

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
May 6<sup>th</sup>, 2019**

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

**AGENDA**

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

**MINUTES**

Councilperson Blom moved, with a second by Councilperson Whittaker, to approve the minutes from the April 15<sup>th</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**PUBLIC HEARING – MALT BEVERAGE & SD FARM WINE AND WINE & CIDER LICENSE – FAMILY DOLLAR #27144**

Councilperson Fischer moved to approve the malt beverage & SD farm wine and wine & cider license for Family Dollar #27144 contingent upon proof of insurance being provided. Seconded by Councilperson Whittaker, the motion unanimously carried.

**2018 AUDIT PRESENTATION**

Shelley Goodrich with Ketel Thorstenson, LLP presented the 2018 audit. Councilperson Fischer moved to accept the 2018 audit as presented. Seconded by Councilperson Blom, the motion unanimously carried.

**CUSTER CHAMBER OF COMMERCE PRESENTATION**

Dolsee Davenport and Dawn Murray presented an overview of the Custer Area Chamber of Commerce activities and contributions to the community.

**CUSTER BID BOARD PRESENTATION**

Marcel Wahlstrom, BID Board President introduced Erin Weinzettel and Laura Mitchell with Lawrence & Schiller who presented the Custer BID Board 2019 marketing campaign.

**SECOND READING – ORDINANCE #822 – MEETINGS, ASSEMBLIES AND PARADES**

Councilperson Blom moved to adopt Ordinance #822, Meetings, Assemblies and Parades. Seconded by Councilperson Whittaker, the motion carried with Councilperson Blom, Whittaker, Fischer, Moore and Arseneault voting yes.

**SECOND READING – ORDINANCE #823 – TAXIS (REMOVAL)**

Councilperson Moore moved to adopt Ordinance #823, Removing Taxis Regulations. Seconded by Councilperson Blom, the motion carried with Councilperson Whittaker, Fischer, Moore, Arseneault and Blom voting yes.

**RESOLUTION #05-06-2019A – DOG PARK**

Councilperson Fischer moved to adopt Resolution #05-06-2019A, Dog Park. Seconded by Councilperson Moore, the motion unanimously carried.

Resolution #5-6-2019A

WHEREAS, in the fall of 2017 Mr. Lane Arthur presented ideas to construct a Dog Park within the City in conjunction with his Custer High School Senior project; and

WHEREAS, Custer City Parks, Recreation and Forestry Board and Custer City Council decided that the area of property currently under the ownership of Custer City located at the South East corner of Washington Street and 11<sup>th</sup> Street would be an appropriate location for such park; and

WHEREAS, the “Bark Park” committee has completed a design and layout of such park, and conducted fundraising to fund the construction of said park; and

WHEREAS, the “Bark Park” committee will complete construction of such park with assistance from volunteers and City Staff; and

WHEREAS, park space within Custer City is a benefit to citizens and visitors of the area for the public recreation opportunities provided, and park space is an appropriate use of a Flood Hazard Zone.

NOW THEREFORE BE IT RESOLVED that, pursuant to SDCL 9-45-1, that area of Lots 10, 9, 8, 7, 13, 14 and a portion of Lot 11, all in Block 84 plus a portion of Washington Street adjacent to said Lots

shall hereby be dedicated as the Custer Bark Park. Such area shall be used for dog park use, including fenced dog areas, parking area, shelters, watering station and additional green space.

NOW THEREFORE BE IT FURTHER RESOLVED upon completion of such park the City of Custer shall incorporate the park within its park system and assume ownership and responsibility for maintenance and upkeep of such park.

NOW THEREFORE BE IT FURTHER RESOLVED the conceptual design as presented by Black Hills Blue Pine Design Inc. is hereby approved and City staff is directed to assist in the physical layout of such design in conjunction with municipal guidelines, property lines, safe routes to school project, location of public utilities and special flood hazard requirements.

Dated this 6<sup>th</sup> day of May, 2019.

City of Custer

S/Nina Nielsen, Council President

ATTEST: Laurie Woodward, Finance Officer

**RESOLUTION #05-06-2019B – PERSONNEL MANUAL – CUSTODIAL MAINTENANCE WORKER**

Councilperson Whittaker moved to adopt Resolution #05-06-2019B, Personnel Manual Custodial Maintenance Worker. Seconded by Councilperson Blom, the motion unanimously carried.

**RESOLUTION # 05-06-19B**

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and  
WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 1-07-19A; and

WHEREAS, the Common Council of the City of Custer City has determined that the Custodial Maintenance Worker position description is necessary and updated.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit “A”, Custodial Maintenance Worker Position Description, as though set forth in full herein.

Dated this 6<sup>th</sup> day of May, 2019

City of Custer City

S/Nina Nielsen, Council President

Attest: Laurie Woodward, Finance Officer

**EXECUTIVE PROCLAMATION – ARBOR DAY**

Councilperson Arseneault moved to approve the executive proclamation for Arbor Day. Seconded by Councilperson Moore, the motion unanimously carried.

City of Custer City

From the Desk of the Mayor

**EXECUTIVE PROCLAMATION**

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

THEREFORE, BE IT RESOLVED that I, Corbin Herman, Mayor of the City of Custer City, South Dakota, do hereby proclaim May 13<sup>th</sup>, 2019 to be

**ARBOR DAY**

in the City of Custer City, SD, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

City of Custer City  
S/Corbin Herman  
ATTEST: Laurie Woodward, Finance Officer

**EXECUTIVE PROCLAMATION – FIREFIGHTER**

Councilperson Moore moved to approve the executive proclamation for Bill Bell. Seconded by Councilperson Whittaker, the motion unanimously carried.

City of Custer City  
From the Desk of the Mayor  
EXECUTIVE PROCLAMATION

WHEREAS, on behalf of the City of Custer, we wish to extend our sincere condolences over the passing of Bill Bell on March 18th, 2019; and  
WHEREAS, Bill gave so much devotion to our community and our community has sustained a great loss in his passing; and  
WHEREAS, Bill served 31 years with the Custer Volunteer Fire Department; and  
WHEREAS, in addition to serving on the Custer Volunteer Fire Department, Bill served in various leadership roles including First Assistant Chief and spent hours mentoring new firefighters; and  
WHEREAS, Bill spent hundreds of hours training firefighters across the state as a state certified instructor; and  
WHEREAS, Bill made a positive impact on everyone with whom he came into contact with and was a truly a remarkable and memorable firefighter and community member that will greatly be missed.  
THEREFORE, BE IT RESOLVED that I, Corbin Herman, Mayor of the City of Custer City, South Dakota, along with the members of the City Council, in recognition of Bill Bell's many contributions to the Custer Community and its citizens, hereby express our deep appreciation for his dedication and extend to his family and friends our sincere sympathy upon his passing.

City of Custer City  
S/Corbin Herman  
ATTEST: Laurie Woodward, Finance Officer

**PUBLIC COMMENTS**

Lane Arthur thanked the Council for their support of the dog park. No other public comments were received.

**MINOR PLAT – BLOCK 82 SUBDIVISION**

Councilperson Arseneault moved to approve the minor plat for Block 82 Subdivision. Seconded by Councilperson Blom, the motion unanimously carried.

**MINOR PLAT – HENDERSON SUBDIVISION**

Councilperson Whittaker moved to approve the minor plat for Henderson Subdivision. Seconded by Councilperson Blom, the motion unanimously carried.

**BID MARKETING CONTACT – LAWRENCE & SCHILLER**

Councilperson Moore moved to approve the BID marketing contract with Lawrence & Schiller for 2019 not to exceed \$114,000. Seconded by Councilperson Whittaker, the motion carried with Councilperson Fischer, Moore, Arseneault, Blom and Whittaker voting yes.

**BID SOCIAL MEDIA CONTACT – CHANTEL MCDONNELL**

Councilperson Whittaker moved to approve the BID social media contract with Social Talk for \$4,700. Seconded by Councilperson Moore, the motion carried with Councilperson Moore, Arseneault, Blom, Whittaker and Fischer voting yes.

**CLAIMS**

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

Aflac, Insurance, \$766.73  
Amazon, Supplies, \$17.02  
Arbor Day Foundation, Supplies, \$200.00  
ASFPM, Supplies, \$80.00  
Beesley Law Office, Professional Fees, \$1,391.50  
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00  
Black Hills Energy, Utilities, \$10,322.90  
California State Disbursement, Deductions, \$184.60  
Century Business Products, Supplies, \$542.21

Code Works, Professional Fees, \$696.90  
Custer Do It Best, Supplies, \$103.12  
Chronicle, Publishing, \$1,135.04  
Custer Chamber, Conference, \$80.00  
Dacotah Bank, TIF #2 Payment, \$1,062.51  
Dacotah Bank, TIF #4 Payment, \$4,862.44  
Delta Dental, Insurance, \$254.20  
Discovery Benefits, Supplies, \$2,065.38  
Eddies Truck Center, Supplies, \$38.24  
EFTPS, Taxes, \$18,142.80  
Fastenal, Supplies, \$607.82  
First Interstate Bank, TIF #4 Payment, \$4,862.44  
First Interstate Bank, Supplies, \$60.35  
Golden West Telecommunications, Utilities, \$587.19  
Golden West Technologies, Supplies, Professional Fees, \$762.50  
Hawkins, Supplies, \$7,929.52  
J & M Lawncare, Cemetery Caretaker Contract, \$5,000.00  
Inyopool, Repairs and Maintenance, \$809.97  
International Code Council, Annual Dues 2019, \$135.00  
Ketel Thorstenson, 2019 Audit, \$12,774.50  
KLJ, Professional Fees, \$3,264.00  
Midcontinent Testing Labs, Professional Fees, \$1,731.40  
Nelson's Oil & Gas, Supplies, \$1,222.91  
Pace, Supplies, \$370.65  
Petty Cash, Supplies, \$568.29  
Pitney Bowes, Supplies, \$97.38  
Quill, Supplies, \$240.36  
Riverside Pumps, Supplies, \$343.42  
Simons Materials, Repairs & Maintenance, \$3,619.63  
Sanders Sanitation, Garbage Collection Contract, \$13,816.99  
SD Department of Revenue, Supplies, \$75.00  
State of SD, Sales Tax, \$1,080.33  
SD DCI, Professional Fees, \$26.75  
SD Public Assurance Alliance, Insurance, \$44,206.14  
SD Retirement System, \$9,454.12  
SD One Call, Locates, \$19.95  
Supplemental Retirement, \$930.00  
Verizon Wireless, Utilities, \$417.01  
Wright Express, Supplies, \$1,001.12  
Wellmark, Insurance, \$14,028.20  
Wesdak Welding, Repairs & Maintenance, \$857.50  
WEAVE, Subsidy, \$5,000.00  
YMCA, Membership, Contributions \$240.00  
Mayor & Council, \$4,532.00  
Finance Department, \$7,170.51  
Public Buildings, \$3,713.92  
Planning Department, \$10,907.02  
Public Works Department, \$4,649.87  
Street Department, \$12,191.94  
Parks Department, \$5,397.18  
Water Department, \$17,826.31  
Wastewater Department, \$17,364.42  
Total Claims, \$262,950.92

#### **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 per SDCL 1-25-2(1-4) at 6:44 pm, with the Public Works Director, Planning Administrator and Finance Officer present. Seconded by Councilperson Moore, the motion unanimously carried. Planning Administrator Hartmann left the executive session at 6:50 pm. Council came out of executive session at 6:55 pm, with no action taken.

**EMPLOYEE STEP INCREASES**

Councilperson Moore moved to approve a step increase for Rick Kothe to step 2 at \$17.32 per hour effective April 23<sup>rd</sup>, 2019. Seconded by Councilperson Fischer, the motion unanimously carried.

Councilperson Blom moved to approve a step increase for Jeff Clark to step 2 at \$17.32 per hour effective April 23<sup>rd</sup>, 2019. Seconded by Councilperson Moore, the motion unanimously carried.

Councilperson Fischer moved to approve changing Tim Hartmann's wage scale increase date to April 29<sup>th</sup> and approve a step increase for Tim Hartmann to step 3 at \$57,548.72 effective April 29<sup>th</sup>, 2019. Seconded by Councilperson Arseneault, the motion unanimously carried.

**ADJOURNMENT**

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:57 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Nina Nielsen  
Council President