

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
July 3rd, 2017**

Mayor Jared Carson called to order the first meeting of the Common Council for the month of July, 2017 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer and Blom. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Nielsen moved to approve the agenda. Second by Councilperson Blom, the motion unanimously carried.

MINUTES

Councilperson Maciejewski moved, with a second by Councilperson Nielsen, to approve the minutes from the June 19th regular council meeting. The motion unanimously carried.

OATH OF OFFICE & COUNCIL PRESIDENT & VICE PRESIDENT

Mayor Carson was presented with a plaque for his services.

Corbin Herman took his Oath of Office for his two-year term as Mayor. Councilperson Jeannie Fischer and Nina Nielsen took their Oath of Office for two-year terms as Councilmembers and Kris Blom took her Oath of Office for one-year term as Councilmember.

Councilperson Fischer moved to nominate Councilperson Maciejewski for Council President. Seconded by Councilperson Nielsen, the motion unanimously carried. Councilperson Maciejewski moved to nominate Councilperson Nielsen for Council Vice President. Seconded by Councilperson Fischer, the motion unanimously carried.

COMMITTEE APPOINTMENTS & ATTORNEY APPOINTMENTS

Mayor Herman appointed Chris Beesley as the City Attorney and Garland Goff as Assistant City Attorney. Attorney Beesley took his Oath of Office.

Councilperson Maciejewski moved to approve the Mayor's appointment of Loren Lyndoe to the Planning Commission as the three-mile representative for a one year term. Seconded by Councilperson Heinrich, the motion unanimously carried.

Councilperson Maciejewski moved to modify the committee list by putting Councilperson Arsenault on the General Government Committee and Councilperson Heinrich on the Public Works Committee. Seconded by Councilperson Heinrich, the motion unanimously carried. Councilperson Fischer moved to approve the Mayor's committee appointments as modified, with the list being on file in the Finance Office. Seconded by Councilperson Blom, the motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

LYNN BOOTH – DAMAGES TO HIS VEHICLE

Lynn Booth presented Council with information regarding his vehicle that was damaged during the storm on June 27th. The City will wait to hear from their insurance company regarding Mr. Booth's claim.

HELPLINE CENTER PRESENTATION

Heidi Bell Gease, Resource Development Specialist with Helpline Center, gave Council an overview of the services provided by the Helpline Center.

RESOLUTION #07-03-17A – GOVERNING BOARD CODE OF CONDUCT

Councilperson Nielsen moved to adopt Resolution #07-03-17A, Governing Board Code of Conduct. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION 7-3-17A

CITY OF CUSTER GOVERNING BOARD CODE OF CONDUCT

WHEREAS, it is the duty of the Common Council of City of Custer to ensure the efficient, fair and professional administration of city government and services;

WHEREAS, the Mayor and City Council are responsible for making policy decisions for the community, provide vision, direction and leadership to the community and the organizations;

WHEREAS, the City Council further represents the Community with other governmental entities and officials;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Custer City that in order to maintain and enhance public trust and confidence in our legal government, to achieve equity and social justice, to affirm human dignity, and to better the quality of life for residents of Custer, the members of the City Council dedicate themselves to the stewardship of the public trust and therefore embrace and adopt the following ideals and Code of Conduct:

Members of the governing board shall:

1. Recognize that the authority vests with the majority of the City Council when assembled in open meetings or executive meetings as authorized by law, that neither the mayor nor individual members of the City Council has legal status to bind the City of Custer, and that neither the Mayor nor an individual council member or a minority of the governing board may make decisions on behalf of the City of Custer unless expressly authorized by law and upon approval of the City Council;
2. Alderpersons serving on the Council for the first time shall attend the first (SDML) elected officials workshop held after their assumption of office, at the expense of the City;
3. Make informed decisions on matters brought before the City Council;
4. Recognize and adhere to the policy that it is the responsibility of the City Council and members of the governing board to plan, make, implement, appraise and enforce ordinances and policy and that it is not the responsibility of the members of the governing board to run the day-to-day operations of the City of Custer;
5. Observe federal laws, state laws, city ordinances and policies;
6. Respect the limited intent and scope of executive sessions as set forth in statute;
7. Shall not publicly disclose information received, discussed, or decided in executive session or in conference with legal counsel which is protected by the attorney/client privilege or has been confidentially disclosed at a meeting held subject to the provisions of SDCL 1-25-2, unless a majority of the members of the City Council has authorized that disclosure or unless a disclosure is authorized by a court of competent jurisdiction.
8. Distinguish between personal views and those of the governing board when making public comments regarding City matters;
9. Present information to the governing board without distortion and accurately represent facts concerning City matters in direct or indirect public statements;
10. Maintain professional relationships in a manner which are free of vindictiveness, recrimination and harassment;
11. Avoid impropriety and the appearance of impropriety in his/her position as an elected official;
12. Refer all public complaints and personal criticisms to the appropriate administrative officer or appointed public official and only after inability to obtain resolution at the administrative level have the complaint or criticism discussed at a Council meeting;
13. Respect the legitimacy of the goals and interests of other members of the governing board and respect the rights of other members of the governing board to pursue goals and policies different from their own;
14. Respect, require and contribute to the maintenance of order and decorum in proceedings before the City Council;
15. Be honest, patient, dignified and courteous to those with whom he/she deals with in his/her official capacity;
16. Dispose promptly of the business of the City for which he/she is responsible and diligently discharge responsibilities;
17. To the maximum extent possible, inform the finance office by 1 p.m. on the Friday preceding a regularly scheduled Monday City Council meeting if the member of the governing board will not be in attendance at the City Council meeting;
18. Refrain from financial, personal, professional and business dealings that interfere with, are in conflict with or give the appearance of being in conflict with the proper performance of official duties;
19. Not exploit the City of Custer or use the office of Mayor or Council member for personal gain, for the gain of friends or supporters, or to promote political candidates or partisan political activities;
20. Not accept nor offer any gratuities, gifts, services or things of value that (a) impair professional judgment, (b) offer special advantage or benefit to any person or organization, or (c) provide a direct or indirect personal benefit.
21. Not commit any act of moral turpitude or gross immorality;
22. Not allow family, social or other relationships to inappropriately influence his/her decisions as a member of the governing board.
23. Regular attendance is expected; missing two consecutive meetings without

- appropriate reasons is not considered regular attendance;
24. Failure to comply with this Code of Conduct may result in sanctions up to and including expulsion.

This Code of Conduct behavior will govern members of the City Council. City Council members are encouraged to self-monitor their behavior and offer constructive recommendations to fellow Council members if necessary. As a member of the City Council, I accept these ideals and policies, and pledge to follow them in the interest and purposes for which our government has been established.

Dated this 3rd day of July, 2017.

CITY OF CUSTER CITY

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

TRUCK BED SANDER QUOTE

Councilperson Blom moved to accept the quote from Fastenal for two truck bed sanders for \$8,332.34. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer and Blom voting yes.

CLAIMS

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

AFLAC, Insurance, \$660.28

AFSCME Council 65, Dues, \$173.26

Battle Mountain Humane Society, Animal Control Contract, \$800.00

Bituminous Paving INC, Capital Improvements, \$93,611.75

Century Business Products, Supplies, \$173.60

Code Works, Professional Fees, \$1,034.06

Custer County Treasurer, Law Enforcement Contract, \$80,000.00

Custer Do It Best, Supplies, \$27.37

Custer Gas, Pre-Paid Utilities, \$26,000.00

Custer Real Estate Sales & Service, Refund, \$275.00

Dakota Bank, TIF #2 Payment, \$276.57

Dakota Bank, TIF #4 Payment, \$251.29

Diamond Vogel, Supplies, \$572.25

Delta Dental, Insurance \$232.60

Edward Enterprises, Cemetery Caretaker, \$4,166.66

EFTPS, Taxes, \$13,813.03

Fastenal, Supplies, \$602.44

First Interstate Bank, TIF #4 Payment, 251.29

First Interstate Bank, TIF #1 Payment, \$4,948.46

Five Points Bank, TIF #5 Payment, \$13,946.70

First Interstate Bank, Repairs & Maintenance, \$692.91

Gunderson, Palmer, Nelson & Ashmore LLP, Professional Fees, \$50.00

Golden West Telecommunications, Utilities, \$609.02

Golden West Technologies, Professional Fees, \$620.50

Hawkins, Supplies, \$7,907.76

HD Supply, Supplies, \$558.78

Jenner Equipment, Supplies, \$141.98

Lasting Impressions Unlimited, Supplies, \$44.00

McGas, Utilities, \$4,030.58

Petty Cash, Supplies, \$457.58

Power House, Supplies, \$90.99

Promotion Physical Therapy, Safety, \$60.00

Pitney Bowes, Supplies, \$48.69

Quill, Supplies, \$100.42

Ramkota of Pierre, Travel, \$391.96

SD DENR, Drinking Water Fee, \$600.00

SDML, Conference, \$50.00
SD Retirement System, \$5,702.60
Supplemental Retirement, \$350.00
SD DCI, Safety, \$43.75
United Way, Contributions, \$90.00
Verizon Wireless, Utilities, \$463.66
Warne Chemical & Equipment Co., Supplies, \$290.70
Wellmark, Insurance, \$10,000.67
YMCA, Contributions, \$150.00
Mayor & Council, \$4,400.00
Finance Department, \$11,646.29
Public Buildings, \$2,686.58
Planning Department, \$8,306.75
Public Works Department, \$10,610.70
Street Department, \$6,909.44
Parks Department, \$2,814.29
Water Department, \$5,811.40
Wastewater Department, \$3,143.63
Total Claims, \$331,692.24

DEPARTMENT HEADS & COMMITTEE REPORTS

Various committee reports were given in addition to department heads giving an update.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 6:00 p.m. Seconded by Councilperson Fischer, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor