

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
January 22, 2013

The regular meeting of the Fort Pierre City Council was called to order by Mayor Tidball at 7:30 pm. Members present for Roll Call were Bernhard, Cronin, Gabriel, Hanson, and Ricketts. Officials present were Cromwell, Heezen, Lawrence, and Thorson.

**Agenda.** Gabriel moved and Hanson seconded to approve the agenda. Motion passed on Voice Vote.

**Consent Calendar.** Hanson moved and Bernhard seconded to approve the following Consent Calendar items: 1/7/13 Minutes; Open Container Permit-SC Democrats-CYI-2/19/13; Travel-Joey Montana, Shannon Stewart, Vernon Thorson-SDWWA Conf-Feb 13&14-Rapid City. Motion passed on Voice Vote.

**Public Hearing-Package Liquor License-4 Caballeros.** Tidball opened the public hearing at 7:35 p.m. for the purpose of getting public input on the issuance of the package liquor license to the 4 Caballeros at the property with the legal description as follows: Block 32 Lots 16-18 and Lots 19-25 in Block 32, City of Fort Pierre, Stanley County, South Dakota. Bernhard moved and Ricketts seconded to approve the issuance of the package liquor license. Motion passed on Voice Vote. Hearing no additional comments, Tidball declared an end to the public hearing at 7:37 p.m.

**Proclamation Presentation-Irene Caldwell.** Tidball presented a Proclamation to Irene Caldwell in honor of her turning 100 years old.

**Ord 961 Q-6-106, Q-6-203, Q-6-206.** Bernhard moved to introduce Ord 961 adding mini-storage over 4,000 square feet to the conditional uses listed for Highway Commercial and clarifying in Q-6-106, Q-6-203, and Q-6-206 that the use is per zoning lot.

**Resolution 2013-04 Plat of Lot 1A & 1B, VIB Subdivision.** The following Resolution was considered:  
**RESOLUTION NO. 2013-04**

**A RESOLUTION APPROVING THE PLAT OF LOT 1A AND 1B, VIB SUBDIVISION BEING A REPLAT OF LOT 1, VIB SUBDIVISION, ALL IN THE E ½ OF SECTION 20, T5N, R31E OF THE B.H.M, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA**

**WHEREAS,** VIB Enterprises, LLC is the owner of record of the real property legally described as:

Lot 1A and 1B, VIB Subdivision being a replat of lot 1, VIB Subdivision, all in the E ½ of section 20, T5N, R31E of the B.H.M, City of Fort Pierre, Stanley County, South Dakota, and

**WHEREAS,** the party has caused the same to be surveyed and re-platted, hereafter to be known as Lot 1A and 1B, VIB Subdivision being a replat of lot 1, VIB Subdivision, all in the E ½ of section 20, T5N, R31E of the B.H.M, City of Fort Pierre, Stanley County, South Dakota, and

**WHEREAS,** the plat of the above described property has been executed according to statute, and

**BE IT RESOLVED,** that the City Council in and for the City of Fort Pierre, South Dakota does hereby approve said Plat of Lot 1A and 1B, VIB Subdivision being a replat of lot 1, VIB Subdivision, all in the E ½ of section 20, T5N, R31E of the B.H.M, City of Fort Pierre, Stanley County, South Dakota.

Cronin moved and Gabriel seconded to approve the Resolution 2013-04 as presented. Motion passed on Voice Vote.

**Sharpe Pay Request #2-Chip Seal.** Bernhard moved and Hanson seconded approve pay request #2 from Sharpe Enterprises for the Chip Seal project in the amount of \$30,240.21. Motion passed on Voice Vote.

**2013 Plumbing Licenses.** The following Plumbing Licenses were submitted to council for approval: Larry's Plumbing, Wheelhouse Plumbing, Olson Plumbing, Henry Hewlett Plumbing, A-1 Plumbing, and Smith Plumbing. Ricketts moved and Bernhard seconded to approve licenses presented. Motion passed on Voice Vote with Cronin abstaining.

**2013 Electric Licenses.** The following Electric Licenses were submitted to council for approval: MDK, Muth, Tibbs Electric & Construction, Nystrom, Todd's Electric, John Hoffman Electric, Titze Electric, and King Electric. Bernhard moved and Cronin seconded to approve licenses presented. Motion passed on Voice Vote with Gabriel abstaining.

**2013 Dray Licenses.** The following Dray Licenses were submitted to council for approval: Capital Area Refuse. Ricketts moved and Cronin seconded to approve licenses presented. Motion passed on Voice Vote.

**Moving Permit-Heath Deal 209 W 2<sup>nd</sup> Ave.** Cronin moved and Gabriel seconded to approve the moving permit requested by Heath Deal, moving a house from 212 W 1<sup>st</sup> Ave to 209 W 2<sup>nd</sup> Ave. Motion passed on Voice Vote.

**Moving Permit-Heath Deal 212 W 1<sup>st</sup> Ave.** Cronin moved and Bernhard seconded to approve the moving permit requested by Heath Deal, moving a new house onto 212 W 1<sup>st</sup> Ave. Motion passed on Voice Vote.

**CDBG Projects – Environmental Review.** Council discussed environmental concerns regarding the projects : 1) 6<sup>th</sup> Ave Sanitary Sewer-Discussions centered on the fact that the project is not in an identified wetlands. The project is in an identified floodplain, however is a rehabilitation of damaged sewer line, thus will not have any significant environmental impacts as the project will be constructed to SDDENR standards. Therefore, the project will proceed as planned. 2) 3<sup>rd</sup> Ave & 4<sup>th</sup> St Storm Sewers-Discussions centered on the fact that the project is not in an identified wetlands. The project is in an identified floodplain, however improvements to the storm sewer system will prevent damage due to rapid snow melts and flooding. Alternative routes were looked at, but the proposed project as designed is the most cost effective and the project will not have any significant environmental impacts as the project will be constructed to SDDENR standards. It is anticipated that the project will fall under the US Army Corp of Engineers 404 nationwide permitting system and that a special 404 permit will not be required. Therefore, the project will proceed as planned.

Ricketts moved and Hanson seconded to continue with the 2 projects, 6<sup>th</sup> Ave Sanitary Sewer and 3<sup>rd</sup> Ave/4<sup>th</sup> St Sanitary Sewer, as planned. Motion passed on Voice Vote.

**Bid and Award for Depot Project - Phase 2.** Sharpe Enterprises submitted the only bid for Phase 2 of the Depot Project in the amount of \$54,000. Ricketts moved and Bernhard seconded to award the bid to Sharpe Enterprises contingent upon DOT approval. Motion passed on Voice Vote.

**Authorization to Plug Artesian Well.** Ricketts moved and Bernhard seconded to authorize hiring Jim Huttmacher to plug the artesian well on 4<sup>th</sup> St. Motion passed on Voice Vote.

**Authorization to Replace the Floor Heat at Lilly Garage.** Bernhard moved and Ricketts seconded to authorize the purchase and installation of a new heating system at Lilly Garage which included the removal of the old floor and boiler heating system and installation of new floor heating system and new floor. Motion passed on Voice Vote.

**Claims.** The following claims were submitted:

American Medical Response	1,351.23	FRONTLINE PLUS	4,283.26
American Planning Association	175.00	Gasrite	214.14
American Water Works Association	295.00	Grossenburg Implement	2,096.25
Avera Queen of Peace Health Services	204.80	HD Supply Waterworks	99.45
Baumann Lumber	57.60	International Code Council	125.00
Border States Electric Supply	500.48	Klein's Office Plus	17.45
Border States Electric Supply	547.92	Klein's Office Plus	121.04
Border States Electric Supply	298.90	Michael Todd & Company	798.92
Border States Electric Supply	31.20	Missouri Sedimentation Action Coalition	500.00
Border States Electric Supply	310.09	Monick Pipe & Supply	13.41
Border States Electric Supply	708.46	Montana Dakota Utilities	1,130.50
Border States Electric Supply	352.89	Pierre Area Convention & Visitors Bureau	3,625.00
Border States Electric Supply	33.88	Pollard Water.com	524.06
Border States Electric Supply	(95.10)	Quality Construction	3,750.00
Bottomline Welding	11.45	RDO Equipment Co.	263.57
Brosz Engineering	4,262.50	River Cities Transit	6,000.00
Brosz Engineering	1,955.00	S.D. Department of Environment and Natural Resourc	30.00
Capital Journal	497.81	S.D. Department of Environment and Natural Resourc	24.00
Capital Journal	51.34	S.D. Department of Transportation	19,741.17
Central S.D. Enhancement District	2,350.00	S.D. Unemployment Insurance Division	40.86
Central SD RSVP		S.D. Unemployment Insurance Division	

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	1,500.00		25.82
Century Business Products	230.16	S.D. Unemployment Insurance Division	11.17
CenturyLink	85.28	S.D. Unemployment Insurance Division	18.08
Cholik	60.00	S.D. Unemployment Insurance Division	13.01
City of Pierre	1,427.50	S.D. Unemployment Insurance Division	4.50
City of Pierre	390.00	Sand Shooters	18.00
City of Pierre	1,250.00	Sheehan Mack Sales and Equipment	52.73
City of Pierre	953.50	Sheehan Mack Sales and Equipment	79.45
City of Pierre	2,280.50	South Dakota One Call	185.85
DLT Solutions	612.77	Stanley County Law Enforcement	65,365.00
Eddie's Truck Center	4.67	United Systems Technology	100.00
Eddie's Truck Center	41.60	West River International	258.01
Fort Pierre Development Corporation	13,825.00	Western Communication	640.20
Fort Pierre Fire Department	19,306.25	Zander Auto Parts	616.06
Fort Pierre Fire Department	11,000.00	Total	177,653.64

Cronin moved and Gabriel seconded to pay the claims as submitted. Motion passed on Voice Vote.

**Reports.** 1.) Heezen reported that she filed the quarterly report with the State Office of Emergency Management regarding our progress on large projects. 2.) Heezen reported on sales tax collections through Oct 2012 sales and the 12/31/12 cash report. 4.) Lawrence indicated that the local rotary club is looking for a flood recovery project to participate on. 5.) Lawrence indicated we are dealing with a survey dispute on 6<sup>th</sup> Ave and we have asked Brosz Engineering for their assistance. 6.) Lawrence reported that the electric upgrade from overhead to underground on Sale Barn Road is mostly completed, with only a few poles left to be removed. 7.) Lawrence indicated he would like to continue with Phase 2 of the electric Capital Improvements Project which would include overhead to underground conversion from Main to the Bad River. We will need additional materials to complete this project at an estimated cost of \$45,000. Gabriel moved and Ricketts seconded to authorize going to bids for electric materials. Motion passed on Voice Vote.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 8:50 p.m.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer