

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
April 2, 2012

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, Briggs, Gabriel, Paul, Rathbun, and Ricketts. Officials present were Cromwell, Heezen, Lawrence, and Thorson.

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

**Consent Calendar.** Briggs moved and Bernhard seconded to approve the following Consent Calendar items: 3/19/12 Minutes; 3/19/12 Board of Equalization Minutes; Open Container Permit-CYI-Justin Trebesch-Wedding Reception-4/14/12. Motion passed on Voice Vote.

**Public Hearing – Wine License – Affections Floral & Wine.** Mayor Tidball opened the public hearing at 7:31 for the purpose of getting public input on the issuance of a retail on-off sale wine license for Affections Floral & Wine, Block 60 Lots 1-2 and the S 9' of lot 3, City of Fort Pierre, Stanley County, SD. Hearing no comments, Gabriel moved and Bernhard seconded to approve the issuance of the wine license. Motion passed on Voice Vote. Mayor Tidball ended the public hearing at 7:34.

**Public Hearing – Petition to Vacate ROW.** Mayor Tidball opened the public hearing at 7:35 for the purpose of getting public input on vacating the ROW between N ½ of block 147 & 148, City of Fort Pierre, Stanley County, SD, as requested by petitioners Chad and Laura Carda. Hearing no comments, Paul moved and Rathbun seconded to approve the petition to vacate. Mayor Tidball ended the public hearing at 7:36 pm.

**Public Hearing – CDBG Application for Funding.** Mayor Tidball opened the public hearing at 7:36 for the purpose of getting public input on the CDBG application to assist with the financing of a street improvements project and to assess the development needs of the community, prioritize them, and identify the activities to be undertaken to meet the needs. The proposed project is in an income qualified neighborhood as determined in an income survey of 66 residents in the River Bluff neighborhood and 68 in the Laframboise neighborhood. The estimated project cost of repaving the streets is \$775,000, with the max of \$515,000 being applied for in CDBG funds. The council, along with City staff and hearing attendees, discussed community needs, made a list and prioritized them, and discussed ways to implement them. The full plan is available at city hall. Hearing no additional comments, Rathbun moved and Briggs seconded to approve the CDBG application submission and the community assessment plan. Motion passed on Voice Vote. Mayor Tidball ended the public hearing at 8:10 pm.

**Resolution 2012-05, CDBG Application Submission.** The following resolution was considered:  
RESOLUTION #2012-05

WHEREAS, the City of Fort Pierre has identified the need for street improvements; and

WHEREAS, the City of Fort Pierre proposes to undertake street improvements along Laframboise Drive and the River Bluff neighborhood, and

WHEREAS, the City of Fort Pierre is eligible for Federal assistance for the proposed project, and

WHEREAS, the City of Fort Pierre has held the required public hearing on Monday, April 2, 2012, at 7:30 p.m., and

WHEREAS, with the submission of the CDBG application the City of Fort Pierre assures and certifies that all CDBG program requirements will be fulfilled,

THEREFORE, BE IT RESOLVED that the City of Fort Pierre duly authorizes the Mayor of Fort Pierre to sign and submit the CDBG application requesting up to \$515,000 of funds.

This resolution is effective immediately upon passage.

Rathbun moved and Paul seconded to approve resolution 2012-05. Motion passed on Voice Vote.

**Resolution 2012-06, CDBG Certifying Officer.** The following resolution was considered:  
RESOLUTION #2012-06

WHEREAS, the City of Fort Pierre expects to be the recipient of a Community Development Block Grant from the US Department of Housing and Urban Development as administered by the State of South Dakota to undertake street system improvements; and

WHEREAS, the City of Fort Pierre is required to designate a certifying officer for the purpose of signing required documents pertaining to this grant;

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of Fort Pierre, be hereby designated as the city's official for the purpose of signing the CDBG grant agreements, contracts, correspondence, pay requests, and other required documents; and

WHEREAS, the City of Fort Pierre is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Fort Pierre, be hereby designated as the city's environmental certifying officer for the purpose of signing environmental correspondence and other required documents and forms.

This resolution is effective upon passage.

Briggs moved and Bernhard seconded to approve resolution 2012-06. Motion passed on Voice Vote.

**Levee Removal Change Order Request – First Dakota Enterprises.** The council discussed the change order submitted by First Dakota Enterprises for segment 10 levee removal. It had been addressed at previous council meetings and the council has voted to not approve it. The contractor adjusted the price per cubic yard and resubmitted for council approval. Rathbun moved and Bernhard seconded to approve the change order in the amount of \$10,002. Roll call was taken: Ricketts-abstain; Bernhard-Aye; Rathbun-Aye; Paul-Nay; Gabriel-Nay; Briggs-Nay. Motion failed on Roll Call Vote.

**Pay Request – First Dakota Enterprises – Levee Removal Retainer.** Lawrence informed council that First Dakota Enterprises has satisfactorily completed the levee removal for the segments that they were awarded and recommended council to approve the final payment to them, \$4000 retainer. Paul moved and Briggs seconded to approve the \$4000 payment to First Dakota Enterprises. Motion passed on Voice Vote with Ricketts abstaining.

**2012 Plumbing License.** Gabriel moved and Briggs moved to approve the 2012 plumbing license for R&K Mechanical. Motion passed on Voice Vote.

**Ord 954 Sewer Surcharge.** Heezen informed council that we need to establish a \$.85 (eighty-five cents) surcharge for sewer services as part of our Clean Water State Revolving Loan Fund repayment plan. Recording it as a surcharge allows us to not include the \$216,000 as part of our debt limit. Rathbun moved to introduce Ord 954 Sewer Surcharge.

**Depot Engineering Agreement.** Lawrence explained that we are the financial agent for the DOT Enhancement grant for renovating the Depot. Brosz Engineering will be the project engineer and DOT will pay Brosz directly for their services out of the grant award, similar to how it is handled with the Drainage Ditch project. Briggs moved and Bernhard seconded to approve the Depot Engineering Agreement and authorize DOT to pay Brosz Engineering directly. Motion passed on Voice Vote.

**Personnel.** The following list of part-time/summer staff was presented to council for approval:

<u>Part-time staff:</u>		<u>Streets/Water/Sewer</u>		<u>Lifeguards</u>	
Scott Klemann	13.00	Shane Pearson	11.00	Kendra Karst	10.25
Arnie					
Henrickson	10.00	Cody Lacompte	11.00	Lexi Lopour	8.00
		Lee Thorson	10.00	Allison Reiman	8.50
-				Marli Masteller	8.50
				Clayton	
<u>Parks</u>				Reinhard	10.25
Tyler Hughes	9.00			Lindsey Rogers	12.00
				Kenna	
Kaiden Karst	9.00			Wiecsorek	8.50

Bernhard moved and Briggs seconded to authorize the hiring of the staff as listed. Motion passed on Voice Vote.

**City Clean-Up.** The council discussed the need for city clean-up and the various options for how to plan the event. Staff will bring a plan to the 4/16 meeting for the council to consider. No action taken.

**Grass Seed.** Thorson explained that staff has the dirt prepped and it almost ready to purchase and plant grass seed. Ricketts moved and Gabriel seconded to approve the purchase of grass see from Midwest Coop at \$2.40/lb. Motion passed on Voice Vote

**Recreation Association.** Bernhard updated council on the Fort Pierre Recreation Association plans to contribute funds to the parking lot/ball field south of the school. He inquired with the rest of the council on the need to purchase additional grass seed for some areas along the bike path. Volunteers are willing to help plant the grass if we are willing to purchase the seed.

**Authorization to Advertise for Bids.** Tidball informed council that the City met with the School and the County. The county agreed to haul in some subsurface material and the city agreed to grade the material. The school requested the City to work with the engineers to get plans put together for the parking lot and advertise for bids since the City owns the property. The school has funds to pay for the engineering and for the contractor. Bernhard moved and Ricketts seconded to authorize the City to advertise for bids for the final shaping and asphalt placement for the school parking lot. Motion passed on Voice Vote.

**Claims.** The following non-flood related claims were submitted:

Claims presented to council 4/2/12:

AT&T Mobility	189.9	Morris	1766.69
A-Tech Sewer	49900	Morris	1609.63
Border States Electric Supply	485.08	Morris	11.57
CenturyLink	253.6	Pitney Bowes	396.75
City of Pierre	1322.7	Pizza Ranch	26
Community Youth Involved	2500	Radioshack 01-6097	33.36
Dakota Supply Company	160.14	Radioshack 01-6097	19.98
DOH	424	Radioshack 01-6097	-20.98
Dueco	836.74	Regan Services LLC	710.3
Eddie's Truck Sales	43.63	Running's Supply	24.98
Eddie's Truck Sales	90.73	Running's Supply	68.44
Eddie's Truck Sales	9.08	Running's Supply	35.98
Fastenal Company	10.24	Sanitation Products	154.88
Fastenal Company	11.79	Sheehan Mack Sales and Equipment	3500
Fort Pierre Recreation Association	15000	Snap-On	131.05
Glass Products	2742.47	Snap-On	101.25
Graham Tire Pierre	50.32	Stanley County	1000
Grainger	185.7	Stuart C. Irby Co.	96.43
Grossenburg Implement	100.12	Tieszen Law Office	2166.77
HD Supply Waterworks	126.19	Tim & Juanita Hughes	600
HD Supply Waterworks	773.75	Tim & Juanita Hughes	150
K Mart	193.27	Western Communication	3591
K Mart	55.98	Zander Auto Parts	514.18
Klein's Office Plus	47.98	Zander Auto Parts	187.22
Monick Pipe & Supply	23.61	Zander Auto Parts	10.09
Monick Pipe & Supply	63		
Monick Pipe & Supply	59.37	Total	92,544.96

Paul moved and Rathbun seconded to pay the claims as submitted. Motion passed on Voice Vote.

**Reports.** 1.) Heezen reported that the appeal with FEMA on segment 9 dealing with 3 project worksheets totaling \$456,604.59 was denied. Our next step, and last, is to appeal with FEMA and it goes directly to Washington, D.C. 2.) Heezen reported on the state loan balance. 3.) Heezen reported on the electric, water and sewer usage for 2011 and Jan/Feb for 2012. 4.) Heezen distributed February end of month reports. 5.) Lawrence indicated that he obtained quote for radio narrow banding for the civil defense sirens from Western Communications in the amount of \$534.00, in addition to the other quote from Frontline Plus for \$4118.52. Ricketts moved and Paul seconded to authorize the work to be completed by the low bidder, Western Communications. Motion passed on Voice Vote. 6.) Lawrence indicated that he is looking into ADA requirement on compatibility of swimming pools. He is checking to see if the proximity of the Pierre Aquatic Center is close enough to exempt us from the regulation since an accessible pool is available. If not, we need to determine what the best way is for us to address the issue with our current facility. 7.) Lawrence reported on the condition of the backup batteries for the Gen Station. 8.) Thorson indicated that the fish cleaning is almost ready to use, Bixler will be starting to grind tree stumps, and 80% of the sewer lines have been jetted/25% televised. 9.) Ricketts inquired with legal council to

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see if there is anything we can do to speed up the process of disposing of junk vehicles. Cromwell indicated that she would look into the process and will bring more information to the 4/16 meeting. 10.) Gabriel indicated that he has had complaints about garbage trucks being too noisy early in the morning and about concerns that the trucks are running too heavy.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 9:10 p.m.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer