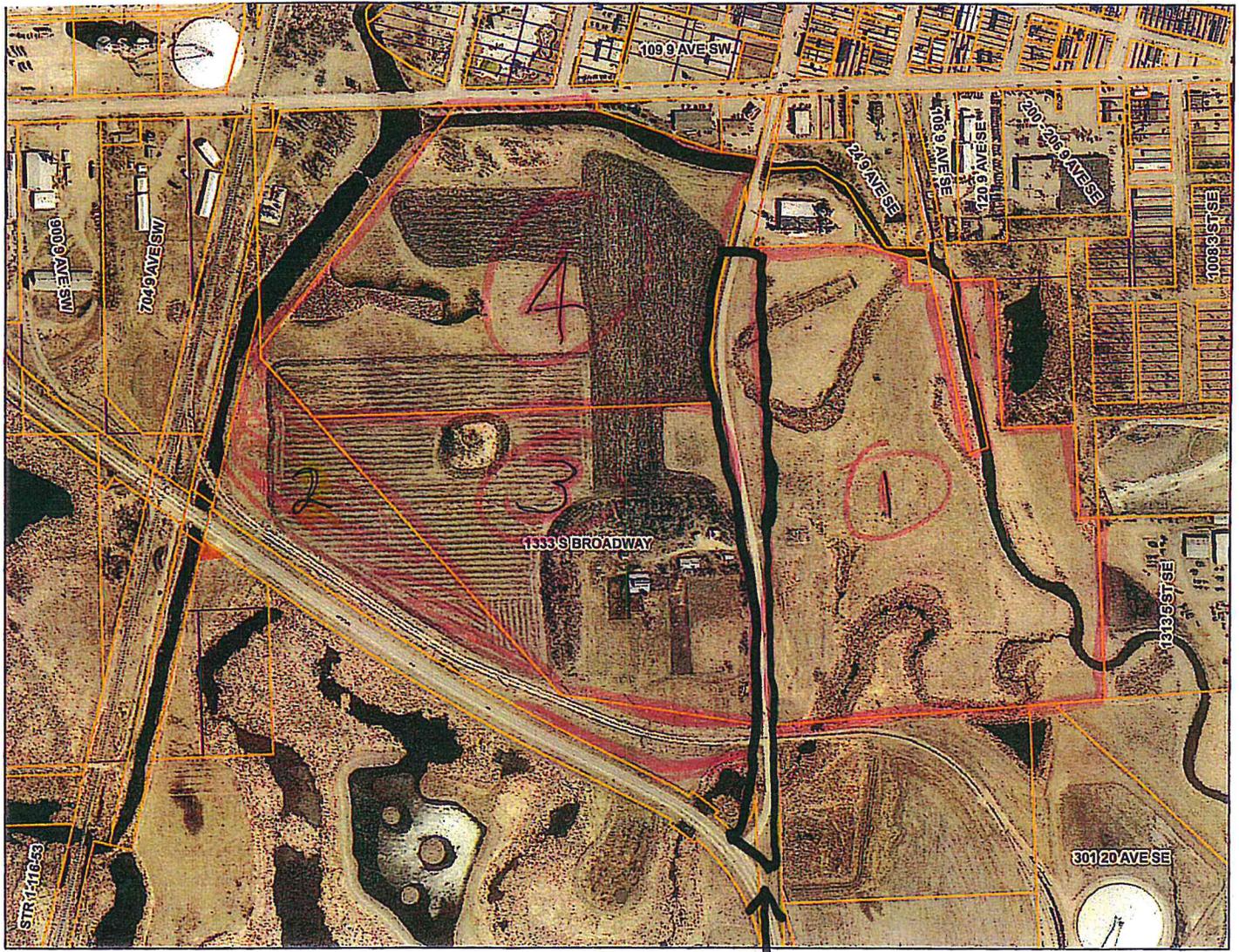
(SEAL)



My Commission Expires

My Commission Expires
April 18, 2020

EXHIBIT A



AREA OF PETITION

Prepared by:
Engineering Department
City of Watertown
23 Second Street NE
P.O. Box 910
Watertown, SD 57201
(605) 882-6201

RESOLUTION 16-10

A Resolution Vacating Public Right of Way on South Broadway Street

WHEREAS, Petition for Vacation of Public Right of Way, has been presented to the City Council of the City of Watertown, South Dakota. Said Public Right of Way petitioned for vacation is described as:

Lot 1 of Lukens Addition to the City of Watertown, South Dakota,

The South Half of the Northwest Quarter, less Hanten Industrial Park Addition, and less that portion of South Broadway Street Outlot located therein, and less road right of way, all in Section 6, Township 116 North, Range 52 West of the 5th P.M., Codington County, South Dakota.

Government Lot 3, Less Little River City Addition, and less Stein Addition, and less that portion of South Broadway Street Outlot located herein, and less the East 20 feet thereof; and Government Lot 4 less Sioux Diversion Addition, and less Hanten Industrial Park Addition, and less Railroad right of way, and less road right of way, all in Section 6, Township 116 North, Range 52 West of the 5th P.M., Codington County, South Dakota.

All that portion of Lot 8 and 9 of the Plat entitled: "Hanten Industrial Park Addition to the Municipality of Watertown, in the County of Codington, South Dakota," located North and East of the plat entitled, Lots H1 in Lots 8 and 9 of Hanten Industrial Park Addition to the Municipality of Watertown, in the County of Codington, South Dakota."

"All that portion of Lot 4 of the Plat entitled: Glacial Lakes Energy Addition to the Municipality of Watertown, in the County of Codington, South Dakota," Less the Plat entitled: "Glacial Lakes Energy Third Addition to the Municipality of Watertown, in the County of Codington, South Dakota."

WHEREAS, Glacial Lakes Energy, LLC, the owner of all real property abutting the described Public Right of Way, has signed the Petition for Vacation indicating that they have reviewed the Petition and consent to the vacation of Public Right of Way described in the Petition;

WHEREAS, the City Plan Commission of the City of Watertown, South Dakota, has by Resolution 2016-02, approved said vacation, recommending to the City Council approval thereof;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, South Dakota, that the Public Right of Way described in the Petition be, and is hereby, declared vacated, retaining a utility easement over its entirety, as recommended by the City Plan Commission.

AND BE IT FURTHER RESOLVED that this Resolution shall be published, and upon taking effect, the Finance Officer is authorized to note the vacation on the City records and record this Resolution with the office of the Register of Deeds of Codington County.

Dated at Watertown, South Dakota, this ____ day of _____, 2016.

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

I hereby certify that Resolution 16-02 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2016

Rochelle M. Ebbers, CPA
City of Watertown

Attest:

Rochelle M. Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

ORDINANCE NO. 16-02

AN ORDINANCE CREATING A BOND FUND AND LEVYING TAXES FOR THE PAYMENT OF GENERAL OBLIGATION BONDS

BE IT ORDAINED BY THE CITY OF WATERTOWN, SOUTH DAKOTA (the City):

Section 1. Pursuant to Ordinance No. 10-17, adopted by the City Council on July 6, 2010 (the “Original Ordinance”), the City has heretofore levied taxes in amounts sufficient to pay 105% of the principal of and interest on its General Obligation Refunding Bonds, Series 2010 (the “Original Bonds”).

Section 2. Pursuant to a resolution adopted by the City Council on February 16, 2016 (the “Bond Resolution”), the City has authorized the issuance of its General Obligation Refunding Bonds, Series 2016 (the “Bonds”), for the purpose of refunding the Original Bonds maturing in the years 2017 through 2023.

Section 3. The Original Ordinance is hereby repealed as of the date upon which this ordinance takes effect..

Section 4. There is hereby created a Bond Fund for the payment of principal of and interest on the Bonds, into which Bond Fund shall be paid all proceeds of the taxes herein levied.

Section 5. For the prompt and full payment of 105% of the principal of and interest on the Bonds as such payments respectively become due, the full faith, credit and unlimited taxing powers of the City shall be and are hereby irrevocably pledged. In order to produce aggregate amounts needed to meet when due 105% of the principal and interest payments on the Bonds, ad valorem taxes are hereby levied on all taxable property in the City for the years and in the amounts set forth on the Certificate as to Tax Levy attached hereto as Exhibit A. The Finance Officer, upon execution of the Bond Purchase Agreement, which is to be entered into between the Purchaser, as defined in the Bond Resolution, and the City, and as more fully described in Section 1.02 of the Bond Resolution, shall compute the required tax levy and shall complete and file the Certificate as to Tax Levy with the Codington County Auditor prior to delivery of the Bonds to the Purchaser.

Section 6. The levies shall be irrepealable so long as any of the Bonds or interest thereon shall remain unpaid, except that, when and if appropriations shall hereafter be made into the Bond Fund of cash from any other fund of the City or moneys therefore actually paid into the Bond Fund, the City Council shall have the power to reduce the levy for the ensuing year or years specified in the Certificates as to Tax Levy by an amount equal to the moneys so appropriated, and upon certification thereof the levies above specified shall be accordingly reduced or canceled. The moneys in the Bond Fund shall be used solely for the payment of principal of and interest on the Bonds; provided

that, if any payment of principal or interest shall fall due on the Bonds when moneys in the Bond Fund are insufficient therefore, such payments shall be made from the General Fund of the City, and said General Fund shall be reimbursed for the amounts so advanced out of the proceeds of the foregoing taxes when collected.

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.

City of Watertown

Steve Thorson
Mayor

Attest: _____
Rochelle Ebbers, CPA
Finance Officer

Exhibit A:

CODINGTON COUNTY AUDITOR'S CERTIFICATE AS TO TAX LEVY

In order to pay when due, the principal of and interest on the General Obligation Refunding Bonds, Series 2016, there is hereby levied a direct, annual ad valorem tax in amounts equal to 105% of such principal and interest to be spread upon the tax rolls for the years and in the amounts set forth below:

<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>
2016	2017	
2017	2018	
2018	2019	
2019	2020	
2020	2021	
2021	2022	

LEASE AGREEMENT

This Lease Agreement is made and entered into this ___ day of March 2016, by and between Nick & Matt Kranz Inc. (hereinafter “LESSEE”), and the City of Watertown (hereinafter “LESSOR”).

1. Leased Premises.

The leased premises are identified on Exhibit A, attached hereto and incorporated by reference. It is acknowledged by the parties hereto that LESSOR is the legal and equitable owner of the real property described herein.

Site 1: Approximately 67 acres of real property located within the perimeter coordinates of North Cells 1-5:

Perimeter Coordinates for North Cells 1-5

Location	Coordinates	
NW Corner	N 44° 53.023’	W 097° 05.912’
NE Corner	N 44° 53.031’	W 097° 05.641’
SE Corner	N 44° 52.608’	W 097° 05.645’
SW Corner Point # 1 – Eastern Point	N 44° 52.609’	W 097° 05.852’
SW Corner Point # 2 – Western Point	N 44° 52.641’	W 097° 05.915’

Legal: A portion of land located in the Southeast Quarter of Section 5, Township 116 North, Range 52 West

Site 2: The Northwest portion of the Southwest Quarter (SW ¼) of Section 4, Township 116 North, Range 52 West, Codington County, South Dakota, consisting of 15.58 acres, more or less

Site 3: The Southwest portion of the Southwest Quarter (SW ¼) of Section 4, Township 116 North, Range 52 West, Codington County, South Dakota, consisting of 11.44 acres, more or less

Site 4: The Northwest portion of the Northwest Quarter (NW ¼) of Section 9, Township 116 North, Range 52 West, Codington County, South Dakota, consisting of 25.22 acres, more or less

LESSEE specifically acknowledges and agrees that during the term of this Lease Agreement, LESSOR shall reserve the right to convey some or all of any of the leased sites to a third party for an alternative use. In the event LESSOR shall exercise any such conveyance, a pro rata reduction in the rent payment due LESSEE will be provided.

2. **Term.**

The term of this Lease Agreement shall be three (3) years and shall be renewable for three (3) additional three (3) year terms, under similar terms and conditions.

3. **Rent.**

LESSEE shall pay LESSOR Fifty-Five (\$55.00) per acre, on an annual basis for sites 2, 3 & 4. Said area is agreed to consist of 55.24 acres, with an annual rent amount due and owing of Three Thousand Thirty Eight Dollars and Twenty Cents (\$3,038.20). The rent shall be paid on or before December 1 each year.

LESSEE shall pay LESSOR the no rent on site #1 during the term of this lease agreement.

4. **Obligations of LESSOR and LESSEE.**

A. LESSOR warrants that it has authority to lease said premises to LESSEE for the purposes described herein.

B. LESSOR warrants that LESSEE shall, during the term of this Lease Agreement, have the right of quiet enjoyment in the leased premises, except as provided for herein.

C. It is expressly agreed and understood by the parties that during the term of this lease both parties shall have the right of access over and upon the leased premises

D. LESSEE agrees, at its sole expense, to comply with all rules, regulations, ordinances, or statutes promulgated by the federal, state or county governments relating to, but not limited to, use of chemicals or fertilizers, and weed abatement and control. LESSEE hereby agrees that weed abatement and control over and upon the entire leased premises shall be its sole responsibility.

E. LESSEE agrees, not to apply any fertilizer or manure containing nitrogen or phosphorus to any of the lease premise sites without the prior written consent of the LESSOR, and upon such written consent provide to the LESSOR documentation of the amount of nitrogen and phosphorus applied in terms of pounds per acre.

5. **Rights of LESSEE.**

LESSEE may utilize the leasehold premises, during the period this Lease Agreement is in effect, for haying purposes.

6. Rights of LESSOR.

LESSOR may, at any time during the term of this lease, inundate the Site #1 of the leasehold premises with partially treated wastewater when the temporary storage and retention of partially treated wastewater from the Watertown Wastewater Treatment Facility is necessary for the operation of the facility.

7. Indemnification.

LESSEE agrees to indemnify and hold LESSOR harmless, for any injury, whether to person or property, arising out of, or occurring as a result of, any activities conducted on the leased premises, whether to LESSEE personally, or any employee, agent, heir of assign of LESSEE, during the term of this Lease Agreement. It is specifically agreed and understood that this express provision cannot be amended or extinguished, in any manner, during the term of this Agreement, and is binding on the LESSEE's heirs and assigns.

8. Right of Termination.

Except as otherwise provided herein, this Lease Agreement may be terminated, without any penalty or further liability, upon written notice by a party. LESSEE hereby agrees that upon termination of this Lease Agreement, it will remove any and all equipment from the leased premises prior to the effective date of such termination and will exercise its best efforts, prior to surrender of the leased premises, to restore the leased premises to the condition then existing at the time LESSEE took possession thereof.

9. Notices.

All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed given if personally delivered, or sent via certified mail, return receipt requested, to the following addresses:

If to LESSOR:
City of Watertown
23 2nd Street N.E.
P.O. Box 910
Watertown, SD 57201

If to LESSEE:
Nick & Matt Kranz Inc.
2137 20th Avenue S.E.
Watertown, SD 57201

10. Assignment and Subletting.

LESSEE may not, in any manner, assign or sublet the leased premises, or any portion thereof.

11. Successors and Assigns.

This Lease Agreement shall run with the property, and shall be binding upon and inure to the benefit of the parties, their respective successors, personal representatives and assigns.

12. Miscellaneous.

A. This Lease Agreement constitutes the entire agreement and understanding of the parties, and supersedes all offers, negotiations and other agreements. There are no representations or understandings of any kind not set forth herein. Any amendments to this Lease Amendment must be in writing and executed by both parties.

B. This Lease Agreement shall be construed in accordance with the laws of the State of South Dakota.

C. If any term of this Lease Agreement is found to be void or invalid, such invalidity shall not affect the remaining terms of this Lease Agreement, which shall continue in full force and effect. The parties shall agree that if any provisions are deemed not enforceable, they shall be deemed modified to the extent necessary to make them enforceable.

D. This Lease Agreement may be executed in any number of counterpart copies, each of which shall be deemed an original, but all of which together shall constitute a single instrument.

Dated this ___ day of March 2016 at Watertown, South Dakota.

LESSOR:

LESSEE:

Steve Thorson
Mayor

Matt Kranz

ATTEST:

Rochelle Ebbers, CPA
Finance Officer

(SEAL)

State of South Dakota)
)SS:
County of Codington)

On this the ___ day of March 2016, before me, the undersigned officer, personally appeared Steve Thorson and Rochelle Ebbers, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Watertown, a municipal corporation, and that they as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Watertown City by themselves as Mayor and Finance Officer.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public

(SEAL)

My Commission Expires:

State of South Dakota)
)SS:
County of Codington)

On this the ___ day of March 2016, before me, the undersigned officer, personally appeared Matt Kranz, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public

(SEAL)

My Commission Expires:

Exhibit A



ORDINANCE NO. 16-03

AN ORDINANCE AMENDING SECTIONS 2.0103 AND 2.0103A REGULATING THE PERMITTED TIMES FOR SALE AND CONSUMPTION OF ALCOHOL WITHIN AND FOR THE CITY OF WATERTOWN

BE IT ORDAINED by the City of Watertown that Section 2.0103 the Revised Ordinances of the City of Watertown regulating package liquor licenses be amended as follows:

2.0103: HOURS AND CLOSING

No licensee shall sell, serve or allow to be consumed on the licensed premises any alcoholic beverages at any time or on any day not permitted by SDCL §35. No licensee shall sell, serve or allow to be consumed on the licensed premises any malt beverages prior to ~~eleven o~~ o'clock (~~11:00~~ ~~ap~~.m. on any Sunday. Package liquor licenses may elect to sell any malt beverage, distilled spirits or wine, on Sunday from eleven o'clock (11:00) a.m. to twelve o'clock (12:00) midnight. (E-584-1) (Rev. Ord. 15-28; 12-11-15).

BE IT FURTHER ORDAINED by the City of Watertown that Section 2.0103A the Revised Ordinances of the City of Watertown regulating package liquor licenses be amended as follows:

2.0103A: SALE OF ALCOHOLIC BEVERAGES ON SUNDAY

Notwithstanding any other provision of this title, any on-sale licensee shall be permitted to sell, serve, and allow to be consumed, on the licensed premises, any alcoholic beverage, including malt beverages, distilled spirits and wine, on Sunday between the hours of eleven o'clock (11:00) AM and twelve o'clock (12:00) midnight, ~~with the serving of food as provided by SDCL §35-4-2.1.~~ (Ord 02-10; Rev 11-15-02) (Ord 03-04; Rev 06-23-03)

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 16-03 was published in the Watertown Public Opinion, the official newspaper of said City, on the _____ day of _____, 2016.

Rochelle M. Ebbers, CPA

First Reading:
Second Reading:
Published:
Effective:

City of Watertown

Attest:

Rochelle M. Ebbers, CPA
Finance Officer

Steve Thorson
Mayor



Watertown Fire Rescue

Station 1

129 1st Avenue NW
Watertown, SD 57201
Phone (605) 882-5030
Fax (605) 882-5041

Station 2

500 Golf Course Road
Watertown, SD 57201
Phone (605)882-5027
Fax (605)8825028

February 24, 2016

**Yamaha Law Loan Program
Evolution Powersports
2102 9th Avenue SW
Watertown, SD 57201**

This is a letter of intent stating that Watertown Fire Rescue would like to partnership with Yamaha and Evolution Power Sports. We would like to enter into the Law Loan Program for a Yamaha UTV to be used as ems and fire support.

Watertown Fire Rescue would use this Yamaha UTV unit for an emergency medical unit equipped with basic equipment for large events or events with limited road service to the event. This could also be used for emergency rescue in areas with difficult access, or occasionally used on very small fires with no or limited access for a fire truck. Watertown Fire Rescue could also use this at the training center from Station 2 for training events.

Thank you for your consideration to Yamaha and Evolution Powersports on this loan program for a Yamaha UTV.

Sincerely,

**Doug Kranz
Fire Chief**

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: **Authorization for Mayor to sign Agreement with Aason Engineering in the amount of \$25,000 for Services on Bridge 15-184-181 Rehabilitation Design Project #1403**

Background: Bridge 15-184-181 is located on South Broadway Street and crosses the Big Sioux River. The bridge was scheduled for replacement within the 2016 STP. However, Glacial Lakes Energy (GLE) has petitioned for the vacation of Broadway Street just south of the bridge location. If the vacation of South Broadway is granted the level of service for the proposed bridge replacement/rehabilitation project will alter the scope and extent of the bridge design. In anticipation of the successful vacation of South Broadway GLE asked the City to proceed with the design plans and construction of the bridge as necessary to provide continued access to HESCO, Inc. which is located at the south end of the bridge.

The proposed bridge rehabilitation will include the removal of the existing superstructure and replacing it with precast concrete double tee units for a 26 foot wide 94 foot long deck built on the existing abutments and piers. The estimated project cost is \$400,000 with an anticipated life cycle of 30 years. In order to complete the proposed construction work for the bridge during the 2016 season Staff recommends entering an agreement with Aason Engineering to begin the design work as soon as possible. Aason Engineering will complete the design engineering for the project for a fee not to exceed \$25,000 which is 6% of the estimated construction cost and therefore reasonable. The services will include any site survey and design work to produce a set of construction plans and project manual ready for bid letting.

Recommendation: Authorize Mayor Thorson to sign the agreement with Aason Engineering in the amount of \$25,000 for Design Services on Bridge 15-184-181 (S. Broadway Street) Project #1403.

Council Action Requested:
Motion to Approve.

Mayor's Comments:

AGREEMENT FOR PROFESSIONAL SERVICES

for

Bridge 15-184-181 Rehabilitation Design

CITY OF WATERTOWN

This AGREEMENT made and entered into by and between the City of Watertown, Watertown, South Dakota, hereinafter called the CITY, and AASON ENGINEERING COMPANY, INC., Consulting Engineers, Watertown, South Dakota, hereinafter called the ENGINEER.

WHEREAS, the CITY desires to have design services for the rehabilitation of bridge 15-184-181 as detailed within this contract, and;

WHEREAS, the ENGINEER represents that they are in compliance with the South Dakota statutes relating to the registration of land surveyors and professional engineers and has indicated their willingness to provide land surveying and professional engineering services that are necessary for the project;

NOW THEREFORE, the CITY and the ENGINEER, in consideration of the premises and the covenants, herein agree in respect to the performance of land surveying and professional engineering services by the ENGINEER and the payment for those services by the CITY as set forth herein.

ARTICLE I
SCOPE OF SERVICES

The ENGINEER will provide the following:

1. Bridge rehabilitation design consisting of removing the existing superstructure and replacing it with precast concrete double tee units. Roadway reconstruction limits will extend approximately 80' north and 80' south.
2. Construction plans and project manual ready for bid letting.

ARTICLE II
COMPENSATION

The compensation payable by the CITY to the ENGINEER for services performed under this Agreement shall be a maximum limiting fee of \$25,000.00. See Exhibit 1 for details.

The ENGINEER will submit billing statements no more than once a month to the CITY for their processing in regards to payment for services rendered.

ARTICLE III
GENERAL CONTRACT CLAUSES

SECTION I - TERMINATION

This AGREEMENT may be terminated by either party upon fifteen days written notice, in the event of substantial failure to perform in accordance with the terms hereof by the one party through no fault of the other party. If this AGREEMENT is so terminated, the ENGINEER shall be paid in the amount, which he has earned up to such date of termination under the terms of this AGREEMENT. Upon termination, the CITY shall be entitled to all plans and documents for which there has been payment made to the ENGINEER and they shall become the property of the CITY.

Unless the AGREEMENT shall have been terminated as herein before provided, it shall terminate on completion of the scope of work as defined in Article I, and on final payment of all fees under this AGREEMENT by the CITY.

SECTION II - INSURANCE

The ENGINEER shall maintain such insurance as will protect him from claims under Workman's Compensation Acts, claims for damages because of bodily injury, sickness or disease, or death of any of his employees, and from claims from damages because of injury to or destruction of tangible property including loss of use thereof.

SECTION VI - INDEMNIFICATION OF CITY

The ENGINEER shall indemnify the CITY, its agents, officials and employees, against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, costs and expenses, that may in any way accrue against the CITY in consequence of the granting of this contract or that may in any way result from that grant, whether or not it shall be alleged or determined that the act was caused through negligence or omission of the ENGINEER OR ENGINEER'S employees, of the Subcontractor or Subcontractor's employees, if any, and the ENGINEER shall, at the ENGINEER'S own expense, appear, defend and pay all charges incurred in connection with that activity, and, if any judgment shall be rendered against the CITY in any such actions, the ENGINEER shall, at the ENGINEER'S own expense, satisfy and discharge that judgment. The ENGINEER expressly understands and agrees that any performance bond or insurance protection required by this contract, or otherwise provided by ENGINEER, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the CITY as here provided.

SECTION VIII - EXTENT OF AGREEMENT

This AGREEMENT represents the entire and integrated AGREEMENT between the CITY and the ENGINEER covering the services set forth herein and supersedes any prior negotiations, representations or agreements therefore, written or oral. This AGREEMENT may be amended only by written instrument signed by both the CITY and the ENGINEER.

SECTION IX - APPLICABLE BY LAW

The laws of the State of South Dakota shall govern this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have made and executed this AGREEMENT this _____ day of _____, 2016.

ATTEST

CITY OF WATERTOWN:
Watertown, South Dakota

Steve Thorson, Mayor

ATTEST

ENGINEER:
Aason Engineering Company, Inc.
1022 Sixth Street SE
Watertown, South Dakota

Rodney S. DeJong

EXHIBIT 1

Design Proposal

Aason Engineering

February, 2016

Bridge 15-184-181 Rehabilitation Design

Design Phase Rates:

Survey:	1 Man	= \$ 82.00 / Hour
	2 Man	= \$136.00 / Hour
	Comps	= \$ 66.00 / Hour
Design:	Engineer	= \$ 86.00 / Hour
	Drafter	= \$ 66.00 / Hour

Rehabilitation Design	=	\$ 10,000.00
Construction Plans & Project Manual	=	<u>\$ 15,000.00</u>
Max Limiting Fee	=	\$ 25,000.00

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: **Authorization for Mayor to execute documents relating to SWRMS Grant for Flood Control Study**

Background: The City of Watertown has suffered immense losses stemming from numerous floods in the past. In 2001, the City Council passed a resolution which was ratified by voters in a special election authorizing Watertown to sponsor a flood control project, and the Council voted again in 2010 to continue moving forward with it. After a comprehensive effort in 2012 to develop the Vision Plan for Watertown, the community adopted the goal to *“Complete the planning and construction of a dam along the Big Sioux River once federal funding is approved.”* Unfortunately, regulations require that the US Army Corps of Engineers complete the flood control work, including the preliminary studies needed to justify a project, which means that we compete across the nation for funding to move forward. The Corps has finished much work including preliminary design alternatives and recommendations, but lack of federal funding has stopped progress on the project.

In 2015, the Corps of Engineers approached the City to ask if we would sponsor a feasibility level study update and agree to provide \$450,225 in local funds which would enable us to move to the next stage. The Council authorized the commitment last summer, and the City then requested assistance from the State Water Resources Management System to help cover the local share. Last week, SB 68 passed and was signed by the Governor authorizing a grant of \$225,125 from the DENR to put toward the local share. Now the DENR is asking the City to provide a written request to the Board of Water and Natural Resources to place the funds under agreement to formalize the details of the funding transactions.

Recommendation: Authorize the Mayor or his designee to sign:

- Resolution 16-11, accepting SWRMS Grant for Big Sioux Flood Control Study for Watertown,
- the letter requesting placement of the State Water Resources Management System Project funds for completion of the Big Sioux Flood Control Study under agreement
- the Agreement itself, and
- pay requests and any other documents required for the grant.

Council Action Requested:

Motion to Approve.

Mayor's Comments:

RESOLUTION No. 16-11

WHEREAS, the City is proposing to undertake a project which has been placed on the State Water Plan and is entitled, "Big Sioux Flood Control Study"; and

WHEREAS, The City of Watertown proposes to accept a grant of \$225,125 of State Water Resources Management System (SWRMS) money to be used as a portion of the local share matching federal funds for the same project. The grant will be supplemented with funds from sales tax revenues and other local contributions to make up the local share; and

WHEREAS, the City is required to designate certifying officers for the purpose of signing required documents pertaining to this grant;

THEREFORE BE IT RESOLVED, the Mayor is authorized to execute and submit the letter requesting placement of the SWRMS funds under agreement for the proposed project on behalf of the City; and,

BE IT FURTHER RESOLVED, the Mayor is hereby designated as the City's certifying officer for the purpose of signing the grant agreement, contract, correspondence and other required documents for this grant and the Finance Officer is hereby designated as the certifying officer for the purpose of signing pay requests and other financial documents for this grant.

Dated this 7th day of March, 2016.

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

I hereby certify that Resolution No. 16-11 was published in the Watertown Public Opinion, the official newspaper of said City, on the _____ day of _____, 2016.

CITY OF WATERTOWN

ATTEST:

Rochelle Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

March 7, 2016

Jim Feeney, Division Director
Department of Environment and Natural Resources
Division of Financial and Technical Assistance
523 E. Capitol Avenue
Pierre, SD 57501

RE: SWRMS Project, Big Sioux Flood Control Study

Dear Mr. Feeney:

On behalf of the City of Watertown, I respectfully request to have Watertown's legislative appropriation of \$225,125 in grant funds to be put under contract at the Board of Water and Natural Resources (BWNR) next meeting.

We plan to use the funds to complete the feasibility level study update by the US Army Corps of Engineers to further investigate flood risk management solutions for our community.

The support and assistance the City continues to receive from the BWNR and the DENR are greatly appreciated. Please feel free to contact me or Assistant City Engineer Sarah Caron with any questions or requests for further information.

Sincerely,

Steve Thorson
Mayor

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: **Authorization for Mayor to sign Detour Agreement with SD DOT for the Highway 81 reconstruction project**

Background: The State of South Dakota will be reconstructing a portion of US Highway 81 from 3rd Avenue North to 18th Avenue North during the summer of 2016, and would like to use City streets to detour traffic during periods when portions of the highway must be closed. The Department of Transportation has asked the City to execute the standard DOT agreement for use and restoration of the detour route which is depicted on the attached exhibit.

The agreement specifies that:

- The State will restore the Detour Road after its use as a detour to the condition which existed immediately prior to the State's use of it,
- the State will join the City in a physical inspection of the route prior to the project, and both parties will sign a report agreeing to the original condition of the route,
- the State will be responsible for maintenance of the Detour Road during the time it is used as a detour,
- the State will erect and maintain all traffic control signs while Detour is in use,
- the City will resume maintenance on the Detour Road once the State is no longer using it,
- No Parking will be permitted along Phase 1A or Phase 1B during the use of the routes as a Detour.
- any other special considerations will be noted for the record.

Recommendation: Authorize the Mayor to sign the Agreement with the SD Department of Transportation for Use and Restoration of Detour.

Council Action Requested:

Motion to Approve.

Mayor's Comments:

7. It is further agreed the use of the DETOUR ROAD shall be subject to the following additional conditions:

No Parking will be permitted along Phase 1A or Phase 1B during the use of the route as a
Detour.

IN WITNESS WHEREOF, the said parties hereto have caused this Agreement to be entered into be their respective and duly authorized representatives.

Name of Governing Agency:

City of Watertown, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Its: _____

Its: Region Engineer

Date: _____

Date: _____

Attest:

Approved as to Form:

City Financial Officer/Clerk

Assistant Attorney General

(Corporate Seal)

PLOT SCALE - 1:125

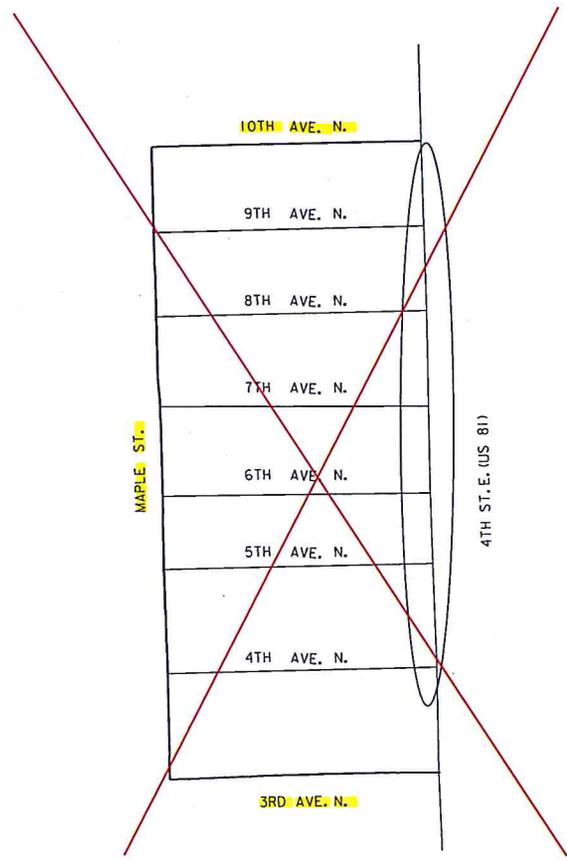
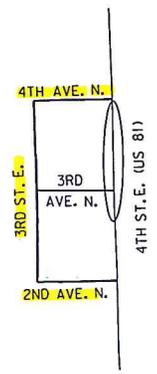
PLOTTED FROM - TRMAINT14

STATE OF SOUTH DAKOTA	PROJECT	SHEET NO.	TOTAL SHEETS
	P 0081(93)157		
Plotting Date: 08/21/2015			

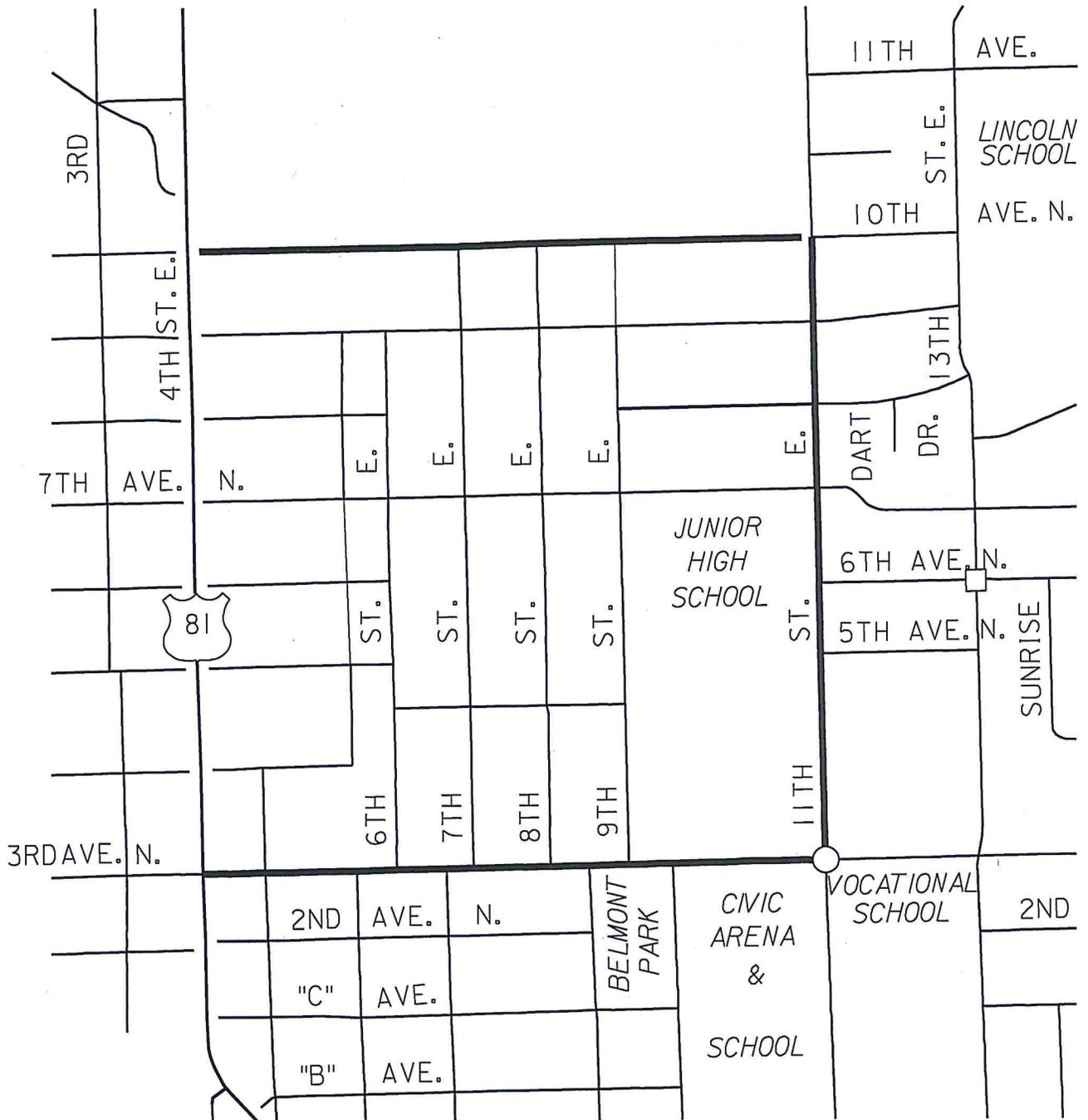
LOCAL DETOUR BASED UPON CONSTRUCTION PHASE

Detour Route for when
work is in Phase 1A
Sta. 76+00 to 80+00

Detour Route for when
work is in Phase 1B
Sta. 80+00 to 102+00



PLOT NAME - 1
FILE - ...LOCAL TRAFFIC DETOUR PHASES OVERVIEW.DGN
SHEET - OF - SHEETS



APPLICATION FOR ABATEMENT OR REFUND OF TAXES
under the provisions of SDCL 10-18-1
TO THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA

NAME Bridge Church of Christian + Missionary
MAILING ADDRESS 810 10th Ave SE
CITY Watertown STATE SD ZIP CODE 57201
Record # 14645 Legal Description of Property N190' W190' Lot A
Moriarty Subd.

Application for an abatement / refund of taxes if being presented due to the following reason (check applicable provision).

- An error has been made in any identifying entry of description of the real property; in entering the valuation of the real property or in the extension of the tax, to the injury of the complainant;
- Improvements on any real property were considered or included in the valuation of the real property, which did not exist on the real property at the time fixed by law for making the assessment;
- The complainant or the property is exempt from the tax;
- The complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessment;
- Taxes have been erroneously paid or error made in noting payment or issuing receipt for the taxes paid;
- The same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax for the year has been paid.
- A loss occurred because of flood, fire, storm, or other unavoidable casualty;
Date of Loss _____
- Structures have been removed after the assessment date (upon verification by the director of equalization),
Date structures removed _____
- Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in § 10-6A-4.
- Applicant, having otherwise qualified for classification of owner-occupied single family dwelling, but missed the deadline as prescribed by law due to temporary duty assignment for the military.
- Other / Comments _____

(No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding - - Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reasons.

Subscribed and sworn to, before me this 11th day of February, 2016.

[Signature]
Applicant's Signature

[Signature]
Notary / Auditor / Deputy Auditor / Director of Equalization

Date received in the County Auditor's Office	<u>2-16-2012</u>	Received by	<u>C Brugman</u>
Taxes due in	<u>2016</u>	Total Taxable Value	<u>421282</u>
		Total Taxes Due	<u>8209.52</u>
Tax levy	<u>19.487</u>	Property classification	<u>NA</u>
Taxable Value Abated	<u>421282</u>	Amount Abated	<u>8209.52</u>
		Amount Refunded	_____

Records have been checked and it was found that _____ was

I do do not recommend that this abatement or refund be allowed.

Shauna Cudent
ASSESSING OFFICER

Approved by authority of Subdivision
of SDCL-10-18-6.

City of _____

Dated _____, 20____

Mayor.

Rejected: _____

Reasons: _____

Dated _____, 20____

Mayor.

Applicant advised of action by notice dated
_____, 20____.

City Auditor.

Approved by authority of Subdivision
of SDCL-10-18-1.

Dated _____, 20____

Chairman County Board.

Rejected: _____

Reasons: _____

Dated _____, 20____

Chairman County Board.

Applicant advised of action by notice dated
_____, 20____.

County Auditor.

No. _____

APPLICATION FOR
ABATEMENT OR REFUND

of

Mr. _____

P.O. _____

OFFICE OF COUNTY AUDITOR

Codington County

Received and filed in my office on

_____, 20____.

County Auditor.

By _____
Deputy.

	A	B	C	D	E	F	G	H	I	J	K	L
1		AMDAHL WETLAND COMPLEX										
2					Bates Constr. Co. Inc.		Kriech		Connors Construction Inc		B&B Construction, Inc.	
3	#	Description of Item	Unit	Quantity	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$
4	1	Mobilization	LS	1	10,000.00	10,000.00	9,200.00	9,200.00	8,000.00	8,000.00	10,200.00	10,200.00
5	2	Clearing	LS	1	1,000.00	1,000.00	500.00	500.00	500.00	500.00	2,000.00	2,000.00
6	3	Remove Fence	LF	50	3.00	150.00	5.00	250.00	2.00	100.00	3.50	175.00
7	4	Reset Fence	LF	50	5.00	250.00	5.00	250.00	2.00	100.00	6.75	337.50
8	5	Demo of Existing Bridge	EA	1	2,500.00	2,500.00	750.00	750.00	5,000.00	5,000.00	5,000.00	5,000.00
9	6	Embankment Material	Ton	6,305	3.46	21,815.30	6.00	37,830.00	4.00	25,220.00	6.25	39,406.25
10	7	Gravel Surfacing	Ton	653	10.00	6,530.00	12.00	7,836.00	15.00	9,795.00	14.00	9,142.00
11	8	Salvage Topsoil	CY	1,000	2.00	2,000.00	2.00	2,000.00	2.00	2,000.00	2.00	2,000.00
12	9	Placing Topsoil	CY	1,000	2.00	2,000.00	2.00	2,000.00	2.00	2,000.00	3.00	3,000.00
13	10	Dewatering	LS	1	2,500.00	2,500.00	500.00	500.00	1,000.00	1,000.00	5,000.00	5,000.00
14	11	High Flow Silt Fence	LF	800	4.50	3,600.00	3.86	3,088.00	4.10	3,280.00	4.00	3,200.00
15	12	Remove Silt Fence	LF	800	1.00	800.00	0.52	416.00	1.00	800.00	0.55	440.00
16	13	Type B drainage fabric	SY	2,666	1.60	4,265.60	2.00	5,332.00	2.45	6,531.70	2.00	5,332.00
17	14	Class C Rip Rap	TON	1,327	26.50	35,165.50	27.00	35,829.00	34.50	45,781.50	32.00	42,464.00
18	15	36" RCP Furnish and install	LF	102	70.00	7,140.00	93.00	9,486.00	71.50	7,293.00	85.00	8,670.00
19	16	24" CMP Furnish and	LF	86	40.00	3,440.00	40.00	3,440.00	55.00	4,730.00	50.00	4,300.00
20	17	3'x4' Type C concrete drop inlet with frame and grate	Ea	2	3,500.00	7,000.00	5,350.00	10,700.00	4,750.00	9,500.00	4,350.00	8,700.00
21	18	Butyl Rope, Furnish & Inst.	LF	160	1.50	240.00	1.00	160.00	0.50	80.00	4.00	640.00
22	19	Cover Seed Mix	Lb	18	45.00	810.00	41.72	750.96	45.00	810.00	44.00	792.00
23	20	Mulching	AC	1	500.00	500.00	525.00	525.00	600.00	600.00	550.00	550.00
24												
25		TOTAL				111,706.40		130,842.96		133,121.20		151,348.75

AMDAHL WETLAND COMPLEX BIDS

03/03/2016

	M	N	O	P	Q	R
1						
2	J&J Earthworks, Inc.		Clausen Construction Inc		Ronglien Excavating, Inc.	
3	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$	UNIT \$	TOTAL \$
4	12,000.00	12,000.00	3,500.00	3,500.00	19,750.00	19,750.00
5	3,500.00	3,500.00	2,500.00	2,500.00	2,100.00	2,100.00
6	3.00	150.00	6.00	300.00	2.00	100.00
7	5.00	250.00	8.00	400.00	4.00	200.00
8	2,200.00	2,200.00	6,000.00	6,000.00	3,800.00	3,800.00
9	8.50	53,592.50	10.00	63,050.00	7.15	45,080.75
10	14.50	9,468.50	13.50	8,815.50	24.00	15,672.00
11	2.00	2,000.00	2.50	2,500.00	5.80	5,800.00
12	3.50	3,500.00	2.50	2,500.00	3.25	3,250.00
13	2,000.00	2,000.00	2,500.00	2,500.00	6,500.00	6,500.00
14	4.70	3,760.00	5.00	4,000.00	4.70	3,760.00
15	1.00	800.00	1.00	800.00	1.50	1,200.00
16	2.25	5,998.50	2.00	5,332.00	3.50	9,331.00
17	33.50	44,454.50	36.00	47,772.00	47.50	63,032.50
18	78.00	7,956.00	94.78	9,667.56	75.00	7,650.00
19	47.00	4,042.00	35.96	3,092.56	48.50	4,171.00
20	2,800.00	5,600.00	3,724.76	7,449.52	3,650.00	7,300.00
21	3.50	560.00	4.70	752.00	2.25	360.00
22	47.00	846.00	95.00	1,710.00	50.00	900.00
23	700.00	700.00	800.00	800.00	600.00	600.00
24						
25		163,378.00		173,441.14		200,557.25

Bid Open 2/17/2016 10AM

Project: AMDAHL WETLAND COMPLEX

BIDDER	BASE BID	BID SECURITY
Bates Construction Co. Inc. 47264 152nd St. Twin Brooks, SD 57269-5831	\$ 111,706.40	Bid Bond
Don Kriech 44720 142nd St. Waubay, SD 57273	\$ 130,842.96	Bid bond
Connors Construction, Inc. 11 13th St. SE Watertown, SD 57201	\$ 133,121.20	Bid Bond
B&B Construction, Inc. 1 392nd Ave. S. Aberdeen, SD 57401	\$ 151,348.75	Bid Bnd
J&J Earthworks, Inc. 1002 S. Madison St. Milbank, SD 57252	\$ 163,378.00	Bid Bond
Clausen Construction Inc 1300 23rd St. SE Watertown, SD 57201	\$ 173,441.14	Cashier's Check
Ronglien Excavating, Inc. 857 Elm St. Big Stone City, SD 57216	\$ 200,557.25	Bid Bond

City of Watertown, South Dakota Storm Water Management Program

for compliance with

Federal Clean Water Act National Pollutant Discharge Elimination System Phase II Storm Water Program

Revision Proposed March 7, 2016

Introduction

The City of Watertown reached full implementation of the Storm Water Phase II Program as planned, and continues to enforce the program in compliance with the General Permit for Stormwater Discharges. The Program is broken down into the six required “Minimum Control Measures” with associated Best Management Practices (BMPs) selected to implement each Control Measure. For each BMP, the Plan lists measurable goals, rationale, implementation schedule and frequency for each action, and the individual(s) responsible for implementation. The following pages define the Storm Water Phase II Program for the City of Watertown.

Minimum Control Measure 1: Public Education and Outreach on Storm Water Impacts.

To satisfy this minimum control measure, the permittee must implement public education activities, which include the following:

1. Distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges and the steps the public can take to reduce pollutants in storm water runoff.
2. Target local businesses with informational materials appropriate to them on potential storm water impacts of improper waste disposal and illegal discharges.

BMPs to implement Minimum Control Measure 1:

1. Informational flyers will be included at least once annually in a utility bill mailing during the storm water season of April through September by the Lake Area Technical Institute (LATI) Environmental Science Educator. This BMP was selected because it is a way to cost-effectively provide information to the entire Watertown community. **GOAL: 1 per year**
2. An information sheet on Phase II was developed and will be distributed by Watertown’s Wastewater Superintendent via industrial pretreatment staff during their annual inspections of industrial users. This BMP was selected because it is a simple and cost-effective way to provide information to the industrial community within Watertown. **GOAL: 50 sheets distributed per year**

3. The City will support the efforts of East Dakota Water Development District, South Dakota State University, and the Brookings Conservation District in their efforts to organize and co-sponsor the annual Big Sioux Water Festival at SDSU by contributing \$500 each year toward the event. This BMP was selected because the Festival is filled with fun, interactive educational activities and short courses to expose youth to important water-related issues, and Watertown 4th Graders take part. The money comes out of the Water Resources budget for Public Education and Outreach. The individual responsible for implementation is the City Engineer. **GOAL: Contribute \$500 per year**
4. The City will host the annual Conservation Connections event at Watertown's Bramble Park Zoo during the month of July. Educational activities are geared toward teaching the effects of water quality and the environment on fish and wildlife habitat and propagation. The target audience of the annual Bramble Park Zoo Conservation Connections is families. Attendance at the Bramble Park Zoo is characterized by a ratio of adults to children of 2 to 1. Conservation Connections attendance provides the measure of success. The individual responsible for implementation is the Zoo Educator. **GOAL: 1 Event per year**
5. The Community will continue presentations to urban audiences by project staff of the Upper Big Sioux River Watershed Project (UBSRWP), which is sponsored by the City of Watertown. Although the primary focus of the project is on agricultural activities and agricultural nonpoint source pollution, project staff often provide presentations to urban audiences such as service organizations, schools, special interest groups, government agencies, etc. In consideration of the urban audiences, the presentations promote the efforts towards water quality improvements with an expanded focus on the urban environment, effects of urban storm water pollution, and the steps individuals can take to improve urban storm water quality. Project staff are highly experienced and qualified in the area of water quality and public information and education for the purpose of water quality improvements. Level of effort will be measured by the number of speaking engagements to urban audiences, and the individual responsible for implementation is the UBSRWP Coordinator. **GOAL: 2 Presentations per year**
6. The City maintains a website with a section dedicated to Storm Water Phase II program background, requirements, goals and plan for implementation. Web- page content, links, and number of hits will measure level of effort and success toward public education and outreach. The individual responsible for implementation is the City Engineer via the Engineering Administrative Assistant. **GOAL: Ongoing, website maintenance**
7. City staff will provide a presentation and review of Program accomplishments at a City Council meeting by the first week of March each year, and submit the Annual Report to the DENR by March 10. All City Council meetings are open to the public, and provide opportunity for public education and outreach. The meetings are televised and replayed on the local government access channel. The individual responsible for implementation is the Assistant City Engineer. **GOAL: 1 Presentation per year and on-time report submittal**

Minimum Control Measure 2: Public Involvement/Participation. To satisfy this minimum control measure, the permittee must develop and implement procedures for involving the public in the SWMP, including the following:

1. Include the public in developing, reviewing, and implementing the SWMP;
2. Make efforts to reach out and engage the entire community;
3. Comply with any applicable public notice requirements using an effective mechanism for reaching the public; and
4. Document efforts to involve the public and ensure that members of the community were given opportunities to be involved.

BMPs to implement Minimum Control Measure 2:

1. The City will fulfill the statutory requirements of SDCL 1-25-1.1. Notice of meetings of public bodies -- Violation as misdemeanor for all City Council meetings. **GOAL: 24 Compliant Council Meetings per year.**

This level of notification provides the entire community equal opportunity to be informed of Storm Water Phase II Program activities considered by the City Council and to participate in the process of developing, reviewing, and implementing Watertown's Storm Water Phase II Program.

All public bodies shall provide public notice, with proposed agenda, at least twenty-four hours prior to any meeting, by posting a copy of the notice, visible to the public, at the principal office of the public body holding the meeting, and, for special or rescheduled meetings, delivering, in person, by mail or by telephone, the information in the notice to members of the local news media who have requested notice. For special or rescheduled meetings, all public bodies shall also comply with the public notice provisions of this section for regular meetings to the extent that circumstances permit.

In addition, agendas provided to the local news media in the event of special or rescheduled meetings involving the Storm Water Phase II Program or other existing programs with a storm water quality benefit will be kept in the file as a measure of compliance and completion of this best management practice activity.

The individual responsible for implementation is the Finance Officer.

2. Continue making the current level of additional effort to notify the public of all City Council meetings and agenda. **GOAL: 24 Compliant Council Meetings per year.**

Additional methods employed by the City of Watertown for public notification of City Council meetings and agenda include notifying all City department heads and local media including radio and newspaper that the agenda has been published on the website for use in public service announcements and news coverage. This multi-media approach provides capability to reach numerous diverse target audiences.

The individual responsible for implementation is the Finance Officer.

3. Provide annual report of Storm Water Phase II Program accomplishments to the Watertown City Council. **GOAL: 1 Presentation per year**

City Council meetings are open to the public, and are televised and replayed on the local government access channel. Measure of accomplishment will be the City Council's acceptance of the final report including any revisions to Watertown's Storm Water Phase II Program for subsequent years of the permit period, and authorization to submit the report to the South Dakota Department of Environment and Natural Resources.

The frequency and schedule for this BMP are once per year in February, and the individual responsible for implementation is the Assistant City Engineer.

4. Continue to actively promote and conduct current city programs with an associated storm water quality benefit – such as the City-Wide Clean-Up, recycling, grass and leaf disposal, and residential solid waste collection. **GOAL: 500 tons recyclable material and 2500 tons yard waste collected per year**

Level of success and community participation will be measured in tons of material diverted for proper disposal.

The frequency and schedule for this BMP are once per year in May for the City-Wide Clean-Up, on-going for the others, and the individual responsible for implementation is the Solid Waste Superintendent.

5. Receive and respond to confidential complaints of illicit discharges and illegal dumping into the storm water management system and other general pollution or littering within the city limits of Watertown. **GOAL: Resolve 100% of all complaints each year.**

Public involvement and participation will be measured by the percentage of all legitimate confidential complaints resolved.

The frequency and schedule for this BMP are on-going, and the individual responsible for implementation is the City Engineer.

6. Promote Storm Water Phase II Program activities by staffing a booth at the local Home Show. **Goal: Once per year, host a booth at the Home Show.**

City services that have a water quality benefit are promoted and feedback from visitors to the booth is gathered. A quiz offering the chance to win prizes is used to measure public knowledge of water quality issues and facts.

The frequency and schedule for this BMP are once per year in February or March, and the individual responsible for implementation is the Assistant City Engineer.

Minimum Control Measure 3: Illicit Discharge Detection and

Elimination. To satisfy this minimum control measure, the permittee must develop, implement, and enforce procedures to detect and eliminate illicit discharges into the permittee's MS4. The permittee must:

1. Develop, if not already completed, a storm sewer system map showing the location of all municipal storm sewer outfalls and the names and location of all waters of the state that receive discharges from those outfalls.
2. To the extent allowable under state or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-storm water discharges into the storm sewer system, and implement appropriate enforcement procedures and actions.
3. Develop and implement a plan to detect and address non-storm water discharges, including illicit discharges and illegal dumping, to the system. The plan must include the following components:
 - ♦ procedures for locating priority areas likely to have illicit discharges;
 - ♦ procedures for tracing the source of an illicit discharge;
 - ♦ procedures for removing the source of the discharge; and
 - ♦ procedures for evaluating and assessing the illicit discharge plan.
4. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

BMPs to implement Minimum Control Measure 3:

1. An information sheet on Phase II for distribution by Watertown's industrial pretreatment staff has been developed and is distributed at annual inspections. **GOAL: Distribute 45 information sheets per year.**

The City's industrial pretreatment staff conducts annual inspections of 15 significant industrial users. Additionally, each year on-site inspections are performed at a number of the 1000-plus commercial entities in Watertown based on staff workload. These commercial entities include restaurants, garages, warehouses, service stations, car washes, body shops and numerous other types of businesses. The measurable goal for this activity will be reported as the number of contacts made by the industrial pretreatment staff.

The frequency and schedule for this BMP are on-going, and the individual responsible for implementation is the Wastewater Superintendent.

2. The City will continue to implement its plan for receiving and responding to confidential complaints of illicit discharges and illegal dumping into the storm water management system and other general pollution or littering within the city limits of Watertown. **GOAL: Resolve 100% of all complaints each year.**

This best management practice is mandated by the Phase II regulations and South Dakota's General Permit for Storm Water Discharges from Small MS4s. The measurable goal for this BMP is a written plan or standard operating procedure that has been approved by the Watertown City Council.

The frequency and schedule for this BMP are on-going, and the individual responsible for implementation is the Assistant City Engineer.

3. Field survey data to define location and inventory of storm water management system is an ongoing activity of the Engineering Department. The storm sewer layer has been incorporated into the City's geographic information system and is also updated periodically.
GOAL: Incorporate 100% of the changes as they are installed within 1 year of the construction year.

The frequency and schedule for this BMP are on-going, and the individual responsible for implementation is the City Engineer.

4. Through activities listed in the Public Education and Outreach control measure such as the Home Show Booth, distribute information to the public and business community about the general adverse environmental effects and hazards associated with illicit discharges, illegal dumping, and improper waste disposal, and the complaint-based system of addressing illicit storm water discharges and general pollution and littering within the city limits. **GOAL: Once per year, host a booth at the Home Show.**

The frequency and schedule for the Home Show Booth is once per year in February or March, and the individual responsible for implementation is the Assistant City Engineer.

5. The Standard Operating Procedure Manual for Illicit Discharge Detection and Elimination will be revised to include procedures for evaluating and assessing the Illicit Discharge Plan.
GOAL: Update Illicit Discharge SOP Manual for compliance by December 2016.

The frequency and schedule revising the Manual is once in December, 2016. The individual responsible for completing this is the City Engineer.

Minimum Control Measure 4: Construction Site Storm Water

Runoff Control. To satisfy this minimum control measure, the permittee must develop, implement, and enforce requirements for construction activities to address pollutants in storm water runoff to the MS4. At a minimum, activities disturbing one or more acres must be addressed. Construction activities disturbing less than one acre must also be included if that construction activity is part of a larger common plan of development or sale that would disturb at least an acre.

1. The selected mechanism must include the development and implementation of, at a minimum:
 - a. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state or local law;
 - b. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;
 - c. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
 - d. Procedures for site plan review that consider potential water quality impacts;
 - e. Procedures for receipt and consideration of information submitted by the public; and
 - f. Procedures for site inspection and enforcement of control measures.

2. The following mechanisms can assist in meeting the requirements of this measure:
 - a. The MS4 operator can incorporate storm water pollution prevention requirements (such as erosion control plans, design standards, and/or the use of BMPs) into an existing "Building Permit" or development approval process.
 - b. The MS4 operator can reference the state's Storm Water Construction Permit requirements and provide cooperation or assistance to the state in determining compliance with their program, such as providing information on active construction projects and reporting lack of erosion control measures.

BMPs to implement Minimum Control Measure 4:

1. With assistance and coordination with state agencies and other local governments, the City will provide educational opportunities for contractors to acquire general information regarding the purpose and current requirements of the Storm Water Phase II Program, how to develop pollution prevention plans, and basic erosion and sediment control techniques.

GOAL: Host one educational seminar or complete one mailing for/to contractors per year.

Measure of effort toward accomplishing this best management practice will be reported as seminars hosted/co-hosted by the City for contractors' information, number of local contractors participating in City-hosted seminars, and number of mailings notifying local contractors of upcoming educational opportunities.

The frequency and schedule for the training is once in December each year. The individual responsible for completing this is the Building Official.

2. The City will provide training to staff members regarding Construction Site Storm Water Runoff Control, including basic erosion and sediment control techniques, developing and reviewing pollution prevention plans, and inspection of construction sites for compliance with the stormwater regulations. . **GOAL: One staff training event per year.**

The frequency and schedule for the training is on-going. The individual responsible for completing this is the Assistant City Engineer.

Minimum Control Measure 5: Post-Construction Storm Water Management in New Development and Redevelopment.

To satisfy this minimum control measure, the permittee must develop, implement, and enforce measures to address storm water runoff from new development and redevelopment projects that disturb at least one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. Strategies developed and implemented must include:

1. A combination of structural and non-structural BMPs that are appropriate for the community.
2. Use of an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under state or local law.
3. Requirements to ensure adequate long-term operation and maintenance of BMPs.

BMPs to implement Minimum Control Measure 5:

1. The City has conducted an inventory of public and private gravel alleys and streets. Paving of gravel roadways with asphalt or concrete is encouraged, and the City will continue to provide assistance to property owners who wish to do so. **GOAL: 100% of requests for paving roads will be taken through the petitioned improvement project process.**

The frequency and schedule for this item is ongoing, and the individual responsible for completing this is the City Engineer.

2. Two manuals for Storm Water Management System Design Criteria have been developed and will be revised as needed to incorporate new BMPs and techniques which have been found to be successful. **GOAL: If revisions are necessary, they will be made once per year.**

The frequency and schedule for this item is ongoing, and the individual responsible for completing this is the City Engineer.

3. City staff encourages contractors, developers, homebuilders, and property owners to use basic erosion and sediment control techniques to reduce or eliminate the migration of sediment off of their respective construction sites and properties. Projects creating over an acre of impervious surface are required to implement post construction water quality and quantity facilities in accordance with the Post-Construction Stormwater Management and Control Ordinance. **GOAL: 100% of projects proposing to create over an acre of**

impervious surface will be reviewed to determine if post-construction storm water facilities are required.

The frequency and schedule for this item is ongoing, and the individual responsible for completing this is the City Engineer.

4. The City will incorporate water quality BMPs into the existing system. The measurable goal will be to increase the number of water quality facilities on public lands. **GOAL: The Engineering Department will propose a water quality enhancement project once per year.**

The frequency and schedule for this item is ongoing, and the individual responsible for completing this is the City Engineer.

Minimum Control Measure 6: Pollution Prevention/Good

Housekeeping for Municipal Operations. To satisfy this minimum control measure, the permittee must develop and implement pollution prevention guidelines for preventing or reducing pollutant runoff from municipal operations.

1. The permittee must prevent or reduce storm water pollution from facilities and activities such as:
 - ♦ streets, roads, highways, municipal parking lots;
 - ♦ maintenance and storage yards;
 - ♦ fleet or maintenance shops with outdoor storage areas;
 - ♦ salt and sand storage locations and snow disposal areas operated by the permittee;
 - ♦ waste transfer stations;
 - ♦ park and open space maintenance;
 - ♦ fleet and building maintenance;
 - ♦ street maintenance;
 - ♦ new construction of municipal facilities; and
 - ♦ storm water system maintenance.
2. The permittee must include training to inform employees of impacts associated with illicit discharge and improper disposal of waste from municipal operations.

BMPs to implement Minimum Control Measure 6:

- I. The City has Developed, adopted, and implemented pollution prevention plans, updated standard operating procedures, and training programs for the municipal facilities. These plans exist for the following operations:
 - a. Cemetery
 - b. Golf Course
 - c. Park Maintenance Facility
 - d. Snow Dump Sites
 - e. Street Department Shop
 - f. Yard Waste Drop-off Site

Records of the maintenance activities are kept at the various sites. **GOAL: Continue to follow standard procedures and keep records of maintenance activities.**

The frequency and schedule for this item is ongoing, and the individual responsible for completing this is the associated Department Head.

2. The City has implemented a storm sewer inspection and cleaning program. **GOAL: Inspect all newly constructed storm sewers and any others for which complaints have been received. Clean storm sewers when the need arises.**

Progress will be measured in terms of linear feet of storm sewer inspected and cleaned, and an annual summary/report of findings and condition will be prepared.

The frequency and schedule for this BMP are on-going, and the individual responsible for implementation is the Wastewater Superintendent.

3. Continue pollution prevention and good housekeeping activities consistent with written procedures. **GOAL: Continue to follow standard procedures and keep records of housekeeping activities.**

Records of the maintenance activities such as street sweeping, facility inspections, spill prevention & response, trash removal, disposal of wash-out water, debris clearing from catch basins, are kept at the various sites. Employee training and record keeping procedures are also documented.

The frequency and schedule for this item is ongoing, and the individual responsible for completing this is the associated Department Head.

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: Authorization for Mayor to sign 2015 Annual MS4 Report to DENR

Background: As part of the Clean Water Act Stormwater Rule, Cities in South Dakota with population greater than 10,000 must comply with the State's General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4). Watertown has coverage under the permit and must have a written Stormwater Management Program and submit an annual report to the South Dakota Department of Environment and Natural Resources (DENR) outlining our conformance with the permit requirements.

One of the elements of our program is to provide a presentation and review of accomplishments at a City Council meeting by the first week of March each year. The Proposed Revised Stormwater Management Program and Annual Report will be presented during the March 7 Council Worksession.

After reviewing our 2014 Report, the DENR cited several issues and directed the City of Watertown to address their required corrective actions in our 2015 Annual Report, which we have done. The required corrective actions are:

- The City must develop a compliance schedule and address deficiencies in the annual report and program.
- The City's program must include measurable goals that track progress and effectiveness, and City must report the progress in the annual report.
- The City must develop procedures for assessing/evaluating the Illicit Discharge Detection and Elimination Plan and include it with the written program.

The Program has been revised to include resolution of these issues as goals.

Recommendation: Approve the Revised *Storm Water Management Program* (SWMP) and authorize the Mayor to sign the 2015 Annual MS4 Report to DENR.

Council Action Requested:

Motion to Approve the Revised SWMP.

Motion to Authorize the Mayor to sign the 2015 Annual MS4 Report.

Mayor's Comments:



2015 MS4 Annual Report

SD Department of Environment and Natural Resources

General Information

Name of MS4 Program:	City of Watertown	Mailing Address:	
MS4 Coordinator:	Sarah Caron	PO Box 910	
Phone Number:	605-882-6202x40	Watertown SD 57201	
Fax Number:	605-882-5264	Email Address: scaron@watertownsd.us	

General Questions Regarding Your MS4 Program

Storm Water Management Program (SWMP)		Comments
(Please use this space to clarify or add to your answer)		
Has a compliance schedule been developed for fully implementing the SWMP? (Please explain)	<u>Y</u> or N	The schedule is organized and broken down into segments according to the six minimum control measures, was implemented over a 5-year period from 2003-2008, and is reviewed annually.
Is the SWMP put together in a written document(s)?	<u>Y</u> or N	
Has the SWMP continued to be revised?	<u>Y</u> or N	The Program has evolved as goals have been met. A formal written revision was adopted in March 2016.
Does the SWMP have internal stake holders? (i.e. other internal departments responsible for implementing parts of the SWMP).	<u>Y</u> or N	Numerous departments are involved and identified in the SWMP as responsible for specific BMPs.
Does the SWMP list staff /roles and responsibilities that have been assigned?	<u>Y</u> or N	
Is the implementation of the SWMP shared with any other entity?	Y or <u>N</u>	
If the implementation of the SWMP is shared with another entity, is there a written agreement documenting responsibilities?	Y or N	Does not apply.
Does the SWMP identify pollutants of concern? (List all pollutants addressed in your SWMP)	<u>Y</u> or N	Sediment, pesticides & fertilizers, grease & oil, pet waste, trash.
Have strategies been implemented to address the discharge of the pollutants of concern?	<u>Y</u> or N	
Does your SWMP contain a description of the rationale for each BMP, and measurable goal, and an assessment of each goal for each of the minimum control measures?	<u>Y</u> or N	

Comments		
Public Education and Outreach		
<i>(Please use this space to clarify or add to your answer)</i>		
Are educational materials distributed or outreach activities conducted to educate the public on reducing pollutants in storm water runoff?	<u>Y</u> or N	See Report Appendix for examples of materials.
Are local businesses targeted with informational materials on improper waste disposal and illegal discharges?	<u>Y</u> or N	See Report Appendix for examples of materials.
Public Involvement/Participation		
<i>(Please use this space to clarify or add to your answer)</i>		
Has the public been involved in developing, reviewing, and implementing the SWMP?	<u>Y</u> or N	A task force comprised of citizens worked with staff to develop, review, and implement the SWMP .
Are efforts being made to reach out and engage the entire community in the MS4 program?	<u>Y</u> or N	See Report Appendix for examples, including hosting a booth at the annual home show.
Has your MS4 complied with all public notice requirements?	<u>Y</u> or N	Public notice requirements of all committee and council meetings have been observed.
Are you documenting efforts to involve the public and ensure they were given opportunities to be involved?	<u>Y</u> or N	See Report Appendix for examples.
Illicit Discharge Detection and Elimination		
<i>(Please use this space to clarify or add to your answer)</i>		
Does your MS4 have an ordinance prohibiting non-storm water discharges into the storm sewer system?	<u>Y</u> or N	See Report Appendix for a copy of the Illicit Discharge Ordinance and Standard Operating Procedure.
Does your MS4 have enforcement measures for illicit discharges?	<u>Y</u> or N	Verbal and written notifications are sent to the violator, and the issue is sent to City Attorney or DENR for legal action.
Has a plan been developed and implemented to detect illicit discharges, including the following elements (must be a written part of the SWMP): <ul style="list-style-type: none"> • Procedures for locating priority areas. • Procedures for tracing the source of the discharge. • Procedures for removing the source of the discharge. • Procedures for evaluating /assessing the illicit discharge plan. 	<u>Y</u> or <u>N</u>	The Standard Operating Procedure (SOP) includes procedures for locating priority areas, tracing the source, and removing the source. The SOP is in the process of revision to identify responsible positions as some of the listed positions no longer exist, and to include a procedure for evaluating/assessing the plan.
Does your MS4 have a map of: <ul style="list-style-type: none"> • Storm sewer system • Storm sewer outfalls • Names and locations of waters of the state that receive discharges from the outfalls. 	<u>Y</u> or N	

Are public employees, businesses, and the general public being informed of hazards associated with illegal discharges and improper disposal of waste?	<u>Y</u> or N	
Is dry weather screening being conducted to detect illicit discharges?	<u>Y</u> or N	
Are illicit discharge investigations and enforcement actions being documented?	<u>Y</u> or N	

Comments
Construction Site Storm Water Runoff Control (Please use this space to clarify or add to your answer)

Does your MS4 have an ordinance or regulatory mechanism to require erosion and sediment controls for construction activities of one or more acres?	<u>Y</u> or N	See Report Appendix for a copy of the Construction Site Runoff Erosion and Sediment Control Ordinance.
Does your MS4 have requirements for proper erosion and sediment control BMPs?	<u>Y</u> or N	The City has an Erosion and Sediment Control BMP Manual which has been adopted by ordinance.
Does your MS4 have requirements for construction site operators to control waste materials?	<u>Y</u> or N	The Construction Site Runoff Erosion and Sediment Control Ordinance covers this.
Does your MS4 have procedures for site plan review that considers water quality impacts?	<u>Y</u> or N	The Construction Site Runoff Erosion and Sediment Control Ordinance covers this.
Does your MS4 have procedures for receipt and consideration of information submitted by the public?	<u>Y</u> or N	The website contains instructions for the public to notify the City of potential issues.
Does your MS4 have procedures for site inspections?	<u>Y</u> or N	The Construction Site Runoff Erosion and Sediment Control Ordinance covers this.
Does your MS4 have procedures for enforcement?	<u>Y</u> or N	The Construction Site Runoff Erosion and Sediment Control Ordinance covers this.

Comments
Post Construction Storm Water Management (Please use this space to clarify or add to your answer)

Does your MS4 have an ordinance or other regulatory mechanism to require post construction BMPs for new development and redevelopment projects?	<u>Y</u> or N	See Report Appendix for a copy of the Post Construction Stormwater Management Ordinance.
Does your MS4 have requirements to ensure long-term operation and maintenance of the BMPs.	<u>Y</u> or N	The Post Construction Stormwater Management Ordinance covers this.

Comments
Pollution Prevention/Good Housekeeping (Please use this space to clarify or add to your answer)

Have pollution prevention guidelines for reducing pollutant runoff from municipal operations been developed and implemented?	<u>Y</u> or N	Individual written Runoff Control Plans have been developed and implemented for the following: <ul style="list-style-type: none"> • Cemetery • Golf Course • Parks, Recreation and Forestry Department • Street Department Facility • Snow Dump Sites • Yard Waste Drop Off Site
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Goals and Assessment of Goals for Each Minimum Control Measure

Public Education and Outreach

List all public education and outreach goals that were to be completed in 2015. Explain how you have determined the goal has been met and list the date(s) each goal was completed:

1. Informational flyers will be included at least once annually in a utility bill mailing during the storm water season of April through September by the Lake Area Technical Institute Environmental Science Educator. **GOAL: 1 per year, Assessment of Goal: met June 2015.**

A flyer entitled "*Clean Water is Everybody's Business!*" was included in the June utility bills. The flyer featured Wendle the Waterdrop and gave 10 simple tips for preventing stormwater runoff pollution.

2. An information sheet on Phase II was developed and will be distributed by Watertown's industrial pretreatment staff during their annual inspections of industrial users. **GOAL: 50 sheets per year distributed, Assessment of Goal: met December 2015.**

The City's industrial pretreatment staff conducts annual inspections of 14 significant industrial users and a sampling of 1,000-plus commercial entities in Watertown based on staff workload. These commercial entities include restaurants, garages, warehouses, service stations, car washes, body shops and numerous other types of businesses. In 2015, the staff conducted 66 commercial inspections. A handout entitled "Illicit Discharge Newsletter" is given to out during the commercial inspections.

3. The City will support the efforts of East Dakota Water Development District, South Dakota State University, and the Brookings Conservation District in their efforts to organize and co-sponsor the annual Big Sioux Water Festival at SDSU by contributing \$500 each year toward the event. **GOAL: Contribute \$500 per year, Assessment of Goal: met March 2015.**

The City sponsored the Big Sioux Water Festival with a check for \$500 in March 2015. The City's Stormwater Phase II Education and Outreach Coordinator taught a segment at the festival entitled 'Dripial Pursuit', reaching 111 fourth-grade students. In addition, the Education & Outreach Coordinator gave 13 other water quality presentations to various audiences of youth, high school, college, and adult groups, reaching 325 people.

4. Host the annual Conservation Connections event at Watertown's Bramble Park Zoo. **GOAL: 1 event per year, Assessment of Goal: met. July 2015**

The annual Bramble Park Zoo Conservation Connections is a local spin-off of the Big Sioux Water Festival. Educational activities are geared toward teaching the effects of water quality and the environment on fish and wildlife habitat and propagation. The target audience of the annual Bramble Park Zoo Water Fest is families. Attendance at the event is characterized by a ratio of adults to children of 2 to 1. The 2015 Conservation Connections Event, which was combined with the World Oceans Day Event, was attended by 534 people, and was held on July 25.

5. The Community will continue presentations to urban audiences by project staff of the Upper Big Sioux River Watershed Project (UBSRWP), which is sponsored by the City of Watertown. **GOAL: 2 presentations per year, Assessment of Goal: met May 2015.**

Watertown is the sponsor of the Upper Big Sioux River Watershed Project. Although the primary focus of the project is on agricultural activities and agricultural nonpoint source pollution, project staff oftentimes provides presentations to urban audiences such as service organizations, schools, special interest groups, government agencies, etc. In consideration of the urban audiences, the presentations promote the efforts towards water quality improvements with an expanded focus on the urban environment, effects of urban storm water pollution, and the steps individuals can take to improve urban storm water quality. Project staff are highly experienced and qualified in the area of water quality and public information and education for the purpose of water quality improvements. Level of effort will be measured by the number of speaking engagements to urban audiences. In 2015, the UBSRWP was involved in various student educational activities, outreach programs, seminars, and tours of the phosphorus removal facility on Lake Kampeska. These programs and activities are listed below in the BMP section.

6. The City maintains a website with a section dedicated to Storm Water Phase II program background, requirements, goals and plan for implementation. **GOAL: Ongoing website maintained, Assessment of Goal: met December 2015.**

The City's website includes information on the Stormwater Phase II Program background, requirements, goals and plan for implementation. Web page content, links, and number of hits will measure level of effort and success toward public education and outreach.

7. City staff will provide a presentation and review of Program accomplishments at a City Council meeting by the first week of March each year, and submit the Annual Report to the DENR by March 10. **GOAL: 1 presentation per year and on-time submittal, Assessment of Goal: met March 2015.**

All of these meetings are open to the public, and provide opportunity for public education and outreach. City Council meetings are televised and replayed on the local government access channel. The City Council has accepted the final report of Watertown's Storm Water Phase 2 Program, and authorizes its submission to the South Dakota Department of Environment and Natural Resources. The Assistant City Engineer reviewed the Program at the March 2 City Council meeting.

For goals that were not completed in 2015, provide an explanation why the goal was not met, and the new implementation schedule for meeting the goal?

Public Education and Outreach goals were met.

List all best management practices (BMPs) that have already been implemented for public education and outreach that are continuing to be maintained through the SWMP (include a schedule indicating how each is being implemented).

A summary of ongoing Public Education and Outreach efforts for 2015 includes the following:

- Farm Show booth (February)
- Home Show booth (March)
- Utility Bill insert – “Clean Water is Everybody’s Business!” (June)
- Weekly GoTV (*Watertown Public Opinion* newspaper television guide) “Wendle the Water Drop” water quality cartoon
- Big Sioux Water Festival support (Festival community participation in May, check issued in April)
- Conservation Connections & World Oceans Day held at the Bramble Park Zoo (July)
- Sixth Grade Environmental Days – riparian zone and water quality (May)
- Police National Night Out booth focusing on Lake Kampeska (August)
- Camp Chance – water quality/macro-invertebrates (May)
- Roots & Shoots Student Education – compassion and action for the people, animals and the environment (summer)
- Zoo School – water quality/macro-invertebrates (various dates throughout the summer & fall)
- Rotary Presentation – Confined Animal Feeding and flood issues (February)
- Kiwanis Presentation – Phosphorus plant and removing nutrients from the water (September)
- Mike Williams Lecture Series (Experts brought in to present and discuss Environmental Topics for/with the public)
- Stormwater Pollution Prevention newsletters, flyers & handouts freely available to the public in displays on both floors of City Hall, Upper Big Sioux River Watershed Project Office (ongoing).
- City of Watertown Website (ongoing)
- Gov-TV channel (ongoing)

Please explain if the BMPs that have been implemented for public education and outreach are having the desired effect. Also explain how the desired effect of each BMP is being determined.

The citizens of the City of Watertown and the surrounding area receive educational materials and exposure that increase awareness of the value of water quality and the importance of protective measures.

The City offers a voluntary quiz at the annual Home Show Booth with an assortment of questions designed to measure general public knowledge. One indicator question remains the same each year while the others are changed. The quiz is administered this way to let the City know where potential educational opportunities exist, while utilizing the indicator question to see if the number of correct responses increases over the years. While the results have not been scientific, the public seems to have a good general knowledge of water quality concepts, so it is believed that the efforts are having the desired effect.

Public Involvement/Participation

List all public involvement and participation goals that were to be completed in 2015. Explain how you have determined the goal has been met and list the date(s) each goal was completed:

1. The City will fulfill the statutory requirements of SDCL 1-25-1.1. Notice of meetings of public bodies – Violation as misdemeanor for all City Council meetings. On March 2, 2015, the City Council discussed the Program at a meeting for which the agenda had been published and posted on February 25, 2015. **GOAL: 24 Compliant Council Meetings per year, Assessment of Goal: met December 2015.**

This level of notification provides the entire community equal opportunity to be informed of Storm Water Phase II Program activities considered by the City Council and to participate in the process of developing, reviewing, and implementing Watertown's Storm Water Phase II Program:

All public bodies shall provide public notice, with proposed agenda, at least twenty-four hours prior to any meeting, by posting a copy of the notice, visible to the public, at the principal office of the public body holding the meeting, and, for special or rescheduled meetings, delivering, in person, by mail or by telephone, the information in the notice to members of the local news media who have requested notice. For special or rescheduled meetings, all public bodies shall also comply with the public notice provisions of this section for regular meetings to the extent that circumstances permit.

In addition, agendas provided to the local news media in the event of special or rescheduled meetings involving the Storm Water Phase II Program or other existing programs with a storm water quality benefit will be kept in the file as a measure of compliance and completion of this best management practice activity.

2. Continue making the current level of additional effort to notify the public of all City Council meetings and agenda. A record of the posted agendas can be found on the City's website. **GOAL: 24 Compliant Council Meetings per year, Assessment of Goal: met December 2015.**

Additional methods employed by the City of Watertown for public notification of City Council meetings and agenda include: notifying all City department heads and local media including radio and newspaper that the agenda has been published on the website for use in public service announcements, news coverage. This multi-media approach provides capability to reach numerous diverse target audiences.

3. Provide annual report of Storm Water Phase II Program accomplishments to the Watertown City Council. **GOAL: 1 presentation per year, Assessment of Goal: met March 2015.**

This was completed on March 2, 2015.

4. Continue to actively promote and conduct current city programs with an associated storm water quality benefit. **GOAL: 500 tons recyclables and 2500 tons yard waste collected per year, Assessment of Goal: met December 2015.**

Spring and fall cleanup, recycling, grass and leaf disposal, and residential solid waste collection were all promoted and conducted in 2015.

Wendle-the-Waterdrop ads promoting recycling and proper grass/leaf disposal, as well as other water quality messages, ran weekly in the local newspaper. Level of success and community participation is measured in the tons of material diverted for proper disposal. In 2015, recyclable material collected totaled 569 tons, while yard waste collected curbside was 3460 tons. City-wide clean-up yielded 618 tons of material diverted from the landfill.

5. Receive and respond to confidential complaints of illicit discharges and illegal dumping into the storm water management system and other general pollution or littering within the city limits of Watertown. **GOAL: Resolve 100% of all complaints each year, Assessment of Goal: met December 2015 by default (no complaints to resolve).**

Public involvement and participation will be measured by the percentage of legitimate confidential complaints resolved. The City responds to complaints of illicit discharge and works with offenders to resolve the issues.

6. Promote Stormwater Phase II Program activities by staffing a booth at the local Home Show. **GOAL: Once per year, host a booth at the home show, Assessment of Goal: met March 2015.**

City services that have a water quality benefit are promoted and feedback from visitors to the booth is gathered. A quiz offering the chance to win prizes is used to measure public knowledge of water quality issues and facts. Various brochures are displayed and are available for the public. The booth is staffed with knowledgeable City personnel who spend two days speaking to the public and answering questions about stormwater, pollution, and related water quality issues. The 2015 Home Show was held on February 28 and March 1.

Additionally, numerous events were held in 2015 in which the public was given the opportunity to receive information, to ask questions and participate in discussions on water quality issues. The events have hands-on learning activities for the youth, and informative displays for people of all ages and knowledge.

- Farm Show booth (February)
- Home Show booth (March)
- Big Sioux Water Festival support (Festival community participation in May, check issued in April)
- Conservation Connections & World Oceans Day held at the Bramble Park Zoo (July)
- Sixth Grade Environmental Days – riparian zone and water quality (May)
- Police National Night Out booth focusing on Lake Kampeska (August)
- Camp Chance – water quality/macro-invertebrates (May)
- Roots & Shoots Student Education – compassion and action for the people, animals and the environment (summer)
- Zoo School – water quality/macro-invertebrates (various dates throughout the summer & fall)
- Mike Williams Lecture Series (Experts brought in to present and discuss Environmental Topics for/with the public)

For goals that were not completed in 2015, provide an explanation why the goal was not met, and the new implementation schedule for meeting the goal?

Public Involvement/Participation goals were met.

List all best management practices (BMPs) that have already been implemented for public involvement and participation that are continuing to be maintained through the SWMP (include a schedule indicating how each is being implemented).

Farm Show booth (February) Public notice requirements are being met by posting the meeting agendas on the city's website, providing the local media with the agenda notices, and posting the agendas in an outdoor display case.

The following ongoing events were held as usual:

- Home Show booth (March)
- Big Sioux Water Festival support (May)
- Sixth Grade Environmental Days (May)
- Conservation Connections & World Oceans Day held at the Bramble Park Zoo (July)
- Mike Williams Lecture Series (March)

Please explain if the BMPs that have been implemented for public involvement and participation are having the desired effect. Also explain how the desired effect of each BMP is being determined.

Public Involvement efforts can be considered effective if people respond by attending and participating. The various activities hosted by the City have been well attended, so it is believed that the efforts are having the desired effect.

Illicit Discharge Detection and Elimination

List all illicit discharge detection and elimination goals that were to be completed in 2015. Explain how you have determined the goal has been met and list the date(s) each goal was completed:

1. A Stormwater Phase II information sheet has been developed and is distributed at annual inspections by Watertown's industrial pretreatment staff. **GOAL: Distribute 45 information sheets per year, Assessment of Goal: met December 2015.**

The City's industrial pretreatment staff conducts annual inspections of 14 significant industrial users and a sampling of 1,000-plus commercial entities in Watertown based on staff workload. These commercial entities include restaurants, garages, warehouses, service stations, car washes, body shops and numerous other types of businesses. In 2015, the staff conducted 66 commercial inspections. A handout entitled "Illicit Discharge Newsletter" is given to out during the commercial inspections

The City has adopted an illicit discharge ordinance prohibiting non-storm water discharges into the storm water management system and prohibiting the reckless and improper dispensing of garbage and other refuse materials within the Watertown city limits, and providing for enforcement capability appropriate levels of penalties for violations. **GOAL: Resolve 100% of all complaints each year, Assessment of Goal: met December 2015 by default (no complaints to resolve).**

The City responds to complaints of illicit discharge and works with offenders to resolve the issues. In 2015, there were no reports of illicit discharge.

2. Field survey data to define location and inventory of storm water management system is an ongoing activity of the Engineering Department. Annual updates are made to incorporate changes to the system. **GOAL: Incorporate 100% of the changes as they are installed within 1 year of the construction year, Assessment of Goal: met December 2015.**

A comprehensive effort to accurately identify and verify storm water management system components in Watertown is ongoing.

The storm sewer layer has been incorporated into the City's geographic information system, and is also updated periodically.

3. Through activities listed in the Public Education and Outreach control measure, distribute information to the public and business community about the general adverse environmental effects and hazards associated with illicit discharges, illegal dumping, and improper waste disposal. Also include information about the complaint-based system of addressing illicit discharges and general pollution within the city limits. **GOAL: Once per year, host a booth at the home show, Assessment of Goal: met March 2015.**

The Illicit Discharge Standard Operating Procedure is included on the City's website. A slide show entitled 'Ten Things You Can Do To Prevent Stormwater Pollution' is also included on the website, and provides the public with information on how and where to report improper dumping. Educational material is distributed annually at the Home Show.

For goals that were not completed in 2015, provide an explanation why the goal was not met, and the new implementation schedule for meeting the goal?

The Standard Operating Procedure Manual for Illicit Discharge Detection and Elimination will be revised to include procedures for evaluating and assessing the Illicit Discharge Plan. This activity will be part of the Revision to the SWMP to be completed in the near future. **GOAL: Update Illicit Discharge SOP Manual for compliance by December, 2016.**

List all best management practices (BMPs) that have already been implemented for illicit discharge detection and elimination that are continuing to be maintained through the SWMP (include a schedule indicating how each is being implemented).

1. A storm sewer system map showing the location of all municipal storm sewer outfalls and the names and location of all waters of the state that receive discharges from those outfalls has been developed and receives ongoing maintenance to keep it up to date. **GOAL: Incorporate 100% of the changes as they are installed within 1 year of the construction year, Assessment of Goal: met December 2015.**
2. Non-storm water discharges into the storm sewer system are prohibited by the Illicit Discharge Ordinance which includes enforcement procedures and actions. **GOAL: 100% of complaints resolved, Assessment of Goal: No complaints received.**

3. A plan to detect and address non-storm water discharges, including illicit discharges and illegal dumping, to the system has been developed and includes the following components:
- ♦ procedures for locating priority areas likely to have illicit discharges;
 - ♦ procedures for tracing the source of an illicit discharge; and
 - ♦ procedures for removing the source of the discharge; and

The *Illicit Discharge Detection and Elimination Standard Operating Procedure* will be revised to include procedures for evaluating and assessing the illicit discharge plan in the near future. **GOAL: Complete revision by December 2016, Assessment of Goal: in process.**

4. Public employees, businesses, and the general public are informed of hazards associated with illegal discharges and improper disposal of waste by way of the annual on-going efforts listed in the Public Information and Outreach section (website, Gov TV channel, Home Show Booth). **GOAL: Once per year, host a booth at the home show, Assessment of Goal: met March 2015.**

Please explain if the BMPs that have been implemented for illicit discharge detection and elimination are having the desired effect. Also explain how the desired effect of each BMP is being determined.

Citizens call the City periodically with complaints about illicit discharges which demonstrates that they know it is illegal and know to call the City and therefore, it is believed that the efforts are having the desired effect.

Construction Site Storm Water Runoff Control

List all construction site storm water runoff control goals that were to be completed in 2015. Explain how you have determined the goal has been met and list the date(s) each goal was completed:

1. The City was to provide educational opportunities for contractors. **GOAL: 1 seminar or mailing per year, Assessment of Goal: not met in 2015.**
2. The City was to provide training to staff members regarding Construction Site Storm Water Runoff Control, including basic erosion and sediment control techniques, developing and reviewing pollution prevention plans, and inspection of construction sites for compliance with the stormwater regulations. **GOAL: 1 staff training per year, Assessment of Goal: not met in 2015.**

For goals that were not completed in 2015, provide an explanation why the goal was not met, and the new implementation schedule for meeting the goal?

Training events were not held in 2015 because the City Engineer position had been vacant for nine months causing a backlog of work, much of which was not completed by the end of the calendar year. The new goal will be to get back on schedule with the annual training for contractors and staff in 2016.

List all best management practices (BMPs) that have already been implemented for construction site storm water runoff control that are continuing to be maintained through the SWMP (include a schedule indicating how each is being implemented).

- * An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state or local law has been adopted.
- * Requirements for construction site operators to implement appropriate erosion and sediment control BMPs were included in the Construction Site Runoff Erosion and Sediment Control ordinance;
- * Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality were included in the Construction Site Runoff Erosion and Sediment Control ordinance;
- * Procedures for site plan review that consider potential water quality impacts were included in the Construction Site Runoff Erosion and Sediment Control ordinance;
- * Procedures for receipt and consideration of information submitted by the public were included in the Illicit Discharge ordinance; and
- * Procedures for site inspection and enforcement of control measures were included in the Construction Site Runoff Erosion and Sediment Control ordinance.
- * The City has incorporated storm water pollution prevention requirements (such as erosion control plans, design standards, and/or the use of BMPs) into the existing "Building Permit" and development approval processes.
- * The City has referenced the state's Storm Water Construction Permit requirements and provides cooperation or assistance to the state in determining compliance with their program, such as providing information on active construction projects and reporting lack of erosion control measures.

All of the above BMPs were implemented prior to 2009.

Please explain if the BMPs that have been implemented for construction site storm water runoff control are having the desired effect. Also explain how the desired effect of each BMP is being determined.

Yes, the Construction Stormwater Management BMPs have been implemented and are having the desired effect. This has been determined by observation that contractors are using erosion and sediment controls on construction sites. It has been noted, however, that contractors on sites which are not inspected tend to overlook the requirements, and so the city will increase inspection efforts.

Post Construction Storm Water Management

List all post construction storm water management goals that were to be completed in 2015. Explain how you have determined the goal has been met and list the date(s) each goal was completed:

1. Paving of gravel roadways with asphalt or concrete is encouraged, and the City will continue to provide assistance to property owners who wish to do so. In 2015, one alley and several cemetery roads were paved with City assistance through our street assessment project process, which indicates that the goal was completed. **GOAL: 100% of requests for paving roads will be taken through the petitioned improvement project process per year, Assessment of Goal: met August 2015.**
2. Two manuals for Storm Water Management System Design Criteria have been developed and will be revised as needed to incorporate new BMPs and techniques which have been found to be successful. The manuals were adopted in 2008 and are still in use, indicating that the goal has been met. **GOAL: 1 revision per year if necessary, Assessment of Goal: No revisions were necessary.**
3. City staff encourages contractors, developers, homebuilders, and property owners to use basic erosion and sediment control techniques to reduce or eliminate the migration of sediment off of their respective construction sites and properties. **GOAL: 100% of projects creating over an acre of impervious surface will be reviewed to determine if post-construction storm water facilities are required, Assessment of Goal: met December 2015.**
4. The City will incorporate water quality BMPs into the existing system. The measurable goal will be to increase the number of water quality facilities on public lands. **GOAL: The Engineering Department will propose a water quality enhancement project once per year, Assessment of Goal: met with wetland expansion for 15th Street NE December 2015.**

For goals that were not completed in 2015, provide an explanation why the goal was not met, and the new implementation schedule for meeting the goal?

Post Construction Storm Water Management goals were met.

List all best management practices (BMPs) that have already been implemented for post construction storm water management that are continuing to be maintained through the SWMP (include a schedule indicating how each is being implemented).

1. An inventory of gravel roads has been completed (2004), and the City subsidizes an annual roadway paving assessment process to encourage paving gravel streets and alleys.
2. A Post-Construction Storm Water Management Ordinance was adopted in 2008 and continues to be enforced.
3. A Post-Construction Storm Water BMP Manual was adopted in 2008 continues to be used.

Please explain if the BMPs that have been implemented for post construction storm water management are having the desired effect. Also explain how the desired effect of each BMP is being determined.

Post Construction Storm Water Management efforts can be considered effective if post-construction BMPs are employed. Post Construction BMPs have been implemented, so it is believed that the efforts are having the desired effect.

Pollution Prevention/Good Housekeeping

List all pollution prevention and good housekeeping goals that were to be completed in 2015. Explain how you have determined the goal has been met and list the date(s) each goal was completed:

The goals have been met and the City is continuing the pollution prevention practices.

1. The City has developed, adopted, and implemented pollution prevention plans, updated standard operating procedures, and training programs for the municipal facilities. These plans exist for the following operations:
 - a. Cemetery
 - b. Golf course
 - c. Park maintenance facility
 - d. Snow dump sites
 - e. Street Department shop
 - f. Yard waste drop-off site

Records of the inspections and maintenance activities are kept at the various sites. **GOAL: Continue to follow standard procedures and keep records, Assessment of Goal: met December 2015.**

2. The City has implemented a storm sewer inspection and cleaning program. Progress will be measured in terms of linear feet cleaning and inspecting storm sewers, and an annual summary/report of findings and condition. **GOAL: Inspect all new storm sewers and others for which complaints have been received, clean when necessary, Assessment of Goal: 4060 LF inspected, 50 LF cleaned by December 2015.**

In 2015, approximately 259 hours were spent inspecting and cleaning storm sewer lines, repairing catch basins, and related activities.

Continue pollution prevention and good housekeeping activities consistent with written procedures. **GOAL: Continue to follow standard procedures and keep records, Assessment of Goal: met December 2015.**

Records of the maintenance activities such as street sweeping, facility inspections, spill prevention & response, trash removal, disposal of wash-out water, debris clearing from catch basins, are kept at the various sites. Employee training and record keeping procedures are also documented.

For goals that were not completed in 2015, provide an explanation why the goal was not met, and the new implementation schedule for meeting the goal?

Pollution Prevention/Good Housekeeping goals were met.

List all best management practices (BMPs) that have already been implemented for pollution prevention and good housekeeping goals that are continuing to be maintained through the SWMP (include a schedule indicating how each is being implemented).

1. The permittee must prevent or reduce storm water pollution from facilities and activities such as:
 - ♦ streets, roads, highways, municipal parking lots –December 2015;
 - ♦ maintenance and storage yards;
 - ♦ fleet or maintenance shops with outdoor storage areas;
 - ♦ salt and sand storage locations and snow disposal areas operated by the permittee;
 - ♦ waste transfer stations;
 - ♦ park and open space maintenance;
 - ♦ fleet and building maintenance;
 - ♦ street maintenance;
 - ♦ new construction of municipal facilities; and
 - ♦ stormwater system maintenance.

All activities are completed throughout the year, so the schedule is to complete the activity for the year in December of the year.

2. The permittee must include training to inform employees of impacts associated with illicit discharge and improper disposal of waste from municipal operations.

Records of the maintenance activities and training are kept at the various sites.

Please explain if the BMPs that have been implemented for pollution prevention and good housekeeping goals are having the desired effect. Also explain how the desired effect of each BMP is being determined.

Pollution Prevention/Good Housekeeping efforts can be considered effective if records show that the practices outlined in the standard operating procedures are being implemented. Records show that the practices are being implemented, so it is believed that the efforts are having the desired effect.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Name (print) Steve Thorson
Title Mayor
Signature _____
Date _____

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: **Consideration of Bids for Sanitary Sewer Replacement Project #1608**

Background: On February 23, 2016 five bids were received for the Sanitary Sewer Replacement Project #1608. J & J Earthworks of Milbank had the low bid of \$489,050.63, which was 16% higher than the Engineer's Estimate of \$420,349.10. The other four bids ranged from \$501,450.30 to \$548,427.00. Previously, J & J Earthwork has successfully completed work for the City.

The project includes approximately 2,200 feet of 8 to 10 inch sanitary sewer main, 10 manholes, service connections and surface restoration. Approximately 6,600 square yards of the surfacing was scheduled for mill and overlay and will be funded by the Street Department in the amount of \$145,000, with the remaining \$344,028.63 to come from the Sewer Department. Although the Sewer budget was only \$325,000, adequate funds are available in both departments to cover the costs. Engineering Staff received notification from the Wastewater and Street Departments recommending we award the project to J & J Earthwork.

Recommendation: Award contract for Project #1608 to J & J Earthworks in the amount of \$489,050.63.

Council Action Requested:
Motion to Approve.

Mayor's Comments:

Bid Tabulation Sheet 2016 Sanitary Sewer Replacements Project No. 1608 City of Watertown, South Dakota 2/23/2016		Contractor		Engineer's Estimate		J&J Earthworks 1002 S Madison St. Milbank SD 57252 Ph: 605-924-0496 Fax: 605-432-6715		H&W Contracting LLC 3416 W Hovland Dr. Sioux Falls SD 57107 Ph: 605-339-8834 Fax: 605-339-9175		Halme Inc. 19524 443rd Ave. Bryant SD 57221 Ph: 605-881-5498 Fax: 605-628-1314		Haarsma Construction PO Box 85581 Sioux Falls SD 57118 Ph: 605-338-6009 Fax: 605-338-6009		Prunty Construction 3307 Prince Dr. Brookings SD 57006 Ph: 605-692-1544 Fax: 605-692-1588		
ITEM No.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL		
1	Bypass Pumping	3 Each	\$ 2,500.00	\$ 7,500.00	\$ 1,500.00	\$ 4,500.00	\$ 1,500.00	\$ 4,500.00	\$ 2,500.00	\$ 7,500.00	\$ 3,433.33	\$ 10,299.99	\$ 1,500.00	\$ 4,500.00		
2	Unclassified Excavation	1651 C.Y.	\$ 10.00	\$ 16,510.00	\$ 13.00	\$ 21,463.00	\$ 11.25	\$ 18,573.75	\$ 17.00	\$ 28,067.00	\$ 11.22	\$ 18,524.22	\$ 17.00	\$ 28,067.00		
3	Asphalt Milling (1-1/2")	6628 S.Y.	\$ 1.50	\$ 9,942.00	\$ 4.50	\$ 29,826.00	\$ 4.50	\$ 29,826.00	\$ 3.00	\$ 19,884.00	\$ 3.50	\$ 23,198.00	\$ 5.00	\$ 33,140.00		
4	Manhole Removal	12 Each	\$ 500.00	\$ 6,000.00	\$ 400.00	\$ 4,800.00	\$ 400.00	\$ 4,800.00	\$ 750.00	\$ 9,000.00	\$ 715.00	\$ 8,580.00	\$ 500.00	\$ 6,000.00		
5	Imported Bedding Material	2195.4 L.F.	\$ 5.00	\$ 10,977.00	\$ 5.00	\$ 10,977.00	\$ 7.75	\$ 17,014.35	\$ 10.50	\$ 23,051.70	\$ 7.00	\$ 15,367.80	\$ 8.00	\$ 17,563.20		
6	F&I 8" PVC Sanitary Sewer Main	1632.7 L.F.	\$ 40.00	\$ 65,308.00	\$ 43.00	\$ 70,206.10	\$ 55.00	\$ 89,798.50	\$ 44.00	\$ 71,838.80	\$ 72.00	\$ 117,554.40	\$ 70.00	\$ 114,289.00		
7	F&I 10" PVC Sanitary Sewer Main	547.7 L.F.	\$ 50.00	\$ 27,385.00	\$ 46.00	\$ 25,194.20	\$ 60.00	\$ 32,862.00	\$ 46.00	\$ 25,194.20	\$ 75.00	\$ 41,077.50	\$ 73.00	\$ 39,982.10		
8	Sanitary Sewer Encasement Pipe	20.0 L.F.	\$ 100.00	\$ 2,000.00	\$ 75.00	\$ 1,500.00	\$ 40.00	\$ 800.00	\$ 90.00	\$ 1,800.00	\$ 65.00	\$ 1,300.00	\$ 100.00	\$ 2,000.00		
9	4" PVC Sewer Service Connection	18 Each	\$ 300.00	\$ 5,400.00	\$ 550.00	\$ 9,900.00	\$ 350.00	\$ 6,300.00	\$ 700.00	\$ 12,600.00	\$ 255.00	\$ 4,590.00	\$ 350.00	\$ 6,300.00		
10	6" PVC Sewer Service Connection	29 Each	\$ 400.00	\$ 11,600.00	\$ 575.00	\$ 16,675.00	\$ 400.00	\$ 11,600.00	\$ 750.00	\$ 21,750.00	\$ 315.00	\$ 9,135.00	\$ 400.00	\$ 11,600.00		
11	4" PVC Sewer Service	7 L.F.	\$ 20.00	\$ 140.00	\$ 41.00	\$ 287.00	\$ 40.00	\$ 280.00	\$ 40.50	\$ 283.50	\$ 105.00	\$ 735.00	\$ 160.00	\$ 1,120.00		
12	6" PVC Sewer Service	20 L.F.	\$ 25.00	\$ 500.00	\$ 48.00	\$ 960.00	\$ 50.00	\$ 1,000.00	\$ 42.50	\$ 850.00	\$ 105.00	\$ 2,100.00	\$ 160.00	\$ 3,200.00		
13	Repair Offset Sanitary Sewer Main Joint	2 Each	\$ 500.00	\$ 1,000.00	\$ 2,400.00	\$ 4,800.00	\$ 1,700.00	\$ 3,400.00	\$ 2,335.00	\$ 4,670.00	\$ 1,600.00	\$ 3,200.00	\$ 2,500.00	\$ 5,000.00		
14	F&I 48" Sanitary Sewer Manhole Including Frame & Lid (8' or less)	10 Each	\$ 5,000.00	\$ 50,000.00	\$ 4,600.00	\$ 46,000.00	\$ 3,500.00	\$ 35,000.00	\$ 3,380.00	\$ 33,800.00	\$ 3,100.00	\$ 31,000.00	\$ 3,150.00	\$ 31,500.00		
15	Additional Depth 48" Sanitary Sewer Manhole	11.6 V.F.	\$ 250.00	\$ 2,900.00	\$ 200.00	\$ 2,320.00	\$ 200.00	\$ 2,320.00	\$ 130.00	\$ 1,508.00	\$ 415.00	\$ 4,814.00	\$ 215.00	\$ 2,494.00		
16	Stack & Invert Repair, Manhole D349	1 Each	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 3,500.00	\$ 3,500.00	\$ 2,160.00	\$ 2,160.00	\$ 1,900.00	\$ 1,900.00	\$ 2,000.00	\$ 2,000.00		
17	Water Service Replacement	4 Each	\$ 1,500.00	\$ 6,000.00	\$ 1,800.00	\$ 7,200.00	\$ 1,000.00	\$ 4,000.00	\$ 1,200.00	\$ 4,800.00	\$ 700.00	\$ 2,800.00	\$ 1,100.00	\$ 4,400.00		
18	Curb Stop Replacement	4 Each	\$ 650.00	\$ 2,600.00	\$ 650.00	\$ 2,600.00	\$ 350.00	\$ 1,400.00	\$ 750.00	\$ 3,000.00	\$ 550.00	\$ 2,200.00	\$ 550.00	\$ 2,200.00		
19	PVC Sewer Pipe Deflection Test	2395.7 L.F.	\$ 3.00	\$ 7,187.10	\$ 2.25	\$ 5,390.33	\$ 1.00	\$ 2,395.70	\$ 0.64	\$ 1,533.25	\$ 2.00	\$ 4,791.40	\$ 1.00	\$ 2,395.70		
20	Manhole Exfiltration/Vacuum Test	10 Each	\$ 400.00	\$ 4,000.00	\$ 350.00	\$ 3,500.00	\$ 200.00	\$ 2,000.00	\$ 175.00	\$ 1,750.00	\$ 565.00	\$ 5,650.00	\$ 150.00	\$ 1,500.00		
21	Base Course	2464 Ton	\$ 15.00	\$ 36,960.00	\$ 18.50	\$ 45,584.00	\$ 20.00	\$ 49,280.00	\$ 20.50	\$ 50,512.00	\$ 20.13	\$ 49,600.32	\$ 20.00	\$ 49,280.00		
22	Asphalt Concrete Composite	1808 Ton	\$ 80.00	\$ 144,640.00	\$ 96.00	\$ 173,568.00	\$ 100.00	\$ 180,800.00	\$ 115.00	\$ 207,920.00	\$ 103.79	\$ 187,652.32	\$ 99.50	\$ 179,896.00		
TOTAL AMOUNT BID FOR ITEMS 1-22				\$ 420,349.10		\$ 489,050.63		\$ 501,450.30		\$ 533,472.45		\$ 546,069.95		\$ 548,427.00		
Remarks & Corrections					None		None		Extend error on line 9; add error on total			Extend error on lines 1, 5, 21 & 22; add error on total			None	
Bid Assurance					10% Bid Bond		10% Bid Bond		10% Bid Bond			10% Bid Bond			10% Bid Bond	

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: **Consideration of Bids for 15th Street NE Project #1522, and Consideration of Change Order No. 1 to the contract with McLaughlin & Schulz, Inc.**

Background: On February 23, 2016 three (3) bids were opened for 15th Street NE Project #1522. McLaughlin & Schulz, Inc. of Marshall, MN was low bid at \$422,402.27 which was 15% below the Engineer's Estimate of \$498,331.40. The other bids were \$453,973.25 submitted by J & J Earthworks and \$481,357.30 by AP & Sons Construction, Inc. Previously, McLaughlin & Schulz has successfully completed work for the City.

The project includes approximately 700 feet of asphalt roadway 36 feet wide plus curb, gutter, sidewalk, sanitary sewer, and storm sewer running from 14th Avenue North to the entrance of the Community Center. The City owns the property on the west side of the road, and the east side is owned by Hosanna Lutheran Church and James Orris Living Trust. Both the Church and Orris have recorded agreements to share in the cost of the road.

The bid from McLaughlin & Schulz, Inc. contained an irregularity which the bidder has acknowledged and agrees to correct by way of Change Order #1 as soon as the contract is executed. The bid total is not affected by the change order; only the unit price for Item 52: High Flow Silt Fence will be modified from \$420.00 per foot to \$4.20 per foot. As a demonstration of the contractor's acknowledgement, McLaughlin & Schulz, Inc. has already signed the change order to make this adjustment.

Recommendation: Award contract for Project #1522 to McLaughlin & Schulz, Inc. in the amount of \$422,402.27 and approve Change Order No. 1 to the contract with McLaughlin & Schulz, Inc. which modifies the unit price for item 52 but makes no change to the contract amount.

Council Action Requested:

Motion to Approve.

Mayor's Comments:

Bid Tabulation Sheet 15TH STREET NE Project No. 1522 City of Watertown, South Dakota Tuesday, February 23, 2016	Engineer's Estimate Phone: 605-882-6202 Fax: 605-882-5264	McLaughlin & Schulz, Inc. P.O. Box 201 Marshall, MN 56258 Phone: 507-532-6550 Fax: 507-532-9577	J&J Earthworks 1002 S Madison St. Milbank SD 57252 Ph: 605-924-0496 Fax: 605-432-6715	AP & Sons Construction, Inc. 45852 144th Street Summit, SD 57266 Phone: 605-398-6419 Fax: 605-398-6422
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ITEM No.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Mobilization	1 LS	\$ 46,000.00	\$ 46,000.00	\$ 49,900.00	\$ 49,900.00	\$ 43,000.00	\$ 43,000.00	\$ 68,000.00	\$ 68,000.00
2	Traffic Control Signs	58 SqFt	\$ 8.00	\$ 464.00	\$ 9.90	\$ 574.20	\$ 12.00	\$ 696.00	\$ 10.00	\$ 580.00
3	Traffic Control Barricades	1 Each	\$ 300.00	\$ 300.00	\$ 110.00	\$ 110.00	\$ 175.00	\$ 175.00	\$ 178.00	\$ 178.00
4	Traffic Control 42" Cones	14 Each	\$ 80.00	\$ 1,120.00	\$ 44.00	\$ 616.00	\$ 9.00	\$ 126.00	\$ 29.00	\$ 406.00
5	Saw Cut Asphalt	108 Ft	\$ 6.00	\$ 648.00	\$ 5.50	\$ 594.00	\$ 7.00	\$ 756.00	\$ 6.00	\$ 648.00
6	Remove Asphalt Surfacing	82 SqYd	\$ 10.00	\$ 820.00	\$ 2.20	\$ 180.40	\$ 6.50	\$ 533.00	\$ 2.30	\$ 188.60
7	Roadway Unclassified Excavation	1770 CuYd	\$ 7.00	\$ 12,390.00	\$ 6.60	\$ 11,682.00	\$ 8.50	\$ 15,045.00	\$ 7.00	\$ 12,390.00
8	Roadway Topsoil Placement	380 CuYd	\$ 5.00	\$ 1,900.00	\$ 3.30	\$ 1,254.00	\$ 12.50	\$ 4,750.00	\$ 3.50	\$ 1,330.00
9	Ditch Unclassified Excavation	1150 CuYd	\$ 10.00	\$ 11,500.00	\$ 11.00	\$ 12,650.00	\$ 9.00	\$ 10,350.00	\$ 11.50	\$ 13,225.00
10	Ditch Topsoil Placement	370 CuYd	\$ 10.00	\$ 3,700.00	\$ 4.40	\$ 1,628.00	\$ 15.00	\$ 5,550.00	\$ 4.60	\$ 1,702.00
11	8" Sanitary Sewer Pipe Bedding Material	56 Ft	\$ 7.00	\$ 392.00	\$ 9.35	\$ 523.60	\$ 11.00	\$ 616.00	\$ 5.50	\$ 308.00
12	8" PVC SDR35 Sanitary Sewer Pipe	56 Ft	\$ 45.00	\$ 2,520.00	\$ 44.00	\$ 2,464.00	\$ 48.00	\$ 2,688.00	\$ 78.00	\$ 4,368.00
13	15" Sanitary Sewer Pipe Bedding Material	146 Ft	\$ 8.00	\$ 1,168.00	\$ 11.00	\$ 1,606.00	\$ 13.00	\$ 1,898.00	\$ 10.25	\$ 1,496.50
14	15" PVC SDR35 Sanitary Sewer Pipe	146 Ft	\$ 85.00	\$ 12,410.00	\$ 69.30	\$ 10,117.80	\$ 58.00	\$ 8,468.00	\$ 87.00	\$ 12,702.00
15	48" Sanitary Sewer Manhole	1 Each	\$ 4,000.00	\$ 4,000.00	\$ 4,400.00	\$ 4,400.00	\$ 4,500.00	\$ 4,500.00	\$ 3,950.00	\$ 3,950.00
16	Type A7 Frame and Lid	1 Each	\$ 400.00	\$ 400.00	\$ 385.00	\$ 385.00	\$ 350.00	\$ 350.00	\$ 370.00	\$ 370.00
17	PVC Pipe Deflection Test	74 Ft	\$ 2.00	\$ 148.00	\$ 1.10	\$ 81.40	\$ 3.00	\$ 222.00	\$ 2.50	\$ 185.00
18	Pipe Exfiltration Test	74 Ft	\$ 2.00	\$ 148.00	\$ 1.10	\$ 81.40	\$ 3.00	\$ 222.00	\$ 2.50	\$ 185.00
19	48" Manhole Vacuum Test	1 Each	\$ 800.00	\$ 800.00	\$ 192.50	\$ 192.50	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
20	Storm Sewer Bedding Material	300 Ton	\$ 20.00	\$ 6,000.00	\$ 17.60	\$ 5,280.00	\$ 7.50	\$ 2,250.00	\$ 21.80	\$ 6,540.00
21	18" RCP CL4	120 Ft	\$ 55.00	\$ 6,600.00	\$ 38.50	\$ 4,620.00	\$ 50.00	\$ 6,000.00	\$ 51.00	\$ 6,120.00
22	24" RCP CL2	58 Ft	\$ 70.00	\$ 4,060.00	\$ 49.50	\$ 2,871.00	\$ 66.00	\$ 3,828.00	\$ 59.00	\$ 3,422.00
23	24" RCP CL4	716 Ft	\$ 75.00	\$ 53,700.00	\$ 55.00	\$ 39,380.00	\$ 68.00	\$ 48,688.00	\$ 67.00	\$ 47,972.00
24	24" RCP Flared End Section	5 Each	\$ 1,200.00	\$ 6,000.00	\$ 792.00	\$ 3,960.00	\$ 600.00	\$ 3,000.00	\$ 1,050.00	\$ 5,250.00
25	6" Perforated PVC Drain Tile	597 Ft	\$ 20.00	\$ 11,940.00	\$ 12.10	\$ 7,223.70	\$ 9.00	\$ 5,373.00	\$ 19.00	\$ 11,343.00
26	6" PVC Cleanout	2 Each	\$ 400.00	\$ 800.00	\$ 753.50	\$ 1,507.00	\$ 350.00	\$ 700.00	\$ 406.00	\$ 812.00
27	6" Drain Tile Bedding Material	597 Ft	\$ 6.00	\$ 3,582.00	\$ 6.60	\$ 3,940.20	\$ 4.50	\$ 2,686.50	\$ 7.25	\$ 4,328.25
28	Type B Drainage Fabric	312 SqYd	\$ 3.00	\$ 936.00	\$ 3.30	\$ 1,029.60	\$ 2.75	\$ 858.00	\$ 3.50	\$ 1,092.00
29	Class A Riprap	153 Ton	\$ 40.00	\$ 6,120.00	\$ 39.60	\$ 6,058.80	\$ 55.00	\$ 8,415.00	\$ 41.50	\$ 6,349.50
30	Remove & Replace Riprap	19 Ton	\$ 30.00	\$ 570.00	\$ 13.20	\$ 250.80	\$ 20.00	\$ 380.00	\$ 14.00	\$ 266.00
31	Class M6 Concrete	13.13 CuYd	\$ 1,800.00	\$ 23,634.00	\$ 962.50	\$ 12,637.63	\$ 1,700.00	\$ 22,321.00	\$ 1,090.00	\$ 14,311.70
32	Reinforcing Steel	2794 Lb	\$ 1.60	\$ 4,470.40	\$ 1.10	\$ 3,073.40	\$ 1.00	\$ 2,794.00	\$ 1.85	\$ 5,168.90
33	Type B Frame and Grate	3 Each	\$ 500.00	\$ 1,500.00	\$ 550.00	\$ 1,650.00	\$ 600.00	\$ 1,800.00	\$ 543.00	\$ 1,629.00
34	Double Type B Frame and Grate	1 Each	\$ 1,000.00	\$ 1,000.00	\$ 1,309.00	\$ 1,309.00	\$ 1,350.00	\$ 1,350.00	\$ 1,235.00	\$ 1,235.00
35	Type S Frame and Lid	2 Each	\$ 350.00	\$ 700.00	\$ 770.00	\$ 1,540.00	\$ 500.00	\$ 1,000.00	\$ 320.00	\$ 640.00
36	Crushed Granite for Stabilization	350 Ton	\$ 27.00	\$ 9,450.00	\$ 33.00	\$ 11,550.00	\$ 23.00	\$ 8,050.00	\$ 34.50	\$ 12,075.00
37	Woven Geotextile Fabric	3797 SqYd	\$ 3.00	\$ 11,391.00	\$ 2.42	\$ 9,188.74	\$ 2.25	\$ 8,543.25	\$ 2.55	\$ 9,682.35
38	Pit Run Granular Material	2410 Ton	\$ 13.00	\$ 31,330.00	\$ 8.80	\$ 21,208.00	\$ 14.00	\$ 33,740.00	\$ 9.20	\$ 22,172.00
39	Base Course	1710 Ton	\$ 17.00	\$ 29,070.00	\$ 13.75	\$ 23,512.50	\$ 15.75	\$ 26,932.50	\$ 14.50	\$ 24,795.00
40	Type B66 Concrete Curb and Gutter	1124 Ft	\$ 20.00	\$ 22,480.00	\$ 19.80	\$ 22,255.20	\$ 16.50	\$ 18,546.00	\$ 20.70	\$ 23,266.80
41	6" Concrete Fillet Section	124 SqYd	\$ 80.00	\$ 9,920.00	\$ 88.00	\$ 10,912.00	\$ 70.00	\$ 8,680.00	\$ 92.00	\$ 11,408.00
42	6" Concrete Valley Gutter	48 SqYd	\$ 80.00	\$ 3,840.00	\$ 86.90	\$ 4,171.20	\$ 70.00	\$ 3,360.00	\$ 90.85	\$ 4,360.80
43	6" Concrete Driveway Approach	102 SqYd	\$ 75.00	\$ 7,650.00	\$ 85.80	\$ 8,751.60	\$ 70.00	\$ 7,140.00	\$ 90.00	\$ 9,180.00
44	4" Concrete Sidewalk	5290 SqFt	\$ 6.00	\$ 31,740.00	\$ 4.40	\$ 23,276.00	\$ 5.00	\$ 26,450.00	\$ 4.60	\$ 24,334.00
45	2'x4' ADA Panel	2 Each	\$ 400.00	\$ 800.00	\$ 396.00	\$ 792.00	\$ 500.00	\$ 1,000.00	\$ 415.00	\$ 830.00
46	2'x5' ADA Panel	6 Each	\$ 500.00	\$ 3,000.00	\$ 495.00	\$ 2,970.00	\$ 600.00	\$ 3,600.00	\$ 517.50	\$ 3,105.00
47	Adjust Type A Frame and Lid	1 Each	\$ 300.00	\$ 300.00	\$ 600.00	\$ 600.00	\$ 350.00	\$ 350.00	\$ 200.00	\$ 200.00
48	Adjust Water Valve Road Box	6 Each	\$ 200.00	\$ 1,200.00	\$ 300.00	\$ 1,800.00	\$ 175.00	\$ 1,050.00	\$ 100.00	\$ 600.00
49	Asphalt Concrete Composite Class E	730 Ton	\$ 100.00	\$ 73,000.00	\$ 84.00	\$ 61,320.00	\$ 93.00	\$ 67,890.00	\$ 95.50	\$ 69,715.00
50	Asphalt Core Samples	3 Each	\$ 300.00	\$ 900.00	\$ 300.00	\$ 900.00	\$ 375.00	\$ 1,125.00	\$ 350.00	\$ 1,050.00
51	Temporary Rock Construction Entrance	1 Each	\$ 1,500.00	\$ 1,500.00	\$ 1,100.00	\$ 1,100.00	\$ 600.00	\$ 600.00	\$ 1,150.00	\$ 1,150.00
52	High Flow Silt Fence	220 Ft	\$ 8.00	\$ 1,760.00	\$ 4.20	\$ 924.00	\$ 5.50	\$ 1,210.00	\$ 4.40	\$ 968.00
53	Sediment Control at Type S Inlet	24 Ft	\$ 30.00	\$ 720.00	\$ 4.40	\$ 105.60	\$ 7.00	\$ 168.00	\$ 4.60	\$ 110.40
54	Sediment Control at Type B Inlet	4 Each	\$ 200.00	\$ 800.00	\$ 148.50	\$ 594.00	\$ 160.00	\$ 640.00	\$ 155.00	\$ 620.00
55	Street Sweeping	8 Hour	\$ 120.00	\$ 960.00	\$ 91.00	\$ 728.00	\$ 100.00	\$ 800.00	\$ 175.00	\$ 1,400.00
56	Wetland Seeding & Mulching	0.9 Acre	\$ 5,000.00	\$ 4,500.00	\$ 3,850.00	\$ 3,465.00	\$ 4,000.00	\$ 3,600.00	\$ 4,025.00	\$ 3,622.50
57	Boulevard Seeding & Mulching	2.2 Acre	\$ 5,000.00	\$ 11,000.00	\$ 3,850.00	\$ 8,470.00	\$ 4,000.00	\$ 8,800.00	\$ 4,025.00	\$ 8,855.00
58	Erosion Control Blanket Type 2	2860 SqYd	\$ 3.00	\$ 8,580.00	\$ 2.95	\$ 8,437.00	\$ 3.50	\$ 10,010.00	\$ 3.10	\$ 8,866.00
TOTAL AMOUNT BID				\$ 498,331.40		\$ 422,402.27		\$ 453,973.25		\$ 481,357.30
Remarks & Corrections					Item 52 irregularity					
Bid Assurance					10% Bid Bond		10% Bid Bond		10% Bid Bond	

CONSTRUCTION CHANGE ORDER NO. 1

Date: March 7, 2016

Project: 15th Street NE
Project #1522

Contract Date: March 7, 2016

Contractor: McLaughlin & Schulz, Inc.

YOU ARE HEREBY DIRECTED TO MAKE CHANGES IN THE SUBJECT CONTRACT AS DESCRIBED BELOW:

For the City of Watertown

Mayor: _____
Mayor Steve Thorson

Date: _____

Nature of Changes: This change order corrects the unit price for Bid Item 52: High Flow Silt Fence from the stated price of \$420.00 per ft on the Bid Form to \$4.20 per ft. The contract price is not changed.

These Changes result in the following adjustment of Contract Price and Time:

Contract Price Prior to This Change Order	\$ 422,402.27
Net INCREASE in Price Resulting from this Change Order	\$ -
Current Contract Price Including This Change Order	\$ 422,402.27
Contract Time Prior to This Change Order	October 15, 2016
Net INCREASE in Time Resulting from this Change Order	0 days
Current Contract Time Including This Change Order	October 15, 2016

APPROVAL OF CHANGE ORDER

City Engineer: _____
Shane Waterman, PE

Date: _____

ACCEPTANCE OF CHANGE ORDER

This Change Order is hereby acknowledged and accepted for McLaughlin & Schulz, Inc.

By: Michael Wudel

Date: 3-1-16

Name: Michael Wudel

Title: U.P.

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer
MEETING DATE: March 7, 2016
SUBJECT: **Authorization for Mayor to sign Agreement with Aason Engineering in the amount of \$35,288 for Construction Phase Services on the 15th Street NE Project #1522**

Background: Construction of 15th Street NE from 14th Avenue North to the Community Center entrance will begin this spring. The project was designed by Aason Engineering, and they have offered to complete the construction phase Engineering for the project for a fee not to exceed \$35,288 which is 8% of the construction cost and therefore reasonable. The services will include construction staking, testing, observation, and preparation of record drawings. Although it is not always feasible, it is generally good practice for the engineer who designed a project to complete the construction engineering as well.

Recommendation: Authorize Mayor Thorson to sign the agreement with Aason Engineering in the amount of \$35,288 for Construction Phase Services on the 15th Street NE Project #1522.

Council Action Requested:

Motion to Approve.

Mayor's Comments:

AGREEMENT FOR PROFESSIONAL SERVICES

for

15th St NE Project No. 1522 Construction

CITY OF WATERTOWN

This AGREEMENT made and entered into by and between the City of Watertown, Watertown, South Dakota, hereinafter called the CITY, and AASON ENGINEERING COMPANY, INC., Consulting Engineers, Watertown, South Dakota, hereinafter called the ENGINEER.

WHEREAS, the CITY desires to have construction services for 15th St NE as detailed within this contract, and;

WHEREAS, the ENGINEER represents that they are in compliance with the South Dakota statutes relating to the registration of land surveyors and professional engineers and has indicated their willingness to provide land surveying and professional engineering services that are necessary for the project;

NOW THEREFORE, the CITY and the ENGINEER, in consideration of the premises and the covenants, herein agree in respect to the performance of land surveying and professional engineering services by the ENGINEER and the payment for those services by the CITY as set forth herein.

ARTICLE I
SCOPE OF SERVICES

The ENGINEER will provide the following:

1. Soil density testing and gradations.
2. Concrete cylinder sampling and breaking.
3. Staking & surveying necessary to construct project and develop as-built plans
4. Observation as needed to check work for compliance with plans and specifications.
5. Project management.
6. As-built plans.

ARTICLE II
COMPENSATION

The compensation payable by the CITY to the ENGINEER for services performed under this Agreement shall be a maximum limiting fee of \$35,288.00. See Exhibit 1 for details.

The ENGINEER will submit billing statements no more than once a month to the CITY for their processing in regards to payment for services rendered.

ARTICLE III
GENERAL CONTRACT CLAUSES

SECTION I - TERMINATION

This AGREEMENT may be terminated by either party upon fifteen days written notice, in the event of substantial failure to perform in accordance with the terms hereof by the one party through no fault of the other party. If this AGREEMENT is so terminated, the ENGINEER shall be paid in the amount, which he has earned up to such date of termination under the terms of this AGREEMENT. Upon termination, the CITY shall be entitled to all plans and documents for which there has been payment made to the ENGINEER and they shall become the property of the CITY.

Unless the AGREEMENT shall have been terminated as herein before provided, it shall terminate on completion of the scope of work as defined in Article I, and on final payment of all fees under this AGREEMENT by the CITY.

SECTION II - INSURANCE

The ENGINEER shall maintain such insurance as will protect him from claims under Workman's Compensation Acts, claims for damages because of bodily injury, sickness or disease, or death of any of his employees, and from claims from damages because of injury to or destruction of tangible property including loss of use thereof.

SECTION VI - INDEMNIFICATION OF CITY

The ENGINEER shall indemnify the CITY, its agents, officials and employees, against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, costs and expenses, that may in any way accrue against the CITY in consequence of the granting of this contract or that may in any way result from that grant, whether or not it shall be alleged or determined that the act was caused through negligence or omission of the ENGINEER OR ENGINEER'S employees, of the Subcontractor or Subcontractor's employees, if any, and the ENGINEER shall, at the ENGINEER'S own expense, appear, defend and pay all charges incurred in connection with that activity, and, if any judgment shall be rendered against the CITY in any such actions, the ENGINEER shall, at the ENGINEER'S own expense, satisfy and discharge that judgment. The ENGINEER expressly understands and agrees that any performance bond or insurance protection required by this contract, or otherwise provided by ENGINEER, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the CITY as here provided.

SECTION VIII - EXTENT OF AGREEMENT

This AGREEMENT represents the entire and integrated AGREEMENT between the CITY and the ENGINEER covering the services set forth herein and supersedes any prior negotiations, representations or agreements therefore, written or oral. This AGREEMENT may be amended only by written instrument signed by both the CITY and the ENGINEER.

SECTION IX - APPLICABLE BY LAW

The laws of the State of South Dakota shall govern this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have made and executed this AGREEMENT this _____ day of _____, 2016.

ATTEST

CITY OF WATERTOWN:
Watertown, South Dakota

Steve Thorson, Mayor

ATTEST

ENGINEER:
Aason Engineering Company, Inc.
1022 Sixth Street SE
Watertown, South Dakota

Rodney S. DeJong

EXHIBIT 1

Construction Engineering Proposal

Aason Engineering

February, 2016

15th St NE Project No. 1522

Construction Phase Rates:

Soil Testing:	Gradation	= \$ 90.00 / Each
	Proctor	= \$120.00 / Each
	Density	= \$ 56.00 / Hour
Concrete Testing:	Cylinders	= \$ 21.00 / Each
	Technician	= \$ 56.00 / Hour
Staking:	1 Man	= \$ 82.00 / Hour
	2 Man	= \$136.00 / Hour
	Comps	= \$ 66.00 / Hour
Observation:	Engineer	= \$ 86.00 / Hour
	Technician	= \$ 56.00 / Hour
Project Management:	Engineer	= \$ 86.00 / Hour

Soil Testing	=	\$ 3,540.00
Concrete Testing	=	\$ 588.00
Staking **	=	\$ 15,760.00
Observation	=	\$ 7,660.00
Project Management	=	<u>\$ 7,740.00</u>
Max Limiting Fee	=	\$ 35,288.00

** Staking fee is subject to a \$2,400.00 increase if earthwork contractor does not have gps guided equipment.

EXHIBIT 1

Soil Testing

Gradation = (6 ea)(\$90) = \$ 540

Proctor = (4 ea)(\$120) = \$ 480

Density (45 hr)(\$56) = \$ 2,520
\$ 3,540

Concrete Testing

(12 each)(\$21) = \$ 252

(6 hr)(\$56) = \$ 336
\$ 588

Staking

1 Man (60 hr)(\$82) = \$ 4,920

2 Man (70 hr)(\$136) = \$ 9,520

Comps (20 hr)(\$66) = \$ 1,320
\$15,760

Observation

Engineer (50 hr)(\$86) = \$ 4,300

Technician (60 hr)(\$56) = \$ 3,360
\$ 7,660

Project Management

Engineer (90 hr)(\$86) = \$ 7,740