

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- SPECIAL SESSION
SEPTEMBER 28th, 2009**

Mayor Harold D. Stickney called to order the special meeting of the Common Council for the month of September, 2009 at 5:30 p.m. Present at roll call were Councilpersons Murphey, Schleining, Pischke, Ressler, Reetz, Starr, Chris Beesley, City Attorney, Bob Morrison, Public Works Director, Rex Harris, Community Development Director, and Christine Redden, Finance Officer. The Pledge of Allegiance was stated.

AGENDA

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

EXECUTIVE SESSION – BOOT HILL

The Mayor requested a motion to go into and out of an executive session at 5:31 p.m. due to contract negotiation, potential litigation, and personnel. Councilperson Starr so moved. Seconded by Councilperson Ressler, the motion unanimously carried. In attendance along with staff were Mike Tennyson, Larry Van Zetten, and John Culberson. Mike, Larry, and John left the meeting at 5:57 p.m. The session adjourned at 6:13 p.m. Councilperson Starr moved to rescind Resolution #08-31-09 to purchase lot 13 in the Boot Hill subdivision. Seconded by Councilperson Reetz, the motion unanimously carried.

GORDON STREET EXTENSION PROJECT

The Mayor discussed the need to appoint 3 freeholders to appraise the land for the Gordon Street Extension Project. Rex stated there will be a land exchange with Gary Parsons and then a land purchase with Gaylord Bruketta; we need individuals who understand the land values in the City. Attorney Beesley stated that the value would have to be per acre or some set rate so the total amounts would be arrived at. Rex stated that maybe the value would be based on a square feet basis. Councilperson Murphey stated you establish an area and move forward. Rex discussed one parcel having many easements and being encumbered while the other parcel was not encumbered. Councilperson Reetz suggested that we have a realtor, a banker, and an appraiser. Councilperson Murphey stated that the appraiser could not be part of this due to their rules and regulations. The Mayor stated a realtor, a citizen, and banker would work or two realtors and a banker. Rex stated the realtors would have a better idea on the values. Councilperson Starr stated that it's been talked about for 10 years since he's was on the Council the first time; your illusions are that we're bad and we're not really bad; this is all public. Councilperson Schleining stated that there have been people coming in to request a second access for years; they want it and have requested it for as long as she's been on Council. Councilperson Starr also stated that we cannot ring door bells on every issue; we've talked about the bridge and the second access. Rex stated everyone he has talked to is excited about getting the secondary access. Rex stated that the landowners came to the City plus this is the first year that we have had an emergency arise. Rex also stated that he has sent letters to Gary and Gaylord stating the specifics of the project and requested that they send a letter or write yes on a copy of the letter he sent which will say we're all in agreement; so then we would be able to proceed. GF&P is working on the approval with the only question being the elevation for the Trail crossing; the County doesn't own any land but we have been in contact with them; and DOT already has an approach there so they said it would be real easy. Councilperson Schleining stated it wouldn't hurt to have DOT's approval too. The Mayor entertained a motion to authorize him to contact up to two realtors and a banker. Councilperson Murphey moved to authorize the Mayor to contact three freeholders with a mix of realtors and bankers who have knowledge of land values. Seconded by Councilperson Starr, the motion unanimously carried.

MINUTES

Attorney Beesley stated that it was suggested by a Councilperson that the minutes be reviewed by the City Attorney prior to being released. Councilperson Starr stated that other entities have this done to protect them in lawsuits. Christine mentioned that this item had not been posted 24 hours in advance. This item will be on the next agenda. Discussion came up on the cost to have the Attorney review these but Attorney Beesley stated he would not charge the City to review minutes for two meetings a month.

BREAK 6:42 p.m.

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of an executive session at 6:50 p.m. due to personnel with Rex and Christine in attendance. Seconded by councilperson Ressler, the motion unanimously carried. Councilperson Reetz left the meeting at 6:55 p.m. and returned at 6:59 p.m. Rex and Christine left the meeting at 6:59 p.m. The session adjourned at 7:30 p.m. with no action taken. Attorney Beesley stated generally that there will be no communications on this subject.

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:31 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden
Finance Officer

Harold D. Stickney
Mayor