

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
September 19<sup>th</sup>, 2016**

Mayor Jared Carson called to order the second meeting of the Common Council for the month of September, 2016 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer 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, with a correction to a typographical error. The motion unanimously carried.

**MINUTES**

Councilperson Maciejewski moved, with a second by Councilperson Schleining, to approve the minutes from the September 6<sup>th</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, gave an overview of the DOT milling project, water usage at the pool and water pumping figures.

Laurie Woodward, Finance Officer, mentioned that August sales tax was down 7% from last August.

**SECOND READING – ORDINANCE #777 – APPROPRIATION ORDINANCE FOR FY2017**

Councilperson Fischer moved to adopt Ordinance #777, Appropriation Ordinance for FY 2017. Seconded by Councilperson Nielsen, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer and Schleining voting yes.

**RESOLUTION #09-19-16A – AMENDMENT TO FEE SCHEDULE (WIRELESS COMMUNICATION TOWER PERMIT FEE)**

Councilperson Schleining moved to adopt Resolution #09-19-16A, Amendment to Fee Schedule (Wireless Communication Tower Permit Fee). Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION NO. 09-19-16A

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, has previously adopted a Fee Schedule; and

WHEREAS; modification of said Fee Schedule was provided for in Resolution #04-18-16B; and

WHEREAS; the Common Council of the City of Custer City has determined that the Fee Schedule be modified by adding to the Planning & Community Development Fees (page 8) a \$5,000 wireless communication tower permit fee;

NOW THEREFORE BE IT RESOLVED that the Fee Schedule is amended and superseded as adopted.

Dated this 19<sup>th</sup> day of September 2016.

CITY OF CUSTER CITY

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

**RESOLUTION #09-19-16B – TAP GRANT APPLICATION SPONSORSHIP**

Councilperson Nielsen moved to adopt Resolution #09-19-16B, TAP Grant Application Sponsorship. Seconded by Councilperson Schleining, the motion unanimously carried.

CITY OF CUSTER

RESOLUTION #9-19-16B

SDDOT TRANSPORTATION ALTERNATIVES PROGRAM GRANT APPLICATION SPONSORSHIP

WHEREAS, the City of Custer desires assistance from the S.D. Department of Transportation Alternatives Program (TAP) for the purpose of constructing the "City of Custer Sidewalk Project" consisting of a shared use path beginning along 11<sup>th</sup> St. and then extending to an ending-point along Bluebell Lane with a length of approximately 2,650 feet and including a pedestrian bridge across French Creek; and,

WHEREAS, the City Council hereby commits to the continued maintenance of the above-referenced project; and,

WHEREAS, the City Council commits to the local match for the project; and,

WHEREAS, the project meets all local zoning and planning regulations and ordinances; and,  
WHEREAS, the City Council hereby certifies that all land, rights-of-ways and easements needed for construction of the project are secured,

NOW THEREFORE BE IT RESOLVED that the City Council hereby authorizes the filing of a grant application, including all understandings and assurances contained therein, for the Transportation Alternatives Grant, and hereby authorizes the Mayor to execute and act in connection with the application and to provide such additional information as may be required.

Adopted this 19th day of September, 2016

CITY OF CUSTER CITY

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

**CUSTER COMMUNITY CENTER FLOOR / CEILING RATING BIDS**

Councilperson Heinrich moved to approve the bid from RCS Construction Inc for \$88,300 for the Custer Community Center floor/ceiling fire rating project. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Heinrich, Nielsen, Fischer, Schleining and Maciejewski voting yes.

**WEST DAM CONTRACT AMENDMENT - BANNER**

Councilperson Maciejewski moved to approve the contract amendment from Banner Associates for the West Dam Reconstruction Project with the amount not to exceed \$10,602.75 for purpose of wetland permitting work, lake wall retaining wall design and floodplain work. Seconded by Councilperson Heinrich, the motion carried with Councilperson Nielsen, Fischer, Schleining, Maciejewski and Heinrich voting yes.

**STREET CLOSURE REQUEST – DEVIN HENDRICKSON**

Councilperson Maciejewski moved to approve the street closure request from Devin Hendrickson for closure of South Sixth Street from Mt Rushmore Road to Washington Street on October 14<sup>th</sup> for a car show that Devin is putting on for his senior project, contingent upon proof of insurance being provided or attorney's review of hold harmless agreement in lieu of insurance. Seconded by Councilperson Schleining, the motion unanimously carried.

Councilperson Blom joined the meeting at 5:54 pm.

**REQUEST TO USE PAGEANT HILL – VAN ARP**

Councilperson Fischer moved to approve Van Arp's request to use Pageant Hill August 17-20, 2017 for the Southern Hills Music & Arts Festival. Seconded by Councilperson Maciejewski, the motion unanimously carried.

**PARADE REQUEST – CUSTER SCHOOL DISTRICT – HOMECOMING PARADE**

Councilperson Heinrich moved to approve the Custer School District Homecoming Parade request for October 14<sup>th</sup> with the parade starting at Fifth & Lincoln Street proceeding south on Fifth Street then turning west on Mt Rushmore Road & proceeding until Eighth Street; contingent upon DOT approval. Seconded by Councilperson Schleining, the motion unanimously carried.

**BROWN BAG REQUEST – 1881 COURTHOUSE MUSEUM**

Councilperson Maciejewski moved to approve the brown bag request from the 1881 Courthouse Museum for their Volunteer Appreciation Event on September 24<sup>th</sup>. Seconded by Councilperson Schleining. Councilperson Maciejewski and Schleining moved to amend the motion and second to make the motion contingent upon Custer County's approval and proof of insurance. The motion unanimously carried.

**PRELIMINARY PLAT – LINDE SAWMILL**

Councilperson Fischer moved to approve the preliminary plat for Linde Sawmill . Tract Sawmill of Linde Subdivision and Lot 1 of Lot B of HES 177. Seconded by Councilperson Schleining, the motion unanimously carried.

**HEALTH INSURANCE**

Councilperson Schleining moved to accept the quote from Wellmark for 2017 health insurance renewal which will be a decrease of about 8% as quoted and accept the quote from Hartford Life for the life insurance policy. Seconded by Councilperson Nielsen, the motion carried with Councilperson Fischer, Blom, Schleining, Maciejewski, Heinrich and Nielsen voting yes.

**PARK & RECREATION MASTER PLAN**

Action on this item was postponed until after executive session.

**CLAIMS**

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

Advanced Drug Testing, Safety, \$36.00  
Altec, Repair & Maintenance, \$1,086.34  
Banner Associates, Capital Improvements, \$2,860.45  
Battle Humane Society, Animal Control Contract, \$800.00  
Black Hills Power & Light, Utilities, \$12,925.99  
Culligan, Repair & Maintenance, \$18.50  
Custer Ambulance Service, Safety, \$665.58  
Chamber of Commerce, Sales Tax Subsidy, \$45,711.20  
Chronicle, Publishing, \$340.41  
Custer Industrial, Supplies, \$439.51  
Custer True Value, Supplies, \$795.80  
French Creek Supply, Supplies, Repair & Maintenance, \$142.59  
GoldenWest Technologies, Professional Fees, \$620.50  
Hawkins, Supplies, \$7,695.99  
Hadlock, Cheryl, Professional Fees, \$4,166.64  
Itron, Supplies, \$760.56  
Scott Kellogg, Safety, \$309.15  
LabCorp, Safety, \$69.75  
Lasting Impressions Unlimited, Supplies, \$20.50  
Lexis Nexis, Supplies, \$95.08  
Lynn's Dakotamart, Supplies, \$160.16  
McClellan, Bill, Safety, \$175.00  
MCGas, Utilities, \$1,337.62  
Midcontinent Testing Labs, Professional Fees, \$1,034.30  
Nelson's Oil & Gas, Supplies, \$456.38  
Northwest Pipe Fitting, Supplies, \$149.51  
Pool & Spa Center, Supplies, \$53.05  
Quality Weed Control Plus, Repair & Maintenance, \$1,149.78  
Quill, Supplies, \$376.19  
Rapid Delivery, Professional Fees, \$48.32  
SD Executive MGMT Finance Office, Utilities, \$21.21  
S & B Motors, Supplies, \$268.06  
Sanders Sanitation, Garbage Collection Contract, \$13,136.63  
Sanders Sanitation, Supplies, \$2,175.00  
SD Municipal League, Conference, \$465.00  
Servall, Repair & Maintenance, \$157.31  
The Storehouse, Subsidy, \$3,000.00  
Sheehan Strategic Solutions LLC, Training, \$2,890.00  
USDA Loan Payment, \$8,910.00  
US Dept. of Treasury, Deductions, \$142.55  
Wright Express, Supplies, \$1,256.85  
Gaile Walker, Supplies, \$144.46  
YMCA, Membership, \$76.00  
Weber, Curtis & Sherry, Utility Deposit Refund, \$23.99  
Total Claims, \$117,167.91

#### **COMMITTEE REPORTS**

Various committee reports were given.

#### **EXECUTIVE SESSION**

Councilperson Schleining moved to go into and out of executive session for personnel, proposed litigation & contract negotiations per SDCL 1-25-2(1-4) at 6:12 pm, with the Attorney, Public Works Director and Finance Officer present. Seconded by Councilperson Heinrich, the motion unanimously carried. Steve Pischke joined the executive session at 6:20 pm and left at 6:27 pm. Councilperson Schleining left the executive session and Council meeting at 6:53 pm. Council came out of executive session at 6:59 pm, with no action taken.

**PARK & RECREATION MASTER PLAN**

Councilperson Fischer moved to approve awarding the Park & Recreation Master Plan to Kadrmass, Lee & Jackson for \$31,900 and approved the contract contingent Park & Recreation Committee's final recommendation. Seconded by Councilperson Nielsen, the motion carried with Councilperson Blom, Maciejewski, Heinrich, Nielsen and Fischer voting yes.

**ADJOURNMENT**

With no further business, Councilperson Blom moved to adjourn the meeting at 7:00 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Jared Carson  
Mayor