

All City Council Meetings are recorded.

CITY OF CUSTER CITY
COUNCIL AGENDA
November 18th, 2019 – City Hall Council Chambers
5:30 P.M.

1. Call to Order - Roll Call - Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes – November 4th, 2019 Regular Meeting
4. Declaration of Conflict of Interest
5. Public Hearings - Public Presentations
 - a. Public Hearing – Liquor & Wine Licenses Renewals
 - b. Dakota Resource 2019 Innovation Rural Community Award - Colleen Hennessy
 - c. WWTF Improvements Study - DGR
 - d. Second Reading – Ordinance #831 – Class 1 Misdemeanor Clarification
 - f.
 - g.
 - h.
6. Public Comments (3-minute max. per person, with total public comment period not to exceed 15 minutes)
7. Old Business
 - a.
 - b.
8. New Business
 - a. Christmas Parade Request – Chamber
 - b. Minor Plat – Lots F Through J of Pleasant Acres 2nd Addition
 - c. Sander Sanitation Contract
 - d. Step Increase
 - e.
 - f.
9. Presentation of Claims -
10. Department Head Discussion & Committee Reports –
11. Possible Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2(1,2,3,4,5))
12. Adjournment

REMINDERS

- Park & Recreation Committee Meeting – November 19th, 5:30 P.M.**
Public Works Committee Meeting – December 2nd, 2019 4:30 P.M.
Regular City Council Meeting – December 2nd, 2019 5:30 P.M.
General Government Committee Meeting – December 9th, 2019 4:30 P.M.
Planning Commission Meeting – December 10th, 2019 5:00 P.M.
Regular City Council Meeting – December 16th, 2019 5:30 P.M.

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.

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

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of November 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 Ryan, to approve the agenda with the removal of the Summer Music Update. The motion unanimously carried.

MINUTES

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

CONFLICTS OF INTEREST

No conflicts of interest were stated.

EXECUTIVE PROCLAMATION – ZONTA DAY

Councilperson Moore moved to approve the Zonta Day Executive Proclamation. Seconded by Councilperson Ryan, the motion unanimously carried.

EXECUTIVE PROCLAMATION

WHEREAS, Zonta International, founded on November 8, 1919, in Buffalo, N.Y, as a women's organization to serve the needs of girls and young women in the community.

WHEREAS, there are over 29,000 Zonta club members comprised of professional and business leaders in over 1,200 clubs in 63 countries and geographic areas; and

WHEREAS, the Zonta motto "Women Empowering Women" inspires members to make the world a better place by empowering women by working together toward gender equality in a supportive community of like-minded professionals that even extends to other countries and

WHEREAS, Zonta International funds education programs that enable women to continue making great strides and overcome gender barriers in the pursuit of education, careers and leadership roles. To date, nearly 1,600 fellowships, awards and grants have been awarded to women representing 73 countries, of which were donations made to the Zonta International Foundation.

WHEREAS, since 1923, Zonta International has provided more than \$40.9 million to empower women and expand their access to education, health care, economic opportunities and safe living conditions. Through donations to the Zonta International Foundation, Zonta improves women's lives, their children's lives and the communities in which they live and work.

WHEREAS, Zonta's commitment to end early marriage results in a biennial \$2 million contribution to the Ending Child Marriage project in partnership with UNICEF and UNFPA.

WHEREAS, every year from November 25 through December 10, Zonta clubs around the world participate in Zonta Says NO to Violence Against Women, which raises awareness of the global pandemic of women's rights violations and unites Zonta clubs worldwide in conducting impactful advocacy actions to fight violence against women and gender inequality.

WHEREAS, Zonta envisions a world in which women's rights are recognized as human rights and every woman is able to achieve her full potential. In such a world, women have access to all resources and are represented in decision making positions on an equal basis with men. In such a world, no woman lives in fear of violence.

WHEREAS, there are 14 Zonta club members in the Zonta of the Southern Black Hills, which sponsor service projects to address these critical issues and more in its local community and abroad.

NOW, THEREFORE, I, Corbin Herman, Mayor of Custer City, of the State of South Dakota, do hereby proclaim November 8, 2019, as Zonta Day in Custer City, and encourage all citizens to join me in recognizing Zonta International for its 100 years of service and Zonta of the Southern Black Hills for its 24 years of service in empowering women in Custer and the Southern Black Hills.

CITY OF CUSTER CITY

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

SECOND READING – ORDINANCE #828 – WATER RATES

Councilperson Fischer moved to adopt Ordinance #828, Water Rates. Seconded by Councilperson Nielsen, the motion carried with Councilperson Blom, Whittaker, Moore, Fischer, Nielsen and Ryan voting yes.

SECOND READING – ORDINANCE #829 – WASTEWATER RATES

Councilperson Blom moved to adopt Ordinance #829, Wastewater Rates. Seconded by Councilperson Whittaker, the motion carried with Councilperson Whittaker, Moore, Fischer, Nielsen, Ryan and Blom voting yes.

SECOND READING – ORDINANCE #830 – WATER OFF RATES

Councilperson Nielsen moved to adopt Ordinance #830, Water Off Rates. Seconded by Councilperson Blom, the motion carried with Councilperson Moore, Fischer, Nielsen, Ryan, Blom and Whittaker voting yes.

FIRST READING – ORDINANCE #831 – CLASS MISDEMEANOR CLARIFICATION

Councilperson Fischer moved to approve Ordinance #831, Class 1 Misdemeanor Clarification. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION #11-04-19A – PARADE STIPULATIONS

Councilperson Fischer moved to adopt Resolution #11-04-19A, Parade Stipulations. Seconded by Councilperson Ryan, the motion unanimously carried.

RESOLUTION # 11-04-19A

WHEREAS, the Common Council of the City of Custer City has expressed some concerns with parade safety; and

WHEREAS, the Common Council has previously determined that a parade request form shall be created to gather more information from parade requesting entities; and

WHEREAS, the Common Council of the City of Custer City has determined that the following six stipulations shall be modified from previous Resolution #09-03-19A and put in place for parade request.

- 1) Drugs and alcohol shall not be consumed by any participant on the parade route.
- 2) No candy, prizes, promotional items, etc, shall be thrown from any parade float or vehicle. Such items shall be handed out to the onlookers by walkers, with enough distance from the floats that onlookers do not have to enter the roadway to retrieve them.
- 3) Participants shall not spray liquids at the crowd.
- 4) Each parade participating group must be responsible not only for their own safety and must also take precautions to ensure the safety of their float and its participants.
- 5) Vehicle drivers are solely responsible for the safe operation of their vehicle. Each float/truck driver must be the holder of a valid driver's license and must have valid auto liability coverage in force.
- 6) Participants with horses or animals of any kind shall provide personnel to perform immediate excrement removal.

IT IS NOW THEREFORE RESOLVED that the above six stipulations shall be modified and incorporated into a parade request form to be updated as needed by City staff.

Dated this 4th day of November 2019

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #11-04-19B – WRITE-OFFS

Councilperson Nielsen moved to adopt Resolution #11-04-19B, Write-Offs. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION NO. 11/04/19B

WHEREAS, Chapter 9-22-4 of the South Dakota Codified Law states "every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is non-collectible, and by formal action direct that the non-collectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt."

WHEREAS, efforts have been made to collect these past due accounts receivable, and

WHEREAS, adequate time has elapsed to consider these accounts receivable delinquent and past due,

NOW THEREFORE BE IT RESOLVED that the following accounts be deemed non-collectible and removed from the records and disclosed on the 2019 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Nicholle Caudy	500590-07	\$364.85
Jeri Hewitt	200310-02	\$153.76

Melissa Johnson	201210-18	\$118.49
Lewis Trusty	401390-02	\$289.89
Marcus Engle	SNOW ABATEMENT	\$440.00
	TOTAL	<u>\$1366.99</u>

Signed this 4th day of November, 2019.

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

PUBLIC COMMENTS

No public comments were received.

DOG PARK SIGNS

Councilperson Nielsen moved to approve the Dog Park signs as present contingent upon the attorney's approval. Seconded by Councilperson Blom, the motion unanimously carried.

CODE RED AGREEMENT

Councilperson Nielsen moved to approve the agreement with CodeRed for service starting January 1st at \$1,500 a year. Seconded by Councilperson Moore, the motion carried with Councilperson Fischer, Nielsen, Ryan, Blom, Whittaker and Moore voting yes.

CUSTER CRUISIN COMMITTEE APPOINTMENT

Councilperson Fischer moved to approve the Mayor's appointment of Phil Abernathy to the Custer Cruisin Committee. Seconded by Councilperson Moore, the motion unanimously carried.

DEER MANAGEMENT LETTER

Councilperson Nielsen moved to approve the letter to SD Game Fish & Parks requesting tags for deer management and authorize the Mayor to sign the letter. Seconded by Councilperson Blom, the motion unanimously carried.

CLAIMS

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

- Aflac, Insurance, \$746.47
- Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
- Beesley Law Office, Professional Fees, \$1,984.00
- Black Hills Doors, Repairs & Maintenance, \$763.42
- Black Hills Energy, Utilities, \$2,407.76
- California State Disbursement, Deduction, \$92.30
- Century Business Products, Supplies, \$131.29
- Code Works, Professional Fees, \$342.80
- Custer Do It Best, Supplies, Repairs and Maintenance, \$70.48
- Chamber of Commerce, Conference, \$90.00
- Dales Tires, Repairs & Maintenance, \$4,933.60
- Delta Dental, Insurance, \$212.00
- Discovery Benefits, Supplies, \$1,626.92
- EFTPS, Taxes, \$11,711.17
- ESRI, Supplies, \$66.85
- Fastenal, Supplies, \$35.98
- Fennell Design, Capital Improvements, \$8,846.25
- Golden West Telecommunications, Utilities, \$521.80
- Golden West Technologies, Professional Fees, \$762.50
- Green Owl Media, Professional Fees, \$156.00
- Lamonte's Auto Center, Repairs & Maintenance, \$729.20
- Lawrence & Schiller, BID Board Advertising, \$3,722.94
- Matthew Bender/ Lexis Nexis, Supplies, \$10.00
- McDonnell, Chantel, BID Board Advertising, \$1,400.00
- Nielsen Enterprises, Repairs and Maintenance, \$8,300.00
- Petty Cash, Supplies, \$312.76
- Pitney Bowes, Supplies, \$48.69
- Quill, Supplies, \$142.96
- SD Property Management, Supplies, \$525.00
- SD Retirement System, \$6,162.64

SD State Treasurer, Unclaimed Property, \$121.60
SDSU, Conference, \$100.00
Supplemental Retirement, \$670.00
The Hartford, Insurance, \$64.12
Verizon Wireless, Utilities, \$423.93
Wright Express, Supplies, \$922.87
Wellmark, Insurance, \$12,011.75
YMCA, Membership, \$42.00
Obermann, Eric, Utility Refund, \$63.01
Dacus, Timothy, Utility Refund, \$36.99
Mayor & Council, \$4,532.00
Finance Department, \$6,368.51
Planning Department, \$10,341.83
Public Works Department, \$5,096.88
Street Department, \$16,656.24
Cruisin Department, \$223.44
Parks Department, \$6,732.07
Water Department, \$20,224.95
Wastewater Department, \$20,363.03
Total Claims, \$162,851.00

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Moore moved to adjourn the meeting at 6:22 p.m. Seconded by Councilperson Ryan, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

**CITY OF CUSTER CITY
BOARD OF ADJUSTMENT MEETING
November 4th, 2019**

Board Chairman Herman called to order the Board of Adjustment Meeting at 6:22 p.m. Present at roll call were Board Members Herman, Blom, Whittaker, Moore, Fischer, Nielsen and Ryan.

APPROVAL OF AGENDA

Board Member Moore moved, with a second by Board Member Whittaker, to approve the agenda. The motion unanimously carried.

APPROVAL OF MINUTES

Board Member Ryan moved, with a second by Board Member Whittaker, to approve the minutes from the October 7th, 2019 meeting.

PUBLIC COMMENTS

No public comments were received.

ADJOURNMENT

With no further business, Board Member Whittaker moved to adjourn the meeting at 6:24 p.m. Seconded by Board Member Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Board Chairman

ESTABLISHMENT	LICENSE	TAXES PAID		AGREEMENT	INSURANCE	10% DUE TO CITY	VIDEO LOTTERY
		✓	✓				
AJ'S ORE CAR SALOON	W-26108	✓	✓	EXP 2021	3/2020	✓	✓
BAVARIAN INN/ ON THE ROCKS CHOPHOUS	CL-26325	✓	✓	EXP 2021	4/2020	✓	X
BEGGING BURRO	RR-24019	✓	✓	EXP 2021	6/2020	✓	X
BH BURGER AND BUN CO	RB-20218	✓	✓	EXP 2021	10/2019	✓	X
BEST WESTERN BUFFALO RIDGE INN	CL-22694	✓	✓	EXP 2021	1/2020	✓	X
BUFFALO RIDGE ADVENTURES	RW-25868	✓	✓	EXP 2021	1/2020	✓	X
BUGLIN BULL RESTAURANT & SPORTS BAR	RR-24018	✓	✓	EXP 2021	10/2020	✓	X
BUGLIN BULL RESTAURANT	RW-19355	✓	✓	EXP 2021	10/2020	✓	X
CAPTAINS TABLE	RL-5525	✓	✓	EXP 2021		✓	X
CUSTER BEACON	RW25491	✓	✓	EXP 2021	5/2020	✓	X
CUSTER WOLF	RW-23492	✓	✓	EXP 2021	11/2020	✓	X
DAKOTA COWBOY	RW-24189	✓	✓	EXP 2021	7/2020	✓	X
DENIAL SOUTH DAKOTA	RW-24101	✓	✓	EXP 2021	4/2020	✓	X
DOLLAR GENERAL	RW-24731	✓	✓	EXP 2021		✓	X
FAMILY DOLLAR	RW-26397	✓	✓	EXP 2021	9/2020	✓	X
FRONTIER BAR & GRILL	RL-5528	✓	✓	EXP 2021	2/2020	✓	✓
GOLD PAN SALOON	RL-5524	✓	✓	EXP 2021		✓	✓
LYNN'S DAKOTAMART	PL-4487	✓	✓	EXP 2020	3/2020	✓	X
MT RUSHMORE BREWING CO	RL-5523	✓	✓	EXP 2021	6/2020	✓	X
MT RUSHMORE BREWING CO	RW - 23051	✓	✓	EXP 2021	6/2020	✓	X
PIZZA WORKS	RW-26432	✓	✓	EXP 2021	5/2020	✓	X
ROCKY KNOLLS GOLF COURSE	RL-5996	✓	EXEMPT	EXP 2021	1/2020	✓	X
SAGE CREEK GRILLE	RW-4626	✓	✓	EXP 2021	4/2020	✓	X
SKOGEN KITCHEN	RW-23799	✓	✓	EXP 2021	3/2020	✓	X
VFW	RL-6292	✓	EXEMPT	EXP 2020	1/2020	✓	✓
YESWAY/ BW GAS	RW-19299	✓	✓	EXP 2021	12/2019	✓	✓
YESWAY/ BW GAS	PL-21056	✓	✓	EXP 2021	12/2019	✓	✓

NOTICE OF PUBLIC HEARING UPON APPLICATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

UPON APPLICATION for the sale of alcoholic beverage, notice is hereby given that the City Council of the City of Custer City, Custer County, South Dakota will hear and consider all applications for the sale of liquor and wine, at a meeting of the City Council to be held on the 18th day of November, 2019, in the Council Chambers of City Hall in said City at 5:30 p.m. of said day. Application to be considered for renewal pursuant to SDCL 35-4 is as follows:

AJ's Ore Car Saloon - Retail (On-Off Sale) Wine and Cider
Bavarian Inn - Convention Center (On Sale) Liquor
Begging Burro - Retail (On Sale) Liquor - Restaurant
Black Hill Burgers & Bun - Retail (On-Off Sale) Wine and Cider
Best Western - Buffalo Ridge Inn - Convention Center (On Sale) Liquor
Buffalo Ridge Adventures - Retail (On-Off Sale) Wine and Cider
Buglin' Bull Restaurant/ WR Hospitality - Retail (On-Off Sale) Wine and Cider
Buglin' Bull Restaurant/ WR Hospitality - Retail (On Sale) Liquor - Restaurant
Captain's Table - Retail (On Sale) Liquor
Custer Beacon - Retail (On-Off Sale) Wine and Cider
Custer Wolf - Retail (On-Off Sale) Wine and Cider
Dakota Cowboy - Retail (On-Off Sale) Wine and Cider
Denial South Dakota/Swan Song LLC - Retail (On-Off Sale) Wine and Cider
Dollar General - Retail (On-Off Sale) Wine and Cider
Family Dollar - Retail (On - Off Sale) Wine & Cider
Frontier Bar & Grill - Retail (On Sale) Liquor
Gold Pan Saloon - Retail (On Sale) Liquor
Lynn's Dakotamart - Package (Off Sale) Liquor
Mt. Rushmore Brewing Company - Retail (On Sale) Liquor
Mt. Rushmore Brewing Company - Retail (On-Off Sale) Wine and Cider
Bradstreet Enterprises - Pizza Work - Retail (On-Off Sale) Wine & Cider
Rocky Knolls Golf Course - Retail (On Sale) Liquor
Sage Creek Grille - Retail (On-Off Sale) Wine and Cider
Skogen Kitchen LLC - Retail (On-Off Sale) Wine and Cider
The Rock Room & Garden - Retail (On-Off Sale) Wine and Cider
Kenneth Kuper VFW Post 3442 - Retail (On Sale) Liquor
Yesway #1173 - Package (Off- Sale) Liquor
Yesway #1173 - Retail (On-Off Sale) Wine and Cider

Any person or persons interested either for or against the granting of any such application may appear at the time and place above stated. Individuals needing assistance, pursuant to the Americans with Disabilities Act should contact the City Finance Officer no less than 24 hours prior to this meeting to make necessary arrangements.

Dated this 1st day of Nov 2019.

/s/Sydney Gramkow
Deputy Finance Officer

Custer County Chronicle - Please Publish November 6th, 2019

REQUEST TO BE ON AGENDA
CUSTER CITY COUNCIL MEETING

NAME: Colleen Hennessy PHONE #: 673-2073

ADDRESS: 245 S. 8th St

RECEIVED

NOV 14 2019

CITY OF CUSTER

MEETING DATE: Nov 18, 2019

Council meets on the 1st and 3rd Monday of each month, however if such date follows on a holiday Council will meet the following day.

ACTION REQUESTED (Give a brief summary of the action you would like the Council to take):

To accept The Dakota Resource 2019 Innovation Rural
Community Prize plaque.

REASONS FOR ACTION (Give a detailed account for the reasons you feel the Council should take the above action. Please state the history behind the request and as much information supporting your request as you can. Attach additional sheets if necessary.):

To hang The plaque in the Council Chamber, so the
residents of Custer can see it. This will also show the
support the City has giving to CAEDC

Have you visited with any staff or committees regarding your request, please state who (General Government Committee, Public Works Committee, Planning Commission, Community Development Director, Public Works Director, Finance Officer): No

SIGNATURE Colleen Hennessy DATE Nov 14, 2019

This form must be returned to the Finance Office by noon on the Wednesday preceding a regular scheduled meeting.

ORDINANCE NO. 831

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 9 PUBLIC PEACE, MORALS AND WELFARE CHAPTER 9.04 OFFENSES AGAINST PUBLIC PEACE AND DECENCY AND CHAPTER 9.08 PROPERTY OFFENSES; TITLE 10 VEHICLES AND TRAFFIC CHAPTER 10.08 RULES OF THE ROAD, OF THE CITY OF CUSTER CITY MUNICIPAL CODE ARE AMENDED, REPLACING, AND SUPERSEDING ALL PRIOR ORDINANCES OR AMENDMENTS, BY WHICH AMENDING AND SUPERSEDING SAID ORDINANCE AS FOLLOWS, TO WIT:

BE IT ORDAINED by the Common Council of the City of Custer City that sections 9.04.010, 9.04.030, 9.04.040, 9.04.050, 9.08.010, 9.08.020, 9.08.040, and 10.08.300 be amended as follows:

Any designations as Class I misdemeanor violations and punishments therefor be amended to designate any violations thereof as a Class II misdemeanor, and subject to the penalties therefor as set forth in Chapter 1.12 of this code.

NOW BE IT ORDAINED that all ordinances or parts thereof in conflict with this ordinance are hereby repealed. Should any section or part of this ordinance be determined to be invalid, the same shall not invalidate the remaining section(s) of this Ordinance.

Dated this 18th day of November, 2019.

City of Custer City

Corbin Herman, Mayor

Attest _____

Laurie Woodward, Finance Officer

(SEAL)

First Reading: November 4th, 2019

Seconding Reading: November 18th, 2019

Publication: November 27th, 2019

Vote:

Ryan:

Moore:

Nielsen:

Fischer:

Blom:

Whittaker:



CITY OF CUSTER CITY
622 Crook Street, Custer SD 57730
Phone 605-673-4824

SPECIAL EVENTS REQUEST FORM

THIS FORM MUST BE SUBMITTED TO THE FINANCE OFFICE AT LEAST 45 DAYS IN ADVANCE OF YOUR EVENT WITH ALL REQUIRED OTHER DOCUMENTS.

ORGANIZATION NAME: Custer Area Chamber of Commerce

MAILING ADDRESS: Po Box 5018, Custer

TYPE OF EVENT: Christmas Parade

DATE OF EVENT: Dec 7, 2019 RAIN DATE (if any): Dec 12, 2019

TIME OF EVENT: 5:30 pm ESTIMATE COMPLETION TIME: 6:30 pm

ORGANIZATION REPRESENTATIVE CONTACT INFORMATION:

NAME: Dolsee Davenport TITLE: Executive Director

PHONE #: 605-673-2244 or 605-440-0297 (cell)

EMAIL: ddavenport@custersd.com

ASSEMBLY AREA: Washington Street between 6th and 8th Streets

ROUTE: Mt. Rushmore Road from 8th Street (Lynnis) West to
4th Street (Way Park).

The following information must be included:

- ATTACH MAP HIGHLIGHTING ROUTE
- ATTACH A LIST OF ROADS THAT WILL BE TEMPORARILY CLOSED
- ORGANIZATION SHALL PROVIDE PROOF OF INSURANCE LISTING THE CITY AS ADDITIONAL INSURANCE.

MORE INFORMATION TO BE COMPLETED ON BACK SIDE

Organization shall inform all participants that this permit is issued subject to the following stipulations:

- 1) Drugs and alcohol shall not be consumed by any participant on the parade route.
- 2) No candy, prizes, promotional items, etc, shall be thrown from any parade float or vehicle. Such items shall be handed out to the onlookers by walkers, with enough distance from the floats that onlookers do not have to enter the roadway to retrieve them.
- 3) Participants shall not spray liquids at the crowd.
- 4) Each parade participating group must be responsible not only for their own safety and must also take precautions to ensure the safety of their float and its participants.
- 5) Vehicle drivers are solely responsible for the safe operation of their vehicle. Each float/truck driver must be the holder of a valid driver's license and must have valid auto liability coverage in force.
- 6) Participants with horses or animals of any kind shall provide personnel to perform immediate excrement removal.

INDEMNIFICATION

In consideration of approval to conduct this activity, Organization expressly assumes all risks incident to or in connection with the permitted activity and agrees to indemnify and hold the City of Custer, South Dakota harmless from any and all claims, demands or liability for personal injury or property damage relating to the negligent or intentional acts or omissions of Organization's officers, volunteers, employees, vendors, agents, contractors, subcontractors and others acting on behalf of Organization.

As the representative of the Organization requesting a special event permit, I have read the above stipulations and agree to inform each parade participating group with regard to such stipulations.

Dulsee Davenport
Signature of Organization Representative

11/14/19
Date

Dulsee Davenport, Executive Director
Print Name and Title of Organization Representative

CITY APPROVAL:

Date City Received Parade Request Form: _____

Date City Council Acted on the Parade Request Form: _____

Action taken by Council: _____

Mountain View Ave

Belair Dr

N 1st St

N 1st St

S 2nd St 16

Crook St

Hunter Hill

N 3rd St

Orn Dr

S 3rd St

Jean Dr

N 4th St

16 St

Gordon St

Washington St

S 5th St



S 6th St

N 6th St

Orn Dr

S 7th St

N 7th St

Crook St

S 8th St

N 8th St

16

N 9th St

Crook St

Wright Dr

Mount Rushmore Rd

S 9th St

Gordon St

Canal St

S 10th St

Lineage

Parade Route

Christmas Parade Road Closures

- **During Lineup** (from 4:30pm-5:30pm)
 - Washington Street between 6th Street and 8th Street
- **For Parade** (from 5:30pm-approx 6-6:30pm)
 - 8th Street from Washington Street to Mt. Rushmore Road
 - Mt. Rushmore Road from 8th Street to 4th Street



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Minor Plat, Lots F Through J of Pleasant Acres 2nd Addition
Applicant: Schrinier Investments, L.L.C.
Legal Desc.: Lots F Through J of Pleasant Acres 2nd Addition - See Plat for full legal
Fee Paid: \$1025.00
Date Prepared: November 15, 2019
Planning Commission Meeting: November 18, 2019
Prepared by Tim Hartmann, CFM Planning Administrator

GENERAL

This plat is for a subdivision of land within Custer City located near the intersection of Canal Street and Blue Bell Lane Right of Way. The proposed plat will divide the existing 3 lots, Lots A, B, & C, into the proposed 5 lots, Lots F, G, H, I & J. The proposed lots meet minimum lot size requirement of 7500 sqft ranging in size from 13155.12 sqft to 14766.84sqft and average about 1357.84 sqft.

The proposed parcels have City sewer and water services available. See Access and Public Services

ZONING

Per the City zoning map the property affected by this plat is currently zoned Highway Commercial. The applicant may re-zone to residential upon completion of the platting process.

COMPREHENSIVE PLAN

The plat is within the area projected as Suburban Residential of the 2013 Comprehensive Plan Land Use Map.

ROUTING SHEET RESPONSES

SDDOT – No comments.

ACCESS AND PUBLIC SERVICES

Access to the area is provided by Canal Street Frontage to the South. A 30' alley right of way to the north and Blue Bell right of way to the east is also present.

City water and sewer services are available in the Canal Street Right of Way. A 6" sewer main is on the North side of Canal Street and an 8" water main currently sits on the South side of Canal. Although connections to such would be the responsibility of the developer/owner, staff would like to discuss the developer bringing one adequately sized water line across the street to limit street cutting. Individual service lines could then be stubbed and attached into such line. CMC 16.24.030

Access appears to be adequate with the primary access, Canal Street, already being an accepted and developed street.

REGULATORY FLOODPLAIN

Per flood insurance rate map panel 46033C0114F it can be noticed a large portion of the property is affected by regulatory floodplain and within such, also a small portion of Floodway near the N/E corner of the plat. The presence of the flood hazard has been noted and shown on the plat, and any building or qualifying development within will be subject to local and FEMA Flood Damage Prevention regulations administered by the local floodplain administrator. CMC Chapter 15.16

For construction of a single-family home such requirements will include but are not limited to elevating of the lowest floor 1 foot above the base flood elevation, and proper construction and venting of any enclosure built below the base flood elevation.

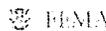
PREVIOUS ACTION BY THE PLANNING COMMISSION

Planning Commission and staff discussed the plat, with input from the applicant at the November 12th PC meeting. Discussion included but was not limited to the location of public services, regulatory floodplain, and the potential need for sidewalks adjacent to the property. After the discussion, Commissioner Uhrich moved, with a second by Commissioner Mills to recommend approval of the minor plat by the Council. Uhrich's motion carried unanimously.

SUMMARY AND STAFF RECCOMENDATION

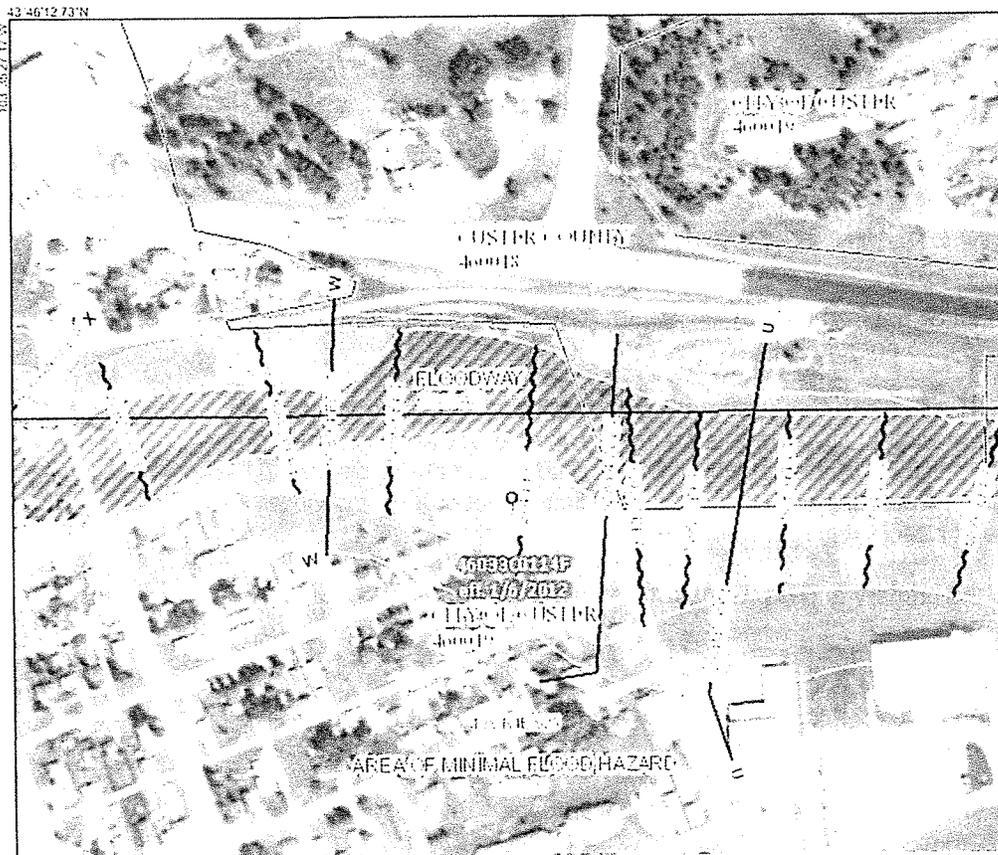
The proposed plat appears to have all services and improvements already available and established near the parcels. Staff is comfortable that the City's Flood Damage Prevention regulations will adequately address development within the special flood hazard area. Staff also plans to discuss and address the need for sidewalks adjacent to the property during the building permit process but feels the location of such may be infeasible due to the previously established street, Right of Way and drainage in the area. Staff supports approval of the plat by the Council, and although not required, would also support a recommendation that the developer stub 1 adequately sized water line across Canal Street to support water services for the parcels.

National Flood Hazard Layer FIRMette



Legend

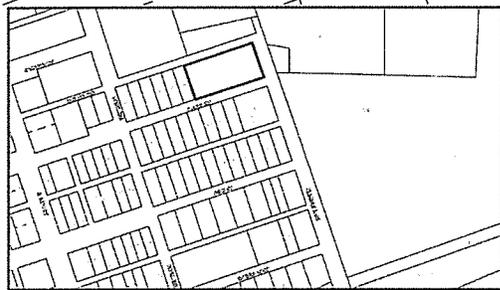
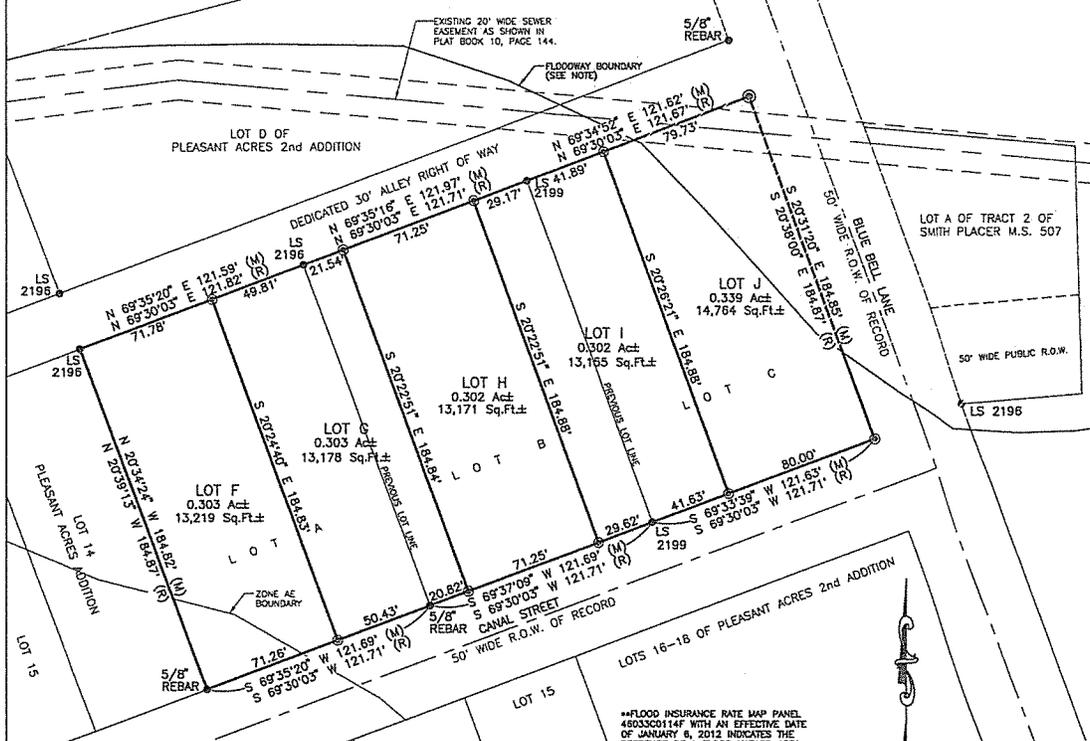
SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



SPECIAL FLOOD HAZARD AREAS	<ul style="list-style-type: none"> Without Base Flood Elevation (BFE) With BFE or Depth Regulatory Floodway 0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot of with drainage areas of less than one square mile Future Conditions 1% Annual Chance Flood Hazard Area with Reduced Flood Risk due to Levee See Notes Area with Flood Risk due to Levee
OTHER AREAS OF FLOOD HAZARD	<ul style="list-style-type: none"> Area of Minimal Flood Hazard Effective LOMR Area of Undetermined Flood Hazard
OTHER AREAS	<ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
GENERAL STRUCTURES	<ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
OTHER FEATURES	<ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped
MAP PANELS	<ul style="list-style-type: none"> The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. The flood hazard information is derived directly from the

PLAT OF
PLEASANT ACRES 2nd ADDITION,
LOTS F THROUGH J OF
 (formerly Lots A through C of Pleasant Acres 2nd Addition)
 LOCATED IN THE NE¼,
 SECTION 25, T3S, R4E, B.H.M.,
 CITY OF CUSTER, CUSTER COUNTY, SOUTH DAKOTA



CERTIFICATE OF OWNERSHIP
 State of South Dakota
 County of Custer s.s.

I, _____ do hereby certify that I am a Member of SCHRINER INVESTMENTS L.L.C., a South Dakota Limited Liability Corporation, and the owner of the land shown and described herein; that the survey was done at my request for the purposes indicated hereon; that I do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

Any land shown on the within plat as dedicated to public right of way is hereby dedicated to public use and public utility use as such, forever, but such dedication shall not be construed to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.

Owner: SCHRINER INVESTMENTS, L.L.C.

Member

On the _____ day of _____, 20____, before me, a Notary Public, personally appeared _____, known to me to be a member of Schriener Investments, LLC described in the foregoing instrument and acknowledged to me that he signed the same.

Notary Public: _____

My Commission Expires: _____

RESOLUTION OF THE CITY COUNCIL
 State of South Dakota
 City of Custer s.s.

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, BE IT RESOLVED, that said plat is hereby approved in all respects.

Dated at Custer, South Dakota this _____ day of _____, 2019.

Mayor

CERTIFICATE OF FINANCE OFFICER

I, Finance Officer of Custer City, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the _____ day of _____, 2019.

Finance Officer: _____

CERTIFICATE OF SURVEYOR
 State of South Dakota
 County of Custer s.s.

I, Jeffrey L. Janis, Registered Land Surveyor No. 11700 in the State of South Dakota, do hereby certify that at the request of the owner(s) listed hereon, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plat is a representation of said survey. Easements or restrictions of miscellaneous record or private agreements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.

Jeffrey L. Janis, Registered Land Surveyor

Date

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed lot lines with respect to the Highway or Street as shown hereon is hereby approved. Any approaches or access to the Highway or Street will require additional approval.

Dated this _____ day of _____, 20____.

Highway/Street Authority

CERTIFICATE OF COUNTY TREASURER

I, Treasurer of Custer County, do hereby certify that all taxes which are liens upon the within described lands are fully paid according to the records of my office.

Dated this _____ day of _____, 20____.

Treasurer: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this _____ day of _____, 20____.

Director of Equalization: _____

CERTIFICATE OF REGISTER OF DEEDS

State of South Dakota
 County of Custer s.s.

Filed this _____ day of _____, 20____, at _____ o'clock _____ M.

In Book _____ of Plats, on Page _____.

Register of Deeds: _____

**FLOOD INSURANCE RATE MAP PANEL 46033C0114F WITH AN EFFECTIVE DATE OF JANUARY 8, 2012 INDICATES THE PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT.

**NOTE: PLAT OF LOTS A-C FOUND IN PLAT BOOK 11 PAGE 256.

OCTOBER 22, 2019

SCALE 1" = 40'

NOTES:

- ⊙ Denotes set 5/8" rebar with survey cap marked "Janis LS 11700"
- Denotes Found Survey Monument as noted
- (R) Denotes Recorded in previous plat or description.
- (M) Denotes Measured this survey.
- CB Denotes Chord Bearing
- CD Denotes Chord Distance

Base of Bearings: Geodetic North determined by Global Positioning (GPS)
 Utility and Minor Drainage Easements: 10' on the interior sides of all lot lines, except where major drainage easements exist.



A & B Electric, Repairs and Maintenance, \$176.96
American Legal Publishing, Professional Fees, \$259.35
Andersen Engineers, Professional Fees, \$1,750.00
Black Hills Energy, Utilities, \$15,733.03
Black Hills Occupational Medicine, Safety, \$250.00
California State Disbursement, Deductions, \$92.30
Culligan, Repair & Maintenance, \$72.50
Custer Ambulance, TIF #1 Payment, \$9.53
Chamber of Commerce, Sales Tax Subsidy, \$20,862.43
Chronicle, Publishing, \$676.92
Custer County Treasurer, TIF #1 Payment, \$129.38
Custer School District, TIF #1 Payment, \$400.53
Custer Ace Hardware, Supplies, Repairs & Maintenance, \$810.65
Dakota Pump, Repairs & Maintenance, \$1,377.55
Discovery Benefits, Supplies, \$30.00
Display Sales, Supplies, \$3,188.00
Fastenal, Supplies, \$716.94
First Interstate Bank, Supplies \$121.75
French Creek Supply, Supplies, \$430.61
Hawkins, Supplies, \$4,315.83
J.P. Cooke Co, Supplies, \$59.00
Jenner Equipment, Repairs & Maintenance, \$280.44
KLJ, Professional Fees, \$4,368.00
Lynn's Dakotamart, Supplies, \$88.08
Midcontinent Testing Labs, Professional Fee, \$130.00
Nelson's Oil & Gas, Supplies, \$1,770.93
Newman Traffic Signs, Supplies, \$63.43
Northwest Pipe Fittings, Supplies, \$56.27
Overland Contracting Inc, Permit Fees, \$4,000.00
Pace, Supplies, \$740.29
Piney Bowes, Supplies, \$500.00
Rapid Delivery, Supplies, \$92.61
Regional Waste Management District, Supplies, \$83.04
S & B Motors, Supplies, \$19.74
Servall, Supplies, \$189.28
State of SD, Sales Tax Payable, \$1,178.56
Bit Finance/State Long Distance, \$53.60
Stan Houston Equipment, Repairs & Maintenance, \$38.74
USDA Loan Payments, \$8,910.00
YMCA, 2019 Subsidy, \$1,500.00
Eriksson, Colleen/Valter, Utility Refund, \$63.01
Total Claims \$75,589.28

