

All City Council Meetings are recorded.

**CITY OF CUSTER CITY
COUNCIL AGENDA
September 18th, 2017 – 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 – September 5th, 2017 Regular Meeting Minutes
4. Declaration of Conflict of Interest
5. Public Presentations - Public Hearings
 - a. Public Hearing – Resolution #09-18-17A – Alley Vacation – Block 96 – Lynn's Dakotamart
 - b. Second Reading – Ordinance #794 - Appropriation Ordinance for FY 2018
 - c. Second Reading – Ordinance #792 – Taxi
 - d. Resolution #09-18-17B – Certifying Delinquent Assessments
 - e.
6. Old Business
 - a.
 - b.
7. New Business
 - a. Parade Request – Custer High School Homecoming
 - b. Request to Use Pageant Hill – Southern Hills Music & Arts Festival
 - c.
 - d.
 - e.
 - f. Step Increase
8. Presentation of Claims –
9. Department Head Discussion & Committee Reports –
10. Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2)
11. Adjournment

REMINDERS

- Park & Recreation Committee Meeting – September 19th, 2017 5:30 P.M.
Public Works Committee Meeting – October 2nd, 2017 4:00 P.M.
Regular City Council Meeting – October 2nd, 2017 5:30 P.M.
General Government Committee Meeting – October 10th, 2017 4:15 P.M.
Planning Commission Meeting – October 10th, 2017 5:15 P.M.
Regular City Council Meeting – October 16th, 2017 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
September 5th, 2017**

Mayor Corbin Herman called to order the first 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, Fischer, Blom and Arseneault. City Attorney Chris Beesley was also present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Nielsen moved to approve the agenda with the modification to Amendment to Wazi Lane Reconstruction Contract #2 to clarify that it is Amendment to West Dam Reconstruction Contract #2. Seconded by Councilperson Heinrich, the motion unanimously carried.

MINUTES

Councilperson Fischer moved, with a second by Councilperson Blom, to approve the minutes from the August 21st regular council meeting and the August 28th special council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

SECOND READING – ORDINANCE #793 – REZONING – WOOD SUBDIVISION LOT B OF TR 2

Councilperson Nielsen moved to adopt Ordinance #793, Rezoning – Wood Subdivision Lot of TR 2. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Blom and Arseneault voting yes.

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

Councilperson Maciejewski moved to approve the first reading of Ordinance #794, Appropriation Ordinance for Fiscal Year 2018. Seconded by Councilperson Heinrich, the motion unanimously carried.

FIRST READING – ORDINANCE #792 - TAXI

Councilperson Nielsen moved to approve the first reading of Ordinance #792, Taxi. Seconded by Councilperson Blom, the motion unanimously carried.

AMENDMENT TO WEST DAM RECONSTRUCTION CONTRACT #2 – BANNER

Councilperson Heinrich moved to approve contract amendment #2 for the West Dam Reconstruction Project with Banner for \$19,982.50. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Heinrich, Nielsen, Fischer, Blom, Arseneault and Maciejewski voting yes.

SOCIAL MEDIA CONTRACT FOR WEST DAM – GREEN OWL MEDIA

Councilperson Fischer moved to approve the social media contract for West Dam with Green Owl Media for a monthly fee of \$140 but not to exceed \$210. Seconded by Councilperson Nielsen. After some discussion, the motion failed with Councilperson Nielsen, Fischer, Blom, Arseneault, Maciejewski and Heinrich voting no.

SOCIAL MEDIA CONTRACT FOR CUSTER CRUISIN – GREEN OWL MEDIA

Councilperson Arseneault moved to approve the social media contract for Custer Cruisin with Green Owl Media for a total 12-month investment of up to \$2,905. Seconded by Councilperson Fischer, the motion carried with Councilperson Fischer, Blom, Arseneault, Maciejewski and Heinrich voting yes, while Councilperson Nielsen voted no.

SUBDIVISION AGREEMENT FOR BLAINE SUBDIVISION – JOE JACKL

Councilperson Maciejewski moved to approve the subdivision agreement with Joe Jackl for Blaine Subdivision with Mr. Jackl paying the City \$9,987.50 for drainage improvements. Seconded by Councilperson Fischer, the motion unanimously carried.

CLAIMS

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

AFLAC, Insurance, \$660.28

Audio-Video Solutions Inc, Repairs & Maintenance, \$693.35

AFSCME Council 65, Dues, \$173.26

Battle Mountain Humane Society, Animal Control Contract, \$800.00

Beesley Law Office, Professional Fees, \$2,027.50

Black Hills Energy, Utilities, \$4,527.80

Buckhorn Surveying, Professional Fees, \$330.00

Jim Brunner, Professional Fees, \$40.00

Fred Baumann, Professional, \$120.00
Casper Comfort Keepers, Cruisin Deposit Refund, \$100.00
Century Business Products, Supplies, \$200.09
Code Works, Professional Fees, \$465.24
Custer DO It Best, Supplies, \$55.51
Custer County Auditor, Other, \$1,414.50
Chronicle, Publishing, \$341.07
Custer Industrial, Supplies, \$32.40
Dakota Bank, TIF #2 Payment, \$1,264.61
Delta Dental, Insurance, \$232.60
Edward Enterprises, Cemetery Caretaker Contract, \$4,166.68
Express Collections, Professional Fees, \$51.66
EFTPS, Taxes, \$13,808.26
Jim Frank, Professional Fees, \$160.00
Fastenal, Supplies, \$129.03
First Interstate Bank, Supplies, \$78.19
Garry & Teena Nelson, Cruisin Deposit Refund, \$100.00
General Lee Walden, Cruisin Deposit Refund, \$100.00
Golden West Telecommunications, Utilities, \$608.84
Golden West Technologies, Professional Fees, Supplies, \$3,296.50
GFOA, Membership, \$160.00
Grizzly's Fine Indian Jewelry, Cruisin Deposit Refund, \$100.00
Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$2,394.94
HD Supply, Supplies, \$984.88
Hawkins, Supplies, \$7,574.22
Colleen Hennessy, Professional Fees, \$160.00
Home Slice Media Group, Advertising, \$30,949.20
Jenner Equipment, Supplies, \$604.21
Metering & Technology Solutions, Supplies, \$196.46
Dave Moohre, Professional Fees, \$40.00
Mt. View Baptist Church, Cruisin Deposit Refund, \$100.00
Newman Traffic Sign, Supplies, \$162.39
Northwest Pipe Fitting, Repair & Maintenance, \$585.78
Petty Cash, Supplies, \$403.45
Samuel Pomper, Professional Fees, \$145.00
Quill, Supplies, \$229.27
RCS Construction, Capital Improvements, \$58,500.00
SD Retirement System, \$5,918.18
Supplemental Retirement Plan, \$350.00
The Hartford, Insurance, \$64.12
Toby Brusseau, Advertising, \$3,200.00
Traffic Control, Supplies, \$652.00
Urad Leather Care, Cruisin Deposit Refund, \$100.00
Verizon Wireless, Utilities, \$463.93
Wellmark, Insurance, \$9,946.45
Mayor & Council, \$4,400.00
Finance Department, \$12,740.01
Public Buildings, \$2,637.12
Planning Department, \$7,095.81
Public Works Department, \$10,498.58
Street Department, \$7,751.86
Parks Department, \$2,059.52
Water Department, \$5,636.21

Wastewater Department, \$3,176.00

Total Claims, \$215,920.96

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 6:08 p.m.
Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

Resolution #09-18-2017A

WHEREAS, the verified Petition and application of all owners of real property abutting the hereinafter described a portion of some 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 West 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.

Date at Custer, Custer County, South Dakota, this 18th day of September 2017.

ATTEST:

CITY OF CUSTER

Laurie Woodward, Finance Officer

Corbin Herman, Mayor

(SEAL)

ACCEPTANCE OF RESOLUTION

The undersigned Petitioners hereby accept the terms and conditions of the foregoing Resolution this ____ day of _____, 20__.

Donald P. Feist, Member

ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)

LIMITED LIABILITY

) ss.

COMPANY ACKNOWLEDGEMENT

COUNTY OF CUSTER)

On this the ____ day of _____, 2017, before me, the undersigned officer, personally appeared _____, who acknowledged himself to be a duly authorized and acting representative of _____, a limited liability company, and that he, as such member being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the company by himself as a qualified member.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public-South Dakota

(SEAL)

My Commission Expires: _____



Planning Department

622 Crook Street

Custer, SD. 57730

Phone: 673-4824

Fax: 673-2411

e-mail: timh@cityofcuster.com

Staff Report

Request: Block 96, Vacation of Alley Right-of-Ways
Applicant: Lynns Dakotamart
Location: See Information Below and attached "Exhibit A"
Date: September 14, 2017
City Council Meeting: September 18, 2017
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The applicant is requesting to vacate the full width of the East-West Alley between the West line of the previously vacated East-West Alley and West line of 9th Street and the full width of the North-South Alley between the South Line of the previously vacated North-South Alley and the North Line of Washington Street. The remaining portions of the alleys have previously been vacated. The applicant owns the property on both sides of both alleys (Entire Block 96).

The applicant wishes to vacate the proposed alleys to provide for future development and services in the immediate area. At this time, the vacation of alleys is planned to provide Tesla Inc. with a location to construct and install additional electric car chargers for all Tesla Owners to utilize.

I have discussed the proposed vacations with Bob Morrison, Public Works Director. He does not see any potential further use of the alleys for street or utility purposes.

The City normally retains a utility easement when an alley is vacated.

LAND SURVEY OF TRACT

The Record of Survey shows no encroachments.

ACCESS TO ALL LOTS

Vacation of the proposed alleys will eliminate the *established* access to Lots 4 and 5 of the Block. Should these lots need individual access in the future Washington Street Right of Way remains as public Right of Way and could provide for a street to the south side of Block 96.

** Block 96 is under the same ownership, with no plans to change. It may also be of interest for the owner to replat the block as 1 large lot.

PREVIOUS VACATIONS IN THE AREA

After a review of the area, previous vacations within block 96 include.

- Resolution – 11-19-73
 - East West Alley between the East line of 8th Street and West line of the North-South alley
 - East 25' of 8th street between Mount Rushmore Road and the South line of the East-West Alley, contiguous to Lot 12
 - Both Vacations Subject to an Easement and Right-of-Way for the location and maintenance of existent and future public and private utilities and appurtenant facilities.

- Resolution - 11-7-77
 - North-South Alley from the South Line of Mount Rushmore Road to the North line of the East-West alley, and contiguous to lots 9 & 10
 - Vacation Subject to easements and rights-of-way, covenants, restrictions and reservations.

RECOMMENDATIONS

The alleys appear to serve no purpose. They are both existing as a dead-end due to the previous vacations. Vacation of the alley would return the land to the tax rolls and provide for positive community development in the area. Staff supports the vacation.

RECOMMENDATIONS FROM PLANNING COMMISSION

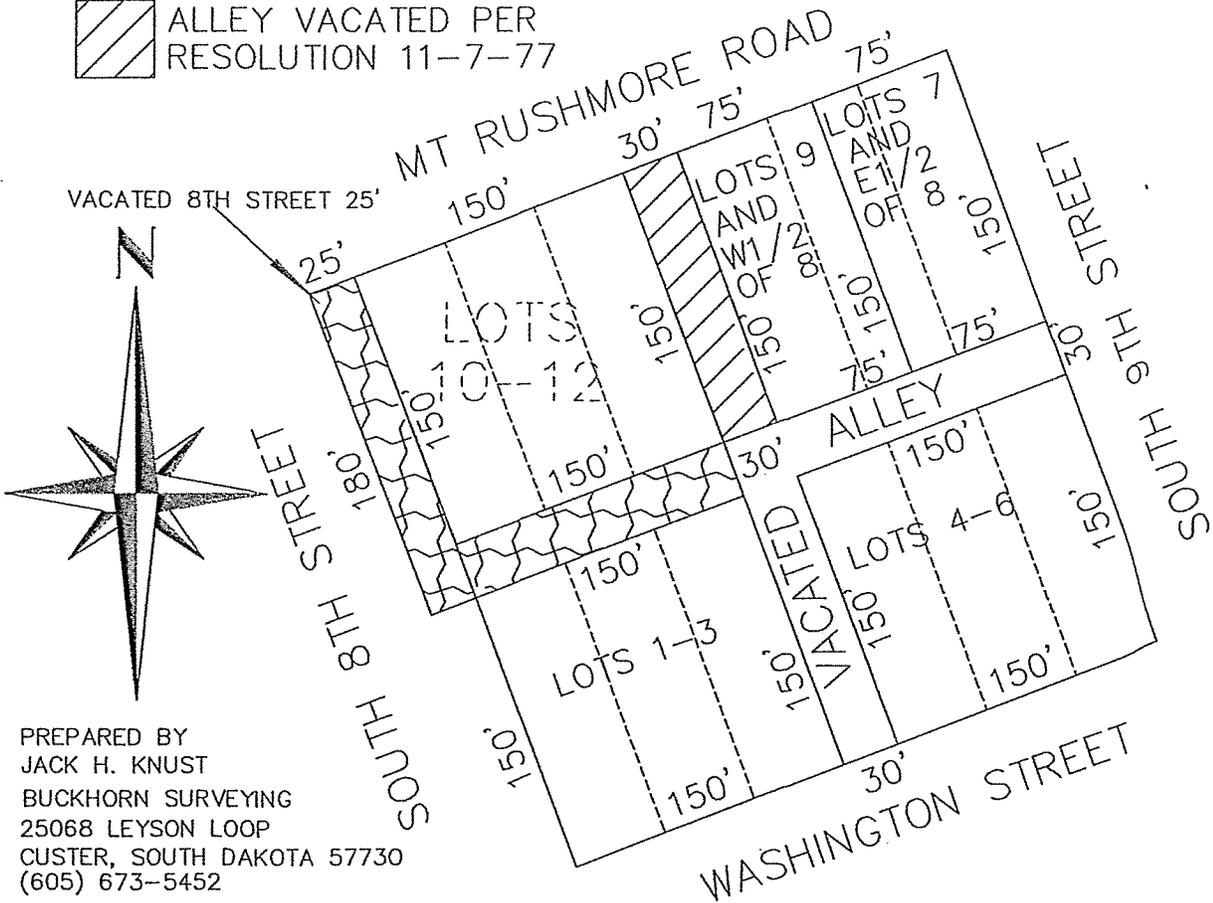
The Planning Commission reviewed the proposed alley vacations at the September 12, 2017 meeting. After some discussion, a motion was made to recommend approval by the City Council of the proposed alley vacations.

EXHIBIT "A"

VACATED ALLEYS IN BLOCK 96 CITY OF CUSTER, SOUTH DAKOTA

 STREET AND ALLEY VACATED
PER RESOLUTION 11-19-73

 ALLEY VACATED PER
RESOLUTION 11-7-77

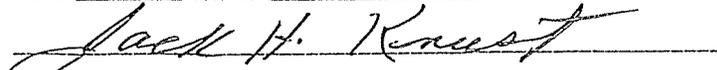


PREPARED BY
JACK H. KNUST
BUCKHORN SURVEYING
25068 LEYSON LOOP
CUSTER, SOUTH DAKOTA 57730
(605) 673-5452

STATEMENT OF SURVEYOR FOR BUCKHORN SURVEYING INC

I, JACK H. KNUST, REGISTERED LAND SURVEYOR NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT BEING SO AUTHORIZED, THE SURVEY AND WITHIN DRAWING OF THE LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN DRAWING IS A REPRESENTATION OF SAID SURVEY. IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL.

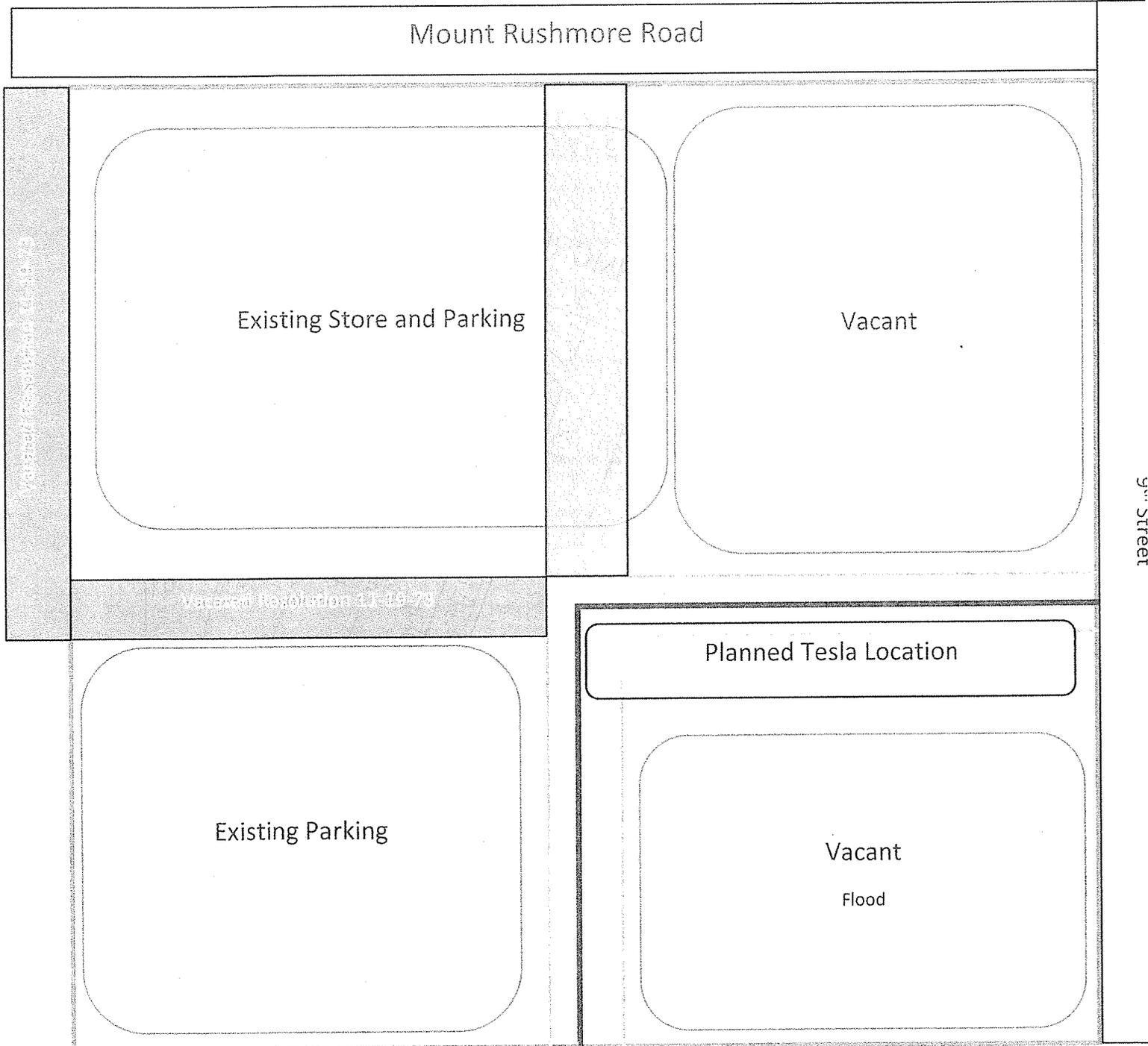
THIS 23rd DAY OF August, 2017


BY JACK H. KNUST, REGISTERED LAND SURVEYOR



Block 96

Mount Rushmore Road



3rd Street

Not Drawn to scale. Given as a
general layout of the area

**APPROPRIATION ORDINANCE NO. 794
FISCAL YEAR 2018
CUSTER CITY, SOUTH DAKOTA**

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018,
AND ENDING DECEMBER 31, 2018, AND LEVYING THE PROPERTY TAX IN THE YEAR 2018.

Section I: BE IT ORDAINED BY THE COMMON COUNCIL OF CUSTER CITY, SOUTH DAKOTA that
the following sums are appropriated to meet the obligations of the municipality.

	General Fund	BID Fund	Debt Service TIF Fund	Promotion Fund	Cemetery Fund
Governmental Funds					
410 General Government					
411 Legislative	95,925				
411.5 Contingency	30,000				
413 Election	1,200				
414 Financial Administration (Finance & Attorney)	175,400				
419 Other (Public Bldgs, Planner)	459,560				
Total General Government	762,085				
420 Public Safety	487,500				
430 Public Works					
431 Highway & Streets (Engineering, Public Works, Streets)	1,045,805				
437 Cemetery	32,450				
Total Public Works	1,078,255				
440 Health & Welfare					
444 Humane Society	10,610				
447 Hospital	347,000				
Total Health & Welfare	357,610				
450 Culture & Recreation					
451 Recreation (Cruisin, Swimming)	59,500				
452 Parks	194,990				
Total Culture & Recreation	254,490				
465 Economic Development (Promoting the City)	94,000	160,000		250,175	
470 Debt Service			269,000		
TOTAL 2017 APPROPRIATIONS	3,033,940	160,000	269,000	250,175	

Committed for Capital Replacement
Ordinance #722

TOTAL APPROPRIATIONS & ACCUMULATIONS	2,835,770	160,000	292,000	247,150
---	------------------	----------------	----------------	----------------

The following designates the fund or funds that money derived from the following sources is applied to.

	General Fund	BID Fund	Debt Service TIF Fund	Promotion Fund	
Governmental Funds					
Unassigned Fund Balance	195,690	-	-	-	-
310 Taxes	2,416,200	160,000	269,000	250,025	
320 Licenses and Permits	59,500				
330 Intergovernmental Revenue	5,500				
335 State Shared Revenue	92,800				
340 Charges for Goods and Services	8,600				
345 Health (Animal Control)	700				
346 Culture & Recreation (Cruisin)	13,500				
348 Cemetery	4,000				6,000
350 Fines and Forfeits	200				
360 Miscellaneous Revenue	24,750			150	250
368 Liquor Operating Agreement	200,000				
390 Other Sources	12,500				
TOTAL MEANS OF FINANCE	3,033,940	160,000	269,000	250,175	6,250

	Water Fund	Sewer Fund	Solid Waste Fund
Proprietary Funds			
Beginning Unrestricted Cash	591,743	237,302	105,583
Estimated Revenue	650,900	607,500	190,175

Total Available	<u>1,242,643</u>	<u>844,802</u>	<u>295,758</u>
Less Appropriations (Expenses)	759,450	844,310	190,175
Less Facility Replacement per ORD	-	58,360	-
ESTIMATED SURPLUS	<u>483,193</u>	<u>(57,868)</u>	<u>105,583</u>

Section II: Summary of 2018 Appropriations

Enterprise Funds	1,793,935
Governmental Funds	<u>3,713,115</u>
Total 2017 Appropriations	<u>\$5,507,050</u>

Section III: That there is hereby levied upon all taxable property within the said City of Custer for the purpose of providing funds to meet the expenses and liabilities of said City, as hereinbefore set forth for the fiscal year of 2018 a tax sufficient to raise the following amounts, to wit:

For the General Fund	<u>\$854,727</u>
TOTAL LEVY	\$854,727

Section IV: The City Finance Officer is hereby authorized and directed to certify said tax levy to the County Auditor of Custer County, State of South Dakota, to the end that the same may be spread and assessed as provided by law.

Dated this 18th day of September 2017.

ATTEST:

CITY OF CUSTER CITY

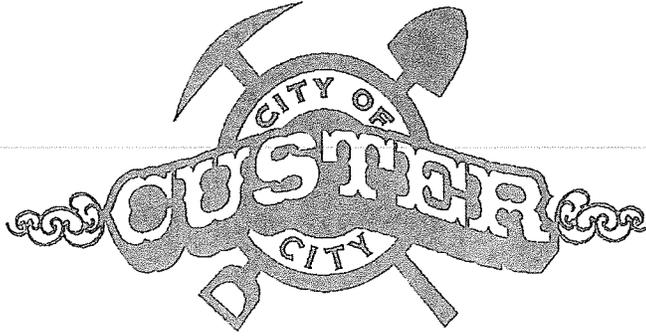
Laurie Woodward
Finance Officer
(SEAL)

Corbin Herman, Mayor

First Reading: September 5th, 2017
Second Reading: September 18th, 2017
Publication: September 27th, 2017

Vote:

Fischer:	Blom:
Nielsen:	Arseneault:
Heinrich:	Maciejewski:



622 Crook Street
Custer, SD 57730

Laurie Woodward
Finance Officer

Phone: (605) 673-4824
Fax: (605) 673-2411

September 19, 2017

Custer County Auditor
420 Mt. Rushmore Road
Custer, South Dakota 57730

Re: 2018 Tax Levy Request

Dear Auditor,

I hereby certify the following to reflect the levy request for taxes collected in the year 2018 for the City of Custer City, pursuant to Ordinance No. 794:

For the General Fund	\$785,727
For Opt Out	\$ 69,000

Total Levy Request	\$854,727

Thank you,

Laurie Woodward
Finance Officer
Custer City

I hereby acknowledge receipt of the Custer City 2018 tax levy request.

County Auditor

Date

ORDINANCE #792

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 5 BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.60 TAXIS OF THE CITY OF CUSTER CITY MUNICIPAL CODE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CUSTER CITY THAT CHAPTER 5.60 TAXIS OF THE CITY OF CUSTER CITY MUNICIPAL CODE IS AMENDED AS FOLLOWS:

5.60 Taxis

5.60.010 Definitions.

5.60.020 Transporting intoxicating liquor prohibited.

5.60.030 License–Application–False statements.

Article II. Business License

5.60.040 Required.

5.60.050 Application.

5.60.060 Issuance–Required findings.

5.60.070 Fee.

5.60.080 License number to be displayed on vehicle.

5.60.090 Commercial Auto Insurance.

Article III. Driver's Licenses

5.60.100 Required.

5.60.110 Qualifications of applicant.

5.60.120 Applicant to be fingerprinted.

5.60.130 Application–Investigation–Issuance.

5.60.140 Application–Denial–Appeals.

5.60.150 Fee.

5.60.160 Term.

5.60.170 To be carried on person and exhibited upon request.

5.60.180 Suspension–Revocation.

5.60.120 Exemptions for Certain Entities

ARTICLE I. GENERAL PROVISIONS

5.60.010 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. DRIVER. One who actually engages in the driving of a taxicab.

B. OPERATOR. A person engaged in operating a taxicab business.

C. SEATING CAPACITY. The number of persons, not including the driver, who can be conveniently seated in a taxicab without crowding.

D. TAXICAB. Any motor vehicle being utilized for carrying, transporting, or accepting passenger(s) for hire to, from or within, the city limits of the city of Custer City.

E. WHEELCHAIR TRANSPORT. Any motor vehicle being utilized for carrying, transporting, or accepting passenger(s) using a wheelchair and their accompanying guests for hire to, from, or within the city limits of the city of Custer City.

5.60.020 Transporting intoxicating liquor prohibited.

All licenses issued under this chapter shall be subject to revocation at any time by the City Council, if any taxicab operated or used by the licensee shall be used for the delivery of intoxicating liquor or for any other unlawful purpose. Upon the revocation, the license fee paid shall be retained by the city.

5.60.030 License—Application—False statements.

Any license issued under the provisions of this chapter shall be revoked by the Custer County Sheriff's Office upon discovery of any false material statement made in the application for the license.

ARTICLE II. TAXICAB BUSINESS LICENSE

5.60.040 Required.

No person shall engage in the business of operating a taxicab upon the streets, without a license as provided by this article.

5.60.050 Application.

Every person desiring a license to operate a taxicab business in the city shall make application in writing to the Finance Office in the general form required for all applications for licenses and shall also give the following additional information:

- A. Previous experience in the business, if the applicant has not been licensed before; and
- B. Number of taxicabs to be operated.

5.60.060 Issuance—Required findings.

The Finance Officer or his or her designee shall approve the issuance of a license applied for under this article.

5.60.070 Fee.

The fee for a license under this article shall be as follows:

- A. Initial fee: \$50; and
- B. Annual Renewal fee: \$25.

5.60.080 License number to be displayed on vehicle.

Every operator of any taxicab licensed under this article shall carry on each vehicle, on the rear of same and in a conspicuous place, a license decal showing his or her license number as provided by the city at the time of issuing the license.

5.60.090 Commercial Auto Insurance

Every operator of any taxicab licensed under this article must maintain insurance liability coverage in a minimum of \$1,000,000 per occurrence with Custer City as an additional insured, and shall provide proof of such insurance coverage to the City Finance Officer on a yearly basis.

5.60.100 Term.

Any license issued under this article shall expire on December 31 next following its issuance; provided, however, any license applied for after October 1 of any calendar year shall remain in effect until December 31 of the succeeding calendar year, unless sooner revoked, canceled or otherwise terminated.

5.60.110 Suspension—Revocation.

Any license issued under this chapter may be revoked, for cause, by the City Council, after notice to the holder of the license and an opportunity for hearing before the City Council. The Custer County Sheriff's Office shall have the authority to suspend any license issued under this chapter for good cause pending a hearing before the Council. The power to suspend the license shall be exercised only if it shall appear to the Custer County Sheriff's Office that there is probable cause to believe that the holder of the license has committed a crime involving moral turpitude. The holder of any license suspended by the Custer County Sheriff's Office shall have a right to a hearing before the Custer County Sheriff's Office within 48 hours of a written request therefore. As used herein the term Custer County Sheriff's Office shall include the Custer County Sheriff's Office and any subordinate officer temporarily acting as the officer in charge of the Sheriff's Office.

5.60.120 Exemptions for Certain Entities

Non-profit public organizations or entities, and governmental sponsored organizations or entities shall be exempted from the provisions of this Ordinance.

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 7th day of August, 2017

City of Custer City

Corbin Herman, Mayor

Attest _____
Laurie Woodward, Finance Officer

(SEAL)

First Reading: July 17, 2017

Vote:

Second Reading: August 7, 2017

Arsenault:

Maciejewski:

Publication: August 16, 2017

Heinrich:

Blom:

Fischer:

Nielsen:

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 & 25' VACATED 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 15' OF VACATED E/W ALLEY, CUSTER, SOUTH DAKOTA PARCEL #008086	\$310.00
	417 MONTGOMERY STREET E 35' OF LOT 2 & ALL OF LOT 3 BLOCK 13 + 25' OF VACATED MONTGOMERY STREET CUSTER, SOUTH DAKOTA PARCEL #008085	\$470.00
HICKS, COLLEEN RAE	432 CLAY STREET LOT 9 BLOCK 26 CUSTER, SOUTH DAKOTA PARCEL #008216	\$310.00
	TOAL	\$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.

Attest:

CITY OF CUSTER

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

(SEAL)

Adopted: September 18, 2017

REQUEST TO BE ON AGENDA
CUSTER CITY COUNCIL MEETING

RECEIVED
SEP 14 2017
CITY OF CUSTER.

NAME: Sandy Arseneault PHONE #: 605-673-4473
ADDRESS: 1645 Wildcat Lane

MEETING DATE: September 19, 2017

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):

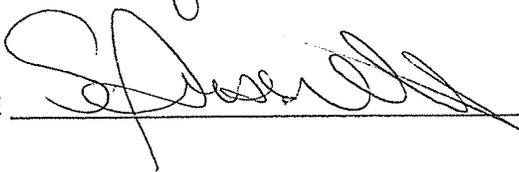
Request for parade route for CHS Homecoming
Attached is permit request sent to SD DOT
close 5th street + Mt Rushmore Rd.

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.):

Annual Homecoming parade

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):

Request for coverage sent to sheriff's office
& permit request sent to SD DOT

SIGNATURE  DATE 9/12/17

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

REQUEST TO BE ON AGENDA
CUSTER CITY COUNCIL MEETING

NAME: Jan Arp PHONE #: 673-4090

ADDRESS: 25574 Veterans Tr

MEETING DATE: 9/18/17

RECEIVED
SEP 13 2017
CITY OF CUSTER

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):

Use of Pageant Hill August 16-19, 2018

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.):

Southern Hills Music + Arts Festival (SHMAAF)
3RD Annual
Attraction for tourists to increase city revenue

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):

SIGNATURE Jan Arp DATE 9/13/17

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