

Spearfish City Council



Regular Session Minutes

Date:
March 2, 2009

The Spearfish City Council met in Regular Session in the Council Chambers of the Municipal Services Centre at 7:00 p.m. on Monday, March 2, 2009 with the following members present: Dardis, Davis, Morgan, Quinn, Schmit and Young. Also present: City Administrator Sund, Police Chief Rotert, Public Works Administrator Johnson, City Planner Watson, Fire Chief Kellogg, Assistant Finance Officer Dutton, Human Resources Director Friedel and City Attorney Pluimer. Mayor Krambeck presided and called the meeting to order. All stood and recited the Pledge of Allegiance.

Order of Business

Motion: Morgan
To approve Order of Business

Second: Dardis

Disposition: Motion passed on voice vote.

TIMETABLE

7:05 PM - Years of Service Awards - Mayor Krambeck presented the following years of service awards: Five Years: Elizabeth Allison, Miles Burtzloff, Robert Evridge, Steve Hanson, Glen Nicholas, Chris Smith and Mark Williams. Ten Years: Bill Foster. Fifteen Years: Carolyn Hefner. Twenty Years: Ross Johnson and Nancy McGinnis. Thirty Years: Kevin Klunder and David Mizera.

7:10 PM - Public Hearing - Chris' Campground PUD Amendment Request - In accordance with published notice, Public Hearing was held at this time to hear public testimony regarding a PUD amendment request for Chris' Campground. Public Hearing was opened at 7:10 PM. No oral or written comments were received and Public Hearing was closed at 7:11 PM. Second reading of Ordinance 1092 was considered later in the meeting.

7:15 PM - Public Hearing - Variance to City Subdivision Code on Tract C of Ruby Ridge Addition - In accordance with published notice, Public Hearing was held at this time to consider the application for variance requested by Mitch Moe. City Planner Watson presented an overview of the property and qualifications for variance. She further stated that the public comment at Planning Commission concerned who would pay for any changes or impacts to Hill Street. Request includes dividing property into at most three lots, one shared well, gravel streets and septic systems. Public Hearing was opened at 7:24 PM. Fire Chief Kellogg expressed concern of getting water to the site for any firefighting necessities. He also spoke as a private citizen expressing concern with putting septic systems in an area comprised of so much limestone. No further oral or written comments were received and Public Hearing was closed at 7:27 PM. Council then directed questions to Mr. Moe who expressed concern of potential buyers that the purchase price of the lot and having to dig individual wells would be cost prohibitive. This is an unusual piece of City property due to its altitude and grade and it is

unlikely that city utility services will ever extend to this piece of land. Moe also discussed with council that septic certification would need to be done prior to any actual construction in order to certify the drain field/well proximity issue according to engineer specifications. Watson stated that hardship definitely exists since water and sewer will not be delivered by the City and this type of development is consistent with other similar developmental patterns.

Council member Quinn stated he would be uncomfortable at this time approving such variance knowing that so much limestone and heavy clay density exists in the area. Council member Young asked Moe if there was a pressing need for approval right now. Moe replied no, but would like to resolve it in the near future as the property as is, is unworkable.

Motion: Quinn
To table for two weeks.

Second: Davis

Disposition: Motion passed on voice vote.

Consent Agenda

1. Approve minutes of Regular Session February 17, 2009.
2. Approve Daniel Schweitzer as a volunteer at the library.
3. Authorize hire of Public Works Administrative Secretary, Julie Myers, Grade 10, Step 2, \$12.61/hour, beginning March 3, 2009
4. Authorize hire of two part time Fitness Coordinators at Rec Center - Josh Fundis and Jessica Marshall, both Grade 12, Step 1 \$13.58/hour starting March 3, 2009
5. Withdraw bid opening for Industrial Park Detention Pond
6. Authorize purchase of four traffic signal poles for Main Street and Jackson Boulevard at a cost of \$22,540, funded from Highway & Bridge.
7. Approve 2009 Lookout Mountain Fuel Control Project - SD Department of Agriculture Division of Wildland Fire Suppression at cost not to exceed \$25,000.00.
8. Authorize Greg Sund to attend the Annual Spring GOSCOMA Conference in Minot, ND April 22-24.
9. Authorize travel to Billings, MT for Pool Operator Training.

Motion: Dardis
To approve Consent agenda.

Second: Morgan

Disposition: Motion passed on voice vote.

REGULAR AGENDA RESOLUTIONS AND ORDINANCES

First Reading of Ordinance 1093 - 2009 Budget Amendment for Rotary Park Subsidy -

Sund reported that this subsidy made possible with approval of this budget amendment received positive remarks from City council members. It was first requested in early 2008 as a 2009 subsidy but did not make it into the 2009 budget due to oversight.

Motion: Dardis
To approve First Reading of Ordinance 1093.

Second: Morgan

Disposition: Motion passed on voice vote.

Second Reading - Ordinance 1092 - Chris' Campground PUD amendment request -
Ordinance will amend a small parcel adjacent to Chris's Campground into the Chris'
Campground PUD.

**AN ORDINANCE AMENDING APPENDIX A – ZONING OF THE REVISED ORDINANCES OF THE
CITY OF SPEARFISH BY ZONING CERTAIN PROPERTY.**

BE IT ORDAINED by the Common Council of the City of Spearfish that the real
property herein described be zoned from AG (Agricultural District) to:

PUD (Planned Unit Development District) which shall be applied to the following parcel:

A portion of the remainder of the SW1/4 NW1/4 of Section 24, to be incorporated into
Tract C-2R of the Christensen Addition of the SW1/4 NW1/4 of Section 24, all located in the W1/2
NW1/4 and the SW1/4 NW1/4 of Section 24 T6N R2E, BHM to the City of Spearfish, Lawrence County,
South Dakota.

Dated this 17th day of February 2009

CITY OF SPEARFISH

By: _____
Jerry A. Krambeck, Mayor

ATTEST:

Greg Sund, City Administrator

(SEAL)

First Reading: February 17, 2009
Public Hearing and Second Reading: March 2, 2009
Published: March 20, 2009
Effective: April 9, 2009

Motion: Davis
To approve Second Reading of Ordinance 1092.

Second: Young

Disposition: Motion passed on voice vote.

Resolution 2009-10 - Surplus 2000 Ford Explorer to be traded - Vehicle used as trade-in for a
newer used pickup for Police Department.

RESOLUTION NO. 2009-10

A RESOLUTION TO SURPLUS A 2000 FORD EXPLORER TO BE TRADED.

WHEREAS, the City of Spearfish is the owner of the following personal property:

2000 Ford Explorer Vin # 1FMZU72E6YZC07072

WHEREAS, the City of Spearfish deems it desirable to declare said property as being surplus;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the 2000 Ford Explorer is declared surplus property to be used as trade.

Dated this 2nd day of March, 2009.

CITY OF SPEARFISH

By: _____
Jerry A. Krambeck, Mayor

ATTEST:

Greg R. Sund
City Administrator

(SEAL)

Adopted: March 2, 2009
Published: March 20, 2009
Effective: April 9, 2009

Motion: Davis
To approve Resolution 2009-10.

Second: Dardis

Disposition: Motion passed on voice vote.

Bridge Reinspection Resolution - Resolution to place 10 bridges on the State Program for reinspection.

**BRIDGE REINSPECTION
PROGRAM RESOLUTION**

FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the City of Spearfish is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire Brosz Engineering (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for

inspection services rendered, and bill the City of 20% of the cost. The City will be responsible for the required 20% matching funds.

There are a total of ten (10) bridges in the City of Spearfish that require inspection.

Dated this 2nd day of March, 2009, at Spearfish, South Dakota.

Mayor

ATTEST:

City Administrator

Motion: Schmit
To approve Bridge Reinspection Resolution.

Second: Quinn

Disposition: Motion passed on voice vote.

Bridge Replacement Resolution - Resolution to place a bridge on the State Program for replacement. Previous inspection showed the bridge over Polo Creek as being deficient and eligible for federal replacement money. If the bridge is placed on the program now, funds may not be available until 2016.

**FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION
FOR COUNTY AND URPAN PROJECTS**

WHEREAS, The City of Spearfish desires the

(check one) replacement X or rehabilitation _____ of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION:

*41-163-083 - ALCORN RIDGE ROAD @0.9 MILES EAST OF JUNCTION US 85
SOUTH ON ST. ONGE ROAD OVER POLO CREEK.*

AND WHEREAS, City of Spearfish is obligated and
Hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and
Supplemented thereto for project after construction is completed and to regulate or cause to be regulated
The installation of utility facilities within the limits of the right-of-way of the proposed project in
Accordance with State and Federal requirements.

AND WHEREAS, City of Spearfish is obligated and
Hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement/rehabilitation for the following reasons:

1. The sufficiency rating is 37.3. (2007 Report)
2. The bridge is X or is not _____ located on a County or township designated Minimum Maintenance Road.
3. The bridge is located on a Federal Aid Route _____, a school bus route X, a mail route X, a field to farm to market route _____, a lake or recreation access route _____, or other (please specify) _____.
4. The load carrying capacity of the existing bridge can _____ or cannot X be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested To program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$ _____ (SD DOT will
Federal Share (80%): \$ _____ perform estimate)
Local share (20%): \$ _____

Proposed Year of Construction: 2016

Vote of Commissioners/Council: Yes _____ No _____

Dated at Spearfish, SD, this 2nd day of March, 2009.

ATTEST:

City Administrator

Mayor

Motion: Dardis
To approve Bridge Replacement Resolution.

Second: Morgan

Disposition: Motion passed on voice vote.

Board of Equalization Meeting - Each year, state law requires the Board of Equalization to meet during the week of the 3rd Monday of March to hear property valuation disputes and decide if they merit adjustment. This year the third Monday is March 16th. All work of the board must be completed by the end of day Friday March 20, 2009. Property owners must have their objections to value filed by March 12th. Sund recommended setting the time for this meeting at 6:00 PM on Monday, March 16th and adjust the starting time earlier in 15 minute increments for each personal appearance scheduled.

Motion. Dardis
To approve setting date/time/location of annual Board of Equalization meeting as Monday, March 16, 2009 at 6:00PM at the Spearfish Municipal Services Centre, 625 5th Street and to adjust the start time earlier in 15 minute intervals for each personal appearance by an objector.

Second: Morgan

Disposition: Motion passed on voice vote.

Highway 85 Land Use Guidelines Update - City Planner Watson reported that Lawrence County Commission did not make a decision on the guidelines as during the last meeting on 2-24-09. Landowners in attendance requested additional time to review the document. There will be a public information meeting on 3-26-09.

Letter of Support for School District - City Administrator Sund asked Council what stand they would like to take regarding the school board decision to build a new elementary school. Sund was directed by council to write a letter of support and Mayor and Council will review.

FYI - Kevin Whirlwind Horse Memorial Run - This is an annual event - this year it will be on Saturday, April 18th from 10:30am to noon. 10K run begins at Salem Park, follows the Rec Path to the finish at first inlet in Spearfish Canyon. Volunteers will borrow cones and barricades from City which will be put up and taken down by volunteers.

CGI Communications Video - City Administrator Sund reported that he had been contacted by CGI Communications, a company that produces videos for communities which they host on their website. There is no cost to the City for production, storage or availability of the videos. They cover their costs by seeking local private sponsors.

Motion: Dardis

Second: Quinn

To approve City Administrator signing contract with CGI.

Disposition: Motion passed on voice vote, with Davis voting no.

Bill List

VENDOR	DESCRIPTION	AMOUNT
4IMPRINT, INC	FLAG DIE CUT BAGS	\$ 396.73
A M LEONARD, INC	FELCO FOLDING SAW	\$ 150.19
ABC BUSINESS SUPPLY	OFFICE SUPPLIES	\$ 1,267.25
ALLTEL	FEB 09 DISPATCH CELL PHONE	\$ 238.92
AMCON DISTRIBUTING CO	REC CENTER CONCESSIONS	\$ 489.87
ARBOR DAY FOUNDATION	2009 ANNUAL MEMBERSHIP	\$ 15.00
AT & T INFORMATION SYSTEMS	FEB 09 E911 LONG DISTANCE	\$ 11.97
BIG SKY COMMUNICATIONS	HEADSETS & AMPLIFIERS	\$ 2,068.00
BLACK HILLS AREA FINANCE OFFICER ASSN	2009 WINTER SPEAKER	\$ 250.00
BLACK HILLS COMMUNITY DEVELOPMENT	QUARTERLY ALLOCATION	\$ 750.00
BLACK HILLS PIONEER	LEGAL PUBLISHING	\$ 81.94
BLACK HILLS POWER & LIGHT	ELECTRICITY	\$ 10,905.55
BLACK HILLS STATE UNIVERSITY	INSERT UTILITY BILLS/COPY	
BLACK HILLS TIMBER EQUIPMENT	NEWSLETTER	\$ 559.99
BUTLER MACHINERY CO	BLADE RENTAL-SNOW REMOVAL	\$ 575.00
CANFIELD BUSINESS INTERIOR	BRACKET/POINT RIPPERS	\$ 1,415.36
CARGILL, INC	40 FOLDING TABLES-REC CENTER	\$ 5,265.00
CASA	BULK DEICER	\$ 16,155.04
	QUARTERLY ALLOTMENT	\$ 1,000.00

CETEC ENGINEERING SERVICES	TIF #2 IND PARK ENG SERVICES	\$ 10,604.50
CIT TECHNOLOGY FINANCIAL	3X COPIER LEASE	\$ 691.40
COMMUNITY ACTION PROGRAM	QUARTERLY ALLOCATION	\$ 975.00
DC BOOTH SOCIETY, INC	QUARTERLY ALLOCATION	\$ 7,125.00
DEMCO, INC	LIBRARY STORAGE SUPPLIES	\$ 195.35
DEVINE, TARBELL & ASSOCIATES	FERC LICENSING	\$ 7,377.97
DIVERSE MEDIA, INC	DVDs	\$ 81.44
DLT SOLUTIONS, INC	2009 CIVIL 3D SUBSCRIPTION RENEWAL	\$ 1,890.58
DOWNTOWN BUSINESS ASSOCIATION	QUARTERLY ALLOCATION	\$ 1,000.00
EHNES, TYLER	TRAVEL-CASPER TRAINING	\$ 79.00
ENERGY LABORATORIES	LAB TESTS	\$ 191.50
FASTENAL COMPANY	HARDWARE/SAFETY VESTS/LATEX GLOVES	\$ 400.10
FIRST NATIONAL BANK	SRF WWTP LOAN PAYMENT	\$ 14,468.29
GALLS INC	BAG/JACKET/NAMETAG/BATTERIES	\$ 310.40
GOOD SHEPHERD CLINIC	QUARTERLY ALLOTMENT	\$ 1,875.00
GRIMM'S PUMP SERVICE	DETERGENT	\$ 184.00
HD SUPPLY WATERWORKS	METERS/COPPER HORNS/MXUs	\$ 6,649.33
HDR ENGINEERING, INC	DESIGN STANDARD REVIEW ENG	\$ 17,127.21
HEISLER HARDWARE	HARDWARE/TOOLS/PAINT/REPAIRS	\$ 1,518.39
HIGH PLAINS HERITAGE SOCIETY	QUARTERLY ALLOCATION	\$ 15,875.00
HILLS MATERIALS CO	CRUSHED ROCK AND FILL	\$ 794.40
HILLYARD / SIOUX FALLS	GARBAGE LINERS	\$ 145.72
HOFMANN, STEVEN	REFUND OF SUPPLY PURCHASE	\$ 32.83
HOLIDAY INN-SPEARFISH	BID BOARD CONVENTION PLANNING	\$ 4,500.00
KNOLOGY INC	FEB 2009 TELEPHONE	\$ 2,116.17
KT CONNECTIONS	PWA SERVER UPGRADE PROJECT	\$ 914.00
LAWSON PRODUCTS, INC	HOSE CLAMPS/ HEAT SEALS	\$ 307.44
LAZY B ENTERPRISES	CITY HALL PAPER RECYCLING	\$ 28.00
LIBRARIANS' BOOK EXPRESS	BOOKS	\$ 81.96
LONG RIDER BOOKS	BOOKS	\$ 446.65
MAILWORKS PLUS	SHIPPING	\$ 10.87
MCGAS PROPANE	ADJUSTABLE PILOT	\$ 80.00
METZGER-HOLCOMB ANIMAL CLINIC	MONTHLY EUTHANASIA CONTRACT	\$ 100.00
MG OIL COMPANY	JAN 2009 FUEL CONTRACT	\$ 13,645.13
MONTANA-DAKOTA UTILITIES	NATURAL GAS	\$ 10,224.29
NEIGHBORHOOD HOUSING S-BH	QUARTERLY ALLOCATION	\$ 1,250.00
NEVE'S UNIFORMS, INC	BOOTS-KLUNDER	\$ 89.95
NJS ENGINEERING CORP	SURVEY-PLAT LAND EXCHANGE	\$ 2,700.00
NORTHERN BH RSVP	QUARTERLY ALLOTMENT	\$ 1,625.00
NORTHERN HILLS ALCOHOL & DRUG	QUARTERLY ALLOTMENT	\$ 1,250.00
OUTDOOR MOTORSPORTS	WINDSHIELDS/TIRES/SOFT TOP/COVER	\$ 893.84
PENWORTHY COMPANY	BOOKS	\$ 247.85
PETTY CASH-FINANCE OFFICE	REPLENISH PETTY CASH-FO	\$ 168.35
PKG CONTRACTING, INC	PR #9 WWTP EXPANSION PROJECT	\$ 261,657.23
PETTY CASH P&Z	REPLENISH P&Z PETTY CASH	\$ 188.00
POLK CITY DIRECTORIES	CITY DIRECTORY PUBLICATION	\$ 377.40
POWELL, CHRIS	TRAVEL-CASPER TRAINING	\$ 50.00
PRAIRIE HILLS TRANSIT	QUARTERLY ALLOTMENT	\$ 5,000.00

PROGRESSIVE BUSINESS PUBLICATIONS	2009 SUBSCRIPTION	\$ 253.00
RAFFERTY, LEAH	2008 DEDUCTIBLE REIMBURSEMENT	\$ 147.12
RANDOM HOUSE, INC	CDs	\$ 60.90
RECORDED BOOKS, LLC	BOOKS ON CD	\$ 446.10
SD ASSN OF RURAL WATER SYSTEMS	2009 ANNUAL DUES	\$ 935.00
SD ASSOCIATION OF CODE ENFORCEMENT	TRAINING CONF-MOWELL & WATSON	\$ 100.00
SOLAR SOUND CORPORATION	LIGHTING MAINTENANCE CONTRACT	\$ 126.00
SOUTH DAKOTA BUREAU OF PERSONNEL	TRAINING-CALLAWAY & KLAPPERICH	\$ 448.00
SOUTH DAKOTA BUREAU OF ADMIN	WWTP LONG DISTANCE CHARGES	\$ 5.41
SPEARFISH ARTS CENTER	QUARTERLY ALLOCATION	\$ 12,625.00
SPEARFISH AUTO SUPPLY	REPAIRS/TOOLS/OIL/SUPPLIES	\$ 2,701.47
SPEARFISH ECONOMIC DEVELOPMENT	QUARTERLY ALLOTMENT	\$ 16,500.00
SPEARFISH FOOD PANTRY	QUARTERLY ALLOTMENT	\$ 1,050.00
SPEARFISH MOTORS, INC	REPAIR BRAKES PD2	\$ 248.35
SPEARFISH OPTIMIST CLUB	2009 HOME SHOW-PD BOOTH	\$ 370.00
SPEARFISH SENIOR SERVICE CENTER	MONTHLY ALLOTMENT	\$ 850.00
SUPERIOR SANITATION	RESTROOM RENTALS	\$ 390.00
SYSCO FOOD SERVICES OF MT	REC CENTER CONCESSIONS	\$ 60.00
TASC	FLEXPLAN/COBRA ADMIN 2ND QTR 2009	\$ 1,116.96
TEEN COURT	QUARTERLY ALLOCATION	\$ 2,500.00
THE TAPE CO	REWRITABLE DVDs	\$ 146.00
THOMSON WEST PAYMENT CENTER	2009 ARREST LAW BULLETIN SUBSCRIPTION	\$ 168.00
TTG ENTERPRISES	ADD ASTRONOMICAL CLOCKS WWTP	\$ 455.64
USA BLUE BOOK	FIREMAN BOOTS	\$ 232.84
VICTIMS OF VIOLENCE	QUARTERLY ALLOTMENT	\$ 1,625.00
WALMART COMMUNITY BRC	SUPPLIES/REC CONCESSIONS/VACUUMS	\$ 1,517.69
WELLS FARGO BUSINESS CARD	REC CONCESSION BLENDER REPAIRS	\$ 13.57
WELLS PLUMBING CORP	PLUMBING SUPPLIES/SOFTNER SALT	\$ 72.51
WESTERN COMMUNICATIONS	REPAIR BASE RADIO	\$ 83.00
WESTERN HILLS HUMANE SOCIETY	MONTHLY DETENTION/NEUTER CONTRACT	\$ 1,250.00
WILLIAMS & ASSOCIATES	REC CENTER ENG PROJECT ENGINEERING	\$ 905.00
WOLFF'S PLUMBING & HEATING	SPICKETT REPAIR	\$ 199.06
** TOTALS **		\$ 486,741.97

January 2009 Salary Expense - Bill List 2/2/2009

	Gross Wages/Benefits	
Mayor/Council	\$10,323.23	1.48%
City Administrator	16,729.73	2.40%
Finance	15,508.72	2.22%
Human Resources	7,699.85	1.10%
Government Buildings	18,599.15	2.66%
Public Works Administration	42,976.35	6.16%
Police	171,222.65	24.52%
Police Comm	35,586.15	5.10%
Fire	3,413.90	0.49%
Building Inspection	16,726.40	2.40%
Streets	20,112.79	2.88%
Snow Removal	27,584.89	3.95%
Storm Water	232.00	0.03%

Cemetery	6,438.08	0.92%
Animal Control	3,904.52	0.56%
Recreation/Aquatic	49,370.02	7.07%
Spectator Recreation	4,727.18	0.68%
Parks	18,066.17	2.59%
Library	29,478.78	4.22%
Plan & Zone	14,402.50	2.06%
Motor Pool	17,746.78	2.54%
Water	37,214.47	5.33%
Electric Production	19,095.85	2.74%
Sewer	26,947.06	3.86%
WWTP	43,873.06	6.28%
Parking	853.13	0.12%
Solid Waste	36,982.56	5.30%
Campground	2,346.20	0.34%
Totals	<u>\$ 698,162.17</u>	<u>100.00%</u>

Motion: Dardis
To approve Bill List of 3-2-09.

Second: Morgan

Disposition: Motion passed on voice vote.

APPROVAL	INITIALS
Mayor Krambeck	
Shawn Dardis	
Eric Davis	
Mary Morgan	
Tom Quinn	
Doug Schmit	
Paul Young	

There being no further business before the Council, Young moved, Morgan seconded and all voted to adjourn at 8:10 p.m.

Dated this 2nd day of March 2009.

CITY OF SPEARFISH

BY: _____
 Jerry A. Krambeck, Mayor

ATTEST:

 Greg Sund, City Administrator