

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
September 21<sup>st</sup>, 2015**

Mayor Jared Carson called to order the second meeting of the Common Council for the month of September, 2015 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer, Herman and Schleining. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Maciejewski moved to remove the Contractor License Fee Refund and Contractor License Appeal . Claude Smith from the agenda. Seconded by Councilperson Fischer, the motion unanimously carried. Councilperson Fischer moved to approve the amended agenda. Second by Councilperson Nielsen, the motion unanimously carried.

**MINUTES**

Councilperson Heinrich moved, with a second by Councilperson Nielsen, to approve the minutes from the September 8<sup>th</sup> regular council meeting and the September 10<sup>th</sup> special council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

Councilperson Fischer mentioned she would have a conflict with the Request for Paving of Bryden Drive. No other conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, gave Council an update on the Custer Community Center project, swimming pool repairs and West Dam Task Force. A public meeting regarding West Dam has been scheduled for October 1<sup>st</sup> at 6:00 pm at the High School Theater.

Scott Simianer, Planning Administrator, was absent.

Laurie Woodward, Finance Officer, mentioned that financial information was handout.

**PUBLIC HEARING – SPECIAL ON-SALE WINE RETAILER’S LICENSE TO ORGANIZATION – CUSTER AREA ARTS COUNCIL**

Councilperson Schleining moved to approve the special on-sale wine retailer’s license to organization for the Custer Area Arts Council Round Up Fundraising Social on September 26<sup>th</sup> at the Bank Coffee House from 4-8pm. Seconded by Councilperson Nielsen, the motion unanimously carried.

**SECOND READING - ORDINANCE #765 – 2016 APPROPRIATION ORDINANCE**

Councilperson Nielsen moved to adopt Ordinance #765, 2016 Appropriation Ordinance. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Herman and Schleining voting yes.

**AMENDED RESOLUTION #09-08-15A – CERTIFYING DELINQUENT ASSESSMENT**

Councilperson Fischer moved to approve Amended Resolution #09-08-15A, Certifying Delinquent Assessment. Seconded by Councilperson Nielsen, the motion unanimously carried.

AMENDED RESOLUTION #9-08-15A  
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
MCDILL, ILONA G.	E2 OF LOT 7 BLOCK 115+10q OF 6 <sup>TH</sup> STREET CONTIGUOUS TO LOT 7 CUSTER CITY CUSTER, SOUTH DAKOTA PARCEL #008646	\$185.00
HOUSKA, PATRICIA S	W2 OF LOT 10 BLOCK 115 CUSTER, SOUTH DAKOTA PARCEL #008651	\$370.00

HOUSKA, PATRICIA	E2 OF LOT 4, BLOCK 8 CUSTER CITY CUSTER, SOUTH DAKOTA PARCEL #008028	\$185.00
SCHERER, DANIEL H & AMY R	ALL OF LOT 7 & E2 OF LOT 8 BLOCK 126 + VACTED 15q OF VACTED 3 <sup>RD</sup> ST CUSTER, SOUTH DAKOTA PARCEL #008697	\$185.00
GRAY, JAN CHARLES	BLOCK 47 SUB . TR MOTEL, CUSTER CITY 0.64 AC CUSTER, SOUTH DAKOTA PARCEL #008340	\$185.00
	BLOCK 47 SUB . LOT 4 REVISED CUSTER CITY CUSTER, SOUTH DAKOTA PARCEL #014860	\$185.00
	E2 OF LOT 5 & ALL OF LOT 6 BLOCK 47 & 25qVACATED 3 <sup>RD</sup> ST (RADIO STATION) CUSTER, SOUTH DAKOTA PARCEL #008341	\$185.00
	TOTAL	\$1,480.00

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/Mayor Jared Carson

Attest: Laurie Woodward, Finance Officer

**FINAL PLAT – SUMMIT ROAD ROW (CORRECTIVE PLAT)**

Councilperson Nielsen moved approve the final plat for Summit Subdivision (Corrective Plat). Seconded by Councilperson Schleining, the motion unanimously carried.

**LETTER TO DOT REGARDING MT RUSHMORE ROAD SPEED LIMIT & CROSSWALKS**

Councilperson Maciejewski moved to approve the letter to DOT regarding speed limit & crosswalks. Seconded by Councilperson Nielsen, the motion unanimously carried. Councilperson Schleining moved to authorize the Mayor to sign the letter to DOT on behalf of the City Council. Seconded by Councilperson Fischer, the motion unanimously carried.

**REQUEST FOR PAVING OF BRYDEN DRIVE – JIM BRICKEY & HANK WHITNEY**

Jim Brickey & Hank Whitney presented their request to have Bryden Drive north of Harney Street paved. Council informed Mr. Brickey & Mr. Whitney that the 2016 budget has funds for two & half blocks of alley work. The Public Works Director stated that he has that section of Bryden Drive at the top of his list for the 2016 budgeted funds.

**PAGEANT HILL USE REQUEST – VAN ARP**

Van Arp presented Council with information regarding the Southern Hills Music and Arts Festival to be held August 26 & 27<sup>th</sup>, 2016. Councilperson Maciejewski moved to reserve Pageant Hill for the Southern Hills Music & Arts Festival on August 26 & 27<sup>th</sup>, 2016 contingent upon all items required by City Policy being complied with. Seconded by Councilperson Fischer, the motion unanimously carried.

**FINAL PLAT – CASE SUBDIVISION #4**

Councilperson Herman moved to approve the final plat for Case Subdivision #4. Seconded by Councilperson Schleining, the motion unanimously carried.

**FINAL PLAT – RAMSEY SUBDIVISION**

Councilperson Herman moved to approve the final plat for Lots 1, 2 & 3 of Ramsey Subdivision. Seconded by Councilperson Nielsen, the motion unanimously carried.

**2016 CUSTER AREA CHAMBER OF COMMERCE BUSINESS & MEMBERSHIP DIRECTORY**

Councilperson Nielsen moved to approve the placement of a quarter page ad in the 2016 Custer Area Chamber of Commerce Business and Membership Directory for \$495. Seconded by Councilperson Herman, the

motion carried with Councilperson Heinrich, Nielsen, Fischer, Herman and Schleining voting yes while Councilperson Maciejewski voted no.

### **HEALTH INSURANCE RENEWAL**

Councilperson Herman moved to accept the ACA quote from Dakotacare for 2016 health insurance renewal which will be a decrease of 4.5%. Seconded by Councilperson Maciejewski, the motion unanimously carried.

### **CLAIMS**

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

A&B Electric, Repair & Maintenance, \$417.69  
Albertson Engineering, Professional Fees, \$203.00  
Battle Mountain Humane Society, Animal Control Contract, \$835.00  
Black Hills Power & Light, Utilities, \$8993.90  
Cleo Garneaux, Refund, \$163.74  
Culligan, Repair & Maintenance, \$72.50  
Chamber of Commerce, Sales Tax Subsidy, \$46132.98  
Chronicle, Publishing, \$281.94  
Custer County Market, Supplies, \$32.90  
Custer Sign Company, Supplies, \$417.00  
Dakota Industrial Hygiene, Capital Improvements, \$770.00  
Dakota Pump & Control, Repair & Maintenance, \$1061.23  
Debes Printing, Supplies, \$203.18  
Fastenal, Supplies, \$285.19  
Fiberglass Custom Products, Repair & Maintenance, \$25170.11  
First Interstate Bank, Supplies, \$46.55  
French Creek Supply, Supplies, \$18.98  
Goldenwest Technologies, Professional Fees, \$616.50  
Hadlock, Cheryl, Professional Fees, \$4154.06  
Hawkins, Supplies, \$1040.00  
McDill, Ilona, Refund, \$360.00  
Itron, Supplies, \$731.31  
Kone, Repair & Maintenance, \$710.00  
Lawrence & Schiller, Advertising, \$70453.02  
Lexis Nexis, Supplies, \$90.08  
McGas, Utilities, \$3133.29  
Midcontinent Testing Lab, Professional Fees, \$718.00  
Midwest Tapping Services, Repair & Maintenance, \$1264.29  
Quill, Supplies, \$372.27  
Paypal, Supplies, \$511.97  
Rapid Delivery, Professional Fees, \$72.48  
Rebel Enterprises, Advertising, \$600.00  
SRF Loan Payment, \$4639.68  
S&B Motors, Supplies, \$126.86  
Sander Sanitation, Garbage Collection Contract, \$13405.82  
SECO Construction, Capital Improvements, \$1724.00  
State of SD, Sales Tax, \$930.38  
SD Municipal League, Travel, \$400.00  
USDA Loan Payment, \$8910.00  
Wright Express, Supplies, \$1136.26  
Total Claims, \$201,206.16

### **COMMITTEE REPORTS**

Various committee reports were given.

### **EXECUTIVE SESSION**

Councilperson Schleining moved to go into and out of executive session for personnel, proposed litigation & contract negotiations per SDCL 1-25-2(1-4) at 6:30 pm, with the Attorney, Finance Officer, and

Public Works Director present. Seconded by Councilperson Fischer, the motion unanimously carried. Council came out of executive session at 7:16 pm, with no action taken.

**ADJOURNMENT**

With no further business, Councilperson Nielsen moved to adjourn the meeting at 7:16 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Jared Carson  
Mayor