

**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 11th, 2016 at City Hall at 7:00 pm. Present were: Roger Schroeder, Council President, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, Ron Fredrich and Todd Johannsen. 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 January agenda. A motion was made by Johannsen, second by Honomichl to approve the January agenda. All voted aye, motion carried.

There are two changes to the December 7th, 2015 minutes. At the bottom of the minutes it should read approved by Roger Schroeder, Council President instead of Donald R. Hosek. Also, the December bill paid list was inadvertently left out of the published minutes and therefore are listed below:

DECEMBER 2015

SALARIES: ADMINISTRATION--\$4,744.44; BUILDINGS--\$1,177.33; BUILDINGS-ARMORY--\$888.14; POLICE--\$19,616.54; STREETS--\$3,975.10; LIBRARY--\$3,937.53; HRC-URBAN REDEVELOPMENT--\$175.00; WATER--\$3,856.58; SEWER--\$2,513.66; WITHHOLDING/SOCIAL SECURITY--\$10,079.67.

GENERAL

Bomgaars	supplies	113.00
Buches	supplies	27.95
C & B Operations	supplies	309.36
Century Link	phone	57.40
Dash Medical	supplies	159.70
Charles Mix Co Law	prisoner housing	50.00
City of Wagner	water	500.09
C.N.A. Surety	insurance	560.00
Country Pride	propane	1,135.05
Dakota Auto Body	repairs	360.70
Dave's Service	repairs	2,084.00
Delma Slaba	prof fees	44.00
Display Sales	supplies	246.00
Giedd Sanitation	prof fees	1,350.00
Gus Stop	fuel	35.73
Helms & Associates	prof fees	1,103.86
Honomichl Design	supplies	60.93
Ingram	books	249.81
Intoximeters	supplies	198.50
John Otte	manager fees	825.00
King Koin Laundry	supplies	220.50
Mark's Machinery	supplies	24.10
MC&R Pools	prof fees	1,680.00

Neve's Uniforms	supplies	51.85
Office of Child Support	prof fees	250.00
Penworthy	supplies	81.00
Pioneer Designs	prof fees	25.00
QT Petroleum on Demand	repairs	235.80
RDO Equipment	repair	2,744.29
Russell Brown	fence	200.00
S & K Trucking	repair	941.45
SD Manufacturing	prof fees	99.00
SDHS Press	shipping	5.00
Shopko	supplies	18.99
Sioux Sales	supplies	209.60
SD Library Association	prof fees	50.00
Von Eschen Lawn	prof fees	150.00
Wagner Auto Supply	supplies	48.02
Wagner Super Foods	supplies	60.23
Western Office Plus	supplies	59.69
Wipf & Cotton	prof fees	1,450.00
Yankton Janitorial	supplies	169.00

WATER

Jessica Sanchez	meter refund	8.72
Leslie Martinez	meter refund	27.03
Randall Community Water	water	13,802.40

SEWER

Menning Backhoe LLC	improvements	61,144.06
SPN & Associates	prof fees	7,927.45
SD Dept of Revenue	testing	220.00
USDA Rural Development	loan pymt	1,969.00

VARIED

AFLAC	insurance	691.43
A.I.G	insurance	120.69
AT&T	phone	246.31
Business Forms	supplies	426.67
First Dakota	petty cash	338.98
Ft. Randall Telephone	phone service	641.91
Great American Leasing	lease	126.81
Northwestern Energy	electric	19,759.81
Quill	supplies	820.67
Rog's Auto	repairs	688.20
Transamerica	insurance	137.20
Voyager	gasoline	1,429.77
Wagner Building & Supply	supplies	5,282.39
Wagner Post & Announcer	legals	214.01

INCIDENTAL VOUCHERS

AFLAC	insurance	691.43
Dakotacare	insurance	6,068.51

Northwest Energy	electricity	259.12
SD Retirement	retirement	5,289.40
Supplemental Retirement	retirement	150.00

There is also a change to the December 29th, 2015 special meeting minutes in the signature line of approved. It should be listed as Roger Schroeder, Council President instead of Donald R Hosek, Mayor.

A motion was made by Beeson, second by Fredrich to approve the regular meeting minutes from December 7th, 2015 as amended and approve the special meeting minutes of December 29th, 2015. All voted aye, motion carried.

A motion was made by Cuka, second by Johannsen to approve the financial statements for December 2015 and the claims for January 2016. All voted aye, motion carried.

JANUARY 2016

SALARIES: ADMINISTRATION--\$4,933.03; BUILDINGS--\$1,595.65; BUILDINGS-ARMORY--\$1,203.74; POLICE--\$18,598.97; STREETS--\$4,081.78; LIBRARY--\$4,123.86; HRC-URBAN REDEVELOPMENT--\$00; WATER--\$4,134.52; SEWER--\$2,633.18; WITHHOLDING/SOCIAL SECURITY--\$10,280.61.

GENERAL

Buches	supplies	25.45
Card Services	supplies	191.50
Charles Mix Co Treasurer	prof fees	10.00
City of Wagner	water	626.90
Country Pride	fuel	1,487.77
Dave's Service	repair	20.00
Friberg, Nelson & Ask	prof fees	436.25
G & H Services	prof fees	100.00
Helms & Associates	prof fees	3,933.64
IIMC	dues	180.00
King Koin Laundry	prof fees	123.25
Mark's Machinery	repairs	9.92
McLeods	supplies	385.17
Office of Child Support	prof fees	250.00
Planning & Dev Dist III	prof fees	2,919.00
Redwood Biotech	supplies	310.50
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	1,379.49
SD Police Chief's Assoc.	supplies	97.19
SD Dept of Revenue	sales tax	212.22
Shopko	supplies	12.99
St. Paul Stamp Works	supplies	76.57
Wagner Area Growth	prof fees	45,000.00

Wagner Chamber of Commerce	dues	800.00
Wagner Post & Announcer	legals	140.88
Western Office Plus	prof fees	28.31

WATER

Kenny Cook	meter refund	82.99
Monica Jackson	meter refund	20.97
SD Assoc of Rural Water	membership	525.00
SD One Call	prof fees	33.60

SEWER

DENR	prof fees	1,550.00
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VARIED

AFLAC	insurance	691.43
First Dakota Bank	petty cash	167.17
Fort Randall Telephone	phone	681.14
Rog's Auto	repairs	435.32
SDML Worker's Comp Fund	insurance	12,646.00
Voyager Fleet	gas	1,535.64
Wagner Building & Supply	supplies	777.62
Wagner Super Foods	supplies	159.96

INCIDENTAL VOUCHERS

Johnson Controls	prof fees	4,955.16
Pitney Bowes	prof fees	31.84
Randall Community Water	water	13,135.50
Valley Pump & Casino	supplies	95.79
Wagner Auto Supply	supplies	316.03

NEW BUSINESS

The following ordinance was placed on its first reading:

ORDINANCE NO. 2016-01

AN ORDINANCE REPEALING WAGNER ORDINANCE 2012-05

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

Section 1. PURPOSE. The purpose of this ordinance is to repeal existing Wagner municipal ordinance 2012-05 codified in Wagner Municipal Code. hereafter WMC, at WMC 3-2-8(b), relating to spiking permits, in order to comply with SDCL 35-4-124, as amended in the 2015 South Dakota Legislative Session.

Section 2. WAGNER MUNICIPAL ORDINANCE 2012-05 codified in WMC 3-2-8(b) is hereby repealed in its entirety.

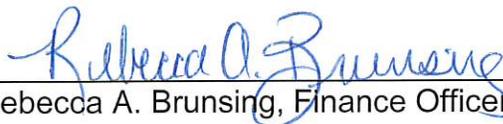
Section 3. That this ordinance is necessary for the preservation and support of the municipal government and its existing public institutions and shall take effect immediately upon the passage and publication hereof.

Dated this 11th day of January 2016.



Roger Schroeder, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Fredrich seconded by Beeson. Upon roll call vote being taken, those voting AYE: Schroeder, Johannsen, Fredrich, Beeson, Honomichl, and Cuka. Those voting NAY: None. Absent: None. Those abstaining: None. Motion carried.

First Reading: January 11th, 2016
Second Reading and Adoption:
Effective Date:
Published:

The following ordinance was placed on its first reading:

ORDINANCE NO. 2016-02

**AN ORDINANCE AUTHORIZING SPECIAL ALCOHOLIC BEVERAGE LICENSES
ISSUED IN CONJUNCTION WITH SPECIAL EVENTS WITHIN THE CITY OF
WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA**

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

Section 1. PURPOSE. The purpose of this ordinance is to authorize and establish regulations for the issuance of special alcoholic beverage licenses in conjunction with special events, hereinafter referred to as a "special event alcoholic beverage license," within the City of Wagner, Charles Mix County, South Dakota.

Section 2. Non-profit Organizations. Non-profit Organizations within the City of Wagner may obtain a special event alcoholic beverage license for property that said non-profit owns, or club rooms in which they hold their meetings, for the fee of \$100.00.

Section 3. Private Organizations, Entities or Persons. All private organizations, entities or persons requesting and applying for a special event alcoholic beverage license, special one day malt beverage license, or special one day liquor license must hold their special event in either a licensed on-sale licensee's establishment within the City of Wagner, the Wagner National Guard Armory, or the American Legion Hall, and the fee for said special event alcoholic beverage license will be the sum of \$100.00.

Section 4. Publication of Applications to be Approved by Finance Officer. All applications for a special event alcoholic beverage license may be approved by the Finance Officer and immediately published to set the date for public hearing by the City Council.

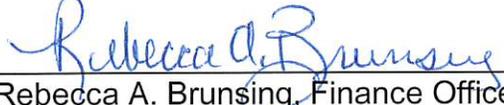
Section 5. Penalty. Any recipient of a special event alcoholic beverage license that shall be found to not have abided by the terms and conditions of this ordinance shall be guilty of an offense as provided by the Wagner Municipal Code and shall be subject to a fine of up to \$200.00.

Dated this 11th day of January 2016.



Roger Schroeder, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer
(SEAL)

The motion for the adoption of the foregoing ordinance was made by Johannsen seconded by Honomichl. Upon roll call vote being taken, those voting AYE: Schroeder, Johannsen, Fredrich, Beeson, Honomichl, and Cuka. Those voting NAY: None. Absent: None. Those abstaining: None. Motion carried.

First Reading: January 11th, 2016

Second Reading and Adoption:

Effective Date:

Published:

Kesley Doom, Bryan Slaba and Ken Thaler were present on behalf of Wagner Area Growth to present to the Council, changes made to the Wagner Area Growth Revolving Loan Fund Operating Plan. Discussion followed. A motion was made by Johannsen, second by Cuka to approve the changes made to the Wagner Area Growth Revolving Loan Fund Operating Plan. All voted aye, motion carried.

A motion was made by Cuka, second by Fredrich to approve for publication a special one-day malt beverage/liquor license for the VFW Post 7319 for the National Guard Armory Military Ball/Wine Tasting at the Wagner National Guard Armory on February

6th, 2016 and set the date for the public hearing for February 1st, 2016. All voted aye, motion carried.

A motion was made by Johannsen, second by Beeson to approve for publication a special one-day malt beverage/liquor license for the American Legion for American Legion Sweepstakes at the Wagner National Guard Armory on February 20th, 2016 and set the date for the public hearing for February 1st, 2016. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Johannsen, second by Fredrich to enter into executive session at 7:39 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 8:18 pm.

A motion was made by Cuka, second by Johannsen to hire Thomas Jason Alberts as the Water/Wastewater Utility Operator at \$19.00 per hour. All voted aye, motion carried.

A motion was made by Johannsen, second by Honomichl to accept Shane Larsen's request for change of status from full-time Police Officer to casual-time Police Officer. All voted aye, motion carried.

A motion was made by Beeson, second by Fredrich to approve the city's employee wages. The City of Wagner's employees and their wages are as follows: Larry Blaha - \$20.93 per hour; Russell Brown - \$15.38 per hour; Rebecca Brunsing - \$22.30 per hour; Geoffery Fillingsness - \$35.00 per hour; Desa' Rae Gravatt - \$17.62; Mike Kazena - \$16.00 per hour; Marilee Krcil - \$15.38 per hour; Shane Larson - \$16.60 per hour; Brian McGuire - \$16.87 per hour; Gene Niehus - \$17.64 per hour; Lisa Peters - \$13.66 per hour; Anne Podhradsky - \$14.57 per hour; Nancy Reinbold - \$12.56 per hour; Jerry Renken - \$14.94 per hour; Tim Simonson - \$19.00 per hour; and Richard Sully - \$13.04 per hour. All voted aye, motion carried.

A motion was made by Johannsen, second by Fredrich to advertise for a full-time police officer. All voted aye, motion carried.

A motion was made Johannsen, second by Cuka to adjourn the meeting at 8:25 pm. All voted aye, motion carried.

APPROVED 
Roger Schroeder, 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 regular February meeting was held on Monday, February 1st, 2016 at City Hall at 7:00 pm. Present were: Roger Schroeder, Council President, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, and Todd Johannsen. Absent: Don Hosek and Ron Fredrich.

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 February agenda. A motion was made by Beeson, second by Cuka to approve the February agenda. All voted aye, motion carried.

A motion was made by Johannsen, second by Honomichl to approve the regular meeting minutes from January 11th, 2016. All voted aye, motion carried.

A motion was made by Cuka, second by Beeson to approve the financial statements for January 2016 and the claims for February 2016. All voted aye, motion carried.

FEBRUARY 2016

SALARIES: COUNCIL--\$3,700.00; ADMINISTRATION--\$5,260.08; BUILDINGS--\$1,600.45; BUILDINGS-ARMORY--\$1,207.39; POLICE--\$18,928.21; STREETS--\$4,304.24; LIBRARY--\$4,359.40; HRC-URBAN REDEVELOPMENT--\$360.00; WATER--\$4,541.55; SEWER--\$2,787.69; WITHHOLDING/SOCIAL SECURITY--\$11,474.78; UNEMPLOYMENT INSURANCE--\$47.68.

GENERAL

Century Link	phone	58.61
Charles Mix Historical Society	prof fees	500.00
City of Wagner	water	258.07
Clearfield Welding	repair	525.00
Country Pride	fuel	1,242.54
Dave's Service	repair	290.00
Helms & Associates	prof fees	3,679.55
Ingram	books	24.99
Jack's Uniforms	supplies	69.90
John Otte	prof fees	825.00
Johnson Controls	supplies	933.01
King Koin Laundry	prof fees	220.50
Missouri Sedimentation Action	dues	500.00
Pechous Publications LLC	legals	402.02
Quill	supplies	233.39
RDO Equipment	supplies	114.00

Reader's Digest	subscription	16.98
Russell Brown	reimbursement	150.00
S & K Trucking	repair	35.00
SD Assoc. of Code Enforcement	registration	100.00
SD Police Chief's Assoc.	registration	170.00
Sioux Sales	supplies	745.05
Yankton Janitorial	supplies	529.25

WATER

Current Solutions	repair	215.20
Dakota Supply Group	supplies	117.63
HD Supply Waterworks	supplies	1,734.29
Jodi Bull Bear	meter refund	4.24
Randall Community Water	water	14,454.10
Tanner Christensen	meter refund	63.16

SEWER

First National Bank	SRF pymt	10,066.63
SD Dept of Revenue	prof fees	232.00
SPN & Associates	prof fees	1,500.00
USDA	loan pymt	1,969.00
Yankton Agency BIA	lease	2,847.50

VARIED

AIG Benefits	insurance	120.69
AT&T	phone	251.42
Bomgaars	supplies	1,070.06
First Dakota Bank	petty cash	259.96
Fort Randall Telephone	phone	690.14
Great America Financial	lease	175.15
Northwestern Energy	electricity	11,817.40
Reserve Account	postage	1,000.00
The Bone Pile	prof fees	975.00
Transamerica	insurance	137.20
Voyager Fleet	gas	1,450.76

INCIDENTAL VOUCHERS

Dakotacare	insurance	6,838.19
Merle Bartunek	prof fees	150.00
SD Municipal League	registration	20.00
SD Retirement	retirement	5,760.84
Supplemental Retirement	retirement	150.00

DEPARTMENT REPORTS

Blaha informed the council that a list of street lights that needed to be replaced was submitted to Northwestern Energy and the lights are currently being replaced.

The carpet will be replaced at the commodity warehouse in the office area, hallway and around the front counter with flooring instead of carpet.

OLD BUSINESS

The following ordinance was placed on its second reading:

ORDINANCE NO. 2016-01

AN ORDINANCE REPEALING WAGNER ORDINANCE 2012-05

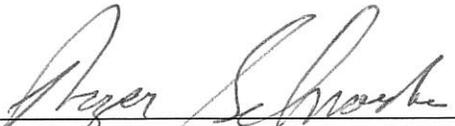
BE IT ORDAINED BY THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA:

Section 1. PURPOSE. The purpose of this ordinance is to repeal existing Wagner municipal ordinance 2012-05 codified in Wagner Municipal Code. hereafter WMC, at WMC 3-2-8(b), relating to spiking permits, in order to comply with SDCL 35-4-124, as amended in the 2015 South Dakota Legislative Session.

Section 2. WAGNER MUNICIPAL ORDINANCE 2012-05 codified in WMC 3-2-8(b) is hereby repealed in its entirety.

Section 3. 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 1st day of February 2016.



Roger Schroeder, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer

(SEAL)

The motion for the adoption of the foregoing ordinance was made by Beeson seconded by Honomichl. Upon roll call vote being taken, those voting AYE: Schroeder, Johannsen, Beeson, Honomichl, and Cuka. Those voting NAY: None. Absent: Fredrich. Those abstaining: None. Motion carried.

First Reading: January 11th, 2016
Second Reading and Adoption: February 1st, 2016
Effective Date: March 2nd, 2016
Published: February 10th, 2016

The following ordinance was placed on its second reading:

ORDINANCE NO. 2016-02

**AN ORDINANCE AUTHORIZING SPECIAL ALCOHOLIC BEVERAGE LICENSES
ISSUED IN CONJUNCTION WITH SPECIAL EVENTS WITHIN THE CITY OF
WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA**

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

Section 1. PURPOSE. The purpose of this ordinance is to authorize and establish regulations for the issuance of special alcoholic beverage licenses in conjunction with special events, hereinafter referred to as a "special event alcoholic beverage license," within the City of Wagner, Charles Mix County, South Dakota.

Section 2. Non-profit Organizations. Non-profit Organizations within the City of Wagner may obtain a special event alcoholic beverage license for property that said non-profit owns, or club rooms in which they hold their meetings, for the fee of \$100.00.

Section 3. Private Organizations, Entities or Persons. All private organizations, entities or persons requesting and applying for a special event alcoholic beverage license, special one day malt beverage license, or special one day liquor license must hold their special event in either a licensed on-sale licensee's establishment within the City of Wagner, the Wagner National Guard Armory, or the American Legion Hall, and the fee for said special event alcoholic beverage license will be the sum of \$100.00.

Section 4. Publication of Applications to be Approved by Finance Officer. All applications for a special event alcoholic beverage license may be approved by the Finance Officer and immediately published to set the date for public hearing by the City Council.

Section 5. Penalty. Any recipient of a special event alcoholic beverage license that shall be found to not have abided by the terms and conditions of this ordinance

shall be guilty of an offense as provided by the Wagner Municipal Code and shall be subject to a fine of up to \$200.00.

Dated this 1st day of February 2016.



Roger Schroeder, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer
(SEAL)

The motion for the adoption of the foregoing ordinance was made by Johannsen seconded by Cuka. Upon roll call vote being taken, those voting AYE: Schroeder, Johannsen, Beeson, Honomichl, and Cuka. Those voting NAY: None. Absent: Fredrich. Those abstaining: None. Motion carried.

First Reading: January 11th, 2016
Second Reading and Adoption: February 1st, 2016
Effective Date: March 2nd 2016
Published: February 10th, 2016

This being the time and place for a public hearing for a special one-day malt beverage/liquor license for VFW Post 7319 for the National Guard Armory Military Ball/Wine Tasting at the Wagner National Guard Armory on February 6th, 2016 There being no one present opposed to the license, a motion was made by Cuka, second by Honomichl to approve the special one-day malt beverage/liquor license for the VFW Post 7319 for the National Guard Armory Military Ball/Wine Tasting at the Wagner National Guard Armory on February 6th, 2016. All voted aye, motion carried.

This being the time and place for a public hearing for a special one-day malt beverage/liquor license for the American Legion for American Legion Sweepstakes at the Wagner National Guard Armory on February 20th, 2016. There being no one present opposed to the license, a motion was made by Johannsen, second by Beeson to approve the special one-day malt beverage/liquor license for the American Legion for American Legion Sweepstakes at the Wagner National Guard Armory on February 20th, 2016. All voted aye, motion carried.

NEW BUSINESS

Gayle Buoy, manager of the Dakota Bowl was present to request a change to city ordinances for the types of alcohol licenses available to businesses. Currently, the Dakota Bowl has an on-sale liquor license. Mr. Buoy claims that he could make more money if he could sell package beer and liquor at the Dakota Bowl. Ken Cotton explained that historically, Wagner, being a local option community, has the off-sale package beer and liquor licenses for the stores and the on-sale licenses for the bar/restaurants. Mr. Buoy urged the council to change this and allow package beer and liquor to be sold out of bar/restaurant establishments. Discussion followed. No action was taken on this matter.

A motion was made by Johannsen, second by Cuka to approve a spiking permit for Knight of Columbus for February 14th, 2016 at the American Legion. All voted aye, motion carried.

There was discussion about engineering services for the armory parking lot/sidewalk project. The approximate cost may vary between \$6,000.00 - \$8,000.00. The project could be done in phases. Discussion followed. A motion was made by Beeson, second by Honomichl to hire DGR Engineering to complete engineering services for the armory parking lot/sidewalk. All voted aye, motion carried.

There was discussion on Ordinance No. 2016-03, an ordinances addressing excessive noises and dynamic braking devices. The first reading is tabled until the March 7th council meeting.

A motion was made by Cuka, second by Johannsen to surplus an overhead door, size: 141' X 12' and a pedestal grinder. All voted aye, motion carried.

A motion was made by Johannsen, second by Honomichl to approve Unum's long-term disability insurance policy for employees. All voted aye, motion carried.

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

A motion was made by Cuka, second by Beeson to approve purchasing approximately 275 ton of rock for chip sealing. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Honomichl, second by Johannsen to enter into executive session at 7:53 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 8:08 pm.

A motion was made by Johannsen, second by Cuka to hire Cody Braun as full-time Police Officer at \$13.50 per hour. All voted aye, motion carried.

A motion was made by Beeson, second by Honomichl to hire summer maintenance workers: Sydney Breen at \$10.50 per hour, Jacob Kvigne at \$10.50 per hour and Emily Brunsing at \$10.00 per hour. All voted aye, motion carried. **NOTE:** After the council meeting it was discovered that the summer positions open was set to close March 7th, not February 1st. The city will accept applications until Monday, March 7th, 2016 at 5 pm and will reconsider all applications received by February 1st and those also received until March 7th.

A motion was made Cuka, second by Johannsen to adjourn the meeting at 8:12 pm. All voted aye, motion carried.

APPROVED 
Roger Schroeder, 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 regular March meeting was held on Monday, March 7th, 2016 at City Hall at 7:00 pm. Present were: Roger Schroeder, Council President, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Tom Beeson, Ron Fredrich and Todd Johannsen. Absent: Scott Honomichl 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 March agenda. A motion was made by Fredrich, second by Beeson to approve the March agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Johannsen to approve the regular meeting minutes from February 1st, 2016. All voted aye, motion carried.

A motion was made by Cuka, second by Beeson to approve the financial statements for February 2016 and the claims for March 2016. All voted aye, motion carried.

MARCH 2016

SALARIES: ADMINISTRATION--\$4,707.72; BUILDINGS--\$1,494.70; BUILDINGS-ARMORY--\$1,127.59; POLICE--\$19,437.53; STREETS--\$4,104.99; LIBRARY--\$4,042.88; HRC-URBAN REDEVELOPMENT--\$210.00; WATER-\$3,915.33; SEWER--\$2,583.84; WITHHOLDING/SOCIAL SECURITY--\$10,415.99.

GENERAL

B & L Communications	repair	90.45
Bomgaars	supplies	175.73
Brock White	street supplies	1,614.00
Buches	supplies	11.14
Century Link	phone	59.09
Chas. Mix Law Enforcement	prof fees	30.00
City of Wagner	water	301.34
Country Pride	fuel	450.84
Frieberg, Nelson & Ask	prof fees	26.00
Galls	supplies	319.91
Helms & Associates	prof fees	3,345.23
Honomichl Design	repair	60.71
Ingram	books	241.21
John Otte	prof fees	825.00
King Koin Laundry	prof fees	220.50
Mark's Machinery	repair	240.71
Office of Child Support	prof fees	250.00

One Office Solution	prof fees	32.24
Pechous Publications LLC	legals	317.45
Pheasant Land Industries	supplies	1,033.18
Pitney Bowes	supplies	37.98
S & K Trucking	repair	2,855.80
School Specialty	tables & chairs	5,311.22
Schuman Electric	repairs	2,213.40
SD Municipal Street Assoc.	registration	50.00
Sioux Sales	supplies	439.40
Spencer Quarries	supplies	942.60
Uniform Accessories	supplies	93.24
Wagner Auto Supply	supplies	346.04
Wagner Printing	supplies	2.50
Wipf & Cotton	prof fees	1,750.00

WATER

Current Solutions	repair	207.37
Dakota Supply Group	supplies	661.94
Ken Henley	meter refund	85.33
Margo Hernandez	meter refund	65.55
Randall Community Water	water	12,896.10
Rita Kocer	meter refund	60.49

SEWER

SD Dept of Revenue	prof fees	232.00
USDA	loan pymt	1,969.00

VARIED

AFLAC	insurance	1,161.52
AT&T	phone	237.51
First Dakota Bank	petty cash	232.07
Fort Randall Telephone	phone	690.14
Great America Financial	lease	119.93
Kelsey Doom	reimbursement	225.00
Northwestern Energy	electricity	9,412.88
Quill	supplies	202.86
Transamerica	insurance	137.20
Voyager Fleet	gas	1,255.78
Wagner Building & Supply	repairs	10,999.24
Wagner Community Clinic	prof fees	533.00

INCIDENTAL VOUCHERS

B & L Communications	radio repair	62.35
Card Services	prof fees	24.97
Dakotacare	insurance	6,040.99
Dakota Auto Body	repair	38.00

Intoximeters	supplies	600.00
Mark's Machinery	supplies	21.86
Northwestern	electricity	693.99
One Office Solution	prof fees	23.84
Pitney Bowes	supplies	281.96
SD Retirement	retirement	5,527.10
Supplemental Retirement	retirement	150.00
Unum Life Insurance	insurance	173.62
Wagner Auto Supply	supplies	99.33
Wagner Super Foods	supplies	51.54

DEPARTMENT REPORTS

The city wide clean up will be Friday, April 22nd.

The city will be doing a controlled burn at the bull pen by the lagoon in the near future.

The Finance Officer informed the council that each person, Scott Honomichl, Ron Fredrich, and Roger Schroeder had turned in petitions and successfully qualified for office. No other petitions were turned in, therefore, there will be no election in April.

OLD BUSINESS

ORDINANCE NO. 2016-03

AN ORDINANCE PROHIBITING EXCESSIVE NOISES AND THE USE OF DYNAMIC BRAKING DEVICES WITHIN THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA

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

Section 1. **PURPOSE.** The purpose of this ordinance is to prohibit any person or entity from producing or causing excessive noises, or from using dynamic braking devices, within the City of Wagner, Charles Mix County, South Dakota.

Section 2. **EXCESSIVE NOISES.** It shall be unlawful for any person or entity to willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Section 3. **STANDARDS.** The standards which may be considered in determining whether a violation of the provisions of this section exists may include, but are not limited to, the following:

1. The level of the noise;
2. Whether the nature of the noise is usual or unusual;
3. Whether the origin of the noise is natural or unnatural;
4. The level and intensity of the background noise, if any;
5. The proximity of the noise to residential sleeping facilities;
6. The nature and zoning of the area within which the noise emanates;
7. The density of the inhabitation of the area within which the noise emanates;
8. The time of the day or night the noise occurs;
9. The duration of the noise; and,
10. Whether the noise is recurrent, intermittent, or constant.

Section 4. Dynamic Braking Device. It shall be unlawful to operate a dynamic braking device (commonly referred to as Jacobs Brake) on any motor vehicle, except to avert imminent danger, within the City limits of the City of Wagner, SD. This device converts the internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

Section 5. Penalty. Any person or entity that shall be found to have violated the terms of this ordinance by either causing excessive noises, or by using a dynamic braking system, within the city limits of Wagner, SD shall be guilty of an offense as provided by the Wagner Municipal Code and shall be subject to a fine of \$200.00.

Dated this 7th day of March, 2016.

First Reading: March 7th, 2016

Second Reading and Adoption:

Effective Date:

Published:



Roger Schroeder, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer
(SEAL)

The motion for the adoption of the foregoing ordinance was made by Beeson seconded by Fredrich. Upon roll call vote being taken, those voting AYE: Schroeder, Beeson, Fredrich, and Cuka. Those voting NAY: Johannsen. Absent: Honomichl. Those abstaining: None. Motion carried.

The bids were opened for chip sealing for summer 2016. A motion was made by Johannsen, second by Cuka to accept the bid for chip sealing approximately 30,000 square yards to The Road Guy at \$0.817 a square yard or total price \$24,510.00. All voted aye, motion carried.

The Finance Officer updated the council on the underground electric at the airport. An update was also given on the airport cross wind runway and hangar taxilane rehab project.

NEW BUSINESS

RESOLUTION NO. 2016-01

LOAN RESOLUTION

A resolution of the City Council of the City of Wagner, authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing and enlarging, improving, and/or extending its Water and Wastewater Infrastructure facility to serve an area lawfully within its jurisdiction to serve.

WHEREAS, it is necessary for the City of Wagner (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of One Million Seven Hundred Fifty-Four Thousand & No/100 (\$1,754,000.00) pursuant to the provision of Project Revenue Bond; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statues and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as

a rider to, each construction contract and subcontract involving in excess of \$10,000.

4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.
11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, fund may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such person. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impact so the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$200,000.00 under the terms offered by the Government; that the Mayor and Finance Officer of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement (s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions thereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

A motion was made by Beeson, second by Fredrich to approve the above loan resolution. Five voted aye, none voted nay, one absent. Motion carried.

IN WITNESS WHEREOF, the City Council of the City of Wagner has duly adopted this resolution and caused it to be executed by the officers below in duplicate on this 7th day of March 2016.

City of Wagner

By:


Roger Schroeder, Council President

(SEAL)

Attest:


Rebecca Brunsing, Finance Officer

The interim loan interest to be paid to Commercial State Bank is tabled until the March 21st, 2016 special meeting.

A motion was made by Johannsen, second by Cuka to approve a special event license for Two Spurs for the Dennis Beeson wedding reception/dance at the National Guard Armory on March 12th, 2016. All voted aye, motion carried.

A motion was made by Cuka, second by Beeson to approve a special event license for the Wagner Chamber Wine Tasting Event on April 1st, 2016 at the National Guard Armory. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to approve a special event license for Hubbs Agency, Inc., for a Customer Appreciation Dinner at the American Legion on July 14th, 2016. All voted aye, motion carried.

A motion was made by Johannsen, second by Beeson to approve for publication and set the date for public hearing a special event license for the Wagner Labor Day Committee for September 2nd, 3rd, and 4th, 2016 for the annual Labor Day Celebration and set the date for public hearing for April 4th, 2016 at 7 pm at City Hall. All voted aye, motion carried.

A motion was made by Fredrich, second by Cuka to approve Sue Larson's appointment to the library. All voted aye, motion carried.

The Finance Officer informed the council about a program/service to reach Wagner residents with important announcements. This would be similar to the school reach system that the Wagner Community School uses. This could possibly be something that the city could partner with the chamber of commerce on. Discussion followed. More information will be obtained and presented next month.

There was discussion of curb and gutter replacement on Main Street. Some owners have complied and replaced the curb and gutter where needed. Ken Cotton, city attorney will send letters to the remaining property owners.

There was discussion on abandoned/loose dogs.

EXECUTIVE SESSION

A motion was made by Beeson, second by Cuka to enter into executive session at 7:57 pm for personnel pursuant to SDCL 1-25-2 (1), proprietary business SDCL 1-25-2 (5), and litigation SDCL 1-25-2 (3). All voted aye, motion carried. The Finance Officer left executive session for the personnel portion of the executive session. The Finance Officer returned to executive session at 8:20 pm.

The President of the Council declared the Council out of executive session at 8:40 pm.

A motion was made by Beeson, second by Cuka to rescind the hiring of the summer maintenance workers: Sydney Breen at \$10.50 per hour, Jacob Kvigne at \$10.50 per hour and Emily Brunsing at \$10.00 per hour from the February 2016 meeting due to the position being closed prematurely. All voted aye, motion carried.

A motion was made by Cuka, second by Johannsen to hire summer maintenance workers: Sydney Breen at \$10.50 per hour, Jacob Kvigne at \$10.50 per hour and Emily Brunsing at \$10.00 per hour. All voted aye, motion carried.

A motion was made by Johannsen, second by Fredrich to hire summer pool employees: Tayleigh Kaup, manager, \$12.00 per hour; Jamie Anderson, assistant manager, \$11.00 per hour; and the following lifeguards: Krista Dvorak, \$9.00 per hour; Schylar Juffer, \$9.00 per hour; Sierra Juffer, \$9.00 per hour; and Anna Ronspies, \$9.00 per hour. All voted aye, motion carried.

A motion was made Cuka, second by Johannsen to adjourn the meeting at 8:45 pm. All voted aye, motion carried.

APPROVED



Roger Schroeder, 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 Tuesday, March 15th, 2016 at the Wagner City Hall at 5:36 pm. Present were: Finance Officer, Rebecca Brunsing, Council President, Roger Schroeder and the following councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, Ron Fredrich, and Todd Johannsen. Absent: 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 Johannsen, second by Beeson to approve the agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Honomichl to approve for publication a transfer of a malt-beverage license from Weissers, Inc. to Mid Towne Oil & Wash and set the date for public hearing on April 4th, 2016 at 7:00 pm at Wagner City Hall. All voted aye, motion carried.

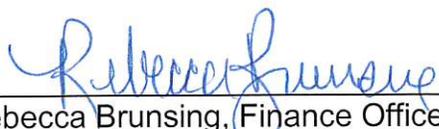
EXECUTIVE SESSION

A motion was made by Beeson, second by Honomichl to enter into executive session at 5:38 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 5:55 pm.

A motion was made by Johannsen, second by Fredrich to adjourn the meeting at 5:55 pm. All voted aye, motion carried.

Approved 
Roger Schroeder, Council President

Attest 
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 7:30 p.m. on Tuesday, March 22nd, 2016 as the Board of Equalization. Present were: Council President, Roger Schroeder, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following Councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, Ron Fredrich and Todd Johannsen. Absent: Don Hosek. Others present: Dennis Merkwan, School Board Member, and Denise Weber, Director of Equalization, Charles Mix County.

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 Cuka, second by Johannsen to approve the agenda. All voted aye, motion carried.

There was one tax appeal. The Wagner Partnership 99/Yankton Sioux Housing Authority are appealing the property known as Dakota View Apartments located on Lot 1, Block 7, Sec-Twp-Range Wagner Heights, City of Wagner. Currently the land is assessed at \$35,385.00 and the buildings are assessed at \$567,900.00. Yankton Sioux Housing Authority feels the land should be valued at \$25,000.00 and the buildings at \$90,000.00. The YHSA acquired 100% interest in the property September 2015 for \$20,000.00.

No representative from the YSHA was present. 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 Johannsen, second by Honomichl to deny the tax appeal. All voted aye, motion carried.

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

A motion was made by Fredrich, second by Johannsen to adjourn at 7:37 pm. All voted aye, motion carried.

APPROVED 

Roger Schroeder, 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 Tuesday, March 22nd, 2016 at the Wagner City Hall at 7:00 pm. Present were: Finance Officer, Rebecca Brunsing, Council President, Roger Schroeder and the following councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, Ron Fredrich, and Todd Johannsen. 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 special meeting agenda. A motion was made by Beeson, second by Fredrich to approve the agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Fredrich to approve the rest of claims for March 2016. All voted aye, motion carried.

Dakota Auto Body	repair	2,254.52
Dakotacare	insurance	7,323.88
DENR	app fee	10.00
First Dakota	petty cash	629.58
Helms & Associates	prof fees	3,216.48
SD Municipal League	registration	85.00
Sebrena Seaton	meter refund	78.13
Supplemental Retirement	retirement	150.00
Unum Insurance	insurance	173.62
Wagner Super Foods	supplies	65.54
Yankton Sioux Tribe	prof fees	149.50

A motion was made by Beeson, second by Cuka to approve the interim loan interest to be paid, if the USDA loan for Front Avenue/1st Street Utility Improvement Project is closed in March in the amount of \$17,252.39. All voted aye, motion carried.

A motion was made by Johannsen, second by Fredrich to approve a quote from Wagner Building & Supply for \$3,300.00 to remove and pile the trees that are located on the north side of the municipal airport. The quote was just for piling, no burning or burying. All voted aye, motion carried.

A motion was made by Johannsen, second by Honomichl to approve a quote from Wagner Building & Supply to tear down the old state shed in the amount of 2,840.00. This quote does not include dump fees to dispose of the shed. All voted aye, motion carried.

A motion was made by Johannsen, second by Fredrich to adjourn the special meeting at 7:30 pm. All voted aye, motion carried.

A motion was made by Beeson, second by Fredrich to reconvene the special meeting at 7:38 pm. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Johannsen, second by Honomichl to enter into executive session at 7:38 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 7:40 pm.

A motion was made by Beeson, second by Honomichl to accept the resignation of Thomas J. Alberts as Water/Wastewater Utility Operator. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to advertise for a Water/Wastewater Utility Operator. All voted aye, motion carried.

A motion was made by Beeson, second by Cuka to adjourn the meeting at 7:42 pm. All voted aye, motion carried.

Approved 
Roger Schroeder, 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 regular April meeting was held on Monday, April 4th, 2016 at City Hall at 7:00 pm. Present were: Roger Schroeder, Council President, Finance Officer, Rebecca Brunsing, City Attorney, Ken Cotton and the following councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, Ron Fredrich and Todd Johannsen. 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 April agenda. A motion was made by Beeson, second by Fredrich to approve the April agenda, with a correction on the action item of four Motorola radios; it should be five Motorola radios. All voted aye, motion carried.

A motion was made by Johannsen, second by Honomichl to approve the regular meeting minutes from March 7th, 2016, special meeting minutes from March 15th, 2016, board of equalization minutes from March 22nd, 2016 and special meeting minutes from March 22nd, 2016. All voted aye, motion carried.

A motion was made by Cuka, second by Johannsen to approve the financial statements for March 2016 and the claims for April 2016. All voted aye, motion carried.

APRIL 2016

SALARIES: ADMINISTRATION--\$4,918.52; BUILDINGS--\$1,439.93; BUILDINGS-ARMORY--\$1,086.25; POLICE--\$17,656.04; STREETS--\$3,927.06; LIBRARY--\$4,080.56; HRC-URBAN REDEVELOPMENT--\$175.00; WATER-\$4,023.64; SEWER--\$4,299.72; WITHHOLDING/SOCIAL SECURITY--\$10,270.10.

GENERAL

American Fence Co	repair	4,972.00
Best Propane	supplies	48.00
Century Link	phone	58.63
City of Wagner	water	420.78
Country Pride	fuel	420.46
Dave's Service	repair	169.00
Demco	supplies	81.28
Ecolab Pest Control	prof fees	126.55
Good Housekeeping	subscription	10.00
Healthy Cooking	subscription	10.00
Heiman Fire Equipment	prof fees	865.00
Ingram	books	233.49
John Otte	prof fees	825.00

King Koin Laundry	prof fees	229.00
Lawns Unlimited	supplies	37.80
Mark's Machinery	repair	18.00
Michael Todd Co	repair	1,070.28
Myers Sanitation	prof fees	1,575.00
O'Neill Pest Control	prof fees	50.00
Office of Child Support	prof fees	250.00
One Office Solution	prof fees	43.75
Opperman Inc	trucking	2,227.94
Roger Schroeder	travel	68.88
Schoenfish & Co	prof fees	950.00
Schuurmans Farm Supply	repair	185.08
Taser International	supplies	427.50
Ultramax	supplies	125.00
Wagner Super Foods	supplies	58.87
Wipf & Cotton	prof fees	1,200.00
Yankton Sioux Tribe	deposit refund	300.00

WATER

Brian Henrichs	meter refund	10.49
Leslie Stillion	meter refund	25.00
Pitney Bowes Global	lease pymt	327.00
Randall Community Water	water	13,851.80
SPN & Associates	prof fees	1,500.00
Tara St. Pierre	meter refund	39.48

SEWER

SD Dept of Revenue	prof fees	232.00
USDA	loan pymt	1,969.00

VARIED

AFLAC	insurance	580.76
AT&T	phone	235.83
Bomgaars	supplies	765.55
Card Services	supplies	304.32
First Dakota Bank	petty cash	250.03
Fort Randall Telephone	phone	689.71
Great America Financial	lease	206.07
Northwestern Energy	electricity	8,872.28
Pechous Publications	legals	408.36
Quill	supplies	305.22
SD Govt Finance Officers Assoc	registration	225.00
SD Human Resource Assoc.	registration	150.00
Transamerica	insurance	137.20
Voyager Fleet	gas	1,419.17
Wagner Printing	supplies	132.20

INCIDENTAL VOUCHERS

SD Retirement

retirement

5,490.34

DEPARTMENT REPORTS

The old state shed will be demolished sometime in June 2016, pending weather and scheduling with Wagner Building & Supply.

OLD BUSINESS

ORDINANCE NO. 2016-03

AN ORDINANCE PROHIBITING EXCESSIVE NOISES AND THE USE OF DYNAMIC BRAKING DEVICES WITHIN THE CITY OF WAGNER, CHARLES MIX COUNTY, SOUTH DAKOTA

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

Section 1. **PURPOSE.** The purpose of this ordinance is to prohibit any person or entity from producing or causing excessive noises, or from using dynamic braking devices, within the City of Wagner, Charles Mix County, South Dakota.

Section 2. **EXCESSIVE NOISES.** It shall be unlawful for any person or entity to willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Section 3. **STANDARDS.** The standards which may be considered in determining whether a violation of the provisions of this section exists may include, but are not limited to, the following:

1. The level of the noise;
2. Whether the nature of the noise is usual or unusual;
3. Whether the origin of the noise is natural or unnatural;
4. The level and intensity of the background noise, if any;
5. The proximity of the noise to residential sleeping facilities;
6. The nature and zoning of the area within which the noise emanates;
7. The density of the inhabitation of the area within which the noise emanates;
8. The time of the day or night the noise occurs;
9. The duration of the noise; and,
10. Whether the noise is recurrent, intermittent, or constant.

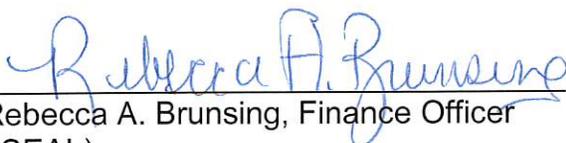
Section 4. Dynamic Braking Device. It shall be unlawful to operate a dynamic braking device (commonly referred to as Jacobs Brake) on any motor vehicle, except to avert imminent danger, within the City limits of the City of Wagner, SD. This device converts the internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

Section 5. Penalty. Any person or entity that shall be found to have violated the terms of this ordinance by either causing excessive noises, or by using a dynamic braking system, within the city limits of Wagner, SD shall be guilty of an offense as provided by the Wagner Municipal Code and shall be subject to a fine of \$200.00.



Roger Schroeder, Council President

ATTEST:



Rebecca A. Brunsing, Finance Officer
(SEAL)

The motion for the adoption of the foregoing ordinance was made by Beeson seconded by Fredrich. Upon roll call vote being taken, those voting AYE: Cuka, Honomichl, Beeson, Fredrich and Schroeder. Those voting NAY: Johannsen. Absent: None. Those abstaining: None. Motion carried. Thereupon the Council President declared Ordinance No. 2016-03 duly passed and adopted, affixed his signature thereto in approval thereof and directed the same to be published in the official newspaper.

First Reading: March 7th, 2016
Second Reading and Adoption: April 4th, 2016
Effective Date: May 3rd, 2016
Published: April 13th, 2016

Ordinance No. 2015-05, Amending Wagner Zoning Ordinance, to include a new chapter titled:

EXTRATERRITORIAL ZONING REGULATIONS

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 fifty (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.

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 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.

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 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 (¼) line and each one sixteenth (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 1805 City of Wagner Planning Commission

"...no more than two (2) terms shall expire in the same year. At such a time the City invokes extraterritorial zoning jurisdiction (ETJ) no more than three (3) persons shall be appointed to represent the ETJ area. Their terms and duties shall be as provided herein though business and voting rights are limited to actions occurring within the ETJ area. Meetings shall be regularly..."

Section 1901 Members, Terms, Meetings, and Rules

"...no more than two (2) terms shall expire in the same year. At such a time the City invokes extraterritorial zoning jurisdiction (ETJ) no more than three (3) persons shall be appointed to represent the ETJ area. Their terms and duties shall be as provided herein though business and voting rights are limited to actions occurring within the ETJ area. Meetings shall be regularly..."

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;
9. Signs, easement and utility;
10. Signs, exterior off-site, Pursuant to Section **1618**;
11. Signs, flag;
12. Signs, name and address plate;
13. Signs, on-site;
14. Signs, real estate; and
15. Stock dams.

Section 2607 Conditional Uses

After the provisions of this Ordinance relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in an Agricultural-Residential District (AR):

1. Agricultural, fertilizer, and chemical sales and applications;
2. Agricultural product processing facilities;
3. Aquaculture;
4. Bars;
5. Bed and breakfast operations;
6. Campgrounds;
7. Churches;
8. Construction services;
9. Day cares, group family home;
10. Dwellings, additional farm in excess of one (1), Pursuant to Section **1637**;
11. Exterior storage facilities;
12. Feed mills;
13. Fireworks sales;
14. Game farms;
15. Game lodges;
16. Golf courses;
17. Grain elevators;
18. Grain storage (temporary);
19. Greenhouses;
20. Kennels;
21. Landscaping sales and services;
22. Manufactured homes, Pursuant to Section **1626**;
23. Manufacturing, light;
24. Municipal, commercial, or residential central containment, sewage disposal, treatment, or application sites;
25. Open sales areas;

26. Outdoor shooting/archery ranges;
27. Parks;
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 2009(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 2609 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 Chapter 17 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:

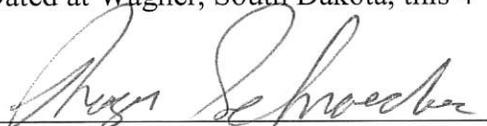
A. Public Wells	1,000 feet
B. Private Wells	250 feet
C. Private Wells (Operator's)	150 feet

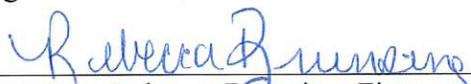
D. Lakes, Rivers, Steams Classified as a Public Drinking Water Supply	1,000 feet
E. Lakes, Rivers and Streams Classified as Fisheries	660 feet
F. All Public Road Right-of-ways (Surface Applied)	10 feet
G. All Public Road Right-of-ways (Irrigated Application)	100 feet
H. Wagner City Limits (Surface Applied)	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.

Dated at Wagner, South Dakota, this 4th day of April 2016


 Roger Schroeder, Council President


 ATTEST: Rebecca Brunsing, Finance Officer

The motion for the adoption of the foregoing ordinance was made by Johannsen seconded by Cuka, and upon roll call vote being taken thereon the following voted AYE: Cuka, Honomichl, Beeson, Fredrich, Schroeder and Johannsen. The following voted NAY: None. Absent: None. The following abstained: None. Motion carried. Whereupon said Ordinance No. 2015-05 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.

First Reading: May 18th, 2016
 Second Reading and Adoption: April 4th, 2016
 Effective Date: May 3rd, 2016
 Published: April 13th, 2016

This being the time and place for a public hearing for a special event license for the Wagner Labor Day Committee for September 2nd, 3rd, and 4th, 2016 for the annual Labor Day Celebration. There being no one present opposed to the license, a motion was made by Johannsen, second by Cuka to approve the special event license for the Wagner Labor Day Committee for September 2nd, 3rd, and 4th, 2106 for the annual Labor Day Celebration. All voted aye, motion carried.

This being the time and place for a public hearing for a transfer of an on-off sale malt beverage license from Weisser Oil, Inc to Mid Towne Oil and Wash, LLC. There being no one present opposed to the license, a motion was made by Cuka, second by Honomichl to approve the transfer from Weisser Oil, Inc to Mid Towne Oil and Wash, LLC. All voted aye, motion carried.

The Finance Officer informed the council that the bond closing for the Front Avenue SE /1st Street SE Utility Improvement Project will be on April 19th, 2016 at 1:00 pm at City Hall. The interest rate decreased once again for the 2nd quarter coming in at 2.25%.

The abandoned/loose dog agreement with Northwest Vet was tabled until the May 2016 meeting.

NEW BUSINESS

A motion was made by Beeson, second by Johannsen to approve a \$500.00 donation of funds to the Wagner Spring Baseball programs. All voted aye, motion carried.

An easement for electrical underground utilities from Charles Mix Electric was presented to the Council. From time to time jurisdiction areas between Northwestern Energy and Charles Mix Electric are reviewed and Charles Mix Electric now has the territory of the airport. CME needs to trench and bury electric line on airport property that will run along the inside of north airport fence. A motion was made by Cuka, second by Beeson to approve the easement. Four voted aye, Johannsen and Fredrich voted nay, motion carried.

The Finance Officer updated the council about a program/service to reach Wagner residents with important announcements. This would be similar to the school reach system that the Wagner Community School uses. The cost would be \$2,000.00 per year for a three year contract. This would include, the set-up and training, unlimited emergency and general calling, unlimited email, text and social media messaging, unlimited mobile app notifications, initial residential and business calling database supplied by ECN. If approved by the Chamber of Commerce and Wagner Area Growth, this would be a cost share venture. The city's share per year would be \$900.00 per year. Discussion followed. A motion was made by Johannsen, second by Honomichl to approve the Code Red message system. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to approve the free dump coupon was Wagner water customers effective April 14th, 2016 through May 30th, 2016. All voted aye, motion carried.

The discussion of curb and gutter replacement on Main Street was tabled until the May 2016 meeting.

A motion was made by Cuka, second by Honomichl to a quote from Wagner Building & Supply for new flooring for the commodity warehouse building offices, hallway and front counter area in the amount of \$4,087.00. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to approve the purchase of five Motorola Portable Radios from B & L Communications in the amount of \$3,120.00. All voted aye, motion carried.

A motion was made by Beeson, second by Cuka to approve the annual report for 2015. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Fredrich, second by Honomichl to enter into executive session at 8:08 pm for personnel pursuant to SDCL 1-25-2 (1), proprietary business SDCL 1-25-2 (5), and litigation SDCL 1-25-2 (3). All voted aye, motion carried.

The President of the Council declared the Council out of executive session at 8:25 pm.

A motion was made by Johannsen, second by Fredrich to approve appraisal services for \$3,000.00 for services at the airport. All voted aye, motion carried.

A motion was made Cuka, second by Beeson adjourn the meeting at 8:25 pm. All voted aye, motion carried.

APPROVED 
Roger Schroeder, 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 regular May meeting was held on Monday, May 2nd, 2016 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, Scott Honomichl, Tom Beeson, Ron Fredrich and Roger Schroeder. Absent: Todd Johannsen.

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 Schroeder, second by Beeson to approve the May agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Honomichl to approve the regular meeting minutes from April 4th, 2016. All voted aye, motion carried.

A motion was made by Fredrich, second by Schroeder to approve the financial statements for April 2016 and the claims for May 2016. All voted aye, motion carried.

MAY 2016

SALARIES: ADMINISTRATION--\$5,287.45; BUILDINGS--\$1,865.10; BUILDINGS-ARMORY--\$1,407.00; POLICE--\$17,547.68; STREETS--\$4,327.36; LIBRARY--\$4,414.16; HRC-URBAN REDEVELOPMENT--\$775.00; WATER-\$4,568.73; SEWER--\$2,814.54; WITHHOLDING/SOCIAL SECURITY--\$11,395.25; SD UNEMPLOYMENT--\$883.54.

GENERAL

B & L Communication	portable radios	3,499.50
Bomgaars	supplies	536.72
Buches	supplies	39.99
Card Services	supplies	258.21
Century Link	phone	58.42
Charles Mix Law	prisoner housing	10.00
City of Wagner	water	350.60
Commercial Asphalt	repairs	627.75
Country Pride	fuel	647.92
Current Solutions	repair	130.57
DGR Engineering	prof fees	2,722.45
Fed Ex	postage	11.74
Frieberg, Nelson & Ask	prof fees	26.00
Helms & Associates	prof fees	427.50
Ingram	books	270.14
International Code Council	dues	135.00
John Otte	prof fees	825.00
King Koin Laundry	prof fees	242.50
Macs	supplies	178.00
Office of Child Support	prof fees	250.00

One Office Solution	prof fees	43.76
Potomac Aviation	prof fees	250.00
RDO Equipment	repairs	4,375.71
Rog's Auto	repairs	119.12
Russell Brown	supplies	250.00
SD Federal Property Agency	supplies	40.00
Shopko	supplies	78.13
Sioux Sales	supplies	32.00
Spencer Quarries	supplies	1,402.60
Wagner Auto Supply	supplies	372.20
Wagner Building & Supply	supplies	973.96
Wells Fargo	loan pymt	17,278.28
Wipf & Cotton	prof fees	1,450.00
Van Diest Supply	supplies	1,040.60
Yankton Sioux Tribe	deposit refund	950.00

WATER

Dakota Supply Group	supplies	273.60
First National Bank	SRF loan	1,458.33
First National Bank	SRF loan	6,250.00
HD Supply Waterworks	supplies	514.20
Jonathan Owen	meter refund	44.19
Nicole Lopez	meter refund	14.18
Randall Community Water	water	12,943.60
Sara Dvoracek	meter refund	33.38
The Crossroads	travel	230.97

SEWER

First National Bank	SRF loan	2,358.30
SD Dept of Revenue	prof fees	260.00
USDA	loan pymt	1,969.00

VARIED

AT&T	phone	238.28
First Dakota Bank	petty cash	590.67
Fort Randall Telephone	phone	689.71
Great America Financial	lease	165.55
Northwestern Energy	electricity	4,545.96
Pechous Publications	legals	1,271.50
Quill	supplies	1,148.83
Transamerica	insurance	137.20
Voyager Fleet	gas	1,571.06
Wagner Printing	supplies	132.20

INCIDENTAL VOUCHERS

Commercial State Bank	loan & int	1,774,496.44
Dakotacare	insurance	6,319.62
Northwestern Energy	electricity	153.50
MC&R Pools	registration	310.00
S & K Truck Wash	repairs	35.00

SD Retirement	retirement	5,529.84
SD One Call	prof fees	34.65
Supplemental Retirement	retirement	150.00
Unum Life Insurance	insurance	144.64

DEPARTMENT REPORTS

The Street Superintendent gave updates on the city wide clean up, paper towels plugging the lagoon pumps, mosquito spraying, and the new concession stand that will be placed at Heines Field.

The Finance Officer gave updates on the insurance claim for the damage to the airport fence, the armory parking lot project and the surplus garage door on the old state shed.

OLD BUSINESS

The abandoned/loose dog agreement with Northwest Vet was tabled until the June 2016 meeting.

The Finance Officer indicated that the USDA Rural Development loan for the 1st Street/Front Avenue Project had been closed at a final interest rate of 2.25 %. The city closed the interim loan with Commercial State Bank in the amount of \$1,754,000.00 and 1.93% interest which was calculated in the amount of \$20,496.44.

An update was given on the city maintenance building and the council gave the consensus to pay the final \$4,000.00 owed to Summit Contracting.

The Mayor declared the adjournment of the Council at 7:26 pm.

The Council reconvened for reorganization at 7:26 pm.

Presentations of Certificates of Election were presented to Scott Honomichl, Ward 1, Ron Fredrich, Ward 2 and Roger Schroeder, Ward 3.

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 Council President. Fredrich made a motion, seconded by Honomichl that nominations cease and cast a unanimous ballot. Upon roll call vote being taking, the following voted AYE: Cuka, Honomichl, Beeson, Fredrich, and Schroeder. The following voted NAY: None. The following abstained: None. The following were absent: Johannsen. Motion carried.

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

A motion was made by Schroeder, second by Beeson to approve the Mayor Assignments. All voted aye, motion carried.

MAYOR'S ASSIGNMENTS

2016

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
Scott Honomichl

PARKS & RECREATION & LIBRARY DEPT:

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

Scott Honomichl
Todd Johannsen

AIRPORT, BUILDINGS, LIQUOR DEPT, & CITY LEASES:

Liquor Agreements, Boys & Girls Club,
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

Officers:

Tim Simonsen
Desa'Rae Gravatt, Brian McGuire, Jerry Renken,
Cody Braun, Gene Niehus and Richy Sully.

FINANCE OFFICER:

Deputy Finance Officer:
City Clerk:

Rebecca Brunsing
Marilee Krcil
Lisa Peters

CITY ATTORNEY:

Wipf & Cotton Law Firm; Ken Cotton

CITY ENGINEER: SPN & Associates, Helms & Associates, and DGR Engineers.

CITY HALL/ARMORY CUSTODIAN: Russell Brown

STREET SUPERINTENDENT: Larry Blaha

WATER & WASTEWATER UTILITY OPERATOR: Vacant

CITY MAINTENANCE EMPLOYEES: Michael Kazena

CODE ENFORCEMENT: Geoff Fillingsness

LIBRARIAN: Anne Podhradsky
Library Aide: Nancy Reinbold

ARMORY BOARD: Scott Honomichl, Council Representative; Linda Foos, School Representative.

LIBRARY BOARD: Scott Honomichl, Council Representative; Guriene McGuire; Brad Roth; Sylvia Beeson, Jan Twitero and Sue Larson.

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

Citizens were present concerning a neighborhood watch program. Concerns and ideas for stopping vandalism and crime were discussed. A committee of citizens was formed and they plan on fundraising to purchase more security cameras for Main Street and the alleys.

Scott Alderink and Derrick Marks were present concerning a youth music event that the Lighthouse Ministries Church will be sponsoring. They were asking the city's permission to block off Main Street from 1st Street to 2nd Street on Saturday, May 28th from approximately 5:00 pm to 10:00 pm. The live band will be located in the AT&T parking lot. The Council gave permission and wished the group well for a successful event.

Kelsey Doom, Wagner Area Growth, was present to give the Council an update.

Joe Blaha was present to request assistance from the city for the boys youth baseball program. A motion was made by Schroeder, second by Cuka to donate \$1,500.00 for the three teams, Wee Pees, Pee Wees and the Midgets baseball program. All voted aye, motion carried.

Pat Breen was present to request assistance from the city for the girl's four softball teams. A motion was made by Fredrich, second by Schroeder to donated \$2,000.00 for the girl's softball program. All voted aye, motion carried.

A request was presented to the Council for the American Legion Greer Post #11 Baseball program. A motion was made by Schroeder, second by Beeson to donate \$500.00 to the American Legion Baseball program. All voted aye, motion carried.

There was general discussion of sump pumps in Wagner.

There was a brief discussion of the platting of streets in east Wagner. This issue will be discussed in more length at the June 2016 Council meeting.

A motion as made by Cuka, second by Fredrich to approve for publication a public hearing for a special event alcoholic beverage license for the Wagner Saddle Club for September 3rd and 4th, 2016 at the Wagner Rodeo Grounds and set the date for the public hearing on June 6th, 2016 at 7:00 pm at Wagner City Hall. All voted aye, motion carried.

A motion was made by Beeson, second by Schroeder to approve the following malt beverage licenses: K's Qwik Stop, Shopko Hometown Stores, Casey's General Stores, Buches Foods, Bob's Liquor, Wagner Super Food Grocery, Wagner Super Foods Liquor, Valley Pump and Casino, Mid Towne Oil and Lash, LLC. All voted aye, motion carried.

EXECUTIVE SESSION

A motion was made by Beeson, second by Honomichl to enter into executive session at 8:47 pm for personnel pursuant to SDCL 1-25-2 (1), proprietary business SDCL 1-25-2 (5), and litigation SDCL 1-25-2 (3). All voted aye, motion carried.

The Mayor declared the Council out of executive session at 9:10 pm.

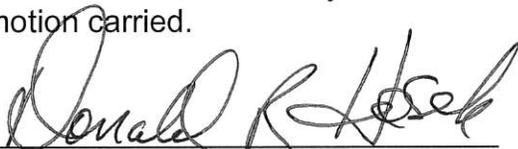
There was a brief discussion on sump pumps again.

A motion was made by Beeson, second by Schroeder to hire Troy Mattis for the Water Wastewater Utility Operator position at \$18.00 per hour. All voted aye, motion carried.

A motion was made by Cuka, second by Fredrich to hire Megan Merkwan as a lifeguard at \$9.00 per hour. All voted aye, motion carried.

A motion was made Beeson, second by Honomichl to adjourn the meeting at 9:16 pm. All voted aye, motion carried.

APPROVED


Donald R, Hosek, Mayor

Attest:


Rebecca Brunsing, 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, the City Council reconvened at 5:37 pm for a special May meeting held on Monday, May 23rd, 2016 at the Wagner City Hall. Present were: Finance Officer, Rebecca Brunsing, Mayor, Donald R. Hosek, and the following councilpersons: Ron Cuka, Scott Honomichl, Tom Beeson, Ron Fredrich, Roger Schroeder and Todd Johannsen. Absent: None.

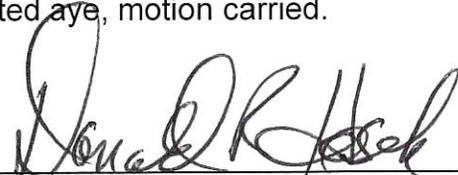
A motion was made by Honomichl, second by Johannsen to approve the agenda. All voted aye, motion carried.

Currently, the armory board had hired an engineer to look at the sidewalks and parking lot for the armory. After estimates were presented in a two phase project, the school board approved phase one for their next year's budget. Discussion followed. A motion was made by Beeson, second by Honomichl to approve the phase one for bidding in the 2017 budget year for the armory parking lot. Five voted aye, Johannsen voted nay, motion carried.

There was discussion of the grass near the airport runway that is not part of the Ag lease. Due to the extreme wet weather this spring the grass is too tall to mow with the rotary mower. It has been approved with the FAA that the grass could be cut and baled, with the conditions that a NOTAM be issued when mowing and baling, that no farm equipment be driven on the runaway and the bales be immediately removed after baled. The consensus of the council was that this will be allowed once, so mowing can be manageable after the baling.

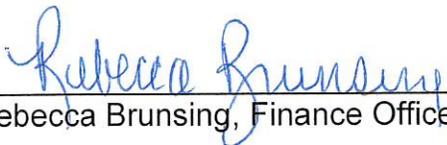
A motion was made by Johannsen, second by Schroeder to adjourn the meeting at 5:56 pm. All voted aye, motion carried.

Approved



Donald R. Hosek

Attest



Rebecca Brunsing, 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, the regular June meeting was held on Monday, June 6th 2016 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, Scott Honomichl, Tom Beeson, Ron Fredrich Roger Schroeder and Todd Johannsen. 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 Beeson, second by Schroeder to approve the June agenda. All voted aye, motion carried.

A motion was made by Cuka, second by Honomichl to approve the regular meeting minutes from May 2nd, 2016, special meeting minutes of May 23rd, 2016 and board of adjustment minutes of May 23rd, 2016. All voted aye, motion carried.

A motion was made by Fredrich, second by Johannsen to approve the financial statements for May 2016 and the claims for June 2016. All voted aye, motion carried.

JUNE 2016

SALARIES: ADMINISTRATION--\$4,677.53; BUILDINGS--\$1,478.27; BUILDINGS-ARMORY--\$1,115.18; POLICE--\$16,671.13; STREETS--\$3,819.81; LIBRARY--\$3,866.54; HRC-URBAN REDEVELOPMENT--\$122.50; WATER-\$3,892.82; SEWER--\$2,460.80; WITHHOLDING/SOCIAL SECURITY--\$9,353.12.

GENERAL

B & L Communication	portable radios	558.20
Best Western-Pierre	travel	367.96
Best Western-Sioux Falls	travel	55.00
Buches	supplies	116.36
Caseys	fuel	27.84
Century Link	phone	70.67
Charles Mix Law	prisoner housing	10.00
Chips Construction	prof fees	875.00
City of Wagner	water	647.99
Current Solutions	repair	1,533.07
Dash Medical	supplies	182.70
Dave's Service	repair	396.50
DeWald Deaver Law Firm	deposit refund	300.00
DGR Engineering	prof fees	991.50
DJ Anderson	supplies	317.99
DK Flooring	comm. Bldg	1,997.50

ELifeguard	supplies	489.13
Fed Ex	postage	11.74
Graham Tire	supplies	506.00
Honomichl Design	repair	8.07
Ingram	books	286.30
Intoximeters	supplies	253.15
John Otte	prof fees	825.00
King Koin Laundry	prof fees	343.50
Mark's Machinery	supplies	13.50
MidTowne Oil & Wash	repair	25.60
Muth Electric	stop light repair	915.02
Myers Sanitation	garbage	1,575.00
Northwest Vet	prof fees	21.05
ONeill Pest Control	prof fees	50.00
Office of Child Support	prof fees	250.00
One Office Solution	prof fees	36.92
Penny Walrath	deposit refund	200.00
Penworthy	supplies	78.41
Pheasantland Industries	supplies	93.98
Quill	supplies	220.48
Recreation Supply	supplies	423.31
Rog's Auto	repairs	167.56
SD DOT	prof fees	1,987.69
SD Municipal League	registration	25.00
Shopko	supplies	87.72
Sioux City Foundry	supplies	469.57
Sioux Sales	supplies	16.45
Sirchie	supplies	65.94
Summit Supply	supplies	231.00
The Lodge	travel	237.00
Spencer Quarries	supplies	1,402.60
Wagner Building & Supply	supplies	9,517.58
Wagner Super Foods	supplies	23.78
Wipf & Cotton	prof fees	850.00

WATER

DENR	prof fees	600.00
Emergency Comm Network	CodeRed	2,000.00
Judy Greger	meter refund	25.00
Leander Saunsoci	meter refund	150.00
Lillian Clemens	meter refund	25.00
Linda Syfie	meter refund	15.00
Patty Hudson	meter refund	100.00
Randall Community Water	water	13,230.50
Rita Kocer	meter refund	100.00
Riteway Business Forms	supplies	294.24

Wagner Printing	supplies	39.95
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SEWER

Meierhenry Sargent LLP	prof fees	17,540.00
Menning Backhoe	improvements	39,775.65
SPN	prof fees	8,666.40
SD Dept of Revenue	prof fees	441.00
SD Public Assurance Alliance	insurance	166.00
USDA	loan pymt	1,969.00
USDA	loan pymt	5,561.00

VARIED

AFLAC	insurance	580.76
AT&T	phone	237.65
Bomgaars	supplies	445.81
C & B Operations	repairs	381.90
Card Services	prof fees	836.45
Country Pride	supplies	276.80
First Dakota Bank	petty cash	345.58
Fort Randall Telephone	phone	781.24
Great America Financial	lease	146.88
Northwestern Energy	electricity	8,297.59
Pechous Publications	legals	342.46
Reserve Acct	postage	1,000.00
Transamerica	insurance	137.20
Valley Pump	gas	695.75
Voyager Fleet	gas	1,632.27

INCIDENTAL VOUCHERS

AFLAC	insurance	580.76
Dakotacare	insurance	6,821.75
Gerstner Oil	fuel at airport	7,158.00
Northwestern Energy	electricity	244.67
Quill Corp	supplies	1,271.52
Shopko	supplies	35.18
SD Retirement	retirement	5,030.68
Supplemental Retirement	retirement	150.00
Unum Life Insurance	insurance	159.13

DEPARTMENT REPORTS

Various updates were given on the swimming pool, recreation, airport and street project.

OLD BUSINESS

This being the time and place for a public hearing for a special event alcoholic beverage license for the Wagner Saddle Club for September 3rd and 4th, 2016 at the Wagner Rode Grounds. There being no one present opposed to the license, a motion was made by Cuka second by Johannsen to approve the special event license for the Wagner Saddle Club. All voted aye, motion carried.

There were no quotes received for the surplus commercial garage door from the old state shed.

NEW BUSINESS

A motion was made by Johannsen, second by Beeson to approve for permission to advertise for bids for the cross-wind runway and taxilane rehabilitation project and approval for the Mayor to sign the grant application. All voted aye, motion carried.

The regular July council meeting was set for Tuesday, July 5th, 2016 at 7 pm at City Hall.

A motion was made by Fredrich, second by Cuka to place Ordinance No. 2016-04, revising/repealing Chapter 2-2 Dogs and Cats and Chapter 2-3, City Pound on its first reading. Upon roll call vote being taken the following voted aye: Cuka, Honomichl, Beeson, Fredrich, Schroeder and Johannsen. The following voted nay: none. The following abstained: none. Motion carried.

A motion was made by Schroeder, second by Beeson to approve a request of funds for the Rural Office of Community Services in the amount of \$1,500.00. All voted aye, motion carried.

A motion was made by Schroeder, second by Johannsen to approve pay request #7 for Menning Backhoe in the amount of \$39,775.65. All voted aye, motion carried.

A motion was made by Beeson, second by Scott to approve the bidding of the armory parking lot/sidewalk, curb and gutter project for late fall/early spring, construction to begin in 2017. Five voted aye, Johannsen voted nay, motion carried.

A motion was made by Johannsen, second by Beeson to approve the following Mayor appointments to the Housing and Redevelopment Commission Board: Scott Podhradsky, 1 year; Ken McEntee, 2 years; Jerry Barnett, secretary 3 years; and Dave Isebrands, 4 years; and one position is vacant. All voted aye, motion carried.

A motion was made by Schroeder second by Fredrich to increase the petty cash from \$500.00 to \$750.00. All voted aye, motion carried.

RESOLUTION NO. 2016-02

WHEREAS, Southern Missouri Recycling & Waste Management District, a South Dakota Political Subdivision, has adopted its Resolution #2016-1 which reduces the Management Board of the said District from eleven elected members to seven elected members; and

WHEREAS, it was necessary for the Full Member Board consisting of the 21 municipalities and four counties making up said District to ratify and confirm and agree to the reduction of the District's Management Board from eleven members to seven members;

NOW THEREFORE, BE IT RESOLVED, that the City of Wagner hereby ratifies, confirms and agrees to the reduction of the District's Management Board as stated above.

Date this 6th day of June 2016.

City of Wagner

By: 
Donald R. Hosek, Mayor

Attest:


Rebecca Brunsing, Finance Officer

Said Resolution was moved for adoption by Johannsen, second by Schroeder and upon due discussion thereon, was adopted by the City Council of Wagner at the June 6th meeting of the said City Council, there being a quorum present at said meeting.

All in Favor: Johannsen, Schroeder, Fredrich, Beeson, Honomichl, and Cuka.

All opposed: None.

Published Date: June 15th, 2016

Effective Date: July 5th, 2016

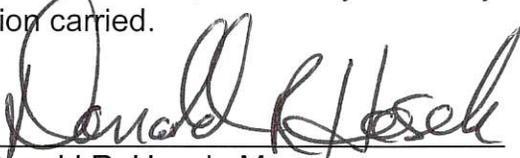
EXECUTIVE SESSION

A motion was made by Beeson, second by Honomichl to enter into executive session at 8:15 pm for personnel pursuant to SDCL 1-25-2 (1), proprietary business SDCL 1-25-2 (5), and litigation SDCL 1-25-2 (3). All voted aye, motion carried.

The Mayor declared the Council out of executive session at 8:38 pm.

A motion was made Fredrich; second by Cuka adjourn the meeting at 8:38 pm. All voted aye, motion carried.

APPROVED


Donald R. Hosek, Mayor

Attest:


Rebecca Brunsing, Finance Officer

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