

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
December 5th, 2011**

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

AGENDA

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

MINUTES

Councilperson Hattervig moved, with a second by Councilperson Heinrich, to approve the minutes from the November 21st, 2011 regular meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, informed Council on the status of the Tree City USA application.

Rex Harris, Community Development Director, gave Council an update on the deer management program.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment.

GOLDEN WEST TELECOMMUNICATIONS UPDATE

Greg Oleson, Marketing Manager and Rick Reed, Cablevision Manager with Golden West Telecommunication gave Council an update on the cable television which includes the addition of video on demand, 20 high definition channels added and the upcoming negotiations with the local channels.

RON FLORA – CUSTER CRUISIN

Ron Flora presented Council with signatures of downtown business owners who would like to see the vendors moved from 6th Street. Mayor Lipp thanked Ron and told him he would pass the signatures along to the Custer Cruisin Committee for their recommendation.

SECOND READING – ORDINANCE #700 – BODY PIERCING & TATTOOING ESTABLISHMENT

Councilperson Schleining moved to adopt Ordinance #700, Body Piercing & Tattooing Establishments. Seconded by Councilperson Herman, the motion carried with Councilperson Hattervig, Heinrich, Fischer, Herman and Schleining voting yes.

SECOND READING – ORDINANCE #703 – REDISTRICTING

Councilperson Heinrich moved to table the second reading of Ordinance #703, Redistricting till such time as the affects are researched. Seconded by Councilperson Hattervig, the motion unanimously carried.

SECOND READING – ORDINANCE #705 – NUISANCE ABATEMENT PROCESS

Councilperson Herman moved to adopt Ordinance #705, Nuisance Abatement Process. Seconded by Councilperson Schleining, the motion carried with Councilperson Heinrich, Fischer, Herman, Schleining and Hattervig voting yes.

FIRST READING – ORDINANCE #704 – STREETS/SIDEWALKS

Councilperson Heinrich moved to approve the first reading of Ordinance #704, Streets & Sidewalks, with the addition of newspaper boxes being allowed as approved by the Community Development Director. Seconded by Councilperson Herman, the motion unanimously carried.

FIRST READING – ORDINANCE #706 – 2011 SUPPLEMENTAL BUDGET

Councilperson Schleining moved to approve the first reading of Ordinance #706, Supplemental Budget for Fiscal Year 2011. Seconded by Councilperson Herman, the motion unanimously carried.

FIRST READING – ORDINANCE #707 – TRANSIENT MERCHANTS

Councilperson Schleining moved to approve the first reading of Ordinance #707, Transient Merchants. Seconded by Councilperson Hattervig, the motion unanimously carried.

RESOLUTION #12-5-11A – CELLULAR PHONE AGREEMENT

Councilperson Herman moved to adopt resolution #12-5-11A, Cellular Phone Agreement. Seconded by Councilperson Fischer, the motion unanimously carried.

RESOLUTION # 12-5-11A

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 7-24-06A; and

WHEREAS, the Common Council of the City of Custer City has determined that a cellular phone acquisition/policy and employee use agreement is necessary and desirable.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit "A", Cellular Phone Acquisition/Policy and Employee Use Agreement as if set forth in full herein, and adopted by this reference.

Dated this 5th day of December, 2011

S/Gary Lipp, Mayor

RAFFLE REQUEST – SENIOR CENTER

Councilperson Schleining moved to approve the raffle request from the Custer Senior Center for their Christmas wreaths to be drawn for on December 19, 2011. Seconded by Councilperson Heinrich, the motion unanimously carried.

CHAMBER BUILDING FLOORING

Councilperson Herman moved to approve the replacement of the flooring at the Chamber building with vinyl laminate for \$7,040.25. Seconded by Councilperson Schleining, the motion unanimously carried.

EAST CUSTER SEWER DISTRICT

Councilperson Schleining moved to approve the contract with East Custer Sewer District for sewer treatment for a five year term and to authorize the Mayor to sign the contract. Seconded by Councilperson Heinrich, the motion carried with Councilperson Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

FENNEL DESIGN

Councilperson Heinrich moved to go into and out of executive session at 6:40 pm for contract negotiations with the Attorney, Finance Officer, Public Works Director, Community Development Director and Gene Fennel present. Gene Fennel left the executive session at 7:03 pm. Council came out of executive session at 7:09 pm. Councilperson Heinrich moved to approve the proposals from Fennel Design for the campus master plan at \$21,700; building re-purpose at \$106,500; and swim center schematic design at \$35,700, and authorize the Mayor to sign them. Seconded by Councilperson Schleining, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich and Fischer voting yes.

SRF LOAN

Blaise Emerson, Executive Director, Black Hills Council of Local Government addressed the Council regarding the application process for State Revolving Fund Loan, which the City is looking at for sewer projects. The Council will visit more about the SRF Loan at a later date.

SNOW REMOVAL POLICY

Councilperson Hattervig moved to approve the snow removal policy. Seconded by Councilperson Herman, the motion unanimously carried.

ICS SAW GRANT

Councilperson Herman moved to approve the ICS Saw Grant application. Seconded by Councilperson Fischer, the motion unanimously carried.

EXECUTIVE SESSION

Councilperson Herman moved to go into and out of executive session at 8:17 pm for personnel with the Attorney, Finance Officer, Public Works Director, and Community Development Director present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 8:24 pm.

EMPLOYEE STATUS CHANGE

Councilperson Schleining moved to approve changing Mark Bennett to full time employment effective December 5, 2011 at Step 1 rate of \$12.76. Seconded by Councilperson Herman, the motion unanimously carried.

CLAIMS

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

Advanced Drug Testing, Supplies, \$36.00
ALSCO, Repairs & Maintenance, \$226.98
Beesley Law Office, Professional Fees, \$3170.00
Black Hills Power & Light, Utilities, \$1902.16
Boos Law Office, Professional Fees, \$195.00
Butler Machinery, Repairs & Maintenance, \$357.34
Brown's Small Engine Repair, Repairs & Maintenance, \$499.99
Century Business Products, Supplies, \$181.49
Credit Collections Bureau, \$202.50
Custer Community Health Services, Sales Tax Subsidy, \$44854.98
Culligan, Repairs & Maintenance, \$52.00
Custer Car Wash, Repairs & Maintenance, \$10.25

Custer Do It Best, Supplies, \$155.33
Custer County, Supplies, \$18.50
Custer County Chronicle, Publication, \$1714.37
Delta Dental, Insurance, \$416.50
Energy Lab, Professional Fees, \$34.00
Element, Supplies, \$68.11
EFTPS, Taxes, \$12329.99
FourFront Design, Professional Fees, \$3568.81
Fastenal, Supplies, \$496.46
First Interstate Bank, Supplies, \$217.80
First Western Insurance, Insurance, \$2383.00
Golden West Technologies, Professional Fees, \$1546.88
Hawkins, Supplies, \$3058.20
Honeywell, Repairs & Maintenance, \$414.25
Jenner Equipment, Repairs & Maintenance, \$470.01
Kadmas, Lee & Jackson, Professional Fees, \$1852.66
Kellogg, Scott, Reimbursement, \$90.47
Labcorp, Supplies, \$196.25
Michael Todd & Company, Supplies, \$295.79
Nelson's Oil & Gas, Supplies, \$1771.46
Oasis Inn, Travel, \$77.00
Paypal, Supplies, \$41.19
Petty Cash, Supplies, \$353.53
Pitney Bowes, Supplies, \$39.00
Quill, Supplies, \$37.01
Rancher's Feed & Supply, Utilities, \$2043.02
SD Retirement, \$5785.61
SD Supplemental Retirement, \$120.00
YMCA, Membership, \$120.00
Ziolkowski, Geney, Animal Control Contract, \$694.00
Simek, Callie, Utility Refund, \$31.42
Mayor & Council, \$4200.00
Finance Department, \$9100.43
Planner, \$6147.92
Public Works Department, \$4880.56
Street Department, \$6465.54
Parks Department, \$10064.05
Water Department, \$5911.08
Wastewater Department, \$7163.82
Total Claims \$146,062.71

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Herman moved to adjourned the meeting at 8:47 p.m. Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor