

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
June 15th, 2020**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of June 2020 at 5:30 p.m. Present at roll call were Councilpersons Blom, Moore and Nielsen. Present at roll call by phone were Councilperson Fischer, Whittaker and Ryan. City Attorney Chris Beesley was also present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Blom moved, with a second by Councilperson Moore, to approve the agenda. The motion carried with Councilperson Blom, Moore, Nielsen, Fischer, Whittaker and Ryan voting yes.

MINUTES

Councilperson Whittaker moved, with a second by Councilperson Blom, to approve the minutes from the June 1st Council Meeting and June 4th Special Council Meeting. The motion carried with Councilperson Moore, Nielsen, Fischer, Whittaker, Ryan and Blom voting yes.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

COVID-19 ORDINANCE & RESOLUTIONS REVIEW, BUSINESS REQUEST FOR COMPLIANCE MODIFICATION AND GENERAL COVID-19 UPDATE

Councilperson Fischer moved to approve the following business request for compliance modification to Ordinance #836, Resolution #04-28-20A, Resolution #05-04-20A and Resolution #05-18-20A. Seconded by Councilperson Moore, the motion carried with Councilperson Fischer, Whittaker, Ryan, Blom, Moore and Nielsen voting yes.

*McMonagle Enterprises (Chief Motel) Pool, 12 occupants in the pool, limited furniture and proper cleaning.

CUSTER CITY CLEAN-UP DAYS

Councilperson Nielsen moved to approve Custer City Clean-up Days contingent upon Sander Sanitation approval of July 11th, 2020 date. Seconded by Councilperson Blom, the motion carried with Councilperson Whittaker, Ryan, Blom, Moore, Nielsen and Fischer voting yes.

CUSTER COUNTY EOC COVID-19 PRE-PLAN AND RECOMMENDATION MATRIX

Joe Harbach with Custer County EOC presented the COVID-19 pre-plan and recommendation matrix to Council. Councilperson Moore moved to approve the Custer County EOC COVID-19 pre-plan and recommendation Matrix. Seconded by Blom, the motion carried with Councilperson Ryan, Blom, Moore, Nielsen, Fischer and Whittaker voting yes.

FIRST READING - ORDINANCE #839 – EXTENDING PROVISIONS OF COVID ORDINANCE #836 & RESOLUTIONS UNTIL SEPTEMBER 1ST

Councilperson Fischer moved to approve Ordinance #839, Extending Provisions of COVID Ordinance #836 & Resolutions. Seconded by Councilperson Ryan, the motion carried with Councilperson Blom, Moore, Nielsen, Fischer, Whittaker and Ryan voting yes.

FIRST READING – ORDINANCE #838 -BOND SCHEDULE

Councilperson Fischer moved to approve Ordinance #838, Bond Schedule. Seconded by Councilperson Moore, the motion carried with Councilperson Moore, Nielsen, Fischer, Whittaker, Ryan and Blom voting yes.

ANTIDegradation ALTERNATIVE ANALYSIS FOR WASTEWATER TREATMENT FACILITY IMPROVEMENTS – DGR ENGINEERING

Trent Bruce with DGR Engineering presented the Antidegradation Alternative Analysis for Wastewater Treatment Facility Improvements. Councilperson Nielsen moved to approve the Antidegradation Alternative Analysis for Wastewater Treatment Facility Improvements. Seconded by Councilperson Blom, the motion carried with Councilperson Nielsen, Fischer, Whittaker, Ryan, Blom and Moore voting yes.

RESOLUTION #06-15-2020A – ESTABLISHING CUSTER CITY ARCHERY DEER PERMIT PROGRAM

Councilperson Blom moved to adopt Resolution #06-15-20A, Establishing Custer City Archery Deer Permit Program. Seconded by Councilperson Nielsen, the motion carried with Councilperson Fischer, Whittaker, Ryan, Blom, Moore and Nielsen voting yes.

RESOLUTION #06-15-2020A

A RESOLUTION ESTABLISHING THE CITY OF CUSTER CITY ARCHERY DEER PERMIT PROGRAM

WHEREAS, the deer population throughout the City of Custer results in a number of conflicts between deer and people, including collisions between automobiles and deer that can result in extensive property damage, bodily injury, and in some cases even death; and

WHEREAS, the deer population can also cause property damage to home gardens, landscaping, and natural environments that are habitats for other species; and

WHEREAS, whitetail deer are a primary host to Black Legged (deer) ticks, the carrier of several human diseases, including Lyme Disease; and

WHEREAS, Chronic Wasting Disease, an always fatal neurological disease of cervids, has been found in the city limits of Custer and reducing deer densities has been indicated as one method that may limit the spread of the disease; and

WHEREAS, the Common Council recognizes that deer in urban areas, for the most part, lack predators to control deer populations and, that, deer in large numbers can cause significant habitat damage; and

WHEREAS, the City of Custer wishes to manage the deer population within the city limits of Custer; and

WHEREAS, the City of Custer adopted a deer management plan entitled Deer Management Plan, City of Custer City, South Dakota in an effort to address related public complaints, public safety concerns and foster healthy deer populations; and

WHEREAS, sportsmen and women across the nation contribute the majority of the monies used to manage and conserve wildlife; and

WHEREAS, the City of Custer has an ordinance that generally prohibits archery deer hunting within City limits except for hunting by those individuals who obtain a municipal license pursuant to the City of Custer City Archery Deer Permit Program;

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City establishes the following City of Custer City Archery Deer Permit Program in order to provide hunter opportunities for sportsmen and women and help manage the deer population within the city limits of Custer City. Dated this 15th day of June 2020.

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #06-15-2020B – WRITE-OFF'S

Councilperson Nielsen moved to adopt Resolution #06-15-20B, Write-Offs. Seconded by Councilperson Blom, the motion carried with Councilperson Whittaker, Ryan, Blom, Moore, Nielsen and Fischer voting yes.

RESOLUTION NO. 6/15/20B

WHEREAS, Chapter 9-22-4 of the South Dakota Codified Law states “every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is non-collectible, and by formal action direct that the non-collectible amount be removed from the records and disclosed on that year’s financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt.”

WHEREAS, efforts have been made to collect these past due accounts receivable, and

WHEREAS, adequate time has elapsed to consider these accounts receivable delinquent and past due, NOW THEREFORE BE IT RESOLVED that the following accounts be deemed non-collectible and removed from the records and disclosed on the 2020 Financial Report.

NAME:	ACCOUNT #:	AMOUNT
Anna Kewley	300660-02	\$57.45
	TOTAL	<u>\$57.45</u>

Signed this 15th day of June 2020.

City of Custer City

S/ Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #06-15-2020C – FEE SCHEDULE

Councilperson Moore moved to adopt Resolution #06-15-20C, Fee Schedule. Seconded by Councilperson Nielsen, the motion carried with Councilperson Ryan, Blom, Moore, Nielsen, Fischer and Whittaker voting yes.

RESOLUTION NO. 06-15-2020C

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Fee Schedule be established to set forth fees for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established guidelines for said fees.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Fee Schedule consisting of 13 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Schedule shall be subject to modification as requested by staff or required by circumstances; it is further resolved that schedule shall be reviewed by the Common Council annually and may be modified to insure appropriate fees.

Dated this 15th day of June 2020.

City of Custer City

S/ Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

EXECUTIVE PROCLAMATION – JANET PETTIT REINDL DAY

Councilperson Moore moved to approve the executive proclamation for Janet Pettit Reindl Day on June 14th, 2020 which is on file in the Finance Office. Seconded by Councilperson Blom, the motion carried with Councilperson Blom, Moore, Nielsen, Fischer, Whittaker and Ryan voting yes.

PUBLIC COMMENTS

Hank Whitney gave a brief update on the Bark Park.

GOLD DISCOVERY DAYS REQUEST

Councilperson Fischer moved to approve the Chamber of Commerce request for open container during Gold Discovery Days 2020 which included the following: Open container from Thursday, July 16th from 5:00 pm through 10:00 pm, Friday July 17th from 12:00 pm through midnight and Saturday 10:00 am through midnight in the area between Washington Street and the east/west alley north of Mt Rushmore Road from Second Street to Eight Street:with beer and wine only being allowed in the plastic event cups. Seconded by Councilperson Ryan, the motion carried with Councilperson Moore, Nielsen, Fischer, Whittaker, Ryan and Blom voting yes.

APPLICATION FOR FOURTH OF JULY FIREWORKS – CUSTER VOLUNTEER FIRE DEPARTMENT

Councilperson Moore moved to approve the application for outdoor display of fireworks for the Custer Volunteer Fire Department's Fourth of July fireworks display at Pageant Hill. Seconded by Councilperson Blom, the motion carried with Councilperson Nielsen, Fischer, Whittaker, Ryan, Blom and Moore voting yes.

FINAL PLAT – WHEELER TRACT NORTH AND WHEELER TRACT SOUTH

Councilperson Blom moved to approve the final plat for Wheeler Tract North and Wheeler Tract South. Seconded by Ryan, the motion carried with Councilperson Fischer, Whittaker, Ryan, Blom, Moore and Nielsen voting yes.

BOLLARD REPAIR AND SOUTH NINTH STREET DRAINING REPAIRS QUOTE

Councilperson Whittaker moved to approve the quote from Complete Concrete Inc for \$5,750.00 to repair two bollards and curb & gutter that were damaged from the flood. In addition to ordering two extra bollards at \$525.00 each to have on hand. Seconded by Nielsen, the motion carried with Councilperson Whittaker, Ryan, Blom, Moore, Nielsen and Fischer voting yes.

PLANNING COMMISSION RE-APPOINTMENT

Councilperson Fischer moved to approve the Mayor's appointment of Rick Hudson to the Planning Commission as the three-mile representative for a one-year term. Seconded by Councilperson Ryan, Blom, Moore, Nielsen, Fischer and Whittaker voting yes.

ELECTION RECOUNT CANVASS – DRAW LOT FOR COUNCIL POSITION – DECLARE WARD III COUNCILPERSON

Council reviewed the election recount board recap report. Councilperson Nielsen moved to approve the official recount canvass which stated the votes for Ward III Councilperson were Carrie Moore with 124 and Todd Pechota with 124. Seconded by Councilperson Blom, the motion unanimously carried.

Per SDCL 12-21-43 the drawing of lots was done by each candidate rolling two dice. Todd Pechota rolled 11 and Carrie Moore rolled 4.

Todd Pechota was declared as the winner for the two-year seat for Ward III Councilperson to take office in July 2020.

CLAIMS

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the following claims. The motion carried with Councilperson Moore, Nielsen, Fischer, Whittaker, Ryan and Blom voting yes.

Amazon, Supplies, \$157.99
American Legal Publishing, Professional Fees, \$450.00
B & H Photo Video, Supplies, \$110.37
Black Hills Energy, Utilities, \$14,487.52
Carrot Top Industries, Supplies, \$620.95
Culligan, Repair & Maintenance, \$18.50
Chamber of Commerce, Sales Tax Subsidy, \$4,267.76
Chronicle, Publishing, \$607.61
Custer Ace Hardware, Supplies, Repairs & Maintenance, \$206.13
Discovery Benefits, Supplies, \$27.00
Display Sales, Supplies, \$331.00
Fastenal, Supplies, \$4.64
French Creek Supply, Supplies, \$112.11
Go Daddy, Professional Fees, \$170.38
Golden West Telecommunications, Utilities, \$517.84
Golden West Technologies, Professional Fees, \$2,255.50
Hach, Repairs & Maintenance, \$173.73
Hawkins, Supplies, \$1,266.42
Helpline Center, Subsidy, \$1,500.00
Honeywell, Repairs & Maintenance, \$7,720.00
Johnson, Kathryn, Recount Board, \$25.00
Ketel Thorstenson, Professional Fees, \$1,797.60
Log Men Go To Meeting, Supplies, \$51.77
Lynn's Dakotamart, Supplies, \$48.62
McDonnell, Chantel, BID Board Advertising, \$1,300.00
Metering & Technology Solutions, Supplies, \$6,503.92
Midcontinent Testing Labs, Professional Fee, \$939.00
Newman Signs, Supplies, \$191.53
Northwest Pipe Fittings, Supplies, \$250.50
Petty Cash, Supplies, \$50.85
Pitney Bowes, Supplies, \$147.57
Power House, Supplies, \$522.42
Quill, Supplies, \$184.56
Rain Bird, Supplies, \$35.75
Rapid Delivery, Supplies, \$92.61
Regional Health Network, Sales Tax Subsidy, \$35,772.31
Satellite Industries, Repairs & Maintenance, \$18.12
Schwartz, Margaret, Recount Board, \$25.00
Servall, Supplies, \$67.03
SD DCI, Professional Fees, \$53.50
Stahl, Johnathan, Recount Board, \$25.00
The Hartford, \$54.96
YMCA, Pool Agreement, \$6,000.00
Gould, Shane, Utility Refund, \$50.63
Ramirez, Chase, Utility Refund, \$27.46
Verizon Wireless, Utilities, \$437.01
Total Claims \$ 89,678.17

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 6:59 pm. Seconded by Councilperson Ryan, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Sydney Gramkow
Deputy Finance Officer

Corbin Herman
Mayor