

# Spearfish City Council



## Regular Session Minutes

March 18, 2019

The Spearfish City Council met at 5:30 PM on Monday, March 18, 2019. Mayor Boke presided and called the meeting to order. All stood and recited the pledge of allegiance. Roll Call was taken with the following members present: Clark, Hodgs, Jacobs and Lee. Klarenbeek and Martin were absent. Also present: City Administrator Harmon, Finance Officer Dutton, Assistant City Planner Mayo, City Attorney McDonald, Public Works Administrator Johnson, Police Chief Rotert, Fire Chief Sachara, Assistant Finance Officer DeNeui, Human Resources Director Mathis, Park and Recreation Director Ehnes, Finance Administrative Assistant Weber, Fire Department Administrative Assistant Harwood, Wastewater Treatment Facility Superintendent Evridge and Assistant Police Chief Jacobs.

Agenda was amended as follows:

- Add Item 7C - Items From Visitors - A presentation from Mark Kazmer, Spearfish Youth Sports and Activities Association.
- At end of meeting add Executive session to consult with legal counsel regarding contractual matters pursuant to SDCL 1-25-2(3)

Clark moved, Hodgs seconded and all voted to approve the Agenda as amended. There were no declarations of any potential conflicts-of-interest.

**Consent Agenda** - Clark moved, Jacobs seconded and all voted to approve the Consent Agenda as follows:

- A. Approve the following step increases due to successful completion of 6-month in training period:
  - Cole Anderson, Parks, Recreation, & Forestry Tech, grade 12, step 2, \$16.74 per hour, effective 4/7/2019.
  - Michaela French, Recreation Registration Desk Attendant, grade 7, step 2, \$13.07 per hour, effective 4/7/2019.
  - Anne-Marie Rolando, Recreation Concessions Assistant, grade 5, step 2, \$11.84 per hour, effective 4/7/2019.
  - Maggie McCarty, Library Page, grade 1, step 2, \$9.72 per hour, effective 4/7/2019.
- B. Approve moving Zach Young to a Water/Wastewater Operator III, grade 14, step 7, \$20.40 per hour, effective 3/10/2019. Zach has successfully tested and attained a Water Distribution Specialist Class III, Water Treatment Specialist Class II, & Wastewater Collection Class III. Authorize and approve exception from current policy.

- C. Appoint Tom Paisley, Brian Ulmer, Darin Pedneau, Laurel Palmer, Jude Warner, Charles Crumbley, Cheryl Johnson, Leland Hanson, Lee Alberts, Bob Evridge, Curt Jacobs, Mike Harmon, and Rob Mathis as appraisers for items declared surplus by Resolution 2019-04.
- D. Approve Northern Hills Community Band concert at City Park Band Shell at 7:00 PM on June 27, 2019 as a City Sponsored Event. Sponsorship includes no fee for the use of the band shell and waiver of Certificate of Insurance Liability. Annual Event.
- E. Approve Minutes of City Council Regular Session dated March 4, 2019.
- F. Accept monthly financial statements dated February 28, 2019.

### **Items from Visitors**

**Proclamation** - Mayor Boke proclaimed 2019 as 'Spearfish Post #164 American Legion Centennial Year'.

**Donation** - Glen Lewis from the Firefighter Association presented a donation of \$1,999.50 to be used for multi-tools and \$2,800 for a combination generator and lighting unit.

**Presentation** - Mark Kazmer, Spearfish Youth Sports and Activities Association presented a vision for a future youth sports and activities center in Spearfish. Ryan Querry, Great Plains Sponsorships presented intent for obtaining sponsorships and raising funds for this project.

### **Human Resources**

**Hire** - Lee moved, Hodgs seconded and all voted to hire Dustin Lee as Assistant Public Works Director (benefit-eligible), grade 22, step 17, \$40.74 (salary/exempt \$84,739.20), effective 3/19/2019 and authorize granting 4.62 hours of paid vacation per pay period, to begin accruing immediately upon commencement of employment. Upon completion of six full and continuous years of service, 6.15 hours of paid vacation per pay period shall accrue. Upon completion of 25 full and continuous years of service, 40 additional hours of vacation shall be granted, and 7.70 hours of paid vacation per pay period shall be accrued. Replacement position.

### **Public Hearings**

**License** - Mayor Boke opened a public hearing at 5:56 PM to consider an application from Cheyenne Crossing for a special malt beverage and wine license for the SDML District 10 meeting on April 4, 2019 from 5:00 PM to 10:00 PM at the BHSU Joy Center. There were no oral or written comments and the public hearing was closed at 5:56 PM. Clark moved, Jacobs seconded and all voted to approve the license.

**Resolution 2019-03** - Mayor Boke opened a public hearing at 5:57 PM to consider Resolution 2019-03 - Resolution of Intent to enter into a lease agreement with Duhamel Broadcasting to lease portions of Lookout Mountain to use existing structures for the transmission and reception of communications signals. There were no oral or written comments and the public hearing was closed at 5:57 PM. Clark moved, Jacobs seconded and all voted to approve the lease agreement and Resolution 2019-03.

**RESOLUTION 2019-03**

**A RESOLUTION OF INTENT TO ENTER INTO A LEASE AGREEMENT**

**WHEREAS**, SDCL § 9-12-5.2 authorizes the City of Spearfish to lease municipally owned property to a private person, and

**WHEREAS**, the Common Council of the City of Spearfish intends to enter into a lease agreement with Duhamel Broadcasting to lease portions of Lookout Mountain to use existing structures for the transmission and reception of communications signals, and

**WHEREAS**, a copy of such lease agreement is on file in the Finance Office and available for public inspection,

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Spearfish that the Council intends to enter into such lease, and a public hearing for considering the same shall be conducted at 5:30 p.m. on March 18, 2019.

Dated this 19<sup>th</sup> day of February, 2019.

**CITY OF SPEARFISH**

By: \_\_\_\_\_  
Dana Boke, its Mayor

(Seal)

Attest:

\_\_\_\_\_  
David H. Dutton, Finance Officer

Adopted: February 19, 2019  
Published: March 1, 2019  
Effective: March 21, 2019

**Public Works**

**Resolution 2019-07** - City Administrator Harmon stated we are waiting for response from State of SD for legal descriptions, so Resolution 2019-07 to accept jurisdiction over portions of Maitland Road, Hillview Road, and Hill Street and to transfer to Lawrence County jurisdiction over a portion of Acorn Ridge Road is not yet ready. Clark moved, Hodgs seconded and all voted to postpone consideration until April 1, 2019.

**Sell Vehicle** - Clark moved, Jacobs seconded and all voted to sell 1990 Ford 800 Dump Truck - Vin #1FDYW82A7MVA20904 - Unit #55 - to the Newell School District for \$2,250.00. Vehicle was surplussed in 2018 and is eligible to sell to another governmental agency.

**Finance**

**Resolution 2019-06** - Hodgs moved, Clark seconded and all voted to approve Resolution 2019-06 - Miscellaneous Fees.

**RESOLUTION 2019-06**

**A RESOLUTION TO SET FEES CHARGED BY THE CITY**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SPEARFISH, SOUTH DAKOTA that the following fees shall be amended and/or charged by the City of Spearfish:

ITEM	AREA	FEE DESCRIPTION	CURRENT AMOUNT	AMENDED/NEW AMOUNT
NEW	PARKS	Hourly Rate - Mowing	N/A	\$37.00
NEW	PARKS	Hourly Rate - Garbage Pickup	N/A	\$32.00
NEW	PARKS	Hourly Rate - Cleaning Restrooms /Concession	N/A	\$34.00
NEW	PARKS	Hourly Rate - Bagging Grass	N/A	\$65.50
NEW	PARKS	Hourly Rate - Lip Repair	N/A	\$46.50
NEW	PARKS	Hourly Rate - Top Dressing Fields	N/A	\$61.50+Material
NEW	PARKS	Hourly Rate - Other	N/A	\$40.00
NEW	SOLIDWASTE	Crushed asphalt - self loaded	N/A	\$10.00/ton
NEW	SOLIDWASTE	Crushed asphalt - City loaded	N/A	\$15.00/ton
902	LIBRARY	Library card - Outside of Lawrence County	\$25.00	\$30.00

CITY OF SPEARFISH

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Dana Boke, Mayor

ATTEST:

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David H. Dutton, Finance Officer

(SEAL)

Adopted: March 18, 2019  
Published: March 29, 2019  
Effective: April 19, 2019

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

**Fire**

**Grants** - Hodgs moved, Jacobs seconded and all voted approval for Fire Department to apply for the following grants:

- Volunteer Fire Assistance (VFA)
- Staffing for Adequate Fire and Emergency Response (SAFER)

**Parks and Recreation**

**Resolution 2019-05** - Clark moved, Hodgs seconded and all voted to approve Resolution 2019-05 - A Resolution of application for Recreation and Trails Program grant.

**RESOLUTION NO. 2019-05**

**A RESOLUTION OF APPLICATION FOR A RECREATION TRAILS PROGRAM GRANT TO AID IN FINANCING THE EXIT 8 MULTI-USE CONNECTOR REC PATH.**

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Recreation Trails Program (RTP) to public bodies to aid in financing the acquisition and/ or construction of specific public outdoor recreational trail projects;

WHEREAS, the Exit 8 Multi-Use Connector Rec Path would be a desirable improvement to the City of Spearfish's existing rec path system.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Spearfish, South Dakota:

1. That Tyler Ehnes (Parks and Recreation Director) is hereby authorized to execute and file an application on behalf of the City of Spearfish with the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for an RTP grant to aid in financing the Exit 8 Multi-Use Connector Rec Path for the City of Spearfish South Dakota and its Environs.
2. That Tyler Ehnes, is hereby authorized and directed to furnish such information as the above mentioned federal and/ or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Spearfish shall provide a minimum of 20% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

Dated this 18<sup>th</sup> day of March, 2019

**CITY OF SPEARFISH**

By: \_\_\_\_\_

Dana Boke, Mayor

ATTEST:

\_\_\_\_\_  
David H. Dutton, Finance Officer  
(SEAL)

Adopted: March 18<sup>th</sup>, 2019  
Published: March 29<sup>th</sup>, 2019  
Effective: April 19<sup>th</sup>, 2019

**Planning and Zoning**

**Ordinance 1299** - Mayor Boke opened a public hearing at 6:06 PM to consider Second Reading for Ordinance 1299 - Change of Zoning from Agricultural to Development Review District as part of the Spearfish Canyon Village Project located at East Colorado Boulevard and Spearfish Canyon Highway. There were no oral or written comments and the public hearing was closed at 6:07PM. Lee moved, Clark seconded and all voted to approve second reading for Ordinance 1299.

**Agreement** - Clark moved, Jacobs seconded and all voted to authorize Mayor Boke to sign agreement #03-19 - Encroachment Agreement and License located at 1920 and 1930 North Avenue.

**Agreement** - Jacobs moved, Lee seconded and all voted to authorize Mayor Boke to sign agreement #36-18 - Encroachment Agreement and License located at 127 West Illinois Street.

**Agreement** - Clark moved, Hodgs seconded and all voted to authorize Mayor Boke to sign agreement #34-18 - Encroachment Agreement and License located at 1900 North Avenue.

**Bill List** - Clark moved, Jacobs seconded and all voted to approve Bill List dated March 18, 2019.

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
3D SPECIALTIES INC	SIGNS/CONES/FITTINGS	\$ 15,188.93
3RD DEGREE SCREENING INC	EMPLOYMENT SCREENING	\$ 82.50
A&B BUSINESS INC	APR 2018 CITY COPIER LEASE	\$ 2,529.06
APPLIED CONCEPTS INC	TAHOE RADAR SYSTEM	\$ 2,658.00
AT & T	MAR 2019 DISPATCH LONG DISTANCE	\$ 39.42
BAKER & TAYLOR	BOOKS/MEDIA	\$ 731.45
BELLE FOURCHE LANDFILL	FEB 2018 LANDFILL FEES	\$ 21,617.23
BLACK HILLS ENERGY	ELECTRICITY	\$ 8,165.15
BLACK HILLS PIONEER	LEGAL PUBLISHING/ADS/SUBSCRIPTION	\$ 1,268.31
BLACK HILLS PURE INC	WATER/COOLER RENTAL	\$ 51.00
BLACK HILLS URGENT CARE	EMPLOYEE SCREENING	\$ 290.00
BORDER STATES ELECTRIC	HARDWARE/SCREWDRIVER/WIRE	\$ 251.04
UPSTATE WHOLESALE SUPPLY	PORT REPLICATOR	\$ 153.00
BUSSIERE, ERICA	TRAVEL MILEAGE & PER DIEM	\$ 520.00
BUTLER MACHINERY CO	KNOB KIT	\$ 51.01
CAMPBELL SUPPLY	SNOW PUSHER	\$ 85.98
CASH-WA DISTRIBUTING CO	CONCESSIONS/YOUTH PROGRAM	\$ 309.95
CBH COOPERATIVE	FEB 2019 BULK FUEL CONTRACT	\$ 22,440.24
CENTURYLINK INC	MAR 2019 E911 & CIRCUITS	\$ 959.82
CHAIN SAW CENTER	PADDLES/OIL/REPAIR/CHAINS & BUNGEEES	\$ 802.55
CITY OF SPEARFISH CREDIT CARDS	TRAVEL/SUPPLIES/REPAIRS/TOOLS/FEES/DESK	\$ 5,751.06
CLAUSER MACHINE WORKS	FIRE TRUCK FABRICATION	\$ 485.00
COCA-COLA BOTTLING CO	COFFEE/CONCESSIONS	\$ 808.50
CORE & MAIN LP	WATER METERS/REPAIRS	\$ 41,169.39
CULLIGAN SOFT WATER CORP	WATER	\$ 26.00
NORTHERN HILLS VENTURES	REC CENTER WEB SUPPORT	\$ 90.00
DIVISION OF MOTOR VEHICLES	SPECIAL LICENSE PLATE RENEWAL	\$ 5.00
MEDNANSKY, DOUGLAS	T8 TOMBSTONES/LED LAMPS	\$ 5,101.69
EQUIPMENT SERVICE PROS	HVAC SERVICE FEE-SAWMILL OFFICE	\$ 215.66
FASTENAL CO	HARDWARE	\$ 130.91
FIB-AP PURCHASE CARD	FEB 2019 PURCHASES-SEE DETAIL LIST BELOW	\$ 75,696.74
VIEHAUSER ENTERPRISES LLC	CITY HALL SECURITY PROJECT/FIRE STATION LOCKS	\$ 2,649.38

GRAINGER INC	SOLENOID VALVE/EXIT SIGN	\$	315.47
HAUCK ELECTRIC & CONTROLS	GA SHOP ELECTRICAL REPAIRS	\$	19,415.22
HDR ENGINEERING INC	WWTP MAIN LIFT STATION PROJECT	\$	2,219.48
HEARTLAND PAPER CO	CLEANER/SCOTCHGARD	\$	602.18
HOLIDAY INN-SPEARFISH	CONVENTION CENTER SNOW REMOVAL	\$	560.00
KDSJ RADIO 98	REC CENTER RADIO ADS	\$	180.00
KITCHEN DESIGNS	CABINETS FOR HYDRO PLANT	\$	1,108.00
KT CONNECTIONS	NETWORK ADMIN/BACKUP/HYDRO FIREWALL	\$	7,051.00
L-TRON CORPORATION	IMAGING SCANNER KIT	\$	329.00
L3 MOBILE-VISION INC	POLICE CAR CAMERAS/MAINTENANCE CONTRACT	\$	18,114.20
LARSON CO LTD INC	CAB DOOR LATCH	\$	89.25
MATTHEWS INTL CORP	PLAQUE-MATTERN MARTIN	\$	128.00
MIDCONTINENT TESTING LAB	LAB TESTS	\$	125.00
MONEY MOVERS	FEB 2019 SERVICE FEE	\$	8.00
NEBRASKA SALT & GRAIN CO	ICE SLICER	\$	18,434.72
NORTHERN HILLS TRNG CENTER	SNOW REMOVAL/CLEANING SERVICES	\$	1,521.20
NORTHWESTERN POWER EQUIP	MICROSWITCHES	\$	738.00
PRO WINDMILL INC	DEODORIZER SERVICE	\$	123.00
OVERDRIVE INC	PARTICIPATION MAINTENANCE FEE	\$	3,000.00
OVIVO USA LLC	SIDE & BOTTOM WIPERS	\$	107.12
PEDERSEN EXCAVATING INC	SNOW TRUCKING	\$	960.00
PETTY CASH-WELLS FARGOBANK	POSTAGE/FEES/SUPPLIES/TRAVEL	\$	194.88
POWERPLAN	HEATING ELEMENT/GASKET	\$	144.54
PUSH PEDAL PULL INC	REPAIR FITNESS EQUIPMENT	\$	602.39
QUIK SIGNS INC	SIGNS & EVENT TRAILER SETUP	\$	1,704.22
RAPID DELIVERY	DELIVERY SERVICES	\$	123.67
RAPID FIRE PROTECTION INC	CITY HALL/PAVILION INSPECTION	\$	1,890.00
REED, THERESA DAWN	DOWNTOWN RESTROOM CLEANING	\$	420.00
SACHARA, MARK	TRAVEL PER DIEM	\$	100.00
SAFEWAY STORES INC	SKATE NIGHT LYSOL/SNOW REMOVAL MEALS	\$	94.19
SD BUILDING OFFICIALS ASSN	3 TRAINING REGISTRATIONS	\$	246.00
SD DEPT OF PUBLIC SAFETY	1ST HALF 2019 TELETYPE SERVICE	\$	3,090.00
SDML	DISTRICT 10 MEETING X 16	\$	272.00
SDRS SPECIAL PAY PLAN	C JOHNSON SPECIAL PAY PLAN	\$	45.00
SHAW FIRE & SAFETY INC	EXTINGUISHER REPAIRS	\$	140.00
SOLE PERFECTION	2019 BOOTS-M BARRIE	\$	100.00
SOUTH DAKOTA AGA	2019 CONF REGISTRATION-M DENEUI	\$	190.00
SOUTH DAKOTA ONE CALL	FEB 2019 MESSAGE FEES	\$	27.30
SOUTH DAKOTA SHERIFF'S ASSN	3 CONF REGISTRATIONS	\$	255.00
VIVI BENE INC	HALIDE LAMPS	\$	150.00
STATE OF SD-EXECUTIVE MGMT	JAN 2019 WWTP LONG DISTANCE	\$	13.34
STREICHER GUNS	AMMUNITION	\$	3,298.70
SUNSHINE TOWING	TOWING-BELLE FOURCHE TO SHOP AND BACK	\$	665.00



SWANK MOTION PICTURES INC	MOVIE ROYALTY FEES	\$	810.00
US WATER SERVICES INC	NOZZLE CAPS	\$	344.18
TTG ENTERPRISES	SCUM PUMP CHECK	\$	920.32
THE UPS STORE #5137	SHIPPING SERVICES	\$	195.96
WESTERN COMMUNICATIONS	RADIO REPAIRS	\$	1,400.50
WESTERN FIRE CHIEFS ASSOC	TRAINING REGISTRATION	\$	550.00
INTEGRITY ACQUISITION LLC	BUMPER FOR FD B19	\$	1,384.96
** TOTALS**		\$	304,824.96

**03/18/2019 First Interstate Bank AP Card Detail**

A & B WELDING SUPPLY CO	CYLINDER RENTALS/BANDSAW BLADE/SUPPLIES	\$	221.10
ADAMS - ISC	CHROME SHAFT/REPAIR CAT TRACK HOE	\$	2,170.42
BUTTE ELECTRIC COOP	2018 & JAN 2019 ELECTRICITY	\$	51,951.40
ECOLAB PEST ELIMINATION	PEST CONTROL	\$	406.60
EDDIE'S TRUCK CENTER INC	NITRILE GLOVES	\$	175.50
EUROFINS EATON ANALYTICAL	UCMR 4 LAB TESTS	\$	720.00
NEWHOUSE ENTERPRISES INC	DATE STAMP/FOLDERS/MARKERS/TONER/PAPER	\$	192.85
GALLS LLC	PANTS/SHIRTS/MAG HOLDERS/BELT	\$	510.86
JENNER EQUIPMENT CO	CONTROLLER/COVER	\$	978.99
KLJ SOULUTIONS HOLDING CO	2018 WILDLIFE ASSESSMENT	\$	1,225.20
MIDCO	FEB 2019 PHONE/CABLE/INTERNET SERVICES	\$	1,010.49
MUTH ELECTRIC INC	2018 REPAIR POLES AT EXIT 17	\$	7,524.00
RAPID CITY JOURNAL	2018 FACEBOOK ADS REC CENTER	\$	309.00
SANITATION PRODUCTS INC	FILTER ELEMENTS/COILS/SOLENOID VALVE	\$	628.57
THOMSON REUTERS WEST	JAN 2019 WEST LAW SERVICE	\$	474.40
VERIZON WIRELESS	2018 & JAN 2019 CELL SERVICE	\$	7,061.36
VISUAL WORKS INC	JAN 2019 CAMPGROUND RESERVATION SOFTWARE	\$	136.00
** TOTALS**	(INCLUDED IN TOTAL ABOVE)	\$	75,696.74

**APPROVAL INITIALS**

Mayor Boke  
Marty Clark  
Dan Hodgs  
Pam Jacobs  
Larry Klarenbeek - Absent  
John Lee  
George Martin- Absent

**Presentations** - Fire Department presented their 2018 End of Year Report.

**FYI** - March 27, 2019 6:00PM - Jackson Boulevard Public Meeting.

**Public Comment** – Public Comment section was opened at 6:37 PM. There were no public comments and this section was closed at 6:37 PM.

Clark moved, Jacobs seconded and all voted to adjourn to Executive session to consult with legal counsel regarding contractual matters pursuant to SDCL 1-25-2(3) at 6:38 PM.

Council returned from executive session at 7:41 PM. There being no further business before the Council, Clark moved, Lee seconded and all voted to adjourn at 7:42 PM.

Dated this 18<sup>th</sup> day of March 2019.

**CITY OF SPEARFISH**

BY: \_\_\_\_\_  
Dana Boke, Mayor

**ATTEST:**

\_\_\_\_\_  
David H. Dutton, Finance Officer

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