

**CITY OF CUSTER CITY**  
**COUNCIL PROCEEDINGS- REGULAR SESSION**  
**JUNE 15<sup>th</sup>, 2009**

Mayor Harold D. Stickney called to order the first regular meeting of the Common Council for the month of June, 2009 at 5:30 p.m. Present at roll call were Councilpersons Sutton, Murphey, Schleining, Pischke, Starr, Chris Beesley, City Attorney, Bob Morrison, Public Works Director, Rex Harris, Community Development Director, and Christine Redden, Finance Officer. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Sutton moved, with a second by Councilperson Murphey, to approve the minutes from the June 1<sup>st</sup>, 2009 Regular Meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts were stated.

**DEPARTMENT HEAD MEETING**

Bob discussed how nice it was to have some sunny days so we could get to more projects. The Swimming Pool had a very bad leak which seemed to be with the underground line that goes to the skimmers. It runs just fine without the skimmers; it just needs to be cleaned the old fashioned way. The fiberglass liner was put in 10 years ago which is the estimated life expectancy. It's well past it's prime so we really need to look at budget for next year; this year we should be able to limp along. Along with that quote, we need to look at redoing all the plumbing so it's easily accessible. Discussion was held on the prices of new pools which the simple ones are around \$1 million and Pierre just spent about \$9 million on their outdoor pool.

Bob discussed that the ground water level is so high right now; he's even had to run a sump pump in his basement; so if anyone calls thinking they might have a leak, it could just be the ground water seeping in.

When questioned, Bob stated that the repairs by Frontier will be completed as soon as it dries out a little. Councilperson Sutton stated that all the picnic areas are looking great and a job well done by the crew. Councilperson Pischke mentioned that we have some leafy spurge by Scott's Rock Shop which should be taken care of.

Rex discussed the Sign Code Ordinance which at the best is outdated and poorly written, there are questions, and there are some signs that are not in compliance. He talked to the businesses about the need to re-do the present Sign Code and want to have their input on the parameters; we will do as much as possible. Since everyone is so busy right now, we will need to have their thoughts by September and then we can work on an ordinance over the winter months and be ready for next year.

**SECOND READING ORDINANCE #665 – WIRELESS TELECOMMUNICATIONS FACILITIES**

The Ordinance will regulate future tower constructions and mirrors the County's present ordinance. Councilperson Murphey so moved to adopt this Ordinance. Seconded by Councilperson Pischke, the motion carried with Councilperson Pischke, Murphey, Schleining, and Starr voting yes. Councilperson Sutton voted no.

**FIRST READING ORDINANCE #666 – FIRE DISTRICT – TYPES OF BUILDINGS**

Rex presented this ordinance and reminded everyone that this is just a band-aid to allow the awnings to remain and allow them to be repaired. Councilperson Schleining moved to adopt Ordinance #666. Seconded by Councilperson Starr, the motion unanimously carried.

**COMMUNITY ORGANIZATIONS – 2010 SUBSIDY REQUEST**

Dick Duncan, Custer Senior Center, submitted his annual report and gave a short summary of the people, membership numbers, and the cost it takes to run the Center. They would like to request \$4000 which is same amount as last year.

Lisa Steever, YMCA Interim Director, gave a short overview of the many programs for all ages including pickle ball; how the funding helps with scholarships and equipment purchases; the Wellness Center memberships expanding; and that the new Director should be appointed by August 15<sup>th</sup>. They are requesting \$22,500 for 2010 which is \$1000 higher than last year.

Barbara Haugen, Custer Youth House, summarized her organization providing a place for the 5<sup>th</sup> to 8<sup>th</sup> grade school children. They served approximately 170 kids and this attendance was 78% of the eligible 218 students. They are trying to get all churches involved in funding as well as writing grants; with the economy the way it is, their endowment fund has been frozen. Their request is for \$3000 which is \$1000 higher than last year.

Sandy Ackman, 1881 Museum Director, gave a summary of their programs and the expansions for the kids programs; they provide artifacts and history of our Community; they sponsor the family orientated Old Time Country Fair fundraiser which also helps the Community as whole by bringing in guests; they receive donations but last year and this year are down considerably. They are requesting \$7500 this year which is the same as last year.

Kim Canete, Custer Food Pantry, discussed the great need to expand as their present buildings are not adequate; they have great Community support which is shown by the amount of donations they receive including meat from the Sportsman's Program; they are trying to rely less on subsidies and they are getting their but just quite not there

yet; they have a new Program which is Summer Sack Lunches and in the first two weeks they have given out 218 lunches; there are more new people having to use the Pantry since the economy has changed. They are requesting \$1500 for 2010 which is the same as last year.

Custer Meals Program was unable to have someone make a presentation but they did leave handouts for everyone. They are requesting \$2500 for next year which is the same as last year.

The Mayor thanked everyone for coming and making their presentations and the Council will make a decision at a later date.

### **NRA RAFFLE REQUEST**

Gary Gruber submitted a raffle request for the Southern Hills Friends of the NRA from April 14<sup>th</sup> to September 19<sup>th</sup> and the drawing will be held at their Banquet. Councilperson Murphey moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

### **VINYL MURAL DISCUSSION**

Tonya Flora discussed the vinyl mural that will be put on the side of their building and that it's not specific advertising but it would have a slogan; Rex stated the dimensions will be 17ft by 60 ft. Tonya would like to request a donation from the City since the cost difference from the original quote went up from \$800 to \$2300; she stated they have contributed to the Community by providing the donkey downtown and so on. Councilperson Schleining wondered if she had check with the Chamber of Commerce and the BID District. Tonya stated that the Chamber is looking to see but they have a tight budget; and she hadn't thought about the BID District but she will check with them. The Mayor suggested that the Council postpone this request until they receive input back from the Finance Officer and the present Ordinance. Councilperson Sutton moved to table this until the next meeting. Councilperson Schleining second, the motion unanimously

### **LIQUOR STORE DISCUSSION**

Dave Coppess along with several others submitted a signed letter requesting the Council to have a vote on the issue of keeping the Liquor Store or not. They would like to save the money spent on the phone survey and go right to an election without having to have petitions circulated again. The Mayor stated that he had talked to Dave and that he doesn't care about a new Store, just whether or not we stay in business. Councilperson Schleining stated that the General Government Committee started working on three questions for the phone survey but we are going to get information out first. Councilperson Starr stated that we are working on it and we are moving ahead. Barb Edwards stated that she had heard a rumor that the City had received an offer on the present Liquor Store property and wondered if it is true. The Mayor stated no although he knows there is some interest out there. Bob stated that he keeps hearing it's not the business part that bothers people; it's the dollar amount on the new Store.

### **GOLDEN WEST COMMUNICATIONS – CAMERA COSTS**

Rex stated the camera cost is down to \$154.95 per month which is reduced from the original amount of \$285. The quality is still good and we are still working on cost sharing with the Chamber, Cruisin, and the Sheriff's Department. Councilperson Starr stated that we should have the Attorney draft an agreement for all parties to sign; then there are no problems in the future.

### **WASHINGTON STREET PROJECT – CHANGE ORDER #3 & FINAL ACCEPTANCE**

Bob and Rex discussed Change Order #3 for the Washington Street Project with Simon Contractors. Initially, there were some questions on the quantities but those have been verified. Some of the changes included the additional sidewalks and the curb and gutter on Needles Drive. Rex also reminded everyone that the Mickelson Trail project is cost shared with GF&P; they will be reimbursing approximately \$7500. We are only waiting on the weather to proceed with the completion. Councilperson Murphey moved to approve Change Order #3 and the Final Acceptance. Seconded by Councilperson Pischke, the motion unanimously carried.

### **ENGINEERING PROPOSAL – BRIDGE REPLACEMENT**

Bob discussed the Public Works Committee recommendation of FourFront Design for the engineering proposal for the Wastewater Treatment Plant bridge replacement. They came in about \$1000 less than the other proposal. Councilperson Sutton moved to accept FourFront Design for the bridge replacement project. Seconded by Councilperson Schleining, the motion unanimously carried.

### **ENGINEERING PROPOSAL – WAZI LANE – WATER & SEWER**

Bob submitted the proposal from FourFront Design for the Golf Course Water & Sewer extension project which will include Wazi Lane; the Public Works Committee recommends approval. There are several residents interested in annexation and tapping into the main. Councilperson Pischke questioned if the Golf Course Board would be responsible for any costs which, since this is the City's property, there probably won't be any costs assessed to them. Councilperson Starr moved to approve FourFront Design. Seconded by Councilperson Sutton, the motion unanimously carried.

### **MONTHLY REPORTS**

The Council received, reviewed, and acknowledged the Sheriff's written monthly report for May.

### **DISCUSSION ITEMS**

Discussion was held on Board's self-evaluation forms, the Elected Officials Workshop, the Spirit of Dakota Award and if anyone has any ideas for nominations. Councilperson Starr wondered about BH Council of Local Governments and what they do for the annual amount which Rex stated they do research and handle all aspects of grants applications and follow through. They do charge a small amount for the TIF Districts or Comp Plans but they do a lot for all the cities

as an organization. Discussion was held on the Comp Plan and how it needs to get finished which Rex stated the Planning Commission is close with the last big question being land use. Councilperson Starr wondered about setting a date of the second meeting in September as the deadline. Councilperson Starr wanted updated on the TIF Project Plan which Rex stated that the Planning Commission's Public Hearing is on June 22<sup>nd</sup> at 7 p.m. The tentative date for Council will be the July 20<sup>th</sup> meeting. Councilperson Schleining wondered about the Way Park Bathroom which Bob stated there have been some problems with materials and we are trying to get the sidewalk completed ASAP.

### **CLAIMS**

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

SRF Loan, \$4639.68  
USDA Rural Development, \$8910  
State of SD, Sales Tax, \$3191.02  
First Western Bank, Batch Fees, \$39.25  
Element, Credit Card Fees, \$328.31  
A&B Welding, Supplies, \$52.85  
American Linen, Repair & Maint., \$224.60  
BH Phones, Utilities, \$50  
BH Power, Utilities, \$10039.56  
Carson Drug, Supplies, \$20.40  
Chadron Wholesale, Supplies, \$760.53  
Coca-cola, Supplies, \$377  
Custer Chamber, Sales Tax Subsidy, \$5197.16  
Custer Health Systems, Sales Tax Subsidy, \$27081.49  
Custer County Market, Supplies, \$10.22  
Custer Do It Best, Supplies, \$2045  
Custer True Value, Supplies, \$735.49  
Dacotah Bank, TIF Payment, \$360.72  
Dakota Supply Group, Cu \$6494.06  
Dee Scragg, Garden Refund, \$25  
Diamond Vogel Paints, Supplies, \$955.25  
Eagle Sales of BH, Supplies, \$7632.90  
Energy Laboratories, Supplies, \$20  
Environmental Equipment, Repair & Maint., \$280.18  
Fiberglass Custom Product, Repair & Maint., \$168.75  
Fisher Beverage, Supplies, \$4902.79  
French Creek Supply, Supplies, \$136.07  
Gen Pro Power, Repair & Maint., \$430  
Golden West Companies, Utilities, \$1039.71  
Golden West Technologies, Professional Fees, \$140  
Graphics Plus, Supplies, \$17.28  
Hawkins Chemical, Supplies, \$5075.33  
HD Supply, Supplies, \$1953.72  
Itron, Repair & Maint., \$596.72  
Jenniges Masonry, Disc Golf Course, \$8690  
Kimball Midwest, Supplies, \$322.89  
Martha Studt, Garden Refund, \$25  
One Call Systems, Supplies, \$32.55  
Power House, Repair & Maint., \$6.41  
Quill Corporation, Supplies, \$32.48  
Rapid Chevrolet, Supplies, \$360.37  
Rapid City Telco, Supplies, \$156.74  
Rapid Delivery, Professional Fees, \$24  
Republic National, Supplies, \$6365.74  
Sander Sanitation, Repair & Maint., Clean Up Day, Utilities, \$15752.55  
SD Exec. Mgmt, Utilities, \$22.99  
SEMS Technologies, Professional Fees, \$99.90  
Simons Contractors, Hard Paving, \$73755.53  
Harold Stickney, Travel & Conference, \$85.10  
Tatiana's Import Beverage, Supplies, \$231  
The Ice House, Supplies, \$170.40  
Western Wholesale, Supplies, \$11757.21

Wright Express, Supplies, \$1236.08  
SD Dept. of Revenue, Malt Bev License, \$2425  
Total Claims \$215,482.98

**EXECUTIVE SESSION**

Councilperson Starr moved to go into and out of a personnel executive session at 7:07 p.m. Seconded by Councilperson Murphey, the motion unanimously carried. Carl Anderson joined the meeting at 7:21 p.m. and left the meeting at 7:25 p.m. Rex joined the meeting at 7:27 p.m. The session adjourned at 7:45 p.m.

Councilperson Murphey moved to accept Carl's resignation and thanked him for his 19 years of service. Seconded by Councilperson Pischke, the motion unanimously carried.

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:46 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden  
Finance Officer

Harold D. Stickney  
Mayor