

FORT PIERRE CITY COUNCIL
APPROVED MINUTES
REGULAR MEETING
Monday, October 7, 2019

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, Kenzy, Ricketts, and Weisgram. Bernhard and LaRoche were absent. Officials present were Cromwell, Hahn, Heezen, and Tibbs.

Approval of Agenda. Weisgram moved and Kenzy seconded to approve the agenda as amended. Motion passed on Voice Vote.

Conflict of Interest Declarations. No conflict of interest declaration was declared.

Reports. 1.) Heezen informed council that the August cash report was included in the packet. 2.) Heezen reported that Sales Tax through August sales was up 4.23% YTD, BBB was up .5% YTD, and Occupancy Tax was up 13.52% YTD. 3.) Heezen informed council a claim has been sent to insurance on the WW Tire waterline issue. 4.) Hahn informed council that a public service announcement had been sent out regarding the ordinance on sump pumps and the need to get a permit to discharge into sanitary sewer requirements. 5.) Hahn reported that COE is currently discharging around 61,000 CFS and plans to continue this until late November and they are also doing a public meeting at the Casey Tibbs Rodeo Center at 10 am on 10/23/19.

Consent Calendar. Weisgram moved and Kenzy seconded to approve the Consent Calendar items: Minutes: 9/16/19 meeting; Open Container Permit: Hoffert/Zilverberg wedding reception at Pat Duffy Community Center 11/23/19. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson opened a public hearing at 6:38 pm for the purpose of getting public input on the Temporary Liquor License for the Casey Tibbs Rodeo Center Tribute Dinner on 11/2/19. Hanson asked for proponents to the license. She heard none. She asked for opponents to the license. She heard none. Hanson declared an end to the public hearing at 6:39 pm.

Temp Liquor Lic-Casey Tibbs Rodeo Center-Tribute Dinner. Ricketts moved and Kenzy seconded to approve the Temporary Liquor License for the Casey Tibbs Rodeo Center Tribute Dinner on 11/2/19. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson opened a public hearing at 6:39 pm for the purpose of getting public input on a Petition to Vacate Public ROW. Hanson asked for proponents to the petition. Jayme Deis spoke on behalf of the petition stating that vacating the public ROW would provide access for development of Lots 1-3. Hanson asked for opponents to the license. She heard none. Hanson declared an end to the public hearing at 6:43 pm.

Res 2019-16 Petition to Vacate. The following resolution was presented:

RESOLUTION NO. 2019-16

A RESOLUTION VACATING THE PORTION OF THE ALLEY DESCRIBED AS 20' WIDTH OF ALLEY RIGHT OF WAY TO THE WEST SIDE OF LOTS 1-3 ON BLOCK 10 ON THE EAST SIDE AND, CORRESPONDINGLY, LOTS 44-46 ON THE WEST SIDE ON BLOCK 10, STANLEY TOWNSITE, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA.

WHEREAS, a petition to vacate the portion of the alley described as 20' width of alley right of way to the west side of Lots 1-3 on block 10 on the east side and, correspondingly, Lots 44-46 on the west side on Block 10, Stanley Townsite, City of 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 (9/20/19 and 9/27/19), a legal newspaper in and for the County of Stanley, State of South Dakota, notifying the public that on October 7, 2019 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

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WHEREAS, the City Council determined at its regular meeting on the 7th day of October, 2019 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:

20' width of alley right of way to the west side of Lots 1-3 on block 10 on the east side and, correspondingly, Lots 44-46 on the west side on Block 10, Stanley Townsite, City of Fort Pierre, Stanley County, South Dakota, with the City retaining a 20' Utility Easement for the same location

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.

Weisgram moved and Ricketts seconded to approve Resolution 2019-16 Petition to Vacate as presented. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson opened a public hearing at 6:50 pm for the purpose of getting public input on a Rezone from Agricultural to Multi Family Residence for Jayme Deis. Hanson asked for proponents to the rezone. Deis explained he is interested in building a two-level two unit condo with garages on his property. Hanson asked for opponents to the rezone. She heard none. Hanson declared an end to the public hearing at 6:50 pm.

2nd (Final) Reading Ord 1033 Rezone Ag to Multi Family Res. Weisgram moved and Kenzy seconded to approve the 2nd (Final) reading of Ordinance 1033-Rezone. Motion passed on Voice Vote.

Approval of Contract-Seiler. Hanson explained that this contract would increase efficiency in code enforcement for the City. Concerns of how it would affect current City Legal Counsel and funding were raised. Council requested to go into executive session to discuss contractual matters.

Executive Session. Ricketts moved and Kenzy seconded to enter into Executive Session at 7:10 pm pursuant to SDCL 1-25-2(3) for legal/contractual matters with legal counsel. Mayor Hanson declared an end to Executive Session at 7:29 pm.

Approval of Contract-Seiler (continued). Ricketts moved and Cronin seconded authorization for the mayor to enter into the contractual contract of Code Enforcement with Randy Seiler. Motion passed on Voice Vote.

Quotes and Award for Demolition of residence at 310 E 6th Ave. The following quotes were received: Morris Inc \$4,650.00; B&B Equipment \$8,000; Briggs Trucking \$4,540.82; Red River Construction LLC \$4600.00; Solbros Construction & Landscaping \$11,200. Ricketts moved and Kenzy seconded to accept Briggs Trucking quote in the amount of \$4540.82 with demolition to commence following the expiration of the court-ordered 30 day period the property owner has to object to the quotes (on or after 10/19/19). Motion passed on Voice Vote.

Intro Ord 1035 Zoning Ord Modification Q-211. Ricketts moved to introduce Ordinance 1035 Zoning Ordinance Modification Q-211.

Set Public Hearing for Ord 1035 Zoning Ord Modification. Ricketts moved and Cronin seconded to set a public hearing for Ord 1035 Zoning Ordinance Modification Q-211 on 10/21/19. Motion passed on Voice Vote.

Intro Ord 1036 Zoning Ord Modification Q-6-203 & Q-6-206. Weisgram moved to introduce Ordinance 1036 Zoning Ordinance Modification Q-6-203 & Q-6-206.

Set Public Hearing for Ord 1036 Zoning Ord Modification. Weisgram moved and Kenzy seconded to set a public hearing for Ordinance 1036 Zoning Ordinance Modification Q-6-203 & Q-6-206 on 10/21/19. Motion passed on Voice Vote.

Claims.

Accounts Management	50.00	Marco Holdings LLC	142.65
American Medical Response	1,462.50	Meg M. Ryland	49.23

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Animal Clinic of Pierre	115.00	MicroFix	280.00
AT&T Mobility	333.45	MicroFix	60.00
Avera Occupational Medicine - Mitchell	132.68	Missouri River Energy Services	549.95
Brandt Becker	87.15	Missouri Shore Domestic Violence Center	1,250.00
Brosz Engineering	5,542.50	NASASP	39.00
Burke & Associates	40.00	Northwest Pipe Fittings	454.60
Butler Machinery Company	558.01	Northwest Pipe Fittings	113.09
Central SD RSVP	250.00	Northwest Pipe Fittings	7.62
Century Business Products	381.72	Northwest Pipe Fittings	77.85
CenturyLink	85.28	Northwest Pipe Fittings	606.38
CenturyLink	271.00	Northwest Pipe Fittings	27.59
Christy Lumber	36.05	Northwest Pipe Fittings	673.09
Christy Lumber	64.02	Pat Duffy Community Center	3,000.00
City of Fort Pierre	208.88	Pierre Area Referral Service	500.00
City of Fort Pierre	461.71	Resco	880.25
City of Pierre	1,524.50	Resco	46.80
City of Pierre	2,375.00	Riteway Business Forms	377.75
City of Pierre	390.00	River Cities Transit	7,500.00
City of Pierre	1,250.00	Robins Water Conditioning	40.00
City of Pierre	1,096.50	Running's Supply	27.98
Cowboy Country Stores	14.40	Running's Supply	12.57
Cues	35.40	Running's Supply	233.47
Dakota Pump & Control Co.	163.72	S.D. Bureau of Administration	20.57
Dakota Pump & Control Co.	49.72	S.D. Department of Health	211.00
Dakota Supply Company	89.10	Sharpe Rentals	200.00
Dakota Supply Company	26.39	Snap-On	29.00
Dakota Supply Company	759.40	Stanley County	1,000.00
Dakota Supply Company	295.41	Stanley County Law Enforcement	84,579.75
Dakota Supply Company	58.81	Stuart C. Irby Co.	111.35
Dakota Supply Company	172.20	The Co-Op	22.50
Dan Myers	14.00	Tieszen Law Office	3,267.50
Dan Myers	137.40	Tim & Juanita Hughes	1,500.00
Ditch Witch of South Dakota	300.98	Tim & Juanita Hughes	600.00
Fastenal Company	78.72	Titze Electric	387.06
Fastenal Company	25.69	TranSource Truck & Equipment	133.81

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Fastenal Company	480.58	Van Diest Supply Company	1,504.80
Floyd's Truck Center	17.19	Van Diest Supply Company	82.00
Floyd's Truck Center	34.38	Van Diest Supply Company	1,504.80
Floyd's Truck Center	159.22	Van Diest Supply Company	1,410.80
Floyd's Truck Center	58.90	West River/Lyman Jones Rural Water	17,709.00
Floyd's Truck Center	325.36	Wheelhouse Plumbing	497.50
Floyd's Truck Center	18.28	WW Tire Service	84.00
Fort Pierre BID Board	10,235.12	WW Tire Service	33.92
Fort Pierre Development Corporation	15,428.75	Zander Auto Parts & Machine Shop	12.98
Fort Pierre Fire Department	21,912.50	Zander Auto Parts & Machine Shop	40.07
Friman Oil & Gas Inc.	454.75	Zander Auto Parts & Machine Shop	62.59
Grossenburg Implement	158.82	Zander Auto Parts & Machine Shop	57.74
Grossenburg Implement	238.33	Zander Auto Parts & Machine Shop	122.99
Jullie Weiland	135.48	Zander Auto Parts & Machine Shop	426.30
Light and Siren	916.00	Zander Auto Parts & Machine Shop	363.85
Lynn's Dakotamart	36.95	Zander Auto Parts & Machine Shop	9.05
Lynn's Dakotamart	2.15	Total	202,489.34
Lynn's Dakotamart	4.49		

Sept 2019 ACH Payments for Council Approval 10/7/19:

Pitney Bowes	500.00	Missouri River Energy Services	136,033.09
Capital Area Refuse	476.36	S.D. Department of Revenue	16,245.52
City of Fort Pierre	7,051.80	WEX	3,793.04
Envirotech	263.00	Wells Fargo	1,164.74
First National Bank	5,413.39	West Central	271.14
MDU	31.25	Total	171,243.33

Payroll related/misc payments for Sept 2019 to be approved 10/7/19:

Avera	11,549.62	Optilegra	175.46
American Family Insurance	1,196.02	Payroll	60,531.57
Accounts Management	50.00	S.D. Retirement System	9,252.52
City of Fort Pierre	249.20	S.D. Supplemental Retirement Plan	2,912.50
Delta Dental	1,131.40	SD UI	-
EFTPS - Internal Revenue Service	19,573.22	United Way	128.42
Kansas City Life	82.07		
Office of Child Support Enforcement	241.00	Total	107,073.00

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Cronin moved and Weisgram seconded to pay the claims as presented. Motion passed on Voice Vote.

Executive Session. Cronin moved and Weisgram seconded to enter into Executive Session at 7:46 pm pursuant to SDCL 1-25-2(1) for personnel matters to discuss. Mayor Hanson declared an end to Executive Session at 8:15 pm.

Adjournment. Mayor Hanson adjourned the meeting at 8:15 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer