

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
October 3rd, 2011**

Mayor Gary Lipp called to order the first regular meeting of the Common Council for the month of October, 2011 at 5:30 p.m. Present at roll call were Councilpersons Heinrich, Fischer, Lampert, Herman, Schleining, and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Lampert moved, with a second by Councilperson Heinrich, to approve the minutes from the September 19th, 2011 regular meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, gave an overview of projects that are taking place.

Rex Harris, Community Development Director, gave Council an update on the downtown TIF project and informed Council that he would like to see decorations downtown within the permitted areas.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment and the status of the High School Youth Internship Position.

SHERIFF'S UPDATE

Sheriff Wheeler visited with Council regarding the trouble the Sheriff's Office is having with covering providing 24/7 coverage. The current City contract is for 20 hours a day, seven days a week coverage however Sheriff Wheeler has been trying to provide 24/7 coverage. Sheriff Wheeler asked Council to consider helping fund the additional 4 hours of coverage. General Government Committee will discuss the additional funding at its next meeting.

EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

Councilperson Herman moved to go into and out of executive session at 6:00 pm for contract negotiation with the Attorney, Finance Officer, Public Works Director, Community Development Director and members of the East Custer Sewer District present. Seconded by Councilperson Fischer, the motion unanimously carried. East Custer Sewer District members left at 6:20 pm. Community Development Director left the executive session and Council meeting at 6:35 pm. East Custer Sewer District members rejoined the executive session at 6:43 pm. Council came out of executive session at 6:50 pm with no action taken.

BREAK 6:50-6:58 PM

RESOLUTION 10-3-11A – ACCEPTING ELEMENTARY SCHOOL BUILDING DEED

Councilperson Lampert moved to adopt Resolution #10-03-11A, Accepting Elementary School Building Deed. Seconded by Councilperson Fischer, the motion unanimously carried.

RESOLUTION 10-3-11A

RESOLUTION ACCEPTING ELEMENTARY SCHOOL DEED

WHEREAS the Common Council of the City of Custer City has been in negotiation with the Custer School District # 16-1, f/k/a Custer City Independent School District, f/k/a Custer Independent School District, and f/k/a Custer Independent School District #1, hereinafter called Custer School District #16-1, regarding terms of transferring the Elementary School and the surrounding grounds to the City of Custer for City Headquarters and office space and additional expansion of services to the Custer community;

WHEREAS the Custer School District # 16-1 has executed a Quit Claim Deed to the City of Custer City with certain conditions contained therein;

WHEREAS the Common Council has reviewed said Deed and approved the same;

NOW, THEREFORE, BE IT RESOLVED that the City of Custer City hereby accepts transfer of the Elementary School by means of the Quit Claim Deed executed by Custer School District #16-1, on September 26th, 2011, attached hereto and incorporated herein by this reference as though set forth in full.

Dated at Custer City, Custer County, South Dakota, this 3rd day of October, 2011.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

RESOLUTION #10-03-11B – TRANSFERRING FUNDS FROM CONTINGENCY LINE

Councilperson Lampert moved to adopt resolution #10-03-11B, Transferring Funds From Contingency Line. Seconded by Councilperson Herman, the motion unanimously carried.

RESOLUTION #10-03-11B

AGREEMENT

~~_____ COMES NOW the following parties, the City of Custer, a South Dakota Municipal Corporation, of 622 Crook Street, Custer, South Dakota,~~
RESOLUTION TRANSFERRING CONTINGENCY FUNDS

~~_____ WHEREBY, SDCL 9-21-6.1 allows the City to budget a line item for contingencies, where as such appropriated amount may be transferred by resolution to any other appropriation in which insufficient amounts were provided.~~

~~WHEREAS, the Common Council of the City of Custer City has determined that repairs to various roads located through the City is necessary due to the rain storm that took place August of 2011.~~

~~NOW, THEREFORE BE IT RESOLVED, that the City of Custer City hereby transfers \$10,000 from the contingency appropriation line to the street department gravel appropriation line in the 2011 budget.~~

~~hereinafter called City and Gary Parsons, land owner, of PO Box 980, Bowman, North Dakota, 58623, hereinafter called ("Gary") agrees to:~~

~~Dated this 3rd _____ day of _____ October, 2011.~~

~~CITY OF CUSTER CITY~~

~~S/Gary Lipp, Mayor~~

RESOLUTION #10-03-11C – APPROVING PURCHASING THE YOUTH HOUSE

Councilperson Lampert moved to adopt Resolution #10-03-11C, Approving Purchasing the Youth House. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION 10-3-11C

RESOLUTION APPROVING PURCHASING THE YOUTH HOUSE

WHEREAS the Common Council of the City of Custer City has been in negotiation with the Custer Lutheran Fellowship, regarding purchase of the Custer Youth House and property for an entrance to the Big Rock Park Trail;

WHEREAS Custer Lutheran Fellowship and the Common Council have reviewed the appraisal and approve the same and have agreed upon a price of \$65,000;

NOW, THEREFORE, BE IT RESOLVED that the City of Custer City hereby approves the purchase of the Custer Youth House located at 134 South Sixth Street, Custer, South Dakota from Custer Lutheran Fellowship in accordance with the purchase agreement, attached hereto and incorporated herein by this reference as though set forth in full.

Dated at Custer City, Custer County, South Dakota, this 3rd day of October, 2011.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

EMPLOYEE MERIT INCREASE

Councilperson Schleining moved to approve a merit increase for Mark Bennett, Temporary Parks Position, to \$12.15 per hour effective September 26th. Seconded by Councilperson Herman, the motion unanimously carried.

FUTURE OFFICE PLAN

Councilperson Lampert moved to silicate a proposal from Fennell Design for the Elementary School Building to include two phase, phase two to include a swimming pool. Seconded by Councilperson Fischer, the motion unanimously carried.

CLAIMS

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

- Black Hills Power & Light, Utilities, \$2104.71
- Boos Law Office, Professional Fees, \$110.00
- Century Business Products, Supplies, \$233.00
- Credit Collections Bureau, \$202.50
- Custer Do It Best, Supplies, \$20.14
- Custer County Chronicle, Publishing, \$411.44
- Custer County Treasurer, Law Enforcement, \$79829.25
- Custer High School, Supplies, \$45.00
- Dakota Supply, Supplies, \$736.40
- Delta Dental, Insurance, \$416.50

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Element, Supplies, \$51.77
EFTPS, Payroll Taxes, \$11739.12
FourFront Design, Professional Fees, \$14001.35
Fastenal, Supplies, \$43.12
First Interstate Bank, Supplies, \$65.35
First Interstate Bank, TIF #1, \$964.45
Freeman's Electric, Repairs & Maintenance, \$341.07
Golden West Technologies, Supplies, \$459.00
Graphic Plus, Supplies, \$291.24
HD Supply, Supplies, \$545.93
ITRON, Repairs & Maintenance, \$645.42
Kadrmars, Lee & Jackson, Professional Fees, \$2591.38
Paypal, Supplies, \$53.36
Petty Cash, Supplies, \$368.63
Pitney Bowes, Supplies, \$39.00
Quill, Supplies, \$135.28
Rapid Chevrolet, Repairs & Maintenance, \$1076.71
State of SD, Sales Tax, \$822.57
South Dakota Municipal League, Conference, \$240.00
SD Retirement System, \$5587.02
Supplemental Retirement System, \$120.00
USA Bluebook, Supplies, \$521.45
YMCA, Membership, \$120.00
Ziolkowski, Geney, Animal Control Contract, \$635.00
Mayor & Council, \$4200.00
Planner, \$4411.92
Finance Department, \$8937.59
Public Buildings, \$2132.64
Public Works Department, \$4880.56
Street Department, \$5721.17
Parks Department, \$8929.64
Water Department, \$5841.61
Wastewater Department, \$6951.28
Total Claims \$177,573.57

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Herman moved to adjourned the meeting at 7:37 p.m. Seconded by Councilperson Schleining, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor