

**THE MEETING OF THE COMMON COUNCIL OF THE CITY OF WAGNER,
CHARLES MIX COUNTY, SOUTH DAKOTA**

PURSUANT TO DUE CALL AND NOTICE THEREOF, the special April meeting was held on Monday, April 28th, 2020 at the Wagner City Hall at 7:00 pm. Present were: Mayor Donald R Hosek, City Administrator/Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Scott Honomichl, Tom F Beeson, Colby Kirwan, Roger Schroeder and John Tyler. Absent: None.

Due to COVID-19 and the social distancing guidelines, the city had made available a conference call line for citizens to participate. The meeting was open to the public as well as long as the group did not exceed 10 people.

The meeting was opened with the Pledge of Allegiance.

The conflict of interest declaration statement was recited. No conflicts were cited.

The meeting was called to order and the Mayor called for the approval of the special meeting agenda. A motion was made by Kirwan, second by Schroeder to amend the agenda to include a motion to repeal Ordinance #2020-01. Upon roll call vote being taken, the following voted aye: Cuka, Honomichl, Kirwan, Beeson, Schroeder and Tyler. The following voted nay: None. The following abstained: None. The following were absent: None. Motion carried.

OLD BUSINESS

Discussion followed on the most recent press conference that Governor held today at 3:00 pm. Callers on the phone that participated in the conversation were: RF Buche, Tami Hanson, Whitey Tolliver, Bryan Slaba and Rod Pattison. Considering the recent developments and the Governor's Back to Normal Plan, the following ordinance was introduced:

ORDINANCE NO. 2020-03

AN ORDINANCE TO REPEAL CITY OF WAGNER ORDINANCE NO. 2020-01.

WHEREAS, the City of Wagner has the authority pursuant to SDCL 9-29-1 to pass resolutions for the purpose of promoting the health, safety, morals, and general welfare, of the community, and to repeal said ordinances no longer needed or required; and

WHEREAS, South Dakota Governor Kristi Noem did on April, 28, 2020, issue and sign State of South Dakota, Office of the Governor, Executive Order 2020-20, which removes the ability of the City of Wagner to regulate matters involving the CDC regulations on social distancing, number of patrons in locations, and the following of CDC guidelines effective on this and later dates and these matters will now be handled

by the State of South Dakota in accordance with Executive Order 2020-20 and the State of South Dakota's "Back to Normal" plan; therefore,

BE IT ORDAINED By the common council of the City of Wagner, that upon motion duly made and seconded, that the city of Wagner Ordinance No. 2020-01 is hereby repealed effective this 28th day of April 2020.

Dated this 28th day of April 2020 at Wagner South Dakota.

By: _____
Donald R. Hosek, Its Mayor

Attest:

Rebecca Brunsing, Finance Officer

A motion was made for the above ordinance by Kirwan, second by Schroeder. Upon roll call vote being taken, those voting AYE: Cuka, Honomichl, Beeson, Kirwan Schroder and Tyler. Those voting NAY: None. Absent: None. Those abstaining: None. Motion carried. Thereupon the Mayor declared Ordinance No. 2020-03 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

Effective Date: April 28^h, 2020

Published: May 6th, 2020

The conference call was disconnected to enter executive session.

EXECUTIVE SESSION

A motion was made by Schroeder, second by Beeson to enter executive session at 7:22 pm for proprietary business SDCL 1-25-2 (5), litigation SDCL 1-25-2 (3) and personnel pursuant to SDCL 1-25-2 (1); all voted aye, motion carried.

The Mayor declared the council out of executive session at 7:30 pm.

A motion was made Schroeder, second by Tyler to adjourn the meeting at 7:32 pm. All voted aye, motion carried.

APPROVED _____
Donald R Hosek, Mayor

Attest _____
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of \$ _____.

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