

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
February 4<sup>th</sup>, 2013**

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of February, 2013 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Fischer, Herman, Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Heinrich moved, with a second by Councilperson Kothe, to approve the minutes from the January 22<sup>nd</sup>, 2013 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 the Wastewater Treatment Plant aerators, Community Center boilers, pumps for the Wastewater Treatment Plant, bug trees, and the 2013 projects.

Rex Harris, Community Development Director, gave Council an update on the various committee meetings that have taken place and upcoming meetings.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment, the upcoming audit the staff is preparing for and mentioned that Geney Ziolkowski signed the 11 month animal control agreement.

**FIRST READING – ORDINANCE #729 – HUNTING, TRAPPING & DISCHARGING FIREARMS**

Councilperson Fischer moved to approve the first reading of Ordinance #729, Hunting, Trapping & Discharging Firearms with the removal of "within one mile of the corporate limits of the city" from the discharging firearms section. Seconded by Councilperson Herman, the motion unanimously carried.

**APPEAL TO SNOW REMOVAL CHARGES**

Councilperson Herman moved to table Gary King's appeal to the snow removal charges till Gary is present to present his case to council. Seconded by Councilperson Fischer, the motion unanimously carried. Scott Cameron presented his concerns regarding the snow removal ordinance. Councilperson Herman moved to deny all of the appeals regarding snow removal on January 15, 2013. Seconded by Councilperson Fischer, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

**STATE REVOLVING FUND FINANCING PROCESS PRESENTATION**

Blaise Emerson, Executive Director of Black Hills Council of Local Government; Andy Bruels, Natural Resources Project Engineer with DENR Division of Financial & Technical Assistance; Dirk Jablonski with FourFront Engineering and Mike Towey with FourFront Engineering presented Council with information on the State Revolving Fund Financing Process.

**SURPLUS PROPERTY - PUMPS**

Councilperson Herman moved approve the surplus property list which included two Hydromatic 8" 100 HP and one Paco 4" 100 HP wastewater pumps. Seconded by Councilperson Fischer, the motion unanimously carried.

**ELEVATOR CONTRACT**

Councilperson Herman moved to approve the one year elevator maintenance contract with Kone for \$780.00 to start April 1, 2013. Seconded by Councilperson Hattervig the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

**COMBINED ELECTION AGREEMENT**

Councilperson Herman moved to approve the Combined Election Agreement with Custer School District for the June 4<sup>th</sup>, 2013 Election. Seconded by Councilperson Schleining, the motion unanimously carried.

**CHIP SEAL BIDDING**

Councilperson Fischer moved to go out to bids for the 2013 Chip Seal Project. Seconded by Councilperson Kothe, the motion unanimously carried.

**CLAIMS**

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

BH Urgent Care & OCC Med, Supplies, \$268.00  
Black Hills Power & Light, Utilities, \$8219.46  
BH RC&D, Dues, \$100.00  
Border States Electric, Supplies, \$214.40  
Butler Machinery, Repairs & Maintenance, \$1000.77  
Century Business Products, Supplies, \$181.30  
Custer Area Arts Council, Subsidy, \$1000.00  
Custer Do It Best, Supplies, \$168.60  
Chamber of Commerce, Sales Tax Subsidy, \$1657.57

Chronicle, Publishing, \$382.44  
Custer Senior Center, Subsidy, \$4000.00  
Dakotacare, Insurance, \$8654.29  
Delta Dental, Insurance, \$479.50  
Fastenal, Supplies, \$516.88  
EFTPS, Taxes, \$18688.01  
Hach Company, Supplies, \$108.00  
Harris, Rex, Travel, \$62.90  
Jenner Equipment, Repairs & Maintenance, \$599.02  
Kellogg, Scott, Reimbursement, \$581.40  
Kimball Midwest, Supplies, \$985.04  
Lighting Maintenance, Repairs & Maintenance, \$154.71  
Nelson's Oil & Gas, Supplies, \$1852.65  
Quill, Supplies, \$252.76  
State of SD, Sales Tax, \$977.52  
SDML, Conference, \$35.00  
SDPA, Dues, \$110.00  
SDPAA, Insurance, \$60.00  
SD Retirement System, \$8135.25  
SD Supplemental Retirement Plan, \$292.50  
YMCA, Memberships, \$123.00  
Ziolkowski, Geney, Animal Control Contract, \$657.00  
Gluyas, Iris, Utility Deposit Refund, \$50.29  
Jorgensen, Diana, Utility Deposit Refund, \$64.55  
Mayor & Council, \$4400.00  
Finance Department, \$13925.44  
Planner, \$10002.673  
Public Works Department, \$7683.64  
Street Department, \$10169.36  
Parks Department, \$7892.64  
Water Department, \$5423.23  
Wastewater Department, \$12018.86  
Total Claims \$132,148.65

**EXECUTIVE SESSION**

Councilperson Schleining moved to go into and out of executive session for personnel, potential litigation and contract negotiation per SDCL 1-25-2 at 7:02 pm, with the Finance Officer, Public Works Director, Community Development Director and Ron Kline present. Seconded by Councilperson Fischer, the motion unanimously carried. Mr. Kline left the executive session at 7:06 pm. Mr. Kline joined the executive session again at 7:11 pm. Mr. Kline left the executive session at 7:14 pm. Attorney Chris Beesley, Dirk Jablonski and Mike Towey joined the executive session at 7:18pm. Dirk Jablonski and Mike Towey left the executive session at 7:40 pm. Council came out of executive session at 8:14 pm, with no action taken.

**COMMITTEE REPORTS**

Various committee reports were given.

**ADJOURNMENT**

With no further business, Councilperson Kothe moved to adjourned the meeting at 8:22 p.m. Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Gary Lipp  
Mayor