

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

Monday, November 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 meeting held on October 17, 2016
 - b. Authorization to write-off uncollectible ambulance accounts receivable in the amount of \$14,442.28
 - c. Alcoholic beverage license renewals for calendar year 2016 (package off-sale liquor, retail on-sale liquor, retail on-off sale wine, Sunday liquor sales)
 - d. Authorization for the Prairie Lakes Wellness Center to advertise for bids to purchase exercise equipment for the new facility
 - e. Authorization for the Police Department to accept a grant from Homeland Security to purchase SWAT helmets and sniper rifle scopes in the amount of \$14,485
 - f. Approval of bills & payroll and authorization to pay
2. Approval of agenda
3. Application for a location transfer of a retail (on-off sale) malt beverage license from Dakota Butcher, Inc. d/b/a Dakota Butcher at 1330 9th Ave. SW to Dakota Butcher, Inc. d/b/a Dakota Butcher Beans and Brew at 1923 Willow Creek Drive, Suite 1
 - a. Public hearing
 - b. Council action
4. Application for a new retail (on-off sale) wine license to Dakota Butcher, Inc. d/b/a Dakota Butcher Beans and Brew at 1923 Willow Creek Drive, Suite 1
 - a. Public hearing
 - b. Council action
5. Application for a transfer of ownership and location of a retail (on-off sale) malt beverage license from Rock McGillivray (inactive) at 72 Paradise Drive to Magic Mile Casino, Inc. d/b/a Magic Mile Casino #2, at 520 ½ 10th Street SE, Suite B
 - a. Public hearing
 - b. Council action
6. 2016 Street Improvement Projects – Assessment Roll (Resolution No. 16-34)
 - a. Public hearing
 - b. Council action
7. Resolution recommending a violation and fine amount to be entered on the Third Judicial Circuit’s Fine and Bond Schedule regarding violations of Revised Ordinance of the City of Watertown Section 19.0302 (failure to yield to pedestrian in crosswalk) – Resolution No. 16-38
8. Approval of employee group health insurance plan renewal for 2017

9. Approval of updated Personnel Policy Manual (a full drafted version of the Personnel Manual is available at <http://www.watertownsd.us/DocumentCenter/View/984>)
10. Authorization for Mayor to sign a Hazardous Mitigation Grant award for a Tornado Shelter (safe room)
11. Authorization for the Mayor to sign an agreement with the US Geological Survey for operations and maintenance of various water gaging stations and related equipment for water resource investigations
12. Consideration of bids received for the Big Sioux River Weir Breach Repair Project
13. Consideration of Change Order No. 2 (final) to the contract with J & J Earthworks, Inc. for the 2016 Sanitary Sewer Replacement Project decreasing the contract amount \$12,298.49
14. Consideration of Change Order No. 1 (final) to the contract with K&L Mechanical for the City Park Campground Sanitary Sewer Improvements Project increasing the contract amount \$2,755.72
15. Consideration of Change Order No. 2 to the contract with Gray Construction for the Watertown Softball Complex Project decreasing the contract amount \$31,302.28
16. Consideration of Amendment No. 1 to the professional services agreement with Helms & Associates for the Watertown Softball Complex Project increasing the contract amount \$57,000.00
17. Old Business
18. New Business
19. Liaison member reports
20. Executive Session pursuant to SDCL 1-25-2
21. 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.

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

October 17, 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 Rieffenberger, Roby, Buhler, Vilhauer, Solum, Thorson, Albertsen, Tupper and Alderwoman Mantey. Absent was Alderman Danforth.

Motion by Buhler, seconded by Vilhauer, to approve the following item on the consent agenda: minutes of the Council Meeting held on October 3, 2016; authorization for the Fire Department to apply for an AFG Grant in the amount of \$15,000 with a 10% match; authorization for the Mayor to sign a Cooperative Purchase Agreement with Admin Minnesota to complete the Street Department equipment purchase and permit future purchases and authorization for the Mayor to sign an annual maintenance agreement with Synovia Solutions to provide a GPS tracking/routing system on the Sanitation Curbside Collection trucks . Motion carried.

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

This being the time scheduled for the public hearing on the ownership and location transfer of a retail (on sale) liquor license from Valley Heights Lincoln, LLC., c/o Great Western Bank, 101 n Phillips Ave, Sioux Falls, SD to BMG, Inc., d/b/a Ringo's, 520 10th St. NW, N 110' of Lots 11-13 N 110' of E 20' of Lots 14, Blk 3, Davis Addn, the Mayor called for public comment. Hearing no comments from the public, motion by Mantey, seconded by Buhler, to approve the transfer as presented. Motion carried.

This being the time scheduled for the public hearing on Resolution No. 16-34 for the 2016 Street Improvement projects – assessment roll, the Mayor called for public comment. Hearing no comment from the public, motion by Buhler, seconded by Albertsen, to approve Resolution No. 16-34 as presented. Motion carried. The notice of public hearing was not published prior to the October 17 council meeting. The public hearing notice will be published and Resolution No. 16-34 will be on the November 7th Council agenda for consideration.

Ordinance No. 16-20 amending Section 21.0210, 21.7310, 21.8006, and 21.9901 of the Revised Ordinances of the City of Watertown to clarify punishments for violations of Title 21 was placed on its second reading and the title was read. Motion by Vilhauer, seconded by Mantey, to approve Ordinance No. 16-20 as presented. Motion carried.

Motion by Roby, seconded by Tupper, to approve the 2016 update to the Long-Term Equipment Replacement Schedule and Capital Projects Plan. Motion carried.

Motion by Albertsen, seconded by Mantey, to approve Resolution No. 16-35 for Capital Outlay Accumulations for 2017. Motion carried.

Motion by Rieffenberger, seconded by Buhler, authorizing the election of members of the Watertown-Codington County Regional Railroad Authority (Resolution No. 16-36). Motion carried.

Motion by Mantey, seconded by Buhler, to approve Resolution No. 16-14 plat of Watertown Sport Complex First Addition to the Municipality of Watertown. Motion carried.

Motion by Buhler, seconded by Rieffenberger, to approve Resolution No. 16-37 establishing a standing policy to authorize the Mayor to enter into and execute contracts for Municipal Hangar Leases pursuant to SDCL 9-1-5. Motion carried.

Motion by Buhler, seconded by Mantey, to approve the renewal of Flexible Benefits plan & Administrative Agreement with Wellmark. Motion carried.

Motion by Roby, seconded by Vilhauer, authorizing the Finance Officer to sign a consulting agreement with Howalt Benefits Consulting for ACA compliance and measurement in the amount of \$7,500. Motion carried.

Motion by Tupper, seconded by Buhler, to approve the Airport to add one full-time maintenance worker in 2017 and increase the personnel budget for 2017. Motion carried.

Motion by Albertsen, seconded by Roby, authorizing the Mayor to sign an agreement with Prairie Lakes Healthcare for temporary ambulance transport services to the airport. Motion carried.

Motion by Buhler, seconded by Vilhauer, authorizing the Mayor to sign a long-term lease agreement with Glacial Lakes Energy regarding municipal property adjacent to GLE property for purposes of a rail loop track. Motion carried.

Motion by Tupper, seconded by Mantey, authorizing the Mayor to sign an easement agreement with Glacial Lakes Energy regarding municipal property adjacent to GLE property. Motion carried.

Motion by Mantey, seconded by Tupper, to go into executive session for the purpose of discussing personnel issues. Motion carried.

Motion by Rieffenberger, seconded by Mantey, to reconvene in open session. Motion carried.

Motion by Rieffenberger, seconded by Vilhauer, to deny a sick leave bank request. Motion carried.

Motion by Buhler, seconded Roby, to adjourn until 7:00 PM on Monday, November 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 17th day of October, 2016.

ATTEST:

Rochelle Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

**AMBULANCE MANAGEMENT
UNCOLLECTIBLE ACCOUNTS FORWARDED TO COLLECTIONS
October 2016**

<u>Call No.</u>	<u>Amount</u>
34149	660.80
34155	668.90
33998	689.15
33909	668.90
34320	674.30
33838	666.20
34156	75.39
34088	656.75
34263	716.15
33790	698.60
33079	125.66
33862	679.70
33495	156.21
33496	241.17
33602	621.90
34086	764.85
34069	683.75
34004	1076.85
33831	690.50
33916	952.50
33450	733.55
34162	770.25
34014	770.25
	14442.28

Approved:

Mayor

Finance officer

ALCOHOLIC BEVERAGES FOR 2017

PACKAGE (Off Sale) LIQUOR LICENSES:

1. Spies Corporation, Cowboy Country Stores #1, 305 10th St NW, Lots 15-16 & 22-28, Blks 15-16, Davis Addn
2. Spies Corporation, Cowboy Country Stores #2, 504 9th Ave SE, Lots 9-11 lying E of Hwy & all Vacated Alley, Lots 12-15 lying E of Hwy, Lot 16 & Vacated Alley, Blk 4, Davlins Addn
3. Spies Corporation, Cowboy Country Stores #3, 1400 4th St NE, W250' of the S250' of Lot #3 of Plat entitled Lots 1-5 of Northridge Addition to Watertown
4. Discount Liquors, Inc., Discount Liquors, 125 9th Ave SE, Lots 8-10, & vacated alley in Blk 7, Martin's Railway Addn
5. TRP Inc., LT's Liquors, 1036 29th St SE, Lot 4 Rieffenberger 1st Addn
6. Binde Enterprises, Inc., Highway 81 Liquors, 507 Arrow Ave, Lots 6-7, Blk 19, R. E. Pettigrew's Addn
7. Dakota Butcher- Watertown, INC, Dakota Butcher, 1328 9th Ave SW, Lot 1 West Laqua Addn
8. Doris K. Wilkey, Kampeska Lodge & Liquor Store, 436 N Lake Drive, Outlots 8 & 14 in the SW Quarter of 9-117-53 less Section Line Right of Way, and Outlot 17 less Platted Parts, and Lot 14 of Plat of Part of Outlots 17 & 18 (Last Named Honska Ave) 9-117-53
9. Conda R. Williams, The Prop, 728 S Lake Drive, W6 rods of 2 less S40 rods & Lot 3 less 40 rods & less W450' of Lot 3 & less Forsberg Addn, 29-117-53
10. Hy-Vee, Inc., Hy-Vee Wine & Spirits, 1341 9th Ave SE, Lots 36-39, Blk 8 of Gesley's Addn

RETAIL (On Sale) LIQUOR LICENSES:

1. 212 Casino, Inc., 212 Casino, 1317 5th Ave SE, Lots 27-30, Block 8, Gresley's Second Addition to Watertown
2. Codington Co. Post 17, American Legion, 1412 9th Ave SW, N396' of W215' of E365' of Govt Lot 3, 1-116-53
3. Porter Apple Co. "B", Inc., Applebee's, 2630 9th Ave SE, Lot 19 Less the S52.64' Endres Ind Addition Addition
4. The Shamrocks & Edelweiss Corp, Dempsey's Brewery, Pub & Restaurant, 127 N Broadway, Hurkes Addn to the City of Wtn, being formerly a portion of the NE1/4 of 31-117-52
5. D&M Entertainment, Inc., Doc's Bar, 33 N Maple, Lots 1-4, Blk 4, Orig Plat Addn
6. Bracht Enterprises, Inc., Duffy's Bar, 22 N Broadway, N25' 8" of the S75' of Lots 11-14, Blk 4, Original Plat
7. Benevolent & Protective Order of Elks, Elk's Lodge #838, 600 W Kemp, Parcel I: Lots 1-4, Coop Subdiv, part OL 4, Parcel II: Powerhouse Addn.
8. Lads Toy Company, Inc., Goss Opera House, 100 Kemp Ave E, W115' N1/2 & S10' N1/2 E50' Lot 12 & W65.22' N1/2 & W115' S1/2 Lot 13 & W65.22' Lot 14, Block 10, Original Plat & W50.75' E101.26' N25' Lot 13 & W50.75' E101.26' Lot 14, Block 10, Original Plat
9. Guest House Enterprises, Inc., Guest House Motor Inn, 101 N Broadway, Hanken & Haggar OL NE1/4, 31-117-52
10. WR Capital I, LLC, Minerva's Restaurant & Bar, 1901 9th Ave SW, E510.5' W900' S720' less W251.5' N124' & less N98' S596' E64.62' W395' & less H-3 City Lands 36-117-53 & E259' of W900' of N250' of S970' SW1/4 & Ramkota Addn plus Lot 4 & W 93.3' of Lot 5 of Turbes Addn to the City of Watertown
11. W&P of Watertown, LLC, Buffalo Wild Wings, 2700 9th Ave SE #100, Lot 2 of Endres Investment 8th Addition to Municipality of Watertown
12. Number One Casino, Inc., Number One Casino, 1006 14th St SE, W1/2 of Lots 10 & 11, Blk 1, East Acres Addn
13. Prairie Winds Golf Club, LLP, Prairie Winds Golf Club, 555 S Lake Dr, OL B Less OL 1 & OL C Less PT Lying N of S Line OL 1 Ol C Arends Park Less Lots 1-11 Blk 1 & Less Lots 1-9 Blk 2... City Lands 28-117-53
14. Zeus, Inc., Second Street Station, 15 2nd St SW, Lots 1-2 less N97' & Lot 3 less N91' & all of Lot 14, Blk 34, Second Railway Addn
15. Biever Enterprise, Inc., Senor Max's, 1300 9th Ave SE, Lot 2, Watertown Mall Addn
16. Tommy's Lanes, Inc., Tommy's Bowling Alley, 16 S Maple, Lot 11 & S1/2 of Lot 12, Blk 10, Original Plat Addn
17. Frank Adams Post 750, Veterans of Foreign Wars, 808 S Broadway, Lots 34-39, Blk 6 Martin's Railway Addn

18. MLGE, Inc., Willy's, 1401 9th Ave SW, Lot 1, Blk 1, Watertown Dev Addn
19. Scrappy, Inc., Woody's Sportsbar & Casino, 1612 9th Ave SW, E224' W397' N275' & E93' W397' S237.25' N512.25' of Govt Lot 3, City Lands
20. Tango Bravo Charlie, Inc., Shooters, 6 N Maple, Westerly 30' of Lots 19-22, Block 3, Original Plat
21. SNL Entertainment, LLC, Sparky's, S19 N Broadway, The S23' of the N140' of Lots 1-5 less the W12', Block 5, Original Plat Addn; and the S25' of Lots 1-5 less the W12', Block 5, Original Plat Addn
22. M&M Foxy's, Inc., Foxy's, 137 5th St NE, Wtn City Pettigrew's Addn, Haggard's Subdiv, Blk 20 ABC: Lots A & B, Blk 20, Pettigrews Addn
23. Lone Pine Bar & Grill, Inc., Lone Pine Bar & Grill, 2647 10th Ave SE, E109' of Lot 2 of Wheel City Addition to the Municipality of Watertown, Codington County, South Dakota
24. Cloud 9 Golf Course, Inc., 625 20th Ave SE, OL of the SW ¼ Sec. 5-116-52
25. Little T's, Inc., Mr. T's, 1300 9th Ave SE, Lot 2 less Lot H-1 Watertown Mall Addition
26. BMG, Inc., Johnny Ringo's, 520 10th St NW, N110' of Lots 11-13, N110' of E20' of Lot 14, Blk 3, Davis Addn

RETAIL (On-Off Sale) WINE LICENSES:

1. Guadalajara, Inc., Guadalajara Mexican Restaurant, 1509 9th Ave SE #1, Lots 4-7 Roby Subdivision
2. Conda R. Williams, The Prop, 728 S Lake Drive, W6 rods of 2 less S40 rods & Lot 3 less 40 rods & less W450' of Lot 3 & less Forsberg Addn, 29-117-53
3. County Fair Foods of Watertown, Inc., County Fair Banquet Hall, 8 2nd St NE, Lots 15-16 Block 2 Original Plat Addition
4. Stone Oil Co., Inc., The Grainery, 3801 9th Ave SE, Lot 1, Block 1 & N200' of S600' of W300', Blk 2, Fox Addn in SE 1/4, 34-117-52
5. Lads Toy Company, Inc., Goss Opera House, 100 Kemp Ave E, W115' N1/2 & S10' N1/2 E50' Lot 12 & W65.22' N1/2 & W115' S1/2 Lot 13 & W65.22' Lot 14, Block 10, Original Plat & W50.75' E101.26' N25' Lot 13 & W50.75' E101.26' Lot 14, Block 10, Original Plat
6. BMG Enterprises, INC, Happy Jacks, 19 North Maple, S21' of Harper Belatti OL Block 4 Original Plot
7. Hy-Vee INC, Hy-Vee #1871, 1320 9th Ave SE, Lot A of Watertown Mall Associates subdivision of Lot 11 of the Plat entitled: Watertown Mall Associates an Ohio Limited Partnership Addition to the City of Watertown, located in the NE 1/4 Section 5-T116N-R52W of the 5th P.M. Codington County, SD
8. Jencor, Inc., Game Spot Casino, 717 S Broadway St., Lot 6 Block 87 4th Railway Addition
9. Tokyo Japanese Cuisine of SP, INC, Tokyo Japanese Cuisine, 521 9th Ave SE, Lots 1-4 and vacated part Ave & Alley less Lots 1-2, Lot A, Block H, & S8' Lot 5 & all Lots 6-7 and vacated part Ave, Block G, all in Burchards Addition
10. Spies Corporation, Cowboy Country Stores #2, 504 9th Ave SE, Lots 9-11 lying E of Hwy & all Vacated Alley, Lots 12-15 lying E of Hwy, Lot 16 & Vacated Alley, Blk 4, Davlins Addn
11. REVE, LLC, DBA Watertown Brewing Company, 113 E Kemp Ave., Lot 1 in John F. Brock's rearrangement of lots 23 and 24 of Block 3, Watertown, Codington County, South Dakota, according to the recorded plat thereof; and Lot 1 in the Vacated Alley Rearrangement in John F. Brock's rearrangement of Lots 23 and 24, in Block 3, Watertown, Codington County, South Dakota, according to the recorded plat thereof; and Lot 1 in Balsiger's rearrangement of Lot 25 in Block 3, Watertown, Codington County, South Dakota, according to the recorded plat thereof
12. Harry's Haircuts & Hot Towels, LLC, DBA Harry's Haircuts & Hot Towels, 16 W Kemp, Parcel I: E25' of Lot 1 of Monks Subd of Lots 12, 13 & 14, Blk 8 of Wtn, Parcel II W25' of E 50' of Lot 14 Blk 8 of Wtn & Lot 2 of Monks' Subdiv of Lots 12, 13, & 14, Blk 8 of Wtn
13. Birong Chen, dba Downtown Sushi, 18 N Broadway St.,
 Parcel I- The South 49 feet 4 inches of the West 2 feet of Lot 11, and the South 40 feet of Lots 13 and 14, all in Block 4, Original Plat of Watertown, Codington County, South Dakota, according to the recorded plat thereof, and
 Parcel II- The South 9.2 feet of the North 125 feet of Lots 13 and 14, in Block 4 of Watertown, Codington County, South Dakota, according to the recorded plat thereof
14. PRG Watertown, LLC, DBA Marko's Pizza, 817 9th Ave SE, Lots 11-14, Blk 27, Brock's Addn

SUNDAY LIQUOR SALES
2017

1. CASINO – 212 CASINO, INC.
2. APPLEBEE’S – PORTER APPLE CO “B” INC.
3. DEMPSEY’S BREWERY - THE SHAMROCKS AND EDELWEISS CORP.
4. DOC’S BAR- D&M ENTERTAINMENTS INC
5. ELK’S LODGE – BENEVOLENT & PROTECTIVE ORDER OF ELKS
6. FOXY’S – M&M FOXY’S, INC.
7. LONE PINE BAR & GRILL – LONE PINE BAR & GRILL, INC.
8. WILLY’S – MLGE, INC.
9. MINERVA’S RESTAURANT & BAR – WR CAPITAL I LLC
10. BUFFALO WILD WINGS – W&P OF WATERTOWN, LLC
11. PRAIRIE WINDS GOLF CLUB – PRAIRIE WINDS GOLF CLUB, LLP
12. SENOR MAX’S – BIEVER ENTERPRISE, INC.
13. GOSS OPERA HOUSE – LAD’S TOY COMPANY
14. SHOOTER’S – TANGO BRAVO CHARLIE, INC
15. MR. T’S – LITTLE T’S, INC
16. SPARKY’S – SNL ENTERTAINMENT

Date Received _____
Date Issued _____

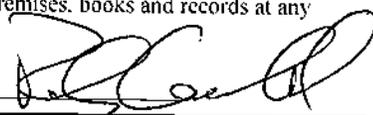
License No. RB- 3787

Uniform Alcoholic Beverage License Application

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

<p>A. Owner Name and Address <u>Dakota Butcher, Watertown, INC</u> <u>1330 9th Ave SW</u> <u>Watertown, SD, 57201</u></p> <p>Owner's Telephone #: _____</p>	<p>B. Business Name and Address <u>Dakota Butcher Beans and Brew</u> <u>1923 Willow Creek Drive Suite 1</u> <u>Watertown, SD 57201</u></p> <p>Business Telephone #: _____</p>
<p>C. Indicate the class of license being applied for (submit separate application for each class of license).</p> <p><input type="checkbox"/> Retail (on-sale) Liquor <input type="checkbox"/> Retail (on-sale) Liquor - Restaurant <input type="checkbox"/> Retail (on-off sale) Wine <input type="checkbox"/> Package (off-sale) Liquor <input type="checkbox"/> Retail (on-off sale) Malt Beverage <input type="checkbox"/> Retail (on-off sale) Malt Beverage & SD Farm Wine <input type="checkbox"/> Package (off-sale) Malt Beverage <input type="checkbox"/> Package (off-sale) Malt Beverage & SD Farm Wine <input checked="" type="checkbox"/> Other (please classify) <input checked="" type="checkbox"/> Transfer Fee \$ 150.00</p> <p>Number of other Package Liquor Licenses held: <u>1</u> Number of other On-sale Liquor Licenses held: <u>0</u></p> <p>Is this License in active use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>New</u></p>	<p>D. Legal description of licensed premise: <u>Lot 1, Marvin Ed 2nd Addition, Suite 1</u></p> <p>Have you ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Do you own <input type="checkbox"/> or lease <input checked="" type="checkbox"/> this property? (Check one)</p> <p>E. State Sales Tax Number: <u>Applied For</u></p> <p>F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.</p> <p>G. New license? <input type="checkbox"/> Transfer? (\$150) <input checked="" type="checkbox"/> Re-issuance? <input type="checkbox"/></p>

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 19 day of Oct 2016 Signature Randy Grewer 

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 19 day of October 2016
Approving Officer's Telephone number 605 882-6203 (x) Signature: J. Wade Field

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on Oct 22. Public hearing on the application was held Nov 7, 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: 0

Amount of fee collected with application \$ 190.00
Amount of fee retained \$ 190.00
Forwarded with application \$ 0

<p>For Local Government Use</p> <p>(Seal) _____ Mayor or Chairman</p> <p>If disapproved, endorse reason thereon and return to applicant</p>	<p>Transferred (State Use)</p> <p>From: _____ Sales tax approval _____ Date _____</p> <p>STATE LIQUOR AUTHORITY: APPROVAL REVIEW</p>
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Please complete reverse side
OCT 20 2016
SOUTH DAKOTA DEPARTMENT OF REVENUE

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

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

Affidavit

State of South Dakota)
 §
County of Codington)

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:

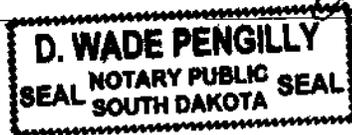
That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to 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 _____

Subscribed and sworn to before me this 19th of October, 2016, Codington County, State of South Dakota

My commission expires 11-09-2018



(Notary Public)

Date Received _____
Date Issued _____

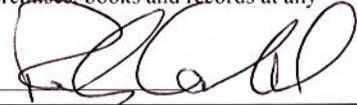
License No. _____

Uniform Alcoholic Beverage License Application

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

<p>A. Owner Name and Address Dakota Butcher, Watertown, INC 1330 9th Ave SW Watertown, SD 57201</p> <p>Owner's Telephone #: _____</p>	<p>B. Business Name and Address Dakota Butcher Beans and Brew 1923 Willow Creek Drive Suite 1 Watertown, SD 57201</p> <p>Business Telephone #: 605 878 3336</p>
<p>C. Indicate the class of license being applied for (submit separate application for each class of license). <input type="checkbox"/> Retail (on-sale) Liquor <input type="checkbox"/> Retail (on-sale) Liquor - Restaurant <input checked="" type="checkbox"/> Retail (on-off sale) Wine <input type="checkbox"/> Package (off-sale) Liquor <input type="checkbox"/> Retail (on-off sale) Malt Beverage <input type="checkbox"/> Retail (on-off sale) Malt Beverage & SD Farm Wine <input type="checkbox"/> Package (off-sale) Malt Beverage <input type="checkbox"/> Package (off-sale) Malt Beverage & SD Farm Wine <input type="checkbox"/> Other (please classify) <input type="checkbox"/> Transfer Fee \$ 150.00</p> <p>Number of other Package Liquor Licenses held: <u>1</u> Number of other On-sale Liquor Licenses held: <u>0</u></p> <p>Is this License in active use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>New</u></p>	<p>D. Legal description of licensed premise: Lot 1, Marvin Ed 2nd Addition, Suite 1</p> <p>Have you ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Do you own ___ or lease <input checked="" type="checkbox"/> this property? (Check one)</p> <p>E. State Sales Tax Number: <u>Applied for</u></p> <p>F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.</p> <p>G. New license? <input checked="" type="checkbox"/> Transfer? (\$150) _____ Re-issuance? _____</p>

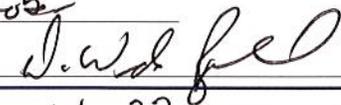
H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the 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 19 day of Oct, 2016 Signature Randy Gervenaw 

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 19th day of October

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

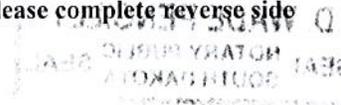
J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on Oct 22. Public hearing on the application was held Nov. 7th, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements 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: _____

Amount of fee collected with application \$ 540.00
Amount of fee retained \$ 540.00
Forwarded with application \$ 0

<p>For Local Government Use</p> <p>(Seal) _____ Mayor or Chairman</p> <p>If disapproved, endorse reason thereon and return to applicant</p>	<p>Transferred (State Use)</p> <p>From: _____</p> <p>Sales tax approval _____ Date _____</p> <p>STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____</p>
--	---

Please complete reverse side



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

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

Affidavit

State of South Dakota)
 §
County of Codington)

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 _____

Subscribed and sworn to before me this 19th of October, 2016, Codington County, State of South Dakota

My commission expires 11-09-2018



(Notary Public)

SD EForm - 0873 V6

Date Received _____
Date Issued _____

License No. RB-3304

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

Magic Milk Casino Inc
520 1/2 10 St SE
Watertown, SD 57201

B. Business Name and Address

Magic Milk #2
520 1/2 10 St SE Suite B
Watertown, SD 57201

Owner's Telephone #: _____

Business Telephone #: _____

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

D. Legal description of licensed premise:

Lots 18-23 BIK 5 Mynick's Addn
(BIK 24 in Brooks) Suite B

Have you ever been convicted of a felony? Yes No

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

E. State Sales Tax Number: Applied for

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 13 day of Oct Print Name: Troy Mygaard 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 13th day of October

Approving Officer's Telephone number 605 882-6283 (cell) Signature: [Signature]

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on Oct 22. Public hearing on the application was held Nov. 7, 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: 3

Renewal - no public hearing held

Amount of fee collected with application \$ 340.00

Amount of fee retained \$ 245.00

Forwarded with application \$ 75.00

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 _____

PLEASE COMPLETE REVERSATION
SOUTH DAKOTA
ATMAG HTUOR JABO

2/1

**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:

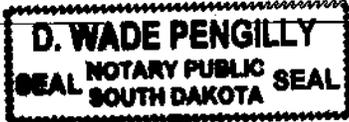
That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to 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 _____

Subscribed and sworn to before me this 13th of October, Codington County, State of South Dakota.

My commission expires 11-09-2018



J. W. [Signature]
(Notary Public)

RESOLUTION NO. 16-34

RESOLUTION LEVYING ASSESSMENTS FOR STREET PROJECTS

1601-D and 1601-E

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

1. The City Council has deemed it necessary to construct the street improvements heretofore designated as Street Project Number 1601-D and 1601-E.
2. The assessment roll for Street Projects 1601-D and 1601-E, is hereby approved and the assessments thereby specified are levied against each and every lot, piece and parcel of land thereby described with assessments, payable in ten, (10), installments.
3. Such assessments, unless paid within thirty (30) days after the filing of the approved assessment roll in the office of the Finance Officer, shall be collected by the County Treasurer of Codington County in accordance with the procedure for Plan One in Section 9-43-30 to 9-43-41, South Dakota Codified Laws.
4. Unpaid installments of assessments shall bear an interest rate of 10.00 per cent per annum.
5. The whole of such assessment or any installment thereof may be paid anytime and that all installments paid prior to their respective due dates shall be deemed paid in inverse order of their due dates.

Dated at Watertown, South Dakota, this 7th day of November, 2016.

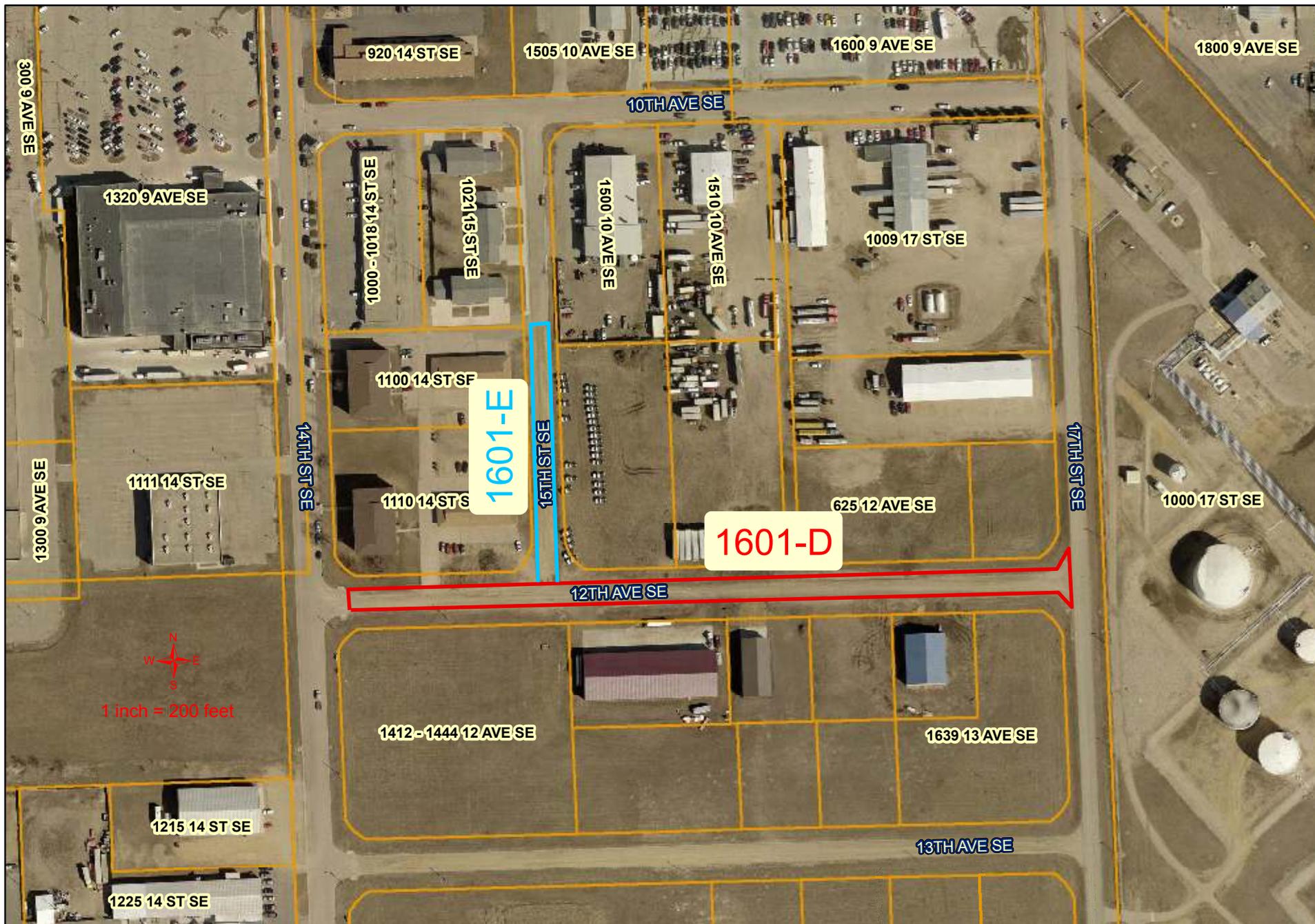
The above and foregoing resolution was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote, motion carried, whereupon the Mayor declared the same to be duly passed and adopted.

ATTEST:

Rochelle M Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

Project Location Map



Resolution No. 16-38

A Resolution Recommending a Violation and Fine Amount be Entered on the Third Judicial Circuit’s Fine and Bond Schedule Regarding Violations of Revised Ordinance of the City of Watertown Section 19.0302 (Failure to Yield to Pedestrian in Crosswalk).

Whereas, the City Council has authority “to provide for the punishment of each violation” of its “ordinances, resolutions, and regulations” according to SDCL 9-19-3; and

Whereas, the Presiding Judge of the Third Judicial Circuit, pursuant to SDCL 16-2-21(8), is charged with promulgating a Fine and Bond Schedule “for which magistrates or other designated persons may accept written appearances, waivers of trial, and pleas of guilty”; and

Whereas, the citation or ticket issued by law enforcement—when signed, paid for, and mailed to the County Clerk of Courts—is a written appearance, waiver of trial, and plea of guilty; and

Whereas, the fine on the face of the ticket should, therefore, match the fine on the Fine and Bond Schedule; and

Whereas, from time-to-time, the Watertown Police Department recommends that certain violations of the Revised Ordinances of the City of Watertown be ticketed offenses instead of offenses charged by formal written complaint; and

Whereas, the most similar violation to Failure to Yield to Pedestrian that currently exists on the Fine and Bond Schedule is Careless Driving, at Revised Ordinance § 19.0125(1), which carries a fine of \$54.00 in the current Fine and Bond Schedule; and

Whereas, the maximum punishment provided by the Revised Ordinances for this offense is a \$200 fine and imprisonment for not more than thirty days in jail, per § 19.9901, and said maximum punishment may yet be rendered by a court should the defendant decline to pay the ticket and be found guilty at trial;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATERTOWN, SOUTH DAKOTA:

1. The City Council recommends the Presiding Judge of the Third Judicial Circuit Court of the State of South Dakota enter onto the “FINE AND BOND SCHEDULE FOR USE BY LAY MAGISTRATES - WATERTOWN MUNICIPAL CODE ORDINANCE VIOLATIONS” the offenses of “Failure to Yield to Pedestrian in Crosswalk,” as provided in Revised Ordinance § 19.0302(1) and (2).
2. The City Council further recommends that the Presiding Judge establish on said Fine and Bond Schedule a fine of \$54.00 for a violation of § 19.0302.

Dated at Watertown, South Dakota, this 7th day of November, 2016.

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

I hereby certify that Resolution No. 16-38 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2016.

City of Watertown

Attest:

Rochelle M. Ebberts, CPA
Finance Officer

Steve Thorson
Mayor

Item #8- Employee Group Health Insurance Renewal For 2017

	<u>Current Rates</u>			<u>Proposed Rates</u>			<u>Increase/(Decrease)</u>			
	<u>Premium</u>	<u>City Share</u>	<u>Employee Share</u>	<u>Premium</u>	<u>City Share</u>	<u>Employee Share</u>	<u>Premium</u>	<u>City</u>	<u>Employee</u>	
PPO 1 Plan										
Single	586.42	535.12	51.30	585.01	531.57	53.44	(1.41)	(3.55)	2.14	
Family	1,466.05	880.12	585.93	1,462.53	891.57	570.96	(3.52)	11.45	(14.97)	
PPO 2 Plan										
Single	535.12	535.12	0.00	531.57	531.57	0.00	(3.55)	(3.55)	0.00	
Family	1,337.80	880.12	457.68	1,328.93	891.57	437.36	(8.87)	11.45	(20.32)	-4.44%

Overall 0.63% decrease in total premium costs. City's share of premium costs increased from \$575 to \$600 per Union Contract. Remaining split 60% employee, 40% City

Continue with employee reimbursement of deductibles paid over \$2,000 for up to 2 deductibles per family.

Recommendation of Changes to City of Watertown Personnel Manual

General Changes:

1. Replaced Fraternal Order of Police Union with Police Officers Association
2. Corrected any grammatical errors or spacing issues
3. Clarification of process to amending the Personnel Policy
4. Updates for current legal requirements such as EEOC / FMLA language

Specific Changes:

1. **ARTICLE 4 – EMPLOYMENT POLICY AND PROCEDURES**

Section 4.01 C – Residency Requirements

CHANGE: Changed Residency requirement to within 35 miles and critical services and stand-by employees to within 15 miles of Watertown.

Rationale: Approved by City Council

2. **ARTICLE 6 – BENEFITS AND PAYROLL DEDUCTIONS**

Section 6.03 – Optional Payroll Deductions

CHANGE: Added insurance behind AFLAC for better definition and added Vision Insurance

Rationale: Union contracts approved with Vision Insurance as a benefit and payroll deduction.

3. **ARTICLE 16 – SEPARATION OF EMPLOYMENT –
VOLUNTARY/INVOLUNTARY**

Section 16.02- Involuntary Separation

CHANGE: Change contact person from payroll to Human Resources department to complete final paperwork

Rationale: This is currently the procedure in place since Human Resources position created.



10/31/2016

City of Watertown
Steve Thorson, Mayor
23 2nd St. NE
Watertown, SD 57201-3623

Re: Hazard Mitigation Grant Program (HMGP) Award – DR-4233-09R

Dear Mayor Thorson:

A grant award has been approved through the Hazard Mitigation Grant Program. This award is to City of Watertown for construct one new Tornado Shelter (Safe Room). The federal share will not exceed \$168,396. Should the total eligible project cost be less than \$224,528, the respective federal and sub-applicant share will be reduced accordingly. **Please sign and return the Notice of Grant Award and the Environmental Report to the Office of Emergency Management.**

Ensure all environmental/historical preservation requirements are complied with in the execution of this project per the enclosed FEMA Environmental Report. Any deviation from the original scope of work will require a written request for a change of scope. This request will identify the proposed change of scope and address any adjustments of the total project cost and/or work schedule. Work cannot progress with regard to the request for change of scope until authorization has been received from the state to proceed.

A quarterly report must be submitted by the 15th of December and then quarterly thereafter until the project has been completed. Quarterly reports are due the 15th of January, April, July and October. Should you have any questions, please contact me at (605) 773-3231.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jim Poppen'.

Jim Poppen
State Hazard Mitigation Officer

CC:

File
Jim Sutton, Codington County EM
Jason Forrest, Regional Coordinator

County Codington	Grant Award No. 09R	CFDA No. 97.039 Hazard Mitigation Grant	South Dakota Office of Emergency Management 118 W. Capitol Ave Pierre, SD 57501 NOTICE OF GRANT AWARD	
Grant Period From: 10/31/2016		Through: 07/30/2019		
Title of Project/Program: Watertown Safe Room Project			OEM Grant Code: DR-4233-09R	
Sub-recipient Name and Address: City of Watertown 23 2nd St. NE Watertown, SD 57201-3623 Sub grantee Contact Name: Steve Thorson Phone: 605-882-6201		Grantee Contact Name: Jim Poppen Telephone: (605) 773-3231 DUNS 62-791-3382		
Financial Information Amount of Financial Assistance	Amount of Federal Grant Award \$168,396	Sub-recipient Share Required \$56,132	Total Project Cost \$224,528	
This grant award is made available from the Federal Emergency Management Agency and all grant award payments are processed upon receipt of expenditure reports unless otherwise specified in Special Conditions.				
Scope of Service: construction of one new Tornado Shelter (Safe Room) All conditions stated in the project's environmental document must be followed. This project cannot be changed or altered in any way without written authorization from the state and FEMA. A change in scope is any change from the description of the project as approved. Examples include increasing the number of structures, adding new structures in an acquisition, and changes to engineering design. Proposed changes must be formally submitted to the state for review. The applicant must obtain approval from state and FEMA before proceeding with any changes to the project or federal funding will be jeopardized. Changes may require additional environmental review.				
Reporting Requirements: The Sub-recipient shall submit quarterly reports that include a comparison of actual accomplishments to the approved activity objectives and summary of the financial activity for the reporting quarter and include planned activity for the next quarter. The reports shall be submitted within 15 days of the end of the quarter. The quarters will end on December 30, March 30, June 30, and September 30.				
Special Conditions: The applicant shall comply with Unified Hazard Mitigation Assistance Grant Program Guidance, 2 CFR Part 225, 2 CFR part 200, subpart F, The Robert T. Stafford Relief and Emergency Assistance Act, as amended, 42 U.S.C. §§ 5121-5206 (Stafford Act), Title 44 of the Code of Federal Regulations (CFR), and 31 CFR 205.6. In pursuit of SDCL 1-56, State Board of Internal Control, I attest that we are in compliance of the following: <ul style="list-style-type: none"> • A conflict of interest policy is enforced within the sub-recipient's organization. • The Internal Revenue Service Form 990 has been filed, if applicable, in compliance with federal law, and is displayed immediately after filing on the sub-recipient's website. • An effective internal control system is employed by the sub-recipient's organization. • If applicable, the sub-recipient is in compliance with the federal Single Audit Act, in compliance with § 4-11-2.1, and audits are displayed on the sub-recipient's website. 				
Remarks: The Applicant should contact the State if clarification is needed for grant requirements or questions.				
This award is subject to the terms and conditions incorporated either directly or by reference in the following: <ol style="list-style-type: none"> 1) Requirements for Grant Awards issued by SD Office of Emergency Management. 2) Applicable Federal and State regulations 				
This contract is not effective until fully executed by both parties.				
Evidence of Sub-recipient's Acceptance		Evidence of SD OEM Approval		
Signature	Date	Signature	Date	
Printed Name and Title of Authorized Representative		Printed Name and Title of Authorized Representative Jim Poppen, SHMO		

OEM GRANTS RISK ANALYSIS

1. How many consecutive years, not counting this application, has your entity received funding from the Office of Emergency Management?
2. How many years has your Authorized Official been in charge of the grant activity from the Office of Emergency Management?
- TOTAL YEARS OF HISTORY:
3. Any staff turn-over in the past year that administers the grant? Yes
 No
4. Has any audit of your entity within the past five years resulted in any finding, suggested mismanagement or improper allocation of grant funding, or other substantial recommendation tied to fiscal or management issues? Yes
 No
5. Do you have any new accounting systems in the last year? Yes
 No
6. When was the last grant year you received this grant from the Office of Emergency Management?

Special Conditions

The Grant administrator has the right to impose special conditions on sub-recipients which are deemed high risk sub-recipients based upon past performance of the grant.

I attest that the responses above are true and accurate.

Steve Thorson, Mayor
Name of Applicant Agent, Title

Date

Signature

1:52 PM

Environmental Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4233	9-R	0	9	SD	Statewide

Sub-Recipient: Watertown

FIPS Code: 029-69300

Project Title : Watertown Safe Room Project

FEMA Laws/EOs

Laws/EOs	Status
Coastal Barriers Resources Act (CBRA)	Not Applicable
Clean Water Act (CWA)	Completed
Comment: Project would have no impact on wetlands or Waters of the US and no permit is required.-DJONES58-10/27/2016 20:13 GMT	
Coastal Zone Management Act (CZMA)	Not Applicable
Endangered Species Act (ESA)	Completed
Comment: Based on the project location, scope of work and consultation with USFWS dated 1/25/16, FEMA determines there will be no effect on endangered species or critical habitat.-DJONES58-10/27/2016 20:14 GMT	
Fish and Wildlife Coordination Act (FWCA)	Completed
National Historic Preservation Act (NHPA)	Completed
Comment: The proposed project will construct a new tornado safe room with appropriate utility connections. The project location has been previously disturbed during the construction of a wastewater treatment facility. The shelter, approximately 30 by 40 feet, will be constructed on top of the remaining earthen impoundment berm. All work will occur within previously disturbed areas. The scope of work has been reviewed and meets the criteria of the August, 29, 2014 FEMA, SDDPS, SDDA & SHPO Programmatic Agreement, Appendix B: Programmatic Allowances. Project fits into categories II.B.11.a. FEMA has determined there are no historic properties affected by this undertaking.-DJONES58-10/27/2016 20:23 GMT	
Clean Air Act (CAA)	Completed
State Hazardous Materials and Solid Waste Laws	Completed
Comment: See project conditions.-DJONES58-10/27/2016 20:30 GMT	
State Water and Soil Laws	Completed
Comment: See project conditions.-DJONES58-10/27/2016 20:30 GMT	
E.O. 11988: Floodplains	Completed
Comment: Project site is located in Zone X, per the most recent preliminary flood map data, as well as FIRM panel number 46029C0340D.-DJONES58-10/27/2016 20:29 GMT	
E.O. 11990: Wetlands	Completed
Comment: Project is not located in or adjacent to mapped wetlands.-DJONES58-10/27/2016 20:29 GMT	
E.O. 12898: Environmental Justice for Low Income and Minority Populations	Completed

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

1:52 PM

Environmental Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4233	9-R	0	9	SD	Statewide

Sub-Recipient: Watertown

FIPS Code: 029-69300

Project Title : Watertown Safe Room Project

Required Conditions Resulting from Environmental Review

Law	Entered By	Monitoring Required	Monitoring Completed Date	Monitoring Completed By
NHPA	Daniel N. Jones	<input type="checkbox"/>	00/00/0000	

Conditions Required (4000) 1. If cultural materials are inadvertently discovered during construction, the applicant must cease activity and contact FEMA and the South Dakota Historical Society immediately.

2. Any borrow material should be obtained from a commercial source. Any borrow material not obtained from a commercial source, MUST obtain SD SHPO and FEMA approval prior to use.

SHM&SW	Daniel N. Jones	<input type="checkbox"/>	00/00/0000
--------	-----------------	--------------------------	------------

Conditions Required (4000) If contaminated soils are encountered during construction activities or caused by construction work, the City of Watertown, or its designated representative, must report the contamination to the Dept of Natural Resources at 605-773-3296.

SW&S	Daniel N. Jones	<input type="checkbox"/>	00/00/0000
------	-----------------	--------------------------	------------

Conditions Required (4000) 1. Best Management Practices (BMPs) for sediment and erosion control must be incorporated into the planning, design, and construction of the project.

2. If construction for this project disturbs one (1) or more acre(s), a storm water permit must be obtained. For more information or to obtain a storm water permit, please contact the Surface Water Water Quality Program at 1-800-SD-Storm.

FEMA NEPA Process

FEMA Status

Environmental Assessment - Completed

Draft EA Date: 05/18/2011

Final EA Date: 06/01/2011

Final Public Notice

Finding of No Significant

Publication Date: 05/18/2011

Impact (FONSI): 06/02/2011

(Initiating Public Comment of EA)

Standard Conditions

1. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
2. This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.
3. If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Comment:

The proposed project will install a new tornado safe room in Watertown, SD. All work will occur within previously disturbed areas. Project fits alternatives evaluated in the final Programmatic Environmental Assessment for Hazard Mitigation Safe Room Construction, FONSI signed June 2011.-DJONES58-10/27/2016 20:34 GMT

I have read and understand the environmental conditions of this project. If any questions arise from this project, we will contact the Office of Emergency Management.

Applicant Agent

Date



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Dakota Water Science Center
1608 Mountain View Rd
Rapid City, SD 57702

October 19, 2016

Ms. Sarah Caron
Asst. City Engineer
City of Watertown
P.O. Box 910
Watertown, South Dakota 57201

Dear Ms. Caron:

Enclosed are two signed originals of our standard joint-funding agreement (17EMSD0019) for the Dakota Water Science Center Water Resources Investigations project, for operation and maintenance of three surface water gaging stations, one daily stage station, one seasonal stage station, and two seasonal flood monitoring stations, during the period October 1, 2016 through September 30, 2017 in the amount of \$22,560 cash from your agency. U.S. Geological Survey contributions for this agreement are \$17,913 for a combined total of \$40,473. Please sign and return one fully-executed original to Jennifer Bednar at the address above.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement **as soon as possible but no later than November 30, 2016**. If, for any reason, the agreement cannot be signed and returned promptly, please contact Joyce Williamson by phone number (605) 394-3219 or email jewillia@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed annually via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Jennifer Bednar at phone number (605) 394-3218 or email at jbednar@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

Joyce E. Williamson
Acting Director

Enc.: 17EMSD0019(2)

Upper Big Sioux River Flood Forecasting System - 2017

USGS Station Number	Station Name	FY2017	USGS		City of Watertown	Codington County	LKWPD	DENR
		Total Annual Cost	USGS Watertown Agreement	Funding Other Partners				
06479215	Big Sioux River near Florence	\$15,150	\$3,350	\$3,350	\$4,225	\$4,225		
06479438	Big Sioux River near Watertown Lake Kampeska at Water Plant at Watertown	\$15,150	\$1,675	\$5,024	\$2,113		\$2,113	\$4,225
06479449	(stage) Big Sioux River at Lake Kampeska near	\$7,340	\$1,628	\$1,628	\$2,042		\$2,042	
06479452	Watertown (seasonal stage) Mud Creek near Rauville (seasonal stage with	\$2,620	\$0	\$1,160			\$1,460	
06479490	precip) South Brnach Mud Creek near Rauville	\$2,620	\$0	\$1,159		\$731	\$730	
06479498	(seasonal stage)	\$2,620	\$0	\$1,153		\$1,467		
06479500	Big Sioux River at Watertown (with precip) Big Sioux River at Boadway at Watertwon	\$15,150	\$6,700	\$0	\$8,450			
06479512	(seasonal stage with precip) Willow Creek near Watertown (published	\$2,620	\$1,160	\$0	\$1,460			
06479515	seasonal stage with precip) Big Sioux River below Watertown (season	\$5,050	\$2,240	\$0	\$2,810			
06479620	stage)	\$2,620	\$1,160	\$0	\$1,460			
445959096582600	Precip at Waverly (seasonal precip)	\$2,620	\$0	\$1,153		\$1,467		
450628097060800	Precip near South Shore (seasonal Precip)	\$2,620	\$0	\$1,153		\$1,467		
Total		\$76,180	\$17,913	\$15,780	\$22,560	\$9,357	\$6,345	\$4,225

Form 9-1366
(April 2015)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Agreement#: 17EMSD0019
Customer#: 6000000746
Project #: NT009R0 00100
TIN #: 46-6000515
USGS DUNS #: 126301386

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2016, by the U.S. GEOLOGICAL SURVEY, Dakota Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of Watertown party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation for Water Resource Investigations for operation and maintenance of three surface water gaging stations, one daily stage station, one seasonal stage station, and two seasonal flood monitoring stations, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$17,913 by the party of the first part during the period
October 1, 2016 to September 30, 2017
- (b) \$22,560 by the party of the second part during the period
October 1, 2016 to September 30, 2017
\$4,647
unmatched

- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of :

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request; be furnished by the party of the first part; at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.

9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered annually. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983.).

Form 9-1366
(April 2015)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Agreement#: 17EMSD0019
Customer#: 6000000746
Project #: NT009R0 00100
TIN #: 46-6000515
USGS DUNS #: 126301386

USGS Technical Point of Contact

Name: Joyce Williamson
Supervisory Hydrologist
Address: 1608 Mountain View Road
Rapid City, SD 57702
Telephone: (605) 394-3219
Fax: (605) 355-4523
Email: jewillia@usgs.gov

Customer Technical Point of Contact

Name: Sarah Caron
Asst. City Engineer
Address: P.O. Box 910
Watertown, South Dakota 57201
Telephone: (605) 882-6202 Ext 40
Fax: (605) 882-5264
Email: scaron@watertownsd.us

USGS Billing Point of Contact

Name: Jennifer Bednar
Administrative Officer
Address: 1608 Mountain View Road
Rapid City, SD 57702
Telephone: (605) 394-3218
Fax: (605) 355-4523
Email: jbednar@usgs.gov

Customer Billing Point of Contact

Name: Sarah Caron
Asst. City Engineer
Address: P.O. Box 910
Watertown, South Dakota 57201
Telephone: (605) 882-6202 Ext 40
Fax: (605) 882-5264
Email: scaron@watertownsd.us

U.S. Geological Survey
United States
Department of Interior

City of Watertown

Signature

Signatures

By  Date: Oct 19, 2016
Name: Joyce E. Williamson
Title: Acting Director

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer *SLW*
MEETING DATE: November 7, 2016
SUBJECT: **Consideration of Bids for Big Sioux River Weir Breach Repair Project 1617**

Background: On October 27, 2016 seven bids were received for the Big Sioux River Weir Breach Repair Project 1617. Jeff Argo Excavating of Watertown had the low bid of \$138,066.60, which was just under the Engineer's Final Estimate of \$141,000 for the wall with recommended cap alternate. The cap alternate is \$30,027.60 which would bring the contract price down to \$108,039.00 if not selected. The other six bids ranged from \$142,750 to \$361,300 with the cap, and 135,500 to \$310,000 without the cap. Jeff Argo Excavating has completed numerous steel sheet pile walls at Lake Kampeska and elsewhere, and there is no known reason not to award the contract to them.

The project includes 360 feet of steel sheet pile wall driven 10 feet deep, and a steel cap welded to the top. The purpose of the cap is to stiffen and protect the top of the pilings, and provide safety against the sharp edges of the wall. The top of the wall will be at ground level so as not to obstruct flows in the river during floods while preventing future breaches. Since this project was not included in the budget, contingency funds will be used to cover the cost. Adequate funds are available for this purpose.



Damage to unprotected sheet pile wall (no cap)



Sheet pile wall with cap

Recommendation: Award contract for sheet pile wall and cap alternate to the low bidder.

Council Action Requested:

Motion to award contract in the amount of \$138,066.60 to Jeff Argo Excavating.

Mayor's Comments:

Bid Tabulation Sheet BIG SIOUX RIVER WEIR BREACH REPAIR Project No. 1617 City of Watertown, South Dakota Thursday, October 27, 2016	Contractor	Engineer's Estimate	Jeff Argo Excavating 3813 4th Ave SW Watertown SD 57201 Ph: 605-880-3456	Halme Inc. 19524 443rd Ave Bryant SD 57221 Ph: 605-881-5498	AP&Sons 45852 144th St Summit SD 57266 605-398-6419	Deutsch Excavating LLC 1105 18th St NE Watertown SD 57201 Ph: 605-881-2967	ECI 7002 6th St N Oakdale MN 55128 Ph: 651-298-9111	Duinneck Inc. 408 6th St Prinsburg MN 56281 Ph: 320-978-6011	Soukup Construction PO Box 89106 Sioux Falls SD 57109 Ph: 605-332-5282
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BID SCHEDULE A																		
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	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Mobilization	1 LS	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00	\$ 20,000.00	\$ 20,000.00	\$ 29,500.00	\$ 29,500.00	\$ 51,300.00	\$ 51,300.00	\$ 69,080.00	\$ 69,080.00
2	Contractor Furnished Fill	150 Tons	\$ 30.00	\$ 4,500.00	\$ 16.66	\$ 2,499.00	\$ 25.00	\$ 3,750.00	\$ 40.00	\$ 6,000.00	\$ 23.00	\$ 3,450.00	\$ 60.00	\$ 9,000.00	\$ 40.00	\$ 6,000.00	\$ 48.80	\$ 7,320.00
3	Sheet Pile Wall Construction	3,600 SF	\$ 30.00	\$ 108,000.00	\$ 26.90	\$ 96,840.00	\$ 32.00	\$ 115,200.00	\$ 38.00	\$ 136,800.00	\$ 40.00	\$ 144,000.00	\$ 40.00	\$ 144,000.00	\$ 40.00	\$ 144,000.00	\$ 46.00	\$ 165,600.00
4	Stop Log Removal and Replacement	1 LS	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,200.00	\$ 1,200.00	\$ 1,000.00	\$ 1,000.00	\$ 3,500.00	\$ 3,500.00	\$ 43,000.00	\$ 43,000.00
5	Erosion and Sediment Control	1 LS	\$ 4,000.00	\$ 4,000.00	\$ 2,700.00	\$ 2,700.00	\$ 6,100.00	\$ 6,100.00	\$ 7,150.00	\$ 7,150.00	\$ 6,350.00	\$ 6,350.00	\$ 10,000.00	\$ 10,000.00	\$ 6,225.00	\$ 6,225.00	\$ 25,000.00	\$ 25,000.00
SCHEDULE A BID				\$ 132,000.00	\$ 108,039.00		\$ 135,550.00		\$ 177,950.00		\$ 175,000.00		\$ 193,500.00		\$ 211,025.00		\$ 310,000.00	

ALTERNATE SCHEDULE B																		
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	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
B1	Sheet Pile Cap	360 LF	\$ 25.00	\$ 9,000.00	\$ 83.41	\$ 30,027.60	\$ 20.00	\$ 7,200.00	\$ 28.00	\$ 10,080.00	\$ 42.00	\$ 15,120.00	\$ 51.00	\$ 18,360.00	\$ 30.00	\$ 10,800.00	\$ 142.50	\$ 51,300.00
ALTERNATE SCHEDULE B BID				\$ 9,000.00	\$ 30,027.60		\$ 7,200.00		\$ 10,080.00		\$ 15,120.00		\$ 18,360.00		\$ 10,800.00		\$ 51,300.00	

TOTAL BID, SCHEDULES A & B				\$ 141,000.00	\$ 138,066.60		\$ 142,750.00		\$ 188,030.00		\$ 190,120.00		\$ 211,860.00		\$ 221,825.00		\$ 361,300.00	
BID SECURITY					Cashier's Check		10% Bid Bond											
COMMENTS																		

BID TABULATION

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer *SLW*
MEETING DATE: November 7, 2016
SUBJECT: Consideration of Change Order No.2 Final 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. A contract was awarded to J & J Earthworks at the March 7, 2016 Council meeting.

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.

On September 6, 2016 Change Order No. 1 in the amount of \$4,750 was approved resulting in an increase the total project cost to \$493,800.63.

City Staff has prepared Change Order No. 2 to identify the bid items with final quantities differing from the planned quantities on the original bid form and to request authorization to adjust the final contract amount to match the "As-Built" quantities and associated costs.

Change Order No. 2 includes a total adjustment of work in the amount of (\$12,298.49) and decreases the total project cost to \$481,502.14.

Recommendation: Engineering Staff recommends the award of Change Order No. 2 Final resulting in a decrease in the amount of (\$12,298.49).

Council Action Requested: Motion to Approve.

CONSTRUCTION CHANGE ORDER NO. 2/FINAL ADJUSTMENT OF QUANTITIES

Date: October 12, 2016

Project: 2016 SANITARY SEWER REPLACEMENTS
PROJECT 1608

Contract For: Sanitary Sewer Improvements

Contract Date: March 7, 2016

Contractor: J&J Earthworks, 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: To reflect as-constructed quantities.

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

Contract Price Prior to This Change Order	\$ 493,800.63
Net DECREASE in Price Resulting from this Change Order	\$ (12,298.49)
Current Contract Price Including This Change Order	\$ 481,502.14
Contract Time Prior to This Change Order	September 27, 2016
Net INCREASE in Time Resulting from this Change Order	0 days
Current Contract Time Including This Change Order	September 27, 2016

APPROVAL OF CHANGE ORDER

City Engineer: Shane Waterman
Shane Waterman, PE

Date: 11-1-16

ACCEPTANCE OF CHANGE ORDER

This Change Order is hereby acknowledged and accepted for J&J Earthworks, Inc.

By: Jamie Andrews
Name: Jamie Andrews
Title: Vice President

Date: 10/17/16

Final Adjustment of Quantities		J&J Earthworks, Inc.				
2016 Sanitary Sewer Replacements		1702 Morningside Dr				
Project No. 1608		Milbank, SD 57252				
City of Watertown, South Dakota		Ph: 605-924-0496				
October 12, 2016		Fax: 605-432-6715				
Item No.	Item Description	Plan Quantity	As-built Quantity	Quantity Difference	Unit Price	Total Difference
1	Bypass Pumping	3 Each	0 Each	-3 Each	\$ 1,500.00	\$ (4,500.00)
2	Unclassified Excavation	1651 C.Y.	1727 C.Y.	76 C.Y.	\$ 13.00	\$ 988.00
3	Asphalt Milling (1-1/2")	6628 S.Y.	7295 S.Y.	667 S.Y.	\$ 4.50	\$ 3,001.50
4	Manhole Removal	12 Each	12 Each	0 Each	\$ 400.00	\$ -
5	Imported Bedding Material	2195.4 L.F.	2195.4 L.F.	0.0 L.F.	\$ 5.00	\$ -
6	F&I 8" PVC Sanitary Sewer Main	1632.7 L.F.	1632.7 L.F.	0.0 L.F.	\$ 43.00	\$ -
7	F&I 10" PVC Sanitary Sewer Main	547.7 L.F.	547.7 L.F.	0.0 L.F.	\$ 46.00	\$ -
8	Sanitary Sewer Encasement Pipe	20.0 L.F.	0.0 L.F.	-20.0 L.F.	\$ 75.00	\$ (1,500.00)
9	4" PVC Sewer Service Connection	18 Each	14 Each	-4 Each	\$ 550.00	\$ (2,200.00)
10	6" PVC Sewer Service Connection	29 Each	28 Each	-1 Each	\$ 575.00	\$ (575.00)
11	4" PVC Sewer Service	7.0 L.F.	7.0 L.F.	0.0 L.F.	\$ 41.00	\$ -
12	6" PVC Sewer Service	20.0 L.F.	61.5 L.F.	41.5 L.F.	\$ 48.00	\$ 1,992.00
13	Repair Offset Sanitary Sewer Main Joint	2 Each	2 Each	0 Each	\$ 2,400.00	\$ -
14	F&I 48" Sanitary Sewer Manhole Including Frame & Lid (8' or less)	10 Each	10 Each	0 Each	\$ 4,600.00	\$ -
15	Additional Depth 48" Sanitary Sewer Manhole	11.6 V.F.	11.6 V.F.	0.0 V.F.	\$ 200.00	\$ -
16	Stack & Invert Repair, Manhole D349	1 Each	1 Each	0 Each	\$ 1,800.00	\$ -
17	Water Service Replacement	4 Each	0 Each	-4 Each	\$ 1,800.00	\$ (7,200.00)
18	Curb Stop Replacement	4 Each	0 Each	-4 Each	\$ 650.00	\$ (2,600.00)
19	PVC Sewer Pipe Deflection Test	2395.7 L.F.	2395.7 L.F.	0.0 L.F.	\$ 2.25	\$ -
20	Manhole Exfiltration/Vacuum Test	10 Each	10 Each	0 Each	\$ 350.00	\$ -
21	Base Course	2464 Ton	2461.94 Ton	-2.06 Ton	\$ 18.50	\$ (38.11)
22	Asphalt Concrete Composite	1808 Ton	1811.47 Ton	3.47 Ton	\$ 96.00	\$ 333.12
CCO1	Lower 10" Water Main @ 3rd St & East Kemp	1 Each	1 Each	0 Each	\$ 4,750.00	\$ -
Total						\$ (12,298.49)

Request for Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer *SW*
MEETING DATE: November 7, 2016
SUBJECT: Change Order #1 FINAL for the City Park Campground Sanitary Sewer Project

Background: On September 8, 2016 three quotes were received for the proposed Sanitary Sewer at the City Park Campground. K & L Mechanical of Watertown, SD had the low quote in the amount of \$14,281.09, which was below the Park's budget of \$15,000.

Change Oder No. 1 includes the costs for de-watering the sewer trenches during construction. The cost of the de-watering effort is \$2,500 (labor & equipment) and diesel fuel in the amount of \$200.

City Staff has also prepared Change Order No. 1 to identify the bid items with final quantities differing from the planned quantities on the original bid form and to request authorization to adjust the final contract amount to match the "As-Built" quantities and associated costs. Change Order No. 1 includes a total adjustment of work in the amount of \$55.72.

The total impact of Change Order No. 1 is an increase in the project costs in the amount of \$2,755.72 and will bring the total project cost to \$17,036.81. The Parks & Recreation Staff indicated they have funds available in their Walkway/Roadway budget (212 Account) to cover the extra cost for the project.

Recommendation: Approval is recommended.

Council Action Requested:

Motion to approve Change Order #1 FINAL to the contract with K & L Mechanical increasing the contract amount \$17,036.81.

CONSTRUCTION CHANGE ORDER NO. 1 & FINAL ADJUSTMENT OF QUANTITIES

Date: October 18, 2016

Project: City Park Campground Sanitary Sewer Project

Contract For: Sanitary Sewer Construction

Contract Date: September 9, 2016

Contractor: K&L Mechanical

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:
- 1) Dewatering to allow excavation and tapping into existing sanitary sewer main; \$2500/LS.
 - 2) Diesel fuel for dewatering pumps @ \$200/day.
 - 3) Final adjustment of quantities; +\$55.72.

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

Contract Price Prior to This Change Order	\$ 14,281.09
Net INCREASE in Price Resulting from this Change Order	<u>\$ 2,755.72</u>
Current Contract Price Including This Change Order	<u>\$ 17,036.81</u>
Contract Time Prior to This Change Order	<u>Oct. 13, 2016</u>
Net INCREASE in Time Resulting from this Change Order	<u>0 days</u>
Current Contract Time Including This Change Order	<u>Oct. 13, 2016</u>

APPROVAL OF CHANGE ORDER

City Engineer: Shane Waterman
Shane Waterman, P.E.

Date: 11-1-16

ACCEPTANCE OF CHANGE ORDER

This Change Order is hereby acknowledged and accepted for K&L Mechanical.

By: [Signature]

Date: Oct. 21, 2016

Name: _____

Title: _____

Change Order No. 1 & Final Adjustment of Quantities			K&L Mechanical			
Summary of Changes			45939 Hwy 212			
City Park Campground Sanitary Sewer Project			Watertown, SD 57201			
City of Watertown, South Dakota			Ph: 605-886-7424			
18-Oct-16			Cells: 605-868-9020 & 881-1318			
Item No.	Item Description	Plan Quantity	As-built Quantity	Quantity Difference	Unit Price	Total Difference
1	F&I 6" PVC	345 L.F.	352 L.F.	7 L.F.	\$ 20.86	\$ 146.02
2	F&I 6" PVC CO w/threaded cap	3 Each	3 Each	0 Each	\$ 242.33	\$ -
3	F&I 6"x6" PVC Wye	1 Each	1 Each	0 Each	\$ 150.00	\$ -
4	F&I 6" Gate Valve	1 Each	1 Each	0 Each	\$ 1,228.00	\$ -
5	F&I 6" PVC Stub w/glue on cap	3 Each	3 Each	0 Each	\$ 60.00	\$ -
6	F&I 8"x6" Service Connection	2 Each	2 Each	0 Each	\$ 430.00	\$ -
7	F&I 4" PVC	188 L.F.	182 L.F.	-6 L.F.	\$ 15.05	\$ (90.30)
8	F&I 4" PVC CO s/threaded cap	6 Each	6 Each	0 Each	\$ 80.00	\$ -
9	F&I 6"x4" PVC Wye	6 Each	6 Each	0 Each	\$ 105.00	\$ -
CCO 1	Diesel Fuel	0 Day	1 Day	1 Day	\$ 200.00	\$ 200.00
CCO 1	Dewatering	0 L.S.	1 L.S.	1 L.S.	\$ 2,500.00	\$ 2,500.00
Total						\$ 2,755.72

Request for City Council Action

TO: Mayor and City Council
FROM: Shane Waterman, P.E., City Engineer *SLW*
MEETING DATE: November 7, 2016
SUBJECT: Consideration of Change Order No.2 for Watertown Softball Complex Project #1524

Background: On October 5, 2015 bids were received for the Watertown Softball Complex Project. Gray Construction of Watertown had the low base bid of \$5,042,000. The Council awarded the Base Bid and Alternates 1 thru 7 for a total project cost of \$5,518,900.

The project Base Bid includes the construction of a five softball fields, concessions building, related utilities, parking lot, and street construction. There were several Alternate Bid Items for consideration on the Bid Schedule for the project. It was decided to approve Bid Alternates 1 thru 7 which included additional road work, two shelters, underdrain piping, two batting cages, and an informational kiosk.

On December 7, 2015 Change Order No. 1 in the amount of \$2,965.14 was approved resulting in an increase the total project cost to \$5,521,865.14.

Helms & Associates has prepared Change Order No. 2 to identify the bid items with final quantities differing from the planned quantities on the original bid form and to request authorization to adjust the final contract amount to match the "As-Built" quantities and associated costs.

In addition, this change order allows for the creation of seventeen new items on the contract, at the appropriate unit prices as negotiated. (See the summary attachment for the description and quantities of the New Items CCO-2-1 thru CCO-2-17).

Change Order No. 2 includes a total adjustment of work in the amount of (\$31,302.28) and decreases the total project cost to \$5,490,562.87.

Recommendation: Engineering Staff recommends the award of Change Order No. 2 Final resulting in a decrease in the amount of (\$31,302.28).

Council Action Requested: Motion to Approve.

Cidy

CHANGE ORDER NO. 2

Date of Issuance: October 18, 2016 Effective Date: November 7, 2016

Project:	Watertown Softball Complex	Owner:	City of Watertown	Owner's Contract Number:	
Contract:	Base Bid and Alternate Bids #1 thru 7			Date of Contract:	October 9, 2015
Contractor:	Gray Construction Company			Engineer's Project No.:	A-6088

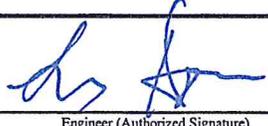
The Contract Documents are modified as follows upon execution of this Change Order:

Description:

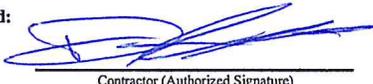
This change order is being issued to adjust the quantities to the actual as-constructed quantities, at the appropriate unit prices as bid. In addition, this change order allows for the creation of seventeen new items, at the appropriate unit prices as negotiated. (See Attached Summary for Description of the New Items CCO-2-1 thru CCO-2-17).

Attachments (list documents supporting change):

Change to CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price <u>\$5,518,900.00</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : <u>\$2,965.14</u>	Substantial completion (days or date): <u>October 14, 2016</u>
Contract Price prior to this Change Order: <u>\$5,521,865.14</u>	Ready for final payment (days or date): <u>October 21, 2016</u>
[Increase] [Decrease] of this Change Order: <u>(\$31,302.28)</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial completion (days): <u>NA</u>
Contract Price incorporating this Change Order: <u>\$5,490,562.87</u>	Ready for final payment (days): <u>NA</u>
	Contract Times prior to this Change Order: Substantial completion (days or date): <u>October 14, 2016</u>
	Ready for final payment (days or date): <u>October 21, 2016</u>
	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>NA</u>
	Ready for final payment (days or date): <u>NA</u>
	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>October 14, 2016</u>
	Ready for final payment (days or date): <u>October 21, 2016</u>

Recommended: 
By: _____
Engineer (Authorized Signature)
Date: 10-18-16

Accepted: _____
By: _____
Owner (Authorized Signature)
Date: _____

Accepted: 
By: _____
Contractor (Authorized Signature)
Date: 10-18-16

Change Order No. 2
 Owner: City of Watertown, SD
 Base Bid and Alternate Bids #1 thru 7
 A-6088

Issue Date: October 18, 2016
 Contractor: Gray Construction Company

Item #	Description	Quantity to Date	Unit	(+) QTY	(-) QTY	Unit Price	Price Change	New Quantity
7	Unclassified Excavation	60,004	CuYd	41,002		\$2.32	\$95,124.64	101,006
8	Off-Site Borrow	67,662	CuYd		7,857	\$3.85	(\$30,249.45)	59,805
9	Contractor Furnished Borrow	5,000	CuYd		3,845	\$6.60	(\$25,377.00)	1,155
10	Topsoiling from Stockpile	19,258	CuYd	27,015		\$2.20	\$59,433.00	46,273
11	Contractor Furnished Topsoil	16,182	CuYd		16,182	\$12.64	(\$204,540.48)	0
12	Geotextile Separator Fabric	19,096	SqYd	1,415		\$2.20	\$3,113.00	20,511
13	Granular Base Course	8,900.0	Tons	350.00		\$12.95	\$4,532.50	9,250.00
14	5" Fiber Reinforced Concrete Sidewalk w/ Gravel Cushion	30,443	SqFt	4,683		\$4.75	\$22,244.25	35,126
17	Asphalt Concrete Composite (Class E, Type 1)	4,368.10	Tons		535.17	\$86.25	(\$46,158.41)	3,832.93
19	24" Concrete Curb and Gutter	3,821	L.F.	600		\$20.35	\$12,210.00	4,421
20	6" Concrete Valley Gutter	2,538	SqFt	1,500		\$6.55	\$9,825.00	4,038
26	16' x 4' tall Chain Link Roll Gates	5	Each		2	\$1,600.00	(\$3,200.00)	3
30	12" PVC Sanitary Sewermain	34	Feet		8	\$44.00	(\$352.00)	26
31	8" PVC Sanitary Sewermain	228	Feet		3	\$34.10	(\$102.30)	225
32	6" PVC Sanitary Service Piping for Softball Complex	711	Feet		5	\$29.75	(\$148.75)	706
37	4" PVC Sanitary Sewer Forcemain	1,033	Feet		4	\$18.50	(\$74.00)	1,029
38	4" PVC Sanitary Sewer Forcemain Bends	4	Each		1	\$250.00	(\$250.00)	3
42	Gravity Sewer Displacement and Deflection Testing	939	Feet		8	\$2.20	(\$17.60)	931
43	Gravity Sewermain Leakage Testing	939	Feet		8	\$2.20	(\$17.60)	931
44	8" C900 PVC Watermain Piping	2,163	Feet	51		\$23.10	\$1,178.10	2,214
45	6" C900 PVC Watermain Piping	801	Feet	18		\$20.35	\$366.30	819
48	8" DI Watermain Bend	2	Each		1	\$475.00	(\$475.00)	1
53	8" x 6" D.I. Tee	4	Each	3		\$650.00	\$1,950.00	7
54	8" Gate Valve w/ Box	5	Each	1		\$1,875.00	\$1,875.00	6
55	6" Gate Valve w/ Box	5	Each	4		\$1,450.00	\$5,800.00	9
56	6" Fire Hydrant w/ Steamer (Furnish and Install)	4	Each		3	\$3,400.00	(\$10,200.00)	1
58	15" PVC Storm Sewer Piping	2,953	Feet		36	\$24.75	(\$891.00)	2,917
59	15" RCP Storm Sewer Piping	389	Feet		34	\$27.00	(\$918.00)	355
60	18" RCP Storm Sewer Piping	399	Feet		12	\$32.75	(\$393.00)	387
61	24" RCP Storm Sewer Piping	676	Feet		269	\$44.80	(\$12,051.20)	407
76	Agri-Lime	2,400.0	Tons		150.00	\$72.75	(\$10,912.50)	2,250.00
89	Handicapped Parking Signs (added for N. Parking Lot)	14	Each	14		\$145.00	\$2,030.00	28
98	SDDOT Class A RipRap	125.00	Tons	2.22		\$41.00	\$91.02	127.22
A11	Asphalt Concrete Composite (Class E, Type 1)	1,067.50	Tons		120.17	\$86.25	(\$10,364.66)	947.33
A13	24" Concrete Curb and Gutter	1,877	L.F.	237		\$20.35	\$4,822.95	2,114
A14	15" RCP Storm Sewer Piping	437	Feet		4	\$27.00	(\$108.00)	433

Change Order No. 2
 Owner: City of Watertown, SD
 Base Bid and Alternate Bids #1 thru 7
 A-6088

Issue Date: October 18, 2016
 Contractor: Gray Construction Company

Item #	Description	Quantity to Date	Unit	(+) QTY	(-) QTY	Unit Price	Price Change	New Quantity
A15	18" RCP Storm Sewer Piping	36	Feet		1	\$33.00	(\$33.00)	35
A16	24" RCP Storm Sewer Piping	339	Feet		7	\$44.78	(\$313.46)	332
D3	4" Underdrain Tee	6	Each	1		\$22.00	\$22.00	7
CCO-2-1	Moving the Two Electrical Transformers to Outside the Perimeter Fencing	0	L.S.	1		\$13,928.00	\$13,928.00	1
CCO-2-2	Watermain Casing Pipe for Underneath Existing Storm Sewer Piping	0	L.S.	1		\$2,826.00	\$2,826.00	1
CCO-2-3	Second Mortar Color for Burnished Block	0	L.S.	1		\$1,182.00	\$1,182.00	1
CCO-2-4	Lift Station Elbows & Trash Basket Modification	0	Each	1		\$629.70	\$629.70	1
CCO-2-5	Extra Dewatering for Water and Sewer Extention for Ice Hockey Complex Work	0	Each	1		\$7,225.00	\$7,225.00	1
CCO-2-6	Additional Costs for Switching out Type B Casting with Type E Casting on Storm Sewer Inlets	0	Each	3		\$1,040.00	\$3,120.00	3
CCO-2-7	Transformer Pad for Electrical Service for Lift Station	0	L.S.	1		\$1,418.00	\$1,418.00	1
CCO-2-8	Seed, Fertilize and Mulch of Borrow Pit Area	0	Acres	24.00		\$1,438.92	\$34,534.08	24.00
CCO-2-9	Extra Cost for Switching from 24" C&G to 32" C&G	0	Feet	6,535		\$1.50	\$9,802.50	6,535
CCO-2-10	Install Owner Furnished Fire Hydrants	0	Each	6		\$1,183.75	\$7,102.50	6
CCO-2-11	Extra Cost for Seeding of Outfields w/ 100% Bluegrass for Overseeding of Outfields	0	Pounds	800		\$1.45	\$1,160.00	800
CCO-2-12	Second Application of Fertilizer Prior to Overseeding of Outfields	0	Acres	8.90		\$414.00	\$3,684.60	8.90
CCO-2-13	Maintenance Seeding (Half Application) of Irrigated Grassed Areas (Not Outfields)	0	Pounds	1,800		\$1.45	\$2,610.00	1,800
CCO-2-14	Second Application of Fertilizer Prior to Overseeding of Irrigated Grassed Areas (Not Outfields)	0	Acres	20.00		\$414.00	\$8,280.00	20.00
CCO-2-15	Prep Work and Conduit for Future Misters	0	L.S.	1		\$526.00	\$526.00	1
CCO-2-16	Pavement Markings for North Parking Lot	0	L.S.	1		\$1,596.00	\$1,596.00	1
CCO-2-17	Irrigation Modifications	0	L.S.	1		\$1,603.00	\$1,603.00	1
TOTAL CHANGE ORDER #2							(\$31,302.28)	



221 BROWN CO. HWY. #19
PO BOX 111
ABERDEEN, SD 57402-0111

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TOLL FREE 1-888-378-4394
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**AMENDMENT NUMBER 1
TO
AGREEMENT FOR PROFESSIONAL SERVICES
FOR
WATERTOWN SOFTBALL COMPLEX
A-6088**

AGREEMENT FOR PROFESSIONAL SERVICES, dated July 6, 2015, by and between the City of Watertown, South Dakota as OWNER and Helms and Associates, a division of Schmucker, Paul, and Nohr and Associates, Inc., as ENGINEER, hereinafter referred to as the AGREEMENT, for improvements known as the **New Watertown Softball Complex**, hereinafter referred to as the PROJECT, is hereby amended as follows:

Whereas, the OWNER requested the following items of additional work;

1. Design & Construction Engineering for the North Parking Lot

and whereas, the ENGINEER provided the additional Design and Construction Phase Engineering services requested by the OWNER;

And whereas, the PROJECT began on October 13, 2015, and continued until November 25, 2015 (7 weeks), before breaking for the winter; and whereas, the PROJECT began again on March 14, 2016, and will continue until November 15, 2016 (35 weeks); and whereas, the original time estimated to substantially complete the construction of the PROJECT was anticipated to be approximately 26 weeks; and whereas, the additional PROJECT time was due to no negligence on the part of the ENGINEER or the OWNER; and whereas, the ENGINEER provided the required Construction Phase Engineering services; the "not to exceed" amount of the AGREEMENT is hereby increased by \$ 57,000.00.

Therefore, the Agreement for Professional Services is hereby modified to allow for the total Construction Phase engineering costs of the PROJECT to increase to a maximum "not to exceed" amount of \$287,000.00.

IN WITNESS WHEREOF the parties hereto have made and executed this Amendment
Number 1 this _____ day of _____, 2016.

OWNER: CITY OF WATERTOWN, SD

ATTEST: _____

MAYOR

TITLE: _____

ENGINEER: HELMS AND ASSOCIATES

a division of Schmucker, Paul, Nohr and Associates, Inc.



BOB J. BABCOCK, PRINCIPAL