

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
February 3<sup>rd</sup>, 2014**

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of February, 2014 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Kothe, Fischer, Herman and Schleining. Councilperson Heinrich was absent. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Fischer moved, with a second by Councilperson Schleining, to approve the minutes from the January 21<sup>st</sup>, 2014 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 current projects.

Rex Harris, Community Development Director, gave an update on the phase one pre-disaster mitigation grant project.

Laurie Woodward, Finance Officer, gave Council an update on year-end work, upcoming audit and claims in for payment.

**SECOND READING – ORDINANCE #745 – SOLID WASTE RATE**

Councilperson Schleining moved to adopt Ordinance #745, Solid Waste Rate. Seconded by Councilperson Herman, the motion carried with Councilperson Hattervig, Kothe, Fischer, Herman and Schleining voting yes.

**SECOND READING – ORDINANCE #746 – WATER BOND RATE (RECLASSIFICATION)**

Councilperson Herman moved to adopt Ordinance #746, Water Bond Rate (Reclassification). Seconded by Councilperson Fischer, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

**FIRST READING – ORDINANCE #747 – NON-CONFORMING LOTS**

Councilperson Hattervig moved to approve the first reading of Ordinance #747, Non-Conforming Lots contingent upon item #6 under section 17.04.053 being reviewed. Seconded by Councilperson Schleining, the motion unanimously carried.

**FIRST READING – ORDINANCE #739 – TRANSIENT MERCHANT PERMIT**

Councilperson Fischer moved to table Ordinance #739, Transient Merchant Permit and take the ordinance to the next General Government Committee Meeting for more discussion. Seconded by Councilperson Herman, the motion unanimously carried.

**TEMPORARY STREET CLOSURE REQUEST – RUN CRAZY HORSE MARATHON**

Emily Wheeler, with Run Crazy Horse Marathon, presented her request for temporary street closure request to Council. Councilperson Fischer moved to approve the temporary street closure and permission to stop traffic for runners on the Mickelson Trail crossings of Montgomery Street, Harney Street, Crook Street, Mt Rushmore Road, Eighth Street, Seventh Street and Fourth Street on October 5<sup>th</sup>, 2014 from approximately 9 am to 11:30 am for the Run Crazy Horse Marathon. Seconded by Councilperson Schleining, the motion unanimously carried.

**RAFFLE REQUEST – SOUTHERN HILLS RELAY FOR LIFE**

Councilperson Hattervig moved to approve the raffle request from Southern Hills Relay for Life to be held January 1<sup>st</sup>, 2014 through June 6<sup>th</sup>, 2014. Seconded by Councilperson Kothe, the motion unanimously carried.

**RAFFLE REQUEST – SOUTHERN HILLS FRIENDS OF THE NRA**

Councilperson Herman moved to approve the raffle request from Southern Hills Friends of the NRA to be held January 20<sup>th</sup>, 2014 through April 15<sup>th</sup>, 2014. Seconded by Councilperson Hattervig, the motion unanimously carried.

**STREET CLOSURE REQUEST – COURTHOUSE MUSEUM**

Councilperson Fischer moved to approve the 1881 Courthouse Museum's street closure request for North Fourth Street from Mt. Rushmore Road to the north alley from July 2<sup>nd</sup> through July 6<sup>th</sup>, 2014 for the Old Time Country Fair. Seconded by Councilperson Schleining, the motion unanimously carried.

**OFF-SALE LIQUOR LICENSE BIDS**

Councilperson Herman moved to accept the off-sale liquor license and operating agreement bid from Fresh Start for \$24,000 payable by \$1,000 a month for 24 months with the license to be operated at 49 N Fifth Street contingent upon state approval of the license and payment plan being signed stating they stay current on all City

payments and pay no later than the 20<sup>th</sup> of each month. Seconded by Councilperson Schleining, the motion unanimously carried.

**ANIMAL CONTROL CONTRACT WITH COUNTY**

Councilperson Hattervig moved to approve the animal control contract with Custer County for six months starting January 1<sup>st</sup>, 2014 at \$600 per month. Seconded by Councilperson Kothe, the motion unanimously carried.

**STATEMENT OF VALUES**

Councilperson Herman moved to approve the statement of values with the Liquor Store building being reduced to \$20,000. Seconded by Councilperson Fischer, the motion unanimously carried.

**CLAIMS**

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

- ATCO International, Supplies, \$198.00
- Beesley Law, Professional Fees, \$1805.00
- Bennett, Mark, Safety Equipment, \$100.00
- Black Hills Power & Light, Utilities, \$2139.78
- Butler Machinery, Repair & Maintenance, \$160.36
- Century Business Products, Supplies, \$182.58
- Custer County Chronicle, Publishing, \$576.90
- Custer Industrial, Repair & Maintenance, \$59.00
- Dakotacare, Insurance, \$9284.24
- Days Inn, Travel, \$197.97
- Detroit Industrial Tool, Supplies, \$114.39
- Delta Dental, Insurance, \$602.90
- Energy Lab, Professional Fees, \$95.00
- EFTPS, Taxes, \$13414.97
- FourFront Design, Capital Improvements, \$11288.88
- First Interstate Bank, TIF #1 Payment, \$456.49
- RC Economic Development Corp, Conference, \$30.00
- Hawkins, Supplies, \$3892.55
- Jenner Equipment, Repair & Maintenance, \$55.34
- Kellogg, Scott, Medical Reimbursement, \$67.74
- Nelson's Oil & Gas, Supplies, \$1203.34
- Petty Cash, Supplies, \$384.72
- Quill, Supplies, \$65.67
- SDML, Conference, \$35.00
- SD Retirement System, \$5886.73
- SD Supplemental Retirement, \$250.00
- USA Bluebook, Safety Equipment, \$132.64
- YMCA, Membership, \$126.00
- Siebert, Ryan, Utility Deposit Refund, \$34.79
- Mayor & Council, \$4400.00
- Finance Department, \$9717.83
- Public Buildings, \$2215.12
- Planner, \$7028.75
- Public Works Department, \$9259.65
- Street Department, \$7155.54
- Parks Department, \$5375.67
- Water Department, \$4950.58
- Wastewater Department, \$3053.13
- Total Claims, \$105,997.25

**COMMITTEE REPORTS**

Various committee reports were given.

**EXECUTIVE SESSION**

Councilperson Herman moved to go into and out of executive session for personnel, potential litigation and contract negotiation per SDCL 1-25-2 at 6:50 pm, with the Attorney, Finance Officer, Public Works Director,

and Community Development Director present. Seconded by Councilperson Schleining, the motion unanimously carried. Council came out of executive session at 7:27 pm, with no action taken.

**ADJOURNMENT**

With no further business, Councilperson Kothe moved to adjourn the meeting at 7:27 p.m. Seconded by Councilperson Herman, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Gary Lipp  
Mayor