

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
February 5th, 2018**

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of February 2018 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen and Blom. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Maciejewski moved, with a second by Councilperson Heinrich, to approve the minutes from the January 16th council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

SECOND READING – ORDINANCE #801 – PARKING PROHIBITED DURING SNOW REMOVAL ALERT

Councilperson Maciejewski moved to adopt Ordinance #801, Parking Prohibited During Snow Removal Alert. Seconded by Councilperson Nielsen, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen and Blom voting yes.

FINAL PLAT – RAMSEY SUBDIVISION PHASE 2

Councilperson Maciejewski moved to approve the final plat for Ramsey Subdivision Phase 2. Seconded by Councilperson Blom, the motion unanimously carried.

Councilperson Arseneault joined the meeting at 5:33 pm.

SUBDIVISION VARIANCE – ROSSE SUBDIVISION 2

Councilperson Heinrich moved to approve the subdivision variance for Rosse Subdivision 2 allowing only a 33% public access and utility easement along Little Teton Road. Seconded by Councilperson Nielsen, the motion unanimously carried.

PRELIMINARY & FINAL PLAT – ROSSE SUBDIVISION 2

Councilperson Maciejewski moved to approve the preliminary and final plat for Rosse Subdivision 2 contingent upon all signatures on the mylar being collected. Seconded by Councilperson Blom, the motion unanimously carried.

EXCEPTION TO CUSTER MUNICIPAL CODE 5.05 (TRANSIENT MERCHANT) – CUSTER CHAMBER

Councilperson Blom moved to approve the Custer Chamber of Commerce request for exception to Custer Municipal Code 5.05 (transient merchant), allowing the Off Road Rally vendors to move locations on June 6th with the vendors getting only one permit for the day, with this exception only being for the 2018 Off Road Rally. Seconded by Councilperson Maciejewski, the motion unanimously carried.

EXCEPTION TO CUSTER MUNICIPAL CODE 15.12 (FIRE LIMITS) – PAUL NIEMAN

After reviewing the documents regarding the exception to the Custer Municipal Code 15.12 (Fire Limits) including those provided by Mr. Nieman, Councilperson Nielsen moved to authorize the building as presented at 444 Mt Rushmore Road and allow the permit to be issued by the Planning Administrator contingent upon his approval of the adequately designed fire suppression system and all additional criteria being met as provided in the documents. Seconded by Councilperson Arseneault, the motion unanimously carried.

DUCKS UNLIMITED FLAGS – JEFF HEIDELBAUER

Councilperson Nielsen moved to table the Ducks Unlimited request to hang flags downtown until the next Council Meeting. Seconded by Councilperson Blom, the motion unanimously carried.

STATEMENT OF VALUES

Councilperson Nielsen moved to approve the statement of values as presented with an increase of the Water Treatment Plant at 1115 Washington Street to \$100,000 for property & \$600,000 for contents. Seconded by Councilperson Heinrich, the motion unanimously carried.

CLAIMS

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

1881 Courthouse Museum, Subsidy, \$7500.00

AFLAC, Insurance, \$594.82

Amazon.com, Repair & Maintenance, \$72.64

BH Resource Conservation and Development, Renewal, \$100.00

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

Beesley Law Office, Professional Fees, \$2,202.50
Black Hills Energy, Utilities, \$3,207.20
Butler Machinery, Supplies \$1,873.98
Century Business Products, Supplies, \$104.61
Code Works, Professional Fees, \$265.12
Crazy House Memorial/ Laughing Water, Conference, \$1,362.47
Custer Area Arts Council, Subsidy, 2,000.00
Chamber of Commerce, Supplies, \$280.00
Chamber of Commerce, Sales Tax Subsidy, \$3,754.24
Chronicle, Supplies, Publication, \$342.19
Credit Collections, Deductions, \$238.86
Custer Do It Best, Supplies, Repair and Maintenance, \$19.57
Custer Ministerial Alliance, Subsidy, \$1,000.00
Custer True Value, Supplies, Repair and Maintenance, \$368.48
California State Disbursement, Deductions, \$53.19
Dacotah Bank, TIF #2 Payment, \$3,038.85
Dacotah Bank, TIF #4 Payment, \$75.02
Delta Dental, Insurance, \$148.20
Discovery Benefits, Supplies, \$8656.92
EFTPS, Taxes, \$13,286.38
Fastenal, Supplies, \$431.31
First Interstate Bank, Supplies, \$400.88
First Interstate Bank, TIF #4 Payment, \$75.02
Green Owl Media, Professional Fees, \$140.00
Golden West Technologies, Supplies, Professional Fees, \$648.50
Golden West Telecommunications, Utilities, \$610.58
Hach, Repair and Maintenance, \$1,285.42
Hawkins, Supplies, \$5,655.41
Holiday Inn- Spearfish, Travel and Conference, \$367.96
Jenner Equipment, Repair and Maintenance, \$545.36
Metering and Technology Solutions, Supplies, \$2,758.38
Nelson's Oil & Gas, Supplies, \$1,350.00
Northern Safety Technology, Repair and Maintenance, \$580.56
Petty Cash, Supplies, \$942.12
Quill, Supplies, \$156.63
Sander Sanitation, Garbage Collection Contract, \$13,422.54
Summit Signs and Supply INC, Supplies, \$200.00
SRF Loan Payment, \$15,477.11
SD DCI, Supplies, \$43.25
SD Retirement System, \$6,137.94
Supplemental Retirement, \$460.00
The Hartford, Insurance, \$64.12
USFS, Permits, \$432.66
Verizon Wireless, Utilities, \$465.10
WEAVE, Subsidy, \$4000.00
Wellmark, Insurance, \$11,519.05
Custer County Marker, Utility Refund, \$55.94
Mayor & Council, \$4,400.00
Finance Department, 5,327.41
Public Buildings, \$856.47
Planning Department, \$6,772.54
Public Works Department, \$3034.71
Street Department, \$9,700.93

Cruisin Department, 80.54
Parks Department, \$3,500.12
Water Department, \$11,802.49
Wastewater Department, \$11,463.53
Total Claims, \$176,709.56

DEPARTMENT HEADS & COMMITTEE REPORTS

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

EXECUTIVE SESSION

Councilperson Arseneault moved to go into and out of executive session for personnel, proposed litigation & contract negotiations per SDCL 1-25-2(1-4) at 6:26 pm, with the Attorney, Planning Administrator, Public Works Director and Finance Officer present. Seconded by Councilperson Heinrich, the motion unanimously carried. Council came out of executive session at 6:53 pm, with no action taken.

RESOLUTION #02-05-18A – UNION CONTRACT

Councilperson Maciejewski moved to adopt Resolution #02-05-18A, Union Contract. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION # 02-05-18A

WHEREAS, the City recognizes that the Public Works Department employees have formed a union; and

WHEREAS, the negotiation process has taken place; and the union has accepted the proposed agreement;

WHEREAS, City has reviewed the collective bargain agreement, consisting of 30 pages and approved the same;

IT IS NOW THEREFORE RESOLVED that the Collective Bargaining Agreement between the City of Custer and AFSCME, consisting of 30 pages (attached hereto and incorporated herein), is adopted, with an effective date of January 1, 2018.

Dated this 5th day of February, 2018

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #02-05-18B – PERSONNEL MANUAL

Councilperson Nielsen moved to adopt Resolution #02-05-18B, Personnel Manual. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION # 02-05-18B

WHEREAS, the Common Council of the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 06-06-16B; and

WHEREAS, the Common Council of the City of Custer City has determined that said Employee Personnel Manual Policy should be modified.

IT IS NOW THEREFORE RESOLVED that the Employee Personnel Manual, consisting of 122 pages (attached hereto and incorporated herein), is amended as stated in the attached.

IT IS FURTHER RESOLVED, that said Personnel Manual may be subject to modification as requested by staff or required by circumstances, and approved by Council.

Dated this 5th day of February 2018

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #02-05-18C – GOLF COURSE TREES SURPLUS & REMOVAL

Councilperson Arseneault move to adopt Resolution #02-05-18C, Golf Course Trees Surplus & Removal. Seconded by Councilperson Maciejewski, the motion carried unanimously.

RESOLUTION 02-05-18C

A RESOLUTION SURPLUSING TIMBER AND AUTHORIZING CUSTER GOLF CORPORATION TO CONTRACT FOR REMOVAL

WHEREAS, the City of Custer owns the real property on which the Rocky Knolls Golf Course is located and operated pursuant to a management agreement with Custer Golf Corporation, a nonprofit corporation;

WHEREAS, forestry management services have been deemed necessary by the Custer Golf Corporation Board to render the Golf Course landscape more aesthetically pleasing and maintain a healthy golf course;

WHEREAS, SDCL 6-5-2, states that any political subdivision may convey and transfer any real property which is owned by it and which is about to be abandoned for public purposes, to another political subdivision or nonprofit corporation for public purposes and accommodation without offering the property for sale;

NOW THEREFORE BE IT RESOLVED, by the City of Custer City, that an estimated 125 mature trees located on the Rocky Knolls Golf Course, however, not to exceed 135 mature trees, as the same are deemed no longer necessary for the City's purpose and therefore surplus;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Custer City, hereby grants the Custer Golf Corporation Board the authority to hire an independent contract to operate under the Custer Golf Corporation's direction for removal of the surplus trees;

NOW THEREFORE BE IT RESOLVED, that the Custer Golf Corporation shall pay the City of Custer a stumpage fee of \$8 per ton, which shall be paid to the City of Custer by March 15th, 2018, with weight tickets being provided to the City;

Dated this 5th day of February, 2018.

CITY OF CUSTER

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

ADJOURNMENT

With no further business, Councilperson Arseneault moved to adjourn the meeting at 6:57 p.m. Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor