

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
September 17th, 2012**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of September, 2012 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Lampert, Herman, Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

AGENDA

Mayor Lipp asked to have Council Resignation added under new business. Councilperson Lampert moved, with a second by Councilperson Heinrich, to approve the agenda with the addition of Council Resignation. The motion unanimously carried.

MINUTES

Councilperson Hattervig moved, with a second by Councilperson Lampert, to approve the minutes from the September 4th, 2012 regular meeting. The motion carried with Councilperson Herman abstaining.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, was absent.

Rex Harris, Community Development Director, gave Council an update on Pre-Disaster Mitigation Grant and West Dam

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment, status of the SRF Loan and reserves.

EXECUTIVE PROCLAMATION – CONSTITUTION WEEK

Councilperson Herman moved to approve the Executive Proclamation for Constitution Week. Seconded by Councilperson Lampert, the motion unanimously carried.

EXECUTIVE PROCLAMATION

WHEREAS, September 17, 2012 marks the two hundred and twenty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion, and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

THEREFORE, BE IT RESOLVED that I, Gary Lipp, Mayor of the City of Custer City, South Dakota, do hereby proclaim September 17 through 23, 2012 to be

CONSTITUTION WEEK

in the City of Custer City, SD, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

SECOND READING – ORDINANCE #726 – 2013 APPROPRIATION ORDINANCE

Councilperson Lampert moved to adopt Ordinance #726, 2013 Appropriation Ordinance. Seconded by Councilperson Hattervig, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert, Herman and Schleining voting yes.

RESOLUTION #09-17-12A – PERSONNEL MANUAL – PERSONAL APPEARANCE

Councilperson Heinrich moved to adopt Resolution #09-17-12A, Personnel Manual – Personal Appearance. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION # 09-17-12A

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 09-05-95A; and

WHEREAS, the Common Council of the City of Custer City has determined that Employee Personnel Manual Policy be modified regarding Policy #2 General Policies, 2.4 Personal Appearance, with the following and it shall read as follows:

2.4 Personal Appearance:

All employees are expected to exercise discretion and good taste in the matter of dress. Cleanliness and good grooming are expected of all personnel. Shirts shall be short-sleeved at minimum, with no tank tops being worn. Skirts must be at knee length or lower and pants must be mid-calf length at minimum for office staff while full length pants will be required for all Public Works employees. Clothing items purchased with city funds shall be worn or used only when the employee is on duty, unless authorized by the department head. Any clothing with city logo shall be returned upon termination of employment, prior to receiving a final paycheck.

Departments shall require city issued clothing be worn as their standard to ensure consistency and public identification. Employees are required to wear city issued clothing and shall be allowed a \$300 clothing allowance per calendar year. Clothing allowance shall only be used to purchase clothing with the city's logo and ordered through the city's vendor. The city will pay the vendor directly and a spreadsheet shall be kept for each employee's allowance. Employee's that spend over their allowance amount will be required to pay the overage at their own expense. Such employees must wear the city logoed clothing to work. Safety green must be worn by Public Works Department employees. Seasonal employees will be provided work shirts with the City logo.

Employees will have the same responsibilities to maintain work clothing as applies to other city issued property. Employees will be required to replace work clothing at their own expense if the work clothing is lost, stolen or damaged due to the employee's negligence. Employees are expected to report to work each day in clean and presentable clothing. When the clothing is considered unsuitable for work purposes, the clothing shall be destroyed. The wearing of suggestive attire, soiled clothing or radical departures from conventional dress is not permitted.

Department heads are authorized to develop and implement additional policies and practices subject to approval of Council, which relate to the provisions of this subject, which are not inconsistent with the guidelines set forth herein. Employees wearing inappropriate attire will be instructed by their department head or supervisor not to wear the attire again. A second offense will result in the employee being sent home to change into appropriate attire. Third and subsequent offenses will result in disciplinary action. All offenses must be noted in writing and filed in the employees personnel file.

The city expects that employees will perform their duties conscientiously, honestly, and in accordance with the best interest of the city. Employees must not use their position or the knowledge gained as a result of their position for private or personal advantage.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended and superseded as adopted.

Dated this 17th day of September, 2012.

City of Custer City
S/Gary Lipp, Mayor

RESOLUTION #09-17-12B – WAGE SCALE

Councilperson Lampert moved to adopt Resolution #09-17-12B, 2013 Wage Scale. Seconded by Councilperson Herman, the motion carried with Councilperson Heinrich, Kothe, Lampert, Herman, Schleining and Hattervig voting yes.

Resolution #09-17-12B

WHEREAS, the City of Custer City has previously adopted an Employee Wage Scale; and
WHEREAS, updating and amending of said Employee Wage Scale is necessary; and

WHEREAS, the salary schedule shall be adjusted yearly according to the COLA percentage approved by the Common Council; and

WHEREAS, the Common Council of the City of Custer City has determined that the Employee Wage Scale be modified in accordance with the attached incorporated Employee Wage Scale, which is labeled exhibit "A";

NOW THEREFORE BE IT RESOLVED that the 2013 Employee Wage Scale is adopted and supersedes all previous Employee Wage Scales.

Dated this 17th day of September 2012.

CITY OF CUSTER CITY
S/Gary Lipp, Mayor

VACATION OF A PORTION OF A SUBDIVISION – ROBERT & STACEY MULLINER

Councilperson Hattervig moved to approve the request to vacate part of book 12 of plats page 384, vacation of Lots 2R and 3 with Lot 2R reverting back to Lot 2 as represented in book 12 of plats page 279 and Lot 3 will be remaining Portion of Mulliner Tract. Seconded by Councilperson Herman, the motion unanimously carried.

FINAL PLAT – TRACT SAUTER & TRACT ZIOLKOWSKI OF BAVARIAN HILLS ESTATE SUBDIVISION

Councilperson Lampert moved to approve the final plat of plat of Tract Sauter and Tract Ziolkowski of Bavarian Hills Estates Subdivision. Seconded by Councilperson Hattervig, the motion unanimously carried.

COST OF LIVING ADJUSTMENT

Councilperson Lampert moved to approve a three percent cost of living adjustment for the employees effective January 1st, 2013. Seconded by Councilperson Kothe, the motion carried with Councilperson Kothe, Lampert, Herman, Schleining, Hattervig and Heinrich voting yes.

MAYOR'S SALARY

Councilperson Schleining moved to approve an increase to the Mayor's salary to \$1,400 per month effective January 1st, 2013. Seconded by Councilperson Heinrich, the motion carried with Councilperson Lampert, Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

WELL #9 ADDITION PROPOSALS

Councilperson Lampert moved to accept the proposal from Reindl Construction for \$21,992.00 for the Well #9 Addition Project. Seconded by Councilperson Herman, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich, Kothe and Lampert voting yes.

WWTP AERATOR REPLACEMENT ENGINEERING PROPOSAL

Councilperson Herman moved to approve the engineering proposal from FourFront Design for the Wastewater Treatment Plant Aerator Replacement Project. Seconded by Councilperson Heinrich, the motion carried with Councilperson Schleining, Hattervig, Heinrich, Kothe, Lampert and Herman voting yes.

CURB & GUTTER PROPOSALS

Council tabled the curb and gutter proposals till the next meeting.

COUNCIL RESIGNATION

Council acknowledged Wade Lampert's resignation from Council as he will be moving to Rapid City. The Mayor and Council thanked Wade for his time served and applauded him on a job well done.

CLAIMS

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

AFLAC, Insurance, \$544.99
ALSCO, Repairs & Maintenance, \$210.45
A&B Electric, Repairs & Maintenance, \$275.40
Black Hills Power & Light, Utilities, \$11425.56
Bauman, Fred, Professional Fees, \$215.00
Culligan, Repairs & Maintenance, \$17.50
Custer County Chronicle, Publishing, \$453.58
Custer County Market, Supplies, \$32.94
Custer True Value, Supplies, \$668.99
Element, Supplies, \$27.50
First Interstate Bank, Supplies, \$62.25
Golden West Technologies, Professional Fees, \$270.00
Hadlock, Cheryl, Professional Fees, \$4033.07
Huber Technology, Supplies, \$469.00
Hennessy, Colleen, Professional Fees, \$100.00
Itron, Supplies, \$ 671.23
Kellogg, Scott, Reimbursement, \$80.00
KNKL Radio, Advertising, \$750.00
Kimball Midwest, Supplies, \$146.88
Labcorp, Supplies, \$110.25
Lexis Nexis, Supplies, \$70.89
Pamida, Supplies, \$59.76
Paypal, Supplies, \$203.71
Quill, Supplies, \$222.96
Rapid Delivery, Supplies, \$43.20
Rapid City Telco Federal Credit Union, Utilities, Travel, \$1166.60
SRF Loan Payment, \$4639.68
SD One Call, Supplies, \$33.60
S & B Motors, Supplies, \$200.87
Sander Sanitation, Garbage Collection Contract, \$13149.92
Sander Sanitation, Utilities, \$1050.00
SDPRA Maintenance School, Conference, \$40.00
SD Municipal League, Conference, \$800.00
SD Public Assurance Alliance, Insurance, \$625.00
SD State Executive Management, Utilities, \$25.26

Steele Collision, Repairs & Maintenance, \$18.00
Summit Signs, Supplies, \$747.00
Superior Lamp, Supplies, \$203.34
USDA Loan Payment, \$8910.00
Verizon Wireless, Utilities, \$418.08
Wright Express, Supplies, \$1553.31
Curl, Robert, Utility Deposit Refund, \$1.70
Chowning, Erin, Utility Deposit Refund, \$19.93
Total Claims \$54,767.40

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourn the meeting at 6:44 p.m. Seconded by Councilperson Herman, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor