

AGENDA
CITY OF MILLER
MONDAY, MARCH 18, 2013
7:00 P.M.

Call to Order
Pledge of Allegiance
Approval of Agenda
Approval of Minutes Pg. 1 - 2
Public Input

Department Head Reports

7:25 – 7:55 1. Electric, Water/Sewer, Street Pg. 3 - 5
7:55 – 8:05 2. Police Pg. 6
8:05 – 8:15 3. Finance Office Pg. 7 - 9

Approval of Bills

Hearing of Delegations

7:05 – 7:25 1. LaDonna Wharton – On Hand Economic Dev. – Housing study update
a. Code Enforcer

8:15 – 8:25 2. Tony Rangel – sewer problems near residence

Old Business

New Business

1. Set public hearing for transfer of liquor license – April 1, 2013 at 7:30 p.m. Pg. 10

2. Set public hearing for a variance – April 1, 2013 at 7:45 p.m. Pg. 11

3. Authorize Sheila Coss to be added to City accounts and sign checks

4. Building Permits
a. Justin Sell – remove house
b. Tim & Diana Goetz – remove deck and replace with a 4 season porch

5. Resolution #2013-6 – 2013 Election Pg. 12

6. Resolution #2013-7 – Surplus items Pg. 13

Executive Session

1. Personnel matters pursuant to SDCL 1-25-2 (1)

Correspondence

1. SDML District 5 Meeting – Wednesday, April 3 at Onida **I need to know if you are able to make it**

Pg. 14

2. SD Association of Code Enforcement – May 8-9 at Oacoma Pg. 15 - 16

Adjourn

**CITY OF MILLER
CITY COUNCIL MEETING
MARCH 4, 2013**

The City Council met in regular session at City Hall on Monday, March 4, 2013.

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

CALL TO ORDER: Motion by Alderman Johnson, seconded by Alderman Odegaard to approve the agenda. Motion carried.

MINUTES: Motion by Alderwoman Johnson, seconded by Alderman Rangel to approve the minutes for the regular meeting held on February 19, 2013 and the minutes for the special meeting held on February 22, 2013. Motion carried.

Temporary Road Closure – Dick and Kathy Splichal requested permission to close a portion of their street for a sale. They have notified neighbors of their wishes. Motion by Alderman Odegaard, seconded by Alderman Zeller to approve the closing of a portion of West 2nd Street on May 5 for the entire day for the sale. Motion carried.

Housing Study & Grant – Terry Augspurger represented On Hand while explaining the upcoming Miller Housing Study Presentation and Strategy Session and grant. Some of the Council plan on attending the session. On Hand also requested that the City accept a housing grant (maximum of \$3,000) on their behalf. Motion by Alderwoman Johnson, seconded by Alderman Zeller to accept the grant if approved. Motion carried.

Resolution #2013-5 – Motion by Alderman Rangel, seconded by Alderman Johnson to approve Resolution #2013-5 Resolution of Intent. Motion carried.

RESOLUTION NO. 2013-5

RESOLUTION OF INTENT

WHEREAS, Nelson's Inc. no longer wishes to continue renting the lagoon hay land area of approximately 53 acres and has given written consent to the City of Miller to reassign the lease to the Harrell Brothers.

WHEREAS, the Council of the City of Miller reassign the agreement/contract with Nelson's Inc. to Harrell Brothers for the remaining time of the original contract. The rent shall remain the same, as will all other terms and conditions of the assigned lease.

THEREFORE, BE IT RESOLVED that the Mayor of the City of Miller be authorized to execute the reassigned lease for the City of Miller.

Adopted this 4th day of March, 2013

Downtown Christmas Lights – Greg Palmer and Joe Beranek, Miller C & C, would like assistance from the Electric Department with taking down the Christmas lights from the Main

Street businesses. Bill Lewellen will contact them for more information and to set up a time when this can be done.

Building Permits – Motion by Alderman Zeller, seconded by Alderwoman Johnson to approve the following building permit: Jimmie and Karen Evans, storage unit. Motion carried.

2013 Airport Conference – Motion by Alderwoman Johnson, seconded by Alderman Zeller to authorize Jim Bonebright to attend the 2013 Airport Conference. Motion carried.

Annual Report – Motion by Alderman Rangel, seconded by Alderman Winsell to accept the Annual report for 2012 as presented by the finance officer. Motion carried.

Motion by Alderman Odegaard, seconded by Alderman Zeller to go into Executive Session at 7:47 p.m. for personnel matters pursuant to SDCL 1-25-2(1) at 12:02 p.m. Motion carried.

Mayor Blachford declared to return to regular session at 8:26 p.m.

Motion by Alderman Zeller, seconded by Alderman Winsell to adjourn the meeting. Motion carried. There being no further business, the meeting was adjourned at 8:27 p.m.

Laura Smith, Finance Officer

LEGAL NOTICE OF RECEIPT

Copy of the official proceedings
was received on: _____
Published once at the
approximately cost of: _____

Council Meeting

3/18/2013

1. Scrap wire
 - a. Appoint three people to appraise.
2. Most of secondary services are retired.
3. Project should start in two to three weeks.
 - a. Marking transformer and switch locations.
 - b. Still getting easements.

Water Department Report

March 18th 2013

1. The generator that we received from the hospital has several issues including a head gasket leak. After talking with Cummins and the lack of available parts the decision was not to try and fix. They give me a quote for a new 60kw generator with auto start transfer switch for \$24,500.00. Caterpillar also quoted me a price of \$37,500.00 for the same size unit.
2. I will be attending the Airport conference on March 27th-28th in Oacoma. Ron Blachford and I will also be attending a sponsor meeting with the State & our engineers on Tuesday March 26th at 8:30 am to discuss rebuilding the runway in 2014.
3. SPN Engineers will be her in the spring working on some low pressure complaints on East 9th street.
4. We will be very busy this summer locating for the Electric project along with getting the pool, Park & Ballpark up and running.
5. These are some of the projects on tap for this summer:
 - Valves on west 3rd street & west 3rd Ave (3)-6"
 - Valves on west 3rd street & west 2nd Ave. (3)-6"
 - Valves on west 2nd street & west 2nd Ave. (2)-6"
 - Valve in alley by Coss Agency (1)-8"
 - Sewer line on East 4th Ave
 - Sewer line on West 7th Street
 - Curb Stop replacement (22)
 - Reline a few manholes on Highway 14
 - 2" Curb stop for Elementary school
 - Water main between banks?

**Report to Council
Street Department
March 14, 2013**

We replaced the radiator fan on the street sweeper (one blade broke off and 2 others were cracked out of 6 blades) luckily the radiator was spared.

We worked on the wiring on the Sand Truck on the tail lights and the 2-speed differential.

*****Rod Paul talked to me on the use of a 65 HP tractor the only cost is insurance. We would also pay \$12.00 per hour of use but it is refundable as a trade in on oil, filters and parts for other machinery.**

*****Rod also asked if we would be interested on a tractor style mower Free for hours used. I was going to replace the Cub Cadet in a year or so and this garden tractor could replace this.**

We have been pushing the snow back to help the water find the storm inlets.

We went to an MSHA (Mining Safety Health Administration) Class that is required if we are on the property of an active mine like a gravel crusher.

I finished all of the Pesticide Recertification Classes.

David worked on the #2 truck ignition switch was not working at random times.

The big snow blower started missing after the last snow so I had to take it to Huron to have them look at it (Caterpillar Engine that is still under warranty). As of 3-14 they were still trouble shooting but they thought that they had it narrowed down.

We have been thawing out a few culverts around town (the freeze thaw cycles aren't user friendly as far as culverts work).

We are working on one of the one-way snow plows a mounting ear broke off on the last snow.

Police Department report
March 18, 2013

Officer Chris Henrickson has started his DARE training for the fifth grade students at the elementary. Henrickson will teach nine weeks of DARE to the students. This is Hendrickson's fifth year of teaching.

The Officers attended taser training on Feb. 27 at the fire hall. Wayne Ames was the instructor.

Baton training will be held for the officers in early April. Officer Ames will also be the instructor for this.

I plan on attending a Department of Highway Safety grant meeting being held in Aberdeen on March 28. This is a mandatory meeting to attend in order to secure grant funding for 2014.

Finance Office
Report to Council
March 18, 2013

1. Sales Tax Report – see attachment
2. The annual report has been sent to DLA and is scheduled to run in the paper.
3. Sheila's first day is TODAY!
4. Researching ordinances – prepping to make changes to the utility deposits and how delinquents/"shut-offs" are handled. I am going to include NSF (returned checks) in the changes.
5. We have been busy tying up any "loose ends" in preparation for Laura leaving.

Sales Tax Comparison			
	2013	2012	
January	\$41,715.91	\$28,228.75	
	\$26,960.14	\$50,517.59	
	\$55,712.13		
Feburary	\$20,850.27	\$21,702.51	
	\$28,990.38		
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
Total	\$174,228.83	\$100,448.85	73.45%

up from last year \$73,779.98

Note: The first payment in January 2013 is actually the last payment in December 2012 (It wasn't in the bank until January 2013.)

8

	2012
January	\$28,228.75 \$50,517.59
Feburary	\$21,702.51
March	\$39,500.70 \$22,249.77 \$28,777.89
April	\$21,992.49 \$38,246.99
May	\$16,559.56 \$32,008.70
June	\$23,684.78 \$40,829.00
July	\$23,470.43 \$40,475.34
August	\$27,772.95 \$35,987.68
September	\$23,164.04 \$29,568.17
October	\$30,368.80 \$36,387.55
November	\$33,450.50 \$70,025.71
December	\$20,689.95

**NOTICE OF PUBLIC HEARING
ON APPLICATION FOR TRANSFER
OF ALCOHOLIC BEVERAGE LICENSES**

NOTICE IS HEREBY GIVEN THAT the Common Council in and for the City of Miller, South Dakota, on the 1st day of April, 2013 at the hour of 7:30 P.M. in the Council Room of City Hall, will meet in regular session to consider the transfer of licenses for a Retail (on-sale) Liquor License and a Package (off-sale) Liquor License from George Quinlan, The Virginian Inc. to Kourtney Jungemann, The Virginian.

Retail (on-sale) Liquor License

The Virginian

102 North Broadway

Lot 9

Block 5

W.H. Miller's Addition & Ben Magness Addition

Miller, South Dakota

Package (off-sale) Liquor License

The Virginian

102 North Broadway

Lot 9

Block 5

W.H. Miller's Addition & Ben Magness Addition

Miller, South Dakota

NOTICE IS HEREBY GIVEN THAT any person, persons or their attorney who are interested in the approval or rejection of said application may appear and be heard at said scheduled public hearing.

Laura Smith

Finance Officer

Published once at the
approximate cost of: _____

NOTICE OF PUBLIC HEARING FROM
THE TERMS OF THE CITY OF MILLER'S
ZONING ORDINANCE

The City of Miller's City Council has received a request for a variance from the provisions of the City's Zoning Ordinance from Justin Sell to place his garage beyond the allowed lot line on the West 16' Lorbeers (AKA Parcel 9-B) Gortmaker's .19 acre, Miller, SD.

A public hearing will be held on this variance request by the Board of Adjustments on Monday, April 1, 2013 at 7:45 p.m. in the City Council Room at City Hall. Any person, persons or their attorney(s) interested in the approval or rejection of the said variance may appear and be heard at said public hearing.

Dated this 18th. day of March, 2013.

Laura Smith
Finance Officer

RESOLUTION #2013-6

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, Ward Two – 2 year term, and Ward Three – 2 year term.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Miller, South Dakota, that Ronald Blachford be declared elected Mayor of the City of Miller for a term of two years, Kristin Hargens 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, and 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 18th day of March, 2013.

Ronald Blachford, Mayor

ATTEST:

Sheila Coss, Finance Officer

(SEAL)

RESOLUTION NO. 2013-7

WHEREAS, certain municipal personal property is no longer useful, necessary or suitable for municipal purposes;

WHEREAS, the sale of such property will financially benefit the municipality;

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

1999 Alco Sensor 3 Serial # 1071619
2008 Alco Sensor 3 Serial # 1225173

Adopted this 18th day of March, 2013.

ATTEST:

Sheila Coss, Finance Officer
(SEAL)

Ronald Blachford, Mayor

SOUTH DAKOTA MUNICIPAL LEAGUE

DISTRICT 5 MEETING

REGISTRATION FORM

Wednesday, April 3, 2013

Phoenix Center

Onida, SD

Municipality Represented: _____

Number attending _____ @ \$15.00 each = Amount Enclosed: _____

Please Note: It is necessary that everyone registers by the deadline so that we may plan for enough meals, those that do not register on time cannot be guaranteed a meal. You will be charged for either the number of attendees registered or the number that actually attend, whichever is greater.

Return Registration and Payment by March 20th To: South Dakota Municipal League
208 Island Drive
Ft. Pierre, SD 57532

**Registration Deadline: March 20th *No Refunds After This Date*

**Payment Must Accompany Registration*

OFFICE USE ONLY: DATE: _____	CHECK #: _____	AMOUNT: _____
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SOUTH DAKOTA ASSOCIATION OF CODE ENFORCEMENT

— An Affiliate of the South Dakota Municipal League —

INFORMATION and TRAINING CONFERENCE

May 8-9, 2013 • Cedar Shore Resort • Oacoma, SD

Wednesday, May 8

- | | |
|---------------|--|
| 9:00-9:20 | Registration |
| 9:20-9:30 | Welcome |
| 9:30-11:30 | <p>Fundamentals of the 2012 International Code Council (ICC) Property Maintenance Code
 <i>Gary Nelson, Senior Staff Engineer, ICC Architectural & Engineering Services' Plan Review Department</i>
 <i>This 6-hour seminar provides code officials and other interested parties with the fundamental knowledge necessary to administer and enforce applicable code requirements of the 2012 International Property Management Code® (IPMC®). This information will increase the participant's ability to locate, describe and apply the appropriate code sections of the IPMC in order to determine compliance or noncompliance while performing a residential or commercial inspection.</i></p> |
| 11:30 – 12:30 | Lunch |
| 12:30 – 2:30 | Property Maintenance Code Fundamentals <i>cont'd</i> |
| 2:30 – 3:00 | Break |
| 3:00 – 5:00 | Property Maintenance Code Fundamentals <i>cont'd</i> |
| 6:00 | Dinner and Presentation of the Code Enforcement Officer of the Year Award |

Thursday, May 9

- | | |
|---------------|---|
| 9:00 – 10:00 | Business Meeting |
| 10:00 – 10:15 | Break |
| 10:15 – Noon | <p>Beyond the Code Violation: What else is going on and how can I help?
 <i>Vanessa Sweeney, CDC Public Health Prevention Specialist, City of Sioux Falls Health Department</i>
 <i>Code enforcement staff work with residents who are unable to maintain their property for a variety of reasons. This seminar will discuss some psychological and environmental issues that may hinder the person's ability to correct the code violation. This session will expand upon the participant's knowledge of mental health, substance abuse, communication techniques and more.</i></p> |

SOUTH DAKOTA ASSOCIATION OF CODE ENFORCEMENT

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INFORMATION and TRAINING CONFERENCE

May 8-9, 2013 • Cedar Shore Resort • Oacoma, SD

Registration Form

(Please Print)

Municipality _____

Name

Title

Email

Name	Title	Email

Registration Fee and Deadline:

Advance Registration: \$50 for SoDACE members; \$90 for non-members

On-Site Registration: \$60 for SoDACE members; \$100 for non-members

Return registration form with payment by April 19th to: SD Association of Code Enforcement

No refunds will be given after April 19, 2013.

208 Island Drive

Ft. Pierre, SD 57532

Room Reservations:

A block of rooms has been reserved at the Cedar Shore Hotel at a rate of \$89.95 + tax.

****IMPORTANT: to guarantee this rate your reservation must be made by April 8, 2013.** Be sure to mention you are with the Code Enforcement Association.

Cedar Shore Resort

1500 Shoreline Drive

Oacoma, SD 57365

605-734-6376

888.697.6363

OFFICE USE ONLY:

DATE: _____

CHECK #: _____

AMOUNT: _____