

**FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
September 4, 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, Cronin, Gabriel, Hanson, Rathbun, and Ricketts. Officials present were Cromwell, Heezen, and Lawrence.

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

**Consent Calendar.** Bernhard moved and Gabriel seconded to approve the following Consent Calendar items: 8/20/12 Minutes; Travel-Water/Wastewater Conf-Rapid City-9/12-9/14-Stewart, Montana, Thorson, & Lawrence. Motion passed on Voice Vote.

**Package Liquor License-Fort Pierre Liquor.** Pat Duffy approached the council regarding the 9/15 deadline for the Fort Pierre Liquor package liquor license. The council had taken action at a previous meeting, voting to revert the package liquor license to the City if the business didn't open or transfer ownership by 9/15. Pat Duffy requested the Council to reconsider such action and allow them to retain ownership of the license until 12/31/12. Rathbun moved and Ricketts seconded to allow the Duffy's to retain ownership until 12/31/12 at which time the license will revert to the City if it is not in operation by then. Motion passed on Voice Vote.

**Patching Bids & Award.** The following bids were received for the patching project:

	Morris	Sharpe
Port Weyms Court	\$ 20,688.50	No Bid
Port Charlotte	\$ 18,269.50	\$ 37,351.00
Iona Street	\$ 9,183.50	\$ 17,666.00
Mull Street	\$ 13,045.00	\$ 24,293.00
Islay Avenue	\$ 13,598.50	No Bid
Tiree Avenue	\$ 10,703.50	\$ 20,801.00
Waldron Street	\$ 65,968.50	No Bid
Hustan Avenue	\$ 18,132.00	\$ 40,057.00
Yellowstone Street	\$ 17,778.50	\$ 39,584.00
7th Avenue	\$ 8,083.00	\$ 17,372.00
7th: Marion Street to Cul-de-sac	\$ 1,534.00	\$ 7,434.00
Center Lane	\$ 1,123.44	\$ 3,706.41
5th Avenue	\$ 6,263.50	\$ 14,344.00
2nd Avenue	\$ 12,292.50	\$ 24,488.00
Ash Avenue	\$ 2,820.50	\$ 6,553.00
Whispering Shores Drive	\$ 2,020.50	\$ 5,177.00
Marion Street: Shimrose to 8th Ave	\$ 1,800.00	\$ 4,876.00
Marion Street: 7th Ave to 6th Ave	\$ 11,689.00	\$ 21,871.00
Marion Street: 6th Ave to cul-de-sac	\$ 23,698.50	\$ 43,541.00
LaFramboise Dr: Cedar Ave to Cul-de-sac	\$ 28,631.00	No Bid
Scotty Phillip	\$ 98,070.00	No Bid
Totals=	\$ 385,393.44	\$ 329,114.41

Bernhard moved and Ricketts seconded to approve issuing the patching contract to the low bidder, Morris, Inc in the amount of \$385,393.44. Motion passed on Voice Vote.

**Chip Seal-Bids & Award.** The following bids were received for the chip seal project:

	Bituminous	Morris	Sharpe
Dunes Drive	\$ 67,852.00	\$ 57,172.50	\$ 49,527.90
Fort Chateau Road	\$ 39,361.55	\$ 32,390.00	\$ 28,682.50
Island Drive	\$ 171,430.40	\$ 146,493.50	\$ 125,921.00
Yellowstone Street	\$ 58,556.05	\$ 49,163.00	\$ 42,659.30
9th Avenue	\$ 68,762.75	\$ 57,992.00	\$ 50,240.50
Fogal Street	\$ 63,356.30	\$ 53,268.50	\$ 46,204.10
8th Avenue	\$ 41,018.35	\$ 33,833.50	\$ 29,947.60
6th Avenue	\$ 70,882.90	\$ 59,777.50	\$ 51,738.70
Cedar Avenue	\$ 50,527.35	\$ 42,086.50	\$ 36,612.00
Benjamin Street	\$ 72,473.50	\$ 60,641.00	\$ 54,080.60
Hamilton Court	\$ 20,292.30	\$ 15,667.00	\$ 14,256.20
Marion Street	\$ 19,872.40	\$ 14,439.00	\$ 13,177.40
Two Rivers	\$ 20,355.25	\$ 14,838.00	\$ 13,510.30
River Bluff Estates	\$ 296,829.10	\$ 250,346.50	\$ 211,959.20
LaFramboise	\$ 118,638.30	\$ 100,519.00	\$ 83,715.40

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Drive			
Casey Tibbs	\$ 42,437.50	\$ 24,266.00	\$ 15,699.20
Stanley Road	\$ 127,954.80	\$ 92,655.00	\$ 40,684.20
Totals=	\$ 1,350,600.80	1,105,548.50	\$ 908,616.10

Hanson moved and Gabriel seconded to award the contract to the low bidder, Sharpe Enterprises-\$908,616.10. Motion passed on Voice Vote.

**Mill & Overlay – Bids and Award.** The following bids were received for the mill & overlay project:

	Morris	Sharpe
Stanley Ave: HWY 83 to Yellowstone St	\$ 51,266.20	\$ 48,092.25
Skerrolls St: Port Charlotte to Islay Ave	\$ 184,464.95	No Bid
7th Ave: Missouri to 384' west of Marion	\$ 39,311.25	No Bid
4th Ave: Deadwood St to cul-de-sac	\$ 41,115.55	No Bid
Main Avenue: Deadwood to Rowe Lane	\$ 24,041.80	\$ 24,421.50
Cedar Avenue	\$ 110,569.40	No Bid
Park Avenue	\$ 14,172.45	No Bid
Park Avenue: 1 Street to LaFramboise Drive	\$ 27,497.00	\$ 24,764.05
Park Avenue: LaFramboise to Casey Tibbs	\$ 41,041.35	\$ 43,210.25
Shimrose Drive	\$ 135,764.15	\$ 128,752.25
Marion Street: From 8th Ave to 7th Ave	\$ 16,699.05	No Bid
TOTALS=	\$ 685,943.15	\$ 269,240.30

Ricketts moved and Bernhard seconded to award the contract to the low bidder, Morris Inc-\$685,943.15. Motion passed on Voice Vote.

**Reconstruction – Bids and Award.** The following bids were received for the reconstruction project:

	Sharpe	Morris	Anderson
Jamieson Drive	\$ 306,903.00	\$ 254,349.35	\$ 610,416.60
Port Na-Haven	\$ 123,868.00	\$ 82,355.90	\$ 197,818.46
Caol-Ila Court	\$ 142,673.00	\$ 86,081.65	\$ 217,066.62
Islay Avenue	\$ 295,477.00	\$ 185,515.75	\$ 437,821.19
Rousseau Avenue	\$ 320,685.50	\$ 262,048.65	\$ 630,419.74
Fort Chateau Road	\$ 226,279.70	\$ 198,620.35	\$ 482,142.97
9th Ave: from Hwy 83 to Missouri Street	\$ 115,031.00	\$ 67,908.40	\$ 174,577.11
7th Ave: From 384' west of Marion St to Marion	No Bid	\$ 71,433.10	\$ 182,824.07
5th Avenue: From Marina to end cul-de-sac	No Bid	\$ 44,355.55	\$ 114,526.32
Marina Drive: Patching costs only for FEMA	\$ 185,197.00	\$ 117,333.80	\$ 290,120.55
3rd Ave: Deadwood St to end cul-de-sac	\$ 222,611.00	\$ 139,964.25	\$ 343,025.93
2nd Avenue: From Deadwood to end cul-de-sac	\$ 12,762.00	\$ 19,430.85	\$ 40,252.09
Main Ave: From Rowe Lane to cul-de-sac	\$ 132,935.00	\$ 82,305.45	\$ 198,246.14
Rose Lane	\$ 79,890.00	\$ 63,335.50	\$ 163,893.73
Ash Avenue: from Casey Tibbs Street	\$ 72,421.00	\$ 68,947.90	\$ 139,416.16
Park Avenue: 4th Street to Railroad grade	\$ 66,222.00	\$ 54,472.10	\$ 137,169.66
4th Street: from Cedar Ave to Park Ave	\$ 49,631.00	\$ 41,706.70	\$ 105,334.10
	\$ 2,352,586.20	\$ 1,840,165.25	\$ 4,465,071.44

Ricketts moved and Hanson seconded to award the contract to the low bidder, Morris Inc-\$1,840,165.25. Motion passed on Voice Vote with Cronin opposed.

**Form and Content of Purchase Agreement, Teton Island Lots 7, 9, 11, 13.** Bernhard moved and Rathbun seconded to approve the form and content of the purchase agreement for lots 7, 9, 11, and 13 in Teton Island. Motion passed on Roll Call Vote: Bernhard-Aye; Gabriel-Nay; Hanson-Aye; Cronin-Nay; Rathbun-Aye; Ricketts-Nay. Mayor Tidball voted Aye to break the tie.

**Ord 940, Mobile Home Installation Standards.** Ricketts moved and Hanson seconded to refer Ordinance 940 to Planning and Zoning. Motion passed on Voice Vote.

**Tree Trimming Rate.** Bernhard moved and Gabriel seconded to set the tree trimming rate, pursuant to ordinance L-2-5 at \$120 per hour with a minimum of an hour, plus equipment rate at a minimum of an hour. Motion passed on Voice Vote.

**Ord 957, Trimming of Trees-second reading.** Cronin moved and Gabriel seconded to approve Ord 957, Trimming of Trees L-2-5, changing the height above sidewalks from 19 feet to 8 feet. Motion passed on Voice Vote.

**Intro Ord 958, Supplemental Budget Ordinance 2012.** Bernhard introduced Ord 958, Supplemental Budget Ordinance 2012.

**Set Public Hearing for Temp Male Beverage License.** Rathbun moved and Cronin seconded to set the public hearing on 9/17/12 at 7:35 p.m. for the Stanley County History Club Parents on 9/22/12 at the Fairgrounds. Motion passed on Voice Vote.

**Personnel Manual-Overtime.** Bernhard moved and Rathbun seconded to refer the personnel manual revision regarding overtime to the Personnel Committee. Motion passed on Voice Vote.

**School Parking Lot Pay Request-Morris.** Ricketts moved and Cronin seconded to approve the pay request to Morris for the school parking lot project in the amount of \$63,356.24. The Fort Pierre Recreation Association will be reimbursing the City \$30,000 and the Stanley County School will be paying for the remainder, \$33,356.24. Motion passed on Voice Vote.

**Street Project Financing.** Rathbun moved and Bernhard seconded to authorize \$3,000,000 in bonds in addition to the amount that will be refinanced. Motion passed on Voice Vote.

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

Regular Claims:

Airtech Heating and Cooling	83.02	Midwest Turf & Irrigation	69.73
AT&T Mobility	192.18	Monick Pipe & Supply	13.14
Baumann Lumber	2,343.12	Monick Pipe & Supply	334.00
BLACK HILLS CHEMICAL & JANITORIAL	43.50	Monick Pipe & Supply	42.56
BLACK HILLS CHEMICAL & JANITORIAL	140.96	Morris	4,813.50
Border States Electric Supply	366.74	Morris	2,084.00
Brett Warkenthein	265.00	Morris	236.50
Capital Journal	606.63	Morris	180.00
Century Business Products	92.53	Morris	21.34
CenturyLink	253.32	Morris	54.27
Christy Lumber	20.00	Running's Supply	98.86
Christy Lumber	32.00	Running's Supply	8.98
Community Youth Involved	2,500.00	Running's Supply	495.34
Eddie's Truck Sales	10.81	Running's Supply	121.60
Eddie's Truck Sales	12.73	Running's Supply	25.15
Eddie's Truck Sales	1.37	Running's Supply	63.17
Eddie's Truck Sales	350.93	Running's Supply	258.52
Fastenal Company	6.17	S.D. Assoc of Rural Water Systems	545.00
Fastenal Company	10.28	S.D. Department of Revenue	422.00
Federal Express	53.14	Sanitation Products	585.94
Fischer - Rounds & Associates	800.00	Small Engine House	71.01
Fort Pierre Rec Assn	34,000.00	Snap-On	102.50
Graham Tire Pierre	389.50	Stanley County	1,000.00
Grand Rental Station	225.00	Tieszen Law Office	3,965.71
Grossenburg Implement	6.90	Tieszen Law Office	125.00
Heart of the Earth	247.95	Tim & Juanita Hughes	600.00
Karissa A. Vasek	489.15	Tim & Juanita Hughes	150.00
Klein's Office Plus	160.26	Titan Machinery	97.50
Klein's Office Plus	(108.34)	Titze Electric	19.59
Klein's Office Plus	80.97	Titze Electric	299.78
Meierhenry Sargent LLP	2,660.00	Wegner Auto Co.	121.70
MicroFix	70.00	Youngberg's & Sons	267.00
Midwest Turf & Irrigation	159.94	TOTAL	63,859.15

ACH CLAIMS:

Capital Area Refuse	347.00	Pitney Bowes	500.00
City of Fort Pierre	4,408.28	S.D. Department of Revenue	10,257.33
Envirotech Waste Services	97.50	Wells Fargo Payment Remittance Center	175.52
First National Bank - S.F.	7,031.15	Wells Fargo Payment Remittance Center	2,117.83
Fleet Services	5,713.60	West Central Electric Co-op	1,555.20
Missouri River Energy Services	126,494.45	Total	158,707.42
Montana Dakota Utilities	9.56		

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

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**Reports.** 1.) Heezen reported on July cash and Utility sales through July. 2.) Lawrence indicated that he has received Depot plans for Phase 1 and it appears that we need to work with railroad on setbacks. 3.) Lawrence indicated that the land that the little blue storage tank is placed on is moving and needs addressed. 4.) Lawrence reported that he attended the 8/26 meeting with COE at the Ramkota regarding surplus water and environmental assessment. 5.) Lawrence reminded the council about the MRES luncheon at LaMinestra on 9/20.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 8:48 p.m.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer