

**REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA, November 4, 2024, AT 6:00 PM.**

**PURSUANT TO DUE CALL AND NOTICE THEREOF**, the regular November meeting was held Monday, November 4, 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, Taylor Mohr, and Brenda Jatón. Also present were Damon Griffith-Police Chief, Margaret Doom-Wagner Area Growth, Alyssa Mathis, Matt Williams, Anne Podhradsky-City Librarian, Agnes Nedved, Cameron Fields, Fawn Fields, Craig Krsnak, Mike Kazena and Gerrit Juffer. Absent Council person Mieke Slaba.

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

The Council stood and recited the Pledge of Allegiance.

Mayor Thornton asked for any declarations of conflict of interest. No one declared a conflict.

The agenda was reviewed. Mayor Thornton asked if there were any additions to the agenda. Houseman requested the 6 months' pay increase for Sienna Conlon be added based on the City Handbook policy. Motion by Cimpl, second by Mohr to approve the agenda with the addition of Sienna Conlon's 6 month pay increase as stated in the City Employee Policies. All in favor, motion carried.

Mayor Thornton opened the floor for public comment. There was no one present for public comment. Mayor Thornton closed the floor for public comment.

The minutes from the October 7, 2024, Regular Meeting were reviewed. Motion by Niehus, second by Jatón, to approve the minutes from the October 7, 2024, Regular Meeting. All in favor, motion carried.

The Financial Statements for the month of October 2024 were reviewed. Motion by Abdouch, second by Jatón to approve the financial statements for the month of October 2024 as follows: Commercial State Bank General Checking Account Balance as of October 31, 2024, \$2,587,012.94, Account balance as of October 31, 2024: Wagner Library- \$14,073.94, Wagner Lake Project Account- \$1,514.23, City of Wagner Water/Sewer Project account- \$169,138.86, Commercial State Bank CD's \$410,193.36, \$351,427.64, \$408,193.36, First Dakota CD's \$204,495.10, and \$21,833.08. General Fund expenditures for the month of October 2024, \$117,454.27. General fund revenue for the month of October 2024, \$ 110,717.61. Water Fund Expenditure for the month of October 2024 \$45,577.13, Water Fund Revenue for the month of October 2024, \$59,284.83. Sewer fund expenditures for the month of October 2024, \$23,420.26. Sewer fund revenue was \$45,069.47. All in favor, motion carried.

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

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

<b>Date:</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
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10/24/2024	AFLAC	Supp Insurance	\$	553.44
10/24/2024	Charles Mix Electric	Airport Electric	\$	337.61
10/15/2024	Charles Mix County Sheriff	Dispatch Services	\$	1,000.00
10/24/2024	Colonial Life	Supp Insurance	\$	693.18
10/8/2024	Commercial State Bank	941 Payroll Taxes PP 21	\$	7,349.14
10/24/2024	Commercial State Bank	941 Payroll Taxes PP 22	\$	7,790.88
10/31/2024	Commercial State Bank	RTN Check	\$	324.10
10/8/2024	Payroll	Pay Period 21	\$	23,894.10
10/25/2024	Payroll	Pay Period 22	\$	25,065.16
10/24/2024	SD Retirement System	October Contribution	\$	8,322.76
10/24/2024	Unum Life Insurance	Long Term Disability	\$	254.49
			<b>Total:</b>	<b>\$ 65,651.49</b>

The above warrants have been paid during the month of October 2024

**Claims Presented for payment for the month of November 2024:**

<b>Date</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
11/4/2024	AT&T	Cell phone usage	\$ 339.29
	Bayon Data Systems	Support Services	\$ 3,110.00
	Blue 360 Media	Criminal and Traffic Manual	\$ 103.95
	Book Systems Inc	Annual Subscriptions	\$ 795.00
	Brenda Jatón	Return Deposit @ 101 S Elm Ave	\$ 133.85
	Carynn Blaha	Return Deposit @ 313 SE Sheridan Ave	\$ 124.84
	Century Link	Long Distance	\$ 76.79
	CHS Inc	Propane at Armory	\$ 442.00
	City of Wagner	Monthly Water Bill	\$ 1,463.94
	Commercial State Bank	Petty Cash	\$ 707.90
	Commercial State Bank	Police Visa	\$ 101.71
	Commercial State Bank	City Visa	\$ 3,240.02
	Companion Life Insurance Co.	Life Insurance	\$ 134.40
	Core & Main	Software Support	\$ 3,482.35
	Current Solutions	Add outlet at Airport	\$ 140.31
	Custom Netting	Netting for the Backstop at Hennies	\$ 1,022.80
	Dakota Supply Group	Valve Exerciser	\$ 2,699.99
	Den Herder, Hovden & Barrett	Fees	\$ 3,697.52
	Equipment Blades	Blades For Snow Removal	\$ 1,464.34
	Fort Randall Telephone	Telephone & Internet	\$ 922.16
	Gall's	2 Holsters	\$ 338.99
	General Traffic Controls	Load switch w/LED's	\$ 202.00
	Gerstners Oil Company	Fuel for Equipment	\$ 1,762.55
	HDR Engineering	Construction Management	\$ 4,989.40
	Helm's & Associates	Pool Meeting	\$ 3,143.10
	Henke Tractor	Blades for mowers	\$ 187.89

Ingram Library Services	Books	\$	197.57
Insurance Benefits Inc.	Airport Liability	\$	3,837.00
Jill Irwin	Return Deposit at 524 SW Third St	\$	129.37
John Otte	Oct and Nov Monthly Contract	\$	1,750.00
King Koin Laundry	Rugs	\$	175.50
Northwestern Energy	Electricity	\$	8,642.66
Quill Corp	Supplies	\$	393.34
Pechous	Publishing	\$	413.21
Randall Community Water District	October Water Usage	\$	26,758.80
RDO Equipment	Amber Strobe for Payloader	\$	276.23
Rog's Auto, Inc	Oil Filter	\$	108.76
SD Assoc of Rural Water	Registration for SDRWA Annual Conf	\$	325.00
S&K Truck Repair & Wash	Dump Truck Repair	\$	401.78
SD Dept of Health	Samples	\$	555.00
SD Retirement System	Interest	\$	674.72
South Dakota 811	Locate Tickets	\$	60.90
Stewart Bass	Clothing Reimbursement	\$	401.45
TCS Lawn Care	Winterize Sprinkler Systems	\$	280.00
Ultimate Shine Car Wash	8 Washes	\$	96.00
Unum Life Insurance Company	Long Term Disability	\$	374.09
USDA Rural Development	Loan Payment	\$	4,574.00
USDA Rural Development	Loan Payment	\$	1,969.00
USDA Rural Development	Loan Payment	\$	5,561.00
Vogt's Repair	Power Washer	\$	63.75
Voyager Fleet Systems	Gas	\$	1,854.85
Wagner Building Supply	Supplies	\$	162.52
<b>Total :</b>		<b>\$</b>	<b>94,863.59</b>

All in favor, motion carried.

Debbra Houseman, City Administrator reported that the Trick or Treat on Main Street was a huge success. Houseman thanked the Mayor for the extra effort put forth to increase the number of Trunks at the at the event. Houseman also thanked Mayor Thornton, Councilman Niehus and Councilman Cimprl for coming up to help hand out candy at the event. Houseman also thanked Anne Podhradsky, and Marilee Krcil for assisting with candy hand out and teardown after the event. Houseman stated a huge thank you to the maintenance crew Kazena, Soukup, and Langdeaux for everything they did setting up and tearing down and helping out during the event. Also, a huge thank you to Kesa Alexander for organizing the event and for getting everything set up and decorated on Main Street. Lastly Houseman thanked Officer Fields for representing the Police Department and handing out candy leaving a positive impression with the youth regarding our Police Department. Houseman also reported that the Drainage project is complete and the change order and the pay app would be approved later. Houseman stated that she will be attending the South-Central Water Development District November meeting to request grant money to assist with engineering costs on the Walnut Avenue Project and on the Hwy 46 Utility Project. Houseman informed the council that she has sent out about a dozen letters requesting City Attorney inquiries. Houseman also

informed the council that the parade of lights is scheduled for December 6, 2024, and the council is welcome to help build the city float which will be entered in the parade. Houseman addressed some burning complaint concerns with the council, the council was informed that the Audit for 2023 is tentatively scheduled for January 2025 and that the Water tower contracts have been submitted and there is an expectation of the smaller contract being completed in 2024. Houseman also reported on her attendance at the SDML Fall Conference. Houseman also, stated that since the Planning and Zoning Administrator was unable to attend the meeting she would report on her behalf. Houseman stated the month of October 6 building permits were received. Houseman stated that Alexander has a Planning and Zoning Meeting Scheduled for November 12, 2024, to address the conditional use permit application. Houseman also informed the council that there had been a few calls regarding concerns with the house that is going to be built across from the park. Alexander worked with Bouza to ensure that the permit was correct and she also confirmed that all setback requirements are in compliance with the application. Houseman informed the council that Alexander is working on getting some Christmas decorations for the building.

Matt Williams IT Coordinator reported that he is preparing for the DSU penetration review and that he has been working with Chief Griffith to prepare the quotes for the computers for the police vehicles.

Chief Damon Griffith stated that the contest for the police patches is not complete. He will let the council know when the contest is complete.

Margaret Doom was present on behalf of Wagner Area Growth. Doom reported that WAG had received a \$100,000 grant in conjunction with Tyndall's Farmers market also to pay for a Regional Farmer's Market Manager and to cover costs of advertising and recruitment of vendor's etc., there is also a grant for a commercial kitchen to assist with the processing of home-grown foods. Doom also stated that she is excited about the parade of lights and is working to get some fun things on Main Street that day. There will be a pool fundraiser bingo, Santa and some Christmas scenery pop ups throughout Main Street. Doom has been working on some business recruitment and has spent time working on the locker project which will be discussed later in the meeting. Doom stated that the ISG plans have been reviewed and is waiting for a final on them.

Mayor Thornton stated that she also attended Fall Conference and gained some valuable information from the conference. Thornton stated that the FEMA Conference she was scheduled to attend was cancelled and will be rescheduled. Thornton also thanked everyone for helping out with the Trick or Treat on Main Street and said it was a great event.

Craig Krsnak of Bures-Kronaizl Insurance was present to go over the Group Health Insurance Renewal for the City of Wagner. Krsnak explained the increase as minimal. Comparison of the Avera plan and the Wellmark plans was discussed. Motion by Abdouch, second by Cimpl to approve the renewal of the Avera Health Plans Group Insurance Plan at a \$2,000 deductible at the monthly cost of \$11,628. All in favor, motion carried.

Agnes Nedved was present to speak in replacement of John Addy regarding concerns with the Grain pile near by the Nedved property. Nedved pointed out items that were not satisfied with the previous conditional use. Nedved asked if they should attend the Planning and Zoning Meeting on

November 12, 2024. Houseman recommended that, they attend the meeting and state their concerns at the public hearing for the conditional use.

The council was notified that Sienna Conlon has completed her 6-month probation period; completion of this period would make Sienna eligible for her \$.50 increase based on the employee policies. Motion by Jatón, second by Mohr to approve moving Sienna Conlon from \$24.00 per hour to \$24.50 per hour for successful completion of her 6-month probationary period. All in favor, motion carried.

A request to hire Jimmy Joe Wade Jr. as an uncertified law enforcement officer contingent upon the return of a favorable background investigation. Motion by Abdouch, second by Jatón to approve hiring Jimmy Jo Wade Jr. at \$24.00 per hour as an uncertified police officer contingent upon the return of a favorable background investigation. All in favor, motion carried.

Mayor Thornton asked for discussion regarding the removal of the pay differential paid to the police department for evenings and weekends. Mohr stated that he thought this was not a good idea and felt the differential pay should stay as is. Consensus of the council was to leave the differential as is.

The Liquor License Renewals for 2025 were presented to the council for approval. Motion by Jatón, second by Niehus to approve the following licenses for the 2024 licensing period contingent upon a completed license application has been returned to the City of Wagner Finance office and the applicants are in good standing with the City and all tax obligations are fulfilled:

**G.F. Buche Company & Bob's Liquor Off-Sale Liquor** located at 413 W Highway 46, Wagner, SD the legal being Outlot of "B-6" of Lot 3, ex W 310 Feet of outlot B-5 of lot 3 of section 4, township 95 north, range 63, west of the 5<sup>th</sup> PM of the town, Now City of Wagner, Charles Mix County, South Dakota.

**Two Spurs Inc -On-Sale Liquor** located 610 W Hwy 46, Wagner, SD the legal being Parcel C of Blaha Sub Parcel SW ¼ of the SW ¼ P 20 A of the Town Now City of Wagner, Charles Mix County, South Dakota.

**Wagner Super Foods Off-Sale Liquor** located at 715 S. Main Ave the legal being lot 1 Except Lots H2 & H-3 of Lot 1 All of Lots 2,3,4,5,6 & 8 of Block 17 Milwaukee 2<sup>nd</sup> Addition of the town, Now City of Wagner, Charles Mix County, South Dakota.

**Casey's General Store #2384 Wagner Off-Sale Liquor** Located at Tract 1 of Von Eschen Addition There Of to the town Now City of Wagner, Charles Mix County, South Dakota.

**Dollar General Stores of South Dakota Retail (on-Off sale) Wine and Cider,** 101 W SD Highway 46 the legal being:

Parcel 1: Lots 7 & 8 and the South Two and a half feet of Lot 9, Block 16, Milwaukee Land Company's Second Addition to the Town Now City of Wagner, Charles Mix County, South Dakota.

Parcel 2: Lot 10 and the North Twenty Two and One-Half of Lot 9, Block 16, Milwaukee Land Company's Second Addition to the town Now City of Wagner, Charles Mix County, South Dakota.

Parcel 3: Lots 11 and 12, Less Lot H-1 of Lot 12, Block 16, Milwaukee Land Company's Second Addition to the Town, Now City of Wagner, Charles Mix County, South Dakota.

**Family Dollar Stores of South Dakota Retail (On-Off Sale) Wine and Cider,** 812 SD Hwy 46 the legal being situated on the northeastern corner of the intersection of Cedar Street (Highway 46) and Estates Drive (394<sup>th</sup> Avenue), in the City of Wagner, County of Charles Mix County, South Dakota being that property fronting 200 Feet on Cedar Street (Highway 46) and extending 300 Feet along Estates Revenue (394<sup>th</sup> Avenue) as shown outlined in red Exhibit B-Site Plan attached hereto and made part hereof.

Together with a building containing 8,000 (100'X80') square feet, which shall be constructed by Landlord, as hereinafter provided, on the above described premises along with the paved, marked, lighted parking, service and access, parking for customers, Storm drainage and other utilities which are necessary or desirable training for Tenant's use of said property for a typical Family Dollar Store, including without limitation convenient access to said property for Tenant's eighteen-wheel, tractor trailer delivery vehicles of the town, Now City of Wagner, Charles Mix County, South Dakota. All in favor, motion carried.

All in favor, motion carried.

The renewal of the Medical Cannabis License for Ruthie's Dispensary was reviewed. The council was informed that everything with the business was in good standing and the license is recommend for renewal. Motion by Jatón, second by Abdouch to approve the renewal of Ruthie's Dispensary's medical cannabis license the business location being 757 SD Hwy 46, the legal being Lot 2A of the NE1/4EX H-1, .039A & Lot 3A of NE1/4 3-95-63. Motion passed 4:1 Mohr voting nay.

Discussion was held regarding the completion of the drainage project. The council reviewed Change Order #1 in the amount of \$20,050. Motion by Cimpr, second by Mohr to approve Change Order #1 in the amount of \$20,050.00. All in favor, motion carried.

Pay Application #1 for the Drainage Project was reviewed, discussion held. Motion by Jatón, second by Abdouch to approve the Pay Application #1 in the amount of \$362,533.34, the balance being the retainage of \$21,543.86 and Liquidated Damages of \$46,800 withheld from the total amount due on the contract. All in favor, motion carried.

The council discussed the purchase of the docking stations and the laptops for the Police vehicles. Quotes were reviewed and discussion held. Motion by Jatón, second by Niehus to approve the purchase of the laptops and docking Stations including installation at the cost of \$31,711.68. All in favor, motion carried.

Price quotes were reviewed for the purchase of a heater for the old city shop. Quotes from Runnings for \$949.99, Northern Tool and Equipment for \$1,658.99 and Bouza Lumber for \$937.20.

Motion by Niehus, second by Abdouch to approve the purchase of a heater from Bouza Lumber for the old City Shop at the cost of \$937.00. All in favor, motion carried.

A discussion was held regarding repairing the cement around the drains at the pool and moving the slide to open another swim lane. A quote from Wagner Building Supply was reviewed to move the slide and replace the cement around the pool drains at the cost of \$14,282.66. Motion by Cimpl, second by Abdouch to approve hiring Wagner Building Supply to move the Slide at the pool and replace the cement around the drains at the pool at the cost of \$14,282.86. All in favor, motion carried.

The council was informed that the Boy's Scout building is going to be sold, so the city civil defense whistle needs to be moved to a different location. Motion by Mohr, second by Jatón to approve hiring Current Solutions to move the Civil Defense Siren at the cost of \$2,490.00. All in favor, motion carried.

The City of Wagner Emergency Response Plan was reviewed by the council. Motion by Niehus, second by Jatón to approve the Emergency Response Plan as presented. All in favor, motion carried.

Discussion followed regarding holding the first reading of the Special Bed, Board, Booze and Ticket Sales Tax was discussed. Motion by Jatón, second by Cimpl to continue discussion and the first reading of the Special Bed, Board, Booze, and Ticket Sales Ordinance. All in favor, motion carried.

The council was informed that the State is requiring a resolution listing Utility Rates and the definition of the Sur charges to meet the requirements of the SRF Loan Application. The council reviewed Resolution No. 2024-0012. It was also stated that this is not a utility increase it is just a resolution declaring the current rates. Motion by Abdouch, second by Cimpl to approve resolution #2024-0012 to read as follows:

#### **Resolution #2024-0012**

#### **A RESOLUTION DECLARING THE CITY OF WAGNER'S WATER AND SEWER RATES & FEES TO FUND THE CURRENT AND FUTURE INFRASTRUCTURE IMPROVEMENT PROJECTS.**

**WHEREAS**, the City of Wagner has been involved in a comprehensive infrastructure planning process,

**WHEREAS**, many of the projects will include state revolving loan financing that the City will be obligated to repay through rates,

**WHEREAS**, these improvements are necessary to replace and update the current infrastructure meet expected demands of current customers, as well as provide service to accommodate growth and development.

**WHEREAS**, the Wagner City Council has instituted an annual increase of utility rates to enable the Utility funds to be financially sound to allow for infrastructure improvements and to minimize the financial impact on the residents of Wagner.

**THEREFORE, IT BE RESOLVED,** BY THE City Council of the City of Wagner, SD that effective November 4, 2024, rates will be set as follows including the following surcharge fees as listed below to fund the loan payments for infrastructure improvements.

**2024-2025 Rates:**

<b>100 Gallons.....</b>	<b>.65</b>	<b>\$ 26.75</b>	<b>Water</b>
<b>200 Gallons.....</b>	<b>1.30</b>	<b>\$ 34.00</b>	<b>Sewer</b>
<b>300 Gallons.....</b>	<b>1.95</b>	<b>\$ .79</b>	<b>Water surcharge</b>
<b>400 Gallons.....</b>	<b>2.60</b>	<b>\$ 15.81</b>	<b>Sewer surcharge</b>
<b>500 Gallons.....</b>	<b>3.25</b>	<b>\$ 77.35</b>	<b>Minimum</b>
<b>600 Gallons.....</b>	<b>3.90</b>		
<b>700 Gallons.....</b>	<b>4.55</b>		
<b>800 Gallons.....</b>	<b>5.20</b>		
<b>900 Gallons.....</b>	<b>5.85</b>		
<b>1000 Gallons.....</b>	<b>6.50</b>		

The Water and Sewer Rates include surcharges which are receipted separately to reflect the revenue solely used to pay for the following public improvement projects:

Water System Main improvement project 2010 project:	\$ .79 /month/user
Sewer System Main improvement project 2010 project.	\$ 1.59 /month/user
Sewer System Main improvement project 2015 project.	\$ 7.75 /month/user
Sewer System Main improvement project 2020 project.	\$ 6.47 /month/user

Roll Call Vote:

Ayes: Mohr, Jatón, Niehus, Cimpl, Abdouch

Nays: None

Absent: Slaba

Resolution No. 2024-0012 passed by a unanimous.

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Tammy Thornton, Mayor

ATTEST:

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Debbra J. Houseman, City Administrator

Margaret Doom and Gerrit Juffer were present to discuss the business prospect of a locker coming to Wagner. The council was informed that Wagner Area Growth along with other business partners in the community have been working to put a package together to make Wagner the most attractive place for this business expansion. The council was informed that there is property that Wagner area Growth will be granting, there is a confirmed low interest loan. Also, as part of courting the business the partnership is requesting that the City offer a sales tax rebate similar to what was



offered to Shopko. Discussion followed. Motion by Jatón, second by Mohr to go into executive session at 7:37 pm for the purpose of proprietary Business in accordance with SDCL 1-25-2 (5). All in favor, motion carried.

Mayor Thornton declared the council out of executive session at 8:00 pm.

Motion by Abdouch, second by Mohr to adjourn at 8:01 pm. All in favor, motion carried.

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Tammy Thornton, Mayor

ATTEST:

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Debbra J. Houseman, City Administrator/Finance Officer