

FORT PIERRE CITY COUNCIL
APPROVED MINUTES
REGULAR MEETING
Monday, October 17, 2022

The regular meeting of the Fort Pierre City Council was held at the SD Municipal League conference room and called to order by Mayor Hanson at 6:30 pm. Members in attendance for Roll Call were Bernhard, L Cronin, R Cronin, Iversen, and Kenzy. Deal was absent. Officials in attendance were Cromwell, Hahn, Heezen, Thorson and Tibbs. Meeting was also held via Zoom.

Approval of Agenda. L Cronin moved and Iversen seconded to approve the agenda. Motion passed on Voice Vote.

Conflict of Interest Declarations. No Conflict of Interest was declared.

Reports. 1.) Hanson informed council she has been asked to speak at the Naturalization Ceremony to be held on 11/4/22 at Parkview Gym. 2.) Hanson reported to council that bids for the removal/treatment of ash trees had been received and a meeting was held with some concerned citizens on the removal of trees in the ROW/boulevard. There will be more discussion on the plans to proceed. 3.) Heezen reminded council she will be working on the Utility Budget so committee meetings will be scheduled soon. 4.) Heezen reported that sales tax through August was up 5.7% YTD, BBB YTD was down 15.29%, and Occupancy Tax YTD was up 6.28%. 5.) Hahn reported that Hydro-Klean relined a couple sections of sewer main and there was an incident with a business having some backup. 7.) Hahn informed council that the lagoon and street projects are near completion. 8.) Thorson reported to council that the cold storage that is currently rented for shop space will end 1/1/23, so an alternate option will be needed soon.

Consent Calendar: R Cronin moved and Bernhard seconded to approve the Consent Calendar: Minutes 10/3/22 Minutes; Raffle Permits: Oahe ABATE-Angel Tree Fundraiser; Stanley County Music-Senior Music Trip Fundraiser. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson called a public hearing at 6:38 pm to get public input on Ordinance 1050 and 1051 regarding Vacation Homes. Hahn explained the areas that vacation homes could be located according to the proposed ordinance along with the requirement of obtaining a Conditional Use Permit, Annual License, and a State License would be necessary. He further stated that we have a housing shortage for individuals/families who want to move to the area. Hanson stated that the first concern is to take care of the residents. She asked if there were any questions on the proposed Ordinances. Shirley and Greg Swanson asked about clarification that temporary lodging didn't fall under the Vacation Home Ordinance. The example they had was renting to traveling medical staff which is usually a 90 day rental. Scott Collison clarified the Park, Riverfront, and Fairground District use for Vacation Homes. Hanson asked for proponents to the Ordinance. Jaci Keller, Planning and Zoning chairperson, explained that after hearing from residents on what was favorable and unfavorable about vacation homes, the commission worked on coming up with guidelines to regulate these businesses to make them favorable to the community. They tried to look at other communities comparable in size on how they dealt with them, but found there are not many guidelines to use, so the commission came up with what seemed fair and enforceable. Hanson then asked for opponents to Ordinance 1050. Stan Olson, property owner, operates Air B & B's, stated that they are an option to short term housing, credit card is necessary for rental to pay for damages, feels properties should be inspected and permits issued, but also feels they should be in residential areas, but not high end residential areas. Rachel Olson, real estate agent and property owner, feels this takes away options for people that are looking for a house. Brian Olson agreed with the requirements, fees and regulations, but disagrees with the zoning requirements. He doesn't feel a residence/vacation home should be put next to a business. Austin Goss owns short term rental in commercial zoning. He feels this is a good start, but somewhat overwhelming and somewhat unreasonable. He also stated that maybe there should be more incentives to promote the construction of long term housing if people felt vacation homes take away from that market. Hanson then asked for comments to Ordinance 1051. She explained that vacation homes are currently not allowed under ordinance and this places them in the proper zoning. Goss said his comments from Ord 1050 carry over to this one as well. John Duffy, resident, clarified that boarding residents doesn't apply to the requirements set forth in the Ordinances 1050 and 1051. Hearing, no further comments, Hanson declared an end to the public hearing at 7:33 pm.

2nd (Final) Reading Ord 1050 Chapter Q-15 Vacation Homes. R Cronin stated that the prior hearing held on this matter the message that residents didn't want them in their "backyard", thus, the zoning requirements. L Cronin stated

10/17/2022

when not regulated it poses issues so something is needed. He knows there is already a housing shortage and doesn't want vacation homes to make it greater. L and R Cronin both felt a good starting point and could be amended in the future if need be. Bernhard realizes the ordinances aren't perfect, but need to have a starting point so it can be permitted. It will take everyone working together to make it happen successfully. L Cronin moved and Kenzy seconded to approve the 2nd (Final) Reading of Ord 1050 Chapter Q-15 Vacation Homes. Motion passed on Voice Vote.

2nd (Final) Reading Ord 1051 Modifying Various Ordinances Regarding Vacation Homes. Iversen moved and R Cronin seconded to approve the 2nd (Final) Reading of Ord 1051 Modifying Various Ordinances Regarding Vacation Homes. Motion passed on Voice Vote.

Municipal Software-GWorks. Heezen explained that this system will update the utility billing system along with the accounting system currently being used. It offers more protection against security attacks and more efficiencies by including Code Enforcement, Building Permits, plus a Front Desk that will give the public access for payments, to office forms, notices, and council meeting agendas and minutes. Julia and Dustin, GWorks specialists, were available on-line to provide a more in-depth overview of the program and answer questions. Bernhard moved and Iversen seconded to approve the GWorks software three year contract in the amount of \$34,300 annually along with a one-time charge of \$13,200 for the data conversion option. Prices are also subject to inflationary increases. Motion passed on Voice Vote.

Electric Dept Vehicle Purchase-State Contract \$43,227. Iversen moved and R Cronin seconded to approve the Electric Department budget item for a vehicle purchase from the State Contract in the amount of \$43,227. Motion passed on Voice Vote.

Water Service Request from West River/Lyman Jones for Dan Hall. Hanson informed council WR/LJ had sent a letter stating they had received a request from Dan Hall for WR/LJ to furnish his property with water. This property lies within the 3 Mile Radius of Fort Pierre, which the City has jurisdiction over in regards to providing services. Dan Hall, property owner, was present and stated he has paid all the fees required to obtain direct service from WR/LJ. L Cronin moved and Bernhard seconded to approve the request for WR/LJ to provide water service for the Dan Hall property on Bad River Road. Motion passed on Voice Vote.

Temp Liquor License-Silver Spur @ Pat Duffy CYI. L Cronin moved and Kenzy seconded to approve a Temporary Liquor License for the Silver Spur at the Pat Duffy Community Center for an event on 11/5/22. Motion passed on Voice Vote.

Set Public Hearing for 2022-2023 On-Off Sale Malt Bev & SD Wine Lic-Maier Meats, LLC dba The Hangout. R Cronin moved and Iversen seconded to set a public hearing for the 2022-2023 On-Off Sale Malt Beverage and SD Wine License for Maier Meats, LLC dba The Hangout for 11/7/22. Motion passed on Voice Vote.

DANR Grant Agreement-Water Storage Tank Project. David Reiss, SD Central Enhancement District, was present and informed council that signing the agreement is a requirement to accept the ARPA matching grant dollars that have been awarded to the City for the Water Storage Tank Project. L Cronin moved and Iversen seconded to authorize the signing of the DANR Grant Agreement for the Water Storage Tank Project. Motion passed on Voice Vote.

Emergency Medical Services Agreement-AMR. R Cronin moved and Bernhard seconded to approve the Emergency Medical Services agreement from AMR as presented with the Governmental Entities paying an annual subsidy of \$415,000 (City share 13%-\$53,950) which could be adjusted 3% starting on 1/1/2024. Motion passed on Voice Vote.

ROW Closure-Dakota Prairie Bank-Trunk or Treat. Bernhard moved and Kenzy seconded to approve a Row Closure for Dakota Prairie Bank on 10/28/22 for their Trunk or Treat event. Motion passed on Voice Vote.

10/17/2022

Res 2022-16 Approval of Plat-Don Lee Smith. The following was presented:
RESOLUTION NO. 2022-16

A RESOLUTION APPROVING THE PLAT OF DLS TRACT 1, A SUBDIVISION OF THE SW ¼ OF SECTION 29, T5N, R31E OF THE B.H.M. STANLEY COUNTY, SOUTH DAKOTA.

WHEREAS, Don Lee Smith, is the owner of the property described as:

The SW1/4 of Section 29, T5N, R31E of the B.H.M. Stanley County, South Dakota and

WHEREAS, the party has caused the same to be surveyed and a portion platted, that portion hereafter to be known as DSL Tract 1 a subdivision of the SW1/4 of Section 29 T5N, R31E, of the B.H.M., 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 DSL Tract 1 a subdivision of the SW1/4 of Section 29, T5N, R31E of the B.H.M, Stanley County, South Dakota.

Iverson moved and Kenzy seconded to approve Res 2022-16 Plat for Don Lee Smith as presented. Motion passed on Voice Vote.

Strategic Planning-Marcy Douglas with MRES. Hanson has been working on putting together a strategic planning retreat for council. Marcy Douglas, an employee with MRES, facilitates strategic planning for groups and was present to meet with council. Mayor, Council and Staff have scheduled to meet 11/30 and 12/1 for their Strategic Planning with Marcy as the facilitator.

Public Comment. There was no one to come before the council.

Claims.

Aaron Swan & Associates	405.00	IMEG	4,790.00
Advance Auto Parts	7.17	JC Office Supply	92.88
Airtech Heating and Cooling	100.00	Lynn's Dakotamart	13.16
Animal Clinic of Pierre	80.00	Lynn's Dakotamart	9.30
Border States Electric Supply	113.34	Morris	7,227.60
Capital Journal	468.31	Morris	997.90
CenturyLink	85.28	Morris	377.90
City of Fort Pierre	219.64	Morris	338.30
CLEARFLY	231.29	Morris	151.76
CommTech	95.98	Northwest Pipe Fittings	144.80
Core & Main LP	956.23	Northwest Pipe Fittings	28.04
Core & Main LP	2,638.90	Peitz Service Experts	100.00
Curt Merriman Printing Inc.	32.00	Resco	1,980.49
Dakota Pump & Control Co.	143.35	Roxanne Heezen	241.96
Dakota Supply Company	646.17	Roxanne Heezen	302.00
Factor 360 Inc.	95.00	Running's Supply	107.98
Factor 360 Inc.	95.00	S.D. Bureau of Administration	18.00

10/17/2022

Farnams NAPA Genuine Parts	203.22	Small Engine House	21.42
Floyd's Truck Center	125.52	South Dakota One Call	276.64
Floyd's Truck Center	8.84	Teamco Inc.	37.74
Floyd's Truck Center	20.08	Tieszen Law Office	7,882.46
Floyd's Truck Center	20.08	United Systems Technology	100.00
Floyd's Truck Center	112,304.00	WW Tire Service	84.00
Fort Pierre BID Board	10,762.36	Zander Auto Parts & Machine Shop	238.57
Hydro-Klean LLC	10,827.86	Zander Auto Parts & Machine Shop	320.70
Hydro-Klean LLC	39,311.75	Zander Auto Parts & Machine Shop	270.98
I & S Group	3,641.00	Total	209,791.95

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

Executive Session. Iversen moved and Kenzy seconded to go into Executive Session at 8:29 pm pursuant to SDCL 1-25-2(1) to discuss personnel. Motion passed on Voice Vote. Mayor Hanson declared an end to Executive Session at 8:31 pm.

Executive Session. R Cronin moved and Kenzy seconded to go into Executive Session at 8:31 pm pursuant to SDCL 1-25-2(3) to discuss Legal/Contractual Matters with legal counsel. Motion passed on Voice Vote. Mayor Hanson declared an end to Executive Session at 8:35 pm.

Adjournment. Mayor Hanson adjourned the meeting at 8:36 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Office