

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
September 8th, 2015**

Mayor Jared Carson called to order the first meeting of the Common Council for the month of September, 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 Maciejewski moved to approve the agenda with the addition of Philanthropic Community Award. Second by Councilperson Heinrich, the motion unanimously carried.

MINUTES

Councilperson Heinrich moved, with a second by Councilperson Nielsen, to approve the minutes from the August 17th regular council meeting and the August 24th special council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

DEPARTMENT HEAD DISCUSSION

Scott Kellogg, Public Works Supervisor, discussed with Council some of the projects the Public Works Department has been working on.

Scott Simianer, Planning Administrator, gave Council an update on the things the Planning Commission will be reviewing at their next meeting.

Laurie Woodward, Finance Officer, mentioned that July sales tax was up 15.72% from last year.

RESOLUTION #09-08-15A – CERTIFYING DELINQUENT ASSESSMENT

A Public hearing on Resolution #09-08-15A was held with no public comments being received. Councilperson Fischer moved to adopt Resolution #09-08-15A, Certifying Delinquent Assessment. Seconded by Councilperson Heinrich, the motion unanimously carried.

RESOLUTION #9-08-15A
RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CUSTER
CERTIFYING A DELINQUENT ASSESSMENT PURSUANT TO
SDCL 10-23-1.1

The City Council of the City of Custer, State of South Dakota does hereby assess and levy on and against the several lots and parcels of land described below the respective sums of money set against each lot or parcel.

This assessment is made to defray the cost of abating a nuisance as per SDCL 21-10-6.

The owners of said described lot or parcel have been noticed by certified mail return receipt requested and have failed to pay the amount of said described abatement.

NAME OF OWNER	DESCRIPTION OF PROPERTY	AMOUNT
BLUME, STEVEN R & KEITH R	W.18 ½q LOT 11 & ALL OF LOT 12 BLOCK 125 (WRANGLER) CUSTER, SOUTH DAKOTA PARCEL #008695	\$370.00
MCDILL, ILONA G.	E2 OF LOT 7 BLOCK 115+10q OF 6 TH STREET CONTIGUOUS TO LOT 7 CUSTER CITY CUSTER, SOUTH DAKOTA PARCEL #008646	\$185.00
HOUSKA, PATRICIA S	W2 OF LOT 10 BLOCK 115 CUSTER, SOUTH DAKOTA PARCEL #008651	\$370.00
HOUSKA, PATRICIA	E2 OF LOT 4, BLOCK 8 CUSTER CITY CUSTER, SOUTH DAKOTA PARCEL #008028	\$185.00
SCHERER, DANIEL H & AMY R	ALL OF LOT 7 & E2 OF LOT 8 BLOCK 126 + VACTED 15q OF VACTED 3 RD ST CUSTER, SOUTH DAKOTA	\$185.00

GRAY, JAN CHARLES	PARCEL #008697 BLOCK 47 SUB . TR MOTEL, CUSTER CITY 0.64 AC CUSTER, SOUTH DAKOTA	\$185.00
	PARCEL #008340 BLOCK 47 SUB . LOT 4 REVISED CUSTER CITY CUSTER, SOUTH DAKOTA	\$185.00
	PARCEL #014860 E2 OF LOT 5 & ALL OF LOT 6 BLOCK 47 & 25 th VACATED 3 RD ST (RADIO STATION) CUSTER, SOUTH DAKOTA	\$185.00
	PARCEL #008341	
	TOTAL	\$1,850.00

The City Finance Officer is directed to file this Resolution with the Custer County Auditor's Office to certify the delinquent assessment pursuant to SDCL 10-23-1.1.

CITY OF CUSTER

S/Mayor Jared Carson

Attest: Laurie Woodward, Finance Officer

FIRST READING - ORDINANCE #765 – 2016 APPROPRIATION ORDINANCE

Councilperson Maciejewski moved to approve the first reading of Ordinance #765, 2016 Appropriation Ordinance. Seconded by Councilperson Nielsen, the motion unanimously carried.

FINAL PLAT – SUMMIT ROAD ROW (CORRECTIVE PLAT)

Councilperson Heinrich moved to table the Summit Road ROW Final Plat until the next meeting. Seconded by Councilperson Fischer, the motion unanimously carried.

TREES AT VETERANS MEMORIAL SITE

Councilperson Schleining moved to allow the Veterans Memorial Committee to proceed forward with the trees at the Veterans Memorial Site as they see fit. Seconded by Councilperson Nielsen, the motion unanimously carried.

REFUND REQUEST – CLEO GARNEAUX (CUSTER CRUISIN)

Councilperson Heinrich moved to deny Cleo Garneau request for full refund for her Custer Cruisin Vendor Space. Seconded by Councilperson Nielsen, the motion unanimously carried. Councilperson Heinrich moved to approve a refund of up to \$250 for her refrigerated items as verified by the Finance Officer, due to her electricity being unplugged. Seconded by Councilperson Fischer, the motion unanimously carried.

PARADE REQUEST – HOMECOMING PARADE (CUSTER SCHOOL DISTRICT)

Councilperson Fischer moved to approve the Custer School District Homecoming Parade request for September 11th with the parade starting at Fifth & Lincoln Street proceeding south on Fifth Street then turning west on Mt Rushmore Road & proceeding until Eighth Street; contingent upon DOT approval. Seconded by Councilperson Heinrich, the motion unanimously carried.

CHANNEL CABLE PROTECTOR – COST SHARE WITH CUSTER CRUISIN

Councilperson Schleining moved to approve purchasing channel cable protectors with the cost being up to \$1,200; with not cost share from Custer Cruisin. Seconded by Councilperson Heinrich, the motion unanimously carried.

MONTGOMERY STREET RECONSTRUCTION PROJECT CHANGE ORDER #2 AND #3

Councilperson Fischer moved to approve the Montgomery Street Reconstruction Project change order #2 (no change in cost) and #3 (increase of \$683.10). Seconded by Councilperson Schleining, the motion unanimously carried.

POSSIBLE MONTGOMERY STREET CHANGE ORDER

After some discussion with the Seventh Day Church Representative; Councilperson Heinrich moved to table the possible Montgomery Street change order until a special council meeting on September 10th at 12:00 pm. Seconded by Councilperson Nielsen, the motion unanimously carried.

SWIMMING POOL IMPROVEMENTS

Councilperson Maciejewski moved to accept the quote from Fiberglass Custer Products for swimming pool renovations at \$37,755.17. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer and Schleining voting yes.

LETTER TO DOT REGARDING MT RUSHMORE ROAD SPEED LIMIT & CROSSWALKS

Councilperson Maciejewski moved to write a letter to the Department of Transportation asking that the speed limit be reduced in some downtown areas and additional crosswalks painted; with the letter being reviewed by the General Government Committee before coming back to Council for approval. Seconded by Councilperson Nielsen, the motion unanimously carried.

VOLUNTEER LIST APPROVAL

Councilperson Maciejewski moved to approve the Custer Community Center Project volunteer list that is on file in the Finance Office. Seconded by Councilperson Schleining, the motion unanimously carried.

OUTSTANDING PHILANTHROPIC COMMUNITY AWARD

Mayor Carson informed the Council that Custer will be receiving the Governor's Award as South Dakota's Outstanding Philanthropic Community Award for 2015 at the National Philanthropy Day Luncheon on October 6th.

CLAIMS

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

A&B Electric, Repair & Maintenance, \$403.41
ACES, Capital Improvements, \$7696.67
AFLAC, Insurance, \$660.22
Bauman, Fred, Professional Fees, \$140.00
Beesley Law Office, Professional Fees, \$4535.00
Birmingham Receipt, Supplies, \$415.04
Black Hills Power & Light, Utilities, \$8201.18
Black Hills Vision, Subsidy, \$10000.00
Century Business Products, Supplies, \$167.74
Custer Do It Best, Supplies, \$230.06
Custer True Value, Supplies, \$2530.23
Dacotah Bank, TIF #2 Payment, \$817.90
Dakotacare, Insurance, \$10222.11
Dakota Pump, Repair & Maintenance, \$427.50
Delta Dental, Insurance, \$420.50
EFTPS, Taxes, \$13627.43
Frank, Jim, Professional Fees, \$140.00
Fastenal, Supplies, \$63.64
First Interstate Bank, Utilities, Supplies, 1759.11
First Interstate Bank, TIF#1 Payment, \$1659.91
First Interstate Bank, Supplies, \$64.30
Freeman's Electric, Capital Improvements, \$1016.15
Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$103.50
Hawkins, Supplies, \$5192.40
Hennessey, Coleen, Professional Fees, \$220.00
Hills Material, Supplies, \$769.59
Jenner Equipment, Repair & Maintenance, \$24.53
Kellogg, Scott, Reimbursement, \$334.96
KLJ, Capital Improvements, \$5672.07
LaMonte's Auto Center, Repair & Maintenance, \$113.23
McGas, Prepaid Propane, \$18800.00
Metering & Technology, Supplies, \$3587.94
Morrison, Robert, Reimbursement, \$71.69
Nuckles, Janet, Professional Fees, \$100.00
Nuckles, Les, Professional Fees, \$200.00
Paypal, Supplies, \$182.09
Petty Cash, Supplies, \$411.57
Pomper, Samuel, Professional Fees, \$120.00
Power House, Supplies, \$40.45
Sander Sanitation, Supplies, Repair & Maintenance, \$3251.60
Servall, Repair & Maintenance, \$151.78
State of SD, Sales Tax, \$989.19
SD Retirement System, \$5876.42
SD Executive Management Finance Office, Utilities, \$36.56

Steele Collison, Repair & Maintenance, \$319.00
Supplemental Retirement, \$270.00
USA Bluebook, Supplies, \$77.17
Van Arp, Reimbursement, \$36.31
Unemployment Insurance, \$609.69
Wrangler, Supplies, \$600.00
YMCA, Memberships, \$85.00
Propst, Katherine, Utility Deposit Refund, \$16.89
Mayor & Council, \$4400.00
Finance Department, \$10829.43
Public Buildings, \$2463.93
Planning Department, \$6501.96
Public Works Department, \$10065.95
Street Department, \$6865.29
Parks Department, \$6408.01
Water & Wastewater Department, \$6133.36
Total Claims, \$167,129.66

COMMITTEE REPORTS

Various committee reports were given.

EXECUTIVE SESSION

Councilperson Schleining moved to go into and out of executive session for personnel, proposed litigation & contract negotiations per SDCL 1-25-2(1-4) at 7:14 pm, with the Attorney, Finance Officer, and Planning Administrator present. Seconded by Councilperson Fischer, the motion unanimously carried. Council came out of executive session at 7:24 pm, with no action taken.

ADJOURNMENT

With no further business, Councilperson Nielsen moved to adjourn the meeting at 7:24 p.m. Seconded by Councilperson Maciejewski, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor