

FORT PIERRE CITY COUNCIL
REGULAR MEETING
September 21, 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 Seiler. Bernhard arrived at 7 pm and Rose was absent. Officials present were Cromwell, Heezen, Thorson, and Tibbs.

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

Consent Calendar. Cronin moved and Ricketts seconded to approve the following Consent Calendar items: 9/8/15 Minutes; Open Container Permits: Fort Pierre Fire Dept – Fire Hall – 10/3/15; Tonna Finch – CYI – Benefit for Dave Kramme – 9/26/15; Holly Hostler – CYI – Wedding Reception 11/28/15; Raffle Permits: Fort Pierre Fire Dept – fundraiser; Fort Pierre Fire Dept Auxiliary – fundraiser; Oahe Home Builders Assoc Annual Fundraiser Fun Nite 12/4/15. Motion passed on Voice Vote.

Public Hearing – Temp Liquor Lic – Casey Tibbs Rodeo Center 9/25/15, 10/1/15, & 10/3/15 events. Mayor Hanson opened a public hearing at 6:34 pm for the purpose of getting public input on the Temporary Liquor Licenses for the Casey Tibbs Rodeo Center for the following dates: 9/25/15, 10/1/15, and 10/3/15. Gabriel moved and Cronin seconded to approve the Temporary Liquor Licenses for the Casey Tibbs Rodeo Center. Motion passed on Voice Vote. Hearing no further comments, Hanson declared an end to the public hearing at 6:36.

Set a Public Hearing – 10/19/15 for Ord 982 Rezone Lot 6 VIB Subdivision (intro 4/20/15). Ricketts moved and Seiler seconded to set a public hearing on 10/19/15 for Ord 982 Rezone Lot 6 VIB Subdivision. Motion passed on Voice Vote.

Set a Public Hearing – 10/5/15 for Temp Liquor Lic for Oahe Home Builders- Annual Fundraiser at Casey Tibbs Rodeo Center on 12/4/15. Cronin moved and Seiler seconded to set a public hearing on 10/5/15 for Temporary Liquor License for the Oahe Home Builders Annual Fundraiser at the Casey Tibbs Rodeo Center on 12/4/15. Motion passed on Voice Vote.

Barry Heiss – Developer Update/Questions. Barry Heiss updated the council on the construction progress going on in the Dakota Addition. He plans to have 17 lots. Infrastructure will be done and he plans to sell lots with homes on them, not just empty lots. He asked if he keeps the street hard packed and graveled, if he could get building permits without the final surfacing being on the street. He would like to get 2 or 4 home built yet this fall. He also asked about streetlights regarding how many are required and whether the City would be participating in the cost. Regarding the lift station that he installed, he asked about how to get others that tap in to participate in the cost. Staff will follow-up with his questions/concerns.

Res 2015-14 Write-off for Uncollectable Utility Accounts. The following resolution was presented:

RESOLUTION NO. 2015-14

A RESOLUTION TO AUTHORIZE THE FINANCE OFFICER TO ELIMINATE UTILITY ACCOUNTS OF THOSE WHERE THE CITY IS UNABLE TO COLLECT THE BALANCE DUE.

WHEREAS, the following utility accounts have an unpaid balance due that is uncollectible,

NAME	AMOUNT	ACCOUNT NUMBER
Mike Archambeau	259.10	00-00041195-01-3
Samantha & Eugene Brown	6.35	00-00033040-01-1
Camille Hall	175.12	08-00021459-02-1
Darrin Whipple	10.69	08-00021657-02-3
Imperial Coffee Service	18.60	09-00011396-07-6
R&R Transportation	26.50	09-00011385-05-6
	496.36	

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, and

WHEREAS, the above mentioned utility accounts are older than 10 years or customer deceased and the City is no longer able to collect the balance due, now therefore

BE IT RESOLVED, that the City Council, in and for the City of Fort Pierre, South Dakota, does hereby authorize the Finance Officer to eliminate the above mentioned utility accounts in their entirety effective September 21, 2015.

Seiler moved and Bernhard seconded to approve Res 2015-14 Write-off for Uncollectable Utility Accounts as presented. Motion passed Voice Vote.

Ord 983 – 2016 General Fund Budget – final reading. Ricketts moved and Bernhard seconded to approve Ord 983 2016 General Fund Budget – final reading as presented including the Budget Requests as listed. Cronin moved and Gabriel seconded to amend said motion by adding \$5000 to the Fort Pierre Fire Department Facility Replacement Reserve fund. Amended motion passed on Voice Vote with Seiler opposed. Motion for Ord 983 passed on Voice Vote with Seiler opposed.

Res 2015-15 Street Maintenance Fee. The following resolution was presented:

RESOLUTION 2015-15

A RESOLUTION TO AUTHORIZE A SPECIAL MAINTENANCE FEE THROUGHOUT THE CITY OF FORT PIERRE, PURSUANT TO 9-43-138 AT A RATE OF \$.80 PER FRONT FOOT.

WHEREAS, the City Council has determined a need to assess an annual special maintenance fee pursuant to SDCL 9-43-138 at a rate of \$.80 per front foot to property owners within the municipality, and

WHEREAS, the City council has exempted public school, county, and city property from said fee, and

WHEREAS, the special maintenance fee is levied for the purpose of maintaining and repairing public improvements, and

WHEREAS, the special maintenance fee is based upon the lots fronting and abutting the public improvements that are maintained by the City of Fort Pierre, and

WHEREAS, the City council has determined that the total special maintenance fee to be assessed in 2015 and collected for 2016 is \$135,386.80. \$131,352.80 of this amount has been certified with the county auditor and subject to review and equalization the same as assessments or taxes for general purposes while \$4,034 will be billed directly to the State and Federal Governments, and

WHEREAS, the City council has elected for this fee to be added to the general assessment against the property and certify the fee assessed together with the regular assessment to the county auditor to be collected in the same manner as municipal taxes are collected for general purposes, in 2 equal installments with the exception of the State and Federal Government as indicated above, now therefore

BE IT RESOLVED, that the City Council, in and for the City of Fort Pierre, South Dakota, does hereby authorize the special maintenance fee be levied upon lots fronting and abutting public improvements for the purpose of maintaining and repairing public improvements. Such funds received from this fee shall be used only for the maintenance and repair of existing public improvements.

Gabriel moved and Ricketts seconded to approve Res 2015-15 Street Maintenance Fee as presented. Motion passed on Voice Vote. Seiler was opposed.

Resignation. Seiler moved and Cronin seconded to accept the resignation of Brad Lawrence effective 10/2/15. Motion passed on Voice Vote.

Claims. The following claims were submitted:

Anderson Contractors	160.00	Ferding Electric	1,518.00
Animal Clinic of Pierre	218.00	Flint Hill Resources	6,456.95
Banner Associates	2,898.00	JC Office Supply	269.89
Baumann Lumber	705.00	Louis Young	30.00
Border States Electric Supply	2,375.65	Lynn's Dakotamart	5.49
Border States Electric Supply	172.58	Lynn's Dakotamart	48.74
Border States Electric Supply	96.72	Monick Pipe & Supply	12.70
Border States Electric Supply	114.87	Monick Pipe & Supply	92.50
Bottomline Welding	20.00	Monick Pipe & Supply	25.24
Bradeen Auction	20,000.00	Monick Pipe & Supply	182.83
Brosz Engineering	1,950.00	Morris	10.00
Brosz Engineering	5,112.50	Morris	26.00
Brosz Engineering	157.50	Morris	3,746.80
Capital Journal	330.61	Morris	2,398.70
Carolyn M. Deal	30.00	Pete Lien & Sons	520.00
Carolyn M. Deal	50.00	Pitney Bowes	401.97
CenturyLink	85.28	Running's Supply	87.97
Christy Lumber	44.58	S.D. Municipal League	100.00
Christy Lumber	4.17	Sanitation Products	712.22
Cowboy Country Stores	41.97	Shannon Spears	903.50
Crescent Electric Supply Company	668.73	Traffic Control Corporation	1,030.00
Dakota Supply Company	50.84	Wenck Associates	578.50
Dakota Supply Company	179.77	West River International	(75.86)
Dakota Supply Company	246.40	West River International	82.72
Dakota Supply Company	(246.40)	WW Tire Service	60.67
Dakota Supply Company	(98.56)	Zander Auto Parts	53.49
Dakota Supply Company	344.96	Zander Auto Parts	95.11
		Total	55,087.30

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

Reports. 1.) Thorson informed the council that fogging of the chip seal streets should be completed by the end of the week. 2.) Thorson reported that patching is going well. 3.) Thorson reminded council about the storage containers for next meeting. 4.) Scott Schweitzer from Brosz informed council that concrete would start on LaFramboise instead of Two Rivers this week and Sharpe was finishing gravel today.

Executive Session. Ricketts moved and Seiler seconded to go into Executive Session at 8:19 pm per SDCL 1-25-2(1) to consult with legal counsel on personnel matters. Mayor Hanson declared out of Executive Session at 8:36 pm.

Executive Session. Gabriel moved and Cronin seconded to go into Executive Session at 8:37 pm per SDCL 1-25-2(3) to consult with legal counsel on litigation matters. Mayor Hanson declared out of Executive Session at 8:56 pm.

Seiler moved and Cronin seconded, after consultation with legal counsel, to refer potential pending legal matter/lawsuit to insurance carrier for defense of the City. Motion passed on Voice Vote.

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Ricketts moved and Seiler seconded to refer request by Terence Hughes for utilization of Hazard Mitigation Land for his driveway to FEMA for determination. Motion passed on Voice Vote.

Adjournment. With no further business, the meeting was adjourned at 9:00 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer