

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
September 20<sup>th</sup>, 2010**

Mayor Harold Stickney called to order the second regular meeting of the Common Council for the month of September, 2010 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Starr, Lipp, Murphey, Herman and Schleining and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Starr moved, with a second by Councilperson Schleining, to approve the minutes from the September 7<sup>th</sup>, 2010 meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, gave the Council an update of where his projects stand as a lot of them are nearing completion. Bid opening for the Wastewater Treatment Plant Bridge should be October 18<sup>th</sup>. Bob is looking into some security options for the Public Restrooms. A million more gallons of water were sold this August than last August.

Rex Harris, Community Development Director, mentioned that the ruff grading on Gordon Street is 70-80% complete. After the grading is finished, the water lines will be put in place, followed by paving. The Downtown TIF lights could possibly be bid in November and installed in the spring, as the light poles can take as long as 6 months to receive. Big Rock Park trail is nearing completion.

**SECOND READING ORDINANCE #676 – 2011 APPROPRIATIONS**

Councilperson Starr stated that he would like to see more reserves used, and property tax request lowered. Councilperson Murphey moved to adopt Ordinance #676, 2011 Appropriations. Seconded by Councilperson Lipp, the motion unanimously carried with Councilperson Hattervig, Lipp, Murphey, Herman and Schleining voting yes and Councilperson Starr voting no.

**RESOLUTION 9-20-10A - CREDIT CARD USE POLICY**

Councilperson Herman moved to adopt Resolution 9-20-10A, Credit Card Use Policy. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION 9-20-10A  
CREDIT CARD USE POLICY

Whereas: The Common Council of the City of Custer City Council has determined that the City has a need for credit cards as authorized by SDCL 4-3-27,

Now Therefore, Be It Resolved: The City Employees and Mayor are hereby authorized to use a credit card account for the purchase of certain necessities on behalf of and for the benefit of the City of Custer, in accordance with the policies set out below.

The credit card account shall only be used for the purchase of meeting and travel expenses, supplies, utilities, or other authorized transactions for the City. Cards may also be used to pay for purchases through the Internet. All purchases in excess of \$1,000.00 must be pre-approved by the City Council. All purchases must be pre-approved by the Department Head.

The card may not be used to pay for meals that qualify for reimbursement through per diem or for any item which does not directly benefit the City of Custer.

The credit card account shall be administered by the Finance Officer at all times, and the Finance Officer may assign sub-administrators for certain departments to oversee the usage, limits, and processing for that department. In all cases where a credit card is used by any city employee, original receipts, invoices or other authentic documentation stating what the card was used for, shall be submitted to the Finance Office with appropriate account coding information. Charges submitted to the Finance Office for payment without the proper documentation will not be processed and may become the responsibility of the employee through garnishment. Personal use of the credit card is strictly prohibited. Misuse of credit card accounts or failure to provide proper documentation will be the responsibility of the employee and will be considered grounds for disciplinary action up to and including termination and any restitution.

Any perks, credits or items of value earned because of the use of said cards shall only be used for the benefit of the City and not for that of any employee.

Dated this 20<sup>th</sup> day of September 2010.

CITY OF CUSTER CITY

S/Harold D. Stickney, Mayor

**RESOLUTION 9-20-10B – EQUIPMENT & SERVICE RATES**

Councilperson Herman moved to adopt Resolution 9-20-10B, Equipment & Service Rates. Seconded by Councilperson Hattervig, the motion unanimously carried.

RESOLUTION NO. 09-20-10B

WHEREAS, the City of Custer City, Custer County, South Dakota, from time to time uses city equipment and provides other services at varying rates; and

WHEREAS, the City of Custer City, Custer County, South Dakota, deems it necessary to specify the rates for use of services and fees.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City amends Resolution No. 01-22-08A, and does hereby set the following rates for the use of services and fees:

**CITY EQUIPMENT RATES**

Per Hour When Available

Operator Included

Bobcat - Skid Steer	\$ 65.00
Large Patrol	\$125.00
Back Hoe	\$ 75.00
Loader	\$110.00
Dump Truck (Large)	\$ 75.00
Dump Truck (Small)	\$ 60.00
Plow Truck	\$ 75.00
Sander	\$ 75.00
Sweeper	\$100.00
Cherry Picker	\$ 75.00
Jet Machine	\$ 75.00
Pump - 6"	\$ 50.00
Saw	\$ 50.00
Water Truck (Plus Cost for Water)	\$ 75.00
Vacuum Trailer	\$ 75.00

Per Hour When Available

Operator Not Included

Compressor	\$ 25.00
Soil Tamper	\$ 50.00
Trash Pump	\$ 25.00

The Director of Public Works is to be contacted 24 hours prior to any projected use of equipment. The minimum rate charged will be at a one-hour rate fee and the Director will approve the area of use. Usage of any equipment other than between the hours of 7 am and 4 pm on Monday through Friday will be at the rate of time and a half (1.5). Equipment is available only upon the condition that no other rentals are available privately and that an emergency exists.

**WATER TAP FEE**

1 Inch	\$ 300.00
1 1/2 Inch	\$ 600.00
2 Inch	\$1200.00
Over 2 Inch	

Determined by Director of Public Works.  
Note: past action of the City Council is a tap over 2", the cost is equivalent to the sewer tap fee.

**SEWER TAP FEE**

Residential	\$300.00
Commercial	

Fee is based on an average consumption for type of business, per Custer Municipal Code 13.24.020.

**SPECIAL SEWER ASSESSMENT**

Residential	)	If connecting to an area where a new sewer main was installed in 1990, there is a special assessment fee, pursuant to Custer Municipal Code 13.12.040 (C).
Commercial	)	
Home Commercial	)	

**MISCELLANEOUS**

Water Meters & ERT Radio Module	
3/4 Inch	\$ 425.00
1 Inch	\$ 615.00
Over 1 Inch	To be determined.
Lawn Water Meters without ERT	
Rent (1 summer)	\$ 25.00
Purchase	\$ 100.00
ERT Radio Module	\$ 225.00
Meter Freeze Plates:	

3/4 Inch		\$ 15.00
1 Inch		\$ 20.00
Check Valve:		
3/4 Inch		\$ 40.00
1 Inch		\$ 40.00
City Map Copies:	Full Color	
42x60	\$15.00	\$ 7.00
24x36	\$10.00	\$ 5.00
11x 17	\$2.00	\$ 2.00
Copies - Black & White		\$ .15
- Color		\$ .25
Fax:		
Send and Receive (First Page)		\$ 1.00
(Over One Page)		\$ .15
Research (Per Hour)		
Time involved by City Employee to research information, time which exceeds 15 minutes		\$ 30.00
Labor (Per Hour)		\$ 30.00
Overtime Rate		\$ 45.00
Cemetery Grave Site		
Single		\$ 422.00
Double		\$ 572.00
Baby		\$ 272.00
Cremations		\$ 322.00
Perpetual Care per Site		\$ 212.00
Monument Permit		\$ 25.00

Dated this 20<sup>th</sup> day of September 2010.

CITY OF CUSTER CITY

S/Harold D. Stickney, Mayor

**RESOLUTION 9-20-10C – INTENT TO LEASE MUNICIPAL PROPERTY**

Councilperson Murphey moved to adopt Resolution 9-20-10C, Intent to Lease Municipal Property. Seconded by Councilperson Lipp, the motion unanimously carried.

RESOLUTION 9-20-10C

INTENT TO LEASE MUNICIPAL PROPERTY

WHEREAS the Common Council of the City of Custer City requested Bids on renting the premises located in Custer County, South Dakota, described as follows:

*West 120 feet of TR A OF TR WEST KIDWELL OF MS #548, CITY OF CUSTER (N. lot) AND TRACT WELL SEC 26 T-3 R-4 . 47 AC., CITY OF CUSTER (S. lot);*

for a period of 15 months, said property was the Municipal Liquor Store;

WHEREAS only one Bid was received by the City;

WHEREAS the bid of Bobbie and Mike Alexander was determined to be the awarding Bid for said period at a rate of \$500.00 per month;

NOW THEREFORE BE IT IS HEREBY RESOLVED that the City of Custer hereby intends to enter into the Lease Agreement with Bobbie and Mike Alexander for said premises commencing the 1st day of October, 2010, and shall continue thereafter through December 31<sup>st</sup>, 2011, for \$500.00 per month.

A copy of said Lease is available for the public's inspection at Custer City Hall Finance Office;

IT IS FURTHER RESOLVED that a Public Hearing on the adoption of this Resolution shall be held at 6:00 p.m. on September 20<sup>th</sup>, 2010, at Custer City Hall.

Dated this 20th day of September, 2010.

CITY OF CUSTER CITY

S/Harold D. Stickney, Mayor

**RESOLUTION 9-20-10D - ANNEXATION**

Councilperson Murphey moved to adopt Resolution 9-20-10D, Annexation. Seconded by Councilperson Herman, the motion unanimously carried.

RESOLUTION NO. 9-20-10D

RESOLUTION ANNEXING REAL PROPERTY

WHEREAS, Roger Johnson and Kitty Johnson have submitted a Petition for Annexation to the City Council pursuant to South Dakota Codified Law 9-4-1; and

WHEREAS, said petitioners constitute not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of such territory sought to be annexed to the City of Custer City; and

WHEREAS, said property is contiguous to the boundary of the City of Custer City; and  
WHEREAS, by virtue of said petition for annexation, said owners are agreeing to be subject to all  
of the rules, regulations, and ordinances of the City of Custer City; and

WHEREAS, annexation of the hereinafter described real property is in the best interest of the City  
of Custer, now therefore

BE IT HEREBY RESOLVED that the following described real property:

Tract 2 of Wood Subdivision, Plat of Tracts 1 and 2 of Portions of Smith Placer M.S. 507 and Denver Placer M.S.  
701 Located in Sections 24 and 25, T3S, R4E, and Sections 19 and 30, T3S, R5E, BHM, Custer County, South  
Dakota, is contiguous to the existent municipal boundaries and is hereby annexed to the City of Custer City and  
hereafter located within the corporate limits of the City of Custer City

Dated at Custer City, Custer County, South Dakota, this 20<sup>th</sup> day of September 2010.

CITY OF CUSTER CITY

S/Harold D. Stickney, Mayor

**FINAL PLAT – BOOT HILL RANCH SUBDIVISION PHASE II**

Councilperson Starr moved to approve the final plat of Lot C containing all of Lots 3 and 4 of Block 9 of  
Boot Hill Ranch Subdivision of Block 4 of Boot Hill Ranch Subdivision Phase II. Seconded by Councilperson Lipp,  
the motion unanimously carried.

**2011 BROWN BAG REQUEST – CHAMBER OF COMMERCE**

Councilperson Schleining moved to approve the 2011 brown bag requests for the Chamber of Commerce to be  
held January at The Real Estate Center, February at Ketel Thorstenson, May at Black Hills Federal Credit Union,  
September at Century 21, October at Premier Family Eyecare / Southern Hills Title Co / DeSmet & Biggs, November at  
Express Wireless, and December at Azukibean. Seconded by Councilperson Herman, the motion unanimously carried.  
The Chamber will bring forward any changes that are made.

**BROWN BAG REQUEST – CUSTER STAMPEDE**

Councilperson Herman moved to approve the brown bag request for the Custer Stampede Buffalo Art Auction's  
Meet the Artist Reception to be held September 24<sup>th</sup>, 2010 from 5:30 pm – 7 pm at the 1881 Courthouse Museum.  
Second by Councilperson Hattervig, the motion unanimously carried.

**PREMISES LEASE AGREEMENT ADDENDUM**

Councilperson Schleining moved to approve the addendum to the Liquor Store premises lease agreement, which  
includes the portable marketing sign in section 12 of lease. Seconded by Councilperson Herman, the motion unanimously  
carried.

**CLAIMS**

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

AFLAC, Insurance, \$426.28  
Bituminous Paving, Capital Improvements, \$55,460.00  
Black Hills Power & Light, Utilities, \$7340.72  
Border States Electric, Supplies, \$1104.29  
Custer Car Wash, Supplies, \$11.00  
Custer Do It Best, Supplies, \$544.56  
Chronicle, Publishing, \$1395.00  
Custer County Market, Supplies, \$109.41  
Custer True Value, Supplies, \$1281.46  
Couch's Waterproofing, Repairs & Maintenance, \$494.19  
Dakotacare, Insurance, \$7702.94  
Energy Lab, Water Testing, \$358.50  
Element, Supplies, \$339.01  
First Interstate Bank, Supplies, \$78.42  
Fourfront Design, Professional Fees, \$1922.29  
French Creek Supply, Supplies, \$29.00  
Golden West Technologies, Professional Fees, \$160.00  
HD Supply, Computer Upgrade – New Meters, \$8053.15  
Hadlock, Cheryl, Professional Fees, \$3801.56  
Harvey's Lock Shop, Supplies, \$178.98  
Hawkins, Supplies, \$6561.00  
Jenner Equipment, Equipment, \$4975.00  
Kellogg, Scott, Reimbursement, \$32.00  
Kimball Midwest, Supplies, \$726.04  
Lawson Products, Supplies, \$116.94  
Nelson's Oil & Gas, Supplies, \$510.45  
Northern Safety Technology, Safety Equipment, \$458.40  
News Letter Journal, Publishing, \$194.40

One Call, Supplies, \$25.20  
Quill, Supplies, \$149.44  
Pamida, Supplies, \$62.48  
Rapid City Journal, Publishing, \$76.62  
Rapid City Telco Federal Credit Union, Utilities, Supplies, \$1388.82  
SRF Loan Payment, \$4639.68  
S&B Motors, Supplies, \$62.09  
Sanders Sanitation, Garbage Collection Contract, \$11252.61  
SD Department of Revenue, Sales Tax, \$2287.09  
SDML, Conference, \$465.00  
SD State Executive Management Finance, Utilities, \$22.52  
USDA, Loan Payment, \$8910.00  
Wildcat Computers, Supplies, \$10.00  
Coppess, Kay, Utility Refund, \$50.16  
Total Claims \$133,766.70

**EXECUTIVE SESSION**

Councilperson Murphey moved to go into and out of executive session at 6:25 due to contract negotiations with the Finance Officer, Rex Harris and Bob Morrison present. Seconded by Councilperson Lipp, the motion unanimously carried. The Council came out of executive session at 7:17 p.m. with no action taken

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:18 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Harold D. Stickney  
Mayor