

CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
October 1st, 2018

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of October 2018 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Nielsen moved to approve the agenda. Seconded by Councilperson Blom, the motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Whittaker, to approve the minutes from the September 17th regular council meeting and September 24th special council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

EXECUTIVE PROCLAMATION – WORLD HABITAT DAY

Councilperson Arseneault moved to approve the executive proclamation for World Habitat Day. Seconded by Councilperson Nielsen, the motion unanimously carried.

EXECUTIVE PROCLAMATION

WHEREAS, 13.3% of people lived below the poverty line in South Dakota in 2017.

WHEREAS, secure tenure not only facilitates opportunities for health improvement, civic engagement, investment and wealth accumulation, but also provides a source of identity, status and serves as a basis for the pursuit of other rights; and

WHEREAS, the United Nations General Assembly has declared the first Monday in October as World Habitat Day, a time to unite in a worldwide effort to promote policies to ensure adequate shelter for all. By raising awareness and advocating for universal decent housing, we can change the systems that reinforce poverty housing and make affordable homes a reality for all; and

WHEREAS, Black Hills Area Habitat for Humanity ReStores have recycled over 90 tons of material in the past four years and will continue to address the lack of decent housing around the world while reducing environmental impact by recycling building materials through Habitat ReStores; and

WHEREAS, in recognition of World Habitat Day 2018, Black Hills Area Habitat for Humanity will continue to build and preserve simple, decent, affordable housing for families in the Black Hills.

THEREFORE, BE IT RESOLVED that I, Corbin Herman, Mayor of the City of Custer, South Dakota, do hereby proclaim October 1st, 2018, and the first Monday of every October, to be

World Habitat Day

and encourage all citizens of City of Custer City to work towards the elimination of inadequate housing.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Custer City this 1st day of October 2018.

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #10-01-18A – DOG PARK

Councilperson Moore moved to approve Resolution #10-01-18A, Dog Park, with the addition of wording that the nonprofit group will be responsible for liability insurance. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION 10-1-18A

WHEREAS, Custer High School graduate Lane Arthur approached the Custer City Council with an idea for a dog park in our Community as such parks promote a sense of community welcome for dog owners;

WHEREAS, Lane Arthur spent considerable time during his Senior Project researching and presenting his idea of a Dog Park in Custer, and a local group of volunteers have shown an interest in the dog park project and fundraising therefore;

NOW THEREFORE BE IT RESOLVED, that the Custer City Council authorizes the city property legally described as follows:

Lots 14, 13, 7, 8 and Revised Lots 9, 10 & a portion of Lot 11,

all in Block 84, Custer City, Custer County, South Dakota

to be utilized for design, construction and future use as the Custer "Bark Park" within the following guidelines;

IT IS FURTHER RESOLVED, that a local group of volunteers shall create a 501(c)3 nonprofit group made up of board members;

IT IS FURTHER RESOLVED, that the city shall only be responsible for paying the IRS nonprofit filing fee for filing such paperwork, with a copy of such paperwork to be provided to the City;

IT IS FURTHER RESOLVED, the nonprofit group shall work with the City Staff to design the dog park in compliance with city regulations, ordinances and standards;

IT IS FURTHER RESOLVED, the nonprofit group will be responsible for all fundraising, liability insurance and construction of the dog park; however, construction of the dog park shall be in compliance with city regulations, ordinances and standards;

IT IS FURTHER RESOLVED, that upon completion of construction of the dog park, the nonprofit board shall present the dog park facility to the City Council for approval thereof, and upon approval thereof, the city shall take ownership of the facilities and assume liability therefore, and the responsibility for all future repairs and maintenance thereof;

IT IS FURTHER RESOLVED, the dog park shall not be used for public purposes until the city approves, and assumes liability, ownership, repairs and maintenance thereof.

Dated this 1st day of October 2018.

CITY OF CUSTER CITY

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

PUBLIC COMMENTS

No public comments were received.

EXCEPTION TO CUSTER MUNICIPAL CODE 15.12 (FIRE LIMITS) – 1881 COURTHOUSE MUSEUM (441 MT RUSHMORE ROAD)

Gary Enright, 1881 Courthouse Museum Director, presented information regarding the log structure that they would like to move on to the museum property. Councilperson Fischer moved to grant the exception to the municipal code 15.12, Fire Limits, contingent upon the following stipulations being followed: the structure shall retain separation from all adjacent structures and shall be placed as presented in the site plan provided by Mr. Enright and included in the meeting packet; a fire-retardant product approved by the Planning Administrator shall be sprayed on interior structure surfaces (walls and roof deck) and exterior roof; and if electricity is installed, all fixtures shall be LED and all wiring shall be installed within rigid or flexible metal raceway. Seconded by Councilperson Blom, the motion unanimously carried.

PROPOSED DRIVE THROUGH TRAFFIC FLOW – FIRST INTERSTATE BANK – 648 MT RUSHMORE ROAD

Curtis Tyler, First Interstate Bank Branch Manager, along with Mike Tennyson, Sunrise Construction President, presented the plans for First Interstate Bank Drive-up at 648 Mt Rushmore Road. Councilperson Fischer moved to approve the traffic flow changes as presented for the proposed bank drive-up at 648 Mt Rushmore Road, which include the north/south alley west of this address becoming a one-way. Seconded by Councilperson Whittaker, the motion unanimously carried.

PROPOSED DRIVE UP TRAFFIC FLOW – 32 NORTH 4TH STREET

Becky Hove presented her request for consideration of a proposed drive-up window at the 32 North Fourth Street property. Councilperson Arseneault moved to deny the proposed traffic flow and encouraged Becky Hove to work with staff on any alternatives for traffic flow for the alley south of the 32 North Fourth Street location. Seconded by Councilperson Blom, the motion unanimously.

MINOR PLAT – HENDERSON SUBDIVISION

Councilperson Moore moved to approve the minor plat for Henderson Subdivision, Plat of Tract Holland and Tract JK47. Seconded by Councilperson Blom, the motion unanimously carried.

PLANNING COMMISSION RESIGNATION

Councilperson Arseneault moved to accept John Dvorak and Tim Behlings resignation from the Planning Commission. Seconded by Councilperson Moore, the motion unanimously carried.

PLANNING COMMISSION APPOINTMENT

Councilperson Nielsen moved to approve the following appointments to the Planning Commission: Larry Maciejewski for a term expiring January 1st, 2020, Fred Mills to the Alternate #1 Position and Marc Moore to the Alternate #2 Position. Seconded by Councilperson Whittaker, the motion unanimously carried.

CLAIMS

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

Aflac, Insurance, \$542.74

Anderson Auto Sales, Repairs & Maintenance, \$560.00

AFSCME, Dues, \$43.07

Battle Mountain Humane Society, Animal Control Contract, \$1,000.00

Black Hills Chemical, Supplies, \$89.97

Black Hills Energy, Utilities, \$1,322.36

California State Disbursement, Deduction, \$53.19

Century Business Products, Supplies, \$220.60

Custer Do It Best, Supplies, Repair and Maintenance, \$104.09

Custer County Auditor, Professional Fees, \$1470.00

Chronicle, Publishing, \$577.72
Custer County Treasurer, Law Enforcement Contract, \$93,750.00
Dacotah Bank, TIF #2 Payment, \$251.37
Delta Dental, Insurance, \$148.20
Discovery Benefits, Supplies, \$806.92
EFTPS, Taxes, \$12,777.73
Fastenal, Supplies, \$133.87
First Interstate Bank, TIF #1 Payment, \$1,437.29
Hawkins, Supplies, \$9,415.83
Hespen Excavating, Repairs & Maintenance, \$3,192.31
Itron, Supplies, \$822.63
Kellogg, Scott, Reimbursement, \$37.26
Kimball Midwest, Supplies, \$367.93
Lexis Nexis, Supplies, \$102.08
Northwest Pipe Fitting, Supplies, \$2,443.00
Petty Cash, Supplies, \$581.54
SRF Loan Payments, \$15,477.11
Sanders Sanitation, Garbage Collection Contract, \$14,532.36
SD Department of Revenue, Supplies, Sales Tax Subsidy, \$1,341.50
SD Retirement System, \$6,091.58
Supplemental Retirement, \$550.00
United Way, Supplies, \$95.00
Warne Chemical & Equipment, Supplies, \$26.50
Wellmark BCBS, Insurance, \$11,486.83
Wright Express, Supplies, \$1,250.11
YMCA, Contributions, \$450.00
Nuckles, Leslie, Utility Deposit Refund, \$91.11
Sparling, Jason, Utility Deposit Refund, \$17.59
Mayor & Council, \$4,400.00
Finance Department, \$4,620.28
Public Buildings, \$2,727.74
Planning Department, \$7,110.04
Public Works Department, \$3,116.39
Street Department, \$7,876.39
Cruisin Department, \$86.78
Parks Department, \$5,156.41
Water Department, \$11,352.60
Wastewater Department, \$11,132.44
Total Claims, 241,240.46

DEPARTMENT HEADS & COMMITTEE REPORTS

Various committee reports were given in addition to updates from the department heads.

ADJOURNMENT

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:42 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor