

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
March 16th, 2015**

Mayor Gary Lipp called to order the second meeting of the Common Council for the month of March, 2015 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Kothe, Fischer, Herman and Schleining. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Schleining moved, with a second by Councilperson Herman, to approve the minutes from the March 2nd regular council 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 and mentioned the sewer leak repairs that have taken place lately.

Scott Simianer, Planning Administrator, let Council know that he has been reviewing the sign ordinance.

Laurie Woodward, Finance Officer, mentioned that the auditors have finished their onsite work and are planning to present the audit at a May Council meeting.

FOURFRONT – FRENCH CREEK DRAINAGE IMPROVEMENT PROJECT & TASK 300

Curt Huus and Cassandra Zwart with FourFront Design discussed with Council future steps for the French Creek Drainage Project. Councilperson Fischer moved to table the French Creek Drainage Improvement Project & Task 300 until such time as more information has been gathered. Seconded by Councilperson Herman, the motion unanimously carried.

FIRST READING – ORDINANCE #762 – CONTRACTOR LICENSING

Councilperson Schleining moved to approve Ordinance #762, Contractor Licensing. Seconded by Councilperson Herman, the motion unanimously carried.

FINAL PLAT – HOMESTEAD SUBDIVISION

Councilperson Herman moved to approve the final plat for the Homestead Subdivision with a variance to the curb & gutter requirement and the developer paying for the asphalt cost. The motion was seconded by Councilperson Schleining. After some discussion, Councilperson Herman and Schleining retracted their motion and second. Councilperson Maciejewski moved to approve the final plat for the Homestead Subdivision with the Planning Commission recommendations of 1) that the described thirty foot utility easement to the adjacent Lot 19 be a platted access/utility easement; 2) the Ponderosa Road width be increased to twenty-four feet by the developer using approved road base material and application, with the City budgeting for that increased road width for paving improvements; 3) a variance be granted for the twenty-four foot road width citing the narrow road widths of the connecting roads; 4) approved the developers 18+culvert proposal for the driveways provided the driveway widths are increased to twelve feet; 5) the developer provides a radius of the proposed Tract 6 at the intersection of Ponderosa Street and Summit Street; 6) allow that the twenty foot utility easement along the interior property lines between the lots could be deleted to allow homes to be placed at the six foot setback rather than along the ten foot easement line to allow better access to the rear of the lots for garages; and 7) the outhouse on the property be removed. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Kothe, Fischer and Schleining voting yes while Councilperson Herman voted no.

LIFE OF THE STRUCTURE EASEMENT – HOMESTEAD ADDITION

Councilperson Herman moved to approve the life of the structure easement for the North ½ Acre of Lot 27 of Homestead Addition (Edyth R. Warne). Seconded by Councilperson Fischer, the motion unanimously carried.

SHOWMOBILE USAGE REQUEST – BARB EDWARDS

Councilperson Fischer moved to approve Barb Edwards request to use the showmobile contingent upon fees being paid, proof of insurance being provided and all policies regarding use of the showmobile being followed. Seconded by Councilperson Herman, the motion unanimously carried.

POOL MANAGEMENT AGREEMENT

Councilperson Schleining moved to approve the pool management agreement with the YMCA for \$16,000 for the 2015 summer. Seconded by Councilperson Kothe, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Maciejewski voting yes.

USE AGREEMENT – YMCA (CCC GYM)

Councilperson Heinrich moved to approve the use agreement with the YMCA for use of the Custer Community Center Gym from April 1st, 2015 - April 1st, 2016. Seconded by Councilperson Fischer, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining Maciejewski and Heinrich voting yes.

SPRING BURNING

Councilperson Heinrich moved to approve having the Fire Department burn West Dam, Community Garden area, creek area by the Liquor Store Well, creek area by French Creek Park & Harbach Park, along the Mickelson Trail, the city lot by the Trail, City property located at Eleventh & Washington Street and Inman Park. Seconded by Councilperson Herman, the motion unanimously carried.

HAZARDOUS FUELS REDUCTION PROJECTS

Councilperson Maciejewski moved to approve the Hazardous Fuels Reduction Project for 26 acres of City property in the Homestead area at no cost and 35 acres in Big Rock Park for a small cost, which will be determined prior to the project starting. Seconded by Councilperson Fischer, the motion unanimously carried.

MONTGOMERY STREET GEOTECHNICAL QUOTE

Councilperson Heinrich moved to approve the quote from American Engineering Testing, Inc for \$2,950 for the Montgomery Street Reconstruction Project geotechnical services. Seconded by Councilperson Schleining, the motion carried with Councilperson Fischer, Herman, Schleining, Maciejewski, Heinrich and Kothe voting yes.

MONTGOMERY STREET SURVEYING QUOTE

Councilperson Schleining moved to approve the quote from Professional Mapping & Surveying, LLC for \$4,950 for the Montgomery Street Reconstruction Project surveying. Seconded by Councilperson Herman, the motion carried with Councilperson Herman, Schleining, Maciejewski, Heinrich, Kothe and Fischer voting yes.

SHERIFF'S MONTHLY REPORT

Councilperson Fischer moved to acknowledge the Sheriff's monthly report for February. Seconded by Councilperson Maciejewski, the motion unanimously carried.

SUMMER ENTERTAINMENT FINANCIAL REQUEST

Councilperson Maciejewski moved to approve the Park & Recreation Committee request for \$1,000 to help with the Summer Music Entertainment being sponsored by the Custer Area Arts Council. Seconded by Councilperson Herman, the motion unanimously carried.

CLAIMS

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

A&B Welding, Supplies, \$85.50

Advanced Drug Testing, Supplies, \$72.00

Battle Mountain Humane Society, Animal Control Contract, \$855.00

Beesley Law Office, Professional Fees, \$2177.50

Black Hills Power & Light, Utilities, \$11157.68

Black Hills RC&D, Dues, \$100.00

Black Hills Power Equipment, Equipment, \$439.95

Culligan, Repair & Maintenance, \$45.50

Chamber of Commerce, Sales Tax Subsidy, \$4537.78

Custer True Value, Supplies, \$780.80

Fastenal, Supplies, \$1156.81

First Interstate Bank, Supplies, \$110.85

French Creek Supply, Supplies, \$738.10

Frontier Photo, Supplies, \$646.41

Godfrey Brake Service, Repair & Maintenance, \$56.46

Goldenwest Technologies, Professional Fees, \$379.00

Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$175.00

Hawkins, Supplies, \$20.00

Honeywell, Repair & Maintenance, \$618.85

Itron, Supplies, \$731.31

Jenner Equipment, Repair & Maintenance, \$377.05

Kellogg, Scott, Reimbursement, \$263.84
Leos Auto Repair, Repair & Maintenance, \$144.00
Lynn Dakotamart, Supplies, \$23.22
Midcontinent Testing Lab, Professional Fees, \$101.00
Northwest Pipe Fittings, Repair & Maintenance, \$305.14
PayPal, Supplies, \$174.39
Pilot Rock, Supplies, \$169.00
Quill, Supplies, \$167.38
Rapid Delivery, Professional Fees, \$45.60
SRF Loan Payment, \$4639.68
SRF Loan Payment, \$15477.11
S&B Motors, Supplies, \$489.80
Sander Sanitation, Garbage Collection Contract, \$13975.01
Servall, Repair & Maintenance, \$138.84
SD Association of Rural Water, Dues, \$575.00
SD Revenue, Sales Tax, \$988.12
SD Revenue, License, \$150.00
SD Municipal League, Conference, \$320.00
SD Public Assurance Alliance, Insurance, \$36557.71
SD School of Mines, Professional Fees, \$6250.00
SD Executive Management Finance Office, Utilities, \$12.63
Titan Machinery, Safety Equipment, \$619.68
USDA Loan Payment, \$8910.00
Wright Express, Supplies, \$1531.70
Total Claims, \$117,290.40

COMMITTEE REPORTS

Various committee reports were given.

BREAK 7:23-7:27

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel, proposed litigation and contract negotiations per SDCL 1-25-2 at 7:27 pm, with the Finance Officer, Planning Administrator, Public Works Director and Walker Witt present. Seconded by Councilperson Maciejewski, the motion unanimously carried. Walker Witt left the executive session at 7:57 pm. Council came out of executive session at 8:25 pm, with no action taken.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourn the meeting at 8:26 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor