

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
September 6th, 2016**

Mayor Jared Carson called to order the first meeting of the Common Council for the month of September, 2016 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Nielsen, Fischer, Blom 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 Blom, to approve the minutes from the August 15th 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, source water protection project and Custer Community Center floor & ceiling rating upcoming bid opening.

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

Laurie Woodward, Finance Officer, mentioned the monthly financial information.

ZONING CODE VIOLATION – BOOTHILL RESIDENCES

Various Boothill residence addressed the Council regarding the vacation home rentals in Boothill and the city's zoning ordinance. Councilperson Fischer moved that time is needed for further discussion and research into this matter and that Council will provide an update on that discussion and research at the October 3rd Council Meeting. Seconded by Councilperson Schleining, the motion unanimously carried.

CUSTER GOLF COURSE – IRRIGATION PROJECT

Members of the Rocky Knolls Golf Course Board expressed their appreciation and thanked the Council for their \$120,000 contribution toward the irrigation project.

AMENDED RESOLUTION #08-15-16A – CERTIFYING DELINQUENT ASSESSMENT

Councilperson Maciejewski moved to adopt the amended Resolution #08-15-16A, Certifying Delinquent Assessment. Seconded by Councilperson Fischer, the motion unanimously carried.

AMENDED RESOLUTION #8-15-16A
RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CUSTER
CERTIFYING A DELINQUENT ASSESSMENT PURSUANT TO
SDCL 10-23-1.1

The City Council of the City of Custer, State of South Dakota does hereby assess and levy on and against the several lots and parcels of land described below the respective sums of money set against each lot or parcel.

This assessment is made to defray the cost of abating a nuisance as per SDCL 34A-6-29.

The owners of said described lot or parcel have been noticed by certified mail return receipt requested and have failed to pay the amount of said described abatement.

NAME OF OWNER	DESCRIPTION OF PROPERTY	AMOUNT
ROGER GEDNALSKI	LOT 2 BLOCK 103 CUSTER, SOUTH DAKOTA PARCEL #008590	\$977.01
KATHLEEN LESTER	LOT 10 BLOCK 93 CUSTER, SOUTH DAKOTA PARCEL #008550	\$231.36
COLLEEN RAE HICKS	LOT 9 BLOCK 26 CUSTER, SOUTH DAKOTA PARCEL #008216	\$504.15
BANK OF AMERICA (SAFEGUARD – ECOVA)	LOTS 8-9 BLOCK 134 CUSTER, SOUTH DAKOTA	\$949.80

ROBERT DRAKE	PARCEL #008738 T&K ENTERPRISES SUBD-TRK SEC 26/27 T3R4.56AC PARCEL #008919	\$545.03
	TOTAL	\$3207.26

The City Finance Officer is directed to file this Resolution with the Custer County Auditor's Office to certify the delinquent assessment pursuant to SDCL 10-23-1.1.

City of Custer

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #09-06-16A – CERTIFYING DELINQUENT ASSESSMENT

Councilperson Schleining moved to adopt Resolution #09-06-16A, Certifying Delinquent Assessment. Seconded by Councilperson Maciejewski, the motion unanimously carried.

RESOLUTION #9-06-16A
RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CUSTER
CERTIFYING A DELINQUENT ASSESSMENT PURSUANT TO
SDCL 10-23-1.1

The City Council of the City of Custer, State of South Dakota does hereby assess and levy on and against the several lots and parcels of land described below the respective sums of money set against each lot or parcel.

This assessment is made to defray the cost of abating a nuisance as per SDCL 21-10-6.

The owners of said described lot or parcel have been noticed by certified mail return receipt requested and have failed to pay the amount of said described abatement.

NAME OF OWNER	DESCRIPTION OF PROPERTY	AMOUNT
ROBERT DRAKE	631 W MT RUSHMORE ROAD T & K ENTERPRISES SUBD – TR K SEC 26/27 T3 R4 .56 AC CUSTER, SOUTH DAKOTA PARCEL #008919	\$590.00
	TOAL	\$590.00

The City Finance Officer is directed to file this Resolution with the Custer County Auditor's Office to certify the delinquent assessment pursuant to SDCL 10-23-1.1.

CITY OF CUSTER

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

FIRST READING – ORDINANCE #777 – APPROPRIATION ORDINANCE FOR FY2017

Councilperson Schleining moved to approve Ordinance #777, Appropriation Ordinance for FY 2017. Seconded by Councilperson Maciejewski, the motion unanimously carried.

EXPERIENCE WORK EMPLOYEE

This item was moved until after executive session.

PAGEANT HILL USE REQUEST

Councilperson Fischer moved to approve Van Arp's request to use Pageant Hill from June 1st-4th, 2017 for a music concert. Seconded by Councilperson Nielsen, the motion unanimously carried.

PARADE REQUEST – CHAMBER OF COMMERCE

Councilperson Maciejewski moved to approve the parade request from the Custer Chamber of Commerce for the Annual Christmas Parade to be held on December 3rd, 2016 at 5:30 pm with line up on Washington Street and the parade starting at 8th Street & Mt Rushmore Road proceeding west on Mt Rushmore Road to Way Park. Seconded by Councilperson Nielsen, the motion unanimously carried.

ZONING – SAXTON SUBDIVISION

Councilperson Nielsen moved to approve the zoning of the Saxton Subdivision property (Saxton Subdivision . Revised TR B2 of TR B2 & TR B in a part of E2NE4 Sec 27 T3 R4 and Saxton Subdivision . Lot

B2 of Lot B of Revised TR Stoddard of TR B2 & TR Stoddard of TR B in E2NE4 Sec 27 T3 R4) be Highway Commercial. Seconded by Councilperson Schleining, the motion unanimously carried.

VACATION OF STREET RIGHT-OF-WAY – GREWAL LODGING

Councilperson Maciejewski moved to table the vacation of street right-of-way for Grewal Lodging until the next Council Meeting. Seconded by Councilperson Schleining, the motion unanimously carried.

STREET LIGHTING – WEST SIDE OF CITY

Councilperson Nielsen moved to approve Black Hills Power & Light replacing six street lights on the west side of the city with the monthly utility rate for those lights increasing and authorize the Mayor to write a letter to Black Hills Power & Light regarding this matter in addition to signing any documents that might be need to proceed with the project. Seconded by Councilperson Schleining, the motion carried with Councilperson Maciejewski, Nielsen, Fischer, Blom and Schleining voting yes.

WEST DAM CONTRACT AMENDMENT / NEW CONTRACT - BANNER

Councilperson Nielsen moved to approve a contract amendment with Banner Associates for the West Dam project for wetlands permit application & supporting documents, not to exceed \$10,000 and authorize the Mayor to sign the amendment once the City Attorney has approved the contract amendment. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Nielsen, Fischer, Blom, Schleining and Maciejewski voting yes.

CUSTER COMMUNITY CENTER – FLOOR/CEILING RATINGS BID RESULTS

Councilperson Maciejewski moved to table the Custer Community Center bids until the next council meeting to allow for the bids to be open at the September 8th bid opening. Seconded by Councilperson Fischer, the motion unanimously carried.

CLAIMS

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

A&B Electric, Professional Fees, Repair & Maintenance, \$440.64
Boggs, Adam, Repair & Maintenance, \$1998.67
AFLAC, Insurance, \$612.75
Banner Associates, Professional Fees, \$1646.89
Beesley Law Office, Professional Fees, \$3340.00
Black Hills Doors, Repair & Maintenance, \$222.00
Bikers Pride, Cruisin Damage Deposit Refund, \$200.00
Black Hills Power & Light, Utilities, \$4833.90
Black Hills Power Equipment, Supplies, \$219.93
Casper Comfort Clothes, Cruisin Damage Deposit Refund, \$100.00
Century Business Products, Supplies, \$165.16
Custer Do It Best, Supplies, \$35.00
Custer County Auditor, Other, \$1372.50
Chamber of Commerce, Advertising, \$880.00
Dacotah Bank, TIF#2 Payment, \$1453.59
Dakotacare, Insurance, \$9548.23
Dakota Pump, Repair & Maintenance, \$4116.71
Delta Dental, Insurance, \$268.30
Environmental Equipment & Services, Supplies, \$442.35
Esoteric/Gymis Gems, Cruisin Damage Deposit Refund, \$100.00
EFTPS, Taxes, \$14079.54
Frank, Jim, Cruisin Reinactor, \$127.50
First Interstate Bank, Supplies, \$110.56
First Interstate Bank, Utilities, Supplies, \$1498.51
Fran Curtis, Cruisin Reinactor, \$120.00
Garland Goff Attorney at Law, Professional Fees, \$487.50
General Lee Collection, Cruisin Damage Deposit Refund, \$100.00
Grizzly's Indian Jewelry, Cruisin Damage Deposit Refund, \$100.00
Hawkins, Supplies, \$8152.95
Hennessy, Coleen, Cruisin Reinactor, \$127.50

Hillyard, Supplies, \$231.54
Honeywell, Repair & Maintenance, \$1150.08
Jenner Equipment, Supplies, \$134.75
LIU, Supplies, \$45.50
Lighting Maintenance, Repair & Maintenance, \$795.59
LaClaire Enterprises, Cruisin Damage Deposit Refund, \$100.00
Lynn's Dakotamart, Supplies, \$17.02
Mr G Tattoos, Cruisin Damage Deposit Refund, \$100.00
Metering & Technology, Supplies, \$1549.60
Nelson's Oil & Gas, Supplies, \$696.08
Paypal, Supplies, \$404.52
Petty Cash, Supplies, \$441.24
Pomper, Samuel, Cruisin Reinactor, \$130.00
Quill, Supplies, \$52.74
Rebel Enterprises, \$1582.07
SD Department of Environment Natural Resources, Conference, \$40.00
State of SD, Taxes, \$1045.33
SD Department of Corrections, Supplies, \$43.75
SD Retirement System, \$6027.14
SD Water/Wastewater Association, Conference, \$120.00
Sign & Trophy, Supplies, \$10.00
Street Style Graphics, Cruisin Damage Deposit Refund, \$100.00
Supplemental Retirement, \$345.00
Torain Customs, Cruisin Damage Deposit Refund, \$100.00
USA Bluebook, Supplies, \$400.80
URAD Leather Care, Cruisin Damage Deposit Refund, \$100.00
Warne Chemical, Supplies, \$290.70
Wesdak Welding & Diesel, Repair & Maintenance, \$1541.41
Wrangler Café, Supplies, \$400.00
Mayor & Council, \$4400.00
Finance Department, \$11121.42
Public Buildings, \$2353.21
Planning Department, \$5054.80
Public Works Department, \$9905.30
Street Department, \$6780.27
Parks Department, \$3356.93
Water Department, \$8752.75
Wastewater Department, \$5065.75
Total Claims, \$131,685.97

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel, proposed litigation & contract negotiations per SDCL 1-25-2(1-4) at 6:47 pm, with the Attorney, Public Works Director, Interim Planning Administrator and Finance Officer present. Seconded by Councilperson Maciejewski, the motion unanimously carried. Council came out of executive session at 7:20 pm, with no action taken.

EXPERIENCE WORK EMPLOYEE

Councilperson Maciejewski moved to approve the hiring of Experience Work Employee Marty Decker to work in the Public Works Department. Seconded by Councilperson Nielsen, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 7:21 p.m. Seconded by Councilperson Fischer, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor