

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
JUNE 16, 2008**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of June, 2008 at 5:30 p.m. Present at roll call were Councilpersons Schleining, Murphey, Pischke, Starr, 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 Schleining moved, with a second by Councilperson Murphey, to approve the minutes from the June 2nd, 2008 regular meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, discussed the following items; the pool opened Saturday with reasonable water loss and the pool usage was very good; the discussions with the Forest Service on 3rd Street have begun regarding the maintenance, future solutions, discourage usage, and changes in access by the Forest Service; Councilperson Murphey discussed the advantage of an alternate route but wanting to keep the speed down with Councilperson Starr mentioning the school and pool along that route also; the estimates on the loader and jetter costs are coming together with a used machine in North Dakota; the water capacity rough draft came in and minor adjustments were made so the final will be in for the Public Works Committee; the pump rates are good and with different changes they could be better; however the more pumped, the less water quality; the asphalt grinder has been trying to get back but the rain has hampered the operation; Councilperson Pischke wondered if there would be any left over for the Golf Course which Bob stated maybe but we have a lot of needs; and the water line for the Fire/City Hall building sprinkler system was installed.

Rex Harris, Community Development Director, discussed the following items; the Washington Street design is completed so we are ready to go to bid and SDGF&P will be contacted for the movement of the trail; the Liquor Store sign discussion is coming along; the ordinance maybe changed to allow the reader boards; the traffic and dust should be improving since the paving plant has been shut down and the equipment has been moved out; Councilperson Starr wondered about the survey of the Golf Course property which Rex stated the line is the stakes so there isn't a problem; plus the property will be annexed according to description.

CONCERNED CITIZEN COMPLAINT

Mary Ann Schmitz stated she had contacted several Councilpersons and Rex to let them know the problems with the construction at the Pamida property. Mary Ann handed out pictures showing the debris floating around and discussed the dust clouds; even inside of her house there are piles of dirt. Rex stated that he has been in contact with the contractor and they have attempted to work on these problems by weighting the trash down and using water on the dirt. The timeline for the construction was discussed as well as not having easy solutions to all problems. Councilperson Starr wondered about a cyclone fence being temporarily placed and having the contractor pick up trash at the end of the day. Attorney Beesley suggested that the Council send ideas to either Rex or Christine and then he and Rex will visit the site and discuss solutions with the contractor. Councilperson Starr also stated that any contractor needs to be aware of their obligations in keeping the area free of debris. The Mayor thanked Mary Ann for coming.

FIRST READING ORDINANCE #654 – BID DISTRICT AMENDMENT

The Mayor stated that the collection method was not included in the first ordinance so this one will state that the collection is in the same manner as utilities. Councilperson Schleining moved to approve Ordinance #654. Seconded by Councilperson Starr, the motion unanimously carried.

ORGANIZATIONS PRESENTATIONS FOR 2009 BUDGET

Corbin Herman, YMCA Executive Director, submitted the annual report for 2007 for the YMCA and Children's Center and thanked the Council for the new windows; it's now a lot cleaner inside and less wind going through. They would like to request \$21,500 for next year which is a 5% increase. They have been improving every year and now employ 20 full-time people and several part-time positions; the Children's Center is nationally accredited and even though the price seems high, it takes quite a bit to run the facility.

CHAMBER STREET CLOSURE REQUEST

The Chamber submitted a request for a Crazy Daysparade permit for August 22nd, 2008 from 10 am to 10:15 am with the route from the Chamber to Way Park. Bob stated they have done a real good job with safety. Councilperson Starr moved to approve this event. Seconded by Councilperson Murphey, the motion unanimously carried.

MALT BEVERAGE LICENSE HEARING

The Council received the Malt Beverage License Application from Pizza Works with all stipulations met. Councilperson Schleining moved to approve the license for Pizza Works. Seconded by Councilperson Pischke, the motion unanimously carried.

CASINO REQUEST

Fresh Start Convenience Store submitted a requested to have a Casino at the old Ranch Mart Property. Councilperson Murphey moved to approve this request with the stipulations that they meet all State Requirements when it comes to the fuel tanks. The motion died for lack of a second. Discussion was held on the proximity to the School. This item will go back to the General Government Committee.

LIABILITY INSURANCE QUOTES

Paul DeHaan, First Western Insurance, submitted a proposal for the Liability Insurance and gave a summation of the coverage provided. This would also include "tail coverage" which means any claims filed for the time period before they started coverage, the claims would be covered. The amount is \$19,921 which includes the onetime cost of \$1,418 for the tail coverage but does not include terrorism coverage in the amount of \$184.

Gary Drewes, Hagan Benefits, submitted a proposal for the Liability Insurance and gave a summation of the coverage provided with no aggregate amounts. Custer has been a member of the Pool for 21 years, the Pool is SD based so they money stays in SD, and they do have re-insurance with Selective Company. Estimations of potential claims to be paid are \$80,000 and those would go with the City if the City changes Companies.

Councilperson Starr wondered if First Western would cover open claims and Paul stated he would check on that as well as the environmental pollution coverage.

The Council decided to send this to the General Government Committee who will meet on Monday night at 5:30 pm.

FINAL PLAT

Rex submitted the final plat for Pro Health, Rob and Rhonda Nitschelm for the property described as Plat of Lots 1 thru 6 of Pro Health Subdivision (Lots 1 thru 3 formerly Lot 3 of Tract Nursing Home 2 of Homestead Subdivision: Lots 4 and 6 formerly a portion of Tract Flores of Homestead Subdivision: and Lot 5 formerly a portion of Lot 29 of Homestead Subdivision and the remaining portion of Tract Flores of Homestead Subdivision) Located in the SW1/4 and the NW1/4 of Section 24, T3S, R4E, BHM, City of Custer, Custer County, South Dakota. Rex stated that all stipulations have been met and the Planning Commission recommends approval. Councilperson Murphey moved to approve this plat. Seconded by Councilperson Starr, the motion unanimously carried.

GO TO BID APPROVAL – WASHINGTON STREET PAVEMENT PROJECT

Bob and Rex requested approval to go to bid for the Washington Street Pavement Project. Preliminary estimates are \$450,000 so we just need to see what the bids will be. Councilperson Murphey moved to approved going to bid. Seconded by Councilperson Pischke, the motion unanimously carried.

SHERIFF'S REPORT

The Council received, reviewed, and acknowledged the Sheriff's Monthly report for May 2008.

2009 BUDGET PROCESS

The Council received, reviewed, and acknowledged the preliminary revenue estimates with year-to-date being through May. Discussion was held on having portions of the budget at each meeting and one public hearing prior to the adoption of the budget in September.

DISCUSSION ITEMS

Councilperson Pischke wondered about surplus property and the need to get that going soon and also wondered about getting estimates for a pool cover which he will volunteer to do. Bob discussed waiting on information for the Shop bid and various options for heating.

Councilperson Schleining wondered about the seeding project which Bob and Rex stated it is completed with help from Joe Uhrich and the National Guard Unit assisted with picking rocks for us.

CLAIMS

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

Alexander Excavating, Cemetery Maint., \$318

American Linen, Repair & Maint., \$255.38

BH Phones, Utilities, \$50

BH Power, Utilities, \$10544.76

Century Business Products, Supplies, \$118.90

Chadron Wholesale, Supplies, \$842.93

Coca-cola, Supplies, \$339.40

Culligan Water, Repair & Maint., \$17.50

Chamber of Commerce, Sales Tax Subsidy, \$4938.71

Custer Community Health Systems, Sales tax Subsidy, \$29680.18

Custer True Value, Supplies, \$404.71

Dakota Backup, Professional Services, \$105.04

Days Inn, Travel, \$46.50
Eagle Sales of the BH, Supplies, \$7592.04
Enviromaster, Supplies, \$22
Fastenal, Supplies, \$34.99
Fisher Beverage, Supplies, \$6067.18
French Creek Supply, Supplies, \$52.98
Golden West Technologies, Professional Fees, \$90
HS Supply, Supplies, \$5960.66
Itron, Repair & Maint., \$462.32
Jenny's Floral, Other, \$34
Jim Dandy Snack Food, Supplies, \$57
Lawson Products, Supplies, \$50.63
M&B Enterprises, Supplies, \$32.50
Okoboji Wines, Supplies, \$368
One Call Systems, Supplies, \$44
Petty Cash, Travel, Permits, Other, \$228.41
Prairie Berry, Supplies, \$504
Quill Corporation, Supplies, \$279.26
Republic National, Supplies, 9611.16
Sander Sanitation Service, Repair & Maint., \$8867.91
SD Dept. of Revenue, Malt Beverage License, \$125
SD State Executive Mgmt Finance, Utilities, \$29.88
Ice House, Supplies, \$137.35
Tyler Technologies, Supplies, \$1650
Universal Publications, Supplies, \$87.50
Western Wholesale, Supplies, \$8712.90
Total Claims \$98,763.68

EXECUTIVE SESSION

Councilperson Schleining moved to into and out of an executive session due to potential litigation at 7:07 pm with Gary Drewes, Councilperson-elect Lee Sutton, and Councilperson-elect Terry Reetz in attendance. Seconded by Councilperson Starr, the motion unanimously carried. The session adjourned at 7:26 pm with no action taken.

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:27 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden
Finance Officer

Harold D. Stickney
Mayor