

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
May 7th, 2012**

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of May, 2012 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Lampert, Herman and Schleining. 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 April 16th, 2012 regular meeting and the April 30th, 2012 work session meeting. The motion carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, gave Council an update on cleanup days which included 262 loads to the transfer site, 128 loads of yard waste, 39 appliances and 20 tires. Bob reminded Council of the upcoming Arbor Day celebration.

Rex Harris, Community Development Director, gave Council an update on the 40 nuisance violations that the City has worked with, some of which the work still continues. Rex also informed the Council that the VFW has purchased the trailer from Maria Lyndoe and placed it on the VFW lot where she is leasing the trailer back to run Maria's Mexican, which meets our code.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment, financial information that was handed out and status of the audit.

PUBLIC HEARING – WINE LICENSE - BITTER ESTERS BREWHOUSE AND DAKOTA COWBOY RESTAURANT

Councilperson Schleining moved to approve the retail on-off sale wine license for Bitter Esters Brewhouse and Dakota Cowboy Restaurant. Seconded by Councilperson Lampert, the motion unanimously carried.

SECOND READING – ORDINANCE #718 – WATER OFF UTILITY RATE

Councilperson Heinrich moved to adopt Ordinance #718, Water Off Utility Rate. Seconded by Councilperson Hattervig, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert, Herman and Schleining voting yes.

GOLF COURSE YEARLY UPDATE

Larry Barnes, President of the Custer Golf Course Board, provided the Council with financial information for 2011 & 2012 and gave an update on things going on at the Golf Course.

COMMUNITY CENTER GYM USE REQUEST - YMCA

Councilperson Hattervig moved to approve the YMCA's request to use the Community Center Gym on May 24th for Marital Art Class. Seconded by Councilperson Heinrich, the motion unanimously carried.

SHERIFF'S MONTHLY REPORTS

Council acknowledged the Sheriff's monthly reports for April.

HARBACH PARK USEREQUEST – OUR REDEEMER LUTHERAN CHURCH

Councilperson Heinrich moved to approve the Our Redeemer Lutheran Church's request to use Harbach Park for a benefit carnival to be held June 30th from 9 am through 1 pm. Seconded by Councilperson Schleining, the motion unanimously carried.

COMMUNITY FORESTRY GRANT ACCEPTANCE

Councilperson Lampert moved to accept the South Dakota Community Forestry Comprehensive Challenge Grant in the amount of \$4,500. Seconded by Councilperson Heinrich, the motion carried with Councilperson Heinrich, Kothe, Lampert, Herman, Schleining and Hattervig voting yes.

GEOTECHNICAL ENGINEERING PROPOSAL – SOUTH 4TH STREET

Councilperson Lampert moved to accept the proposal from Terracon for geotechnical engineering services on the South 4th Street project. Seconded by Councilperson Herman, the motion carried with Councilperson Kothe, Lampert, Herman, Schleining, Hattervig and Heinrich voting yes.

CANAL STREET/BLUEBELL LANE CHANGE ORDER

Councilperson Lampert moved to approve Ainsworth Benning's change order for the Canal Street and Bluebell Lane project for \$42,740.00. Seconded by Councilperson Herman, the motion carried with Councilperson Lampert, Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

BUG TREE SPRAYING

Councilperson Lampert moved to approve the spraying of 200 trees at the Cemetery and 30 trees along the Skywalk Trail by D&C Spraying at the rate of \$11.75 per tree. Seconded by Councilperson Schleining the, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich, Kothe and Lampert voting yes.

CHIP SEAL BIDS

Councilperson Herman moved to accept the bid from Hills Material for \$80,778.60 for the asphalt surface treatment project. Seconded by Councilperson Lampert, the motion carried with Councilperson Schleining, Hattervig, Heinrich, Kothe, Lampert and Herman voting yes.

SOUTH 5TH STREET BIDS

Councilperson Herman moved to accept the bid from Ainsworth Benning for \$139,525.50 for the South Fifth Street Reconstruction project with the asphalt option. Seconded by Councilperson Heinrich, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Lampert, Herman and Schleining voting yes.

Councilperson Lampert left the meeting at 6:13 pm.

CLAIMS

Councilperson Herman moved, with a seconded by Councilperson Heinrich, to approve the claims. The motion carried with Councilperson Heinrich, Kothe, Herman, Schleining and Hattervig voting yes.

5280 Consulting, Professional Fees, \$2000.00
Advanced Drug Testing, Supplies, \$36.00
ALSCO, Repairs & Maintenance, \$166.79
Beesley Law, Professional Fees, \$2010.00
Blackhills.com, Advertising, \$120.00
Black Hills Power & Light, Utilities, \$8025.76
Black Hills Economic Development, Dues, \$100.00
Black Hills Power Equipment, Repairs & Maintenance, \$220.56
Butler Machinery, Repairs & Maintenance, \$170.73
BPro, Advertising, \$275.00
Brazell, Casey, Capital Improvements, \$4000.00
Century Business Products, Supplies, \$254.25
Conwell, Kim, Reimbursement, \$10.09
Culligan, Repairs & Maintenance, \$53.50
Custer Area Arts Council, Subsidy, \$1000.00
Custer Community Health Services, Sales Tax Subsidy, \$32172.10
Custer Do It Best, Supplies, \$225.76
Chamber of Commerce, Sales Tax Subsidy, \$5805.70
Custer County Chronicle, Publishing, \$1301.32
Custer True Value, Supplies, \$872.67
Dakota Supply Group, Supplies, \$216.08
Delta Dental, Insurance, \$432.40
Expressway Inn, Travel, \$294.15
EFTPS, Taxes, \$11615.12
FourFront Design, Capital Improvements, \$1443.61
Fastenal, Supplies, \$490.47
Fennell Design, Capital Improvements, \$25086.07
First Interstate Bank, TIF #1, \$2930.45
French Creek Supply, Supplies, \$1096.91
GenPro Power, Repairs & Maintenance, \$255.00
Golden West Telecommunications, Supplies, \$150.00
Golden West Technologies, Professional Fees, \$1770.00
Hawkins, Supplies, \$15.00
Hespen Excavating, Capital Improvements, \$16522.48
Jenner Equipment, Equipment, \$898.86
Kellogg, Scott, Reimbursement, \$25.00
Labcorp, Supplies, \$215.00
Leo's Auto, Repairs & Maintenance, \$25.00
Lawrence & Schiller, Advertising, \$39769.09
Lynn's Dakotamart, Supplies, \$37.65
McClellan, Bill, Reimbursement, \$500.00
Magic's Messes, Professional Fees, \$318.00
Nelson's Oil & Gas, Supplies, \$1753.31
Northern Safety, Supplies, \$638.85
Northern Tool, Supplies, \$204.70
Northwest Pipe, Repairs & Maintenance, \$30.80

NBS Calibrations, Repairs & Maintenance, \$175.00
Pamida, Supplies, \$10.00
Petty Cash, Travel, Supplies, \$636.15
Pitney Bowes, Supplies, \$39.00
Power House, Supplies, \$688.98
Quill, Supplies, \$119.35
S&B Motors, Supplies, \$333.48
SD Department of Revenue, Sales Tax, \$760.23
SDML, Conference, \$150.00
SD Retirement System, \$5558.82
SD Executive Management Finance Office, Utilities, \$32.59
Stan Houston Equipment, Equipment, \$1519.50
SD Supplemental Retirement, \$195.00
Superior Lamp, Supplies, \$505.02
Team Laboratory Chemical, Supplies, \$5538.00
Wright Express, Supplies, \$1721.55
Wyss Associates, Capital Improvements, \$7743.25
YMCA, Membership, \$123.00
Ziolkowski, Geney, Animal Control Contract, \$687.00
Hockelberg, Cynthia, Utility Deposit Refund, \$10.47
Mayor & Council, \$4200.00
Finance Department, \$9037.01
Planner, \$6759.88
Public Works Department, \$5026.96
Street Department, \$5815.14
Parks Department, \$7152.01
Water Department, \$5920.00
Wastewater Department, \$6622.41
Total Claims \$242,634.03

COMMITTEE REPORTS

Various committee reports were given.

BREAK 6:30-6:40

COMMUNITY CENTER BUILDING DESIGN CONTRACT AMENDMENT

Gene Fennell with Fennell Design explained the master plan contract amendment proposal.

Councilperson Lampert rejoined the meeting at 6:50 pm.

EXECUTIVE SESSION

Councilperson Herman moved to go into and out of executive session for contract negotiation and potential litigation at 6:58 pm with the Public Works Director, Community Development Director, Finance Officer, Gene Fennell and Matt Fridell present. Seconded by Councilperson Lampert, the motion unanimously carried. Gene Fennell and Matt Fridell left the executive session at 7:56 pm. Council came out of executive session at 8:27 pm. Councilperson Herman moved to table the Community Center building design contract amendment till the next Council meeting. Seconded by Councilperson Heinrich, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Herman moved to adjourned the meeting at 8:27 p.m. Seconded by Councilperson Kothe, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor