

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
MAY 7, 2007**

Mayor Harold D. Stickney called to order the first regular meeting of the Common Council for the month of May, 2007 at 5:30 p.m. Present at roll call were Councilpersons Schleining, Pischke, Culberson, Boyer, Starr, Scherer, and Chris Beesley, City Attorney. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Schleining moved to approve the agenda with the addition of discussion on use of the Showmobile. Seconded by Councilperson Culberson, the motion unanimously carried.

**MINUTES**

Councilperson Culberson moved, with a second by Councilperson Schleining, to approve the minutes from the April 16<sup>th</sup>, 2007 Regular meeting. The motion unanimously carried.

**OATH OF OFFICE & APPOINTMENT**

The Mayor sincerely thanked Councilperson Dan Scherer for his dedicated service and his thoughtful input was appreciated along with his excellent participation on the Public Works Committee and the Planning Commission. His presence on these Committees will be missed and wished him well in the future.

The Mayor and Councilpersons taking their Oath of Office for the ensuing two-year term were Harold Stickney, Karen Schleining, Ed Starr, and new member, Duane Murphey.

The Mayor also appointed Chris Beesley as the City Attorney for the next year.

**COMMITTEE APPOINTMENTS 2007-2008**

**Public Works – General** Harold Stickney, Mayor, Ed Starr, John Culberson, Duane Murphey, Bob Morrison Karen Schleining – Council Alternate Includes Topics of: Street, Public Buildings, Planning Commission, Parks, Recreation, Water, Wastewater, Solid Waste, ADA

**General Government/Administration** Harold Stickney, Mayor, Karen Schleining, Steve Pischke, Brian Boyer Chris Beesley, Christine Redden, Ed Starr – Council Alternate Includes Topics of: Finance, Legal, Sheriff, Public Safety, Animal Control, Personnel, Chamber of Commerce, and Medical.

**Other Committees & Liaisons:**

**Chamber Liaison** – Brian Boyer **Hospital Liaison** – Christine Redden **Planning Liaison** – Duane Murphey  
**Liquor Store Liaison** – John Culberson **Black Hills Council of Local Government Representative** – Rex Harris and Harold Stickney (proxy) **Emergency Service Organizations Liaisons** – Harold Stickney, Rex Harris, and Bob Morrison **Custer Fall River Waste Management Board** – Harold Stickney **Black Hills Vision** – Harold Stickney **Southern Black Hills Water Association** – Bob Morrison **Economic Development w/ County Housing** – Steve Pischke **RC & D Committee** – Christine Redden **Custer YMCA** – Bob Morrison **Waste Management** – Harold Stickney, Mayor **Custer Cruisin** – Rex Harris, Ralph Roecke, Magic, Mike Carter, Paul LeClair, Diana Carson, and John Culberson **Custer Area Transportation** – Karen Schleining and Christine Redden **Long Term Recreation Committee** – Steve Pischke, Don Young, Corbin Herman, Skylea Wright, Dave Ressler, Jim Frank, Lisa Esser, and Rex Harris **1881 Museum** – Karen Schleining

**CONFLICTS OF INTEREST**

No conflicts were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, discussed the clean up and seeding project by both of the Contractors; they should be paving in a couple of days. Bob also discussed the delay of the Saturday Clean Up Day which is rescheduled for this coming Saturday. Dave Ressler, Chamber Director, commented that he has 60 volunteers signed up to assist.

**SOUTHWEST CITY ROAD CONCERNS**

Chad Cullum spoke for a room full of citizens from the southwest part of the City concerning the road conditions that they travel everyday. There isn't another access so this makes it worse and he handed out copies of pictures. The road was rough prior to the water project and now it's breaking up all over. They would like the Council to consider rebuilding the road rather than patch repairs; they just want the Council to spend the money wisely. Bob agreed with them and that it has become a problem area; it would make more sense to rebuild but we have to look at where the funding would come from; it would be great to be able to rebuild all the roads in town but we only have a certain number of dollars to work with. Shala Cullum mentioned that this is also a safety issue since everyone tries to dodge the potholes and the road has some blind spots. Bob stated that originally there would have been more road work accomplished with the water project but funding fell short. Bob talked about the frost being 6 feet down in that area; Rex said that there are additional areas the will have to be cut out and the road heaves in the spring, mostly at the Washington Street bridge. Chad also wondered if the Council considered building a second access for that area. Rex and Bob discussed the second access route with one property owner working with the City but then there are also

some ROW issues as well as some small drainage problems; but they have been looking at possible options. Discussion was held on the money available, the extra needed to rebuild, and the amount that was dedicated to the pavement plan. Bob commended the entire group for all of their efforts and cooperation when the water project was going on; they were the easiest to work with. Bob offered and the Council concurred to get an estimate of how much it would take to rebuild from 2<sup>nd</sup> Street to the end of the present pavement. The group also stated that if there was need to gravel the road this year and then next year look at rebuilding and paving, they could live with that; they would just like to have a time line. Dave Blaede appreciated the construction crew for all they did and how well they worked to keep the traffic flowing as quickly as possible. The Mayor thanked everyone for coming, and having a great attitude and patience.

#### **GOLDEN WEST CITIZEN COMPLAINTS**

Greg Olson, Golden West, stated that Rex had contacted him regarding a number of complaints heard that the internet wasn't working and that 2 channels were out. Greg stated that 2 weeks ago they did the cutover from Midco to Golden West. He researched the calls that the Help Desk received which were 20 to 30. Councilperson Murphey stated that he had had his email down, 2 channels out, and his DVR died for a second time; the TV guides are off which makes recordings off also. Discussion was held on the dial-up having a number of problems even though they were not aware of these. Councilperson Boyer stated the Help Desk had been confused on the difference with cable modems but they eventually got help from a knowledgeable person. The Help Desk was commended for their assistance. Greg also mentioned that they are working on "Smart Paks" for pricing of all three services. Councilperson Boyer wondered about the availability of WiFi being available in the downtown area. Greg stated they could put together some information regarding this option.

#### **GOLD DISCOVERY DAYS STREET CLOSURE**

Tammy Wicks, Gold Discovery Days committee Chairperson, submitted a request for the following Street closures for 2007 Celebration: July 27<sup>th</sup> 7<sup>th</sup> from Main going north one block, July 28<sup>th</sup> Main Street both north and south from 2<sup>nd</sup> Street to 9<sup>th</sup> Street, Washington Street from 6<sup>th</sup> to 8<sup>th</sup> Street and 7<sup>h</sup> Street north to the Alley, and the parking area next to Way Park on 4<sup>th</sup> Street. They also requested the use of Harbach and Way Park and they would like vendor fees waived for the Arts & Craft Festival. Councilperson Starr moved to approve these requests with a second by Councilperson Schleining. Bob discussed the need for the Committee to coordinate with the Sheriff's Office which was agreed to and the motion amended to include this. The motion unanimously carried.

#### **KENNEL PERMIT REQUEST**

Clay Pratt submitted a request for a Kennel Permit for Husky Heaven which would be at his home; there are 5 male, 5 female huskies, and one husky mix. He states that the dogs are sheltered, kenneled, and well taken care of. He sells approximately one litter per year and then he also keeps them for a sled team; they are his therapy. Discussion was held on the need to contact the neighbors to see if there are any complaints that were not formalized. The Mayor recommended this item be referred to the General Government Committee and then a recommendation could be brought back to Council.

#### **SECOND READING ORDINANCE #642 COMBINED ELECTIONS & CAMPAIGN SIGNAGE**

For the second reading, the Council received Ordinance #642 addressing the ability to combine with the county elections and the public display of campaign material signage and how long before it needs to be taken down. Councilperson Murphey moved to adopt Ordinance #642. Seconded by Councilperson Culberson, the motion unanimously carried with Councilperson Starr, Pischke, Murphey, Schleining, Culberson, and Boyer voting yes.

#### **BROWN BAG LICENSE REQUEST – CHAMBER MIXER**

The Custer Chamber of Commerce submitted a request for a Brown Bag License for the Azuki Bean on May 10<sup>th</sup>. Councilperson Boyer moved to approve this request. Seconded by Councilperson Pischke, the motion unanimously carried.

#### **KLEEMAN HOUSE**

Rex discussed conversations regarding the Kleeman House upgrades which will be a long process that will take many years to finish since the owner is trying to preserve a piece of history. Everyone agreed that as long as the small things are taken care of, there wouldn't be as many complaints. Discussion was held on having displays in the windows as tourists enjoy seeing historical items and the story behind them. Discussion was also held on other buildings in town that also need to fall under these types of requirements; these are for the betterment and health and safety of the citizens of the Community.

#### **LBG PROPOSALS – FUTURE WATER REQUIREMENTS**

Bob presented the proposal from Leggette, Brashears & Graham, Inc. to conduct studies for future water pumping with a cost of \$7021 to \$11347. They will be studying the ground water by using maps, pre-existing structures, and just looking at good possible sites. This is the same Company that previously

completed the State's Petroleum Relief Fund hydrology study on water flow for this area. Councilperson Starr suggested scheduling an assessment every so many years. Councilperson Starr moved to approve this contract contingent upon the attorney's okay. Seconded by Councilperson Murphy, the motion unanimously carried.

#### **WESTSIDE ANNEXATION AGREEMENTS**

The Council was presented with the Westside Annexation Agreements received and there are 4 yet to be received. Councilperson Schleining moved to approve these agreements and authorize the Mayor to sign. Seconded by Councilperson Starr, the motion unanimously carried.

#### **RESIGNATION**

The Council received Tanner Bland's resignation effective May 4<sup>th</sup>, 2007. Councilperson Starr moved to accept this resignation. Seconded by Councilperson Murphey, the motion unanimously carried.

#### **NEW HIRE**

Bob requested the position change for Kirk Johnson from temporary seasonal to full time at Step 1 \$10.00 per hour effective 5-14-07. He is a very good worker, has great experience, and is ready to go. Councilperson Starr moved to approve this position change. Seconded by Councilperson Pischke, the motion unanimously carried.

#### **KUBLER SUBDIVISION**

Rex presented the final plat for Daniel & Karen Derrick and Randy & Karen Scheibe for the property described as Kulber Subdivision – Phase II, Plat of Tract Scheibe-R of Tract Scheibe of Tract Kulber, located in the SW ¼, SW ¼, of Section 26, T3S, R4E, BHM, and Lot 1R of Lot 1 of Tract Kulber located in the NW ¼, NW ¼, Section 35 and the NE ¼, NE ¼, Section 34, T3S, R4E, BHM, Custer County South Dakota. They want to change the access to a platted right-of-way since they don't want to pay taxes on that portion of land. Councilperson Culberson moved to approve this request. Seconded by Councilperson Murphey, the motion unanimously carried.

#### **LTRC – SEEDING PROJECT**

Discussion was held on the purchase of the seeding for the ball fields at the School property with a cost of \$5000 to \$5500 for the seed and fertilizer. The POPS group will provide \$2500 leaving the balance for the Long Term Recreation Committee. The School Building Committee has approved the purchase of the irrigation equipment but it still has to go the full School Board. Councilperson Pischke moved to approve the seed purchase with a second by Councilperson Murphey. Discussion was held on the School's obligation to provide the fields due to the joint use agreement. Discussion was also held on capitol outlay funds, a repayment schedule, and the need to have a resolution to this matter. The Council is greatly concerned with the lack of response from the School District and that the kids of the community do not get hurt in the process. The motion unanimously carried.

#### **CRUISIN CAMERA PURCHASE**

Rex and Councilperson Culberson discussed the purchase of a camera for the downtown area that will be televised on the Cruisin website. The Committee has also offered to work with the Sheriff's Office if a need arises. Councilperson Boyer discussed the possible need to upgrade from DSL to cable modem for a faster speed when the camera is tied into the server.

#### **SHOWMOBILE USE REQUEST**

Christine discussed a request for the use of the Showmobile at Stockade Lake June 2<sup>nd</sup> for the Custer State Park Spur dedication; this is what was called the Mickelson Trail Extension Bike Path. This item will be brought before the Council at the next meeting.

#### **DISCUSSION ITEMS**

Christine discussed Les Struble's, County DOE, intentions to do a city-wide review of all properties. This should start around Memorial Day and he intends to contact all homeowners so they may set an appointment time. The Council requested his attendance at their next meeting for additional information.

Councilperson Schleining shared the Thank You Note received from the Air Service Task Force Committee regarding the \$5000 donation and appreciated our leadership.

Rex discussed the Land Trust Meeting which is something that has been started in other communities to assist with middle to low income home purchases. The investment would stay in perpetuity so it becomes a revolving loan program. Councilperson Starr mentioned that there maybe citizens who would give endowments to this type of program since it is used to enhance the City. Rex also mentioned that some cities work out the number of lots in a development and then the developer donates one or two lots to the land trust.

#### **CLAIMS**

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

Mayor & Council, Wages, \$4200

Community Development, Wages, \$5193.33  
Finance Officer, Wages, \$12533.39  
Public Works, Wages, \$8006.43  
Street Department, Wages, \$5508.48  
Parks Department, Wages, \$3890.38  
Liquor Fund, Wages, \$5713.45  
Water Fund, Wages, \$6249.95  
Wastewater Fund, Wages, \$4062.72  
A&B Electric, Repair & Maintenance, \$160.64  
AFLAC, Insurance, \$360.38  
Alltel, Utilities, \$298.62  
American Linen, Repair & Maintenance, \$120.76  
Anderson Plumbing, Supplies, \$10  
Beesley Law, Professional Services, \$1058  
BH Community Economic Development, Travel & Conferences, \$100  
BH Power, Utilities, \$2265.65  
Century Business, Supplies, \$94.47  
Chadron Wholesale, Supplies, \$501.06  
Coca-cola, Supplies, \$289  
Culligan Water, Repair & Maintenance, \$143  
Custer Chronicle, Publishing, \$1341.16  
Custer Regional Medical Center, Professional Services, \$78  
Custer Volunteer Fire Department, Travel & Conferences, \$408.02  
Dakota Backup, Professional Services, \$42.16  
John Dumire, Reimbursement, \$75  
Envision Design, Annexation, \$13005.50  
Fastenal, Supplies, \$82.23  
Fisher Beverage, Supplies, \$2910.27  
French Creek Supply, Supplies, \$132.02  
Fresh Start Convenience Stores, Supplies, \$876.74  
Golden West Companies, Utilities, \$673.42  
Golden West Technologies, Supplies, Repair & Maintenance, \$157.50  
Governmental FO Association, Travel & Conferences, \$83  
Governor's Inn, Travel & Conferences, \$130  
Rex Harris, Reimbursement, \$650  
Hawkins Chemical, Supplies, \$802  
Hillyard Floor Care, Supplies, \$37.32  
International Code, Dues, \$100  
Kadmas, Lee & Jackson, Paving Project, \$4355.13  
Scott Kellogg, Reimbursement, \$295.31  
Kimball Midwest, Supplies, \$687.66  
Lexisnexis Mathew Bender, Ordinance Codification, \$1366.90  
M&B Enterprises, Supplies, \$39.20  
Nelson's Oil & Gas, Utilities, \$3306.90  
Northern Balance, Repair & Maintenance, \$145  
Okoboji Wines, Supplies, \$997.30  
One Call Systems, Supplies, \$52  
Petty Cash, Supplies, Travel & Conferences, \$328.38  
Pitney Bowes, Supplies, \$126.50  
Power House, Repair & Maintenance, \$346.14  
Prairie Berry, Supplies, \$729  
Quill Corporation, Supplies, \$43.14  
Rapid City Telco, Supplies, \$277.98  
Rapid City YMCA, Memberships, \$67  
Republic National Distributing, Supplies, \$8119.90  
Sander Sanitation Service, Repair & Maintenance, Utilities, \$7742.28  
Sanitation Products, Supplies, \$1355  
SD Dept. of Revenue, Fees, \$61

SD Human Resource Association, Travel & Conferences, \$47  
SD Municipal League, Travel & Conferences, \$289  
Sewer Equipment, Repair & Maintenance, \$724.86  
Sign & Trophy, Supplies, \$23  
Harold Stickney, Travel & Conferences, #174.52  
The Ice House, Supplies, \$35.04  
Gaile Walker, Reimbursement, \$75  
Geney Ziolkowski, Animal Contract, \$729  
Child Support Payment Center, \$471.81  
Federal Withholding, \$4633.04  
FICA, \$6754.85  
Medicare, \$1579.80  
SD Retirement, \$6452.93  
Marilyn Morlin, Deposit Refund, \$50  
Dakota Cowboy, Deposit Refund, \$50  
Dakota Cowboy 2, Deposit Refund, \$50  
Kim Dean, Deposit Refund, \$100  
Bakers Bakery, Deposit Refund, \$100  
Cherish Baker, Deposit Refund, \$50  
Beth Phelps, Deposit Refund, \$50  
Jesse Sorenson, Deposit Refund, \$50  
Pam Pettit, Deposit Refund, \$50  
Burt & Marianne Miller, Deposit Refund, \$50  
Catherine Armstrong, Deposit Refund, \$50  
Total Claims \$135,425.62

**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