

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
May 17th, 2010**

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

AGENDA

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

MINUTES

Councilperson Schleining moved, with a second by Councilperson Pischke, to approve the minutes from the May 3rd, 2010 meeting, with the correction of the minutes to stated that the 8th & Crook Street Intersection concrete option was \$10,000 more not less. The motion unanimously carried.

CONFLICTS OF INTEREST

Councilperson Ressler stated that she would abstaining from voting on the Custer Area Arts Council Brown Bag request. No other conflicts of interest were stated.

DEPARTMENT HEAD MEETING

Bob Morrison, Public Works Director, stated that he is looking into options and cost for fixing the pool as fiberglass has separated from the concrete and broke off. The 8th and Crook Street Intersection rebuild bid request will be advertised next week with bid opening on June 7th. Councilperson Schleining asked Bob if the City is going to spray weeds at Way Park, to which Bob stated he has been talking with Jerry from Quality Weed about spraying. Terry questioned when Bob was given council approval to contract with Quality Weed.

Rex Harris, Community Development Director, stated that the bid opening for the Skywalk Trail Phase 2 will be on May 26th

EXECUTIVE SESSION

Councilperson Ressler moved to go into and out of executive session at 5:48 due to contract negotiations and potential litigation with the Finance Officer and Bob Morrison present. Seconded by Councilperson Schleining, the motion unanimously carried. Tracey Kelley and Allen Trask joined the executive session at 6:02. Bob Morrison and Allen Trask left the executive session at 6:30. Tracey Kelley left the executive session at 6:42. The session adjourned at 6:42 with no action taken.

MALT BEVERAGE LICENSE HEARING

The Council was presented with the renewal list of malt beverage license applications for this year. At this time there were 20 malt beverage licenses for renewal. Councilperson Murphey moved to approve the applications as listed contingent upon taxes being paid and proof of insurance being provided for each licensee. Seconded by Councilperson Starr, the motion unanimously carried with Councilperson Starr, Ressler, Murphey, Reetz, Schleining, and Pischke voting yes.

FIRST READING ORDINANCE #673 – STORAGE & PARKING OF COMMERCIAL VEHICLES

Councilperson Starr moved to approve the first reading of ordinance #673 Storage & Parking of Commercial Vehicles. Seconded by Councilperson Ressler, the motion unanimously carried.

FIRST READING ORDINANCE #674 – HOURS OF SALE OF ALCOHOLIC BEVERAGES

Councilperson Murphey moved to approve the first reading of ordinance #674 Hours of Sale of Alcoholic Beverages. Seconded by Councilperson Schleining, the motion unanimously carried.

BROWN BAG LICENSE – CUSTER AREA ARTS COUNCIL

Councilperson Murphey moved to approve the brown bag request for May 21, 2010 from the Custer Area Arts Council for the Unveiling Weekend of the Custer Stampede Buffalo Art to be held May 21-22,2010 at the 1881 Courthouse Museum. Seconded by Councilperson Pischke, the motion unanimously carried. Councilperson Ressler abstained from voting.

VARIANCE REQUEST – SEVENTH CALVARY MOBILE HOME PARK

This is a request to bring a mobile home that is 13 years old into the Seventh Calvary Mobile Home Park, which has a regulation that mobile homes over 7 years old would not be allowed. Planning Commission has denied this request. Steve Kissner addressed the Council about the condition of the home and that he thought at the time the regulations were set, that there was possible variances that could be brought to the Council. The mobile home meets all other requirements. The owner of the home, Cassie Alexander stated that the home is in good condition and that being just out of college this is housing her can afford. Discussion was held on the possibility of requiring a home inspection verses the age requirement. Councilperson Ressler moved to refer this to Public Works Committee at its next meeting. Seconded by Councilperson Reetz, the motion unanimously carried.

BREAK 7:05-7:13

EXECUTIVE SESSION

Councilperson Murphey moved to go into and out of executive session at 7:13 due to contract negotiations with the Finance Officer, Bob Morrison, Rex Harris, Pat Walker, Dave Thom, Jason Petik, Tim Sughrue, and Glen Bryant present. Seconded by Councilperson Ressler, the motion unanimously carried. Pat Walker, Dave Thom,

Jason Petik, Tim Sughrue and Glen Bryant left the executive session at 8:01. The session adjourned at 8:01 with no action taken.

ETHIC COMMITTEE GUIDELINES

Mayor Stickney stated that Council could review the Ethic Committee Guidelines and address them at the next meeting.

SWIMMING POOL RESEARCH COMMITTEE

Mayor Stickney stated that he is appointing Bob Morrison from the City, Rex Jorgenson from the YMCA, Paul Anderson from the School, Rick Wheeler from the County, and Jason Petik from the Hospital to the Swimming Pool Research Committee.

ASCAP

Laurie has been in contact with ASCAP and Sirius Radio and both have stated that the City will need to pay licensing fees to ASCAP, BMI and SESAC for playing the music downtown. The cost for these licenses would be about \$900 a year. Councilperson Starr moved to approve up to \$1,000 a year for paying the licensing fees to play music downtown. Seconded by Councilperson Ressler. Councilperson Murphey, Schleining and Pischke voted no while Councilperson Reetz, Starr and Ressler voted yes, however the motion failed due to a lack of a two thirds vote need to expense money.

CONCESSION/STORAGE BUILDING BID

Rex stated that the original bid that was excepted wasn't a complete bid, so he is recommending Jenniges Masonry & Concrete Construction bid for \$7,850. Councilperson Murphey moved to accept the bid from Jenniges Masonry for \$7,850 for the concession / storage building at Gates Park. Seconded by Councilperson Ressler, the motion unanimously carried.

VEHICLE STORAGE BUILDING BID

Bob recommended approval of the low bidder, which was High Country Erectors. Councilperson Ressler moved to accept the bid from High Country Erectors for \$96,000.00 for the Vehicle Storage Metal Building. Seconded by Councilperson Pischke, the motion unanimously carried.

PAGEANT HILL CLEANUP

Steve Pischke presented the Council with Pictures from Pageant Hill and discussed cleaning up the area by removing the fence and structures. Councilperson Reetz move to clean up Pageant Hill by removing the buildings and fence but leaving the concrete pad in place. Seconded by Councilperson Pischke, the motion unanimously carried.

EMPLOYEE STEP INCREASES

Councilperson Murphey moved to approve the step increases for the following employees; Bill McClellan to step 7 at \$19.07 an hour effective 5-19-10, Ron Lancaster to Step 2 at \$14.08 an hour effective 5-5-10, and Laurie Woodward to step 1 at \$49,350 effective 5-1-10. Seconded by Councilperson Ressler, the motion unanimously carried.

CLAIMS

Councilperson Murphey moved, with a second by Councilperson Schleining, to approve the claims except the one from Ketel Thorstenson. After some discussion Councilperson Murphey moved to amend his motion to included approving the claim from Ketel Thorstenson. The motion carried with Councilperson Pischke, Starr, Ressler, Murphey, Reetz and Schleining voting yes.

Advanced Drug Testing, Safety Equipment, \$72.00
ALSCO, Repairs & Maintenance, \$299.42
Black Hills Power & Light, Utilities, \$13127.07
Border States Electric, Repairs & Maintenance, \$589.37
Cable Communication Services, Customer Deposits, \$500.00
Chadron Wholesale, Supplies, \$808.17
Cheryl Hadlock, Professional Fees, \$3801.56
Coca-Cola, Supplies, \$256.50
Culligan Water, Repairs & Maintenance, \$17.50
Chamber of Commerce, Sales Tax Subsidy, \$3137.08
Custer Community Health, Sales Tax Subsidy, \$20361.57
Custer County Treasurer, In Lieu Taxes, \$4906.14
Custer School District, In Lieu Taxes, \$14838.10
Custer True Value, Supplies, \$596.08
Dakota Supply, Supplies, \$1063.84
Eagle Sales of Black Hills, Supplies, \$4570.32
Energy Laboratories, Water Testing, \$400.00
Express Wireless, Supplies, \$21.20
Fastenal, Supplies, \$103.87
First National Bank, SRF Loan Payment, \$4639.68
Fischer Beverage, Supplies, \$4408.32
Flexible Pipe Tool Company, Repair & Maintenance, \$387.05
Fourfront Design, Professional Fees, \$5308.00

Golden West Companies, Utilities, \$890.94
Golden West Technologies, Professional Fees, Repair & Maintenance, \$2290.00
Hach Company, Supplies, \$606.87
Hawkins Chemical, Supplies, \$2405.40
Honeywell, Repair & Maintenance, \$5693.50
Jim Dandy, Supplies, \$78.60
Ketel Thorstenson, Audit, \$3350.00
Lynn's Dakotamart, Supplies, \$149.76
Midco Diving & Marine Services, Repairs & Maintenance, \$1400.00
North American Directory Services, Advertising, \$295.00
Quill Corporation, Supplies, \$174.52
Rapid Delivery, Water Testing, \$8.80
S&B Motor, Supplies, \$344.87
Sanders Sanitation, Garbage Contract, \$11292.61
SD State Executive Management, Utilities, \$39.87
SEMS Technologies, Computer Upgrade, \$600.00
Summit Signs & Supply, Supplies, \$113.10
Team Laboratory, Supplies, \$8660.36
The Ice House, Supplies, \$24.00
USDA Rural Development, USDA Loan Payment, \$8910.00
WEAVE, Subsidy, \$5000.00
Western Wholesale, Supplies, \$12001.04
Wyss Associates, TIF Improvements, \$5585.00
YMCA of Rapid City, Subsidy, \$22500.00
Element, Supplies, \$357.06
First Interstate Bank, Supplies, \$23.70
Wiederholt, Nathan, Utility Refund, \$100.00
Halbert, Darren, Utility Refund, \$50.00
Webster, Jared, Utility Refund, \$50.00
Greenacre, Ron, Utility Refund, \$50.00
Schull, John, Utility Refund, \$50.00
Zobel, Elaine, Utility Refund, \$52.01
Sonnenschein, Tarrah, Utility Refund, \$72.13
Total Claims \$177431.98

DISCUSSION

Mayor Stickney read a letter he received from Marcia Murphey regarding how the Council handled the Liquor Store issue and speculation regarding Chris Redden.

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 8:52 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Harold D. Stickney
Mayor