

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
June 4th, 2012**

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

AGENDA

Mayor Lipp stated that item "e", request to abate, would be removed from the agenda. Councilperson Lampert moved, with a second by Councilperson Hattervig, to approve the agenda with the change made. The motion unanimously carried.

MINUTES

Councilperson Lampert moved, with a second by Councilperson Schleining, to approve the minutes from the May 21st, 2012 regular meeting. The motion carried.

CONFLICTS OF INTEREST

Councilperson Herman stated he would abstain from voting on the pool management agreement and the YMCA's commitment to the community. No other conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, gave Council an update on some projects the Public Works Department has been working on.

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

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment, status of the audit and the upcoming budget process.

MALT BEVERAGE LICENSE RENEWAL

The Council was presented with a renewal list of malt beverage license applications for this year. At this time there were 21 malt beverage licenses for renewal. Councilperson Schleining moved to approve the applications as listed contingent upon taxes being paid and proof of insurance being provided for each licensee. Seconded by Councilperson Heinrich, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert, Herman and Schleining voting yes.

RESOLUTION #06-04-12A – WRITE-OFF'S

Councilperson Heinrich moved to adopt Resolution #06-04-12A, Write-Off's. Seconded by Councilperson Kothe, the motion carried with Councilperson Heinrich, Kothe, Lampert, Herman, Schleining and Hattervig voting yes.

RESOLUTION NO. 6-04-12A

WHEREAS, Book 3, Supplemental, Chapter 9-22-4 of the South Dakota Codified Law states "every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is non-collectible, and by formal action direct that the non-collectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt."

WHEREAS, efforts have been made to collect these past due accounts receivable, and
WHEREAS, adequate time has elapsed to consider these accounts receivable delinquent and past due,
NOW THEREFORE BE IT RESOLVED that the following accounts be deemed non-collectible and removed from the records and disclosed on the 2012 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Zack Derr	500980-02	\$ 502.66
Max Drake	300650-02	\$ 83.20
John Miller	500590-05	\$ 129.31
Michelle Turner	401860-08	\$ 114.82
Larry Ventling	Malt Bev	\$ 325.53
	TOTAL	<u>\$1155.52</u>

Signed this 4th day of June, 2012.

CITY OF CUSTER CITY

S/ MAYORGARY LIPP

RESOLUTION #06-04-12B – FIVE YEAR PLAN

Councilperson Schleining moved to adopt Resolution #06-04-12B, Five Year Plan. Seconded by Councilperson Heinrich, the motion carried with Councilperson Kothe, Lampert, Herman, Schleining, Hattervig and Heinrich voting yes.

RESOLUTION NO. 06-04-12B

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Five Year Plan be established to set forth further development and improvement plans for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established priorities and guidelines for said Plan.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Five Year Plan 2013 – 2017 consisting of 25 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Plan shall be subject to modification as requested by staff or required by circumstances; it is further resolved that The Plan shall be reviewed by the Common Council annually by June 1st, and may be modified to insure appropriate progress.

Dated this 4th day of June 2012.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

COMMUNITY CENTER MASTER PLAN

Matt Fridell and Tonya Olson with Tallgrass Landscape and Gene Fennell with Fennell Design, presented the draft Community Center Master Plan to Council. Council will review the plan and submit any comments prior to a Final Plan being completed.

SOUTH 5TH STREET CONSTRUCTION ADMINISTRATION CONTRACT

Councilperson Schleining moved to approve the South 5th Street construction administration contract with FourFront Design for \$8,060. Seconded by Councilperson Herman, the motion carried with Councilperson Lampert, Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

POOL MANAGEMENT AGREEMENT

Councilperson Heinrich moved to approve the 2012 pool management contract with the YMCA at a cost of \$14,000. Seconded by Councilperson Hattervig, the motion carried with Councilperson Schleining, Hattervig, Heinrich, Kothe and Lampert voting yes while Councilperson Herman abstained from voting.

YMCA'S COMMITMENT TO THE COMMUNITY

Roger Gallimore, Executive Director with the Rapid City YMCA, addressed the Council regarding the Rapid City YMCA's commitment to the Custer Community. Roger highlighted the Custer YMCA's partnerships and how they all work within the YMCA.

COMMUNITY CENTER BUILDING DESIGN CONTRACT AMENDMENT

Gene Fennell with Fennell Design, presented the Community Center Building design contract amendment to the Council. The amendment is for the design of YMCA Child Development Center playground layout and containment, entry plaza layout and vehicular access plan. Councilperson Schleining moved to approve the Community Center Building design contract amendment for \$12,475. Seconded by Councilperson Heinrich, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert, Herman and Schleining voting yes.

CLAIMS

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

Beesley Law Office, Professional Fees, \$1410.00

Black Hills Power & Light, Utilities, \$7267.01

Custer Community Health Services, Sales Tax Subsidy, \$25852.16

Custer Do It Best, Supplies, Capital Improvements, \$7185.02

Chamber of Commerce, Sales Tax Subsidy, \$5424.58

Custer County Chronicle, Publishing, \$253.50

Dacotah Bank, TIF Payments, \$60735.40

Dakota Greens, Supplies, \$135.00

Delta Dental, Insurance, \$432.40

EFTPS, Taxes, \$12393.68

First Interstate Bank, TIF Payments, \$34115.11

Hills Material, Capital Improvements, \$2140.66

Jenny's Floral, Supplies, \$32.98

Munoz Logging, Nuisance Abatement, \$4505.00

Petty Cash, Supplies, \$315.52

Quill, Supplies, \$19.99

Rushmore Communications, Other, \$387.42

SD DENR, Professional Fees, \$600.00

State of SD, Sales Tax, \$844.20
SD Retirement System, \$5597.66
SD Supplemental Retirement System, \$195.00
YMCA, Pool Management, \$14000.00
YMCA, Membership Dues, \$123.00
Ziolkowski, Geney, Animal Control, \$686.00
Blue Spotted Elk, Utility Deposit Refund, \$22.06
Mayor & Council, \$4200.00
Finance Department, \$9049.69
Planning Department, \$6459.88
Public Works Department, \$5026.96
Street Department, \$5901.30
Parks Department, \$8838.40
Water Department, \$5920.00
Wastewater Department, \$6797.86
Total Claims \$236,867.44

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session for personal, contract negotiation and potential litigation at 6:31 pm with the Attorney, Public Works Director, Community Development Director and Finance Officer present. Seconded by Councilperson Herman, the motion unanimously carried. Council came out of executive session at 6:46 pm.

EMPLOYEE STEP INCREASE

Councilperson Lampert moved to approve the step increases for Mark Bennett to step 1 at \$13.26 effective June 5th, 2012 and Laurie Woodward to step 3 at \$52,355.42 effective May 1st, 2012. Seconded by Councilperson Herman, the motion carried with Councilperson Kothe, Lampert, Herman, Schleining, Hattervig and Heinrich voting yes.

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourned the meeting at 6:58 p.m. Seconded by Councilperson Herman, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor