

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
February 21st, 2017**

Mayor Jared Carson called to order the second meeting of the Common Council for the month of February, 2017 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer, Blom and Schleining. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the minutes from the February 6th regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, mentioned that he has been reviewing and updating the water & wastewater vulnerability plans.

Laurie Woodward, Finance Officer, mentioned that January sales tax is down 0.73% from last January.

TEMPORARY STREET CLOSURE REQUEST – RUN CRAZY HORSE MARATHON

Emily Wheeler, with Run Crazy Horse Marathon, presented her request for temporary street closure request to Council. Councilperson Fischer moved to approve the temporary street closure and permission to stop traffic for runners on the Mickelson Trail crossings of Montgomery Street, Harney Street, Crook Street, Mt Rushmore Road, Eighth Street, Seventh Street and Fourth Street on October 8th, 2017 from approximately 9 am to 11:30 am for the Run Crazy Horse Marathon. Seconded by Councilperson Schleining, the motion unanimously carried.

TEMPORARY STREET CLOSURE REQUEST – CUSTER YMCA

Councilperson Heinrich moved to approve Custer YMCA's request to place crossing guard at the intersection of the Mickelson Trail & Fourth Street crossing to temporarily stop traffic for the participants in the Gold Rush Fun Run event to be held July 23rd, 2017. Seconded by Councilperson Nielsen, the motion unanimously carried.

CUSTER AREA ECONOMIC DEVELOPMENT CORPORATION – CURRENT HOSPITAL BUILDING

Gene Fennell, with the Custer Area Economic Development Corporation, presented to Council a request for proposals for lease/purchase, repurpose and re-development of the current hospital building. Custer Area Economic Development Corporation has been in contact with Regional Health Network regarding possibility of CAEDC finding a new owner for the building.

SECOND READING – ORDINANCE #787 – MEDICAL ZONING – REGIONAL HEALTH NETWORK

Councilperson Nielsen moved to adopt Ordinance #787, Medical Zoning . Regional Health Network. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Blom and Schleining voting yes.

FIRST READING – ORDINANCE #785 – ALCOHOL, MALT BEVERAGE & DRINKING ESTABLISHMENTS

Councilperson Maciejewski moved to approve Ordinance #785, Alcohol, Malt Beverage & Drinking Establishments. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION #02-21-17A – CONFLICT OF INTEREST POLICY

Councilperson Heinrich moved to adopt Resolution #02-21-17A, Conflict of Interest Policy. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION 02-21-17A

A RESOLUTION ADOPTING A CONFLICT OF INTEREST POLICY FOR ELECTED AND APPOINTED
OFFICIALS OF THE CITY OF CUSTER

WHEREAS, South Dakota Codified Laws (SDCL) section 1-56-10 requires that all non-state agencies receiving state grants and awards from a state agency adopt and enforce a conflict of interest policy; and

WHEREAS, the City of Custer has received and anticipates to continue to receive dollars from the State of South Dakota either directly or through federal pass-through funds which will be subject to the statutory requirement that it enforce a conflict of interest policy; and

WHEREAS, the City of Custer deems it is in the best interest of the City to adopt this Conflict of Interest Policy for the Common Council and for all appointed officials of the City.

AND NOW THEREFORE BE IT RESOLVED, by the City of Custer, that there is hereby established the attached Conflict of Interest policy, consisting of 2 pages.

Dated this 21st day of February, 2017.

CITY OF CUSTER

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

RESOLUTION #02-21-17B – LIMITED ENGLISH PROFICIENCY PLAN

Councilperson Fischer moved to adopt Resolution #02-21-17B, Limited English Proficiency Plan. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION 02-21-17B

A RESOLUTION ADOPTING A LIMITED ENGLISH PROFICIENCY 4-FACTOR ANALYSIS AND LANGUAGE ACCESS PLAN FOR THE CITY OF CUSTER

WHEREAS, United State Department of Agriculture Rural Development in accordance with Title VI of the Civil Rights Act of 1964 as well as Executive Order 13166 titled "Improving Access to Services for Persons with Limited English Proficiency, requires this document; and

WHEREAS, the City of Custer as recipient of federal funds requires this document; and

WHEREAS, the City of Custer deems it is in the best interest of the City to adopt this Limited English Proficiency 4-Factor Analysis and Language Access Plan.

AND NOW THEREFORE BE IT RESOLVED, by the City of Custer, that there is hereby established the attached Limited English Proficiency 4-Factor Analysis and Language Access Plan, consisting of 5 pages.

Dated this 21st day of February, 2017.

CITY OF CUSTER

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

WAY PARK REQUEST – CHAMBER OF COMMERCE

Councilperson Schleining moved to approve the Chamber of Commerce request to use Way Park on Saturday mornings from June through October, with the exception of Gold Discovery Days weekend, for the Farmers Market. Seconded by Councilperson Fischer, the motion unanimously carried.

COMBINED ELECTION AGREEMENT WITH CUSTER SCHOOL DISTRICT

Councilperson Blom moved to approve the combine election agreement with Custer School District for the June 6, 2017 election. Seconded by Councilperson Heinrich, the motion unanimously carried.

EXTRATERRITORIAL AREA POLICY AGREEMENT WITH CUSTER COUNTY

Council discussed the draft extraterritorial area policy agreement with Custer County this is currently being reviewed. Once revisions are finalized the agreement will come before City Council for official action.

CLAIMS

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

2016 Claims

RHS Inc, Rental, \$600.00

Claims Associates, Professional Fees, \$2,721.51

Total 2016 Claims, \$3,321.51

2017 Claims

1881 Courthouse Museum, Subsidy, \$7,500.00

AE2S, Professional Fees, \$16,642.00

Avenet, LLC, Supplies, \$500.00

Banner Associates, Capital Improvements, \$4,467.50

Black Hills Energy, Utilities, \$13,026.39

Butler Machinery, Supplies, \$139.50

Crazy Horse/Laughing Water, Supplies, \$1,730.38

Culligan, Repair & Maintenance, \$18.50

Custer Car Wash, Repairs & Maintenance, \$18.75

Chamber of Commerce, Sales Tax Subsidy, \$4,704.35

Custer True Value, Supplies, Repair & Maintenance, \$445.05
Custer YMCA, Safety Training, \$260.00
Dakota Pump, Supplies, \$388.50
French Creek Supply, Supplies, \$401.51
Frontier Photo, Supplies, \$88.00
Hawkins, Supplies, \$20.00
Kellogg, Scott, Reimbursement, \$45.00
Goodsell, Lavern, Refund, \$450.00
Lynn's Dakotamart, Supplies, \$62.92
Midcontinent Testing Lab, Professional Fees, \$108.00
Morrison, Robert, Travel, \$37.80
Northwest Pipe Fitting, Supplies, \$361.30
Rapid City Journal, Supplies, \$289.00
S&B Motors, Repair & Maintenance, \$72.65
Sander Sanitation, Garbage Collection Contract, \$13,405.82
Servall, Repair & Maintenance, \$151.11
SD Association of Code Enforcement, Conference, \$50.00
SD Department of Criminal Investigation, Supplies, \$87.50
SD Executive Management Finance Office, Utilities, \$16.27
Stansbury, Lance, Safety Equipment, \$128.00
The Hartford, Insurance, \$68.70
USDA Loan Payment, \$8,910.00
US Department of Treasury, Deductions, \$142.55
Wright Express, Supplies, \$1,022.43
YMCA, Membership, \$40.00
McClanahan, Mike, Utility Deposit Refund, \$76.70
Koob, Carly, Utility Deposit Refund, \$18.65
Mahutga, Matthew, Utility Deposit Refund, \$101.17
Total 2017 Claims, \$75,996.00

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session for contract negotiations and personnel per SDCL 1-25-2(1-4) at 6:43 pm, with the Attorney, Public Works Director and Finance Officer present. Seconded by Councilperson Fischer, the motion unanimously carried. Council came out of executive session at 7:05 pm, with no action taken.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 7:05 p.m. Seconded by Councilperson Fischer, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor