

Spearfish City Council



Regular Session Minutes

Date:
March 21, 2011

The Spearfish City Council met in Regular Session in the Council Chambers of the Municipal Services Centre at 7:00 PM on Monday, March 21, 2011 with the following members present: Aaker, Baker, Geppert, Morgan, Schmit and Young. Also present: City Administrator Neeb, Police Chief Rotert, Fire Chief White, Public Works Administrator Johnson, Finance Officer Dutton, City Planner Watson, Human Resource Director Friedel, Recreation Facility Director Hoffman, Police Lieutenant Jacobs, and City Attorney Pluimer. Mayor Krambeck presided and called the meeting to order.

Order of Business – Schmit moved, Morgan seconded and all voted to approve the Order of Business.

Consent Agenda – Morgan moved, Young seconded and all voted to approve the Consent Agenda.

- A. Request to set the opening of the Financial Proposals for the Fire Substation for April 27, 2011 at 4:15 p.m. at Public Works Committee.
- B. Approve Minutes of Regular Session of March 7, 2011.
- C. Accept Monthly Financial Report Dated February 28, 2011.

ITEMS FROM VISITORS

Leading Lady Project - Elaine Doll-Dunn presented a vision for an art in public places project she is currently working on. She has contacted artist Tony Chytka and he has designed a prototype for 'Leading Lady' sculpture. After Council has some time to peruse the project, she plans to ask the city for \$20,000 for the up-front costs, city assistance in placing the sculpture once it is finished and a location on City property for the placement and future maintenance of the sculpture, preferably on one of the Recreation paths. She is seeking sponsorship from other local organizations as well as the total cost of the project is estimated at \$40,000.

HUMAN RESOURCES

New Hire – Young moved, Morgan seconded and all voted to hire Misty Hodgs, Recreation Administrative Secretary, Grade 10, Step 1, \$12.68/hour, effective March 22, 2011.

Seasonal Hires – Young moved, Morgan seconded and all voted to hire the following Recreation and Aquatic Center Temporary Seasonal Employees effective March 22, 2011: Stephen Reed, Janitorial, \$9.25/hour and Kelsey Prosser, Lifeguard Coordinator, \$10.50/hour.

Wage Correction – Morgan moved, Young seconded and all voted to correct Michelle Wenzel’s wage by moving her to a grade 16, step 6, \$19.29 per hour, effective 3/8/2011.

BIDS AND PROPOSALS

Award Bid – Schmit moved, Geppert seconded and all voted to award bid for Weed and Feed Application to Mid Dakota Vegetation Management at Total Bid \$35, 517.30. One bid was received.

HEARINGS

Public Hearing – Mayor Krambeck opened a Public Hearing at 7:12 PM to consider an application by David Brueckner dba The Bum Steer for a Special Malt Beverage And Wine License for The Rotary Club’s ‘Beer, Brats, Bingo & Polka’ at the Pavilion on April 30, 2011 from 5:30 PM to 10:00 PM. There were no oral or written comments and Public Hearing was closed at 7:12 PM. Young moved, Schmit seconded and all voted to approve this Special Malt Beverage and wine license.

RESOLUTIONS AND ORDINANCES

Second Reading of Ordinance 1133 – Morgan moved, Baker seconded and all voted to approve Second Reading of Ordinance 1133 - An Ordinance to Amend Chapter 4 – Alcoholic Beverages.

First Reading of Ordinance 1134 – Young moved, Morgan seconded and all voted to approve First Reading of Ordinance 1134 - An Ordinance to Amend Chapter 14, Section 14-112 Outdoor concerts regulated. This is a cleanup to remove day and time restrictions still in place in ordinances to avoid conflict with the running of the Passion Play.

Bridge Re-Inspection Resolution – Schmit moved, Morgan seconded and all voted to approve the Bridge Re-Inspection Program Resolution for use with SDDOT Retainer Contracts to hire NJS Engineering to inspect City maintained bridges. The City will be responsible for 20% of the inspection services fee.

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 NJS 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 21st day of March, 2011, at Spearfish, South Dakota.

Mayor

ATTEST:

City Finance Officer

Adopted: March 21, 2011
Published: March 25, 2011
Effective: April 14, 2011

Resolution 2011-18 – Young moved, Geppert seconded and all voted to approve Resolution 2011-18 - A resolution designating the Amphitheatre area as Thoen Stone Addition.

RESOLUTION NO. 2011-18

A RESOLUTION TO ESTABLISH TERRITORY WITHIN CITY LIMITS TO BE KNOWN AS THE THOEN STONE ADDITION

WHEREAS, the territory described herein was annexed by the Common Council of the City of Spearfish; and,

WHEREAS, the territory described herein was not identified by a specific name at the time of annexation.

WHEREAS, the City of Spearfish now desires to simplify the process for recording future plats in this area, as well as include a parcel contained in the Original Townsite Plat to be a part of the Thoen Stone Addition.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the following described territory be known as the Thoen Stone Addition: (See Exhibit A, attached to this resolution for general location)

LOT 38A AND LOT 38B OF THE NW¼ OF SECTION 15, T6N, T2E, BHM AS RECORDED IN PLAT BOOK 2, PAGE 83;

LOT 37A AND LOT 37B OF THE W½NW¼ OF SECTION 15, T6N, T2E, BHM AS RECORDED IN PLAT BOOK 6, PAGE 88;

LOT 37C1 AND LOT 37C2 OF THE W½NW¼ OF SECTION 15, T6N, T2E, BHM AS RECORDED IN PLAT BOOK 6, PAGE 202;

LOT 10A OF LOT 40A OF THE W½NW¼ OF SECTION 15, T6N, T2E, BHM AS RECORDED IN PLAT BOOK 4, PAGE 428;

LOTS 1 THROUGH 6 OF BLOCK 46, ORIGINAL TOWNSITE OF SPEARFISH AS RECORDED IN PLAT BOOK 1, PAGE 169.

Dated this 21st day of March, 2011

CITY OF SPEARFISH

By: _____
Jerry A. Krambeck, Mayor

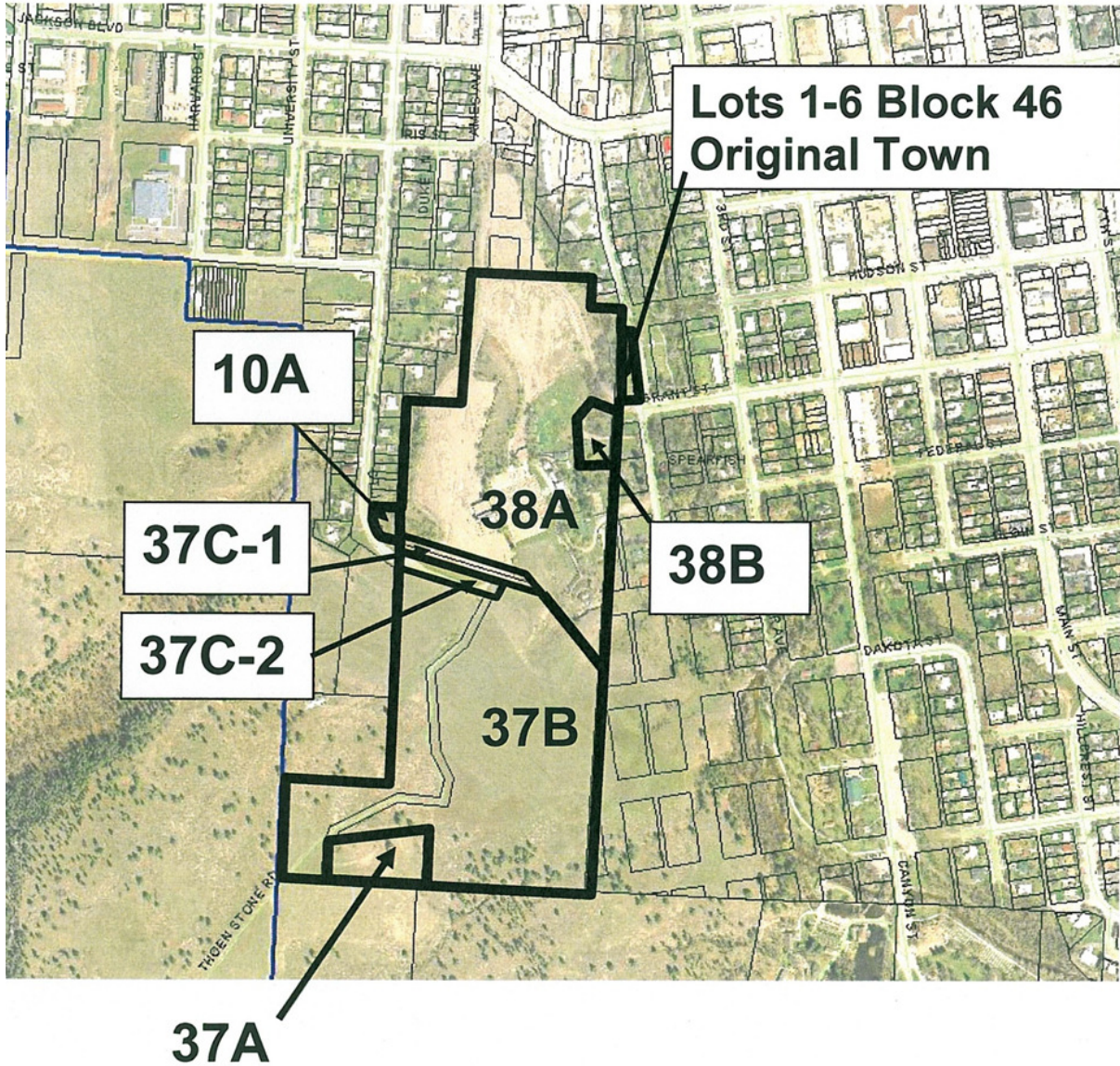
ATTEST:

David H. Dutton, City Finance Officer
(SEAL)

Adopted: March 21, 2011

Published: April 1, 2011

Effective: April 21, 2011



(NOTE: This illustration is to be used only as a general guide)

EXHIBIT A

Resolution 2011-20 – Young moved, Morgan seconded and all voted to approve Resolution 2011-20 - Resolution of Intent to Authorize a Lease of Municipal Property to a Private Individual for Grazing Lookout Mountain.

RESOLUTION NO. 2011-20

A RESOLUTION OF INTENT TO AUTHORIZE A LEASE OF MUNICIPAL PROPERTY TO A PRIVATE INDIVIDUAL.

WHEREAS, SDCL 9-12-5.2 requires the City to adopt a resolution of intent to enter into a lease of municipal property with a private individual for a period in excess of 120 days and in excess of five hundred dollars annual value; and,

WHEREAS, the City desires to lease certain real property to accepted proposer upon terms requiring a resolution of intent.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that it intends to enter into a lease of the following described real property with accepted proposer for a period terminating July 15, 2011 and/or October 31, 2011:

That portion of Lookout Mountain located in Lawrence County consisting of approximately 653 acres, more or less, designated available for grazing;

BE IT FURTHER RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that a public hearing on the adoption of the resolution shall be held on the 4th day of April 2010, in the Council Chambers of the City of Spearfish Municipal Services Centre, 625 Fifth Street, Spearfish, South Dakota.

Dated this 21st day of March 2011.

CITY OF SPEARFISH

By: _____
Jerry A. Krambeck, Mayor

ATTEST:

David H. Dutton
Finance Officer

(SEAL)

Adopted: March 21, 2011
Published: March 25, 2011
Effective: April 14, 2011

CITY ADMINISTRATION

Annexation Policy – City Administrator Neeb and City Planner Watson reviewed the proposed annexation policy for the City of Spearfish. This policy does not dictate where and when annexations occur; it establishes the method of how annexation is done. Schmit moved, Morgan seconded and all voted to accept the annexation policy.

LEGAL, FINANCE AND PUBLIC SAFETY

FYI – Raffle Request - Parent Advisory Committee (PAC) at West Elementary School plans to raffle several donated items such as piñatas, bicycles and baskets. Cost per ticket is \$1.00 with ticket sales from March 22, 2011 to drawing date of April 28, 2011. 1,000 tickets to be sold. Proceeds to benefit PAC to help fund student, staff and parent support programs throughout the school year such as Donuts for Dads, Muffins for Moms, Teammates, etc....

PUBLIC WORKS

Design Proposal – Schmit moved, Young seconded and all voted to obtain a proposal from FMG Engineering for design services for the 2012 Street Improvements Project located in Jorgensen Subdivision, budgeted in Highway and Bridge fund.

PLANNING AND ZONING

Agreement 01-11 – Young moved, Baker seconded and all voted to approve Agreement 01-11 which will amend McGuigan Ranch Development Agreement to allow for a change from duplex residential to a traditional “old town” style single family lot.

Bill List – Morgan moved, Geppert seconded and all voted to approve the Bill List of March 21, 2011.

VENDOR	DESCRIPTION	AMOUNT
ABC BUSINESS SUPPLY	COPY PAPER/LASER TRIMMER/SUPPLIES	\$ 944.76
ALLTEL	MAR 2011 DISPATCH MDTs	\$ 238.92
AMCON DISTRIBUTING CO	CONCESSIONS/PD COFFEE	\$ 436.68
BIG SKY COMMUNICATIONS	HEADSET/VOICE TUBE/KIT	\$ 145.90
BLACK HILLS CHEMICAL CORP	DISINFECTANT/ECOLYZER	\$ 195.00
BLACK HILLS PIONEER	ANNUAL DEPT REPORT AD/CLASSIFIEDS	\$ 287.00
BLACK HILLS POWER & LIGHT	ELECTRICITY	\$ 7,079.18
BLACK HILLS PURE INC	COOLER RENTALS/WATER	\$ 61.75
BLACK HILLS TIMBER EQUIP	SNOW REMOVAL SERVICES	\$ 480.00
BRADY, PLUIMER PC	FEB 2011 LEGAL RETAINER/LEGAL FEES	\$ 3,248.66
CARGILL INC	BULK DEICER	\$ 8,714.15
CENGAGE LEARNING	BOOKS	\$ 119.92
CENTURION HOLDINGS II LLC	2011 ANNUAL MAINTENANCE FEES	\$ 50.00
CENTURY BUSINESS PRODUCTS	FEB 2011 REC CTR COPIER LEASE	\$ 241.88
CLAUSER MACHINE WORKS	REPAIR PUMP/STRAIGHTEN PLATE	\$ 2,381.85
DAKOTA PUMP & CONTROL INC	FINAL PAY TURBINE PUMP WWTP	\$ 8,960.00
DAKOTA SECURITY SYSTEM INC	ANNUAL PD SERVICE CONTRACT	\$ 1,888.09
DELL MARKETING LP	TONER CARTRIDGE	\$ 198.54
DEMCO INC	RECEIPT REFILL/DATE DUE SLIPS	\$ 148.60
DIVISION OF MOTOR VEHICLES	SPECIAL LICENSE RENEWAL	\$ 20.00
DLT SOLUTIONS INC	AUTOCAD CIVIL 3D 2011 LICENSE /RENEW	\$ 4,490.58
FASTENAL CO	HARDWARE/DOLLY/LANYARD/WORK MAT	\$ 201.04
FSH COMMUNICATIONS LLC	MARCH 2011 PAYPHONES	\$ 180.00
GALLS INC - ARAMARK	SVFD BADGES	\$ 581.28

GARLICK, KRIS DEANN	FEB 2011 NEWSLETTER SERVICES	\$	162.50
GRIMMS PUMP SERVICE	REPAIR ELECTRIC DRAIN ON DRYER	\$	441.85
HD SUPPLY WATERWORKS	WATER METERS/VALVES	\$	6,023.13
HDR ENGINEERING INC	TIF2 SEWR ENGR/2011 & 2013 SEWR ENGR	\$	10,739.69
HEARTLAND PAPER CO	DUSTERS	\$	152.73
HILLYARD / SIOUX FALLS	BOWL CLEANER/CLEANER/PADS/SOAP	\$	1,170.90
IBM CORPORATION	2011 IBM SOFTWARE MAINTENANCE	\$	403.30
INGRAM LIBRARY SERVICES	BOOKS	\$	2,021.36
INTOXIMETERS INC	MOUTHPIECES	\$	1,025.00
KAZCO INC	SCANNER/RECORDERS/TONER/SUPPLIES	\$	479.95
KT CONNECTIONS	KILLSPAM SERVICE/TELEPHONE SERVICE	\$	275.00
LAB SAFETY SUPPLY INC	BENADRYL TABS	\$	49.40
LAKESIDE EQUIPMENT CORP	BORE BUSHINGS/GROOVE SHEAVES	\$	907.68
LAZY B ENTERPRISES	CITY HALL RECYCLING SERVICES	\$	38.00
MES	CLASS A FOAM	\$	1,982.00
MICHAEL TODD & CO	GUTTER BROOM/DEFLECTORS	\$	1,651.81
MICROMARKETING LLC	CDs	\$	79.98
MID AMERICAN RESEARCH CHE	CLEANER/GLASS CLEANER/ROOT CONTROL	\$	384.60
MIDAMERICA BOOKS	BOOKS	\$	203.45
MONTANA-DAKOTA UTILITIES	NATURAL GAS	\$	9,745.98
MOYLE PETROLEUM CO	FEB 2011 BULK FUEL CONTRACT	\$	23,138.10
MUNRO EARTHMOVING LLC	SNOW REMOVAL SERVICES	\$	3,720.00
NEVE'S UNIFORMS INC	HASH MARKS	\$	77.00
NORTHERN IMPROVEMENT CO	OMEGAMIX	\$	1,380.00
NORTHWEST PIPE FITTING CO	NIPPLES/BUSHINGS	\$	15.56
PRO WINDMILL INC	DEODORIZERS	\$	70.00
ONE TIME VENDOR	REFUND	\$	68.55
PEDERSEN EXCAVATING INC	SNOW REMOVAL SERVICES	\$	715.00
PENNINGTON CO EXTENSION SV	2011 TREE WORKSHOP X 4 EMPLOYEES	\$	40.00
PITNEY BOWES INC	1ST QTR 2011 MAIL/FOLD MACHINE RENT	\$	832.50
PROGRESSIVE BUSINESS PUBL	2011 ANNUAL RENEWAL	\$	253.00
QUEEN CITY DOOR LLC	ADMIN BLDG DOOR/GA & SVFD DOOR RPR	\$	2,165.31
QUIK SIGNS INC	TIF2 SEWER/2011 H2O/MAIN ST PROJ SIGNS	\$	1,206.88
QWEST	MAR 2011 CIRCUITS & 911 SVC	\$	1,218.55
R J THOMAS MANUFACTURING	CAMPGROUND TABLES	\$	2,826.00
REGIONAL HEALTH	DRUG SCREENINGS	\$	76.00
REGIONAL HEALTH PHYSICIANS	PRE EMPLOYMENT EXAM	\$	43.00
RUSHMORE COMMUNICATION INC	REPAIR RECORDER/DVD DRIVES	\$	1,417.50
SAFeway STORES INC	SUBJECT MEAL	\$	3.98

SAND CREEK PRINTING CORP	BUSINESS CARDS-R GLENN	\$	55.00
SANITATION PRODUCTS INC	CURBTENDER REPAIR PARTS	\$	213.23
SD FIRE CHIEFS ASSOCIATION	2011 SVFD MEMBERSHIP	\$	50.00
SD FIRE FIGHTERS ASSOC'N	2011 DUES: 53 MEMBERS @ \$15	\$	795.00
SDACA	2011 SEMINAR REGISTISTER-DEE BURKE	\$	100.00
SIMPSON, COLIN	INITIAL LETC TRAVEL STIPEND	\$	873.00
SOUTH DAKOTA ONE CALL	FEB 2011 MESSAGE FEES	\$	13.65
	ELECTRICAL REPAIRS &		
SPEARFISH ELECTRIC & HEAT	SERVICE/LAMPS	\$	2,155.82
SPEARFISH VOLUNTEER FIRE	PHOTO SOFTWARE/SUPPLIES	\$	380.62
STADLER INDUSTRIAL SERVICE	CO2 FOR ICEE MACHINE	\$	45.72
SYSCO FOOD SERVICES OF MT	CONCESSIONS	\$	484.80
THE UPS STORE #5137	SHIPPING-L3 MOBILE VISION	\$	73.27
TTG ENTERPRISES	FLOW METER/EXHAUST FAN SERVICE	\$	206.55
UPSTART	SUMMER READING SUPPLIES	\$	15.00
USA BLUE BOOK	AIR RELEASE VALVE	\$	112.12
VAN NESS FELDMAN PC	HYDRO FERC LEGAL FEES	\$	220.00
VERIZON WIRELESS	MAR 2011 CELL PHONES	\$	2,179.52
WAGNER, DWIGHT D	SPRING 2011 INSTRUCTOR REC DANCE	\$	318.87
WATSON, JAYNA L	REFUND NAT'L PLANNER CERT FEE	\$	195.00
WAYLOR ENTERPRISES	PACO PUMP IMPELLER REPAIR	\$	4,894.47
WELLS FARGO BUSINESS CARD	NATIONAL CODE BOOKS/TRAVEL	\$	1,191.70
WELLS PLUMBING CORP	SOFTNER SALT	\$	15.16
WHITE'S QUEEN CITY MOTORS	SERVICE/BLADES PD9 & PD2	\$	330.33
WOLFF'S PLUMBING & HEATING	REPAIR FURNACE & CO-RAY-VAC	\$	378.31
** TOTALS **		\$	133,796.16

APPROVAL INITIALS

Mayor Krambeck
 Don Aaker
 David Baker
 Travis Geppert
 Mary Morgan
 Doug Schmit
 Paul Young

FYI- Reminder – There will be a Community Snow Review meeting on Thursday, March 24th from 6PM to 8PM in the Council Chambers. All are invited to attend to share what works, what does not work, questions and concerns.

FYI – Emergency Management Update – Public Works Administrator Johnson stated we currently have approximately 38,000 sand bags and a total of 16 tons of sand to protect public infrastructure in the possible event of spring flooding. Citizens wishing to prepare their private residences and businesses prior to a possible event have the option of purchasing filled sandbags from several of the local farm/ranch/construction supply retailers.

The generator that was to be provided at the Rec Center from the Homeland Security grant was deemed to be an inappropriate fit as it could not power the whole facility without a major re-working to make any partial powering work. Schmit stressed that we really need to set an emergency shelter location before we actually have a true emergency. This will be addressed at a later date.

February Fire Report – Fire Chief White presented the February Fire Report:

- 55 Active Members
- 11 Calls for Service - 6 Fire Alarm, 2 Structure Fire, 1 Wildland Fire, 1 Search and Rescue, 1 Hazardous Materials
- Average Response time: 4 minutes 25 seconds
- Total Volunteer hours – 121 hours 43 minutes, Truck Check Hours – 34, Meetings Hours – 199, Training Hours – 249
- March Training includes Preplanning on 3/23/11, Preplanning and tour of Spearfish Forest Products on 3/26/11 and SCBA Confidence Course on 3/30/11.

There being no further business before the Council, Morgan moved, Young seconded and all voted to adjourn at 8:14 PM.

Dated this 21st day of March 2011.

CITY OF SPEARFISH

BY: _____
Jerry A. Krambeck, Mayor

ATTEST:

David H. Dutton, Finance Officer

Published once at the approximate cost of _____.