

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
August 21<sup>st</sup>, 2017**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of August, 2017 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer and Blom. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Heinrich moved to approve the agenda. Second by Councilperson Maciejewski, the motion unanimously carried.

**MINUTES**

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the minutes from the August 7<sup>th</sup> regular council meeting and the August 14<sup>th</sup> special council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

Mayor Herman left the meeting at 5:34 pm.

**PUBLIC HEARING – RESOLUTION #08-21-17A – LAND EXCHANGE BLOCK 132**

Councilperson Fischer moved to adopt Resolution #08-21-17A, Land Exchange Block 132. Seconded by Councilperson Blom, the motion unanimously carried.

**RESOLUTION #08-21-17A**

WHEREBY, the Common Council of the City of Custer, has reviewed the need for correction to South First Street access for the residents located in the southwest section of the City;

WHEREBY, the Council has determined that the proposed land exchange is needed to rectify an existing road encroachment at this time;

WHEREBY, private Landowners, Clete E & Catherine A Greseth, are willing to exchange 937.5 square feet of land in Lot 4, Block 132, as illustrated on attached Exhibit %A+ and %B+ in exchange for approximately 937.5 square feet of land of City property, to be platted, as illustrated on attached Exhibit %A+ and %B+;

WHEREBY, the Common Council of the City of Custer City has determined that this land exchange is beneficial for all the residents and the City of Custer;

WHEREBY, the Common Council of the City of Custer City has received an appraisal of said properties from three (3) resident free holders of the City of Custer City, indicating the properties are approximately the same value, of \$1,706.25 each;

NOW THEREFORE, Pursuant to SDCL 9-27-34.1, the Common Council Resolves to approve the Block 132 Exchange Agreement for exchange of real properties with Clete E & Catherine A Greseth, Landowners, and hereby authorizes the Mayor to execute the attached Agreement on behalf of the City of Custer City, along with any other deeds or documents deemed necessary.

Dated this 7th day of August, 2017.

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

Mayor Herman rejoined the meeting at 5:37 pm.

**SIGN ORDINANCE CONCERNS – REV. DUSTIN BARTLETT**

Rev. Dustin Bartlett visited with Council regarding his concerns with the sign ordinance, particularly with the variance fee being charged to non-profits. Council advised Rev. Bartlett to work with the Planning Administrator on his banner request.

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

Councilperson Nielsen moved to approve the first reading of Ordinance #793, Rezoning . Wood Subdivision Lot B of Tract 2. Seconded by Councilperson Blom, the motion unanimously carried.

**RESOLUTION #08-21-17B – CERTIFYING DELINQUENT ASSESSMENTS**

Councilperson Fischer moved to adopt Resolution #08-21-17B, Certifying Delinquent Assessments. Seconded by Councilperson Heinrich, the motion unanimously carried.

**RESOLUTION #8-21-17B**

**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 34A-6-29.

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
KATHLEEN LESTER	LOT 10 BLOCK 93 CUSTER, SOUTH DAKOTA PARCEL #008550	\$ 367.46
COLLEEN RAE HICKS	LOT 9 BLOCK 26 CUSTER, SOUTH DAKOTA PARCEL #008216	\$1029.70
BANK OF AMERICA (SAFEGUARD . ECOVA)	LOTS 8-9 BLOCK 134 CUSTER, SOUTH DAKOTA PARCEL #008738	\$ 123.25
ROBERT DRAKE	T&K ENTERPRISES SUBD-TRK SEC 26/27 T3R4.56AC PARCEL #008919	\$ 545.03
BRANDON HESS	N2 OF LOTS 7-8-9 BLOCK 29 + W25 $\frac{1}{2}$ AC 4 <sup>TH</sup> STREET CUSTER, SOUTH DAKOTA PARCEL #008239	\$ 384.73
TOTAL		\$2450.17

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

**STREET CLOSURE REQUEST – CHAMBER**

Councilperson Maciejewski moved to approve the Chamber's request to close South Sixth Street from Mt Rushmore Road to Washington Street on September 3<sup>rd</sup> for the Studebaker Car Show. Seconded by Councilperson Heinrich, the motion unanimously carried.

**FINAL PLAT – CHARD SUBDIVISION**

Councilperson Heinrich moved to approve the final plat of the Chard Subdivision Tract 10 Revised without annexation. Seconded by Councilperson Nielsen, the motion unanimously carried.

**AMENDMENT TO WAZI LANE RECONSTRUCTION CONTRACT - BANNER**

Councilperson Heinrich moved to approve amendment #1 to the Wazi Lane Reconstruction Project with Banner Associates for \$12,941.00. Seconded by Councilperson Fischer, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer and Blom voting yes.

**PLANNING COMMISSION APPOINTMENT**

Councilperson Maciejewski moved to approve the appointment of Jared Tennyson to the Planning Commission for a five-year term to expire October 1<sup>st</sup>, 2022. Seconded by Councilperson Heinrich, the motion unanimously carried.

**CLAIMS**

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

- AE2S, Capital Improvements, \$4,599.41
- Black Hills Energy, Utilities, \$11,546.69
- Chamber of Commerce, Sales Tax Subsidy, \$44,015.09
- Culligan, Repair & Maintenance, \$18.50
- Chamber of Commerce, Supplies, \$25.00
- Custer Veteran's Memorial, Other, \$650.00
- French Creek Supply, Repairs & Maintenance, \$165.28
- Hillyard, Supplies, \$28.11
- Hawkins, Supplies, \$10.00
- Lynn's Dakotamart, \$15.98
- Midcontinent Testing Labs, Professional Fees, \$505.40

Michael Todd & Company, Supplies, \$390.00  
North West Pipe Fitting, INC, Repair & Maintenance, \$342.49  
Petty Cash, Supplies, \$47.82  
Quality Weed Control Plus, Weed Spraying, \$489.88  
Regional Health Networks, Sales Tax Subsidy, \$83,317.04  
Ramkota- Pierre, Travel, \$131.99  
Iron Outfitters, Garbage Collection Contract, \$13,405.82  
SD Executive MGMT Finance Office, Utilities, \$39.08  
SD One Call, Supplies, \$525.00  
Servall, Repair & Maintenance, \$158.64  
The Hartford, Insurance, \$54.96  
USDA Loan Payment, \$8,910.00  
Wright Express, Supplies, \$1,239.31  
YMCA, Membership, \$40.00  
Keith Plaisted, Refund, \$42.20  
Custer Mansion, Utility Deposit Refund, \$381.36  
William & Barbara Butcher, Utility Deposit Refund, \$15.47  
Total Claims, \$171,610.52

**DEPARTMENT HEADS & COMMITTEE REPORTS**

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

**EXECUTIVE SESSION**

Councilperson Fischer moved to go into and out of executive session for personnel and contract negotiations per SDCL 1-25-2(1-4) at 6:39 pm, with the Planning Administrator and Finance Officer present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 6:47 pm, with no action taken.

**2018 BUDGET WORK SESSION**

Council had a work session for the 2018 budget.

**ADJOURNMENT**

With no further business, Councilperson Blom moved to adjourn the meeting at 8:05 p.m. Seconded by Councilperson Maciejewski, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Corbin Herman  
Mayor