

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
February 4th, 2019**

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of February 2019 at 5:34 p.m. Present at roll call were Councilpersons Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Arseneault moved, with a second by Councilperson Fischer, to approve the minutes from the January 22nd regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

FIRST READING – ORDINANCE #820 – BOND SCHEDULE

Councilperson Fischer moved to approve Ordinance #820, Bond Schedule. Seconded by Councilperson Moore, the motion unanimously carried.

FIRST READING – ORDINANCE #821 – REMOVING SECTION 15.12.020 TYPES OF BUILDINGS IN FIRE DISTRICT

Councilperson Blom moved to approve Ordinance #821, Removing Section 15.12.020 Types of Buildings in Fire District. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION #02-04-19A and RESOLUTION #02-04-19B – PARK AVENUE STREET VACATION

After hearing from the Planning Administrator, property owners and property owners legal representative, Councilperson Fischer moved to adopt Resolution #02-04-19A, Park Avenue Street Vacation. Seconded by Councilperson Nielsen, the motion carried with Councilperson Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault voting yes.

Resolution #02-04-2019A

WHEREAS, the verified Petition and application of all owners of real property abutting the hereinafter described portion of certain streets in Custer City, Custer County, South Dakota, praying that said portion of said street 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 16th day of January, 2019 and on the 23rd day of January, 2019, in the Custer County Chronicle, a legal newspaper printed and published in the City of Custer, Custer County, South Dakota, setting forth the 4th day of February, 2019, 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:

The West 10 feet of Park Avenue contiguous to Lots 14 of Block 82. Said street vacation lying between the north line of the east/west alley and the south line of Canal Street and having a dimension of 150' x 10'.

all located in the 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.

Dated at Custer, Custer County, South Dakota, this 4th day of February 2019.

City of Custer City
S/Corbin Herman, Mayor
ATTEST: Laurie Woodward, Finance Officer

Councilperson Arseneault moved to adopt Resolution #02-04-19B Park Avenue Street Vacation. The motion died due to lack of a second.

PUBLIC COMMENTS

No public comments were received.

MINOR PLAT – CUSTER PARK SUBDIVISION

Councilperson Blom moved to approve the minor plat for Custer Park Subdivision. Seconded by Councilperson Whittaker, the motion unanimously carried.

RESIDENTIAL CONDITIONAL USE PERMIT – GROUP REVIEW AND REDUCED FEE

Councilperson Nielsen moved to approve a reduced fee of \$100 in conjunction with the proposed timeframe (applications due to City Office by March 5th, 2019) for residential conditional use permits for those previously operating that would require a conditional use permit based on the newly adopted residential zoning ordinance. Seconded by Councilperson Fischer, the motion unanimously carried.

HARBACH PARK PHASE 1 DESIGN CONTRACT - KLJ

Councilperson Fischer moved to approve the Harbach Park Phase 1 Design Contract with KLJ for \$41,950. Seconded by Councilperson Blom, the motion carried with Councilperson Whittaker, Nielsen, Fischer, Moore, Arseneault and Blom voting yes.

DEER MANAGEMENT DEER PROCESSING

Councilperson Arseneault moved to approve a change in rate for Top Pin Archery for deer processing from the \$40 per head to a flat rate of \$3,500 due to the process with CWD testing taking longer. Seconded by Councilperson Moore, the motion carried with Councilperson Nielsen, Fischer, Moore, Arseneault, Blom and Whittaker voting yes.

STATEMENT OF VALUES

Councilperson Fischer moved to approve the statement of values as presented with an increase to the Water Treatment Plant at 1115 Washington Street to \$750,000 for contents, Well House #14 to \$10,000 for contents; equipment additions of 2018 Dodge Ram Pickup (\$28,967), 2018 Vactor Sewer Cleaner (\$377,312) and 2018 Bobcat Toolcat (\$54,394); and approved the list of exclusion from property coverage. Seconded by Councilperson Blom, the motion unanimously carried.

EMPLOYEE INCREASES

Councilperson Arseneault moved to approve certification increases for Rick Kothe to \$16.82 per hour effective January 25th, 2019 and Jeff Clark to \$16.82 per hour effective January 25th, 2019. Seconded by Councilperson Nielsen, the motion unanimously carried

CLAIMS

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

2018 Claims

Black Hills Energy, Utilities, \$1,210.78

2019 Claims

Aflac, Insurance, \$766.76

Battle Mountain Humane Society, Animal Control Contract, \$1,000.00

Black Hills Chemical, Supplies, \$523.06

Black Hills Energy, Utilities, \$1,890.25

Beesley Law Office, Professional Fees, \$1,652.50

California State Disbursement, Deductions, \$53.19

Century Business Products, Supplies, \$127.99

Custer Area Economic Development Corporation, \$30.00

Custer Ambulance Service, \$40.00

Custer Doit Best, Supplies, \$57.76

Chamber of Commerce, Supplies, \$475.00

Chronicle, Publishing, \$456.21

Custer Community Action Team, 2019 Subsidy, \$1,500.00

Delta Dental, Insurance, \$254.20

Discovery Benefits, Supplies, \$1,211.92

EFTPS, Taxes, \$13,909.52
First Interstate Bank, TIF #1 Payment, \$4,502.89
GenPro Energy Solutions, Repairs and Maintenance, \$331.63
Golden West Technologies, Maintenance, \$552.40
Hach, Repairs and Maintenance, \$151.15
Kimball Midwest, Supplies, \$650.87
Michael Todd & Company, Supplies, \$473.46
Nelson's Oil & Gas, Supplies, \$1,000.75
Petty Cash, Supplies, \$454.25
Sanders Sanitation, Garbage Collection Contract, \$13,816.99
SD Retirement System, \$6,986.68
Supplemental Retirement, \$510.00
The Hartford, Insurance, \$63.62
Wright Express, Supplies, \$666.60
YMCA, Membership, \$47.00
Mayor & Council, \$4,532.00
Finance Department, \$4,834.96
Public Buildings, \$2,902.19
Planning Department, \$7,192.21
Public Works Department, \$3,083.23
Street Department, \$12,253.09
Cruisin Department, \$74.26
Parks Department, \$4,121.97
Water Department, \$12,159.65
Wastewater Department, \$11,950.52
Total Claims, \$118,471.51

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:45 p.m.
Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor