

CITY OF CUSTER CITY  
**COUNCIL PROCEEDINGS- REGULAR SESSION**  
**October 19<sup>th</sup>, 2015**

Mayor Jared Carson called to order the second meeting of the Common Council for the month of October, 2015 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer and Schleining. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Nielsen moved to amend the agenda by moving the Second Reading of Ordinance #766, Transient Merchant, to after the First Reading of Ordinance #770, Sidewalk Snow and Ice Removal. Seconded by Councilperson Maciejewski, the motion unanimously carried. Councilperson Heinrich moved to approve the agenda as amended. Second by Councilperson Fischer, the motion unanimously carried.

**MINUTES**

Councilperson Fischer moved, with a second by Councilperson Nielsen, to approve the minutes from the October 5<sup>th</sup> regular council meeting. The motion carried with Councilperson Maciejewski, Nielsen, Fischer and Schleining voting yes while Councilperson Heinrich abstained.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, gave Council an update on the Swimming Pool liner project, Custer Community Center project and the deer count that just took place last week.

Scott Simianer, Planning Administrator, gave Council an overview of the meetings he recently attended.

Laurie Woodward, Finance Officer, mentioned that September sales tax was up 0.28% from last year.

Councilperson Nielsen gave an overview of the meeting with Senator Thune last week that included Councilperson Herman and Councilperson Nielsen.

**WEST DAM TASK FORCE RECOMMENDATION**

Dick Adamson, West Dam Task Force Member, presented the Task Force's recommendation of option 5 as the solution to repair West Dam, and requested that the Mayor write a letter to Tim Schaal, SD DENR, informing him of the City's decision; and that the City is also seeking funds and increased water rights to accomplish this goal. Councilperson Maciejewski moved to have the West Dam Task Force continue with the objection of finding construction options, financing, etc for option #5 and for the General Government Committee to serve as the go between for the task force and Council; and that the letter to Tim Schaal with SD Department of Natural Resources be written. Seconded by Councilperson Fischer, the motion unanimously carried.

**SECOND READING – ORDINANCE #767 – WATER RATES**

Councilperson Schleining moved adopt Ordinance #767, Water Rates. Seconded by Councilperson Maciejewski, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer and Schleining voting yes.

**SECOND READING – ORDINANCE #768 – SEWER RATES**

Councilperson Nielsen moved adopt Ordinance #768, Sewer Rates. Seconded by Councilperson Fischer, the motion carried with Councilperson Heinrich, Nielsen, Fischer, Schleining and Maciejewski voting yes.

**FIRST READING – ORDINANCE #769 – PLANNING COMMISSION COMPOSITION**

Councilperson Fischer moved approve the first reading of Ordinance #769, Planning Commission Composition. Seconded by Councilperson Schleining, the motion unanimously carried.

**FIRST READING – ORDINANCE #770 – SIDEWALK SNOW AND ICE REMOVAL**

Councilperson Maciejewski moved to approve the first reading of Ordinance #770, Sidewalk Snow and Ice Removal. Seconded by Councilperson Heinrich. After some discussion, Councilperson Maciejewski rescinded his motion. Councilperson Fischer moved to refer Ordinance #770 back to the General Government Committee for further review. Seconded by Councilperson Heinrich, the motion unanimously carried.

**SECOND READING – ORDINANCE #766 – TRANSIENT MERCHANT**

Councilperson Maciejewski moved to table the second reading of Ordinance #766, Transient Merchant and refer it back to the General Government Committee for review in January, to allow the Custer business owners a chance to submit their comments. Seconded by Councilperson Heinrich, the motion unanimously carried.

**ALLEY REPAIR ENGINEERING CONTRACT - ACES**

Councilperson Heinrich moved to approve Affordable Creative Engineering Services contract for alley repairs to Bryden Drive from Harney Street north to Montgomery Street and the alley north of Harney Street between North Second Street and North Third Street for \$22,060 with task one (design services) to start in 2015. Seconded by Councilperson Schleining, the motion unanimously carried.

### **COMMITTEE APPOINTMENTS**

Councilperson Herman moved to approve the appointment of Gary Lipp as the City's Liaison to the Custer Community Health Services Board. Seconded by Councilperson Fischer, the motion unanimously carried. Councilperson Fischer moved to approve the appointment of Councilperson Nielsen as the City's Liaison to the Custer County Housing & Redevelopment Board. Seconded by Councilperson Heinrich, the motion unanimously carried. Councilperson Heinrich moved to approve the appointment of Jared Tennyson as Chairman of the Planning Commission. Seconded by Councilperson Nielsen, the motion unanimously carried. Councilperson Heinrich moved to approve the appointment of Craig Reindl as Planning Commission Three Mile Representative. Seconded by Councilperson Nielsen, the motion unanimously carried.

### **CLAIMS**

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

A&B Electric, Repair & Maintenance, \$387.20  
Battle Mountain Humane Society, Animal Control Contract, \$900.00  
Black Hills Power & Light, Utilities, \$12102.61  
Culligan, Repair & Maintenance, \$18.50  
Chamber of Commerce, Sales Tax Subsidy, \$32523.88  
Chronicle, Publishing, \$1027.76  
Custer Economic Development, Subsidy, \$3000.00  
Custer True Value, Supplies, Repair & Maintenance, \$1361.33  
Fastenal, Supplies, \$285.81  
French Creek Supply, Supplies, \$119.04  
GenPro, Repair & Maintenance, \$509.75  
Golden West Technologies, Professional Fees, \$616.50  
Hillyard, Supplies, \$514.06  
Lawrence & Schiller, BID Marketing, \$11172.64  
Lynn's Dakotamart, Supplies, \$43.59  
Midcontinent Testing Lab, Professional Fees, \$688.00  
Nelson's Oil & Gas, Supplies, \$609.02  
Petty Cash, Travel, \$180.74  
Quality Weed Control, Repair & Maintenance, \$476.18  
Quill, Supplies, \$469.98  
Rapid Delivery, Professional Fees, \$84.56  
Rocky Mountain International, BID Marketing, \$685.00  
SRF Loan Payment, \$20116.79  
Sander Sanitation, Garbage Collection Contract, \$13136.63  
SECO Construction, Capital Improvements, \$2762.00  
Serval, Repair & Maintenance, \$151.78  
SD School of Mines, Professional Fees, \$2083.33  
SD Executive Management Finance Office, Utilities, \$16.52  
SD One Call, Supplies, \$92.40  
Smith, Claude Jr, Refund, \$200.00  
USDA Loan Payment, \$8910.00  
Unemployment Insurance, \$15.15  
Wheeler Lumber, Supplies, \$820.60  
Wright Express, Supplies, \$872.16  
Swanson, Brandi, Utility Deposit Refund, \$9.51  
Mintec, Utility Deposit Refund, \$10.15  
Total Claims, \$116,973.17

### **COMMITTEE REPORTS**

Various committee reports were given.

### **ADJOURNMENT**

With no further business, Councilperson Nielsen moved to adjourn the meeting at 7:03 p.m.  
Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Jared Carson  
Mayor