

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
April 21, 2014

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, Hanson and Ricketts. Officials present were Cromwell, Lawrence, Heezen, and Council members elect were Aaron Rose and Randy Seiler.

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

**Consent Calendar.** Cronin moved and Bernhard seconded to approve the following Consent Calendar items: 4/7/14 Minutes; 4/8/14 minutes; Raffle permit- Carol Jones – Cancer Fundraiser Jeff Jones; Travel – MRES Annual Meeting – May 7&8 – Lawrence; Travel – Heezen – HR & FO School – Oacoma – June 10-13. Motion passed on voice vote.

**Public Hearing-Vacate Public ROW- Wright Resolution 2014-10.** Mayor Tidball opened a public hearing 7:35 pm for the consideration of the following resolution.

**RESOLUTION NO. 2014-10**

**A RESOLUTION VACATING PORTIONS OF LEVEE STREET ADJOINING LOTS 1 THROUGH 9, BLOCK 12, ALL OF ORTON AVENUE ADJOINING LOT 1, BLOCK 45, LOTS 1 THROUGH 13 AND 17 THROUGH 20, BLOCK 45, ALL IN STANLEY TOWNSITE, LOCATED IN THE NORTH HALF OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 31 EAST OF THE BLACK HILLS MERIDIAN, FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.**

**WHEREAS**, a petition to vacate portions of Levee Street adjoining Lots 1 through 9, Block 12, all of Orton Avenue adjoining Lot 1, Block 45, Lots 1 through 13 and 17 through 20, Block 45, all in Stanley Townsite, located in the North Half of Section 21, township 5 North, Range 31 East of the Black Hills Meridian, Fort Pierre, Stanley County, South Dakota.

Having been filed in the office of the Finance Officer, and

**WHEREAS**, the City Council has caused two public notices in The Capital Journal (3/21/14 and 3/28/14), a legal newspaper in and for the County of Stanley, State of South Dakota, notifying the public that on April 21, 2014 at 7:35 p.m. the time and place, when and where said petition was heard and considered by the Fort Pierre City Council, at which time the City was to investigate, consider and hear the testimony of all parties interested, and

**WHEREAS**, the City Council determined at its regular meeting on the 21st day of April, 2014 at 7:35 p.m. that the public interest would be better served by such proposed vacation of the public right-of-way in question, now therefore

**BE IT RESOLVED AND ORDERED**, that the street in question being described as follows:

*portions of Levee Street adjoining Lots 1 through 9, Block 12, all of Orton Avenue adjoining Lot 1, Block 45, Lots 1 through 13 and 17 through 20, Block 45, all in Stanley Townsite, located in the North Half of Section 21, township 5 North, Range 31 East of the Black Hills Meridian, Fort Pierre, Stanley County, South Dakota.*

Is hereby vacated pursuant to City Council's acceptance, which vacation shall take effect immediately and be subject to referendum as other resolutions pursuant to the South Dakota Compiled Laws of 1967, Chapter 9-45 as amended, now therefore

**BE IT FURTHER RESOLVED AND ORDERED**, that the City Finance Officer shall file for record and duly record such vacation in the office of the Register of Deeds of Stanley County of South Dakota.

Ricketts moved and Hanson seconded to approve Resolution 2014-10 with the addition of language to add a utilities easement. Motion passed on Voice Vote.

**Public Hearing-Vacate Public ROW- Heiss Resolution 2014-11.** Mayor Tidball opened a public hearing 7:40 pm for the consideration of the following resolution

**RESOLUTION NO. 2014-11**

**A RESOLUTION VACATING THE PORTION OF WHISPERING SHORES DRIVE ADJOINING LOT 23, BLOCK 3 AND LOT 1, BLOCK 4 OF VINTAGE SQUARE ESTATES, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.**

**WHEREAS**, a petition to vacate the portion of Whispering Shores Drive Adjoining Lot 23, Block 3 and Lot 1, Block 4 of Vintage Square Estates, City of Fort Pierre, Stanley County, South Dakota.

Having been filed in the office of the Finance Officer, and

**WHEREAS**, the City Council has caused two public notices in The Capital Journal (3/21/14 and 3/28/14), a legal newspaper in and for the County of Stanley, State of South Dakota, notifying the public that on April 21, 2014 at 7:35 p.m. the time and place, when and where said petition was heard and considered by the Fort Pierre City Council, at which time the City was to investigate, consider and hear the testimony of all parties interested, and

**WHEREAS**, the City Council determined at its regular meeting on the 21st day of April, 2014 at 7:35 p.m. that the public interest would be better served by such proposed vacation of the public right-of-way in question, now therefore

**BE IT RESOLVED AND ORDERED**, that the street in question being described as follows:

*portion of Whispering Shores Drive Adjoining Lot 23, Block 3 and Lot 1, Block 4 of Vintage Square Estates, City of Fort Pierre, Stanley County, South Dakota.*

Is hereby vacated pursuant to City Council's acceptance, which vacation shall take effect immediately and be subject to referendum as other resolutions pursuant to the South Dakota Compiled Laws of 1967, Chapter 9-45 as amended, now therefore

**BE IT FURTHER RESOLVED AND ORDERED**, that the City Finance Officer shall file for record and duly record such vacation in the office of the Register of Deeds of Stanley County of South Dakota.

Bernhard moved and Ricketts seconded to approve Resolution 2014-10 with the addition of language to add a utilities easement. Motion passed on Voice Vote.

**Public Hearing-Ordinance Variance - Davis.** Mayor Tidball opened a public hearing 7:45 pm for the consideration of an ordinance variance in accordance with section Q-2-130. After consideration of the requirements of Q-2-130, Ricketts moved and Bernhard seconded to approve the construction of a standalone accessory use of a garage on a residentially zoned lot. Motion passed on voice vote.

**Fort Pierre Street Dance.** Dennis Sharkey appeared before the council to update them on the progress in setting up the second annual street dance in downtown Fort Pierre.

**Riverfront Cleanup.** Gwen Mord appeared before the council to ask for assistance in repairing the title 6 land adjacent to Marion Street. The council agreed to work with the local landowners to get the area repaired.

**Temporary Liquor License – May 3 – Casey Tibbs Rodeo Center.** Bernhard moved and Cronin seconded to approve a temporary liquor license for the Casey Tibbs Rodeo Center for May 3. Motion passed on Voice Vote.

**Set Hearing Date for Temporary Liquor License.** Hanson moved and Cronin seconded to set May 5<sup>th</sup> as the date for a public hearing for a temporary liquor license for Casey Tibbs Match Ride of Champions. Motion passed on Voice Vote.

**Personnel – Summer Staff.** Ricketts moved and Bernhard seconded to hire the following personnel for summer employment. Motion passed on Voice Vote.

- Tyler Hughes – Park Laborer/ \$10.00 per hour
- Ben Hughes – Park Laborer/ \$8.00 per hour
- Brandon Hughes – Park Laborer/ \$8.00 per hour
- Jake Pearson – Street Laborer/ \$12.00 per hour
- Nate Cronin – Street Laborer/ \$10.00 per hour
- Traise Hutcheson – Street Laborer/ \$10.00 per hour
- Allison Reiman – Lifeguard/ \$9.50 per hour
- Lexi Lopour – Lifeguard/ \$9.00 per hour
- Mykel Owens – Lifeguard/ \$9.00 per hour
- Kiyana Martin – Lifeguard/ \$8.00 per hour
- Trey Montana – Lifeguard/ \$7.50 per hour
- Joyce Larsen – Museum/ \$11.00 per hour
- Patricia Sutton – Museum/ \$10.00 per hour

**Ricketts introduced Ordinance 973 Sewer Grease Interceptors.**

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

Affections Floral & Wine	30.00	Morris	125.78
American Medical Response	1,462.50	Morris	218.39
Anderson Contractors	6,853.35	Morris	58.11
April Neuhauser	150.00	Morris Equipment	299.00
Border States Electric Supply	73.68	Pierre Area CVB	3,625.00
Brosz Engineering	525.00	Runnings	(25.98)
Brosz Engineering	2,835.00	Runnings	70.08
Brosz Engineering	1,425.00	Runnings	149.17
Brosz Engineering	1,632.50	S.D. BOA	17.38
Brosz Engineering	980.00	Shirley Bergeson	150.00
Capital Journal	103.00	Shirley Sandal	150.00
Capital Journal	475.03	Short Grass Arts Council	800.00
Century Business Products	230.16	SD One Call	21.75
CenturyLink	85.28	Sutley's Town & Ranch	8.67
Christy Lumber	21.00	Sutley's Town & Ranch	7.78
City of Pierre	36.00	Sutley's Town & Ranch	20.78
Dakota Pump & Control Co.	255.00	Tieszen Law Office	2,322.91
Dakota Supply Company	663.62	Titan Machinery	233.43
DCL America	32,739.00	USTI	100.00
Eddie's Truck Center	10.73	WESCO	6,655.00
Eddie's Truck Center	6.73	WESCO	6,655.00
First National Bank – S.F.	54,143.75	WESCO	(6,432.36)
Gary Grittner	150.00	Zander Auto Parts	369.57
Microfix	160.00		
Microfix	80.00		
		Total	120,725.79

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

**Reports.** 1.) Heezen reported on the monthly cash report. 2.) Heezen reported on the Elected Official Packet from the Municipal League. 3.) Heezen reported on 2013 audit. 4.) Lawrence reported on the storm, sewer project on 3<sup>rd</sup> Avenue and 4<sup>th</sup> street. 5.) Lawrence reported on the current street project plan for 2014. 6.) Lawrence reported on the proposed WAPA rates.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 8:25 pm.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer