

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
March 6th, 2017**

Mayor Jared Carson called to order the first meeting of the Common Council for the month of March, 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 Blom, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Schleining, to approve the minutes from the February 21st regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

Councilperson Nielsen stated that she would have a conflict with the Custer County Housing & Redevelopment Commission request. No other conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Bob Morrison, Public Works Director, mentioned that the public works staff has been working at the Community Center building and are preparing for the Custer Sign project.

Laurie Woodward, Finance Officer, mentioned that the Board of Equalization meeting will take place on March 20th at 4:30 pm.

PUBLIC HEARING – MALT BEVERAGE & WINE LICENSE – SKOGEN KITCHEN

Councilperson Heinrich moved to approve the retail on-off sale malt beverage and retail on-off sale wine licenses for Skogen Kitchen contingent upon proof of insurance being provided. Seconded by Councilperson Schleining, the motion unanimously carried.

RESOLUTION #03-06-17A – ALLEY VACATION – BLOCK 48

Councilperson Maciejewski moved to table Resolution #03-06-17A - Alley Vacation, Block 48, to allow for the legal description to be fixed. Seconded by Councilperson Blom, the motion unanimously carried.

PUBLIC HEARING – SNOW REMOVAL – MATTHEW MAHUTGA PROPERTY

Ramona Flaig, representative for Matthew C. Mahutga addressed the Council regarding the snow removal and the bills for such, at 430 Mt Rushmore Road which is owned by the estate of Michael C. Mahutga, for which Matthew C. Mahutga is the personal representative. Kim Conwell, Custer City Planning/Public Works Technician also spoke regarding the snow removal at that address.

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session for potential litigation per SDCL 1-25-2(1-4) at 6:00 pm, with the Attorney and Finance Officer present. Seconded by Councilperson Fischer, the motion unanimously carried. Council excused themselves to a back room. Council came out of executive session and returned to the Council Chambers at 6:14 pm.

Councilperson Maciejewski moved to grant the remove one of the snow removal abatements based on administrative error for a reduction of \$185, with the remaining due being \$1,295. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen and Blom voting yes, while Councilperson Fischer and Schleining voted no.

RESOLUTION #03-06-17B – CUSTER COUNTY PRE-DISASTER MITIGATION PLAN

Councilperson Schleining moved to adopt Resolution #03-06-17B, Custer County Pre-Disaster Mitigation Plan. Seconded by Councilperson Maciejewski, the motion unanimously carried.

CUSTER CITY COUNCIL
RESOLUTION #03-06-17B

RESOLUTION ADOPTING THE CUSTER COUNTY PRE-DISASTER MITIGATION PLAN

WHEREAS, the Custer County Pre-Disaster Mitigation Plan has been prepared in accordance *with The Disaster Relief Act of 2000 and 44 CFR 206.1*; and

WHEREAS, the City of Custer has been afforded the opportunity to participate, comment, and provide input in the plan content and mitigation strategies; and

WHEREAS, the City of Custer concurs with the mitigation strategies and solutions for each disaster impacting the community and citizens; and

WHEREAS, the City of Custer agrees to annually review and comment on progress in achieving mitigation goals identified in the Plan and affecting its jurisdiction.

NOW THEREFORE BE IT RESOLVED by the Custer City Council that it adopts the Custer County Pre-Disaster Mitigation Plan as the jurisdiction's mitigation management plan, and resolves to participate in the accomplishments of the actions therein.

Adopted this 6th day of March, 2016 at the regular meeting of the Custer City Council.

CITY OF CUSTER

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

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

Councilperson Maciejewski moved to adopt Ordinance #785, Alcohol, Malt Beverage & Drinking Establishments. Seconded by Councilperson Fischer, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Blom and Schleining voting yes.

FIRST READING – ORDINANCE #788 – PLANNING COMMISSION COMPOSITION

Councilperson Maciejewski moved to approve Ordinance #788, Planning Commission Composition. Seconded by Councilperson Nielsen, the motion unanimously carried.

PROGRESS EDITION – CUSTER CHRONICLE

Councilperson Heinrich moved to approve the placement of a half page ad in the Custer Chronicle 2017 Progress edition for \$500. Seconded by Councilperson Blom, the motion carried with Councilperson Heinrich, Nielsen, Fischer, Blom, Schleining and Maciejewski voting yes.

ASPHALT SURFACE TREATMENT BIDS

Councilperson Heinrich moved to accept the bid from Bituminous Paving for the 2017 asphalt surface treatment project with the bid price of \$42,529.50 (\$3.25/unit) for CRS-2P Asphalt Emulsion, \$44,190.00 (\$90.00/unit) for cover aggregate and \$9,202.50 (\$2.25/unit) for CSS-1h fog seal for total of \$95,922.00. Seconded by Councilperson Blom, the motion carried with Councilperson Nielsen, Fischer, Blom, Schleining, Maciejewski and Heinrich voting yes.

Councilperson Nielsen excused herself from the Council Room.

REQUEST FOR ADDITIONAL FUNDS – CUSTER COUNTY HOUSING & REDEVELOPMENT COMMISSION

Councilperson Schleining moved to approve the request from Custer County Housing & Redevelopment Commission for an additional \$1,715 above their \$2,000 that was budgeted for 2017 subsidy. Seconded by Councilperson Fischer. After discussion, the motion failed with Councilperson Fischer, Blom, Schleining, Maciejewski, and Heinrich voting no.

Councilperson Nielsen returned to the Council Room.

USE AGREEMENT - YMCA

Councilperson Heinrich moved to approve the 2017 use agreement with the YMCA for the Custer Community Center gym. Seconded by Councilperson Nielsen, the motion carried unanimously.

CEMETERY CARETAKER BIDS

Councilperson Schleining moved to approve the Cemetery Caretaker bid from Edwards Enterprises for \$24,999.98. Seconded by Councilperson Fischer, the motion unanimously carried

ANNUAL REPORT

Councilperson Fischer moved to acknowledge the 2016 annual report. Seconded by Councilperson Maciejewski, the motion unanimously carried.

CLAIMS

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

AFLAC, Insurance, \$660.28

Battle Mountain Humane Society, Animal Control Contract, \$800.00

Beesley Law Office, Professional Fees, \$3,027.50

Black Hills Energy, Utilities, \$8,348.73

BPRO, Advertising, \$150.00

Calamity Jane, Supplies, \$44.00

Century Business Products, Supplies, \$146.14

Code Works, Inspections Fees, \$8,800.60

Chronicle, Publishing, \$201.05

Custer True Value, Supplies, \$433.25

Dakota Bank, TIF #4 Payment, \$18.25

Deb's Printing, Supplies, \$10.00
Delta Dental, Insurance, \$444.60
EFTPS, Taxes, \$14,647.43
Fastenal, Safety Equipment, \$52.25
First Interstate Bank, TIF #4 Payment, \$18.25
First Interstate Bank, Supplies, Travel, \$185.69
Genpro, Repair & Maintenance, \$495.00
Golden West Telecommunications, Utilities, \$608.54
Golden West Technologies, Professional Fees, \$1,729.00
Green Owl Media, Advertising, \$270.00
Scott Kellogg, Reimbursement, \$310.70
Leo's Auto Repair, Repair & Maintenance, \$20.00
Michael Todd & Company, Supplies, \$398.48
Petty Cash, Supplies, Travel, \$400.77
Pitney Bowes, Supplies, \$48.69
Quill, Supplies, \$30.58
Rebel Enterprises, Advertising, \$400.00
Southern Hills Fire & Safety, Safety, \$905.25
Servall, Repair & Maintenance, \$149.88
SD Association of Rural Water, Dues, \$1,085.00
SD DENR, Conference, \$20.00
SD Dept of Revenue, License, \$150.00
SD Retirement System, \$6,301.15
Supplemental Retirement, \$375.00
The Hartford, Insurance, \$68.70
US Department of Treasury, Deductions, \$142.65
Verizon Wireless, Utilities, \$464.88
Vernon Manufacturing, Repair & Maintenance, \$57.50
Wellmark, Insurance, \$10,585.01
Mayor & Council, \$4,400.00
Finance Department, \$11,439.10
Public Buildings, \$2,637.13
Planning Department, \$4,909.86
Public Works Department, \$10,264.30
Street Department, \$7,248.43
Parks Department, \$3,442.81
Water Department, \$9,207.07
Wastewater Department, \$5,345.81
Total Claims, \$121,899.31

COMMITTEE REPORTS

Various committee reports were given.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 6:55 p.m. Seconded by Councilperson Nielsen, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor