

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- EXECUTIVE SESSION
May 24th, 2010**

Mayor Harold Stickney called to order a special executive session meeting of the Common Council. Present at roll call were Councilpersons Pischke, Starr, Ressler, Murphey, Reetz, and Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

CONFLICTS OF INTEREST

Councilperson Murphey stated that he has a potential conflict of interest and excused himself from the meeting.

EXECUTIVE SESSION

Councilperson Starr moved to go into and out of executive session at 5:05 due to contract negotiations and potential litigation with the Finance Officer, Attorney Beesley, Sheriff Wheeler, Tracy Kelley, Barb and Greg Edwards present. Seconded by Councilperson Ressler, the motion unanimously carried. Sheriff Wheeler, Tracy Kelley, Barb and Greg Edwards left the executive session at 5:40. A break was taken from 6:14 to 6:40. At 6:40 the executive session resumed. Council came out of executive session at 6:45. Councilperson Ressler moved to approve Resolution 5-24-10. Seconded by Councilperson Reetz, the motion unanimously carried.

RESOLUTION #5-24-10

A complaint was brought before Custer City Council regarding the operation of the Gold Pan Saloon and Frontier Bar by Greg Edwards, based on failure to comply with state law.

Whereas the Custer City Council has held a hearing on the matter and

Whereas the Custer County Sheriff indicated he had no concerns regarding operation and management of the Gold Pan Saloon and Frontier Bar.

Whereas the Custer City Council discussed the allegations with Greg Edwards and his attorney Tracy Kelley.

Whereas the Custer City Council has determined that no actual criminal conviction was entered, due to the suspended imposition of sentence being granted.

Whereas the Custer City Council determined that there was no violation of the operating agreement.

Whereas the Custer City Council believes the probationary terms of the sentence therein, along with the operating agreement with the City, provide sufficient assurance that operations at these establishments will be operated in accordance therewith.

Be it resolved that Greg Edwards and Andreis Corp. shall abide by the probationary terms, and the operating agreement executed between Greg Edwards and Andreis and Custer City.

Be it further resolved that any violation of the operating agreement by Greg Edwards, Andreis Corp, or its officers shall be cause for reconsideration regarding termination or suspension of the operating agreement.

Dated this 24th day of May, 2010.

S/Harold Stickney, Mayor

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:50 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Harold D. Stickney
Mayor