

**CITY OF MILLER  
CITY COUNCIL MEETING**

**JULY 7, 2025**

*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, July 7, 2025.

**MEMBERS PRESENT:** Mayor Tom McGough, Aldermen: Will Jones, Patrick Price, Dale Hargens, Gale Auch, 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 Price, seconded by Alderman Gab to approve the agenda as amended by striking new business item number 4. Infotech Quote and adding Executive Session for personnel matters. All members voted aye. Motion carried.

**MINUTES:** Motion by Alderman Hargens, seconded by Alderman Auch to approve the minutes for the regular meeting held on June 16, 2025. All members voted aye. Motion carried.

**Public Input:** Pastor Will Page gave a heartfelt thank you to the city and this community for the joint effort in keeping Crystal Park beautiful. The First Baptist Church has hosted vacation bible school at the park annually for the past 20 years. Alderman Hargens stated that he hears good comments about the park and this town from people passing through. Mayor McGough acknowledged the efforts put forth by people resulting in a great 4<sup>th</sup> of July weekend celebration.

**Department Head Reports**

Alderman Price asked Chief Huss and Finance Officer Cindy Deuter about establishing an account for processing paid bonds upon arrest. Currently, there are not many transactions of this nature for the Miller Police Department to manage. Rather than the city setting up a separate account for paid bonds, the police officers take the money to the Sheriff's office to be handled.

Ron Hoftiezer, street superintendent, has his crew preparing East 3<sup>rd</sup> Avenue north to be oiled this year. Concrete will be poured around the manholes to alleviate issues while plowing snow.

Dustin Graham, electric superintendent, said tomorrow is the deadline to register for the Heartland Summer Conference to be held in Madison on July 15. Council members are welcome to attend.

**OLD BUSINESS**

**Bereavement Leave:** Mayor McGough read the new policy to revise Personal Emergency Leave and add Bereavement Leave in the Employee Policy Handbook:

**7.10-A Personal Emergency Leave**

If necessary, qualified municipal employees may use accrued sick leave for personal emergency leave. This leave may be used for the following:

Death in the immediate family. (Immediate family is defined as an employee's spouse, parents, step-parents, children (including miscarriages), siblings, step-siblings, siblings' and step-siblings' spouses, grandparents, grandchildren, great grandparents, great grandchildren. The term includes a spouse's equivalent of the above.)

Emergency illness or scheduled surgery in the immediate family.

The amount of sick leave to be used for personal leave is to be limited to 80 hours per year if previously accrued. This leave does not accumulate from year to year.

Employees have the option to donate a portion of their accrued sick leave to a co-worker for emergency leave upon Council approval. Recipients must use their accrued sick leave and vacation prior to the use of the donated sick hours.

**7.10-B Bereavement Leave**

Qualified municipal employees may obtain bereavement leave upon the death of a family member. This leave is to consist of up to three (3) working days per incident with no cap and to be administered by the department head and Mayor. This leave is not subject to sick leave. Attendance at funerals other than family would come under the

realm of personal leave. Family includes those defined in Policy 7.10-A Personal Emergency Leave.

Motion by Alderwoman Hargens, seconded by Alderman Jones to approve the changes and add bereavement leave. All members voted aye. Motion carried.

**Building Permit – Randi Forman:** Upon further investigation, it was determined that a variance is not required for Randi to place a shed on his property at 125 W 5<sup>th</sup> St. Motion by Alderman Hargens, seconded by Alderman Gab to approve Randi Forman’s building permit application for a shed. All members voted aye. Motion carried.

#### **NEW BUSINESS**

**Building Permit:** Motion by Alderman Hargens, seconded by Alderman Price to approve a building permit for Steve and Sara Mitchell for a gazebo. All members voted aye. Motion carried.

**Grant:** Chief Huss would like to apply for the Edward Byrne Memorial Justice Assistance Grant for financial aid in purchasing laptops and software for the police department’s 2 patrol vehicles. This grant is similar to the Homeland Security grant that Chief Huss applied for earlier this year. There has been no word of the Homeland Security grant being awarded. Motion by Alderman Price, seconded by Alderman Gab to have Chief Huss apply for the Edward Byrne Memorial grant. All members voted aye. Motion carried.

**Land near high school:** Dustin Graham gave an update on the retired substation at the intersection of East 7<sup>th</sup> Street and 5<sup>th</sup> Avenue. The old substation infrastructure, concrete, rock, and interior fencing have been removed. Finance Officer Cindy Deuter will contact the school and draft the resolution to transfer and convey that parcel of land back to the school district.

**Helms & Associates Invoices:** Motion by Alderwoman Hargens, seconded by Alderman Hargens to pay Helms & Associates invoices 36280 and 36295 for a total of \$4,502.49. All members voted aye. Motion carried.

**Phase IV Utility Improvements:** Motion by Alderman Price, seconded by Alderman Jones to approve **Maguire Iron Change Order No. 1** and **Maguire Iron Pay Application No. 2** for final payment of \$4,875.00. All members voted aye. Motion carried. Motion by Alderman Price, seconded by Alderman Hargens to pay **SPN invoices** 36323-36327 for a total of \$72,968.40. All members voted aye. Motion carried. Motion by Alderman Jones, seconded by Alderman Price to pay **TLC Olson Construction Pay Application No. 9** for \$852,049.55. All members voted aye. Motion carried.

**Open Meetings Laws Brochure:** Mayor McGough read aloud and reviewed with the Council Members each Q&A in the Open Meetings Laws Brochure: Conducting the Public’s Business in Public as prepared by S.D. Attorney General’s Office in partnership with the S.D. News Media Association.

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

**EXECUTIVE SESSION:** Motion by Alderman Jones, seconded by Alderman Hargens to go into executive session for personnel matters pursuant to SDCL 1-25-2(1) at 7:52 p.m. All members voted aye. Motion carried. Mayor McGough returned the meeting to regular session at 8:10 p.m. No action taken.

Motion by Alderwoman Hargens, seconded by Alderman Hargens to adjourn the meeting. There being no further business, the meeting was adjourned at 8:10 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: \_\_\_\_\_  
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|                            |                   |            |
|----------------------------|-------------------|------------|
| <b>Bills July 2025 (1)</b> |                   |            |
| 3d Communications          | Supplies          | 75.00      |
| 44i                        | Prof Fees         | 249.00     |
| American Solutions         | Supplies          | 48.29      |
| Avera                      | Prof Fees         | 80.00      |
| Bds                        | Garbage           | 400.00     |
| Bowar, Jessica             | Refund            | 100.00     |
| Builders Solutions         | Supplies          | 349.06     |
| City Utilities             | Utilities         | 5,997.44   |
| Code Enforcement           | Code Enforcement  | 433.14     |
| Erfman, Janice             | Retirement Cake   | 52.00      |
| Evans Construction         | Prof Fees         | 8,504.35   |
| Fischer Plumbing           | Labor             | 263.18     |
| Hand Co Rod                | Filing Fee        | 30.00      |
| Hawkins                    | Chemical          | 3,380.92   |
| Helms & Associates         | Prof Fees         | 4,502.49   |
| Infotech Solutions         | Prof Fees         | 1,331.94   |
| Maguire Iron               | Prof Fees         | 4,875.00   |
| Marc                       | Chemical          | 248.04     |
| Chuck Martinmaas           | Prof Fees         | 5,195.43   |
| Mcleod's Printing & Office | Supplies          | 188.54     |
| Milbank Winwater           | Supplies          | 1,061.63   |
| Miller Ace                 | Supplies          | 2,342.13   |
| Miller Rexall              | Supplies          | 8.44       |
| Mmua                       | Prof Fees         | 7,165.75   |
| Napa                       | Supplies          | 312.90     |
| Nelson, Allison            | Reimb.            | 242.20     |
| Northwest Pipe Fittings    | Supplies          | 244.80     |
| Ohed                       | Prof Fees         | 1,724.62   |
| Postmaster                 | Presort Permit #2 | 400.00     |
| Ramkota                    | Lodging           | 476.00     |
| Runnings                   | Supplies          | 666.32     |
| Sd Phl                     | Prof Fees         | 45.00      |
| Servall                    | Service           | 121.70     |
| Spn                        | Prof Fees         | 72,968.40  |
| Stuart C Irby              | Supplies          | 1,950.00   |
| Tlc Olson Construction     | Water Phase Iv    | 852,049.55 |
| Tony's Repair              | Oil Change        | 64.80      |
| Us Bank                    | Loan              | 18,165.39  |
| Wesco                      | Supplies          | 157.19     |
| Accounts Payable Total     |                   | 996,470.64 |

|                                |                |                       |            |             |
|--------------------------------|----------------|-----------------------|------------|-------------|
| <b>Payroll Salary plus</b>     |                | 6/26/2025, 6/30/2025, |            |             |
| <b>Benefits by Department:</b> |                | 7/3/2025, 7/10/2025   |            |             |
| Department                     |                | w/o OT                | OT         | Total       |
| 41101                          | COUNCIL        | 2,723.55              | 0.00       | 2,723.55    |
| 41402                          | FINANCE OFFICE | 3,252.55              | 59.86      | 3,312.41    |
| 41902                          | BUILDING       | 306.73                | 0.00       | 306.73      |
| 42101                          | POLICE         | 15,223.37             | 1,100.40   | 16,323.77   |
| 43101                          | STREET         | 8,491.84              | 431.96     | 8,923.80    |
| 43201                          | SEWER          | 6,194.95              | 194.69     | 6,389.64    |
| 43305                          | WATER          | 6,194.86              | 194.68     | 6,389.54    |
| 43403                          | ELECTRIC       | 15,601.15             | 18.41      | 15,619.56   |
| 45101                          | BALLPARK       | 2,613.03              | 74.82      | 2,687.85    |
| 45202                          | PARK           | 995.03                | 0.00       | 995.03      |
| 45103                          | POOL           | 18621.78              | 341.1      | 18962.88    |
|                                |                | \$80,218.84           | \$2,415.92 | \$82,634.76 |