

**AGENDA  
CITY OF MILLER  
MONDAY, SEPTEMBER 16, 2024  
7:00 P.M.**

*The City of Miller is an equal opportunity employer.*

**Call to Order  
Pledge of Allegiance**

**Approval of Agenda  
Approval of Minutes ..... pgs. 1 - 3**

**Public Input**

**Unfinished Business**

1. ISG – CIP adopt final draft
2. 2<sup>nd</sup> Reading – Ordinance #755 zoning..... pg. 4

**New Business**

1. Track Skid Steer Loader Rental ..... pg. 5
2. Airport CIP 2025 Grant Pre-Applications ..... pgs. 6 - 9
  - AIP “Connector Taxiway Reconstruction and Access Road Rehab”
  - BIL “Standalone Concrete Pavement Maintenance and AWOS-III Design”
3. Resolution No. 2024-11 – surplus scrap property ..... pg. 10
4. Procurement Policy Revision: Disposal of Property ..... pg. 11
5. NECOG Invoice No. 213 - \$7,500.00..... pg. 12
6. Building Removal Permit: Mark Nasers – shed

**Executive Session**

Personnel Pursuant to SDCL 1-25-2(1)

7. Finance Officer Cindy Deuter – 6 mo. probation

**Approval of Bills**

**Adjourn**

Public comments are welcomed during public input, but no action can be taken by the Council on comments received at this meeting. Public input shall be limited to 3-5 minutes. Anyone wishing to have the Council vote on an item should call the Finance Office at 853-2705 by 5:00 p.m. on the Wednesday preceding the next scheduled meeting to be placed on the agenda.

**CITY OF MILLER  
CITY COUNCIL MEETING  
SEPTEMBER 3, 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 Tuesday, September 3, 2024.

**MEMBERS PRESENT:** Mayor Tom McGough, Aldermen: Dale Hargens, Will Jones, Patrick Price, Gale Auch, and Landon Gab and Alderwoman Susan Hargens.

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

Pledge of Allegiance was said by all present.

**AGENDA:** Motion by Alderman Hargens, seconded by Alderman Price to approve the agenda. All members voted aye. Motion carried.

**MINUTES:** Motion by Alderman Price, seconded by Alderman Jones to approve the minutes as printed for the regular meeting held on August 19, 2024. All members voted aye. Motion carried.

**Public Input:** Pastor Will Page thanked all who made the pastors' party in the park successful.

**Department Head Reports**

Dustin Graham, electric superintendent, explained that the warning siren is aging, and parts are beginning to fail. New parts have been ordered to fix and help troubleshoot the problem; however, the radio system used to engage the siren is obsolete and in need of updates. Graham went on to inform the council that the pole testing for the transmission line performed by Osmose, Peachtree City, GA, went well. The crossarms at the top of the pole will be inspected next, but Graham is confident that the city can hold off on doing a transmission line project which will allow time to save more money for it. Alderman Price asked what the city's long-term plan was for the land on which the old substation sits once it is fully retired and cleared out. Graham has been in contact with the school and plans on giving it back to the school.

**NEW BUSINESS**

**Cindy Wieseler – sidewalks:** Peggy Heezen and Rod & Cindy Wieseler were present to bring a few matters to the council's attention. Cindy is an avid walker and has used the sidewalks of Miller for 30+ years. To her dismay, several sidewalks have been neglected over the years and many need repair and/or replacement. She has witnessed people in wheelchairs forced to use the streets and highway because sidewalks are unsafe or inaccessible. Cindy politely requested the council to form a plan to make all sidewalks inside city limits accessible to the citizens especially children, the elderly, and the handicapped. Alderman Price cited Section 32-125 of the Code of Ordinances: the property owner is responsible to keep sidewalks in good repair. More discussion was held about potential solutions.

She went on to discuss properties in her neighborhood. Property owners feel forgotten when it comes to improvements and nuisances. Draining is an issue, streets are yet to be paved, and property along East 10<sup>th</sup> Avenue is accumulating junk and tall weeds. The homes in the Heezen/Wieseler neighborhood are valued higher than some and deserve to have the same improvements and code enforcement as those homes of lesser value. Alderman Price said the city aspires to have every street inside city limits paved or oiled. Ron Hofstiezer, street superintendent, has been saving base course to oil 5 blocks all at once on East 10<sup>th</sup> Avenue, East 5<sup>th</sup> Street, and East 11<sup>th</sup> Avenue. Finally, Cindy thanked the city police department and county law enforcement. They do a great job, and she appreciates feeling safe when walking around the community.

**Track Skid Steer Rental:** Only one quote is available. Mayor McGough moved this item to the next meeting.

**Insurance Renewals:** Motion by Alderman Price, seconded by Alderman Jones to approve and renew property and liability coverage along with cyber security insurance with **American**

**Trust Insurance** for property and liability as quoted for \$91,584.00, which includes coverage for terrorism for \$1,598.00, and cyber insurance as quoted for \$1,883.87. All members voted aye. Motion carried. There was an overall increase of about 10% for property and liability as compared to last year. Motion by Alderwoman Hargens, seconded by Alderman Auch to approve and renew a three-year policy with **Insurance Benefits** for airport property and liability insurance as quoted for \$1,551.00 per year. All members voted aye. Motion carried.

**1<sup>st</sup> Reading Ordinance #755 – Zoning:** Mayor McGough read the first reading of Ordinance #755 – Zoning. The amended ordinance will address building permits required for structures greater than or equal to 100 square feet, and Sec. 40-301 will be added to define stipulations concerning accessory buildings and structures.

**Code of Ordinances, Chapter 34:** Mayor McGough would like the department heads to review Chapter 34, Article IV Improvements for accuracy. Changes will be discussed and assurance from the developer of any subdivision may be implemented.

**Phase IV Water Utility Project:** Motion by Alderman Hargens, seconded by Alderman Gab to approve payment of **SPN Invoices 34404-34408** for a total of \$47,537.54. All members voted aye. Motion carried. Motion by Alderman Price, seconded by Alderman Gab to approve payment of **TLC Olson Pay App. No. 2** for \$276,866.21 and to revise payment for payment application No. 1 to pay up to a total of \$500,000.00 between payment application numbers 1 and 2. Once funds are received from DANR the remaining amount for number 1 will be paid. All members voted aye. Motion carried. Motion by Alderman Price, seconded by Alderwoman Hargens to approve **TLC Change Order No. 3**. It amends the scope of the water project to loop the water main on East 1<sup>st</sup> Avenue and East 9<sup>th</sup> Street resulting in an increase of \$47,535.00 which is still within budget of the project. All members voted aye. Motion carried.

#### **UNFINISHED BUSINESS**

**ISG – CIP:** Motion by Alderman Price, seconded by Alderman Gab to table the adoption of Miller's Capital Improvement Plan until the first regular meeting in October. All department heads will review their sections to ensure accuracy. All members voted aye. Motion carried.

**Approval of Bills:** Motion by Alderman Hargens, seconded by Alderman Auch to pay the bills. All members voted aye. Motion carried.

Motion by Alderman Price, seconded by Alderman Hargens to adjourn the meeting. There being no further business, the meeting was adjourned at 7:56 p.m. All members voted aye. Motion carried.

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Tom McGough, Mayor

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Cindy Deuter, Finance Officer

#### **LEGAL NOTICE OF RECEIPT**

Copy of the official proceedings

was received on: \_\_\_\_\_

Published once at the

approximate cost of: \_\_\_\_\_

**Bills September 2024 (1)**

American Solutions	Supplies	50.79
BDS	Garbage	350.00
Border States	Supplies	3,341.06
Builders Solutions	Supplies	331.34
City Utilities	Utilities	7,857.34
Harkins Enterprises	Repairs	592.50
I & S Group	Prof Fees	2,000.00
Milbank WinWater	Parts	5,963.41
Miller Rexall	Supplies	14.78
OHED	80% BBB	4,912.32
PJ's Machine & Repair	Parts	252.81
Postmaster Trust Account	Presort Permit #2	425.00
Sanitation Products	Parts	3,059.24
SD PHL	Prof Fees	120.00
SD DOPS	Service	2,340.00
Share Corporation	Supplies	261.23
SPN	Prof Fees	47,537.54
Stuart C Irby	Supplies	748.00
Sturdevant's	Parts	67.95
TLC Olson Construction	Water Phase IV	276,866.21
Wesco	Supplies	136.32
	Accounts Payable Total	<u>\$357,227.84</u>

**Payroll Salary plus**

Benefits by Department:		8/29/2024 & 8/30/2024		
	Department	w/o OT	OT	Total
41101	COUNCIL	3,046.51	0.00	3,046.51
41402	FINANCE OFFICE	2,423.03	0.00	2,423.03
41902	BUILDING	443.23	0.00	443.23
42101	POLICE	11,378.22	60.10	11,438.32
43101	STREET	7,308.16	313.86	7,622.02
43201	SEWER	5,297.38	706.17	6,003.55
43305	WATER	5,297.35	706.17	6,003.52
43403	ELECTRIC	12,808.92	352.50	13,161.42
45101	BALLPARK	997.37	0.00	997.37
45202	PARK	1,043.13	0.00	1,043.13
		<u>\$50,043.30</u>	<u>\$2,138.80</u>	<u>\$52,182.10</u>

## **ORDINANCE #755**

*The City of Miller is an equal opportunity employer.*

### **AN ORDINANCE AMENDING SECTION 40-296 OF, AND ADDING SECTION 40-301 TO THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.**

**BE IT ORDAINED** by the City of Miller, South Dakota, that ARTICLE XII. SUPPLEMENTARY REGULATIONS, Section 40-296 be amended, and Section 40-301 Accessory Buildings and Structures be added to read as follows:

#### **ARTICLE XII. SUPPLEMENTARY REGULATIONS**

##### **Sec. 40-296. Location of Residential Dwellings.**

Where a block is improved with dwellings any new dwelling shall be located on the lot so that its front is in line with existing dwellings. In cases where existing dwellings are staggered in location on lots, any new dwelling will be required to be located so that its front shall be the average of the adjacent dwellings. A dwelling shall be located on a lot so that its sides shall be at least six feet from adjoining property lines. The rear of any dwelling shall be at least 20 feet from the rear property line. Any accessory building constructed shall be at least five feet from the rear lot line and six feet from any side lot line. An accessory building which extends beyond the front of any dwelling will not be permitted. Where a block is not improved with dwellings, the front of a new structure shall be set back at least 20 feet from the front property line.

An accessory building greater than or equal to 100 square feet shall require a building permit.

##### **Sec. 40-301. Accessory Buildings and Structures.**

- (1) All accessory buildings of a permanent nature, including, but not limited to, greenhouses, playground equipment, and storage containers, shall meet the setbacks for the district in which they are located.
- (2) *Permanent storage containers* must be painted in a neutral color or a color to match the main dwelling. Multiple containers shall be of the same color.
- (3) Vertical stacking of storage containers is prohibited.

##### **Sec. 40-302---349. Reserved.**

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Tom McGough, Mayor

(SEAL)

**JOHN DEERE****RENTAL AGREEMENT**

Rental #

10661774

Original

Name	LESSEE CITY OF MILLER	DATE Sep 12, 2024	RENTAL TERM	BEGINS Sep 17, 2024	ENDS
Street or RFD	120 W 2ND ST	Purchaser Acct No 6447	Customer P.O. NO.	ACCOUNT NO. 087550	Government Bid No.
City, ST Zip Code	MILLER, SD 57362	LESSOR NAME AND ADDRESS C & B OPERATIONS, LLC			
Telephone Number	1810 N Broadway				
Contact	Miller, SD 57362				
Percentage of Rental Payments Applied to		= Estimated Rental Charge (Rental Rate x Estimated Rental Period)		\$ 1,500.00	
Purchase Option: 0.00 %		+ Itemized Fees		\$ 0.00	
Security Deposit: \$ 0.00		+ Taxes		\$ 0.00	
Maximum Hours No More Than : Per Day		+ Service Charge		\$ 0.00	
Maximum Hours No More Than : Per Week		+ Additional Charges		\$ 0.00	
Maximum Hours No More Than : Per Month		= Additional Charges Subtotal		\$ 0.00	
		Total Rental Charge		\$ 1,500.00	

**Notes**

Test

EQUIPMENT WILL BE USED AT: (Name)		(Address)	Lessee will not remove the Equipment from this Location without written permission from Lessor.
(City)	State/Province	(ZIP Code) County (Phone Number)	

Doc Ref No.	Qty	Model	Size & Description of Equipment (Give Product Identification No.)	Hour Meter Reading	Min. Rental Guaranteed By Lessee	Present Value	%
05721166	1	325G COMPACT TRACK LOADER	2024 JOHN DEERE 325G COMPACT TRACK LOADER 1T0325G6MHRJ468789 Stock # 354140 Rental Rate Per Hour 15.00 Est. Rental Period 100.00	1	\$ 1,500.00	\$ 103,029 00	0.00
Primary Insurance Name and Address						\$ 103,029 00	TOTAL PRESENT VALUE
Additional Insured Name and Address							
Insurance Loss Payee Name and Address C & B OPERATIONS, LLC 1810 N Broadway Miller, SD US							
PURCHASER TYPE		MARKET USE					
5 City/Town/Village		90 Dlr Owned Rental Fleet					

LESSEE(Customer) CITY OF MILLER	LESSOR(Dealer) PRICE,PATRICK L
	BY
THIS RENTAL AGREEMENT IS SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET OUT ON THE FOLLOWING PAGES HEREOF, ALL OF WHICH ARE HEREBY MADE A PART OF THIS RENTAL AGREEMENT.	

Customer's Initials \_\_\_\_\_



**FAA**  
**Dakota-Minnesota Airports District Office**

## Airport Grant PreApplication Checklist

(COMPLETE ONE CHECKLIST PER GRANT)

**Airport Name:** Miller Municipal Airport

**Date Prepared:** 08/29/2024

**SAM CAGE code #:** 5QEL1

**SAM Expiration Date:** 01/28/2025

**Project Description:** AIP - Construct Connector Taxiway Reconstruction & Access Road Rehab

☐ **We do not plan on having a project this fiscal year.**

**The FAA is authorized to:**

☐ **Carry our entitlements into the next fiscal year.** (If checked, sign below, and return to ADO.)

☐ **Transfer the entitlements. Transfer of Entitlements Form Attached.**

### Items Required with PreApplication

No.	Document	Yes	No	N/A	Comments Attached
1.	Project Schedule (NOTE FAA DUE DATES)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Standard Form 424, Form 5100-100 (parts II-IV for airport development grants), Form 5100-101 (parts II-IV for planning grants) (Includes project cost breakdown and sketch)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Project Narrative and Justification (for Planning or Environmental Projects include Scope of Work)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Environmental Documentation (Is the complete environmental documentation matching the potential application project description included?) (Attached or previously submitted to ADO)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5.	Construction Safety Phasing Plan/Airspace	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6.	Exhibit A (SOP available) (attached or previously submitted to ADO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Title Certificate or Long Term Lease Agreement (at the request of ADO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Note:** If you cannot complete any of the above documents with this submittal, explain in the space provided on page 2 and provide the expected submittal date, but no later than the date specified in the Federal Register.

Tom McGough, Mayor

Sponsor's Designated Official Representative (Official with authority to sign Grant Agreement) (Type or Print)

Date: \_\_\_\_\_

Sponsor's Designated Official Representative (Signature)

The purpose of this checklist is to identify some of the requirements and considerations associated with requesting Airport Improvement Program (AIP) funds. Airport Sponsors should read and consider each of the items carefully.

**Some of the items can be answered by simply checking the "Yes" and "No" boxes while others require providing additional information as part of the airport's request for AIP funds.**

6

## Project Cost Breakdown

### Miller Municipal Airport Miller, SD

AIP – Construct Connector Taxiway Reconstruction & Access Road Rehab

Brief Item Description	Construction or Land Cost	Engr./Land Incidental	Admin. Cost	Total Cost	Federal Share	Non- Federal
					95%	5%
Connector Taxiway Reconstruction & Access Road Rehab	\$602,538	\$120,500	\$24,962	\$730,000	\$693,500	\$36,500
<b>Totals</b>	<b>\$602,538</b>	<b>\$120,500</b>	<b>\$24,962</b>	<b>\$730,000</b>	<b>\$693,500</b>	<b>\$36,500</b>

Table below provides the breakdown of the funding sources for the Project.

AIP Entitlements	BIL	State Apportionment	Discretionary	State Share (2.5%)	Sponsor Share (2.5%)	Total Estimated Cost
\$600,00	--	\$93,500	--	\$18,250	\$18,250	\$730,000





FAA  
Dakota-Minnesota Airports District Office

## Airport Grant PreApplication Checklist

(COMPLETE ONE CHECKLIST PER GRANT)

Airport Name: Miller Municipal Airport

Date Prepared: 8/29/2024

SAM CAGE code #: 5QEL1

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Project Description: BIL - Standalone Concrete Pavement Maintenance and AWOS-III Design

☐ We do not plan on having a project this fiscal year.

The FAA is authorized to:

☐ Carry our entitlements into the next fiscal year. (If checked, sign below, and return to ADO.)

☐ Transfer the entitlements. Transfer of Entitlements Form Attached.

### Items Required with PreApplication

No.	Document	Yes	No	N/A	Comments Attached
1.	Project Schedule (NOTE FAA DUE DATES)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Standard Form 424, Form 5100-100 (parts II-IV for airport development grants), Form 5100-101 (parts II-IV for planning grants) (Includes project cost breakdown and sketch)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Project Narrative and Justification (for Planning or Environmental Projects include Scope of Work)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Note:** If you cannot complete any of the above documents with this submittal, explain in the space provided on page 2 and provide the expected submittal date, but no later than the date specified in the Federal Register.

Tom McGough, Mayor

Sponsor's Designated Official Representative (Official with authority to sign Grant Agreement) (Type or Print)

Date: \_\_\_\_\_

Sponsor's Designated Official Representative (Signature)

The purpose of this checklist is to identify some of the requirements and considerations associated with requesting Airport Improvement Program (AIP) funds. Airport Sponsors should read and consider each of the items carefully.

**Some of the items can be answered by simply checking the "Yes" and "No" boxes while others require providing additional information as part of the airport's request for AIP funds.**

## **Project Cost Breakdown**

### **Miller Municipal Airport** **Miller, SD**

BIL – Standalone Concrete Pavement Maintenance and AWOS-III Design

Brief Item Description	Construction or Land Cost	Engr./Land Incidental	Admin. Cost	Total Cost	Federal Share	Non- Federal
					90%	10%
Standalone Concrete Pavement Maintenance	\$170,000	\$65,000	\$5,000	\$225,000	\$202,500	\$22,500
AWOS-III Design		\$83,000	\$2,000	\$85,000	\$76,500	\$8,500
<b>Totals</b>	<b>\$170,000</b>	<b>\$133,000</b>	<b>\$7,000</b>	<b>\$310,000</b>	<b>\$279,000</b>	<b>\$31,000</b>

Table below provides the breakdown of the funding sources for the Project.

AIP Entitlements	BIL	State Apportionment	Discretionary	State Share (5.0%)	Sponsor Share (5.0%)	Total Estimated Cost
--	\$279,000	--	--	\$15,500	\$15,500	\$310,000

## RESOLUTION NO. 2024-11

*The City of Miller is an equal opportunity employer.*

### BE IT RESOLVED AS FOLLOWS:

**WHEREAS**, certain municipal property is no longer useful, necessary or suitable for municipal purposes;

**WHEREAS**, the municipal property items listed shall not be sold and must be scrapped;

**THEREFORE, BE IT RESOLVED** that the following municipal property be considered scrap and destroyed.

#### Scrap

LG Desktop Computer	HP Monitor
HP Desktop Computer	HP Monitor
HP Desktop Computer	HP Monitor
HP Desktop Computer	HP Monitor
Microfix Desktop Computer	HP Monitor
Microfix Desktop Computer	Acer LCD Monitor
Microfix Desktop Computer	HP Monitor
Microfix Desktop Computer	ViewSonic Monitor
Microfix Desktop Computer	Compaq Monitor
Microfix Desktop Computer	Samsung 19" TV
Microfix Desktop Computer	Sceptre TV 32"
Microfix Desktop Computer	Cannon Printer
Microfix Desktop Computer	Office Jet 6L780 Printer
Microfix Desktop Computer	HP Printer
Microfix Desktop Computer	Microsoft Wireless Ergonomic Keyboard & Mouse
Microfix Desktop Computer	Microsoft Wireless Keyboard & Mouse
Microfix Keyboard & Mouse	HP Keyboard
HP Keyboard	Compaq Keyboard
Microsoft Keyboard	APC Battery Backup
Victor Adding Machine	Sharp Adding Machine
Office Chairs (4)	

Dated this 16<sup>th</sup> day of September 2024.

(SEAL)

\_\_\_\_\_  
Tom McGough, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Deuter, Finance Officer

## DISPOSAL OF SURPLUS GOODS

In accordance with SDCL 6-13-1, the governing board may sell, trade, destroy or otherwise dispose of any land, structures, equipment or other property which such governing board has, by appropriate motion, determined to be no longer necessary, useful or suitable for the purpose for which it was acquired. No motion is required to sell, trade, destroy, or otherwise dispose of consumable supplies, printed text, or subscriptions.

Solid waste or by-products, recyclable materials, and scrap metals/materials are exempt from the requirements of SDCL chapters 5-18A and 6-13 and shall be disposed of as provided in Resolution No. 2014-5 and in accordance with SDCL 34A-6-63.1.

416 Production St. N Ste #1  
Aberdeen, SD 57401  
Brown

Voice: 605-626-2595  
Fax:

# INVOICE

Invoice Number: 213  
Invoice Date: Sep 6, 2024  
Page: 1

**Bill To:**

City of Miller  
120 W 2nd St.  
Miller, SD 57362

Description	Unit Price	Amount
Contract Billing		7,500.00
Miller Phase IV Water Improvement		
1st & Final Billing		
NECOG #33.82.4		

Subtotal	7,500.00
Sales Tax	
Total Invoice Amount	7,500.00
Payment/Credit Applied	
<b>TOTAL</b>	<b>7,500.00</b>

Check/Credit Memo No:

Eric Senger, Executive Director