

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
November 19th, 2018**

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

AGENDA

Councilperson Blom moved to approve the agenda. Seconded by Councilperson Arseneault, the motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Fischer, to approve the minutes from the November 5th regular council meeting and the November 9th special council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC HEARING – WINE LICENSE (2019) & MALT BEVERAGE LICENSE (TRANSFER)–AJ’S ORE CAR SALOON

Councilperson Fischer moved to approve the malt beverage license transfer and 2019 wine license for AJ’s Ore Car Saloon. Seconded by Councilperson Moore, the motion unanimously carried.

PUBLIC HEARING – LIQUOR & WINE LICENSE RENEWALS

The Council was presented with a renewal list of 27 liquor & wine license applications for the 2019 license period. Councilperson Nielsen moved to approve the applications as listed contingent upon property taxes being paid current and proof of insurance being provided. Seconded by Councilperson Blom, the motion unanimously carried.

SECOND READING – ORDINANCE #812 – WATER RATES

Councilperson Blom moved to adopt Ordinance #812, Water Rates. Seconded by Councilperson Fischer, the motion carried with Councilperson Blom, Nielsen, Fischer, Moore and Arseneault voting yes.

SECOND READING – ORDINANCE #813 – WASTEWATER RATES

Councilperson Nielsen moved to adopt Ordinance #813, Wastewater Rates. Seconded by Councilperson Blom, the motion carried with Councilperson Nielsen, Fischer, Moore, Arseneault and Blom voting yes.

SECOND READING – ORDINANCE #814 – WATER OFF RATES

Councilperson Fischer moved to adopt Ordinance #814, Water Off Rates. Seconded by Councilperson Moore, the motion carried with Councilperson Fischer, Moore, Arseneault, Blom and Nielsen voting yes.

FIRST READING – ORDINANCE #815 – DESIGNATED WETLAND MAINTENANCE

Councilperson Blom moved to approve Ordinance #815, Designated Wetland Maintenance. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION #11-19-18A – POSITION DESCRIPTIONS (3 FINANCE OFFICE POSITIONS)

Councilperson Moore moved to adopt Resolution #11-19-18A, Position Descriptions (3 Finance Office Positions). Seconded by Councilperson Arseneault, the motion unanimously carried.

RESOLUTION # 11-19-18A

WHEREAS, 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 02-05-18B; and

WHEREAS, the Common Council of the City of Custer City has determined that the Finance Officer, Deputy Finance Officer and Account Receivable Clerk position description are in need of updating; and

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit “A”, Finance Officer, Deputy Finance Officer and Account Receivable Clerk Position Descriptions (3 pages each), as though set forth in full herein, and adopted by reference.

Dated this 19th day of November, 2018.

CITY OF CUSTER

S/Corbin Herman, Mayor

ATTEST Laurie Woodward, Finance Officer

PUBLIC COMMENTS

No public comments were received.

EASEMENT & RIGHT-OF-WAY – LOT 1 OF TRACT BENNETT & A PORTION OF LOT 29 HOMESTEAD ADDITION – BELVA BENNETT

Councilperson Fischer moved to approve the easement and right-of-way for Belva Bennett to maintain a garage which is located on the real property described as: Lot 1 of Tract Bennett and a portion of Lot 29 of

Homestead Addition and encroaches upon Summit Street by +/- 5 feet and the road easement by +/- 8.7 feet. Seconded by Councilperson Nielsen, the motion unanimously carried.

CUSTER BARK PARK VOLUNTEER COMMITTEE REQUEST TO PARTNER WITH BHACF FOR 501(c)3 STATUS

Councilperson Fischer moved to approve the Custer Bark Park Committee's request to partner with Black Hills Area Community Foundation (BHACF) and utilize its special project/fiscal sponsorship fund program to pay for its management fee, with the City paying the \$250 cost to utilize the program. Seconded by Councilperson Arseneault, the motion carried with Councilperson Moore, Arseneault, Blom, Nielsen and Fischer voting yes.

WARRANTY DEED – TRACT HOSPITAL & TRACT CLINIC

Councilperson Nielsen moved to accept the warranty deed for Tract Hospital and Tract Clinic from Regional Health Network Inc., subject to the specific restrictions contained in the deed and directed the Planning Administrator to work with the City Attorney to prepare the appropriate deed(s) for transfer of Tract Clinic to the County of Custer, for Custer County Search & Rescue purposes only, with a specific reversionary clause dictating that the real property contained therein shall revert to the City of Custer City in the event the property no longer is used for Search & Rescue purposes by the County, with the documents coming before the Council in December. Seconded by Councilperson Fischer. The motion was amended to state that Tract Clinic was to be used for Custer County Search & Rescue and/or Emergency Services. The motion unanimously carried.

BURNING OF THE BEETLE REQUEST

Councilperson Fischer moved to approve the Bark Beetle Blues Committee, Custer Area Arts Council and Custer Volunteer Fire Department joint request to use Pageant Hill on January 19, 2019 for the Burning of the Beetle Event and to have fireworks at the event on Pageant Hill, in addition the City will provide a place for Christmas trees to be dropped off and a port-a-pot on Pageant Hill. Seconded by Councilperson Moore, the motion unanimously carried.

COUNCIL RECESS 5:52 – 5:56

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel per SDCL 1-25-2(1-4) at 5:56 pm, with the Attorney, Public Works Director, Planning Administrator and Finance Officer present. Seconded by Councilperson Moore, the motion unanimously carried. Council came out of executive session at 6:04pm, with no action taken.

EMPLOYEE LEAVE WITHOUT PAY REQUEST

Councilperson Fischer moved to approve John Christie's leave without pay request for November 19th, 2018 through December 13th, 2018. Seconded by Councilperson Arseneault, the motion unanimously carried.

EMPLOYEE RESIGNATION

Councilperson Nielsen moved to accept Julie Harley's resignation effective December 14th, 2018 and thanked Julie for her years of service. Seconded by Councilperson Moore, the motion unanimously carried.

EMPLOYEE INCREASE

Councilperson Fischer moved to approve an increase for Lynnette Merritt to \$20.46 per hour effective November 19th, 2018, due to changes in job duties. Seconded by Councilperson Moore, the motion unanimously carried.

CLAIMS

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

Black Hills Chemical, Supplies, \$56.00
Black Hills Energy, Utilities, \$13,326.28
California State Disbursement, Deduction, \$53.19
Culligan, Repairs & Maintenance, \$18.50
Chamber of Commerce, Sales Tax Subsidy, \$22,052.12
Custer Ace Hardware, Supplies, Repairs & Maintenance, \$792.86
Dakota Green, Trees, \$2,696.25
Discovery Benefits, Supplies, \$25.00
Fastenal, Supplies, \$8.14
First Interstate Bank, Supplies, \$207.20
Freemans Electric, Supplies, \$98.40
French Creek Supply, Supplies, \$648.99
Hach, Repairs & Maintenance, \$75.56
Hawkins, Supplies, \$6,370.09

Hespen Excavating, Repairs & Maintenance, \$2,961.47
Imageall, Supplies, \$117.00
Lynn's Dakotamart, Supplies, \$19.27
McGas, Repairs & Maintenance, \$294.50
Metering & Technology Solutions, Supplies, \$1,542.47
Nielsen Enterprises, Repairs & Maintenance, \$845.57
Northwest Pipe Fittings Inc, Repairs & Maintenance, \$652.90
Pace, Supplies, \$670.36
Promotion Physical Therapy, Safety, \$60.00
Rapid Delivery, Professional Fees, \$64.70
Rural Water Center, Supplies, \$200.00
Servall, Supplies, \$165.42
SD Department of Revenue, Sales Tax, \$1,055.07
SD DCI, Supplies, \$43.25
Bit Finance/ State Long Distance, Utilities, \$30.89
USDA Loan Payment, \$8,910.00
Wellmark BCBS, Insurance, \$13,836.75
Total Claims \$77,898.20

DEPARTMENT HEADS & COMMITTEE REPORTS

Various committee reports were given in addition to updates from the department heads.

ADJOURNMENT

With no further business, Councilperson Moore moved to adjourn the meeting at 6:26 p.m. Seconded by Councilperson Blom, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor