

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
July 16th, 2012**

Council President Corbin Herman called to order the second regular meeting of the Common Council for the month of July, 2012 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Lampert, Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

AGENDA

Council President Herman asked that Burn Ban be added to the agenda. Councilperson Lampert moved, with a second by Councilperson Heinrich, to approve the agenda with the addition. The motion unanimously carried.

MINUTES

Councilperson Hattervig moved, with a second by Councilperson Lampert, to approve the minutes from the July 2nd, 2012 regular meeting with the change of removing Councilperson Schleining name from those that took an oath of office. The motion carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, was absent.

Rex Harris, Community Development Director, gave Council an update on the Skywalk Trail Project and West Dam.

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

PUBLIC HEARING - MALT BEVERAGE & WINE LICENSES – BLACK HILLS BURGER & BUNS

Councilperson Lampert moved to approve the malt beverage and wine licenses for the Black Hills Burger & Bun Company contingent upon proof of insurance. Seconded by Councilperson Heinrich, the motion unanimously carried.

FIRST READING – ORDINANCE #720 – LAWN MAINTENANCE

Councilperson Heinrich moved to approve the first reading of Ordinance #720, Lawn Maintenance. Seconded by Councilperson Hattervig, the motion unanimously carried.

FIRST READING – ORDINANCE #721 – FLOOD PLAIN DEVELOPMENT FEE

Councilperson Lampert moved to approve the first reading of Ordinance #721, Flood Plain Development Fee. Seconded by Councilperson Kothe, the motion unanimously carried.

FIRST READING – ORDINANCE #722 – CAPITAL REPLACEMENT RESERVE FUND

Councilperson Schleining moved to approve the first reading of Ordinance #722, Capital Replacement Reserve Fund. Seconded by Councilperson Heinrich, the motion unanimously carried.

FIRST READING – ORDINANCE #723 – ALCOHOLIC BEVERAGE HOURS OF SALE

Councilperson Heinrich moved to approve the first reading of Ordinance #723, Alcoholic Beverage Hours of Sale. Seconded by Councilperson Lampert, the motion unanimously carried.

RESOLUTION #07-16-12A – SAFETY MANUAL

Councilperson Lampert moved to adopt Resolution #07-16-12A, Safety Manual. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION NO. 07-16-12A

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

WHEREAS, Custer City staff, Safety Committee and Common Council have jointly established guidelines.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Safety Manual consisting of 70 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Safety Manual shall be subject to modification as requested by staff or required by circumstances; it is further resolved that Safety Manual shall be reviewed annually and may be modified.

Dated this 16th day of July 2012.

CITY OF CUSTER CITY

S/Corbin Herman, Council President

RESOLUTION #07-16-12B – FEE SCHEDULE

Councilperson Schleining moved to adopt Resolution #07-16-12B, Fee Schedule. Seconded by Councilperson Hattervig, the motion unanimously carried.

RESOLUTION NO. 07-16-12B

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 11 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 16th day of July 2012.

CITY OF CUSTER CITY

S/Corbin Herman, Council President

COUNCIL AGENDA – TERRY REETZ

Terry Reetz addressed the Council regarding the council agendas being published in the paper a week before the Council meetings. The Council said they would take it under advisement.

1881 COURTHOUSE MUSEUM – 2013 BUDGET SUBSIDY REQUEST

Sandy Ackman, Director of the 1881 Courthouse Museum, along with several others addressed the Council regarding the financial condition of the Museum and the activities the Museum has been sponsoring.

BURN BAN – CUSTER FIRE DEPARTMENT

Joel Behlings, Custer Volunteer Fire Department Chief and Bill Bell, First Assistant Chief, addressed the Council about the extreme fire danger and requested that the burn ban for the City be put back in place. The Council decided to have a special meeting on July 17th, 2012, to act on an emergency resolution for the burn ban.

SHOWMOBILE USE REQUEST – FRONTIER GRILL

Barb Edwards with the Frontier Grill address Council with her request to use the showmobile for August 6th – August 8th, 2012 to host a band/comedian during Custer Cruisin week. Councilperson Lampert moved to approve the Frontier Grill's request to use the showmobile for a setup cost of \$200 and a refundable damage deposit of \$500. Seconded by Councilperson Schleining, the motion unanimously carried.

SOUTH 6TH STREET RECONSTRUCTION DESIGN CONTRACT

Councilperson Lampert moved to approve the design contract for the South Sixth Street Reconstruction Project with FourFront Design for \$10,960.00, upon the attorney's approval. Seconded by Councilperson Heinrich, the motion unanimously carried.

FRENCH CREEK PARK USE/BROWN BAG REQUEST – NAJAT'S

Councilperson Lampert moved to approve the request from the NAJAT's to use French Creek Park on July 28th, 2012 for a gathering and the request for a brown bag permit. Seconded by Councilperson Kothe, the motion unanimously carried.

RAFFLE REQUEST – CUSTER SENIOR CENTER

Councilperson Lampert moved to approve the raffle request for the Custer Senior Center to be held July 4th through July 28th. Seconded by Councilperson Heinrich, the motion unanimously carried.

RAFFLE REQUEST – CUSTER COUNTY DEMOCRATIC PARTY

Councilperson Heinrich moved to approve the raffle request for the Custer County Democratic Party to be held July 17th through December 1st. Seconded by Councilperson Lampert, the motion unanimously carried.

VARIANCE REQUEST – OPERATION BLACK HILLS CABIN

Councilperson Heinrich moved to approve the front yard setback variance request for Operation Black Hills Cabin. Seconded by Councilperson Hattervig, the motion unanimously carried.

TAP FEES/WATER METER WAIVER – OPERATION BLACK HILLS CABIN

Councilperson Lampert moved to waive only the tap fees for Operation Black Hills Cabin. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert and Schleining voting yes.

STREET CLOSURE REQUEST – COOL PINE CRUISERS

Councilperson Lampert moved to approve the street closure request for Cool Pine Cruisers for South 6th Street and the Chamber Parking Lot to host their annual car show from 6 am to 3 pm on July 28th.. Seconded by Councilperson Kothe, the motion unanimously carried.

FINAL PLAT – GRANITE REEF SUBDIVISION

Councilperson Lampert moved to approve the final plat for Granite Reef Subdivision, plat of revised tract C and tract D. Seconded by Councilperson Hattervig, the motion unanimously carried.

SHERIFF'S MONTHLY REPORT

Council acknowledged the Sheriff's monthly reports for June.

2013 BUDGET

Council reviewed the Promotion and Solid Waste budgets for 2013.

CLAIMS

Councilperson Schleinig moved, with a seconded by Councilperson Heinrich, to approve the claims. The motion carried with Councilperson Heinrich, Kothe, Lampert, Schleinig and Hattervig voting yes.

5280 Consulting, Advertising, \$4000.00
AmericInn, Travel, \$95.47
AFLAC, Insurance, \$624.45
ALSCO, Repairs & Maintenance, \$202.38
A & B Electric, Repairs & Maintenance, \$183.60
Audio-Video Solutions, Supplies, \$1807.05
BPro Inc, Advertising, \$225.00
Black Hills Power & Light, Utilities, \$6608.07
Black Hills Power Equipment, Supplies, \$117.87
Border States Electric, Repairs & Maintenance, \$579.22
Butler Machinery, Repairs & Maintenance, \$1080.44
Conwell, Kim, Reimbursement, \$5.64
Culligan, Repairs & Maintenance, \$17.50
Custer Regional Clinic, Supplies, \$87.00
Custer County, Law Enforcement Contract, \$86676.00
Custer County Market, Supplies, \$20.82
Custer True Value, Supplies, \$702.13
D & C Spraying, Trees, \$2982.75
Energy Lab, Supplies, \$296.00
Element, Supplies, \$27.50
Fastenal, Supplies, \$163.27
Fennell Design, Capital Improvements, \$18857.20
First Interstate Bank, Supplies, \$46.50
French Creek Supply, Supplies, \$266.68
Frontier Photo, Supplies, \$1841.33
Golden West Technologies, Professional Fees, \$270.00
Grimm's Pump, Repairs & Maintenance, \$848.52
Hadlock, Cheryl, Professional Fees, \$4033.07
Harris, Rex, Reimbursement, \$1343.00
Hawkins, Supplies, \$6229.20
Hills Materials, Supplies, \$1713.53
Hillyard, Supplies, \$1404.68
Jenner Equipment, Repairs & Maintenance, \$389.88
Kellogg, Scott, Reimbursement, \$95.00
Ketel Thorstenson, Audit, \$1307.49
Labcorp, Supplies, \$21.00
Lawrence & Schiller, Advertising, \$65370.78
Lynn's Dakotamart, Supplies, \$22.50
McGas, Utilities, \$1334.04
Northwest Pipe Fittings, Supplies, \$254.29
Pamida, Supplies, \$14.59
Paypal, Supplies, \$190.51
Pool & Spa Center, Supplies, \$57.05
Quality Weed, Professional Fees, \$476.54
Quill, Supplies, \$21.98
Rapid Delivery, Supplies, \$78.00
Rapid City Telco FCU, Utilities, \$1153.82
SRF Loan Payment, \$4639.68
South Dakota One Call, Supplies, \$32.55
S & B Motors, Supplies, \$254.82
Sanitation Products, Repairs & Maintenance, \$253.39
Sander Sanitation, Garbage Collection Contract, \$13149.92
SD Association of Rural Water, Repairs & Maintenance, \$100.00
SD Department of Revenue, Malt Beverage Licenses, \$150.00

South Dakota Municipal League, Conference, \$40.00
SD State Electrical Commission, Conference, \$40.00
Superior Lamp, Supplies, \$748.95
Terracon, Professional Fees, \$1650.00
True North Steel, Repairs & Maintenance, \$91.90
Unemployment Insurance, Insurance, \$378.04
USDA Loan Payment, \$8910.00
Verizon Wireless, Utilities, \$413.28
Witt's Heating, Repairs & Maintenance, \$1111.39
Wright Express, Supplies, \$1842.45
Total Claims \$247,949.71

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourn the meeting at 6:55 p.m. Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Council President