

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

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of September, 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

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

MINUTES

Councilperson Lampert moved, with a second by Councilperson Heinrich, to approve the minutes from the August 20th, 2012 regular meeting. The motion carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

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

Rex Harris, Community Development Director, gave Council an update on Custer Cruisin and the Big Rock Park Trail.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment and status of the SRF Loan.

RICHARD JOHNSON – LAWN ORDINANCE

Richard Johnson, Boot Hill Estate Resident, addressed the Council regarding the lawn maintenance ordinance and when it is going to be enforced. Several other Boot Hill Estate Residence also addressed the Council regarding the natural state of portions of their property. The ordinance will be reviewed at the next General Government Committee Meeting.

ROBERT & STACEY MULLINER – VACATION OF A PORTION OF A PLAT

Councilperson Lampert moved to table the vacation of a portion of the Kranzler Subdivision plat till a later date. Seconded by Councilperson Heinrich, the motion unanimously carried.

FIRST READING – ORDINANCE #726 – 2013 APPROPRIATION ORDINANCE

Councilperson Lampert moved to approve the first reading of Ordinance #726, 2013 Appropriation Ordinance. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION #09-04-12A – PERFORMANCE EVALUATION FORM

Councilperson Schleining moved to adopt Resolution #09-04-12A, Performance Evaluation Form. Seconded by Councilperson Hattervig, the motion unanimously carried.

RESOLUTION # 09-04-12A

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 an employee performance evaluation is necessary and desirable.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit "A", Employee Performance Evaluation, as if set forth in full herein, and adopted by reference.

Dated this 4th day of September, 2012

City of Custer City

S/Gary Lipp, Mayor

RESOLUTION #09-04-12B – FEE SCHEDULE

Councilperson Heinrich moved to adopt Resolution #09-04-12B, Fee Schedule. Seconded by Councilperson Kothe, the motion unanimously carried.

RESOLUTION NO. 09-04-12B

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 4th day of September 2012.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

BROWN BAG PERMIT – CHAMBER OF COMMERCE – MICKELSON TRAIL TREK

Councilperson Lampert moved to approve the brown bag request for the Custer Chamber of Commerce for the Mickelson Trail Trek for September 13, 2012 in Harbach Park. Seconded by Councilperson Heinrich, the motion unanimously carried.

2013 BUSINESS DIRECTORY AD

Councilperson Schleining moved to approve a half page ad in the 2013 Chamber of Commerce Business Directory for \$695.00. Seconded by Councilperson Lampert, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert and Schleining voting yes.

AERATOR BIDS

Councilperson Lampert moved to accept the bid form RCS Construction for \$379,000.00 for the Wastewater Treatment Plant Aerator Replacement Project. Seconded by Councilperson Hattervig, the motion carried with Councilperson Heinrich, Kothe, Lampert, Schleining and Hattervig voting yes.

2013 SHERIFF'S CONTRACT

Councilperson Schleining moved to approve the 2013 Law Enforcement Contract for \$340,000.00 with Custer County. Seconded by Councilperson Lampert, the motion carried with Councilperson Kothe, Lampert, Schleining, Hattervig and Heinrich voting yes.

CLAIMS

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

Beesley Law, Professional Fees, \$1680.00
Black Hills Power & Light, Utilities, \$3311.37
Century Business Products, Supplies, \$280.11
Conwell, Kim, Reimbursement, \$7.08
Custer Community Health Services, Sales Tax Subsidy, \$59093.04
Custer Do It Best, Supplies, \$30.94
Chamber of Commerce, Sales Tax Subsidy, \$31127.25
Dacotah Bank, TIF #2 Payment, \$1542.25
Dakotacare, Insurance, \$7596.15
Delta Dental, Insurance, \$432.40
Energy Lab, Professional Fees, \$403.50
EFTPS, Taxes, \$12157.07
First Interstate Bank, TIF #1 Payment, \$356.76
Hawkins, Supplies, \$5907.05
L & A Welding, Repairs & Maintenance, \$651.38
McGas Propane, Utilities, \$1806.12
Morrison, Bob, Safety Equipment, \$100.00
Nelson's Oil & Gas, Supplies, \$972.00
Petty Cash, Supplies, \$425.40
Pitney Bowes, Supplies, \$61.19
Quality Weed Control, Professional Fees, \$653.95
Quill, Supplies, \$20.26
SD Retirement System, \$5366.52
SD Supplemental Retirement, \$195.00
VFW, Supplies, \$500.00
Walker, Gaile, Reimbursement, \$500.00
YMCA, Memberships, \$123.00
Ziolkowski, Geney, Animal Control Contract, \$803.00
Young, Cody, Utility Deposit Refund, \$58.32
Mayor & Council, \$4200.00
Finance Department, \$9110.55
Planning Department, \$6759.88
Public Works Department, \$5026.96
Street Department, \$6018.41
Parks Department, \$7755.51
Water Department, \$6017.61

Wastewater Department, \$6696.97

Total Claims \$187,747.00

COMMITTEE REPORTS

Various committee reports were given.

BREAK 6:55 – 7:00

EXECUTIVE SESSION

Councilperson Lampert moved to go into and out of executive session for personnel, potential litigation and contract negotiation per SDCL 1-25-2 at 7:00 pm, with the Attorney, Finance Officer, Public Works Director and Community Development Director present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 7:44 pm, with no action taken.

ADJOURNMENT

With no further business, Councilperson Lampert moved to adjourn the meeting at 7:45 p.m. Seconded by Councilperson Kothe, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor