

**WATERTOWN CITY COUNCIL
WORK SESSION AGENDA
CITY HALL
23 SECOND STREET NORTHEAST
WATERTOWN, SOUTH DAKOTA**

Monday, April 3, 2017

5:30 PM

1. Call to Order
2. Discussion on RFP for recreational trail development
3. Discussion on ordinance revisions regarding parking around Lake Kampeska
4. Discussion on Jackson Park parking lot improvement project
5. Discussion on proposed Ordinance No. 17-16 repealing Chapter 7.11 to eliminate reference to a defunct Municipal Retirement System
6. Future agenda items
7. Adjournment

Rochelle M. Ebbers, CPA
Finance Officer

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

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

Item #4- Project 1701 Bid Tab

Bid Tabulation Sheet 2017 Alley & Parking Lot Improvements Project No. 1701 City of Watertown, South Dakota 3/9/2017	Contractor	Engineer's Estimate	Duininck Inc. 408 6th St. Prinsburg MN 56281 Phone: 320-978-6011 Fax: 320-978-4978
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BID SCHEDULE #1, 2017 ALLEY IMPROVEMENTS

ITEM No.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Mobilization	Lump Sum	\$ 2,000.00	\$ 2,000.00	\$ 4,600.00	\$ 4,600.00
2	Unclassified Excavation	95 C.Y.	\$ 20.00	\$ 1,900.00	\$ 21.70	\$ 2,061.50
3	Base Course	110 Ton	\$ 25.00	\$ 2,750.00	\$ 36.20	\$ 3,982.00
4	6" Concrete Approach Pavement	53 S.Y.	\$ 80.00	\$ 4,240.00	\$ 91.50	\$ 4,849.50
5	Asphalt Concrete Composite	60 Ton	\$ 150.00	\$ 9,000.00	\$ 140.00	\$ 8,400.00
SCHEDULE #1 TOTAL BID				\$ 19,890.00	\$ 23,893.00	

BID SCHEDULE #2, JACKSON PARK PARKING LOT IMPROVEMENTS

ITEM No.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Mobilization	Lump Sum	\$ 7,500.00	\$ 7,500.00	\$ 2,450.00	\$ 2,450.00
2	Unclassified Excavation	870 C.Y.	\$ 10.00	\$ 8,700.00	\$ 19.10	\$ 16,617.00
3	Base Course	1160 Ton	\$ 15.00	\$ 17,400.00	\$ 26.60	\$ 30,856.00
4	Asphalt Concrete Composite	580 Ton	\$ 85.00	\$ 49,300.00	\$ 89.00	\$ 51,620.00
5	Erosion Control Measures	400 L.F.	\$ 5.00	\$ 2,000.00	\$ 7.75	\$ 3,100.00
SCHEDULE #2 TOTAL BID				\$ 84,900.00	\$ 104,643.00	

BID SCHEDULE #3, JACKSON PARK TRAIL IMPROVEMENTS

ITEM No.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Mobilization	Lump Sum	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00
2	Unclassified Excavation	45 C.Y.	\$ 20.00	\$ 900.00	\$ 33.00	\$ 1,485.00
3	Base Course	70 Ton	\$ 25.00	\$ 1,750.00	\$ 42.20	\$ 2,954.00
4	6" Concrete Sidewalk	220 S.F.	\$ 9.00	\$ 1,980.00	\$ 9.70	\$ 2,134.00
5	Furnish & Install Detectable Warning Panels	40 S.F.	\$ 25.00	\$ 1,000.00	\$ 38.10	\$ 1,524.00
6	Asphalt Concrete Composite	95 Ton	\$ 150.00	\$ 14,250.00	\$ 110.00	\$ 10,450.00
SCHEDULE #3 TOTAL BID				\$ 20,880.00	\$ 21,047.00	
TOTAL BID ALL SCHEDULES				\$ 125,670.00	\$ 149,583.00	

Remarks & Corrections		
Bid Assurance		10% Bid Bond

REQUEST FOR CITY COUNCIL ACTION

TO: Mayor and City Council

FROM: Justin Goetz, City Attorney

SESSION: April 3, 2017

RE: Proposed Ordinance 17-16, Repealing Chapter 7.11 Regarding City Participation in the Defunct South Dakota Municipal Retirement System

Chapter 7.11 provides two sections offering two points of substance. The first section declares the City's participation in the South Dakota Municipal Retirement System, including the scope of employees receiving these retirement benefits. The second section authorizes the Finance Officer "to make deductions and administer the plan in accordance with state law and regulations."

Both provisions lack any force of law, and have lacked effectiveness since 1975 by virtue of the South Dakota Municipal Retirement System being dissolved as a unique entity and its members folded into the South Dakota Retirement System in 1975. *See* SDCL 3-12-46; 1974 S.D. Sess. Laws ch. 35, § 80. Furthermore, the only retirement plan that former municipality participants in the South Dakota Municipal Retirement System can offer its employees is the South Dakota Retirement System (SDRS). *See* SDCL 3-12-62. Therefore, by virtue of state law, City of Watertown participation in the SDRS is mandatory. *See* 1981 S.D. Atty. Gen. Op. No. 81-19, *1 ("Chapter 3-12, providing for the current consolidated system, replaced Chapter 9-15. Under SDCL 3-12-62, *participation remained mandatory* for all permanent full-time employees of the city[.]").

Additionally, the City of Watertown establishes that it is a participating unit of SDRS in its Personnel Policy Manual. *See* 2015 City of Watertown Personnel Policy Manual § 6.02 ("Full-time employees are required to contribute a percentage of their gross salary to the South Dakota Retirement System.").

Taken together, the above substance indicates Chapter 7.11's redundancy and, therefore, provides the legal grounds for its repeal.

ORDINANCE 17-16

AN ORDINANCE REPEALING CHAPTER 7.11 TO ELIMINATE REFERENCE TO A DEFUNCT MUNICIPAL RETIREMENT SYSTEM

BE IT ORDAINED by the City of Watertown, South Dakota, that Chapter 7.11 of the Revised Ordinances of the City of Watertown be amended as follows:

~~Chapter 7.11
GENERAL EMPLOYEES RETIREMENT SYSTEM~~

~~Section _____~~

~~7.1101 Participation Scope~~

~~7.1102 Contributions~~

~~7.1101: PARTICIPATION SCOPE _____~~

~~The City of Watertown, South Dakota, hereinafter called the City, shall become a participating municipality in the South Dakota Municipal Retirement System, as provided by law, for the purpose of including general employees in its employ under the said South Dakota Municipal Retirement System, hereinafter called the Municipal Retirement System.~~

~~All general employees of the City as of January 1, 1967, shall be included in the membership of the retirement system, and all persons who thereafter become general employees of the City shall be included in the membership of the Municipal Retirement System. (E 30-3)~~

~~7.1102: CONTRIBUTIONS _____~~

~~The Finance Officer is authorized and directed to make deductions and administer the plan in accordance with state law and regulations.~~

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

I certify that Ordinance 17-__ was published in the Watertown Public Opinion, the official newspaper of said City, on this ____ day of _____, 2017.

Rochelle M. Ebbers, CPA

First Reading:
Second Reading:
Published:
Effective:

City of Watertown

Attest:

Rochelle M. Ebbers, CPA
Finance Officer

Steve Thorson
Mayor