

## THE MEETING OF THE COMMON COUNCIL OF THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA

**PURSUANT TO DUE CALL AND NOTICE THEREOF**, the regular August meeting was held on Monday, August 3<sup>rd</sup>, 2020 at City Hall at 7:00 pm. Present were: Mayor, Donald Hosek, City Administrator/Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Roger Schroeder, Ron Cuka, Rich Dufur, Colby Kirwan, and Tom F. Beeson. Absent: Mohr.

The meeting was opened with the Pledge of Allegiance.

The conflict of interest declaration statement was recited. Tom Beeson cited he had a conflict with the pay request for the airport project from Wagner Building and Supply.

The meeting was called to order and the Mayor called for the approval of the August agenda. A motion was made by Beeson, second by Beeson to approve the August agenda. All voted aye, motion carried.

A motion was made by Beeson, second by Dufur to approve the regular meeting minutes from July 6<sup>th</sup>, 2020, and the special meeting minutes from July 20<sup>th</sup>, 2020 and board of adjustment minutes from July 20<sup>th</sup>, 2020. All voted aye, motion carried.

A motion was made by Kirwan second by Dufur to approve the financial statements for July 2020 and the claims for August 2020. All voted aye, motion carried

**July Salaries:** Administration--\$4,506.26; Buildings--\$1,819.43; Buildings-Armory--\$1,212.95; Police--\$20,653.36; Streets--\$3,905.99; Swimming Pool--\$9,772.01; Recreation--\$588.25; Parks--\$2,588.25; Library--\$3,921.11; HRC—Urban Redevelopment--\$450.00; Water--\$6,516.48; Sewer--\$10,605.99; Withholding/Social Security--\$16,959.31; SD Unemployment--\$340.90.

### AUGUST 2020 Claims

#### GENERAL

AFLAC	insurance	379.50
Bryan Rock Products	agri-lime	540.85
Century Link	phone	70.03
City of Wagner	water	1,917.66
Colonial Life	supplemental insur	302.62
Commercial Asphalt	street repairs	240,229.59
Current Solutions	repairs	6,937.26
Dash Medical Gloves	supplies	61.90
Dave's Service	repairs	50.00
Dorothy Holzbauer	prof fees	175.00
Galls	supplies	263.92
Gov Office	prof fees	660.00
Hawkins	supplies	961.74
Helms & Associates	prof fees	1,732.79
Jack's Uniforms	supplies	134.75

Jean Pirner	prof fees	175.00
John Otte	prof fees	875.00
Judie Dilts	prof fees	175.00
King Koin	prof fees	128.50
Lewis & Clark Behavioral	prof fees	403.92
Meyerink Farm Service	supplies	652.81
Office of Child Support	prof fees	417.50
Pekas Septic	repairs	150.00
Sanitation Products	repairs	586.03
SD Dept Revenue	prof fees	240.16
Titan Machinery	equipment	13,188.00
US Postmaster	prof fees	94.00
V & S Trucking	trucking	1,533.60
Wagner Auto Supply	repairs	79.93
Werk Weld	supplies	106.47
Wipf & Cotton	prof fees	1,830.00

#### **WATER & SEWER**

Dakota Supply Group	supplies	3,503.13
Elizabeth Huges	meter refund	71.56
Emily & Jerod Debey	meter refund	63.55
Hope Whirlwind Soldier	meter refund	83.47
Kala & Joey Cuka	meter refund	54.13
Menning Excavating LLC	improvements	501,504.39
Randall Community Water	water	27,985.20
SPN & Associates	prof fees	25,442.71
USDA-Rural Development	Loan pymts	7,530.00

#### **VARIED**

AT&T	phone	298.13
Bomgaars	supplies	1,021.45
Commercial State Bank	petty cash	444.75
Dakota Pump	equipment	3,381.78
Fort Randall Telephone	phone	809.01
Northwestern Energy	electricity	12,584.81
Pechous Publications	legals	647.88
Quill	supplies	508.00
Rog's Auto	repairs	236.77
SD Dept of Health	prof fees	120.00
Voyager	gas/fuel	1,647.19
Wagner Building & Supply	improv/supplies	33,492.39

#### **INCIDENTAL**

Leaf	prof fees	326.84
SD Retirement	retirement	6,842.62

**PUBLIC COMMENT:** Public Comments will offer the opportunity for anyone not listed on the agenda to speak to the city council. Speaking time will be limited to 3 minutes.

No action will be taken on questions or items not on the agenda. No one was present for public comment.

### **OLD BUSINESS**

One bid was received for miscellaneous surplused items. A motion was made by Dufur, second by Schroeder to accept the bid of \$251.25 for the walk bridge. All voted aye, motion carried.

This being the time and place for a public hearing for a special event alcoholic beverage license for Dogger's Dive for a wedding dance at the Wagner National Guard Armory on November 14<sup>th</sup>, 2020. There being no one present opposed to the license, a motion was made by Cuka, second by Beeson to approve the special event alcoholic beverage license. All voted aye, motion carried.

This being the time and place for a public hearing for a special event alcoholic beverage license for the Wagner Fire Department for the Figure 8 races at the Wagner Speedway on September 6<sup>th</sup>, 2020. There being no one present opposed to the license, a motion was made by Schroeder, second by Cuka to approve the special event alcoholic beverage license. All voted aye, motion carried.

### **NEW BUSINESS**

Lynn Soukup was present to update the council on the Summer Ball Association. Mr. Soukup informed the council that a group of parents and coaches met, and the purpose of the summer ball association will be for the betterment of the Wagner softball and baseball fields. The association will be a liaison between coaches, parents and the owners/managers of the ballfields. They will be meeting every 4<sup>th</sup> Tuesday of each month to discuss issues or needs with their group along with the city administrator and council person in charge of the recreation department. The goal is to have communication with all groups involved. Several items were discussed. Mr. Soukup was directed to submit information to the finance officer for budgeting considerations for 2021.

A motion was made by Schroeder, second by Kirwan to approve the blocking off Main Street on Saturday, August 15<sup>th</sup>, 2020 for a Christian band sponsored by Lighthouse Ministries. All voted aye, motion carried.

A motion was made by Beeson, second by Dufur to approve blocking of Main Street on Friday, September 4<sup>th</sup>, 2020 after business hours to set up for a Labor Day Committee event on Saturday, September 5<sup>th</sup>, 2020. All voted aye, motion carried.

A motion was made by Cuka, second by Schroeder to approve change order #1 for the 2020 Utility Improvements in the amount of \$21,795.00 and a time extension of seven days changing the substantial completion date to October 8<sup>th</sup>, 2021. All voted aye, motion carried.

A motion was made by Beeson, second by Dufur to approve pay request #1 for the 2020 Utility Improvements to Menning Excavating in the amount of \$501,504.39. All voted aye, motion carried.

A motion was made by Cuka, second by Kirwan to approve pay request #5 to Wagner Building & Supply for the Wagner Municipal Hangar Project in the amount of \$32,402.47. Five voted aye, Beeson abstained, motion carried.

## **City of Wagner Resolution Number 2020-06\_\_**

### **A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS**

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the City of Wagner acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, the City of Wagner acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, the City of Wagner seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Wagner acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Wagner most recently approved as of March 27, 2020; and

WHEREAS, the City of Wagner acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Wagner that the Mayor or Finance Officer of Wagner may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further

RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further

RESOLVED that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement, or for which the City has a reimbursement request pending before another source.

Approved and adopted this 3rd day of August 2020.

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Donald R. Hosek, Mayor  
City of Wagner, South Dakota

ATTEST: \_\_\_\_\_  
Rebecca Brunsing, Finance Officer  
City of Wagner, South Dakota

SEAL

The motion for the adoption of the foregoing resolution was made by Kirwan seconded by Dufur. Upon roll call vote being taken, those voting AYE: Dufur, Cuka, Beeson, Kirwan and Schroeder. Those voting NAY: None. Absent: Mohr. Those abstaining: None. Motion carried. Thereupon the Mayor declared Resolution No. 2020-06 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

## **RESOLUTION NO. 2020-07**

A resolution of the City of Wagner City Council agreeing to apply for financial assistance

with the United State Department of Agriculture, Rural Development to finance wastewater collection and water distribution improvements. Be it further resolved that the Wagner City Council authorizes the Mayor or his designee to sign all documents relating to the USDA Rural Development loan and/or grant, to include interim loan documents.

Dated this 3<sup>rd</sup> day of August 2020 at Wagner, South Dakota.

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Donald R. Hosek, Mayor

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Rebecca Brunsing, Finance Officer

SEAL

The motion for the adoption of the foregoing resolution was made by Schroeder seconded by Beeson. Upon roll call vote being taken, those voting AYE: Dufur, Cuka, Beeson, Kirwan and Schroeder. Those voting NAY: None. Absent: Mohr. Those abstaining: None. Motion carried. Thereupon the Mayor declared Resolution No. 2020-07 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

## **RESOLUTION No. 2020-08**

A resolution of the City Council of Wagner declaring its support for, and adoption of, the Charles Mix County Multi-Jurisdiction Pre-Disaster Mitigation Plan.

WHEREAS a Pre-Disaster Mitigation Plan for Charles Mix County (the Plan) has been developed; and

WHEREAS the City of Wagner participated in the development of the Plan; and

WHEREAS the Plan will be used as a disaster mitigation planning tool as deemed appropriate by the Wagner City Council.

NOW THEREFORE BE IT RESOLVED that the Wagner City Council hereby adopts and supports the Plan and will take action to ensure that the Plan is implemented.

Adopted and approved this 3rd day of August 2020.

SIGNED: \_\_\_\_\_  
Donald R. Hosek, Mayor of Wagner

ATTEST: \_\_\_\_\_  
Rebecca Brunsing, Finance Officer

SEAL

The motion for the adoption of the foregoing resolution was made by Cuka seconded by Dufur. Upon roll call vote being taken, those voting AYE: Dufur, Cuka, Beeson, Kirwan and Schroeder. Those voting NAY: None. Absent: Mohr. Those abstaining: None. Motion carried. Thereupon the Mayor declared Resolution No. 2020-08 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

## **RESOLUTION NO. 2020-09**

WHEREAS, the City of Wagner is a member of the South Dakota Public Assurance Alliance, which is a risk-sharing pool comprised primarily of South Dakota cities and counties; and

WHEREAS, the SDPAA nominating committee has nominated Rebecca Brunsing to a position on the SDPAA Board of Directors.

WHEREAS, the SDPAA board member eligibility rules require the candidacy of an employee to be supported by a resolution of the governing board.

THEREFORE, be it resolved by the City Council of Wagner, South Dakota that the City of Wagner hereby nominates Rebecca Brunsing, its Finance Officer to serve on the South Dakota Public Assurance Alliance Board on behalf of the City of Wagner.

The undersigned, Finance Officer of the City of Wagner, South Dakota, does hereby certify that the foregoing resolution was passed by the City of Wagner, South Dakota, at a meeting held on the 3rd day of August 2020.

Dated 3<sup>rd</sup> day of August 2020.



CITY OF WAGNER, SD

By: \_\_\_\_\_  
Donald R. Hosek, Mayor

ATTEST:

\_\_\_\_\_  
Rebecca A. Brunsing, Finance Officer

SEAL

The motion for the adoption of the foregoing resolution was made by Beeson seconded by Kirwan. Upon roll call vote being taken, those voting AYE: Dufur, Cuka, Beeson, Kirwan and Schroeder. Those voting NAY: None. Absent: Mohr. Those abstaining: None. Motion carried. Thereupon the Mayor declared Resolution No. 2020-09 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

**Resolution No. 2020-10**  
**RESOLUTION OF GOVERNING BODY**

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE BE IT RESOLVED;

1. That **Donald R. Hosek** is hereby authorized to execute and file an application on behalf of the **City of Wagner** with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish, and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the **Wagner Park Shelter Project** for the **City of Wagner**, South Dakota and its Environs.
2. That **Rebecca Brunsing, Finance Officer of the City of Wagner** is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the **City of Wagner** shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.



4. That the **City of Wagner** shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

CITY OF WAGNER, SD

By: \_\_\_\_\_  
Donald R. Hosek, Mayor

ATTEST:

\_\_\_\_\_  
Rebecca A. Brunsing, Finance Officer

The motion for the adoption of the foregoing resolution was made by Schroeder seconded by Dufur. Upon roll call vote being taken, those voting AYE: Dufur, Cuka, Beeson, Kirwan and Schroeder. Those voting NAY: None. Absent: Mohr. Those abstaining: None. Motion carried. Thereupon the Mayor declared Resolution No. 2020-10 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

ATTACHMENT

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting as the **Finance Officer** of the **City of Wagner** does hereby certify:

That the attached Resolution is a true and correct copy of the Resolution, authorizing the filing of application with the National Park Service as regularly adopted at a legally convened meeting of the **City of Wagner** duly held on the 3<sup>rd</sup> day of August 2020 and further that such Resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 3<sup>rd</sup> day of August 2020.

\_\_\_\_\_  
Signature of Recording Officer  
**Finance Officer**  
\_\_\_\_\_  
Title of Recording Officer

A motion was made by Beeson, second by Dufur to approve City of Wagner's intent to join Planning and Development District III as a member for 2021. All vote aye, motion carried.

A motion was made by Dufur, second by Schroeder to approve the following proclamation:

## **PROCLAMATION**

WHEREAS, wind energy is the largest provider of renewable energy in the country; and

WHEREAS, our state is home to 20 wind projects and 5 wind-related manufacturing facilities, providing more than 2,000 jobs for South Dakotans; and

WHEREAS, the wind industry is a major economic driver in towns and counties all across South Dakota, driving \$3 billion in total capital investments to date and providing \$9.8 million in annual lease payments to rural landowners in 2019 alone;

THEREFORE, I, Donald R Hosek, do hereby proclaim: The City of Wagner recognizes American Wind Week and encourages its citizens to learn more about the benefits of wind energy in our community and celebrate South Dakota's leadership in renewable energy production.

Dated this 3rd day of August 2020 at Wagner South Dakota

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Donald R Hosek, Mayor  
City of Wagner

ATTEST:

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Rebecca Brunsing, Finance Officer

There was no need for an executive session.

A motion was made Beeson second by Cuka to adjourn the meeting at 8:08 pm. All voted aye, motion carried.

APPROVED \_\_\_\_\_  
Donald R. Hosek, Mayor

Attest: \_\_\_\_\_  
Rebecca Brunsing, Finance Officer

"This institution is an equal opportunity provider."

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