

Spearfish City Council

Regular Session Minutes



Date:
August 16, 2010

The Spearfish City Council met in Regular Session in the Council Chambers of the Municipal Services Centre at 7:00 PM on Monday, August 16, 2010 with the following members present: Aaker, Baker, Geppert, Morgan, Schmit and Young. Also present: Police Chief Rotert, Fire Chief White, Public Works Administrator Johnson, Acting Finance Officer Dutton, Human Resource Director Friedel, City Planner Watson and City Attorney Pluimer. Mayor Krambeck presided and called the meeting to order. All stood and recited the Pledge of Allegiance.

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

A. Approve Brown Bag Permit Requests (19)

Facility	Applicant	Event	Date
Indian Springs Gazebo	Brianne Petersen	Wedding	9/18/10
Pavilion	Debra McAnlis	Wedding & Reception	9/3&4/10
Pavilion	Perry Jewett	Mtn. Bike Race	9/5/10
Pavilion	Heather Hill	Wedding Reception	9/17/10
Pavilion	Kelli Oedekoven	Wedding Reception	9/25/10
Snappers Club	Stacey Russell	Rehearsal Supper	9/3/10
Snappers Club	Loni Larive	Family Get Together	9/5/10
Snappers Club	Barb Running	90th B'day Party	9/18/10
Snappers Club	Betty Dodds	Family Supper	9/24/10
Snappers Club	Matt Maxwell	Wedding Reception	9/25/10
South Shelter	Paula Farley	Reunion	9/5/10
Center Shelter	Brianne Petersen	Wedding Reception	9/18/10
North Shelter	Katie Campbell	Wedding Rehearsal	9/3/10
Jorgensen Shelter	Mark Johnson	Family Picnic	9/5/10
Jorgensen Shelter	Richard Hoeman	90th B'day Party	9/11/10
North Shelter	Marjorie Junek	Family Reunion	8/29/10
Snappers Club	Danielle Van Sickle	Wedding Reception	9/11/10
Jorgensen Shelter	Chris Zoller	Picnic	8/19/10
Center Shelter	Irene Zinke	B'day Party	9/11/10

B. Approve minutes of the Regular Session of August 2, 2010.

C. Accept Monthly Financial Reports dated July 31, 2010

ITEMS FROM VISITORS

Artemis House Grant Application – Teri Royer explained the new Artemis House facility will be re-built at the current location. The current structure is deteriorating with a bad foundation and asbestos to name some of its faults. Approximately 6,000 square feet are planned for the new structure which Royer states should adequately serve the community needs for quite some time. The Community Development Block Grant will fund up to 50% of the costs up to \$500,000 and Artemis House/Victims of Violence Intervention is starting a building campaign to raise the other 50%. Young moved, Geppert seconded and all voted to authorize Mayor Krambeck to sign on behalf of the city as a sponsor of Artemis House CDBG application for rebuild of structure on Main Street.

BIDS AND PROPOSALS

Manhole Repairs – Morgan moved, Baker seconded and all voted to accept proposal from Mosset Concrete for manhole rehab at a cost of \$10,800, budgeted in Sewer.

HEARINGS

Public Hearing - Yellow Jacket Foundation is applying for Special Malt Beverage Retailers License and Special on-sale wine retailers license for tailgate events 1 ½ hours prior to kickoff on 9-3-2010, 10-2-2010, 10-9-2010 and 10-23-2010 at the Young Center Complex Parking Lot. John Keitzman, assistant Athletic Director at BHSU explained that the tailgate events have been occurring for quite some time, with the past three years being at the Young Center Parking Lot. He stated they have not had any major issues with the event. They are not pursuing the special event license for hard liquors, only beer and malt beverages. Police Chief Rotert agreed that the events have not had any major issues. Mayor Krambeck opened the public hearing at 7:07 PM. There were no oral or written comments and public hearing was closed at 7:07 PM. Schmit moved, Geppert seconded and all voted to approve the Special Malt Beverage Retailers License and Special on-sale wine retailers license for the tailgate events at the Young Center Complex Parking lot on 9/3, 10/2, 10/9 and 10/23.

RESOLUTIONS AND ORDINANCES

Resolution 2010-23 - Front Foot Assessments – Acting Finance Officer Dutton explained the Front Foot Assessment is a special assessment with a \$40 limitation per legal parcel. Amounts collected go to General Fund are earmarked for Street improvements city wide. We have had a front foot assessment for several years and it has been a great help in keeping up with the regular maintenance of the nearly 52 miles of streets we are responsible for. Geppert reported that he has heard some feedback from citizens who feel there is an inequity in this process as each resident pays, but non-residents also use the streets. Schmit moved, Young seconded and all voted to approve Resolution 2010-23 – Front Foot Assessments.

RESOLUTION 2010-23

A RESOLUTION LEVYING A FRONT FOOT ASSESSMENT FOR ANNUAL MAINTENANCE OF STREET SURFACES AND SETTING MAXIMUM ANNUAL ASSESSMENTS.

WHEREAS, SDCL 9-45-38 grants authority to the City of Spearfish to assess special front foot assessment for the purpose of maintaining or repairing street surfacing or pavement, and

WHEREAS, the assessment may not exceed forty cents per front foot upon the lots fronting and abutting the street, and

WHEREAS, property on a corner lot may be assessed more due to the additional front footage associated with its location.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that all taxable real property parcels fronting and abutting a city street shall be assessed a special front foot assessment of forty cents per front foot; and

BE IT FURTHER RESOLVED that no taxable real property parcel fronting and abutting a city street shall be assessed more than forty dollars, annually; and

BE IT FURTHER RESOLVED that the City Administrator of the City of Spearfish, Lawrence County, South Dakota, be and the same is hereby instructed to direct the Director of Equalization to add the assessment to the general assessment against all taxable real property parcels; and

BE IT FURTHER RESOLVED that the Acting Finance Officer of the City of Spearfish, certify the assessment together with the regular assessment to the County Auditor to be collected as municipal taxes for general purposes.

Dated this 16th day of August, 2010.

CITY OF SPEARFISH

By: _____
Jerry A. Krambeck, Mayor

ATTEST:

David H. Dutton, Acting Finance Officer

(SEAL)

Adopted: August 16, 2010
Published: August 27, 2010
Effective: September 16, 2010

Second Reading - Ordinance 1122 – A Photovoltaic Energy Ordinance – City Planner Watson stated this ordinance adds the photovoltaic energy requirements to zoning text. The standards are simple and conform to building codes and setback requirements. Exceptions are made for the very small photovoltaic systems such as irrigation controllers and landscape lighting and these are not required to permit. Aaker moved, Schmit seconded and all voted to approve Second Reading of Ordinance 1122 – A Photovoltaic Energy Ordinance.

Small Wind Energy Discussion – City Planner Watson asked Council for input regarding future ordinance for small wind energy systems. Currently, small wind energy is prohibited. A matrix was presented for feedback at a later date.

LEGAL, FINANCE AND PUBLIC SAFETY

Budget Process Meetings – Council discussed possibilities on setting dates and times for the consideration, discussion and public input pertaining to the budget hearings for the City of Spearfish beginning the next fiscal year. General discussion indicated to set these administratively with consistency from year to year rather than have them listed by ordinance with regular sessions. Schmit moved, Morgan seconded and all voted to approve administratively setting budget process meeting dates and times at the first regular session of City Council each April.

Taser Purchase – Young moved, Morgan seconded and all voted to authorize the purchase of 4 Taser X3 Electronic Control Devices and related equipment at a cost of \$8,983.35 from Ed Roehr Safety Products Co. This item is budgeted in the 2010 Police Budget.

FYI - Parade Permit - – Deadwood Days of 76 Museum, Inc, Miles City-Deadwood Trail Committee for a Wagon Trail Ride from Miles City Montana to Deadwood South Dakota. They will go through Spearfish on September 3, 2010 from 2:30pm to 3:30 pm. Route proposed: Old Belle Highway – Highway 14 – Lower Valley – Hills View – N. Ave. – Main St. – Colorado Blvd. – Heritage Drive – Heritage Museum for the night.

FYI - Raffle – Black Hills Art Association plans to raffle a painting and a sculpture. Tickets are \$1.00 each and will be sold from August 17th to the drawing date of September 26th. Proceeds to benefit Black Hills Art Association.

FYI - Raffle – North Point Christian Church plans to raffle a rifle. Tickets are \$10.00 each and will be sold from August 17th to the drawing date of October 10, 2010. Proceeds to benefit North Point Christian Church Haiti Mission.

FYI - Raffle (2) – North Point Christian Church plans to raffle a KitchenAid Mixer and \$250 in Spearfish Bucks. Tickets are \$5.00 each or 5 for \$20 and will be sold from August 17th to the drawing date of October 10, 2010. Proceeds to benefit North Point Christian Church Haiti Mission.

PUBLIC WORKS

Travel – Public Works Administrator Johnson stated that we try to send Superintendents to a national conference every 3-5 years. It has been 5 years since Parks, Rec. and Forestry Superintended Hepper has attended a national conference. \$1500 was budgeted. Young moved, Morgan seconded and all voted to authorize Keith Hepper to travel to National Recreation and Park Association National Congress in Minneapolis, Minnesota, October 26th – October 29th, cost not to exceed \$1,500.

HUMAN RESOURCES

Police Hire – Schmit moved, Geppert seconded and all voted to hire Aaron Jurgensen as a certified police officer, grade 16, step 1, \$17.05 per hour, effective August 17, 2010.

Campground Seasonal Hire – Morgan moved, Young seconded and all voted to hire Beth Benning as a seasonal campground attendant, \$8.75 per hour, effective 8/17/2010.

Campground Seasonal Hires – Young moved, Morgan seconded and all voted to hire Bruce and Kathleen Salisbury as campground attendants, effective 8/17/2010, \$8.25 per hour, with a full hook-up campsite provided.

Bill List – Schmit moved, Morgan seconded and all voted to approve the Bill List of August 16, 2010.

VENDOR	DESCRIPTION	AMOUNT
3T CORP	SALT	\$189.00
A & B WELDING SUPPLY CO	CYLINDER RENTALS/WELDING SUPPLIES	\$47.46
A'VIANDS, LLC	FOOD SERVICE 2010 NH SR GAMES	\$424.00
ABC BUSINESS SUPPLY	BINDERS/SHEET PROTECTORS/PAPER	\$451.72
AMCON DISTRIBUTING CO	CONCESSIONS	\$1,971.53
APPLE SCIENTIFIC INC	GLASS PPR	\$59.29
BELLE FOURCHE LANDFILL	JULY 2010 LANDFILL FEES	\$21,028.20
BENNETT, MAIN & GUBBRUD, PC	401 DENR CERTIFICATION REQUEST	\$3,566.53
BLACK HILLS AUTO PARTS INC	FILTERS/SHOCKS/OIL/REPAIRS	\$552.49
BLACK HILLS PIONEER	JUL 2010 LEGAL PUBLISHING/ADV/ADS	\$1,145.45
BLACK HILLS POWER & LIGHT	ELECTRICITY	\$8,971.86
BLACK HILLS PURE INC	COOLER RENTALS/WATER	\$46.50
C & H DISTRIBUTORS LLC	BUMPER POST SLEEVES	\$201.00
CENTURY BUSINESS PRODUCTS	REC CENTER COPIER LEASE	\$241.88
CHAIN SAW CENTER	REPAIRS/TRAILER RENTAL/OIL MIX	\$996.94
CLARK PRINTING CORP	CASH RECEIPT BOOKS/PERMIT BOOKS	\$1,050.95
CLAUSER MACHINE WORKS	MACHINE BEARING RACE/PUMP REPAIR	\$66.00
COCA-COLA BOTTLING CO	CONCESSIONS	\$1,005.50
COLE INFORMATION SERVICES	RAPID & WEST SD DIRECTORY	\$308.95
CROELL REDI-MIX INC	CONCRETE	\$240.00
CRUM ELECTRIC SUPPLY CO	SLIDE LAMP	\$25.25
CULLIGAN SOFT WATER CORP	WATER	\$58.50
DAKOTA BACKUP	NETWORK BACKUP SERVICES	\$364.99
DEMCO, INC	LABELS/RING ALBUMS/BOOK SPTS	\$125.50
ECOLAB PEST ELIMINATION	PEST & RODENT CONTROL SERVICES	\$471.00
ENERGY LABORATORIES	LAB TESTS	\$1,271.50
ENSIGNAL	CELL DATA TRANSFER/CHARGER/CORD	\$64.98
FASTENAL CO	HARDWARE/GOGGLES	\$130.84
FSH COMMUNICATIONS LLC	AUGUST 2010 PAYPHONES	\$180.00
GENE'S LOCK SHOP	REPAIR PAVILION LOCK/KEYS	\$52.00
GRIMM'S PUMP SERVICE	REPAIR PUMP	\$154.12
HAWKINS INC	ACID/AZONE/BLEACH	\$4,414.04
HD SUPPLY WATERWORKS	METERS/WATER & SEWER REPAIRS	\$2,770.48
HEARTLAND PAPER CO	BATHER TISSUE/FLOOR FINISH/WIPERS	\$312.57
HILLYARD / SIOUX FALLS	TRASH LINERS	\$267.06
INGRAM LIBRARY SERVICES	BOOKS	\$2,347.87
KAY PARK REC CORP	DOGGIE POT BAGS & LINERS	\$280.75
KAZCO INC	INK CARTRIDGES/REPAIRS/WIRE	\$2,488.79
KETEL THORSTENSON, LLP	CAMPG	\$2,488.79
KNECHT HOME CENTER, INC	2009 ANNUAL AUDIT PROGRESS BILLING	\$14,348.89
LAB SAFETY SUPPLY, INC	POSTS/LUMBER/HARDWARE/TOOLS	\$1,247.87
LADNER EXCAVATING &	ELECTROLYTE POWDER/CARTRIDGE	\$184.01
	REPAIR SEWER MAIN-BOMGAARS	\$4,081.60

TRENCHING

LAWSON PRODUCTS INC	BULBS	\$70.77
LAZY B ENTERPRISES	CITY HALL RECYCLING SERVICES	\$38.00
LINCOLN EQUIPMENT INC	POOL TEST KITS	\$157.75
LUCKY STRIKE LANES	SUMMER REC& SENIOR GAME BOWLING	\$276.00
LUEDERS FOOD CENTER	CONCESSIONS/JOHNSON RETIREMENT	\$259.61
MEL NORTHEY COMPANY, INC	STREET LIGHTING BALLASTS	\$851.00
MICROMARKETING, LLC	CDs	\$461.81
MID AMERICAN RESEARCH	FLOOR CLEANER	\$183.70
MIDWEST TURF & IRRIGATION	CHECK O MATIC	\$834.06
MONTANA-DAKOTA UTILITIES	NATURAL GAS	\$9.72
MOYLE PETROLEUM BULK INC	JULY 2010 BULK FUEL CONTRACT	\$26,647.62
NATIONAL PUBLIC SAFETY INC	2011 NATL DIRECTORY-LAW ADMIN	\$304.20
NEEB, JOE	TRAVEL REIMBURSEMENT	\$632.38
NEVE'S UNIFORMS, INC	FLASHLIGHTS/HOLDERS/CELLCASE	\$433.91
NEW RUSHMORE RADIO, INC	SUMMER CAMPAIGN RADIO ADS	\$200.00
NJS ENGINEERING CORP	LOMA SUBMITTAL-LOT 11A,BLOCK 44	\$1,000.00
NORTHERN HILLS TRAINING CENTER	JANITOR & MOWING SERVICES	\$940.02
NORTHWEST PIPE FITTING CO	VALVE BOX LIDS/SWING PIPE	\$68.43
OCCUPATIONAL HEALTH NETWORK	EMPLOYMENT PHYSICAL	\$275.00
ONE TIME VENDOR	REC CENTER REFUND	\$148.40
PENNINGTON CO SHERIFF	EMPLOYMENT TEST	\$300.00
PENWORTHY CO	BOOKS	\$284.85
ADMIRAL BEVERAGE CORP	CONCESSIONS	\$171.00
PETE LIEN & SONS, INC	CONCRETE-CURBS	\$315.63
PITNEY BOWES INC	POSTAGE METER-POSTAGE LABELS	\$144.91
POOL & SPA CENTER	GASKET LENS	\$79.50
PRECISION DYNAMICS CORP	ADMITTANCE BANDS	\$191.89
DEICHERT, MARTIN	REMOTE RECEIVERS-FIRE DEPT	\$571.43
QUIK SIGNS INC	SIGNS	\$243.92
QWEST	AUG 2010 CIRCUITS/911	\$1,166.73
RANDOM HOUSE, INC	CD	\$30.45
RAPID DELIVERY	DELIVERY & PICKUP SERVICES	\$244.20
RECORDED BOOKS, LLC	BOOKS ON TAPE	\$334.20
REGIONAL HEALTH	DRUG SCREEN COLLECTIONS	\$76.00
SANITATION PRODUCTS CORP	PARTS FOR CURBTENDER	\$1,517.56
SERVALL TOWEL & LINEN	UNIFORM/FLUSHER/MOP/MAT RENTALS	\$1,231.57
SOUTH DAKOTA MUNICIPAL LEAGUE	2010-2011 DIRECTORIES	\$60.00
SOUTH DAKOTA STATE TREASURER	JULY 2010 SALES TAX REMITTANCE	\$20,678.84
SOUTH DAKOTA STATE ARCHIVES	ARCHIVE BH PIONEER	\$144.00
SPEARFISH AUTO SUPPLY	DRAIN PAN	\$33.93
SPEARFISH BUILDING & SUPPLY	WAFFERBOARD/LUMBER/TARP/PAINT	\$254.93
SPEARFISH ELECTRIC & HEATING	ELECTRICAL SERVICE & REPAIRS	\$4,777.08

SPEARFISH EXTINGUISHER	FIRST AID & FIRE EXTINGUISHER SERVICE	\$549.28
SPEARFISH GLASS	PLEXIGLASS	\$23.06
JOSEPH B. MILLER	MOWER REPAIR/BAR OIL CITY/LIBRARY WEBSITE	\$33.00
STADEL, BRENDA	ADMINISTRATION	\$290.00
STONE, DANIEL R	SIGN FOR HYDRO PLANT	\$300.00
SUMMIT SIGNS & SUPPLY, INC	SIGNS	\$90.00
SYSCO FOOD SERVICES OF MT	CONCESSIONS	\$3,219.09
TAGGART, JOSEPH E	ROLLER SKATE PARTY-REC CENTER	\$250.00
TOUR ICE OF PIERRE & STURGIS	CAMPGROUND ICE FOR RESALE	\$537.45
TURBIVILLE INDUSTRIAL	1/2 HP MOTOR/BALDOR MOTOR	\$494.33
USA BLUE BOOK	COREPRO SR SAMPLER	\$115.56
VERIZON WIRELESS	AUG 2010 CELL PHONES	\$2,119.93
VISIT SPEARFISH INC	JUL 2010 BID BOARD SUPPORT	\$16,875.00
WARNE CHEMICAL & EQUIPMENT	POND MASTER/FERTILIZER	\$1,323.90
WAUPACA NORTHWOODS LLC	CEDAR MULCH	\$203.20
WEATHERCRAFT COMPANIES	CITY HALL ROOF LEAK REPAIRS	\$2,280.00
WELLS FARGO BUSINESS CARD	TRAVEL/FUEL/SUMMER REC/MEETING	\$820.26
WELLS PLUMBING CORP	PLUMBING SUPPLIES/REPAIRS	\$273.72
WESTERN COMMUNICATIONS	BATTERIES/RADIO REPAIRS	\$338.00
WESTERN STAR, INC	REPAIR GARAGE DOOR	\$109.78
WHITE'S QUEEN CITY MOTORS	SERVICE/REPAIR PD14/SERVICE PD2	\$232.92
ZIEGLER BUILDING CENTER	PROPANE	\$20.16
** TOTALS **		\$175,351.50

APPROVAL INITIALS

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

ITEMS FROM ATTORNEY

Engage Outside Attorney – City Attorney Pluimer stated that the ten year contract with Spearfish Valley Sanitary District contract has expired. There is a need to engage an outside attorney for negotiations to continue for successful completion of contract conditions. Baker moved, Geppert seconded and all voted to engage Day and Morris of Belle Fourche as outside attorney for Spearfish Valley Sanitary District contract.

FYI - Remaining 2011 Budget Process Meetings - Location: City Council Chamber:

Tuesday, August 17, 2010 – 5:30 PM – General Fund
Wednesday, August 18, 2010 – 5:30 PM – Other Funds and Subsidies
Monday, August 23, 2010 - 5:30 PM - Enterprise Funds
Wednesday, August 25, 2010 - 5:30 PM - Any left over and final changes if necessary.

FYI - Annual SDML Conference – Rapid City Ramkota Hotel and Convention Center – October 5,6,7 and 8. We have a few rooms reserved for those wishing to stay and attend the entire event. Go to www.sdmunicipalleague.org to view the preliminary agenda – please let Karla Weber know if you plan to attend any of the sessions by September 12th. If you plan to stay at the Ramkota, you must let Karla know by August 30th as rooms must be assigned by then.

July Fire Report – Fire Chief White presented the SVFD July Fire Report. As of July 31, 2010, there were 54 active members. Of the 22 calls for service for the month, 4 were fire alarms, 2 calls for structure fire, 4 calls for wildland fire, 2 search and rescue, 6 hazardous materials calls, 2 vehicle fires, 1 mutual aid and 1 aircraft incidents. Average response time for the month was 10 minutes, 38 seconds and total volunteer hours logged for the month was 503:45 hours. SVFD also lost Engine 12 last week when it caught fire at a fire event – estimates for damage are being done at this time.

White also reminded all that the annual fund drives will begin this week covering areas outside City limits and fund drives will commence in City limits in September.

Executive session – Young moved, Morgan seconded and all voted to enter into Executive Session at 7:53 PM for personnel matters.

Council returned from executive session at 8:35 PM.

There being no further business before the Council Young moved, Morgan seconded and all voted to adjourn at 8:36 PM.

Dated this 16th day of August 2010.

CITY OF SPEARFISH

BY: _____
Jerry A. Krambeck, Mayor

ATTEST:

David H. Dutton, Acting Finance Officer

Published once at the approximate cost of _____.