

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
June 15th, 2015**

Mayor Gary Lipp called to order the second meeting of the Common Council for the month of June, 2015 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Kothe, Fischer, Herman and Schleining. The Pledge of Allegiance was stated.

AGENDA

Councilperson Fischer moved to approve the agenda. Second by Councilperson Kothe, the motion unanimously carried.

MINUTES

Councilperson Maciejewski moved, with a second by Councilperson Schleining, to approve the minutes from the June 1st regular council meeting. The motion unanimously carried. Councilperson Heinrich moved, with a second by Councilperson Kothe, to approve the minutes from the June 1st and June 8th special council meetings. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, discussed with Council the upcoming projects including West Dam, Veterans Memorial, downtown flag relocation, public restrooms, and the trees to be planted at Way Park.

Scott Simianer, Planning Administrator, mentioned the building permits for the year total 27 with the total valuation being \$688,415; and mentioned that lawn maintenance notices are being sent out.

Laurie Woodward, Finance Officer, mentioned that South Dakota Department of Legislative Audit has accepted the City's 2014 audit.

BLACK HILLS VISION PRESENTATION

Bruce Rampelberg, Development Director for Black Hills Vision, gave Council an overview of what Black Hills Vision does and projects they have helped fund.

SECOND READING – ORDINANCE #764 – SIGN REGULATIONS

Councilperson Herman moved to adopt Ordinance #764, Sign Regulations. Seconded by Councilperson Fischer, the motion carried with Councilperson Maciejewski, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

RESOLUTION #6-15-15A – DEED OF CONVEYANCE – MOWER TO YMCA

Councilperson Schleining moved to approve Resolution #6-15-15A, Deed of Conveyance, give a mower to the Custer YMCA. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION NO. 6-15-15A

DEED OF CONVEYANCE

WHEREAS, the City of Custer City has certain property which is not held for public use or is about to be abandoned for public purposes; and

WHEREAS, SDCL 6-5 provides for the disposition and transfer of government property to other political subdivisions or nonprofit corporations.

NOW THEREFORE BE IT RESOLVED by the common council of the City of Custer City, that it is advisable and in the best interest of the public that the following property is declared to be not held for public use or is about to be abandoned for public purposes and shall be transferred and conveyed gratuitously to the Custer YMCA, a nonprofit corporation, as set forth in SDCL 6-5-2; Gratuitous Transfers of Property to Other Political Subdivisions or Nonprofit Corporations:

Mower - Emark Lazev Z Model LZ22LKA523 Serial #211797

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor or Council President is hereby authorized to execute this Resolution and Deed of Conveyance in accordance herewith, with the specific restriction that this property shall only be utilized for public purposes and accommodations and nonprofit purposes and no other use whatsoever.

Dated this 15th day of June, 2015.

CITY OF CUSTER CITY

S/ Gary Lipp, Mayor

ATTEST: Laurie Woodward, Finance Officer

RESOLUTION #6-15-15B – WRITE-OFFS

Councilperson Herman moved to approve Resolution #6-15-15B, Write-Offs. Seconded by Councilperson Kothe, the motion unanimously carried.

RESOLUTION NO. 06/15/2015B

WHEREAS, Book 3, Supplemental, Chapter 9-22-4 of the South Dakota Codified Law states every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is non-collectible, and by formal action direct that the non-collectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt.+
WHEREAS, efforts have been made to collect these past due accounts receivable, and
WHEREAS, adequate time has elapsed to consider these accounts receivable delinquent and past due,
NOW THEREFORE BE IT RESOLVED that the following accounts be deemed non-collectible and removed from the records and disclosed on the 2015 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
John Bissell	401990-00	\$ 246.71
John Bissell	402000-01	\$ 2039.90
Anthony Jarvis	100055-04	\$ 224.21
Dan Moore	200270-02	\$ 2418.32
Dustin Red Legs	502051-01	\$ 169.46
Lowell Swedlund	402330-02	\$ 331.29
	TOTAL	<u>\$ 5429.89</u>

Signed this 15TH day of June, 2015.

CITY OF CUSTER

S/Gary Lipp, Mayor

Attest: Laurie Woodward, Finance Officer

MALT BEVERAGE LICENSE RENEWAL – BANK COFFEE HOUSE

Councilperson Heinrich moved to approve the malt beverage license renewal for the 1881 Bank Coffee House contingent upon proof of current insurance being provided. Seconded by Councilperson Fischer, the motion unanimously carried.

ELEVENTH STREET BRIDGE CONTRACT – KADRMAS, LEE & JACKSON

Councilperson Herman moved to approve the Eleventh Street Bridge engineering contract with Kadmas, Lee & Jackson Inc for \$22,500. Seconded by Councilperson Schleining, the motion unanimously carried.

SHERIFF'S MONTHLY REPORT

Council acknowledged the Sheriff's Monthly reports for May 2015. Sheriff Wheeler was present to answer any questions.

2016 LAW ENFORCEMENT CONTRACT

Councilperson Heinrich moved to approve the 2016 law enforcement contract with Custer County for \$320,000. Seconded by Councilperson Herman, the motion unanimously carried.

GOLF COURSE PROJECT FINANCING

Councilperson Heinrich moved to approve placing \$120,000 in the 2016 budget for the Golf Course filtration & pump house remodel and to proceed with a resolution to spell out all the details of the money the City will be giving to the Golf Course. Seconded by Councilperson Fischer, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Maciejewski voting yes.

CUSTER COMMUNITY CENTER STRUCTURAL RENOVATIONS BIDS

Councilperson Herman moved to approve the bid from SECO Construction Inc for \$95,780 for structural renovations at the Custer Community Center contingent upon the contract with SECO Construction Inc being reviewed by legal counsel. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Maciejewski and Heinrich voting yes.

CUSTER COMMUNITY GARDEN REFUNDS

Councilperson Herman moved to approve refunding all the garden spaces at the Community Garden for 2015 due to the wet year however still encouraged those that wish to try and garden to do so. Seconded by Councilperson Heinrich, the motion unanimously carried.

LETTER REGARDING HARNEY PEAK NAME CHANGE

Councilperson Schleining moved to approve the Mayor sending a letter stating that the City Council does not support the Harney Peak name change. Seconded by Councilperson Herman, the motion unanimously carried.

HILL CITY FLOOD DAMAGE SUPPORT

Councilperson Herman moved to approve up to 40 hours for Custer City personnel and Jet Truck assistant to the City of Hill City at no charge for help with the damage from the flooding. Seconded by Councilperson Heinrich, the motion unanimously carried.

CLAIMS

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

ACES, Capital Improvements, \$11085.25
Battle Mountain Humane Society, Animal Control, \$800.00
Black Hills Power & Light, Utilities, \$11091.26
Carr, Karen, Election, \$150.00
Culligan, Repair & Maintenance, \$18.50
Chamber of Commerce, Sales Tax Subsidy, \$7759.58
Custer True Value, Supplies, Repair & Maintenance, \$539.39
Dakota Greens, Trees, \$1000.00
Dakota Rental & Chain Saw Center, Equipment, \$10195.00
French Creek Supply, Supplies, \$331.19
Golden West Technologies, Professional Fees, \$469.64
Hadlock, Cheryl, Professional Fees, \$4154.06
Hawkins, Supplies, \$963.24
Hillyard, Supplies, \$176.48
Hand, Joyce, Election, \$175.00
International Code Council, Dues, \$135.00
Itron, Supplies, \$731.31
Jenny's Floral, Supplies, \$30.94
Ketel Thorstenson, Audit, \$3051.75
Mayer Plumbing, Repair & Maintenance, \$176.83
McGas, Repair & Maintenance, \$92.00
Midcontinent Testing Lab, Professional Fees, \$365.00
Newman Signs, Supplies, \$1058.88
Pitney Bowes, Supplies, \$500.00
Quill, Supplies, \$70.98
Rapid Delivery, Professional Fees, \$79.80
Serino, Janet, Election, \$150.00
SRF Loan Payment, \$4639.68
S&B Motors, Supplies, \$83.35
Sander Sanitation, Garbage Collection Contract, \$13405.82
Sander Sanitation, Cleanup Days, \$6621.73
Schmaltz, Betty, Election, \$175.00
Servall, Repair & Maintenance, \$138.84
SD Association of Rural Water, Travel, \$120.00
SD Dept of Revenue, Malt Beverage Licenses, \$3775.00
SD Municipal League, Conference, \$150.00
SD Executive Management Finance Office, Utilities, \$18.81
USDA Loan Payment, \$8910.00
Wright Express, Supplies, \$1145.48
YMCA, Subsidy & Pool Contract, \$41500.00
Herman, Mia, Utility Deposit Refund, \$8.30
Huckins, Tyler, Utility Deposit Refund, \$39.68
McGuire, Scott, Utility Deposit Refund, \$90.35
Total Claims, \$136,173.12

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel, proposed litigation and contract negotiations per SDCL 1-25-2(1-4) at 6:30 pm, with the Attorney, Finance Officer, Planning Administrator, and Public Works Director present. Seconded by Councilperson Heinrich, the motion unanimously carried. Jared Carson joined the meeting at 6:35 pm. Attorney Terri Williams joined

the meeting by phone from 6:39 . 6:44 pm. Council came out of executive session at 6:58 pm, with no action taken.

EMPLOYEE STEP INCREASE

Councilperson Fischer moved to approve the step increase for Lisa Trana to Step 5 at \$17.38 per hour effective June 14th, 2015. Seconded by Councilperson Schleining, the motion carried with Councilperson Fischer, Herman, Schleining, Maciejewski, Heinrich and Kothe voting yes. .

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourn the meeting at 6:59 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor