

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
June 4th, 2018**

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

AGENDA

Councilperson Nielsen moved to approve the agenda. Second by Councilperson Blom, the motion unanimously carried.

MINUTES

Councilperson Heinrich moved, with a second by Councilperson Maciejewski, to approve the minutes from the May 21st council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC HEARING – RESOLUTION #06-04-18A – RIGHT-OF-WAY VACATION – LOTS 1, 2 & 3 OF BLOCK 125

Public hearing was held for the right-of-way vacation. Councilperson Fischer moved to adopt Resolution #06-04-18A, Right-of-way Vacation for Lots 1, 2 & 3 of Block 125. Seconded by Councilperson Maciejewski, the motion unanimously carried.

FIRST READING – ORDINANCE #805 – CONDITIONAL USE PERMITS

Councilperson Maciejewski moved to approve Ordinance #805, Conditional Use Permits. Seconded by Councilperson Fischer, the motion carried with Councilperson Maciejewski, Heinrich, Fischer and Blom voting yes while Councilperson Nielsen voted no.

Councilperson Arseneault joined the meeting at 5:43 pm.

RESOLUTION #06-04-18B – TRACT CLINIC

Councilperson Maciejewski adopt Resolution #06-04-18B, Tract Clinic. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #06-04-18B

WHEREAS, the City of Custer City had previously agreed with Regional Health Network, Incorporated, that certain real estate located in the City of Custer City as more fully described in Resolution #02-01-16B dated February 5, 2016, would be conveyed back to the City of Custer City by Regional Health Network, Incorporated, upon completion of the construction by Regional Health Network, Incorporated, of a new hospital and clinic facility;

WHEREAS, Resolution #02-01-16B dated February 5, 2016, consisting of two pages, is attached hereto, and by this reference, is incorporated herein as though set forth in full;

WHEREAS, the new hospital and clinic facility has now been completed, and Regional Health Network, Incorporated is currently in the process of deeding said real properties back to the City of Custer City;

WHEREAS, Tract Clinic (formerly a portion of Lot E and all of lot B Revised) located in the SW1/4 of section 24, Township 3 South, Range 4 East, B.H.M., City of Custer, Custer County, South Dakota, as shown on the plat filed in Book 4 of Plats, Page 137, is specifically referenced in Resolution #02-01-16B dated February 5, 2016;

WHEREAS, the County of Custer, State of South Dakota, has requested that the City of Custer City execute a deed granting said Tract Clinic to Custer County Search and Rescue, pursuant to SDCL 9. 27-36, said deed to contain a specific restriction prohibiting the use of the property for healthcare facilities;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Custer City, South Dakota that upon receipt of, and approval of, an agreement executed by the Commission of the County of Custer, South Dakota that said County shall utilize such Tract Clinic solely for the purposes of operation of Custer County Search and Rescue, containing the specific restriction hereinabove noted, and with a specific reversionary clause back to the City of Custer City, in the event that the County of Custer determines to utilize such Tract Clinic for any purpose other than for Custer County operations;

IT IS FURTHER RESOLVED, that the Mayor is authorized to execute a deed for Tract Clinic to the County of Custer in accordance with the terms of this Resolution.

Dated this 4th day of June, 2018.

City of Custer City

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

RESOLUTION #06-04-18C – WRITE-OFF’S

Councilperson Heinrich moved to adopt Resolution #06-04-18C, Write-off. Seconded by Councilperson Maciejewski, the motion unanimously carried.

RESOLUTION NO. 06/04/18C

WHEREAS, Book 3, Supplemental, 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 2018 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Ben Kruger	500420-11	\$ 123.10
Wanda Haaheim	200740-04	\$ 66.39
Brandon Hubler	200740-04	\$ 66.39
Marsha Redday	100055-06	\$ 105.28
TOTAL		\$ 361.16

Signed this 4th day of June, 2018.

CITY OF CUSTER

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

RESOLUTION #05-21-18A – FEE SCHEDULE

Councilperson Heinrich moved to adopt Resolution #05-21-18A, Fee Schedule. Seconded by Councilperson Fischer, the motion unanimously carried.

RESOLUTION NO. 06-04-18A

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 4th day of June 2018.

CITY OF CUSTER CITY

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

DRAINAGE EVALUATION & DESIGN SERVICES PROPOSAL - ACES

Councilperson Heinrich moved to table the drainage evaluation & design services proposal from ACES due to possible future partnership with South Dakota Department of Transportation. Seconded by Councilperson Maciejewski, the motion unanimously carried.

BRYDEN DRIVE & ALLEY PROJECT – DESIGN & CONSTRUCTION MANAGEMENT SERVICES PROPOSAL – ACES

Councilperson Heinrich accept the proposal from ACES for design & construction management services for Bryden Drive & Alley Project options for \$7,800. Seconded by Councilperson Nielsen, the motion unanimously carried.

APPLICATION FOR FOURTH OF JULY FIREWORKS – CUSTER VOLUNTEER FIRE DEPARTMENT

Councilperson Fischer 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 unanimously carried.

STUDEBAKER CAR SHOW STREET CLOSURE REQUEST – CHAMBER OF COMMERCE

Councilperson Blom moved to approve the Chamber of Commerce's request to close South Sixth Street from Mt Rushmore Road to Washington Street on September 2nd, 2018 for the Studebaker Car Show. Seconded by Councilperson Arseneault, the motion unanimously carried.

PLANNING COMMISSION APPOINTMENT

Councilperson Maciejewski moved to approve Mayor Herman's appointment of Scott Olson to the Planning Commission with a term end date of January 2nd, 2022. Seconded by Councilperson Blom, the motion unanimously carried.

EMPLOYEE STEP INCREASE

Councilperson Arseneault moved to approve a step increase for Julie Harley to step 4 at \$21.16 per hour effective May 18th, 2018. Seconded by Councilperson Blom, the motion unanimously carried.

CLAIMS

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

AE2S, Professional Fees, \$759.50
AFLAC, Insurance, \$588.92
AFSCME, Dues, \$129.21
Battel Mountain Humane Society, Animal Control Contract, \$1000.00
Black Hills Energy, Utilities, \$3,080.61
Century Business Products, Supplies, \$189.74
Custer of Commerce, Supplies, \$36.00
Custer Do It Best, Supplies, Repairs & Maintenance, \$327.06
California State Disbursement, Deductions, \$53.19
Dacotah Bank, TIF #2 Payment, \$2,094.29
Dacotah Bank, TIF #4 Payment, \$9,310.38
Discovery Benefits, Supplies, \$1,360.38
Delta Dental, Insurance, \$148.20
Edward Enterprises, Cemetery Caretaker Contract, \$4,571.43
EFTPS, Taxes, \$19,417.42
Fastenal, Supplies, \$454.84
First Interstate Bank, TIF #4 Payment, \$9,310.37
First Interstate Bank, TIF #1 Payment, \$2,094.29
First Western Insurance, Supplies, \$50.00
Golden West Telecommunications, Utilities, \$562.62
Golden West Technologies, Professional Fees, \$673.50
Honeywell, Materials Contract, \$7,208.22
International Code Council, Dues, \$135.00
Mid-American Research Chemical, Supplies, \$311.00
Petty Cash, Supplies, \$525.14
Pitney Bowes, Supplies, \$48.69
Quill, Supplies, \$277.93
RCS Construction, Professional Fees, \$13,683.86
Sanders Sanitation, Garbage Collection Contract, \$13,957.24
SD Association of Rural Water, Conference, \$200.00
SD Retirement System, \$9,447.46
Supplemental Retirement, \$930.00
SD Department of Revenue, Supplies, \$150.00
SD Secretary of State, Supplies, \$30.00
The Hartford, Insurance, \$64.12
Vector Design and Tech, Supplies, \$314.57
Verizon Wireless, Utilities, \$465.23
Warne Chemical & Equipment, Supplies, \$245.10
Wellmark BCBS, Insurance, \$11,519.05

Wright Express, Supplies, \$1,194.22
YMCA, Pool & Recreation Contract, \$43,500.00
Mayor & Council, \$4,400.00
Finance Department, \$8,832.03
Public Buildings, \$4,078.94
Planning Department, \$9,809.26
Public Works Department, \$4,699.95
Street Department, \$11,741.47
Cruisin Department, \$137.72
Parks Department, \$7,140.93
Water Department, \$17,995.64
Wastewater Department, \$17,540.40
Total Claims, \$246,795.12

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Arseneault moved to adjourn the meeting at 6:27 p.m. Seconded by Councilperson, Blom, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor