

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
JANUARY 7, 2008**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of January, 2008 at 5:30 p.m. Present at roll call were Councilpersons Starr, Pischke, Murphey, Schleining, Culberson, Boyer, and Lynn Moran, Assistant City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Schleining moved to approve the agenda. Seconded by Councilperson Starr, the motion unanimously carried.

**MINUTES**

Councilperson Culberson moved, with a second by Councilperson Pischke, to approve the minutes from the December 31<sup>st</sup>, 2007 special year-end meeting. The motion carried. Councilperson Murphey abstained.

**CONFLICTS OF INTEREST**

No conflicts were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, discussed the water testing fees which some of the tests are on a three year rotation which up the costs. The State Lab would be approximately \$3800 where Energy Lab in Rapid will be about \$2500; they give a 20% discount when we do all of our testing there. The Council agreed with Bob's proposal.

Bob has been looking at letting bids for the Cemetery Care but cautions that we need to look real hard at the bid prices versus the costs of our crew with seasonal employees.

Bob also discussed working on water rights for future reserves. However, the State Board of Water Rights does not put much merit in them for the Hills area due to quantifying the amount available. They urge going for the full rights which mean well development within eight years. There would be approximately \$1000 per site cost. Bob has been reviewing sites and looking at showing the need for the future. Councilperson Murphey believes this is a very good investment since we maybe looking at more development; it's better to have your name on the list ahead of time. Rex Harris, Community Development Director, also said that it buys us time to look at the potential development and to have the full report from Mitch. Councilperson Starr wondered if the Planning Commission is looking at this and would use the information for their long term planning. Bob stated that surf rights are almost impossible as you can only use the amount of water that would flow over a spillway; that hasn't been happening.

The Westside Utility Project is progressing with approval from DOT to go under the bridge. The Contractor thinks it should be about a week until they have the project completed.

The fuel tax savings previously discussed did not turn out well. We already do not pay tax on diesel but the gas has to be taxed up front. Then there has to be proof of the use of off-road amounts for a reimbursement; the bookkeeping wouldn't be worth the refund.

Councilperson Pischke wondered about the burn piles on Pageant Hill and when they would be tended to. Bob stated that in the past, the Fire Department used this as an exercise. He will check with them again.

Rex discussed the Council's opportunity to review the design of the new Liquor Store. The next step is contacting an architect and having plans drawn up which there are a few architects in the area and if anyone knows of someone else, please let him know.

The YMCA window project will be started within the next two weeks and the rear entrance will be covered so it can be used as an exit.

**MONTHLY REPORTS**

The Sheriff submitted and the Council received, reviewed, and acknowledged the written report for December. The Sheriff also discussed the recent three incidents of possible violence at the Middle and High Schools. One was unfounded but the other two kids are expelled and being evaluated. They have been working on the School Threat Response System so the problems can be headed off before something happens. He will be doing a presentation to the School Administration on the need to be prepared which includes the need to have a School Resource Officer on campus. Right now there are two deputies, one in the middle school and one in the High School which are there all day; if needed for other calls, they are dispatched from there. The Mayor proposed the City contribute additional dollars towards a School Resource Officer. The County Commissioners are very supportive to funding a Resource Officer and the Sheriff would like to request support from the City. The Mayor stated that the Sheriff has been very responsive to the threats but the City needs to be supportive to provide protection to the students. The amount of cost is estimated at \$15,000 per entity. The Mayor also stated that there is a meeting scheduled with the School Board next Monday night in Hermosa which he and the Sheriff will be attending. He is also concerned that the kids will "monkey see monkey do" with all of the previous publicity from other national incidents. Councilperson Murphey wondered what other communities' do which the Sheriff stated they share the cost 50 – 50. The High School is the primary concern at the moment. Mike Carter, EMS Director, stated that there are many scenarios but having a Resource Officer is being proactive not reactive. Stopping one incident would more that pay for the cost we are talking about right now. Our kids are our precious resources. Councilperson Boyer wondered if this would be an amendment to the present contract. Councilperson Starr

mentioned that in a small town in Colorado there was an outsider who went into the School, held hostages, and we know how that came out. There hasn't been much change in our system and it can be a problem student or an outsider. He also wondered if the Dare Program could assist in anyway. The Sheriff also stated the High School is fairly secured but the Middle School needs some changes with the door locks, cameras and monitoring. He has also looked at using grants funds in the future but we have a need to address the problem now rather than waiting. Councilperson Murphey also mentioned that this should be brought before legislature to help address the future needs which the Sheriff stated they have already been talking to several in Pierre. Councilperson Murphey stated he would support this in the short term while looking for long term solutions, which everyone agreed. The Mayor stated how important this is and thanked the Sheriff for coming.

The Hospital Monthly Board Report for December was received, reviewed, and acknowledged by the Council. Discussion was held on the error corrections and Regional's billing system.

**RESOLUTION #01-07-08**

The Council was presented with the annual designation for Investment of our Municipal Funds. Councilperson Schleining moved to approve Resolution #01-07-08. Seconded by Councilperson Pischke, the motion unanimously carried.

**RESOLUTON # 01-07-08**

**A Resolution Granting Authority to Invest Municipal Funds**

WHEREAS, it has been determined by the Common Council of the City of Custer City, that it is in the best interest of the City of Custer City to invest all funds not immediately needed by the City of Custer City for day to day operations; and

WHEREAS, the State of South Dakota, Department of Legislative Audit, has determined that the authority to invest City funds is a local Council decision and must be authorized each year.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Custer City, that the Custer City Finance Officer, or designee, is hereby authorized to invest any such City funds, that are not immediately needed for the day to day operation of the City, from the following list of depositories, at the best interest rate available and for the period of time determined to be the most beneficial to the City.

First Western Bank, Custer, SD

Edward Jones, Custer, SD

RBC Dain Rauscher, Inc., Rapid City, SD

SD Public Funds Investment Trust, Sioux Falls, SD

Telco Federal Credit Union, Custer, SD

Highmark Federal Credit Union, Custer, SD

Dakota Bank, Custer, SD

Dated this 7<sup>th</sup> day of January, 2008.

s/Mayor Harold D. Stickney

**DEER MANAGEMENT PLAN**

The Mayor discussed the adoption of the Deer Management Plan even if it's not implemented this year but without a plan, the City cannot proceed forward with any kind of action. Rex stated that the plan has options and is not just a reduction plan. We do have time to do other counts, education, and so on. Councilperson Boyer stated he was in favor of the plan but would like to have monthly counts until next fall to see what the differences might be, if any. Councilperson Murphey would like to have the number of deer picked up by the City Staff logged and other statistics from the Sheriff's Department. Rex stated that there are more deer hit in town than being reported. Councilperson Starr wondered if we could reduce the herd by request per individual homes. Rex also mentioned that the counts may give us a localized number per area of town. Councilperson Culberson moved to adopt the Deer Management Plan. Councilperson Culberson also mentioned that we don't want to lose the forest for the trees; disease and deer human conflict need to be considered. Seconded by Councilperson Murphey, the motion unanimously carried.

**SECOND READING ORDINANCE #646 – FIREARMS DISCHARGE**

Rex requested, and the Mayor granted, the second reading postponement until the next meeting due to research being done by himself, Sheriff, and the City Attorney.

**RAFFLE REQUEST - VFW**

The VFW Post 3442 requested approval to hold their annual scholarship fundraiser in conjunction with the Super Bowl. Councilperson Murphey moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

**BROWN BAG LICENSE – CHAMBER OF COMMERCE**

The Custer Senior Center submitted a Brown Bag License request for a Wine & Cheese Party for January 31<sup>st</sup>, 2008 at 6:00 p.m. Councilperson Murphey moved to approve this request. Seconded by Councilperson Culberson, the motion unanimously carried.

**WASHINGTON STREET ENGINEERING PROPOSALS**

Rex submitted the two proposals received for the Washington Street paving project which will be completed in conjunction with the DOT project. The first one is from KLJ Engineering in the amount of \$34,349.45 and the

second by FourFront Design is \$55,000. He and Bob went over the proposals and both are very comparable with design, quantity control, staking, and construction. There were no major differences to justify the cost difference so he is recommending the Council go with KLJ. Councilperson Boyer moved to approve KLJ Engineering. Seconded by Councilperson Culberson, the motion unanimously carried.

**STREET LIGHT REQUEST**

Bob discussed the request for a street light to be added at the corner of Needles and 10<sup>th</sup> Street; but then to correct previous placements, the next two lights would be relocated at the next two intersections. The neighbors were poled with no comments as to having one or not but one does not want the next one relocated. Councilperson Murphey wondered about a cost estimate and Councilperson Schleining wanted a quote. Councilperson Starr wondered of the City pays or if the person requesting the light would pay; what was done in the past? Bob also discussed putting up fiberglass reflector poles as soon as they are in within the next couple of days. The one-way street signs have been put in place.

**OFFICIAL NEWSPAPER DESIGNATION**

Councilperson Murphey moved to designate the Custer County Chronicle as the City's official newspaper. Seconded by Councilperson Pischke, the motion unanimously carried.

**WAGE CORRECTION**

The Planning Commission monthly wage was advertised in error and should have read \$50 per month. Councilperson Starr moved to approve the correction. Seconded by Councilperson Murphey, the motion unanimously carried.

**CLAIMS**

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

2007:

Mainline Contracting, Westside Utility Project, \$91,337.34

2008:

AFLAC, Insurance, \$400.98

BHRC&D, Dues, \$100

BH Vision, Annual Pledge, \$10000

Dakotacare, Insurance, \$3185.45

DLT Solutions, GIS System, \$4801.28

Golden West Companies, Utilities, \$680.17

Itron, Repair & Maintenance, \$444.53

Petty Cash, Travel & Conferences, Supplies, \$169.41

Rapid City YMCA, Memberships, \$67

SD Code Enforcement, Dues, \$40

SD Bldg Officials, Dues, \$50

SDDENR, Dues, \$1500

SDML, Dues, \$1093.04

SDML Workman's Comp, \$14445

SD Retailers Assoc., Dues, \$150

US Post Office, Supplies, \$175

SD Rural Water, Travel & Conferences, \$260

Joel Redman, Deposit Refund, \$50

Total Claims \$37,611.86

**EXECUTIVE SESSION**

Councilperson Murphey moved to go into and out of a personnel executive session at 6:47 p.m. Seconded by Councilperson Boyer, the motion unanimously carried. The session adjourned at 7:18 p.m.

**POSITION CHANGE**

Councilperson Schleining moved to approve the position change of Randy Schumacher to Park Maintenance Supervisor and Assistant Liquor Store Manager at \$12 per hour split per fund based on hours worked. Seconded by Councilperson Pischke, the motion unanimously carried.

**ADJOURNMENT**

With no further business, Mayor Stickney adjourned the meeting at 7:20 p.m.

ATTEST:

CITY OF CUSTER CITY

Christine Redden  
Finance Officer

Harold D. Stickney  
Mayor