



**CITY COMMISSION ROOM  
PIERRE, SOUTH DAKOTA  
November 15, 2022**

The City of Pierre board of Commissioners met in regular session on November 15, 2022 with Commissioners Barringer, Huizenga, Todd Johnson and Mayor Harding present for roll call. Vona Johnson was absent. The Pledge of Allegiance was recited. The agenda was approved as posted. No one was present for public comment.

Mayor Harding recognized the Governor Football Team for 6<sup>th</sup> consecutive State Championship.

Commissioner Huizenga moved and Commissioner Barringer seconded to approve the consent calendar to include the Minutes from the Regular Meeting on November 8, 2022; New Hire Park Department Maintenance Worker – Jody Ryland \$21.89; New Hire Street Department Maintenance Worker – William Boardman \$20.55; Transfer from Water Department to Street Department Heavy Equipment Operator – Wyatt Waite \$23.51; Raffle Requests – Saint Joseph School, Little Learners Preschool, Mule Deer Foundation; Claims. Unanimous approval.

A-OX WELDING SUPPLY CO INC	CO2 20LB CYL	47.80
AARON SWAN & ASSOCIATES IN	SOIL TESTING CITY POOL OCTOBER	20,809.38
ACE STEEL & RECYCLING INC	TUBE FOR LF SNOW PLOW	254.62
ADVANCE STORES COMPANY, IN	BATTERY	113.89
ALL-AROUND GRAPHIX INC.	EMBROIDERY ON 3 JACKETS	32.25
AQUA-PURE INC	WTP STARTUP CHEMICALS	31,549.55
AUDIOLOGY ASSOCIATES INC.	OSHA BASELN HOTCHKISS, BREMSER	120.00
AUTOMATIC BUILDING CONTROL	B&G CLUB FIRE ALARM TESTING	391.84
AVERA QUEEN OF PEACE	4 DRUG TEST	456.00
BAKER & TAYLOR COMPANY/THE	RTN 1 BOOK	1,115.30
BALLEW CONSTRUCTION INC.	I/O PRIMARY 313-317 TAYLOR	44,640.93
BUILDERS FIRSTSOURCE INC	SPNG RBR STIPS	53.08
BUTLER MACHINERY CO. INC.	FILTERS & TAIL LAMP	526.26
CDW GOVERNMENT INC	SCRATCH RESIST SCREEN PROTECT	1,240.54
CENTRAL COURIER, INC	POSTAGE OCTOBER	5,006.81
CENTRAL DISTRIBUTION	TOILET CLNR, TOWELS, WIPES	282.85
CHANDLERS INC	INSTALL 3 WINDSHIELDS	696.00
CLIMATE SYSTEMS INC	TEMP CONTROL W/EQUIP AGMT	3,606.50
CONNECTIONS INC EAP	NOVEMBER EMPLOYEE ASST. SVC	379.26
CROUCH RECREATIONAL DESIGN	USA SHADE	40,000.00
DAILY CAPITAL JOURNAL INC.	OCTOBER ADVERTISING	1,385.45
DAKOTA RADIO GROUP	OCTOBER ADS	250.00
DAKOTA SUPPLY GROUP	500' WIRE	3,766.98
DEMCO	LAMINATOR FILM ROLL	188.69
DONS SINCLAIR	34 CAR WASHES OCTOBER	12,444.27
EBIX INC	HOPE HEALTH NEWSLETTER	30.00
EFTPS	FEDERAL WITHHOLDING	145,003.69
ENVIRONMENTAL PRODUCTS & A	3 - LEADER HOSES	391.35

## CITY COMMISSION PROCEEDINGS November 15, 2022

ETTERMAN ENTERPRISES	FITTINGS, CONNECTORS, SEALANT	238.84
FLOYD'S TRUCK CENTER	NEW FILTERS 2022 WESTERN STARR	280.66
GOLDEN WEST TECHNOLOGIES	AGSS RENEWAL FOR NSA 4600	4,896.30
GRAHAM TIRE COMPANY INC	TIRE REPAIR 2020 CHEVY K2500	2,704.79
GUARDIAN ALLIANCE TECHNOLO	PSA/SOC MEDIA/CREDIT-SOFTWARE	256.00
HANSON/JASON	MOW & WEEDEAT 1020 W ELIZABETH	127.80
HDR ENGINEERING INC	EUCLID AVE SVC 9/25-10/22	2,685.31
HEARTLAND LAWN CARE INC	APPLY WINTERIZER FERTILIZER	164.00
HEUERTZ, TRAVIS	ACO INST. LIGHT/RADIOS/CONSOLE	1,169.40
HIGHT/TWILA	EXP REIMB FOR TYLER TECH MTG	66.00
HOGENS HARDWARE HANK	DRAIN KING	18.99
INGRAM PEST SERVICE INC	GOLF - SPIDER & MICE CONTROL	60.00
JC OFFICE SUPPLIES	NOTARY STAMPS DEWELL, LOPOUR	66.00
JC PRINTING INC.	SNOW REMOVAL INSERTS	620.00
JT DOYLE INC	OCTOBER 2022 RECONCILIATION	6,113.16
KELLEY/BILL	2022 CDL LICENSE RENEWAL	5.00
KGFX, INC.	OCTOBER COMMERCIAL ADS	834.75
KIMBALL MIDWEST	CARB/CHOKE, FUSES, M6, M8	215.67
KJBI-FM	OCTOBER COMMERCIAL ADS	300.00
KOLY-FM	OCTOBER COMMERCIAL ADS	266.00
KPLO	OCTOBER COMMERCIAL ADS	333.00
LOCAL WORKS INC	DUTCH ELM DIAGNOSIS IN CITY	1,000.00
LOPOUR, JACKIE	EXP REIM FOR TYLER TECH MTG	66.00
M-B COMPANIES INC	CASTER TIRE WHEEL ASSY	1,459.53
MEFFERD, ANNA	FIRE STATIONS CLEANING OCTOBER	300.00
MENARDS, INC	RTN GRINDING WHEEL & BRUSH	259.65
MIDWEST TURF & IRRIGATION	BRACKET CONVERSIONS	59.47
MORRIS INC.	.93TN WASHED RIVER ROCK	113,044.36
MOTOROLA SOLUTIONS INC	MICROPHONE	104.86
NORTHWEST PIPE FITTINGS	INDOOR/OUTDOOR CONTROLLER	658.14
O'REILLY AUTO ENTERPRISES,	WIPIER BLADES	60.78
OAHE GLASS INC	REPAIR TO AUTOMATIC DR-AIRPORT	306.12
PHEASANTLAND INDUSTRIES	SWEATSHIRTS, TSHIRTS	1,044.26
RC FIRST AID	BAND-AIDS, ANTI CREAM, WIPES	34.50
RIVER CITY TRANSIT	3RD QTR 2022 FUNDING	62,500.00
S ELLWEIN INC DBA INMAN'S	FIRE - POINT OF USE COOLER NOV	70.00
SD DEPT OF AGRICULTURE & N	SOLID WASTE MGMT FEE OCTOBER	2,213.00
SD DEPT OF PUBLIC SAFETY	CERT ID CARD J ERICKSON	10.00
SD PUBLIC ASSURANCE ALLIAN	ADD MOBILE EQUIPMENT	4,034.97
SDSRP	CITY OF PIERRE DED.	7,700.22
SERVALL UNIFORM & LINEN	STREET - MATS	167.78
SERVICE EXPERTS	BRIGHT ENERGY REBATE 10/25/22	300.00
SHARPE ENTERPRISES INC	BLACK HILLS DR TO 11/3/22 #1	1,318,459.51
SIMPSON & ASSOCIATES, INC	WTP APPRAISAL CONVERSION OPT	5,125.00
STATE OF SD - PMB 0112	OCTOBER TELEPHONE FEE	100.52
SUPERIOR CONCRETE LLC	SIDEWALK PANEL REPLACE-TAYLOR	1,300.68

TESSMAN SEED COMPANY	LEAFSHIELD	137.50
THE AMBLE GROUP INC.	HDP AIR	42.72
TK ELEVATOR CORPORATION	B&G CLUB MAINT. NOVEMBER	144.20
TORO COMPANY - NSN/THE	OPTIMUM MONTHLY - DECEMBER	278.00
TRAFFIC CONTROL CORPORATIO	SIDE-OF-POLE ASSY	610.00
TRANSOURCE TRUCK & EQUIPME	TRAVEL TO REPAIR 2021 SWEEPER	143.86
TRANSUNION RISK AND ALTERN	OCTOBER PEOPLE SEARCH	75.00
TRONVOLD, PAULA	EXP REIMB 2022 SDEMESA CONF.	755.44
VAN DIEST SUPPLY COMPANY	TURF KING, VESSEL HERBICIDE	2,738.00
WALZ, LACEY	EXP REIMB FOR TYLER TECH MTG	66.00
WHEELHOUSE PLUMBING INC	SEPTIC PUMPING - CEMETERY	387.00

Laurie Gronlund, Human Resources Director, presented the 2023 insurance rates. All rates will remain the same, except for dental rates that will see a 5% increase. Rates for 2 party will go from \$15.33 to \$16.09 and Family will go from \$30.43 to \$31.95. Commissioner Todd Johnson moved and Commissioner Barringer seconded to approve the 2023 insurance rates as presented. Unanimous approval.

Kristi Honeywell, City Administrator, presented the Ambulance Agreement with American Medical Response for 2023-2027 for \$415,000 per year. The agreement includes Hughes County, Stanley County, and Fort Pierre. The 4 entity contract is split between the entities using the same cost share from previous years, with Pierre being 40%. The annual subsidy used to be \$135,000 but with rising costs, AMR cannot provide the service for that amount. The remaining 3 entities have already taken action to approve the agreement. Commissioner Huizenga moved and Commissioner Todd Johnson seconded to approve the AMR Ambulance Contract as presented. Unanimous approval.

Kristi Honeywell, City Administrator, presented the annual appointment of the City Attorney in Resolution 2732. There are no changes to the terms. Commissioner Barringer moved and Commissioner Todd Johnson seconded to approve Resolution 2732. Unanimous approval.

**RESOLUTION NO. 2732**

WHEREAS, it is necessary to appoint and employ a City Attorney and Assistants to provide legal advice and services to the City of Pierre and its officers, boards, commissions and employees; now, therefore, pursuant to SDCL 9-14-1 and 9-14-23,

**BE IT RESOLVED AS FOLLOWS:**

That Lindsey Riter-Rapp is hereby appointed City Attorney at a yearly compensation of \$13,000.00 and Robert C. Riter, and Kody Kyriss, as Assistant City Attorneys at a yearly compensation of \$7,000.00 each. For these sums the City Attorney or Assistants shall perform the regular duties of the City Attorney, consisting of (1) attending all regularly scheduled and special meetings of the City Commission; (2) provide legal services arising out of regular and normal business of the City as is necessary and appropriate as an inherent part thereof (i.e. drafting ordinances and resolutions and research and advice pertaining to the meetings); (3) provide general legal advice on routine legal matters, which arises in the normal course of business, to the department heads in the performance of their duties; (4) seek enforcement and prosecute violations of city ordinances or other criminal law properly to be enforced by the City of Pierre, other than prosecution of nuisance or building code violations handled in the manner as expressed below; and (5) provide other legal services required by the City under Federal and State laws and city ordinances.

That for the performance of other services over and above the regular duties of the City Attorney as above set out, the City of Pierre does hereby hire and employ, Robert C. Riter, Lindsey Riter-Rapp, Jason Rumpca and Kody Kyriss to (1) conduct union negotiations; (2) prosecute and defend the City in civil legal actions in State and Federal Courts and before State and Federal administrative boards, commissions and departments, (3) prosecute nuisance or building code violations involving substantial time and attention (ex; more than three hours per project); (4) work with the Director of Human Resources on personnel related matters; and, (5) to otherwise provide specific legal advice as requested by the Mayor, City Commission or City Administrator or upon the direction of the City Administrator, by department heads or their representatives in the performance of their duties

on specific legal projects of a material nature outside the day to day general legal advice at the hourly rate of \$140.00 per hour, plus actual out of pocket expenses such as filing fees, court reporter fees, witness fees, long distance telephone calls and the like.

That to assist in the secretarial expense of the regular and extraordinary services hereinabove described, the City shall pay \$250.00 per month to the law firm of Riter Rogers, LLP of Pierre, South Dakota.

That this Resolution and the employment herein described be renewed on an annual basis and is terminable by any party upon thirty (30) days written notice to the other.

That to assist in the performance of the duties herein described, other attorneys in the office of Riter Rogers, LLP, namely, Jason Rumpca is appointed as an assistant at no salary.

DATED this 15<sup>th</sup> day of November, 2022.

Steve Harding, Mayor

ATTEST: Twila Hight

Commissioner Huizenga moved and Commissioner Todd Johnson seconded to adjourn. 5:59 p.m.  
Unanimous approval.

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Twila Hight, Finance Officer

Published once at the total approximate cost of \_\_\_\_\_.