

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
MAY 2nd, 2011**

Mayor Harold D. Stickney called to order the first regular meeting of the Common Council for the month of May, 2011 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Starr, Lipp, Murphey, Herman, Schleining, and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Murphey moved, with a second by Councilperson Herman, to approve the minutes from the April 18th, 2011 meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts were stated.

DEPARTMENT HEAD DISCUSSION

Rex Harris, Community Development Director, gave Council an update on the downtown TIF project.

The numbers for the city cleanup days included a total of 276 loads of household goods and 92 loads of yard waste.

LYNN KOLUND – DISTRICT RANGER – VESTAL PLANNING PROJECT

Lynn Kolund, District Ranger with the Black Hills National Forest, presented Council with an outline of the Vestal Planning Project. The purpose of the project is to reduce the threat to forest resources from the existing mountain pine beetle epidemic and protect local communities and watersheds from large-scale, high intensity wildfire by reducing fire hazard within the area surrounding Custer. The Forest Service will host a public meeting on Wednesday May 11, 2011 from 5:00-7:00 pm at the Custer High School.

ARBOR DAY PROCLAMATION

Dave Thom present council with the Tree City USA requirements and updated them on the work Steve Pischke, Samantha Wangsgard and himself along with Bob Morrison and Rex Harris have been working on for the Tree Board and Tree City USA. Councilperson Hattervig moved to authorize the Mayor to sign the proclamation claiming May 16th, 2011 as Arbor Day. Seconded by Councilperson Schleining, the motion unanimously carried.

EXECUTIVE PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

THEREFORE, BE IT RESOLVED that I, Harold D. Stickney, Mayor of the City of Custer City, South Dakota, do hereby proclaim May 16th, 2011 to be

ARBOR DAY

in the City of Custer City, SD, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

ATTEST

CITY OF CUSTER CITY

S/Harold D. Stickney, Mayor

MALT BEVERAGE LICENSE HEARING

Councilperson Murphey moved to approve the on-off sale malt beverage license for the Naked Winery. Seconded by Councilperson Herman, the motion unanimously carried.

SECOND READING – ORDINANCE #687 – ABANDONMENT OF SERVICES

Councilperson Starr moved to adopt the second reading of ordinance #687, abandonment of services. Seconded by Councilperson Herman, the motion unanimously carried with Councilperson Hattervig, Starr, Lipp, Murphey, Herman and Schleining voting yes.

FIRST READING – ORDINANCE #686 – REMOVING SECTIONS 9.12.040, 10.08.100 AND 10.08.220

Councilperson Schleining moved to adopt the first reading of ordinance #686, removing sections 9.12.040 failing to obtain license when required, 10.08.100 slow driving and 10.08.220 prudent driving. Seconded by Councilperson Herman, the motion unanimously carried.

FIRST READING – ORDINANCE #688 – IMPROPER USE OF TURNING SIGNALS

Councilperson Murphey moved to adopt the first reading of ordinance #688, improper use of turning signals. Seconded by Councilperson Schleining, the motion unanimously carried.

FIRST READING – ORDINANCE #689 – BOND SCHEDULE

Councilperson Starr moved to adopt the first reading of ordinance #689, bond schedule. Seconded by Councilperson Hattervig, the motion unanimously carried.

LTRC REQUEST

Councilperson Schleining moved to approve the Long Term Recreation Committees request to spend \$1451.60 on a music venue to be held at the 1881 Courthouse Museum throughout the summer. Seconded by Councilperson Murphey, the motion unanimously carried.

GATES PARK PLAYGROUND

Cheyenne Bailey presented her thoughts on the playground area at Gates Park. The Long Term Recreation Committee supports Cheyenne's idea for the Gates Park Playground however; the committee felt the money should not come from the Long Term Recreation money but other city funds. Councilperson Starr moved to spent up to \$25,000 on a playground at Gates Park, seconded by Councilperson Herman. After some discussion, Councilperson Starr amended his motion to spend up to \$24,000 on the playground, the motion died for a lack of a second. Councilperson Herman, Cheyenne and Bob will come up with a plan and present it to Council.

GOLD DISCOVERY DAYS COMMITTEE REQUEST

Council postponed any action on the Gold Discovery Days Committee request until the next Council meeting to give Bob time to address concerns about Way Park usage.

PAGEANT HILL USE REQUEST

Councilperson Murphey moved to approve the use of Pageant Hill on Saturday June 4, 2011 from 2pm to 5pm for Picnic at Pageant Hill event which will include live music. The Chamber of Commerce will provide the insurance for this event. Seconded by Councilperson Hattervig, the motion unanimously carried.

DOWNTOWN TIF#4 PROFESSIONAL SERVICE AGREEMENT AMENDMENT

Councilperson Murphey moved to approve the professional services agreement amendment from Wyss Associates for the Downtown TIF#4 Project, which will include a redesign of Alternate 1 based upon using LA 18 decorative fixtures. Seconded by Councilperson Herman, the motion unanimously carried.

ALCOHOLIC BEVERAGE LICENSE OPERATING AGREEMENT

Councilperson Schleining move to approve the changes to the alcoholic beverage license operating agreement. Seconded by Councilperson Starr, the motion unanimously carried.

RECORDS MANAGEMENT LIST

Councilperson Herman moved approve the records management list for destruction with the exception of the colonial manor agreement and Cruisin trademark file. Seconded by Councilperson Murphey, the motion carried with Councilperson Hattervig, Lipp, Murphey, Herman and Schleining voting yes, while Councilperson Starr voted no.

NEW HIRE – TEMP PARKS POSITION

Councilperson Lipp moved to approve the hiring of Mark Bennett for a temporary parks position effective May 9th at \$10.15 per hour. Seconded by Councilperson Herman, the motion unanimously carried.

EMPLOYEE STEP INCREASE

Councilperson Herman moved to approve the wage increases for Laurie Woodward to Step 2 at \$50,830.05 effective 5/1/11. Seconded by Councilperson Schleining, the motion unanimously carried

CLAIMS

Councilperson Starr moved, with a seconded by Councilperson Lipp, to approve the claims. The motion unanimously carried.

- Alltel, Utilities, \$418.23
- AFLAC, Supplemental Insurance, \$393.38
- Beesley Law Office, Professional Fees, \$3385.00
- Black Hills Power & Light, Utilities, \$2848.55
- Black Hills Power Equipment, Supplies, \$80.29
- Century Business Products, Supplies, \$212.99
- Credit Collections Bureau, \$202.50
- Custer Do It Best, Supplies, \$30.13
- Custer County Chronicle, Publishing, \$2682.23
- Dacotah Bank, TIF#4, \$3817.11
- Dacotah Bank, TIF#2, \$201.80
- Dakotacare, Insurance, \$6793.77
- Dakota Supply Group, Repairs & Maintenance, \$4226.60

Delta Dental, Insurance, \$416.50
Environmental Equipment, Supplies, \$339.90
EFTPS, Taxes, \$11155.64
First Interstate Bank, TIF#1, \$2171.53
First Interstate Bank, TIF#4, \$3817.10
First Western Insurance, Insurance, \$31410.00
Hillyard, Supplies, \$61.12
International Code Council, Dues, \$125.00
Kadrmars, Lee & Jackson, Capital Improvements, \$980.18
Kellogg, Scott, Reimbursement, \$205.00
Kimball Midwest, Supplies, \$308.55
L&A Welding, Repairs & Maintenance, \$681.74
McClellan, Bill, Safety Equipment, \$100.00
Northern Balance & Scale, Repairs & Maintenance, \$168.00
Petty Cash, Supplies, \$409.35
Pitney Bowes, Supplies, \$39.00
Quill, Supplies, \$147.41
Rhithron Associates, French Creek Grant, \$2725.00
Rapid City Telco FCU, Utilities, \$872.41
SD Assoc of Code Enforcement, Conference, \$50.00
State of SD, Sales Tax, \$778.91
SD Department of Revenue, License, \$150.00
SD Retirement System, \$5424.84
Stickney, Harold, Travel, \$33.30
SD Supplemental Retirement Plan, \$100.00
Walker, Gaile, Safety Equipment, \$63.47
Wright Express, Supplies, \$1654.75
YMCA, Membership, \$76.00
Mayor & Council, \$4250.00
Planner, \$4411.92
Finance Department, \$8740.16
Public Buildings, \$1936.00
Public Works Department, \$4880.56
Street Department, \$5353.61
Parks Department, \$7411.00
Water Department, \$5879.45
Wastewater Department, \$6403.20
Total Claims \$139,023.18

COMMITTEE REPORTS

Various committee updates were given.

BREAK 7:27-7:35

EXECUTIVE SESSION

Councilperson Murphey moved to go into executive session for potential litigation at 7:35 with Attorney Chris Beesley, Finance Officer Laurie Woodward and Community Development Director Rex Harris present. Seconded by Councilperson Herman, the motion unanimously carried. Council came out of executive session at 7:55pm, with no action taken.

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:55 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Harold D. Stickney
Mayor