

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
December 19th, 2016**

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

AGENDA

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

MINUTES

Councilperson Schleining moved, with a second by Councilperson Heinrich, to approve the minutes from the December 5st regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, mentioned the weekend snow storm and how things went for the Public Works Crew.

Laurie Woodward, Finance Officer, mentioned that October sales tax was down 2.83% from last October.

SECOND READING – ORDINANCE #784 – SUPPLEMENTAL BUDGET

Councilperson Maciejewski moved to adopt Ordinance #784, Supplemental Budget. Seconded by Councilperson Nielsen, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen and Schleining voting yes.

FIRST READING – ORDINANCE #786 – BUILDING & PLANNING PERMITS

Councilperson Schleining moved to approve the first reading of Ordinance #786, Building & Planning Permits. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION #12-19-16A – SAFETY & RISK MANAGEMENT LOSS CONTROL PROGRAM

Councilperson Heinrich moved to approve Resolution #12-19-16A, Safety & Risk Management Loss Control Program. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION NO. 12-19-16A
SAFETY AND RISK MANAGEMENT
LOSS CONTROL PROGRAM

WHEREAS, the City of Custer City is exposed to various liability risks and safety issues associated with providing services to our citizens;

WHEREAS, these risks and safety issues are most evident when incidents occur involving damage to property and injuries to personnel and our citizens; and

WHEREAS, the objective of our Safety and Risk Management Loss Control Program is to protect people and to preserve assets and revenues, the following policy has been prepared with this in mind:

1. We will identify sources of loss to our property, our employees and the general public.
2. We will evaluate the impact of loss in terms of frequency and severity.
3. We will make every effort to control the causes of loss by and through a specific written Action Plan prepared by each department responsible for actual day to day activities.
4. We will eliminate sources of loss by corrective action or through the transfer of risk.
5. Where possible, we will obtain coverage in such amounts and in such areas as will provide protection against catastrophic loss.

WHEREAS, it is the joint responsibility of the Safety and Risk Management Committee to see that the Safety and Risk Management Program is implemented in accordance with this Resolution; the Safety and Risk Management Committee shall be comprised of the Mayor, one municipal elected official, the risk management coordinator and four municipal employees as noted below, all of whom are appointed by the Mayor every four years or as needed; and

NOW THEREFORE BE IT RESOLVED that the Safety and Risk Management Committee, consisting of the following initial representatives will meet quarterly and shall be responsible for development of a

Safety and Risk Analysis and Loss Control Program for all departments of the City of Custer City, following the Guidelines for a Program of Safety and Risk Management and Loss Control and the Safety Manual and all recommendations by the workman's compensation, liability and property insurance:

Mayor
Appointed Councilperson
Risk Management Coordinator
Planning and Public Works Technician
Public Works Department Employee
Public Works Department Employee
Deputy Finance Officer

NOW THEREFORE BE IT FURTHER RESOLVED that the Safety and Risk Management Loss Control Program is hereby enacted, and the Safety and Risk Management Committee is hereby appointed this 19th day of December, 2016.

CITY OF CUSTER CITY

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

RESOLUTION #12-19-16B – WRITE-OFF

Councilperson Nielsen moved to approve Resolution #12-19-16B, Write-Off. Seconded by Councilperson Maciejewski, the motion unanimously carried.

RESOLUTION NO. 12/19/16B

WHEREAS, Book 3, Supplemental, Chapter 9-22-4 of the South Dakota Codified Law states "every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is non-collectible, and by formal action direct that the non-collectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt."

WHEREAS, efforts have been made to collect these past due accounts receivable, and

WHEREAS, adequate time has elapsed to consider these accounts receivable delinquent and past due,

NOW THEREFORE BE IT RESOLVED that the following accounts be deemed non-collectible and removed from the records and disclosed on the 2016 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Joe Harbach	6-50100-00	\$ 2,012.35
	TOTAL	\$ 2,012.35

Signed this 16th day of December, 2016.

CITY OF CUSTER

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

RESOLUTION #12-19-16C – AUTHORIZING SUBMISSION OF APPLICATIONS FOR BRIDGE IMPROVEMENT GRANT

Councilperson Schleining moved to approve Resolution #12-19-16C, authorizing submission of application for bridge improvement grant. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #12-19-16C

BRIDGE IMPROVEMENT GRANT PROGRAM

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION

WHEREAS, the City of Custer City wishes to submit an application / applications for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER: Bridge #17-234-071

LOCATION: South Eleventh Street Bridge, City of Custer, Custer County, South Dakota

WHEREAS, the City of Custer City certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

WHEREAS, the City of Custer City agrees to pay the 20% match on the Bridge Improvement Grant funds;

WHEREAS, the City of Custer City hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Vote of Council: Schleining: Yes Nielsen: Yes
 Maciejewski: Yes Heinrich: Yes
 Fischer: Absent Blom: Absent

Dated at Custer, South Dakota, this 19th day of December, 2016.

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

BURNING OF BEETLE REQUEST

Councilperson Heinrich moved to approve the Bark Beetle Blues Committee, Custer Area Arts Council and Custer Volunteer Fire Department joint request to use Pageant Hill on January 21, 2017 for the Burning of the Beetle Event and to have fireworks at the event on Pageant Hill. Seconded by Councilperson Nielsen, the motion unanimously carried.

2017 CHAMBER LEASE AGREEMENT

Councilperson Maciejewski moved to approve the 2017 Chamber of Commerce lease agreement for \$360 per month. Seconded by Councilperson Schleining, the motion unanimously carried.

2017 RECREATION SERVICES AGREEMENT WITH YMCA

Councilperson Maciejewski moved to approve the 2017 recreational services agreement with the Custer YMCA for \$27,500. Seconded by Councilperson Nielsen, the motion unanimously carried.

EXTENSION OF TEMPORARY PART-TIME OFFICE HELP

Councilperson Nielsen moved to approve extending Sydney Gramkow's temporary part time office help position through December 2017 at the current rate of \$10.30 per hour on an as needed basis. Seconded by Councilperson Heinrich, the motion unanimously carried.

COST OF LIVING ADJUSTMENT

Councilperson Schleining moved to approve a 2.5% cost of living adjustment effective January 1st, 2017. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Heinrich, Nielsen, Schleining and Maciejewski voting yes.

CLAIMS

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

- AE2S, Professional Fees, \$13,720.00
- Audio-Video Solutions, Repair & Maintenance, \$2,040.63
- Black Hills Energy, Utilities, 12,718.80
- Christie, John, Reimbursement, \$101.94
- Culligan, Repair & Maintenance, \$54.50
- Custer Chamber of Commerce, Sales Tax Subsidy, \$11,287.04
- Custer Sign Co, Supplies, \$592.00
- Dakota Bank, TIF#2 Payment, \$1,297.68
- Dakota Bank, TIF#4 payment, \$250.68
- Fennell Design INC, Capital Improvements, \$8,574.80
- First Interstate Bank, Supplies, \$52.45
- First Interstate Bank, TIF#4 Payment, \$250.68
- First Interstate Bank, TIF#1 Payment, \$1,717.73
- French Creek Supply, Supplies, \$34.41
- Goldwest Technologies, Professional Fees, \$620.50
- Gunderson, Palmer, Nelson & Ashmore LLP, Professional Fees, \$125.00
- Hawkins, Supplies, \$3,578.50
- Kellogg, Scott, Reimbursement, \$75.00
- KLJ, Professional Fees, \$5,485.79
- Lamonte's Auto Center, Repairs & Maintenance, \$244.06
- Lawrence & Schiller, Professional Fees, \$450.00
- Lynn's Dakotamart, Supplies, \$48.73

Midcontinent Testing Labs, Professional Fees, \$108.00
Ness Stump Grinding, Repair & Maintenance, \$60.00
Paypal, Supplies, \$209.09
Petty Cash, Supplies, \$153.00
Pitney Bowes, Supplies, \$500.00
RCS Construction, Capital Improvements, \$88,300.00
Rapid Delivery, Professional Fees, \$50.60
S&B Motors, Supplies, \$817.09
Sanders Sanitation, Garbage Collection Contract, \$13,136.63
Sanders Sanitation, Capital Improvements, \$684.88
State of South Dakota, Sales Tax, \$1081.55
SD Executive MGMT Finance Office, Utilities, \$26.10
The Hartford, Insurance, \$137.40
Thomson Reuters-West, Supplies, \$95.25
USDA Loan Payment, \$8,910.00
United Way, Contributions, \$99.00
US Department of Treasury, Deduction, \$142.55
Vernon Manufacturing, Repair & Maintenance, \$281.50
Vag, USA, LLC, Repair and Maintenance, \$2,678.06
Wright Express, Supplies, \$1,139.70
Laurie Woodward, Reimbursement, \$158.84
Woods, Fuller, Shultz, & Smith P.C, Professional Fees, \$1,887.50
YMCA, Membership, \$188.00
Kieborz, Karen, Utility Refund, \$25.91
Maddix, Theresa, Utility Refund, \$101.59
Total Claims \$184,293.16

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session for personnel per SDCL 1-25-2(1-4) at 5:58 pm, with the Attorney, Finance Officer and Public Works Director present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 6:03 pm, with no action taken.

EMPLOYEE STEP INCREASE

Councilperson Heinrich moved to approve the step increases for John Christie to step 4 at \$16.08 per hour effective December 3rd, 2016. Seconded by Councilperson Schleining, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Nielsen moved to adjourn the meeting at 6:05 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor