

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
October 1<sup>st</sup>, 2012**

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of October, 2012 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Herman, Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Hattervig moved, with a second by Councilperson Schleining, to approve the minutes from the September 17<sup>th</sup>, 2012 regular meeting. The motion unanimously carried.

**APPOINTMENTS AND OATH OF OFFICE**

Mayor Lipp appointed Jeannie Fischer to fill out the position of Ward I Councilperson. Jeannie took her oath of office. Mayor Lipp also appointed Tim Behlings and Jared Tennyson to the planning commission for a five year term and Warren Graham to the Park & Recreation Committee for a one year term. The Mayor also went over the committee appointments. Councilperson Herman moved to approve the appointments. Seconded by Councilperson Fischer, 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 watering at the Golf Course, West Dam, Mickelson Trail paving along with an update on the Risk Management Committee.

Rex Harris, Community Development Director, gave Council an update on Operation Black Hill Cabin, Department of Transportation's interest in using some the dirt at west dam and the request for funds from the RAC Committee for North Third Street.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment, status of the SRF Loan and sales tax.

**PUBLIC HEARING – MALT BEVERAGE & SD FARM WINE LICENSE TRANSFER – SHOPKO**

Councilperson Herman moved to approve the malt beverage & SD farm wine license transfer for Shopko. Seconded by Councilperson Fischer, the motion unanimously carried.

**EXECUTIVE PROCLAMATION – WORLD HABITAT DAY**

Mayor Lipp read and presented Heidi Christner, Operation Manager with Black Hills Habitat for Humanity the executive proclamation for World Habitat Day. Heidi Christner then said a few words about the importance of World Habitat Day.

**EXECUTIVE PROCLAMATION**

WHEREAS, on a global scale, one out of every three city dwellers—nearly a billion people—live in slums. Many slum residents lack secure tenure without any legal documentation of their property rights in addition to living in severely inadequate housing conditions. Secure tenure not only facilitates opportunities for investment and wealth accumulation, but also provides a source of identity, status and political power and serves as a basis for the pursuit of other rights.

WHEREAS, in recognition of World Habitat Day 2012, October 1st, Black Hills Area Habitat for Humanity will address the lack of decent housing around the world, including the need for affordable housing in the Black Hills.

WHEREAS, focusing on this year's themes - secure tenure and neighborhood revitalization - Black Hills Area Habitat for Humanity will continue to build simple, decent, affordable housing for hard-working families in the Black Hills, including several house rehabilitation projects.

THEREFORE, BE IT RESOLVED that I, Gary Lipp, Mayor of the City of Custer, South Dakota, do hereby proclaim October 1<sup>st</sup>, 2012, and the first Monday of every October, to be

WORLD HABITAT DAY in the City of Custer, SD

In witness thereof, I have hereunto set my hand and caused the Seal of the City of Custer City to be affixed this first day of October in the year of our Lord Two Thousand and Twelve.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

**PUBLIC HEARING – LAWN MAINTENANCE ORDINANCE**

The lawn maintenance ordinance was discussed and comments were taken from citizens. The lawn maintenance ordinance will continue to be looked and changes brought back before the Council.

**RESOLUTION #10-01-12A – PERSONNEL MANUAL – EXIT INTERVIEW FORM**

Councilperson Heinrich moved to adopt Resolution #10-01-12A, Personnel Manual – Exit Interview. Seconded by Councilperson Fischer, the motion unanimously carried.

**RESOLUTION # 10-01-12A**

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 9-5-95A; and

WHEREAS, the Common Council of the City of Custer City has determined that an exit interview is necessary and desirable.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit "A", Exit Interview Form, as if set forth in full herein, and adopted by reference.

Dated this 1<sup>st</sup> day of October, 2012

City of Custer City

S/Gary Lipp, Mayor

**CURB & GUTTER PROPOSALS**

Councilperson Herman moved with a second by Councilperson Heinrich to table the curb and gutter proposals till the next council meeting.

**COMMUNITY CENTER BOILER REPLACEMENT**

Councilperson Herman moved to accept the proposal from O'Connor Company for Hamilton Engineering Evo 2-pack boiler package for the Community Center Building at \$21,682.00 contingent upon receiving an acceptable bid for installation. Seconded by Councilperson Heinrich, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

**MOUNTAIN PINE BEETLE PROJECT**

Bob reviewed the plan for handling the mountain pine beetle trees in the coming months.

**BACKHOE BID**

Councilperson Heinrich moved to accept the bid from Butler Machinery for a Caterpillar 420E STAIR Backhoe Loader per bid specifications at \$84,800.00 with the addition of one set of five double tip frost teeth for \$162.00 and a complete thumb with cylinder for thumb read stick for \$6,400.00 for a total price of \$91,362.00. Seconded by Councilperson Schleining, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

**BACKHOE SURPLUS**

Councilperson Herman moved to surplus the 1993 416B Caterpillar Turbo 4x4 Extendahoe and accept sealed bids to be open on October 25<sup>th</sup>, 2012 at 2:00 pm at City Hall. Seconded by Councilperson Fischer, the motion unanimously carried.

**SHERIFF'S MONTHLY REPORTS**

The Council acknowledged the Sheriff's monthly reports for August 2012.

**HEALTH INSURANCE RENEWAL**

Councilperson Schleining moved to accept the five percent increase from Dakotacare for 2013 health insurance renewal. Seconded by Councilperson Herman, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

**AGREEMENT/CONTRACT TASK FORCE**

Mayor Lipp appointed Councilperson Heinrich, Kothe and Hattervig to the Agreement/Contract Task Force to review contracts.

**CLAIMS**

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

Arbor Day Foundation, Dues, \$10.00

Beesley Law, Professional Fees, \$3465.00

Ben Meadows, Supplies, \$679.08

Black Hills Power & Light, Utilities, \$3427.86

Boos Law Office, Professional Fees, \$490.00

Borrud Excavating, Repairs & Maintenance, \$128.00

Custer Community Health Services, Sales Tax Subsidy, \$63213.55

Custer Do It Best, Supplies, \$141.60

Chamber of Commerce, Sales Tax Subsidy, \$22288.43

Custer County Chronicle, Publishing, \$546.78

Custer Gas, Utilities, \$23000.00

Dakotacare, Insurance, \$8231.88

Delta Dental, Insurance, \$432.40

EFTPS, Taxes, \$12113.46  
Element, Supplies, \$19.45  
FourFront Design, Capital Improvements, \$9875.54  
First Interstate Bank, Supplies, \$49.80  
First Interstate Bank, TIF #1, \$1919.10  
Hawkins, Supplies, \$3031.15  
Hills Material, Gravel, \$7953.73  
Hillyard, Supplies, \$66.13  
JP Cooke, Supplies, \$55.10  
MARC, Repairs & Maintenance, \$291.34  
Northwest Pipe, Supplies, \$24.33  
Paypal, Supplies, \$214.76  
Petty Cash, Supplies, \$458.26  
Pitney Bowes, Supplies, \$39.00  
Quality Weed Control, Professional Fees, \$830.54  
RHS, Supplies, \$800.00  
Rileighs Outdoor Décor, Supplies, \$8668.00  
State of SD, Sales Tax, \$1628.52  
State of SD, Transfer, \$150.00  
SD Electrical Commission, Utilities, \$80.00  
SD Retirement System, \$5364.35  
SD Supplemental Retirement, \$195.00  
YMCA, Memberships, \$123.00  
Bergerson, Paul, Utility Deposit Refund, \$4.78  
Mayor & Council, \$4200.00  
Finance Department, \$9110.55  
Planner, \$6459.88  
Public Works Department, \$5026.96  
Street Department, \$5692.47  
Parks Department, \$7735.22  
Water Department, \$6264.99  
Wastewater Department, \$6749.79  
Total Claims \$231,249.78

**BREAK 7:52 - 8:00**

**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 8:00 pm, with the Attorney and Finance Officer present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 8:43 pm, with no action taken.

**EMPLOYEE STEP INCREASE**

Councilperson Herman moved to approve the step increase for Kim Conwell to step 2 at \$13.66 effective June 20, 2012. Seconded by Councilperson Schleining, the motion unanimously carried.

**COMMITTEE REPORTS**

Various committee reports were given.

**ADJOURNMENT**

With no further business, Councilperson Kothe moved to adjourned the meeting at 8:55 p.m. Seconded by Councilperson Fischer, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Gary Lipp  
Mayor