

All City Council Meetings are recorded.

**CITY OF CUSTER CITY  
COUNCIL AGENDA  
July 5<sup>th</sup>, 2016 – City Hall Council Chambers  
5:30 P.M.**

1. Call to Order - Roll Call - Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes –June 20<sup>th</sup>, 2016 Minutes
4. Old Business
  - a. Resolution #6-20-16A – Personnel Manual – Application for Employment
5. Oath of Office – Mayor & Council Members – Council Appointment
6. Council President & Vice President and Attorney & Assistant Attorney Appointments – Attorney Oath of Office
7. 2015-2016 Committee Appointments
  - \*Yearly Appointment of Planning Commission 3 mile representative
  - \*Park & Recreation Committee Appointment
8. Declaration of Conflict of Interest
9. Department Head Discussion
  - Public Works Director – General Discussion
  - Planning Administrator – General Discussion
  - Finance Officer – General Discussion
10. Public Presentations - Public Hearings
  - a. Public Hearing – Special Malt Beverage/Wine License – VFW for the Southern Hill Music Festival Event
  - b.
11. New Business
  - a. Fireman's Ball Request – Custer Volunteer Fire Department
  - b. Custer Community Center Floor/Ceiling Rating Bid
  - c. Rezoning for Proposed Blaine Subdivision Phase 2 and Revised Lot 2 of Jackl Subdivision
  - d. Alley Closure & Showmobile Use Request – Custer YMCA
  - e. Hold Harmless Agreement for Chunking logs on City Property
  - f.
12. Presentation of Claims –
13. Committee Reports –
14. Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2(1-4))
15. 2017 Budget Work Session
16. Adjournment

**REMINDERS**

**General Government Committee Meeting – July 11<sup>th</sup>, 2016 4:00 P.M.**

**Planning Commission Meeting – July 12<sup>th</sup>, 2016 7:00 P.M.**

**Regular City Council Meeting – July 18<sup>th</sup>, 2016 5:30 P.M.**

**Park & Recreation Committee Meeting – July 19<sup>th</sup>, 2016 5:30 P.M.**

**Public Works Committee Meeting – July 25<sup>th</sup>, 2016 5:00 P.M.**

**Regular City Council Meeting – August 1<sup>st</sup>, 2016 5:30 P.M.**

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.

CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
June 20<sup>th</sup>, 2016

Mayor Jared Carson called to order the second meeting of the Common Council for the month of June, 2016 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer, Herman and Schleining. City Attorney Chris Beesley was also present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Fischer moved, with a second by Councilperson Nielsen, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Maciejewski, to approve the minutes from the June 6<sup>th</sup> regular council meeting and June 6<sup>th</sup> special council meeting. The motion carried with Councilperson Maciejewski, Nielsen, Fischer, Herman and Schleining voting yes, while Councilperson Heinrich abstained.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, mentioned that the pool is open and that he will be reviewing the recommendations from the engineers on the water treatment evaluation.

Elmer Claycomb, Interim Planning Administrator, gave Council an overview of things that he has been working on.

Laurie Woodward, Finance Officer, mentioned that May sales tax was down 13.75% from last May.

PUBLIC HEARING – MALT BEVERAGE LICENSE RENEWAL – SAGACIOUS INC DBA CUSTER CORRAL

Councilperson Herman moved to approve the malt beverage license renewal for Sagacious Inc dba Custer Corral. Seconded by Councilperson Maciejewski, the motion unanimously carried.

RESOLUTION #06-20-16B – VACATION OF RIGHT-OF-WAY – TRACT FREE WAY (BH PIZZA HUT)

Councilperson Schleining moved to adopt Resolution #06-20-16B, Vacation of Right-of-Way – Tract Free Way (Black Hills Pizza Hut). Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION NO 06-20-16B

WHEREAS, the verified Petition and application of the owners of all real property adjoining the hereinafter described portion of a certain public Right-Of-Way in the City of Custer City, Custer County, South Dakota, praying that said tract be vacated as it serves no useful purpose as part of the streets and alleys in the City of Custer City, the same not being necessary for the use and location of public streets and alleys thereon, has been heretofore filed, and

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, has heretofore caused notice of the time and place of hearing said Petition to be published once a week for two (2) consecutive weeks, to-wit: on the 1<sup>st</sup> day of June 2016, and on the 8<sup>th</sup> day of June, 2016, in the Custer County Chronicle, a legal newspaper published in Custer City, Custer County, South Dakota, setting forth the 20<sup>th</sup> day of June, 2016, for the hearing thereon.

NOW THEREFORE BE IT RESOLVED that the public Right-Of-Way described as follows:

Tract Free Way as recorded in Plat Book 1 at Page 139 of the Register of Deeds of Custer County, South Dakota;

be, and the same is, forever vacated, however all rights to maintain or establish utilities or subsequent easements shall be retained.

Dated at Custer City, Custer County, South Dakota, this 20<sup>th</sup> day of June, 2016.

CITY OF CUSTER

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #06-20-16A – PERSONNEL MANUAL – EMPLOYMENT APPLICATION

Councilperson Fischer moved to table Resolution #06-20-16A, Personnel Manual – Employment Application. Seconded by Councilperson Herman, the motion unanimously carried.

SOUTHERN HILLS MUSIC & ARTS FESTIVAL REQUEST – VAN ARP

Councilperson Fischer moved to approve Van Arp's request to use the City's canopies and distribution outlets for the Southern Hills Music & Arts Festival on August 26<sup>th</sup> & 27<sup>th</sup>, 2016. Seconded by Councilperson Maciejewski, the motion unanimously carried.

**PRELIMINARY PLAT – HOMESTEAD ADDITION (KARL & KATHERINE PROPST)**

Councilperson Fischer moved to approve the preliminary plat for Lots 1 and 2 of Lot 31A of Homestead Addition. Seconded by Councilperson Schleining, the motion unanimously carried.

**PRELIMINARY PLAT – BLAINE SUBDIVISION PHASE 2 (JOE JACKL)**

Councilperson Maciejewski moved to approve the preliminary plat of Blaine Subdivision Phase 2 with the following conditions: 1) that lots 4, 5 & 6 be combined into a single lot on the final plat; 2) that easements be added to the final plat for utilities that cross one lot to serve another lot; 3) that a subdivision improvement variance be granted prior to approval of the final plat; 4) that rezoning of the property be completed before recording of the final plat; and 5) that all necessary corrections be completed on the final plat. Seconded by Councilperson, Heinrich, the motion unanimously carried.

**PRELIMINARY PLAT & VARIANCE – ROCKY KNOLLS ESTATE SUBDIVISION (MICHAEL WELTON)**

Councilperson Nielsen moved to approve the preliminary plat and variance request from the improvements required by the subdivision ordinance for Lot 1R of Rocky Knolls Estates Subdivision and Lot 4R of Crystal Pines at Rocky Knolls. Seconded by Councilperson Herman, the motion unanimously carried.

**DOT PERMIT TO OCCUPY RIGHT-OF-WAY – CUSTER CRUISIN**

Councilperson Herman moved to approve the DOT permit to occupy the right-of-way for the Custer Cruisin parking, which included closing the two center lanes on Mt Rushmore Road from Fifth Street to Eight Street for motorcycle parking, curbside parking restrictions at intersection of Mt Rushmore Road and Fifth Street to provide for wider turning space and vehicle parking only on east Side of Fifth Street from Mt Rushmore Road north for approximately 100 feet. Seconded by Councilperson Nielsen, the motion unanimously carried.

**PARK & RECREATION COMMITTEE FUNDING REQUEST**

Councilperson Nielsen moved to approve the Park & Recreation Committee request to seek request for proposals for an assessment of the City Parks with a goal of less than \$25,000 to be spend on the RFP's. Seconded by Councilperson Herman, the motion unanimously carried.

**WAZI LANE RECONSTRUCTION ENGINEERING CONTRACT – BANNER ENGINEERING**

Councilperson Heinrich moved to approve the Wazi Lane reconstruction engineering contract with Banner Associates for \$11,771. Seconded by Councilperson Nielsen, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Herman and Schleining voting yes.

**CLAIMS**

Councilperson Herman moved, with a second by Councilperson Fischer, to approve the following claims. The motion unanimously carried.

ASCAP, Professional Fees, \$336.00

Banner Associates INC, Capital Improvements, \$11,023.33

Battle Mountain Humane Society, Animal Control Contract, \$800.00

Black Hills Power and Light, Utilities, \$7,480.25

Culligan, Repairs & Maintenance, \$18.50

Chamber of Commerce, Advertising, \$1,101.60

Chamber of Commerce, Sales Tax, \$6,927.75

Custer Regional Medical Clinic, Safety, \$168.00

Elan City, Supplies, \$2,500.00

First Interstate Bank, Supplies, \$73.25

Grace Masonry, Repair & Maintenance, \$3,878.00

Golenwest Technologies, Services, Professional Fees, \$616.50

Hach, Supplies, \$382.39

Hadlock, Cheryl, Professional Fees, \$4,166.67

Itron, Supplies, 760.56

Ketel Thorstenson, Audit, \$1,048.60

Lynn's Dakotamart, Supplies, \$36.68

Midcontinent Testing Labs, Professional Fees, \$504.00

Northwest Pipe Fitting, Repair/Maint \$96.71  
Petty Cash, Travel, Supplies, \$469.23  
PayPal, Supplies, \$305.82  
Quill, Supplies, \$52.07  
Regional Health Network, Sales Tax Subsidy, \$28,736.85  
S&B Motors, Supplies, \$214.59  
Sanders Sanitation, Garbage Collection Contract, \$12,598.24  
SD Dept of Revenue, Supplies, \$25.00  
SD DOT, Capital Improvements, Professional Fees, \$875.74  
SD Public Assurance Alliance, Insurance, \$292.00  
SD Executive MGMT Finance Office, Utilities, \$11.45  
State of SD, Sales Tax, \$980.00  
USDA Loan Payments, \$8,910.00  
Wright Express, Supplies, \$1,098.82  
YMCA, Membership, \$128.00  
Total Claims, \$96,616.60

**COMMITTEE REPORTS**

Various committee reports were given.

**FIVE YEAR PLAN / 2017 BUDGET WORK SESSION**

Council had a work session for the five year plan and 2017 budget.

**ADJOURNMENT**

With no further business, Councilperson Nielsen moved to adjourn the meeting at 8:12 p.m.  
Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Jared Carson  
Mayor

RESOLUTION # 06-20-16A

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 6-6-16B; and

WHEREAS, the Common Council of the City of Custer City has determined that the application should ask if they are a veteran.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit "A", Application for Employment, as if set forth in full herein, and adopted by reference.

Dated this 5<sup>th</sup> day of July, 2016

\_\_\_\_\_  
City of Custer City  
Jared Carson, Mayor

Attest: \_\_\_\_\_  
Laurie Woodward  
Finance Officer

(Seal)

# Application for Employment

PLEASE PRINT

## PERSONAL

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_

Position desired? \_\_\_\_\_

Can you perform the essential functions of the position for which you are applying? YES  NO  If no, please explain. (If you have any question as to what functions are applicable to the position for which you are applying, please ask the interviewer before you answer this question)

When would you be available to begin work? \_\_\_\_\_

Do you have or are you eligible to get a SD State Driver's License? (If position requires) YES  NO   
Do you have a CDL Commercial Driver's License? YES  NO

Are you legally eligible to be employed in the United States? YES  NO   
(Proof of identity and eligibility will be required upon employment)

Are you over the age of 18 years? YES  NO   
(If no, you may be required to provide authorization to work.)

Are you an honorably discharged veteran of the US as defined in SDCL 33A-2-1? YES  NO   
(Please attach a copy of your DD 214)

Have you ever been convicted of a felony or a misdemeanor? YES  NO  If yes, please explain:  
(A conviction will not necessarily result in the denial of employment.)

Have you ever worked for Custer City before? YES  NO

When? (Give dates) \_\_\_\_\_ Job Title: \_\_\_\_\_

Do you have any relatives or friends who work for the City of Custer? YES  NO  If yes, who and where do they work?

Have you ever done any volunteer work? YES  NO  If yes, describe: (Omit any volunteer work which reflects your race, color, religion, age, sex, sexual orientation, marital status or disabilities)

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Are you available to work: DAYS  NIGHTS  WEEKENDS  FULL TIME  If you cannot work full time, please explain:

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Are you presently employed? YES  NO  If yes, may we contact your employer? YES  NO  If presently employed, why are you considering leaving?

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Do you belong to any professional, trade, business or civic organizations that deals with the position for which you are applying? YES  NO  If yes, please explain and list offices held: (Omit any organization which reflects your race, color, religion, age, sex, sexual orientation, marital status or disabilities.)

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Account for any full month since leaving school (high school or college) that you were not working:

From		To	Reason
Mo/Yr			
Mo/Yr			
Mo/Yr			

### EDUCATION

	Name and Location of School	Course of Study	No. of Years Completed	Diploma or Degree Received
High School				
College				
Vocational or Trade School				
Graduate Work				

Have you completed any special courses, seminars and/or training that would enable you to perform the position for which you are applying? YES  NO  If yes, please describe:

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List academic honors, extracurricular activities, community involved, offices held, etc. that would pertain to the position you are applying for: (Omit any which reflects your race, color, religion, age, sex, sexual orientation, marital status or disabilities.)

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**EMPLOYMENT** Start with your present or most recent position

Name of Employer		Telephone Number ( )	
Full Address (Including Street, City, State & Zip)		Supervisor's Name and Title	
		Number of employees you supervised:	
Dates Employed From Month/Day/Year	To Month/Day/Year	Rate of Pay Beginning	Final

Describe the Work Performed

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Reason for Leaving \_\_\_\_\_

Name of Employer		Telephone Number ( )	
Full Address (Including Street, City, State & Zip)		Supervisor's Name and Title	
		Number of employees you supervised:	
Dates Employed From Month/Day/Year	To Month/Day/Year	Rate of Pay Beginning	Final

Describe the Work Performed

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Reason for Leaving \_\_\_\_\_

Name of Employer		Telephone Number ( )	
Full Address (Including Street, City, State & Zip)		Supervisor's Name and Title	
		Number of employees you supervised:	
Dates Employed From Month/Day/Year	To Month/Day/Year	Rate of Pay Beginning	Final
Describe the Work Performed			
Reason for Leaving			

Use an additional sheet of paper if more space is necessary.

**PERSONAL REFERENCES Give three individuals (not relatives or employers)**

Name	Occupation
Full Address (Including Street, City, State & Zip)	Telephone Number
Street _____	( )
City _____ State _____ Zip _____	
Name	Occupation
Full Address (Including Street, City, State & Zip)	Telephone Number
Street _____	( )
City _____ State _____ Zip _____	
Name	Occupation
Full Address (Including Street, City, State & Zip)	Telephone Number
Street _____	( )
City _____ State _____ Zip _____	

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APPLICANTS WILL RECEIVE CONSIDERATION FOR POSITIONS, WITHOUT REGARD TO RACE, COLOR, RELIGION, AGE, SEX, EXCEPT WHERE SEX IS A BONAFIDE OCCUPATIONAL QUALIFICATION, SEXUAL ORIENTATION, MARITAL STATUS, INDIVIDUALS WITH DISABILITIES, AND EQUALLY TO DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA.

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IMPORTANT, PLEASE READ AND SIGN

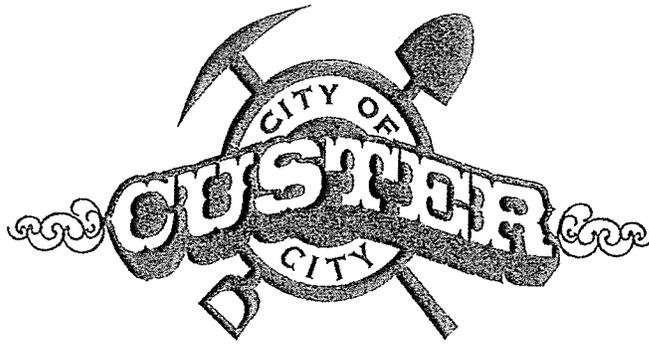
1. I understand that failure to reveal any prior employer, or giving false or misleading information by me on any part of this Application for Employment, I may be refused employment, or if employed, it may be grounds for termination from the company or its subsidiaries.
2. The City has my authorization to thoroughly investigate and have all necessary information released concerning my work, medical and personal history as deemed necessary for the position applied for. I will hold no person, corporation, or organization liable for giving or receiving information in this investigation.
3. In consideration of my employment, I agree to abide by the rules and regulations of the City
4. I understand and agree that passing the pre-employment physical examination including a drug and alcohol screening test and a criminal background and motor vehicle record check is a prerequisite for qualifying for employment.
5. I understand that if I am hired, my employment is for no definite time and may be terminated at any time without prior notice.
6. This application is current and active for only the position applied for and it will be necessary for me to fill out a new application for other positions that may become available.
7. I understand that no representative of the City has any authority to enter into any agreement, oral or written, for employment for any specified period of time or to make any agreement or assurances contrary to this policy.
8. I have read and agreed to the above and hereby certify that the facts I have provided in my employment application are true and complete to the best of my knowledge.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Do not write below this line

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 In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).



622 Crook Street  
Custer, SD 57730

Phone: (605) 673-4824  
Fax: (605) 673-2411

## Application for a Special Alcoholic Beverage License

This application is for a special malt beverage retailers license, a special retail on-sale wine license, special malt beverage license by current licensee, or special permit for alcohol on public property (brown bag permit) in conjunction with a special event to any public, civic, charitable, educational, fraternal, or veterans organization to be held in the City of Custer for a period not to exceed 15 consecutive days. **\*\*If applying for a Brown Bag Permit, there shall be NO exchange of money!\*\***

Date of application: 8-17-16

Name of Business or Organization: VFW Post 3242

Address: 721 Mt Rushmore Rd

List three (3) officers, directors or responsible persons from this organization and their address:

Donald Couch

Keith Blome

Ed Sedlerky

Type of license applying for: Special Malt Bev and wine license

Location or place of event and physical address: Papaent Hill

Date(s): Aug 26, 27 2016

DESCRIPTION OF EVENT: Concert

Proposed time or hours of operation of the event: \_\_\_\_\_

Approximate or projected number of people who may attend: \_\_\_\_\_

Will persons under age of 21 be allowed to attend? yes - they will checking ID's

If so, describe in detail the plan and method of statutory barriers or separation which will be used:

Wrist bands, - Working w/ Sheriff's Office

*If there is a flyer advertising your event, please attach it to this application*

# PROOF OF INSURANCE ATTACHED

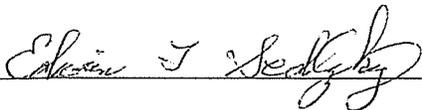
CERTIFICATION: The undersigned applicants certify under penalties of perjury, by law provided that all statements herein are true and correct; that the said applicants comply with all of the statutory requirements for this class of license being applied for and in addition agree to permit agents of the City of Custer access to the licensed premises and records as provided in SDCL 35-2-2.1, and agree that this application shall constitute a contract between applicants and the City of Custer entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of SDCL Title 35, as amended.

HOLD HARMLESS AND INDENMIFICATION AGREEMENT: If any alcoholic or malt beverages are involved in the use of the City's property or premises, the applicant hereby agrees to maintain liquor liability insurance with a limit of not less than \$2,000,000 per incident. If such insurance contains a general aggregate limit, it shall apply separately to this agreement or be no less than two times the occurrence limit herein. Such insurance shall add the City, its officials, agents, its employees and volunteers, as additional insured's, and a Certificate of Insurance shall be attached to this application and delivered to the City's Finance Officer.

That in all cases, the applicant agrees to use and possess the property or premises hereby rented or leased to it by the City, in accordance with all applicable federal, state, county and local rules and regulations. Further, the applicant hereby states that it shall hold harmless and indemnify the City, its officials, agents, its employees and volunteers from any and all loss, injury, damages, and/or death, of any kind or type whatsoever that may be occasioned by the applicant using the City's property or premises.

***I UNDERSTAND THAT THERE IS TO BE NO EXCHANGE OF MONEY AT THIS EVENT IF I AM APPLYING FOR A BROWN BAG PERMIT***

Signed this 17 day of June

Signature  

APPROVAL BY CITY OF CUSTER – Notice of hearing was published on \_\_\_\_\_.  
Public hearing on the application was held \_\_\_\_\_, not less than seven (7)  
days after official publication. The Custer City Council, by majority vote, recommends the approval and  
granting of this license and certifies that requirements as to location and suitability of the premises and  
applicant have been reviewed and conform to the requirements of local and South Dakota law.

Date Council Approved: \_\_\_\_\_

\_\_\_\_\_  
Finance Officer

Fee collected with this application \$ \_\_\_\_\_

NOTICE OF PUBLIC HEARING UPON APPLICATIONS FOR SPECIAL ON-SALE MALT BEVERAGE AND WINE RETAILER'S LICENSE TO ORGANIZATIONS

UPON APPLICATION for special on-sale wine retailer's license to organizations, notice is hereby given that the City Council of the City of Custer City, Custer County, South Dakota will hear and consider the following applications for special on-sale malt beverage and wine retailer's license to organization at a meeting of the City Council to be held on the 5<sup>th</sup> day of July, 2016, in the Council Chambers of City Hall in said City at 5:30 p.m. of said day. Application to be considered for renewal pursuant to SDCL 35-4 is as follows:

VFW Post 3442 – August 26<sup>th</sup> & 27<sup>th</sup>, 2016 – Southern Hills Music and Arts Festival

Any person or persons interested either for or against the granting of any such application may appear at the time and place above stated. Individuals needing assistance, pursuant to the Americans with Disabilities Act should contact the City Finance Officer no less than 24 hours prior to this meeting to make necessary arrangements.

Dated this 17<sup>th</sup> day of June, 2016.

/s/Laurie Woodward  
Custer City Finance Officer

Custer County Chronicle – Please Publish June 22<sup>nd</sup>, 2016

# Custer Volunteer Fire Department

616 Crook Street  
PO Box 823  
Custer, South Dakota 57730-0823

(605) 673-4080  
Fax (605) 673-4088  
E-Mail: [custervfd@goldenwest.net](mailto:custervfd@goldenwest.net)

[www.custerfire.com](http://www.custerfire.com)

RECEIVED

JUN 21 2016

CITY OF CUSTER

June 20, 2016

City of Custer  
622 Crook Street  
Custer, SD 57730

Attn: Mayor Jared Carson

Re: Firefighter's Ball Street Dance

Dear Mayor Carson,

The Custer Volunteer Fire Department is planning on holding our annual Firefighter's Ball during Gold Discovery Days. The dates of the dance are July 22<sup>nd</sup> and 23<sup>rd</sup>. The dance will be held again this year as a street dance. Like previous years, we are asking permission to use 6<sup>th</sup> Street between Crook and the alley to the South.

The plan again is to have Friday night dance as a family night with no alcohol allowed.

The Saturday night dance, we are requesting a brown bag license for the purpose of the dance. We will not be selling refreshments, however people attending the dance will be allowed to carry in their own refreshments.

This is a time that Custer High School host class reunions and this gives the classes a place to gather and visit. There will be security to assure there are not problems.

If you have any questions, please feel free to contact me at (605) 645-0539.

Thank you for your consideration in this matter.

Sincerely,

*Aelera Spurg*  
Secretary  
(-for)  
Jim Lyon II  
Fire Chief

# Custer Volunteer Fire Department

616 Crook Street  
PO Box 823  
Custer, South Dakota 57730-0823

[www.custerfire.com](http://www.custerfire.com)

(605) 673-4080  
Fax (605) 673-4088  
E-Mail: [custervfd@goldenwest.net](mailto:custervfd@goldenwest.net)

RECEIVED  
JUN 21 2016  
CITY OF CUSTER

June 20, 2016

City of Custer  
622 Crook Street  
Custer, SD 57730

Attn: Mayor Jared Carson

Re: Firefighter's Ball Street Dance

Dear Mayor Carson,

The Custer Volunteer Fire Department is planning on holding our annual Fireman's Ball During Gold Discovery Days. The dates of the dance are July 22nd and 23rd.

As in the years past, we are requesting to reserve the Show Mobile for the purpose of the dance.

If you have any questions, please feel free to contact me at (605) 645-0539.

Thank you for your consideration in this matter.

Sincerely,

*Aelena Spung*  
Secretary  
for  
Jim Lyon II  
Fire Chief





Planning Department  
622 Crook Street  
Custer, SD. 57730  
Phone: 673-4824 Fax: 673-2411  
e-mail:

Staff Report

Request: Rezoning for Proposed Blaine Subdivision Phase 2 and Revised Lot 2 of Jackl Subdivision  
Applicant: Joseph Jackl  
Location: North End of 4<sup>th</sup> Street  
Date: June 30, 2016  
Council Meeting: July 5, 2016  
Prepared by Elmer Claycomb, P.E., Interim Planning Director

GENERAL

The approved Preliminary Plat of Blaine Subdivision Phase 2 would create 1 new lot and reshapes existing lots. Revised Lot 2 of Jackl Subdivision is not a part of the Preliminary Plat of Blaine Subdivision Phase 2, but is included in the rezoning request to clarify the zoning.

ZONING ISSUE

The area of the existing Blaine and Jackl Subdivisions is shown as Highway Commercial on some of the City Zoning maps and as Residential on others. The area of Lot B is shown as Highway Commercial on all versions of the Zoning map. Residential dwellings are a Permitted Conditional Use in the Highway Commercial District. Conditional Use Permits have not been located for the existing residential dwellings. With the proposed platting the only parcel that is suitable for the Highway Commercial Zoning is Lots BR. The other lots, since they access through residential areas with limited street improvements and are occupied by 3 residences, should be zoned as Residential. Since part of Lot B is to be included in Lot 1A and part of Lot 3 is included Lot BR, a Zone change action would be necessary in any event to coincide with the revised boundaries.

The initial version of the Preliminary Plat for Blaine Subdivision Phase 2 included 3 lots on the east side of North 4<sup>th</sup> Street. The approved Preliminary Plat combines these 3 lots into one lot. The applicant has submitted a rezoning request based on the original Preliminary Plat to designate Lots 6 and BR as Highway Commercial and the other lots as Residential. The legal notice for the public hearing was published on June 15<sup>th</sup> and 22<sup>nd</sup>, with the hearing at the City Council meeting on July 5<sup>th</sup>.

With the revisions to the Preliminary Plat, only Lot BR would be designated Highway Commercial. The remainder of Blaine Subdivision Phase 2 and Revised Lot 2 of Jackl Subdivision would become Residential.

The action today is the public hearing on the Rezoning request. The actual rezoning would need to await the approval of the Final Plat so the revised lots to be rezoned actually exist.

Potential time schedule for completion of plat approval process

1. Public hearing for rezoning – July 5
2. Final Plat presented to Planning Commission – July 12
3. At July 18 City Council
  - 1<sup>st</sup> Grant Variance Request
  - 2<sup>nd</sup> Approve Final Plat
  - 3<sup>rd</sup> Approve rezoning

City of Custer

We, as per recommendation of the Planning Commission, would like Lots BR and Lot 6 of the Blaine Subdivision Phase 2 Plat to be zoned commercial.

MARCEL WAHLSTROM

*Marcel Wahlstrom*

OWNER/OPERATOR - BAVARIAN INN

*Joseph A Jackl - OWNER LOT 6*

RECEIVED

JUN 06 2016

CITY OF CUSTER

We would also like Lots 1a, 2,3,4 &5 to be zoned as residential, also on the recommendation of the Planning Commission.

*Joseph A Jackl OWNER LOT 1A, 3, 4, 5*

*James Hahn OWNER LOT 2*

RECEIVED

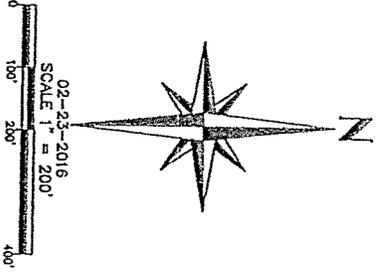
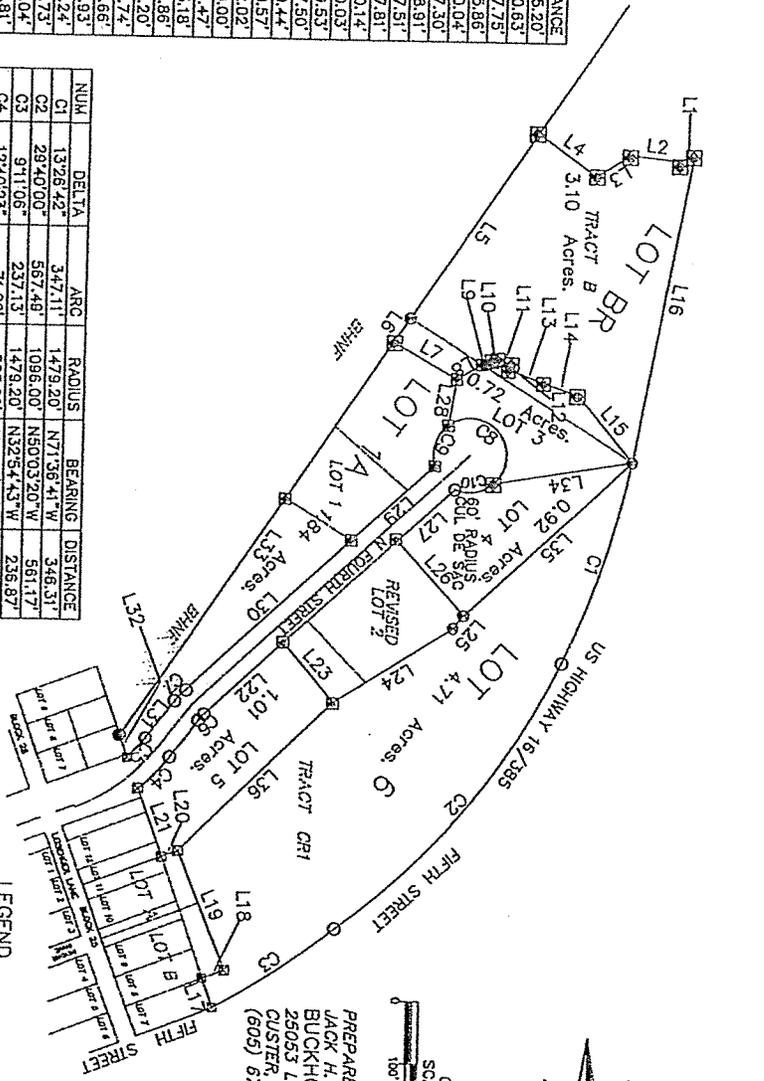
JUN 06 2016

CITY OF CUSTER

BLAINE SUBDIVISION PHASE 2  
 (FORMERLY TRACT B AND LOT 1, AND LOT CR OF TRACT C OF  
 TRACT CUTOFF OF HES M. DALY AND GVT LOT 11)  
 LOCATED IN SECTION 23, T3S, R4E, B1M,  
 CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

NUM.	BEARING	DISTANCE
L1	N23°21'09"W	25.20'
L2	N5°57'43"E	80.63'
L3	N31°42'30"W	67.75'
L4	N35°22'25"E	115.86'
L5	S56°01'13"E	380.04'
L6	N55°57'45"W	47.30'
L7	S28°51'11"W	118.91'
L8	S29°59'12"E	47.51'
L9	N23°57'58"W	17.81'
L10	N7°31'13"W	10.14'
L11	N18°41'24"E	20.03'
L12	N69°10'34"W	9.53'
L13	N19°42'50"E	57.50'
L14	N18°26'50"E	60.44'
L15	S48°59'42"W	140.57'
L16	N79°53'18"W	462.02'
L17	S69°58'46"W	50.00'
L18	N20°57'49"W	38.47'
L19	S66°58'58"W	205.18'
L20	S20°37'51"E	27.86'
L21	S69°56'46"W	115.20'
L22	N42°36'40"W	172.72'
L23	N48°48'53"E	126.66'
L24	N32°07'11"W	225.93'
L25	N50°16'08"W	30.24'
L26	S47°21'34"W	163.73'
L27	N42°36'42"W	125.04'
L28	S80°53'12"E	75.81'
L29	N42°33'12"W	180.81'
L30	N42°46'55"W	366.04'
L31	N52°31'56"W	75.05'
L32	S89°56'46"W	37.86'
L33	N55°57'45"W	772.38'
L34	N8°36'46"W	228.02'
L35	N43°33'52"W	370.67'
L36	S44°03'12"E	346.49'

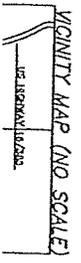
NUM.	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	13°26'42"	347.11'	1479.20'	N71°36'41"W	346.51'
C2	28°40'00"	567.49'	1096.00'	N50°05'20"W	561.17'
C3	9°11'06"	257.13'	1479.20'	N32°54'43"W	236.87'
C4	12°40'23"	71.88'	325.00'	N46°11'27"W	71.74'
C5	8°52'27"	42.59'	275.00'	N48°05'24"W	42.85'
C6	9°54'58"	21.98'	75.00'	S47°34'10"E	12.96'
C7	9°54'56"	21.83'	125.00'	S47°34'10"E	21.81'
C8	24°01'8.40"	281.65'	60.00'	S82°36'31"W	103.76'
C9	70°02'32"	73.35'	60.00'	S68°34'05"E	68.87'
C10	64°28'06"	67.53'	80.00'	N8°28'42"W	64.02'



PREPARED BY  
 JACK H. KNUST  
 BUCKHORN SURVEYING INC  
 26053 LETSON LOOP  
 CUSTER, SOUTH DAKOTA 57730  
 (605) 673-5452

LEGEND

- ◻ CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP
- MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER SET AT CURVE POINTS REBAR WITH PLASTIC CAP
- MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP
- MARKED BRYANT RLS 2196



REQUEST TO BE ON AGENDA  
CUSTER CITY COUNCIL MEETING

NAME: Custer YMCA PHONE #: 673-5134

ADDRESS: 644 Crook St

MEETING DATE: Aug 20<sup>th</sup> 12:00 - 8:00 pm

Council meets on the 1st and 3rd Monday of each month, however if such date follows on a holiday Council will meet the following day.

ACTION REQUESTED (Give a brief summary of the action you would like the Council to take):

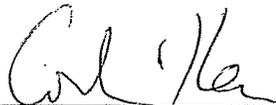
Use of the Showmobile, the Closure of the Alley between City Hall & YMCA, the Closure of the Alley behind City Hall & the YMCA.

REASONS FOR ACTION (Give a detailed account for the reasons you feel the Council should take the above action. Please state the history behind the request and as much information supporting your request as you can. Attach additional sheets if necessary.):

YMCA 30<sup>th</sup> celebration

Have you visited with any staff or committees regarding your request, please state who ( General Government Committee, Public Works Committee, Planning Commission, Community Development Director, Public Works Director, Finance Officer):

\_\_\_\_\_

SIGNATURE  DATE 7/1/16

This form must be returned to the Finance Office by noon on the Wednesday preceding a regular scheduled meeting.



Finance Department

## CUSTER CITY HOLD HARMLESS AGREEMENT

PROJECT/ACTIVITY: Chunking logs on City Property

The parties agree that \_\_\_\_\_ shall hold Custer City harmless and indemnify Custer City, its officers, agents and employees from and against any and all actions, suits, damages, liability or other proceedings which may arise as a result of performing services hereunder.

\_\_\_\_\_ shall, at all times, carry its own public liability insurance in an amount to be determined by the Custer City Finance Officer as provided.

\_\_\_\_\_ shall, at all times, wear appropriate personal protective equipment.

\_\_\_\_\_ shall coordinate access to City Property with the Public Works Director.

\_\_\_\_\_  
Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Finance Officer

\_\_\_\_\_  
Date