

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
SEPTEMBER 15<sup>th</sup>, 2008**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of September, 2008 at 5:30 p.m. Present at roll call were Councilpersons Sutton, Reetz, Pischke, Schleining, Murphey, and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Pischke moved, with a second by Councilperson Schleining, to approve the minutes from the September 2<sup>nd</sup>, 2008 regular meeting. The motion carried.

**CONFLICTS OF INTEREST**

Councilperson Murphey stated he has a conflict with Item #6c and with Item #7b.

**DEPARTMENT HEAD MEETING**

Bob Morrison, Public Works Director, discussed the water tank repair and cleaning with some unanticipated costs which came in about \$1400 more than the estimate. However, the cost is still under budget for this year. Councilperson Schleining thanked Bob for spending and spreading the costs for the year. Bob also stated that Saturday September 27<sup>th</sup> there will be a crew from Starr Academy to work on the grading for the Disc Golf T Boxes and the concrete will come at a later date. Bob then mentioned that he has been working with the Rotary Club which is out drumming up money, materials are approximately \$5000, and help to put the dock in at West Dam; they are the original group who sponsored the dock. Discussion was held on doing the construction during the winter so you could stand on the ice. Bob stated the project lists are being completed and going well. The sewer and water will be stubbed out in Way Park and gravel is being applied to the aprons. Councilperson Reetz wondered about the Street Shop property which Bob stated the Council put on hold. He would like to have plans and goals so this project could be ready for next summer. Bob stated he would present that at the Public Works Committee.

Rex Harris, Community Development Director, discussed the Washington street Pre-construction meeting held last week and the equipment will be in to start September 29<sup>th</sup>; the completion date is November 15<sup>th</sup> weather permitting. Discussion was held on the construction which Rex stated there will be 8" to 9" inches of base course, 6" of millings, and 3" of asphalt. Discussion was then held on permits at the construction site, drawings, reviews, contractor's permits, and condemning buildings in town.

**SECOND READING ORDINANCE #658 – 2009 APPROPRIATIONS**

The Council received the Appropriations Ordinance for 2009 with an explanation of the wage section which seemed higher than it should be to Councilperson Schleining. Councilperson Schleining moved to adopt Ordinance #658. Seconded by Councilperson Pischke, the motion unanimously carried with Councilperson Sutton, Pischke, Murphey, Schleining, and Reetz voting yes.

**BROWN BAG LICENSE**

The Chamber of Commerce submitted a request for the Chamber Mixer to be held September 24<sup>th</sup> with Heartland Real Estate. Councilperson Pischke moved to approve this request. Seconded by Councilperson Sutton, the motion unanimously carried.

**RAFFLE REQUEST**

Custer Lions Club submitted a request for a Bunco Night fundraiser for September 12<sup>th</sup>. No action taken since this event was already held.

**LIQUOR STORE DESIGN CONTRACT**

Rex presented the proposal from Fennel Design for reviewing the design, providing structure design if needed, and doing the bid documents which would be billed on an hourly basis, approximately \$12,000. Councilperson Reetz wondered about the in-house drawings which Rex stated the drawings will be completed and the installation would be completed by certified people. He also wondered about holding up on the project due to the possibility of a by-pass. The Mayor assured them that the Liquor Store would not be in the way; the water treatment plant would be, but not the Liquor Store. The Mayor also added that the by-pass concept is supported by some, not by others, the house representative would have to re-elected, the project put in the transportation bill, or the cost would have to earmarked; this puts the project out quite a ways. Councilperson Schleining moved to approve Fennel Design. Seconded by Councilperson Murphey, the motion carried with Councilperson Sutton, Pischke, Schleining, and Murphey voting yes; Councilperson Reetz voted no.

**STREET CLOSURE**

The Custer Area Arts Council requested the street closure of 4<sup>th</sup> Street north to Mt. Rushmore Road for the Custer Stampede Buffalo Art Auction September 26<sup>th</sup> and 27<sup>th</sup>. The Mayor stated that Bob did not see any issues with this closure. Councilperson Murphey moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

**WESTSIDE ANNEXATION SPECAIL ASSESSMENT ROLL**

The Council was presented with the Special Assessment Roll for the two properties within the Westside Utility Project. Councilperson Murphey moved to approve the Assessment Roll. Seconded by Councilperson Schleining, the motion unanimously carried.

**CITY ATTORNEY CONTRACT**

The Council received the RFP's for the City Attorney Contract with Chris Beesley's proposal at \$800 base and \$100 per hour for the additional projects; Dedrich Koch submitted \$1275 for the base with \$100 per hour for the additional projects and \$1 per mile outside of a three mile radius. Councilperson Schleining asked for Mr. Koch's background with City government which he stated he had some when he left college; otherwise, he has knowledge through working with the County government and being Deputy St. Attorney. Councilperson Schleining moved at 6:12 p.m. to go into and out of an executive session due to contract negotiations. Seconded by Councilperson Murphey, the motion unanimously carried. The session adjourned at 6:26 p.m. The Mayor then appointed Chris Beesley as the City Attorney with Councilperson Schleining, Murphey, and Pischke voting yes; Councilperson Reetz and Sutton voted no.

**SLASH PILES**

Councilperson Sutton requested an overview of the Slash Pile Project which Rex stated the Forest Service stated they would add us on their contract for \$35,000 for chipping with an additional \$20,000 for spreading; Baker Timber Products submitted \$35,000 to do chipping and spreading; and the last option discussed is donating to the Fire Department so they can spread the piles out and burn them this winter. We will also receive the RAC money in the amount of \$10,000. Councilperson Sutton stated that we want to save money but we don't want to short the Fire Department.

**WESTSIDE ANNEXATION UTILITY PROJECT**

The Council received the Westside Utility Project final Change Order #3 for a decrease of \$10,021.52. Councilperson Pischke moved to approve this Change Order. Seconded by Councilperson Murphey, the motion unanimously carried. They also received the final payment request for \$9708.17. Councilperson Pischke moved to approve this final payment. Seconded by Councilperson Schleining, the motion unanimously carried.

**DISCUSSION ITEMS**

The Mayor discussed the meeting with the Major General of the SD National Guard whom stated that that within one year they will be moving the training of the 235<sup>th</sup> to Rapid City; the facilities will go to the School except for one office; and the Golden Coyote training will continue.

Councilperson Reetz wondered about having on the next agenda, the Deer Plan to look at the plan and possible problem areas; he also wondered about having the TIF information brought back to Council. Discussion was held on having the GF&P attend the next meeting for their input on the Plan and that the TIF info will be discussed at several meetings, go to the Planning Commission, and then come to Council. Councilperson Reetz then discussed breaking down preliminary plats from final plats to spread them out longer. Discussion was held on the Planning Commission's job to review and recommend action.

**CLAIMS**

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

- A&B Welding, Supplies, \$104.40
- Advanced Engineering, Professional Fees, \$2441.98
- AFLAC, Insurance, \$388.08
- American Linen, Repair & Maint., \$262.33
- BH Phones, Utilities, \$50
- BH Power, Utilities, \$4860.63
- Bonnie Moore, Custer Cruisin, \$60
- Bud Beadles, Custer Cruisin, \$100
- Butler Machinery, Repair & Maint., \$88.32
- Castle Cleaning, Repair & Maint., \$900
- Chadron Wholesale, Supplies, \$1218.24
- Chris Supply, Repair & Maint., \$22.70
- Coca-cola, Supplies, \$476
- Custer Community Health Systems, Sales Tax Subsidy, \$61687.66
- Custer County, Professional Fees, \$25.86
- Custer Do It Best, Supplies, \$191.82
- Custer True Value, Supplies, \$1400.16
- Dakotacare, Insurance, \$5197.68
- Dales Tires, Supplies, \$215
- Dave Moore, Custer Cruisin, \$90
- Dave Ressler, Custer Cruisin, \$200
- Denny Johnson, Custer Cruisin, \$80

Eagle Sales, Supplies, \$9713.75  
Fisher Beverage, Supplies, \$6898.70  
Fred Bauman, Custer Cruisin, \$210  
French Creek Supply, Supplies, \$156.76  
Hack Company, Supplies, \$186.12  
Hawkins Chemical, Supplies, \$4241.22  
HD Supply Waterworks, Supplies, \$69.33  
Hills Material, Repair & Maint., \$2146.26  
Hillyard Supplies, Supplies, \$137.97  
Scott Kellogg, Reimbursement, \$64  
Kimball Midwest, Supplies, \$372.86  
Lexisnexis Matthew, Books, \$51.80  
Lynn's Dakotamart, Supplies, \$22  
M&B Enterprises, Supplies, \$21  
Mainline Contracting, Westside Utility Project, \$9708.17  
Mannatec, Supplies, \$157.67  
Mayer Plumbing, Repair & Maint., \$145.28  
Mitch McClain, Custer Cruisin, \$200  
Murner Chevrolet, Repair & Maint., \$193.95  
Okoboji Wines, Supplies, \$277.47  
One Call Systems, Supplies, \$22  
Petty Cash, Fees, Supplies, Travel & Conference, \$71.74  
Power House, Supplies, \$36.10  
Quill Corporation, Supplies, \$52.19  
Republic National Distribution, Supplies, \$7938.57  
Sander Sanitation Service, Custer Cruisin, \$3804.58  
Sanitation Products, Supplies, \$2265  
SD DENR, Travel & Conference, \$10  
The Ice House, Supplies, \$418.65  
USA Blue Book, Supplies, \$654.39  
Western Wholesale, Supplies, \$10824.64  
Wildcat Computers, Supplies, \$230  
Total Claims \$

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:05 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden  
Finance Officer

Harold D. Stickney  
Mayor