



**CITY COMMISSION ROOM
PIERRE, SOUTH DAKOTA
March 31, 2020**

The City of Pierre Board of Commissioners met in regular session on March 31, 2020 at 5:30 pm with Commissioners Barringer, Huizenga, Johnson, Mehlhaff, and Mayor Harding present for roll call. The Pledge of Allegiance was recited followed by an invocation. The agenda was approved as amended. The Wastewater Treatment Plant Facility Improvements item and executive session was removed. Pete Obermeier was present for public comment.

Commissioner Huizenga moved and Commissioner Johnson seconded to approve the consent calendar to include the Minutes from the Regular Meeting on March 24, 2020; Cemetery Clean-up Notice – April 15th; New Hire Emergency Services Communications Officer – Nicole “Abby” Eaton \$18.60 and Niccole Rancy \$18.97; New Hire Airport Manager – Cameron Howard \$75,038.91; Set April 14th 5:45pm Public Hearing to consider Retail on/off-sale Malt Beverage and Retail on/off-sale Wine License – Crabby Shell’s at 205 W Dakota Avenue; Claims. Unanimous approval.

ACE STEEL & RECYCLING INC	SQ TUBE, FLAT HR - NEW TRAILER	114.15
AFLAC	CITY OF PIERRE INSURANCE	971.48
ALL-AROUND GRAPHIX INC.	EMBROIDERY ON JACKETS	216.71
ALLIED 100 LLC	HEART START SMART PADS	73.15
ALLIED PLUMBING & HEATING	REPLACE WTR MTR ARBORDALE D2	159.75
AMARIL UNIFORM CO	WORK SHIRTS	182.47
ARKSTAR GROUP	AIRLINE ENGAGEMENT	5,750.00
ATCO INTERNATIONAL	DIVERSEY END BAC II	2,662.64
AUDIOLOGY ASSOCIATES INC.	OSHA BASELINE J. STEINER	60.00
AUTOMOTIVE COMPANY, INC	SPREADER	900.00
AVERA MEDICAL ASSOCIATES C	PHYSICAL P. HERMAN	0.00
AVERA QUEEN OF PEACE	DRUG TEST C. GREEN	92.30
AVERA ST MARYS HOSPITAL	M SULLIVAN PULMONARY FUNCTION	362.00
BAKER & TAYLOR COMPANY/THE	23 BOOKS	835.42
BAUMANN LUMBER	LINER PANEL	32.12
BECK MOTORS INC.	SVC ON CK ENGINE LIGHT CAR #1	121.99
BLACKSTRAP, INC	27.85UNITS ROAD SALT	2,239.14
BROSZ ENGINEERING INC	STORM SHELTER PATIO ADDITION	2,435.00
BUILDERS FIRSTSOURCE INC	2 - 2X8-10' TREATED	47.68
CENTRAL DAKOTA EYECARE LLP	EYE EXAM C. GREEN	48.00
CENTRAL DISTRIBUTION	TOWELS, TP, URINAL MATS	495.97
CENTURY BUSINESS PRODUCTS	900 CHURCH COPIER 2/10-3/9	359.46
COLONIAL LIFE & ACCIDENT	CITY OF PIERRE INSURANCE	89.12
COMM TECH INC	ALARM MONITORING/INTERACT SVC	995.56
COMMERCIAL ASPHALT	OMEGA MIX 24.06 TON	3,368.40
COOPER, SHAUN	REPAIRS TO ENG. #4	130.00
DAILY CAPITAL JOURNAL INC.	LOOKING FORWARD AD	486.50
DAKOTA FLUID POWER INC	RTN KOMATSU EXCAVATORS PARTS	246.98
DAKOTA RIGGERS INC.	HOOK 10T - UKN WELD-ON	383.68

CITY COMMISSION PROCEEDINGS March 31, 2020

DAKOTA SUPPLY GROUP	150W LAMP	17.79
DELTA DENTAL	HOUSE PREMIUMS MARCH	6,674.46
DEMCO	REMINDER POSTCARDS	101.90
EFTPS	FEDERAL WITHHOLDING	88,440.27
ENVIRO TECH	LIBRARY SVC MARCH	16.00
EXPRESS COLLECTIONS	MARCH DEDUCTIONS	197.43
FAIRFIELD BY MARRIOTT RAPI	RMS FOR VOLUNTEER FIREFIGHTERS	1,172.00
FARNAMS	RTN BRAKE ROTORS & PADS	109.46
FRIMAN OIL & GAS COMPANY	2 CLAMPS FOR VAC TRUCK	82.99
FRONTLINE PLUS, INC	ANNUAL SIREN SERVICE CONTRACT	4,000.00
GALLS, LLC	2 TURTLENECKS	730.02
GROSSENBURG IMPLEMENT INC	COOL-GARDII PRE-MIX 2 1/2	64.42
HACH COMPANY	CHEMICALS	1,303.17
HAWKINS INC	BUG CAP, TUBE, GASKET, DIAPHRA	945.23
HOGENS HARDWARE HANK	METRIC NUTS AND CLAMPS	14.37
HUGHES COUNTY SHERIFF'S OF	PISTOL PERMIT FEE C. GREEN	10.00
INGRAM PEST SERVICE INC	AIRPORT - SPRAY FOR SPIDERS	140.00
INLAND TRUCK PARTS COMPANY	2" HINGED CLUTCH BRAKE	87.87
INT'L UNION OF OPERATING E	CITY OF PIERRE DUES	840.00
JC OFFICE SUPPLY	2 CASES PAPER	86.00
KANSAS PAYMENT CENTER	MARCH DEDCUTIONS	203.00
KRUEGER CONTRACTING INC	WORK AT STORM SHELTER	3,447.53
LOCATORS & SUPPLIES INC	20 PAIRS GLOVES	349.17
LYLE SIGNS INC.	23 SIGNS	889.24
M & R SIGNS	CHANGE UP SHOW PACKAGE	730.75
MARCO TECHNOLOGIES, LLC	LIBRARY COPIER 2/25-3/25	263.63
MENARDS, INC	SPRAY PAINT, ENTRY ANTILLES	409.75
MESSERLI & KRAMER, PA	MARCH DEDUCTIONS	554.41
MIDCONTINENT COMMUNICATION	CITY HALL SVC 3/11-4/10	725.00
MIDWEST TAPE	1 AUDIO BOOK	581.85
MIDWEST TURF & IRRIGATION	SEATBELT	198.78
MINNESOTA MUNICIPAL UTILIT	2020 ASSOCIATE MEMBER DUES	375.00
MONTANA-DAKOTA UTILITIES C	CITY HALL SVC 2/13-3/16	824.13
MORRIS INC.	STAINLESS STEEL FLAT SHEET	97.08
OLSON'S PEST TECHNICIANS	FIRE STATION PEST CONTROL	110.00
ONE CALL LOCATORS, LTD	LOCATES 2/22-2/28	438.48
OVERDRIVE INC	6 DIGITAL MATERIALS	253.89
OVERHEAD DOOR COMPANY INC	REPLACE CABLE & ROLLERS ON DRS	548.16
PHEASANTLAND INDUSTRIES	T-SHIRTS, REFLEC TAPE, PRINT	94.81
POWER PLAN	SPLASH GUARDS	199.97
R & W CONSTRUCTION LLC	CONCRETE PADS-DUGOUT, BLEACHER	23,563.00
RELIASTAR LIFE INSURANCE C	ADJUSTMENT FROM FEBRUARY PMT	1,667.24
ROSE CONSTRUCTION	WORK AT MISSOURI & REE	5,508.36
RURAL ELECTRIC SUPPLY COOP	90 - CONN XF STUD BARE SLIP-ON	1,242.00
SD DEPT OF CORRECTIONS	INMATE PAYROLL JANUARY	328.95
SD DEPT OF REVENUE	PD - 2020 PLATE RENEWAL	11.00

CITY COMMISSION PROCEEDINGS March 31, 2020

SD DEPT OF TRANSPORTATION	ADMIN - FUEL DEC-FEB	13,840.17
SD DIVISION OF CRIMINAL IN	FEBRUARY BACKGROUND CHECKS	70.00
SD ELECTRICAL COMMISSION	PERMITS 394156 & 415701	205.00
SD OFFICE OF CHILD SUPPORT	MARCH DEDUCTIONS	1,319.00
SD RETIREMENT SYSTEM	CITY OF PIERRE POLICE AFTER	87,021.43
SDSRP	CITY OF PIERRE DED.	7,151.65
SERVALL UNIFORM & LINEN	LIBRARY - TOWELS	85.07
SERVICE EXPERTS	SERVICE CALL ON NO HEAT	89.00
SHARE CORPORATION	SAFETY GLASSES	1,798.68
SPECTERA INC	CITY OF PIERRE	180.66
STAPLES, INC.	5 CASES COPY PAPER	723.46
SUN BADGE COMPANY	2 LA DOME TWOTONE BADGES	206.50
THE LIBRARY STORE INC	PENCILS & POSTERS	835.34
TRANSOURCE TRUCK & EQUIPME	BUSHING, HOUSING, RING, WIPER	304.43
TX CHILD SUPPORT SDU	MARCH DEDUCTIONS	425.00
TYLER TECHNOLOGIES-INCODE	APRIL SUPPORT & WEB SITE	355.00
UNITED WAY	CITY OF PIERRE	189.00
VERMEER HIGH PLAINS	TREE STUMP GRINDER REPAIRS	158.57
WEGNER AUTO INC.	STUDS & BOLTS	60.90
WESCO DISTRIBUTION INC	NORDIC CBP37-43-15A	4,982.75
Y M C A	TWO CHILD MEMBERSHIP	947.70
ZANDER AUTO PARTS	BRAKE ROTORS AND PADS CAR #8	443.16

Mayor Harding recused himself from the meeting.

Twila Hight, Finance Officer, explained that Caleb Gilkerson turned in petitions on Monday March 23rd to run for Mayor claiming residency at 511 W Dakota Avenue, however an issue with the notary stamp deemed the petitions invalid. Caleb then secured 59 signatures and turned in valid petitions on Monday March 30th. The address claimed as residency is noted to be Steamboats Inc, as per the City Utility records and verified with Secretary of State's Office as the business address. After researching City records to determine if a residence was located within the business, there was no evidence found that this was ever used as a residence. The property is zoned Local Business, so a residence would require a Special Use Permit from the City. Building Permits on file did not show any reference to a residence, which would have required a building permit and would have been inspected by City staff to complete the permits. The County Records were also pulled and also did not reference any living space, bedrooms, or bathrooms. Based on the information and evidence found, the determination was made that Caleb did not meet the qualifications of residency as required by State Law, City Ordinance, and the City's Home Rule Charter. Richard Tieszen was hired to provide a legal opinion regarding the information and evidence that was found. Mr. Tieszen explained that his determination supported the Finance Officer's determination, adding that in 1999 the City passed an Ordinance that changed the allowable use of this particular property and would have required a filed grandfathered residential use. There is no record of a residence or request to be grandfathered as such. In 2002 Caleb Gilkerson filed for a variance to construct an addition onto the property and another building permit was obtained to complete this work. The floor plans provided and verified by inspection, do not show any residential space. Additional building permits were obtained in 2005 and 2008, also requiring building inspection. Again, no residential space was noted. The determination was provided to Caleb in writing on Friday March 27th. The letter explained the findings and provided that the City's Home Rule Charter required the Commission to be the final judge of elections and qualifications of it's members, noting the item would be reviewed at the March 31st City Commission Meeting. Caleb commented that he would like more

time to secure legal council, however it was noted that the notice of Election must be delivered to the County by April 1st. He went on to say this is his home and he lives there. He indicated he had an apartment put in for his customers to stay and many people do stay there. He said him and his son stay there. He explained that he's lived many places, including the house on 8th Street with his girlfriend Jess Burchill, but when she moved to Stanley County, he moved into 511 W Dakota Avenue. He was asked if all his belongings are located at this address and he indicated he had belongings in many places, including his parent's house. He was asked if he spends the majority of his nights at this location and he answered that he does not. This is where he goes every day and intends to go back to when he leaves. Commissioner Huizenga moved and Commissioner Johnson seconded to concur with the decision made by Twila Hight, our Finance Officer, that Caleb Gilkerson is not qualified to be legal candidate for Mayor for the City of Pierre based on not meeting the residency requirement. Unanimous approval.

Mayor Harding rejoined the meeting.

This being the time and place for the public hearing to consider the State Revolving Fund Loan Application for the Wastewater Treatment Plant Improvement Projects, Mayor Harding opened the hearing. Twila Hight, Finance Officer, explained that the application is for \$15.3 million to redesign the Wastewater Treatment Plant. Burns & McDonnell has been working on the plant improvements after the phase 1/2 was completed. They filed the original facility plan, but continued work on the redesign required an amendment to the Facility Plan that will be brought back to the Commission in the near future. This will be the last project that completes all needed improvements at the Plant. Being no one else present to comment, Mayor Harding closed the hearing. Commissioner Barringer moved and Commissioner Mehlhaff seconded to approve the Application to DENR SRF for the Wastewater Plant Improvement Redesign Project and authorize the Mayor to sign. Unanimous approval.

Sharon Pruess, City Planner, presented a request to hold a hearing for a Conditional Use Permit at 220 W Dakota Avenue from Quality Rentals/Brett Wheelhouse. His proposal includes renovations to the property to construct 20 small apartment units with 1 or 2 bedrooms. The final plans will be refined as he determines the needs for 1 or 2 bedroom units. Brett has provided a petition that was signed by 11 of 12 of his neighbors in support. The Planning Commission recommended approval at the March 23rd meeting. Commissioner Huizenga moved and Commissioner Johnson seconded to set a public hearing for 5:45pm on April 7th. Unanimous approval.

Twila Hight, Finance Officer, presented a request to waive the 5% utility penalty on the April and May utility bills. This would allow customers over 4 weeks to make payment before disconnection, with no added fees. Commissioner Mehlhaff moved and Commissioner Barringer seconded to waive the 5% utility penalty on the April and May utility bills. Unanimous approval.

Commissioner Mehlhaff moved and Commissioner Johnson seconded to adjourn. 7:22pm Unanimous approval.

Twila Hight, Finance Officer

Published once at the total approximate cost of _____.