

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
December 3rd, 2012**

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of December, 2012 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Fischer, Herman, Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Hattervig moved, with a second by Councilperson Kothe, to approve the minutes from the November 19th, 2012 regular 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 the energy audit that was done by the State at the Wastewater Treatment Plant, reviewed itemed the Risk Management Committee is working on and gave an update on project status.

Rex Harris, Community Development Director, gave Council an update on the deer management tags, West Dam project and mentioned that the City was awarded an \$80,000 grant for Big Rock Park Trails. Council asked some questions regarding archery hunting on the golf course in which Steve Price, Golf Course Superintendent, was present to also answer some questions.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment.

JEFF PRIOR – BEAUTIFY CUSTER BASKETS

Jeff Prior presented Council with information on the Beautify Custer Baskets for the downtown light poles. Council decided to have the General Government Committee looking at the baskets at its December meeting.

KERMA COX – ANIMAL CONTROL CONTRACT

Kerma Cox present Council with a request to be considered for the animal control contract. Council decided to have the General Government Committee look at the animal control contract at its January meeting.

RESIDENTIAL LOTS WITH NO BUILDINGS – GARBAGE SERVICE

Councilperson Herman moved to continue billing the residential lots with no buildings for garbage service since the City is paying garbage on the lots. Seconded by Councilperson Fischer, the motion unanimously carried.

ROBERT JOHNSON – NUISANCE APPEAL

Councilperson Herman motioned to move the nuisance appeal to the end of the agenda. Seconded by Councilperson Fischer, the motion unanimously carried.

SECOND READING - ORDINANCE #728 – 2012 SUPPLEMENTAL BUDGET

Councilperson Herman moved to adopt Ordinance #728, 2012 Supplemental Budget. Seconded by Councilperson Heinrich, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

RESOLUTION #12-03-12 – PERSONNEL MANUAL – LEAVE SLIPS

Councilperson Herman moved to adopt Resolution #12-03-12, Personnel Manual Leave Slips. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION # 12-03-12A

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 09-05-95A; and

WHEREAS, the Common Council of the City of Custer City has determined that Employee Personnel Manual Policy be modified regarding Policy #7 Leaves of Absence, 7.13 Leave Slips, with the following and it shall read as follows:

7.13 Leave Slips

The city requires that each leave of absence must be accompanied by a leave slip. Such leave slips must indicate the dates of the leave, type of leave to be taken or reason leave is taken and number of hours of leave to be taken. (see appendix one)

Each leave slip must be signed by the employee's immediate supervisor prior to the leave being taken. In circumstances such as an emergency or unexpected illness, the leave slip is to be submitted as soon as possible when the employee returns.

All leave slips are to be attached to the employee's time sheet.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended and superseded as adopted.

Dated this 3rd day of December, 2012.

City of Custer City
S/Gary Lipp, Mayor

PHOTOGRAMMETRIC MAPPING

Council postponed any action on the photogrammetric mapping till 2013.

REQUEST TO STOP TRAFFIC – RUN CRAZY HORSE MARATHON EVENT

Councilperson Heinrich moved to approve the request to stop vehicles for runners on the Mickelson Trail crossings of Montgomery Street, Harney Street, Crook Street, Eight Street, Seventh Street and Fourth Street on October 6th, 2013 from approximately 9:00 am to 11:30 am for the Run Crazy Horse Marathon event. Seconded by Councilperson Schleining the motion unanimously carried.

WASTEWATER COLLECTION SYSTEM REPLACEMENT ENGINEERING PROPOSAL

Councilperson Herman moved to approve the wastewater collection system replacement engineering proposal from FourFront Design for \$35,715.00. Seconded by Councilperson Kothe, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

PARK USAGE / BROWN BAG REQUEST – LARRY GUISCHER

Councilperson Herman moved to approve the use of Harbach Park on July 13th, 2013 by Larry Guischer for a Family Reunion and brown bag permit for the event contingent upon proof of liquor liability insurance. Seconded by Councilperson Heinrich, the motion unanimously carried.

CHANGE ORDER – WWTP AERATOR REPLACEMENT PROJECT

Councilperson Herman moved to approve the change order for the Wastewater Treatment Plant Aerator Replacement Project for \$950.18 from RCS Construction. Seconded by Councilperson Fischer, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

BRUSH CHIPPER

Councilperson Herman moved to approve the purchase of the Vermeer BC 1200XL Brush Chipper for \$24,900.00 from Vermeer. Seconded by Councilperson Kothe, the motion carried with Councilperson Fischer, Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

CHANGE ORDER – CUSTER COMMUNITY CENTER

Councilperson Heinrich moved to approve the change order for the chemical feeder/filter assembly and the flushing, filling and chemical treatment of the heating water circulation system for the east side of the Custer Community Center including installation for \$4,854.00 from Aqua-Chem and RD Plumbing Services. Seconded by Councilperson Hattervig, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich, Kothe and Fischer voting yes.

CLAIMS

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

A&B Electric, Capital Improvements, \$1055.70
Beesley Law Office, Professional Fees, \$2752.49
Black Hills Power & Light, Utilities, \$2267.05
Boos Law Office, Professional Fees, \$500.00
Border States Electric, Supplies, Repair & Maintenance, \$990.66
Best Western, Travel, \$91.99
Century Business Products, Supplies, \$181.59
Certified Laboratories, Supplies, \$336.36
Custer Do It Best, Supplies, \$140.34
Chamber of Commerce, Sales Tax Subsidy, \$11963.48
Dacotah Bank, TIF Payments, \$56239.45
Dakotacare, Insurance, \$8079.80
Dakota Resources, Conference, \$125.00
Delta Dental, Insurance, \$432.40
Doll, Carrie, Refund, \$10.00
Energy Lab, Professional Fees, \$35.00
EFTPS, Taxes, \$10721.86
First Interstate Bank, TIF Payments, \$34939.85
Frontier Photo, Safety, \$132.00
Governors Inn, Travel, \$150.00
Hawkins, Supplies, \$1859.50
McClellan, Bill, Safety Equipment, \$97.96
Northwest Pipe Fitting, Supplies, \$415.24
O'Connor Company, Capital Improvements, \$21682.00
Petty Cash, Supplies, \$431.68
RCS Construction, Capital Improvements, \$198000.00

Reindl Construction, Capital Improvements, \$5102.05
S&B Motors, Repairs & Maintenance, \$632.64
State of SD, Sales Tax, \$930.35
SD Planners Association, Conference, \$200.00
SD Retirement System, \$5041.07
SD Supplemental Retirement System, \$195.00
Thomson West, Supplies, \$87.00
Woodward, Laurie, Reimbursement, \$38.80
YMCA, Membership, \$123.00
Ziolkowski, Geney, Animal Control, \$685.00
Mayor & Council, \$4200.00
Finance Department, \$9110.55
Planner, \$6673.88
Public Works Department, \$5026.96
Street Department, \$5868.42
Parks Department, \$4983.32
Water Department, \$3404.37
Wastewater Department, \$6665.62
Total Claims \$412,599.43

ROBERT JOHNSON – NUISANCE APPEAL

Community Development Technician, Kim Conwell presented the nuisance violation information. No one was present to represent Robert Johnson. Councilperson Fischer moved to deny the appeal and order enforcement of the nuisance ordinance for cleanup of the materials on top and around the hot tub at 950 Harney Street within 30 days of Notice and Order of Abatement will take place at an approximate cost of \$300.00. Seconded by Councilperson Schleining, the motion carried with Councilperson Schleining, Hattervig, Heinrich, Kothe, Fischer and Herman voting yes.

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourned the meeting at 7:48 p.m. Seconded by Councilperson Fischer, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor