

## RESOLUTION FOR CITY OF ALCESTER 2018 FEES

A Resolution Setting Certain Fees and Charges For Services and Setting Other Designations Provided by the City of Alcester

WHEREAS, City Ordinances require certain license fees, charges for services, and other designations to be established by resolution; and

WHEREAS, the City of Alcester is required to have on file in City Hall a list of complete charges and designations;

NOW, THEREFORE BE IT RESOLVED THAT the City of Alcester hereby establishes the following fees and other designations effective for the 2018 license year (fees are for the calendar year unless otherwise stated):

### PERMITS AND LICENSES

Non-Resident Landfill Permit	
Pickup Load	\$ 10.00 (3.03.03)
Truck Load	\$ 25.00 (3.03.03)
Resident Landfill Use	\$ 6.00 per month (3.03.05)
Peddler Permit	\$ 50.00 per day (4.01.02)
Additional Solicitors	\$ 25.00 Each
Alcohol:	
Permit/Public Location	\$ 25.00 (\$200 Deposit) (4.03.09)
Special Permit License	\$100.00 (4.03.10 /D)
Excavation Permits	\$1,000.00 Deposit plus Certificate of Insurance (6.02.03)
Residential Building Removal Permit	
House	\$500.00
	(Trailers houses/Garages/Outbuildings – no cost)
Annual Golf Cart Permits	\$ 10.00
Building Permits	\$ 25.00 + \$1.50/\$1,000 Materials Only

### WATER AND SEWER CONNECTION FEES

Water Connection Tapping Fee (to the Main)	\$300.00
Water Connect Fee	\$50.00
(Reconnect only if bill paid in full plus Disconnect Fee)	
Sewer Connection Tapping Fee (to the Main)	\$150.00
Utility Deposit	\$100.00 (8.01.02)
(Refunded to Home Owner after 12 consecutively on time payments / Renters returned upon moving)	

### AUDITORIUM

Residential/Nonresidential/Business	\$200.00 per day *
Non-Profit Organization	\$50.00 per day * <sup>1</sup>
Rummage Sales	\$50.00 per day
Setup Days	\$10.00 per day
Meeting Room	\$10.00 per day
Security Deposit	\$100.00

<sup>1</sup> For Events with attendance of more than 50 People – a Custodian must be on Staff at \$12 per hour.

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### DOGS

Annual License with Proof of Vaccinations	\$10.00(5.02.13)
Fine for Failure to Properly License Dog	\$25.00(5.012.A)
Violation per Month Fee	\$25.00(5.012.A)
Fines for Animals Running at Large	\$50.00 (5.02.02)
Ticket unpaid after 72 hours	\$75.00 (5.02.02)
Ticket unpaid after 2 weeks	\$100.00 (5.02.02)
Fines for Impounding Animals include Impounding Costs plus Fines	
First Impounding	\$50.00 (5.02.03) plus \$15 per day
Second Impounding (within 12 months)	\$75.00 (5.02.03) plus \$15 per day
Third or more Impounding	\$100.00 (5.02.03)
Fines for Failure to clean up Animal Feces	\$50.00 (5.02.16 C)
Ticket unpaid after 72 hours	\$75.00 (5.02.16 C)
Ticket unpaid after 2 weeks	\$100.00 (5.02.16 C)
Fines for Barking Dog	(5.02.16 E)
First Offense	Warning
Second Offense (within 6 months)	\$25.00
Third Offense	\$50.00

### FINES AND FEES

Fine for Landfill Misuse	\$200.00 (3.03.07)
Fine for not covering load to Landfill	\$25.00 (3.03.03)
Fine for Violating Alcohol Permits	\$500.00 per day (4.03.13)
Fine for not shoveling snow from sidewalks	
Within 48 hours of snowfall	\$10.00 (6.03.03)
Not shoveled after 24 hours more	\$25.00
Tree Clearance 10 Feet above Sidewalks / 14 Feet above Streets	
Fine for Failure to Prune Trees	
Written Warning providing 30 days to complete	
After 30 days – City will assess the cost to complete (6.05.05)	
Recreational Vehicle/Trailer Parking on City Streets –72 hours maximum	
Failure to move RV/Trailer in 72 hours	Warning
24 hours after Warning	\$25.00
Failure to pay within 7 days	\$35.00
Failure to pay summons	\$50.00 (7.05 J)
Fine for illegal parking	\$25.00 (7.05.04)
Failure to pay within 7 days	\$35.00 (7.05.04)
Failure to pay summons	\$50.00 (7.05.04)
Fine for Towing Vehicles	\$25.00 Fine + Towing Charges (7.05.04)
Impounding Rate	\$25.00 per week
Hold time for Impounded Vehicles	Not to exceed 60 days
Fine for violation of snow removal parking	\$25.00 (7.05.08 D)
Ticket unpaid after 72 hours	\$50.00 (7.05.08 D)
Ticket unpaid after 2 weeks	\$75.00 (7.05.08 D)
Fine for Illegal Parking in Handicap	\$100.00 (7.05.17)
Bond Amount set by Council	\$500.00 (7.08.04)
Fine for Illegal Operation of a Golf Cart	\$25.00 (7.09.07)
Ticket unpaid after 72 hours	\$50.00 (7.09.07)
Ticket unpaid after 2 weeks	\$75.00 - \$100.00 (7.09.07)
Fine for Tampering with City Utilities	\$500.00 (8.01.10)

## RESOLUTION FOR CITY OF ALCESTER 2018 FEES

### CITY HALL OFFICES

Black & White Photocopies .....	\$0.25/page
Color Photocopies .....	\$1.00/page
Faxes .....	\$ 2.00/Outgoing or Incoming
NSF Charges .....	Maximum allowed by SDCL 57A-3-421

### MAINTENANCE:

Wheel Loader with Operator .....	\$150/hour
Skid Loader with Operator .....	\$130/hour
Mowing, Tractor & Rotary .....	\$85/hour
Dump Truck with Operator .....	\$80/load to City Dump
Mowing, Rider .....	\$60/hour
Black Dirt .....	\$45/Ton
Fill Dirt .....	\$20/Ton
Gravel .....	\$15/Ton
Labor.....	\$40/hour

### RECREATION FEES

#### Pool Fees

Family Pass .....	\$75.00
Individual Pass .....	\$35.00
Daily.....	\$ 3.00
Lessons .....	\$25.00 per child

### GOLF FEES

#### Memberships

Family: .....	\$500.00
1 <sup>st</sup> Time Family.....	\$300.00
Couple: .....	\$420.00
1 <sup>st</sup> Time Couple .....	\$270.00
Individual: .....	\$335.00
1 <sup>st</sup> Time Individual .....	\$235.00
College Student .....	\$150.00
High School .....	\$ 50.00

#### Cart Storage Fees

Gas: .....	\$110.00
Electric .....	\$125.00

**RESOLUTION FOR CITY OF ALCESTER 2018 FEES**

**GREEN FEES**

	<u>Weekdays</u>	<u>Weekends/Holidays</u>
9 Holes	\$11.00	\$13.00
18 Holes	\$16.00	\$19.00
Each Additional 9 holes (same day)	\$ 5.00	\$ 6.00
Fall Golf Rate (September & October)	\$ 50.00 –Unlimited Golf	

**Car Rental**

9 holes .....	\$12.00
18 holes.....	\$16.00
Annual Trail Fees.....	\$40.00

**Clubhouse Rental**

Member .....	\$50.00 per day
Non-Member .....	\$75.00 per day

**Campground Fees**

Per Day .....	\$ 20.00
Per Week.....	\$120.00

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption and replaces any previously stated rates.

Dated this 15 day of January - 2018.

Thomas Glas

Tom Glas, Mayor  
City of Alcester, South Dakota

ATTEST:

Patricia R Jurrens

Patricia R Jurrens  
Finance Officer

(seal)

Passed & Adopted:

Jan 8, 2018

**RESOLUTION NO. 2018-11**

**A RESOLUTION OF THE CITY OF ALCESTER TO EXTEND PERFORMANCE DATES OF THE SEAL COATING CONTRACT WITH THE ROAD GUY CONSTRUCTION CO., INC.**

WHEREAS, the city council entered into a contract for street seal coating with The Road Guy Construction Co., Inc. by voting to accept the company's bid on April 2, 2018; and

WHEREAS, the contract called for completion of seal coating to be completed by September 1, 2018; and

WHEREAS, the City of Alcester was notified that the Road Guy Construction Co., Inc. that they would not be able to perform the work by due to time and weather constraints via on September 21, 2018; and

WHEREAS, Attorney General's Opinion No. 79-12 indicates that the City has the authority to provide for an extension of the time for performance of an existing competitive bid contract, provided the remaining terms of the contracts are not changed; and

WHEREAS, the city council finds it is in the city's interest to extend the time for performance of the existing contract; and

WHEREAS, the street department has stated the best time for performance of sealing coating is between June 30 and July 31 of 2019,

NOW, THEREFORE, BE IT RESOLVED by the Alcester City Council that the Mayor, on behalf of the city, may contract with The Road Guy Construction Co., Inc. to extend the dates of performance of the original contract entered into on April 2, 2018.

Dated this 5<sup>th</sup> day of November, 2018.

ATTEST:

  
Patricia Jurrens, Finance Officer

CITY OF ALCESTER

  
Dan Haeder, Council President

Date of Adoption: November 5, 2018

Date of Publication: November 15, 2018

Effective Date: December 5, 2018

## **RESOLUTION NO. 2018-08**

### **A RESOLUTION OF THE CITY OF ALCESTER TO LEVY A SPECIAL MAINTENANCE FEE FOR THE MAINTENANCE OF STREET SURFACES WITHIN THE CITY PURSUANT TO SDCL 9-43-138**

WHEREAS, SDCL 9-43-138 provides for the assessment of a special maintenance fee for the maintenance or repair of public improvements, including street surfaces, of lots fronting and abutting any improvement within the municipality that is maintained by the municipality; and

WHEREAS, the City of Alcester maintains and repairs street surfaces on the public streets within city limits; and

WHEREAS, the budget committee of the city council and the city council as a whole have discussed the maintenance fee required to fund annual maintenance activities in fiscal year 2019 on public streets; and

WHEREAS, the city council finds it necessary to levy a special maintenance fee for the maintenance and repair of streets within the City of Alcester;

NOW, THEREFORE, BE IT RESOLVED by the Alcester City Council that, pursuant to SDCL 9-43-138, the city shall levy a special maintenance fee for the maintenance and repair of streets upon all taxable lots fronting and abutting any streets within the city as follows:

1. All lots to be assessed shall be assessed at the rate of \$1.00 per front foot.
2. In the case of corner lots, only the front footage abutting the street to which the front door of the property faces shall be assessed. In the event there is no structure on the corner lot, the longer street frontage of the lot shall be assessed.
3. All lots exempt from tax, pursuant to state law, which owners have applied for and obtained a property tax exemption from the Union County Director of Equalization are not subject to the special maintenance fee.
4. A detailed list of the legal descriptions, amount of front footage, and the amount of assessment shall be provided to the Union County Treasurer by the Alcester finance officer, to add the special maintenance fee to the general assessment against the property and to certify the fee assessed together with the regular assessment to the Union County Auditor to be collected in the same manner as municipal taxes are collected for general purposes.

BE IT FURTHER RESOLVED that all revenue received from the special maintenance fee shall be placed in a special revenue fund entitled "Street Maintenance Fund" for the maintenance and repair of public streets.

Dated this 6th day of August, 2018.

CITY OF ALCESTER

Thomas Glas  
Thomas Glas, Mayor

ATTEST:

Patricia Jurrens  
Patricia Jurrens, Finance Officer

Date of Adoption: August 6, 2018.

Date of Publication: August 16, 2018.

Effective Date: January 1, 2019.

**RESOLUTION NO. 2018-05**

**A RESOLUTION OF THE CITY OF ALCESTER TO AUTHORIZE PARKING ON THE EAST AND WEST SIDES OF DAKOTA STREET BETWEEN 4<sup>TH</sup> AND 5<sup>TH</sup> STREETS**

WHEREAS, the Alcester City Council may, pursuant to Ordinance 7.0503 of the Revised Municipal Ordinances, City of Alcester (2014), designate any street for parking zones; and

WHEREAS, the council finds it in the public interests to allow parking on both the East and West sides of Dakota Street between 4<sup>th</sup> and 5<sup>th</sup> Streets;

NOW, THEREFORE, BE IT RESOLVED by the Alcester City Council in and for the City of Alcester, Union County, South Dakota as follows:

Parking is hereby permitted on both the East and West sides of Dakota Street between 4th and 5th Streets and that proper signage may be erected or removed to permit such parking.

Dated this 7<sup>th</sup> day of May, 2018.

CITY OF ALCESTER



Thomas Glas, Mayor

ATTEST:

  
Patricia Jurrens, Finance Officer

Date of Adoption: May 7, 2018

Date of Publication: May 17, 2018

Effective Date: June 7, 2018



**ORDINANCE NO. 2018-01**

AN ORDINANCE OF THE CITY OF ALCESTER, SOUTH DAKOTA ADOPTING THE 2018 REVISED ALCESTER ZONING REGULATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALCESTER, UNION COUNTY, SOUTH DAKOTA:

That this Ordinance adopts Ordinance No. 2018-01 as set forth in the attached document titled 2018 Revised Alcester Zoning Regulations; provides restrictions, district boundaries and zoning map; provides for the administration, enforcement and amendment of this Ordinance; and repeals any other ordinance or parts thereof in conflict with this Ordinance.

Dated this 10<sup>th</sup> day of July, 2018.

*Thomas G. Lee*

Mayor

ATTEST:

*Patricia A. Jurens*  
Finance Officer

(SEAL)



First Reading: June 4, 2018

Second Reading: July 10, 2018

Adoption: July 10, 2018

Published: July 19, 2018 & July 26, 2018 (Notice of Adoption)

Effective Date: August 15, 2018 (20 days after 2<sup>nd</sup> publication date of Notice of Adoption)

**RESOLUTION NO. 2018-02**

**RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE AND PAYMENT OF SALES TAX REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000), PLUS COST OF ISSUANCE FOR THE CITY OF ALCESTER OF UNION COUNTY, SOUTH DAKOTA.**

WHEREAS, the City of Alcester is authorized by the provisions of SDCL §10-52-2.10 to issue Sales Tax Revenue Bonds to fund the purchase of a street sweeper, , and skid loader; and

WHEREAS, the City Common Council has determined that the issuance of Sales Tax Revenue Bonds of the City is in the best interests of City; and

WHEREAS, the City Common Council has determined and does hereby declare that is necessary and in the best interest of the City to issue Sales Tax Revenue Bonds for the purpose of providing funds (i) to fund to purchase a street sweeper, and skid loader; and (ii) pay the Costs of Issuance of the Bonds described herein.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMON COUNCIL OF THE CITY OF ALCESTER OF UNION COUNTY, AS FOLLOWS:**

**ARTICLE I  
DEFINITIONS**

**Section 1.1. Definition of Terms.**

In addition to the words and terms elsewhere defined in this Bond Resolution, the following words and terms as used herein, whether or not the words have initial capitals, shall have the following meanings, unless the context or use indicates another or different meaning or intent, and such definitions shall be equally applicable to both the singular and plural forms of any of the words and terms herein defined:

"Act" means collectively SDCL Chapter 6-8B and Chapter 10-52, as amended.

"Authorized Officer of the City" means the Mayor and the Finance Officer, or, in the case of any act to be performed or duty to be discharged, any other member, officer, or employee of the City then authorized to perform such act or discharge such duty.

"Bond Counsel" means Meierhenry Sargent LLP, a firm of attorneys recognized as having experience in matters relating to the issuance of state or local governmental obligations.

"Bond Purchase Agreement" means the agreement between the City and the Purchaser for the purchase of the Bonds.

"Bond Resolution" means the within Resolution, duly adopted by the City Common Council on the date hereof, as it may be amended from time to time.

"Bonds" mean not to exceed \$230,000, in aggregate principal amount of Sales Tax Revenue Bonds, Series 2018, dated the Closing Date, or such other designation or date as shall be determined by the City Common Council and issued under the Bond Resolution.

"City" means the City of Alcester, Union County, South Dakota, a municipality organized under the State of South Dakota.

"City Common Council" means the City Common Council of the City elected pursuant to the provisions of the SDCL Title 9.

"Closing Date" means the date the Bonds are exchanged for value.

"Code" means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the United States Department of Treasury promulgated thereunder as in effect on the date of issuance of the Bonds.

"Costs of Issuance" means all costs, fees, charges and expenses incurred in connection with the issuance of the Bonds.

"Equipment" means a street sweeper and skid loader.

"Finance Officer" means the Finance Officer of the City appointed pursuant to the provisions of South Dakota Codified Laws Title 9 or, in the absence of such appointment or in the event the person so appointed is unable or incapable of acting in such capacity, the person appointed by the City Common Council to perform the duties otherwise performed by the Finance Officer, or her designee.

"Interest Payment Dates" means such dates as are set forth in the Bond Purchase Agreement.

"Mayor" means the Mayor elected pursuant to the provisions of SDCL § 9-8-1 or his or her designee acting on his or her behalf pursuant to the Charter.

**Section 1.2. References to Resolution.**

The words "hereof", "herein", "hereunder", and other words of similar import refer to this Bond Resolution as a whole.

**Section 1.3. References to Articles, Sections, Etc.**

References to Articles, Sections, and other subdivisions of this Bond Resolution are to the designated Articles, Sections, and other subdivisions of this Bond Resolution as originally adopted.

**Section 1.4. Headings.**

The headings of this Bond Resolution are for convenience only and shall not define or limit the provisions hereof.

**ARTICLE II  
FINDINGS**

**Section 2.1**

It is hereby found and determined by the City Common Council that all limitations upon the issuance of Bonds have been met and the Bonds are being authorized, issued and sold in accordance with the provisions of the Act.

**ARTICLE III  
AUTHORITY, PLEDGE, AND LEVY**

**Section 3.1 Authority.**

The City declare it necessary and is authorized by SDCL Chapter 9-38 and Chapter 10-52 to issue bonds to finance the acquisition of the following equipment: a street sweeper, , and skid loader. In order to (i) fund the acquisition of the following equipment: a street sweeper, and skid loader, and (ii) pay Costs of Issuance, there shall be issued pursuant to, and in accordance with, the provisions of the Act, the Bond Resolution, and other applicable provisions of law, Bonds of the City in the aggregate principal amount as finalized by the Bond Purchase Agreement.

**Section 3.2 Pledge of Sales Tax.**

The non-ad valorem taxing powers of the City imposed under the authority of SDCL § 10-52-2 shall be and they are hereby irrevocably pledged to the prompt and full payment of the principal, premium and interest on each and all of said Bonds as such principal, premium and interest respectively become due.

**Section 3.3. Collection of Taxes.**

Pursuant to SDCL § 10-52-2.10, the City does hereby pledge, provide and agree that it will continue to impose and collect the non-ad valorem tax so long as the Bonds are outstanding. The governing body shall also pledge so much of the collections of the taxes as may be necessary to

pay the principal, premium and interest on the bonds and to maintain any debt service reserve established for the Bonds.

**ARTICLE IV**  
***FORM, TERMS, EXECUTION, AND TRANSFER OF BONDS***

**Section 4.1. Authorized Bonds.**

The aggregate principal amount of Bonds that may be issued under the Bond Resolution shall not exceed Two Hundred Thirty Thousand and No/100 Dollars (\$230,000). The Mayor and Finance Officer are authorized to negotiate the sale, the final terms shall be evidenced by a Bond Purchase Agreement.

**Section 4.2. Tax Matters.**

(a) The City covenants and agrees with the registered owners from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the basic interest on the Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

(b) The Mayor and the Finance Officer, being the officers of the City charged with the responsibility for issuing the Bonds pursuant to this Resolution are hereby authorized and directed to execute and deliver to the Purchaser thereof a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, it is reasonably expected that the proceeds of the Bonds will be used in a manner that would not cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

(c) The City further certifies and covenants as follows with respect to the requirements of Section 148 of the Code that the City reasonably expects, as of the Bond Date, that the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by it and all subordinate entities during the calendar year of 2018 will not exceed \$5,000,000.

(d) The City shall file with the Secretary of the Treasury a statement concerning the Bonds containing the information required by Section 149(e) of the Code.

(e) Pursuant to Section 265(b)(3)(B)(ii) of the Code, the City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City hereby represents that it does not anticipate that obligations bearing interest not includable in gross income for purposes of federal income taxation under Section 103 of the Code (including refunding obligations as provided in Section 265 (b) (3) of the Code and including "qualified 501 (c) (3) bonds" but excluding other "private activity bonds," as defined in Sections 141(a) and

145(a) of the Code) will be issued by or on behalf of the City and all "subordinate entities" of the City in 2018 in an amount greater than \$10,000,000.

This Bond Resolution shall take effect 20 days after publication if not referred to a vote of the public.

Said motion was seconded by Member Darla Reppe and upon vote being taken the following voted AYE:

Julia Sundstrom, Darla Reppe, Melissa Kay, Dave Larsen, Lance Johnson, Dan Haeder


and the following voted NAY:

None

whereupon said motion was declared duly passed and adopted, and was signed and attested by the Mayor and Finance Officer.

ATTEST:

  
Patricia R Jurrens, Finance Officer

  
Thomas Glas, Mayor



