

REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA, July 1, 2024, AT 6:00 PM.

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular July meeting was held Monday, July 1, 2024, at City Hall at 6:00 pm. Present were Tammy Thornton-Mayor, City Administrator Debbra Houseman, City Attorney Beau Barrett, and Councilmen: Tom Abdouch, Gene Niehus, Dan Cimpl, Brenda Jatton, Taylor Mohr and Mieke Slaba. Others present were Mike Kazena- Public Works Director, Damon Griffith-Police Chief, Kesa Alexander-Planning and Zoning Administrator, Margaret Doom-Wagner Area Growth, Marilee Krcil-Deputy Finance Officer, Micheal Frei, Steve Huff, Nathan Kafka, Sharon Haar, Michelle Juffer, Marcia Honomichl, Connie Kaufman, Doris Hosek, and Gina Carda.

Mayor Thornton called the meeting to order at 6:00 pm.

The Council stood and recited the Pledge of Allegiance.

Mayor Thornton asked if any council had a conflict of interest regarding any agenda items. The following Conflicts were acknowledged: Councilman Tom Abdouch stated that he had a conflict regarding the Steve Huff request regarding an amendment to the ETJ Map.

Mayor Thornton asked if there were any additions to the agenda. There being none Mayor Thornton called for a motion to approve the agenda as presented. Motion by Niehus, second by Abdouch to approve the agenda presented. All in favor, motion carried.

Mayor Thornton opened the floor for public Comment. No comments were made. Mayor Closed the floor for public comment.

The minutes from the June 3, 2024, Regular Meeting and the June 25, 2024, Special Meeting were presented to the Council. Motion by Cimpl, second by Mohr to approve both the June 3, 2024, Regular Meeting Minutes and the June 25, 2024, Special Meeting Minutes. All in favor, motion carried.

Approval of the Financial Statements for the month of June 2024. The Financial Statements were reviewed by the council. Motion by Jatton, seconded by Abdouch, approve the Financial Statements presented for June 2024 as follows: Commercial State Bank General Checking Account Balance as of June 30, 2024, \$2,692,791.40, Wagner Library Account as of June 28, 2024, \$13,978.94, Wagner Lake Project \$1,513.69, City of Wagner Water Sewer Project Fund \$168,556.04, Commercial State Bank - CD \$405,279.35, CD \$403,702.10, CD \$347,217.63, First Dakota - CD \$204,495.10 and CD \$21,833.08. General Fund Expenditures for the month of June, 2024, \$166,885.30. General Fund Revenue for the month of June, 2024, \$81,496.98. Water Fund Expenditures for the month of June, 2024, \$40,083.14. Water Fund Revenue for the month of June, 2024, \$52,185.92. Sewer Fund Expenditures for the month of June, 2024, \$25,944.36. Sewer Fund Revenue as of June 30, 2024, \$32,016.19. All in favor, motion carried.

Approval of payment of the Bills and Claims. Motion by Niehus, second by Jatton, to approve payment of the following Bills and Claims:

The Following Claims were presented for payment during the month of June 2024:

Date:	Vendor	Description	Amount
6/25/2024	Commercial State Bank	Transfer project reserve account	\$ 556.10
6/25/2024	Commercial State Bank	Transfer project reserve account	\$ 457.40
6/25/2024	Commercial State Bank	Transfer project reserve account	\$ 196.90
6/20/2024	Commercial State Bank	941 Payroll Taxes	\$ 8,900.38
6/6/2024	Commercial State Bank	941 Payroll Taxes	\$ 10,496.35
6/20/2024	Commercial State Bank	Petty Cash	\$ 611.75
6/10/2024	Commercial State Bank	941 Payroll Taxes	\$ 235.25
6/23/2024	Payroll	PP 13 Payroll	\$ 30,610.48
6/6/2024	Payroll	PP 12 Payroll	\$ 32,720.63
6/10/2024	Payroll	PP 12.1 Payroll	\$ 836.81
6/24/2024	PSN	Monthly Fee	\$ 89.95
6/10/2024	South Dakota Sec of State	Notary application for Sienna Conlon	\$ 30.00
6/15/2024	USDA Rural Development	Front Ave Loan	\$ 5,561.00
6/15/2024	USDA Rural Development	South Park Loan	\$ 1,969.00
6/15/2024	USDA Rural Development	4th, 3rd, & Elm	\$ 4,574.00
6/24/2024	Yankton Sioux Tribe	Occupancy tax on Lagoon land	\$ 142.38
Total:			\$ 97,988.38

The above warrants have been paid during the month of June 2024.

Claims Presented for payment on July 2024:

Date	Vendor	Description	Amount
7/1/2024	AFLAC	Supp Insurance	\$ 469.59
	AT&T Mobility	Cell phone Service	\$ 332.54
	Bomgaars	Supplies	\$ 59.24
	Century Link	Long Distance	\$ 74.75
	City of Wagner	Water Bills	\$ 3,634.30
	Clarke Mosquito Control	Supplies	\$ 179.76
	Commercial State Bank Visa	June 2024 Visa	\$ 2,173.75
	Commercial State Bank Visa	June 2024 Visa Police	\$ 489.85
	Core & Main	1 1/2" Meter & Parts	\$ 535.25
	Dash Medical Gloves	Gloves	\$ 92.00
	Ft Randall Telephone	Telephone and Internet	\$ 942.39
	Gerstner Oil Company	Aviation Fuel	\$ 7,614.09
	Hawkins, Inc.	Pool Supplies	\$ 5,694.61
	John Otte	July Contracted Amount	\$ 875.00
	Marlow, Woodward & Huff PLLC	Reimburse for App Fee Overpayment	\$ 25.00
	Northwestern Energy	Electricity	\$ 11,927.18
	Pioneer Designs	Decals on New Vehicle	\$ 135.00
	Randall Community Water	Water for June 2024	\$ 29,043.00

S&K Truck Repair & Wash	Parts	\$	12.22
Sanitation Products	Belt and Motor for Sweeper	\$	635.83
Schmucker, Paul & Nohr	Hwy 46 Water and Wastewater projects	\$	11,700.00
SD Dept of Health	Water Samples	\$	102.00
Thomas Reuters	Codified Laws	\$	306.89
Tri M Tunes	Police Car	\$	3,596.00
Ultimate Shine Car Wash	8 Washes	\$	96.00
Unum Life Insurance	Disability Insurance	\$	375.89
USDA Rural Development	4th, 3rd, & Elm Loan	\$	4,574.00
USDA Rural Development	South Park	\$	1,969.00
USDA Rural Development	Front Street & 1sdt Ave	\$	5,561.00
Valley Pum and Casino	Gas Purchase	\$	139.75
Voyager Fleet Systems	Fuel	\$	2,037.97
Wagner Building Supply	Supplies	\$	219.94
Wagner Super Food Inc	Pool Supplies	\$	144.74

Total : \$ 95,768.53

All in favor, motion carried.

Oath of Office for Ward III Council Appointee Mieke Slaba was administered.

Mayor Thornton opened the floor for nominations for Vice President of the Council. Nomination by Abdouch, second by Mohr to nominate Danial Cimpl as Council Vice President. Motion by Niehus, second by Abdouch to cease nominations and cast a unanimous vote for Danial Cimpl for Council Vice President of Council. All in favor, motion carried.

Debra Houseman presented her City Administrator report. Houseman, informed the council that there will be a representative present from Ft Randall Telephone/Hanson Communications at the August 5, 2024 Regular Meeting. Houseman informed the council of the tentative schedule. Houseman also informed the council that the maintenance department is working on getting the volleyball courts ready to be used. Houseman stated that she will be getting budget meetings set up with department heads and the commissioners for the purpose of 2025 budget planning. Also, is working on a date for the Special Meeting where the council will review the comments from the meeting, and it will also be an opportunity to review what has taken place and do a review of what the code has in place and sort out the misunderstandings of what the code allows and the processes. Houseman she has contacted the school to get an Armory Board Meeting to discuss the rental of the building during construction, and there is a compressor out on the air conditioner that needs to be fixed.

Matt Williams was present for the IT Report. Williams stated that he is working on Website updates. He has added an active calendar. Williams has been working on pricing a new computer for the police office and a camera system for recording the meetings.

Mike Kazena the Public Works Director was present to answer questions regarding his department. Mohr asked about the fence at McCormick part there is some repair that is needed. Kazena stated that he will get the fence repaired.

Damon Griffith, Police Chief was present to answer questions regarding his Police Report.

Margaret Doom, Executive Director of Wagner Area Growth was present to give her report. Doom Reported that the Farmers Market is going. She predicts more vendors will be present as the produce season advances. Doom stated that she has been in contact with Phil Samuelson with the Good Samaritan Center. Doom stated that the Samuelson said they were negotiating with the insurance company due to the high contract rates regarding the bids that were received. Doom is working on promoting local businesses getting new videos and information of each business and pictures of businesses. Doom stated she would gladly share that information so it could be added to the City Website. Doom is working on getting a meeting set up with herself, Samuelson and some city officials. Doom is also working on beautification of the Main Street adding some beauty amenities including trees, art etc.

Kesa Alexander the Planning and Zoning Administrator was present for questions regarding her monthly report. Alexander stated that she has been busy planning teen night at the pool. She has also been working on some research on the ETJ. Alexander reported that she has processed 4 building permits in June. Alexander also reported that she has been going through the storage room and getting things ready to go down to the permanent storage.

Mayor Thornton asked if any other Councilman wished to attend the Elected Officials work-shop. Thornton stated that she and Brenda Jatton were the only attending so far. Thornton also stated that the council Representation on the Ordinance Review Committee Brenda Jatton and herself. She then asked if any other council man wish to be on the committee. Mohr and Cimpr both said they would be part of the committee.

Mayor Thornton stated that she would like to have the City Offices closed on July 5, 2024, and grant paid leave to all employees. Motion by Mohr, second by Cimpr to approve closing the City Offices, Library, and City shops July 5, 2024, and grant paid administrative leave to all employees for that day. All in favor, motion carried.

Thornton then updated the council regarding the meeting with the Northwestern Energy Representatives.

Mayor Thornton had designated Cimpr, Mohr, and Abdouch to be the appraisal committee and set the value of the Airport Hangar. The appraisal committee recommended setting the value of the hangar at \$1,200. Motion by Jatton, second by Abdouch to set the value at in accordance with the surplus committee's recommendation at \$1,200. All in favor, motion carried.

Marsha Honomichl and Doris Hosek were present to discuss the pickle ball courts and what would need to be done to transform the Tennis Courts into pickle ball courts. Houseman will do some research to determine what would need to be done and get estimated costs for the project.

Steve Huff was present with a request to amend the Boundary of ETJ to exclude the property known as the Fischer Farms Feed Lot. Huff explained that he is the court appointed receiver and is working on the sale of the property. Huss stated that if the property can not be sold as a feed lot that it makes it unsellable. Huff then requested that the council consider amending the boundary and exclude that property from the ETJ. Discussion was held. The council decided to evaluate this situation and take some time to consider the request. This item will be discussed at the next meeting.

Second Reading of Ordinance Amendment #2024-003 occurred. Motion by Niehus, second by Jatón to accept the Second Reading of Ordinance #2024-003 and Ordinance entitled Commissioners repealing previous Ordinance 1-2-7:

Ordinance #2024-003

AN ORDINANCE OF THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH
DAKOTA, REPEALING ORDINANCE 1-2-7, COMMISSIONERS.

1-2-7 Commissioners. The Mayor, at the regular meeting of the City Council in May of each year, shall appoint Councilmembers to act as Commissioner of a Department of the City Government, such appointment shall be approved by the City Council. The members of the Council appointed shall be known as the commissioner and assistant commissioner. The commissioner and assistant may consult the City Administrator and Superintendent, or head of departments to which he is appointed, may assist in decision making on matters pertaining to the department a subject to the authority of the City Council, and may make reports to the City Council on matters of the Department. The Mayor may also appoint one Assistant Commissioner to each department subject to council approval, at the regular meeting in May each year, who is authorized to assist the Commissioner in any matter relating to the Department as may be assigned by the Commissioner or the Mayor.

1-2-7.1 Departments of City Government. The Department of City Government are as follows:

- Water Department
- Street Department
- Police Department
- Parks, Recreation & Library Department
- Airport, Buildings, Liquor & City Leases Department
- City Administration

1st Reading: June 3, 2024

2nd Reading: July 1, 2024

1st Publication: June 12, 2024

2nd Publication: July 10, 2024

Roll Call Vote:

Ayes: Niehus, Abdouch, Cimpl, Mohr, Jatón , Slaba

Nays: None

Absent: None

Ordinance #2024-003 passed by a unanimous vote on it's second reading.

Tammy Thornton, Mayor

ATTEST:

Debra J. Houseman, City Administrator/Finance Officer

Second Reading of Ordinance Amendment #2024-002 occurred. Motion by Jatou, second by Mohr to accept the Second Reading of Ordinance #2024-002 and Ordinance entitled Regular Meetings repealing previous Ordinance 1-2-1:

Ordinance #2024-002

AN ORDINANCE OF THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH
DAKOTA, REPEALING ORDINANCE 1-2-1, REGULAR MEETINGS.

1-2-1 Regular Meetings. The regular meetings of the City Council shall be held on the first Monday of each month, The time and place of regular meetings shall be established by resolution at the regular meeting in the month of May each year. The time and place established may be amended by motion at a regularly scheduled meeting of the City Council. In the event of inclement weather, the Mayor or Council President may cancel any regular or special meeting of the City Council. In the event of a regular or special meeting is canceled, public notice shall be provided in accordance with state law. It shall be deemed sufficient notice that a regular or special meeting of the City Council has been cancelled by television or radio announcements stating that the said regular or special meetings of the City Council is cancelled due to inclement weather and has been rescheduled to a different date and time.

1st Reading : June 3, 2024

2nd Reading: July 1, 2024

1st Publication: June 12, 2024

2nd Publication: July 10, 2024

Roll Call Vote:

Ayes: Niehus, Abdouch, Cimpl, Mohr, Jatou, Slaba

Nays: None

Absent: None

Ordinance #2024-002 passed by a unanimous vote on it's second reading.

Tammy Thornton, Mayor

ATTEST:

Debra J. Houseman, City Administrator/Finance Officer

Connie Kaufman was present on behalf of Community That Cares to ask that a donation be considered for the 2025 Budget. Kaufman gave a little background on what CTC does and what the donation would be used for. Kaufman was informed that the council would consider a donation during the budget process, but no commitment was made.

The council was informed on an issue with illegal release of gray water from a septic tank during the rain storms and flooding. Houseman informed the council that they had received numerous complaints from

a neighbor. Houseman also stated that a letter had been delivered by the police informing the resident that if this practice continued or happened again the city would disconnect water service immediately. 24 hours was given for clean-up. The resident took no action, so Houseman sent the maintenance crew to scrape the soil off what was contaminated by the water and haul it away. The resident causing the issue will be billed for the work. All in favor, motion carried.

Gina Woods was present to discuss an issue with her dog and to discuss the lot next to her. Carda stated that there was a complaint because her yellow lab had bitten a child. Carda claimed her dog was provoked by the child and that her dog should not be deemed vicious. Moher explained that the dog put its mouth on a human to bite that human means the dog has the propensity to bite. No other action taken on that matter. Carda then asked about the lot adjoining her property. Carda would like to buy the lot. She stated that no one is mowing or spraying the lot and she has done some of the property care. Carda was informed that the City does not own that lot and that she needed to contact the Housing Board to inquire about the purchase of the property.

Houseman asked the council to approve the salary of \$59,762 for the 2024-25 School for Stewart Bass set by the Wagner Community School District. Motion by Cimpl, second by Mohr to approve the salary for Stewart Bass of \$59,762 for the 2024-25 school year. All in favor, motion carried.

There being no further business Mayor Thornton called for a motion to adjourn. Motion by Jatou, second by Abdouch to adjourn the meeting at 7:42 pm. All in favor, motion carried.

Tammy Thornton, Mayor

ATTEST:

Debra J. Houseman, City Administrator/Finance Office