

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
September 18th, 2017**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of September, 2017 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Blom and Arseneault. City Attorney Chris Beesley was also present. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Heinrich moved, with a second by Councilperson Nielsen, to approve the minutes from the September 5th regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

Councilperson Arseneault stated that she would have a conflict with the parade request for the Custer High School Homecoming. No other conflicts of interest were stated.

PUBLIC HEARING – RESOLUTION #09-18-17A – ALLEY VACATION – BLOCK 96 – LYNN’S DAKOTAMART

Councilperson Heinrich moved to adopt Resolution #09-18-17A, Alley Vacation – Block 96 – Lynn’s Dakotamart. Seconded by Councilperson Nielsen, the motion unanimously carried.

Resolution #09-18-2017A

WHEREAS, the verified Petition and application of all owners of real property abutting the hereinafter described portion of certain alleys in Custer City, Custer County, South Dakota, praying that said portion of said alleys 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 6th day of September, 2017 and on the 13th day of September, 2017, in the Custer County Chronicle, a legal newspaper printed and published in the City of Custer, Custer County, South Dakota, setting forth the 18th day of September, 2017, at the hour of 5:30 o’clock, P.M. for hearing thereon.

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

East-West Alley between the East line of the previously vacated East-West Alley and West line of 9th Street, Block 96; and the North-South Alley between the South Line of the previously vacated North-South Alley and North line of Washington Street, Block 96

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

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 18th day of September 2017.

CITY OF CUSTER

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

SECOND READING – ORDINANCE #794 – APPROPRIATION ORDINANCE FOR FY 2018

Councilperson Maciejewski moved to adopt Ordinance #794, Appropriation Ordinance for Fiscal Year 2018. Seconded by Councilperson Nielsen, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Blom and Arseneault voting yes.

SECOND READING – ORDINANCE #792 - TAXI

Councilperson Nielsen moved to adopt Ordinance #792, Taxi. Seconded by Councilperson Blom, the motion carried with Councilperson Heinrich, Nielsen, Blom, Arseneault and Maciejewski voting yes.

RESOLUTION #09-18-17B – CERTIFYING DELINQUENT ASSESSMENTS

Councilperson Maciejewski moved to adopt Resolution #09-18-17B, Certifying Delinquent Assessments. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION #9-18-17B
RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CUSTER
CERTIFYING A DELINQUENT ASSESSMENT PURSUANT TO
SDCL 10-23-1.1

The City Council of the City of Custer, State of South Dakota does hereby assess and levy on and against the several lots and parcels of land described below the respective sums of money set against each lot or parcel.

This assessment is made to defray the cost of abating a nuisance as per SDCL 21-10-6.

The owners of said described lot or parcel have been noticed by certified mail return receipt requested and have failed to pay the amount of said described abatement.

NAME OF OWNER	DESCRIPTION OF PROPERTY	AMOUNT
ROBERT DRAKE	631 W MT RUSHMORE ROAD T & K ENTERPRISES SUBD . TR K SEC 26/27 T3 R4 .56 AC CUSTER, SOUTH DAKOTA PARCEL #008919	\$570.00
WITT / VANDER HEIDE DEBRA S LAMBERSON (WALLING)	304 YOUNG DRIVE LOTS 8-9 BLOCK 12 CUSTER, SOUTH DAKOTA PARCEL #008079	\$495.90
GRAY, JAN CHARLES	109 MT RUSHMORE ROAD BLOCK 47 SUB . TR MOTEL, CUSTER CITY 0.64 AC CUSTER, SOUTH DAKOTA PARCEL #008340	\$175.00
	139 MT RUSHMORE ROAD BLOCK 47 SUB . LOT 4 REVISED CUSTER CITY CUSTER, SOUTH DAKOTA PARCEL #014860	\$175.00
	145 MT RUSHMORE ROAD E2 OF LOT 5 & ALL OF LOT 6 BLOCK 47 & 25qVACATED 3 RD ST (RADIO STATION) CUSTER, SOUTH DAKOTA PARCEL #008341	\$310.00
	437 MONTGOMERY STREET ALL AMERICAN MOTEL LOTS 4-5-6 BLOCK 13 & S 15q OF VACATED E/W ALLEY, CUSTER, SOUTH DAKOTA PARCEL #008086	\$310.00
	417 MONTGOMERY STREET E 35qOF LOT 2 & ALL OF LOT 3 BLOCK 13 + 25qOF VACATED MONTGOMERY STREET	\$470.00

HICKS, COLLEEN RAE	CUSTER, SOUTH DAKOTA PARCEL #008085 432 CLAY STREET LOT 9 BLOCK 26 CUSTER, SOUTH DAKOTA PARCEL #008216	\$310.00
	TOTAL	\$2,815.90

The City Finance Officer is directed to file this Resolution with the Custer County Auditor's Office to certify the delinquent assessment pursuant to SDCL 10-23-1.1.

CITY OF CUSTER

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

Councilperson Arseneault excused herself from the room at 6:40 pm.

PARADE REQUEST – CUSTER HIGH SCHOOL HOMECOMING

Councilperson Heinrich moved to approve the Custer School District Homecoming Parade request for October 6th with the parade starting at Fifth & Lincoln Street proceeding south on Fifth Street then turning west on Mt Rushmore Road & proceeding until Eighth Street; contingent upon DOT approval. Seconded by Councilperson Blom, the motion unanimously carried.

Councilperson Arseneault rejoined the meeting at 6:41 pm.

REQUEST TO USE PAGEANT HILL – SOUTHERN HILLS MUSIC & ARTS FESTIVAL

Councilperson Maciejewski moved to approve Van Arp's request to use Pageant Hill August 16-19, 2018 for the Southern Hills Music & Arts Festival. Seconded by Councilperson Blom, the motion unanimously carried.

EMPLOYEE STEP INCREASE

Councilperson Maciejewski moved to approve the step increase for Lisa Trana to step 6 at \$19.08 effective June 14, 2017. Seconded by Councilperson Nielsen, the motion unanimously carried.

CLAIMS

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

- Black Hills Energy, Utilities, \$12,414.74
- Buckhorn Surveying, Professional Fees, \$240.00
- Culligan, Repair & Maintenance, \$18.50
- Custer Clinic, Supplies, \$18.00
- Chamber of Commerce, Sales Tax Subsidy, \$47,038.59
- Custer Industrial, Supplies, \$61.40
- Custer True Value, Supplies, Repair & Maintenance, \$499.16
- First Interstate Bank, Supplies, \$52.60
- French Creek Supply, Supplies, \$184.19
- Green Owl Media, Professional Fees, \$870.00
- Hawkins, Supplies, \$2,155.00
- Hillyard, Supplies, \$948.79
- Itron, Supplies, \$658.03
- Jenner Equipment, Repair & Maintenance, \$614.53
- LaMonte's Auto Center, Repairs & Maintenance, \$695.05
- Lasting Impressions Unlimited, Supplies, \$21.50
- Leo's Auto Repair, Repairs & Maintenance, \$22.50
- Lynn's Dakotamart, Supplies, \$20.75
- Lexis Nexis, Supplies, \$98.08
- Midcontinent Testing Labs, Professional Fees, \$1,015.40
- Nelson's Oil Gas, Supplies, \$981.00
- PayPal, Supplies, \$30.00
- Petty Cash, Supplies, Travel, \$213.49
- Power House, Supplies, \$439.62
- RHS Inc, Supplies, \$600.00
- Rapid Delivery, Professional Fees, \$63.25

Regional Health Network, Sales Tax Subsidy, \$88,500.24
S & B Motors, Supplies, \$270.00
Sander Sanitation, Garbage Collection Contract, \$13,405.82
Servall, Repair & Maintenance, \$237.96
State of SD, Sales Tax, \$1,151.14
SD Executive MGMT Finance Office, Utilities, \$32.44
USDA Loan Payment, \$8,910.00
USA Bluebook, Supplies, \$636.46
Warne Chemical & Equipment, Supplies, \$193.85
Wright Express, Supplies, \$1,218.01
Total Claims, \$184,530.09

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Arseneault moved to adjourn the meeting at 6:07 p.m.
Seconded by Councilperson Maciejewski, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor