

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
September 8, 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 Cronin, Gabriel, Ricketts, and Rose. Bernhard and Seiler were absent. Officials present were Cromwell, Heezen, Thorson, and Tibbs.

**Agenda.** Cronin moved and Rose seconded to approve the agenda as amended. Motion passed on Voice Vote.

**Consent Calendar.** Ricketts moved and Cronin seconded to approve the following Consent Calendar items: 08/17/15 minutes. Motion passed on Voice Vote.

**Public Hearing – Transfer of Malt Bev Lic for Office Bar from Mick Leigh INC to Straight Flush LLC.** Mayor Hanson opened a public hearing at 6:35 pm for the purpose of getting public input on the transfer of a Malt Bev Lic for the Office Bar from Mick Leigh INC to Straight Flush LLC. Hearing no comment, Gabriel moved and Rose seconded to approve the transfer of a Malt Bev Lic for the Office Bar from Mick Leigh INC to Straight Flush LLC. Motion passed on Voice Vote. Mayor Hanson declared an end to the public hearing at 6:40 pm.

**Public Hearing – Petition to Vacate ROW – Scott Schweitzer.** Mayor Hanson opened a public hearing at 6:41 pm for the purpose of getting public input on the vacation of ROW for portion of the alley adjoining Lots 1-16 and Lots 19-40, Block 4, Stanley Townsite. Scott Schweitzer, owner explained to council that the vacation of ROW would facilitate use of the property as a zoning lot. Mayor Hanson informed council that she had met with Wenck Associates on this matter and they recommended approval of the petition to vacate ROW. The following resolution was presented:

**RESOLUTION NO. 2015-13**

**A RESOLUTION VACATING THE PORTION OF THE ALLEY ADJOINING LOTS 1-16 AND LOTS 19-40, BLOCK 4, STANLEY TOWNSITE, FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.**

**WHEREAS**, a petition to vacate the portion of the alley adjoining Lots 1-16 and Lots 19-40, Block 4, Stanley Townsite, 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 Capitol Journal (8/21/15 and 8/28/15), a legal newspaper in and for the County of Stanley, State of South Dakota, notifying the public that on September 8, 2015 at 6:35 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 8th day of September, 2015 at 6:35 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 alley in question being described as follows:

*the portion of the alley adjoining Lots 1-16 and Lots 19-40, Block 4, Stanley Townsite, 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 Rose seconded to approve the Resolution No. 2015-13 as presented and the vacation of ROW with the proposed design and intended use as requested by Scott Schweitzer. Motion passed on Voice Vote. Hearing no further comments, Hanson declared an end to the public hearing at 6:55 pm.

**Appointment to Teton Island Design & Review Committee – Steve Hayes & Michelle Hofer.** Ricketts moved and Cronin seconded to approve the appointment of Steve Hayes who is replaced Dana Iversen and Michelle Hofer to the Teton Island Design & Review Committee. Motion passed on Voice Vote.

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**Res 2015-11 Plat.** The following resolution was presented:

**RESOLUTION NO. 2015-11**

**A RESOLUTION APPROVING THE PLAT OF LOT A, A SUBDIVION OF LOT 1, BLOCK 1, VINTAGE SQUARE ESTATES, TOWNSHIP 5 NORTH, RANGE 31 EAST OF THE BLACK HILLS MERIDIAN, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.**

**WHEREAS,** Vintage Square Estates is the owner of the property described as:

Lot A, a subdivision of Lot 1, Block 1, Vintage Square Estates, 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 Lot A, a subdivision of Lot 1, Block 1, Vintage Square Estates, 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 Lot A, a subdivision of Lot 1, Block 1, Vintage Square Estates, Township 5 North, Range 31 East of the Black Hills Meridian, City of Fort Pierre, Stanley County, South Dakota.

Rose moved and Cronin seconded to approve Res 2015-11 as presented. Motion passed on Voice Vote.

**Res 2015-12 Plat.** The following resolution was presented:

**RESOLUTION NO. 2015-12**

**A RESOLUTION APPROVING THE PLAT OF LOTS NC-5, NC-6A, AND NC-6B LOCATED IN THE UNPLATTED PORTION OF THE NORTH HALF OF LOT C OF YOUNG'S OUTLOT NO. 1. ALL LOCATED EAST OF S. D. HIGHWAY 1806, IN SECTION 20, TOWNSHIP 5 NORTH, RANGE 31 EAST OF THE BLACK HILLS MERIDIAN, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.**

**WHEREAS,** Gerrick McComsey is the owner of the property described as:

Lots NC-5, NC-6A, and NC-6B located in the unplatted portion of the North half of Lot C of Young's Outlot No. 1. All located East of S. D. Highway 1806, in section 20, 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 NC-5, NC-6A, and NC-6B located in the unplatted portion of the North half of Lot C of Young's Outlot No. 1. All located East of S. D. Highway 1806, in section 20, 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 Lots NC-5, NC-6A, and NC-6B located in the unplatted portion of the North half of Lot C of Young's Outlot No. 1. All located East of S. D. Highway 1806, in section 20, Township 5 North, Range 31 East of the Black Hills Meridian, City of Fort Pierre, Stanley County, South Dakota.

Rose moved and Gabriel seconded to approve Res 2015-12 as presented. Motion passed on Voice Vote.

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**Bids & Award – Bucket Truck.** The following bids were received for the Bucket Truck:

Sealed Bids Opened 9/2/15 @ 11:00 a.m. for the  
1986 Ford F800 Bucket Truck

Jim Steele	15,250.00
R&R Hofeldt Tree Service	12,999.99
Wade Nieman	12,060.00
Nystrom Electric	11,680.00
Bill Wilson	10,100.00
Onida Electric	10,000.00
Sharpe Rentals	6,501.00
M&R Signs	5,561.00
Brad Rathbun	3,200.50

Cronin moved and Rose seconded to approve the bid in the amount of \$15,250.00 from Jim Steele for the Bucket Truck. Motion passed on Voice Vote.

**Mobile Home Court Licenses – Steamboat, Duffy, & DJK.** Rose moved and Ricketts seconded to approve Mobile Home Court licenses for Steamboat Mobile Home Court, Duffy Mobile Home Court, and DJK Mobile Home Court. Motion passed on Voice Vote.

**Set Hearing for 9/21 – Temp Liquor Lic – Casey Tibbs Rodeo Center 9/25/15, 10/1/15, & 10/3/15.** Rose moved and Gabriel seconded to set a public hearing for 9/21/2015 at 6:35 pm for the purpose of getting public input on the issuance of a Temporary Liquor License to the Casey Tibbs Rodeo Center on the following dates: 9/25/15, 10/1/15, and 10/3/15. Motion passed on Voice Vote.

**Pay Req #2 Anderson Contractors – 6<sup>th</sup> Ave C&G - \$30,895.50.** Ricketts moved and Gabriel seconded to approve Pay Req #2 Anderson Contractors – 6<sup>th</sup> Ave C&G (final) in the amount of \$30,895.50 with the City being reimbursed \$2,284.50 of that amount from property owners. Motion passed Voice Vote.

**CCO #1 Sharpe – 2015 Street Improvements (Chateau Addition) - \$53,010.60.** Gabriel moved and Cronin seconded to approve CCO #1 Sharpe – 2015 Street Improvements (Chateau Addition) in the amount of \$53,010.60. Motion passed on Voice Vote.

**Pay Req #3 Sharpe – 2015 Street Improvements (Chateau Addition) - \$191,092.10.** Gabriel moved and Cronin seconded to approve Pay Req #3 Sharpe – 2015 Street Improvements (Chateau Addition) in the amount of \$191,092.10. Motion passed on Voice Vote.

**Approve Temp Liquor Lic – Etkorn’s Rooster Ranch- Fairgrounds 9/19/15.** Gabriel moved and Rose seconded to approve a Temporary Liquor License for Etkorn’s Rooster Ranch at the Stanley County Fairgrounds on 9/19/15. Motion passed on Voice Vote.

**Intro Ord 983 – 2016 General Fund Budget.** Ricketts moved to introduce Ord 983 General Fund Budget.

**Authorize Wellmark Grant App up to \$10,000.** Ricketts moved and Cronin seconded to authorize Mayor Hanson to apply for a Wellmark Grant in the amount of \$10,000 for new playground equipment. Motion passed on Voice Vote.

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

American Medical Response	1,462.50	Lynn's Dakotamart	29.16
AT&T Mobility	263.55	Mansion Grove House	206.58
Avera Queen of Peace Health Services	299.60	Michael Todd & Company	4,795.20
Border States Electric Supply	84.31	Missouri Shore Domestic Violence Center	1,500.00
Border States Electric Supply	506.82	Monick Pipe & Supply	55.88

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Border States Electric Supply	304.54	Monick Pipe & Supply	66.63
Border States Electric Supply	249.24	Monick Pipe & Supply	190.08
Border States Electric Supply	184.83	Monick Pipe & Supply	364.41
Border States Electric Supply	4,840.70	Monick Pipe & Supply	45.72
Border States Electric Supply	71.28	Monick Pipe & Supply	14.59
Border States Electric Supply	327.26	Monick Pipe & Supply	41.31
Border States Electric Supply	2,375.65	Monick Pipe & Supply	6.94
Border States Electric Supply	350.55	Morris	2,720.85
Bottomline Welding	11.02	Morris	23.49
Central Caissons	330.00	Northwest Pipe Fittings	1,068.62
Century Business Products	185.66	Old Dutch Foods	35.00
CenturyLink	259.32	Old Dutch Foods	157.50
Christy Lumber	105.35	Old Dutch Foods	147.70
Christy Lumber	8.50	Pool and Spa Center Rapid City	66.36
Christy Lumber	8.50	PryntComm	136.00
Christy Lumber	43.27	Running's Supply	66.97
City of Fort Pierre	183.76	Running's Supply	78.65
City of Fort Pierre	174.04	Running's Supply	61.95
City of Fort Pierre	404.45	Running's Supply	349.99
Coca-Cola Bottling Company - Pierre	207.00	S.D. Assoc of Rural Water Systems	575.00
Community Youth Involved	2,500.00	S.D. Bureau of Administration	19.22
Cowboy Country Stores	38.40	S.D. Department of Revenue	140.00
Dakota Business Center	140.98	S.D. Department of Revenue	75.00
Dakota Pump & Control Co.	305.00	S.D. Dept. of Corrections	244.80
Dakota Supply Company	697.43	Sanitation Products	357.26
Dakota Supply Company	233.15	Sanitation Products	238.29
Dakota Supply Company	386.55	Sioux Nation of Fort Pierre	1,080.40
Dakota Supply Company	84.26	Sioux Nation of Fort Pierre	51.40
David Vogel	300.00	Stanley County	1,000.00
David Vogel	637.50	Tieszen Law Office	21,573.48
Eddie's Truck Center	82.61	Tim & Juanita Hughes	150.00
Eddie's Truck Center	80.08	Titze Electric	102.04
EDM International	290.00	Van Diest Supply Company	71.70
Fastenal Company	8.76	West Central Electric Co-op	277.19
Ferding Electric	7.28	West River/Lyman Jones Rural Water	35,779.80
Fort Pierre Development Corporation	9,004.24	WW Tire Service	18.87
Fort Pierre Development Corporation	8,527.96	WW Tire Service	40.00
Hi-Line Acquisition Company	483.75	WW Tire Service	18.87
Hogen's Hardware Hank	3.78	Zander Auto Parts	515.33
Hogen's Hardware Hank	4.99	Zander Auto Parts	(38.00)
Klein's Office Furniture	560.00	Zander Auto Parts	283.30
Louis Young	30.00	Zander Auto Parts	25.03
		Total	112,476.98

July 2015 ACH Payments for Council Approval  
9/8/15:

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Capital Area Refuse	349.50	Missouri River Energy Services	124,796.54
City of Fort Pierre	4,698.42	S.D. Department of Revenue	10,675.77
Envirotech Waste Services	111.02	Wells Fargo	972.26
First National Bank - S.F.	11,547.73	West Central	2,573.49
Fleet Services	4,615.20	Total	160,353.52
MDU	13.59		
Payroll related/misc payments for July 2015:			
Avera	9,384.32	Optilegra	78.27
American Family Insurance	499.04	Payroll	123,329.87
City of Fort Pierre	827.28	S.D. Retirement System	13,121.28
Credit Collections	180.00	S.D. Supplemental Retirement Plan	3,037.50
EFTPS - Internal Revenue Service	28,981.08	United Way	144.00
Kansas City Life	84.64	SD UI	495.04
Office of Child Support Enforcement	658.00	Total	180,820.32

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

**Reports.** 1.) Mayor Hanson updated council on the Teton Island lot proposal. 2.) Heezen reported on June sales tax which is up 7.12 % and the BBB which is up 16.57% from same time last year. 3.) Heezen informed council she would be meeting with FEMA on Wednesday about the June storm damage. 4.) Heezen reported on cash report for July. 5.) Thorson informed council that there is one water tap left to install on West Main. The City crew poured sidewalks and fixed two driveways that are narrow with asphalt that will need to be fixed next year. 6.) Thorson reported that fogging of the chip seal streets is about to begin. 7.) Thorson explained to council the dirt work being done on the drainage area by the bike trail and AmericInn. 8.) Thorson reported that he had visited with Tim Hughes on the storage containers that are rented by the City since the flood and that the two could be purchased for \$3000 each. 9.) Thorson also informed council that city equipment received some hail damage during the 9/7/15 storm.

**Executive Session.** Ricketts moved and Cronin seconded to go into Executive Session at 7:43 pm per SDCL 1-25-2(3) to consult with legal counsel on contractual matters. Mayor Hanson declared out of Executive Session at 8:00 pm.

**Executive Session.** Ricketts moved and Cronin seconded to go into Executive Session at 8:12 pm per SDCL 1-25-2(3) to consult with legal counsel on legal matters. Mayor Hanson declared out of Executive Session at 8:40 pm.

**Executive Session.** Ricketts moved and Cronin seconded to go into Executive Session at 8:40 pm per SDCL 1-25-2(1) to consult with legal counsel on personnel matters. Mayor Hanson declared out of Executive Session at 8:48 pm.

**Adjournment.** With no further business, the meeting was adjourned at 8:49 pm.

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Gloria Hanson, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer