

CITY OF MILLER
CITY COUNCIL MEETING
MAY 20, 2024

The City of Miller is an equal opportunity employer.

The City Council met in regular session at city hall at 7:00 p.m. on Monday, May 20, 2024.

MEMBERS PRESENT: Mayor Tom McGough, Aldermen: Dale Hargens, Will Jones, Patrick Price, Gale Auch, and Landon Gab. Alderman Ward III – vacant.

CALL TO ORDER: Mayor McGough called the meeting to order.

Pledge of Allegiance was said by all present.

AGENDA: Motion by Alderman Price, seconded by Alderman Jones to approve the agenda with one addition and clarification of items 13-17 being New Business continued. All members voted aye. Motion carried.

MINUTES: Motion by Alderman Jones, seconded by Alderman Gab to approve the minutes for the regular meeting held May 6, 2024. All members voted aye. Motion carried.

PUBLIC INPUT

Dave Nelson was present to express his concerns about the “stop” signs at the intersection of West 1st Street and West 1st Avenue. The signs were changed to a “yield” sign with the State project to be in accordance with the Federal uniform traffic laws. He would like to see the “stop” signs restored for the safety of the children who swim at the municipal pool. Alderman Price stated that this deserves consideration for safety reasons. Nelson also stated that he is happy to see the lot he donated to the city cleared off and hopes it can be used for pool parking as that was his intent for that property.

Mayor McGough reminded Miller residents to not mow grass clippings into the street and gutters. This causes problems in the storm sewer system. McGough referenced *The Miller Press* for recognizing first responders during National EMS Week and thanked them for their service.

The vacant position on the city council board was addressed by Mayor McGough. Susan Hargens was unavailable during the 10 days in which the oath of office needed to be taken, which resulted in a vacancy in her position as Ward III Alderwoman. The position will be appointed at the next city council meeting.

NEW BUSINESS

Miller C&C: Tala Sandness was present on behalf of the Miller C&C to request permission for a display of fireworks for the 4th of July festivities. Motion by Alderman Price, seconded by Alderman Jones to sign the request for a public display of fireworks to take place on July 4 with July 6 as a backup date due to weather. All members voted aye. Motion carried.

Mike Werdel – Legion update: The Legion will host a Memorial Day Program on Monday, May 27. An honorable destruction of retired flags will be held on June 14 with the Polo Legion leading. The July bull bash has been postponed until 2025 and 4-wheeler races will be held for the Independence Day celebration on July 6.

City-wide Clean-up: Ron Hoftiezer has scheduled the city-wide clean-up for Thursday, June 6 and Friday, June 7. This event is for the elderly and unable. Items must be separated and set out curbside by 8:00 a.m. Thursday morning. A list will be compiled at city hall.

New Police Car – equipment quote: Chief Huss presented a quote from 316 Upfitting and Supply for \$10,311.00. The equipment was figured into the budget with the original appropriations ordinance. Motion by Alderman Price, seconded by Alderman Gab to approve the quote as presented. All members voted aye. Motion carried.

Alderman Hargens congratulated Chief Huss on the recent traffic stop that resulted in an arrest due to drugs.

Special Event Liquor License – Willie’s Bar & Grill: Motion by Alderman Jones, seconded by Alderman Hargens to approve the special event liquor license for Willie’s Bar &

Grill to serve alcohol at the community center on June 1, 2024. All members voted aye. Motion carried.

Budget Training: Motion by Alderman Price, seconded by Alderman Jones to allow 2 employees from the finance office to attend budget training in Sioux Falls on June 18. All members voted aye. Motion carried.

Write-off Bad Debt: Motion by Alderman Hargens, seconded by Alderman Jones to write off \$292.39 of utilities. The customer on that account is deceased with no assets. All members voted aye. Motion carried.

Approval of Bills: Motion by Alderman Price, seconded by Alderman Jones to approve the bills. All members voted aye. Motion carried.

PUBLIC HEARING

7:30 Board of Adjustments – Variance: Mayor McGough adjourned the board as the common council and convened as the board of adjustments at 7:30 p.m. Dwight and Connie Aymar were present to request a variance on the north side of their house. The board reviewed the other properties along that block and determined that none of them are in line with the other, thus, Aymar's request is reasonable. Motion by Alderman Price, seconded by Alderman Jones to approve a variance to allow Aymar's to build a deck approximately 4 feet closer to the lot line than allowed by City Code. All members voted aye. Motion carried. Mayor McGough reconvened the board back to the common council.

Phase IV Water Project: Water Utility – Camden Hofer, SPN was present to review the options for awarding the Water Utility bid. The bid opening took place on Tuesday, May 14 at 3:00 p.m. The following bids were received for Bid Schedules A-C: Dahme Construction, Aberdeen - \$6,099,175.76, H & W Contracting, Sioux Falls - \$5,982,103.91, Menning Excavating, Mitchell - \$5,952,743.74, and TLC Olson Construction, Huron - \$4,830,850.85. The engineer's estimate was \$5,429,441.00. Note: Bid Schedule C – City-funded Street Repair as bid by TLC Olson Construction in the amount of \$526,961.25 is not covered by DANR funding. Finance Officer Cindy Deuter stated that the Water Fund does not have the funds in savings to cover that cost. It was noted that the city has General Fund dollars in a CDs at Quoin Financial Bank and American Bank & Trust for approximately \$980,500.00 which will mature in January 2025 and February 2025. Option 1: award the bid assuming DANR awards \$1.1 million in additional funding at its meeting on June 27, 2024. Option 2: award the bid considering reduced funding of \$750,000.00 from DANR and assuming it will be awarded in June. Option 3: award the bid based on funding currently available by reducing the scope of the project by the amount of funding short - \$526,612.27 but still apply for additional DANR funding. Option 4: award the bid after reducing the scope of the project and withdraw our application for additional DANR funding. Motion by Alderman Price, seconded by Alderman Jones to award the bid to TLC Olson Construction with the condition to reduce the project to fit the funding currently available. Camden asked the council how they would like to address Bid Schedule C and if that was part of Alderman Price's motion. Camden explained that he needs to know how much to award for the bid and how much needs to be reduced to be within the city's available funds. This needs to be figured out and an award offered within 30 days of the bid opening. Motion by Alderman Price to amend his original motion to reduce the scope of the project by \$526,612.00, seconded by Alderman Jones. All members voted aye. Motion carried. **Abandon Wells:** After reaching out to several well drilling companies in South Dakota, 2 proposals to abandon the old wells were received by SPN: Pullman Well Drilling, Wolsey - \$68,100.00 and Stretch's Well Service, Hitchcock - \$57,653.17. The engineer's estimate was \$52,800.00. Motion by Alderman Price, seconded by Alderman Gab to accept the proposal from Stretch's Well Service. All members voted aye. Motion carried. The council thanked Camden for his services and appreciates his patience in explaining the complexity of the bidding and funding for the Phase IV project.

Ordinance #752 – Phase IV Water Surcharge: Motion by Alderman Price, seconded by Alderman Jones to approve the second reading of and enact Ordinance #752. Roll call vote: Alderman Jones – aye, Alderman Hargens – aye, Alderman Auch – aye, Alderman Price – aye, Alderman Gab – aye. Motion carried.

Ordinance #753 – Phase IV Sewer Surcharge: Motion by Alderman Price, seconded by Alderman Jones to approve the second reading of and sign into effect Ordinance #753. Roll call

vote: Alderman Hargens – aye, Alderman Price – aye, Alderman Jones – aye, Alderman Auch – aye, Alderman Gab – aye. Motion carried.

Electric Poles – inspection quote: The pole inspection and treatment pricing proposal from Osmose, Peachtree, GA included an Exhibit A and B which listed the fee schedule but not an estimate for this project’s time and material. Motion by Alderman Jones, seconded by Alderman Auch to table this item until further information is gathered and an approximate quote can be presented. All members voted aye. Motion carried.

Building Permits: Motion by Alderman Hargens, seconded by Alderman Gab to approve the following building permit applications: Lee Kleinsasser – addition to shed, Dwight and Connie Aymar – deck, Lance DeHaai – carport, and Taylor Droz – fence. Approval of Droz’s application is contingent upon review and approval by Dustin Graham. All members voted aye. Motion carried.

Devin Letsche: Motion by Alderman Price, seconded by Alderman Jones to accept Devin Letsche’s resignation of employment as of May 10. All members voted aye. Motion carried.

Electric Department – position opening: Motion by Alderman Jones, seconded by Alderman Gab to advertise for the open position in the electric department with pay depending on experience. All members voted aye. Motion carried.

Hire – electric on-call: Motion by Alderman Hargens to hire on-call as needed for the electric department. Motion died for lack of a second. Motion by Alderman Jones, seconded by Alderman Gab to table this item until Dustin Graham is present for discussion. All members voted aye. Motion carried.

Employee Policy Manual – Military Leave: Motion by Alderman Price, seconded by Alderman Hargens to refer this matter to the Personnel Committee for further research regarding the Federal Statute to make sure the city is covering minimum requirements as compared to the city’s policy with the intent of holding a special city council meeting before said employee leaves for training in June. All members voted aye. Motion carried.

EXECUTIVE SESSION: Motion by Alderman Auch, seconded by Alderman Jones to go into executive session for personnel and legal matters to conduct interviews pursuant to SDCL 1-25-2(1) & (3) at 8:39 p.m. All members voted aye. Motion carried. Mayor McGough returned the meeting to regular session at 9:37 p.m.

Police Department – hire part-time officer: Motion by Alderman Price, seconded by Alderman Hargens to hire Patrick McGawley as a part-time officer as needed. 3 members voted aye, 2 members voted nay. Motion carried.

Motion by Alderman Auch, seconded by Alderman Hargens to adjourn the meeting. There being no further business, the meeting was adjourned at 9:41 p.m. All members voted aye. Motion carried.

Tom McGough, Mayor

Cindy Deuter, Finance Officer

LEGAL NOTICE OF RECEIPT

Copy of the official proceedings
was received on: _____
Published once at the
approximate cost of: _____

Bills May 2024 (2)

A & B Business	Supplies	207.82
American Solutions	Supplies	56.00
Avera Occ Med	Prof Fees	135.00
Batin, Rick	Service	300.00
Border States	Supplies	357.84
Builders Solutions	Supplies	1,967.51
Dakota Energy	Service	160.00
Doty & Sons	Bean Bag Toss	3,965.00
Fawcett Electric	Service	356.59
First Bank & Trust	Loan	412,492.51
Heartland Energy	Power	2,382.08
Galls	Supplies	323.06
ISG	Prof Fees	1,000.00
Lyle Signs	Signs	397.00
MFD	Donation	2,000.00
Miller School	Crossing Guard Agreement 24-25	2,550.00
Miracle	Playground Equipment	2,334.46
Northwest Pipe	Fittings	2,270.18
Oakley Farm & Ranch	Supplies	219.59
OHED	Industry	8,300.00
Oswald Trucking	Gravel	2,569.13
RD	Loans	16,403.00
SD DOR	Sales Tax	11,035.94
SD SOS	Notary fee	30.00
Stobbs Sales	Repairs	656.67
Stuart C Irby	Supplies	585.00
VanDiest	Supplies	537.75
Visa	Supplies/Water Purchased	39,460.95
WAPA	Power	44,230.83
	Accounts Payable Total	<u>\$557,283.91</u>

Payroll Salary plus

Benefits by Department:		5/23/2024		
	Department	w/o OT	OT	Total
41402	FINANCE OFFICE	2,985.65	0.00	2,985.65
42101	POLICE	12,128.32	282.56	12,410.88
43101	STREET	8,747.59	223.06	8,970.65
43201	SEWER	5,888.76	89.00	5,977.76
43305	WATER	6,154.07	88.99	6,243.06
43403	ELECTRIC	14,149.95	200.38	14,350.33
45101	BALLPARK	942.47	0.00	942.47
45202	PARK	1,061.43	0.00	1,061.43
		<u>\$52,058.24</u>	<u>\$883.99</u>	<u>\$52,942.23</u>