

FORT PIERRE CITY COUNCIL
REGULAR MEETING
April 6, 2015

The regular meeting of the Fort Pierre City Council was called to order by Mayor Hanson at 6:30 pm. Members present for Roll Call were Bernhard, Cronin, Gabriel, Ricketts, Seiler and Rose. Officials present were Cromwell, Heezen, Lawrence, Thorson and Tibbs.

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

Consent Calendar. Cronin moved and Seiler seconded to approve the following Consent Calendar items: 03/16/2015 and 3/23/15 minutes; Open Container permits: Sioux Nation – Expo 4/11/15, Robby Walth - CYI - 4/25/15. Motion passed on Voice Vote.

Presentation of Rotary Club Essay Contest Winners. Mayor Hanson introduced the Rotary Club Essay contest winners: Jorge Garcia -1st; Shantay Waldron -2nd; and Madison Serbousek-3rd. Jorge Garcia read his essay to the council.

Presentation of Employee Awards. Mayor Hanson presented Brandon Lounsbury with his Merchant Program completion certificate for 4th year lineman. Vernon Thorson and Joey Montana were presented with Safe Drinking Water Certificates of Achievement from DENR.

Fort Pierre Development Corporation. Dave Bonde gave an update on the Fort Pierre Development Corporation's financials. Jennifer Anderson has been hired as the financial agent and she has an Employee Dishonesty Bond in the amount of \$50,000 in place as requested by the City Council.

Pierre/Fort Pierre Historic Preservation. Cronin moved and Seiler seconded to approve the appointment of Deb Stoesser-Schiefelbein to the Pierre/Fort Pierre Historic Preservation Commission. Motion passed on Voice Vote.

Bids & Award-Equipment Purchases. Gabriel moved and Rose seconded to approve the following equipment purchases: Morris Equipment-Bobcat S590-\$38,453.51/\$21,000 trade-in; Morris Equipment-Bobcat 5600 Toolcat-\$42,765.23/\$14,150 trade-in; Grossenburg Implement-John Deere 1600 Series mower-\$49,477.00/\$12,804 trade-in. Motion passed on Voice Vote.

Bids & Award-2015 Street Improvements. The following bids were received on the 2015 Street Improvements: Morris-Asphalt-\$785,563.30; Anderson-concrete-\$1,058,056.83; Sharpe-concrete-\$770,319.25. Cronin moved and Bernhard seconded to accept Sharpe Enterprises alternate bid of \$770,319.25 for the 2015 street improvements. Motion passed on Voice Vote. Seiler opposed.

Bids & Award-5th Ave Boat Ramp (East Half). Gabriel moved and Bernhard seconded to accept the sole bid on the project from Morris of \$85,570.00 on the 5th Ave Boat Ramp. Motion passed on Voice Vote.

Construction Management Engineering Services for 2015 Street Improvements and 5th Ave Boat Ramp (East half). Seiler moved and Bernhard seconded to approve the Construction Management Engineering Services for 2015 Street Improvements and 5th Ave Boat Ramp (east half) agreement with Brosz Engineering. Motion passed on Voice Vote.

Surplus of two Civil Defense Sirens (trade-in for new). Seiler moved and Cronin seconded to declare as surplus for trade-in the two Civil Defense Sirens. Motion passed on Voice Vote.

Res 2015-04 Plat for Lots 4 & 5, Riverwalk Landing. The following resolution was presented:

RESOLUTION NO. 2015-04

A RESOLUTION APPROVING THE PLAT OF LOTS 4R AND 5R, A REPLAT OF LOTS 4 AND 5, RIVERWALK LANDING, A REPLAT OF LOTS 7, 9, 11, 13, 15, 16 AND 17, TETON ISLAND ADDITION AND A VACATED PORTION OF LOT XX, A REPLAT OF TRACT 1C, TRACT 1D AND LOT PR-2, BEING

A SUBDIVISION OF LOT AS-1, A PORTION OF MARION ISLAND, LOT 1 OF GOVERNMENT LOT 6 IN SECTION 28, TOWNSHIP 5 NORTH, RANGE 31 EAST OF THE BLACK HILLS MERIDIAN, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.

WHEREAS, Riverwalk Landing LLC is the owner of the property described as:

Lots 4R and 5R, a Replat of Lots 4 and 5, Riverwalk Landing, a Replat of 7, 9, 11, 13, 15, 16 and 17, Teton Island addition and a vacated portion of Lot XX, a Replat of Tract 1C, Tract 1D and Lot PR-2, being a Subdivision of Lot AS-1, a portion of Marion Island, Lot 1 of Government Lot 6 in Section 28, Township 5 North, Range 31 East of the Black Hills Meridian, 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 Lots 4R and 5R, a Replat of Lots 4 and 5, Riverwalk Landing, a Replat of 7, 9, 11, 13, 15, 16 and 17, Teton Island addition and a vacated portion of Lot XX, a Replat of Tract 1C, Tract 1D and Lot PR-2, being a Subdivision of Lot AS-1, a portion of Marion Island, Lot 1 of Government Lot 6 in Section 28, Township 5 North, Range 31 East of the Black Hills Meridian, 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 as Lots 4R and 5R, a Replat of Lots 4 and 5, Riverwalk Landing, a Replat of 7, 9, 11, 13, 15, 16 and 17, Teton Island addition and a vacated portion of Lot XX, a Replat of Tract 1C, Tract 1D and Lot PR-2, being a Subdivision of Lot AS-1, a portion of Marion Island, Lot 1 of Government Lot 6 in Section 28, Township 5 North, Range 31 East of the Black Hills Meridian, City of Fort Pierre, Stanley County South Dakota.

Bernhard moved and Seiler seconded to approve Resolution 2015-04 as amended. Motion passed on Voice Vote.

Spring Clean-up. Seiler moved and Cronin seconded to do a three phase city wide clean-up with curbside pickup of trash, curbside trees and limbs pickup, and work with residents to clean up highly visible rubble piles. Motion passed on Voice Vote. Gabriel opposed.

Burn Ban. Council was presented a copy of the burn ban for Stanley County that the County Commissioners would possibly enact at their next meeting.

Workforce Development Agreement Authorization. Mayor Hanson presented the information on the joint grant program for the Workforce Development Agreement. The City's maximum cost would be \$5100 for a four semester period of time. Seiler moved and Rose seconded to approve the City's participation in the Workforce Development Agreement. Motion passed on Voice Vote.

2015 Licenses –Baldwin Electric & Chad Sargent Plumbing. Cronin moved and Seiler seconded to approve the 2015 electric license for Baldwin Electric and 2015 plumbing license for Chad Sargent Plumbing. Motion passed on Voice Vote.

Ord 976 Overlay Districts, second reading. The following ordinance was presented:

ORDINANCE NO. 976

AN ORDINANCE AMENDING ORDINANCE NO. 809, CHAPTER Q OVERLAY DISTRICTS

BE IT ORDAINED by the City Council, in and for the City of Fort Pierre, South Dakota:

Section 1. That Effective May 1, 2015 Ordinance No. 809 be amended in the following sections to read as displayed:

Q-1-102 DEFINITIONS

For the purpose of this chapter certain words and terms used herein shall be defined and interpreted as follows:

- A. All words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "shall" mandatory, not discretionary; the word "may" is permissive; the word "person"

includes a firm, association, organization, partnership, trust, company, corporation, or individual; the word “lot” may include the word plat or parcel, depending on context; and the words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied.

B. The following terms shall have the following meaning:

7. “Base zoning” shall mean the zoning regulating the use and development of land unless modified by an overlay district regulation.

68. “Overlay district” shall mean a district that is superimposed over one or more base zoning districts which creates specific allowances and permissions to the otherwise applicable zoning regulations for the base zoning district or districts. Upon the establishment of an overlay district, development within the areas shall conform to all base zoning regulations applicable to the area and shall also be permitted, but not required, to enjoy the articulated uses of the overlay district.

(note: the insertion of these definitions will change the numbering for all terms after #6. that were previously listed in Ord 809)

Q-1-103 ADOPTION OF OFFICIAL ZONING MAP AND DESCRIPTIONS CUSTODY OF AND MAINTENANCE BY CITY ENGINEER

The location, size, shape, and boundaries of the zones to which the provisions of the text of this chapter are applicable, shall be indicated on the official zoning map in the City Engineer’s Office and, by descriptions incorporated herein and by this reference made a part hereof, and by said map, after being adopted by reference as a part of this chapter, and so certified by the City Finance Officer or his designee, together with the text, shall be maintained by the City Engineer or his designee, and said map shall be the official zoning map, for the purpose of enforcement of this chapter. In case of doubt or dispute the description of said zones shall govern.

A. For the purposes of zoning, there are hereby created the following base zoning districts by which the jurisdictional area shall be divided:

- | | | |
|-----|-----------|---|
| 1. | AG | Agricultural district |
| 2. | 1-FAM A | One-family residential district A |
| 3. | 1-FAM B | One-family residential district B |
| 4. | 1-FAM C | One-family residential district C |
| 5. | 1-FAM D | One-family residential district D |
| 6. | 2-FAM | Two-family residential district |
| 7. | MUL-FAM | Multi-family district |
| 8. | TOWNHOUSE | Townhouse residential district |
| 9. | GEN-COM | General commercial district |
| 10. | HWY-COM | Highway commercial district |
| 11. | IND | Industrial district |
| 12. | SALE | Sale barn district |
| 13. | PARK | Park, riverfront, and fairground district |
| 14. | RES-EST | Residential estate |
| 15. | PDD | Planned development district |

B. The following are designated as zoning Overlay Districts, permitting but not requiring, certain regulations and standards allowed by properties that fall within the boundaries delineated by the overlay district. The creation and/ or modification of overlay districts are treated in the same manner as zoning changes and shall follow the same process and notification requirements as listed in Q-1-114. In the event of doubt, dispute or confusion between the base and overlay districts, the description of overlay district shall govern.

1. Overlay district TBD
2. Overlay district TBD

Q-14 OVERLAY DISTRICTS

Q-14-101 OVERLAY DISTRICTS GENERALLY

The purpose of an Overlay District is to create specific allowances and permissions within a base zoning district or districts. Overlay Districts can allow permissive regulations and standards to create incentives for historic preservation, or for any other purpose the City Council deems appropriate. Upon the establishment of an overlay

district, development within the area shall conform to all base zoning regulations applicable to the area but shall also be permitted, but not required to enjoy the articulated uses of the overlay district. In the event of doubt, dispute or confusion between the base and overlay districts, the description of overlay district shall govern.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of conflict only.

Bernhard moved and Seiler seconded to approve the Overlay Districts Ord 976 as recommended by the Planning and Zoning Commission. Motion passed on Voice Vote.

Maintenance Agreement for SCADA System. Seiler moved and Rose seconded accept the SCADA maintenance agreement with David Vogel with edits for hold harmless clause as recommended by legal counsel. Motion passed on Voice Vote.

Amendment Authorization for DOT Enhancement Grant (Depot Project). Cronin moved and Seiler seconded to approve the Amendment Authorization for DOT Enhancement Grant (Depot Project). Motion passed on Voice Vote.

Abatements-Charles Claussen & Charles Claussen Jr. Gabriel moved and Seiler seconded to notify property owners of public hearing and notice as required by SDCL 10-18-7. Motion passed on Voice Vote.

Set Public Hearing for 4/20 Temp Liquor Lic-Casey Tibbs Rodeo Center. Seiler moved and Rose seconded to set a public hearing on 4/20/2015 for a Temp Liquor License for the Casey Tibbs Rodeo Center May 9 event. Motion passed on Voice Vote.

Larsen-sewer on Buffalo Rd. Ricketts moved and Gabriel seconded authorizing the City to get engineering proposals for sewer on Buffalo Rd. Motion passed on Voice Vote.

Claims. The following claims were submitted:

American Medical Response	1,462.50	HD Supply Waterworks	172.43
American Water Works Association	295.00	Irby	52.27
AT&T Mobility	206.28	JC Office Supply	96.63
Border States Electric Supply	356.47	JC Office Supply	10.29
Border States Electric Supply	106.64	JTC Sales Inc.	6,000.00
Border States Electric Supply	23.90	Mary Traxler	3.91
Border States Electric Supply	461.34	Monick Pipe Supply Inc	30.75
Border States Electric Supply	73.42	Monick Pipe Supply Inc	124.19
Bottomline Welding	3.80	Monick Pipe Supply Inc	19.29
Central Caissons	330.00	Monick Pipe Supply Inc	21.91
Central SD RSVP	375.00	Morris Equipment	12,554.10
Century Business Products	218.86	Morris Equipment	-3,250.00
Century Business Products	230.16	Parents Matter Coalition	700.00
Century Link	87.28	Pierre Area Convention & Visitors Bureau	3,625.00
Century Link	264.50	Pierre Area Convention & Visitors Bureau	3,625.00
Cholik	30.00	Pitney Bowes	181.02
City of Fort Pierre	105.88	Pitney Bowes	401.97
City of Fort Pierre	102.44	Pizza Ranch	42.47
City of Fort Pierre	449.38	Resco	132.58
City of Pierre	1,524.50	Resco	1,448.70
City of Pierre	2,332.56	River Cities Transit	7,000.00
Claims Associates	642.10	Running's Supply	493.08
Community Youth Involved	2,500.00	Running's Supply	39.99
Dakota Pump & Control Co.	2,282.00	Running's Supply	39.99
Dakota Supply Company	23.04	Running's Supply	49.01
Dakota Supply Company	13.08	S.D. Department of Revenue	90.00
Dakota Supply Group	43.34	Sanitation Products	758.98

Dakota Supply Group	74.57	Sheehan Mack Sales and Equipment	1,087.00
Dakota Supply Group	32.19	Snap-On	255.00
Dakota Supply Group	66.78	Stanley County	38.40
DGR Engineering	204.00	Stanley County	1,920.80
Eddie's Truck Center	14.12	Stanley County	1,000.00
Eddie's Truck Center	65.26	Stanley County Law Enforcement	72,757.25
Eddie's Truck Center	65.70	The Garage Door Guy	418.37
Eddie's Truck Center	9.91	Tieszen Law Office	2,197.92
Eddie's Truck Center	60.60	Tim & Juanita Hughes	150.00
Exhaust Pros of Pierre	109.15	USA BlueBook	185.97
Fort Pierre Development Corporation	14,125.00	USA BlueBook	375.41
Fort Pierre Development Corporation-BID	5,188.12	West River/Lyman Jones Rural Water	12,409.74
Fort Pierre Development Corporation-BID	5,019.56	Western Communication	1,311.00
Fort Pierre Fire Department	19,787.50	Zander Auto Parts	460.79
Fort Pierre Fire Department	11,000.00	Zander Auto Parts	1.91
Graham Tire	26.70	Total	199,425.75

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

Reports. 1.) Heezen reported that she has been in contact with companies gathering information on choosing a credit card service. 2.) Heezen informed council that the election workers will be: Elsie Bak; April Neuhauser; Shirley Bergesen; and Gail Mersheim. 3.) Heezen reported there had been a few absentee voters. 4.) Lawrence reported Hughes had requested city to put in a quote for maintenance and inspections for Shiflet Court lift-station. 5.) Lawrence informed council that the Reservoir repair was completed. 6.) Lawrence will be checking into some new technology options for patching cracks on Deadwood Avenue. 7.) Lawrence informed council that the bids for the service and bucket truck will be in the paper on 4/7/15 and opened on 4/17/15.

Adjournment. With no further business, Seiler moved and Rose seconded to adjourn meeting at 8:42 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer