

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
November 7th, 2016**

Mayor Jared Carson called to order the first meeting of the Common Council for the month of November, 2016 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer, Blom and Schleining. City Attorney Chris Beesley was also present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Fischer moved, with a second by Councilperson Blom, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Heinrich, to approve the minutes from the October 17th regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

Mayor Carson stated he had a conflict of interest with the Vacation Home Rental Survey and Liquor & Wine License Renewals. Councilperson Maciejewski stated he had a conflict of interest with the Liquor & Wine License Renewals. No other conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, mentioned that he has been working on the presentation for the Eleventh Street bridge and pedestrian walkway project to be presented in Pierre as the next step in the TAP grant application process. Bob also mentioned the upcoming Safety Conference that Kim and him will be attending, in addition to the status of the water treatment evaluation working that being done by AE2S Engineering.

Laurie Woodward, Finance Officer, mentioned that September sales tax was down 9.58% from last year and the year to date sales tax is down 3.32%. She also mentioned the Mayor, Sheriff and herself meet with Battle Mountain Humane Society to discuss how the animal control contract was working. It was also mentioned that if Council has questions on the law enforcement spreadsheets and financial spreadsheets to let her know.

PUBLIC HEARING – MALT BEVERAGE LICENSE TRANSFER & NEW WINE LICENSE – CALAMITY JANE WINERY

Councilperson Schleining moved to approve the retail on-off sale malt beverage & SD farm wine license transfer and new on-off sale wine license for Calamity Jane Winery & Mercantile Inc, contingent upon proof of insurance being provided and background check being completed. Seconded by Councilperson Nielsen, the motion unanimously carried.

Mayor Carson and Councilperson Maciejewski left the meeting at 5:36 pm.

PUBLIC HEARING – LIQUOR & WINE LICENSE RENEWALS

Councilperson Nielsen moved to approve the liquor and wine licenses (twenty licenses) for renewal for 2017 contingent upon receiving proof of insurance, current operating agreements being signed and all financial obligations with the City being paid current, with the except of the VFW license to allow for a meeting to clarify some information. Seconded by Councilperson Blom, the motion unanimously carried.

Councilperson Maciejewski rejoined the meeting at 5:38 pm.

VACATION HOME RENTAL SURVEY

After some discussion, Councilperson Fischer moved to abandon the vacation home rental survey and let the Planning Commission review the issue and work through the ordinance and/or possible solution. Seconded by Councilperson Nielson, the motion unanimously carried.

Mayor Carson rejoined the meeting at 6:13 pm.

FIRST READING – ORDINANCE #778 – WATER RATES

Councilperson Fischer moved to approve the first reading of Ordinance #778, Water Rates. Seconded by Councilperson Maciejewski, the motion unanimously carried.

SECOND READING – ORDINANCE #779 – WASTEWATER RATES

Councilperson Maciejewski moved to adopt Ordinance #779, Wastewater Rates. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Blom and Schleining voting yes.

SECOND READING – ORDINANCE #780 – SERVICE REDUCTION RATES

Councilperson Nielsen moved to adopt Ordinance #780, Service Reduction Rates. Seconded by Councilperson Schleining, the motion carried with Councilperson Heinrich, Nielsen, Fischer, Blom, Schleining and Maciejewski voting yes.

SECOND READING – ORDINANCE #781 – 2016 SUPPLEMENTAL APPROPRIATION

Councilperson Schleining moved to adopt Ordinance #781, 2016 Supplemental Appropriation. Seconded by Councilperson Nielsen, the motion carried with Councilperson Nielsen, Fischer, Blom, Schleining, Maciejewski and Heinrich voting yes.

RESOLUTION #11-07-16A – PERSONNEL MANUAL – PUBLIC WORKS DEPARTMENT WORKING FOREMAN POSITION DESCRIPTION

Councilperson Schleining moved to adopt Resolution #11-07-16A, Personnel Manual . Public Works Department Working Foreman Position Description. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION # 11-07-16A

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 6-06-16B; and

WHEREAS, the Common Council of the City of Custer City has determined that a Public Works Department Working Foreman position description is necessary and desirable.

WHEREAS, the Common Council of the City of Custer City has determined that the Park Supervisor position is no longer desirable.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit ~~A~~, Public Works Department Working Foreman Position Description, as though set forth in full herein, and adopted by reference; and the Park Supervisor position removed.

Dated this 7th day of November, 2016

City of Custer City

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #11-07-16B – ADOPTING WEST DAM EMERGENCY ACTION PLAN

Councilperson Heinrich moved to adopt Resolution #11-07-16B, Adopting West Dam Emergency Action Plan. Seconded by Councilperson Maciejewski, the motion unanimously carried.

RESOLUTION # 11-07-16B

RESOLUTION ADOPTING THE CUSTER CITY WEST DAM
EMERGENCY ACTION PLAN

WHEREAS, the City of Custer West Dam Emergency Action Plan (EAP) has been prepared;

WHEREAS, Custer County and South Dakota Department of Environment & Natural Resources has been afforded the opportunity to participate, comment, and provide input in the plan content and mitigation strategies; and

WHEREAS, Custer County and South Dakota Department of Environment & Natural Resources has reviewed and signed off on the Emergency Action Plan; and

WHEREAS, the City of Custer will annually review and update as necessary the Emergency Action Plan.

NOW THEREFORE BE IT RESOLVED by the Custer City Council that it adopts the Custer City West Dam Emergency Action Plan, and resolves to participate in the accomplishments of the actions therein.

Dated this 7th day of November, 2016

City of Custer City

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

DEER COUNT

Public Works Director, Bob Morrison, presented the deer survey worksheet to Council, which compared the deer count from last year to this year. After reviewing the numbers with Council, Mr. Morrison stated he didn't feel it necessary to implement the deer management process for this year.

CLAIMS

Councilperson Schleining moved, with a second by Councilperson Heinrich, to approve the following claims. The motion unanimously carried.

AE2S, Professional Fees, \$1,960.00

Aflac, Insurance, \$612.75
Banner Associates, Capital Improvements, \$11,409.79
Battle Mountain Humane Society, Animal Control Contract, \$1,600.00
Black Hill Power & Light, Utilities, \$8,386.30
Blom, Kris, Travel, \$75.60
Century Business Products, Supplies, \$296.72
Crazy Horse/Laughing Water, Conference, \$254.83
Chronicle, Publishing, \$1,059.33
Custer Do It Best, Supplies, \$232.12
Custer Industrial, Repair/ Maint, \$129.00
Custer Regional Medical Clinic, Safety, \$18.00
Delta Dental, Insurance, \$268.30
EFTPS, Taxes, \$14,091.47
First Interstate Bank, Utilities, Supplies, Repair & Maintenance, \$1,623.94
French Creek Supply, Supplies, \$224.22
Frontier Photo, Safety, \$110.00
First Interstate Bank, Supplies, \$48.30
Green Owl Media, Professional Fees, \$255.00
Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$100.00
Hawkins, Supplies, \$6,047.49
Kimball Midwest, Supplies, \$268.80
Lasting Impressions Unlimited, Supplies, \$315.00
Leo's Auto Repair, Repair & Maintenance, \$20.00
Petty Cash, Supplies, \$475.25
Quill, Supplies, \$49.00
Paypal, Supplies, \$268.71
Rancher's Feed and Supply, Utilities, \$1,122.40
Rapid Delivery, Professional Fees, \$37.95
Sanders Sanitation, Capital Improvements, Repair & Maintenance, \$440.00
Servall, Repair & Maintenance, \$161.01
State of SD, Sales, Tax, \$1,053.12
SD Retirement System, \$6,082.84
Supplement Retirement, \$345.00
Us Department of Treasury, Deductions, \$142.55
Wellmark, Insurance, \$10,585.01
Mayor & Council, \$4,400.00
Finance Department, \$10,892.25
Public Buildings, \$2,403.94
Planning Department, \$4,879.80
Public Works Department, \$9,865.09
Street Department, \$7,023.58
Parks Department, \$3,367.29
Water Department, \$8,839.85
Wastewater Department, \$5,182.81
Total Claims \$127,166.96

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel per SDCL 1-25-2(1-4) at 6:29 pm, with the Attorney, Public Works Director and Finance Officer present. Seconded by Councilperson Nielsen, the motion unanimously carried. Council came out of executive session at 6:50 pm, with no action taken.

EMPLOYEE STEP INCREASE

Councilperson Fischer moved to approve the step increase for John Cotner to Step 2, off probation, at \$15.09 per hour effective October 31, 2016. Seconded by Councilperson Schleining, the motion unanimously carried.

EMPLOYEE JOB TITLE CHANGE

Councilperson Schleining moved to approve a job title change for Tim Wollaston to Public Works Department Working Foreman effective November 7, 2016 at his current rate of pay, as the Public Works Department Working Foreman position will replace the Parks Supervisor position. Seconded by Councilperson Blom, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 6:52 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor