

October 13, 2016 Minutes

The Howard City Council met in regular session on Thursday, October 13th at 7:00 pm in the Council Chambers. Mayor Donald Arens presided with Aldermen Greg Dufault, Jean Thompson, Gerald Adler, Bernard Feldhaus and Mary Leary. Colby Tolk was absent. City Attorney David Jencks was also present.

Mayor Arens called the meeting to order. Motion by Feldhaus, seconded by Leary and carried to approve the amended agenda. Adler moved, Thompson seconded and carried to approve the minutes of the September 12th regular meeting and September 27th special meeting.

Feldhaus moved, Dufault seconded and carried to approve the following claims: Gerald Adler, travel, 294.00; Allegiant Emergency, repairs, 888.00; Al's Service, repairs, 1938.90; Avera Occupational, other, 89.90; Banyon, prof fee, 795.00; Barnes & Noble, books, 453.58; Center Point, books, 829.25; Corner Pantry, rebate, 740.00; Dakota Pump, repairs, 489.80; Dawson's, sanitation & repairs, 12607.61; Kody Dawson, utilities, 45.00; Delta Dental, insurance, 172.00; Greg Dufault, travel, 305.42; East River, energy, 6089.70; Barb Erpenbach, rebate, 100.00; Fastenal, supplies, 723.12; Greg Gross, utilities, 45.00; Mirinda Hattervig, rebate, 200.00; HD Supply, repairs, 2115.34; Heartland, energy, 22897.18; Homestead, repairs, 35.44; Howard Band & Chorus, publish, 50.00; HFCA, supplies, 1019.36; Howard School District, election, 5.00; Infotech, prof fee, 455.00; Ingram, books, 72.55; Jencks Law, prof fee, 575.00; Kingbrook, water, 6930.00; Donna Klinkhammer, travel, 323.00; Latux Diamond Blade, supplies, 189.00; Madison Nursery, supplies, 57.00; Miner County Pioneer, publish, 135.02; Miner County Sheriff, contract law, 7000.00; Office Peeps, supplies, 57.07; SD One Call, locates, 12.32; Chad Podhradsky, utilities, 45.00; Pronto, repairs, 408.59; Puthoff, repairs, 39.25; R&R Drug, supplies, 1.38; Robert Remacle, rebate, 200.00; SD Unemployment, unemployment tax, 52.40; Samantha Seiz, rebate, 100.00; Servall, rental, 16.64; Randy Shumaker, rebate, 100.00; Alliance, utilities, 380.00; Stan Houston, repairs, 439.99; State of SD, prof fee, 362.00; Stockwell, prof fee, 3200.00; Tom's Hardware, supplies, 99.83; Truck & Ag Repair, repairs, 529.81; VanDiest, supplies 2014.50; Wesco, supplies, 1026.00.

Other Claims: SDSRP, supplemental retirement, 75.00; SD Retirement, retirement, 1900.80; Miner County Bank, WHSS, 3188.86.

Wages: Parks, 275.17; Library, 1540.43; Cemetery, 118.42; Electric, 3564.84; Council, 1423.64; Custodian, 500.91; Rubble Site, 448.74; Finance Office, 2375.44; Street, 2228.17; Water, 2397.88; Sewer, 799.24; Animal Control, 159.70; West Nile, 525.80.

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

OLD BUSINESS:

Al Spangler with the SDDENR met with the Council to explain the results of the City's Surface Water Discharge Compliance Inspection Report.

Spending limits and the Greenleaf 2nd Addition Plat Map was tabled until the next regular meeting.

NEW BUSINESS:

Dr. Craig Hanson met with the Council to discuss rabies regulations and exotic animals. The Council and Attorney Jencks will review the current ordinance.

Jamie Hoffman wasn't present to discuss the property at 222 E. Park Ave. Leary moved, Dufault seconded and carried to continue with the condemnation of the above described property. Attorney Jencks will prepare a "Notice to Quit" and have it delivered to the residents at 222 E. Park Ave.

Thompson moved, Adler seconded and carried to adopt a cell phone and texting policy by passing Resolution #1308.

*see attached

RESOLUTION #1308

A RESOLUTION TO CREATE A CELL PHONE AND TEXTING POLICY

WHEREAS, Employees are expected to refrain from using their phone, including but not limited to, for talking or texting while driving. Safety must come before all other concerns. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HOWARD, SD:

That the City of Howard adopts a Cell Phone and Texting Policy.

Adopted and effective this 13th day of October 2016.

Leary moved, Dufault seconded and carried to acknowledge Melody Gross's resignation from the Pool Board.

Adler moved, Leary seconded and carried to convene as the Planning and Zoning Commission. Application #1343 applied by Cheryl Howard for a variance of the Zoning Ordinance of the City of Howard, to permit a garage to be put closer to the lot line at existing location than the zoning allows was reviewed. Adler moved, Leary seconded and carried to recommend approving the variance. Application #1341 by Greg Norberg for a special exception permit was reviewed. The request, if granted, would allow a mobile home in a R-2 General Residential District. Adler moved, Feldhaus seconded and carried to recommend approval of the special exception.

Adler moved, Leary seconded and carried to return to regular session. Meeting as the City Council, Adler moved, Dufault seconded and carried to approve the Cheryl Howard's variance permit. Adler moved, Leary seconded and carried to approve Greg Norberg's special exception permit.

No one was present for the condemnation hearing on the property at 306 N. Dakota St. Dufault moved, Thompson seconded and carried to condemn the above described property because the structure has been damaged by decay and/or otherwise to the extent of fifty percent of its value.

The Council discussed Kingbrook's letter informing the City of a .25 rate increase effective January 1, 2017. Feldhaus moved to increase water .35/per 1000 gallons effective January 1st by passing the first reading of Ordinance #699. Adler seconded it and the motion carried.

The next regular meeting will be Monday, November 14th at 7:00 pm.

Motion by Leary, seconded by Dufault and carried to go into executive session with Greg Gross to discuss personnel matters in accordance with SDCL 1-25-2.

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

Dufault moved to demote Greg Gross to Water/Wastewater Foreman at a wage of \$18.50 per hour with the same benefits as the other full time employees effective the next pay period. Feldhaus seconded it and the motion was unanimous. Gross was informed that he could appeal this decision. Gross accepted the position.

Motion to adjourn was made by Dufault, seconded by Leary and carried.

Donald M. Arens, Mayor

ATTEST:

Donna Klinkhammer
Finance Officer