

**AGENDA
CITY OF MILLER
TUESDAY, DECEMBER 29, 2015
12:00 P.M.**

**Call to Order
Pledge of Allegiance
Approval of Agenda
Approval of Bills**

Public Input

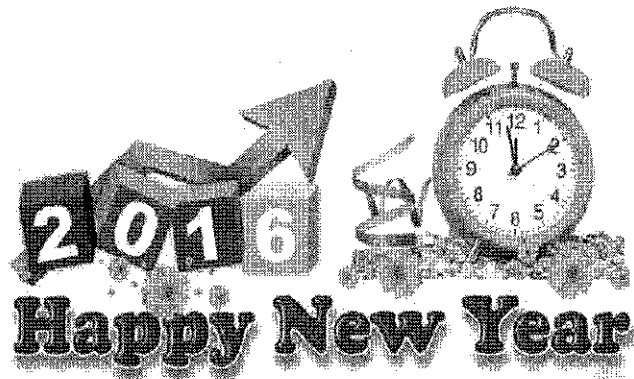
Public Hearing

12:05 Project Funding Applications – NECOG & SPN

New Business

1. 2nd Reading of Ordinance #667 – Recodification *pgs. 1-2*
2. 2nd Reading of Ordinance #668 – Electric Utility Due Dates *pg. 3*
3. 2nd Reading of Ordinance #669 – Water Utility Due Dates *pg. 4*
4. 2nd Reading of Ordinance #670 – Fee Schedule Update *pg. 5*
5. Resolution 2015-10 – Contingency Transfer *pg. 6*
6. 2016 Cost of Living Increases

Adjourn



ORDINANCE NO. 667

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF MILLER, SOUTH DAKOTA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL:

Section 1. The Code entitled the "Code of Ordinances of the City of Miller, South Dakota," published by Municipal Code Corporation, consisting of chapters 1 through 40, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before December 1, 2015, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine in the maximum amount permitted or required by state law. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the

city council may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the city council to make the same a part of the Code shall be deemed to be incorporated in the Code so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after December 1, 2015, which amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective January 1, 2016.

Passed and adopted by the Miller City Council this 29th day of December 2015.

Ronald Blachford, Mayor

(SEAL)

ATTEST:

Sheila Coss, Finance Officer

Record of Votes:

Alderman Rangel –

Alderman Odegaard –

Alderman Zeller –

Alderwoman Johnson –

Alderman Winsell –

Alderman Auch –

1st Reading – December 21, 2015

2nd Reading – December 29, 2015

Adoption – December 29, 2015

Publication – January 6, 2016

ORDINANCE #668

AN ORDINANCE AMENDING SECTIONS 38-361, 38-362, 38-363 AND 38-364 OF THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.

BE IT ORDAINED by the City of Miller, South Dakota, that Sections 38-361, 38-362, 38-363 and 38-364 are hereby amended to read as follows:

38-361 Date of monthly meter readings.
City personnel, as directed by the city electric department, shall read the electrical meters every month on or about the 1st day of the month and deliver the readings to the city finance officer. (Ord. 636 (part), 2012: Ord. 534 (part), 1996: Ord. 474 (part), 1986: prior code 4.0205(a))

38-362 Computation and mailing of bills.
The city finance officer shall compute the bills and mail the same to the consumers monthly on or about the 20th day of the month following the meter reading. In the event a consumer requests that electric service be discontinued, the meter shall be read at that time and billed accordingly. (Ord. 636 (part), 2012: Ord. 534 (part), 1996: Ord. 474 (part), 1986: prior code 4.0205(b))

38-363 Payment due date.
All consumer bills shall be due the 15th day of the following month and shall become delinquent on the 16th day of that same month. In the event that the 15th day of the month falls on a Saturday, Sunday or a holiday, the consumer shall have until the next business day to pay due bill. All delinquent consumer bills shall be assessed a five percent penalty on the unpaid balance. (Ord. 636 (part), 2012: Ord. 534 (part), 1996: Ord. 484 (part), 1988: Ord. 474 (part), 1986: prior code 4.0205(c))

38-364 Delinquent notice for non-payment.
When a consumer bill becomes delinquent, a delinquent notice will be included on the utility bill informing them that the delinquent balance must be paid by the 1st day of the following month. If said bill is still unpaid by the 1st day of the month or the next business day in the event the 1st falls on a Saturday, Sunday or a holiday, the city electric department shall be instructed and authorized to disconnect the electric service to said consumer. Fees and charges required under this chapter shall be in the amount provided in the city fee schedule. (Ord. 636 (part), 2012: Ord. 534 (part), 1996: Ord. 474 (part), 1986: prior code 4.0205(d))

Ronald Blachford, Mayor

(SEAL)

ATTEST:

Sheila Coss, Finance Officer

Record of votes:

Alderman Rangel –
Alderman Odegaard –
Alderman Zeller –
Alderwoman Johnson –
Alderman Winsell –
Alderman Auch –

1st Reading – December 21, 2015
2nd Reading – December 29, 2015
Adoption – December 29, 2015
Publication – January 6, 2016

ORDINANCE #669

AN ORDINANCE AMENDING SECTIONS 38-35, 38-36, 38-37 AND 38-38 OF THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.

BE IT ORDAINED by the City of Miller, South Dakota, that Sections 38-35, 38-36, 38-37 and 38-38 are hereby amended to read as follows:

38.35 Date of monthly meter readings.

City personnel, as directed by the city water department, shall read the water meters every month on or about the 25th day of the month and deliver the readings to the city finance officer. (Ord. 635 (part), 2012; Ord. 534 (part), 1996; Ord. 474 (part), 1986; prior code 4.0106(a))

38.36 Computation and mailing of bills.

The city finance officer shall compute the bills and mail the same to the consumers monthly on or about the 20th day of the month following the meter reading. In the event a consumer requests that water service be discontinued, the meter shall be read at that time and billed accordingly. (Ord. 635 (part), 2012; Ord. 534 (part), 1996; Ord. 474 (part), 1986; prior code 4.0106(b))

38.37 Payment due date.

All consumer bills shall be due the 15th day of the following month and shall become delinquent on the 16th day of that same month. In the event that the 15th day of the month falls on a Saturday, Sunday or a holiday, the consumer shall have until the next business day to pay due bill. All delinquent consumer bills shall be assessed a five percent penalty on the unpaid balance. (Ord. 635 (part), 2012; Ord. 534 (part), 1996; Ord. 484 (part), 1988; Ord. 474 (part), 1986; prior code 4.0106(c))

38.38 Delinquent notice for non-payment.

When a consumer bill becomes delinquent, a delinquent notice will be included on the utility bill informing them that the delinquent balance must be paid by the 1st day of the following month. If said bill is still unpaid by the 1st day of the month or the next business day in the event the 1st falls on a Saturday, Sunday or a holiday, the city water department shall be instructed and authorized to disconnect the water service to said consumer. Fees and charges required under this chapter shall be in the amount provided in the city fee schedule. (Ord. 635 (part), 2012; Ord. 534 (part), 1996; Ord. 474 (part), 1986; prior code 4.0106(d))

Ronald Blachford, Mayor

(SEAL)

ATTEST:

Sheila Coss, Finance Officer

Record of votes:

Alderman Rangel –
Alderman Odegaard –
Alderman Zeller –
Alderwoman Johnson –
Alderman Winsell –
Alderman Auch –

1st Reading – December 21, 2015
2nd Reading – December 29, 2015
Adoption – December 29, 2015
Publication – January 6, 2016

ORDINANCE #670

AN ORDINANCE AMENDING APPENDIX A - CITY FEE SCHEDULE OF THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.

BE IT ORDAINED by the City of Miller, South Dakota, Appendix A – City Fee Schedule be hereby amended to revise the following:

Utilities

Water/Sewer Department

Delinquent fines due to non-payment		
	During business hours	25.00
	After business hours	50.00
Plus all payments in arrears, taxes and late fees		

Utilities

Electric Department

Delinquent fines due to non-payment		
	During business hours	25.00
	After business hours	50.00
Plus all payments in arrears, taxes and late fees		

Ronald Blachford, Mayor

(SEAL)

ATTEST:

Sheila Coss, Finance Officer

Record of votes:

Alderman Rangel –
Alderman Odegaard –
Alderman Zeller –
Alderwoman Johnson –
Alderman Winsell –
Alderman Auch –

1st Reading – December 21, 2015
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RESOLUTION NO. 2015-10
TRANSFER FROM CONTINGENCY FUND

WHEREAS insufficient appropriation was made in the 2015 adopted budget for the following departments to discharge just obligations of said appropriations; and

WHEREAS SDCL 9-21-6.1 provides transfers be made by resolution of the board from the contingency appropriation established pursuant to SDCL 9-21-6.1 to other appropriations;

THEREFORE BE IT RESOLVED that the appropriation be transferred from the contingency budget to the following department budgets:

101-4141-4210	Attorney	\$ 384.12
101-4231-4221	Code Enforcement	\$ 932.16
101-4511-4210	Ballpark	\$ 408.72
101-4580-4290	Museum	\$ 1,270.00

Adopted this 29th day of December 2015.

APPROVED:

Ronald Blachford, Mayor
City of Miller

(SEAL)

ATTEST:

Sheila Coss, Finance Officer