

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
February 19th, 2013**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of February, 2013 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Heinrich, Kothe, Fischer, Herman, Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Fischer moved, with a second by Councilperson Schleining, to approve the minutes from the February 4th, 2013 regular meeting and the February 12th, 2013 special meeting. 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 rewriting of the Corrosion Control Treatment Plan, bug tree marking, new Surface Water Discharge Permit for Wastewater Plant and 2013 projects.

Rex Harris, Community Development Director, gave Council an update on the various committee meetings that have taken place and upcoming meetings along with the status of the DOT Maintenance and Encroachment Agreement.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment, status of the audit preparation, sales tax payments, and yearend figures were handed out.

APPEAL TO SNOW REMOVAL CHARGES – GARY KING

Gary King presented his request appealing snow removal charges. Councilperson Herman moved to deny the appeal regarding snow removal on January 15, 2013. Seconded by Councilperson Fischer, the motion unanimously carried.

SECOND READING – ORDINANCE #729 – HUNTING, TRAPPING & DISCHARGING FIREARMS

Councilperson Hattervig moved to adopt Ordinance #729, Hunting, Trapping & Discharging Firearms. Seconded by Councilperson Herman, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

FIRST READING – ORDINANCE #727 – LAWN MAINTENANCE AND ORDINANCE #730 – SNOW AND ICE REMOVAL

Councilperson Herman moved to table Ordinance #727, Lawn Maintenance and Ordinance #730, Snow and Ice Removal until the March 4th Meeting to allow for a public hearing. Seconded by Councilperson Heinrich, the motion unanimously carried. Councilperson Heinrich moved to publish a notice of public hearing in the paper and place a reminder on the utility bills of the meeting to be held on March 4th, 2013. Seconded by Councilperson Schleining the motion unanimously carried.

RESOLUTION #02-19-13A – ALLEY VACATION – BLOCK 64

Councilperson Herman moved to adopt Resolution #02-19-13A, Alley Vacation – Block 64. Seconded by Councilperson Hattervig, the motion unanimously carried.

RESOLUTION #02-19-13B – ALLEY VACATION – BLOCK 94

Councilperson Herman moved to table Resolution #02-19-13B, Alley Vacation – Block 94 till such time as all owners have been contacted. Seconded by Councilperson Fischer, the motion unanimously carried.

RESOLUTION #02-19-13C – ALLEY VACATION – BLOCK 95

Councilperson Herman moved to adopt Resolution #02-19-13C, Alley Vacation – Block 95. Seconded by Councilperson Kothe the motion unanimously carried.

RESOLUTION #02-19-13D – AMENDMENT TO EAST CUSTER SEWER DISTRICT AGREEMENT

Councilperson Schleining moved to adopt Resolution #02-19-13D, Amendment to East Custer Sewer District Agreement. Seconded by Councilperson Herman, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

RESOLUTION #02-19-13E – PERSONNEL MANUAL – TEMP PARK MAINTENANCE LABORER JOB DESCRIPTION

Councilperson Hattervig moved to adopt Resolution #02-19-13E, Personnel Manual – Temp Park Maintenance Laborer Job Description. Seconded by Councilperson Schleining, the motion unanimously carried.

SHOWMOBILE USE REQUEST – CHAMBER OF COMMERCE

Councilperson Kothe moved to approve the Chamber of Commerce request to use the Showmobile on July 5, 2013 for the Old Time Country Fourth Celebration in addition to the dates already approved of July 3rd & 4th, 2013. Seconded by Councilperson Heinrich, the motion unanimously carried.

RAFFLE REQUEST – CHAMBER OF COMMERCE

Councilperson Schleining moved to approve the Chamber of Commerce raffle request for their raffle to be held on March 14th at their Spring Fling event. Seconded by Councilperson Fischer, the motion unanimously carried.

WAY PARK USE REQUEST – CHAMBER OF COMMERCE

Councilperson Herman moved to approve the Chamber of Commerce request to use Way Park every Saturday from the beginning of June through the end of September for the Farmer's Market. Seconded by Councilperson Heinrich the motion unanimously carried.

SOUTH 4TH STREET ENGINEERING CONTRACT - FOURFRONT

Councilperson Herman moved to approve the contract with FourFront Design for the South 4th Street Reconstruction Project for \$19,577.00. Seconded by Councilperson Hattervig, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

VFD ELECTRICAL UPGRADE ENGINEERING CONTRACT - FOURFRONT

Councilperson Heinrich moved to approve the contract with FourFront Design for the WWTP Variable Frequency Drives Electrical Upgrade Project for \$4,500.00. Seconded by Councilperson Fischer, the motion carried with Councilperson Fischer, Herman, Schleining, Hattervig, Heinrich and Kothe voting yes.

CLAIMS

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

Advanced Drug Testing, Supplies, \$36.00
AFLAC, Insurance, \$544.99
ALSCO, Repairs & Maintenance, \$213.62
Avanet, Supplies, \$450.00
Black Hills Power & Light, Utilities, \$5327.97
Boos Law Office, Professional Fees, \$200.00
Culligan, Repairs & Maintenance, \$17.50
Custer Ambulance Service, Safety Equipment, \$79.70
Custer Car Wash, Supplies, \$4.50
Chamber of Commerce, Sales Tax Subsidy, \$1814.13
Custer County Market, Supplies, \$20.90
Custer True Value, Supplies, \$442.97
Dakota Pump, Repairs & Maintenance, \$4103.45
Domek, Tom, Supplies, \$100.00
Dumire, John, Safety Equipment, \$75.00
Energy Lab, Supplies, \$35.00
French Creek Supply, Supplies, \$535.50
Frontier Photo, Supplies, \$38.00
Golden West, Utilities, \$815.82
Golden West Technologies, Professional Fees, \$1230.00
Hawkins, Supplies, \$15.00
Hillyard, Supplies, \$428.84
Kellogg, Scott, Reimbursement, \$832.09
Labcorp, Supplies, \$148.25
Petty Cash, Supplies, \$410.98
Pitney Bowes, Supplies, \$39.00
Quill, Supplies, \$831.82
Rancher's Feed & Supply, Utilities, \$1667.82
Rapid Delivery, Supplies, \$10.80
Rapid City Telco, Conference, \$35.00
Southern Hills Fire, Safety, \$580.00
SRF Loan Payment, \$4639.68
S & B Motors, Supplies, \$1349.55
Sander Sanitation, Garbage Collection Contract, \$13225.92
SD Department of Revenue, Supplies, \$9.00
SD State Executive Management, Utilities, \$28.73
USDA Loan Payment, \$8910.00
Verizon Wireless, Utilities, \$370.37
Wright Express, Supplies, \$1016.30
Smith, Carolyn, Utility Deposit Refund, \$27.28
Total Claims \$50,661.48

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 6:43 pm, with the Finance Officer, Public Works Director, Community Development Director and Attorney present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 6:59 pm, with no action taken.

FOURFRONT AGREEMENT

Councilperson Fischer moved to authorize the Mayor to sign the agreement with FourFront Design, upon approval and signature by FourFront Design for \$39,561.00 compensation to the City. Seconded by Councilperson Herman, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich, Kothe and Fischer voting yes.

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourned the meeting at 7:07 p.m. Seconded by Councilperson Fischer, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor