

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
JUNE 4, 2007**

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

AGENDA

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

MINUTES

Councilperson Schleining moved, with a second by Councilperson Murphey, to approve the minutes from the May 21st, 2007 Regular meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, discussed the great rains but at the same time, we have the drainage problems; the pavement project will help some of that. The street sweeper is totally inadequate and we will need to look at that for next year's budget; the repairs are coming almost on a daily basis. A regenerative air street sweeper, which keeps the dust down, is running about \$100,000 to a \$150,000 depending on the size.

Bob discussed getting the pool ready to open but it is taking longer as the fiberglass liner is starting to get to the point of needing replaced again; the very aged boiler is also a consideration.

The Cemetery clean up project took approximately 60 man days and now we are behind on the other spring project lists. We may look at doing a contract next year due to the labor force and time involved.

Rex Harris, Community Development Director, discussed the Pavement Project bid opening scheduled for June 18th at 1 p.m. which hopefully there will be information for Council that night. There are a lot of drainage problems with a lot of calls regarding them; we will be addressing additional areas along with the Project.

SCOTTY TERRALL

Mr. Terrall met with the Council to discuss his concerns over the City donating tax dollars to local organizations. Scotty does not believe that taxpayer's dollars should be given away unless there is a written contract for services that the City would otherwise have to provide at a greater cost. He believes that this practice should be stopped and since budget time is coming up, it would be a good time to address this issue. The Mayor thanked Scotty for coming and expressing his opinion.

LIABILITY INSURANCE QUOTE – SDPAA

Ladene Batchell, SDPAA, submitted a quote for the City's Liability Insurance with a summation of the Pool's history. They started the Pool for Public Entities in 1987 so they would have a good product at a stable rate. The City has a reserve fund of \$43,265 which was set aside when they first joined the Pool. The Pool also provides loss control information through Risk Services. Bob reminded the Council that this service is at no charge to the entity. Attorney Beesley questioned the amount of money they would keep if the City decided to withdraw. Ladene stated that the Pool would keep approximately \$22,000 which is the first year's premium. Ladene discussed the Pool purchasing re-insurance; the Pool pays the first \$500,000 and then re-insurance pays the rest. The Pool has about \$23,000,000 in assets. The increase in rates is dependent upon the losses such as after 911, property quotes raised about 10%, then 3%, then down to 1%; Public Officials and Law Enforcement have increased 10% due to losses. Councilperson Boyer questioned the amount of coverage if a claim came in, which Ladene stated that all past claims since 1987 would be covered. Councilperson Boyer requested additional coverage for the Liquor Store which Ladene stated would be approximately \$500 extra. The Mayor stated that the 2 quotes would be taken to General Government Committee next week.

RESOLUTION #06-04-07 STREET MAINTENANCE

The Council received Resolution #06-04-07 pertaining to a street maintenance assessment to help maintain the streets especially since the pavement project is getting done. This would raise approximately \$35,000 for the 2009 budget year. Discussion was held on the DOT portion of Highway, what defines a street, and assessment of "developed" streets. Attorney Beesley suggested that the Finance Officer talk to Spearfish who already implements this assessment and have this item go to General Government Committee, which everyone agreed.

RAFFLE REQUEST

The 1881 Courthouse Museum submitted a request to have a raffle from July 2nd to July 4th during their Annual event. Councilperson Starr moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

PETITION SUBMISSION - BOOTHILL

The Council received a petition from the residences of Boot Hill Ranch Estates requesting that the City does not install street lights in their area of town; that is why they moved their, to have City services with rural property. The City did request a quote for their installation but that is on hold due to the petition. This will be referred to General Government.

HUSKY HEAVEN – KENNEL PERMIT

Councilperson Murphey discussed having conversations with Mr. Pratt regarding the Kennel Permit Request. Therefore, Councilperson Murphey moved, with a second by Councilperson Starr, to deny the request for a kennel permit as this is not a for profit business; and Whereas Mr. Pratt had 11 dogs and 1 cat on the premises when the Ordinance was passed; and Whereas the animals are housed on a lot of 2 acres, one side of which abuts City property with no residences; and Where no complaints regarding the animals have been received by the City; and Whereas the adjoining landowners have signed notice of the kennel request without objection; and The City Of Custer City therefore grants a variance to Clay Pratt for the existing 11 dogs and 1 cat with the understanding that as any of the animals die, are lost, sold or otherwise leave his ownership and control, they may not be replaced or added to until such time as the number of animals falls below the maximum imposed by the Ordinance and the animals shall be considered as pets under the Ordinance and all other provisions of the Ordinance must be met. Discussion was held on variances to Ordinances which may include additional variances. Councilperson Murphey stated that this way, the citizen is not “hammered” and yet, there will be compliance in the future. The motion unanimously carried.

WEED CONTROL CONTRACT

Bob presented the proposed County Weed Control contract in the amount of \$3636.50. This would save in the long run for liability exposure since the City crew has only done minimal spraying since last year. The crew will still do the basics like sidewalks but the nasty weeds would be covered. Councilperson Boyer moved to approve this contract. Seconded by Councilperson Starr, the motion unanimously carried.

ANNUAL MERIT INCREASE

Bob highly recommended the increase to Step 5 \$14.33 per hour effective May 19, 2007 as Bill McClellan is an outstanding employee. Councilperson Starr moved to approve this merit increase. Seconded by Councilperson Pischke, the motion unanimously carried.

FINAL PLATS

Rex submitted the final plat from Kirby Parson for the property described as Plat of Lots 1 and 2 of Revised Lot C of Lot C of Schaffer Subdivision, of Tracts 1 and 2, located in the NW ¼, NW ¼, of Section 34, T3S, R4E, BHM, Custer County, South Dakota. Rex stated this property is just past Wood Carvings, they have a pavement variance, and they have met all other requirements. The Planning Commission and Rex recommend approval. Councilperson Boyer moved to approve this plat. Seconded by Councilperson Schleining, the motion unanimously carried.

Rex also submitted the final plat from Donald Schnoor and Gary Williams for the property described as Willow Creek Subdivision, Plat of Tracts Don, Gary and Schnoor of Lots 1 and 2 and Tracts 1 through 4, of Tract A of HES 340 located in Sections 7, 8, 17, and 18, T3S, R5E, BHM, Custer County, South Dakota. This plat is converting 6 parcels into 3 so there isn't any problems. The Planning Commission and Rex recommend approval. Councilperson Schleining moved to approve this final plat. Seconded by Councilperson Murphey, the motion unanimously carried.

ENVISION DESIGN – AMENDMENT #1

Bob presented Amendment #1 to the Westside Annexation Improvement Contract with enVision Design which will be a portion of sewer north of the Highway for the property in front of French Creek Supply; there will be a subdivision of the property which will be annexed at the same time. Councilperson Murphey moved to approve this Amendment. Seconded by Councilperson Starr, the motion unanimously carried.

DISCUSSION ITEMS

Councilperson Murphey discussed the number of junk vehicles around town with 24 to 25 different locations being recorded and there's more to come. He suggested that as one option for people to follow, we could see about the crushers coming back to the County Shop area so the citizen would have an easy way to comply with City Ordinances. Also, there needs to be additional wording regarding “fully operable” vehicles. Rex stated that he has observed other locations which also are using City ROW; these will definitely have to be moved. Councilperson Boyer stated that there are a number of white goods that need to be included. Councilperson Starr stated that this is a positive clean up move. This will also be referred to the General Government Committee.

Discussion was held on the number of positions in the Public Works Department which there are 2 temporaries and one full –time but that one may be filled very shortly.

The Mayor briefed everyone on the Change in Command at EAFB and that he would like the Council to give a luncheon for the new Commander. Everyone agreed.

CLAIMS

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

- Mayor & Council, Wages, \$4200
- Community Development, Wages, \$3662.22
- Finance Department, Wages, \$8405.16
- Public Works Department, Wages, \$5337.62
- Street Department, Wages, \$3987.87
- Parks Department, Wages, \$3139.70
- Liquor Fund, Wages, \$3681.22
- Water Fund, Wages, \$4799.13
- Wastewater Fund, Wages, \$2684.23
- A&B Electric, Custer Cruisin, \$156.81
- Alltell, Utilities, \$301.85
- BH Power, Utilities, \$1751.97
- BlackHills.com, Custer Cruisin, \$500
- Custer Chronicle, Publishing, \$807.66
- Custer Do It Best, Supplies, \$297.90
- Custer Transportation, 2007 Subsidy, \$3000
- First Western Bank, TIF District, \$2687.53
- G&H Distributing, Supplies, \$39.09
- Hawkins Chemical, Supplies, \$7548.11
- KLJ, Professional Services, \$14948.72
- Lynn Moran, Professional Services, \$125
- Nelson’s Oil & Gas, Utilities, \$1514
- North American Directory, Advertising, \$250
- Petty Cash, Supplies, Travel & Conferences, Fees, \$391.51
- Rapid City YMCA, Memberships, \$67
- SD DENR, Fees, \$600
- SD Dept. of Revenue, Water Tests, \$13
- Witt’s Heating, Repair & Maintenance, \$122.71
- Geney Ziolkowski, Animal Contract, \$714
- Child Support Payment Center, \$314.54
- Federal Withholding, \$3293.73
- FICA, \$4819.27
- Medicare, \$1127.06
- SD Retirement, \$4224.32
- Charles Powell, Deposit Refund, \$100
- Julie Johnson, Deposit Refund, \$50
- Mike & Christine Linderman, Deposit Refund, \$50
- Barb Severin, Deposit Refund, \$100
- Jonathon Barnes, Deposit Refund, \$10.66
- Reid & Nicole Johnson, Deposit Refund, \$3.04
- Beesley Law, Professional Services, \$1789.75
- Golden West, Utilities, \$673.42
- Harold Stickney, Travel & Conferences, \$35.84
- Total Claims \$92,325.64

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 6:50 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden
Finance Officer

Harold D. Stickney
Mayor