

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
December 2<sup>nd</sup>, 2019**

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of December 2019 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Moore, Fischer, Nielsen and Ryan. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the minutes from the November 18<sup>th</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**FIRST READING – ORDINANCE #832 – SIGN REGULATIONS**

Councilperson Fischer moved to approve Ordinance #832, Sign Regulations. Seconded by Councilperson Moore, the motion unanimously carried.

**FIRST READING – ORDINANCE #833 – 2019 SUPPLEMENTAL BUDGET ORDINANCE**

Councilperson Nielsen moved to approve Ordinance #833, 2019 Supplemental Budget Ordinance. Seconded by Councilperson Blom, the motion unanimously carried.

**RESOLUTION #12-02-19A – ADDENDUM TO RESIDENTIAL SOLID WASTE COLLECTION & DISPOSAL CONTRACT**

Councilperson Fischer moved to adopt Resolution #12-02-19A, Addendum to Residential Solid Waste Collection & Disposal Contract. Seconded by Councilperson Nielsen. After Council discussion and public comments, the council voted, with the motion unanimously carrying.

Resolution #12-02-19A

**ADDENDUM TO CONTRACT FOR THE CUSTER CITY RESIDENTIAL SOLID  
WASTE COLLECTION AND DISPOSAL**

This Addendum is entered into by and between the City of Custer and Iron Outfitter Waste Service, Inc., d/b/a Sander Sanitation, said addendum to be effective on January 1, 2020.

**RECITALS:**

WHEREAS, the City of Custer (hereinafter "City") and Sander Sanitation Service, Inc., now known as Iron Outfitter Waste Services, Inc. d/b/a Sander Sanitation ("Sander"), entered into an exclusive *Contract for Residential Solid Waste Collection and Disposal* dated March 29, 2017; and

WHEREAS, the parties desire to enter into this Addendum to such contract as stated in herein; and

WHEREAS, the City has properly passed this resolution and authorized the Mayor to execute this Addendum on behalf of the City.

**AGREEMENT:**

1. Contract Term/Renewal: The contract shall be for a term of five (5) years beginning January 1, 2020 and terminating on December 31, 2024. The parties agree that Sander may be granted an option to renew the contract on terms and conditions to be negotiated between the parties for an additional period which shall not extend beyond May 1, 2027. Sander shall notify City of its intent to renew in writing on or before October 1, 2024.
- 2.** Removal of Transfer Site Provision: The transfer site requirement as set out in paragraph 3(k) of the *Contract Specifications for the Custer City Residential Solid Waste Collection and Disposal* shall be deleted and removed from the contract in its entirety and replaced with the following:
  - k. Cleanup Days – One consecutive Friday and Saturday in the Spring and an optional weekend in the Fall if deemed necessary by the City, the City in cooperation with the Contractor will schedule a Clean Up Weekend to provide for the residents of Custer an opportunity to discard certain acceptable items at no charge. Contractor will be compensated by the City according to a pre-agreed schedule to be negotiated between the parties.

Sander will no longer be obligated to maintain or operate a transfer site on or after January 1, 2020.

- 3.** Price change: The contract rate shall be reduced from \$16.72 to \$15.72 per residential unit per month, commencing on January 1, 2020.
- 4.** All other provision unchanged: Except as stated herein, all other terms and provisions of the *Contract for Residential Solid Waste Collection and Disposal*, dated March 29, 2017 (attached hereto), shall remain in full force and effect.

Dated this 2<sup>nd</sup> day of December, 2019.

City of Custer

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

### **PUBLIC COMMENTS**

Steve Pischke asked the Mayor for an update on the meeting with State Representative on the LWCF Grant that was submitted for the Harbach Park Phase 1 Project. No other public comments were received.

### **KONE ELEVATOR MAINTENANCE PROPOSAL**

Councilperson Nielsen moved to table the Kone Elevator Maintenance Proposal until the January 21<sup>st</sup>, 2020 Council Meeting. Seconded by Councilperson Ryan, the motion unanimously carried.

### **HAZARD MITIGATION GRANT**

Councilperson Blom moved to approve the Hazard Mitigation Grant submittal and designate the Mayor as the applicant's authorized agent. Seconded by Councilperson Ryan, the motion unanimously carried.

### **VEHICLE PURCHASES**

Councilperson Ryan moved to approve the purchase of a Dodge 1500 4x4 short box pickup from Beadle Sales for \$23,906.09 plus delivery to Rapid City for \$250; and a Chevrolet ¾ ton 4x4 short box pickup from Lamb Chevrolet for \$30,169 plus delivery to Rapid City for \$275. Seconded by Councilperson Whittaker, the motion carried with Councilperson Blom, Whittaker, Moore, Fischer, Nielsen and Ryan voting yes.

### **CLAIMS**

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

A & A Weed Management, Professional Fees, \$3,900.00  
Aflac, Insurance, \$746.47  
Battle Mountain Humane Society, Animal Control, \$1,000.00  
Beesley Law Office, Professional Fees, \$2,729.00  
Black Hills Doors, Repairs & Maintenance, \$254.02  
Black Hills Energy, Utilities, \$2,410.53  
Black Hills Burger and Bun, Refund, \$1,739.11  
California State Disbursement, Deduction, \$92.30  
Century Business Products, Supplies, \$244.10  
Custer Do It Best, Supplies, Repairs & Maintenance, \$85.49  
Custer County Housing, Subsidy, \$5,000.00  
Dacotah Bank, TIF #2 Payment, \$19,425.69  
Dacotah Bank, TIF #4 Payment, \$29,092.99  
Delta Dental, Insurance, \$212.00  
Discovery Benefits, Supplies, \$2,526.92  
Ditch Witch of SD, Repairs & Maintenance, \$76.39  
EFTPS, Taxes, \$12,155.20  
Five Points Bank, TIF #5 Payment, \$583.79  
First Interstate Bank, TIF #4 Payment, \$27,994.61  
Hach, Repairs & Maintenance, \$251.91  
Hawkins, Supplies, \$4,398.13  
Hillyard, Supplies, \$166.66  
Lamonte's Auto Center, Repairs, \$758.00  
Metering & Technology Solutions, Supplies, \$611.94  
Ness Stump Grinding, Professional Fees, \$225.00

Petty Cash, Supplies, \$355.64  
S & B Motors, Supplies, \$37.56  
Safety Benefits, Conference, \$150.00  
Sanders Sanitation, Supplies, \$13,816.99  
SD Department of Transportation, Supplies, \$5,320.00  
SD Retirement System, \$6,478.12  
Supplemental Retirement, \$670.00  
Wellmark, Insurance, \$13,769.51  
Wright Express, Supplies, \$1,048.62  
YMCA, Membership, \$42.00  
Mayor & Council, \$4,532.00  
Finance Department, \$4,280.33  
Public Building, \$1,986.47  
Planning Department, \$6,911.22  
Public Works Department, \$3,418.67  
Street Department, \$7,575.58  
Cruisin Department, \$148.96  
Parks Department, \$4,390.10  
Water Department, \$12,824.05  
Wastewater Department, \$12,698.54  
Total Claims, \$217,134.61

**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 proposed litigation per SDCL 1-25-2(3) at 6:36 pm, with the Attorney, Public Works Director, Planning Administrator and Finance Officer present. Seconded by Councilperson Moore, the motion unanimously carried. Council came out of executive session at 6:50 pm, with no action taken.

**ADJOURNMENT**

With no further business, Councilperson Ryan moved to adjourn the meeting at 6:51 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Corbin Herman  
Mayor