

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
June 16<sup>th</sup>, 2014**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of June, 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 Fischer moved, with a second by Councilperson Schleining, to approve the agenda. The motion unanimously carried.

**MINUTES**

Councilperson Hattervig moved, with a second by Councilperson Heinrich, to approve the minutes from the June 2<sup>nd</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, was absent.

Mike Packer, Temporary Interim Community Development Director, updated Council on what he has been working on.

Laurie Woodward, Finance Officer, gave Council an update on grant reimbursements and mentioned Finance Officer Schooling that by the Deputy Finance Officer and Finance Officer.

**PUBLIC HEARING – RETAIL ON-OFF SALE MALT BEVERAGE LICENSE – DAKOTA'S BEST**

Councilperson Herman moved to approve the retail on-off sale malt beverage license for Dakota's Best. Seconded by Councilperson Kothe, the motion unanimously carried.

**PUBLIC HEARING – SPECIAL EVENT MALT BEVERAGE LICENSE – FRONTIER BAR & GRILL FOR FIREFALL CONCERT ON PAGEANT HILL ON JULY 5<sup>TH</sup>**

Councilperson Hattervig moved to approve the special event sale malt beverage license for Frontier Bar & Grill for the July 5<sup>th</sup> Concert on Pageant Hill contingent upon ten percent required by the operating agreement being paid current, proof of liquor liability insurance and Sheriff's Office approval. Seconded by Councilperson Heinrich, the motion unanimously carried.

**SIGNAGE FOR SKATEBOARDS ON SIDEWALKS – JIM UNDERSTOCK**

Jim Understock presented Council with his concerns regarding signage to inform people that skateboarding is not allowed on the sidewalks. The Council informed Mr. Understock that the City will be working on the issue.

**CUSTER COMMUNITY CENTER UPDATE – GENE FENNEL**

Gene Fennell gave Council an update on the Custer Community Center.

**FIRST READING – ORDINANCE #751 – COMMERCIAL REFUSE COLLECTIONS**

Councilperson Schleining moved to approve the first reading of Ordinance #751, Commercial Refuse Collections with the addition of wording being added to the ordinance pertaining to stickers being placed on each licensed vehicle. Seconded by Councilperson Fischer, the motion unanimously carried.

**FIRST READING – ORDINANCE #752 - CARPORTS**

Councilperson Herman moved to approve the first reading of Ordinance #752, Carports. Seconded by Councilperson Schleining, the motion unanimously carried.

**RESOLUTION #06-16-14A – PERSONNEL MANUAL – POLICY 5.3 (WORK DAY) & 5.4 (ON CALL STATUS)**

Councilperson Heinrich moved to adopt Resolution #06-16-14A, Personnel Manual change to Policy 5.3 (work day) and 5.4 (on call status). Seconded by Councilperson Kothe, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

**RESOLUTION # 6-16-14A**

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 #5 Hours of Work, 5.3 Standard Work Day and 5.4 On Call Status, with the following and it shall read as follows:

5.3 Standard Work Day:

The standard eight hour work day for municipal office employees, will be Monday through Friday, and unless otherwise stated will begin at 8:00 a.m. Monday and end at 5:00 p.m. Friday, including a one hour break for noon lunch and a 15 minute break period in both the morning and afternoon. Public Work Department employees will work a standard eight hour work day of 7:00 a.m. to 4:00 p.m., including a one hour break for noon lunch and a 15 minute break period in both the morning and afternoon, unless otherwise stated. The Public Works Department employees will alternate work schedules in order to provide coverage on weekends. Break periods may not be accumulated for time off and are not guaranteed. Breaks are not mandatory under state or federal law; they are a privilege and not a right.

Emergencies may require that employees work more than eight hours in a day but shall be compensated with equal time off within the same work week (flex time) or through the accumulation of overtime or comp time in accordance with 5.6 and 5.7 of this personnel manual.

#### 5.4 On Call Status

To clarify the understanding of being on call during the off hours means simply that you shall be available in a reasonable amount of time to respond to any emergency. The City expects the on call duty person to be physically able and mentally alert to respond to any call. The time period that an individual shall be on call shall be from four (4:00) p.m. until seven (7:00) a.m. the following day.

Any or all public works employees may be designated as on call by the public works director, supervisor in the absence of the department head, when the possibility of snow removal exists as dictated by weather forecasts.

The on call employee shall conduct him/herself in a manner as though he/she were on regular duty. The on call employee shall be responsible for advising the public works director or supervisor if an emergency situation arises which necessitates his/her replacement during the on call status. His/her notification shall include the amount of time he/she will need to be replaced. In the event the public works director and/or the supervisor is unavailable or unable to be contacted, it is the on call employees duty to notify the mayor, or in the mayors absence, the president of the council, of the emergency situation and need for replacement.

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

Dated this 16<sup>th</sup> day of June, 2014.

City of Custer City  
S/Gary Lipp, Mayor

#### **RESOLUTION #06-16-14B – PERSONNEL MANUAL – PLANNING ADMINISTRATOR JOB DESCRIPTION**

Councilperson Fischer moved to adopt Resolution #06-16-14B, Planning Administrator Job Description. Seconded by Councilperson Hattervig, the motion unanimously carried.

#### RESOLUTION # 6-16-14B

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 9-5-95A; and

WHEREAS, the Common Council of the City of Custer City has determined that a Planning Administrator position description is necessary and desirable.

WHEREAS, the Common Council of the City of Custer City has determined that the Community Development Director position description is no longer necessary and desirable.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit A, Planning Administrator Position Description, as though set forth in full herein, and adopted by reference; and the Community Development Director position description removed.

Dated this 16<sup>th</sup> day of June, 2014

City of Custer City  
S/Gary Lipp, Mayor

#### **GOLD DISCOVERY DAYS REQUEST**

Councilperson Schleining moved to approve the Gold Discovery Days request for closure of South Fourth Street from Mt Rushmore Road south. Councilperson Fischer seconded the motion. Councilperson Schleining moved to rescind the motion to approve the Gold Discovery Days street closure request due to more information being needed. Seconded by Councilperson Fischer, the motion unanimously carried.

#### **SHERIFF'S MONTHLY REPORT**

Councilperson Herman moved to acknowledge the Sheriff's monthly reports for May. Seconded by Councilperson Kothe, the motion unanimously carried.

**JULY 5<sup>TH</sup> CONCERT ON PAGEANT HILL PORTA-POTS**

Councilperson Herman moved to approve the City covering \$375 of expense for porta-pots for the July 5<sup>th</sup> concert on Pageant Hill with the understanding that if a profit is made from the concert that it is to come back to the City to help cover those expenses. Seconded by Councilperson Schleining, the motion unanimously carried.

**FUTURE OF LIQUOR STORE BUILDING**

Councilperson Herman moved to approve surplusizing the Liquor Store Building and advertise for sealed bids with two options; one for demolition of the building and one for salvage & removal of building. Seconded by Councilperson Fischer, the motion unanimously carried.

**ANIMAL CONTROL AGREEMENT**

Councilperson Heinrich moved to approve the animal control agreement with Custer County Sheriff's Office for July through December 2014 at \$600 per month. Seconded by Councilperson Herman, the motion unanimously carried.

**STUMP GRINDING AT CEMETERY**

Councilperson Herman moved to approve the quote received from Ness Stump Grinding for \$1,600.00 to remove stumps at the Cemetery. Seconded by Councilperson Kothe, the motion unanimously carried.

**LAGOONS POND LINING – EXTRA MATERIAL – PROPOSAL QUOTE**

Councilperson Heinrich moved to quote for extra materials for the lagoon pond lining project from RCS Construction at \$10,013.91. Seconded by Councilperson Herman, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

**CLAIMS**

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

ALSCO, Repair & Maintenance, \$185.65  
Black Hills Power & Light, Utilities, \$5868.99  
Black Hills Power Equipment, Repair & Maintenance, Supplies, \$721.23  
Culligan, Repair & Maintenance, \$18.50  
Custer Car Wash, Supplies, \$14.75  
Chamber of Commerce, Sales Tax Subsidy, \$6308.81  
Chronicle, Publishing, \$629.68  
Dakota Greens, Supplies, \$155.00  
Dakota Pump & Control, Repair & Maintenance, \$5168.38  
Debs Printing, Supplies, \$161.25  
Dumire, John, Reimbursement, \$500.00  
Eddie's Truck Center, Supplies, \$76.19  
FourFront Design, Capital Improvements, \$16663.28  
First Interstate Bank, Supplies, \$42.25  
Freeman's Electric, Repair & Maintenance, \$1281.34  
French Creek Supply, Supplies, \$203.54  
Frontier Photo, Supplies, \$1140.00  
Golden West Technologies, Computer Upgrade, Professional Fees, \$6157.50  
Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$4515.40  
Hadlock, Cheryl, Professional Fees, \$4154.06  
Hawkins, Supplies, \$8117.96  
Hespen Excavating, Repair & Maintenance, \$544.86  
Hills Materials, Supplies, \$1880.94  
Hills Materials, Capital Improvements, \$14692.78  
ICC, Dues, \$125.00  
Itron, Supplies, \$584.98  
Jenner Equipment, Supplies, \$88.22  
Kellogg, Scott, Reimbursement, \$67.74  
Ketel Thorstenson, Audit, \$1058.19  
Kimball Midwest, Supplies, \$241.20  
Leo's Auto, Repair & Maintenance, \$39.67

Nelson Oil & Gas, Supplies, \$1654.61  
PayPal, Supplies, \$206.32  
Power House, Supplies, \$392.48  
Quill, Supplies, \$32.06  
RCS Construction, Capital Improvements, \$12360.00  
Rapid Delivery, Professional Fees, \$105.00  
Rapid City Telco Federal Credit Union, Supplies, Travel, Utilities, \$3386.65  
SRF Loan Payment, \$4639.68  
SD One Call, Supplies, \$35.70  
S&B Motors, Supplies, \$99.11  
Sander Sanitation, Garbage Collection Contract, \$8102.69  
SD DENR, Fees, \$600.00  
State of SD, Sales Tax, \$933.93  
SD Dept of Revenue, Malt Beverage License, \$150.00  
SD Federal Property, Supplies, \$100.00  
SD Executive Management Finance Office, Utilities, \$23.64  
Swede Logging, Trees, \$8610.00  
Tall Grass Landscape, Capital Improvements, \$2842.23  
Team Lab, Supplies, \$3876.00  
True North Steel, Repair & Maintenance, \$1227.90  
USDA Loan Payment, \$8910.00  
Wright Express, Supplies, \$1206.41  
YMCA, Subsidy, Pool Management Contract, \$36500.00  
Total Claims, \$177,401.75

**COMMITTEE REPORTS**

Various committee reports were given.

**ADJOURNMENT**

With no further business, Councilperson Kothe moved to adjourn the meeting at 6:52 p.m.  
Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Gary Lipp  
Mayor