

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
October 21, 2013

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, Cronin, Hanson, Rathbun, and Ricketts. Officials present were Cromwell, Lawrence, Heezen, and Thorson.

**Agenda.** Rathbun moved and Hanson seconded to approve the amended agenda. Motion passed on Voice Vote.

**Consent Calendar.** Cronin moved and Rathbun seconded to approve the following Consent Calendar items: 10/7/13 Minutes; Open Container Permit-ACS-CYI-10/26/13; Raffle Permits: Delta Waterfowl-10/22/13-1/18/14; Fort Pierre Women of Today-10/22/13. Motion passed on Voice Vote.

**8<sup>th</sup> Ave Sewer.** Bill Fischer and Pete & Judy Ackley addressed the Council with concerns about sewer backups they have had over the years. They requested that the City look further into the cause of the issue and decide what the short-term and long-term fix is. The City agreed to flush the line every 3 to 4 months to try to minimize the chances of it happening again. A long-term fix will continue to be discussed.

**Set Public Hearing for Temp Liquor Lic-Oahe Home Builders Assn.** Bernhard moved and Hanson seconded to set a public hearing on 11/4/13 at 7:35 for the purpose of getting public input on the issuance of a temporary liquor license for the Oahe Home Builders Assn at the Casey Tibbs Rodeo Center on 12/7/13 for their annual charitable fundraiser. Motion passed on Voice Vote.

**Temp Liquor Lic-View 34.** Bernhard moved and Cronin seconded to approve temporary liquor licenses for View 34 at CYI on 12/6/13 for the PARS fundraiser and 12/7/13 for the Bankwest Christmas Party. Motion passed on Voice Vote.

**Set Public Hearing for Transfer of Liquor Lic-Silver Spur.** Cronin moved and Hanson seconded to set a public hearing on 11/4/13 at 7:35 for the purpose of getting public input on the transfer of the on-sale liquor license from Dakota Riverview, LLC to Silver Spur Restaurant, LLC. Motion passed on Voice Vote.

**Resolution 2013-29 Special Maintenance Fee.** The following resolution was presented:

**RESOLUTION 2013-29**

**A RESOLUTION TO AUTHORIZE A SPECIAL MAINTENANCE FEE THROUGHOUT THE CITY OF FORT PIERRE, PURSUANT TO 9-43-138 AT A RATE OF \$.40 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 \$.40 per front foot to property owners within the municipality, and

**WHEREAS**, the City council has exempted federal, state 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 2013 and collected for 2014 is \$62,900.80. This amount has been certified with the county auditor and subject to review and equalization the same as assessments or taxes for general purposes, and

**WHEREAS**, the City council has elected for this fee to be add 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, 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.

Cronin moved and Hanson seconded to approve Resolution 2013-29 as presented. Motion passed on Voice Vote.

**Wagon Wheel 2013-2014 Mobile Home Court License.** A list of current violations within the Wagon Wheel MH Court was presented to Council. Hanson moved and Cronin seconded to approve the 2013-2014 Mobile Home Court License contingent upon the remaining violations being resolved within 30 days. Motion passed on Voice Vote.

**Recreational Trail Bid & Extension Request.** Bernhard moved and Ricketts seconded to reject the bid from Morris, submit for an extension request on the grant, and re-advertise the project this fall for work to be completed next spring or early summer. Motion passed on Voice Vote.

**Dennis Sharkey-Street Dance Presentation.** Dennis Sharkey presented the council with \$242, representing the proceeds from the street dance he sponsored in September. He also indicated that he would be interested in doing it again and would like to make it an annual or semi-annual event. Councilman Bernhard thanked Dennis for his efforts.

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

Barry Heiss	60.00	Pierre Area Convention & Visitors Bureau	100.00
Bottomline Welding	32.50	Running's Supply	130.92
Century Business Products	230.16	Running's Supply	119.02
CenturyLink	85.28	Running's Supply	16.14
Chandler	160.00	Running's Supply	356.78
City of Pierre	22.02	Running's Supply	36.66
Compliance Services	3,324.75	Running's Supply	211.81
D.L. Smith Excavating	5,426.40	S.D. Bureau of Administration	19.89
D.L. Smith Excavating	2,478.60	Sonny Harrowa	93.77
Dakota Supply Company	58.23	South Dakota One Call	200.55
Display Sales Company	2,237.00	Stanley County	30.00
Dueco	4,636.74	Sutley's Town and Ranch	16.05
Eddie's Truck Center	8.51	Titze Electric	600.00
Fastenal Company	18.40	Titze Electric	309.69
First National Bank - S.F.	345,876.25	United Systems Technology	100.00
Grimm's Pump & Industrial Supply	39.95	WESCO	1,808.00
Louis Young	46.35	WESCO	6,432.36
Midwest Turf & Irrigation	55.61	Western Communication	115.50
Monick Pipe & Supply	6.42	WW Tire Service	454.00
Monick Pipe & Supply	26.65	WW Tire Service	35.00
Morris	28.39	Zander Auto Parts	606.92
OFFICE OF EMERGENCY MANAGEMENT	10,685.97	Total	387,337.24

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

**Reports.** 1.) Heezen reported that we have received levee removal reimbursement as requested and with the payment of \$10,685.97 to the State presented in the claims, our loan with the State for paying for flood related costs will now be paid in full. 2.) Heezen reported that the quarterly progress report for FEMA project worksheets has been submitted to the State and that she will be working on time extension requests for work that will not be completed by the 11/13/13 deadline. 3.) Heezen reported that preliminary work has been started on the budget and will be presented as the next council meeting. 4.) Lawrence indicated that he met with the school about issuing a certificate of occupancy and communicated what needs to be done before it can be issued. 5.) Lawrence reported that concrete work has started on Island Drive. 6.) Lawrence reported that he has had further conversations with Wells Fargo regarding donating property (406 N Deadwood) to the City. The bank is working on an agreement. 7.) Lawrence indicated that progress is being made at the Hoftiezer home in regards to cleanup and cats at large. 8.) Lawrence discussed subdivisions within the extraterritorial mile in regards to surfacing requirements. He expressed concerns that if we do not put some requirements in place, we might have issues if the area

would be annexed into the City in the future. 9.) Tidball expressed his appreciation to council for supporting the projects that have allowed 6.2 miles of streets to be improved during the 2012 and 2013 construction seasons. 10.) Hanson commended City staff for receiving the safety award that was presented during the 2013 SDML annual conference.

**Executive Session.** Cronin moved and Bernhard seconded to approve entering into Executive Session at 8:53 p.m. for the purpose of discussing legal matters in accordance to SDCL 1-25-2(3). Motion passed on Voice Vote. Tidball declared an end to the Executive Session at 9:01 p.m.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 9:01 p.m.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer