

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
April 17th, 2017**

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

AGENDA

Councilperson Fischer moved, with a second by Councilperson Blom, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the minutes from the April 3rd regular council meeting. The motion carried with Councilperson Maciejewski, Nielsen, Fischer, Blom and Schleining voting yes, while Councilperson Heinrich abstained.

CONFLICTS OF INTEREST

Councilperson Maciejewski stated that he would have a conflict with the Custer Area Economic Development Corporation's hospital building proposal. No other conflicts of interest were stated.

ON-SALE LIQUOR LICENSE TRANSFER – JP'S FAMILY DINING DBA THE CAPTAIN'S TABLE

Councilperson Nielsen moved to approve the transfer of the on-sale retail liquor licenses from The Captain's Table to JP's Family Dining DBA The Captain's Table contingent upon verification of taxes being paid and proof of insurance being provided. Seconded by Councilperson Fischer, the motion unanimously carried.

REQUEST FOR ABATEMENT OF SEWER CHARGE – DIANE OLSON, FRENCH CREEK RV PARK

Diane Olson, Manager of French Creek RV Park, presented her request for sewer charge abatement for the French Creek RV Park utility account. Councilperson Schleining moved to abate \$259.78 from the French Creek RV Park utility account. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #04-17-17A – BRIDGE REINSPECTION PROGRAM

Councilperson Maciejewski moved to adopt Resolution #04-17-17A, Bridge Reinspection Program with the consulting engineer firm of KLJ. Seconded by Councilperson Fischer, the motion unanimously carried.

RESOLUTION #04-17-17A
BRIDGE REINSPECTION
PROGRAM RESOLUTION

FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the City of Custer is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire KLJ . Rapid City, SD (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Dated this 17th day of April, 2017, at Custer, South Dakota.

CITY OF CUSTER

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

Councilperson Maciejewski left the meeting at 5:36 pm

CUSTER AREA ECONOMIC DEVELOPMENT CORPORATION'S HOSPITAL BUILDING PROPOSAL

Councilperson Schleining moved to acknowledge & support the letter that Mayor Carson sent to Custer Area Economic Development Corporation stating that the City would not be able to support their hospital building repurposing proposal. Seconded by Councilperson Blom, the motion unanimously carried.

Councilperson Maciejewski rejoined the meeting at 5:37 pm

SOUTHERN HILLS MUSIC & ARTS FESTIVAL REQUEST – VAN ARP

Councilperson Fischer moved to approve the request to use the showmobile, barricades, cones and canopies for the Southern Hills Music & Arts Festival to be held August 18th & 19th, 2017. Seconded by Councilperson Heinrich, the motion unanimously carried.

PRELIMINARY PLAT – BLOCK 48, LOT A

Councilperson Schleining moved to approve the preliminary plat of Lots A of Block 48. Seconded by Councilperson Nielsen, the motion unanimously carried.

PRELIMINARY & FINAL PLAT – SAXTON SUBDIVISION – LOTS 1 AND 2 OF BAUER-2

Councilperson Fischer moved to approve the preliminary & final plat of Lots 1 and 2 of Bauer-2 Tract of Saxton Subdivision. Seconded by Councilperson Blom, the motion unanimously carried.

PRELIMINARY & FINAL PLAT – SAXTON SUBDIVISION – TRACT 2 OF LOT 2 OF BAUER-2

Councilperson Schleining moved to approve the preliminary & final plat of Tract 2 of Bauer-2 Tract and Revised Tract B2 of Saxton Subdivision. Seconded by Councilperson Nielsen, the motion unanimously carried.

SAXTON SUBDIVISION LOT 2 ANNEXATION

Councilperson Maciejewski moved to acknowledge the letter from Jack Bondurant requesting voluntary annexation and zoning for a portion of Bauer-2 Tract of Saxton Subdivision. Seconded by Councilperson Nielsen, the motion unanimously carried.

PRELIMINARY PLAT – ST. GERMAINE SUBDIVISION – LOTS A & B

Councilperson Fischer moved to approve the preliminary plat of Lots A & B of St. Germaine Subdivision with the minor corrections to spelling and legal description. Seconded by Councilperson Blom, the motion unanimously carried.

EASEMENT – GOLDEN WEST TELECOMMUNICATIONS COOP INC

Councilperson Nielsen moved to approve the easement for Golden West Telecommunications Coop Inc for the north portions of Lot Two and Three, and all of Lot Four, Block One Hundred Twenty-Seven, Original Town, now City of Custer, Custer County, South Dakota, being more particularly described as all that portion of said Lots Two and Three lying north of a straight line 45qSouth of the Northwest Corner of said Lot Two and running in a southeasterly direction to a point on the East line of Lot Three, 83qSouth of the Northeast Corner of said Lot Three, with the easement being 16.5 feet in width, centered on the drive crossing said Lot 2,3 & 4, as it exists currently in April, 2017. Seconded by Councilperson Blom, the motion unanimously carried.

WATER TREATMENT IMPROVEMENTS ENGINEERING AGREEMENT – AE2S

Councilperson Schleining moved to approve the agreement for professional services with Advanced Engineering and Environmental Services Inc (AE2S) for engineering of water treatment improvements, with the amount not to exceed \$40,000. Seconded by Councilperson Fischer, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Blom and Schleining voting yes.

WASTEWATER TREATMENT PLANT SUBMERSIBLE PUMP QUOTE

Councilperson Heinrich moved to approve the quote from Dakota Pump Inc. for a submersible pump for the wastewater treatment plant for \$24,927.24. Seconded by Councilperson Blom, the motion carried with Councilperson Heinrich, Nielsen, Fischer, Blom, Schleining and Maciejewski voting yes.

USE OF CITY PROPERTY - CERTIFIED ESCORT RIDERS OF AMERICA

Councilperson Fischer moved to approve the Certified Escort Riders of America's request to use the skateboard park / tennis courts area to teach motorcycle riding skills & safety during the 2017 Custer Cruisin event contingent upon proof of insurance in which the city is named additional insured. Seconded by Councilperson Maciejewski, the motion unanimously carried.

CLAIMS

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

AE2S, Professional Fees, \$1,570.00

Aeration Industries International, Repair & Maintenance, \$1,709.94

Black Hills Energy, \$11,911.59

Border States Electric, Repair & Maintenance, \$53.12

Calamity Jane Winery & Mercantile, Supplies, \$1,166.99

Code Works, Professional Fees, \$200.12

Cotner, John, Reimbursement, \$216.91

Culligan, Repair & Maintenance, \$18.50

Custer Car Wash, Repair & Maintenance, \$81.00

Chamber of Commerce, Conference, \$90.00

Chamber of Commerce, Sales Tax Subsidy, \$5,059.09
Chronicle, Publishing, \$1,440.27
Custer True Value, Supplies, Repair & Maintenance, \$1,315.66
Edwards Enterprises, Cemetery Caretaker, \$4,166.66
First Interstate Bank-Fleet Cards, Supplies, \$49.00
Freeman's Electric, Repair & Maintenance, \$1,323.66
French Creek Supply, Supplies, \$416.68
G & R Controls, Repair & Maintenance, \$513.16
Green Owl Media, Professional Fees, \$240.00
Gunderson, Palmer, Nelson, & Ashmore LLP, Professional Fees, \$325.00
Holiday Inn, Travel, \$228.00
Jenner Equipment, Supplies, \$53.93
Ketel Thorstenson, Audit, \$14,324.75
Kimball Midwest, Supplies, \$249.87
LabCorp, Safety, \$69.75
Lexis Nexis, Supplies, \$49.44
Lynn's Dakotamart, Supplies, \$89.52
Midcontinent Testing Labs, Professional Fees, \$122.00
Mobotrex, Supplies, \$164.00
Petty Cash, Fees, \$60.00
Quality Auto Body, Repairs, \$9,493.21
Rapid Delivery, Professional Fees, \$63.25
SRF Loan Payments, \$15,477.11
S&B Motors, Supplies, \$320.33
Sander Sanitation, Garbage Collection Contract \$13,405.82
Servall, Repair & Maintenance, \$224.82
SD DCI, Supplies, \$43.75
SD Executive MGMT Finance Office, Utilities, \$21.09
SD One Call, Supplies, \$31.50
Shanklin's, Supplies, \$124.00
Unemployment Insurance, \$898.68
United Way, Contributions, \$90.00
USDA Loan Payment, \$8,910.00
World Class Flags, Repairs & Maintenance, \$57.95
Wright Express, Supplies, \$159.80
YMCA, Contributions & Memberships, \$190.00
Mary Susan Lafilin, Utility Deposit Refund, \$16.36
Matt Hespen, Utility Deposit Refund, \$87.30
Brad/ Ena Beaudry, Utility Deposit Refund, \$29.56
Total Claims, \$96,923.14

DEPARTMENT HEAD DISCUSSION

Elmer Claycomb, Interim Planning Administrator, gave an overview of what the Planning Commission has been working on.

Bob Morrison, Public Works Director, mentioned that the public works department has been busy with locates and that the Custer Sign will be off for a few days due to repairs.

Laurie Woodward, Finance Officer, mentioned that the proposed zoning ordinance that will be on the next Council agenda is available for public review and she has been working on the 2018 law enforcement contract.

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session for personnel per SDCL 1-25-2(1-4) at 6:17 pm, with the Attorney, Public Works Director, Interim Planning Administrator and Finance Officer present. Seconded by Councilperson Blom, the motion unanimously carried. The Interim

Planning Administrator left the executive session at 6:35 pm. Council came out of executive session at 6:47 pm, with no action taken.

EMPLOYEE STEP INCREASE

Councilperson Fischer moved to approve the step increases for Scott Kellogg to step 8 at \$28.58 per hour effective March 18th, 2017. Seconded by Councilperson Maciejewski, the motion unanimously carried.

ACCOUNT RECEIVABLE CLERK WAGES

Councilperson Schleining moved to approve changing the starting wage of the Account Receivable Clerk to \$14.50 per hour and change Lynnette Merritt's wage to \$19.47 effective April 17th, 2017. Seconded by Councilperson Blom, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 6:50 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor