

**AGENDA  
CITY OF MILLER  
MONDAY, MAY 18, 2015  
7:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Approval of Agenda  
Approval of Minutes *pgs. 1-6*  
Approval of Bills

Public Input

**Public Hearing**

7:30 Liquor License Transfer – Redneck Paradise, Inc.

**Old Business**

1. Airport Appraisal

**New Business**

1. Building Permits

Bonnie Hall – remove garage, sheds, deck

Duane Harvey – add garage

2. Helm's & Associates Pay Request \$36,256.06 *pgs. 7-8*

3. Budget Training *pgs. 9-10*

4. Volunteer Firemen – Add Matthew Miller & Isaac Sauder, Remove Doug DeBoer, Brian Duxbury,  
Anthony VanEverdingen from Workers Compensation

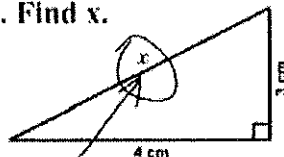
5. Code Enforcement

6. 2014 JD 915 B Commercial Lawn Mower

7. Redneck Paradise – Street Dance

**Adjourn**

3. Find  $x$ .



*Here it is*

**UNAPPROVED  
CITY OF MILLER  
CITY COUNCIL MEETING  
MAY 4, 2015**

The City Council met in regular session at City Hall at 7:00 p.m. on Monday, May 4, 2015.

**MEMBERS PRESENT:** Mayor Ron Blachford, Aldermen Gale Auch, Jim Odegaard, Tony Rangel, Tom Winsell, Joe Zeller and Alderwoman Mary Johnson.

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

Pledge of Allegiance was said by all present.

**MINUTES:** Motion by Alderman Rangel, seconded by Alderman Odegaard to approve the minutes for the regular meeting held on April 20, 2015. All members voted aye. Motion carried.

**OATH OF OFFICE:** President Rangel administered the Oath of Office to Mayor Blachford. Mayor Blachford administered the Oath of Office to Aldermen Auch, Zeller and Odegaard and Finance Officer, Sheila Coss.

**ELECTION OF OFFICERS:** Motion by Alderman Odegaard, seconded by Alderwoman Johnson to nominate Alderman Rangel as President. All members voted aye. Motion carried. Motion by Alderman Zeller, seconded by Alderman Winsell that nominations cease and a unanimous ballot be cast. All members voted aye. Motion carried. Motion by Alderman Rangel, seconded by Alderman Auch to nominate Alderman Odegaard as Vice President. All members voted aye. Motion carried. Motion by Alderwoman Johnson, seconded by Alderman Zeller that nominations cease and a unanimous ballot be cast. All members voted aye. Motion carried.

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

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

**DEPARTMENT HEAD REPORTS:**

**Electric Department:** Bill Lewellen, electric superintendent, was unavailable. His written report indicated that they will begin preparing for Dollar General's electrical needs this week. They have continued to remove portions of the old system and put up LED street lights.

**Police Department:** Chief Shannon Speck was unavailable. His written report indicated that they completed firearms training on April 29. They will participate in the "Someone Needs You, Buckle Up" mobilization campaign. The new patrol car should be in service sometime this week. Officer Chris Hendrickson is finishing up with his D.A.R.E. class at the elementary school.

**Street Department:** Ron Hoftiezer, street superintendent, stated that Jasper Shaw's bench has been installed at the park. He will contact Joe Shaw to set a date and time for the dedication. He would like to clean out the mud and sediment from the east end of Crystal Pond; if the city equipment will not

reach, he would like to ask Olson Construction to assist while they are in town working on Dollar General.

**Water/Sewer Department:** Superintendent Jim Bonebright stated that the bathrooms are under construction. Motion by Alderman Rangel, seconded by Alderman Odegaard to have Dustin McFarlane spray foam the outer wall and ceiling in both bathrooms for approximately \$1300.00. All members voted aye. Motion carried. There is potential for a change order at the airport to build berms around the PAPI lights to keep them out of the standing water. The airport project is moving along quickly. Jim is researching fuel tank options for the airport.

**Finance Office:** Finance Officer Sheila Coss reported that sales tax is still down for the year; however, there has been a total of \$5608.62 collected for the BBB tax, 80% goes to On Hand Economic Development for the Community Center and 20% is for the swimming pool. Rachel Heezen and Cindy Deuter attended the Data Technologies user group meeting in LeMars, Iowa on April 22. I will attend Disaster Management Training in Sioux Falls on May 11 & 12.

**PUBLIC INPUT:** Alderman Rangel wants to remind the residents that building permits are required for construction projects. Please contact the Finance Office if you have any questions. The Planning and Zoning Committee will be meeting to discuss repercussions for individuals that do not obtain a permit prior to construction.

**OLD BUSINESS:**

**Airport Appraisal:** Motion by Alderman Zeller, seconded by Alderman Auch to revise the purchase agreement for the airport property to reflect the land price and fence replacement. The fence portion is not reimbursable from the FAA as otherwise previously stated. All members voted aye. Motion carried.

**NEW BUSINESS:**

**Plat – Nelson’s Outlots 1 & 2:** Motion by Alderwoman Johnson, seconded by Alderman Odegaard to approve the plat for Nelson’s Outlots 1 & 2. All members voted aye. Motion carried.

**Malt Beverage License Renewals:** Motion by Alderman Rangel, seconded by Alderman Odegaard to approve renewing malt beverage licenses for: 4 Caballeros, Inc. (Cowboy Country Stores), Redneck Paradise, Pop-A-Top Liquor Store & Tavern, and Milan, Inc. (Pump N Pak). All members voted aye. Motion carried.

**Building Permits:** Motion by Alderwoman Johnson, seconded by Alderman Winsell to approve the following building permits: Donald Hofer – steps; Dale Lichty – replace steps; John Arland – storage room; Norma Beaner – replace porch; Erin Kindle – remove garage. Five ayes and one nay. Motion carried.

**Resolution 2015-5 City Attorney:** Motion by Alderman Rangel, seconded by Alderman Auch to approve the following resolution:

**RESOLUTION NO. 2015-5**

WHEREAS, it is necessary to appoint and employ a City Attorney and Assistants to provide legal advice and services to the City of Miller and its officers, boards, aldermen, and employees; now, therefore, pursuant to SDCL 9-14-1 and 9-14-23, BE IT RESOLVED AS FOLLOWS:

That Jerry L. Wattier is hereby appointed City Attorney and Lindsey Riter-Rapp as Assistant City Attorney at \$175 per hour for any such attorney, plus travel or other expenses, to be billed and paid monthly to Riter,

Rogers, Wattier & Northrup, LLP. For these sums the City Attorney or Assistants shall perform the regular duties of the City Attorney, consisting of (1) attending upon request scheduled and special meetings of the City Commission and provide legal services arising out of regular and normal business of the City as is necessary and appropriate as an inherent part thereof (i.e. drafting ordinances and resolutions and research and advice pertaining to the meetings); (2) provide general legal advice to the Mayor, City Council, Finance Officer, Airport Manager, Chief of Police and other officers, boards, and employees in the performance of their duties only upon approval of the City Council; (3) seek enforcement and prosecute violations of city ordinances or other criminal law properly to be enforced by the City of Miller; and (4) provide other legal services required by the City under Federal and State laws, city ordinances, the State Bar of South Dakota and other requirements.

That for the performance of other services over and above the regular duties of the City Attorney as above set out, the City of Miller does hereby hire and employ, Riter, Rogers, Wattier & Northrup, LLP and specifically Jerry L. Wattier, Lindsey Riter-Rapp, Robert C. Riter, and Margo D. Northrup to prosecute and defend the City in civil legal actions in State and Federal Courts and before State and Federal administrative boards, commissions and departments and to otherwise provide legal services as requested by the Mayor or City Council or their designee at the hourly rate of \$175.00 per hour, plus actual out of pocket expenses such as filing fees, travel, court reporter fees, witness fees, long distance telephone calls and the like. It is agreed that travel expenses will be kept to a minimum by the effective means of telephone, fax, email and letter communications.

The secretarial expense, software, computers, library or other related items necessary for the delivery of said legal services hereinabove described shall be paid by the law firm of Riter, Rogers, Wattier & Northrup, LLP of Pierre, South Dakota. The City of Miller agrees to continue to participate in the South Dakota Municipal League in order to fully utilize available resources, and agrees to pay the Municipal Attorney's annual fee of \$50. In lieu of any other bond, Riter, Rogers, Wattier & Northrup, LLP agrees to maintain malpractice insurance in such amount as the parties may agree.

That this Resolution and the employment herein described be renewed on an annual basis and is terminated by any party upon thirty (30) days written notice to the other.

That to assist in the performance of the duties herein described, any other attorneys in the office of Riter, Rogers, Wattier & Northrup, LLP are appointed as assistants at no salary.

Dated this 4<sup>th</sup> day of May, 2015.

All members voted aye. Motion carried.

**Resolution 2015-6 Election Results:** Motion by Alderman Odegaard, seconded by Alderwoman Johnson to approve the following resolution:

**RESOLUTION 2015-6**

**WHEREAS**, Section 9-13-5 SDCL 1967 provides no election shall be held in any municipality or ward thereof where there are no opposing candidates for any office, and the Finance Officer shall issue Certificates of Election to the nominees in the same manner as to successful candidates after election, and

**WHEREAS**, no opposing candidates filed nominating petitions for the office of Mayor – 2 year term, Councilman for Ward One – 2 year term, and Councilman for Ward Three – 2 year term.

**WHEREAS**, on Tuesday the 14<sup>th</sup> day of April 2015, pursuant to notice duly given, an election was held in the City of Miller, South Dakota, for the purpose of electing a Councilman for Ward Two – 2 year term.

**WHEREAS**, the Common Council of the City of Miller, South Dakota, did meet as prescribed by law and examined the poll books, tally sheets and other documents pertaining to said election as a result of said examination the following determination was made:

**WARD TWO – ALDERMAN**

Joe Zeller	66
SuAnne Rowen Meyer	35
Total voters registered and ballots counted	101

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Miller, South Dakota, that Ronald R. Blachford be declared elected Mayor for a term of two years, Gale E. Auch be declared elected

Councilman of Ward One for a term of two years, Joe Zeller be declared elected Councilman of Ward Two for a term of two years, Jim Odegaard be declared elected Councilman of Ward Three for a term of two years, and the Finance Officer be instructed to issue Certificates of Election to said candidates.

Dated this 4<sup>th</sup> day of May, 2015.

All members voted aye. Motion carried.

**Resolution 2015-7 Surplus Property:** Motion by Alderman Auch, seconded by Alderman Zeller to approve the following resolution:

**RESOLUTION 2015-7**

A RESOLUTION DECLARING SURPLUS PROPERTY

**WHEREAS**, certain municipal property is no longer useful, necessary or suitable for municipal purposes, and

**WHEREAS**, the trade of such property will benefit the municipality,

**THEREFORE, BE IT RESOLVED** that the following municipal property be declared surplus property:

Lot 5, Block 4, Mitcheltree Addition to the City of Miller, County of Hand

Dated this 4<sup>th</sup> day of May, 2015.

All members voted aye. Motion carried.

**First Reading of Ordinance No. 661 – IPMC:** Motion by Alderman Rangel, seconded by Alderwoman Johnson to approve the first reading of Ordinance No. 661 to adopt the International Property Management Code. After much discussion, the council will review the IPMC with our current ordinances to make suggested changes before the next reading. Roll Call vote: Rangel – aye, Odegaard – aye, Zeller – aye, Johnson – aye, Winsell – aye, Auch - aye. Motion carried.

**Police Car Bids:** No bids were received. The car will be put on the county auction in the fall.

**T & R Contracting Pay Request:** Motion by Alderwoman Johnson, seconded by Alderman Rangel to approve the pay request from T & R Contracting for the airport project in the amount of \$542,349.76. All members voted aye. Motion carried.

**Alco Bankruptcy:** Motion by Alderwoman Johnson, seconded by Alderman Rangel to sell our administrative claim for the Alco Bankruptcy in the amount of \$4473.29 to Fair Harbor Capital for \$3489.17 per the recommendation of city attorney, Jerry Wattier. All members voted aye. Motion carried.

**Mayoral Appointments:** Motion by Alderman Odegaard, seconded by Alderman Zeller to approve the committee assignments and mayoral appointments as presented. All members voted aye. Motion carried.

**2015 Committee Assignments**

**Mayoral Appointments**

(Committee Chair is first person listed, Alternate is 3<sup>rd</sup> person listed)

**FINANCE OFFICE:** Johnson, Rangel, Winsell; **PUBLIC SAFETY Police, Fire, Civil Defense, Emergency Warning System:** Zeller, Johnson, Auch; **STREETS, PARK, BALLPARK** Streets, Alleys, Sidewalks, Park, Ballpark, City Hall Mowing, Storm Sewer, Street Equipment: Auch, Johnson, Zeller; **UTILITIES** Lights and Power, Water, Sewer, Pool, City Hall Snow Removal, Utility Equipment: Rangel, Auch, Odegaard; **AIRPORT, CITY PLANNING & ZONING:** Winsell, Zeller, Auch; **PERSONNEL:** Odegaard, Zeller, Johnson; **BEAUTIFICATION:** Odegaard, Rangel; **ON HAND ECONOMIC DEVELOPMENT DELEGATE:** Zeller; **HOUSING:** Rangel, Johnson; *The Mayor is a member of each committee as ex-officio. (By virtue of his title.)* **Mayor Appointments:** **CITY ATTORNEY:** Jerry Wattier, Riter, Rogers, Wattier & Northrup, LLP; **CHIEF OF POLICE:** Shannon Speck; **FINANCE OFFICER:** Sheila Coss;

**OFFICIAL NEWSPAPER:** The Miller Press; **OFFICIAL DEPOSITORS:** American Bank & Trust, Quoin Financial Bank Miller, Wells Fargo Bank; **PUBLIC HEALTH OFFICER:** Dr. Stephen Schroeder; **AMERICANS WITH DISABILITIES REPRESENTATIVES:** Tom Winsell, Gale Auch; **TREE CITY USA:** Jim Odegaard; **CONSOLIDATED EQUALIZATION:** Mary Johnson

**Replace Front Sidewalk:** Motion by Alderwoman Johnson, seconded by Alderman Odegaard to replace the front sidewalk at an approximate cost of \$1350.00. City employees will remove the old sidewalk. All members voted aye. Motion carried.

**Council Member Terms:** There was discussion about extending the terms of aldermen and mayor to three or four year terms. More research will be done.

**HR & FO School:** Motion by Alderman Rangel, seconded by Alderman Zeller to send Sheila Coss and Cindy Deuter to Human Resources and Finance Officer School June 9-12 in Pierre. All members voted aye. Motion carried.

**Executive Session:** Motion by Alderman Rangel, seconded by Alderman Odegaard to go into executive session pursuant to SDCL 1-25-2 (1) at 9:28 p.m. All members voted aye. Motion carried.

Motion by Alderwoman Johnson, seconded by Alderman Auch to return to regular session at 9:31 p.m. All members voted aye. Motion carried.

**Hire Additional Summer Employees:** Motion by Alderman Rangel, seconded by Alderman Auch to hire Rilea Mielke and Claudia Rombough as lifeguards and Jeremy Coss as a substitute lifeguard. All members voted aye. Motion carried.

Motion by Alderman Zeller, seconded by Alderman Winsell to adjourn the meeting. There being no further business, the meeting was adjourned at 9:33 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: \_\_\_\_\_

**Bills May 2015 (1)**

3D Communications	Radio	\$345.00
A & B Business Solutions	Ink	\$226.85
Alexander Hamilton Institute	Payroll Handbook	\$34.50
American Bank & Trust	ACH Fees	\$13.28
AT&T Mobility	Cell Phone	\$90.37
Avera Queen of Peace	Drug Test	\$76.40
Brookings Area CTC	CPR/First Aid Training	\$71.00
Brown & Saenger	Supplies	\$59.98
Butler Machinery Co	Annual Inspection	\$1,355.00
Dakota Riggers & Tool Supply	Supplies	\$119.36
Cindy Deuter	Meals	\$36.00
DGR Engineering	Cap Imp	\$5,557.50
Rachel Heezen	Reimb	\$227.66
Ron Hoftiezer	Meals	\$30.00
Lyle Signs Inc	Signs	\$55.32
Manning Digging Service	Service	\$200.00
Nature Bound Floral	Flowers	\$40.00
NCFE - Miller Branch	Fuel	\$579.56
NorthWestern Energy	Wheeling Charge	\$13,840.55
Office Equipment Service	Copier Service	\$328.56
On Hand Development Corp.	80% BBB	\$2,633.02
Petty Cash	Reimb	\$95.12
Prairie Wind Promotions	Clothing	\$280.08
Preferred Transmissions	Repairs	\$458.29
SD Dept of Health	Tests	\$211.00
SD Dept of Revenue	Sales Tax	\$14,508.70
SD Dept of Transportation	Appraisal Review	\$924.43
Stuart C Irby Co	Supplies	\$508.00
T & R Contracting Inc	Cap Imp	\$542,349.76
Wesco	Supplies	\$151.75
Zep Sales & Service	Supplies	\$523.90
**** Paid Total ****		<u>\$592,117.14</u>

<b>Payroll by Department:</b>		4/21/2015		
	Department	w/o OT	OT	Total
41410	FINANCE OFFICE	\$1,029.27	\$15.01	\$1,044.28
42110	POLICE	\$9,355.90	\$505.71	\$9,861.61
43110	STREET	\$4,401.39	\$63.42	\$4,464.81
43210	SEWER	\$4,344.62	\$67.54	\$4,412.16
43310	WATER	\$4,344.56	\$67.53	\$4,412.09
43410	ELECTRIC	\$10,076.19	\$77.64	\$10,153.83
43510	AIRPORT	\$100.51		\$100.51
45210	PARK	\$603.05		\$603.05
		<u>\$34,255.49</u>	<u>\$796.85</u>	<u>\$35,052.34</u>

State

# Helms & Associates

PO Box 111  
Aberdeen, SD 57402-  
Tel: (605) 225-1212 Fax: (605) 225-3189  
TERRYH@HELMSENGINEERING.COM

## Invoice

Invoice Date: Apr 28, 2015  
Invoice Num: 12462  
Billing Through: Apr 25, 2015

CITY OF MILLER  
120 West 2nd Street  
MILLER, SD 57362

AIP # 3-46-0035-008-2014  
PER CONTRACT DATED 11/4/14  
INVOICE SIX

SEE ATTACHED

**Project Name (ID)**

	<b>Amount</b>
MILLER AIRPORT RUNWAY CONSTRUCTION ADMIN (A5638:05) - Managed by (201)	\$3,794.88
MILLER AIRPORT RUNWAY RESIDENT ENGINEERING (A5638:06) - Managed by (201)	\$32,461.18

Amount Due This Invoice:           \$36,256.06          

*This invoice is due upon receipt*

VERIFICATION OF CLAIM I declare and affirm under the penalties of perjury that this claim has been examined by me and to the best of my knowledge and belief, is in all things true and correct. Dated this 28th day of Apr. 2015.  
HELMS AND ASSOCIATES           D. Th. Long          

APPROVAL:

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

### Account Summary

Billed To Date	Paid To Date	Balance Due
\$ 55,309.68	\$ 19,053.62	\$ 36,256.06

7



PROJECT: MILLER MUNICIPAL AIRPORT  
RECONSTRUCTION OF RUNWAY 15/33, APRON, EXISITING TAXIWAYS & NEW TAXIWI,  
AIP # 3-46-0035-008-2014  
A-5638  
CONTRACT DATE: NOVEMBER 4, 2014  
INVOICE DATE: 4/28/15  
INVOICE NUMBER: SIX  
INVOICE PERIOD: 3/29/15 THROUGH 4/25/15

CONSTRUCTION ADMINISTRATION SERVICE		
	CURRENT INVOICE	TOTAL TO DATE
LABOR COSTS:	\$1,194.75	\$4,991.81
OVERHEADS @ 1.79172	\$2,140.66	\$8,943.93
LABOR SUB-TOTAL	\$3,335.41	\$13,935.74
COST OF MONEY @ 2.165%	\$25.87	\$108.07
FIXED FEE: @ 13%	\$433.60	\$1,811.65
EXPENSES @ COST:		
MILEAGE:	\$0.00	\$68.39
MEALS:	\$0.00	\$18.00
LODGING:	\$0.00	\$0.00
OUTSIDE CONSULTANT @ COST	\$0.00	\$0.00
	\$0.00	\$0.00
	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$3,794.88</b>	<b>\$15,941.84</b>

RESIDENT ENGINEERING SERVICES		
	CURRENT INVOICE	TOTAL TO DATE
LABOR COSTS:	\$9,535.50	\$11,624.28
OVERHEADS @ 1.79172	\$17,084.95	\$20,827.45
LABOR SUB-TOTAL	\$26,620.45	\$32,451.73
COST OF MONEY @ 2.165%	\$206.44	\$251.67
FIXED FEE: @ 13%	\$3,460.66	\$4,218.73
EXPENSES @ COST:		
MILEAGE:	\$778.87	\$889.10
MEALS:	\$517.00	\$605.00
LODGING:	\$877.76	\$951.61
OUTSIDE CONSULTANT @ COST	\$0.00	\$0.00
	\$0.00	\$0.00
	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$32,461.18</b>	<b>\$39,367.84</b>

# SOUTH DAKOTA MUNICIPAL LEAGUE

## 2015 Budget Training Agenda

9:30 a.m. **Registration**

10:00 a.m. **Municipal Budget Training – Dollars and \$ense**  
to *Rod Fortin*, Director of Local Government Assistance, Department of Legislative Audit  
3:00 p.m.

- Budget and Appropriations
  - Who is responsible?
  - Why is it important?
- Budget Resources
  - Where can I find help?
- Budget Timeline
  - When do I have to start and finish?
- Budget vs. Cash
  - What is the difference?
- Budget Preparation
  - Details
- Adoption of Appropriation Ordinance
  - Reading, Passage and Publication
- Budget Execution
  - Set-up in Accounting System
  - Maximum Authorization to Spend
  - Monitoring
  - Increasing
  - Year-end
- Future Budgets
  - Indicators
  - Flow
  - Reserves

**\* Noon Lunch Provided**

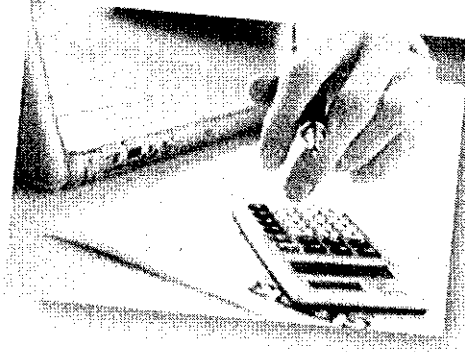
# SOUTH DAKOTA MUNICIPAL LEAGUE

## Budget Training Municipal Budgets – Dollars and \$ense

**Course Description:** This one-day training will provide elected officials and finance officers with the tools they need to create and maintain the annual municipal budget. Attendees will learn about available resources, preparation and timelines for completion of the budget, on-going monitoring, contingency transfer and supplemental appropriation.

**Agenda:**

- Budget and Appropriations
- Budget Resources
- Budget Timeline
- Budget vs. Cash
- Budget Preparation
- Adoption of Appropriation Ordinance
- Budget Execution
- Future Budgets



**Presenter:** Rod Fortin, Director of Local Government Assistance, Department of Legislative Audit. He has audited and provided financial and compliance assistance to cities, counties, schools and other local governments for over 17 years.

**Municipality:** \_\_\_\_\_

*Please Print Name and Title:*

Name	Title	Email
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Please choose one training to attend:**

*Each training is from 10 a.m. to 3 p.m. local time with lunch provided.*

July 15, 2015 Rapid City Ramkota Hotel       July 16, 2015 Pierre King's Inn

July 22, 2015 Aberdeen Ramkota Hotel       July 23, 2015 Sioux Falls Ramkota Hotel

Number Attending \_\_\_\_\_ @ \$25.00 each = \$ \_\_\_\_\_

*\*Make checks payable to SDML, Sorry no credit cards accepted.*

Please return this form and payment by **July 1, 2015\*** to: South Dakota Municipal League

*\*No refund will be given after July 1, 2015*

208 Island Drive  
Fort Pierre, SD 57532

<b>SDML OFFICE USE ONLY:</b> DATE: _____ CHECK #: _____ AMOUNT: _____
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