

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
FEBRUARY 26, 2007**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of February, 2007 at 5:30 p.m. Present at roll call were Councilpersons Schleining, Pischke, Culberson, Boyer, and Chris Beesley, Attorney. The Pledge of Allegiance was stated.

AGENDA

Councilperson Schleining moved to approve the agenda. Seconded by Councilperson Pischke, the motion unanimously carried.

MINUTES

Councilperson Culberson moved, with a second by Councilperson Pischke, to approve the minutes from the February 5th, 2007 regular meeting and the February 10th, 2007 Special Retreat meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, discussed building new trash can holders for Main Street. By doing them ourselves, we should be able to save approximately \$2900.

The preliminary Street Paving Plans are starting to come in with himself and Rex reviewing the engineer's proposals. The Council will hold a public hearing later on after further review. Councilperson Pischke wondered about incorporating the road the Golf Course and possibly their parking lot when we do have the project going on. This would probably be at their cost.

The Westside Annexation Utility extension is still coming along and Bob has started to discuss things with the residents and is getting a positive response.

The frosted lines are better this week with only 1 frozen last week. The crew has been working on cleaning out culverts since they have frozen up.

Rex Harris, Community Development Director, discussed a meeting with the Corridor Committee on proposed plans for 5th Street and Mt. Rushmore Road. Rex has a meeting scheduled for March 1st with DOT but preliminarily, DOT is excited about the project and we may get improvements sooner rather than later.

Rex stated that his waiting on a call from Dr. Creal regarding the Joint Use Agreement with the School for the soccer and baseball fields.

1ST WESTERN INSURANCE AGENCY - PROPERTY STATEMENT OF VALUES

Paul DeHaan, 1st Western Agency, submitted to the Council the property statement of values with a quote for a 3% or 5% increase across the board for inflation. The 3% would be a premium adjustment of \$178 and the 5% would be \$328. Also, as requested, the premium charge for the water tanks is \$2,162. After a short discussion, Councilperson Culberson moved to approve the 5% increase and to drop the coverage on the water tanks. Seconded by Councilperson Boyer, the motion unanimously carried.

BROWN BAG LICENSE – CHAMBER MIXER

The Chamber submitted two requests for a brown bag permit for their mixer to be held at Custer Regional Hospital on March 8th and at Frontier Photo/T-shirts on March 29th. Councilperson Boyer moved to approve these brown bag licenses. Seconded by Councilperson Schleining, the motion unanimously carried.

FIRST READING ORDINANCE #640 – ANIMAL LICENSING

The Council received Ordinance #640 for the first reading regarding the licensing of cats which the Council previously determined they did not want to be done. Councilperson Culberson moved to adopt Ordinance #640. Seconded by Councilperson Pischke, the motion unanimously carried.

SHERIFF'S REPORT

Sheriff Wheeler met with the Council and discussed his plans for staging deputies according to City or County. Right now the City's coverage is provided by about 5 deputies. Rick had a discussion with Sheriff Holloway and they discussed that each deputy costs about \$70,000 per year. But by having them assigned to the City, there should be cost saving for both parties and yet have adequate coverage.

Rick also discussed the 24-7 Program which DUI cases have to report to the Sheriff's Office to have a patch placed on them for a 15-day period. This patch monitors whether or not drugs and alcohol have been consumed within that time period. Right now, individuals are sentenced to a twice a day PBT testing for alcohol. These types of programs should help to cut down on jail time which is a large portion of the Sheriff's budget. Rick has been looking at budgets and how these will work with the law contracts.

The Mayor thanked Rick for coming and congratulated him the job he is doing and how he is going in the proper direction and in the proper manner.

OPERATING AGREEMENT – PIZZA WORKS

Councilperson Schleining moved to approve the Operating Agreement for Pizza Works. Seconded by Councilperson Boyer, the motion unanimously carried.

EXECUTIVE PROCLAMATION

The Mayor issued the following Proclamation:

**Executive Proclamation
City of Custer City
Office of the Mayor**

WHEREAS, individuals with developmental disabilities, their families, friends, neighbors, and co-workers encourage everyone to focus on the abilities of all people; and
WHEREAS, the most effective way to increase this awareness in through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and
WHEREAS, opportunities for citizens with developmental disabilities to live as independently and productively as possible must be fostered in our community; and
WHEREAS, we encourage all citizens to support opportunities for individuals with developmental disabilities in our community that includes full access to education, housing, employment, and recreational activities; and
WHEREAS, through increased community, state, and national awareness of programs and activities, the public will better understand the potential and needs of individuals with developmental disabilities.
NOW, THEREFORE, I Harold D. Stickney, Mayor of the City of Custer City, South Dakota, do hereby proclaim that **March 2007** be observed as
DEVELOPMENTAL DISABILITIES AWARENESS MONTH
and urge that all citizens in the City of Custer City and all community organizations join in the observance.
s/Harold D. Stickney, Mayor

KLEEMAN HOUSE

Rex stated that there has not been any communication with the owner. The Council has received complaints that quite a few animals are living in there.

ADVANCED ENGINEERING ANNUAL SERVICE AGREEMENT

The Council received and reviewed the annual Agreement for Professional Services from Advanced Engineering & Surveying. Councilperson Culberson moved to approve this agreement. Seconded by Councilperson Boyer, the motion unanimously carried.

VARIANCE REQUEST

Rex presented the variance request for the Todd Hartman property which was previously approved for a final plat but had a restriction for paving requirements. The Planning Commission has been discussing the paving requirements which does not make any sense to have a partial strip paved and not the rest of the road. The Planning Commission is looking at a Class B Rural Subdivision Rule which includes a site plan, road improvements with a 24 foot base, and proof of a homeowners association or road district for that area. Density belongs close to town and not further out; so the Commission is looking at a 2 acre minimum excluding access easements for these types of subdivisions. The Planning Commission and Rex recommend approval of this variance. Councilperson Culberson moved to approve this variance. Seconded by Councilperson Schleining, the motion unanimously carried.

BHFOA WINTER SPEAKER INVITATION & DONATION REQUEST

The Council was presented with an invitation for them and the employees to attend the BHFOA Winter Speaker presentation March 22nd with two different attendance times. They are also requested to give a \$25 donation to the Association for this presentation. Councilperson Schleining moved to approve this request for a \$25 donation. Seconded by Councilperson Pischke, the motion unanimously carried.

GARBAGE CONTRACT

Bob discussed the present garbage contract with some of the stipulations and how they may be addressed. He has been researching the use of smaller trucks so there is minimal damage to the streets since we will be paving; discussion was heard on maybe having a weight restriction certain times of the year but that probably wouldn't work well. We will take out the recycling requirements since the Landfill in Edgemont does not do recycling. Discussion was held on the requirement of having a transfer site within 5 miles of Custer; this could limit the number of bids we could receive. Also, there may be a restriction that the company hauls all of the garbage to the Edgemont Landfill since we are part of that operation. This item will be taken to the next Public Work Committee meeting to be held Thursday night at 4.

Councilperson Culberson announced that the County will be accepting cars and appliances to be crushed starting March 15th and this is free of charge.

CLAIMS

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

- Mayor & Council, Wages, \$4200
- Community Development, Wages, \$3469.22
- Finance Department, Wages, \$8344.34
- Public Works Department, Wages, \$5337.61
- Street Department, Wages, \$3649.06
- Parks Department, Wages, \$1763.66
- Liquor Fund, Wages, \$3802.65
- Water Fund, Wages, \$4134.39
- Wastewater Fund, Wages, \$2574.57
- AFLAC, Insurance, \$360.38
- American Linen, Repair & Maintenance, \$202.54
- APWA BH Branch, Travel & Conferences, \$40
- BH Mobile Extinguishers, Repair & Maintenance, \$349.25
- BH Power, Utilities, \$10635.58
- Century Business Products, Supplies, \$153.34
- Chadron Wholesale, Supplies, \$366.10
- City of Sturgis/Rally Dept., Cruisin Ads, \$2600
- Coca-cola, Supplies, \$322.50
- Custer Ace Hardware, Supplies, \$326.26
- Custer All Drug, 2007 Subsidy, \$5000
- Custer Chamber, Sales Tax Subsidy, \$5218.74
- Custer Community Health, Sales Tax Subsidy, \$29922.29
- Custer Community Hospital, Supplies, \$96
- Custer Country Market, Supplies, \$10.81
- Senior Citizen Center, 2007 Subsidy, \$9000
- Custer True Value, Supplies, \$164.98
- Custer Youth House, 2007 Subsidy, \$2000
- Dakota Backup, Professional Services, \$36.72
- Eagle Sales, Supplies, \$3217.55
- Ed Starr, Travel & Conferences, \$142.40
- Enviromaster, Supplies, \$22
- Fastenal, Supplies, \$130.97
- First Western Bank, TIF District, \$1003.76
- Fisher Beverage, Supplies, \$2476.56
- French Creek Supply, Supplies, \$148.36
- Fresh Start, Supplies, \$817.03
- Golden West Technologies, Supplies, Repair & Maintenance, \$112.50
- Governor's Inn, Travel & Conferences, \$139
- Hawkins Chemical, Supplies, \$4155.87
- Hillyard Floor Care, Supplies, \$424.91
- Jim Dandy Snack, Supplies, \$79.20
- Scott Kellogg, Reimbursement, \$94
- Lamont's Auto Center, Repair & Maintenance, \$196.76
- Lutheran Outdoors, Travel & Conferences, \$106
- M&B Enterprises, Supplies, \$21
- Nelson's Oil & Gas, Utilities, \$4997.48
- One Call Systems, Supplies, \$8
- Petty Cash, Travel & Conferences, \$88
- Pitney Bowes, Supplies, \$500
- Prairie Berry, Supplies, \$830
- Rapid City Telco, Recreation Funds, \$304.17
- Chris Redden, Reimbursement, \$114
- Republic Beverage, Supplies, \$6089.07
- Sander Sanitation Service, Repair & Maintenance, Utilities, \$7742.28
- SD Assoc. Rural Water, Travel & Conferences, \$495

SD State Mgmt Finance, Utilities, \$34.37
Sioux Pipe & Equipment, Supplies, \$394.87
Harold Stickney, Travel & Conferences, \$203.99
Superior Lamp, Supplies, \$557.98
The Ice House, Supplies, \$35.04
Thomson West, Subscription, \$213
Wellmark, Health Insurance, \$5799
Western Wholesale, Supplies, \$6744.44
Child Support Payment Center, \$314.54
Federal Withholding, \$2877.56
FICA, \$4472.59
Medicare, \$1045.96
SD Retirement, \$4221.63
Ruthie's, Deposit Refund, \$100
Triple C Development, Deposit Refund, \$50
George Adams, Deposit Refund, \$100
Ruth Airheart, Deposit Refund, \$50
Total Claims \$165,751.83

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 6:43 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden
Finance Officer

Harold D. Stickney
Mayor