

**CITY OF CUSTER CITY**  
**COUNCIL PROCEEDINGS- REGULAR SESSION**  
**JUNE 20<sup>th</sup>, 2011**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of June, 2011 at 5:30 p.m. Present at roll call were Councilpersons Hattervig, Lipp, Murphey, Schleining, and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Hattervig moved, with a second by Councilperson Schleining, to approve the minutes from the June 6<sup>th</sup>, 2011 regular meeting and the June 13<sup>th</sup>, 2011 special meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No Conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, updated the Council on the status of various projects the City has going.

Rex Harris, Community Development Director, gave Council an update on the Downtown TIF Project and status of the Elementary School Building.

**ROBERT JOHNSON – 950 HARNEY STREET UPDATE**

Robert Johnson addressed the Council regarding the issues taking place on his property at 950 Harney Street and stated he would like to vacate the right of way on two sides of his property. Rex will be sending Mr. Johnson a letter regarding the property.

**ELLEN CONROY – CITY ORDINANCES**

Ellen Conroy cited to the Council the City ordinances that she believes the property at 950 Harney Street is in violation of. Another concern citizen stated she didn't feel they should be allowed to stay in their RV as she wasn't allowed to while she was have a new home placed on her lot. Rex will be sending Ellen a letter regarding the property.

**RATIFICATION OF OPINION – LYNDOE/REINDL VARIANCE REQUEST**

Mayor Stickney read the letter that was sent to Mrs. Lyndoe and Mrs. Reindl denying the variance request. Various people stated their concerns with other vending in town and how they are similar to the Lyndoe/Reindl request. Councilperson Murphey moved to ratify the letter of opinion that was sent to Mrs. Lyndoe and Mrs. Reindl. Seconded by Councilperson Lipp, the motion unanimously carried.

**RICHAD STUMPF – CONDITIONAL USE PERMIT**

Councilperson Hattervig moved to approve the conditional use permit for Richard Stumpf, Lots 7, 8 and 9 of Block 117, which would allow Mr. Stumpf to use the portion of his property that is in the floodplain for RV parking. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Murphey and Schleining voting yes while Councilperson Lipp voted no.

**R. ROECK - QUESTIONS**

R. Roeck asked for an explanation of the difference between the floodway and floodplain.

**SECOND READING – ORDINANCE #690 – CITY TREES AND FOREST**

Councilperson Murphey moved to adopt ordinance #690, City Trees and Forest. Seconded by Councilperson Schleining, the motion carried with Councilperson Hattervig, Lipp, Murphey and Schleining voting yes.

**SECOND READING – ORDINANCE #691 – BOND SCHEDULE**

Councilperson Schleining moved to adopt ordinance #691, Bond Schedule. Seconded by Councilperson Hattervig, the motion carried with Councilperson Lipp, Murphey, Schleining and Hattervig voting yes.

**FIRST READING – ORDINANCE #692 – REMOVAL OF IMPERSONATING LAW ENFORCEMENT & FALSE FIRE ALRM**

Councilperson Murphey moved to approve the first reading of ordinance #692, removing sections 9.12.020 impersonating law enforcement officer and 9.12.030 false fire alarm from the municipal code book. Seconded by Councilperson Lipp, the motion unanimously carried.

**RESOLUTION #6-20-11A – INVESTMENT POLICY**

Councilperson Lipp moved to adopt resolution #6-20-11A, Investment Policy. Seconded by Councilperson Hattervig, the motion unanimously carried.

**RESOLUTION NO. 06-20-11A**

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Investment Policy be established to set forth guidelines for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established guidelines for said Plan.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Investment Policy consisting of 4 pages, (attached hereto and incorporated herein) is hereby adopted;

Dated this 20<sup>th</sup> day of June 2011.

CITY OF CUSTER CITY

S/Harold D. Stickney, Mayor

**RESOLUTION #6-20-11B – DRUG/ALCOHOL POLICY**

Council discussed what a detectable level is or should be. Council decided to hold of on any action on this resolution until research is done in the detectable level.

**BIG ROCK PARK ENGINEERING AGREEMENT**

Eirik Heikes with FourFront Design, presented the Big Rock Park Lookout Mater Plan Report to Council. Councilperson Murphey moved to approve the amendment to the Big Rock Park Engineering agreement for \$19,000. Seconded by Councilperson Schleining, the motion unanimously carried.

**WAZI LANE CHANGE ORDER**

Councilperson Murphey moved to approve the change order for the Wazi Lane sewer improvement project totaling \$12,107.59. Seconded by Councilperson Lipp, the motion unanimously carried.

**ENGINEERING FOR 9<sup>TH</sup> STREET AND BLUEBELL & CANAL STREET**

Councilperson Schleining moved to accept the lowest engineering proposal from FourFront Design for \$14,970.75 which is to include North 9<sup>th</sup> Street from Crook Street to Highway 16A, South 9<sup>th</sup> Street from Highway 16A to the south alley, intersection of Canal Street and Bluebell Lane and conceptual sidewalk plan for Canal Street and 8<sup>th</sup> Street. Seconded by Councilperson Murphey, the motion unanimously carried.

**RAFFLE REQUEST – CUSTER SENIOR CENTER**

Councilperson Hattervig moved to approve the raffle request for the Custer Senior Center raffle to run June 22 through July 23, 2011. Seconded by Councilperson Murphey, the motion unanimously carried.

**SHERMAN & PARK INTERSECTION RECONSTRUCTION BIDS**

Councilperson Murphey moved to accept the low bid from Hills Materials for the asphalt option at \$178,330.00 for the Sherman & Park intersection reconstruction project. Seconded by Councilperson Lipp, the motion unanimously carried.

**EMPLOYEE STEP INCREASE**

Councilperson Lipp moved to approve the step increase for Lisa Trana to step 2 at \$14.77 effective June 14, 2011. Seconded by Councilperson Schleining, the motion unanimously carried.

**CLAIMS**

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

Advanced Electrical, Repairs & Maintenance, \$7850.00

AFLAC, Insurance, \$380.48

The Artcrafters, Other, \$3634.00

A&B Electric, Repairs & Maintenance, \$204.00

Alice Hagenlock, Professional Fees, \$170.00

Black Hills Pioneer, Advertising, \$225.00

Black Hills Power & Light, Utilities, \$6555.95

Black Hills Power Equipment, Repairs & Maintenance, \$240.92

Custer Community Health Services, Sales Tax Subsidy, \$27647.23

Chamber of Commerce, Sales Tax Subsidy, \$4804.15

Custer County Market, Supplies, \$41.84

Dakotacare, Insurance, \$7417.37

Dakota Pump & Control, Capital Improvement, \$47141.59

Element, Supplies, \$59.78

FourFront Design, Capital Improvements, \$13094.09

Fastenal, Supplies, \$42.60

First Interstate Bank, Supplies, \$47.80

French Creek Supply, Repairs & Maintenance, Supplies, \$211.97

Frontier Photo, Supplies, \$1505.44

HD Supply, Supplies, \$131.63

Hadlock, Cheryl, Professional Fees, \$3915.60

Harris, Rex, Travel & Conference, \$42.30

Hawkins, Supplies, \$711.20

Hespen Excavating, Repairs & Maintenance, \$2952.08

Hills Material, Supplies, \$2176.27

Howe Excavating, Capital Improvements, \$39407.51

Jenner Equipment, Repairs & Maintenance, \$417.89

Jacki French, Professional Fees, \$170.00

Joyce Hand, Professional Fees, \$170.00

Itron, Repair & Maintenance, \$645.42  
Kellogg, Scott, Reimbursement, \$25.00  
Ketel Thorstenson, Audit, \$1500.00  
LAW Publications, Other, \$489.00  
Nelson's Oil & Gas, Supplies, \$1438.87  
Paypal, Supplies, \$17.84  
Pool & Spa Center, Supplies, \$74.31  
Quill, Supplies, \$89.50  
Rapid City Telco Federal Credit Union, Utilities, Supplies, \$1084.84  
SRF Loan Payment, \$4639.68  
South Dakota One Call, Supplies, \$52.50  
Sander Sanitation, Garbage Collection Contract, \$12032.72  
SD Dept of Revenue, Taxes, \$778.24  
SD State Executive Management, Utilities, \$28.39  
Sign & Trophy, Supplies, \$83.25  
Stickney, Harold, Travel, \$54.39  
Taylor Drilling, Repairs & Maintenance, \$9250.00  
Thompson Publishing, Supplies, \$159.00  
USDA Loan Payment, \$8910.00  
Wyss Associates, Capital Improvements, \$2013.96  
Xcel Demo, Capital Improvements, \$15347.80  
Fenske, Todd, Utility Deposit Refund, \$48.87  
Weidenbach, Mary & Johnson, Utility Deposit Refund, \$45.46  
Mayor & Council, \$4250.00  
Planner, \$4361.92  
Finance Department, \$8854.00  
Public Buildings, \$1936.00  
Public Works Department, \$4880.56  
Street Department, \$5638.03  
Parks Department, \$9042.54  
Water Department, \$6144.30  
Wastewater Department, \$6518.69  
Total Claims \$281,803.77

**DISCUSSION**

Councilperson Lipp gave the Council a Hospital Board update. Councilperson Murphey mentioned that he will be doing a walkthrough of the Youth House and has invited Mark Hartman to join him. Mayor Stickney mentioned that he would like to see the City look at a few refunds at the community Garden due to some plots being to wet. Rex explained the FEMA mapping.

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:55 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Harold D. Stickney  
Mayor