

FORT PIERRE CITY COUNCIL
APPROVED MINUTES
REGULAR MEETING
Monday, August 3, 2020

The regular meeting of the Fort Pierre City Council was held at the SD Municipal League conference room and called to order by Mayor Hanson at 6:30pm. Members in attendance for Roll Call were Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram. Officials in attendance were Cromwell (via Zoom), Tiezen, Hahn, and Tibbs. Meeting was held via Zoom and in-person all motions are recorded as roll call votes.

Approval of Agenda. Weisgram moved and Kenzy seconded to approve the agenda. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Conflict of Interest Declarations. Ricketts and Kenzy declared a conflict of interest on 2020-2021 Mobile Home Court Licenses. Rathbun declared a conflict of interest on Waiver of Conflict of Interest.

Reports. 1.) Hanson informed council of the Summer Nights being held on 8/6, 8/13, and 8/20. This Thursday is the kick-off to the Road to the River, with Street Masters Dam Run serving a meal, live music, activities, and farmer market/vendors. 2.) Hanson reported to council that Trader Days will be in Lilly Park on 8/15 & 16 along with the Verendrye Museum BBQ cook-off. 3.) Hanson informed council the cash report was in the packet. 4.) Hanson reported to council that a ribbon cutting for BPro will be held on 8/14 at 11:30 am. 5.) Hahn informed council on the progress of the Verendrye Museum with the plumbing contractors 90% complete, electrical contractors doing fixtures and switches, and the HVAC is installed, just some fine tuning left to do. Hahn is hoping for an end of August completion date on the museum.

Consent Calendar. Ricketts moved and Bernhard seconded to approve the Consent Calendar: Minutes-7/20/20 Regular Meeting; Raffle Permit: Lee Weber Memorial 8/1/20 start fundraising. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Public Hearing. Mayor Hanson called a public hearing at 6:35 pm to get public input on the Temporary Liquor licenses for the Casey Tibbs Rodeo Center events on 9/11/20, 9/12/20, and 9/18/20. She asked for proponents to the license. She heard none. She asked for opponents to the license. She heard none. Bernhard moved and Weisgram seconded to approve the Temporary Liquor licenses for the Casey Tibbs Rodeo Center events on 9/11/20, 9/12/20, and 9/18/20. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye. Hearing no further comments, Hanson declared an end to the public hearing at 6:40 pm.

Public Hearing. Mayor Hanson called a public hearing at 6:40 pm to get public input on Ord 1043-Amending Requirements for Hedges, Fences, and Foliage. She asked for proponents to the ordinance. She heard none. She asked for opponents to the ordinance. She heard none. Hearing no further comments, Hanson declared an end to the public hearing at 6:42 pm.

2nd Reading (Final) Ord 1043-Amending Requirements for Hedges, Fences, and Foliage. Cronin moved and Weisgram seconded to approve the 2nd (Final) reading of Ordinance 1043-Amending Requirements for Hedges, Fences, and Foliage. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

2021 Subsidy Requests-Missouri Shores. Sarah Reinhart, executive director of Missouri Shores Domestic Violence Center, presented their 2021 subsidy request.

2020-2021 Mobile Home Court Licenses. Bernhard moved and Cronin seconded to approve Kenzy Brothers Properties LLC, J&T Mobile Home Court, River Bluff Estates, and Ricketts Mobile Home Court Licenses for 2020-2021. Motion passed on roll call vote with Bernhard, Cronin, Rathbun, and Weisgram all voting aye. Kenzy and Ricketts abstained.

ROW Closure Permit-100 Block Deadwood-Fort Pierre Summer Nights-August 6, 13, 20 Fort Pierre Summer Nights. Weisgram moved Kenzy seconded to approve the ROW Closure Permit for the 100 Block of Deadwood

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Street for Fort Pierre Summer Nights on August 6, 13, and 20, 2020. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Temp Alcohol Bev License-Legion-100 Block Deadwood-August 6, 13, 20-Fort Pierre Summer Nights. Rathbun moved and Weisgram seconded to approve the Temporary Alcohol Beverage License for Stanley Post 20 Legion for the 100 Block of Deadwood Street on August 6, 13, and 20, 2020 for the Fort Pierre Summer Nights. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Temp Malt Bev License-Legion-Lilly Park-August 14 & 15-Trader Days. Kenzy moved and Cronin seconded to approve the Temporary Malt Beverage License for Stanley Post 20 Legion at Lilly Park on August 14 and 15, 2020 for Trader Days. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Memorandum of Understanding (MOU)-Missouri River Bridge Plaza. Kenzy moved and Bernhard seconded to accept the Memorandum of Understanding that recognizes a plan for financial support of the new Missouri River Bridge plaza from the Fort Pierre Tourism & Promotion Council (Fort Pierre Bid Board) to the City of Fort Pierre not to exceed \$221,000. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Bid & Award Bad River Pedestrian Bridge Lighting. The following bids were received: Will Clark Electric, Inc. \$72,588; Todd's Electric Service \$80,880; Nystrom Contracting, Inc \$90,614; Muth Electric \$103,060. Weisgram moved and Cronin seconded to award the bid to with Will Clark Electric, Inc with a bid of \$72,588 for the Bad River Pedestrian Bridge. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye. Funding for the project will be through contributions collected by the Fort Pierre Development Corporation.

Bad River Pedestrian Bridge lighting Memorandum of Understanding with Fort Pierre Dev Corp. Dave Bonde, Executive Director of the Fort Pierre Development Corporation, explained the Memorandum of Understanding and explained no tax dollars would be used for the project. It would all be pledges and currently they have \$34,560 pledged toward the project. Cronin moved and Kenzy seconded to approve the Memorandum of Understanding with the Fort Pierre Development Corporation for financial support of the Bad River Pedestrian Bridge with the City of Fort Pierre. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Personnel. Cronin moved and Weisgram seconded to approve hiring Lori Jacobson at \$24.03/hour for the Assistant Director of Public Works. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Executive Session. Ricketts moved and Bernhard seconded to go into Executive Session at 7:05 pm pursuant to SDCL 1-25-(3) to discuss Legal Contractual Matters with legal counsel. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye. Mayor Hanson declared an end to Executive Session at 7:25 pm.

Waiver of Conflict of Interest-Tieszen Law Office. Ricketts moved and Weisgram seconded to authorize signing of a conflict of interest agreement on behalf of the City of Fort Pierre and the Tieszen Law Office due to Richard Tieszen and Naomi Cromwell representing a case involving councilman Rathbun in a personal legal matter. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Ricketts, and Weisgram all voting aye. Rathbun abstained.

Res #2020-16 Authorize Legal Action to Close Mobile Home Court. The following resolution was presented:
RESOLUTION NO. 2020-16

RESOLUTION AUTHORIZING LEGAL ACTION TO ABATE NUISANCE AND CLOSE MOBILE HOME COURT.

WHEREAS the DJK Mobile Home Park is not presently licensed as a mobile home park within the City of Fort Pierre, and is therefore operating unlawfully as a mobile home park; and

WHEREAS it is the determination of the office of the Fort Pierre Public Works Director that a nuisance exists within the corporate limits of the City of Fort Pierre, at the location legally described as Lots 22 – 24 of Block 47, City of Fort Pierre, Stanley County, South Dakota, which includes DJK Mobile Home Park;

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BE IT HEREBY RESOLVED that the City of Fort Pierre hereby authorizes its Mayor, Public Works Director, and the City Attorney to take all legal action necessary against DJK Mobile Home Park, its owners, and interested parties, to abate the nuisance existing at that location and close the DJK Mobile Home Park.

There was public comment by Christina Henrickson on the 6th Avenue Mobile Home Court. Bernhard moved and Weisgram seconded to approve Res #2020-16 Authorize Legal Action to Abate Nuisance and Close Mobile Home Court. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Public Comment. Rathbun asked about the status of the Bike Trail being opened back up in the area by Drifters. Hahn explained it has remained closed due to liability, but he will check with the property owners as to it being made accessible again.

Claims.

A-G-E Corporation	1,718.76	Lynn's Dakotamart	32.11
American Medical Response	1,462.50	Lynn's Dakotamart	43.26
AT&T Mobility	1,059.22	Lynn's Dakotamart	76.42
Avera Occupational Medicine - Mitchell	996.40	Lynn's Dakotamart	78.58
BPro	95.00	Lynn's Dakotamart	17.80
Casey Breitag	43.00	Lynn's Dakotamart	21.96
Central Caissons	864.80	Menard	247.83
CenturyLink	277.77	Norma Schilling	210.00
Christy Lumber	37.86	Northwest Pipe Fittings	217.40
City of Fort Pierre	174.60	Old Dutch Foods	66.40
Coca-Cola Bottling Company - Pierre	60.00	Old Dutch Foods	87.15
Cowboy Country Stores	107.76	Old Dutch Foods	41.50
Dakota Supply Company	11.01	Pat Duffy Community Center	3,000.00
Double B Lawn Care	1,545.00	Robins Water Conditioning	12.00
Double B Lawn Care	293.00	Ronald Troy	24.74
Eileen Fischer	210.00	Running's Supply	57.48
Fort Pierre BID Board	8,555.40	Running's Supply	79.96
Grossenburg Implement	620.60	S.D. Department of Health	260.00
Hawkins	113.26	Shane Pearson	43.00
Hawkins	1,470.50	Stanley County	1,000.00
Inland Truck Parts	239.96	The Paint Store	168.00
Inland Truck Parts	97.64	The Paint Store	256.00
Janice Deal	210.00	The Right Turn	250.00
JC Office Supply	20.74	Tieszen Law Office	1,800.00
Judy L. Anderson	75.00	Tim & Juanita Hughes	1,500.00
Louis Young	68.74	Tim & Juanita Hughes	600.00

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Lynn's Dakotamart	15.96	WESCO	180.00
Lynn's Dakotamart	23.39	WW Tire Service	188.00
Lynn's Dakotamart	60.52	Zander Auto Parts & Machine Shop	10.99
Lynn's Dakotamart	88.85	Zander Auto Parts & Machine Shop	41.45
Lynn's Dakotamart	30.54	Zander Auto Parts & Machine Shop	229.07
Lynn's Dakotamart	27.61	Total	31,516.49

Cronin moved and Weisgram seconded to pay the claims as presented. Motion passed on roll call vote with Bernhard, Cronin, Kenzy, Rathbun, Ricketts, and Weisgram all voting aye.

Adjournment. Mayor Hanson adjourned the meeting at 7:35 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer