

**CITY OF CUSTER CITY  
CITY COUNCIL MINUTES  
February 20, 2024 – City Hall Council Chambers  
5:30 PM**

**Call to Order - Roll Call - Pledge of Allegiance**

Mayor Robert Brown called to order the meeting of the Common Council on February 20, 2024 at 5:32 pm. Present at roll call were Councilpersons Pechota, Jenniges, Ryan, Fischer, Nielsen and Whittaker. Attorney Williams was present. The Pledge of Allegiance was stated.

**Approval of Agenda**

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

**Declaration of Conflict of Interest**

No conflicts of interest were stated.

**Approval of Minutes**

**February 5th, 2024 Council Meeting**

Councilperson Fischer moved, with a second by Councilperson Ryan, to approve the minutes from the February 5th Council Meeting. The motion unanimously carried.

**Public Hearings**

**Liquor License and Malt Beverage & SD Farm Wine License Transfer - JR Gold Pan LLC (508 & 512 Mt Rushmore Road)**

Councilperson Fischer moved to approve the Liquor License and Malt Beverage & SD Farm Wine License transfer for JR Gold Pan LLC (508 & 512 Mt Rushmore Road). Seconded by Councilperson Pechota, the motion unanimously carried.

**Public Comments (Not to include agenda related items, 3-minute max. per person, with total public comment period not to exceed 15 minutes)**

No public comments were received.

**Public Presentation**

**Custer Chamber of Commerce Presentation**

Dawn Murray, Custer Chamber of Commerce Executive Director, presented an overview of the Custer Chamber of Commerce activities and contributions to the community.

**Ordinance and Resolutions**

**Second Reading - Ordinance #912 - Cannabis Establishment Expiration of License and Renewal**

Councilperson Ryan moved to adopt Ordinance #912 - Cannabis Establishment Expiration of License and Renewal. Seconded by Councilperson Nielsen, the motion carried with Councilperson Pechota, Jenniges, Ryan, Fischer, Nielsen and Whittaker voting yes.

**First Reading - Ordinance #910 - Conditional Use Permits**

Councilperson Pechota moved to table the first reading of Ordinance #910, Conditional Use Permits. Seconded by Councilperson Ryan, the motion unanimously carried.

**First Reading - Ordinance #911 - Official Zoning Map**

Councilperson Jenniges moved to approve Ordinance #911 - Official Zoning Map. Seconded by Councilperson Pechota, the motion unanimously carried.

## New Business

### **Gold Discovery Days Transient Merchants Request including Food Truck to be Located on City Street - Custer Chamber**

Councilperson Fischer moved to approve the Custer Chamber's request to have transient merchants, including food trucks, located on city streets during Gold Discovery Days. Seconded by Councilor Nielsen, the motion unanimously carried.

### **BID Board Social Media Contract - Chantel McDonnell**

Councilperson Whittaker moved to approve the 2024 BID Board social media contract with Chantell McDonnell for \$1,000 per month. Seconded by Councilperson Pechota, the motion unanimously carried.

### **CHS Senior Banner Request**

Councilperson Nielsen moved to approve the CHS 2024 Senior Class Parents request to hang banners of each graduating student from the week of April 26th through graduation on May 18th. Seconded by Councilperson Whittaker, the motion unanimously carried.

### **Non-Subdivision Plat - Lot 10R of Block 89 - Timothy Quaschnick**

Councilperson Jenniges moved to approve the non-subdivision plat of Lot 10R of Block 89 for applicant Timonthy Quaschnick. Seconded by Councilperson Whittaker, the motion unanimously carried.

### **Gates Park Accessibility Improvements (Sidewalk) Bids**

Councilperson Ryan moved to approve the bid from SECO Construction for the Gates Park Accessibility Improvements (sidewalks) at \$63,400 for both bid item #1 (playground route) and bid item #2 (field route). Seconded by Councilperson Fischer, the motion carried with Councilperson Jenniges, Ryan, Fischer, Nielsen, Whittaker and Pechota voting yes.

### **Gates Park Accessibility Improvements (Sidewalk) Testing Proposal - American Engineering Testing**

Councilperson Jenniges moved to approve the Gates Park Accessibility Improvements (sidewalk) Testing Proposal from American Engineering Testing for \$2,715. Seconded by Councilperson Nielsen, the motion carried with Councilperson Ryan, Fischer, Nielsen, Whittaker, Pechota and Jenniges voting yes.

### **Asphalt Surface Treatment Bids**

Councilperson Ryan moved to accept the Asphalt Surface Treatment Bid from Bituminous Paving for a total of \$165,852.00. Seconded by Councilperson Nielsen, the motion carried with Councilperson Fischer, Nielsen, Whittaker, Pechota, Jenniges and Ryan voting yes.

### **WWTF Improvement Project Phase 2 Change Order #2 - RCS Construction (correction to 2/5/24 motion)**

Councilperson Fischer moved to approve the WWTF Improvements Project Phase 2 Change Order #2 with RCS Construction for an increase of \$13,433.97 (this is a correction to the 2/5/24 motion). Seconded by Councilperson Whittaker, the motion carried with Councilperson Nielsen, Whittaker, Pechota, Jenniges, Ryan and Fischer voting yes.

## Presentation of Claims

### **2.20.24 Claims List**

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

Vendor Name	Funds	Expense Classification	Amount
American Legal Publishing	100	Professional Fees	\$19.95

Anderson Auto Sales	100	Supplies	\$39.83
American Engineering Testing	400	Capital Improvements	\$612.15
A-Z Shredding	100	Supplies	\$16.57
Black Hills Council	100	Professional Fees	\$1,000.00
Black Hills Energy	100,300,400	Utilities	\$7,718.67
Black Hills Truck & Trailer	100	Repairs & Maintenance	\$1,242.68
Butler Machinery	100	Repairs & Maintenance	\$160.31
Culligan	100	Repairs & Maintenance	\$108.00
Custer Chronicle	100	Publishing Fees	\$1,165.75
Custer Ace Hardware	100,300,400	Supplies & Repairs & Maintenance	\$481.22
Dakota Supply Group	100	Repairs & Maintenance	\$778.66
Discovery Benefits	100,300,400	Supplies	\$25.00
Express Collections	100	Professional Fees	\$21.18
French Creek Supply	100,400	Supplies & Repairs & Maintenance	\$349.58
Lookout Plan + Code Consulting	100	Professional Fees	\$472.20
Lynn's Dakotamart	100,400	Supplies	\$39.34
Midcontinent Testing Labs	300,400	Professional Fees	\$743.50
Nelson's Oil & Gas	100	Supplies	\$880.00
Northwest Pipe Fitting	300	Repairs & Maintenance	\$170.28
Petty Cash	100	Supplies	\$30.00
Rapid Delivery	300	Professional Fees	\$93.60
Sanford Health Occ Med	100	Safety	\$35.00
Servall	100	Supplies	\$199.14
SD Dept of Revenue	100	Licensing	\$150.00
SD Dept of Revenue	100,300,500	Sales Tax Payable	\$937.51
Tallgrass Landscape	100	Capital Improvements	\$250.00
Tallgrass Landscape	100	Capital Improvements	\$5,329.00
Tallgrass Landscape	100	Capital Improvements	\$17,156.53
Tallgrass Landscape	100	Capital Improvements	\$593.77
United Way	100	Contribution	\$50.00
US Postal Service	300	Supplies	\$448.63
Vector Print and Design	100,300,400,500	Supplies	\$722.15
Waldron, Todd	100,300,400	Reimbursement	\$161.21
Hendrickson, Deb	300,400,500	Utility Refund	\$33.55
		TOTAL	\$42,234.96

### **Staff Discussion & Committee Reports**

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

### **Possible Executive Session – Personnel (1&4), Proposed/Pending Litigation (3), & Contract Negotiations (3) (SDCL 1-25-2(1,2,3,4,5,6))**

Councilperson Fischer moved to go into and out of executive session for personnel, proposed/pending litigation & contract negotiations per SDCL 1-25-2 (1,2,3,4,5,6) at 6:17 pm with City Attorney Williams and City Administrator/Finance Officer present. Seconded by Councilperson Jenniges, the motion unanimously carried. The Council came out of executive session at 6:32 pm,

with no action taken.

**New Business continued**

**Employee Certification Increase**

Councilperson Ryan moved to approve a certificate increase for Zack Brown to \$40.42 per hour effective January 25, 2024. Seconded by Councilperson Jenniges, the motion carried with Councilperson Whittaker, Pechota, Jenniges, Ryan, Fischer and Nielsen voting yes.

**Adjournment**

With no further business, Councilperson Jenniges moved to adjourn the meeting at 6:33 pm. Seconded by Councilperson Pechota, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
City Administrator/Finance Officer

Robert Brown  
Mayor