

**CITY OF CUSTER CITY**  
**COUNCIL PROCEEDINGS- REGULAR SESSION**  
**June 7<sup>th</sup>, 2010**

Mayor Harold Stickney called to order the first regular meeting of the Common Council for the month of June, 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 Pischke, to approve the agenda. The motion unanimously carried.

**MINUTES**

Councilperson Schleining moved, with a second by Councilperson Ressler, to approve the minutes from the May 17<sup>th</sup>, 2010 meeting and May 24<sup>th</sup> executive session meeting. The motion carried with Councilperson Murphey abstaining from the May 24<sup>th</sup> minutes as he wasn't in attendance.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD MEETING**

Bob Morrison, Public Works Director, mentioned that they are working to get the pool open and that the pool committee has had its first meeting. The crew has been working to prepare pageant hill for the disc golf tournament this weekend. The Wastewater Treatment Plant lost power this last weekend so Bob has an electrician working to fix the problem. The engineers have plans for the Wastewater Treatment Plant bridge with the bridge being widened out to 24 feet, so Bob is hoping to go out to bids soon.

Councilperson Reetz apologized to Bob for his under the table comment that was made at the May 17<sup>th</sup> meeting.

Rex Harris, Community Development Director, stated that the concrete has been poured for the Concession Storage Building at Gates Park and construction has started.

**MALT BEVERAGE LICENSE HEARING**

The Council was presented with the malt beverage license renewals for the Gold Pan Salon and Frontier Bar for this year. Councilperson Ressler moved to approve the applications as taxes have been paid, proof of insurance provided, and operating agreement signed. Seconded by Councilperson Reetz, the motion unanimously carried.

**ASCAP**

Dave Ressler, Chamber Director, stated that the Chamber is willing to pay for ½ of the \$1,251.88 for licensing fees and Sirius radio. Business owner Bob Plaisley urged to Council to support the music downtown. Councilperson Starr moved to approve the City to pay for ½ of the cost for the downtown music licensing and Sirius radio for 2010, while the Chamber pays for the other half. The Chamber will be responsible for paying for the cost associated with the downtown music in the future. Seconded by Councilperson Ressler, the motion carried with Councilperson Starr, Ressler, Murphey, Reetz, Schleining and Pischke voting yes.

**SECOND READING ORDINANCE #673 – STORAGE & PARKING OF COMMERCIAL VEHICLES**

Councilperson Murphey moved to approve the second reading of ordinance #673 Storage & Parking of Commercial Vehicles. Seconded by Councilperson Ressler, the motion carried with Councilperson Ressler, Murphey, Reetz, Schleining, Pischke and Starr voting yes.

**SECOND READING ORDINANCE #674 – HOURS OF SALE OF ALCOHOLIC BEVERAGES**

Councilperson Schleining moved to approve the second reading of ordinance #674 Hours of Sale of Alcoholic Beverages. Seconded by Councilperson Pischke, the motion carried with Councilperson Murphey, Reetz, Schleining, Pischke, Starr and Ressler voting yes.

**RESOLUTION #6-7-10 – RESOLUTION OF NECESSITY FOR TAKING**

Councilperson Starr moved to approve Resolution #6-7-10 Resolution of Necessity for taking Gordon Street. Seconded by Councilperson Ressler, the motion unanimously carried.

**RESOLUTION #6-7-10**

**RESOLUTION OF NECESSITY FOR TAKING**

WHEREBY, the Common Council of the City of Custer has determined a dire need exists for a secondary Ingress and Egress Public Road for the southwest residents of the City of Custer City, County of Custer;

WHEREAS the City has initiated an action for condemnation of certain real property therein;

NOW BE IT RESOLVED, that the City of Custer hereby resolves to take by condemnation the following real property, for purpose of constructing a secondary Ingress and

Egress Public Road, to-wit:

*Lots 1 and H-1 of a portion of Edward Cook Placer of M.S. 936 Located in NW1/4 of Section 26, T3S, R4E, B.H.M., Custer County, South Dakota.*

NOW BE IT RESOLVED, that the Custer City Finance Officer is authorized to deposit up to Twenty Thousand Dollars (\$20,000.00) with the Custer County Clerk of Courts as a deposit for said condemnation damages.

Dated this 6th day of June, 2010.

s/Mayor Harold D. Stickney

**ETHIC COMMITTEE GUIDELINES**

Councilperson Murphey moved to adopt the Ethic Committee guidelines, seconded by Councilperson Pischke. Councilperson Starr stated that he feels that the guidelines have a lot of vague words and that the reference has the word bribery. The motion carried with Councilperson Schleining, Pischke, Ressler, Murphey voting yes, while Councilperson Reetz and Starr voted no.

**WEED SPRAYING**

Bob asked Council what they wanted him to do with weed spraying, whether he could do a job by job basis or if council wants him to get permission for each thing that needs spraying. Council felt that if the spraying job is less than \$1,000 they feel they don't need to approve it. Councilperson Reetz questioned whether all spraying jobs would total more than \$1,000. Council concurred that if the cost is going to be more than \$1,000 per project then Council should take a look at it. Jerry with Quality Weed Control Plus also addressed the Council.

**8<sup>TH</sup> & CROOK STREET INTERSECTION REBUILD BIDS**

Councilperson Starr moved to accept the bid from Simon Contractors for \$124,236.40 for the 8<sup>th</sup> & Crook Street Intersection reconstruction. Seconded by Councilperson Ressler, the motion unanimously carried. Schedule two of the bid was for asphalt surface treatment for Boothill area, Bluebell Lane, a portion of Canal Street and a portion of Crook Street. Councilperson Starr moved to reject all bids for the asphalt surface treatment and rebid without Crook Street. Seconded by Councilperson Reetz, the motion unanimously carried.

**SKYWALK TRAIL PHASE II BIDS**

Councilperson Reetz moved to accept the bid from Moss Rock Landscape for \$18,050 for the Skywalk Trail Phase II project. Seconded by Councilperson Starr, the motion unanimously carried.

**JANITORIAL SERVICE BIDS**

Council tabled the Janitorial Service Bids until the next Council meeting.

**SURPLUS PROPERTY**

Councilperson Starr moved to accept the surplus property list with the fact that the banners will be destroyed. Seconded by Councilperson Reetz, the motion unanimously carried.

**BAT BOX AT GATES PARK**

The Cub Scouts constructed two bat roost structures last March and would like to place them by the Community Garden. Council agreed that they are okay with the Cub Scouts placing the boxes at the Community Garden.

**FINAL PLAT – HOMESTEAD ADDITION PHASE II, GREENWALDT SUBDIVISION, CUSTER/HARTMAN SUBDIVISION, LOT H1**

The Planning Commission recommends approval of the final plats for Homestead Addition Phase II, Greenwaldt Subdivision, Custer/Hartman Subdivision and Lot 11 as these subdivisions will provide right of way for the extension of West Gordon Street. Councilperson Murphey moved to approve the final plats listed. Seconded by Councilperson Schleining, the motion unanimously carried.

**EMPLOYEE STEP INCREASES**

Councilperson Ressler moved to approve the off probation step increases for Lisa Steever to step 1 at \$14.34 effective 6-14-10. Seconded by Councilperson Pischke, the motion unanimously carried. Council also received a note mentioning that Bill McClellan's step increase that was approved at the May 17, 2010 should be at \$19.60.

**CLAIMS**

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

Alltel, Utilities, \$417.06

A&B Welding, Supplies, \$156.80

ALSCO, Repairs & Maintenance, \$335.26

Advanced Drug Testing, Services, \$36.00

AFLAC, Insurance, \$426.28

Beesley Law Office, Professional Fees, \$3695.50

Black Hills Power & Light, Utilities, \$2736.80

Butler Machinery, Repairs & Maintenance, \$191.76

Black Hills.com, Advertising, \$120.00  
Custer Car Wash, Repair & Maintenance, \$31.50  
Chamber of Commerce, Travel & Conference, \$38.00  
Custer County Chronicle, Publishing, \$384.12  
Castle Cleaning, Repairs & Maintenance, \$650.00  
Century Business Products, Supplies, \$198.20  
Culligan Water, Repairs & Maintenance, \$17.50  
Custer Do It Best, Supplies, \$462.69  
Coca-Cola, Supplies, \$69.50  
Custer County Auditor, Law Enforcement, \$14664.68  
Credit Collections Bureau, \$202.50  
Dacotah Bank, TIF #4, \$27371.25  
Dacotah Bank, TIF #2, \$2582.12  
Dakota Supply Group, Supplies, \$989.17  
D.C. Scott Surveyors, Professional Fees, \$3536.25  
Dakotacare, Insurance, \$7668.45  
Delta Dental, Insurance, \$320.20  
Energy Laboratories, Water Testing, \$2755.00  
EFTPS, Payroll Taxes, \$12739.45  
First Western Insurance, Insurance, \$1221.00  
First Interstate Bank, TIF #4, \$27371.25  
First Interstate Bank, TIF #1, \$9655.08  
Fastenal, Supplies, \$171.06  
French Creek Supply, Supplies, \$234.66  
Gunderson Palmer Nelson, Professional Fees, \$216.00  
John Gilliland, Medical Reimbursement, \$34.85  
Golden West Technologies, Professional Fees, \$160.00  
Hebron Brick Supply, Supplies, \$165.00  
Hartman Construction, Grace Coolidge Building, \$20655.00  
Hills Materials, Supplies, \$4589.33  
Hawkins, Supplies, \$4708.68  
Hillyard, Supplies, \$189.27  
Kellogg, Scott, Medical Reimbursement, \$114.00  
Labcorp, Professional Fees, \$481.00  
McClellan, Bill, Reimbursement, \$84.30  
One Call, Supplies, \$39.90  
Nelson's Oil & Gas, Supplies, \$775.81  
Okoboji Wine, Supplies, \$110.00  
Northwest Pipe Fittings, Supplies, \$1378.95  
Petty Cash, Supplies, \$337.18  
Rapid City Journal, Publishing, \$60.90  
Rapid City Telco Federal Credit Union, Travel & Conference, \$300.23  
Republic Beverage, Supplies, \$7091.03  
Rapid Delivery, Water Testing, \$8.80  
State of SD, Sales Tax, \$3021.68  
Stickney, Harold, Travel, \$92.50  
Sander Sanitation, Cleanup Day, \$2780.00  
SD Department of Revenue, Malt Beverage Licenses, \$3112.50  
Sander Sanitation, Garbage Contract, \$11292.61  
SD Supplemental Retirement, \$80.00  
SD Retirement System, \$6079.25  
Thompson Publishing, Supplies, \$159.00  
Tolle, Cindy, French Creek Project, \$370.90  
Universal Publication, Advertising, \$300.00  
Wyss Associates, TIF #4, \$10179.75  
Wright Express, Supplies, \$1043.37  
YMCA, Pool Management, \$14000.00  
YMCA, Membership Dues, \$113.00  
Ziolkowski, Geney, Animal Control Contract, \$642.00  
Lamie, Katie, Utility Refund, \$100.00  
Dezember, Tim & Vedean, Utility Refund, \$100.00

Padilla, Miriam, Utility Refund, \$50.00  
Brown, Robert & Linda, Utility Refund, \$50.00  
Opoin, Gail, Utility Refund, \$50.00  
Searle, Jerry, Utility Refund, \$50.00  
Gienger, Eugene, Utility Refund, \$50.00  
Mayor & Council, \$4250.00  
Community Development, \$4289.26  
Finance Department, \$8961.05  
Public Works Dept, \$6566.39  
Street Dept, \$5635.28  
Parks Dept, \$6736.19  
Liquor Dept, \$6068.56  
Water Dept, \$5707.24  
Wastewater Dept, \$6216.02  
Total Claims \$271095.87

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:07 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Harold D. Stickney  
Mayor