

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
December 19, 2011

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, Briggs, Gabriel, Rathbun, Ricketts, and Paul. Officials present were Cromwell, Heezen, Lawrence, and Thorson.

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

**Consent Calendar.** Gabriel moved and Bernhard seconded to approve the following Consent Calendar items: 12/05/11 Minutes; Raffle Permit-Central SD Skating Club-12/10; Raffle Permit-SC Gymnastics-12/20. Motion passed on Voice Vote.

**Public Hearing SRF Loan – Lagoon Improvements.** Mayor Tidball opened the public hearing for the purpose of hearing public input on the proposed lagoon improvements, the proposed financing, and the source of repayment for the loan. The scope and need for the project was discussed, including additional lining and rip rap, rising up manholes for access, and the necessary engineering and admin associated with the project. Alternatives discussed included dredging the ponds and rebuilding in a similar fashion before material was available. Both methods were more expensive alternatives and not selected. Amortization schedules were discussed, such as 100% loan with an estimated cost of \$1.40 /user and 75% loan with an estimated cost of \$.76/user. The loan would be at 3.25% for 30 years. It was also discussed that designating a surcharge as a revenue source for repayment would allow us to not include this financing in our debt limit. Hearing no additional comments, Mayor Tidball ended the public hearing at 7:43 pm.

**Resolution 2011-14 SRF Application.** The following resolution was considered:  
RESOLUTION NO. 2011-14

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of Fort Pierre has determined it is necessary to proceed with improvements to its Waste Water System, including but not limited to riprapping and erosion control measures around the two north cells of the city lagoon system, plus necessary appurtenances; and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$266,000 to the South Dakota Board of Water and Natural Resources for the Project.

2. The Mayor of Fort Pierre is hereby authorized to execute the Application and submit said to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.

3. The Mayor of Fort Pierre is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Bernhard moved and Briggs seconded to approve Resolution 2011-14. Motion passed on Voice Vote.

**2012 Liquor License-Silver Spur.** The council discussed concerns about approving the issuance of the 2012 liquor license. Pat Duffy addressed the council indicating they were working on selling the establishment. They agreed that they would either have it sold or open it themselves by June 30, 2012, and asked the council to give them 6 months to get things figured out. Rathbun moved and Bernhard seconded to approve the license with the understanding that they would recommend suspension or revocation from the State in 6 months (June 30, 2012) if they did not comply with their agreement. Motion passed on Voice Vote.

**First Dakota Enterprises CCO-Levee Removal.** Lawrence explained the change order request and indicated he does not feel that we need to honor the change order as requested due to the fact that the project specifications addressed the situation. Also, honoring the change order as requested would put them above the next lowest bidder. He suggested discussing the situation with them and

coming up with a reasonable amount. Paul moved and Briggs seconded to approve the change order with the negotiated amount. Motion passed on Voice Vote, with Ricketts abstaining.

**Utility Rate Change Ord #950.** Council deferred action on the second reading until 1/3/12 to give time to analyze 2 different options on rate changes in the water fund.

**Redistricting Ord #951.** Rathbun moved and Ricketts seconded to approve the second and final reading of ord #951 utilizing the map on option #2 for redistricting. Motion passed on Voice Vote.

**Claims.** The following non-flood related claims were submitted:

Animal Clinic of Pierre	184.00	Klein's Office Plus	27.49
Avera Queen of Peace Health Services	198.80	Klein's Office Plus	933.93
BLACK HILLS CHEMICAL & JANITORIAL	207.91	Missouri River Energy Services	330.00
BRANDON LOUNSBURY	100.00	Northwest Pipe Fittings	291.43
Brosz Engineering	590.00	Pierre Area Convention & Visitors Bureau	187.50
Capital Journal	285.37	Pizza Ranch	38.00
Casey Tibbs SD Rodeo Association	300.00	Running's Supply	(63.98)
Central S.D. Enhancement District	9,000.00	Running's Supply	95.99
Century Business Products	230.16	S.D. Bureau of Administration	32.80
Christy Lumber	14.00	S.D. Public Assurance Alliance	306.00
City of Fort Pierre	131.15	S.D. Water and Wastewater Association	10.00
Cone Ag-Service	72.80	Sheehan Mack Sales and Equipment	3,500.00
Dakota Supply Company	57.84	Small Engine House	143.68
Display Sales Company	219.50	Sutley's Town and Ranch	11.58
Eddie's Truck Sales	12.74	Sutley's Town and Ranch	6.62
Eddie's Truck Sales	5.89	Sutley's Town and Ranch	18.45
Eddie's Truck Sales	67.50	T&R Service	60.00
Eddie's Truck Sales	(1.69)	Tawna Moit	56.21
Eddie's Truck Sales	8.36	Tieszen Law Office	1,094.83
Eddie's Truck Sales	0.24	Tim & Juanita Hughes	150.00
Eddie's Truck Sales	32.79	Titan Machinery	73.16
First National Bank - S.F.	1,500.00	Titan Machinery	167.23
Flexible Pipe Tool Co.	1,800.00	Titan Machinery	326.21
Fresh Start Convenience Store	101.87	Titan Machinery	1,287.36
Fresh Start Convenience Store	120.01	Titze Electric	230.89
Fresh Start Convenience Store	105.51	Titze Electric	442.91
Fresh Start Convenience Store	55.80	WESCO	6,160.00
Gasrite	83.72	West River/Lyman Jones Rural Water	9,976.50
Gasrite	23.96	Western Communication	36.00
Grossenburg Implement	866.71	Zander Auto Parts	314.81
HD Supply Waterworks	1,384.95	Zander Auto Parts	(351.99)

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Helen Schneiderhan	28.53	Zander Auto Parts	128.32
Hogen's Hardware Hank	29.98		
Klein's Office Plus	80.04	Total	43,920.37

And the following flood related claims were submitted:

HD Supply Waterworks	174.53	Curb boxes
Morris, Inc.	1,265.25	Supplies to repair fish cleaning station
City of Pierre - Landfill	199.78	Plastic from levees
Central Caissons, Inc.	6,904.80	Retainer - 7th Ave sewer
Brosz Engineering	<u>10,197.50</u>	Lagoon Fill Construction Design

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

**Reports.** 1.) Heezen reported on the status of the pw's for flood related expenses and the corresponding activity on the loan from the State. 2.) Heezen reported on sales tax collected in the month of November for October sales. 3.) Heezen reported that clarification is needed on the bills from the county for flood related activity. The bills are for one amount and FEMA reimbursed a different amount. We need to determine how to proceed. 4.) Lawrence reported on the progress of the levee removal, indicating that the main part of the levee system is scheduled to be out before 12/25/11. 5.) Lawrence indicated that we were authorized funds for the 3 homes that we applied Hazard Mitigation funds for. 6.) Bernhard reported concerns of extra debris in the rip rap after the water levels receded and tree stumps left behind from levee construction.

**Executive Session.** Rathbun moved and Bernhard seconded to enter into executive session at 8:36 pm for the purpose of discussing personnel issues in accordance to SDCL 1-25-2(3). At 8:52 pm Tidball declared an end to executive session.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 8:52 p.m.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer