

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
May 20th, 2013**

Mayor Gary Lipp called to order the second regular meeting of the Common Council for the month of May, 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 Kothe, to approve the minutes from the May 6th, 2013 regular meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

Councilperson Schleining stated she would abstain from voting on Resolution #05-20-13B, Adoption of Comprehensive Plan. No other conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, gave Council an update on the current projects, bug tree removal, and the Arbor Day Celebration.

Rex Harris, Community Development Director, gave Council an update on the meeting with FEMA, status of West Dam and the aerial mapping project.

Laurie Woodward, Finance Officer, gave Council a brief report on the claims in for payment and mentioned that the final audit copies have been received.

PUBLIC HEARING – MALT BEVERAGE LICENSE TRANSFER – PIZZA WORKS

Councilperson Herman moved to approve the malt beverage license transfer for Pizza Works. Seconded by Councilperson Fischer, the motion unanimously carried.

JOSEPH & DEBRA LONG – OUTSIDE CITY LIMITS SEWER RATES

Joseph & Debra Long addressed the Council regarding being charged one and half times the City Residence rate for sewer. Councilperson Heinrich moved to table any action on this item till after executive session. Seconded by Councilperson Fischer, the motion unanimously carried.

SECOND READING – ORDINANCE #731 – CAMPING

Councilperson Herman moved to adopt Ordinance #731, Camping. Seconded by Councilperson Schleining, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman and Schleining voting yes while Councilperson Hattervig voted no.

SECOND READING – ORDINANCE #732 – FIRE SAFETY REGULATIONS

Councilperson Schleining moved to adopt Ordinance #732, Fire Safety Regulations. Seconded by Councilperson Hattervig, the motion carried with Councilperson Heinrich, Kothe, Fischer, Herman, Schleining and Hattervig voting yes.

RESOLUTION #05-20-13A – FEE SCHEDULE

Councilperson Heinrich moved to adopt Resolution #05-20-13A, Fee Schedule. Seconded by Councilperson Herman, the motion carried with Councilperson Kothe, Fischer, Herman, Schleining, Hattervig and Heinrich voting yes.

RESOLUTION NO. 05-20-13A

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Fee Schedule be established to set forth fees for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established guidelines for said fees.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Fee Schedule consisting of 11 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Schedule shall be subject to modification as requested by staff or required by circumstances; it is further resolved that schedule shall be reviewed by the Common Council annually and may be modified to insure appropriate fees.

Dated this 20th day of May 2013.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

RESOLUTION #05-20-13B – ADOPTION OF COMPREHENSIVE PLAN

Councilperson Heinrich moved to adopt Resolution #05-20-13B, Adoption of Comprehensive Plan. Seconded by Councilperson Kothe, the motion carried with Councilperson Fischer, Herman, Hattervig, Heinrich and Kothe voting yes while Councilperson Schleining abstained from voting.

RESOLUTION NO. 05-20-13B

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Comprehensive Plan be established to set forth guidelines for the City of Custer;

WHEREAS, Custer City staff and Planning Commission have jointly established guidelines for said Plan.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City 2031 Comprehensive Plan consisting of 64 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Comprehensive Plan shall be subject to modification as deemed appropriate by staff or Council or required by circumstances;

IT IS FURTHER RESOLVED, that such Plan shall be reviewed by the Common Council every three to five years and may be modified by Resolution.

Dated this 20th day of May 2013.

CITY OF CUSTER CITY

S/Gary Lipp, Mayor

RESOLUTION #05-20-13C – SAFETY MANUAL – INCIDENT INVESTIGATION REPORT

Councilperson Hattervig moved to adopt Resolution #05-20-13C, Safety Manual – Incident Investigation Report. Seconded by Councilperson Fischer, the motion carried with Councilperson Herman, Schleining, Hattervig, Heinrich, Kothe and Fischer voting yes.

RESOLUTION # 05-20-13C

WHEREAS, the City of Custer City has previously adopted a Safety Manual; and

WHEREAS, updating and amending of said Employee Safety Manual was provided for in Resolution 07-16-12B; and

WHEREAS, the Common Council of the City of Custer City has determined that an Incident Investigation Report is necessary and desirable.

NOW THEREFORE BE IT RESOLVED that the Safety Manual is amended to include the attached exhibit "A", Incident Investigation Report, as though set forth in full herein, and adopted by reference.

Dated this 20th day of May, 2013.

City of Custer City

S/Gary Lipp, Mayor

STREET CLOSURE REQUEST – GOLD DISCOVERY DAYS CAR SHOW

Councilperson Hattervig moved to approve the street closure request for South Sixth Street from Mt. Rushmore Road to Washington Street for the Gold Discovery Days Car Show to be held on July 27th, 2013. Seconded by Councilperson Herman, the motion unanimously carried.

STREET CLOSURE REQUEST – BLOCK PARTY – TRACY KELLEY

Councilperson Herman moved to approve the street closure request for North Sixth Street from Crook Street to the alley south for the Block Party to be held on August 15th, 2013. Seconded by Councilperson Kothe, the motion unanimously carried.

MICKELSON TRAIL USE & VENDOR SPACE – HUMANE SOCIETY FUNDRAISER

Councilperson Fischer moved to approve the use of the Mickelson Trail and vendor spaces being setup along the trail for the Humane Society Fundraiser to be held on June 8th, 2013 contingent upon proof of insurance being received. Seconded by Councilperson Heinrich, the motion unanimously carried.

MUSIC AT MUSEUM FUNDING REQUEST – JIM FRANK

Councilperson Schleining moved to approve Jim Frank's request for summer entertainment to be held at the 1881 Courthouse Museum throughout the summer at a cost of \$1,500 being paid from the Park & Recreation funds and any funds not expensed being returned to the City. Seconded by Councilperson Herman, the motion unanimously carried.

TEMPORARY PARK POSITION

Councilperson Herman moved to approve advertising for one temporary parks position. Seconded by Councilperson Kothe, the motion unanimously carried.

CLAIMS

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

American Solutions for Business, Supplies, \$2027.55

Black Hills Power & Light, Utilities, \$5123.54

Black Hills Truck & Trailer, Repair & Maintenance, \$385.48

Custer Gas, Utilities, \$2688.20

CEASD, Conference, \$160.00

Culligan, Repair & Maintenance, \$18.50
Custer Community Health Services, Sales Tax Subsidy, \$29045.39
Chamber of Commerce, Sales Tax Subsidy, \$4932.41
Dakotacare, Insurance, \$8818.06
Dakota Greens, Trees, \$347.00
Fastenal, Supplies, \$94.95
French Creek Supply, Supplies, Repair & Maintenance, \$706.04
Golden West Technologies, Professional Fees, \$270.00
Hach Company, Supplies, \$28.40
Hadlock, Cheryl, Professional Fees, \$4154.06
Hawkins, Supplies, \$5945.90
Ketel Thorstenson, Audit, \$1500.00
Lynn's Dakotamart, Supplies, \$104.71
Petty Cash, Supplies, Travel, \$375.17
Quill, Supplies, \$159.66
Rapid City Telco Federal Credit Union, Utilities, Repairs & Maintenance, \$1899.73
SRF Loan Payment, \$4639.68
SD One Call, Supplies, \$17.85
Sander Sanitation, Garbage Collection Contract, \$13195.52
Swede's Logging, Trees, \$10470.00
USDA Loan Payment, \$8910.00
Wright Express, Supplies, \$1398.62
Total Claims \$107,416.42

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 6:40 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 7:08 pm, with no action taken.

ADJOURNMENT

With no further business, Councilperson Kothe moved to adjourned the meeting at 7:09 p.m. Seconded by Councilperson Heinrich, the motion unanimously carried.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Gary Lipp
Mayor