

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
April 19<sup>th</sup>, 2010**

Council President Duane Murphey called to order the second regular meeting of the Common Council for the month of April, 2010 at 5:30 p.m. Present at roll call were Councilpersons Pischke, Starr, Murphey, Reetz, and Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Pischke moved, with a second by Councilperson Starr, to approve the minutes from the April 5<sup>th</sup>, 2010 meeting. The motion carried, with Councilperson Schleining abstaining.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD MEETING**

Bob Morrison, Public Works Director, mentioned that the bid opening for the vehicle storage building will be May 7<sup>th</sup>. Bob has received the flood plain analysis for the wastewater treatment plant bridge. Bob stated that for the 8<sup>th</sup> & Crook Street rebuild, both concrete and asphalt will be bid. Concrete will probably cost slightly more however has a longer life.

**FIRST INTERSTATE BANK COMMUNITY FUND**

Pat Walker and Gail Trask with First Interstate Bank present information to the Council about the First Interstate Custer Area Fund. The First Western Custer Area Foundation was established ten years ago as a \$200,000 community savings account. The money was invested and the earnings were distributed to area nonprofit organizations. The foundation has given out more than \$81,000 in grants without touching the original \$200,000 invested. The foundation has now changed it's name to the First Interstate Custer Area Fund, and is looking to raise more money. When the Custer area raises \$10,000 a year over five years, First Interstate Bank will match \$10,000 a year for 5 years and then once \$100,000 has been raised, South Dakota Community Foundation will contribute \$25,000, providing \$125,000 more in investment funds. Pat and Gaile encouraged the Council to contribute in any way they possibly can weather it be a Council donation, individual donations, or sharing the word with the community to help raise money.

**AIRPORT AUTHORITY – DON HONE**

Done Hone, who is a member of the Business and Economic Development committee that was create from the community assessment process, addressed the council regarding developing an airport authority. The county has been approached but they would like city cooperation. They would like to research how an airport authority would operate and the financials before drafting bylaws that would define the City and County involvement. One of the advantages to an airport authority is the grant opportunities. The council agreed informally that they are interested in moving forward. The Business and Economic Development committee will investigate possibilities and keep in touch with Rex.

**GOLF COURSE ANNUAL REPORT & CONTRACT**

Paul Kelley and Jason Petik with the Custer Golf Corporation present the council with their 2009 annual report and 2010 operating budget. Discussion was held on making the terms of the agreement for five years versus the 3 years, which council felt was a good idea. It was also mentioned that the statement regarding annexation should be removed from the agreement as the golf course has already been annexed in. Changes will be made to the agreement and brought back to council at the next meeting.

**WINE LICENSE – WRANGLER**

The Council received the application for Wine License for Custer Sky Blue Inc DBA Wrangler Cafe. Councilperson Reetz moved to approve the application. Seconded by Councilperson Schleining, the motion unanimously carried.

**RESOLUTION 4-19-10A – PERSONNEL MANUAL**

General Government Committee recommend approval of the following change to the personnel manual. Councilperson Schleining moved to adopt resolution #4-19-10A, Changes to Mileage Rate section of the Personnel Manual. Seconded by Councilperson Pischke, the motion unanimously carried.

**RESOLUTION # 04-19-10A**

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 09-05-95A; and

WHEREAS, the Common Council of the City of Custer City has determined that Employee Personnel Manual Policy be modified regarding Policy #6 Compensation, 6.8.7 Mileage Rate, with the following and it shall read as follows:

The City will provide a vehicle for use by the employees for City business travel. If the employees choose to use their private vehicle for approved travel, the employee will be reimbursed for full mileage at the current state rate.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended and superseded as adopted.

Dated this 19<sup>th</sup> day of April, 2010.

S/Duane Murphey, Council President

#### **RESOLUTION 4-19-10B – PERSONNEL MANUAL**

General Government Committee recommended approval of the employee performance evaluation verification form unanimously and approval of the confidentiality agreement by a 2/3 vote. It was discussed who would sign the confidentiality agreement as far as employees and council and the types of information that could be consider confidential. General Government Committee with the help of Attorney Beesley will take another look at the confidentiality agreement.

#### **TIF #4 LIGHTING RECOMMENDATION**

Tim Behlings with the Planning Commission mentioned to the Council that the Planning Commission has some recommendations as far as the downtown lighting. Matt Fridell with Wyss Associates and Jamie Stampe with Skyline Engineering presented the Planning Commission lighting recommendations. Metal halide was the light bulb selection recommendation. The downtown from 3<sup>rd</sup> street to 8<sup>th</sup> street light pole style recommendation was the Washington style. The roadways, which would include Hwy 16 north on 5<sup>th</sup> Street and Hwy 16 East and West of the Downtown light pole style recommendation was Mongoose and the Granville. There will be a public hearing on the lighting style selection at the next council meeting. Councilperson Reetz stated that he would like to see the State DOT's approval of the Planning Commission's recommendations before the next meeting. The Planning Commission also made a recommendation that nodes be placed along Mt Rushmore Road at 4<sup>th</sup> Street on just the east side and at 7<sup>th</sup> Street on just the west side.

#### **YMCA POOL MANAGEMENT CONTRACT**

It was mention that per the agreement the YMCA is to provide the City with monthly reports as to the financial operation of the pool, which Council would like to see for 2010. The agreement also states that the YMCA is to provide the lawn care for the pool, which it was mention that we need to either enforce that or remove it from the contract. Councilperson Starr moved to approve the 2010 YMCA pool management contract. Seconded by Councilperson Pischke, the motion unanimously carried.

#### **POWER POLE ON PAGEANT HILL**

Rex stated that Black Hills Power & Light quoted him \$1,200 to remove the power pole at pageant Hill. It has been mentioned in the past that the power pole is a hazard for sledding and the power line for kites and hot air balloons. Ralph Roeck stated his concerns on Pageant Hill and that a long term plan for pageant Hill should be created. Council decided not to take any action until they hear more from the people and the Long Term Recreation's recommendation.

#### **CONCESSION/STORAGE BUILDING @ GATES PARK FIELD**

Councilperson Schleining moved to accept the bid from CR Concrete and Masonry for \$5,072 to construct the concession/storage building at Gates Park Field. Seconded by Councilperson Pischke, the motion unanimously carried. The funds for this project will come from the long term recreation budget.

#### **MONTHLY REPORTS**

The Council received and acknowledged the Sheriff's Report for March.

#### **CLAIMS**

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

A&B Welding, Rental, \$68.16  
American Linen, Repair & Maintenance, \$403.77  
Beesley Law, Professional Fees, \$2829.00  
BH Community Economic Development, Dues, \$100.00  
Black Hills Power & Light, Utilities, \$11086.92  
Butler Machinery, Repair & Maintenance, \$3700.92  
Cask & Cork, Supplies, \$306.54  
Chadron Wholesale, Supplies, \$452.90  
Coco-Cola, Supplies, \$137.00  
Culligan, Repair & Maintenance, \$17.50  
Custer Car Wash, Repair & Maintenance, \$19.50  
Chamber of Commerce, Sales Tax Subsidy, \$3892.86  
Custer Community Health, Sales Tax Subsidy, \$26198.04  
Custer Do It Best, Supplies, \$420.39  
Custer True Value, Supplies, \$525.53  
Ditch Witch, Supplies, \$255.37

Eagle Sales, Supplies, \$4650.45  
Energy Lab, Supplies, Testing Fees, \$138.00  
Enviromaster, Supplies, \$22.00  
Environmental Equipment, Repair & Maintenance, \$43.85  
Fastenal, Supplies, \$81.13  
First National Bank, SRF Loan Payment, \$4639.68  
Golden West Technologies, Professional Fees, \$160.00  
Ketel Thorstenson, Audit, \$10458.00  
Lynn's Dakotamart, Supplies, \$51.93  
McGas Propane, \$90.00  
Nelson's Oil & Gas, Supplies, \$1959.14  
Okoboji, Supplies, \$128.00  
One Call, Supplies, \$16.80  
Petty Cash, Travel & Conference, Supplies, \$87.00  
Prairie Berry, Supplies, \$126.00  
Rapid Delivery, Testing Fees, \$17.60  
Russell & Miller, Supplies, \$10.00  
S&B Motor, Supplies, Repair & Maintenance, \$677.28  
Sander Sanitation, Utilities, \$11292.61  
SD Dept of Revenue, Testing Fees, \$1592.00  
SD Municipal League, Travel & Conference, \$20.00  
SD State Executive Mgmt, Utilities, \$41.35  
SEMS Technologies, Computer Upgrades, \$49.95  
Stickney, Harold, Travel & Conference, \$66.60  
The Ice House, Supplies, \$28.00  
USDA, Loan Payment, \$8910.00  
Western Wholesale, Supplies, \$3717.97  
Budget Burger, Utility Refund, \$100.00  
Regency CSP Ventures, Utility Refund, \$100.00  
Winkler, Dan & Fran, Utility Refund, \$50.00  
Saufley, Nolan, Utility Refund, \$50.00  
French, Mitzi, Utility Refund, \$50.00  
Boand, Eugene, Utility Refund, \$28.15  
Chizek, Agatha, Utility Refund, \$35.26  
Total Claims \$99,903.15

**DISCUSSION**

Councilperson Starr question if any information has been found regarding the ASCAP licensing requirements and fees. Attorney Beesley mention that he has been looking into the licensing and hopes to have more information shortly, however he stated that there are actually three different licensing groups that fees would have to be paid to.

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:40 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Duane Murphey  
Council President