

FORT PIERRE CITY COUNCIL
REGULAR MEETING
December 17, 2012

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

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

Consent Calendar. Cronin moved and Hanson seconded to approve the following Consent Calendar items: 12/03/12 Minutes; Raffle Permits-OHA fundraiser-Kathy Norwick-12/20-23/12; Central SD Skating Club-medical expense fundraiser. Motion passed on Voice Vote.

2013 Liquor License – Fort Pierre Liquor. Bernhard moved and Gabriel seconded to deny the renewal of the package liquor license for Fort Pierre Liquor due to them not complying with City ordinance that requires such business to be open 60 days during the two preceding years as stated in City ordinance S-1-5-I. Council also considered the fact that several extensions have been granted and with the limitation placed on the number of such licenses, they could no longer renew the license knowing that the business has not been opened and potential revenue will continue to be lost. Motion passed on Voice Vote.

Ord 960 Utility Rates, Final Reading. Ricketts moved and Cronin seconded to approve Ord 960 Utility Rates, increasing the water and sewer minimums by \$1 each and electric usage by \$.004 per kWh. Entire ordinance published separately. Motion passed on Voice Vote

Extension Request –Morris – Phase 1 Street Projects. Bernhard moved and Cronin seconded to authorize an extension to the October 15, 2012 completion date for the street work under contract with Morris Inc. Morris adequately completed the work, but not prior to 10/15/12. Motion passed on Voice Vote.

Morris Pay Request #1-Patching. Ricketts moved and Gabriel seconded to approve pay request 1 from Morris for Patching in the amount of \$42,381.21. Motion passed on Voice Vote.

Morris Pay Request #1-Mill & Overlay. Hanson moved and Cronin seconded to approve pay request 1 from Morris for Mill & Overlay in the amount of \$299,884.53. Motion passed on Voice Vote.

Morris Pay Request #1-Reconstruction. Bernhard moved and Hanson seconded to approve pay request 1 from Morris for Reconstruction in the amount of \$683,348.28. Motion passed on Voice Vote.

2012 Audit Agreement. Ricketts moved and Bernhard seconded to approve the audit agreement with Gary Larson to perform the audit of our 2012 financials. Motion passed on Voice Vote.

Ord 919 Alternative Energy Sources, Final Reading. Ricketts moved and Bernhard seconded to defer further action on Ord 919 until the next council meeting to allow additional time to review. Motion passed on Voice Vote

Transfer from General Fund to Special Assessment Fund. Bernhard moved and Ricketts seconded to authorize the transfer up to \$15,000 from the general fund to supplement the special assessment fund 752 that is carrying a negative balance due to delinquent special assessment payments and shift the Due from Wakpa in the amount of \$61,330.03 from fund 603 to 101. Motion passed on Voice Vote

Planning and Zoning Appointment. Mayor Tidball asked the council to consider Jacqueline Keller for the vacant position on the Planning and Zoning Commission. Cronin moved and Hanson seconded to approve the appointment of Jacqueline Keller to Planning and Zoning. Motion passed on Voice Vote

Time Extension Authorization-Gen Station EPA Requirements. Lawrence reported to council that we need to apply for an extension to the 5/13/13 deadline for meeting the Rice Rule EPA Regulations. Motion passed on Voice Vote

Claims. The following claims were submitted:

American Medical Response	1,351.23	Gasrite	135.01
Animal Clinic of Pierre	262.00	Graham Tire Pierre	624.00
Ballew Construction	2,794.90	HD Supply Waterworks	894.49
Ballew Construction		Jodi Reinert	

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	1,472.45		143.19
Baumann Lumber	24.26	Keith W. Johnson	89.80
BLACK HILLS CHEMICAL & JANITORIAL	152.95	M&R Signs	68.00
Border States Electric Supply	65.40	MicroFix	325.00
Border States Electric Supply	961.44	Missouri Shores Domestic Violence	2,500.00
Border States Electric Supply	181.64	Northwest Pipe Fittings	1,009.96
Border States Electric Supply	573.49	Pierre Area Convention & Visitors Bureau	150.00
Border States Electric Supply	6.26	PryntComm	167.00
Border States Electric Supply	156.66	Running's Supply	151.92
Brosz Engineering	900.00	Running's Supply	56.93
Brosz Engineering	5,720.00	S.D. Bureau of Administration	24.57
Brosz Engineering	4,125.00	Sheehan Mack Sales and Equipment	1,573.15
Capital Journal	340.51	Stanley County	94.00
Carolyn M. Deal	143.19	Sutley's Town and Ranch	11.64
Casey Tibbs SD Rodeo Association	7,850.00	Sutley's Town and Ranch	1.99
Century Business Products	230.16	Sutley's Town and Ranch	5.64
CenturyLink	85.28	Tieszen Law Office	6,802.63
Christy Lumber	24.00	Tieszen Law Office	250.00
Christy Lumber	11.82	Wakpa Sica Historical Society	750.00
Dakota Motor Sports	600.00	West River International	225.53
Dakota Supply Company	372.25	West River/Lyman Jones Rural Water	9,904.86
Dickstein Shapiro LLP	135.00	Western Communication	36.00
Eddie's Truck Sales	223.39	Western Communication	149.75
Eddie's Truck Sales	17.67	Zander Auto Parts	9.30
		Total	54,935.31

Nov ACH Claims:

Capital Area Refuse	355.65	Montana Dakota Utilities	4.77
City of Fort Pierre	3,953.34	Pitney Bowes	500.00
Envirotech Waste Services	119.00	S.D. Department of Revenue	8,615.09
First National Bank - S.F.	7,031.15	Wells Fargo Payment Remittance Center	856.64
Fleet Services	4,688.70	Wells Fargo Payment Remittance Center	133,225.30
Missouri River Energy Services	68,705.49	West Central Electric Co-op	379.91
		Total	228,435.04

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

Reports. 1.) Heezen reported on the monthly utility sales through October and the November financials including the cash report. 2.) Heezen reported on the September sales tax. 3.) Heezen reported that our FEMA appeal was partially approved with \$228,310 for levee construction being approved and \$220,000 for levee removal remaining not reimbursable. 4.) Lawrence indicated that he has visited with GF&P regarding the possibility of Coast Guard funds for cleaning out the Bad River channel from the pedestrian bridge to the mouth of the Missouri River. 5.) Lawrence indicated repairs were needed to a pole on the 115 kV line due to the ground wire arching. The Gen Station was in operation during the repair. 6.) Lawrence explained the formal protest to the Resolution of Necessity for Walleye Drive Improvements. An informal meeting was held with the property owners of the proposed project and they are working in coming up with new plan for the improvement that will decrease the cost for the property owners yet meet the standards established by the City.

Executive Session. Gabriel moved and Hanson seconded to approve entering into Executive Session at 8:32 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 9:34 p.m.

Resolution 2012-24 Application Fee for Package (Off-Sale) Liquor License. The following resolution was considered:

RESOLUTION NO. 2012-24

A RESOLUTION ESTABLISHING THE INITIAL APPLICATION FEE FOR PACKAGE (OFF-SALE) LIQUOR LICENSE FOR THE CITY OF FORT PIERRE, SOUTH DAKOTA.

BE IT RESOLVED, that the City Council, in and for the City of Fort Pierre, South Dakota, does hereby establish the initial application fee for a Package (Off-Sale) Liquor License at Four Thousand and No/100 Cents (\$4,000.00).

Bernhard moved and Hanson seconded to approve Resolution 2012-24 as presented. Motion passed on Voice Vote.

Adjournment. With no further business, Tidball declared the meeting adjourned at 9:35 p.m.

Sam Tidball, Mayor

ATTEST:
(SEAL)

Roxanne Heezen, Finance Officer