

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
July 15th, 2013**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of July, 2013 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Herman, Schleining and Chris Beesley, City Attorney. Councilperson Fischer was absent. 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 Schleining moved, with a second by Councilperson Hattervig, to approve the minutes from the July 1st, 2013 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 electricity usage with the new aerators which is down, possible ordinance for theft of trash collection service, 4th of July activities, FFA community service projects and current projects.

Rex Harris, Community Development Director, was absent.

Laurie Woodward, Finance Officer, gave Council an update on financial information, budget process and mentioned that the BID Board received an Addy Award for their website.

ROBERT JOHNSON - GRIEVANCES

Robert Johnson addressed Council with his concerns regarding his home at 950 Harney Street being denied a building permit.

GORDON CLEVELAND – CRAFTS AT FARMER’S MARKET

Gordon Cleveland, Farmer’s Market Manager, presented his request to allow craft vendors to be part of the Farmer’s Market to Council. Councilperson Schleining moved to approve allowing log furniture vendors to be part of the Farmer’s Market. Seconded by Councilperson Heinrich, the motion unanimously carried. Mr. Cleveland was asked to bring any other craft vendors who use natural products and might be interested in the Farmer’s Market to the General Government Committee for approval.

FIRST READING – ORDINANCE #734 – GARBAGE ON LOTS WITH NO RESIDENTIAL STRUCTURE

Councilperson Schleining moved to approve the first reading of Ordinance #734, Garbage on Lots with No Residential Structure. Seconded by Councilperson Kothe, the motion unanimously carried.

FIRST READING – ORDINANCE #735 – BOND SCHEDULE

Councilperson Hattervig moved to approve the first reading of Ordinance #735, Bond Schedule. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #07-15-13A – STREET VACATION BLOCK 7

Councilperson Heinrich moved to table Resolution #07-15-13A, Street Vacation Block 7, until the next meeting. Seconded by Councilperson Herman, the motion unanimously carried.

RESOLUTION #07-15-13B – SURPLUS CHRISTMAS DECORATIONS

Councilperson Herman moved to adopt Resolution #07-15-13B, Surplus Christmas Decorations. Seconded by Councilperson Kothe, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Herman and Schleining voting yes.

RESOLUTION NO. 07-15-13B

WHEREAS, the City of Custer City has certain personal property which is no longer necessary, useful, or suitable for municipal purposes; and

WHEREAS, SDCL 6-13 provides for the disposition of surplus government property by sealed bids.

NOW THEREFORE BE IT RESOLVED by the common council of the City of Custer City, that 40 shooting star Christmas decorations are declared to be no longer necessary, useful, or suitable for municipal purposes and is to be sold as set forth SDCL 6-13 Sale of Surplus Property.

Dated this 15th day of July, 2013.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

CROSSWALK – ST. JOHN’S THE BAPTIST CATHOLIC CHURCH

Mary Krogman presented Council with the Catholic Church's request for a crosswalk from the Church to the Parish Center directly across Harney Street. Ms. Krogman will bring a drawing of the location for the crosswalk back to Council.

RAFFLE REQUEST – CUSTER COUNTY DEMOCRATS

Councilperson Herman moved to approve the raffle request for the Custer County Democrats raffle to be held through December 7th, 2013. Seconded by Councilperson Schleining, the motion unanimously carried.

PARK USAGE & BROWN BAG REQUEST – NAJAT'S

Councilperson Herman moved to approve the French Creek Park usage and brown bag request from the NAJAT's for July 28th, 2013. Seconded by Councilperson Kothe, the motion unanimously carried.

8TH STREET & MONTGOMERY STREET CURB QUOTE

Councilperson Herman moved to approve the Eight Street & Montgomery Street curb replacement quote from Jenniges Masonry for \$8,600. Seconded by Councilperson Schleining, the motion carried with Councilperson Heinrich, Kothe, Herman, Schleining and Hattervig voting yes.

SOUTH 6TH STREET (WEST SIDE) SIDEWALK QUOTE

Councilperson Herman moved to table the South Sixth Street sidewalk quote till next meeting. Seconded by Councilperson Heinrich, the motion unanimously carried.

CUSTER CRUISIN' MAYOR'S RIDE WAIVER & PROOF OF INSURANCE

The insurance company would like to see the City receive copies of insurance cards for the bikes going on the Custer Cruisin' Mayor's Ride. Due to the timing, Council discussed changing the waiver of liability to state that they must have valid driver's license and current auto insurance for this year and make the change of receiving copies of insurance cards next year. Councilperson Heinrich moved to approve changing the waiver of liability for the Mayor's Ride to state they must have a valid driver's license and current auto insurance. Seconded by Councilperson Hattervig, the motion unanimously carried.

USDA LOAN

Councilperson Herman moved to approve paying the excess balance for bond surcharge revenue collected for debt repayment to the USDA Loan through December 31st, 2012 and each year end going forward as this money can only be used for debt repayment on the USDA Loan. Seconded by Councilperson Schleining, the motion carried with Councilperson Kothe, Herman, Schleining, Hattervig and Heinrich voting yes.

VOLUNTEER LIST

Councilperson Herman moved to approve the 2013 FFA Leadership Camp Group Volunteers. Seconded by Councilperson Kothe, the motion unanimously carried.

ENGAGEMENT LETTER – GUNDERSON PALMER NELSON & ASHMORE LLP

Terri Lee Williams, Attorney with Gunderson, Palmer, Nelson & Ashmore LLP, introduced herself to the Council. Councilperson Schleining moved to approve the engagement letter for union negotiations representation and authorize the Mayor to sign the letter. Seconded by Councilperson Herman, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

WATER TRUCK REPLACEMENT PURCHASE

Councilperson Schleining moved to approve the purchase of a 1998 Ford F800 Van Truck with 14' Box and Lift Gate from Federal Surplus Property for \$11,900.00. Seconded by Councilperson Herman, the motion carried with Councilperson Schleining, Hattervig, Heinrich, Kothe and Herman voting yes.

CLAIMS

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

- 5280 Consulting, Professional Fees, \$3000.00
- ALSCO, Repairs & Maintenance, \$212.88
- Bituminous Paving, Capital Improvements, \$93415.75
- Black Hills Power & Light, Utilities, \$11800.54
- Boos Law Office, Professional Fees, \$150.00
- BPro, Advertising, \$25.00
- Conwell, Kimble, Reimbursement, \$102.42
- Culligan, Repairs & Maintenance, \$18.50
- Custer Community Health Services, Sales Tax Subsidy, \$42109.10
- Chamber of Commerce, Sales Tax Subsidy, \$15746.40
- Custer County Treasurers, Law Enforcement Contract, \$85000.00
- Custer Gas, Utilities, \$3629.22
- Custer State Park, Supplies, \$100.00

Custer True Value, Supplies, \$960.78
Custer Soccer Association, Supplies, \$265.00
Dacotah Bank, TIF #2 Payment, \$11866.32
Dacotah Bank, TIF #4 Payment, \$18610.27
Energy Lab, Professional Fees, \$205.00
Fastenal, Supplies, \$750.00
First Interstate Bank, TIF #1 Payment, \$12402.56
First Interstate Bank, TIF #4 Payment, \$18610.26
First Interstate Bank, Supplies, \$93.70
French Creek Supply, Supplies, \$158.02
Frontier Photo, Supplies, \$279.50
Golden West Technologies, Professional Fees, \$273.00
Hadlock, Cheryl, Professional Fees, \$4154.06
Hawkins, Supplies, \$807.50
Hillyard, Supplies, \$543.41
Jenniges Masonry, Capital Improvements, \$24644.00
Kimball Midwest, Supplies, \$478.77
Kreun Kustom, Repairs & Maintenance, \$250.00
Labcorp, Supplies, \$36.00
Leo's Auto, Repairs & Maintenance, \$35.78
Lawrence & Schiller, Advertising, \$71475.20
Newberg Lumber, Repairs & Maintenance, \$189.88
Northwest Pipe Fitting, Supplies, \$1025.36
Paypal, Supplies, \$243.15
Quality Weed Control, Supplies, \$1587.07
Quill, Supplies, \$252.74
Rapid Delivery, Professional Fees, \$54.00
Rapid City Telco Federal Credit Union, Utilities, Travel, \$2043.58
SRF Loan Payment, \$4639.68
South Dakota One Call, Supplies, \$36.75
S& B Motors, Supplies, \$271.26
Sander Sanitation, Cleanup Day, \$5627.81
State of SD, Sales Tax, \$1676.06
SD State Executive Management, Utilities, \$22.06
Stewart, Ian, Refund, \$70.00
Titan Machinery, Supplies, \$45.44
Unemployment, Insurance, \$226.95
USDA Loan Payment, \$8910.00
USA Bluebook, Supplies, \$516.29
Walker, Gaile, Reimbursement, \$500.00
Wright Express, Supplies, \$1246.33
ZEP Sales, Supplies, \$3298.90
Banman, Glenn, Utility Deposit Refund, \$36.57
Total Claims \$454,728.82

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 6:37 pm, with the Finance Officer, Public Works Director, Attorney Chris Beesley and Attorney Terri Lee Williams present. Seconded by Councilperson Schleining, the motion unanimously carried. Attorney Williams left the executive session at 7:11 pm. Council came out of executive session at 7:25 pm, with no action taken.

BREAK 7:25-7:27

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourn the meeting at 8:10 p.m. Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor