

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
FEBRUARY 19, 2008**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of February, 2008 at 5:32 p.m. Present at roll call were Councilpersons Boyer, Culberson, 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 Starr moved, with a second by Councilperson Culberson, to approve the minutes from the February 4<sup>th</sup>, 2008 regular meeting. The motion carried.

**CONFLICTS OF INTEREST**

No conflicts were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, discussed the one Cemetery Bid which was received from Cheryl and Bob Hadlock in the amount of \$21,500. Bob explained that there were approximately 800 man hours last year along with equipment and supplies which made the caretaking approximately \$19,000 in house. By having this contract, it frees up the crew to work on other items that were neglected last year. Bob has tried various ways to streamline the process but to no avail. Bob also mentioned that 12 years ago it was an 8 man crew; now it is a 9 man crew with quite a few more responsibilities.

Rex Harris, Community Development Director, stated that the Washington Street design is progressing since there was a meeting last week going over expectations of the project as well as potential problems.

Rex mentioned that we have been busier than the County with subdivisions since there have been four plats this month and there were three or four last month. Also, building permits are steady when compared with last year. Councilperson Starr wondered about how long permits are valid which Rex stated they are good for one year but could be extended for six months with good reason. Then they have to be re-issued again with a fee.

Councilperson Boyer mentioned that Rex has been appointed, replacing Greg Mayes, to the BH Economic Development Committee and that this will be very good for the City.

Mayor Stickney discussed the DOT 5<sup>th</sup> Street Project which he would like to see one lane up, one lane down, a center turn lane, and retain parking along 5<sup>th</sup> between Lincoln and Montgomery Street. He wanted to have Council's input since he had talked to Kevin Tveidt, SDDOT Secretariat of Administration, in Pierre regarding no cooperation for this particular project. Rex stated that the project bid letting will be next month with the ADA requirements completed first; then after the Rally, the overlay will be done. DOT wants to remove the parking, have one lane down, a center turn lane, and two lanes up. After some discussion, the Council decided to authorize the Mayor to follow up on presenting the City's request again.

**RESOLUTION #02-19-08 – ADDITIONAL CIRCUIT COURT JUDGES**

This Resolution was presented by the City Attorney supporting the need for additional circuit court judges. This is also being presented to all area cities for support. Councilperson Schleining moved to adopt Resolution #02-19-08. Seconded by Councilperson Pischke, the motion unanimously carried.

**RESOLUTION**

WHEREAS, the City of Custer City recognizes the importance of the judiciary to the citizens of South Dakota and particularly the ability of the citizens to obtain access to the courts; and

WHEREAS, only one Circuit Court Judge has been added to the Seventh Circuit since the creation of the Unified Judicial System in 1975; and

WHEREAS, the City of Custer City recognizes the need for additional Circuit Court Judges in the Seventh Judicial Circuit as shown by the statistics maintained by the Unified Judicial System.

NOW, THEREFORE, BE IT RESOLVED by the City of Custer City Common Council that the City of Custer City supports the addition of a Circuit Court Judge to the Seventh Judicial Circuit to insure the continued efficient administration of justice for all citizens; and

BE IT FURTHER RESOLVED by the City of Custer City Common Council that the City of Custer City encourages the South Dakota House and Senate to use all available means to provide the resources necessary to add an additional Circuit Judge in the Seventh Circuit.

Dated this 19<sup>th</sup> day of February, 2008.

CITY OF CUSTER CITY  
s/Harold Stickney, Mayor

**WAY PARK DESIGN**

Tanya Olson presented two ideas that the Corridor Committee has looked at for reconstructing Way Park and wanted the Council's input. Both ideas are based on a Firewise Park with the first simply taking out all sidewalks, installing irrigation, firewise gardens around the edges, and widening the sidewalk along the Street. The second would be a Festival Plaza focused on the Monument and the Christmas Tree, installing irrigation,

firewise gardens around the edges, smaller spaces within the large space where possible events are held year around like ice skating in the winter and music in the summer. This can all be easily scheduled around events with some items done in the spring but most of it could happen after the Rally and planting in September and October. The consensus of the group was to pursue the Festival Plaza.

#### **CEMETERY BID AWARD**

Councilperson Starr moved, with a second by Councilperson Schleining, to accept the bid for the Cemetery. Discussion was held on the budgeted amount of \$16,200 which a supplement for the difference will have to done for this line item. The motion unanimously carried.

#### **1881 COURTHOUSE MUSEUM – OLD TIME COUNTRY FAIR**

Councilperson Schleining discussed the General Government Committee's decision that our ordinance should reflect certain events that would be exempt from the Transient Merchant Fee rather than each event requesting leniency. Councilperson Boyer moved to waive the fee for this year, approve the Street Closures, and usage of Way Park for July 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>, 2008. Seconded by Councilperson Murphey, the motion unanimously carried.

#### **WESTSIDE UTILITY PROJECT – SUBSTANTIAL COMPLETION CERTIFICATE**

Councilperson Schleining questioned if there was a retainage amount which Rex stated the amount is \$19,898.57. Councilperson Culberson moved to approve the Certificate of Substantial Completion with Mainline Contracting. Seconded by Councilperson Murphey, the motion unanimously carried.

#### **SHERIFF'S WRITTEN REPORT**

The Council received, reviewed, and acknowledged the Sheriff's January monthly report.

#### **BHAFOA – SPRING SPEAKER**

The Finance Officer requested the fee of \$50 for the BH Area Finance Officers Association, along with other entities, for the Spring Speaker who will be Terry Fleck, the Attitude Doctor. The fee covers all costs for all who attend the presentation. The dates are March 19<sup>th</sup> and 20<sup>th</sup> with two presentation times on the 20<sup>th</sup>. Councilperson Boyer moved to approve the fee. Seconded by Councilperson Murphey, the motion unanimously carried.

#### **LTRC – SKYWALK GRANT & MATCHING FUNDS**

The Mayor and Rex discussed the submission of the Skywalk Grant by Jim Frank and the need for matching funds of \$5000 for the \$25,000 grant. Councilperson Murphey moved to approve the \$5000 for matching funds. Seconded by Councilperson Pischke, the motion unanimously carried.

#### **DISCUSSION ITEMS**

Items mentioned were the meeting dates coming up, the Mayor nominating Custer City for the Community of the Year Award, the School possibly moving ahead on the elementary building, the County establishing a Committee to do a feasibility study on a new building versus using the old elementary building, having a business incubator in the building, and a nuisance complaint which will be addressed at the next meeting.

#### **CLAIMS**

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

2007:

First Western Bank, TIF Payment, \$2510.88

2008:

A-1 Sewer & Drain, Repair & Maintenance, \$750

American Linen, Repair & Maintenance, \$264.54

APWA Black Hills, Travel & Conferences, \$40

BH Council of Local Gov't, Travel & Conferences, \$1720

BH Phones, Utilities, \$50

BH Power, Utilities, \$9908.12

Butler Machinery, Supplies, \$1310.82

Carson Drug, Supplies, \$6.60

Chadron Wholesale, Supplies, \$315.94

Coca-cola Bottling, Supplies, \$237.20

Culligan Water, Repair & Maintenance, \$143

Chamber of Commerce, Sales Tax Subsidy, Advertising, \$6180.22

Custer Community Health, Sales Tax Subsidy, \$28522.13

Custer Regional Medical, Safety, \$90

Dakota Backup, Professional Services, \$85.60

Eagle Sales, Supplies, \$3331.70

Ed Starr, Travel & Conferences, \$55.62

Enviromaster, Supplies, \$22

Fisher Beverage, Supplies, \$2799.24

French Creek Supply, Supplies, \$88

Fresh start Convenience, Supplies, \$1327.17  
Governors Inn, Travel & Conferences, \$70  
Great Western Tire, Repair & Maintenance, \$424.44  
Hawkins Chemical, Supplies, \$5  
HD Supply, Meters, \$5683.25  
Hillyard Supply, Supplies, \$76  
Jenner Equipment, Supplies, \$58.86  
Kadmas, Lee & Jackson, Paving Project, \$7868.10  
Scott Kellogg, Reimbursement, \$32  
Kimball Midwest, Supplies, \$690.61  
Lynn's Dakotamart, Supplies, \$41.40  
Mainline Contracting, Westside Utility Project, \$87025.17  
Menards, Supplies, \$169  
Robert Morrison, Reimbursement, \$210  
One Call systems, Supplies, \$21  
Petty Cash, Supplies, Fees, Safety, \$73.84  
Pitney Bowes, Supplies, \$117  
Quill Corporation, Supplies, \$109.25  
Rapid City Telco, Travel & Conferences, \$113.50  
Republic National, Supplies, \$7537.11  
S&B Motor Parts, Supplies, \$512.98  
Sander Sanitation, Repair & Maintenance, Utilities, \$8953.49  
SD Dept. of Revenue, Supplies, \$13  
SD State Executive Mgmt Finance, Utilities, \$44.75  
Harold Stickney, Travel & Conferences, \$177.35  
The Ice House, Supplies, \$26.28  
USNEA Landscape Design, Way Park Design, \$1020.25  
Western Wholesale, Supplies, \$6045.89  
Wildcat Computers, Deposit Refund, \$50  
Ken/Nicole Parker, Deposit Refund, \$50  
Rockwell Peregrine, Deposit Refund, \$50  
Mayor & Council, Wages, \$4250  
Community Development, Wages, \$3667  
Finance Dept., Wages, \$8897.36  
Public Works Dept., Wages, \$5917.26  
Street Dept., Wages, \$4823.32  
Parks Dept., Wages, \$4468.01  
Liquor Fund, Wages, \$3327.70  
Water Fund, Wages, \$4295.78  
Wastewater Fund, Wages, \$5100.70  
Child Support Payment Center, \$314.54  
Federal Withholding, \$4009.44  
FICA, \$5479.58  
Medicare, \$1281.53  
SD Retirement, \$5094.96  
Total Claims \$245,444.60

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:40 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden  
Finance Officer

Harold D. Stickney  
Mayor