

FORT PIERRE CITY COUNCIL
SPECIAL MEETING
June 5, 2013

The special meeting of the Fort Pierre City Council was called to order by Mayor Tidball at 4:00 pm. Members present for Roll Call were Bernhard, Gabriel, Hanson, Rathbun, and Ricketts. Officials present were Cromwell, Heezen, and Lawrence.

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

Executive Session. Hanson moved and Rathbun seconded to approve entering into Executive Session at 4:01 p.m. for the purpose of discussing legal matters in accordance to SDCL 1-25-2(3). Motion passed on Voice Vote. Tidball declared an end to the Executive Session at 4:25 p.m.

Consideration of Referendum Petition. The following Resolution was considered:

RESOLUTION 2013-19

WHEREAS, the City Council of Fort Pierre, having received a Municipal Referendum Petition in the Municipality of Fort Pierre, submitted to the Fort Pierre Finance Officer on or about June 5, 2013, which states as the matter to be submitted to the voters for their approval or rejection the following:

Any and all action taken by Fort Pierre City Council at its Special meeting on May 8, 2013, including but not limited to: (#1 Deferred Development Fee for lot 17, which passed the Council by a 4-3 vote; #2 Resolution 2013-13 Plat of Riverwalk Landing, which also passed the Council by a 4-3 vote; #3 Conditional Use Permits Riverwalk Landing, which passed the Council by a 4-2 vote; and #4 any and all action taken by the City Council related to the Teton River Island Development at its Special Meeting on May 8, 2013.)

WHEREAS, having taken said matter under advisement and considered the same, and having considered the recommendation of its City Attorney on said matters,

BE IT RESOLVED that the above described Municipal Referendum Petition will not be referred to a vote of the public based upon the following reasons:

- 1.The Petition states that it includes any and all actions taken by the Fort Pierre City Council at its May 8, 2013, including but not limited to enumerated items related to Riverwalk Landing development on Teton River Island Development. This would improperly include the action taken by the Council on an unrelated matter, the Conditional Use Permit of Chase Auto.
- 2.The Deferred Development Fee action taken was an administrative action and not referable.
- 3.The Conditional Use Permits action taken was an administrative action and not referable.

Bernhard moved and Hanson seconded to approve Resolution 2013-19 as presented. Motion carried on Voice Vote.

Set Special Election for Referendum Petition for Ord 962. Rathbun moved and Hanson seconded to accept the referendum petition submitted on 5/30/13 for Ord 962 "An ordinance amending Ordinance 809, Chapter Q-6-106 and Q-2-121 Modifying sections regarding Conditional Uses and Conditional Use Permits", and set 7/9/13 as the date for the special election. Motion passed on Voice Vote.

Temp Liquor License-Casey Tibbs Rodeo Center. Gabriel moved and Ricketts seconded to approve the temporary liquor licenses requested by the Casey Tibbs Rodeo Center for 6/13 and 6/20. Motion passed on Voice Vote.

Adjournment. With no further business, Tidball declared the meeting adjourned at 4:27 p.m.

Sam Tidball, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer