

All City Council Meetings are recorded.

**CITY OF CUSTER CITY
COUNCIL AGENDA
September 5th, 2017 – 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 – August 21st, 2017 Regular Meeting Minutes & August 28th, 2017 Special Meeting Minutes
4. Declaration of Conflict of Interest
5. Public Presentations - Public Hearings
 - a. Second Reading – Ordinance #793 – Rezoning – Wood Subdivision Lot B of TR 2
 - b. First Reading – Ordinance #794 - Appropriation Ordinance for FY 2018
 - c.
6. Old Business
 - a. First Reading – Ordinance #792 – Taxi
 - b.
7. New Business
 - a. Amendment to Wazi Lane Reconstruction Contract #2 - Banner
 - b. Social Media Contract for West Dam – Green Owl Media
 - c. Social Media Contract for Custer Cruisin – Green Owl Media
 - d. Subdivision Agreement for Blaine Subdivision – Joe Jackl
 - e.
 - f.
8. Presentation of Claims –
9. Department Head Discussion & Committee Reports –
10. Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2)
11. Adjournment

REMINDERS

**General Government Committee Meeting – September 11th, 2017 4:30 P.M.
Planning Commission Meeting – September 12th, 2017 5:00 P.M.
Special City Council Meeting – September 18th, 2017 4:30 P.M.
Regular City Council Meeting – September 18th, 2017 5:30 P.M.
Park & Recreation Committee Meeting – August 22nd, 2017 5:30 P.M.
Public Works Committee Meeting – October 2nd, 2017 4:00 P.M.
Regular City Council Meeting – October 2nd, 2017 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
August 21st, 2017

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of August, 2017 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer and Blom. The Pledge of Allegiance was stated.

AGENDA

Councilperson Heinrich moved to approve the agenda. Second by Councilperson Maciejewski, the motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the minutes from the August 7th regular council meeting and the August 14th special council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

Mayor Herman left the meeting at 5:34 pm.

PUBLIC HEARING – RESOLUTION #08-21-17A – LAND EXCHANGE BLOCK 132

Councilperson Fischer moved to adopt Resolution #08-21-17A, Land Exchange Block 132. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION #08-21-17A

WHEREBY, the Common Council of the City of Custer, has reviewed the need for correction to South First Street access for the residents located in the southwest section of the City;

WHEREBY, the Council has determined that the proposed land exchange is needed to rectify an existing road encroachment at this time;

WHEREBY, private Landowners, Clete E & Catherine A Greseth, are willing to exchange 937.5 square feet of land in Lot 4, Block 132, as illustrated on attached Exhibit "A" and "B" in exchange for approximately 937.5 square feet of land of City property, to be platted, as illustrated on attached Exhibit "A" and "B";

WHEREBY, the Common Council of the City of Custer City has determined that this land exchange is beneficial for all the residents and the City of Custer;

WHEREBY, the Common Council of the City of Custer City has received an appraisal of said properties from three (3) resident free holders of the City of Custer City, indicating the properties are approximately the same value, of \$1,706.25 each;

NOW THEREFORE, Pursuant to SDCL 9-27-34.1, the Common Council Resolves to approve the Block 132 Exchange Agreement for exchange of real properties with Clete E & Catherine A Greseth, Landowners, and hereby authorizes the Mayor to execute the attached Agreement on behalf of the City of Custer City, along with any other deeds or documents deemed necessary.

Dated this 7th day of August, 2017.

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

Mayor Herman rejoined the meeting at 5:37 pm.

SIGN ORDINANCE CONCERNS – REV. DUSTIN BARTLETT

Rev. Dustin Bartlett visited with Council regarding his concerns with the sign ordinance, particularly with the variance fee being charged to non-profits. Council advised Rev. Bartlett to work with the Planning Administrator on his banner request.

FIRST READING – ORDINANCE #793 – REZONING – WOOD SUBDIVISION LOT B OF TR 2

Councilperson Nielsen moved to approve the first reading of Ordinance #793, Rezoning – Wood Subdivision Lot B of Tract 2. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION #08-21-17B – CERTIFYING DELINQUENT ASSESSMENTS

Councilperson Fischer moved to adopt Resolution #08-21-17B, Certifying Delinquent Assessments. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #8-21-17B

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
KATHLEEN LESTER	LOT 10 BLOCK 93 CUSTER, SOUTH DAKOTA PARCEL #008550	\$ 367.46
COLLEEN RAE HICKS	LOT 9 BLOCK 26 CUSTER, SOUTH DAKOTA PARCEL #008216	\$1029.70
BANK OF AMERICA (SAFEGUARD – ECOVA)	LOTS 8-9 BLOCK 134 CUSTER, SOUTH DAKOTA PARCEL #008738	\$ 123.25
ROBERT DRAKE	T&K ENTERPRISES SUBD-TRK SEC 26/27 T3R4.56AC PARCEL #008919	\$ 545.03
BRANDON HESS	N2 OF LOTS 7-8-9 BLOCK 29 + W25'VAC 4 TH STREET CUSTER, SOUTH DAKOTA PARCEL #008239	\$ 384.73
	TOTAL	\$2450.17

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/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

STREET CLOSURE REQUEST – CHAMBER

Councilperson Maciejewski moved to approve the Chamber's request to close South Sixth Street from Mt Rushmore Road to Washington Street on September 3rd for the Studebaker Car Show. Seconded by Councilperson Heinrich, the motion unanimously carried.

FINAL PLAT – CHARD SUBDIVISION

Councilperson Heinrich moved to approve the final plat of the Chard Subdivision Tract 10 Revised without annexation. Seconded by Councilperson Nielsen, the motion unanimously carried.

AMENDMENT TO WAZI LANE RECONSTRUCTION CONTRACT - BANNER

Councilperson Heinrich moved to approve amendment #1 to the Wazi Lane Reconstruction Project with Banner Associates for \$12,941.00. Seconded by Councilperson Fischer, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer and Blom voting yes.

PLANNING COMMISSION APPOINTMENT

Councilperson Maciejewski moved to approve the appointment of Jared Tennyson to the Planning Commission for a five-year term to expire October 1st, 2022. Seconded by Councilperson Heinrich, the motion unanimously carried.

CLAIMS

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

- AE2S, Capital Improvements, \$4,599.41
- Black Hills Energy, Utilities, \$11,546.69
- Chamber of Commerce, Sales Tax Subsidy, \$44,015.09
- Culligan, Repair & Maintenance, \$18.50
- Chamber of Commerce, Supplies, \$25.00
- Custer Veteran's Memorial, Other, \$650.00
- French Creek Supply, Repairs & Maintenance, \$165.28
- Hillyard, Supplies, \$28.11
- Hawkins, Supplies, \$10.00
- Lynn's Dakotamart, \$15.98
- Midcontinent Testing Labs, Professional Fees, \$505.40

Michael Todd & Company, Supplies, \$390.00
North West Pipe Fitting, INC, Repair & Maintenance, \$342.49
Petty Cash, Supplies, \$47.82
Quality Weed Control Plus, Weed Spraying, \$489.88
Regional Health Networks, Sales Tax Subsidy, \$83,317.04
Ramkota- Pierre, Travel, \$131.99
Iron Outfitters, Garbage Collection Contract, \$13,405.82
SD Executive MGMT Finance Office, Utilities, \$39.08
SD One Call, Supplies, \$525.00
Servall, Repair & Maintenance, \$158.64
The Hartford, Insurance, \$54.96
USDA Loan Payment, \$8,910.00
Wright Express, Supplies, \$1,239.31
YMCA, Membership, \$40.00
Keith Plaisted, Refund, \$42.20
Custer Mansion, Utility Deposit Refund, \$381.36
William & Barbara Butcher, Utility Deposit Refund, \$15.47
Total Claims, \$171,610.52

DEPARTMENT HEADS & COMMITTEE REPORTS

Various committee reports were given in addition to department heads giving an update.

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel and contract negotiations per SDCL 1-25-2(1-4) at 6:39 pm, with the Planning Administrator and Finance Officer present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 6:47 pm, with no action taken.

2018 BUDGET WORK SESSION

Council had a work session for the 2018 budget.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 8:05 p.m. Seconded by Councilperson Maciejewski, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- SPECIAL MEETING
August 28th, 2017

Mayor Corbin Herman called to order a special meeting of the Common Council at 4:30 p.m. Present at roll call were Councilpersons Maciejewski, Fischer, Blom and Arseneault. The Pledge of Allegiance was stated.

2018 BUDGET WORK SESSION

Council had a work session for the 2018 budget.

Councilperson Heinrich joined the meeting at 5:13 pm.

ADJOURNMENT

With no further business, Councilperson Arseneault moved to adjourn the meeting at 5:47 p.m. Seconded by Councilperson Blom, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

ORDINANCE NO. 793

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING CUSTER CITY MUNICIPAL CODE, TITLE 17 ZONING BY REZONING CERTAIN PROPERTIES TO HIGHWAY COMMERCIAL ZONING DISTRICT."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CUSTER CITY, SOUTH DAKOTA THAT Title 17 Chapter 17.20 Highway Commercial District of the Custer Municipal Code be amended by Rezoning the following property from Unzoned to Highway Commercial Zoning District, and the same shall be subject to the provision of Chapter 17.20:

WOOD SUBD – LOT B OF TR 2 PT OF SMITH PLACER #507, CUSTER CITY, SOUTH DAKOTA AND LOT C OF TR 2 PT OF SMITH PLACER MS #507, CUSTER CITY, SOUTH DAKOTA

Dated this 5th day of September 2017, at the City of Custer City, South Dakota.

CITY OF CUSTER CITY

ATTEST:

Corbin Herman, Mayor

Laurie Woodward
Finance Officer

(SEAL)

First Reading: August 21th, 2017
Seconding Reading: September 5th, 2017
Publication: September 13th, 2017

Vote:	
Fisher:	Arseneault:
Heinrich:	Blom:
Nielsen:	Maciejewski:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of Custer City, South Dakota shall hold a public hearing on the **21st day of August 2017, at 5:30 p.m.** at the regular meeting of the City Council to be held in the Council Chambers at City Hall on the following;

A request by owners to consider an application for rezoning of:

WOOD SUBD – LOT B OF TR 3 PT OF SMITH PLACER #507,
CUSTER CITY, SOUTH DAKOTA AND
LOT C OF TR 2 PT OF SMITH PLACER MS #507, CUSTER CITY,
SOUTH DAKOTA

to Highway Commercial, all in Custer City, South Dakota.

If someone is unable to attend the Public Hearing, written comments will be taken. Please send your comments to Custer City, 622 Crook Street, Custer, SD 57730

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the City Finance Office no less than 24 hours prior to the meeting to make necessary arrangements.

Dated this 24th day of July 2017.

/s/ Tim Hartmann
Planning Administrator

Please publish on August 9th & August 16th, 2017



Overview



Legend

-  Corporate Limits
-  Townships
-  Roads
-  Parcels
-  Sections

Parcel ID	000626	Alternate ID	n/a	Owner Address	JOHNSON KITTY
Sec/Twp/Rng	025/0003/004	Class	Residential		840 N SPRUCE ST LOT 8
Property Address	1500 WASHINGTON ST	Acreege	6.36		RAPID CITY SD 57701-1352
	CUSTER				
District	16.1-1-1-1-0-0				
Brief Tax Description	WOOD SUBD - LOT B OF TR 2 PT OF SMITH PLACER #507 SECS 24/25 T3 R4 6.36 AC 1330402500004900 (Note: Not to be used on legal documents)				

Parcels are not adjusted to match aerial background. GIS information is for reference purposes only and is not a legal document. Data may contain errors.

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APPROPRIATION ORDINANCE NO. 794

FISCAL YEAR 2018

CUSTER CITY, SOUTH DAKOTA

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018, AND ENDING DECEMBER 31, 2018, AND LEVYING THE PROPERTY TAX IN THE YEAR 2018.

Section I: BE IT ORDAINED BY THE COMMON COUNCIL OF CUSTER CITY, SOUTH DAKOTA that the following sums are appropriated to meet the obligations of the municipality.

	General Fund	BID Fund	Debt Service TIF Fund	Promotion Fund	Cemetery Fund
Governmental Funds					
410 General Government					
411 Legislative	95,925				
411.5 Contingency	30,000				
413 Election	1,200				
414 Financial Administration (Finance & Attorney)	175,400				
419 Other (Public Bldgs, Planner)	459,560				
Total General Government	<u>762,085</u>				
420 Public Safety	487,500				
430 Public Works					
431 Highway & Streets (Engineering, Public Works, Streets)	1,045,805				
437 Cemetery	32,450				
Total Public Works	<u>1,078,255</u>				
440 Health & Welfare					
444 Humane Society	10,610				
447 Hospital	347,000				
Total Health & Welfare	<u>357,610</u>				
450 Culture & Recreation					
451 Recreation (Cruisin, Swimming)	59,500				
452 Parks	194,990				
Total Culture & Recreation	<u>254,490</u>				
465 Economic Development (Promoting the City)	94,000	160,000		250,175	
470 Debt Service			269,000		
TOTAL 2017 APPROPRIATIONS	3,033,940	160,000	269,000	250,175	
Committed for Capital Replacement Ordinance #722					

TOTAL APPROPRIATIONS & ACCUMULATIONS	2,835,770	160,000	292,000	247,150
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The following designates the fund or funds that money derived from the following sources is applied to.

	General Fund	BID Fund	Debt Service TIF Fund	Promotion Fund	
Governmental Funds					
Unassigned Fund Balance	195,690	-	-	-	-
310 Taxes	2,416,200	160,000	269,000	250,025	
320 Licenses and Permits	59,500				
330 Intergovernmental Revenue	5,500				
335 State Shared Revenue	92,800				
340 Charges for Goods and Services	8,600				
345 Health (Animal Control)	700				
346 Culture & Recreation (Cruisin)	13,500				
348 Cemetery	4,000				6,000
350 Fines and Forfeits	200				
360 Miscellaneous Revenue	24,750			150	250
368 Liquor Operating Agreement	200,000				
390 Other Sources	12,500				
TOTAL MEANS OF FINANCE	3,033,940	160,000	269,000	250,175	6,250

	Water Fund	Sewer Fund	Solid Waste Fund
Proprietary Funds			
Beginning Unrestricted Cash	591,743	237,302	105,583
Estimated Revenue	650,900	607,500	190,175

Total Available	<u>1,242,643</u>	<u>844,802</u>	<u>295,758</u>
Less Appropriations (Expenses)	759,450	844,310	190,175
Less Facility Replacement per ORD	-	58,360	-
ESTIMATED SURPLUS	<u>483,193</u>	<u>(57,868)</u>	<u>105,583</u>

Section II: Summary of 2018 Appropriations

Enterprise Funds	1,793,935
Governmental Funds	<u>3,713,115</u>
Total 2017 Appropriations	<u>\$5,507,050</u>

Section III: That there is hereby levied upon all taxable property within the said City of Custer for the purpose of providing funds to meet the expenses and liabilities of said City, as hereinbefore set forth for the fiscal year of 2018 a tax sufficient to raise the following amounts, to wit:

For the General Fund	<u>\$854,727</u>
TOTAL LEVY	<u>\$854,727</u>

Section IV: The City Finance Officer is hereby authorized and directed to certify said tax levy to the County Auditor of Custer County, State of South Dakota, to the end that the same may be spread and assessed as provided by law.

Dated this 18th day of September 2017.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer
(SEAL)

Corbin Herman, Mayor

First Reading: September 5th, 2017
Second Reading: September 18th, 2017
Publication: September 27th, 2017

Vote:

Fischer:

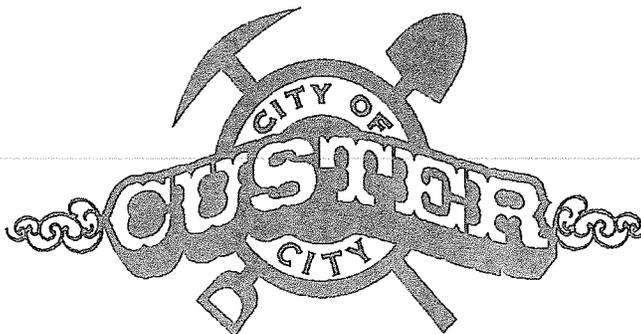
Blom:

Nielsen:

Arseneault:

Heinrich:

Maciejewski:



622 Crook Street
Custer, SD 57730

Laurie Woodward
Finance Officer

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

September 19, 2017

Custer County Auditor
420 Mt. Rushmore Road
Custer, South Dakota 57730

Re: 2018 Tax Levy Request

Dear Auditor,

I hereby certify the following to reflect the levy request for taxes collected in the year 2018 for the City of Custer City, pursuant to Ordinance No. 794:

For the General Fund	\$785,727
For Opt Out	\$ 69,000

Total Levy Request	\$854,727

Thank you,

Laurie Woodward
Finance Officer
Custer City

I hereby acknowledge receipt of the Custer City 2018 tax levy request.

County Auditor

Date

ORDINANCE #792

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 5 BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.60 TAXIS OF THE CITY OF CUSTER CITY MUNICIPAL CODE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CUSTER CITY THAT CHAPTER 5.60 TAXIS OF THE CITY OF CUSTER CITY MUNICIPAL CODE IS AMENDED AS FOLLOWS:

5.60 Taxis

5.60.010 Definitions.

5.60.020 Transporting intoxicating liquor prohibited.

5.60.030 License—Application—False statements.

Article II. Business License

5.60.040 Required.

5.60.050 Application.

5.60.060 Issuance—Required findings.

5.60.070 Fee.

5.60.080 License number to be displayed on vehicle.

5.60.090 Commercial Auto Insurance.

Article III. Driver's Licenses

5.60.100 Required.

5.60.110 Qualifications of applicant.

5.60.120 Applicant to be fingerprinted.

5.60.130 Application—Investigation—Issuance.

5.60.140 Application—Denial—Appeals.

5.60.150 Fee.

5.60.160 Term.

5.60.170 To be carried on person and exhibited upon request.

5.60.180 Suspension—Revocation.

5.60.120 Exemptions for Certain Entities

ARTICLE I. GENERAL PROVISIONS

5.60.010 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. DRIVER. One who actually engages in the driving of a taxicab.

B. OPERATOR. A person engaged in operating a taxicab business.

C. SEATING CAPACITY. The number of persons, not including the driver, who can be conveniently seated in a taxicab without crowding.

D. TAXICAB. Any motor vehicle being utilized for carrying, transporting, or accepting passenger(s) for hire to, from or within, the city limits of the city of Custer City. ~~a seating capacity for 7 persons or less, not including the driver, not traveling any definite or prescribed route, operated by a driver, and carrying or accepting passengers for hire. The term taxicab shall not include funeral cars or ambulances.~~

E. WHEELCHAIR TRANSPORT. Any motor vehicle being utilized for carrying, transporting, or accepting passenger(s) using a wheelchair and their accompanying guests for hire to, from, or

~~within the city limits of the city of Custer City, with a seating capacity for 7 persons or less, not including the driver, not traveling any definite or prescribed route, operated by a driver, and carrying or accepting passengers using a wheelchair and their accompanying guests for hire, but shall not include funeral cars or ambulances. Except as otherwise provided, wheelchair transports shall be subject to the same rules and regulations as taxicabs.~~

5.60.020 Transporting intoxicating liquor prohibited.

All licenses issued under this chapter shall be subject to revocation at any time by the City Council, if any taxicab operated or used by the licensee shall be used for the delivery of intoxicating liquor or for any other unlawful purpose. Upon the revocation, the license fee paid shall be retained by the city.

5.60.030 License—Application—False statements.

Any license issued under the provisions of this chapter shall be revoked by the Custer County Sheriff's Office upon discovery of any false material statement made in the application for the license.

ARTICLE II. TAXICAB BUSINESS LICENSE

5.60.040 Required.

No person shall engage in the business of operating a taxicab upon the streets, without a license as provided by this article.

5.60.050 Application.

Every person desiring a license to operate a taxicab business in the city shall make application in writing to the Finance Office in the general form required for all applications for licenses and shall also give the following additional information:

- A. Previous experience in the business, if the applicant has not been licensed before; and
- B. Number of taxicabs to be operated.

5.60.060 Issuance—Required findings.

The Finance Officer or his or her designee shall approve the issuance of a license applied for under this article.

5.60.070 Fee.

The fee for a license under this article shall be as follows:

- A. Initial fee: ~~\$75~~50; and
- B. Annual Renewal fee: ~~\$50~~25.

5.60.080 License number to be displayed on vehicle.

Every operator of any taxicab licensed under this article shall carry on each vehicle, on the rear of same and in a conspicuous place, a license decal showing his or her license number as provided by the city at the time of issuing the license.

5.60.090 Commercial Auto Insurance

Every operator of any taxicab licensed under this article must maintain insurance liability coverage in a minimum of \$1,000,000 per occurrence with Custer City as an additional insured, and shall provide proof of such insurance coverage to the City Finance Officer on a yearly basis.

5.60.100 Term.

Any license issued under this article shall expire on December 31 next following its issuance; provided, however, any license applied for after October 1 of any calendar year shall remain in effect until December 31 of the succeeding calendar year, unless sooner revoked, canceled or otherwise terminated.

5.60.110 Suspension—Revocation.

Any license issued under this chapter may be revoked, for cause, by the City Council, after notice to the holder of the license and an opportunity for hearing before the City Council. The Custer County Sheriff’s Office shall have the authority to suspend any license issued under this chapter for good cause pending a hearing before the Council. The power to suspend the license shall be exercised only if it shall appear to the Custer County Sheriff’s Office that there is probable cause to believe that the holder of the license has committed a crime involving moral turpitude. The holder of any license suspended by the Custer County Sheriff’s Office shall have a right to a hearing before the Custer County Sheriff’s Office within 48 hours of a written request therefore. As used herein the term Custer County Sheriff’s Office shall include the Custer County Sheriff’s Office and any subordinate officer temporarily acting as the officer in charge of the Sheriff’s Office.

5.60.120 Exemptions for Certain Entities

Non-profit public organizations or entities, and governmental sponsored organizations or entities shall be exempted from the provisions of this Ordinance.

NOW BE IT ORDAINED that all ordinances or parts thereof in conflict with this ordinance are hereby repealed. Should any section or part of this ordinance be determined to be invalid, the same shall not invalidate the remaining section(s) of this Ordinance.

Dated this 7th day of August, 2017

City of Custer City

Corbin Herman, Mayor

Attest _____
Laurie Woodward, Finance Officer

(SEAL)

First Reading: July 17, 2017

Vote:

Second Reading: August 7, 2017

Arsenault:

Maciejewski:

Publication: August 16, 2017

Heinrich:

Blom:

Fischer:

Nielsen:



Banner Associates, Inc.
2201 Jackson Blvd, Ste 200
Rapid City, SD 57702
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

August 14, 2017

Laurie Woodward, Finance Officer

City of Custer

622 Crook Street

Custer, South Dakota 57730

RE: Contract Proposal (Amendment 2)
West Dam (Gates Park) Reconstruction
Custer, South Dakota

Dear Ms. Woodward:

BANNER Associates is pleased to submit this Letter of Amendment to our original contract to provide additional Engineering Services for the Gates Park - West Dam and Spillway Project. The additional work tasks requested to be performed are summarized below.

Additional Services

- We propose to complete the necessary Wetlands Permitting work (to the US ACE (Army Corps of Engineers --- Rapid City Office)) for an amount not to exceed \$3036.00. Note: Required survey and wetlands delineation work was performed under Amend 1 work scope services. If additional survey, soil testing, or landscape design, is subsequently required, within or outside the project limits, for possible mitigation, this would be additional services and not included in Amendment 2.
- We propose to complete the necessary CLOMR (Conditional Letter of Map Revision) FEMA permit application work, for an amount not to exceed \$16,946.50.00 to be submitted (on-line submittal) which will require the Flood Plain Manager's or Mayor's signature, directly to the Region VIII FEMA Office. This would include answering questions and providing additional supporting hydraulics information, when and where required in support of the application to show how the proposed project ties into the existing Mapping of the Flood Plain within the tolerances that FEMA requires. Note: Subsequent conversations with FEMA since late 2016 have indicated that a CLOMR is the best course of action for compliance for this project.



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- Clarifying Conditions:
 - If a Review fee is assessed by FEMA for the project, this would be a separate fee to be billed directly to the City, and not included in this amendment. It's possible that FEMA may waive their review fee for this project.
 - Additional survey work is not currently envisioned for the project. However, if additional survey work is required, upstream or downstream of the areas already surveyed for the project, this will be billed at the survey rate of \$75/hour.
 - Per FEMA Meeting and guidance, a FEMA LOMR (Letter of Map Revision) application would be made at the end of the project, and Banner's final as-built survey and LOMR application would be made within 90 days of project substantial completion. This would be included with Banner's construction phase services, when it is time to move forward on that.
 - If additional environmental/cultural surveys are required by any other Federal Agencies for this project, this would be a separate amendment, or direct bill to the City, as appropriate.

- Revised Contract Completion Date: January 1, 2018

- The Total Lump Sum Amount for above (Amendment Two): \$19,982.50.

APPROVAL

If this letter amendment/agreement meets with your approval, please sign and date and return one copy to Banner Associates. Please do not hesitate to contact our office if you have any questions.

Note: The original contract agreement and enclosures provided with that are still applicable to this letter amendment.

Respectfully submitted,

Banner Associates, Inc.
Sigurds R. Zvejnieks, PE
Senior Vice President

Cc: D.LaFrance (Banner Project Manager)



ACKNOWLEDGEMENT OF ACCEPTANCE

Accepted this ____ day of _____, 2017

For: _____

By: _____

Title: _____



Green Owl Media
 PO Box 6038 Custer, SD 57730
 (605) 440-2400
 green.owl@goldenwest.net

City of Custer – Save West Dam

Green Owl Media is pleased to provide the City of Custer with the following social media management agreement. Please note that our billable monthly fee, over prior contract has been changed from \$30 per hour to \$35 per billable hour.

Through consulting, strategy and execution (in cooperation with SHMAAF) Green Owl Media will direct the proper implementation of media channels (Facebook) that will further inform interested parties, potential citizens and the community of Custer regarding West Dam's ongoing projects and progress – encouraging involvement and input.

Frequency of posts: 3 to 5 times per week.

Monthly Fees:

September 1, 2017 – August 31, 2018

Average time commitment = 1 to 2 hours per week

Average monthly fee = \$140 but not to exceed \$210

Facebook ads will be billed separately per client request & approved ad budget.

Terms: This is a 12-month agreement that executes the above outlined consulting and managed service areas. Client will be billed monthly, beginning September 30, 2017 and continuing each month. Invoices are **payable upon receipt**. Should either party decide to terminate this contract, 30 days notice is requested. Both parties agree to hold each other harmless.

Client Involvement: Green Owl Media requests and appreciates client input! If the public needs to know, I need to know. Please communicate regularly to ensure that your audience is provided with timely/engaging content.

Contact **Green Owl Media** with this information as soon as possible. Keep me in the loop!

- 1) (example) provide important information, meetings/event dates/times, etc.
- 2) (example) photos/info for new projects, grants, volunteers, donations, etc.
- 3) (example) change in contact info

The undersigned parties have executed this Agreement thereby making it effective:

CITY OF CUSTER / SAVE WEST DAM

Signed: _____

GREEN OWL MEDIA/ANN MORROW

Signed:  _____

Title: _____

Title: Social Media Manager/Photographer

Date: _____

Date: 9/1/2017



Green Owl Media
 PO Box 6038 Custer, SD 57730
 (605) 440-2400
 green.owl@goldenwest.net

Social Media Services Contract for City of Custer / Custer Cruisin'

Green Owl Media is pleased to provide the City of Custer (Custer Cruisin') with the following social media management agreement.

Through consulting, strategy and executing (in cooperation with the **City of Custer/Custer Cruisin**) **Green Owl Media** will direct the proper implementation of media channels that will further build the brand, loyal fan base and community. Platforms include: Facebook, Twitter, Instagram, YouTube & CusterCruisin.com.

Monthly Fees @ \$35 per hour:

September 2017 - March 2018: 1 hour per week = \$140 per month (\$980)

April - June: 1.5 hours per week = \$210 per month (\$630)

July: 3 hours per week = \$420

August: 25 hours per month = \$875

(August hours billed to include posting, event attendance & onsite photo/video - editing & uploads)

Total 12-Month Investment: Up to \$2,905 (increase of \$235 over prior year)

Facebook ads will be billed separately per committee request & approved ad budget.

Terms: This is a 12 month agreement that executes the above outlined consulting and managed service areas. Client will be billed on a monthly basis, beginning September 1, 2017 and continuing each month through August 31, 2018. Invoices are payable upon receipt. Should either party decide to terminate this contract, 30 days notice is requested. Both parties agree to hold each other harmless.

Client Involvement: **Green Owl Media** requests and appreciates client input! If the public needs to know GMO needs to know. Please communicate regularly to ensure that your audience is provided with timely/engaging content.

Contact **Green Owl Media** with this information as soon as possible. Keep me in the loop!

- 1) (example) provide important information, event dates/times, etc.
- 2) (example) photos/info for new merchandise, displays, etc.
- 3) (example) change in contact info

The undersigned parties have executed this Agreement thereby making it effective:

CITY OF CUSTER / CUSTER CRUISIN

GREEN OWL MEDIA/ANN MORROW

Signed:

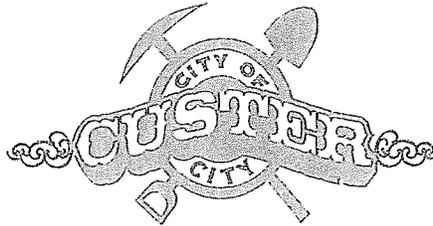
Signed:

Title:

Title: Owner/Social Media Manager

Date:

Date:



622 Crook Street
Custer, SD 57730

Phone: (605) 673-4824

SUBDIVISION AGREEMENT

THIS AGREEMENT entered into this 30th day of August, 2017, between Joe Jackl (hereinafter referred to as "Subdivider"), and the City of Custer City, South Dakota, a South Dakota municipal corporation (hereinafter referred to as "City").

DECLARATIONS

WHEREAS, Subdivider has proposed the plat of (legal description): Blaine Subdivision Phase 2 – Plat of Lot BR, Lot A1, Lot 3., and Lot 4 (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, BHM, Custer City, Custer County, South Dakota, (hereinafter referred to as the "Property");

WHEREAS, The plat of such Property was approved by the Custer City Council on July 18, 2016 with the following stipulations:

- 1) the variance request to eliminate the street improvements called for by the subdivision ordinance being approved, requiring only the installation of a roadside drainage ditch and culverts as necessary to control storm water;
- 2) Lot BR be zoned highway commercial and the remainder of Blaine Subdivision Phase 2 and Revised Lot 2 of Jackl Subdivision be zoned residential; and
- 3) the drainage improvements shall be constructed or a performance guarantee posted prior to recording of the final plat; and

WHEREAS, Hesperen Excavating Inc has provided an estimate of \$9,987.50 for such drainage improvements; and

WHEREAS, the Subdivider has paid the City the estimated \$9,987.50 for such drainage improvements;

NOW, THEREFORE, the City shall set aside the \$9,987.50 for the drainage improvements which shall be completed within one year from the date of this agreement, and if such improvements come in below the estimated cost the Subdivider shall be refunded the difference once such improvements are finished.

NOW, THEREFORE, the above stated plat may be filed with the Custer County Register of Deeds.

City of Custer City, South Dakota

Corbin Herman, Mayor

Attest _____
Laurie Woodward, Finance Officer

Joe Jackl, Subdivider