

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular January meeting was held on Monday, January 5th, 2015 at City Hall at 7:00 pm. Present were: Todd Johannsen, President of the Council, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich and Roger Schroeder. Absent: Don Hosek.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the President of the Council called for the approval of the January agenda. A motion was made by Fredrich, second by Beeson to approve the January agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Bartunek to approve the regular meeting minutes from December 1st, 2014 and the special meeting minutes of December 29th, 2014. All voted aye, motion carried.

A motion was made by Beeson, second by Cuka to approve the financial statements for December 2014 and the claims for January 2015. All voted aye, motion carried.

JANUARY 2015 CLAIMS

GENERAL

Buches	supplies	40.00
Charles Mix Historical Society	repairs	500.00
Country Pride	fuel	578.00
Dave's Service	repair	280.00
Ecolab	prof fees	121.10
John Conkling	oper agree.	318.70
Johnson Brothers	oper.agree.	12,917.26
King Koin Laundry	prof fees	110.25
Planning & Dev Dist III	prof fees	2,865.00
Republic Natl Beverage	oper agree.	4,858.81
Rog's Auto	supplies	2,153.49
SD Airport Management Assoc	supplies	25.00
SD Assoc. of Code Enforcement	supplies	40.00
SD Building Officials Assoc	prof fees	50.00
SD Govt' FO Association	prof fees	100.00
SD Human Resource Assoc	prof fees	75.00
SD Municipal Street Assoc.	prof fees	35.00
SD Municipal League	prof fees	1,332.16
SD Police Chief's Assoc.	supplies	97.19
Sioux Sales	supplies	129.95
SD Library Assoc.	prof fees	50.00
Ultramax	supplies	276.00
Valley Pump	fuel	183.44
Wagner Area Growth	prof fees	45,000.00
Wagner Auto Supply	supplies	200.46

Weisser Oil	supplies	165.85
Western Office Plus	prof fees	36.59
Wipf & Cotton	prof fees	1,050.00

WATER

Dakota Supply Group	supplies	349.76
Pitney Bowes	lease	327.00
Randall Community Water	water	13,696.00
SD Assoc of Rural Water	membership	500.00
Wagner Printing	supplies	175.00

SEWER

SPN & Associates	prof fees	12,562.50
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VARIED

AFLAC	insurance	765.01
AIG Benefits	insurance	122.64
Card Services	supplies	70.59
Fort Randall Telephone	phone	635.45
Great American Leasing	prof fees	127.59
SDML Worker's Comp Fund	insurance	12,492.00
Transamerica	insurance	137.20
Voyager Fleet	gas	1,755.60

OLD BUSINESS

There was discussion on the additional work added to the Front Avenue SE and 1st Street SE project. A motion was made by Cuka, second by Beeson to accept the amendment to the engineering agreement in the amount of \$92,500.00. All voted aye, motion carried.

There was a review of two quotes received for lighting improvements at the commodity warehouse. A motion was made by Schroeder, second by Beeson to accept the quote from Jim's Electric for \$4,130.00. All voted aye, motion carried.

There was an update on the city maintenance building for a request to revising the utility room to accommodate for additional panels for a portable generator transfer switch.

NEW BUSINESS

A motion was made by Fredrich, second by Bartunek to set the date for the annual municipal election on April 14th, 2015. All voted aye, motion carried.

A motion was made by Beeson, second by Schroeder to purchase a 2014 Dodge Charger for the police department for \$25,080.00. All voted aye, motion carried.

ORDINANCE NO. 2015-01

**AN ORDINANCE AMENDING AND/OR REPEALING CERTAIN PORTIONS OF THE
EXISTING WAGNER MUNICIPAL
CODE CHAPTER 1, AND THE STATUTES CONTAINED THEREIN, RELATING TO
“ORGANIZATION.”**

BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to amend and/or repeal certain portions of the existing Wagner Municipal Code Section 1, relating to “Organization.”

Section 2. WAGNER MUNICIPAL CODE SECTION 1-1-3, Streets, is hereby amended to include, at the bottom of the existing Section 1-1-3, “SOURCE: SDCL 9-45-1.”

Section 3. WAGNER MUNICIPAL CODE SECTION 1-2-1 is hereby amended to read:

Regular Meetings. The regular meetings of the City Council shall be held on the first Monday of each month, at such time and place as the City Council may from time to time establish. In the event of inclement weather the Mayor or Council President may cancel any regular or special meeting of the City Council upon notice to all citizens, the press and any individual citizen that has asked to be placed on the agenda for the meeting to be cancelled. It shall be deemed sufficient notice to all set forth herein that a regular or special meeting of the City Council has been cancelled by television or radio announcements stating that the said regular or special meeting of the City Council is cancelled due to inclement weather and has been rescheduled to a different date and time.

SECTION 4. WAGNER MUNICIPAL CODE SECTION 1-2-3, “Notice of Special Meeting” IS HEREBY AMENDED TO READ:

Upon call for a special meeting, the City Finance Officer shall notify either orally or by written notice, as the City Finance Officer shall determine most likely to satisfy each council person then present in the City, at least twenty-four (24) hours previous to the time fixed for such special meeting, or in the case of an emergency, at least three (3) hours before a special meeting. Such notice shall also state the purpose and object for which such special meeting is to be held; and the call and object as well as the disposition thereof shall be entered upon the records of the Council. The written notice of a special meeting shall be posted at City Hall and another copy hand-delivered to the local newspaper.

SECTION 5. WAGNER MUNICIPAL CODE SECTION 1-3-1 IS HEREBY AMENDED TO READ:

“Appointive Officers-Terms of Office.” At the first regular meeting of the City Council after the annual city election in each year, the Mayor, subject to confirmation by the City Council, shall appoint the following city officers, who shall hold

their offices for one (1) year, except as herein otherwise provided, and until their successors are appointed and qualified, to-wit:

City Engineer or engineers, City Attorney, City Zoning Administrators and board members, and City Health Officer and City Health Board.

Regarding the City Health Board, the Mayor shall, at the regular May meeting of the council in each year appoint five (5) citizens to said Health Board, and the Mayor shall designate one of the members of the City Health Board to be its Chairperson. There shall be one person from each of the three (3) wards of the city, and two at large members. At large members are not required to be residing within the City of Wagner if they are licensed health care professionals by the State of South Dakota. This shall include Physicians, Dentists, veterinarians, Physician Assistants, Certified Nurse Practitioners, Registered Nurses, or other licensed members of the health care field. The appointment to the City Health Board shall be for one (1) year, and the City Health Board, at its first meeting of each year shall designate one of its members as Secretary and report same to the City Finance officer.

All others working for the City of Wagner, including, but not limited to, the Finance Officer, Police Chief, Street Superintendent, Water and Sewer Superintendent, and all others shall be considered paid employees.

SECTION 6. WAGNER MUNICIPAL CODE SECTION 1-3-3 "Bonds of City Officials" IS HEREBY AMENDED TO READ:

Bonds of City Officials. The amount of bond for all compensated city officials shall be as follows:

Mayor.....	\$ 1,000.00
Council persons.....	\$ 1,000.00
Finance Officer.....	\$150,000.00

SECTION 7. WAGNER MUNICIPAL CODE SECTION 1-4-4 IS HEREBY REPEALED IN ITS ENTIRETY.

SECTION 8. Section 1-8-1 "Funds Kept" is hereby amended to read:

The City Finance Officer shall keep full, true and just accounts of all the financial affairs and property, real and personal, of the City of Wagner. The Finance Officer shall keep such funds and accounts as may be necessary to show at all times the exact condition of the financial affairs of the City and of each branch of the public service, and, for this purpose, the Finance Officer shall keep the following funds and accounts:

General Fund, which shall be broken down into the following accounts:

- Contingency Fund
- Mayor and Council
- Elections
- Attorney

Finance Office
Government Buildings
Government Building—Armory
Police
PBT (Preliminary Breath Testing—24/7 Program)
Prisoner Housing
Civil Defense
Streets
Street Lights
Solid Waste
Electric Utility
Airport
Health Regulation & Inspection
Mosquito Control
Swimming Pool
General Recreation
Parks
Library
Museums
Urban Housing & Redevelopment (HRC)
Economic Development
Planning & Zoning
Liquor
Water Fund
Sewer Fund
Special Revenue Fund
Debt Service Fund
Capital Improvement Fund

And such other funds and accounts as may be from time to time be deemed to be necessary by the City Finance Officer.

SECTION 8. Section 1-8-2 is hereby amended to read:

Disposition of Funds. All money derived from licenses, fines, and all miscellaneous revenues received from any and all sources, other than taxation, shall be credited to the General Fund, except Water Department revenues which shall be credited to the Waterworks Fund, and Sewer Department revenues which shall be credited to the Sewer Fund. Special revenues shall be credited to the Special Revenue Fund.

SECTION 9. Section 1-8-3 is amended to read:

Supplies. The City Finance Officer shall purchase all supplies, shall have charge thereof, and shall make all sales there from; providing no purchase involving an expenditure of more than two thousand five hundred and 00/100 dollars (\$2,500.00) shall be made without the consent of the Mayor or proper Council person of the City Council being first obtained. Every order for material or supplies shall be made in writing and a duplicate thereof filed with the City Finance Officer. All materials and supplies shall, when received be checked over by the officer of agent receiving the

same, and a bill thereof, showing the name of the article and each article with the price thereof shall immediately be filed with the City Finance Officer, and shall bear the endorsement of such officer or agent showing in what respect, if any, the material or articles failed to correspond with the material or article ordered.

SECTION 10. Section 1-8-4 is amended to read:

Inventories. The Superintendent or person in charge of each Department of the City of Wagner government shall on or before the 1st day of January of each year, or as otherwise designated by the City Council, make a full, true and correct inventory of all stock, tools, and other property belonging to the City of Wagner, and shall file the same with the City Finance Officer.

SECTION 11. Section 1-9-1 is hereby amended to change the name of the "Wagner Independent School District 11-4" to said District's correct name of "Wagner Community School District No. 11-4."

SECTION 12. Section 1-9-3 is hereby amended to change the name of the "Wagner Independent School District 11-4" to said District's correct name of "Wagner Community School District No. 11-4."

SECTION 13. Section 1-9-4 is amended in its entirety to read:

Finance Officer to make Monthly Report to City Council. The Finance Officer of the Armory Board shall make a monthly report to the City Council concerning the Armory Board activities for the past month, which report shall also include future matters anticipated by the Armory Board.

SECTION 14. Section 1-10-2 is hereby amended to read:

City May Disburse Grant to Chamber. In accordance with the provisions of this municipal code, the City of Wagner, is empowered and may disburse the sum of \$600.00 per year, plus an additional per employee charge which is set by the Wagner Chamber of Commerce each year, said grant to be used for advertising and promoting the City of Wagner.

SECTION 15. Chapter 1-12 relating to the City Planning Board is hereby repealed in its entirety.

Section 4. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 5th day of January, 2015.

First Reading: January 5th, 2015

Second Reading and Adoption:

Effective Date:

Published:



Todd Johannsen, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Fredrich seconded by Schroeder, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried.

ORDINANCE NO. 2015-02

AN ORDINANCE REPEALING EXISTING WAGNER MUNICIPAL CODE §5-1-10(b) RELATING TO DISCHARGE OF FIREWORKS, AND REPLACING SAID §5-1-10(b) WITH THE LANGUAGE SET FORTH BELOW.

BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to repeal in its entirety Wagner Municipal Code §5-1-10(b) Discharge of Fireworks.

Section 2. WAGNER MUNICIPAL CODE §5-1-10(b) Discharge of Fireworks is hereby replaced with the following language:

Fireworks may be discharged within the city limits of Wagner, South Dakota, during the period beginning June 27th and extending through the end of the first Sunday after July 4th and during the period beginning December 28th and extending through January 1st of each year from and after the effective date of this ordinance.

Section 3. The daily times where fireworks shall be allowed to be discharged within the city limits of Wagner, South Dakota, shall be from 8:00 o'clock a.m. to 10:00 o'clock p.m. of each day as set forth above, with the exception of July 4th of each year when fireworks may be discharged within the city limits of Wagner, South Dakota, from 8:00 o'clock a.m. to 11:59 p.m. on July 4th of each year; and on December 31st from 8:00 o'clock a.m. to 1:00 o'clock a.m. on January 1st of each year.

Section 4. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 5th day of January, 2015.

First Reading: January 5th, 2015

Second Reading and Adoption:

Effective Date:

Published:



Todd Johannsen, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Cuka seconded by Beeson, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried.

ORDINANCE NO. 2015-03

AN ORDINANCE AMENDING AND/OR CORRECTING CERTAIN PORTIONS OF THE EXISTING WAGNER MUNICIPAL CODE §2-4, AND THE STATUTES CONTAINED THEREIN, RELATING TO PUBLIC NUISANCES.

BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to amend and/or correct certain portions of the existing Wagner Municipal Code Section 2-4 relating to public nuisances.

Section 2. WAGNER MUNICIPAL CODE §2-4-3(e) is hereby amended and hereafter will read:

(e) The Wagner Police Department shall give notice of removal of the junked vehicle or public nuisance to the owner or occupant of the private property where the junked vehicle or public nuisance is located at least five (5) days before the time that compliance with this nuisance ordinance is required. It shall constitute sufficient notice when a copy of said notice or removal is posted in a conspicuous place upon the junked motor vehicle or upon the private property on which the vehicle is located and duplicate copies are sent by regular U.S. Mail to the owner or occupant of the private property at the owner or occupants last known address. If the owner or occupant of the private property where the junked motor vehicle or public notice is located cannot be

determined, placing of the notice on the junked vehicle or public nuisance shall be considered sufficient notice for the purpose of this section.

Section 3. WAGNER MUNICIPAL CODE SECTION 2-4-3(f) is hereby amended to correct the proper statutory cite of this portion of the Wagner Municipal Code, and shall continue to read:

(f) The notice to comply shall contain the request for removal of the junked vehicle or public nuisance within the time specified in Section 2-4-3(e), is amended to include the proper Wagner Municipal Code cite, and shall continue to read, and the notice shall advise that upon failure to comply with the notice to comply, then the city, or its designees, shall undertake such removal of the said junked vehicle or public nuisance, with the cost of the removal of the junked vehicle or public nuisance being either assessed against the real property, or charged through judgment in the courts of this state against the real property owner upon which is found the junked motor vehicle or against the person who is the occupant or owner of the junked motor vehicle or public nuisance, as the city may so elect.

SECTION 4. WAGNER MUNICIPAL CODE SECTION 2-4-3(g) and (h) is amended to include the proper Wagner Municipal Code cite, and ARE HEREBY REPEALED.

SECTION 5. WAGNER MUNICIPAL CODE SECTION 2-4-3(i), is amended to reflect the correct cite to the Wagner Municipal Code, and continues and IS HEREBY AMENDED TO READ:

- (i) It shall be unlawful for any person to interfere with, hinder, or refuse to allow the city, or its designees, to enter upon private property for the purpose of removing a junked motor vehicle or public nuisance under the provisions of this section. Conviction for a violation of this section shall be a misdemeanor and shall be punishable by a fine of up to \$100.00 per conviction.

SECTION 6. WAGNER MUNICIPAL CODE SECTION 2-4-5(d) and (f) ARE HEREBY AMENDED TO READ:

(d) Any person in violation of this section shall be notified in writing by the city, or its designees, that he or she is permitting, allowing, or maintaining a nuisance upon real property as described in said notice and that unless abated within five (5) days from the date of such notice, the city shall abate the said nuisance and recover the cost thereof from such person.

(f) Notice is sufficient if same is served personally or sent by regular U.S. Mail to the last known address of the owner, and occupant, if any. If the owner cannot be located by personal service or by mailing, the posting of such notice conspicuously on the property upon which the debris is located shall be deemed to constitute sufficient notice to the property owner or occupant.

SECTION 7. WAGNER MUNICIPAL CODE SECTION 2-4-6(a) "Weeds" SECTION IS HEREBY AMENDED TO READ:

- (a) "Weeds" means and includes all weeds of the kind known as Russian Thistle, Canada Thistle, cocklebur, ragweed, golden rod, burdock, barberry, creeping jennie, quack grass or sunflower, and all other noxious or unhealthy vegetation as defined by the State of South Dakota Weed Board.

SECTION 8. WAGNER MUNICIPAL CODE SECTION 2-4-6(c) IS AMENDED TO READ:

(c) The city may, at the beginning of or during the growing season by public notice to each occupant, person in charge, or owner of any lot, require all such weeds and vegetation upon a lot to be cut and removed within three (3) days after giving notice to said occupant, person in charge, or owner of any lot or real property within the City of Wagner's corporate city limits. Such notice need not be given personally but may be given generally by publication in the City of Wagner's official newspaper. The notice shall provide that each occupant, person in charge, or owner of any lot shall cut and keep cut at all times during the growing season all nuisance weeds and vegetation, and shall further provide that in case of failure to so cut weeds and vegetation, the city will cause the same to be cut and assess the cost thereof as a lien against the real property benefited. One such public notice shall be sufficient for each growing season.

Section 4. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 5th day of January, 2015.

First Reading: January 5th, 2015

Second Reading and Adoption:

Effective Date:

Published:



Todd Johannsen, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Schroeder seconded by Bartunek, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried.

EXECUTIVE SESSION

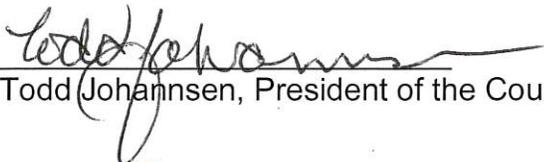
A motion was made by Cuka, second by Schroeder to enter into executive session at 8:02 pm for personnel pursuant to SDCL 1-25-2 (1). All voted aye, motion carried.

The President of the Council declared the Council out of executive session at 8:46 pm.

A motion was made by Fredrich, second by Schroeder to approve the city's employee's wages. The City of Wagner's employees and their wages are as follows: Larry Blaha - \$20.32 per hour; Russell Brown - \$14.94 per hour; Rebecca Brunsing - \$21.65 per hour; Delmar Burhenn - \$13.65 per hour; Desa' Rae Gravatt - \$16.61; Jeremy Gulbranson - \$19.16 per hour; Mike Kazena - \$14.94 per hour; Marilee Krcil - \$14.94 per hour; Shane Larson - \$16.12 per hour; Brian McGuire - \$16.38 per hour; Gene Niehus - \$17.12 per hour; Lisa Peters - \$12.88 per hour; Anne Podhradsky - \$14.15 per hour; Nancy Reinbold - \$12.19 per hour; Tim Simonson - \$18.45 per hour; and Richard Sully - \$13.04 per hour. Five voted aye, Bartunek voted nay, motion carried.

A motion was made by Cuka, second by Beeson to hire Jeremy Renken as a full time police officer at \$13.50 per hour. All voted aye, motion carried.

A motion was made Beeson, second by Cuka to adjourn the meeting at 8:50 pm. All voted aye, motion carried.

APPROVED 
Todd Johannsen, President of the Council

Attest: 
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular February meeting was held on Monday, February 2nd, 2015 at City Hall at 7:00 pm. Present were: Todd Johannsen, President of the Council, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich and Roger Schroeder. Absent: Don Hosek.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the President of the Council called for the approval of the February agenda. A motion was made by Beeson, second by Schroeder to approve the February agenda. All voted aye, motion carried.

A motion was made by Fredrich, second by Bartunek to approve the regular meeting minutes from January 5th, 2015. All voted aye, motion carried.

A motion was made by Cuka, second by Beeson to approve January 2015 financial statements and the claims for February 2015. All voted aye, motion carried.

FEBRUARY 2015

SALARIES: ADMINISTRATION--\$5,130.91; COUNCIL---\$4,400.00; BUILDINGS--\$1,123.5; BUILDINGS-ARMORY--\$847.59; POLICE--\$15,901.67; STREETS--\$4,615.71; LIBRARY--\$4,183.03; HRC-URBAN REDEVELOPMENT--\$477.50;WATER--\$4,262.30 SEWER--\$5,216.33; WITHHOLDING/SOCIAL SECURITY--\$10,742.32; SD UNEMPLOYMENT--\$161.47

GENERAL

AJ's Upholstery	supplies	30.00
Best Propane	propane	2,404.00
Card Services	supplies	479.17
Century Link	phone	56.55
Chas. Mix Law Enforc.	prof fees	30.00
City of Wagner	water	225.76
Current Solutions	repair	156.10
Custom Touch & Limo	supplies	350.00
Dave's Service	repair	17.50
Division of Motor Vehicles	prof fees	10.00
Gall's/Quartermaster	supplies	327.78
Good Housekeeping	subscription	7.87
Helms & Assoc.	prof fees	7,186.32
IIMC	prof fees	180.00
Jim's Electric	repair	4,130.00
John Otte	manager fees	825.00
Johnson Brothers	oper agree	6,942.56
King Koin Laundry	supplies	220.50
Missouri Sedimentation Action	dues	500.00
Office of Child Support	prof fees	500.00

Reader's Digest	subscription	17.98
Republic National	oper agree	3,053.47
SD Dept of Transportation	sand/salt	176.58
Sanitation Products	repair	1,056.92
Schuermans Farm Supply	supplies	96.40
SD Airport Conference	registration	170.00
Sioux Sales	supplies	39.95
St Paul Stamp Works	supplies	78.96
Supplemental Retirement	retirement	150.00
Taser International	supplies	370.36
Thomson West	supplies	90.00
Wagner Chamber of Commerce	dues	750.00
Wagner Community Clinic	prof fees	258.00
Wagner Post & Announcer	publishing	444.92
Wipf & Cotton	prof fees	600.00

WATER

Aaron Podzimek	meter refund	64.51
Drew Avant	meter refund	109.12
First National Bank	loan pymt	1,458.33
First National Bank	loan pymt	6,250.00
HD Waterworks	supplies	1,954.05
Randall Community Water	water	13,652.30
SPN	prof fees	44,287.50
SD Dept of Revenue	prof fees	72.00
Wagner Printing	supplies	83.00

SEWER

First National Bank	loan pymt	2,358.30
USDA Rural Development	loan pymt	1,969.00
Yankton Agency BIA	lease pymt	2,847.50

VARIED

AFLAC	insurance	707.39
American General Life	insurance	122.64
AT&T	phone	261.66
Bomgaars	supplies	615.14
First Dakota	petty cash	406.40
Ft. Randall Telephone	phone service	635.45
Great American Leasing	lease	141.35
Northwestern Energy	electric	10,963.15
Quill	supplies	151.98
Reserve Acct	postage	1,000.00
Transamerica	insurance	137.20
Voyager	gasoline	1,529.45

INCIDENTAL VOUCHERS

Billion Auto	patrol vehicle	25,080.00
Dakotacare	insurance	6,560.69

Gall's	supplies	120.91
Honomichl Design	supplies	33.78
Intoximeters	supplies	600.00
James Drug	supplies	1.99
Johnson Controls	prof fees	4,810.32
Mark's Machinery	repair	2,021.92
SD One Call	prof fees	47.25
Republic National	oper agree	8,970.96
S & K Truck Repair	repair	103.78
SD Retirement	retirement	4,948.40
SD Dept of Revenue	sales tax	369.99
SD Municipal League	registration	60.00
Wagner Building & Supply	supplies	1,213.08
Wagner Post & Announcer	legals	258.00
Wagner Super Foods	supplies	66.10

DEPARTMENT REPORTS

Jeremy Gulbranson, Water Superintendent addressed the council on the possible purchase of a tripod. He noted that the fire department doesn't have one. The Council directed Gulbranson to obtain some prices for a tripod. Councilman Schroeder will discuss with the fire department about the possibility of sharing the cost of a tripod and its use.

Linda Foos, Wagner Community School Superintendent was present to discuss the possibility of making a school zone on the highway at the corner of Hwy 46 and Walnut Avenue. Mrs. Foos has been working with SD DOT to have a school zone sign that would have a flashing yellow light during a period before and after school. Discussion followed. A motion was made by Schroeder, second by Bartunek to partner with the school and state to proceed forward with the school zone sign and light. All voted aye, motion carried.

Kelsey Doom was present to give the city council an update on economic development.

OLD BUSINESS

ORDINANCE NO. 2015-01

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BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to amend and/or repeal certain portions of the existing Wagner Municipal Code Section 1, relating to "Organization."

Section 2. WAGNER MUNICIPAL CODE SECTION 1-1-3, Streets, is hereby amended to include, at the bottom of the existing Section 1-1-3, "SOURCE: SDCL 9-45-1."

Section 3. WAGNER MUNICIPAL CODE SECTION 1-2-1 is hereby amended to read:

Regular Meetings. The regular meetings of the City Council shall be held on the first Monday of each month, at such time and place as the City Council may from time to time establish. In the event of inclement weather the Mayor or Council President may cancel any regular or special meeting of the City Council upon notice to all citizens, the press and any individual citizen that has asked to be placed on the agenda for the meeting to be cancelled. It shall be deemed sufficient notice to all set forth herein that a regular or special meeting of the City Council has been cancelled by television or radio announcements stating that the said regular or special meeting of the City Council is cancelled due to inclement weather and has been rescheduled to a different date and time.

SECTION 4. WAGNER MUNICIPAL CODE SECTION 1-2-3, "Notice of Special Meeting" IS HEREBY AMENDED TO READ:

Upon call for a special meeting, the City Finance Officer shall notify either orally or by written notice, as the City Finance Officer shall determine most likely to satisfy each council person then present in the City, at least twenty-four (24) hours previous to the time fixed for such special meeting, or in the case of an emergency, at least three (3) hours before a special meeting. Such notice shall also state the purpose and object for which such special meeting is to be held; and the call and object as well as the disposition thereof shall be entered upon the records of the Council. The written notice of a special meeting shall be posted at City Hall and another copy hand-delivered to the local newspaper.

SECTION 5. WAGNER MUNICIPAL CODE SECTION 1-3-1 IS HEREBY AMENDED TO READ:

"Appointive Officers-Terms of Office." At the first regular meeting of the City Council after the annual city election in each year, the Mayor, subject to confirmation by the City Council, shall appoint the following city officers, who shall hold their offices for one (1) year, except as herein otherwise provided, and until their successors are appointed and qualified, to-wit:

City Engineer or engineers, City Attorney, City Zoning Administrators and board members, and City Health Officer and City Health Board.

Regarding the City Health Board, the Mayor shall, at the regular May meeting of the council in each year appoint five (5) citizens to said Health Board, and the Mayor shall designate one of the members of the City Health Board to be its Chairperson. There shall be one person from each of the three (3) wards of the city, and two at large members. At large members are not required to be residing within the City of Wagner if they are licensed health care professionals by the State of South Dakota. This shall include Physicians, Dentists, veterinarians, Physician Assistants, Certified Nurse Practitioners, Registered Nurses, or other licensed members of the

health care field. The appointment to the City Health Board shall be for one (1) year, and the City Health Board, at its first meeting of each year shall designate one of its members as Secretary and report same to the City Finance officer.

All others working for the City of Wagner, including, but not limited to, the Finance Officer, Police Chief, Street Superintendent, Water and Sewer Superintendent, and all others shall be considered paid employees.

SECTION 6. WAGNER MUNICIPAL CODE SECTION 1-3-3 "Bonds of City Officials" IS HEREBY AMENDED TO READ:

Bonds of City Officials. The amount of bond for all compensated city officials shall be as follows:

Mayor.....	\$ 1,000.00
Council persons.....	\$ 1,000.00
Finance Officer.....	\$150,000.00

SECTION 7. WAGNER MUNICIPAL CODE SECTION 1-4-4 IS HEREBY REPEALED IN ITS ENTIRETY.

SECTION 8. Section 1-8-1 "Funds Kept" is hereby amended to read:

The City Finance Officer shall keep full, true and just accounts of all the financial affairs and property, real and personal, of the City of Wagner. The Finance Officer shall keep such funds and accounts as may be necessary to show at all times the exact condition of the financial affairs of the City and of each branch of the public service, and, for this purpose, the Finance Officer shall keep the following funds and accounts:

General Fund, which shall be broken down into the following accounts:

- Contingency Fund
- Mayor and Council
- Elections
- Attorney
- Finance Office
- Government Buildings
- Government Building—Armory
- Police
- PBT (Preliminary Breath Testing—24/7 Program)
- Prisoner Housing
- Civil Defense
- Streets
- Street Lights
- Solid Waste
- Electric Utility
- Airport
- Health Regulation & Inspection
- Mosquito Control
- Swimming Pool

General Recreation
Parks
Library
Museums
Urban Housing & Redevelopment (HRC)
Economic Development
Planning & Zoning
Liquor
Water Fund
Sewer Fund
Special Revenue Fund
Debt Service Fund
Capital Improvement Fund

And such other funds and accounts as may be from time to time be deemed to be necessary by the City Finance Officer.

SECTION 8. Section 1-8-2 is hereby amended to read:

Disposition of Funds. All money derived from licenses, fines, and all miscellaneous revenues received from any and all sources, other than taxation, shall be credited to the General Fund, except Water Department revenues which shall be credited to the Waterworks Fund, and Sewer Department revenues which shall be credited to the Sewer Fund. Special revenues shall be credited to the Special Revenue Fund.

SECTION 9. Section 1-8-3 is amended to read:

Supplies. The City Finance Officer shall purchase all supplies, shall have charge thereof, and shall make all sales there from; providing no purchase involving an expenditure of more than two thousand five hundred and 00/100 dollars (\$2,500.00) shall be made without the consent of the Mayor or proper Council person of the City Council being first obtained. Every order for material or supplies shall be made in writing and a duplicate thereof filed with the City Finance Officer. All materials and supplies shall, when received be checked over by the officer or agent receiving the same, and a bill thereof, showing the name of the article and each article with the price thereof shall immediately be filed with the City Finance Officer, and shall bear the endorsement of such officer or agent showing in what respect, if any, the material or articles failed to correspond with the material or article ordered.

SECTION 10. Section 1-8-4 is amended to read:

Inventories. The Superintendent or person in charge of each Department of the City of Wagner government shall on or before the 1st day of January of each year, or as otherwise designated by the City Council, make a full, true and correct inventory of all stock, tools, and other property belonging to the City of Wagner, and shall file the same with the City Finance Officer.

SECTION 11. Section 1-9-1 is hereby amended to change the name of the "Wagner Independent School District 11-4" to said District's correct name of "Wagner Community School District No. 11-4."

SECTION 12. Section 1-9-3 is hereby amended to change the name of the "Wagner Independent School District 11-4" to said District's correct name of "Wagner Community School District No. 11-4."

SECTION 13. Section 1-9-4 is amended in its entirety to read:

Finance Officer to make Monthly Report to City Council. The Finance Officer of the Armory Board shall make a monthly report to the City Council concerning the Armory Board activities for the past month, which report shall also include future matters anticipated by the Armory Board.

SECTION 14. Section 1-10-2 is hereby amended to read:

City May Disburse Grant to Chamber. In accordance with the provisions of this municipal code, the City of Wagner, is empowered and may disburse the sum of \$600.00 per year, plus an additional per employee charge which is set by the Wagner Chamber of Commerce each year, said grant to be used for advertising and promoting the City of Wagner.

SECTION 15. Chapter 1-12 relating to the City Planning Board is hereby repealed in its entirety.

Section 4. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 5th day of January, 2015.

First Reading: January 5th, 2015
Second Reading and Adoption: February 2nd, 2015
Effective Date: March 3rd, 2015
Published: February 11th, 2015



Todd Johannsen, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Cuka seconded by Schroeder, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Ordinance No, 2015-01 was declared duly passed and adopted and the President of the Council being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

ORDINANCE NO. 2015-02

AN ORDINANCE REPEALING EXISTING WAGNER MUNICIPAL CODE §5-1-10(b) RELATING TO DISCHARGE OF FIREWORKS, AND REPLACING SAID §5-1-10(b) WITH THE LANGUAGE SET FORTH BELOW.

BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to repeal in its entirety Wagner Municipal Code §5-1-10(b) Discharge of Fireworks.

Section 2. WAGNER MUNICIPAL CODE §5-1-10(b) Discharge of Fireworks is hereby replaced with the following language:

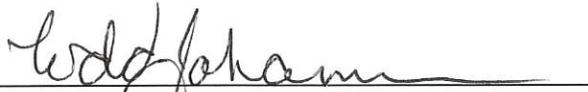
Fireworks may be discharged within the city limits of Wagner, South Dakota, during the period beginning June 27th and extending through the end of the first Sunday after July 4th and during the period beginning December 28th and extending through January 1st of each year from and after the effective date of this ordinance.

Section 3. The daily times where fireworks shall be allowed to be discharged within the city limits of Wagner, South Dakota, shall be from 8:00 o'clock a.m. to 10:00 o'clock p.m. of each day as set forth above, with the exception of July 4th of each year when fireworks may be discharged within the city limits of Wagner, South Dakota, from 8:00 o'clock a.m. to 11:59 p.m. on July 4th of each year; and on December 31st from 8:00 o'clock a.m. to 1:00 o'clock a.m. on January 1st of each year.

Section 4. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 5th day of January, 2015.

First Reading: January 5th, 2015
Second Reading and Adoption: February 2nd, 2015
Effective Date: March 3rd, 2015
Published: February 11th, 2015


Todd Johannsen, Council President

ATTEST:

Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Cuka seconded by Beeson, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Ordinance No, 2015-02 was declared duly passed and adopted and the President of the Council being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

ORDINANCE NO. 2015-03

AN ORDINANCE AMENDING AND/OR CORRECTING CERTAIN PORTIONS OF THE EXISTING WAGNER MUNICIPAL CODE §2-4, AND THE STATUTES CONTAINED THEREIN, RELATING TO PUBLIC NUISANCES.

BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to amend and/or correct certain portions of the existing Wagner Municipal Code Section 2-4 relating to public nuisances.

Section 2. WAGNER MUNICIPAL CODE §2-4-3(e) is hereby amended and hereafter will read:

(e) The Wagner Police Department shall give notice of removal of the junked vehicle or public nuisance to the owner or occupant of the private property where the junked vehicle or public nuisance is located at least five (5) days before the time that compliance with this nuisance ordinance is required. It shall constitute sufficient notice when a copy of said notice or removal is posted in a conspicuous place upon the junked motor vehicle or upon the private property on which the vehicle is located and duplicate copies are sent by regular U.S. Mail to the owner or occupant of the private property at the owner or occupants last known address. If the owner or occupant of the private property where the junked motor vehicle or public notice is located cannot be determined, placing of the notice on the junked vehicle or public nuisance shall be considered sufficient notice for the purpose of this section.

Section 3. WAGNER MUNICIPAL CODE SECTION 2-4-3(f) is hereby amended to correct the proper statutory cite of this portion of the Wagner Municipal Code, and shall continue to read:

(f) The notice to comply shall contain the request for removal of the junked vehicle or public nuisance within the time specified in Section 2-4-3(e), is amended to include the proper Wagner Municipal Code cite, and shall continue to read, and the notice shall advise that upon failure to comply with the notice to comply, then the city, or its designees, shall undertake such removal of the said junked vehicle or public nuisance, with the cost of the removal of the junked vehicle or public nuisance being either assessed against the real property, or charged through judgment in the courts of this state against the real property owner upon which is found the junked motor vehicle or against the person who is the occupant or owner of the junked motor vehicle or public nuisance, as the city may so elect.

SECTION 4. WAGNER MUNICIPAL CODE SECTION 2-4-3(g) and (h) is amended to include the proper Wagner Municipal Code cite, and ARE HEREBY REPEALED.

SECTION 5. WAGNER MUNICIPAL CODE SECTION 2-4-3(i), is amended to reflect the correct cite to the Wagner Municipal Code, and continues and IS HEREBY AMENDED TO READ:

- (i) It shall be unlawful for any person to interfere with, hinder, or refuse to allow the city, or its designees, to enter upon private property for the purpose of removing a junked motor vehicle or public nuisance under the provisions of this section. Conviction for a violation of this section shall be a misdemeanor and shall be punishable by a fine of up to \$100.00 per conviction.

SECTION 6. WAGNER MUNICIPAL CODE SECTION 2-4-5(d) and (f) ARE HEREBY AMENDED TO READ:

(d) Any person in violation of this section shall be notified in writing by the city, or its designees, that he or she is permitting, allowing, or maintaining a nuisance upon real property as described in said notice and that unless abated within five (5) days from the date of such notice, the city shall abate the said nuisance and recover the cost thereof from such person.

(f) Notice is sufficient if same is served personally or sent by regular U.S. Mail to the last known address of the owner, and occupant, if any. If the owner cannot be located by personal service or by mailing, the posting of such notice conspicuously on the property upon which the debris is located shall be deemed to constitute sufficient notice to the property owner or occupant.

SECTION 7. WAGNER MUNICIPAL CODE SECTION 2-4-6(a) "Weeds" SECTION IS HEREBY AMENDED TO READ:

- (a) "Weeds" means and includes all weeds of the kind known as Russian Thistle, Canada Thistle, cocklebur, ragweed, golden rod, burdock, barberry, creeping jennie, quack grass or sunflower, and all other

noxious or unhealthy vegetation as defined by the State of South Dakota Weed Board.

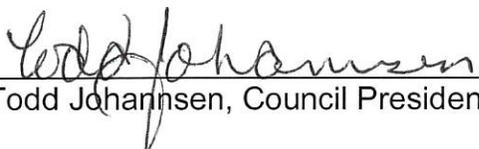
SECTION 8. WAGNER MUNICIPAL CODE SECTION 2-4-6(c) IS AMENDED TO READ:

(c) The city may, at the beginning of or during the growing season by public notice to each occupant, person in charge, or owner of any lot, require all such weeds and vegetation upon a lot to be cut and removed within three (3) days after giving notice to said occupant, person in charge, or owner of any lot or real property within the City of Wagner's corporate city limits. Such notice need not be given personally but may be given generally by publication in the City of Wagner's official newspaper. The notice shall provide that each occupant, person in charge, or owner of any lot shall cut and keep cut at all times during the growing season all nuisance weeds and vegetation, and shall further provide that in case of failure to so cut weeds and vegetation, the city will cause the same to be cut and assess the cost thereof as a lien against the real property benefited. One such public notice shall be sufficient for each growing season.

Section 4. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 5th day of January, 2015.

First Reading: January 5th, 2015
Second Reading and Adoption: February 2nd, 2015
Effective Date: March 3rd, 2015
Published: February 11th, 2015



Todd Johannsen, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Schroeder seconded by Bartunek, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Ordinance No, 2015-03 was declared duly passed and adopted and the President of the Council being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

NEW BUSINESS

A motion was made by Fredrich, second by Bartunek to advertise for summer maintenance, pool manager, assistant pool manager and lifeguards. All voted aye, motion carried.

A motion was made by Cuka, second by Schroeder to surplus two John Deere zero turn commercial mowers. All voted aye, motion carried.

A motion was made by Schroeder, second by Bartunek to hire Schoenfish & Co., Inc. to complete the audit for 2013 and 2014 for the city. All voted aye, motion carried.

A motion was made by Beeson, second by Fredrich to approve a special one-day malt beverage and liquor license for the Knights of Columbus for February 15th, 2015 at the American Legion. All voted aye, motion carried.

A motion was made by Cuka, second by Bartunek to approve for publication a special one-day malt beverage and liquor license for TNT Enterprises for the Midwest Classic Dart Tourney on March 14th, 2015 and set the date for public hearing for March 2nd, 2015 at 7 pm at City Hall. All voted aye, motion carried.

A motion was made by Fredrich, second by Beeson to approve a special one-day malt beverage and liquor license for the Wagner Chamber of Commerce for the Annual Wine Tasting Fundraiser at the National Guard Armory on March 27th, 2015. All voted aye, motion carried.

A motion was made by Beeson, second by Schroeder to advertise for bids for approximately 30,000 square yards of chip sealing. All voted aye, motion carried.

A motion was made by Fredrich, second by Bartunek to purchase 275 ton of rock for chip sealing for the summer of 2015. All voted aye, motion carried.

There was discussion of the dog impounding policy. No action taken.

RESOLUTION NO. 2015-01

A resolution of the City Council of Wagner declaring its support for, and adoption of, the Charles Mix County Multi-Jurisdiction Pre-Disaster Mitigation Plan.

WHEREAS a Pre-Disaster Mitigation Plan for Charles Mix County (the Plan) has been developed; and

WHEREAS the City of Wagner participated in the development of the Plan; and

WHEREAS the Plan will be used as a disaster mitigation planning tool as deemed appropriate by the Wagner City Council.

NOW THEREFORE BE IT RESOLVED that the Wagner City Council hereby adopts and supports the Plan, and will take action to ensure that the Plan is implemented.

Adopted and approved this 2nd day of February 2015.

SIGNED: Todd Johannsen
Todd Johannsen, President, City of Wagner

ATTEST: Rebecca Brunsing
Rebecca Brunsing, City Finance Officer

The motion for the adoption of the foregoing resolution was made by Beeson seconded by Bartunek, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Resolution No, 2015-01 was declared duly passed and adopted and the President of the Council being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

EXECUTIVE SESSION

A motion was made by Cuka, second by Fredrich to enter into executive session at 8:10 pm for personnel pursuant to SDCL 1-25-2 (1). All voted aye, motion carried.

The President of the Council declared the Council out of executive session at 8:48 pm.

A motion was made by Schroeder, second by Fredrich to hire Jeremy Gulbranson as a part-time police officer at \$13.50 per hour, with duties and stipulations as put forth in an employment agreement. All voted aye, motion carried.

A motion was made Beeson, second by Cuka to adjourn the meeting at 8:49 pm. All voted aye, motion carried.

APPROVED Todd Johannsen
Todd Johannsen, President of the Council

Attest: Rebecca Brunsing
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular March meeting was held on Monday, March 2nd, 2015 at City Hall at 7:00 pm. Present were: Todd Johannsen, President of the Council, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich and Roger Schroeder. Absent: Don Hosek.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Council President called for the approval of the March agenda. A motion was made by Fredrich, second by Bartunek to approve the March agenda. All voted aye, motion carried.

The bill from AT&T should have been listed as \$261.66. A motion was made by Beeson, second by Bartunek to approve the regular meeting minutes from February 2nd, 2015 as amended. All voted aye, motion carried.

A motion was made by Cuka, second by Schroeder to approve February 2015 financial statements and the claims for March 2015. All voted aye, motion carried.

MARCH 2015

SALARIES: ADMINISTRATION--\$4,683.43; BUILDINGS--\$664.24; BUILDINGS-ARMORY--\$501.08; POLICE--\$17,810.50; STREETS--\$3,865.88; LIBRARY--\$3,937.53; HRC-URBAN REDEVELOPMENT--\$122.50; WATER--\$4,008.82 SEWER--\$5,707.27; WITHHOLDING/SOCIAL SECURITY--\$9,759.27.

GENERAL

American Fence	improvements	32,959.88
Best Propane	propane	1,660.25
Bomgaars	supplies	203.82
C & B Operations	supplies	6.06
Card Services	supplies	444.32
Century Link	phone	55.68
City of Wagner	water	239.13
Dakota Auto Body	repairs	2,508.48
Decatur Electronics	repair	200.00
Demco	supplies	87.80
Farm & Ranch Living	subscription	19.98
Friberg, Nelson & Ask	prof fees	104.00
Gall's	supplies	24.00
Giedd Sanitation	prof fees	1,350.00
Helms & Assoc.	prof fees	3,524.91
Ingram	supplies	167.42
John Conkling	oper agree	141.75
John Otte	manager fees	825.00
King Koin Laundry	supplies	220.50
Northern Truck	supplies	112.22

Northwest Vet Supply	prof fees	285.15
Office of Child Support	prof fees	250.00
Republic National	oper agree	8,106.56
SD Dept of Transportation	prof fees	1,500.14
Safe -N-Secure	equipment	2,009.52
SDPAA	prof fees	271.56
SD Sheriff's Assoc	prof fees	85.00
Stockwell Engineers	prof fees	117.40
Upstart	supplies	41.50
Wagner Community Clinic	prof fees	167.00
Wagner Post & Announcer	publishing	414.38
Wipf & Cotton	prof fees	825.00

WATER

Dakota Supply Group	supplies	271.92
Norm Deal	meter refund	10.00
Randall Community Water	water	12,664.30
SPN	prof fees	30,783.21
SD Dept of Revenue	prof fees	145.00

SEWER

USDA Rural Development	loan pymt	1,969.00
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VARIED

AFLAC	insurance	707.39
American General Life	insurance	133.17
AT&T	phone	249.37
First Dakota	petty cash	212.14
Ft. Randall Telephone	phone service	635.45
Great American Leasing	lease	116.80
Northwestern Energy	electric	7,789.76
Quill	supplies	81.46
Voyager	gasoline	1,749.36
Wagner Auto Supply	supplies	332.48

INCIDENTAL VOUCHERS

Chas. Mix Co Law	housing	50.00
Dakotacare	insurance	6,137.20
Honomichl Design	supplies	3.98
James Drug	supplies	13.18
John Conkling	oper agree	176.95
Mark's Machinery	repair	20.54
Northwestern	electricity	16.74
Quill	supplies	228.11
Republic National	oper agree	16,471.10
Rogs Auto	repair	1,445.12
Sioux Sales	supplies	12.95
Uniform Accessories	supplies	89.97
Valiant Vineyards	oper agree	252.00

Wagner Auto	supplies	330.46
Wagner Building & Supply	supplies	1,636.01
Wagner Printing	supplies	229.00
Western Office Plus	prof fees	19.62

OLD BUSINESS

Geoff Fillingsness was present to update the Council on a property that will be condemned. Mr. Fillingsness also informed the Council that a notice will be published each week during the month of March and then effective April 1st, 2015, unlicensed, inoperable, junk vehicles and trailers will start to be ticketed. A procedure has been established to follow.

This being the time and place for a public hearing for a special one-day malt beverage license for TNT Enterprises for the Midwest Classic Dart Tourney on March 14th, 2015 at the Wagner Armory. There being no one present opposed to the license, a motion was made by Fredrich, second by Cuka to approve the license for TNT Enterprises. All voted aye, motion carried.

A motion was made by Schroeder, second by Bartunek to approve the proposal of services from Helms & Associates Engineering for 2015 through 2019. All voted aye, motion carried.

A motion was made by Cuka, second by Beeson to approve pay estimate #4 for \$32,959.88 on the airport wildlife fence project. All voted aye, motion carried.

A motion was made by Beeson, second by Schroeder to approve the change order request #3 for an increase of \$1,283.00 and the date of completion of all work be will be extended to May 1st, 2015. All voted aye, motion carried.

An update was given on the city maintenance building. The contractor will be starting on the project again approximately around April 1st.

NEW BUSINESS

Specifications are almost finished for playground equipment at Chapman Park. The City received a grant of \$40,000 and an anonymous donation for the balance of the project. A motion was made by Beeson, second by Schroeder approving to advertise for bids for the playground equipment at Chapman Park. All voted aye, motion carried.

A motion was made by Cuka, second by Schroeder to purchase the Miller Manhandler two-way hoist and 9' tripod system for confined space for \$2,241.84. All voted aye, motion carried.

A motion was made by Schroeder, second by Fredrich to purchase the Magnawand magnetic locator for \$795.00 and a 3M 2573-ID U12 pipe/cable/fault locator for \$5,461.00. All voted aye, motion carried.

A motion was made by Schroeder, second by Beeson to purchase the GEO 5T Handheld GPS modem and software for \$6,286.00. All voted aye, motion carried.

A motion was made by Cuka, second by Schroeder to appoint to the election board for the April 14th, 2015 election: Janet Harmon, Superintendent; Jean Pirner, Deputy; Joe Stedronsky, Deputy; Julie Dilts, Alternate and Richard Andersh, Alternate and set the wage for Superintendent at \$135.00 and Deputies at \$125.00 for the election day. All voted aye, motion carried.

There was discussion of the snow removal from sidewalks and sidewalks in general. No action was taken.

There was discussion of the bathrooms at the commodity warehouse building. The consensus was to proceed with putting in a new bathroom that would be handicap accessible and obtain quotes from area contractors.

RESOLUTION NO. 2015-02

A resolution of the City Council of Wagner declaring its support of the concept of a City Sales Tax Allowance Program for the purpose of Economic Development.

WHEREAS Economic Development is a vital part of the City of Wagner and the Community's economy.

WHEREAS the Wagner City Council is willing to consider City Sales Tax Allowance program for the future economic development projects; and

WHEREAS the City Sales Tax Allowance Program will be used as a planning tool as deemed appropriate by the Wagner City Council.

NOW THEREFORE BE IT RESOLVED that the Wagner City Council hereby agrees and supports the concept of a City Sales Tax Allowance Program to be considered in the future for development projects.

Adopted and approved this 2nd day of March 2015.

SIGNED: 
Todd Johannsen, Council President

ATTEST: 
Rebecca Brunson, City Finance Officer

The motion for the adoption of the foregoing resolution was made by Cuka seconded by Bartunek, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon

said Resolution No, 2015-02 was declared duly passed and adopted and the Council President being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

**RESOLUTION #2015-03
ADOPTING CREDIT CARD USE POLICY**

WHEREAS, SDCL 4-3-27 authorizes the use of credit cards by local government officials and employees for the purchase of materials, supplies, equipment, hotel rooms or other authorized transactions; and

WHEREAS, SDCL 4-3-27 requires that the governing board establish policies providing for the use and accountability of credit card purchases; and

WHEREAS, the Wagner City Council for the City of Wagner, South Dakota has determined that the City has a need for a credit card as authorized by SDCL 4-3-27,

NOW THEREFORE, BE IT RESOLVED, the Finance Officer is hereby authorized to acquire and use a credit card account with a maximum credit limit of \$2,500 for the purchase of certain necessities on behalf of and for the benefit of the City of Wagner, in accordance with the policies set out below.

1. The credit card account shall only be used for the following purchases:
 - a. Expenses incurred while traveling on city business including fuel and repairs for city-owned vehicles, meals and lodging.
 - b. Purchases from a vendor where an open account cannot be established.
 - c. Pre-authorized purchases through the Internet, if it is the only means of payment accepted by the vendor.
2. Original receipts, invoices or other authentic documentation of all credit card purchases shall be submitted to the Finance Officer. If proper documentation is not received, the payment of the charge is the responsibility of the employee.
3. The Finance Office shall audit the charge card receipts, reconcile the charge card statements and process the charges for payment by the City.
4. Cash advances are prohibited.
5. Any transaction must comply with all applicable City Policies.
6. Purchase of alcoholic beverages is prohibited.
7. City issued credit cards may not be used to pay for any item which does not directly benefit the City of Wagner.
8. Personal use of the credit card is strictly prohibited. Misuse of a City issued credit card will be considered grounds for disciplinary action up to and including termination.
9. Any perks, credits or items of value earned through the use of said City issued credit cards shall only be used for the benefit of the City and not for that of any employee. Additional cardholder responsibilities will be communicated as necessary.

Dated this 2nd day of March 2015


Todd Johannsen, Council President

ATTEST: 
Rebecca Brunsing, Finance Officer

The motion for the adoption of the foregoing resolution was made by Fredrich seconded by Beeson, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Resolution No, 2015-03 was declared duly passed and adopted and the Council President being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

There was discussion of an ordinance change for repeat disconnected customers for nonpayment of water/sewer bills. A lengthy discussion followed. The consensus was that for the 2nd missed payment resulting in a disconnection, the payment for reconnection will be \$100. The disconnect fee will only reset if a customer goes one calendar year without missing a payment that results in a disconnection.

The Finance Officer briefed the Council on interim financing that will need to be obtained for approximately seven months for the Front Ave SE and First Street SE project. The Council directed that interim financing quotes be obtained.

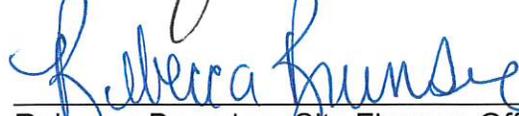
RESOLUTION #2015-04

APPROVING LEGAL SERVICES AGREEMENT

BE IT RESOLVED by the City of Wagner that Meierhenry Sargent LLP be retained as bond counsel for the proposed Water and Wastewater project Revenue Bond, known as the "Front Avenue SE and First Street SE Project" and that the Mayor and Finance Officer are authorized to negotiate and execute the form of the Legal Services Agreement on file with the City Finance Officer.

Adopted and approved this 2nd day of March 2015.

SIGNED: 
Todd Johannsen, Council President

ATTEST: 
Rebecca Brunsing, City Finance Officer

The motion for the adoption of the foregoing resolution was made by Fredrich seconded by Bartunek, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Resolution No, 2015-04 was declared duly passed and adopted and the Council President being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

ORDINANCE NO. 2015-04

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$1,754,000 PROJECT REVENUE BONDS OF THE CITY OF WAGNER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; PROVIDING FOR A SPECIAL CHARGE OR SURCHARGE FOR THE PURPOSE OF PAYING PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

BE IT ORDAINED by the City Common Council of the City of Wagner, South Dakota (the "City"), as follows:

SECTION 1. Bond Purpose and Authorization.

1.01. The City currently operates a municipal water utility and Wastewater utility under SDCL 9-40 (collectively the "Utility"), consisting of a system or part of a system, for the purpose of providing water for municipal, industrial and domestic purposes and a system for the collection, treatment, and disposal of sewage and other domestic, commercial, and industrial wastes. The City determines it necessary and expedient to issue Water and Wastewater Project Revenue Bonds (the "Bonds") for the purpose of defraying the cost of the improvements and hereby declares the necessity therefore. The Bonds will be issued as part of a loan from the United States of America acting through USDA for a combination of Wastewaterage and water facilities as authorized specifically under 9-40-4.2.

1.02 The City is authorized to borrow money and issue its revenue bonds under SDCL Chapter 9-40 and 6-8B (the "Act"), in order to defray the cost of acquiring and constructing improvements to the Utility, consisting of Water and Wastewater Project (the "Improvements"). The City is authorized to acquire the Improvements, to issue its Bonds, in order to defray the cost thereof, and to make all pledges, covenants and agreements authorized by law for the protection of the owners of the Bonds, including, without limitation, those covenants set forth in Sections 9-40-15 through 9-40-17 of the Act. The bonds are payable solely from the revenue or income derived from the operation of the improvements and shall not constitute an indebtedness of the City within the meaning of South Dakota constitution Article 13 § 4 or any statutory provisions or limitations.

SECTION 2. Terms of the Bonds

2.01. The Bonds shall be issued in an aggregate principal amount not exceeding \$1,754,000 and shall be sold to the United States of America. The Bonds will bear interest at a rate or rates per annum resulting in an interest rate not greater than 3.25% per annum and will mature over a period not to exceed forty (40) years. The Bonds shall be issued in one series. The Mayor and Finance Officer are hereby authorized and directed to agree with the United States of America upon the exact purchase price, principal amount, maturities, interest rate or rates, payment dates and redemption provisions for the Bonds, within the parameters set forth in this Section.

SECTION 3. Execution, Authentication, Delivery and Form of the Bonds.

3.01. The Bonds shall be prepared under the direction of the Finance Officer and shall be executed on behalf of the City by the signatures of the Mayor and the Finance Officer, and countersigned by an attorney actually residing in the State of South Dakota and duly licensed to practice therein, and shall be sealed with the official corporate seal of the City; provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. The City hereby appoints the Finance Officer of the City as bond registrar, transfer agent and paying agent (the "Registrar") for the Bonds.

SECTION 4. Creation of Accounts, appropriation, pledge and segregation of revenues,

4.01 An account to be designated as the 2015 Water and Wastewater project Revenue Bond Account (the "Debt Service Account") is established and shall be maintained as a separate and special mandatory asset segregation bookkeeping account on the official books of the City until the Bonds and any additional bonds (together referred to as the "Bonds") payable from the net income from the Project Revenues, as provided in Sections 4.03 through 4.07 hereof and interest and redemption premiums due thereon have been fully paid, or the City's obligation with reference to the Bonds has been discharged. -

4.02 Net income derived from the Improvements shall be the excess of revenues or income remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements, and operation including the interest on any general obligation bonds authorized to construct or acquire or improve such original Utility and including the necessary debt service funds required to be provided for the retirement of said bond issues, and including the interest and debt service funds required annually to be paid or set aside on any refunding bonds issued to refund such general bonds issued for the original construction or acquisition or improvement of said Utility, so extended, added to, or improved (hereafter "Project Revenues"). All Project Revenues shall be segregated and subdivided into separate accounts as designated and described in Sections 4.03 to 4.07 and are irrevocably pledged and appropriated for the payment of principal of and interest on the Bonds. As described in Section 5.05 hereof, the City shall impose a separate surcharge for the availability, benefit and use of the improvements and shall aggregate the revenues derived from such surcharge for the Improvements, together with the expenses of the operation and maintenance of the Improvements and shall account for them as provided in SDCL Chapter 9-40 and

Section XI of the South Dakota Department of Legislative Audit Municipal Accounting Manual.

4.03. Construction Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Construction Account ("Construction Account") is established. The Construction Account shall be used only to pay as incurred and allowed costs which under generally accepted accounting principles are capital costs of the Improvements, and of such future acquisitions, reconstructions, improvements, betterments or extensions of the Utility as may be authorized in accordance with law; including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands, easements and utility rights, interest accruing on Bonds during the first year following the date of their delivery, if and to the extent that the Debt Service Account is not sufficient for payment of such interest, reimbursement of advances made from other City funds, and all other expenses incurred in connection with the construction and financing of any such undertaking. To the Construction Account shall be credited as received all proceeds of Bonds, except amounts appropriated to the Debt Service Account under Section 4.04 and any amount to be deposited to the Reserve Account under Section 4.05, all other funds appropriated by the City for the improvement of the Utility, and all income received from the claim with respect to the Utility received pursuant to Section 5.03 hereof shall be deposited in the Construction Account and applied to repair, replacement and restoration of the Utility; any proceeds in excess of the amount necessary for that purpose shall be transferred to the Debt Service Account. No amount shall be expended from the construction account unless contracts have been entered into and completion bonds furnished in an amount sufficient to ensure completion of the Improvements at a cost not exceeding the amount then on hand for such purpose.

4.04. Current Debt Service Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Current Debt Service Account ("Debt Service Account") is established. Upon each monthly apportionment, there shall be set aside and credited to the Debt Service Account out of the Project Revenues an amount equal to not less than one-twelfth of the total sum of the principal and interest to become due within the then next succeeding twelve months on all Bonds. Moneys from time to time held in the Debt Service Account shall be disbursed only to meet payments of principal and interest on Bonds as such payments become due; provided, that on any date when all outstanding Bonds are due or prepayable by their terms, if the amount then on hand in the Debt Service Account, together with the balance then on hand in the Reserve Account, is sufficient, with other moneys available for the purpose, to pay all Bonds and the interest accrued thereon in full, it may be used for that purpose. If any payment of principal or interest becomes due when moneys in the Debt Service Account are temporarily insufficient therefor, such payment shall be advanced out of any Project Revenues theretofore segregated and then on hand in the Reserve Account, the Replacement and Depreciation Account or the Surplus Account. In the event that sufficient moneys are not available from the aforementioned sources, the City, to the extent it may at the time legally do so, may, but shall not be required to, temporarily advance moneys to the Debt Service Account from other funds of the City on hand and legally available for the purpose, but any such advance shall be repaid from Net Revenues of the Utility within 24 months.

4.05 Reserve Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Future Debt Service Reserve Account ("Reserve Account") is established. On a monthly basis, the City shall pay into the Reserve Account an amount equal to 10% of the maximum debt service due in any future calendar year on, the Bonds. Said balance shall be maintained by such additional credits to the Reserve Account as may be necessary. Moneys on hand in the Reserve Account shall be used only to pay maturing principal and interest when other moneys in the Debt Service Account are insufficient therefor.

4.06. Replacement and Depreciation Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Contingency (Renewal and Replacement) Account ("Replacement and Depreciation Account") is established. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Account such portion of the Project Revenues, in excess of the current requirements of the Debt Service Account and the Reserve Account (which portion of the Project Revenues is referred to herein as "Surplus Project Revenues"), as the City Common Council shall determine to be required for the accumulation of a reasonable reserve for renewal of worn out, obsolete or damaged properties and equipment of the Utility, which reserve shall be accumulated and maintained. Moneys in this account shall be used only for the purposes above stated or, if so directed by the City Common Council, to redeem Bonds which are prepayable according to their terms, to pay principal or interest when due thereon as required in Section 4.04 hereof, or to pay the cost of improvements to the Utility; provided, that in the event that the City shall hereafter issue bonds for the purpose of financing the construction and installation of additional improvements or additions to the Utility, but which additional bonds cannot, upon the terms and conditions provided herein, be payable from the Debt Service Account. Surplus Project Revenues from time to time received may be segregated and paid into one or more separate and additional accounts from the payment of such bonds and interest thereon, in advance of payments required to be made into the Replacement and Depreciation Account.

4.07. Surplus Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Surplus Account ("Surplus Account") is established. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Account, and the moneys from time to time in that account, when not required to restore a current deficiency in the Debt Service Account as provided in Section 4.04 hereof, may be used for any of the following purposes and not otherwise:

To redeem and prepay Bonds when and as such Bonds become prepayable according to their terms;

To purchase Bonds on the open market, whether or not the Bonds so purchased or other such Bonds may then be prepayable according to their terms; and, if the Reserve Account is then funded to the full amount required to be maintained therein, and the balances in the Debt Service Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;

To pay for repairs of or for the construction and installation of improvements or additions to the Utility; and, if the Reserve Account is then funded to the full amount required to be maintained therein, and the balances in the Debt Service Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the then current fiscal year, then:

To be held as a reserve for redemption and prepayment of the Bonds which are not then but will later be prepayable according to their terms; or

To be used for any other authorized municipal purpose designated by the City Common Council.

No moneys shall at any time be transferred from the Surplus Account or any other account of the Fund to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section 4.07.

4.08. Accounting. The City shall follow the municipal accounting requirements of the South Dakota Legislative Audit. The above named accounts may be designated in accordance with South Dakota municipal accounting standards.

4.09. Deposit and Investment of Funds. The City Finance Officer shall cause all moneys to be deposited as provided in South Dakota Law.

SECTION 5. Covenants, Remedies and Rates.

5.01. General. The City covenants and agrees that until all Bonds are fully discharged as provided in this Ordinance, it will continue to hold, maintain and operate the Utility as a public utility and convenience, free from all liens thereon or on the income therefrom other than the liens herein granted or provided for, will observe prudent utility practices, and will maintain, expend and account for the Fund and the several accounts therein as provided in Section 4. The City will cause the Improvement to be constructed in accordance with plans and specifications hereto prepared and will not enter into contracts in excess of the amount provided for such purpose.

5.02. Competing Service. The City will not establish or authorize the establishment of any other system for the public supply of service or services in competition with any or all of the services supplied by the facilities of the Utility.

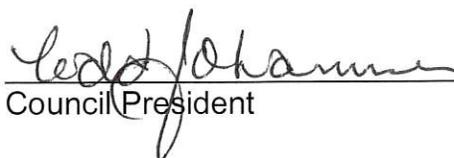
5.03. Billings. The charges for Water Utility services will be billed at least monthly, and if the bill is not paid within sixty days of the date of billing, or if the customer fails to comply with all rules and regulations established for the Utility within sixty days after notice of violation thereof (which notice shall be given promptly upon discovery of any such violation), the service to the premises involved shall be discontinued and shall not be resumed until payment of all past-due bills for Water Utility service and compliance with all such rules and regulations. The City may reduce the number of days before the service will be disconnected from sixty to any lesser number of days by ordinance or resolution. The City shall take all appropriate legal action to collect the unpaid

charges. The City shall follow the procedures, if any, set by South Dakota Codified Laws for disconnection of service during the winter months.

5.04. Remedies. The holder of the Bonds shall have such remedies as are set forth in SDCL 9-40.

5.05. Rates and Charges. There shall be charged a monthly surcharge for the services provided by the improvement financed by the Bonds. The surcharge shall be segregated from other revenues of the utility and shall be used for the payment of principal of and interest on the Bonds. Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements. The rate herein specific will be collected as a surcharge for the Improvement. This surcharge shall remain in effect until such time as the Bonds are paid in full or discharged. The initial surcharge shall be set by resolution. All users, current and future, shall be charged the surcharge for it has been found that all users benefit from the improvement. The surcharge is found to be equitable for the services provided by the Improvement. The amount of the surcharge shall be reviewed not less than annually and shall be modified in order to provide such funds as are set forth herein. All modifications may be made by resolution. No resolutions setting the surcharge shall be subject to referendum for they are necessary for the support of government.

5.06 Statutory Lien. There shall pursuant to SDCL 9-40-25 be a statutory mortgage lien upon the Improvements in favor of and for the equal benefit of the lawful holders of the bonds issued pursuant to SDCL 9-40, except no such lien shall attach to or become a charge upon or against any property or Utility or any part thereof previously owned by the City. Until all bonds are fully paid with interest, the City shall not sell or otherwise dispose of the Utility and shall not establish, authorize or grant a franchise for the operation of any other Utility in competition with the City. The statutory lien shall continue until the bonds are paid in full.



Council President

Attest:


Finance Officer
First Reading: March 2nd, 2015
Second Reading:
Adopted:
Published:
Effective Date:

The motion for the adoption of the foregoing ordinance was made by Schroeder seconded by Beeson, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Ordinance No. 2015-04 was declared duly passed and adopted and

the Council President being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

EXECUTIVE SESSION

A motion was made by Cuka, second by Beeson to enter into executive session at 9:33 pm for personnel pursuant to SDCL 1-25-2 (1). All voted aye, motion carried.

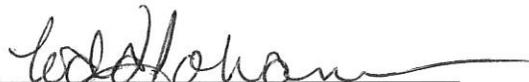
The Council President declared the Council out of executive session at 9:55 pm.

A motion was made by Schroeder, second by Beeson to hire for summer maintenance: Sydney Breen at \$10.00 per hour, Jacob Kvigne at \$10.00 per hour and Gina Soukup at \$10.00 per hour. All voted aye, motion carried.

A motion was made by Cuka, second by Bartunek to hire the following employees for the swimming pool season: Miranda Crisman, Manager, at \$12.00 per hour, Tayleigh Kaup, Assistant Manager at \$11.00 per hour, and the following lifeguards: Promise Mace at \$9.50 per hour, Eshaiya Heth at \$9.50 per hour, Jamie Anderson at \$9.50 per hour, Konner Lightenberg at \$9.00 per hour, and Hailey Hilzendeger at \$9.00 per hour. All voted aye, motion carried.

A motion was made by Beeson, second by Schroeder to amending the City of Wagner Personnel Policy, Section III.2 Sick Leave and 111.3 Family Medical Leave Act. All voted aye, motion carried.

A motion was made Beeson, second by Cuka to adjourn the meeting at 10:00 pm. All voted aye, motion carried.

APPROVED 
Todd Johannsen, Council President

Attest: 
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

**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 March meeting was held on Wednesday, March 11th, 2015 at the Wagner City Hall at 5:30 pm. Present were: Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich, Roger Schroeder and Todd Johannsen. Absent: Don Hosek.

The meeting opened with the Pledge of Allegiance.

The meeting was called to order and the Council President called for the approval of the special meeting agenda. A motion was made by Schroeder, second by Fredrich to approve the agenda. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Beeson, second by Schroeder to enter into executive session at 5:33 pm for proprietary business pursuant to SDCL 1-25-2 (5) and litigation pursuant to SDCL 1-25-2 (3). All voted aye, motion carried.

The President declared the council out of executive session at 6:29 pm.

A motion was made by Schroeder, second by Cuka to adjourn the meeting at 6:29 pm. All voted aye, motion carried.

Approved Todd Johannsen
Todd Johannsen, Council President

Attest Rebecca Brunsing
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of \$ _____.

MEETING OF THE COMMON COUNCIL AS THE LOCAL BOARD OF EQUALIZATION OF THE CITY OF WAGNER, CHARLES-MIX COUNTY, SOUTH DAKOTA

The City Council convened at 5:30 p.m. on Monday, March 16th, 2015 as the Board of Equalization. Present were: Council President, Todd Johannsen, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following Councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, and Ron Fredrich. Absent: Roger Schroeder and Don Hosek. Others present: Dennis Merkwan, School Board Member, and Denise Weber, Director of Equalization, Charles Mix County.

The meeting was opened with the Pledge of Allegiance.

The Council President called the meeting to order stating that the purpose of the meeting was to review tax appeals and approve the tax assessment roll. A motion was made by Fredrich, second by Beeson to approve the agenda. All voted aye, motion carried.

Robert Flying Hawk, Chairman of the Yankton Sioux Tribe, Mystic Archambeau, Director of the Yankton Sioux Housing Authority and Chenoa Gonzales, Personnel Officer, Yankton Sioux Tribe were present to appeal 13 lots. They are listed as follows:

Lots 2,3,4,5,6, & 7; Block 7, Wagner Heights, City of Wagner, Charles Mix County, South Dakota.

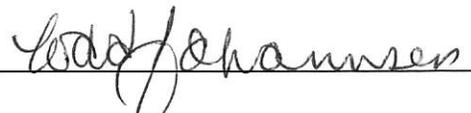
Lots 1,2,3,4, & 5; Block 1 of Outlot W-5, Wagner Heights Addition, City of Wagner, Charles Mix County, South Dakota.

Lots 1 & 2, Block 2 of Outlot W-5, Wagner Heights Addition, City of Wagner, Charles Mix County, South Dakota.

The representative present stated that they thought the assessed values for the homes was too high, considering many of them had not had many improvements to the inside of them done. Discussion followed. The board stated that they felt they were not in a position to recommend a change of the assessed values and stated that no change would be made to the assessed values at the local board level.

A motion was made by Beeson, second by Cuka to approve the remainder of the tax assessment roll. All voted aye, motion carried.

A motion was made by Cuka, second by Beeson to adjourn at 6:09 pm. All voted aye, motion carried.

APPROVED 

Todd Johannsen, Council President

Attest 
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

**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 March meeting was held on Monday, March 16th, 2015 at the Wagner City Hall at 6:09 pm. Present were: Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich, and Todd Johannsen, Council President. Absent: Roger Schroeder and Don Hosek.

The meeting was called to order and the Council President called for the approval of the special meeting agenda. A motion was made by Bartunek, second by Fredrich to approve the agenda. All voted aye, motion carried.

There were no claims to approve for March.

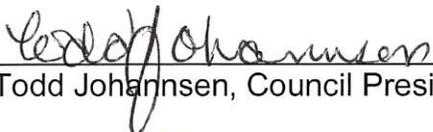
A motion was made by Cuka, second by Fredrich to accept Chips Construction quote for the bathroom remodel at the commodity warehouse in the amount of \$11,942.00. All voted aye, motion carried.

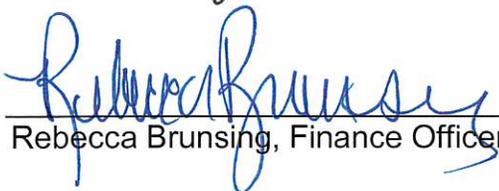
EXECUTIVE SESSION

A motion was made by Bartunek, second by Beeson to enter into executive session at 6:12 pm for proprietary business pursuant to SDCL 1-25-2 (5). All voted aye, motion carried.

The President declared the council out of executive session at 6:58 pm.

A motion was made by Fredrich, second by Beeson to adjourn the meeting at 6:58 pm. All voted aye, motion carried.

Approved 
Todd Johannsen, Council President

Attest 
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of \$ _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, a special March meeting was held on Wednesday, March 18th, 2015 at City Hall at 5:30 pm. Present were: Todd Johannsen, Council President, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, and Ron Fredrich. Absent: Roger Schroeder and Don Hosek.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Council President called for the approval of the special March agenda. A motion was made by Beeson, second by Bartunek to approve the special March agenda. All voted aye, motion carried.

VARIED

Bender's Sewer & Drain	prof fees	498.00
Best Propane	propane	797.50
Brian & Gretchen Esplund	easement fee	1.00
Dakotacare	insurance	6,137.20
Heartland Paper	supplies	151.84
Janiece Weber	easement fee	1.00
Jim & Lori Bouza	easement fee	1.00
Lonnie Kupper	easement fee	1.00
McLeod's Printing	supplies	212.85
SD Municipal League	registration	88.00
TransAmerica	insurance	137.20
Wagner Community School	easement fee	2.00

INCIDENTAL VOUCHERS

Best Propane	propane	514.75
Charles Mix Law Enforcement	prof fees	20.00
Country Pride	fuel	442.00
Grainger	supplies	510.10
HD Supply	supplies	94.10
Light & Siren	supplies	1,547.34
Johnson Brothers	oper agree	6,934.34
Mark's Machinery	repair	29.61
Northwest Vet	prof fees	180.66
Quill	supplies	227.47
Rogs Auto	repair	335.79
S & K Truck Wash	repair	221.36
SDPAA	insurance	159.78
Sioux Sales	supplies	57.90

Wagner Building & Supply	supplies	400.34
Wagner Supper Foods	supplies	23.53
Western Office Plus	supplies	18.12

There was discussion on a zoning/nuisance issue.

EXECUTIVE SESSION

A motion was made by Cuka, second by Beeson to enter into executive session at 5:53 pm for proprietary business pursuant to SDCL 1-25-2 (5). All voted aye, motion carried.

The President declared the council out of executive session at 7:05 pm.

A motion was made by Cuka second by Bartunek to adjourn the meeting at 7:05 pm. All voted aye, motion carried.

Approved Todd Johannsen
Todd Johannsen, Council President

Attest Rebecca Brunse
Rebecca Brunse, Finance Officer

Published once at the approximate cost of \$ _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular April meeting was held on Monday, April 6th, 2015 at City Hall at 7:00 pm. Present were: Don Hosek, Mayor, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich Todd Johannsen and Roger Schroeder. Absent: None.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Mayor called for the approval of the April agenda. A motion was made by Fredrich, second by Beeson to approve the April agenda. All voted aye, motion carried.

A motion was made by Bartunek, second by Johannsen to approve the regular meeting minutes from March 2nd, 2015, special meeting minutes from March 11th, 2015, board of equalization minutes from March 16th, 2015, special meeting minutes from March 16th, 2015 and special meeting minutes from March 18th, 2015. All voted aye, motion carried.

A motion was made by Johannsen, second by Schroeder to approve March 2015 financial statements and the claims for April 2015. All voted aye, motion carried.

APRIL 2015

SALARIES: ADMINISTRATION--\$4,575.60; BUILDINGS--\$1,661.66; BUILDINGS-ARMORY--\$1,253.52; POLICE--\$15,016.35; STREETS--\$3,644.90; LIBRARY--\$3,726.80; HRC-URBAN REDEVELOPMENT--\$472.50; WATER--\$3,605.69 SEWER--\$5,312.31; WITHHOLDING/SOCIAL SECURITY--\$9,338.43.

GENERAL

Best Propane	propane	555.50
Birds & Bloom	subscription	19.98
Buches	supplies	40.00
Century Link	phone	55.28
Charles Mix Conservation Dist	prof fees	910.00
Chips Construction	improvements	3,900.00
City of Wagner	water	246.94
Dave's Service	repairs	1,325.00
Dakota Auto Body	repairs	4,384.33
Ecolab	prof fees	121.10
Family Circle	subscription	19.98
G & H Services	prof fees	628.00
Heiman Fire Equipment	prof fees	1,050.21
Helms & Assoc.	prof fees	942.79
Ingram	supplies	384.15
Jerome Beverage	oper agree	298.50
John Otte	manager fees	825.00
Johnson Brothers	oper agree	13,221.00

King Koin Laundry	supplies	220.50
McLeod's Printing	supplies	103.37
Office of Child Support	prof fees	250.00
Opperman, Inc	trucking	2,733.25
Potomac Aviation	prof fees	250.00
Republic National	oper agree	4,493.82
SD Dept of Transportation	prof fees	3,267.47
SD Municipal Street Assoc.	registration	50.00
Schoenfish	prof fees	925.00
Sioux Sales	supplies	450.00
Spencer Quarries	supplies	2,877.10
Uniform Accessories	supplies	51.72
Valiant Vineyards	oper agree	828.00
Wagner Auto Supply	supplies	670.74
Wagner Chamber of Commerce	supplies	472.54
Weisser Oil	supplies	325.01
Western Office Plus	supplies	19.08
Wipf & Cotton	prof fees	2,288.00
Woman's Day	subscription	10.00
Yankton Janitorial	supplies	328.35

WATER

Card Services	supplies	856.43
Dakota Supply Group	supplies	1,241.28
Menning Backhoe	repairs	5,841.53
Pitney Bowes	prof fees	327.00
Randall Community Water	water	13,306.50
Royal Bridge	meter refunds	460.22
SD Dept of Revenue	prof fees	152.00
SD Water & Wastewater Assoc	registration	70.00

SEWER

Bender Sewer & Drain	prof fees	968.00
Current Solutions	repairs	3,681.45
SPN & Associates	prof fees	7,575.00
USDA Rural Development	loan pymt	1,969.00

VARIED

AFLAC	insurance	707.39
American General Life	insurance	133.17
AT&T	phone	250.46
Bomgaars	supplies	505.69
First Dakota	petty cash	172.35
Ft. Randall Telephone	phone service	636.94
Great American Leasing	lease	135.32
Northwestern Energy	electric	8,310.87
TransAmerica	insurance	137.20
Voyager	gasoline	1,618.47
Wagner Building & Supply	supplies	2,488.63
Wagner Post & Announcer	legals	899.46

INCIDENTAL VOUCHERS

Republic National	oper agree	16,471.10
SD Retirement	retirement	4,814.60
Supplemental Retirement	retirement	150.00

Jim Putnam was present representing South Central Water Development District. The SCWDD promotes conservation, development and management of water district resources according to district priorities. The City of Wagner had applied for grant funds to the district to assist in engineering fees. Mr. Putnam presented a check to Mayor Don Hosek for \$45,000.00 to assist with the Front Avenue SE and 1st Street SE Utility Improvement Project. The Council thanked Mr. Putnam and the board for their generosity and assistance in helping fund the project.

DEPARTMENT REPORTS

The bid opening for the Front Avenue SE and 1st Street SE Utility Improvement Project will be Wednesday, April 8th, 2015, 2:00 pm at City Hall.

There was updates/discussion on curb and gutter on Main Avenue, elimination of some parking spots on Main Avenue because of the hazard of not being able to see oncoming traffic at the stop signs, and commodity warehouse bathroom remodel.

John Havranek was present requesting the shooting of fireworks on July 3rd, August 14th, and September 7th, weather permitting. The consensus was to allow the shooting of the fireworks.

OLD BUSINESS

Bids were opened for the chip sealing project for 2015. A motion was made by Cuka, second by Bartunek to accept the bid from The Road Guy Construction for \$1.01 per square yard for a total of \$30,300.00. All voted aye, motion carried.

The following ordinance was placed on its second reading:

ORDINANCE NO. 2015-04

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$1,754,000 PROJECT REVENUE BONDS OF THE CITY OF WAGNER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; PROVIDING FOR A SPECIAL CHARGE OR SURCHARGE FOR THE PURPOSE OF PAYING PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

BE IT ORDAINED by the City Common Council of the City of Wagner, South Dakota (the "City"), as follows:

SECTION 1. Bond Purpose and Authorization.

1.01. The City currently operates a municipal water utility and Wastewater utility under SDCL 9-40 (collectively the "Utility"), consisting of a system or part of a system, for the purpose of providing water for municipal, industrial and domestic purposes and a system for the collection, treatment, and disposal of sewage and other domestic, commercial, and industrial wastes. The City determines it necessary and expedient to issue Water and Wastewater Project Revenue Bonds (the "Bonds") for the purpose of defraying the cost of the improvements and hereby declares the necessity therefore. The Bonds will be issued as part of a loan from the United States of America acting through USDA for a combination of Wastewaterage and water facilities as authorized specifically under 9-40-4.2.

1.02 The City is authorized to borrow money and issue its revenue bonds under SDCL Chapter 9-40 and 6-8B (the "Act"), in order to defray the cost of acquiring and constructing improvements to the Utility, consisting of Water and Wastewater Project (the "Improvements"). The City is authorized to acquire the Improvements, to issue its Bonds, in order to defray the cost thereof, and to make all pledges, covenants and agreements authorized by law for the protection of the owners of the Bonds, including, without limitation, those covenants set forth in Sections 9-40-15 through 9-40-17 of the Act. The bonds are payable solely from the revenue or income derived from the operation of the improvements and shall not constitute an indebtedness of the City within the meaning of South Dakota constitution Article 13 § 4 or any statutory provisions or limitations.

SECTION 2. Terms of the Bonds

2.01. The Bonds shall be issued in an aggregate principal amount not exceeding \$1,754,000 and shall be sold to the United States of America. The Bonds will bear interest at a rate or rates per annum resulting in an interest rate not greater than 3.25% per annum and will mature over a period not to exceed forty (40) years. The Bonds shall be issued in one series. The Mayor and Finance Officer are hereby authorized and directed to agree with the United States of America upon the exact purchase price, principal amount, maturities, interest rate or rates, payment dates and redemption provisions for the Bonds, within the parameters set forth in this Section.

SECTION 3. Execution, Authentication, Delivery and Form of the Bonds.

3.01. The Bonds shall be prepared under the direction of the Finance Officer and shall be executed on behalf of the City by the signatures of the Mayor and the Finance Officer, and countersigned by an attorney actually residing in the State of South Dakota and duly licensed to practice therein, and shall be sealed with the official corporate seal of the City; provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. The City hereby appoints the Finance Officer of the City as bond registrar, transfer agent and paying agent (the "Registrar") for the Bonds.

SECTION 4. Creation of Accounts, appropriation, pledge and segregation of revenues,

4.01 An account to be designated as the 2015 Water and Wastewater project Revenue Bond Account (the "Debt Service Account") is established and shall be maintained as a separate and special mandatory asset segregation bookkeeping account on the official books of the City until the Bonds and any additional bonds (together referred to as the "Bonds") payable from the net income from the Project Revenues, as provided in Sections 4.03 through 4.07 hereof and interest and redemption premiums due thereon have been fully paid, or the City's obligation with reference to the Bonds has been discharged. -

4.02 Net income derived from the Improvements shall be the excess of revenues or income remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements, and operation including the interest on any general obligation bonds authorized to construct or acquire or improve such original Utility and including the necessary debt service funds required to be provided for the retirement of said bond issues, and including the interest and debt service funds required annually to be paid or set aside on any refunding bonds issued to refund such general bonds issued for the original construction or acquisition or improvement of said Utility, so extended, added to, or improved (hereafter "Project Revenues"). All Project Revenues shall be segregated and subdivided into separate accounts as designated and described in Sections 4.03 to 4.07 and are irrevocably pledged and appropriated for the payment of principal of and interest on the Bonds. As described in Section 5.05 hereof, the City shall impose a separate surcharge for the availability, benefit and use of the improvements and shall aggregate the revenues derived from such surcharge for the Improvements, together with the expenses of the operation and maintenance of the Improvements and shall account for them as provided in SDCL Chapter 9-40 and Section XI of the South Dakota Department of Legislative Audit Municipal Accounting Manual.

4.03. Construction Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Construction Account ("Construction Account") is established. The Construction Account shall be used only to pay as incurred and allowed costs which under generally accepted accounting principles are capital costs of the Improvements, and of such future acquisitions, reconstructions, improvements, betterments or extensions of the Utility as may be authorized in accordance with law; including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands, easements and utility rights, interest accruing on Bonds during the first year following the date of their delivery, if and to the extent that the Debt Service Account is not sufficient for payment of such interest, reimbursement of advances made from other City funds, and all other expenses incurred in connection with the construction and financing of any such undertaking. To the Construction Account shall be credited as received all proceeds of Bonds, except amounts appropriated to the Debt Service Account under Section 4.04 and any amount to be deposited to the Reserve Account under Section 4.05, all other funds appropriated by the City for the improvement of the Utility, and all income received from the claim with respect to the Utility received pursuant to Section 5.03 hereof shall be deposited in the Construction Account and applied to repair, replacement and restoration of the

Utility; any proceeds in excess of the amount necessary for that purpose shall be transferred to the Debt Service Account. No amount shall be expended from the construction account unless contracts have been entered into and completion bonds furnished in an amount sufficient to ensure completion of the Improvements at a cost not exceeding the amount then on hand for such purpose.

4.04. Current Debt Service Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Current Debt Service Account ("Debt Service Account") is established. Upon each monthly apportionment, there shall be set aside and credited to the Debt Service Account out of the Project Revenues an amount equal to not less than one-twelfth of the total sum of the principal and interest to become due within the then next succeeding twelve months on all Bonds. Moneys from time to time held in the Debt Service Account shall be disbursed only to meet payments of principal and interest on Bonds as such payments become due; provided, that on any date when all outstanding Bonds are due or prepayable by their terms, if the amount then on hand in the Debt Service Account, together with the balance then on hand in the Reserve Account, is sufficient, with other moneys available for the purpose, to pay all Bonds and the interest accrued thereon in full, it may be used for that purpose. If any payment of principal or interest becomes due when moneys in the Debt Service Account are temporarily insufficient therefor, such payment shall be advanced out of any Project Revenues theretofore segregated and then on hand in the Reserve Account, the Replacement and Depreciation Account or the Surplus Account. In the event that sufficient moneys are not available from the aforementioned sources, the City, to the extent it may at the time legally do so, may, but shall not be required to, temporarily advance moneys to the Debt Service Account from other funds of the City on hand and legally available for the purpose, but any such advance shall be repaid from Net Revenues of the Utility within 24 months.

4.05 Reserve Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Future Debt Service Reserve Account ("Reserve Account") is established. On a monthly basis, the City shall pay into the Reserve Account an amount equal to 10% of the maximum debt service due in any future calendar year on, the Bonds. Said balance shall be maintained by such additional credits to the Reserve Account as may be necessary. Moneys on hand in the Reserve Account shall be used only to pay maturing principal and interest when other moneys in the Debt Service Account are insufficient therefor.

4.06. Replacement and Depreciation Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Contingency (Renewal and Replacement) Account ("Replacement and Depreciation Account") is established. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Account such portion of the Project Revenues, in excess of the current requirements of the Debt Service Account and the Reserve Account (which portion of the Project Revenues is referred to herein as "Surplus Project Revenues"), as the City Common Council shall determine to be required for the accumulation of a reasonable reserve for renewal of worn out, obsolete or damaged properties and equipment of the Utility, which reserve shall be accumulated and maintained. Moneys in this account shall be used only for the purposes above stated or, if so directed by the City Common Council, to redeem Bonds which are prepayable according to their terms, to pay principal or interest when due thereon as required in

Section 4.04 hereof, or to pay the cost of improvements to the Utility; provided, that in the event that the City shall hereafter issue bonds for the purpose of financing the construction and installation of additional improvements or additions to the Utility, but which additional bonds cannot, upon the terms and conditions provided herein, be payable from the Debt Service Account. Surplus Project Revenues from time to time received may be segregated and paid into one or more separate and additional accounts from the payment of such bonds and interest thereon, in advance of payments required to be made into the Replacement and Depreciation Account.

4.07. Surplus Account. An account to be designated as the 2015 Water and Wastewater project Revenue Bond Surplus Account ("Surplus Account") is established. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Account, and the moneys from time to time in that account, when not required to restore a current deficiency in the Debt Service Account as provided in Section 4.04 hereof, may be used for any of the following purposes and not otherwise:

To redeem and prepay Bonds when and as such Bonds become prepayable according to their terms;

To purchase Bonds on the open market, whether or not the Bonds so purchased or other such Bonds may then be prepayable according to their terms; and, if the Reserve Account is then funded to the full amount required to be maintained therein, and the balances in the Debt Service Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;

To pay for repairs of or for the construction and installation of improvements or additions to the Utility; and, if the Reserve Account is then funded to the full amount required to be maintained therein, and the balances in the Debt Service Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the then current fiscal year, then:

To be held as a reserve for redemption and prepayment of the Bonds which are not then but will later be prepayable according to their terms; or

To be used for any other authorized municipal purpose designated by the City Common Council.

No moneys shall at any time be transferred from the Surplus Account or any other account of the Fund to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section 4.07.

4.08. Accounting. The City shall follow the municipal accounting requirements of the South Dakota Legislative Audit. The above named accounts may be designated in accordance with South Dakota municipal accounting standards.

4.09. Deposit and Investment of Funds. The City Finance Officer shall cause all moneys to be deposited as provided in South Dakota Law.

SECTION 5. Covenants, Remedies and Rates.

5.01. General. The City covenants and agrees that until all Bonds are fully discharged as provided in this Ordinance, it will continue to hold, maintain and operate the Utility as a public utility and convenience, free from all liens thereon or on the income therefrom other than the liens herein granted or provided for, will observe prudent utility practices, and will maintain, expend and account for the Fund and the several accounts therein as provided in Section 4. The City will cause the Improvement to be constructed in accordance with plans and specifications hereto prepared and will not enter into contracts in excess of the amount provided for such purpose.

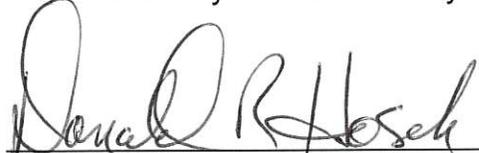
5.02. Competing Service. The City will not establish or authorize the establishment of any other system for the public supply of service or services in competition with any or all of the services supplied by the facilities of the Utility.

5.03. Billings. The charges for Water Utility services will be billed at least monthly, and if the bill is not paid within sixty days of the date of billing, or if the customer fails to comply with all rules and regulations established for the Utility within sixty days after notice of violation thereof (which notice shall be given promptly upon discovery of any such violation), the service to the premises involved shall be discontinued and shall not be resumed until payment of all past-due bills for Water Utility service and compliance with all such rules and regulations. The City may reduce the number of days before the service will be disconnected from sixty to any lesser number of days by ordinance or resolution. The City shall take all appropriate legal action to collect the unpaid charges. The City shall follow the procedures, if any, set by South Dakota Codified Laws for disconnection of service during the winter months.

5.04. Remedies. The holder of the Bonds shall have such remedies as are set forth in SDCL 9-40.

5.05. Rates and Charges. There shall be charged a monthly surcharge for the services provided by the improvement financed by the Bonds. The surcharge shall be segregated from other revenues of the utility and shall be used for the payment of principal of and interest on the Bonds. Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements. The rate herein specific will be collected as a surcharge for the Improvement. This surcharge shall remain in effect until such time as the Bonds are paid in full or discharged. The initial surcharge shall be set by resolution. All users, current and future, shall be charged the surcharge for it has been found that all users benefit from the improvement. The surcharge is found to be equitable for the services provided by the Improvement. The amount of the surcharge shall be reviewed not less than annually and shall be modified in order to provide such funds as are set forth herein. All modifications may be made by resolution. No resolutions setting the surcharge shall be subject to referendum for they are necessary for the support of government.

5.06 Statutory Lien. There shall pursuant to SDCL 9-40-25 be a statutory mortgage lien upon the Improvements in favor of and for the equal benefit of the lawful holders of the bonds issued pursuant to SDCL 9-40, except no such lien shall attach to or become a charge upon or against any property or Utility or any part thereof previously owned by the City. Until all bonds are fully paid with interest, the City shall not sell or otherwise dispose of the Utility and shall not establish, authorize or grant a franchise for the operation of any other Utility in competition with the City. The statutory lien shall continue until the bonds are paid in full.



Donald R. Hosek, Mayor

Attest:



Finance Officer
First Reading: March 2nd, 2015
Second Reading: April 6th, 2015
Adopted: April 6th, 2015
Published: April 15th, 2015
Effective Date: May 5th, 2015

The motion for the adoption of the foregoing ordinance was made by Fredrich seconded by Beeson, and upon roll call vote being taken thereon the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Ordinance No. 2015-04 was declared duly passed and adopted and the Mayor being present affixed his signature thereto in approval thereof and directed the Finance Officer to cause said ordinance to be published as part of the minutes in the next issue of the official newspaper.

A motion was made by Beeson, second by Bartunek to advertise for sealed bids, to be opened, May 4th, 2015, two mowers that had previously been surplused. All voted aye, motion carried.

NEW BUSINESS

Lynn Soukup was present to request city financial assistance for Wagner spring baseball and the VFW Teener team. Mr. Soukup was requesting \$500 for each team. A motion was made by Johannsen, second by Cuka to give each team \$500. All voted aye, motion carried.

Pat Breen was present to request city financial assistance for the girls' softball teams. There were four teams last year with a total of 50-60 participating. Mr. Breen was requesting \$500 for each team. A motion was made by Cuka, second by Johannsen to give each team \$500. All voted aye, motion carried.

Kelsey Doom was present concerning the lots that the city owns north of McCormick field. The two lots were donated to Wagner Development Partners for development of home ownership. They had applied for funding and grants, but after discussing it further

it would be more beneficial that if individual homeowners would like to purchase the lots would be better. Discussion followed. The consensus of the council was that they would be willing to discuss if prospective homeowners wanted to purchase the lots.

A motion was made by Fredrich, second by Bartunek to approve the quote from Lakeview Colony to make and install new countertops and cabinets in the kitchen at the armory in the amount of \$8,500.00. All voted aye, motion carried.

Discussion was held on an application to SD DENR for the Small Community Planning Grant to assist in a storm water drainage study. The study costs \$10,000.00. DENR will pay 80% of the grant. The other \$2,000.00 was part of a grant received from the South Central Water Development District. A motion was made by Beeson, second by Schroeder to approve the application. All voted aye, motion carried.

A motion was made by Bartunek, second by Schroeder to approve the agreement for the engineering services from Schmucker, Paul and Nohr for the storm water drainage study. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to approve the renewal of the aircraft hangar lease agreement for another ten years for Dakota Aircare. All voted aye, motion carried.

A motion was made by Schroeder, second by Beeson to approve authorizing the execution of pipeline license #WL1115 by the Mayor, as the Permittee's authorized representative for final execution, for the Front Avenue/ 1st Street Utility Improvement Project. All voted aye, motion carried.

A motion was made by Cuka, second by Bartunek, approving the following malt beverage on-sale and on/off sale licenses: Buche Foods, Bob's Liquor, Casey's, K's Qwik Stop, Valley Pump, Wagner Super Foods, Wagner Super Foods Liquor, Wagner Speedway, Wagner Theater, Inc. and Weisser Oil for July 1st, 2015 through June 30th, 2016. All voted aye, motion carried.

There was a brief discussion of chickens in town and the current city ordinance. No action was taken.

There was discussion of the spring clean up day. A motion was made by Fredrich, second by Johannsen to set the date for the spring clean up for FRIDAY, May 1st from 8:00 am to 12:00 noon. All voted aye, motion carried.

A motion was made by Beeson, second by Cuka to approve the free dump coupon, one per household, for the months of May and June. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Johannsen, second by Beeson to enter into executive session at 7:48 pm for personnel pursuant to SDCL 1-25-2 (1). All voted aye, motion carried.

The Mayor declared the Council out of executive session at 7:59 pm. No action was taken.

A motion was made Beeson, second by Johannsen to adjourn the meeting at 8:00 pm.
All voted aye, motion carried.

APPROVED Donald R. Hosek
Donald R. Hosek, Mayor

Attest: Rebecca Brunsing
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, a special April meeting was held on Thursday, April 16th, 2015 at City Hall at 5:30 pm. Present were: Donald Hosek, Mayor, Finance Officer, Rebecca Brunsing, and the following councilpersons: Todd Johannsen, Roger Schroeder, Tom Beeson, and Ron Fredrich. Absent: Ron Cuka and Merle Bartunek.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Mayor called for the approval of the special April agenda. A motion was made by Schroeder, second by Fredrich to approve the special April agenda. All voted aye, motion carried.

A motion was made by Beeson, second by Johannsen to approve claims for April 2015. All voted aye, motion carried.

VARIED

Charles Mix Law Enforcement	prof fees	30.00
Honomichl Design	repairs	173.22
Manufacturing & Tech Solutions	prof fees	93.40
SD Assoc of Code Enforcement	registration	100.00
VFW Teeners	donation	500.00
Wagner Girls Softball	donation	2,000.00
Wagner Spring Baseball	donation	500.00
Wagner Super Foods	supplies	55.97
Woods Properties	prof fees	200.00

The Council canvassed the votes from the municipal election that was held on April 14th, 2015. A motion was made by Fredrich, second by Schroeder to certify the results of the municipal election that was held on April 14th, 2015: Ward III: Todd Johannesn 62 Edward E. Stimpson 20. All voted aye, motion carried.

Terry Aaker was present from SPN to give the council of summary of the bids on Front Avenue SE and 1st Street SE Utility Improvement Project. The project also includes three blocks of utility improvements on East Avenue SE and one block of water replacement on High Avenue SW. A motion was made by Beeson, second by Schroeder to award the bid to the low bidder, Menning Backhoe, LLC for \$1,795,321.00 for bid schedule A and \$366,818.50 for bid schedule B. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Johannsen, second by Schroeder to enter into executive session at 5:52 pm for proprietary business pursuant to SDCL 1-25-2 (5). All voted aye, motion carried.

The Mayor declared the council out of executive session at 6:04 pm.

A motion was made by Beeson second by Schroeder to adjourn the meeting at 6:04 pm. All voted aye, motion carried.

Approved 
Donald R. Hosek, Mayor

Attest 
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of \$ _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular May meeting was held on Monday, May 4th, 2015 at City Hall at 7:00 pm. Present were: Don Hosek, Mayor, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich Todd Johannsen and Roger Schroeder. Absent: None.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Mayor called for the approval of the May agenda. A motion was made by Cuka, second by Beeson to approve the May agenda. All voted aye, motion carried.

A motion was made by Schroeder, second by Johannsen to approve the regular meeting minutes from April 6th, 2015, and special meeting minutes from April 16th, 2015. All voted aye, motion carried.

A motion was made by Bartunek, second by Cuka to approve April 2015 financial statements and the claims for May 2015. All voted aye, motion carried.

MAY 2015

SALARIES: ADMINISTRATION--\$5,444.02; COUNCIL--\$4,350.00; BUILDINGS--\$1,5661.90; BUILDINGS-ARMORY--\$1,182.07; POLICE--\$15,325.55; STREETS--\$4,066.54; LIBRARY--\$4,334.59; HRC-URBAN REDEVELOPMENT--\$875.00; ZONING--\$150.00; WATER--\$4,058.28 SEWER--\$5,673.55; WITHHOLDING/SOCIAL SECURITY--\$12,964.61, SD UNEMPLOYMENT--\$731.64

GENERAL

B & L Communications	equipment	958.22
Card Services	prof fees	56.39
Century Link	phone	56.58
Chips Construction	improvements	11,033.52
City of Wagner	water	339.74
Dave's Service	repairs	955.00
Dakota Auto Body	repairs	5,020.60
Econo Signs	supplies	237.24
Frieberg, Nelson & Ask	prof fees	344.50
Gerstner Oil	fuel	7,752.20
Ecolab	prof fees	121.10
Helms & Assoc.	prof fees	355.05
Holiday Inn	travel	193.98
Ingram	supplies	95.68
International Code Council	membership	135.00
Janet Harmon	prof fees	135.00
Jean Pirner	prof fees	125.00
Jim's Electric	repair	266.48
Joe Stedronsky	prof fees	125.00

John Otte	manager fees	825.00
John Conkling	oper agree	168.10
King Koin Laundry	supplies	234.50
Larry Blaha	travel	293.46
MC&R Pools	registration	299.95
O'Neill Pest Control	prof fees	50.00
Office of Child Support	prof fees	250.00
Pheasant Land Industries	supplies	774.59
Quill	supplies	123.53
Randall RC&D	membership	100.00
Redwood Technologies	supplies	310.50
SD Dept of Transportation	prof fees	344.22
VanDiest Supply	supplies	1,884.50
Wagner Chamber of Commerce	supplies	750.00
Wagner Post & Announcer	supplies	669.27
Weisser Oil	supplies	67.46
Western Office Plus	supplies	216.86
Wipf & Cotton	prof fees	1,950.00
Zep Sales	supplies	465.48

WATER

Best Western Ramkota	travel	93.49
Dakota Supply Group	supplies	1,293.98
Frontier Precision	equipment	6,299.50
HD Supply	supplies	7,846.28
Jordan Weber	meter refund	56.73
Marcia Dvorak	meter refund	58.72
Northern Ponca Tribe	meter refund	64.57
Randall Community Water	water	14,627.00
Royal Bridge	meter refunds	130.22
Steve Fleming	meter refund	14.50
SD One Call	prof fees	34.65
Tom Peters	meter refund	44.36
Wesco	equipment	5,461.00

SEWER

Central States Lab	supplies	1,489.80
Dakota Pump	repair & supplies	2,215.84
SPN & Associates	prof fees	5,000.00
SD Dept of Revenue	prof fees	107.00
USDA Rural Development	loan pymt	1,969.00

VARIED

AFLAC	insurance	707.39
American General Life	insurance	133.17
AT&T	phone	254.86
Bomgaars	supplies	597.21
C & B Operations	supplies	38.66
First Dakota	petty cash	381.30
Ft. Randall Telephone	phone service	636.19

Great American Leasing	lease	116.80
Northwestern Energy	electric	6,811.81
Pitney Bowes	supplies	264.76
Quill	supplies	234.97
SD Govt Finance Officers	registration	225.00
SD Human Resources Assoc	registration	150.00
Summit Contracting	buildings	50,142.27
TransAmerica	insurance	137.20
Voyager	gasoline	1,763.21
Wagner Auto	supplies	123.07
Wagner Building & Supply	supplies	283.54

INCIDENTAL VOUCHERS

Dakotacare	insurance	7,204.90
First Dakota National Bank	qtrly loan pymt	2,358.30
First Dakota National Bank	qtrly loan pymt	1,458.33
First Dakota National Bank	qtrly loan pymt	6,250.00
Republic National	oper agree	17,016.04
SD Retirement	retirement	5,115.66
Supplemental Retirement	retirement	150.00

DEPARTMENT REPORTS

Blaaha reported that the commodity warehouse handicap bathroom is complete. The final approval came for the Wagner Lake playground equipment and now the city can advertise for bids. The digital speed sign on the east end of town has been installed. The one on the west end cannot be installed until the SD DOT moves some other traffic signs.

Gulbranson reported that he has obtained his certified pool operator license to operate the swimming pool. He also briefed the council on the GPS project, lift station and Front Avenue/1st Street Project.

OLD BUSINESS

There were no bids for the two surplus mowers. A motion was made by Schroeder, second by Fredrich to keep the mower that has the bagger and take the other mower and place on the county auction. All voted aye, motion carried.

A motion was made by Bartunek second by Johannsen to adjourn the council at 7:24 pm. All voted aye, motion carried.

The Council reconvened for reorganization at 7:24 pm.

Presentations of Certificates of Election were presented to Donald R. Hosek for Mayor, Ron Cuka for Ward I, Tom F. Beeson for Ward II and Todd Johannsen for Ward III.

The Finance Officer administered oaths of office.

Nominations for President of the Council were taken. A motion was made by Beeson and second by Cuka to nominate Roger Schroeder for President of the Council. A motion was made by Schroeder to nominate Johannsen for President, that motion failed for lack of a second. Fredrich made a motion, seconded by Johannsen that nominations cease and cast a unanimous ballot. Upon roll call vote being taking, the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. The following abstained: None. The following were absent: None. Motion carried.

Nominations for Vice President were taken. A motion was made by Cuka, second by Fredrich to nominate Merle Bartunek for Vice President of the Council. A motion was made by Beeson, second by Cuka that nomination cease and cast a unanimous ballot. Upon roll call vote being taking, the following voted AYE: Cuka, Bartunek, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. The following abstained: None. The following were absent: None. Motion carried.

MAYOR'S ASSIGNMENTS

2015

WATER DEPARTMENT:

Water, Sewer & Lagoon
Assistant:

Roger Schroeder
Tom F. Beeson

STREET DEPARTMENT:

Streets, Alleys & Sidewalks
Assistant:

Tom F. Beeson
Roger Schroeder

POLICE DEPARTMENT:

Police, Civil Defense & Emergency Manag.
Assistant:

Todd Johannsen
Merle Bartunek

PARKS & RECREATION & LIBRARY DEPT:

City Parks, Swimming Pool, Ballparks, Wagner Lake
& Library
Assistant:

Merle Bartunek
Todd Johannsen

AIRPORT, BUILDINGS, LIQUOR DEPT, & CITY LEASES:

Liquor Agreements, Boys & Girls Club, Armory Board,
Commodity, Saddle Club & Race Track Leases,
Airport Development, Buildings & Insurance
Assistant:

Ron Fredrich
Ron Cuka

CITY ADMINISTRATION:

Finance Office, & Economic Development
Assistant:

Ron Cuka
Ron Fredrich

CHIEF OF POLICE Tim Simonsen
Officers: Desa'Rae Gravatt, Shane Larson, Brian McGuire, Gene Niehus, Jerry Renken, Delmar Burhen and Richy Sully.

FINANCE OFFICER: Rebecca Brunsing
Deputy Finance Officer: Marilee Krcil
City Clerk: Lisa Peters

CITY ATTORNEY: Wipf & Cotton Law Firm; Ken Cotton

CITY ENGINEER: SPN & Associates, Arens Engineering, & Helms & Assoc., Stockwell Engineers, and Schramm Architects.

CITY HALL/ARMORY CUSTODIAN: Russell Brown

STREET SUPERINTENDENT: Larry Blaha

WATER & WASTEWATER SUPERINTENDENT: Jeremy Gulbranson

CITY MAINTENANCE EMPLOYEES: Michael Kazena

LIBRARIAN: Anne Podhradsky
Library Aide: Nancy Reinbold

LIBRARY BOARD: Merle Bartunek, Council Representative; Guriene McGuire; Brad Roth; Sylvia Beeson, Jan Twitero and one vacancy.

CIVIL DEFENSE: Tim Simonsen, Director
Assistants: Orv Tolliver, Gene Niehus, Whitey Tolliver, Chad Peters, Jim Jaeger, Mike Kotab, David LaCompte and Robert Kazena and one vacancy.

HEALTH BOARD: The Mayor, Chairperson
Dr. David Isebrands, Beth Schroeder, P.A., Dr. Chris Friedel

PLANNING & ZONING COMMISSION: WARD I: Vern Twitero; WARD II: John Greger; WARD III: Chad Peters, Chairman, Jean Pirner and Dale Petrik; at large, Ken Cotton, advisor.

SOUTHERN MISSOURI RECYCLING & WASTE MANAGEMENT:
Todd Johannsen, Council Representative
Sharon J. Haar, Alternate

RANDALL RESOURCE CONSERVATION AND DEVELOPMENT:

Vacant

HOUSING & REDEVELOPMENT COMMISSION:

Scott Podhraskdy, Ken McEntee, Julie Alderink, Jackie Brecke, and Jason Von Eschen.

NEW BUSINESS

Joe Blaha was present requesting funds for the Wagner boys youth baseball. A motion was made by Schroeder, second by Beeson to approve \$1,500.00 for the Wagner Wee Pees, Pee Wees and Midget baseball teams. All voted aye, motion carried.

A motion was made by Beeson, second by Bartunek to deny the special one-day malt beverage and liquor license for Gordo's for a wedding dance at the National Guard Armory on June 13th, 2015. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to approve a special one day malt beverage and liquor license for Dogger's Inc. for a wedding dance at the National Guard Armory on June 13th, 2015. All voted aye, motion carried.

A motion was made by Schroeder, second by Beeson to approve for publication and set the date for public hearing for a special one day malt beverage and liquor license for the Fort Randall Gobbler's for a wedding dance at Wagner National Guard on June 27th, 2015 with public hearing being on June 1st, 2015 at 7 pm at City Hall. Four voted aye, Johannsen and Bartunek voted nay, motion carried.

A motion was made by Cuka, second by Johannsen to approve for publication and set the date for public hearing for an off-sale malt beverage and SD farm wine license for Shopko Hometown #570 with public hearing being on June 1st, 2015 at 7 pm at City Hall.

A motion was made by Johannsen, second by Schroeder to approve the final quantities for the wildlife fence at the airport. All voted aye, motion carried.

A motion was made by Beeson, second by Schroeder to approve the final pay request for the airport wildlife fence for \$26,184.19. All voted aye, motion carried.

A motion was made by Cuka, second by Bartunek to approve of the Good Samaritan Society to conduct a raffle game for the Walk of Ages. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Fredrich, second by Beeson to enter into executive session at 8:08 pm for proprietary business pursuant to SDCL 1-25-2 (5). All voted aye, motion carried.

The Mayor declared the Council out of executive session at 8:52 pm.

A motion was made by Bartunek, second by Schroeder to purchase Dave Honomichl property, described as Lots 7, 8, 9,10,11,12, Block 29, 4th Addition, and City of Wagner,

South Dakota for \$25,000.00, with \$5,000 due each year for five years. Five aye,
Johannsen nay, motion carried.

A motion was made Fredrich, second by Schroeder to adjourn the meeting at 8:54 pm.
All voted aye, motion carried.

APPROVED Donald R. Hosek
Donald R. Hosek, Mayor

Attest: Rebecca Brunsing
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, a special May meeting was held on Monday, May 18th, 2015 at City Hall at 7:00 pm. Present were: Mayor, Donald R. Hosek, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Roger Schroeder and Todd Johannsen. Absent: Ron Fredrich.

Meeting called to order at 7:05 p.m.

Others present: Verne Twitero, Planning and Zoning Member and Brian McGinnis from Planning District III.

Mayor Hosek stated the purpose of the public meeting is to receive input from the persons present from the public on the proposed Extraterritorial Jurisdiction Zoning.

Mayor Hosek then opened the public hearing for comments. There were no other members present from the public.

The Council members and the Mayor had questions for Mr. McGinnis in regards to the number of head for an animal feeding operation. They also had questions and comments on the southern boundaries of the proposed Extra Territorial Jurisdiction (ETJ), specifically section 15 and 16.

A motion was made by Schroeder second by Bartunek to close the public hearing at 7:35 pm. All voted aye, motion carried.

A motion was made by Schroeder second by Bartunek to exclude section 15 & 16, south boundaries of the ETJ map. Upon roll call voted being taken, the following voted AYE: Schroeder, Beeson and Bartunek. The following voted NAY: Cuka and Johannsen. The following abstained: None. The following were absent: Fredrich. Motion carried.

A motion was made by Beeson, second by Schroeder to place on its first reading Ordinance No. 2015-05, Amending Wagner Zoning Ordinance, to include a new chapter titled:

**EXTRATERRITORIAL ZONING REGULATIONS
PROPOSED AMENDMENTS WITH FIRST READING ON MAY 18, 2015**

Accessory Agricultural Structure - A structure customarily incidental and necessary to farming and the raising of animals including barns and other animal shelters, corrals and fences, silos and storage sheds for machinery and crops.

Accessory Use or Structure - A use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

Agriculture – The planting, cultivating, harvesting and storage of grains, hay or plants, fruits, or vineyards along with the raising and feeding of livestock and/or poultry shall be considered an agricultural use. Grain elevators or Agricultural Product Processing Facilities shall not be considered an agricultural use if such use constitutes the main or principal use on a lot or parcel.

Agriculture Product Processing Facility - A business activity customarily designed to process raw agricultural products into value added products. Agricultural processing facilities include, but are not limited to; feed mills, ethanol plants, soy bean processing facilities, cheese plants, milk processors, packing plants and rendering facilities.

Animal Feeding Operation - An animal feeding operation is a lot or facility **two hundred (250)** animal units are confined, stabled, fed, or maintained in either an open or housed lot for a total of 45 days or more in any 12-month period. The open lot does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season. Two or more facilities under common ownership are a single animal operation if they adjoin each other (within one mile), or if they use a common area or system for the disposal of manure.

Animal Feeding Operation or CAFO, New - An animal feeding operation or CAFO, (see definitions), constructed after the effective date of this ordinance or any subsequent amendment of applicable Articles or Sections. Operations in existence upon adoption or prior to future amendments may be considered a new operation if the facility is expanded to facilitate an increase of more than seventy five (75) animal units. Any new construction relating to an expansion must comply with the applicable performance standards. The Planning Commission and Board of Adjustment shall have the authority to decrease or waive any standard deemed contradictory to the intent of the zoning ordinance upon review and in accordance with the conditional use and variance process described herein.

Animal Units - A unit of measure for livestock equated as follows; one head is equivalent to ___ animal units:

Cow, feeder, or slaughter beef animal, excluding calves under 300 pounds	1.0 A.U.
Horse, excluding colts one year old and/or under	0.5 A.U.
Mature dairy cattle, excluding dairy calves under 300 pounds	0.7 A.U.
Farrow-to-finish sows	2.7 A.U.
Swine in a production unit	2.13 A.U.
Nursery swine less than 55 pounds	10 A.U.
Finisher swine over 55 pounds	2.5 A.U.
Sheep or lambs	10 A.U.
Laying hens or broilers	30 A.U.
Ducks and/or geese	5 A.U.
Turkeys	55 A.U.

Aquaculture - Land devoted to the hatching, raising and breeding of fish or other aquatic plants or animals for sale or personal use.

Bed and Breakfast – A dwelling occupied by a family and used incidentally to provide accommodation and meals to guests for remuneration, but shall not include a boarding house, residential care facility, hotel, motel, or other similar uses.

Camping Unit - Any vehicle, tent, trailer or portable shelter used for camping purposes.

Construction Services - A yard, structure, or combination thereof of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

Farm, Ranch, Orchard - An area of not less than twenty (20) acres of unplatted land, or is a part of a contiguous ownership of not less than eighty (80) acres of unplatted land, which is used for growing usual farm products, vegetables, fruits, trees, and grain, and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, hogs and sheep, and including the necessary accessory uses for raising, treating, and storing products raised on the premises; but excluding an Animal Feeding Operation. The processing and storage of raw agricultural products, such as grain elevators and ethanol plants, shall not be considered a farm, ranch or orchard if such constitutes the main or principal use on the lot or parcel.

Farm Building - All buildings and structures needed in agricultural operation, including dwellings for owners, operators, farm laborers employed on the farm, and other family members.

Farm Drainage Systems - The term shall include all waterways, ditches, flood control, watershed, and erosion control structures and devices provided each individual system or structure comply with the applicable local, state, and federal regulations.

Farm Occupation - A business activity customarily carried out on a farm by a member of the occupant's family without structural alterations in the building or any of its rooms, without the installation or outside storage of any machinery, equipment or material other than that customary to normal farm operations, without the employment of more than two (2) persons not residing in the home, which does not cause the generation of additional traffic in the area. Farm occupations include, but are not limited to, seed sales and custom combining support facilities.

Fireworks, Sales - A building, structure, or place where fireworks are sold, pursuant to all applicable state statutes.

Food Product Processing Facility - A commercial establishment in which food or food-related products are processed, packaged, or otherwise prepared for human consumption but not consumed on the premises.

Game Farm - An area of five (5) acres or more, which is used for producing hatchery, raised game and non-domestic animals for sale to private shooting preserves.

Game Lodge - A building or group of detached, or semi-detached, or attached buildings occupied or used as a temporary abiding place of sportsmen, hunters and fishermen, who are lodged, with or without meals, and in which there are more than two (2) sleeping rooms.

Irrigation Systems - This term shall include all canals, ditches, piping, center pivot, and other methods utilized to irrigate cropland. This term does not include systems designed to land apply waste or water from animal feeding operations as defined herein. All irrigation systems shall comply with local, state, and federal regulations.

Manufacturing Light - The use of land, buildings or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substance, article, thing or service. Light manufacturing shall have no more than ten employees.

Portable Processing Plant - Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

Private Recreation Area - Any open space or recreational area, other than a public park, owned and operated or maintained in whole or in part for profit by a private individual(s), club or fraternal organization for members only, and may include therein one or more of the following activities: swimming, boat facilities, picnic area, tennis

courts, outdoor skating rinks, athletic fields, walking, riding and cross-country skiing, snowmobiling, but does not include the racing of animals, motor vehicles, motorcycles or snowmobiles.

Private Shooting Preserves - An acreage of at least one hundred and sixty (160) acres and not exceeding one thousand two hundred and eighty (1,280) acres either privately owned or leased on which hatchery raised game and/or larger game is released for the purpose of hunting, for a fee, over an extended season.

Riding Stable - Any place that has more than fifteen (15) stalls or horse spaces to board, train, or provide recreational equine activities.

Roadside Stand - A structure having a ground area of not more than three hundred (300) square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products produced on the premises, bait, and other approved products.

Rodeo Grounds - A building or place where rodeo events such as roping and riding are done for practice or competition.

Row of Trees - Ten (10) or more trees planted in a line, separated by a distance of forty (40) feet or less.

Shelterbelt - Five or more rows of trees and/or shrubs that reduce erosion and protects against the effects of wind and storms.

Sign - Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

1. Signs not exceeding one (1) square foot in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identification or premises not having commercial connotations;
2. Flags and insignias of any government, except when displayed in connection with commercial promotion;
3. Legal notices, identification, informational, or directional signs erected or required by governmental bodies;
4. Integral decorative or architectural feature of buildings, except letters, trademarks, moving parts, or moving lights; and
5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Temporary Construction Facilities -Parcels of land or structures where construction or mining support facilities are constructed or placed at or near a job site to provide materials and support mechanisms for construction or mining projects. The term shall include but is not limited to portable offices, signage, trailers, stationary and mobile equipment, and scales. Common uses include portable concrete, processing, or asphalt plants, job site trailers, and areas for equipment parking, material storage or stockpiling. The term temporary shall be flexible yet is generally tied to a related construction project with defined start-up and completion times.

Wind Energy System - A structure or place, such as a wind turbine, designed and constructed to generate power for distribution to off-site users. This definition shall not include private facilities with a single tower or turbine less than one hundred twenty (120) feet in height and not designed for distribution of power to off-site users.

AGRICULTURAL-RESIDENTIAL DISTRICT (AR)

Section 2601 Intent

The intent of Agricultural - Residential Districts (AR) is to protect agricultural lands and lands consisting of natural growth from incompatible land uses while also providing a buffer area between incorporated municipalities and potential conflicting uses. Further, the district provides for single family residential and smaller scale agricultural pursuits in a pleasant and stable environment; yet to encourage in-fill development of rural areas which currently support rural residential developments and to limit increased residential development to areas where they are best suited for reasons of practicality and service delivery.

Section 2603 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in an Agricultural-Residential District (AR):

1. Agriculture, not including Animal Feeding Operations as defined herein;
2. Cemeteries;
3. Day cares, family;
4. Dwellings, single-family;
5. Farms;
6. Farms, hobby;
7. Farm buildings;
8. Historic sites;
9. Horticulture;
10. Manufactured homes, Pursuant to Section **1624**
11. Modular homes;
12. Utility facilities;
13. Veterinary clinics; and
14. Veterinary services.

Section 2605 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in an Agricultural-Residential District (AR):

1. Accessory agricultural structures;
2. Customary water irrigation systems, other than manure irrigation equipment;
3. Farm drainage systems;
4. Home and farm occupations;
5. Roadside stands;
6. Shelterbelts; Pursuant to Sections **1602**
7. Signs, banner;
8. Signs, directional on-site;

28. Private recreation areas;
29. Private shooting preserves;
30. Repair shop, equipment and motor vehicle;
31. Restaurants;
32. Retail sales;
33. Riding stables;
34. Rodeo arenas;
35. Sanitary landfills or restricted use sites, permitted by the Department of Environment and Natural Resources (DENR);
36. Self storage warehouses;
37. Application of manure or animal waste; Pursuant to Section 2619
38. Swimming pools;
39. Temporary construction facilities;
40. Towers;
41. Truck washouts;
42. Wildlife and game production areas; and
43. Wind energy systems.

Section 2609 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the Planning Commission and Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a **Agricultural – Residential District** shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed. The review shall be heard at a regular meeting of the aforementioned bodies and may be required to adhere to the notification requirements as described in Section 1603(3-5).

Section 2611 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 609 shall be prohibited.

Section 2613 Minimum Lot Requirements

1. The minimum lot area shall be five (5) acres;
2. The minimum lot width shall be one hundred (100) feet;
3. Lots of record, as defined herein, existing prior to adoption of this ordinance may be developed pursuant to Article 14 and as approved by the Zoning Administrator; and
4. An additional dwelling unit is allowed within the farmstead upon approval of the building permit application if it is to be occupied by other members of the family farm unit, provided the property is not transacted or prepared, platted, or described for transaction.

Section 2615 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks and patios:

1. There shall be a front yard of not less than a depth of fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty five (25) feet;
3. There shall be two (2) side yards, each of which shall not be less than twenty five (25) feet; and
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.

Section 2617 Maximum Height

1. The height of any structure designed and manufactured for human occupation shall not exceed thirty-five (35) feet and two and one-half (2 ½) stories.

Section 2619 Manure Application

1. Manure application shall comply with the following manure application setback requirements if it is injected or incorporated within twenty-four (24) hours:

A. Public Wells	1,000 feet
B. Private Wells	250 feet
C. Private Wells (Operator's)	150 feet
D. Lakes, Rivers, Streams Classified as a Public Drinking Water Supply	1,000 feet
E. Lakes, Rivers and Streams Classified as Fisheries	200 feet
F. All Public Road Right-of-ways	10 feet
G. Wagner City Limits	660 feet
H. A Residence other than the Operators	100 feet

2. Manure generated from Animal Feeding Operations shall comply with the following manure application setback requirements if it is irrigated or surface applied:

A. Public Wells	1,000 feet
B. Private Wells	250 feet
C. Private Wells (Operator's)	150 feet
D. Lakes, Rivers, Steams Classified as a Public Drinking Water Supply	1,000 feet
E. Lakes, Rivers and Streams Classified as Fisheries	660 feet
F. All Public Road Right-of-ways (Surface Applied)	10 feet
G. All Public Road Right-of-ways (Irrigated Application)	100 feet

H. Wagner City Limits (Surface Applied)	1,000 feet
I. Wagner City Limits (Irrigated Application)	2,640 feet
J. A Residence other than the Operators (Surface Applied)	330 feet
K. A Residence other than the Operators (Irrigated Application)	750 feet

3. If irrigation is used for removal of liquid manure, dewatering a lagoon (gray water) basin, or any type of liquid manure holding pit, these rules apply:

- A. Drops must be used on systems that disperse the liquid no higher than 18” off the ground if no crop is actively growing on the field.
- B. If a crop is actively growing on the field, the liquid must then be dispersed below the crop canopy.
- C. No runoff or diffused spray from the system onto neighboring property or public right-of-way will be allowed.
- D. No irrigation of liquid on frozen ground or over FSA designated wetlands.
- E. No “big gun” type irrigation systems shall be used for liquid manure or dewatering lagoons or other manure containment systems.

Section 1624 Manufactured Home Performance Standards

Manufactured homes placed **as permitted uses** within the **Agricultural-Residential Zoning District**, shall comply with the following requirements:

1. The roof shall be shingled with conventional roofing products;
2. The pitch of the main roof shall be not less than one (1) foot of rise for each three (3) feet of horizontal run;
3. The exterior walls shall be encased with conventional house siding; flat or corrugated sheet metal is prohibited;
4. The manufactured home shall be placed on and anchored to a permanent foundation constructed of wood or masonry. At a minimum, the foundation shall include frost footings, piers, and anchor bolts as prescribed with the manufactured home’s design. The foundation shall be inspected and approved by the Zoning Administrator prior to placement of the home;
5. A semi-permanent structure replicating an exterior foundation wall shall form a complete enclosure around the perimeter of the home from the lower edge to the ground. The design and materials list shall be approved by the Zoning Administrator prior to placement of the home;
6. The minimum width of the main body of the manufactured home as assembled on the site shall not be less than twenty (20) feet, as measured across the narrowest portion;
7. The running gear and hitch shall be removed;
8. Anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design;
9. The manufactured home shall meet or exceed the federal HUD Manufactured Home Construction and Safety Standards; and

10. Prior to placement of home on the foundation, the City Zoning Administrator must approve the foundation and exterior foundation wall.

Nothing contained in this Regulation shall prevent a permanent manufactured home from being placed on an established farmstead, to be used as a secondary residence, so long as it is connected to the existing farm operation on non-deeded land.

Section 1626 Manufactured Home Performance Standards

Manufactured homes placed **as conditional uses** within the **Agricultural-Residential Zoning District**, shall comply with the following requirements:

1. The roof shall be shingled with conventional roofing products;
2. The pitch of the main roof shall be not less than one (1) foot of rise for each three (3) feet of horizontal run;
3. The exterior walls shall be encased with conventional house siding; flat or corrugated sheet metal is prohibited;
4. The minimum width of the main body of the manufactured home as assembled on the site shall not be less than fourteen (14) feet, as measured across the narrowest portion;
5. The manufactured home shall be skirted with a material which is not highly combustible and installed around the perimeter of the home from the bottom of the home to the ground;
6. Anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design; and
7. The manufactured home shall meet or exceed the federal HUD Manufactured Home Construction and Safety Standards.

Nothing contained in this Regulation shall prevent a permanent manufactured home from being placed on an established farmstead, to be used as a secondary residence, so long as it is connected to the existing farm operation on non-deeded land.

Section 1602 Traffic Visibility and Shelterbelts

1. There shall be no obstructions, such as buildings, structures, grain bins, trees, wind breaks, baled agricultural products, or other objects within fifty (50) feet from the right-of-way.
2. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
3. Structures, perennial, or similar vegetation planted on or immediately adjacent to a public road right-of-way shall be approved in writing by the Zoning Administrator prior to construction or planting. No such vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator

reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

4. Shelterbelts shall not be planted within seventy five (75) feet of all road rights of way. The Board of Adjustment may reduce the distance by variance provided the right of ways governing entity provides a document approving said variance.
5. Shelterbelts shall not be planted within one hundred (100) feet of all property delineating a change in ownership. The Board of Adjustment may reduce the distance by variance provided the neighboring property owner(s) have recorded a document approving said variance.

Section 1633 Individual Septic System Performance Standards

Individual septic systems or similar systems proposed within the City's jurisdictional area and when central sewer service is not available shall perform the following items prior to construction or development of a lot:

1. Soil suitability;
2. Percolation test; and
3. Impact of proposed system on existing systems within the area.

Section 1635 Right-of-Way Preservation Standards

No structure shall be permitted to occupy any right-of-way or future public right-of-way. Right-of-way or future public right-of-way shall include a minimum of a sixty six (66) foot corridor centered on each one quarter ($\frac{1}{4}$) line and each one sixteenth ($\frac{1}{16}$) line. This section shall apply to legally established sections within the township and range system. This section shall be subject to the Planning Commission's and Board of Adjustment's determination of applicability and implementation.

Section 1637 Additional Farm Dwellings

An additional dwelling unit is allowed within the farmstead upon approval of the building permit application if it is to be occupied by other members of the family farm unit, provided the property is not transacted or prepared, platted, or described for transaction.

Section 1618 Off-Site Signs

All off-site signs shall conform to the following requirements:

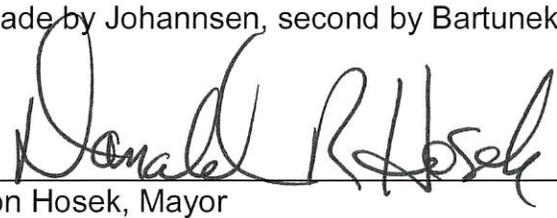
1. Each sign shall have a surface area of not exceeding one (1) square foot for each two (2) linear feet of street frontage;
2. The highest point of any sign shall not exceed twenty (20) feet measured from ground level at its supports;
3. Each sign shall be no less than three hundred (300) feet from any other sign erected on the same side of the street;

4. Each sign shall not be closer than three hundred (300) feet from any street intersection at grade;
5. Each sign shall not be located less than thirty (30) feet from a street right-of-way;
6. No sign shall utilize blinking, revolving, or flashing lights;
7. No part of the sign structure or face shall be located in or intrude into a required yard or public road right-of-way; and
8. The light from illuminated signs shall be shielded or directed to avoid adverse affect on surrounding premises or the vision of motor vehicle operators traveling public roads.

Upon roll call voted being taken, the following voted AYE: Johannsen, Schroder, Beeson, and Bartunek. The following voted NAY: Cuka. The following abstained: None. The following were absent: Fredrich. Motion carried.

A motion was made by Johannsen, second by Bartunek to adjourn the meeting at 8:27 p.m.

APPROVED


Don Hosek, Mayor

Attest


Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, the regular June meeting was held on Monday, June 1st, 2015 at City Hall at 7:00 pm. Present were: Don Hosek, Mayor, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Merle Bartunek, Tom Beeson, Ron Fredrich Todd Johannsen and Roger Schroeder. Absent: None.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Mayor called for the approval of the June agenda. A motion was made by Bartunek, second by Johannsen to approve the June agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Schroeder to approve the regular meeting minutes from May 4th, 2015, board of adjustment minutes from May 18th, 2015 and special meeting minutes from May 18th, 2015. All voted aye, motion carried.

A motion was made by Beeson, second by Bartunek to approve May 2015 financial statements and the claims for June 2015. All voted aye, motion carried.

JUNE 2015

SALARIES: ADMINISTRATION--\$4,956.42; BUILDINGS--\$1,516.88; BUILDINGS-ARMORY--\$1,144.33; POLICE--\$15,760.96; STREETS--\$3,827.78; LIBRARY--\$4,099.49; HRC-URBAN REDEVELOPMENT--\$700.00; GENERAL RECREATION--\$240.00; PARKS--\$403.75; WATER--\$3,978.10 SEWER--\$5,978.44; WITHHOLDING/SOCIAL SECURITY--\$10,167.71.

GENERAL

Best Propane	propane	275.50
Bomgaars	supplies	406.33
Century Link	phone	57.05
City of Wagner	water	621.81
Current Solutions	repairs	373.26
Dave's Service	repairs	1,075.50
Friberg, Nelson & Ask	prof fees	130.00
Hawkins	supplies	4,145.02
Helms & Assoc.	prof fees	4,155.24
Ingram	supplies	221.52
Intoximeters	supplies	621.25
Johnson Electric	prof fees	510.21
King Koin Laundry	supplies	220.50
Penworthy	supplies	74.94
Pioneer Design	prof fees	325.00
Quill	supplies	394.03
Republic National	oper agree	3,477.97
Ron's Auto Glass	repair	240.00
Wagner Auto Supply	supplies	186.46

Wagner Post & Announcer	supplies	544.58
Wells Fargo Brokerage	armory pymt	17,278.28
Wipf & Cotton	prof fees	1,822.55
Zep Sales	supplies	177.90

WATER

Alfred Blaine	meter refund	6.71
Brad Kaup	meter refund	45.29
Business Forms	supplies	292.47
Dawn Hentges	meter refund	72.75
Dudley Schroeder Jr	meter refund	76.96
Holland Mattis	meter refund	53.27
Joshua Hare	meter refund	46.03
Randall Community Water	water	16,014.00
Royal Bridge	meter refunds	49.28

SEWER

SPN & Associates	prof fees	2,000.00
SD Dept of Revenue	prof fees	104.00
USDA Rural Development	loan pymt	1,969.00

VARIED

AFLAC	insurance	707.39
A.I.G.	insurance	133.17
AT&T	phone	255.33
First Dakota	petty cash	664.52
Ft. Randall Telephone	phone service	636.19
Great American Leasing	lease	225.76
Northwestern Energy	electric	6,159.50
Pitney Bowes	supplies	700.00
Summit Contracting	buildings	110,765.13
TransAmerica	insurance	137.20
Voyager	gasoline	2,154.40

INCIDENTAL VOUCHERS

CEASD	registration	60.00
Charles Mix Law Enforcement	prof fees	20.00
Dakotacare	insurance	6,493.10
DENR	prof fees	30.00
FedEX	prof fees	11.30
First Dakota Bank	petty cash	332.81
Giedd Sanitation	prof fees	1,350.00
Honomichl Design	supplies	119.99
Johnson Brothers	oper agree	10,332.70
Northwestern Energy	electric	64.01
Republic National	oper agree	9,436.95
SD Retirement	retirement	5,143.58
Supplemental Retirement	retirement	150.00

The Lodge at Deadwood	travel	255.00
Wagner Printing	supplies	36.25
Wagner Super Foods	supplies	46.26

OLD BUSINESS

This being the time and place for a public hearing for a special one-day malt beverage license for the Fort Randall Gobblers for a wedding dance at the Wagner National Guard Armory on June 27th, 2015. There being no one present opposed to the license, a motion was made by Schroeder, second by Johannsen to approve the license for the Fort Randall Gobblers. All voted aye, motion carried.

This being the time and place for a public hearing for an off-sale malt beverage and SD Farm wine license for Shopko Hometown #570. There being no one present opposed to the license, a motion was made by Johannsen, second by Beeson to approve the license for Shopko Hometown #570. All voted aye, motion carried.

NEW BUSINESS

A motion was made by Fredrich, second by Cuka to approve for publication and set the date for public hearing for a special one day malt beverage license for the Wagner Fire Department for the Figure 8 race at the Wagner Speedway on September 6th, 2015 with the public hearing being on July 6th, 2015 at 7 pm at City Hall. All voted aye, motion carried.

A motion was made by Cuka, second by Bartunek to approve the special one-day license for Dogger's Dive for a wedding dance at the National Guard Armory on June 27th, 2015. Six voted nay, motion failed.

A motion was made by Schroeder, second by Johannsen to deny Dogger's Dive for a special one-day malt beverage license for a wedding dance at the National Guard Armory on June 27th, 2015 due to another entity already having the license. All voted aye, motion carried.

There was discussion of the veteran memorial at the city park. No action taken.

There was discussion of the wind towers. No action taken.

A motion was made by Johannsen, second by Cuka to surplus a 2006 Crown Victoria patrol car and place it on the county surplus sale. All voted aye, motion carried.

EXECUTIVE SESSION

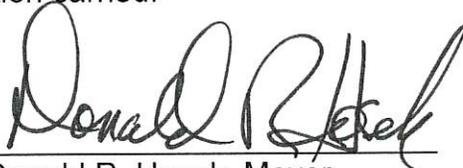
A motion was made by Beeson, second by Bartunek to enter into executive session at 7:31 pm for personnel pursuant to SDCL 1-25-2 (1) and proprietary business pursuant to SDCL 1-25-2 (5). All voted aye, motion carried.

The Mayor declared the Council out of executive session at 8:39 pm.

A motion was made by Schroeder, second by Beeson to increase Jeremy Gulbranson to \$19.66 for successful completion of the probationary period. All voted aye, motion carried.

A motion was made by Fredrich, second by Bartunek to revise Section IV 2. Rest Periods, add Section IV 4. Time Records, and delete Section V 3. Types of Compensation and V 5. and Compensatory Time of the Wagner Municipal Employee Handbook. All voted aye, motion carried.

A motion was made Cuka, second by Schroeder to adjourn the meeting at 8:42 pm. All voted aye, motion carried.

APPROVED 
Donald R. Hosek, Mayor

Attest: 
Rebecca Brunsing, Finance Officer

Published once at the approximate cost of _____.

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, a special June meeting was held on Monday, June 8th, 2015 at City Hall at 5:30 pm. Present were: Donald Hosek, Mayor, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Todd Johannsen, Roger Schroeder, Ron Cuka, Merle Bartunek, Tom Beeson, and Ron Fredrich. Absent: None.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Mayor called for the approval of the special June agenda. A motion was made by Fredrich, second by Beeson to approve the special June agenda. All voted aye, motion carried.

OLD BUSINESS

A motion was made by Johannsen second by Bartunek to approve rest of claims for June 2015. All voted aye, motion carried.

VARIED

B & L Communications	prof fees	60.00
Charles Mix Law Enforcement	prof fees	10.00
Country Pride	prof fees	192.29
G & H Services	prof fees	30.00
John Conkling	oper agree	127.25
John Otte	prof fees	825.00
Johnson Brothers	oper agree	8,948.23
Office of Child Support	prof fees	250.00
Pitney Bowes	postage	75.00
Republic National	oper agree	5,460.67
Rog's Auto	repairs	125.97
SD Dept of Transportation	supplies	1,062.00
Valley Pump	gasoline	144.07
Wagner Building & Supply	supplies	151.75
Wagner Super Foods	supplies	20.46
Weisser Oil	supplies	95.45
Western Office Plus	prof fees	30.29

The bids were opened for the playground equipment at Wagner Lake. The approval will be tabled. Merle Bartunek, Parks and Recreation Commissioner will review and make a recommendation to the city council at a special meeting on Monday, June 15th at 5:30 pm.

NEW BUSINESS

A motion was made by Cuka, second by Schroeder to approve the agreement for professional services for Helms and Associates for the Cross Wind Runway and Hangar Taxi Lane Improvement Project at the Wagner Municipal Airport. All voted aye, motion carried.

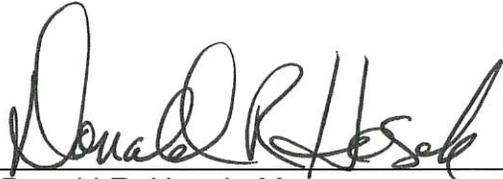
The bids were opened for interim financing for the Front Avenue/1st Street SE Utility Improvement Project. A motion was made by Schroeder, second by Fredrich to approve the bid from Commercial State Bank for 1.93%. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Beeson, second by Johannsen to enter into executive session at 6:11 pm for proprietary business pursuant to SDCL 1-25-2 (5) and litigation purposes pursuant to SDCL 1-25-2 (3). All voted aye, motion carried.

The Mayor declared the council out of executive session at 6:24 pm.

A motion was made by Cuka second by Johannsen to adjourn the meeting at 6:24 pm. All voted aye, motion carried.

Approved  _____
Donald R. Hosek, Mayor

Attest  _____
Rebecca Brunser, Finance Officer

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

PURSUANT TO DUE CALL AND NOTICE THEREOF, a special June meeting was held on Monday, June 15th, 2015 at City Hall at 5:30 pm. Present were: Donald Hosek, Mayor, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Todd Johannsen, Ron Cuka, Merle Bartunek, and Tom Beeson. Absent: Roger Schroeder and Ron Fredrich.

The meeting was opened with the Pledge of Allegiance.

The meeting was called to order and the Mayor called for the approval of the special June agenda. A motion was made by Johannsen, second by Beeson to approve the special June agenda. All voted aye, motion carried.

OLD BUSINESS

A motion was made by Bartunek, second by Johannsen to award the bid for the playground equipment for Chapman Park at Wagner Lake to Play and Park Structures for \$79,908.82. Discussion followed. It is noted that the city received a \$40,000.00 grant from the SD Game, Fish and Parks and an anonymous donation of \$40,000.00 to construct the playground equipment. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Beeson, second by Johannsen to enter into executive session at 5:35 pm for personnel pursuant to SDCL 1-25-2 (1). All voted aye, motion carried.

The Mayor declared the council out of executive session at 5:42 pm.

There was a brief discussion on nuisance properties. No action taken.

A motion was made by Beeson second by Cuka to adjourn the meeting at 5:48 pm. All voted aye, motion carried.

Approved 
Donald R. Hosek, Mayor

Attest 
Rebecca Brunsing, Finance Officer

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