

CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
June 1st, 2020

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

AGENDA

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

MINUTES

Councilperson Moore moved, with a second by Councilperson Ryan, to approve the minutes from the May 18th Council Meeting. The motion carried with Councilperson Whittaker, Moore, Fischer, Blom and Ryan voting yes.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

COVID-19 ORDINANCE & RESOLUTION 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 #05-18-2020A. Seconded by Councilperson Moore, the motion carried with Councilperson Moore, Fischer, Blom, Ryan and Whittaker voting yes

*The Custer Wolf, maximum of 25 people inside and 15 people for the outdoor patio area while maintaining the 6 feet separation.

*Maria's Mexican (607 Mt Rushmore Road), maximum of 40 people while maintaining the 6 feet separation.

*Buglin Bull (WR Hospitality), maximum of 38 people on the upper deck while maintaining the 6 feet separation.

*Rocky Knolls Golf Course, maximum of 86 people inside and 64 people on the outdoor deck while maintaining the 6 feet separation.

*The Custer Beacon, host ticketed entertainment per the details within their request while maintaining maximum occupancy per the resolution, 6 feet separation and cleaning protocol.

Councilperson Moore moved to approve the following request for compliance modification to Ordinance #836, Resolution #04-28-20A, Resolution #05-04-20A and Resolution #05-18-2020A. Seconded by Councilperson Ryan, the motion carried with Councilperson Fischer, Blom, Ryan, Whittaker and Moore voting yes.

*Custer Community Center Gym (YMCA), maximum of 15 people in the Gym and proper cleaning.

*Custer Pool Opening Plan (YMCA), maximum of 45 people, no furniture, proper cleaning and additional changes mentioned within the request. Potential opening date of June 29th.

Heather Grace, Custer School Board President, presented the High School Graduation Plan. Councilperson Fischer moved to approve the following request for compliance modification to Ordinance #836, Resolution #04-28-20A, Resolution #05-04-20A and Resolution #05-18-2020A. Seconded by Councilperson Moore, the motion carried with Councilperson Blom, Ryan, Whittaker, Moore and Fischer voting yes.

*Custer High School Graduation Commencement, Plan A at Football Stadium and Plan B at the Armory. Request on file in the Finance Office has the details for each plan.

Councilperson Ryan moved to approve opening the City's Public Restrooms and Skateboard Park on June 15th. Seconded by Councilperson Moore, the motion carried with Councilperson Ryan, Whittaker, Moore, Fischer and Blom voting yes.

General discussion took place regarding the Custer Volunteers Fire Department's Fourth of July Fireworks, which a request for will be coming before the Council at the next meeting.

RESOLUTION #06-01-2020A – PREVIOUSLY VACATED PORTION OF SUNSET LANE

Councilperson Fischer moved to adopt Resolution #06-01-2020A, Previously Vacated Portion of Sunset Lane. Seconded by Councilperson Blom, the motion carried with Councilperson Moore, Fischer, Blom, Ryan and Whittaker voting yes.

Resolution #06-01-2020A

WHEREAS, an application was received by Mark Hartmann and Joan L. Finch on January 3rd, 2012 with request to vacate a portion of the hereinafter described certain Public Access and Utility Easement in Custer County, South Dakota, praying that said portion of said easement be vacated, and

WHEREAS, the City Council of the City of Custer, Custer County, South Dakota, reviewed such request at their regularly scheduled meetings on the 6th day of February 2012, the 21st day of February 2012 and the 5th day of March 2012, and

WHEREAS, the City Council of the City of Custer, Custer County, South Dakota, approved such request at their regularly scheduled meeting on the 5th day of March 2012, and

WHEREAS, the County Commission of Custer County, South Dakota, reviewed and approved such request at their regularly scheduled meeting on the 12th day of October 2017.

WHEREAS, the certain portion of the originally platted Public Access and Utility Easement within Custer County, South Dakota as shown on the plats filed at the office of the Custer County Register of Deeds in Book 12 of plats page 345, Book 12 of plats page 625, Book 12 of plats page 702 and described as follows:

the area of Sunset Lane lying to the South of the East/West property lines and within the existing Lot B of Tract Ramsey of HES #177, Lot 3 of Lot A of Tract Ramsey of Ramsey Subdivision and Tracts 1 and 2 of Lot A of Tract Ramsey of Ramsey Subdivision Phase II, all located in the North ½ of Section 2, T4S, R4E, BHM Custer County, South Dakota. Such area having a width of 31' and a length of approximately 2359'.

Be, and the same was, vacated by previous action of the Custer City Council and Custer County Commission, and

WHEREAS, the vacation of such portion of said easement shall be made public record by the filing of this document at the office of the Custer County Register of Deeds.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Custer, Custer County, South Dakota, acknowledges their previous action and the vacation of the previously described portion of Public Access and Utility Easement.

IT IS FURTHER RESOLVED that the County Commission of Custer County, South Dakota, also acknowledges their previous action and the vacation of the previously described portion of Public Access and Utility Easement.

Dated at Custer, Custer County, South Dakota, this 1st day of June 2020.

CITY OF CUSTER

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

PUBLIC COMMENTS

Kwinn Neff introduced himself to the Council. No public other comments were received.

ENGEN BENCH LOCATION AND VETERAN'S MEMORIAL BIKE RACK LOCATION

Councilperson Moore moved to approve the location for the previously accepted donated Engen Bench to be placed by the Mickelson Trail on the west property boundary of the Veteran's Memorial; and approved the location of the northeast corner of Veteran's Memorial for placement of bike racks. Seconded by Councilperson Blom, the motion carried with Councilperson Moore, Fischer, Blom, Ryan and Whittaker voting yes.

Councilperson Whittaker left the meeting at 6:13 pm.

TAP PROJECT (TRAIL) CHANGE

Councilperson Fischer moved to approve the Transportation Alternative Project (Trail from South Eleventh Street to School) change for contractor furnished borrow installation and Mirafi 660X installation for a total of \$17,612.62, which per agreement the City will cover 36.86 percent. Seconded by Councilperson Blom, the motion carried with Councilperson Fischer, Blom, Ryan and Moore voting yes.

PROPANE QUOTES

Councilperson Fischer moved to approve the propane quote from McGas for 30,000 gallons of propane at \$1.149 per gallon for a total of \$34,470.00. Seconded by Councilperson Moore, the motion carried with Councilperson Blom, Ryan, Moore and Fischer voting yes.

NEW HIRES – SEASONAL EMPLOYEES

Councilperson Moore moved to approve hiring Larry Stalder and Ryan Jorgensen as Part Time Seasonal Park Laborers at \$12.55 per hour effective upon successful completion of pre-employment drug

screening. Seconded by Councilperson Blom, the motion carried with Councilperson Ryan, Moore, Fischer and Blom voting yes.

CLAIMS

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

AFLAC, Insurance, \$718.98
American Legal Publishing, Professional Fees, \$79.80
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
Beesley Law Office, Professional Fees, \$3,610.00
Black Hills Energy, Utilities, \$2,248.92
Century Business Products, Supplies, \$216.97
Custer Outdoor Shop, Refund, \$300.00
Custer Do It Best, Supplies, Repairs & Maintenance, \$24.27
Custer Fire Department, Subsidy, \$30,500.00
Dacotah Bank, TIF #2 Payment, \$10,824.23
Dacotah Bank, TIF #4 Payment, Water Bond Payment, \$15,747.72
Delta Dental, Insurance, \$212.00
Discovery Benefits, Supplies, \$1,273.06
EFTPS, Taxes, \$11,522.13
Fastenal, Supplies, \$469.93
First Interstate Bank, TIF # 4 Payment, Supplies, \$2,574.47
Green Owl Media, Professional Fees, \$234.00
Hawkins, Supplies, \$4,246.19
Jenner Equipment, Repairs & Maintenance, \$85.74
J & M Lawn Care, Cemetery Caretaker, \$5,250.00
Ketel Thorstenson, Professional Fees, \$2,002.40
Kimball Midwest, Supplies, \$403.20
Lone Elk Gallery, Refund, \$650.00
Nelson's Oil & Gas, Supplies, \$890.50
Newman Traffic Signs, Supplies, \$983.11
Pace, Supplies, \$770.90
Petty Cash, Supplies, \$383.73
Sanders Sanitation, Garbage Collection Contract, \$13,253.23
SD DENR, Fees, \$600.00
SD Department of Revenue, Supplies, \$4,350.00
SD Retirement System, \$5,834.90
Supplemental Retirement, \$670.00
USA Bluebook, Repair & Maintenance, \$3,397.57
Wellmark, Insurance, \$11,295.31
Wright Express, Supplies, \$483.18
YMCA, Membership, Subsidy, \$29,043.00
Adams, Georgia, Utility Refund, \$20.22
Mayor & Council, \$4,665.00
Finance Department, \$4,414.78
Public Building Department, \$1,009.28
Planning Department, \$7,284.67
Public Works Department, \$2,521.44
Street Department, \$6,096.84
Cruisin Department, \$153.44
Parks Department, \$4,631.89
Water Department, \$11,803.03
Wastewater Department, \$12,873.10
Total Claims \$221,623.13

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Moore moved to adjourn the meeting at 6:19 p.m. Seconded by Councilperson Ryan, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor