

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
June 17th, 2013**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of June, 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 Fischer, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Kothe moved, with a second by Councilperson Hattervig, to approve the minutes from the June 3rd, 2013 regular 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 current projects and mentioned that the force main has developed another leak.

Rex Harris, Community Development Director, gave Council an update on the aerial mapping project and mentioned that Black Hills Power & Light is looking at increasing the wattage of the bulbs by Flintstones & in August DOT is looking at putting in a crosswalk by Flintstones.

Laurie Woodward, Finance Officer, mentioned that she attended Human Resource and Finance Officer School.

BUILDING REQUIREMENT CONCERNS – ROBERT & VICKI HAUSUIK

Rex presented Robert & Vicki Hausuik's concerns with building requirements placed on them by the covenants of the development in which their property is located. Due to these requirements, the cost increased so much they are unable to build and are therefore requesting a refund for their building permit fees. Councilperson Herman moved to refund Mr & Mrs Hausuik \$2,877.90 for their building permit. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Heinrich, Kothe, Fischer, Herman and Schleining voting yes.

DRAINAGE ISSUES – BOB DORTON

Mr. Dorton presented his concerns regarding drainage issues in his neighborhood. Councilperson Heinrich moved to table any action on this item till after executive session. Seconded by Councilperson Fischer, the motion unanimously carried.

BUILDING PERMIT AND ENCROACHMENT ISSUES – MIKE CARR

Mike Carr presented his concerns with building permit enforcement and encroachment issues. The Community Development Department is working on these issues.

FIRST READING – ORDINANCE #733 – BUILDING PERMIT FEES

Councilperson Hattervig moved to approve the first reading of Ordinance #733, Building Permit Fees. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #06-17-13A – WRITE-OFFS

Councilperson Schleining moved to adopt Resolution #06-17-13A, Write-Offs. Seconded by Councilperson Herman, the motion unanimously carried.

RESOLUTION NO. 6/17/2013A

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 2013 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Grace Kothe	401120-00	\$ 423.50

Colton Merritt	401770-12	\$ 79.95
Bryan Sweeney	401910-08	\$ 310.63
Spencer Hodge	500980-04	\$ 365.71

TOTAL \$1179.79

Signed this 17th day of June, 2013.

CITY OF CUSTER

S/Gary Lipp, Mayor

2014 BUDGET SUBSIDY REQUEST

Council reviewed the 2014 subsidy request from various organizations.

JOSEPH & DEBRA LONG – OUTSIDE CITY LIMITS SEWER RATE

Councilperson Schleining moved to approve charging the five outside city limits residential sewer users that were previously part of East Custer Sewer District, the same rate as the users within the city limits contingent upon the five property owners signing the resolutions setting forth such rate. Seconded by Councilperson Herman, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

RAFFLE REQUEST – SOUTHERN HILLS FRIENDS OF NRA

Councilperson Herman moved to approve the raffle request from the Southern Hills Friends of NRA for their raffle to be held through September 22, 2013. Seconded by Councilperson Heinrich, the motion unanimously carried.

RAFFLE REQUEST – CUSTER SENIOR CENTER

Councilperson Schleining moved to approve the raffle request from the Custer Senior Center for their quilt raffle to take place from Gold Discovery Days through December 1, 2013. Seconded by Councilperson Heinrich, the motion unanimously carried.

PARK USAGE & BROWN BAG REQUEST – STEPHANIE ZACHER

Councilperson Herman moved to approve Stephanie Zacher's request for use of Harbach Park and brown bag permit for a family reunion contingent upon providing proof from her insurance company that they will cover the function with alcohol being present. Seconded by Councilperson Schleining, the motion unanimously carried.

TENNIS COURT USE AND RESTROOM CLEANING REQUEST – GOLD DISCOVERY DAYS COMMITTEE

Councilperson Herman moved to approve the Gold Discovery Days Committee request to use the Tennis Courts for a movie night on the evening of July 27, 2013 and to have city staff clean the public restrooms & trash removal about 6:00 pm. Seconded by Councilperson Heinrich, the motion unanimously carried.

MOTORCYCLE PARKING – DOT PERMIT

Councilperson Heinrich moved approve motorcycle parking in center lanes of Mt Rushmore Road during Custer Cruisin and authorize the DOT permit to be signed & submitted. Seconded by Councilperson Kothe, the motion unanimously carried.

LAW ENFORCEMENT CONTRACT

Councilperson Herman moved to approve the law enforcement contract for 2014 at \$348,704. Seconded by Councilperson Heinrich, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

NEW HIRE

Councilperson Schleining moved to approve the hiring of Steve Hatfield for the temporary parks maintenance laborer position at \$10.45 effective June 14, 2013. Seconded by Councilperson Herman, the motion unanimously carried.

CLAIMS

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

- American Legal Publishing, Professional Fees, \$960.00
- ALSCO, Repair & Maintenance, \$212.88
- A&B Electric, Repair & Maintenance, \$114.45
- BH Urgent Car, Supplies, \$233.00
- Black Hills Power & Light, Utilities, \$11471.25
- Black Hills Power Equipment, Supplies, Repair & Maintenance \$647.79
- BH Vision, Subsidy, \$10000.00
- CNA Surety, Insurance, \$50.00
- Cedar Shore Resort, Travel, \$91.95
- Century Business Products, Supplies, \$168.86
- Chris Supply, Repair & Maintenance, \$56.88

Culligan, Repair & Maintenance, \$18.50
Custer Community Health Services, Sales Tax Subsidy, \$27014.87
Custer Do It Best, Supplies, \$1281.82
Chamber of Commerce, Sales Tax Subsidy, \$4998.36
Custer True Value, Supplies, \$1228.38
Dacotah Bank, TIF #2 Payment, \$4129.74
Dacotah Bank, TIF #5 Payment, \$22742.78
Dacotah Bank, TIF #4 Payment, \$7585.86
Durham Automotive, Repair & Maintenance, \$321.62
FourFront Design, Capital Improvements, \$8137.00
Fastenal, Supplies, \$143.01
First Interstate Bank, TIF #1 Payment, \$9789.73
First Interstate Bank, TIF #4 Payment, \$7585.86
French Creek Supply, Supplies, \$122.47
Frontier Photo, Supplies, \$34.00
Golden West Technologies, Professional Fees, \$270.00
Hadlock, Cheryl, Professional Fees, \$4154.06
Harvey's Lock Shop, Supplies, \$11.29
Hillyard, Supplies, \$635.88
Itron, Supplies, \$562.48
Labcorp, Supplies, \$144.75
L & A Welding, Repair & Maintenance, \$710.53
Nelson's Oil & Gas, Supplies, \$1614.03
Petty Cash, Supplies, \$102.42
Quill, Supplies, \$153.71
Rapid Delivery, Professional Fees, \$64.80
Rapid City Telco FCU, Utilities, Travel, \$1606.36
SRF Loan Payment, \$4639.68
South Dakota One Call, Supplies, \$57.75
S & B Motors, Supplies, \$130.51
Sander Sanitation, Garbage Collection Contract, \$13195.52
Sander Sanitation, Supplies, Repair & Maintenance, \$662.11
SD DENR, Permits, \$600.00
SD Division of Criminal Investigation, Supplies, \$43.25
SDML, Conference, \$20.00
SD Executive Management, Utilities, \$45.07
Terracon, Capital Improvements, \$492.12
Titan Machinery, Supplies, \$1036.77
USDA Loan Payment, \$8910.00
Wright Express, Supplies, \$1403.16
Witt's Heating, Repair & Maintenance, \$73.44
YMCA, Contracts, \$36500.00
Pulse, Ed, Overpayment Refund, \$3100.00
Myers, David, Utility Deposit Refund, \$32.33
Hall, Jesse, Utility Deposit Refund, \$17.12
Dewsbury, Duane, Utility Deposit Refund, \$70.67
Fluke, Geraldeen, Utility Deposit Refund, \$43.02
Steed, Joey, Utility Deposit Refund, \$23.25
Marti, Daniel, Utility Deposit Refund, \$30.60
Total Claims \$200,297.47

COMMITTEE REPORTS

Various committee reports were given.

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 7:04 pm, with the Finance Officer, Community Development

Director, Public Works Director and Attorney present. Seconded by Councilperson Fischer, the motion unanimously carried. Council came out of executive session at 7:49 pm, with no action taken.

EMPLOYEE STEP INCREASE

Councilperson Fischer moved to approve the step increase for Mark Bennett to step 2 at \$14.07 effective June 5, 2013 and step increase for Laurie Woodward to step 4 at \$55,543.86 effective May 1, 2013. Seconded by Councilperson Heinrich the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourned the meeting at 7:51 p.m. Seconded by Councilperson Fischer, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor