

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
DECEMBER 17, 2007**

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

AGENDA

Councilperson Murphey moved to approve the agenda with the addition of the Liquor Store expansion. Seconded by Councilperson Schleining, the motion unanimously carried.

MINUTES

Councilperson Culberson moved, with a second by Councilperson Pischke, to approve the minutes from the December 3rd, 2007 Regular meeting. The motion carried.

CONFLICTS OF INTEREST

No conflicts were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, discussed the excise tax paid on motor fuel and read from the SDCL regarding municipalities not having to pay and to get a refund; yet another law states that we cannot receive a refund. The Dept. of Revenue is looking into this matter.

Bob presented the figures from the proposed change order for the Westside Utility project for going under the bridge; this cost estimate is \$19,300 increase. However, there will be a decrease from the 130 feet that will not be part of the bore; the net would be around \$10,000 increase which is due to the concrete surrounding the sewer line. When questioned, Bob stated that the bore cost was around \$33,000 and the quote for under the bridge is a little over \$40,000. The contractor stated that there is probably only a 10% chance that a bore would have worked.

Lorraine Besmer discussed a problem with having her logs moved from the property line which she placed there after the paving project. She stated she doesn't like having people drive on her property and wants this problem fixed. Bob discussed putting up reflector poles which may help. Lorraine stated that the City crews have moved the logs which Bob stated there is a small possibility of a little movement due to plowing but they were being careful. Bob also discussed the private drive above that road which has always had access problems. Rex stated that Needles Drive is an alleyway and not a street. Councilperson Starr wondered if the reflectors would train people not to drive there. Lorraine questioned the Council's September discussion of making that a one-way street which Bob and Rex wondered which way, up or down. Rex discussed the private drive road needing to be expanded but this is not a City problem; it would be the residents of that private drive. Councilperson Schleining suggested that big boulders be placed along the property edge. Councilperson Starr was questioned on liability from an insurance aspect which he stated it would not be the landowner's problem. Lorraine mentioned and Bob discussed the request for a street light to be added at the corner; but then to correct previous placements, the next two lights would be relocated at the next two intersections. The Council directed Bob to put up reflector poles, inform residents that it will become a one-way alleyway, and to talk to those residents on adding a street light at the corner.

Rex Harris, Community Development Director, discussed the DOT's 5th Street design and will be emailing the Council a copy for their review. Councilperson Culberson questioned why the parking is going away by the Middle School which Rex stated that DOT just wants it gone; a safety problem to them. However, DOT is not looking at the other safety issues brought up like having a turn lane. DOT will be pulling the curb out for 250 feet south so there won't be any area there. Councilperson Schleining mentioned that DOT had wanted to do that in the past but they were going to put additional parking above the school; now that's gone too.

Rex stated that RFP's for the Washington Street design were sent out; he has received one back and has a meeting set with another company tomorrow. There should be a recommendation for the January 22nd meeting. DOT will be doing concrete work prior to the Rally and then the mill and overlay will come after. We need to be ready to bid this project after DOT has let their bid; the same contractor should be interested in our project as well as the County needing some work done also.

Rex discussed the proposed fee schedule changes which should be ready in January. One example of a fee change is building permits; we collected \$35,600 this year and if the new fees were in, we would have collected \$78,000. This is more equitable for all citizens. Councilperson Boyer wondered how these compare to other cities like Hot Springs, which Rex stated we will be higher.

SANDER SANITATION – FEE INCREASE

Tim Sander, Sander Sanitation Service, discussed the fee increase at the Custer-Fall River Landfill which will be \$7 and Rapid City is going up \$3. Tim also requested verification of the number of accounts and would like to have an increase of \$1 per household. Councilperson Pischke wondered about diesel costs which Tim stated they are taking the monthly average but that the present contract has an increase built in to address a major fluctuation. Councilperson Starr wondered about commodity prices which Tim stated the only one close is metal and if the price stays up, his yard will get cleaned up this spring. Other items just aren't doing well or there are quite a few regulations in place. Tim discussed the need for the Landfill to be open more days and/or more hours

to accommodate the increase trash over holidays. Tim thanked the Council and would like to have an answer next month.

BROWN BAG LICENSE – CHAMBER OF COMMERCE

The Chamber of Commerce submitted a Brown Bag License request for a Mixer at Advanced Eye Care January 10th, 2008. Councilperson Culberson moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

FIRST READING ORDINANCE #646 – FIREARMS DISCHARGE

Rex presented for first reading two options for Ordinance #646 to allow firearms discharge within the City limits under certain circumstances. This Ordinance is specifically due to the deer management plan. The first option would also allow a trap or shooting range with a mile of town. The second option doesn't allow for that. Councilperson Boyer wondered about deer being shot close to town which everyone agreed was illegal. The Council agreed that the second option is better for the community. Councilperson Starr moved to approve the first reading of Ordinance #646. Seconded by Councilperson Murphey, the motion unanimously carried.

DISTRICT FOREST SERVICE BLDG. – SEWER CONNECTION

Bob discussed the problems with the sewer connections in the alleyway for the District Forest Service Building. There is neither rime nor reason for the way it appears the lines are running and the end hasn't been found on the supposed service line. The Forest Service has requested the cost to correct this problem of \$17,200 be split. They have already spent \$4,000 already and since both sides have been remiss in there duties, Bob recommends splitting the cost. Councilperson Murphey moved to approve half of the \$17,200 quote. Seconded by Councilperson Pischke, the motion unanimously carried.

MONTHLY REPORTS

The Sheriff submitted and the Council received, reviewed, and acknowledged the written report for November.

EMPLOYEE WAGE

Bob requested the annual merit increase for Tim Wollaston Step 1 \$10.50 effective 12-25-07, John Dumire Step 2 \$11.48, and Gaile Walker Step 2 \$11.82 both effective 12-19-07. Councilperson Boyer moved to approve the increases. Seconded by Councilperson Starr, the motion unanimously carried.

LIQUOR STORE EXPANSION

Rex along with the Mayor discussed the various layouts and having refined the size to 36 x 60 with the wine lounge to 12 x 36. This will be to the east of the present store along with the addition to the water treatment plant. There would be room to the west for additional retail space whether it would be leased or condo sites. The bulk water station would be moved to Wazie Lane. There is a concept of the exterior look which everyone liked and felt it would look very nice. Discussion was held on having green space with trees and shrubs next to the store. The thought was also entertained as to having the Chamber Office in the additional space. It was also mentioned to have the drive around area so that large RVs or buses could also stop. Councilperson Boyer moved to go forward with the Liquor Store expansion and the Treatment Plant add on as presented. Seconded by Councilperson Schleining, the motion unanimously carried.

CLAIMS

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

A&B Welding, Repair & Maintenance, \$31.33
American Business Forms, Supplies, \$53.53
BH Phones, Utilities, \$50
BH Power, Utilities, \$9340.99
BH Truck & Trailer, Equipment, \$11347.09
Border States Electric, Repair & Maintenance, \$201.92
Castle Cleaning, Repair & Maintenance, \$530
Chadron Wholesale, Supplies, \$309.03
Chris Supply, Supplies, \$257.60
Custer Chamber, Sales Tax Subsidy, \$9079.49
Custer Community Health, Sales Tax Subsidy, \$28621.79
Custer County Treasurer, Filing Fees, \$39
Custer Ministerial Alliance, 2007 Subsidy, \$300
Custer Regional Clinic, Safety, \$270
Eagle Sales, Supplies, \$4473.30
Energy Laboratories, Fees, \$25
Fisher Beverage, Supplies, \$3243.53
French Creek Supply, Supplies, \$222.08
Hagen Glass, Repair & Maintenance, \$368.70
HD Supply, Supplies, \$369.28
Jenner Equipment, Supplies, \$42.24

Jenny's Floral, Supplies, \$26.50
Kelly Inn, Travel & Conferences, \$55
L&A Welding, Supplies, \$50.62
Laboratory Corp, Safety Testing, \$110
Laser technology, Safety, \$61.04
M&B Enterprises, Supplies, \$10.50
Bill McClellan, Reimbursement, \$336
Okoboji Wines, Supplies, \$207.70
One Call Systems, Supplies, \$12
Quill Corp., Supplies, \$54.96
Republic National Distributing, Supplies, \$13879.65
S&B Motor Parts, Supplies, \$699.87
Sander Sanitation Service, Utilities, \$7789.69
SD State Executive Mgmt., Utilities, \$22.15
The Ice House, Supplies, \$30.66
Thomson West, Books, \$27.50
VFW, Christmas, \$537.50
Western Wholesale, Supplies, \$8245.29
Steve/Carla Simunek, Deposit Refund, \$44.32
Total Claims \$101,376.85

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:00 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden
Finance Officer

Harold D. Stickney
Mayor