

CITY OF MILLER
CITY COUNCIL MEETING
NOVEMBER 5, 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, November 5, 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 Auch, seconded by Alderman Price to approve the agenda with one correction on New Business item number 5. All members voted aye. Motion carried.

MINUTES: Motion by Alderman Hargens, seconded by Alderman Jones to approve the minutes for the regular meeting held on October 21, 2024. All members voted aye. Motion carried.

Public Input: Alderman Gab clarified, after speaking with Police Chief Huss, that the design vendor has the new police car scheduled for the wrap decals.

Department Head Reports Finance Officer Cindy Deuter reported that sales tax is up as compared to last year but not enough to meet the budgeted amount of \$1.1 million. If sales tax dollars earned last year at this time come in the same for the remainder of 2024, the budget will be short \$50,290. Ron Hoftiezer, street superintendent, stated that he does not plan on spending the full amount of the 2024 budget for the street department. Hoftiezer saved some expense to improve East 14th Street by working with the county and using stocked material. It was also noted that work was done earlier in the season to improve rainwater drainage in the area. He opted not to do concrete road work this year which was budgeted at approximately \$45,000. Alderman Price verified with Chief Huss, that the police department salaries are expected to come in under budget as well. Given these anticipated lower expenses, the general fund actual revenues over actual expenses should remain in balance for the rest of 2024.

UNFINISHED BUSINESS

Ordinance #756 – Water Rates: Mayor McGough read the title of Ordinance #756 – Water Rates with no changes from the first reading. Motion by Alderwoman Hargens, seconded by Alderman Jones to approve the second reading of Ordinance #756. Roll call votes: Alderman Jones – aye, Alderman Hargens – aye, Alderman Auch – aye, Alderman Price – aye, Alderman Gab – aye, Alderwoman Hargens – aye. Motion carried.

Ordinance #757 – Sewer Rates: Mayor McGough read the title of Ordinance #757 – Sewer Rates with no changes from the first reading. Motion by Alderman Jones, seconded by Alderman Auch to approve the second reading of Ordinance #757. Roll call votes: Alderman Hargens – aye, Alderman Gab – aye, Alderman Auch – aye, Alderwoman Hargens – aye, Alderman Price – aye, Alderman Jones – aye. Motion carried.

Ordinance #758 – Electric Rates: Mayor McGough read the title of Ordinance #758 – Electric Rates with no changes from the first reading. Motion by Alderman Auch, seconded by Alderman Gab to approve the second reading of Ordinance #758. Roll call votes: Alderman Jones – aye, Alderman Price – aye, Alderman Hargens – aye, Alderman Auch – aye, Alderman Gab – aye, Alderwoman Hargens – aye. Motion carried.

Ordinance #759 – 2025 Appropriations: Mayor McGough read the title of Ordinance #759 – 2025 Appropriations with no changes from the first reading. Motion by Alderman Price, seconded by Alderman Jones to approve the second reading of Ordinance #759 for the balanced appropriations for 2025. Roll call votes: Alderman Jones – aye, Alderman Price – aye, Alderman Hargens – aye, Alderman Auch – aye, Alderman Gab – aye, Alderwoman Hargens – aye. Motion carried.

NEW BUSINESS

Mike Beaner – Development: Mr. Beaner would like to pursue the Prairie Vista development given that On Hand Economic Development is no longer developing Rustler Drive. 13 lots in Prairie Vista remain for development. He would like to start construction on at least 7 of those lots in the spring of 2025. City utilities need to be brought in to allow Mr. Beaner to market the lots for sale. He went on to say that the development is platted and inside city limits. The engineering needs to be upgraded to meet city requirements. Beaner reached out to South Dakota Housing to inquire about the grant that On Hand turned back, but it had already gone to the next applicant in line. Beaner also asked about the city's improvements code and if it was followed accurately when he and Tim Haiar were billed for sewer installation in December 2023. He stated there is a "major misunderstanding" in the current subdivisions code under Article IV – Improvements. Deuter has contacted the city attorney to address the issue(s). Alderman Price suggested that the utilities committee work with Mr. Beaner and consider past improvements regarding developer and city responsibilities. It was noted that the 2025 appropriations do not include development-type costs.

Ron Hoftiezer, Street Supt. – pole shed: Ron Hoftiezer asked the council for permission to add-on to the pole shed for additional equipment storage. One quote was obtained from Builders Solutions for \$3,127.60 for materials. The city will do the labor and work in-house. Alderman Auch recommended obtaining another quote from the new owners of Builders Cashway. Motion by Alderman Price, seconded by Alderman Gab to approve \$3,200 for materials for the addition to the pole shed and to secure a second local quote. All members voted aye. Motion carried.

Dustin Graham, Electric Supt. – Andrew Knox – 6-month probation: Graham had a great review of Knox for the council. "He's been a really good employee." Motion by Alderman Price, seconded by Alderman Jones to take Andrew Knox off probationary status. All members voted aye. Motion carried. **TLC Olson Construction – concrete work:** Graham requested approval to hire Olson's to break up the concrete footings that were pulled from the ground at the retired substation by the football field. Once the concrete can be transported without damaging trucks, it will be hauled to the Hand County rubble site. There is less mobilization cost as compared to other contractors given that Olson's equipment is already in town. Motion by Alderman Jones, seconded by Alderman Auch to allow up to \$3,500/day for TLC Olson Construction to perform the concrete work. All members voted aye. Motion carried. **Conex storage container:** Graham needs a storage container to place in the city's gravel yard for secured, enclosed and elevated storage of materials. The one he located is 40' in length with doors on both sides, one-trip/like new, cream in color, and the price of \$7,100 includes delivery. Graham has priced out similar containers which were all higher. Motion by Alderwoman Hargens, seconded by Alderman Hargens to approve the purchase of a Conex storage container for \$7,100. All members voted aye. Motion carried.

MMUA Services Agreement Addendum: The addendum provides for each party to terminate the agreement with 60 days written notice. Motion by Alderman Price, seconded by Alderman Jones to approve the addendum to the automatically renewed agreement with MMUA for safety management services. All members voted aye. Motion carried.

Phase IV Water Utility Project: Motion by Alderman Jones, seconded by Alderman Auch to approve payment of **SPN Invoices 34857-34860** for a total of \$46,800.13. All members voted aye. Motion carried. Motion by Alderman Price, seconded by Alderman Jones to approve payment of **TLC Olson Pay App. No. 4** for \$141,147.45. All members voted aye. Motion carried. Motion by Alderman Price, seconded by Alderman Jones to approve **TLC Olson Change Order No. 4**. All members voted aye. Motion carried. Motion by Alderman Price, seconded by Alderman Jones to approve **Tank Compliance Service Change Order No. 1**. All members voted aye. Motion carried.

Building Removal Permit: Motion by Alderman Hargens, seconded by Alderman Gab to approve a building removal permit for Gary and Colleen Peterman to remove a house and garage. All members voted aye. Motion carried.

SD Work Comp contract: Motion by Alderman Price, seconded by Alderman Gab to approve and renew the city's workers compensation contract and coverage with SDML Workers' Compensation Fund. All members voted aye. Motion carried.

1st Reading Ordinance #760: Mayor McGough read Ordinance #760 – Lottery Machine Fees. This ordinance amends and clarifies the current code regarding lottery machine fees charged by the city as allowed by State law. Motion by Alderman Auch, seconded by Alderman Gab to approve the first reading of Ordinance #760 and move it to the second reading at the next city council meeting. All members voted aye. Motion carried.

Capitalization Policy: During the 2022-2023 audit performed by KBA, Emily Schaefer recommended that the city adopt a capitalization policy. The policy applies to all city-owned equipment, buildings, and land meeting the thresholds stated within the policy. It shall be reviewed annually to reflect changes in business practices or regulatory requirements. Motion by Alderwoman Hargens, seconded by Alderman Jones, to adopt the capitalization policy. All members voted aye. Motion carried.

Holidays: The city council agreed to talk about granting additional holidays beyond policy to city employees at the next city meeting before the Thanksgiving and Christmas holidays.

2025 Liquor License Renewals: Motion by Alderman Price, seconded by Alderman Jones to approve the following liquor license renewals: A. Canham LLC – Package (off-sale) Liquor, KR Miller, LLC (Kessler’s) – Package (off-sale) Liquor, MILAN, INC (Pump ‘n Pak) – Package (off-sale) Liquor, Miller Rexall Drug Co – Retail (on-off sale) Wine and Cider, Pat’s Place, LLC (Sommers Bar & Lounge) – Retail (on-sale) Liquor, Redneck Paradise, Inc (Pop-A-Top) – Retail (on-sale) Liquor, Redneck Paradise, Inc (Pop-A-Top) – Package (off-sale) Liquor, Turtle Creek Saloon, LLC – Retail (on-sale) Liquor, DOLGEN MIDWEST LLC (Dollar General) – Retail (on-off sale) Wine and Cider, and FAMILY DOLLAR STORES OF SD LLC (Family Dollar) – Retail (on-off sale) Wine and Cider, contingent upon receipt of application and fees. All members voted aye. Motion carried.

Change Meeting Date: Motion by Alderman Price, seconded by Alderman Hargens to change the date for the regular meeting on December 16, 2024, to December 17, 2024, at 7:00 p.m. All members voted aye. Motion carried.

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

Motion by Alderman Hargens, seconded by Alderman Price to adjourn the meeting. There being no further business, the meeting was adjourned at 8:07 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 November 2024 (1)

Ally Gibson	8 Dozen Cupcakes	190.00
American Solutions	Supplies	33.55
Bobs Disposal	Garbage	350.00
Border States	Supplies	59.49
Bryan Nei	1996 Trail Rr 5x10	990.00
Builders Solutions	Supplies	450.00
City Utilities	Utilities	6,444.72
Code Enforcement	Code Enforcement	598.37
DGR Engineering	Prof Fees	3,548.50
Dollar General	Supplies	31.00
Hand County Weed & Pest Board	Spray Weeds	1,934.60
Ron Hoftiezer	Reim-Meals	80.00
Jebro	Supplies	359.70
Larrys Repair	Repairs	527.50
Mcgillvrey Oil Co	Supplies	548.98
Milbank Winwater	Supplies	715.50
Miller Ace	Supplies	915.57
NAPA	Parts	32.87
Northwest Pipe Fittings	Supplies	779.20
OHED	80% BBB	4,146.22
Postmaster Trust Account	Presort Permit #2	400.00
Runnings	Supplies	174.43
SDML	Prof Fees	440.00
SDML Workers' Comp Fund	Workers Comp	20,000.00
SDWWA	Membership Renewal	30.00
Share Corporation	Supplies	367.75
SPN	Prof Fees	46,800.13
Stobbs Sales	Supplies	150.28
TLC Olson Construction	Water Phase Iv	141,147.45
Tony's Repair	Repairs	702.02
Truenorth Steel	Supplies	429.00
Twin Valley Tire	Repairs	118.50
Us Bank National Association	Loans	22,547.06
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Us Bank National Association	Loans	12,775.27
Us Bank National Association	Loans	4,640.84
Dennis Eckmann	Conex Storage Container	7,100.00
	Accounts Payable Total	<u>\$303,084.55</u>

Payroll Salary plus		10/31/2024 &		
Benefits by Department:		11/7/2024		
Department		w/o OT	OT	Total
41101	COUNCIL	2,955.01	0.00	2,955.01
41402	FINANCE OFFICE	3,186.41	0.00	3,186.41
41902	BUILDING	355.61	0.00	355.61
42101	POLICE	13,199.64	317.37	13,517.01
43101	STREET	8,400.49	514.68	8,915.17
43201	SEWER	6,087.78	224.70	6,312.48
43305	WATER	5,826.27	224.69	6,050.96
43403	ELECTRIC	14,238.76	0.00	14,238.76
45202	PARK	768.62	0.00	768.62
		<u>\$55,018.59</u>	<u>\$1,281.44</u>	<u>\$56,300.03</u>