

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
NOVEMBER 2ND, 2009**

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

AGENDA

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

MINUTES

Councilperson Murphey moved, with a second by Councilperson Schleining, to approve the minutes from the October 19th, 2009 meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts were stated.

EXECUTIVE SESSION

Councilperson Murphey moved to go into and out of executive session at 5:34 p.m. due to personnel and potential litigation with the Deputy Finance Officer present. Seconded by Councilperson Schleining, the motion unanimously carried. The session adjourned at 5:37 p.m., with no action taken.

DEPARTMENT HEAD MEETING

Bob mentioned that his crew has had some sickness. Councilperson Reetz questioned the status of sign replacements and road maintenance. Bob stated that his crew is working on both of those items. Councilperson Starr wondered about the status of the potholes getting fix, especially the pothole by the post office, which Bob said the crew will be working on.

Rex discussed that the deer count was lower than last year and a letter has been sent into Game Fish & Parks requesting the permits for this year. The meat list was asked about, which Rex stated that Guys With Knives is the contact. It was mentioned that the Black Hills Vision meeting went good and Mayor Stickney stated that Dave Ressler has the responses tallied up for those interested.

SECOND READING ORDINANCE #670 – TAXIS & BUSES

Attorney Beesley stated that he would like to run some of the information by the Sheriff and bring it back to the November 16th meeting. Councilperson Starr questioned the legality of requesting them to be English speaking. Attorney Beesley stated that it isn't against the law and that he will be working on the wording of the Background check with the Sheriff.

RESOLUTION 11-2-09A – CUSTER CITY HIGHWAY LIGHTING

Rex presented the resolution requesting DOT to partner with the city to replace the existing downtown lighting. The resolution has to be approved prior to asking DOT for the match. Councilperson Starr moved to approve Resolution 11-2-09. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION NO. 11-02-09A
CUSTER CITY HIGHWAY LIGHTING

WHEREAS, the Custer City Council has approved a TIF district for beautification of the highways through Custer City; and

WHEREAS, the Custer City Council has approved new antique style lighting as primary illumination in an approximate 15 block area, with the antique lighting as supplemental illumination for another 6 block portion; and

WHEREAS the City of Custer has established funding for the highway lighting project which must be completed by the end of the summer of 2012; and

WHEREAS, the Custer City Council recognizes the existing SDDOT highway lighting is old and unsafe because of no breakaway poles; and

WHEREAS the City of Custer is requesting the opportunity to partner at a 50%/ 50% level with the SDDOT to replace the existing highway lighting with new lighting.

NOW, THEREFORE BE IT RESOLVED, that the Custer City Council adopts this Resolution 11-02-09A and respectfully submits this request for partnership to the South Dakota Department of Transportation (SDDOT).

Dated this 2nd day of November, 2009

S/Harold D. Stickney, Mayor

BROWN BAG REQUEST - MUSEUM

The Custer County 1881 Courthouse Museum requested a Brown Bag License for December 4th for a Paul Horsted event at the Museum. Councilperson Murphey moved to approve, with a second by Councilperson Ressler. The motion unanimously carried. Councilperson Schleining abstained.

PARADE PERMIT – CUSTER CHAMBER

The Custer Chamber of Commerce submitted a request for the Christmas Holiday Parade for December 6th at 5 p.m. with line up on Washington Street and the parade running from 8th Street ending on 4th Street along Mt. Rushmore Road. Councilperson Reetz moved to approve this permit. Seconded by Councilperson Pischke, the motion unanimously carried.

LIQUOR STORE ITEMS

Councilperson Starr passed out information that he put together on the Liquor Store. After some discussion, Councilperson Starr moved to close the Liquor Store as of 12/31/09, with a second by Councilperson Reetz. Councilperson Starr, Ressler and Reetz voted yes and Councilperson Pischke, Murphey and Schleining voted no. Mayor Stickney broke the tie by voting no, the motion failed. A public presentation for the Liquor Store closure will be on the November 16th Agenda.

GORDON STREET CONTRACTS

Rex presented two written proposals for tree removal and a verbal proposal for the blasting. Discussion was held on the people affected by this project, construction plans, how the bridge would be fixed, and the specs for the road. Chad Cullum spoke for the residents in that area and stated their concerns about not knowing what is going on and what type of road they will be getting. He also expressed their concerns about having the current Gordon Street repaired. After discussion it was decided that we need to keep the citizens in that area informed by a public meeting. Rex stated there is nothing to show people until engineering is at least partially complete. Councilperson Murphey moved to accept the bid proposal for tree removal from Hartman Construction for \$3,500. Seconded by Councilperson Pischke, the motion unanimously carried. Councilperson Murphey moved to accept the verbal bid proposal for A-1 Blasting for \$20,000 and to allow Rex to move ahead with having the contract written. Seconded by Councilperson Pischke, the motion unanimously carried.

AUDIT PROPOSAL

A proposal for the 2009 Audit from Independent Audit Services was presented to the council. After some discussion Councilperson Starr suggested we get some other proposals. This item was then referred to the General Government Committee for further review.

FLU SHOTS

Mayor Stickney visited with the council about the city employees getting flu shots and the city reimbursing them back the cost not covered by insurance. Councilperson Starr moved to approve reimbursement of the flu shot to the employees that receive the shot. Seconded by Councilperson Murphey, the motion unanimously carried.

MONTHLY REPORTS

The Council received and acknowledged the Hospital Board monthly report.

EMPLOYEE STATUS CHANGE

Mayor Stickney presented the General Government Committee recommendation to promote Laurie Woodward to Finance Officer at \$47,000 year and then advertise for the Deputy Finance Officer position. Councilperson Starr discussed that the General Government Committee reviewed her qualifications. Councilperson Ressler stated that the city personnel manual states that the City can promote or transfer from within and doesn't have to advertise. Councilperson Schleining moved to approve promoting Laurie to Finance Officer as November 2nd. Seconded by Councilperson Starr, the motion carried with Councilperson Reetz voting no.

Mayor Stickney discussed the recommendation to promote Tim Wollaston to Liquor Store Manager at a \$2 hour increase for his time spent working at the Liquor Store. Councilperson Murphey moved to approve promoting Tim to Liquor Store Manager effective November 2nd. Seconded by Councilperson Pischke, the motion unanimously carried.

Mayor Stickney appointed Laurie Woodward to the RC&D Board.

RESIGNATION COMP TIME / CONSULTING

The Mayor reported that the General Government Committee came to an agreement with Chris Redden for a rate of \$45/hour for consultation and recommended to let Laurie have \$1,000 to spend on consultation not to include the time Chris will be spending with the auditor. After the \$1,000 if more time is needed Laurie is to report to the committee and ask for more. Councilperson Murphey moved to approve the consultation rate of \$45/hour and the \$1,000 for Laurie. Seconded by Councilperson Starr the motion carried with Councilperson Reetz voting no.

Councilperson Schleining reported that she visited with various government agencies, and none of them pay comp time to salaried employees, therefore she recommends not paying Chris for her comp time.

CLAIMS

Councilperson Murphey moved, with a second by Councilperson Starr, to approve the claims. Councilperson Reetz questioned the Gordon Street claims, which were then explained. The motion unanimously carried.

Mayor & Council, Wages, \$4250.00

Community Development, Wages, \$4070.16

Finance Office, Wages, \$13426.79

Public Works, Wages, \$6014.48

Street Dept., Wages, \$5585.53

Parks Dept., Wages, \$11863.34

Liquor Fund, Wages, \$3253.23

Water Dept., Wages, \$5498.53
Wastewater Dept., Wages, \$3517.35
Federal Withholding, \$5236.96
FICA, \$6909.83
Medicare, \$1616.01
SD Retirement, \$6449.58
Supplemental Retirement, \$105.00
Credit Collections, \$202.50
Delta Dental, \$584.80
IRS, \$11.71
AFLAC, Insurance, \$471.88
Alltel, Utilities, \$553.03
American Engineering Test, Professional Fees, \$2350.00
Beesley Law Office, Professional Fees, \$4437.94
Black Hills Power & Light, Utilities, \$2214.53
Buckhorn Surveying, Professional Fees, \$4200.00
Castle Cleaning, Professional Fees, \$530.00
Century Business Products, Supplies, \$114.82
Chris Supply, Supplies, \$27.50
Couch's Waterproofing, Inc, Repairs & Maint., \$612.00
Craig Reindl, Professional Fees, \$100.00
Culligan Water Inc, Repairs & Maint., \$17.50
Custer Chamber of Commerce, Travel & Conference, \$225.00
Custer Chronicle, Publishing, \$335.91
Custer County, Mitigation, \$1140.00
Custer Do It Best, Supplies, Repairs & Maint., \$530.44
Custer Meals Program, Subsidy, \$2500.00
Dakota Pump Inc, Repairs & Maint., \$1328.00
Dakotacare, Insurance, \$6823.06
Don Kistler, Professional Fees, \$100.00
Energy Lab, Testing Fees, \$190.00
Enviromaster, Supplies, \$22.00
Express Collections, Small Claims Fees, \$176.88
Fastenal, Supplies, \$78.46
First Western Bank, TIF Payment, \$5831.11
FourFront Design, Professional Fees, \$7347.90
Golden West Companies, Utilities, \$886.02
Harris, Rex, Reimbursement, \$1332.00
HD Supply, Supplies, \$795.84
Johnson, Kirk, Safety Equipment, \$27.35
Kimball Midwest, Supplies, \$609.31
Lynn's Dakotamart, Supplies, \$35.94
Mary Winchester, Professional Fees, \$100.00
McClellan, Bill, Safety Equipment, \$100.00
Menards, Repairs & Maint., \$356.59
Michael Todd, Traffic Signs, \$210.15
Mobridge Candy, Supplies, \$34.00
Moss Rock Landscaping, Repair & Maint., \$106.00
Murner Chevrolet, Repairs & Maint., \$811.80
NASASP, Travel & Conference, \$39.00
Nelsons Oil & Gas, Supplies, \$597.60
Okoboji Wines, Supplies, \$132.50
Petty Cash, Supplies, \$254.56
Quill Corporation, Supplies, \$330.73
Rapid City YMCA, Memberships, \$110.0
Thomson West, Professional Fees, \$30.50
Walker, Gaile, Safety Equipment, \$35.97
Wright Express, Supplies, \$1151.23
Ziolkowski, Geney, Animal Contract, \$721.00
Ochs, Nathan, Utility Refund, \$50.00
Ringstad, Donnie/Sarah, Utility Refund, \$50.00

Thompson, Vickie, Utility Refund, \$100.00
Lewison, Philip, Utility Refund, \$50.00
Element, Credit Card Fees, \$910.85
First Western Bank, Auto Draft Fees, \$39.65
State of SD, Sales Tax, \$6182.95
SRF, Water Loan Payment, \$4639.68
USDA, Water Loan Payment, \$8910
Total Claims \$150,594.98

DISCUSSION ITEMS

Mayor Stickney mentioned that the Chamber has copies of the information from the Black Hills Vision meeting. Councilperson Ressler stated that the Black Hills Vision meeting in Custer was the largest out of the first few of the community meetings.

Councilperson Murphey talked about the Community Assessment that was done 5 years ago and stated that a new assessment may begin in the next few month, since funding is available for doing the community assessment.

BREAK 7:20

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session at 7:30 p.m. due to personnel and potential litigation with the Finance Officer present. Seconded by Councilperson Murphey, the motion unanimously carried. The session adjourned at 7:41 p.m., with no action taken.

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:42 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Harold D. Stickney
Mayor