

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
January 21st, 2014**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of January, 2014 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Heinrich moved, with a second by Councilperson Kothe, to approve the minutes from the January 6th, 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 and mentioned that the Public Works Department will be collecting lead and copper samples for the State.

Rex Harris, Community Development Director, gave an update on the phase one pre-disaster mitigation grant project.

Laurie Woodward, Finance Officer, gave Council an update on year-end work, upcoming audit and claims in for payment.

RESOLUTION #01-21-14A – GARBAGE COLLECTION CONTRACT AMENDMENT

Councilperson Herman moved to approve Resolution #01-21-14A, Garbage Collection Contract Amendment. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

RESOLUTION 01-21-14A

CONTRACT

FOR THE CUSTER CITY

RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL

WHEREAS, the City of Custer City, (hereinafter City) entered into a Contract for the Custer City Residential Solid Waste Collection and Disposal consisting of 17 pages, incorporated herein by this reference, on the 2nd day of April, 2007, with Sander Sanitation, hereinafter called Contractor, executing the Agreement on May 1st, 2007;

WHEREAS, Resolution #03-05-12A provided a renewal thereof said Contract for a period of an additional five years upon the same terms and conditions, to commence May 1st, 2012 and remain in full force and effect to May 1st, 2017;

WHEREAS, the parties have agreed to make a revision to the terms and provisions of said Contract;

WHEREAS, it is specifically understood and agreed that this Contract is binding upon the City if, and only if, each year's financial obligations are approved and authorized by the governing body then holding office. If at any time during the life of this contract, the governing body of the City shall fail or refuse to approve or authorize the funds due hereunder for the following City fiscal year, then this Contract shall terminate at the end of the fiscal year for which funds were approved and authorized. Such a termination shall be without penalty to the City;

NOW THEREFORE IT IS HEREBY RESOLVED that said original Contract for the Custer City Residential Solid Waste Collection and Disposal, incorporated herein, amended for the minor revision noted below, to commence March 1st, 2014, and remain in full force and effect till May 1st, 2017.

REVISION:

*The number of residential units is averaged at 816 units monthly.

*The rate per residential unit per month is \$16.72 (Sixteen dollars and seventy-two cents).

NOW THEREFORE IT IS FURTHER RESOLVED, the Contractor is granted the sole and exclusive right for said time period within the geographic area described in the Contract Specifications and shall furnish all personnel, labor, equipment, trucks, and all other items necessary to provide refuse collection, removal, and disposal services as specified and to perform all of the work called for and described in the Contract Documents;

Dated this 21st day of January, 2014.

S/Gary Lipp, Mayor

FIRST READING – ORDINANCE #745 – SOLID WASTE RATE

Councilperson Herman moved to approve the first reading of Ordinance #745, Solid Waste Rate. Seconded by Councilperson Herman, the motion unanimously carried.

FIRST READING – ORDINANCE #746 – WATER BOND RATE (RECLASSIFICATION)

Councilperson Schleining moved to approve the first reading of Ordinance #746, Water Bond Rate (Reclassification). Seconded by Councilperson Herman, the motion unanimously carried.

SUBMERSIBLE SEWAGE PUMP QUOTE

Councilperson Heinrich moved to approve the quote from Dakota Pump & Control, Inc for a Hydromatic S4T10000 Submersible Sewage Pump for \$24,950. Seconded by Councilperson Kothe, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

SETBACK VARIANCE – BLOCK 25

Councilperson Herman moved to approve the setback variance for the west 45 feet of Lot 1 and the east 45 feet of vacated 4th Street contiguous with Lot 1, Block 25. Seconded by Councilperson Heinrich, the motion unanimously carried.

CHRISTMAS MARKET

Council discussed the Christmas Market idea and requested more information.

CLAIMS

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

2013 Claims:

- Black Hills Power & Light, Utilities, \$11976.58
- Cordill, Kevin, Supplies, \$200.00
- Culligan, Repair & Maintenance, \$18.50
- French Creek Supply, Supplies, \$204.66
- Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$1269.23
- RCS Construction, Capital Improvements, \$13042.75
- Rancher's Feed & Supply, Utilities, \$1003.40
- SD State Executive Management, Utilities, \$15.56
- Unemployment, Insurance, \$31.16
- Ziolkowski, Geney, Animal Control Contract, \$600.00
- Total 2013 Claims, \$28,361.84

2014 Claims:

- AFLAC, Insurance, \$614.54
- APWA, Dues, \$292.00
- 1881 Courthouse Museum, Subsidy, \$7500.00
- Butler Machine, Supplies, \$2155.90
- Chamber of Commerce, Sales Tax Subsidy, \$5392.24
- Custer Gas, Supplies, \$14.10
- Custer Industrial, Repair & Maintenance, \$38.00
- Debs Printing, Supplies, \$7.45
- Golden West Technologies, Professional Fees, \$273.00
- Kellogg, Scott, Reimbursement, \$82.29
- Knight Security, Repair & Maintenance, \$862.80
- Motion Industries, Repair & Maintenance, \$321.74
- Petty Cash, Supplies, Travel, \$121.53
- Pitney Bowes, Supplies, \$500.00
- Quill, Supplies, \$263.08
- Rapid City Telco Federal Credit Union, Utilities, \$828.02
- SRF, Loan Payment, \$4639.68
- Sander Sanitation, Garbage Collection Contract, \$13195.52
- SD DENR, Fees, \$96.00
- SDWWA, Dues, \$40.00
- USDA, Loan Payment, \$8910.00
- Herman, Stacy, Utility Deposit Refund, \$66.60
- Total 2014 Claims, \$46,214.49

COMMITTEE REPORTS

Various committee reports were given.

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 6:11 pm, with the Finance Officer, Public Works Director, and Community Development Director present. Seconded by Councilperson Fischer, the motion unanimously carried. Council came out of executive session at 6:18 pm, with no action taken.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourn the meeting at 6:18 p.m. Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor