

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
JULY 20<sup>th</sup>, 2009**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of July, 2009 at 5:30 p.m. Present at roll call were Councilpersons Reetz, Starr, Schleining, Murphey, Pischke, Sutton, 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 Pischke, to approve the agenda. The motion unanimously carried.

**MINUTES**

Councilperson Schleining moved, with a second by Councilperson Pischke, to approve the minutes from the July 6<sup>th</sup>, 2009 Regular Meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts were stated.

**DEPARTMENT HEAD MEETING**

Bob presented for the Council's review an Asphalt Street Maintenance Schedule which summarizes the different areas by street and costs involved for chip and seal and rebuilding. The rebuilding was based on 2" mill and overlay; otherwise a chip and seal could be completed but the base would still be a rough ride. The total for all is \$1.5 million and this is just the older streets; the new streets will have to be worked in the plan for a 5 year rotation. Councilperson Sutton wondered about including the streets that haven't been paved yet. Bob stated he could include those numbers also. This will be reviewed further at the Public Works Committee and at the August 10<sup>th</sup> Budget Hearing.

Rex discussed TIF #4 and looking at reconfiguring some items to attain more and then we will have to look the bids. The antique lighting could be extended the full length of the route.

Custer Cruisin is looking good with all the vendor spots being filled. Rex was questioned on the vendor who set up on the weekend and if he complies with the City's permit. Rex stated the vendor has purchased his Transient Merchant Permit.

**TIF #4 LANDSCAPE ARCHITECTURE – WYSS ASSOCIATES**

Rex presented the proposed Agreement for Phase 1 of TIF #4 from Wyss & Associates. They have presented and discussed what should be marketed to the public so everyone knows what is happening and this would be \$3000 to \$5000. Councilperson Reetz felt out of the loop and doesn't know what's going on. He would like the opportunity to see the plans which Rex stated we have been working on for three years. The Mayor stated that this agreement would take care of giving more information to everyone. Rex stated there will be some graphics included in the agreement plus possible additional concepts. Councilperson Schleining wondered if Phase 1 includes burying all the lines with the lighting. Rex stated there could be other ideas coming from the Company and we could even see engineering fees and surveying costs lower. Councilperson Reetz stated he wanted to see drawings which Rex stated that the drawings have been here for a year and half and wondering exactly what he wanted to see. Rex said that there are four nodes that could be taken out and Way Park could possibly be paid for by the City over a three year period. Councilperson Murphey moved to approve this agreement. Seconded by Councilperson Schleining, the motion carried. Councilperson Reetz and Sutton voted no.

**COOL PINE CRUISERS CAR CLUB – STREET CLOSURE REQUEST**

The Cool Pine Cruisers Car Club submitted a request to close 6<sup>th</sup> Street south between Mt. Rushmore Road and Washington Street and use of the Chamber parking lot for the annual Car Show scheduled for July 25<sup>th</sup>, 2009. Councilperson Murphey moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

**CHAMBER – CRAZY DAYS – SIDEWALK USAGE**

The Chamber of Commerce submitted a request to use the sidewalks on August 23<sup>rd</sup>, 2009 for their Annual Crazy Days Sale Event. Rex stated this just gives a little more usage for the merchants; there would still have to be about four feet clear. Councilperson Pischke moved to approve this request. Seconded by Councilperson Schleining, the motion unanimously carried.

**WEB CAMERA AGREEMENT**

Rex presented the Web Camera Cost Agreement for the cooperative cost share between the City, the County, and the Chamber. Questions were raised as far as having a contract with Golden West which Rex stated he would look into. The Custer County Commissioners have already signed this agreement. Councilperson Murphey moved to approve this Agreement. Seconded by Councilperson Schleining, the motion unanimously carried.

**HARBACH PARK USAGE – SH BOARD OF REALTORS**

Sheila Green, Southern Hills Board of Realtors, submitted a request to use Harbach Park to hold a Chili Cook-off as a fundraiser. Discussion was held on whether it should be Harbach or Way Park and if there was going to be alcohol present which she stated there wouldn't be. Councilperson Starr moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

### **STIP MEETING UPDATE – BRIDGE REPLACEMENT**

Rex discussed the SDDOT STIP meeting held last week where he requested that the 8<sup>th</sup> Street Bridge project be moved up to 2010 or 2011 at the latest. Since this is a County bridge and they need to have the engineering completed before Federal funds are released, Rex discussed the possibility of including the 4<sup>th</sup> and 11<sup>th</sup> Street bridges to get a better price; he has a call into the County. Once the engineering is completed, we could possibly be moved up if another entity was not ready to go. Rex stated that DOT has \$264,000 set aside for this project but if they would consider a box culvert, which would last longer, they could save on the cost also.

### **LIQUOR STORE PROJECT**

The Council received a copy of the response letter to Ed Himrich regarding the questions he had posed to the Council; the 2<sup>nd</sup> Quarter P&L; the Business Plan; the draft copy of Phone Survey Questions; and the General Government Committee's Recommendation. The Mayor made a statement as to the Council voting for the representation of the citizens and not to vote their own personal convictions and the Council should be waiting for the Survey information before they make any decisions based on the vocal minority. Discussion was held on the Phone survey with how many cell phones vs. landlines for the voters list; others would have the opportunity to use the Chronicle Survey; citizens being properly informed; City's advantage of not paying 10%; the Water Treatment Plant still needing to be upgraded and expanded; leasing establishment to private; survey being slanted or with no signature; circulating petitions; hearings have one group one night and the other side a different night; the lost revenue could chip and seal 1 ½ miles of road; commending the Council for doing a good job in representing the City; and plans if the business went down after building a new store – the property and buildings always have value. The Mayor stated that he only has an honest desire to see what the majority of the citizens want. Councilperson Murphey discussed why the survey questions for the Phone Survey were not addressed by the General Government Committee; the Committee didn't do their job. Councilperson Starr moved, with a second by Councilperson Reetz, to close the retail Liquor Store by Dec 31<sup>st</sup>, 2009. The Mayor stated that this is too soon. Councilperson Murphey stated that they wanted the survey information prior to a final decision. Councilperson Schleining stated she wanted to wait for the next meeting to get the results from the surveys. Councilperson Starr, Sutton, Reetz, and Schleining voted yes. Councilperson Pischke and Murphey voted no.

Discussion was held on the need to pull the Survey from the newspaper but with no response, Christine told Jason to pull the Survey. Councilperson Sutton moved, with a second by Councilperson Starr, to rescind the decision to pull the survey. Christine questioned the need to spend the money since the Council voted to close the Store. Councilperson Schleining and Sutton still wanted to receive the information. Councilperson Schleining, Murphey, and Pischke voted no. Councilperson Reetz, Sutton, and Starr voted yes. The Mayor voted no. The motion did not carry.

### **TONYA FLORA – MURAL SIGNAGE DONATION**

Councilperson Murphey stated that this donation request really isn't something the City should be looking at; the Chamber or BID District would be a better fit since they both promote the community. Tonya stated that she had contacted the BID Board but they said they didn't have the funds to help. Councilperson Reetz wondered about a big sign that says Welcome to Custer; this could be an advantage to the City. It was stated that there are Welcome to Custer signs at each entrance already.

### **SICK SICKLE MOWER – NEW EQUIPMENT PURCHASE**

Bob requested the purchase of a new sickle mower since the present one is very sick and not going to be revived; the cost will be approximately \$5,000. Councilperson Murphey moved to approve this purchase. Seconded by Councilperson Pischke, the motion unanimously carried.

### **EMPLOYEE MERIT INCREASE**

Councilperson Starr moved to approve the merit increase for Rebecca Caffee to Step 1 #13.67 per hour effective July 20<sup>th</sup>, 2009. Seconded by Councilperson Schleining, the motion unanimously carried.

### **DISCUSSION ITEMS**

Christine wondered if anyone will be attending the SDML Annual Conference October 6<sup>th</sup> thru 9<sup>th</sup> in Watertown so registration and motel reservations can be taken care of. The Mayor stated he would be attending along with Christine who is on the SDML Policy Committee. No one else would be able to attend.

The Mayor discussed receiving a call from Rollie Noem, from Crazy Horse, that the Crazy Horse Memorial Highway request has been approved by SDDOT.

The Chamber shared a copy of a letter supporting the downtown music and that it made the town quite special with the ambience and would be sorely missed.

Councilperson Reetz was very excited as he discussed the County building a new Courthouse and that it will be taken to a vote of the people. Once the building is in place and the Sheriff is moved, the old Sheriff's building can be torn down. Christine reminded the Council that would be an item that the City will have to fund.

### **CLAIMS**

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

Mayor & Council, Wages, \$4250

Community Development, Wages, \$4170.16

Finance Dept., Wages, \$9532.13

Public Works, Wages, \$6014.48  
Street Dept., Wages, \$5397.33  
Parks Dept., Wages, \$12874.08  
Liquor Fund, Wages, \$3158.11  
Water Fund, Wages, \$5679.22  
Wastewater Fund, Wages, \$3436.80  
Element, Credit Card Fees, \$466.21  
First Western Bank, Batch Fees, \$39.30  
State of SD, Sales Tax Payment, \$3991.65  
SRF, Water Loan Payment, \$4639.68  
USDA Rural Develop., Water Loan Payment, \$8910  
A&B Electric, Way Park Bathroom, \$897.60  
Advanced Drug Testing, Supplies, \$36  
Alltel, Utilities, \$508.31  
Beesley Law Office, Professional Fees, \$3131.44  
BH Phones, Utilities, \$50  
BH Power, Utilities, \$11147.01  
BH Power Equipment, Repair & Maint., \$43.89  
Buckhorn Surveying, Mitigation, \$1130  
Century Business Products, Supplies, \$112.82  
Chadron Wholesale, Supplies, \$1423.53  
Chamber of Commerce, Sales Tax Subsidy, \$2723.82  
Custer Community Health Systems, Sales Tax Subsidy, \$12756.50  
Custer Country Market, Supplies, \$53.62  
Custer Do It Best, Supplies, \$148.96  
Custer Fire Dept., Fireworks, \$5000  
Custer Senior Center, 2009 Subsidy, \$4000  
Dakota Pump & Control, Repair & Maint., \$10217.75  
Dakotacare Insurance, Premiums, \$6804.26  
Diamond Vogel Paints, Supplies, \$59.90  
Disc Golf Assoc., Supplies, \$62.98  
Eagle Sales of BH, Supplies, \$10562.61  
Energy Laboratories, Supplies, \$205  
Fastenal, Supplies, \$42.84  
Fisher Beverage, Supplies, \$8100.23  
Hawkins Chemical, Supplies, Repair & Maint., \$1517.34  
HD Supply, Supplies, \$1676.96  
Knight Security, Supplies, \$20  
Lynn's Dakotamart, Supplies, \$93.93  
Mayer Plumbing, Way Park Bathroom, \$3804.94  
McGas Propane, Utilities, \$238.30  
Northwest Pipe Fittings, Repair & Maint., \$597.08  
Okoboji Wines, Supplies, \$122  
Petty Cash, Supplies, \$64.02  
Pool & Spa Center, Supplies, \$193.97  
Power House, Repair & Maint., \$286.16  
Quill Corporation, Supplies, \$189.70  
Rapid City Journal, Supplies, \$180  
Rapid City Telco, Travel & Conference, Repair & Maint., \$942.68  
Republic National Distributing, Supplies, \$4482.39  
Sander Sanitation Service, Utilities, \$11292.61  
SD Assoc. of Environment, Membership, \$30  
SD Dept. Revenue, Other, \$500  
SD State Exec. Mgmt Finance, Utilities, \$19.72  
SEMS Technologies, Subscription, \$49.95  
Tatiana's Import beverages, Supplies, \$139.30  
The Ice House, Supplies, \$275.60  
Unemployment Insurance, \$91.81  
USA Blue Book, Supplies, Repair & Maint., \$300.65  
Western Wholesale, Supplies, \$21131.34  
Tara Reddick, Deposit Refund, \$45

Century 21, Deposit Refund, \$43.72  
Credit Collections, \$202.50  
Delta Dental, \$584.80  
Federal Withholding, \$4618.06  
FICA, \$6538.86  
Medicare, \$1529.24  
SD Retirement, \$6216.56  
Total Claims \$219,792.41

**EXECUTION SESSION**

Councilperson Sutton moved to go into and out of an executive session due to potential litigation and personnel at 7:42 p.m. Seconded by Councilperson Murphey, the motion unanimously carried. City Attorney Beesley attended the meeting until he was request to leave at 7:53 p.m. The session adjourned at 8:39 p.m. with no action taken.

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 8:40 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden  
Finance Officer

Harold D. Stickney  
Mayor