

FORT PIERRE CITY COUNCIL
REGULAR MEETING
November 7, 2016

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 Bernhard, Cronin, Gabriel, LaRoche, Ricketts, and Weisgram. Officials present were Cromwell, Hahn, Heezen, Thorson, and Tibbs.

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

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

Consent Calendar. Cronin moved and Weisgram seconded to approve the following Consent Calendar items: 10/17/16 Minutes; Raffle Permits: Stanley County School Music/Band-fundraiser for senior trip; Oahe Hockey Assn-raise funds for equip rental and bldg. mtnce; Open Container permit-Fort Pierre Livestock at Casey Tibbs Rodeo Center 12/17/16. Motion passed on Voice Vote.

Public Hearing- Scott Schweitzer-Appeal continuation from 10/3. Mayor Hanson opened a public hearing at 6:32 pm for the purpose of getting public input on the appeal from Scott Schweitzer for normal farm and ranch building on the parcel of all of block 44 less lots 17-18 Stanley Townsite. She asked for proponents of the appeal. Hearing none she asked for opponents of the appeal. She heard none. Keller, from Planning & Zoning commission explained that it exceeded height limits and that no plans had been submitted for house/garage with a time frame included. Keller said P&Z was willing to work with Schweitzer. Hahn informed that it doesn't meet current ordinances and no specified principal permitted use had been presented. Weisgram moved and LaRoche seconded to deny the Scott Schweitzer appeal for a normal farm and ranch building on the parcel of all of block 44 less lots 17-18 Stanley Townsite. Motion passed on Voice Vote. Hearing no further comments, Hanson declared an end to the public hearing at 6:36 pm.

Public Hearing-Vacation of ROW-Wright. Mayor Hanson opened a public hearing at 6:37 pm for the purpose of getting public input on the Vacation of ROW - Jess Wright petitioner. She asked for proponents of the Vacation of Row. She heard none, she asked for opponents of the Vacation of ROW. She heard none. Hahn explained the alley was in the middle of the property and split it. Currently, there were no utilities located there and no future plans for utilities to be located in that area. Ricketts moved and LaRoche seconded to approve the petition to Vacate Row described, to-wit: The portion of 20' Alleyway adjoining Lots 1, 2, 25, and 26 of Block 41, all in Stanley Townsite, located in the North Half of Section 21, Township 5 North, Range 31 East of the Black Hills Meridian, City of Fort Pierre, Stanley County, South Dakota. Motion passed on Voice Vote. Hearing no further comments, Hanson declared an end to the public hearing at 6:41 pm.

Res 2016-22-Vacation of ROW-Wright. The following resolution was presented to council:

RESOLUTION NO. 2016-22

A RESOLUTION VACATING THE PORTION OF 20' ALLEYWAY ADJOINING LOTS 1, 2, 25, AND 26 OF BLOCK 41, ALL IN STANLEY TOWNSITE, LOCATED IN THE NORTH HALF OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 31 EAST OF THE BLACK HILLS MERIDIAN, CITY OF FORT PIERRE, STANLEY COUNTY, SOUTH DAKOTA

WHEREAS, a petition to vacate the portion of 20' Alleyway adjoining Lots 1, 2, 25, and 26 of Block 41, all in Stanley Townsite, located in the North Half of Section 21, Township 5 North, Range 31 East of the Black Hills Meridian, 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 (10/14/16 and 10/21/16), a legal newspaper in and for the County of Stanley, State of South Dakota, notifying the public that on November 7, 2016 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 November, 2016 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 street in question being described as follows:

vacate the portion of 20' Alleyway adjoining Lots 1, 2, 25, and 26 of Block 41, all in Stanley Townsite, located in the North Half of Section 21, Township 5 North, Range 31 East of the Black Hills Meridian, City of Fort Pierre, Stanley County, South Dakota.

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. Ricketts moved and Bernhard seconded to approve Res 2016-22 - Vacation of ROW - Wright petitioner as presented. Motion passed on Voice Vote.

Public Hearing-Ord 1001, Re-zone Parcels from Hwy Commercial to General Commercial. Mayor Hanson opened a public hearing at 6:42 pm for the purpose of getting public input on the Re-zone parcels from Hwy Commercial to General Commercial. She asked for proponents to the re-zone. Hearing none, she asked for opponents to the rezone. She heard none. Hahn informed council that the rezoning would bring the school into compliance with the ordinances. Hearing no further comments, Hanson declared an end to the public hearing at 6:46 pm.

2nd (Final) Reading Ord 1001 – Re-Zone Parcels from Hwy Commercial to General Commercial. The following Ord was presented to council:

ORDINANCE NO. 1001

AN ORDINANCE TO RE-ZONE PARCELS OF LAND FROM HIGHWAY COMMERCIAL DISTRICT TO GENERAL COMMERCIAL DISTRICT, BY AMENDING ORDINANCE NO. 809, CHAPTER Q-6, SECTION Q-6-101 LEGAL DESCRIPTION FOR GENERAL COMMERCIAL DISTRICT & SECTION Q-6-201 LEGAL DESCRIPTION FOR HIGHWAY COMMERCIAL DISTRICT.

BE IT ORDAINED by the City Council, in and for the City of Fort Pierre, South Dakota:

Section 1. That Ordinance No. 809 Chapter Q-6 Section Q-6-101 Legal Description for General Commercial District be amended by changing the first paragraph to read as follows:

Lots 10-38 Block 1; Lots 1-7, 40-43 Block 15; Lots 6-28, 37-59 Block 16; Lots 1-15 Block 29; Lots 15-23, Block 34; Block 42; Lots 1-14, 16-28, Block 43; Lots 1-2 Block 44; Lots 15-22 Block 57; Lots 1-4, 6-11, Block 72 Original Townsite, City of Fort Pierre, Stanley County, South Dakota

Section 2. That Ordinance No. 809 Chapter Q-6 Sections Q-6-201 Legal Description for Highway Commercial District be amended by changing the first paragraph to read as follows:

Lots 1-9, 55-83 Block 1; Block 2; Lots 3-46 Block 3; Lots 15-20 Block 14; Lots 1-5, 32-36 Block 16; Lots 8-20 Block 17; Lots 10-19 Block 28; Lots 16-38 Block 29; Lots 1-15 Block 30; Lots 1-15 Block 31; Blocks 32, 45; Lots 11-19 Block 33; Lots 1-15 Block 46; Lots 1-15 Block 47; Lots 1-15 Block 60; Lots 1-15 Block 61; Original Townsite, City of Fort Pierre, Stanley County, South Dakota.

Section 3. That all ordinance or parts of ordinances in conflict herewith are hereby repealed to the extent of conflict only.

LaRoche moved and Cronin seconded to approve the re-zone parcels of land from Hwy Commercial District to General Commercial District, by amending Ord No. 809, Chapter Q-6, section Q-6-101 legal description for General commercial District & Section Q-6-201 legal description for Hwy Commercial District as presented. Motion passed on Voice Vote.

American Legion Post 20-Military Banner Program. Kim Hallock presented the idea of banners honoring current Military personnel to be hung from the light poles in the City. City personnel will work with the Legion to make the Banner Program a reality.

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Appointee to Pierre-Fort Pierre Historic Preservation. Weisgram moved and Cronin seconded to approve the appointment of Kate Johnson to the Pierre-Fort Pierre Historic Preservation. Motion passed on Voice Vote.

Council Appointee to Verendrye Board. Bernhard moved and Weisgram seconded to approve Larry Cronin as council appointee to the Verendrye Board. Motion passed on Voice Vote.

Council Appointment to the BID Board. Cronin moved and Weisgram seconded to approve the appointment of Aaron Brewer, Fairgrounds manager, effective until May 2017 to the BID Board. Motion passed on Voice Vote.

Kvislen-Property Tax Abatement Request. Cronin moved and Weisgram seconded to follow the recommendation of the County Assessor and deny the Kvislen Property Tax Abatement. Motion passed on Voice Vote. They advised Kvislen to address valuation concerns during the annual equalization process that starts with the City in March of each year.

Intro Ord 1002, Re-zone from Highway Commercial to Industrial-Anderson & Buchholtz. Cronin moved to introduce Ord 1002, Re-zone from Highway Commercial to Industrial-Anderson & Buchholtz.

Set Public Hearing on 12/5/16 for Ord 1002, Re-zone from Highway Commercial to Industrial-Anderson & Buchholtz. Ricketts moved and Weisgram seconded to set a public hearing on 12/5/16 for public input on Ord 1002, Rezone from Highway Commercial to Industrial-Anderson & Buchholtz. Motion passed on Voice Vote.

Permit request to Discharge Firearms-Dunes Golf, set public hearing for 11/21/16. Bernhard moved Weisgram seconded to set a public hearing on 11/21/16 for public input on a permit to Discharge Firearms within the City Limits at Dunes Golf Course. Motion passed on Voice Vote.

Permit request to Discharge Firearms-Anderson & Buchholtz, set public hearing for 11/21/16. Weisgram moved and Bernhard seconded to set a public hearing on 11/21/16 for public input on a permit to Discharge Firearms within the City Limits for Anderson & Buchholtz. Motion passed on Voice Vote.

Authorization to purchase Vector Truck -2017 budget. Cronin moved and Gabriel seconded to authorize staff to purchase a Hydro Vator Truck from Sheehan off the NJPA Pricing Contract in the amount of \$372,605 with the 2017 budget funds. Motion passed on Voice Vote.

Authorization to purchase Sweeper-2017 budget. Cronin moved and Ricketts seconded to authorize staff to purchase Global Sweeper Solutions off the Minnesota State Bid in the amount of \$192,812.55 with the 2017 budget funds. Motion passed on Voice Vote.

Public Comment. Carl Rathbun inquired on if a decision had been made on how the City plans to address the issue of stick rockets as he is getting ready to order for the 2017 season.

Claims. The following claims were submitted:

American Medical Response	1,462.50	Morris	2,402.40
AT&T Mobility	260.82	Morris	456.31
Ballew Construction	1,665.31	Morris	291.90
Ballew Construction	624.49	Morris Equipment	246.00
Banner Associates	1,831.95	Northwest Pipe Fittings	1,165.20
Border States Electric Supply	216.85	Northwest Pipe Fittings	207.12
Border States Electric Supply	352.35	Northwest Pipe Fittings	471.18
Bottomline Welding	112.50	Northwest Pipe Fittings	112.72

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Capital Journal	392.16	Northwest Pipe Fittings	186.64
Capital Journal	663.24	Northwest Pipe Fittings	6.68
Century Business Products	385.42	Northwest Pipe Fittings	126.15
CenturyLink	259.46	Northwest Pipe Fittings	56.22
Cholik Signs	125.00	Northwest Pipe Fittings	13.37
Christy Lumber	10.20	Northwest Pipe Fittings	860.81
City of Fort Pierre	374.98	Northwest Pipe Fittings	60.48
City of Fort Pierre	154.72	Northwest Pipe Fittings	34.47
City of Pierre	250.00	Northwest Pipe Fittings	2,998.68
Community Youth Involved	3,000.00	Northwest Pipe Fittings	104.24
Dakota Supply Company	1,619.21	Quality Body Shop	1,200.00
Dakota Supply Company	851.58	Resco	269.77
F.R.S. Inc	280.00	Robins Water Conditioning	12.00
Farnams NAPA Genuine Parts	43.74	Running's Supply	54.37
Fort Pierre BID Board	7,581.28	Running's Supply	66.00
Hogen's Hardware Hank	49.23	Running's Supply	51.46
JC Office Supply	51.00	S.D. Department of Health	211.00
JC Office Supply	46.98	S.D. Electrical Council	40.00
JC Office Supply	89.16	Stanley County	1,000.00
Locators & Supplies	66.06	Tieszen Law Office	3,712.50
Locators & Supplies	165.01	Tim & Juanita Hughes	1,500.00
Locators & Supplies	226.51	Tim & Juanita Hughes	600.00
Lynn's Dakotamart	9.17	West Central Electric Co-op	1,828.81
Menard	7.17	West River/Lyman Jones Rural Water	16,827.09
MicroFix	80.00	WW Tire Service	516.00
Monick Pipe & Supply	36.70	WW Tire Service	19.72
Morris	2,575.20	Zander Auto Parts	89.57
		Total	63,718.81
Payroll related/misc payments for October 2016:			
Avera	9,879.54	Optilegra	159.60
American Family Insurance	537.32	Payroll	
City of Fort Pierre	577.66	S.D. Retirement System	7,974.52
EFTPS - Internal Revenue Service	20,019.96	S.D. Supplemental Retirement Plan	1,900.00
Kansas City Life	80.94	United Way	97.42

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Office of Child Support Enforcement	330.00	Total	41,556.96
September 2016 ACH payments for Council Approval 11/07/16:			
Capital Area Refuse	349.50	MDU	14.80
City of Fort Pierre	6,006.90	Missouri River Energy Services	166,432.62
Envirotech	113.75	S.D. Department of Revenue	16,240.10
First National Bank - S.F.	8,719.72	Wells Fargo	-
Fleet Services	3,122.36	West Central	1,149.79
		Total	202,149.54

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

Reports. 1.) Heezen reported on the August sales tax which is up .36% YTD and BBB is up 4.1% YTD. 2.) Heezen informed council that September cash report was in the packet. 3.) Heezen informed council that the Bond Schedule Ord will be in the 11/21/16 packet. 4.) Hahn informed council that they are patching 2nd St. and 3rd St. 5.) Hahn updated council on the result of asbestos evaluation at the old City Shop. 6.) Hahn informed council that the 2015 Building Code requires 4" tall letters with contrasting background for house numbering. 7.) Thorson reported with the nice weather crews have been continuing with asphalt work, 8th Ave and Marina is all they have left.

Adjournment. Gabriel moved and Weisgram seconded to adjourn the meeting at 8:05 pm.

Gloria Hanson, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer