

FORT PIERRE CITY COUNCIL
REGULAR MEETING
October 17, 2011

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, Briggs, Gabriel, 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 Rathbun seconded to approve the following Consent Calendar items: 10/3/11 Minutes; Raffle Permit-Oahe Home Builders Assoc-12/2/11; Raffle Permit-Fort Pierre Women of Today; Travel-Jodi Reinert-Safety Conf-11/16 & 11/17. Motion passed on Voice Vote.

Mutual Aid Agreement. Ricketts moved and Bernhard seconded to approve the proposed mutual aid agreement between the City of Fort Pierre and Stanley County with the intent that the agreement applies to the current disaster. Motion passed on Voice Vote.

Office of Emergency Mgmt update. Nicole Prince with the Office of Emergency Management informed the council that the applications for hazard mitigation for Greenhagen, Karst and Smith have been approved by the State and submitted to FEMA. They have passed cost analysis and are going through environmental review.

Karst Property. Pat and Marsha Karst approached the council about re-parceling their lot so they can exclude their garage from the mitigation process, possibly allowing them to have a detached structure without primary residence if their home is accepted for the mitigation application. This would require an exception to our ordinances allowing a detached structure without associating it with a primary residence. The council will consider possible exceptions after further information is presented to council.

Conditional Use Permit – Chuckwagon - Mattheis. Bernhard moved and Rathbun seconded the issuance of the conditional use permit applied for by Shane Mattheis, requesting a permit to add apartment in the lower level of the Chuckwagon. Council discussed codes for the residential structures, including egress windows. Lawrence indicated that all such requirements will be met before the permit will be issued. Motion passed on Voice Vote.

Special Use Permit - Edwards. Council discussed the application of a special use permit from Donnie and Philena Edwards, allowing them to place a mobile home outside of a mobile home court for a period of 2 years. The Council discussed concerns about the flood plain and the need to have special bracing and blocking, along with burst panels in the event that the water levels would threaten the residence in the future. Ricketts moved and Bernhard seconded to approve a 2-year permit allowing them to place their mobile home outside of a court with part of the terms waiving the City from any liability resulting from flood plain issues. Motion passed on Voice Vote.

Intro Ord #947. Rathbun moved to introduce Ord #947 rezoning lots 11 & 12 Ranchland Estates from Ag to Residential C. Motion passed on Voice Vote.

Levee Removal. Contractor for levee removal, Sharpe Enterprises, approached the council about the deadlines for certain segments of levee removal. They requested the council to issue additional days as an extension to the Dec 1 deadline for any days spent on removal of a segment that they have been requested to remove sooner than the original deadline of June 15. The council indicated that they might support such a request but would defer any action until closer to the Dec 1 deadline. The contractor indicated that they would request, if needed, an additional day for each day that they spend on other segment. All action deferred to future council meeting.

GF&P Sewer. Rathbun moved and Briggs seconded to issue a 5 year contract with GF&P for the fisheries building for sewer services at the normal sewer rate, not 1.5 times, due to the fact that they made improvements to the sewer system and would not be dumping solids into the system at this time. Since they are not on the City water system, we will need to establish an average usage to base the sewer usage from. Motion passed on Voice Vote.

Duffy Liquor Licenses. Pat Duffy approached the Council for a 6 month extension for their package liquor license, allowing them additional time to be open for a minimum of 60 days within a two-year period as required by City ordinance. Such an extension would allow them to do some repairs that are needed to the building. Rathbun moved and Briggs seconded to allow them until 6/30/11 to fulfill the requirements to keep their package liquor license. Pat Duffy also mentioned that the Silver Spur would be opening soon so they can meet the State required 60-day publicly open statute. Motion passed on Voice Vote.

Claims. The following non-flood related claims were submitted:

American Medical Response

1,351.23

Michael Todd & Company

2,886.90

October 17, 2011 Minutes

Animal Clinic of Pierre	239.00	Missouri Shore Domestic Violence Center	1,250.00
Asphalt Zipper	360.31	MMUA	275.00
Ballew Construction Company	1,946.94	NASASP	39.00
Beck Motors	1,017.66	Pierre Area Convention & Visitors Bureau	3,625.00
Border States Electric Supply	109.27	Pizza Ranch	120.00
Border States Electric Supply	1,143.81	Pizza Ranch	25.48
Border States Electric Supply	18.05	PryntComm	171.45
Border States Electric Supply	1,168.96	PryntComm	490.00
Capital Journal	198.36	River Cities Transit	6,000.00
Capital Journal	312.48	Running's Supply	239.99
Carolyn M. Deal	1,000.00	Running's Supply	35.98
Central SD RSVP	375.00	Running's Supply	71.82
Century Business Products	230.16	S.D. Bureau of Administration	46.43
City of Pierre	953.50	Sheehan Mack Sales and Equipment	3,500.00
City of Pierre	2,115.44	South Dakota One Call	154.35
City of Pierre	1,368.75	Stanley County	950.00
City of Pierre	390.00	Stanley County Law Enforcement	61,049.70
City of Pierre	1,250.00	Sutley's Town and Ranch	30.43
Dakota Supply Company	323.40	Sutley's Town and Ranch	25.25
Eddie's Truck Sales	147.18	Tiffany Arp	17.56
Esri	400.00	United Systems Technology	100.00
Fastenal Company	45.86	Wakpa Sica Historical Society	750.00
Fastenal Company	100.77	West River International	374.82
Fort Pierre Body Shop	1,536.19	West River/Lyman Jones Rural Water	17,822.70
Fort Pierre Development Corporation	14,175.00	WW Tire Service	9.11
Fort Pierre Fire Department	20,137.50	WW Tire Service	59.73
Grimm's Pump & Industrial Supply	80.74	WW Tire Service	25.75
Inland Truck Parts	76.80	WW Tire Service	27.24
Jim Stover	27.79	TOTAL	152,773.84

And the following flood related claims were submitted:

Brosz Engineering	12,132.50	Assistance with Emergency Flood Management
Logan Electric	7,354.61	Trucking of dirt for levees
Logan Electric	(260.65)	Adj for incorrect tax
Morris	29,861.69	August/September Pump Maintenance, Rental
Morris	7,250.00	Sand truck rental, operation
Capital Area Refuse	3,300.00	June 24 flood dumpsters
Cretex West	1,547.97	Manhole - 7th Avenue Sewer
Envirotech	796.64	august dumpsters for flood

October 17, 2011 Minutes

Michael Todd & Co.	1,810.18	Suction hose for Corp pump
Morris	1,927.20	Asphalt
Morris	2,488.80	Asphalt
Richard Sternadori	1,737.24	Home Inspections 9/29/11-10/1/11
Runnings	239.99	Sewage pump
SD Department of Corrections	12,864.20	Inmate Labor - May thru June 2011
Shannon Crawford	445.58	pump repairs
Tim & Juanita Hughes	1,200.00	Shop Rent 9/28/11-10/27/11
Triple U Enterprises	2,000.00	Pump Rental 5/28-8
Wells Fargo-AmericInn	230.01	Hotel for City of Miller employee here to assist with flood
Wells Fargo-Crescent Electric	1,003.15	supplies for repair to pump
Wells Fargo-Dominos	235.66	food for sandbagging
Wells Fargo-Dominos	124.71	food for sandbagging
Wells Fargo-Dominos	96.14	food for sandbagging
Wells Fargo-Freshstart	12.67	food for sandbagging
Wells Fargo-Probuild	61.44	supplies for sandbagging
Wells Fargo-Sutleys	28.32	food for sandbagging
Wells Fargo-Sutleys	51.10	food for sandbagging
Wells Fargo-Wil-Loc	128.89	parts
Zanders	93.82	Pump supplies

And the August electronic payments were submitted:

Capital Area Refuse	6,180.00	S.D. Department of Revenue	11,383.47
Envirotech Waste Services	4,641.76	Wells Fargo	13,612.54
First National Bank - S.F.	7,031.15	Wells Fargo	14,160.84
Missouri River Energy Services	125,406.06	Wells Fargo Payment Remittance Center	1,087.26
Montana Dakota Utilities	5.40	West Central Electric Co-op	330.00
S.D. Department of Revenue	22.30	Total	183,860.78

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

Reports. 1.) Heezen reported on sales tax revenue through August. 2.) Lawrence reported that levee material is being stock plied on sites and the future use of the dirt will need to be determined. 3.) Lawrence reported that he recently put a narrative together as requested by Senator Thune and is expected to be a part of the congressional hearing on 10/18. 4.) Lawrence indicated that 10 or more homes have been deemed uninhabitable and expressed the need to pursue the vacant building ordinance and discuss options for disposal of such homes. Some requests have been put in by home owners for burning homes on site to help keep costs down for the owner. Rathbun moved and Bernhard seconded to allow Brad Lawrence and the Fort Pierre Volunteer Fire Department to work together and make case-by-case decisions on allowing such disposal of homes, ensuring that all safety concerns are addressed and ensuring that neither entity assumes any liability. 5.) Lawrence reported that we have nearly finished milling at River Bluff Estates and will move to Jamieson Drive soon and then to Teton Island. He also indicated that we might need to haul some gravel to these roads. 6.) Lawrence discussed EPA clean air act enforcement and the need for the City to comply with the regulations by 2013. 7) Lawrence reported the 5th and Ash Ave road raises and levee should be done within the week and that the work is being done to remove the levee on Fort Chouteau along the golf course. 8) Lawrence discussed the idea of addressing the legislature for an additional \$.01 sales tax for the duration that it would take to pay-off the debt related to flooding. 9) Tidball reported that a group of

October 17, 2011 Minutes

volunteers, Americorps, has been assisting City staff in cleaning up debris in City parks and structures. He also indicated that the Lions Club would provide some trees.

Adjournment. With no further business, Tidball declared the meeting adjourned at 8:51 p.m.

Sam Tidball, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer