**THE MEETING OF THE COMMON COUNCIL OF THE CITY OF WAGNER,**

**CHARLES MIX COUNTY, SOUTH DAKOTA, AUGUST 7, 2023, AT 7:00 PM**

**PURSUANT TO DUE CALL AND NOTICE THEREOF,** the regular August meeting was held on Monday, August 7, 2023, at City Hall at 7:00 pm. Present were Tammy Thornton, Mayor, City Administrator-Debbra Houseman, City Attorney-Beau Barret and Councilmen: Rich Dufur, Dan Cimpl, Colby Kirwan, Tom Abdouch and Taylor Mohr. Absent: Jamie Soukup. Others present were Mike Kazena-Public Works Director, Damon Griffith-Police Chief, Matt Williams-City IT, Michelle Juffer-Wagner Area Growth. Other’s present throughout the meeting were Leo Soukup, Joey Jaton, Lucas Cournoyer, Brittany Beeson, Austin Weber, Ally Thompson, Cameron Goodrich, Brett Doty, Erica Kotab, and Jamie Tjerdsma.

Mayor Thornton called the meeting to order at 7:00 pm

The meeting was opened with the Pledge of Allegiance.

The conflict-of-interest declaration statement was recited. None were cited.

The agenda was reviewed. Motion by Kirwan, second by Mohr to approve the agenda with an addition of Litigation under the Executive Session in accordance with SDCL 1-25-2. All in favor, motion carried.

At 7:00 pm a hearing was held for a special events Malt Beverage on-sale license for the Wagner Fire Department on Sunday, September 3, 2023. There was no one from the public to contest the license request. Motion by Dufur, second by Abdouch to approve the Special Event Malt Beverage License for the Wagner Fire Department on Sept 3, 2023, for the Crazy Eight Races. All in favor, motion carried.

Mayor Thornton Opened the floor for Public Comment. Leo Soukup was present to speak with concerns regarding the Hwy 46 project and concerns regarding the council and mayor working together for the betterment of the community. There were no other comments from the public. Motion by Mohr, second by Kirwan to close the public comment portion of the meeting.

The minutes from the regular meeting June 6, 2023, special meetings June 7, 2023, June 27, 2023, regular meeting July 3, 2023, special meeting July 11, 2023, were reviewed by the council. Motion by Kirwan, second by Dufur to approve the minutes from the Regular Meeting June 6, 2023, Special Meeting June 7, 2023, Special Meeting, June 27, 2023, Regular Meeting July 3, 2023, and Special Meeting July 11, 2023. All in favor, motion carried.

The Financial Statements were reviewed. Motion by Mohr, second by Kirwan to approve the financial statements presented for the month of July 2023. All in favor, motion carried.

The Bills and Claims were reviewed by the council. Motion by Cimpl, second by Dufur to approve payment of the following Bills and Claims:

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| --- | --- | --- | --- | --- | --- |
| **Claims Paid during the month of July 2023:** | | | |  |  |
| 7/10/2023 | City of Wagner | City Water Bills | $ 3,196.26 |  |  |
| 6/30/2023 | Commercial State Bank | 941 Payroll Taxes PP 12 | $ 11,086.98 |  |  |
| 7/13/2023 | Commercial State Bank | 941 Payroll Taxes PP 13 | $ 10,187.21 |  |  |
| 7/26/2023 | Commercial State Bank | 941 Payroll Taxes PP 14 | $ 8,201.93 |  |  |
| 7/15/2023 | Commercial State Bank | CPR & PL. & Z Brd. 941 Payroll Taxes | $ 1,181.40 |  |  |
| 7/10/2023 | Myers Sanitation | Cancer Society extra-armory | $ 2,346.35 |  |  |
| 6/30/2023 | Payroll | PP 12 | $ 37,841.45 |  |  |
| 7/13/2023 | Payroll | PP 13 | $ 35,551.13 |  |  |
| 7/26/2023 | Payroll | PP 14 | $ 28,924.75 |  |  |
| 7/15/2023 | Payroll CNCL & Pl. & Zoning Board | CPR3 | $ 1,181.40 |  |  |
| 7/10/2023 | Pitney Bowes Purchase Power | Postage | $ 806.50 |  |  |
| 7/10/2023 | Randall Community Water Dist. | Water Usage June 2023 | $ 33,874.50 |  |  |
| 7/26/2023 | S.D. Unemployment Insurance | 2nd Qtr. Report | $ 586.05 |  |  |
| 7/26/2023 | S.D. Unemployment Insurance | 2nd Qtr. Report - Swimming Pool | $ 72.63 |  |  |
| 7/10/2023 | SD Dept of Health | Water Samples/Pool Samples | $ 120.00 |  |  |
| 7/10/2023 | SD Municipal League | Elected Officials Workshop | $ 300.00 |  |  |
| 7/10/2023 | SD One Call | Locate Tickets | $ 55.65 |  |  |
| 7/10/2023 | Unum Life Ins | Life Insurance | $ 328.64 |  |  |
| 7/25/2023 | USDA Rural Development | USDA Monthly Payment Front | $ 5,561.00 |  |  |
| 7/1/2023 | USDA Rural Development | USDA Monthly Payment4th, 3rd, Elm | $ 4,574.00 |  |  |
| 7/1/2023 | USDA Rural Development | USDA Monthly Payment South Park | $ 1,969.00 |  |  |
| 7/10/2023 | Wagner Building Supply | 2-City Park Shelters | $ 142,122.46 |  |  |
|  |  | **Total:** | **$ 330,069.29** |  |  |
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| **Claims Presented for August 2023:** | | | | | |
| **Date** | **Vendor** | **Description** | **Amount** |  |  |
| 8/7/2023 | Aflac | Supp Insurance | $ 960.22 |  |  |
|  | Amazon | Supplies | $ 464.73 |  |  |
|  | Apparel Worx | Shirts for staff, police and mayor | $ 416.38 |  |  |
|  | AT&T | cell phone July Bill | $ 331.48 |  |  |
|  | AT&T | cell phone August Bill | $ 331.70 |  |  |
|  | Avera Health Plans | Group Insurance policy premium | $ 10,076.66 |  |  |
|  | Best Western Ramkota-Pierre | Rm FO School, Rm Elected Off Wk Shop | $ 192.00 |  |  |
|  | Black Hills Ammunition | 9 mm Ammo | $ 669.00 |  |  |
|  | Bomgaars | Supplies for Streets, Parks, Pool etc. | $ 3,350.60 |  |  |
|  | Bouza Construction | Replace locate the Commodity Bldg. | $ 69.98 |  |  |
|  | Bouza Construction | Rollers, pans& Field marker -Streets | $ 106.34 |  |  |
|  | Brecke Pest Control | Treat Building | $ 100.00 |  |  |
|  | Buches | Pool Concessions | $ 250.59 |  |  |
|  | Card Services | FO Card | $ 397.07 |  |  |
|  | Card Services | Police Card Supplies | $ 2,578.86 |  |  |
|  | Century Link | Long Distance Service | $ 74.71 |  |  |
|  | CHS Inc | Propane for Armory | $ 507.00 |  |  |
|  | Chad Zephier | Return Armory Deposit | $ 300.00 |  |  |
|  | Charles Mix Co. Auditor | Payment for property sold to City | $ 3.00 |  |  |
|  | Charles Mix electric Assoc | Airport Electricity | $ 245.23 |  |  |
|  | City of Wagner | Water Bills for August 23 | $ 2,854.38 |  |  |
|  | Club House Hotel & Suites | Rm for FO School | $ 271.58 |  |  |
|  | Colonial Life | 2 months of Invoice | $ 1,490.96 |  |  |
|  | Companion Life Ins | Insurance | $ 56.00 |  |  |
|  | Companion Life Ins | Insurance | $ 67.20 |  |  |
|  | Cuka Construction | Labor to repair Shelter Structure | $ 765.31 |  |  |
|  | Current Solutions | Electric Repair Damage Baseball Shed | $ 1,040.31 |  |  |
|  | Dakota Auto Supply | Repair on charger | $ 550.82 |  |  |
|  | Dakota Supply Group | Valve, Mud Box | $ 834.27 |  |  |
|  | Dave's Service | Balance Tires, Batteries Civil def/Police | $ 1,426.75 |  |  |
|  | Den Herder Law Firm | May and June 2023 | $ 6,282.52 |  |  |
|  | Electric Pump Inc | Submersible Pump | $ 3,120.37 |  |  |
|  | Fort Randall Telephone | Telephone Service | $ 1,733.57 |  |  |
|  | Frieberg, Nelson & Ask, LLP | Nuisance Issue | $ 227.50 |  |  |
|  | Galls | Police Uniforms | $ 262.22 |  |  |
|  | Gerstner Oil Company | Gas for mowers and equipment | $ 3,212.52 |  |  |
|  | Graham Tire-Mitchell | 4 tires | $ 564.00 |  |  |
|  | Hawkins Water Treatment | Pool Chemicals | $ 1,613.41 |  |  |
|  | Hjelms & Associates | Hangar tax line Expansion | $ 2,853.24 |  |  |
|  | Ingram Library Services | Books for Library | $ 123.37 |  |  |
|  | Jack's Uniforms & Equipment | Uniforms for Police | $ 1,591.07 |  |  |
|  | John Otte | Monthly Airport Contract | $ 875.00 |  |  |
|  | King Koin Laundry | Cleaning Rugs for Building | $ 357.00 |  |  |
|  | LEAF | Copy Machine Lease July & August | $ 618.46 |  |  |
|  | Light and Siren | Unity Spotlight handle | $ 147.08 |  |  |
|  | Marie Blaha | Return Deposit at 617 SE Second Street | $ 55.16 |  |  |
|  | Melissa Storley | Return Water Deposit 145 NE North St. | $ 150.00 |  |  |
|  | Midtowne Oil & Wash | Tire Repair Police | $ 21.30 |  |  |
|  | Northwestern Energy | Electricity Service | $ 22,595.59 |  |  |
|  | Northwest Veterinary Supp | Boarding Dogs | $ 140.00 |  |  |
|  | O'Connor Trucking | Hauling Chips for Seal Coating | $ 7,435.34 |  |  |
|  | Pechous Publications | Publications | $ 619.55 |  |  |
|  | Pekas Septic | Pump Out Baseball field lift station | $ 360.00 |  |  |
|  | Petrik Sanitation | Roll off for Clean up | $ 1,124.06 |  |  |
|  | Petrik Tree Service | Tree & Stump Removal Lake & Park | $ 11,700.00 |  |  |
|  | Petty Cash-Commercial State Bank | Petty cash receipts | $ 647.59 |  |  |
|  | Pioneer Designs | Silver Decals & Tickets | $ 49.00 |  |  |
|  | Pitney Bowes | machine Lease | $ 172.11 |  |  |
|  | Pitney Bowes Power Purchase | Postage for bills | $ 806.50 |  |  |
|  | Powers Porta Potty | Toilet rental Baseball Park | $ 1,354.33 |  |  |
|  | Quill Corporation | Black Toner Cartridge | $ 139.99 |  |  |
|  | Randall Community Water | July Water Usage | $ 29,211.30 |  |  |
|  | Recreation Supply Co. | Pool & 4-Ship Testing Supply | $ 860.63 |  |  |
|  | Rog's Auto, Inc | Repairs to Police vehicles | $ 419.83 |  |  |
|  | SD Retirement System | July 2023 Contribution | $ 8,520.04 |  |  |
|  | SD Dept of Revenue | Sales Tax | $ 28.65 |  |  |
|  | SD Dept of Transportation | City share of Eng on TAP-Sidewalk | $ 11,634.16 |  |  |
|  | Sanitation Products Center | Sweeper Broom | $ 1,283.60 |  |  |
|  | SD Dept of Ag & Nat Res | Stormwater Permit | $ 250.00 |  |  |
|  | SD Dept of Health | Water Samples & Pool | $ 356.00 |  |  |
|  | Safety First Playground Maint. | Wood Chips for Playgrounds | $ 5,637.60 |  |  |
|  | Schuurmans Farm Supply | Tire Pulley Cover | $ 305.50 |  |  |
|  | SEH | Engineering on TAP Project | $ 410.00 |  |  |
|  | Shanbrah Dion | Return Water Deposit | $ 56.32 |  |  |
|  | Sherwin Williams | Paint for City Hall | $ 179.53 |  |  |
|  | Spencer Quarries | Chips for Seal Coat | $ 6,803.58 |  |  |
|  | Spreckles Heating& Cooling | Repair at City Shop | $ 342.50 |  |  |
|  | Stems & Cells | Flowers for Funeral | $ 53.25 |  |  |
|  | Tammy Thornton | Meal reimbursement for Elected Off | $ 6.43 |  |  |
|  | TCS Lawn Care | Valve Box Cover, PGP< Hunter Sprinkler Head | $ 486.32 |  |  |
|  | Thomson Reuter | Subscription Charges | $ 278.99 |  |  |
|  | Tnemic Company Inc | Pool paint | $ 4,870.25 |  |  |
|  | Topkote Inc. | 40,000 sq yds of Seal Coat | $ 61,880.00 |  |  |
|  | Ultimate Shine | Police Car Washes | $ 48.00 |  |  |
|  | United Volleyball Supply Inc | Volleyball nets | $ 835.20 |  |  |
|  | Unum Life Insurance Co | Long Term Disability | $ 259.30 |  |  |
|  | US Postmaster | Box Rent 1 yr. | $ 118.00 |  |  |
|  | Valley Pump | Gas for Police Vehicle | $ 42.38 |  |  |
|  | Van Diest Supply Company | Mojave Herbicide and Anvil | $ 5,302.50 |  |  |
|  | Vander Pol Dragline | Hangar Taxi Lane Const. Pay App #3 | $ 83,344.50 |  |  |
|  | Voyager Fleet Systems | Gas Purchases | $ 1,852.99 |  |  |
|  | Wagner Building & Supply | Supplies | $ 5,715.64 |  |  |
|  | Wagner Super Foods | Supplies & Pool concession supplies | $ 989.48 |  |  |
|  | Wholesale Supply Co. | Concession Supplies | $ 1,616.35 |  |  |
|  | Yankton Janitorial Services | Supplies | $ 1,302.20 |  |  |
|  |  |  |  |  |  |
|  |  | **Total:** | **$ 337,036.00** |  |  |

All in favor, motion carried.

Joey Jaton was present to discuss concerns regarding the process that exists for the City to trim trees on private property.

Discussion was held regarding a request to donate $3,402 to Dakota Senior Meals was reviewed. Motion by Dufur, second by Cimpl to approve a donation of $3,402 to Dakota Senior Meals. All in favor, motion carried.

A request for a $5,000 donation to ROCS Transit. Motion by Dufur, second by Kirwan to continue the request for the ROCS Transit. All in favor, motion carried.

Discussion followed regarding a request made to make an additional donation to the Historical Society Museum. Dufur requested that the council donate $5,000. Motion by Mohr, second by Abdouch to approve a donation of $2,000 to the Historical Society Museum and commit to $5,000 for the 2024 budget. All in favor, motion carried.

On behalf of “Catch the Wave” Erica Kotab and Jamie Tjerdsma were both present to address the council regarding the pool project. The plan is to work towards having a new pool by June of 2025. The group requested updated information on pricing on the plans. Dufur and Cimpl will meet with the committee.

Propane Bids were reviewed by the council. CHS submitted a bid of $1.35 per gallon and Best Propane bid $1.39 per gallon. Motion by Kirwan, second by Mohr to authorize the purchase of propane for the 2023-24 heating season from CHS at $1.35 per gallon. Voting Aye: Kirwan, Mohr, Abdouch, Dufur Voting Nay: Cimpl Motion carried 4:1.

The Labor Day Committee was present with requests for Street closures for events. Motion by Cimpl, second by Mohr to approve the following Street Closures for the Labor Day Events:

Carnival- 4 pm Friday Sept 1, 2023-Until 7 am Tuesday, Sept 5, 2023, Main Avenue from Hi-way 46 to 3rd Street.

Kiddie Parade- Saturday, September 2, 2023, Birch Ave from 4th Street to 1st Street from 9:00 am to 11 am.

Festival in the Park 9 am Sunday, Sept 3-Monday Sept 4, 2023, 5 pm on Sheridan Ave from Hwy 46-1st Ave.

Labor Day Parade from 8 am through the duration of the parade Birch Ave from 2nd Ave to the Hi-way 46, Hi-way 46 from Birch to Sheridan Ave to Railroad Street.

All in favor, motion carried.

The Labor Day Committee also informed the council that Sharon Haar is going to be the Parade Marshall for Labor Day. The Committee will be planting two Bur Oak trees at the Lake in honor of Sharon Haar and in memory of Harris Haar.

The Armory Keys were also discussed with the committee. Mohr will talk with Yost about the key.

Matt Williams was present to give the IT report. For Budgetary purposes Williams informed the council that adding additional cameras the cost of $1,700.00. Williams also stated that he is looking into changing the keys to a fob system. Williams also stated that he has added all the minutes to the Website. Williams stated that he is working on creating a new website because of unreasonable increases in the cost of the current website. Williams also brought up the possibility of recording the council meeting or providing a live feed of the council meetings on the Website.

Mike Kazena, the Public Works Director, was present to give the Department Reports. Kazena stated that the Crack Sealing will happen in September 2023. He also stated that he is working on measuring streets in preparation of next year’s street plan. The council discussed the purchase of a truck that can be utilized for all season work.

Kazena shared information regarding the solar operated aerators at the lagoon. Kazena also discussed other items pertinent to the budget process for the 2024 Water and Sewer Departments.

Kazena stated that is the pool is going to be open next year he needs to replace 4 butterfly valves at $360 each. Motion by Dufur, second by Kirwan to approve the purchase of 4-Butterfly valves for the swimming pool. All in favor, motion carried.

A request to reimburse Matt Slaba $87.48 for the cost of chalk purchased for the baseball was reviewed. Motion by Kirwan, second by Mohr to approve reimbursing Matt Slaba $87.48 for the cost of chalk for the baseball field. All in favor, motion carried.

Bids for the light on the flagpole were reviewed by the council. Bids were from Helo for $977.80, CSI $957.00, and Westendorf Electric $696.04. Motion by Cimpl, seconded by Dufur to approve the quote from Westendorf Electric at $696.04. All in favor, motion carried.

Kazena informed the council that there is discussion happening with regards to repairing the infield.

The council reviewed information regarding the contract to pay for the installation of the speaker system donated by the school at the Armory. The initial cost submitted was incorrect. The actual cost should have been $13,322.20. Motion by Kirwan, second by Dufur to approve the change of the contract in the amount of $13,322.20. All in favor, motion carried.

Damon Griffith, Wagner Police Chief was present for the Law Enforcement Report. The council was informed that Derek Rolston, Jarod Niehus, Tanner Novak and Sydney Porter will work security for Labor Day on loan from Charles Mix County Sheriffs Department. Chief Griffith stated that Sheriff Thaler required that Wagner pay his officer’s $40 per hour. Sheriff Thaler also agreed that those 4 Officer can be in County Uniform, use county equipment and county vehicles for the duration of the weekend. Motion by Kirwan, second by Abdouch to hire Derek Rolston, Tanner Novak, Jarod Niehus, and Sydney Porter for temporary employment from September 1-4, 2023, and set the wage for those individuals at $40 per hour. All in favor, motion carried.

The council was informed that the School Resource Officer contract at Wagner School will be $57,507.00 for the 2023-24 school year benefits to remain the same. The council was reminded that the salary and benefits are reimbursed to the school by the Wagner School District. Motion by Kirwan, second by Mohr to approve the School Resource Officer’s 2023-24 contract with Wagner School District with the Salary being $57,507 and benefits remaining the same. All in favor, motion carried.

The Council discussed the animal control ordinance with the council.

Chief Griffith informed the council that due to the delay in production of the 2022 Ford Explorer approved as a squad car he is requesting that the motion to purchase the 2022 Ford Explorer be rescinded. Motion by Abdouch, second by Dufur to rescind the motion to purchase the 2022 Ford Explorer. All in favor, motion carried.

Michelle Juffer was present on behalf of Wagner Area Growth. Juffer Reported that she has been inContact with numerous people about businesses on Main Street. Juffer stated that she met with Rural Development last week and has shared that information with several people who could benefit from their programs. The council was also informed that Wagner Area Growth has rented Office Space from Patti Frye for the director’s office. Juffer stated that she is trying to get a housing board meeting to discuss the plans for a housing development. Juffer stated that there are still 2 governor’s houses coming and the locations of where these will be placed is still not determined.

Minutes from the Planning and Zoning meeting were reviewed. Motion by Kirwan, second by Mohr to accept the minutes from the Planning and Zoning Meeting Held on August 1, 2023. All in favor, motion carried.

Plats for Consideration of a recommendation of approval from the planning commission on a plat located at tract 1,2,3,4 and 5 of Lot A of Lot 3, Wagner Area Growth Addition, in the SW ¼ of the SE ¼ and in the SE ¼ of section 35, T96N, R63W Sunset Acres Subdivision, in the SE ¼ of Section 32, T96N, R63W of the 5th p.m. Charles Mix County, South Dakota. Motion by Kirwan, second by Dufur to approve the plats presented for tract 1,2,3,4 and 5 of Lot A of Lot 3, Wagner Area Growth Addition, in the SW ¼ of the SE ¼ and in the SE ¼ of section 35, T96N, R63W Sunset Acres Subdivision, in the SE ¼ of Section 32, T96N, R63W of the 5th p.m. Charles Mix County, South Dakota, and authorize Tammy Thornton as the signatory on the Plats All in favor, motion carried.

Motion by Kirwan, second by Abdouch to hire Debbra Houseman as City Administrator/Finance Officer the annual salary of $70,000 per year to be retro active to July 11, 2023. All in favor, motion carried.

Motion by Mohr, second by Abdouch to approve hiring the following employees at the specified wages retroactive to April 3, 2023:

Abriana Leines, Pool Mgr. $14.00 per hour

Madisyn Knebel, Asst Mgr. $13.00 per hour

Parker Petry, 2nd Yr. Lifeguard $12.00 per hour

Presley Slaba, 2nd Yr. Lifeguard $12.00 per hour

Gannon Knebel, Lifeguard $11.50 per hour

Ashlyn Koupal, Lifeguard $11.50 per hour

Kya Kjeldagaard, Lifeguard $11.50 per hour

Ashlyn Koupal, Lifeguard $11.50 per hour

Macy Koupal, Lifeguard $11.50 per hour

Preston McFayden, Lifeguards $11.50 per hour

Simon Freier, Summer Maintenance $15.00 per hour

Jaden Peters, Summer Maintenance $15.00 per hour

Corbin Johnson, Summer Maintenance $16.50 per hour

All in favor, motion carried.

The 2022 Annual Report completed by Schoenfish & Co. was reviewed by the council. Motion by Dufur, second by Kirwan to accept the Annual Report for 2022 as presented. All in favor, motion carried.

The council was informed the Taxi Lane Project inspection was completed. Change Order #2 was presented and reviewed. Motion by Kirwan, second by Mohr to approve Change Order #2. All in favor, motion carried.

The council reviewed Pay Request #4 on the Taxi Lane Project in the amount of $42,042.73 to be paid to Vander Pol Dragline. Motion by Kirwan, second by Abdouch to approve Pay Request #4 in the amount of $42,042.73. all in favor, motion carried.

The hangar previously leased to Kucera’s was discussed. The issue of the dilapidated state of the hangar. Discussion followed of how to proceed with the hangar tear down or allow repair?

Mayor Thornton updated the council on the Elected Official’s Work Shop she attended in Pierre, SD.

Mayor Thornton made public mention that she was informed that the application for the Rural Attorney’s program submitted by Beau Barret has been withdrawn by Beau Barrett.

Motion by Cimpl, second by Kirwan to approve the hiring of DenHerder Law Firm as legal counsel for the City of Wagner, and designate Mayor Thornton as the signatory on the contract with Den Herder Law Firm. All in favor, motion carried.

The council discussed amending the Ordinance regarding vendor’s Fees.

The council determined that a Special Meeting will be held on Augst 23, 2023 at 5:30 pm for the 1st Reading of the 2024 Budget.

The September Regular Meeting date is September 4, 2023, which is a holiday. The council determined that the date for the regular meeting be changed to September 7, 2023.

Motion by Dufur, second by Kirwan to go into executive session at 10:12 pm in accordance with SDCL1-25-2 for the purpose of personnel and legal counsel. All in favor, motion carried.

Mayor Thornton declared the council out of executive session at 10:27 pm.

Motion by Cimpl, second by Dufur to accept the resignation of Collton Beck as a city police officer. All in favor, motion carried.

Motion by Dufur, second by Mohr to adjourn the meeting at 10:28 pm. All in favor, motion carried.

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Tammy Thornton, Mayor

ATTEST:

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Debbra Houseman, City Administrator, Finance Officer