**Elkton City Council
Special Meeting Minutes
March 17, 2025**

The special meeting of the Elkton City Council was called to order at 6:12 PM by Mayor Charles Remund. Council members present were David Bierman, Tal Farnham, Brooke Greve, Emily Schelske, Scott Stuefen and Rick Weible. Also in attendance Jeff McCormick from SPN, Jamie Andrews and Matt Sandoz from J & J Earthworks. The purpose of the meeting is to discuss City Infrastructure topics for Phase II and Phase II bid awarding.

Motion by Greve, second by Weible to approve the agenda with a change in order of business to have Park & Rec items and Community Center Flooring before the City Infrastructure projects. All in favor – motion carried.

The summer park and rec program director position was discussed. The applicant is not interested in doing anything in the evenings or weekends. Sherri Rochel is not interested being the director, she is looking for a location to hold her programs for her business. The committee will interview the applicant and report back to the council.

The baseball field flags were discussed. The legion has approved funds to help get new flags and poles for the field.

The community center flooring payment was discussed. The contractor requested a $15,000 deposit. Motion by Weible, second by Bierman to approve the deposit. All in favor – motion carried.

The council moved on to discussion of the City Infrastructure projects. Phase II liquidated damages was discussed in length. The council came to an agreement with the contractor that the unfinished work will be done by May 30th, 2025 if not complete the city will speak to the bonding company. The project is 211 days past the completion date, Jeff McCormick, city engineer suggested to consider the liquidated damages until November 1st because after that winter weather wouldn’t allow for any work. The remainder project cost totals $24,500, extra engineering totaling $20,000. Council member Bierman suggested assessing 40% of the liquidated damages. Motion by Bierman, second by Weible to approve assessing $83,480.00 of liquidated damages. All in favor – motion carried. Motion by Farnham, second by Stuefen to approve the final contractor’s application for payment no. 22 for J & J Earthworks in the amount of $194,631.79 minus the liquidated damages. All in favor – motion carried. Motion by Weible, second by Bierman to authorize the finance officer to pay J & J the balance of the amount due upon reimbursement from DANR. All in favor – motion carried.

Awarding Phase III bid was the next discussion. The low bid for the project was submitted by J & J Earthworks, due to the experience that the city has had relative to J & J responding to our request to complete the contract as required, SPN recommends that the council consider J & J unresponsive and unresponsible. SPN recommends considering the next lowest bid. This bid was submitted by Halme Inc in the amount of $3,065,051.00 a difference of $10,223 from J & J. Motion by Weible, second by Bierman to determine that J & J Earthworks is not a responsive and responsible contractor and reject the submitted bid. All in favor – motion carried. Motion by Weible, second by Schelske to consider the next lowest responsive and responsible bidder. All in favor - motion carried. Motion by Weible, second by Greve to accept the bid submitted by Halme Inc in the amount of $3,065,051.00 contingent on approval from DANR and SDDOT. All in favor – motion carried.

Motion by Bierman, second by Weible to adjourn the meeting at 7:27 PM. All in favor - motion carried.