

FORT PIERRE CITY COUNCIL
APPROVED MINUTES
REGULAR MEETING
November 4, 2024

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 6:00 pm. Members in attendance for Roll Call were Bernhard, L Cronin, R Cronin, Deal, Iversen, and Kenzy. Officials in attendance were Cromwell, Heezen, Powell, and Tibbs. Meeting was also held via Zoom.

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

Conflict of Interest Declarations. Deal declared a Conflict of Interest Declaration and will abstain from the Temporary Liquor License for the Silver Spur.

Reports. 1.) Hanson reported she has been working with DOT and ISG regarding work that has started on the City's bridge plaza. There have been some change orders and value engineering to help reduce some of the cost to the project. Currently, work is taking place on the sidewalks and approaches to the pedestrian trail. She also stated that the pedestrian bridge is under construction, but will probably be spring before installed. Monthly meetings are being held to review progress and monitor costs on Tatanka Trail. 2.) Hanson informed council DOT was unable to attend the meeting tonight and will be at the 11/18 meeting to give an update on the Waldron Bridge construction. 3.) Hanson reported to council of continued meetings with HME to resolve sewer issues and get Yellowstone Street and 9th Avenue usable again this fall. 4.) Hanson informed council the Personnel Committee had met and reviewed applications received for the Public Works Director position, but have not yet selected any for interviews. Also, the Street and Utility Committee met last week with a list of projects to discuss. 5.) Hanson reported on the MRES Area Meeting she attended on the federal and state legislative and regulatory issues; also how MRES and other suppliers are changing strategies/priorities to meet the increasing needs amid regulatory changes. 6.) Hanson stated she has visited with another law office about representing the City of Fort Pierre as their legal counsel. She hopes to have a proposed agreement for consideration at the next meeting. The individual will be at the next meeting also. 7.) Hanson reported staff met with Superintendent Dan Martin, board members, and the maintenance director to discuss the proposed expansion of the football field/track. Schweitzer has also attended a meeting for the project with the contractor and School. The Parks Committee is invited to attend future meetings. 8.) Heezen informed council the September cash report was included in the packet. 9.) Heezen reported the reimbursement from the auto insurance for the damage to the Fort had been received. She also has received reimbursement for the 2023 hail damage including the water tank except for the Museum, Fort, Shop, and Lilly Park Shelter. 10.) Heezen informed council the Mosquito and Tree Grants had been completed and work on the Supplemental Budget and Utility Fund Budget would begin. 11.) Scott Schweitzer, Brosz, reported on the progress of the maintenance yard and that a Geotech study has been solicited. He has also been working on the Drainage Study.

Consent Calendar. Deal moved and Iversen seconded to approve the Consent Calendar: Minutes: 10/21/24 Council Meeting; Open Container Permit: Pat Duffy CYI 12/14/24-Scott Wedding; Raffle Permit: Oahe Home Builders Assn-Fun night 12/13/24-Casey Tibbs Rodeo Center; Christopher Carter-Monte Carter Scholarship Fundraiser. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson called a public hearing to order at 6:09 pm to get public input on Ord 1073-Building Height Limit-Two-Family Residential. Jess Powell, Assistant Public Works Director, explained that the change alters the building height for Two-Family Residential Zone from two stories or 25 feet in height to two and one-half stories or 35 feet. He informed council a public hearing had been conducted by the Planning and Zoning Commission and they were in favor of the change. Hanson asked for proponents to the Ordinance. She heard none. She asked for proponents to the Ordinance. She heard none. Hanson declared an end to the public hearing at 6:11 pm.

2nd Reading (final) Ord 1073-Building Height Limit, Two-Family Residential. Bernhard moved and Kenzy seconded to approve the 2nd Reading (final) of Ordinance 1073-Building Height Limit, Two-Family Residential as presented. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson called a public hearing to order at 6:12 pm to get public input on a Vacation of ROW Request for Teton Street from petitioners Jess Wright and Scott Schweitzer. Powell explained the Vacation of ROW and that Planning and Zoning Commission didn't recommend approval and referred to Codified law 9-45-7. Hanson asked for proponents to the Vacation of ROW. Scott Schweitzer, adjacent property owner, explained it contained no utilities, there were no plans to connect that area to Dakota Avenue, and in regards to the long range plan it appeared residential housing wasn't happening there with all the available lots in the area. Jess Wright, adjacent property owner/petitioner, stated he had shared his plans with Powell on that area, also stated didn't seem like that area would be developed. Hanson asked for opponents to the Vacation of ROW. Jaci Keller, Chair of Planning & Zoning Commission, stated the Commission didn't recommend the Vacation of ROW, as the information provided by petitioners on the reason for the proposal to vacate ROW was minimal and neither of the petitioners were present at the public hearing held by the Planning and Zoning Commission. Mike Jacobson, member of Planning & Zoning Commission, also stated the information provided by the petitioners was limited and felt the Commission needed to be diligent when dealing with City property and careful about vacating City's public ROWs. Hanson declared an end to the public hearing at 6:25 pm.

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Res 2024-11 Vacation of ROW. Bernhard moved and Iversen seconded to accept the Planning & Zoning Commission recommendation of not approving Resolution 2024-11 Vacation of ROW-Teton Street as presented. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson called a public hearing to order at 6:27 pm to get public input on a Malt Beverage License transfer from Tiger’s Tap to BKats Tavern. She asked for proponents to the License transfer. She heard none. She asked for opponents to the License transfer. She heard none. Hanson declared an end to the public hearing at 6:28 pm. R Cronin moved and Iversen seconded to approve the Malt Beverage License transfer from Tiger’s Tap to BKats Tavern. Motion passed on Voice Vote.

Public Hearing. Mayor Hanson called a public hearing to order at 6:29 pm to get public input on a Wine License Transfer from Tiger’s Tap to BKats Tavern. She asked for proponents to the License transfer. She heard none. She asked for opponents to the License transfer. She heard none. Hanson declared an end to the public hearing at 6:30 pm. R Cronin moved and Kenzy seconded to approve the Wine License Transfer from Tiger’s Tap to BKats Tavern. Motion passed on Voice Vote.

West Central Electric Legion Ball Field Agreement. Jeff Birkeland, West Central Electric manager, was present and spoke about the agreement for the Legion Ball Field lighting. He appreciated the working relationship between the City and West Central Electric. L Cronin moved and Deal seconded to approve the West Central Electric Legion Ball Field Agreement as presented, which allows for West Central Electric to provide power to the Legion Ball field that is in Fort Pierre’s jurisdiction. Motion passed on Voice Vote.

Set Public Hearing on 11/21-noon- for Temp Liquor License-Casey Tibbs Rodeo Center 11/21 event. Iversen moved and R Cronin seconded to set a public hearing on 11/21/24 at noon for a Temporary Liquor License for the Casey Tibbs Rodeo Center event on 11/21/24. Motion passed on Voice Vote.

Set a Public Hearing on 12/2 for Temp Liquor License-Casey Tibbs Rodeo Center- 12/13 & 12/28 events. L Cronin moved and Bernhard seconded to set a public hearing on 12/2 for Temporary Liquor Licenses for the Casey Tibbs Rodeo Center events on 12/13/24 & 12/28/24. Motion passed on Voice Vote.

Temp Liquor Lic-Silver Spur-12/7 @ Pat Duffy Community Youth Involved Center. L Cronin moved and Bernhard seconded to approve a Temporary Liquor License for the Silver Spur at the Pat Duffy Community Center on 12/7/24. Motion passed on Voice Vote. Deal abstained.

Bid & Award for Water Project-Pipeline Expansion. The following bids were received: Morris Inc, \$255,578.00; Underground Connections LLC, \$263,095.00; Sharpe Enterprises LLC, \$320,318.98; Flatland Enterprise LLC, \$369,865.00; AGE Corporation, \$485,440.00. Hanson noted that all bids did not submit the Bid Bond in separate envelope as stated in Article 14 of C-200 Instructions to Bidders. However, Article 18 of C-200 states that the Owner also reserves the right to waive all minor Bid informalities not involving price, time, or changes in work. Teiszen Law Office, City Attorney, interpretation was this could be considered a Minor Bid informality under 18.01 that does not involve price, time, or changes in the work. Bernhard moved and Kenzy seconded to approve the low bid to Morris, Inc in the amount of \$255,578.00 as recommended by Bartlett & West. Motion passed on Voice Vote.

2025 Street Improvements-Engineering Proposal. Bernhard moved and R Cronin seconded to accept the 2025 Street Improvements Engineering Proposal from ISG in the amount of \$109,750. Motion passed on Voice Vote.

Capital Improvement Plan. Justin Heim, ISG, informed council the final report should be completed by the end of the week and further discussion and acceptance would be at the next meeting.

Set Public Hearing for Retail (on-off sale) Malt Beverage License-Cowboy Country Store-12/2. Iversen moved and Deal seconded to set a public hearing for a Retail (on-off sale) Malt Beverage License for the Cowboy Country Store on 12/2/24. Motion passed on Voice Vote.

2025 Liquor License Renewals. The following list was presented:

Cowboy County Stores	Type: Package Off-Sale Liquor	Legal: Block 32 Lots 16-18 & Lots 19-25 in Block 32, City of Fort Pierre, Stanley County, SD
Yesway	Type: Package Off-Sale Liquor	Legal: South 200 feet of Kruse Addition, City of Fort Pierre, Stanley County, SD
	Type: Retail On-Off Sale Wine	
Metro City, Inc.	Type: Package Off-Sale Liquor	Legal: Outlot 7-4, Thomas Acres Subdivision, section 26, TSN, R31E, BHM, City of Fort Pierre, Stanley County, SD
Hop Scotch Bar	Type: Retail On-Sale Liquor	Legal: Lots 1-9 & S 2 feet of Lot 10, Blk 30 N 20.7 feet of Lot 3 & all of Lots 4 & 5, Block 72, City of Fort Pierre, Stanley County, SD

AmericInn Hotel	Type: Retail On-Sale Convention Center Liquor	Legal: Lots 14, 18, 19 Teton Island addition, City of Fort Pierre, Stanley County, SD
Casey Tibbs Rodeo Center	Type: Retail On-Off Sale Wine	Legal: Lots 1 to 6 and 23-28, plus vacated, Block 33; Lots 6 to 28 incl, plus vacated of Block 42; Lots 1 to 14 incl, plus vacated of Block 43; Lots 16 to 28 incl of Block 43; Lots 1-2 plus vacated of Block 44; & Lots 1-28 inclusive of Block 50, City of Fort Pierre, Stanley County, SD
Dakotamart	Type: Retail On-Off Sale Wine	Legal: Block 29 Lots 16-25, Original Townsite, City of Fort Pierre, Stanley County, SD
Silver Spur	Type: Retail On-Sale Liquor	Legal: East 7.8 feet of Lots 33-37 and West 21 feet of Lots 38, City of Ft Pierre, Stanely County, SD
Drifter's	Type: Retail On-Sale Liquor	Legal: Lot 5R, Riverwalk Landing, Fort Pierre, Stanley County, SD
Chateau	Type: Retail On-Sale liquor	Type: All of Lots 2 & 3 and the South 9.75' of Lot 4, Lots A & B, and Lots 1, 40, 41, 42, 43 of Ricketts Subdivision, of block 15, City of Fort Pierre, Stanley County, SD
Chuckwagon	Type: Retail On-Sale Liquor	Legal: N 15.5' Lot 4, All of Lots 5-7 and a fractional part of Lot 8, & Lot C of block 15, City of Fort Pierre, Stanley County, SD
Chuckwagon	Type: Package Off-Sale Liquor	Legal: N 15.5' Lot 4, All of Lots 5-7 and a fractional part of Lot 8, & Lot C of block 15, City of Fort Pierre, Stanley County, SD
Family Dollar	Type: Retail On-Off Sale Wine	Legal: Block 60, Lots 8-15 plus Lot H1; Less Lot H2 in Lot 8, City of Fort Pierre, Stanley County, SD
Loyal Order of Moose	Type: Retail On-Sale Liquor	Legal: Outlot 1, Thomas Acres Subdivision, City of Ft Pierre, Stanley County, SD
MP Ft Pierre	Type: Retail On-Off Sale Wine	Legal: Lot 2B Teton Island Addition, A Subdivision of Lot 2 Teton Island Addition, City of Fort Pierre, Stanley County, SD
Caseys Retail Company	Type: Retail On-Off Sale Wine	Legal: Lots 1 to 6 and 23-28, plus vacated, Block 33; Lots 6 to 28 incl, plus vacated of Block 42; Lots 1 to 14 incl, plus vacated of Block 43; Lots 16 to

Heezen explained that Yesway and Family Dollar’s paperwork had not been received in the office, but asked that they be included in the motion for approval once received due to the short turn-around time. Kenzy moved and Bernhard seconded to approve the 2025 Liquor License renewals as presented. Motion passed on Voice Vote. Deal abstained.

Pay App #5 (Final) 2023 Street Improvements-W Main Ave-Morris. L Cronin moved and Kenzy seconded to approve Pay App #5 (Final) 2023 Street Improvements on W Main Ave to Morris Inc in the amount of \$12,424.81. Motion passed on Voice Vote.

CCO #2 2024 Street Improvements-E 6th Ave, Morris. Iversen moved and R Cronin moved to approve in CCO #2 2024 Street Improvements on E 6th Avenue to Morris, Inc in the amount of (\$2,248.52). Motion passed on Voice Vote.

Pay App #4 (Final) 2024 Street Improvements-E 6th Ave, Morris. Deal moved and Bernhard seconded to approve Pay App #4 (Final) for 2024 Street Improvements on E 6th Ave to Morris, Inc in the amount of \$104,765.86. Motion passed on Voice Vote.

CCO #4 2024 Street Improvements-Creager Crt-Morris. Deal moved and R Cronin seconded to approve CCO #4 2024 Street Improvements on Creager Court to Morris, Inc for (\$2,191.80). Motion passed on Voice Vote.

Pay App #4 (Final) 2024 Street Improvements –Creager Crt-Morris. Kenzy moved and Iversen seconded to approve Pay App #4 (Final) for Creager Court to Morris, Inc in the amount of \$71,361. Motion passed on Voice Vote.

Courthouse Alley. Scott Schweitzer, Brosz Engineering, explained the proposal included in the packet for the design, surface, and grading engineering for the Courthouse Alley. L Cronin moved and Bernhard seconded to accept the proposal from Brosz Engineering for the Design Engineering of the Courthouse Alley not to exceed \$23,030. Motion passed on Voice Vote.

Claims.

CITY OF FORT PIERRE

OCC TAX - 9/24

205.56

AIRTECH HEATING & COOLING

FURNACE SERVICE @MUSEUM

426

11/4/2024

ANDERSON CONTRACTORS INC	COLLAR, BOXES. FRAME	18,515.56
AT&T MOBILITY	ACCT #287329499398	272.96
DAKOTA SUPPLY COMPANY	CUST #71298 - PVC, GLUE.COUPLR	505.08
DGR ENGINEERING	GEN ADDITION	1,797.00
DANIEL MYERS	FLEX BAL 1093.36	148.88
FLOYDS TRUCK CENTER	FILTERS, OIL - 246	803.65
FORT PIERRE BID BOARD	OCC TAX - 9/24	10,072.44
INLAND TRUCK PARTS	BOLTS & NUTS - 234	40.55
LOCATORS & SUPPLIES INC	CUST #41-55K2 - ESTEX TOOL BAG	137.29
MENARDS INC	ACCT #33210287 - PRIV SCREEN	39.99
NORTHWEST PIPE FITTINGS	ACCT #28668 - ELL, CPLG	572.52
PAT DUFFY COMMUNITY CTR	MONTHLY SUBSIDY - 11/24	3,333.34
MORRIS INC	PAY AP 4 FINAL E 6TH AVE	189,374.21
RUNNINGS SUPPLY INC	ANTIFREEZE, BATTERIES	155.69
ROBINS WATER CONDITIONING	ACCT #94441 - WATER	89.9
SD DEPT OF HEALTH	WASTEWATER TESTING	644
SAFETY BENEFITS INC	2024 CONF - BRETT FERGEN	225
SIOUX NATION OF FP	GRASS SEED	215
STANLEY COUNTY	COURTHOUSE RENT - 11/24	1,000.00
TIESZEN LAW OFF PROF LLC	LEGAL SERV 9/16/24-10/16/24	2,450.00
TIN ARROW LLC	2 POLO SHIRTS	60
VAN DIEST SUPPLY CO	CUST #27972000 - FERTILIZER	1,203.80
ZANDER AUTO PARTS	ACCT #14500131 - ATF	363.6
WW TIRE SERVICE INC	FLAT REPAIR - 234	54.95
DAKOTAMART	BATTERIES, COFFEE, PUFFS	49.54
MIDCONTINENT COMM	ACCT #002003501	113.91
RAPID FIRE PROTECTION INC	ANNUAL INSPECTION	1,610.00
SCHREIBER ELECTRIC LLC	MBBR HEATING UNITS	1,072.65
COLUMN SOFTWARE PBC	MINUTES	537.83
WKS LLC	RENT - 11/24	3,480.75
ARCHAEOLOGICAL RESEARCH	WATER MAINS & STORAGE TANKS	2,467.20
RED RIVER CONSTRUCTION	REPAIRS TO SALE BARN RD	7,852.05
TWO RIVERS LAWN & IRRIGAT	REPAIRS AT FLOYDS TRUCK CENTER	811
	CLAIMS TOTAL	250,701.90

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

Adjournment. Mayor Hanson adjourned the meeting at 6:59 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer