

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
March 4th, 2019**

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

AGENDA

Councilperson Fischer moved, with a second by Councilperson Blom, to approve the agenda with the Executive Proclamation being moved to the first item under Public Hearing. The motion unanimously carried.

MINUTES

Councilperson Arseneault moved, with a second by Councilperson Nielsen, to approve the minutes from the February 19th regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

EXECUTIVE PROCLAMATION – SMOKEY BEAR 75TH BIRTHDAY

Councilperson Nielsen moved to approve the Executive Proclamation for Smokey Bear's 75th Birthday. Seconded by Councilperson Moore, the motion unanimously carried.

City of Custer City
From the Desk of the Mayor
Executive Proclamation
Smokey Bear's 75th Birthday

WHEREAS, Smokey Bear has been working to educate children and adults within communities and around the Black Hills about how they can help prevent wildfires with his "Only You" messages since 1944; and

WHEREAS, humans are the #1 cause of South Dakota's average 536 wildfires that burn 42,373 acres each year; and

WHEREAS, the Smokey Bear wildfire prevention campaign is the longest-running public service advertising campaign in U.S. history, educating generations of Americans about their role in preventing wildfires; and

WHEREAS, the Black Hills National Forest works hand-in-hand with Smokey Bear in an ongoing effort to help the City of Custer City and Black Hills communities' citizens learn to prevent wildfires in our state; now

THEREFORE, BE IT RESOLVED that the City of Custer supports the month of March 2019 as
SMOKEY BEAR'S 75TH BIRTHDAY CELEBRATION

and thank Smokey and his partners at the BLACK HILLS NATIONAL FOREST and SOUTH DAKOTA WILDLAND FIRE for teaching us how we can help prevent wildfires.

Adopted this 4th day of March 2019.

City of Custer

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

PUBLIC HEARING – ALLOWING CHICKENS IN CITY LIMITS

Public comments were taken regarding allowing chickens within the city limits.

FIRST READING – ORDINANCE #819 – ALLOWING CHICKENS IN CITY LIMITS

Councilperson Fischer moved to table the first reading of Ordinance #819, Allowing Chickens in City Limits, for further legal counsel review. Seconded by Councilperson Moore, the motion unanimously carried.

RESOLUTION #03-04-2019A – STREET VACATION – BLOCK 89

Councilperson Blom moved to adopt Resolution #03-04-2019A, Street Vacation – Block 89. Seconded by Councilperson Nielsen, the motion unanimously carried.

Resolution #03-04-2019A

WHEREAS, the verified Petition and application of all owners of real property abutting the hereinafter described portion of certain streets in Custer City, Custer County, South Dakota, praying that said portion of said street be vacated in order to promote an orderly and uniform system of streets and alleys in the City of Custer, the same not being necessary for the use and location of public streets and alleys thereon, has been heretofore filed, and

WHEREAS, the City Council of the City of Custer, Custer County, South Dakota, has heretofore caused notice of the time and place of hearing said Petition to be published once a week for two (2) consecutive weeks, to-wit: on the 13th day of February, 2019 and on the 20th day of February, 2019, in the Custer County Chronicle, a legal newspaper printed and published in the City of Custer, Custer County, South Dakota, setting forth the 4th day of March, 2019, at the hour of 5:30 o'clock, P.M. for hearing thereon.

NOW THEREFORE BE IT RESOLVED that the certain portion, of the originally platted streets and alleys to the City of Custer, Custer County, South Dakota described as follows:

That area of the intersection of 10th Street and Pine Street located at the South West Corner of Lot 1 in Block 89 contiguous to the previously vacated 10th Street and the previously vacated Pine Street. Such area having a dimension of twenty-five (25) feet by twenty-five (25) feet.

all located in the City of Custer City in Custer County South Dakota, be, and the same is, forever vacated, subject to existent and future easements and right of way for public and private utilities.

IT IS FURTHER RESOLVED that this Resolution is made upon the express condition that the Petitioners are responsible for the propriety of the proceedings including the Petition, consent of adjoining property owners, and compliance of the said proceedings with the statutes of the State of South Dakota and the ordinances of the City of Custer City and the limitations thereof, and Petitioners by acceptance of this Resolution agree to assume the liability, if any, of the City of Custer occasioned by the reading of this Resolution and the use and occupancy of the subject property by the Petitioners.

Dated at Custer, Custer County, South Dakota, this 4th day of March 2019.

City of Custer

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

PUBLIC COMMENTS

No public comments were received.

RUN CRAZY HORSE MARATHON REQUEST – EMILY WHEELER

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, Sixth Street and Fourth Street on October 6th, 2019 from approximately 9 am to 11:30 am for the Run Crazy Horse Marathon, contingent upon DOT approval. Motion seconded by Councilperson Arseneault, motion unanimously carried.

GOLD RUSH FUN RUN & WALK REQUEST – CUSTER YMCA

Councilperson Moore moved to approve the Gold Rush Fun Run & Walk request from the Custer YMCA which includes stopping traffic at Fourth Street and Second Street along the Mickelson Trail on July 21st, 2019. Seconded by Councilperson Whittaker, the unanimously carried.

5K DOG JOB & 1 MILE MUTT STRUTT REQUEST – CUSTER BARK PARK

Councilperson Arseneault moved to approve the Custer Bark Park's request for closure of Washington Street from Second Street to Eight Street for 90 minutes starting at 8:00 am, to hold a 5K Dog Jog and 1 Mile Mutt Strutt on May 11th, 2019 as a fundraiser for the dog park, contingent upon proof of insurance. Any dogs present at the event will be on a leash. Seconded by Councilperson Blom, the motion unanimously carried.

ASPHALT SURFACE TREATMENT BIDS

Councilperson Arseneault moved to accept the bid from Simon Contracting for the 2019 asphalt surface treatment project with a bid price of \$49,362.00 (\$3.00/unit) for CRS-2P Asphalt Emulsion, \$48,619.60 (\$78.80/unit) for cover aggregate and \$16,968.60 (\$3.30/unit) for CSS-1h fog seal for a total of \$114,950.20. Seconded by Councilperson Whittaker, the motion carried with Councilperson Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault voting yes

PLANNING COMMISSION RESIGNATION

Councilperson Nielsen moved to accept the registration of Joe Harbach from the Planning Commission and thanked him for his service. Seconded by Councilperson Whittaker, the motion unanimously carried.

PLANNING COMMISSION APPOINTMENT

Councilperson Fischer moved to approve the appointment of Kathy Johnson to the Planning Commission effective March 4th will her term to expire November 1, 2020. Seconded by Councilperson Moore, the motion unanimously carried

HOMETOWN HERO COMMITTEE

Mayor Herman presented to Council a request to form a Hometown Hero Committee to be composed of Kathy Johnson, chairman; Jana Virtue; Sandy Arseneault and Corbin Herman. Councilperson Arseneault moved to approve the Mayor's request to form the Hometown Hero Committee and appointments. Seconded by Councilperson Moore, the motion unanimously carried.

CLAIMS

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

A & B Electric, Repairs and Maintenance, \$279.63
Advanced Drug Testing, Safety, \$46.00
Aflac, Insurance, \$766.73
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
Beesley Law Office, Professional Fees, \$2,427.50
Black Hills Energy, Utilities, \$2,317.65
Boot Hill LLC, TIF #1 Payment, \$3,859.93
California State Disbursement, Deductions, \$53.19
Custer Do It Best, Supplies, \$49.15
Custer Senior Care, Subsidy, \$4,000.00
Chronicle, Publishing, \$302.09
Delta Dental, Insurance, \$254.20
Discovery Benefits, Supplies, \$1,376.92
EFTPS, Taxes, \$13,112.31
GovOffice, Supplies, \$550.00
Golden West Telecommunications, Utilities, \$590.04
Golden West Technologies, Supplies, Professional Fees, \$1,722.50
Hawkins, Supplies, \$12,823.31
Holiday Inn – Fort Pierre, Travel/Conference, \$132.79
Holiday Inn – Spearfish, Travel/Conference, \$600.54
ImageAll, Supplies, \$6.50
Kimball Midwest, Supplies, \$259.40
Michael Todd & Company, Supplies, \$710.95
Petty Cash, Supplies, \$507.80
Pitney Bowes, Supplies, \$48.69
Quill, Supplies, \$306.49
Kothe, Rick, Reimbursement, \$111.94
S & B Motors, Supplies, \$20.99
Southern Hills Fire & Safety, Safety, \$642.10
Sanders Sanitation, Garbage Collection Contract, \$13,816.99
SD Association of Rural Water Systems, Supplies, \$700.00
SD Department of Revenue, Supplies, Sales Tax, \$1,107.24
SD Retirement System, \$6,722.98
Supplemental Retirement, \$520.00
The Hartford, Insurance, \$63.62
Vector Print and Design, Supplies, \$230.00
Vander Meulen, Judy, Cemetery, \$400.00
Victoria Susan Mandan Davis Estate, Refund, \$310.00
Verizon Wireless, Utilities, \$418.34
Wright Express, Supplies, \$1,160.89
Wellmark, Insurance, \$14,028.20
YMCA, Membership, \$47.00
Bradeen, Ron, Utility Refund, \$42.88
Quinn, Nicholas, Utility Refund, \$10.34
Mayor & Council, \$4,430.00
Finance Department, \$4,833.20
Public Buildings, \$3,244.91
Planning Department, \$7,204.68

Public Works Department, \$3,096.63
Street Department, \$10,557.98
Cruisin Department, \$74.48
Parks Department, \$4,090.75
Water Department, \$11,669.94
Wastewater Department, \$11,551.50
Total Claims, \$149,211.89

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:12 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor