

**AGENDA
CITY OF MILLER
MONDAY, NOVEMBER 18, 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 - 4**

Public Input

Unfinished Business

1. 2nd Reading of Ordinance #760 – Lottery Machine Fees pg. 5
2. Holiday – beyond policy

New Business

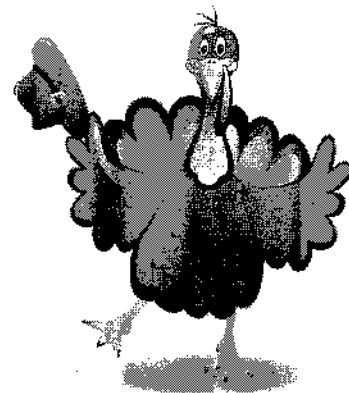
1. Special Event Liquor License – Willie’s Bar & Grill December 3
2. Building Permits: City – 1) storage container 2) pole shed addition
3. Purchase Transformer for H&H pgs. 6 - 7
4. Bad Debt – write-off \$492.70 (*deceased – no assets, 4,180 days old*) pg. 8

Approval of Bills

Executive Session

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

Adjourn



Public comments are welcomed during public input, but no action can be taken by the Council on comments received at this meeting. 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
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 Hoffiezer, street superintendent, stated that he does not plan on spending the full amount of the 2024 budget for the street department. Hoffiezer 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 Neil	1996 Trail R 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
Mcgillivrey 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
Us Bank National Association	Loans	22,526.05
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
Benefits by Department:**10/31/2024 &
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	5,981.09	7,535.92	13,517.01
43101 STREET	8,915.17	0.00	8,915.17
43201 SEWER	6,312.48	0.00	6,312.48
43305 WATER	6,050.96	0.00	6,050.96
43403 ELECTRIC	14,238.76	0.00	14,238.76
45202 PARK	768.62	0.00	768.62
	<u>\$48,764.11</u>	<u>\$7,535.92</u>	<u>\$56,300.03</u>

ORDINANCE #760

The City of Miller is an equal opportunity employer.

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE I, SECTION 8-1 OF THE CODE OF ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.

BE IT ORDAINED by the City of Miller, South Dakota, that CHAPTER 8, ARTICLE I, SECTION 8-1 be amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 8-1. Lottery Machine Fees.

Any licensee licensed pursuant to SDCL 35-4-2, and who is issued a video lottery establishment license pursuant to SDCL 42-7A-41, must pay an additional annual fee for locating video lottery machines on the licensed premises. The fee is established at \$50 for each video lottery machine, and the fee shall be paid at the same time and in the same manner as the fees paid on licenses issued pursuant to SDCL § 35-4-2. All fees received under this section shall be deposited into the General Fund of the city.

Statutory reference: Annual additional license fee for video lottery machines on licensed premises, see SDCL § 35-4-103.

Tom McGough, Mayor

(SEAL)

ATTEST:

Cindy Deuter, Finance Officer

Record of votes:

Alderman Jones -

Alderman Price -

Alderman Hargens -

Alderman Auch -

Alderman Gab -

Alderwoman Hargens -

1st Reading – November 5, 2024

2nd Reading – November 18, 2024

Adoption – November 18, 2024

Publication – November 23, 2024

2501 - E 3RD ST
FAX 712-255-3482
SIOUX CITY IA 51101

Quotation

UNLESS THERE ARE DIFFERENT OR ADDITIONAL TERMS AND CONDITIONS CONTAINED IN A MASTER AGREEMENT THAT MODIFY WESCO'S STANDARD TERMS, BUYER AGREES THAT THIS QUOTE AND ANY RESULTING PURCHASE ORDER WILL BE GOVERNED BY WESCO'S TERMS AND CONDITIONS AVAILABLE AT [HTTP://WWW.WESCO.COM/TERMS_AND_CONDITIONS_OF_SALE.PDF](http://www.wesco.com/terms_and_conditions_of_sale.pdf), WHICH TERMS ARE INCORPORATED HEREIN BY REFERENCE AND MADE PART HEREOF. PLEASE CONTACT THE SELLER IDENTIFIED ON THIS QUOTE IF YOU REQUIRE A PRINTED COPY.

To: CITY OF MILLER
120 W SECOND ST

MILLER SD 573621316

Date: 11/13/24
Branch: 7854
Project Number: QUOTE
Project Name 300 KVA XFMR
Quoted To: DUSTIN
Date of Your Inquiry: 08/19/24

When ordering please refer
to Quotation Number: 427915

Item	Quantity	Catalog Number and Description	Unit Price	U/M	Total Price	Rate of Cash Discount	Shipping Time (Weeks)	Customer Delivery Date
10	1	FLATBED ABB 300KVA 3PH PAD 208Y/120 QTY-1 LEFT IN STOCK THEN 18 WEEKS THANK-YOU	27500.000	E	27500.00	0.00		12/06/24
SUB-TOTAL					27500.00			
TOTAL					27500.00			

F.O.B. Point of Shipment. The prices stated in this offer shall, unless renewed, automatically expire fifteen days (15) from the date of this offer. Prices quoted are subject to adjustment should Duty and Tariff rates change from time of bid/quotation to time of order. WESCO reserves the right to adjust its pricing for Goods affected directly or indirectly by changing duties/tariffs/trade agreements and significant currency fluctuations.

Per:

6



Neg #: QT-18-01321229	WESCO
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ITEM	QTY	KVA	NL	LL	TL	Conductor	%Z
13	1	300	531 @ 85	2800 @ 85	3331	Al/Al	1.51

Quoted loss values are subjected to ANSI Test Tolerances.

Description:

Type	: Liquid-Filled MTR Padmounted Transformer
Fluid	: Mineral Oil
Core	: Grain Oriented Steel
Phase	: 3 Phase
Frequency	: 60 Hz
Average Winding Rise	: 65 °C
Ambient Temperature	: 30 °C
High Voltage	: 12470GrdY/7200
High Voltage Taps	: +2 -2 2.5%
High Voltage BIL	: 95kV BIL
Low Voltage	: 208Y/120
Low Voltage BIL	: 30kV BIL
Neutral	: H0X0 bushing with ground strap
Feed Configuration	: Loop feed
Color	: Green (Munsell 7GY 3.29/1.5)

Features (included in price):

TANK & CABINET

- Penta-head cabinet handle bolt

BUSHINGS

- Threaded stud LV bushings x 4
- Loadbreak Inserts (dead front) x 6
- HV Bushing pattern per ANSI standard C57.12.34, Fig 12 & 16 (5.0" spacing)
- 200 amp HV bushing wells x 6
- 10-hole NEMA spade terminals x 4
- Spade Supports
- ANSI C57.12.26 Fig 7&8a specific stgrd LV bushing pattern

FUSES

- Fused bayonet with isolation link x 3

SWITCHES

- 2-position 300 amp LBOR Line A switch
- 2-position 300 amp LBOR Line B switch
- 2-position 300 amp LBOR transformer switch

MONITORING

- Liquid level gauge
- Pressure Relief Valve
- Dial type thermometer
- Provisions for pressure/vacuum gauge

FITTINGS

- Drain valve and sampler

MARKINGS

- External KVA Stencil
- External Voltage Stencil

OTHER

- 9.5" x 17.5" Tank Handhole Cover
- 24" deep cabinet
- DOE Efficiency (2016)

Prairieland Collections, Inc.
P.O. Box 1355
505 Lincoln Ave. SW
Huron, SD 57350
Phone: (605) 352-6428 Fax: (605) 352-5604
Date: 10/31/2024

ATTN: CHRISTI DANBURG
CITY OF MILLER
120 W 2ND STREET
MILLER, SD 57362-0000

Attached is a listing of accounts being returned. They were written off
from 10/ 1/2024 to 10/31/2024. There are 1 accounts with a total
of \$ 492.70. The accounts listed average \$ 492.70
and 4180 days old.

Thank you very much,

Prairieland Collections, Inc.