

## November 14, 2016 Minutes

The Howard City Council met in regular session on Monday, November 14<sup>th</sup> at 7:00 pm in the Council Chambers. Mayor Donald Arens presided with Aldermen Greg Dufault, Jean Thompson, Gerald Adler, Colby Tolk and Mary Leary. Bernard Feldhaus was absent. City Attorney David Jencks was also present.

Mayor Arens called the meeting to order. Motion by Thompson, seconded by Leary and carried to approve the amended agenda. Leary moved, Adler seconded and carried to approve the minutes of the October 13<sup>th</sup> regular meeting.

Thompson moved, Tolk seconded and carried to approve the following claims: Gerald Adler, travel, 280.00; Al Media, publish, 761.96; Asphalt Paving, repairs, 1904.42; Avenet, prof fee, 500.00; Theowne Bell, election, 100.00; Bob's Electric, repairs, 465.58; Center Point, books, 43.14; Dakota Body, rebate, 100.00; Dawson's, sanitation, 12059.27; Kody Dawson, utilities, 45.00; Delta Dental, insurance, 172.00; Demco, supplies, 349.88; Dold's, repairs, 220.50; Greg Dufault, travel, 156.80; East River, energy, 5875.05; Elan City, equip., 5330.00; Joshua Esser, travel, 50.40; Petty Cash, deposit return, 250.00; Greg Gross, refund supplemental insurance, 21.18; Hattervig Electric, repairs, 157.47; HD Supply, repairs, 1916.18; Heartland, energy, 34134.09; Homestead, repairs, 121.98; Howard Auto Clinic, repairs, 177.10; HFCA, supplies, 817.40; Howard Industries, economic development, 20000.00; Thelma Hueners, election, 100.00; Infotech, prof fee, 455.00; Ingram, books, 147.84; James Valley Nursery, supplies, 1208.49; Jencks Law, prof fee, 575.00; jobsHQ, publish, 234.44; K&W Construction, salt building, 22641.53; Kieffer Oil, repairs, 121.50; Kingbrook, water, 7572.00; Donna Klinkhammer, travel, 42.00; Krug Products, repairs, 141.99; Luden's, equip., 1000.00; Marc, repairs, 1808.46; Gloria McCain, election, 100.00; Mcleod's, supplies, 509.80; Micro Marketing, books, 217.95; Miner County Pioneer, publish, 442.48; Miner County Sheriff, contract law, 7000.00; Office Peeps, supplies, 17.20; One Call, locates, 12.32; Pitney Bowes, postage, 600.00; Chad Podhradsky, utilities, 45.00; Pronto, supplies, 313.54; Prostrollo Motor, repairs, 99.96; Register of Deeds, prof fee, 120.00; Nathan Ruml, travel, 84.00; Rusty's, other, 22.33; Servall, rental, 16.64; Spencer Quarries, repairs, 416.44; Alliance, utilities, 315.16; Stan Houston, repairs, 3524.95; State of SD, prof fee, 15.00; Stockwell, prof fee, 2766.19; T & R Electric, supplies, 2834.00; Team Laboratory, repairs, 240.00; Tom's Hardware, repairs, 316.55; WAPA, energy, 23479.93; Wesco, supplies, 1447.30.

**Other Claims:** Miner County Bank, WHSS, 2676.52; Avera, insurance, 2197.38; Central Electric, utilities, 69.00; NorthWestern, utilities, 188.54; Office of Energy Assistance, return to state, 178.74; SDDENR, dues, 36.00; SDSRP, supplemental retirement, 150.00; WAPA, energy, 27344.30; Aflac, supplemental insurance, 25.44; Assurant, insurance, 53.80; Capital One, travel & utilities, 1058.38; SD Retirement, retirement, 1566.24.

**Wages:** Parks, 278.51; Library, 1289.36; Cemetery, 352.97; Electric, 3790.96; Council, 1391.32; Custodian, 469.60; Rubble Site, 584.39; Finance Office, 2375.44; Street, 3136.68; Water, 1198.94; Sewer, 399.62; Animal Control, 159.70.

Adler moved, Thompson seconded and carried to approve the Financial, Electric and Water reports and acknowledged receiving October Sheriff's report. The Council reviewed the past due accounts report.

**OLD BUSINESS:**

Steve Moses of Heartland Energy visited with the Council about projected 2017 WAPA and HCPD Power Supply Costs. He also discussed Heartland's Economic Development programs and Power Forward Rebates.

Colin Wunder, President of Howard Industries, updated the Council and gave an accountability of where the funds are being used. Wunder again asked for funds to implement cash incentives for new job creations by new or expanding businesses and help fund expenses for economic development. Dufault moved to donate \$20,000.00 to Howard Industries, Adler seconded and the motion carried.

**NEW BUSINESS:**

Adler moved, Dufault seconded and carried to convene as the Planning and Zoning Commission. Adler recommended approval of the Greenleaf 2<sup>nd</sup> Addition Plat Map by passing Resolution #1306. Tolk seconded and the motion carried.

See attached\*

**RESOLUTION #1306**

WHEREAS, the City Planning Commission of the City of Howard, South Dakota did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 14<sup>th</sup> day of November 2016; and

THEREFORE, be it resolved by the City Planning Commission of Howard, South Dakota, that the plat of LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10, BLOCK 1 OF GREENLEAF 2<sup>ND</sup> ADDITION AND PORTIONS OF MAIN STREET, MAPLE STREET AND GREELEAF STREET, CITY OF HOWARD, MINER COUNTY, SOUTH DAKOTA, having been examined is approved in accordance with the provisions of SDCL of 1967, chapter 11-6, and any amendments thereof.

I, Donald M. Arens, of the City Planning Commission for the City of Howard, SD do hereby certify that the foregoing resolution was passed by the City Planning Commission of Howard, SD at a meeting thereof held on the 14<sup>th</sup> day of November 2016.

Adler moved, Tolk seconded and carried to return to regular session. Meeting as the City Council, Adler moved, Thompson seconded and carried to approve the recommendation to approve the Greenleaf 2<sup>nd</sup> Addition Plat Map by passing Resolution #1307.

See attached\*

**RESOLUTION #1307**

WHEREAS, it appears that the City Planning Commission of the City of Howard, South Dakota did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 14<sup>th</sup> day of November 2016; and

THEREFORE, be it resolved by the City Commission of Howard, South Dakota, that the plat of LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10, BLOCK 1 OF GREENLEAF 2<sup>ND</sup> ADDITION AND PORTIONS OF MAIN STREET, MAPLE STREET AND GREELEAF STREET, CITY OF HOWARD, MINER COUNTY, SOUTH DAKOTA, having been examined is approved in accordance with the provisions of SDCL of 1967, chapter 11-6, and any amendments thereof.

I, Donald M. Arens, of the City Commission for the City of Howard, SD do hereby certify that the foregoing resolution was passed by the City Commission of Howard, SD at a meeting thereof held on the 14<sup>th</sup> day of November 2016.

Dufault moved, Tolk seconded and carried to approve the second reading of Ordinance #699, increasing water rates January of 2017.

Thompson moved to amend the definition of Exotic Animals of Ordinance #617, to include monkeys and approve the first reading of it. Tolk seconded it and the motion carried.

The Council had more discussion on the properties at 222 E. Park Ave. and 306 N. Dakota St.

Adler moved, Thompson seconded and carried to approve renewing the following licenses:

Carol Alderson, Longbranch Bar, Lot 15, Block 11, OP

Retail (on - sale) including Sunday, Liquor

Howard Unlimited LLC, Maroney's Bar, Lots 5, 6, 7 & 8 including vacated alley, Block 11, OP.

Retail (on-off sale), Liquor including Sunday, Liquor

Rafferty Robbins – Johnson Inc., Rafferty Robbins Drug, Lots 6 & 7, Block 10

Retail (off sale), Liquor

David Dawson, Corner Pantry, Lots 1 & 2, of Block 1, Booth's Addition

Package (off- sale) Liquor

Rusty's Food Store, Inc., Lot 1 of NE ¼, 11-106-56

Retail (on-off sale) Wine

Howard Athletic Club, all of SE ¼ North of Farmer's Ave. not platted 2-106-56 Ward's Addition and structures on Lots 4,5,7,8,9 & 10 Block 1 Ward's Addition.

Retail (on-sale) including Sunday, Liquor

Tolk moved, Thompson seconded and carried to acknowledge the resignation of Greg Gross.

Leary moved, Adler seconded and carried to approve Miah Barnhart's application for abatement or refund.

Thompson moved, Tolk seconded and carried to approve Resolution #1309 – transfer of contingency.

RESOLUTION #1309

A RESOLUTION TO TRANSFER \$39,115.00 FROM THE GENERAL FUND BUDGETED CONTINGENCY LINE ITEM TO THE FINANCE OFFICE, GOVERNMENT BUILDING, WEST NILE & PARKS DEPARTMENTS IN GENERAL FUND.

WHEREAS,

The appropriations in the Finance Office, Government Building, West Nile and Parks Departments of General are insufficient to meet current expenditures wherefrom and,

WHEREAS,

The amount of \$50,000.00 was budgeted in the General Fund for contingency purposes and,

WHEREAS,

It is necessary to transfer \$39,115.00 from Contingency line item in General Fund to the following departments in the General Fund:

\$18,700.00 to Finance Office Department  
\$3,435.00 to Government Building Department  
\$4,000.00 to West Nile Department  
\$12,980.00 to Parks Department

THEREFORE, BE IT RESOLVED THAT pursuant to SDCL 9-21-6.1, the Finance Officer shall transfer \$39,115.00 from the General Fund Contingency Budget line item to the Finance Office, Government Building, West Nile and Parks Departments of the General Fund.

Dated this 14<sup>th</sup> day of November 2016.

**OFFICIAL CANVASS OF ELECTION**

SPECIAL	ELECTION	
	Yes	No
<b>Be included in Heartland Consumers Power District</b>	206	22

STATE OF SOUTH DAKOTA) SS

COUNTY OF MINER

We, the City Council, appointed as the Board of Canvassers, because of our positions on the governing board in the jurisdiction of Howard for the Municipal special election held on the 8<sup>th</sup> day of November, 2016, hereby certify that the foregoing is a true abstract of the votes cast in the jurisdiction of Howard at the election shown by the returns certified to the person in charge of the election

- Gerald Adler
- Greg Dufault
- Mary Leary
- Donald Arens
- Jean Thompson
- Colby Tolk

Sworn to before me this 14<sup>th</sup> day of November, 2016

Thompson moved, Adler seconded and carried to approve the canvass of the special election held November 8, 2016.

Dufault moved to approve the purchase of a hydraulic broom, Leary seconded it and the motion carried.

Dufault moved, Thompson seconded and carried to go into executive session to discuss personnel matters in accordance with SDCL 1-25-2.

Adler moved, Leary seconded and carried to come out of executive session.

The City will implement a drug screening on a new employee per personnel policy.

Dufault moved, Leary seconded and carried to approve the contract with Horizon Health Care for drug & alcohol screening.

A special meeting will be held Tuesday, November 22<sup>nd</sup> to interview candidates for the position of water/wastewater foreman.

The next regular meeting will be Monday, December 12<sup>th</sup> at 7:00 pm.

Motion to adjourn was made by Adler, seconded by Tolk and carried.

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Donald M. Arens, Mayor

ATTEST:

Donna Klinkhammer  
Finance Officer