

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
April 21<sup>st</sup>, 2014**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of April, 2014 at 5:38 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Hattervig moved, with a second by Councilperson Fischer, to approve the minutes from the April 7<sup>th</sup>, 2014 meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, gave Council an update on current projects.

Laurie Woodward, Finance Officer, gave Council an update on sales tax figures and claims in for payment.

**PUBLIC HEARING – TEMPORARY SHELTER FOR ANIMAL CONTROL**

Sheriff Wheeler addressed the Council and Public regarding the use of the well house at 1115 Washington Street, which is not an active well, for a temporary shelter for animal control to house animals till such time as they could be transported to either Hot Springs or Rapid City Human Societies. Various comments were heard from the public.

**SECOND READING – ORDINANCE #749 – ANIMAL CONTROL**

Councilperson Fischer moved to adopt Ordinance #749, Animal Control. Seconded by Councilperson Herman, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

**FIRST READING – ORDINANCE #750 – GARBAGE COLLECTION & DISPOSAL**

Councilperson Schleining moved to approve the first reading of Ordinance #750, Garbage Collection & Disposal, the minor changes presented. Seconded by Councilperson Heinrich, the motion unanimously carried.

**RESOLUTION #04-21-14A – FEE SCHEDULE**

Councilperson Hattervig moved to adopt Resolution #04-21-14A, Fee Schedule. Seconded by Councilperson Heinrich, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

RESOLUTION NO. 04-21-14A

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Fee Schedule be established to set forth fees for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established guidelines for said fees.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Fee Schedule consisting of 12 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Schedule shall be subject to modification as requested by staff or required by circumstances; it is further resolved that schedule shall be reviewed by the Common Council annually and may be modified to insure appropriate fees.

Dated this 21<sup>st</sup> day of April 2014.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

**RESOLUTION #04-21-14B – RUSHMORE REGION MARKETING CODE OF CONDUCT**

Councilperson Kothe moved to adopt Resolution #04-21-14B, Rushmore Region Marketing Code of Conduct. Seconded by Councilperson Hattervig, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

RESOLUTION # 04-21-14B

RESOLUTION ENDORSING THE RUSHMORE REGION MARKETING  
CODE OF CONDUCT

WHEREAS economic development is essential to the prosperity and growth of the Black Hills and surrounding area; and

WHEREAS promoting the region to businesses and industries is an identified priority; and  
WHEREAS the economic development professionals in the Black Hills have engaged in the development of a regional marketing plan with the financial support of Black Hills Vision; and  
WHEREAS a key component of the regional marketing plan is the cooperation between the region's many communities; and

NOW, THEREFORE, BE IT RESOLVED by the City of Custer that the attached Rushmore Region Code of Conduct be adopted

Dated this 21st day of April, 2014.

CITY OF CUSTER

S/Gary Lipp, Mayor

**COPIER QUOTE**

Councilperson Schleining moved to approve the quote from Century Business Products for a new copier for \$8,663.74. Seconded by Councilperson Hattervig, the motion carried with Councilperson Fischer, Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

**RAFFLE REQUEST – CUSTER YOUTH FOOTBALL & CHEERLEADING**

Councilperson Heinrich moved to approve to the raffle request for the Custer Youth Football & Cheerleading to be held through June 1<sup>st</sup>. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Herman and Schleining voting yes, while Councilperson Fischer voted no due to the fact that they were selling tickets prior to approval.

**DESIGNATION OF FINANCE OFFICER TO APPROVE RAFFLE REQUEST**

Councilperson Heinrich moved to approve designating the Finance Officer and the Deputy Finance Officer, in the Finance Officer's absence, to approve raffle request. Seconded by Councilperson Fischer, the motion unanimously carried.

**SURPLUS PROPERTY BIDS**

Councilperson Herman moved to accept the bid from Sagacious Inc for the True Freestanding Cooler (46" W x 25" D x 66" H) for \$50 and the combination floor safe for \$25. These items appraised for less than \$500 and were previously advertised for bids however no bids were received. Seconded by Councilperson Fischer, the motion unanimously carried.

**SUMMER ENTERTAINMENT**

Councilperson Herman moved to approve Jim Frank's request for summer entertainment to be held at the 1881 Courthouse Museum throughout the summer with \$1,000 being paid toward the cost from the park & recreation funds and any fund not expensed being returned to the City. Seconded by Councilperson Fischer, the motion unanimously carried.

**COFFIN PIT SEWER LINE EXTENSION**

Councilperson Heinrich moved to approve the extension of the city sewer line north through the City's coffin pit lot (Homestead Addition Phase II Lot 1R of Lot 1 of TR0095) with the only cost to the City being for materials. Seconded by Councilperson Herman, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich, Kothe and Fischer voting yes.

**CHANGE ORDER #3 – SEWER REHAB PROJECT**

Councilperson Heinrich moved to approve change order #3 for the Sanitary Sewer Rehabilitation Project for \$14,285.00. Seconded by Councilperson Schleining, the motion carried with Councilperson Schleining, Hattervig, Heinrich, Kothe, Fischer and Herman voting yes.

**CAPITAL FOR A DAY APPLICATION**

Councilperson Kothe moved that the City should put in an application for Capital for a Day. Seconded by Councilperson Heinrich, the motion unanimously carried.

**SERVER QUOTE**

Councilperson Herman moved to approve the quote from Golden West Technologies for a new server for \$5,880.00 and a prepaid block of labor for \$3,307.50. Seconded by Councilperson Hattervig, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

**USE OF CITY VEHICLES**

Councilperson Fischer moved to restrict the use of city vehicles for city business only and not for employee transportation to and from personal residence. Seconded by Councilperson Herman, the motion unanimously carried.

**PUBLIC WORKS DEPARTMENT WORK WEEK**

Councilperson Herman moved to gather input from employees and research possible options for a seven day work week to be implemented the first pay period in June. Seconded by Councilperson Fischer, the motion unanimously carried.

### **CLAIMS**

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

AFLAC, Insurance, \$614.54  
Black Hills Power & Light, Utilities, \$12372.62  
Black Hills Power Equipment, Machine & Equipment, \$949.99  
Boos Law Office, Professional Fees, \$1485.49  
Conwell, Kimble, Reimbursement, \$102.42  
Custer Car Wash, Repair & Maintenance, \$10.75  
Chamber of Commerce, Conference, \$162.00  
Dacotah Bank, TIF #4 Payment, \$1720.62  
Dakota Supply Group, Capital Improvements, Repairs & Maintenance, \$3777.86  
Debo Printing, Supplies, \$47.95  
Environmental Equipment & Service, Repair & Maintenance, \$1066.23  
Fastenal, Supplies, \$219.16  
First Interstate Bank, TIF #1 Payment, \$1979.87  
First Interstate Bank, TIF #4 Payment, \$1720.62  
First Interstate Bank, Supplies, \$51.15  
French Creek Supply, Supplies, \$685.43  
Golden West Technologies, Professional Fees, \$276.00  
Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$112.50  
Hadlock, Cheryl, Professional Fees, \$4154.06  
Kellogg, Scott, Reimbursement, \$61.74  
Ketel Thorstenson, Audit, \$13337.30  
Kone, Inc, Repair & Maintenance, \$810.84  
Leo Auto, Repair & Maintenance, \$358.37  
Lift Pro Equipment, Repair & Maintenance, \$1787.86  
McGas, Utilities, \$6814.84  
NBS Calibrations, Repair & Maintenance, \$175.00  
PayPal, Supplies, \$138.17  
Petty Cash, Supplies, Travel, \$244.18  
Quality Auto Body, Repair & Maintenance, \$3437.40  
Quill, Supplies, \$198.86  
RCS Construction, Capital Improvements, \$214362.16  
Rapid City Telco Federal Credit Union, Supplies, Utilities, Travel, \$1973.03  
SRF Loan Payment, \$4639.68  
SD One Call, Supplies, \$24.15  
S&B Motors, Supplies, \$42.94  
Sander Sanitation, Garbage Collection Contract, \$14482.58  
State of SD, Sales Tax, \$841.45  
SD State Executive Management, Utilities, \$21.30  
Shanklin, Supplies, \$283.00  
Terracon, Capital Improvements, \$5850.00  
The Storehouse, Subsidy, \$3000.00  
USDA Loan Payment, \$8910.00  
Unemployment Insurance, \$2067.02  
Western SD Senior Services, Subsidy, \$2500.00  
Wright Express, Supplies, \$1795.87  
WEAVE, Subsidy, \$4000.00  
Thomsen, Brad & Jodi, Utility Refund, \$707.92  
Total Claims, \$324,374.92

### **COMMITTEE REPORTS**

Various committee reports were given.

**BREAK 7:15-7:19**

**EXECUTIVE SESSION**

Councilperson Herman moved to go into and out of executive session for personnel, potential litigation and contract negotiation per SDCL 1-25-2 at 7:19 pm, with the Attorney, Finance Officer and Public Works Director present. Seconded by Councilperson Fischer, the motion unanimously carried. The Public Works Director left the meeting at 7:26. Council came out of executive session at 8:57 pm. Councilperson Herman moved to schedule a special executive session for April 28<sup>th</sup> at 5:00 pm in the Council Chambers for a hearing regarding an employee matter. Seconded by Councilperson Fischer, the motion unanimously carried.

**ADJOURNMENT**

With no further business, Councilperson Kothe moved to adjourn the meeting at 8:59 p.m. Seconded by Councilperson Herman, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Gary Lipp  
Mayor