

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
JULY 5th, 2011**

Mayor Harold D. Stickney called to order the first regular meeting of the Common Council for the month of July, 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 Hattervig moved, with a second by Councilperson Starr, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Murphey moved, with a second by Councilperson Lipp, to approve the minutes from the June 20th, 2011 regular meeting. The motion carried with Councilperson Hattervig, Lipp, Murphey, Herman and Schleining voting yes while Councilperson Starr abstained.

SECOND REDADING – ORDINANCE #692 – REMOVING SECTIONS 9.12.020 AND 9.12.030

Councilperson Murphey moved to adopt Ordinance #692, removing sections 9.12.020 impersonating law enforcement officer and 9.12.030 false fire alarm. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Starr, Lipp, Murphey, Herman and Schleining voting yes.

OATH OF OFFICE & COUNCIL PRESIDENT & VICE PRESIDENT

Mayor Stickney sincerely thanked Councilpersons Murphey and Starr for their service. Mayor Stickney was presented with a plaques and picture for his years of service.

Gary Lipp, Wade Lampert, Alfred Heinrich and Karen Schleining took their Oath of Office for two-year terms as Mayor and Councilpersons respectively.

Councilperson Hattervig nominated Councilperson Herman for Council President. Seconded by Councilperson Schleining, the motion unanimously carried. Councilperson Hattervig nominated Councilperson Schleining for Council Vice President. Seconded by Councilperson Herman, the motion unanimously carried.

COMMITTEE APPOINTMENTS & ATTORNEY APPOINTMENTS FOR 2011-2012

Public Works Committee: Gary Lipp, Jim Hattervig, Wade Lampert, Bob Morrison and one rotational Council position

General Government Committee: Karen Schleining, Chairman, Ward 1 Councilperson (to be appointed), Gary Lipp, Laurie Woodward, Rex Harris and one rotational Council position

BH Council Representatives: Rex Harris, Gary Lipp

BH Vision Representative: Gary Lipp

BH Comm. Economic Development: Rex Harris

Chamber Liaison: Karen Schleining

Hospital Liaison: Gary Lipp

Waste Management: Gary Lipp

YMCA Representative: Bob Morrison

Emergency Services: Gary Lipp, Bob Morrison, Rex Harris

Economic Development: Gary Lipp, Rex Harris

Golf Course Board: Wade Lampert

RC&D Committee: Laurie Woodward

Custer Area Transportation: Jim Hattervig

1881 Museum Board: Ward 1 Councilperson (to be appointed)

Ethics Committee: Wade Lampert, Corbin Herman, Jim Hattervig, Alfred Heinrich-Alternate

The Mayor also appointed Chris Beesley as the City Attorney and Carol Boos as assistant City Attorney.

CONFLICTS OF INTEREST

No Conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, updated the Council on the status of various projects the City has going.

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

ROBERT JOHNSON – CAMPING ON CITY RIGHT-OF-WAY

Robert Johnson addressed Council regarding his request to allow him to park his RV on a combination of his driveway and City right-of-way. Councilperson Herman moved to deny the request. Seconded by Councilperson Schleining, the motion unanimously carried.

JIM ABERLE – BLACK HILLS VISION PRESENTATION

Jim Aberle with Black Hills Vision presented to Council a summary of their vision, projects participated in and their future visions. They are asking the City to contribute \$10,000 this year.

RESOLUTION #7-05-11A – SDDOT COMMUNITY ACCESS GRANT APPLICATION

Councilperson Lampert moved to adopt resolution #7-05-11A, SDDOT Community Access Grant Application. Seconded by Councilperson Herman, the motion unanimously carried.

RESOLUTION NUMBER
#07-05-11A

WHEREAS, City of Custer has identified a need to make improvements on a portion of Montgomery Street; and,

WHEREAS, City of Custer is eligible for state assistance for the proposed project through the State of South Dakota's Community Access Grant; and,

WHEREAS, with submission of this Community Access Grant application, the City of Custer assures and certifies that all program requirements will be fulfilled; and,

WHEREAS, the City of Custer accepts the responsibility for maintenance of the project, as outlined in the application;

WHEREAS, the City of Custer will meet any financial commitment to cover the costs of the engineering and the local match requirements of the grant;

THEREFORE, BE IT RESOLVED, that the Mayor of the City of Custer be authorized to execute the Community Access Grant application and any and all amendments thereto and execute any and all contract documents pertaining to the project.

Dated this 5th day of July, 2011.

CITY OF CUSTER CITY

EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

Councilperson Herman moved to go into and out of executive session at 6:33 p.m. for contract negotiations with the Finance Officer, Public Works Director, Community Development Director, Attorney and members of East Custer Sewer District present. Seconded by Councilperson Schleining, the motion unanimously carried. Member of East Custer Sewer District left the executive session at 7:19 p.m. Duane Murphey joined the executive session at 7:20 p.m. Council came out of executive session at 7:35 p.m.

BREAK 7:35-7:40

YOUTH HOUSE

Councilperson Herman moved to allow Duane Murphey to negotiate potential purchase of the Youth House at no cost. Seconded by Councilperson Heinrich, the motion carried with Councilperson Hattervig, Heinrich, Lampert and Herman voting yes, while Councilperson Schleining abstained.

CHAMBER REQUEST – USE OF WAY PARK FOR FARMER'S MARKET

Councilperson Lampert moved to approve the Chambers request to use Way Park on Saturday mornings for the Farmer's Market. Seconded by Councilperson Schleining, the motion unanimously carried.

AGREEMENT WITH CUSTER COUNTY FOR MONTGOMERY & SYLVAN LAKE ROAD

Councilperson Schleining moved approve the agreement with Custer County to share cost associated with the improvements of Montgomery Street and after such improvements the City will assume all future maintenance. Seconded by Councilperson Hattervig, the motion unanimously carried.

SANITARY SEWER CLOSED-CIRCUIT TELEVISION SERVICES BIDS

Councilperson Lampert moved to accept the low bid from A-1 Sewer & Drain for \$39,149 for the sanitary sewer closed-circuit television services. Seconded by Councilperson Hattervig, the motion unanimously carried.

STREET CLOSURE REQUEST – COOL PINE CRUISERS

Councilperson Herman moved to approve the street closure request for South 6th Street and the Chamber parking lot for the Cool Pine Cruisers annual car show to be held Saturday July 23rd. Seconded by Councilperson Lampert, the motion unanimously carried.

RAFFLE REQUEST – ROTARY CLUB

Councilperson Herman moved to approve the raffle request for the Rotary Club raffle which will start in July and go through the last game of the NFL season. Seconded by Councilperson Schleining, the motion unanimously carried.

BUDGET – 2012 SUBSIDY REQUEST

Council reviewed the subsidy request for the 2012 budget. The request will be addressed again as Council works through the budget process.

CLAIMS

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

Alltel, Utilities, \$91.78

American Planning Association, Dues, \$205.00

AT&T Mobility, Utilities, \$294.03

Beesley Law Office, Professional Fees, \$2955.00

Black Hills Power & Light, Utilities, \$2213.72

Boos Law Office, Professional Fees, \$200.00

Century Business Products, Supplies, \$202.18

Credit Collections Bureau, \$202.50

Custer Regional Health, Supplies, \$18.00
Custer Do It Best, Supplies, \$165.49
Culligan, Repairs & Maintenance, \$17.50
Complete Concrete, Capital Improvements, \$304507.51
Chamber of Commerce, Sales Tax Subsidy, \$5873.85
Custer County Chronicle, Publishing, \$816.14
Custer County Treasures, Law Enforcement Contract, \$79829.25
Dacotah Bank, TIF #2, \$7067.42
Dacotah Bank, TIF #4, \$180.57
Delta Dental, Insurance, \$416.50
Energy Lab, Supplies, \$321.00
Express Wireless, Supplies, \$26.50
EFTPS, Taxes, \$11720.96
Fourfront Design, Capital Improvements, \$906.75
Fastenal, Supplies, \$63.99
First Interstate Bank, TIF #1, \$10806.20
First Interstate Bank, TIF #4, \$180.57
Grimm's Pump, Repairs & Maintenance, \$481.25
Hawkins, Supplies, \$2903.00
Hills Materials, Supplies, \$717.00
Incite Research, Advertising, \$299.00
Johnson, Kirk, Supplies, \$110.00
Kadmas, Lee & Jackson, Capital Improvements, \$2314.91
Kellogg, Scott, Reimbursement, \$10.00
Kimball Midwest, Supplies, \$346.53
L&A Welding, Supplies, \$54.06
Nelson's Oil & Gas, Repairs & Maintenance, \$150.00
Petty Cash, Supplies, Travel, \$565.50
Pitney Bowes, Supplies, \$39.00
Power House, Repairs & Maintenance, \$34.86
Quill, Supplies, \$132.27
Rapid City Journal, Supplies, \$192.00
State of South Dakota, Sales Tax, \$809.80
SD Municipal League, Conference, \$60.00
SD Retirement System, \$5534.95
Sign & Trophy, Supplies, \$8.50
SD Supplemental Retirement Plan, \$110.00
USA Bluebook, Supplies, \$1952.78
Wyss Associates, Capital Improvements, \$2417.54
YMCA, Contract, \$36500.00
YMCA, Membership, \$76.00
Ziolkowski, Geney, Animal Control Contract, \$694.00
Total Claims \$485,795.36

ADJOURNMENT

With no further business, Mayor Lipp adjourned the meeting at 8:42 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor