

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
OCTOBER 19TH, 2009**

Mayor Harold D. Stickney called to order the second regular meeting of the Common Council for the month of October, 2009 at 5:30 p.m. Present at roll call were Councilpersons Murphey, Schleining, Pischke, Starr, Reetz, Chris Beesley, City Attorney, Bob Morrison, Public Works Director, Rex Harris, Community Development Director, and Laurie Woodward, Deputy Finance Officer. The Pledge of Allegiance was stated. Councilperson Ressler joined the meeting at 5:34.

AGENDA

Councilperson Schleining moved, with a second by Councilperson Murphey, to approve the agenda, with the change of the October 24th Special Meeting being moved to executive session. The motion unanimously carried.

MINUTES

Councilperson Murphey moved, with a second by Councilperson Starr, to approve the minutes from the October 5th, 2009 meeting. Discussion was held on the previous minutes with Councilperson Reetz discussing his absence; however Councilperson Starr pointed out that the minutes are of the meeting. The motion unanimously carried, with Councilperson Reetz abstaining.

CONFLICTS OF INTEREST

No conflicts were stated.

DEPARTMENT HEAD MEETING

Bob discussed the various projects that the crew is working on, which include the West Dam well house, Mt. Rushmore Road water main shutoff project, and trimming trees along the side of roadways. Bob mentioned that DOT is not mixing salt and sand anymore. He has also been looking at the handicap parking and looking into the mold issues. Councilperson Reetz questioned if the individuals have been talked to about the mold. Bob stated that some of them have been and that the EPA hasn't set any standards so this is more of a civil matter.

Rex mentioned that Way Park is looking nice. Councilperson Murphey commented that the Planning Commission has finalized the comp plan and it has been sent to Blaise.

FIRST READING ORDINANCE #670 – TAXIS & BUSES

Councilperson Murphey moved, with a second by Councilperson Pischke, to approve Ordinance #670. Councilperson Starr questioned the English language qualification. Discussion was also held on the type of background check and the grounds for denial based on the background check. Attorney Beesley said he would look into some of the questions. The motion carried; Councilperson Starr voting no.

SECOND READING ORDINANCE #668 – WATER & BOND RATES

Councilperson Starr moved to approve Ordinance #668, with a second by Councilperson Pischke. The motion carried with Councilperson Pischke, Starr, Ressler, Murphey, Reetz, and Schleining voting yes.

SECOND READING ORDINANCE #669 – SEWER RATES

Councilperson Ressler moved to approve Ordinance #669, with a second by Councilperson Pischke. The motion carried with Councilperson Starr, Ressler, Murphey, Reetz, Schleining, and Pischke voting yes.

MOLD INSPECTION UPDATE

Councilperson Reetz mentioned that even though this is a health hazard, we have no standards for telling someone they have to get rid of their mold. Bob stated that he is still looking at options.

GORDON STREET EXTENSION PROJECT – WRITTEN AGREEMENTS UPDATE

Rex reported that he has received responses from Gary Parson & Gaylord Bruketta to proceed and a verbal response from Game Fish & Parks. Dot will review the plans when they are ready. The City will maintain the road with the potential of annexation in the future. Councilperson Reetz questioned the emergency necessity and how the emergency was declared. Rex and Bob discussed the fact that the crew is dumping fill every three to four weeks to keep the bridge usable and that a secondary access needs to be put in place before an actual emergency occurs and the bridge is unusable, with no ingress or egress for citizens.

VEHICLE PURCHASED – STATE BID

Bob presented a bid for a ¾ ton crew cab pickup and a bid for a ½ ton regular cab pickup from the State Bids. Council asked why a crew cab was need, which Bob stated it would help with more employees being able to attend meetings without having to take an extra vehicle and that he would like to replace the current ¾ ton with a ¾ ton for the possibility of putting a snow plow on the front. Councilperson Starr moved, with a second by Councilperson Schleining to approve the purchase of these two pickups from the State Bid. The motion unanimously carried.

MONTHLY REPORTS

The Council received and acknowledged the Sheriff's September monthly report.

MINUTES REVIEWED BY CITY ATTORNEY – POLICY ADOPTION

Attorney Beesley stated that he will review the minutes prior to publishing for legality purposes for free. Councilperson Starr moved to approve the policy adoption, with a second by Councilperson Ressler. The motion unanimously carried.

EAST CUSTER SEWER DISTRICT - UPDATE

Discussion was held on the need for a new contract as their rates need to be brought up to the current rates the City charges the town and out of town customers. The outstanding amount owed to the City from East Custer Sewer District was also discussed and what needs to be done to collect the outstanding amount.

RESIGNATION

Christine Redden submitted her resignation as Finance Officer effective October 30th. Within her resignation Christine offered her services if need at a fee and asked for payment of a portion of her comp time in addition to the audit she previously requested. After some discussion, it was decided to have a special General Government Committee Meeting on October 26th to discuss Christine's offer for services and payment of her comp time. Councilperson Murhpey asked the Mayor to write a letter to Christine thanking her for her years of service. Councilperson Murhpey, with a second by Councilperson Ressler, moved to accept Christine's resignation with the referral of the two items to the General Government Committee. The motion unanimously carried.

HOSPITAL BOARD, CAT BOARD & CRUISIN VFW ALTERNATE APPOINTMENTS

Mayor Stickney appointed Councilperson Ressler to the Hospital Board, Councilperson Schleining as the City liaison for the Custer Area Transportation Board, and Tony Gonsor as the VFW Alternate on the Custer Cruisin Committee.

CONTRACT PURCHASE CANCELLATION

The Mayor discussed the Purchase Contract Cancellation that the city received for Lot 13 in Boothill. The seller has requested to retain the \$1,000 earnest money. Councilperson Murphey moved to approve the Purchase Contract Cancellation, with a second by Councilperson Starr. The motion unanimously carried.

CLAIMS

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

5280 Consulting LCC, Professional Fees, \$2000.00
A & B Welding Inc, Supplies, \$55.50
American Linen, Repairs & Maint., \$281.79
Beesley Law Office, Professional Fees, \$6260.00
Black Hills Area Finance Officers, Travel & Conference, \$10.00
Black Hills Badlands Lakes Assoc., Advertising, \$8464.00
Black Hills Digital Strategy, Advertising, \$20000.00
Black Hills Power & Light, Utilities, \$10200.80
Castle Cleaning, Professional Fees, \$700.00
Chadron Wholesale, Supplies, \$1498.83
Coca-Cola, Supplies, \$376.00
Custer Chamber of Commerce, Sales Tax Subsidy, \$11109.72
Custer Community Health Services, Sales Tax Subsidy, \$49477.71
Custer Do It Best, Supplies, \$305.00
Custer True Value, Supplies, \$583.18
Eagle Sales, Supplies, \$8773.64
French Creek Supply, Supplies, Repairs & Maint., \$559.44
Golden West Technologies, Professional Fees & Supplies, \$537.80
Gunderson, Palmer, Goodsell & Nelson, Professional Fees, \$56.28
Harris, Rex, Travel & Conference, \$37.00
J.P. Cooke Company, Supplies, \$41.77
Jim Dandy Snack Co, Supplies, \$57.00
Johnson, Kirk, Reimbursement, \$500.00
Kellogg, Scott, Reimbursement, \$41.07
L & A Welding, Repairs & Maint., \$4.80
Lynn's Dakotamart, Supplies, \$32.04
Moran USA LLC, Supplies, \$155.52
Okoboji Wines, Supplies, \$277.00
One Call System, Supplies, \$34.65
Personal Touch Painting, YMCA Building Repairs & Maint., \$5136.88
Petty Cash, Supplies, Travel & Conference, Reimbursement, \$336.16
Prairie Berry, Supplies, \$1020.00
Quill Corporation, Supplies, \$16.00
Rapid City Telco FCU, Supplies, Travel & Conference, \$1273.53
Republic National Distributing, Supplies, \$10698.64
S & B Motor Parts, Supplies, \$348.12
Sander Sanitation Service, Utilities, \$11292.61
SD State Executive Mgmt Finance, Utilities, \$22.08
Stickney, Harold, Travel & Conference, \$379.47

Tatiana's Import Beverages, Supplies, \$153.18
The Ice House, Supplies, \$313.20
Unemployment Insurance, \$26.43
Valiant Vineyards, Supplies, \$96.00
Western Wholesale, Supplies, \$10168.89
Wyss Associates, Professional Fees, \$325.00
SD Dept of Revenue, License, \$75.00
Holtquist, Audra, Utility Refund, \$2.89
Madetzke, Daron, Utility Refund, \$35.57
Total Claims \$164,150.19

DISCUSSION ITEMS

Mayor Stickney gave a brief overview of the Municipal League conference, which he attended. Also Mayor Stickney mentioned that he will be writing letters to the gas companies about the prices.

Councilperson Schleining discussed the rate increase from Black Hills Power and Light, with Councilperson Starr wondering if we could get them to come give us a presentation.

BREAK 6:48

EXECUTIVE SESSION

Councilperson Murphey moved to go into and out of executive session at 6:55 p.m. due to personnel and potential litigation with the Deputy Finance Officer present. Seconded by Councilperson Starr, the motion unanimously carried. The session adjourned at 7:03 p.m.. Based on Councilperson Reetz attorney's request for a second continuance, Councilperson Ressler moved to approve a special executive session on November 17th at 5:00 pm. Seconded by Councilperson Starr, the motion unanimously carried.

ADJOURNMENT

With no further business, Mayor Stickney adjourned the meeting at 7:05 p.m.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Deputy Finance Officer

Harold D. Stickney
Mayor