

**AGENDA  
CITY OF MILLER  
TUESDAY, FEBRUARY 21, 2017  
7:00 P.M.**

**Call to Order**

**Pledge of Allegiance**

**Approval of Agenda**

**Approval of Minutes pgs. 1-5**

**Approval of Bills**

**Public Input**

**Old Business**

1. Gas Detection System pg. 6
2. 2nd Reading of Ordinance# 679 – Snow Removal pgs. 7-8

**New Business**

3. SPN – Drainage Basin & Lift Station Bids
4. Tammy Caffee – Housing
5. Steve Ellsworth - Baseball
6. Siren Surplus & Donation
7. Terry Manning - Probation
8. Orv's Yard Service pg. 9
9. Safety Committee
10. 4-Way Stop
11. Delinquent Bills

**Adjourn**

**UNAPPROVED  
CITY OF MILLER  
CITY COUNCIL MEETING  
FEBRUARY 6, 2017**

The City Council met in regular session at City Hall at 6:00 p.m. on Monday, February 6, 2017.

**MEMBERS PRESENT:** Mayor Ron Blachford, Aldermen Gale Auch, Jim Odegaard, Tony Rangel, Bob Steers, Joe Zeller, and Alderwoman SuAnne Meyer.

**CALL TO ORDER:** Mayor Blachford called the meeting to order.

Pledge of Allegiance was said by all present.

**AGENDA:** Motion by Alderman Rangel, seconded by Alderman Auch to approve the agenda. All members voted aye. Motion carried.

**EXECUTIVE SESSION**

Motion by Alderman Zeller, seconded by Alderman Steers to go into executive session for legal matters pursuant to SDCL 1-25-2(3) at 6:04 p.m. All members voted aye. Motion carried. Attorney Jerry Wattier was present via conference call. Motion by Alderman Rangel, seconded by Alderman Auch to return to regular session at 6:57. All members voted aye. Motion carried.

**MINUTES:** Motion by Alderman Rangel, seconded by Alderman Odegaard to approve the minutes for the regular meeting held on January 17, 2017. All members voted aye. Motion carried.

**APPROVAL OF BILLS:** Motion by Alderman Zeller, seconded by Alderman Odegaard to approve the bills. All members voted aye. Motion carried

**PUBLIC INPUT**

Joe Zeller discussed the housing fair held by On Hand Economic Development and gave council members a contact list for entities that can help with loans or other services available to home owners or potential home buyers. On Hand is also attempting to reschedule the "Miller Day at the Capital" bus trip.

**DEPARTMENT HEAD REPORTS**

**Police Department:** Shannon Speck, Chief of Police, submitted a written report as he was not present. Officer Ames held a CPR, AED and First Aid class for all city employees on February 1. Officers Henrickson and Henson attended a National Traffic Incident Management Course at the fire hall on January 26. Officer Ames will conduct a Taser Recertification Course for all officers.

**Electric Department:** Bill Lewellen, superintendent, stated that they have been busy with Christmas decorations, cutting trees, inventory and retiring the old system. The State hit a light pole north of town, a new one has been ordered and will be replaced. The WAPA drought adder on our electric bill will be reducing due to a loan that they have almost paid off. This will reduce our electric bill from WAPA, the extra funds will then be set aside to complete burying the electric lines in the remainder of town. We hope to be able to complete the final phase of the project without raising electric rates.

**Water/Sewer Department:** Terry Manning, superintendent, stated that Dakota Pump & Control, Inc. replaced some floats and float pack in the west lift station. Butler Cat worked on the generator for the water system and city hall. A curb stop at Wilbur Lerew's trailer house was replaced by several city employees.

**Street Department:** Ron Hoftiezer, street superintendent, has been working on equipment that can be worked on indoors. They have been sanding the alleys multiple times due to the ice buildup. Ron has all of his annual certifications completed. Snow has been removed from city property.

**Finance Office:** Sheila Coss, Finance Officer, stated that 2017 sales tax is starting off over \$4,000 less than January of 2016. Petitions can be picked up at the Finance Office for the city election. Terry Manning and Sheila have been working with MAPS and Rural Development for the Phase II funding of the water & sewer projects. Congratulations to Cindy and Dylan Deuter on the birth of their son Myles Jeffrey on January 24<sup>th</sup>.

### **NEW BUSINESS**

**SDMEA Conference:** Motion by Alderman Auch, seconded by Alderwoman Meyer to have Bill Lewellen attend the SDMEA conference in Watertown on February 28 and March 1. All members voted aye. Motion carried.

**EPA Drinking Water Compliance:** Motion by Alderman Rangel, seconded by Alderman Zeller to send Brandon Hammill to the EPA Drinking Water Compliance meeting in Agency Village on March 8. All members voted aye. Motion carried.

**Trench Box Quotes:** Motion by Alderman Odegaard seconded by Alderman Rangel to have Terry Manning purchase the trench box recommended by Claims Associates from Stan Houston for \$12,797. All members voted aye. Motion carried.

**Gas Detection Quotes:** Motion by Alderman Steers, seconded by Alderwoman Meyer to table a decision on the gas detection system until Terry Manning receives clarification and possibly a new quote from Stan Houston. All members voted aye. Motion carried.

**Terry Manning Work Comp Sick Pay:** Motion by Alderman Rangel, seconded by Alderman Steers to reinstate any sick used by Terry Manning for his workman's comp doctor visits up to the max accrual of 1040 hours. Roll Call vote: Alderman Rangel-aye, Alderman Odegaard-aye, Alderwoman Meyer-aye, Alderman Zeller-aye, Alderman Steers-aye, Alderman Auch-aye. Motion carried. Motion by Alderman Rangel, seconded by Alderman Odegaard to recalculate any overtime that was lost due to sick time being used for work comp and reimburse Terry. All members voted aye. Motion carried.

**Delinquent Bills:** Alderman Steers expressed concern about delinquent bills, especially those of higher dollar amounts. The utility committee will meet to see about higher deposits, earlier shut off dates or other options that will prevent residents or businesses from getting so far behind on their utility bill.

**Fire Department Roster:** Motion by Alderman Steers, seconded by Alderwoman Meyer to approve the 2017 roster of volunteer firemen and include coverage of up to 40 members on our workman's comp policy. All members voted aye. Motion carried.

**SPN Pay Requests:** Motion by Alderwoman Meyer, seconded by Alderman Auch to approve the following pay requests for SPN: Water \$24,750, Sanitary Sewer \$39,930, Storm Sewer \$7,560 and Lift Stations \$1,700. All members voted aye. Motion carried.

**First Reading of Ordinance #679 – Snow Removal:** Motion by Alderman Rangel, seconded by Alderman Steers to approve the first reading of Ordinance #679 – Snow Removal. Alderman Steers wanted it stated that the city would be lenient under extenuating circumstances such as our rain on Christmas Day. Roll Call vote: Alderman Rangel-aye, Alderman Odegaard-aye, Alderwoman Meyer-aye, Alderman Zeller-aye, Alderman Steers-aye, Alderman Auch-aye. Motion carried.

**NECOG Performance Report:** Motion by Alderman Rangel, seconded by Alderman Auch that all council members reviewed the annual NECOG Performance Report. All members voted aye. Motion carried.

**Website with On Hand Economic Development:** Motion by Alderman Rangel, seconded by Alderwoman Meyer to pay \$1,000/annually to On Hand Economic Development for space on their website. Each department head will have access to update their portion of the website to relay pertinent information. All members voted aye. Motion carried.

**AED for City Hall:** Motion by Alderman Rangel, seconded by Alderman Odegaard to get an AED for city hall. Sheila has applied for a grant through Avera St. Mary's Foundation to receive reimbursement for all or a portion of the purchase price. An AED will be ordered after we are informed as to whether or not we will receive the grant. All members voted aye. Motion carried.

Motion by Alderman Zeller, seconded by Alderman Steers to adjourn the meeting. There being no further business, the meeting was adjourned at 8:41 p.m. All members voted aye. Motion carried.

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Ronald Blachford, Mayor

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Sheila Coss, Finance Officer

**LEGAL NOTICE OF RECEIPT**

Copy of the official proceedings

was received on: \_\_\_\_\_

Published once at the

approximate cost of: \_\_\_\_\_

A & B BUSINESS SOLUTIONS	SWITCH BOXES	206.49
AMERICAN FAMILY LIFE ASSURANCE	AFLAC - PRETAX	1000.28
AMERICAN BANK & TRUST	COP CAR	13638.81
AT&T MOBILITY	CELL PHONE	48.42
BEST WESTERN RAMKOTA SIOUX FAL	JUTS	411.96
BOB'S DISPOSAL SERVICE	GARBAGE	180.00
BORDER STATES ELECTRIC SUPPLY	RED PAINT	90.00
BUILDERS CASHWAY INC	SCREWS	8.49
BUTLER MACHINERY CO	GENERATOR	1806.19
PRODUCTIVITY PLUS ACCOUNT	CLUTCH PEDAL SPRINGS	25.26
COMMUNICATIONS CENTER	ANTENNA	170.00
DAKOTA FIRE EQUIPMENT LLC	EXTINGUISHER INSPECTION	1108.45
DAKOTA PUMP & CONTROL INC	LIFT STATIONS	1280.61
DGR ENGINEERING	CAP IMP	2895.00
ELECTRONIC FED TAX PAYMENT SYS	FED/FICA TAX	13370.15
BRANDON HAMMILL	MEALS	11.00
HAYDN HERMAN	JUTS	197.00
RON HOFTIEZER	PESICIDE RECERT	11.00
INLAND TRUCK PARTS	BRAKE PART	134.57
KOECK, JOSH	JUTS	50.00
TERRY MANNING	WATER CONF	11.00
MINNESOTA MUNICIPAL UTIL ASSN		300.00
NASASP	DUES	39.00
NORTHWEST LINEMAN COLLEGE	LCP DISTANCE PROGRAM	587.00
OAKLEY FARM & RANCH SUPPLY	SUPPLIES	81.83
ON HAND DEVELOPMENT CORP.	80% BBB JAN	2954.81
PHARMCHEM	24-7 PATCHES	59.00
RURAL DEVELOPMENT	LOAN	19355.00
SD ATTORNEY GENERAL	24/7 PROGRAM	90.00
SD DEPT OF HEALTH	TESTING	211.00
SD DEPT OF PUBLIC SAFETY	TELETYPE SERVICE	2340.00
SD DEPT OF REVENUE	SALES TAX	23698.43
SENTRY SIREN	WARNING SIREN	10948.35
SOUTH DAKOTA ONE CALL		49.35
SPN	FINAL DESIGN	73940.00
STOBBS SALES INC	BLACK CHEVY 2500	523.21
TRAFFIC LOGIX CORPORATION	SPEED SIGN	2815.92
WELLS FARGO BANK, N.A.	BOND PYMT	32959.78
WESCO DISTRIBUTION	ALMETEK	317.00
**** PAID TOTAL ****		<u>\$207,924.36</u>

Payroll by Department:

Department	w/o OT	OT	Total
41110 COUNCIL	2039.98		2039.98
FINANCE			
41410 OFFICE	1182.47		1182.47
41910 BUILDING	362.90		362.90
42110 POLICE	10367.29	673.65	11040.94
43110 STREET	4760.98	156.53	4917.51
43210 SEWER	4634.08	18.94	4653.02
43310 WATER	4633.94	18.94	4652.88
43410 ELECTRIC	10051.54		10051.54
	<u>\$38,033.18</u>	<u>\$868.06</u>	<u>\$38,901.24</u>



**ORDINANCE NO. 679**

**AN ORDINANCE AMENDING CHAPTER 32 OF THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MILLER, SOUTH DAKOTA,** that the following sections have been amended or added to Chapter 32 of the Miller Municipal Code:

**SNOW AND ICE REMOVAL**

**Sections:**

<b>32-149.</b>	<b>Owner or occupant responsibility.</b>
<b>32-150.</b>	<b>Disposal of snow and ice.</b>
<b>32-151.</b>	<b>Notice.</b>
<b>32-152.</b>	<b>Notice of Abatement.</b>
<b>32-153.</b>	<b>Penalty.</b>

**32-149. Owner or occupant responsibility.**

The owner or person in possession of any premises within the city adjacent to any continuous sidewalk of at least one block adjacent to a street (sidewalks to nowhere are exempt), must, within 48 hours after the fall of snow or the formation of ice on the sidewalk, remove the snow and ice from so much of the sidewalk as adjoins the premises, and, further, it shall be the duty of the police chief of the city to carry out the provisions of this article. (Ord. 430 (part), 1980: prior code § 9.0501)

**32-150. Disposal of snow and ice.**

The property owners, person in possession or, person removing snow or ice from any sidewalk, public or private driveway, parking lot, or parking area shall not dispose of accumulated snow and ice from the property in any of the following manners:

- a) Snow and ice shall not be deposited on any sidewalk.
- b) Snow and ice shall not be deposited so as to obstruct or interfere with the passage or vision of vehicular or pedestrian traffic.
- c) Snow and ice shall not be deposited upon any public street or alley, except as otherwise allowed in the downtown area with the permission of the city.

**32-151. Notice.**

No criminal penalty or billing shall be imposed under this article unless the city causes notice to be given to all owners or persons in possession of the property within the city to keep such sidewalks free from snow and ice and to remove the same within 48 hours after every fall or accumulation of snow or ice. The municipal finance officer shall place the notice in the official newspaper, published twice a year, the first being on or around the 1<sup>st</sup> day of October and the second being published on or around the 1<sup>st</sup> day of February. Either published notice shall constitute notice as required by this section.

**32-152. Notice of abatement.**

In the event the owner or person in possession of the property within the city shall fail or neglect to keep sidewalks free from snow or ice, the police chief shall serve notice upon such owner or person in possession of the property that any such snow or ice must be removed. The

notice shall set forth what is required of the owner or person in possession of the property and shall be delivered by the police chief to the owner or person in possession of the property. If the owner or person in possession of the property shall not comply with the notice within 24 hours from delivery of the same, the police chief shall have any snow or ice removed and shall present an itemized statement to the city council setting forth the cost of any such removal. The city council may, in its discretion, cause the cost of the removal to be assessed against the property benefited.

**32-153. Penalty.**

Violation of any provisions of this division, in addition to the penalties contained herein, may be punished by a fine in accordance to a class 2 misdemeanor. Further, the city may, at its election, cause the removal of snow or ice from the sidewalks and to bill the cost and expense of such removal to the property owners or person in possession thereof. The snow or ice removal fees shall be set by the common council at their sole discretion and a list of the fees by the city shall be kept at the city finance office. Should the billing not be paid, the city will levy the cost as a special assessment against the property or choose to send the outstanding balance to collections.

Dated this \_\_\_ day of February 2017.

\_\_\_\_\_  
Ron Blachford, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Coss, Finance Officer

(SEAL)

Record of Votes:

Alderman Rangel –  
Alderman Odegaard –  
Alderman Meyer –  
Alderman Zeller –  
Alderman Steers –  
Alderman Auch –

First Reading: February 6, 2017  
Second Reading: February 21, 2017

Adoption: February 21, 2017  
Publication: March 1, 2017

Published once at the  
approximate cost of: \_\_\_\_\_

Not a Bill - Only on Estimate. 491251

**Statement**

DATE February 13, TERMS

TO City of Muller

IN ACCOUNT WITH Ori's Yard Service  
 210 W 4th St.  
 Muller, SD.

*Muller*

Estimate = approximate dates

5/1/2017	City Hall's lower tower area		
	crab grass preventer + fertilize	35	45
	Weed spray	35	45
			<u>70.90</u>

5/15/2017	Pool + tennis court area to west end of tennis court -		
	crab grass preventer + fertilize	125	08
	Spray weeds	125	03
			<u>250.06</u>

If you want the same service in the fall, the same prices apply.

Thanks

CURRENT	OVER 30 DAYS	OVER 60 DAYS	TOTAL AMOUNT	\$320.96
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