

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
MARCH 16<sup>th</sup>, 2009**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of March, 2009 at 5:30 p.m. Present at roll call were Councilpersons Sutton, Reetz, Murphey, Schleining, Pischke, Starr, Chris Beesley, City Attorney, Bob Morrison, Public Works Director, and Christine Redden, Finance Officer. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Schleining moved, with a second by Councilperson Murphey, to approve the minutes from the March 2<sup>nd</sup>, 2009 regular meeting. Clarification was given regarding an RFQ and the State Water Plan submission. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts were stated.

**DEPARTMENT HEAD MEETING**

Bob discussed the submission of the State Water Plan Grant Application for funding in the amount of \$612,000 that entails sewer projects on 5<sup>th</sup> Street, Clay Street at 3<sup>rd</sup> and 4<sup>th</sup> Street, Wazi Lane sewer extension with a creek crossing, and an alley water connection. The State is talking about running the Stimulus money through the SRF Loan Grant Program and then they may do principle forgiveness. Discussion was held on how the projects would be implemented. Bob also discussed the storm water not qualifying for the Stimulus money but he is still working on a design of the whole system. Councilperson Reetz wondered about the West Dam project which Bob stated he is working on the design, it's too late to dredge this year, and the Council requested an August deadline due to budgeting for the next year. Councilperson Murphey also mentioned having to have a permit from the Army Corp of Engineers. Bob also discussed the plan for the fishing pier which will be completed as soon as possible. Councilperson Schleining mentioned that the Rotary has been authorized to use the Shamrock Mine; all they have to do is let Pacer know.

**ALCOHOLIC BEVERAGE APPLICATION & OPERATING AGREEMENT**

The Council received the application for Malt Beverage & SD Wine and the Operating Agreement for the Pamida Store. Councilperson Sutton moved to approve the application and the operating agreement subject to the property taxes being paid. Seconded by Councilperson Murphey, the motion unanimously carried.

**COMMUNITY GARDEN**

The Mayor discussed being approached by the Seniors to establish a Community Garden. He stated the people usually pay a flat fee and the City would provide a certain amount of water; Bob found some information on Community Gardens and has a piece of ground that would work for that purpose. Bob stated one piece is located at Gordon and 11<sup>th</sup> Street; the other is between Pizza Hut and West Dam; the latter would work the best. Discussion was held on hail protection, fencing, and costs involved. The Mayor requested the Council's agreement to do a survey and cost estimate; the Council agreed. Councilperson Starr mentioned participation in Arbor Day and that trees could be planted around the garden for protection.

**DONATION POLICY DRAFT**

Councilperson Murphey discussed their Committee recommendations for reviewing future subsidy requests. Councilperson Starr wondered about having a form to go along with the requests to make it easier for evaluating. The Council members can think about the draft and then give their ideas back to the Committee. Scotty Terrall wondered how this draft addresses the private club criteria such as the Senior Center; he state that the Center only addresses people over 50 and dues are paid which adds up to a Club. Councilperson Murphey stated they are a 501(c)3 organization. Discussion was held on budget amounts, different requests from different groups, level playing field, and doing away with the subsidies. Scotty stated he applauds the Council's efforts to address this problem.

**UNITED WAY – INFORMATIONAL REPORT**

Councilperson Murphey reported that United Way is coming to the Southern Hills and there are pluses and minuses. Renee Parker and Sara Hornek will be heading up this segment; there are other cities involved which are Sturgis, Spearfish, Rapid City including Hermosa, and possibly Lead/Deadwood. Only 501(c)3s are allowed to request subsidies for Human Health and Welfare needs; this would leave out the Museum and the Arts Council. They charge a 15% administration fee which would mean some of our dollars wouldn't reach the community. Discussion was held on not losing 15%, wouldn't have any say in where the dollars would go, and the Council needing to make decisions. United Way does not raise enough money to take care of all the community needs but they do a good job.

**PARKS & RECREATION BOARD APPOINTMENT**

The Mayor, with the concurrence of the Council, appointed Warren Graham in place of Lisa Esser per the request from the Parks & Recreation Board. The Mayor would like to thank Lisa for her service on the Board.

**ANIMAL CONTROL – SHORT LONG TERM SOLUTIONS**

The Mayor discussed the meeting with the County Commissioners and the request to use their land by the County Weed Dept.; we would provide the building and have a contract for an animal control officer. The Commission appointed Dave Hazeltine to work with Rex and take back a plan for their consideration. We can work together in a cooperative effort in solving problems. The Mayor discussed the County looking at discontinuing their monthly contract and going to an on call basis which would be in conjunction with our officer. Councilperson Reetz expressed concern for the change in how this would be handled. Mike Nielsen stated that he thought this would be a great idea and that there could be more people interested in the job if they don't have to provide the facilities; the facility cost wouldn't have to be much at all.

### **ZONING DESIGNATIONS**

A short discussion was held on the ordinances to control wind turbines and towers. Attorney Beesley will request ordinances from other cities in the area such as Sturgis. It was mentioned that the County is working on an ordinance so we will get a copy of that also.

### **PERMIT FEES – TIME OF PAYMENT**

Steve Kissner requested the payment of tap fees and meter charge be delayed until he was ready to install the water and sewer at the end of the project. He will be purchasing the building permit but wants to wait on the large fees. Bob stated that the policy has been payment at the time of building fees so that everything is taken care of at once. Councilperson Murphey stated that since it will be a long period of time, we need to look at the policy and make an ordinance amendment; this item will go to Public Works Committee.

### **DISCUSSION ITEMS**

Councilperson Starr mentioned that their Recycling Committee, in conjunction with Sander's, has two drop-off bins in Sander's yard. They will be doing an ad campaign in couple of weeks and requested ideas for their ad. Councilperson Reetz discussed the Governor's Conference and cities that designated "Going Green"; people are looking at that as a reason to visit or to move.

Councilperson Starr requested an update on the winter projects list for the next meeting. Discussion was held on the parking spots and having a count on handicapped ones to see where to have additional ones.

The Council was informed about the BH Finance Officers Association's Spring Speaker who will be Kathleen Novak, 2009 President of the National League of Cities. She will give a short discussion on the NLC and then present Dr. Seuss Leadership Skills. Everyone is invited and requested to attend this presentation.

Councilperson Starr wondered about the meeting with the School regarding the Elementary Building. The Mayor stated there was discussion with a lot of possibilities but we will need a plan before moving ahead.

### **CLAIMS**

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

A&B Welding, Rental, \$65.76  
American Linen, Repair & Maint., \$269.92  
BH Phones, Utilities, \$50  
BH Power, Utilities, \$9287.92  
Butler Machinery, Repair & Maint., \$119.48  
Century Business, Supplies, \$142.55  
Chadron Wholesale, Supplies, \$474.79  
Coca-cola, Supplies, \$129  
Culligan Water, Repair & Maint., \$17.50  
Custer County Sheriff, Service Fees, \$51.72  
Custer County Market, Supplies, \$3.98  
Custer Do It Best, Supplies, \$128.62  
Custer Gas Service, Supplies, \$13.21  
Custer True Value, Supplies, \$485.26  
Eagle Sales, Supplies, \$4961.50  
Enviromaster, Supplies, \$22  
Fennell Design, Professional Fees, \$5741.25  
Fisher Beverage, Supplies, \$3224.24  
Flexible Pipe Tool Company, Repair & Maint., \$150.28  
French Creek Supply, Supplies, \$110.07  
Golden West Technologies, Supplies, Professional Fees, \$327.50  
Hach Company, Supplies, \$9.58  
Hawkins Chemical, Supplies, \$2565.65  
HD Supply Waterworks, Supplies, \$34.26  
Hillyard Supply, Supplies, \$165.12  
Itron, Repair & Maint., \$596.72  
Lawrence & Schiller, Advertising, \$12525  
Lynn Moran, Professional Fees, \$175

Mannatec, Supplies, \$402.86  
Menards, Supplies, \$119.99  
Okoboji Wines, Supplies, \$92.75  
One Call Systems, Supplies, \$4.20  
Petty Cash, Supplies, Fees, Travel & Conference, \$361.91  
Prairie Berry, Supplies, \$132  
Rapid Delivery, Fees, \$16  
S&B Motor Parts, Supplies, Repair & Maint., \$516.93  
Sander Sanitation Service, Utilities, \$10116.29  
SD Secretary of State, Fees, \$30  
SD State Executive Mgmt, Utilities, \$29.33  
Harold Stickney, Travel & Conference, \$83.74  
Western SD Hydrology Conference, Travel & Conference, \$110  
Western Wholesale, Supplies, \$8800  
Custer Chamber of Commerce, Sales Tax Subsidy, \$6031.91  
Custer Community Health Systems, Sales Tax Subsidy, \$37886.62  
Total Claims \$106,582.41

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:06 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden  
Finance Officer

Harold D. Stickney  
Mayor