

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
April 2nd, 2012**

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

AGENDA

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

MINUTES

Councilperson Lampert moved, with a second by Councilperson Hattervig, to approve the minutes from the March 19th, 2012 regular meeting and the March 19th, 2012 Board of Equalization meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, gave Council an update on a few public works department projects. Council discussed having a few trees sprayed for bugs.

Rex Harris, Community Development Director, gave Council an update on the pre-disaster mitigation project and mentioned that the addressing within the City is being reviewed.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment and mentioned that a Council work session needs to be scheduled. The work session was scheduled for April 30th, 12 at 5:30 p.m.

PUBLIC HEARING – MALT BEVERAGE - BITTER ESTERS BREWHOUSE

Councilperson Herman moved to approve the retail on-off sale malt beverage license for Bitter Esters Brewhouse contingent upon proof of insurance being provided. Seconded by Councilperson Heinrich, the motion unanimously carried.

SNOW REMOVAL FINE ABATEMENT REQUEST – NMN LLC

Councilperson Lampert moved to deny the request from NMN LLC to have the \$100.00 snow removal fine removed from his bill. Seconded by Councilperson Hattervig, the motion unanimously carried.

SECOND READING – ORDINANCE #715 – AFTER HOURS TURN ON FEE

Councilperson Heinrich moved to adopt Ordinance #715, After Hours Turn on Fee. Seconded by Councilperson Herman, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert and Herman voting yes.

FIRST READING – ORDINANCE #716 – LAWN MAINTENANCE

Councilperson Lampert moved to approve the first reading of Ordinance #716, Lawn Maintenance. Seconded by Councilperson Herman, the motion unanimously carried.

FIRST READING – ORDINANCE #717 – REMOVAL OF SECTION 13.16.140 & 13.24.020

Councilperson Hattervig moved to approve the first reading of Ordinance #717, Removal of Section 13.16.140 Application and Section 13.24.020 Meter Installation Fee. Seconded by Councilperson Herman, the motion unanimously carried.

RESOLUTION #04-02-12A – REQUEST FOR PUBLIC RECORDS FORM

Councilperson Lampert moved to adopt Resolution #04-02-12A, Request for Public Records Form. Seconded by Councilperson Kothe, the motion unanimously carried.

RESOLUTION NO. 04-02-12A

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Request for Public Records Form be created for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established such form.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Request for Public Records consisting of 3 pages, (attached hereto and incorporated herein) is hereby adopted;

Dated this 2nd day of April 2012.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

COMMUNITY CENTER GYM USE REQUEST - YMCA

Councilperson Heinrich moved to approve the YMCA request to use the Community Center Gym April 28th through May 17th for activities while the YMCA building is being used for the annual rummage sale. Seconded by Councilperson Hattervig, the motion unanimously carried.

FINAL PLAT – CUSTER DEVELOPMENT CORP. SUBDIVISION

Councilperson Herman moved to approve the final plat of the Custer Development Corp. Subdivision Plat of Lots A and B for Mountain View Baptist Church. Seconded by Councilperson Hattervig, the motion unanimously carried.

PRE-DISASTER MITIGATION GRANT

Dirk Jablonski with FourFront Design and Rex Harris, City Community Development Director discussed with Council the pre-disaster mitigation grant opportunity. Councilperson Lampert moved to go forward with submitting the pre-disaster mitigation grant application. Seconded by Councilperson Heinrich, the motion carried with Councilperson Heinrich, Kothe, Lampert, Herman and Hattervig voting yes.

9TH STREET/BLUEBELL & CANAL STREET RECONSTRUCTION BIDS

Councilperson Heinrich moved to accept the street reconstruction bid from Ainsworth Benning at a total bid price of \$268,317.35, which includes \$57,344.05 for North 9th Street, \$134, 250.20 for Bluebell & Canal Street and \$76,723.10 for South 9th Street. Seconded by Councilperson Lampert, the motion carried with Councilperson Kothe, Lampert, Herman, Hattervig and Heinrich voting yes.

POOL BOILERS

Councilperson Herman moved to approve the purchase of two pool boilers from Dakota Supply Group for \$6,661.20. Seconded by Councilperson Hattervig, the motion carried with Councilperson Lampert, Herman, Hattervig, Heinrich and Kothe voting yes.

PARK & RECREATION EAST BALL FIELD REQUEST

Councilperson Heinrich moved to approve the Park and Recreation Committee spending \$5,000 from their budget on the East Ball Field for infield work. Seconded by Councilperson Herman, the motion carried with Councilperson Herman, Hattervig, Heinrich, Kothe and Lampert voting yes.

CITY ARBOR DAY

The Council acknowledged that Custer City Arbor Day Ceremony will be held on May 14th.

CITY CLEAN-UP DAYS

The Council acknowledged that the City Clean-Up Days will be Friday May 4th from 8 am to 4 pm and Saturday May 5th from 8 am to 2 pm.

SAFETY COMMITTEE APPOINTMENT

Mayor Lipp appointed Councilperson Herman to the Safety and Risk Management Committee.

CHAMBER UPDATE

Custer Chamber Director, Dave Ressler gave Council an update on what the Chamber has going and publications that the Chamber has available.

TEMPORARY PARK POSITIONS

Councilperson Heinrich moved to approve hiring George Ewins and Ron Lancaster as temporary seasonal park employees at the rate of \$10.15 per hour. Seconded by Councilperson Hattervig, the motion unanimously carried.

EMPLOYEE STEP INCREASE

Councilperson Herman moved to go into and out of executive session for personnel matters at 7:25 pm with the Public Works Director and Finance Officer present. Seconded by Councilperson Hattervig, the motion unanimously carried. Council came out of executive session at 7:34 pm.

Councilperson Lampert moved to approve the step increase for Scott Kellogg to step 6 at \$23.47 effective March 18th, 2012. Seconded by Councilperson Herman, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert and Herman 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 and Hattervig voting yes.

- Beesley Law Office, Professional Fees, \$2280.00
- Black Hills Power & Light, Utilities, \$1817.67
- Boos Law Office, Professional Fees, \$115.00
- Border States, Supplies, \$379.80
- Century Business, Supplies, \$264.94
- Complete Concrete, Capital Improvements, \$59711.95
- Custer Community Health, Sales Tax Subsidy, \$18385.59
- Custer Do It Best, Supplies, \$32.21
- Chamber of Commerce, Sales Tax Subsidy, \$3301.34
- Chronicle, Publishing, \$1218.39
- Dakota Pump & Control, Repairs & Maintenance, \$227.50
- Delta Dental, Insurance, \$432.40
- Energy Lap, Professional Fees, \$25.00
- EFTPS, Taxes, \$11413.38
- FourFront Design, Professional Fees, \$3705.00
- Fastenal, Supplies, \$43.36
- First Interstate Bank, TIF Payment, \$3002.24
- First Western Insurance, Insurance, \$102.00

Hawkins, Supplies, \$3055.25
Kimball Midwest, Supplies, \$362.97
Midco Diving, Repairs & Maintenance, \$2000.00
Petty Cash, Supplies, \$371.16
Pitney Bowes, Supplies, \$39.00
Quality Auto Body, Repairs & Maintenance, \$563.40
Quill, Supplies, \$354.41
State of SD, Sales Tax, \$819.69
SDML, Conference, \$120.00
SD Retirement, \$5565.68
SD Public Assurance Alliance, Insurance, \$35003.00
SD Supplemental Retirement, \$195.00
YMCA, Membership, \$123.00
Ziolkowski, Geney, Animal Control Contract, \$614.00
Mayor & Council, \$4200.00
Finance Department, \$9100.42
Planner, \$6709.88
Public Works Department, \$5026.96
Street Department, \$5927.15
Parks Department, \$7131.20
Water Department, \$5995.68
Wastewater Department, \$6503.50
Total Claims \$206,239.12

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Heinrich moved to adjourned the meeting at 7:52 p.m. Seconded by Councilperson Hattervig, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor