

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
MARCH 7<sup>th</sup>, 2011**

Mayor Harold D. Stickney called to order the first regular meeting of the Common Council for the month of March, 2011 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Starr, Lipp, Herman, Schleining, and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Hattervig moved, with a second by Councilperson Starr, to approve the minutes from the February 22<sup>nd</sup>, 2011 meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

Councilperson Lipp stated that he would be abstaining from voting on Resolution 3-7-11A. No other conflicts were stated.

**DEPARTMENT HEAD MEETING**

Bob Morrison, Public Works Director, mentioned that pumping at the Courthouse has stopped. Well #2 is running poorly however it is producing less than normal. Bob has asked Taylor Drilling to provide a estimate for new well development. City Clean Up Days will be April 29<sup>th</sup> and 30<sup>th</sup> this year.

Rex Harris, Community Development Director, mentioned that the attorney and he met with the gentleman from Jet Red's hotdog stand to find out that he is in compliance with our ordinances. DOT is completing the design revisions for the downtown lighting project. Depending on weather the project may get started in mid-April.

**WINE LICENSE HEARING**

Councilperson Herman moved to approve the retail on-off sale wine license for the Buglin Bull Restaurant & Sports Bar. Seconded by Councilperson Schleining, the motion unanimously carried.

**FIRE DEPARTMENT BURNING**

Joel Behlings, Fire Chief, visited with Council about areas the City would like to see burned this year. Bob will create a map of areas he would like to see burned and bring it back to the next Council meeting.

**RESOLUTION #3-7-11A – FIRE DEPARTMENT VEHICLES**

Councilperson Herman moved to adopt resolution #3-7-11A, transferring Fire Department Vehicles back to the Fire Department. Seconded by Councilperson Hattervig, the motion unanimously carried.

**RESOLUTION NO #03-07-11A**

WHEREAS, the Custer Volunteer Fire Department, a non-profit fire protection corporation organized under the laws of the State of South Dakota, has provided fire fighting services within the City of Custer for many years;

WHEREAS, the Custer Volunteer Fire Department previously purchased the following vehicles, firefighting equipment, and trailers, and placed them in the Custer Volunteer Fire Department and the City of Custer's names;

YEAR	MAKE	TYPE	COLOR	SERIAL #
1948	FORD	8R8TH - PARADE PIECE	RED	88RT55050
1949	FORD	9HC - PARADE PIECE	RED	97HC197066
1980	GMC	ENGINE #2	RED	T17DGAV597054
1984	CHEV	BRUSH #7	RED	1GCCD34J7FF305279
1986	GMC	TANK & PTO PUMP	RED	1GDS7D4Y0GV502947
1991	DUPL	FIRE TRUCK (BECKER)	RED	1D91D41J1L3008230
1997	CHEV	SUB - UTILITY #9	RED	1GN GK26RXVJ393296
1999	FORD	F450 - BRUSH #3	RED	1FDXF4F7XED40091
2000	PIERCE	ENGINE #4	RED	4P1CT02UXYA000525
2004	FORD	F550	RED	1FDAW57P24EC69947
2006	INTR	7 X 12 TRAILER	RED	4RACS12256N039980
2006	FORD	F250	RED	1FTSW21536ED72067

2007	FREIGHTLINER	TENDER #6 ENGINE #2	RED	1FVACYDCX7HX50391
2011	PIERCE	REPLACEMENT	RED	4P1CC01M2BA011480
2009	FASTLINE	16 FT TRAILER	BLACK	1F9FS16219M171349

WHEREAS, the Common Council of the City of Custer has determined the more appropriate method would be to remove the City of Custer's name from any and all titles on the above-stated vehicles, firefighting equipment and trailers, retaining only the Custer Volunteer Fire Department on said titles;

WHEREAS, this Resolution will also remove all of said listed vehicles, firefighting equipment and motor vehicles from fixed assets belonging to the City;

IT IS HEREBY RESOLVED that the City of Custer shall remove its name from the vehicles, firefighting equipment and trailers hereinabove listed, so that the sole owner shall be listed as the Custer Volunteer Fire Department.

Dated this 7th day of March, 2011.

S/Mayor Harold D. Stickney

**STATEMENT OF VALUES**

Paul DeHaan, First Western Insurance, visited with Council about the property covered on the insurance policy and the values. Councilperson Lipp moved to approve the statement of values with the addition of the new street shop, water dispenser and concession building at Gates Park. Seconded by Councilperson Herman, the motion unanimously carried.

**FIRE DEPARTMENT REQUEST**

Councilperson Schleining moved to approve the Custer Volunteer Fire Department's street closure request for 6<sup>th</sup> Street between Crook Street and the alley to the south for July 22<sup>nd</sup> and 23<sup>rd</sup>, 2011 along with the brown bag request for July 23<sup>rd</sup>, 2011, for the Fireman's Ball. Seconded by Councilperson Starr, the motion unanimously carried.

Councilperson Hattervig moved to approve the request from the Custer Volunteer Fire Department to use the ShowMobile for July 22<sup>nd</sup> and 23<sup>rd</sup>, 2011 for the Fireman's Ball. Seconded by Councilperson Starr, the motion unanimously carried.

**4<sup>TH</sup> OF JULY KIDS PARADE REQUEST**

Councilperson Starr moved to approve the parade request for the 4<sup>th</sup> of July Kids Parade to be held July 4<sup>th</sup>, 2011 from 1:00 to 1:30 pm, with the parade route starting at the Chamber Office, then going north on South 6<sup>th</sup> Street to Mt Rushmore Road to North 4<sup>th</sup> Street where the parade will end. Seconded by Councilperson Herman, the motion unanimously carried.

**CHRONICLE PROGRESS EDITION**

Councilperson Starr moved to approve the placement of a half page ad in the Progress Edition for the Custer Chronicle for \$400. Seconded by Councilperson Hattervig, the motion unanimously carried.

**CEMETERY CARETAKER CONTRACT**

Councilperson Herman moved to accept the Cemetery caretaker contract with Cheryl Hadlock with a 3% increase in the contract over last year. Seconded by Councilperson Starr, the motion unanimously carried.

**SANITARY SEWER RFP'S**

Councilperson Starr moved to approve contract negotiations with Kadrmas, Lee and Jackson Engineering for sanitary sewer assessment, as they were the lowest of the proposal received. Seconded by Councilperson Herman, the motion unanimously carried.

**WWTP DEEP WELLS**

Councilperson Hattervig moved to approve going out to bids for wastewater treatment plant deep well rebuild. Seconded by Councilperson Herman, the motion unanimously carried.

**ANNUAL REPORT**

The Council received and acknowledged the 2010 Annual Report.

**CLAIMS**

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

Avanet, Supplies, \$450.00

ALSCO, Repairs & Maintenance, \$232.25

A&B Welding, Supplies, \$114.83

Border States Electric, Repairs & Maintenance, \$490.82

Beesley Law Office, Professional Fees, \$2230.00  
Black Hills Power & Light, Utilities, \$1579.17  
Black Hills Truck & Trailer, Repairs & Maintenance, \$550.29  
Butler Machinery, Supplies, \$85.55  
Century Business Products, Supplies, \$160.23  
Credit Collections Bureau, \$202.50  
Culligan, Repairs & Maintenance, \$17.50  
Custer All Drug, Subsidy, \$500.00  
Custer Business Solutions, Supplies, \$32.95  
Custer Do It Best, Supplies, \$3.59  
Custer County Chronicle, Publishing, \$397.18  
Custer County Market, Supplies, \$19.14  
Custer True Value, Supplies, Repair & Maintenance, \$294.39  
Custer Fire Department, Subsidy, \$4000.00  
Delta Dental, Insurance, \$208.25  
Dakotacare, Insurance, \$7730.07  
Energy Lab, Professional Fees, French Creek Grant, \$1193.00  
EFTPS, Taxes, \$12233.43  
FourFront Design, Professional Fees, \$1016.45  
Fair Manufacturing, Repairs & Maintenance, \$356.55  
Fastenal, Supplies, \$675.98  
First Interstate Bank, TIF#1, \$1072.21  
French Creek Supply, Supplies, \$19.96  
Golden West Technologies, Professional Fees, \$160.00  
Hawkins, Supplies, \$3658.65  
Hills Materials, Supplies, \$1544.96  
Kellogg, Scott, Reimbursement, \$25.00  
Lexis Nexis, Supplies, \$34.47  
Lancaster, Ron, Reimbursement, \$68.38  
Pamida, Supplies, \$17.99  
Petty Cash, Supplies, Travel, \$345.55  
Quill, Supplies, \$42.81  
Rapid Delivery, Professional Fees, \$29.15  
SD Retirement System, \$5788.35  
Stickney, Harold, Travel, \$33.30  
SD Supplemental Retirement, \$112.50  
Xcel Demo, Capital Improvements, \$29903.20  
Wyss Associates, TIF#4 Project, \$1004.30  
Wright Express, Supplies, \$1324.39  
YMCA, Memberships, \$108.00  
Ziolkowski, Geney, Animal Control Contract, \$726.00  
Mayor & Council, \$4250.00  
Planner, \$4411.92  
Finance Department, \$8663.36  
Public Buildings, \$2904.00  
Public Works Department, \$6756.16  
Street Department, \$8494.69  
Parks Department, \$11425.88  
Water Department, \$5925.21  
Wastewater Department, \$8479.58  
Total Claims \$142,104.09

**LIQUOR STORE OPERATING AGREEMENT AND PREMISES AGREEMENT**

Mike and Bobbi Alexander presented Council with their choice for reassignment of the Liquor Store operating agreement and premises lease, which were Ronald and Michelle Kline and Chris Beesley. Chris Beesley excused himself from the Council table and joined the public. Ronald and Michelle Kline introduced themselves and presented their ideas. The Council questioned if there was a conflict of interest with Mr. Beesley also being City

Attorney. Assistant City Attorney Carol Boos joined the Council by phone to answer any questions. Carol stated that the Alexander's have the legal right to reassign the leases. The Council decided to have Carol look into the conflict of interest more with the reassignment being referred to the General Government Committee meeting for Monday March 14<sup>th</sup>.

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 6:55 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Harold D. Stickney  
Mayor