



Spearfish City Council
Regular Session Minutes
May 1, 2023 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, May 1, 2023. Mayor Senden presided and called the meeting to order. Roll call was taken with the following members present: Clark, Hourigan, Jacobs, Klarenbeek, and Rath. Absent: Hodgs.. Also present: City Administrator McFarland, City Attorney McDonald, Finance Officer DeNeui, Public Safety Director Rotert, Public Works Director Broyles, City Planner Kapsa, Parks and Recreation Director Ehnes, and Assistant Public Works Director McMahon. All stood and recited the pledge of allegiance.

Clark moved, Rath seconded, and all voted to amend the agenda change item 14B from a fixed fee of \$47,400 to a fixed fee of \$51,200. Clark moved, Hourigan seconded and all voted to approve the agenda as amended. No potential conflicts of interest were noted.

Public Comment – At 5:31 p.m. a time for public comment was opened and closed with no comments being received.

Items from Visitors

Proclamation – Mayor Senden proclaimed May 7-13, 2023 as National Travel and Tourism Week in Spearfish.

Proclamation – Mayor Senden proclaimed May 26-29, 2023 as Poppy Days in Spearfish.

Proclamation – Mayor Senden proclaimed May 14-20, 2023 as Police Week and May 15, 2023 as Peace Officers Memorial Day in Spearfish.

Consent Agenda – Clark moved, Rath seconded and all voted to approve the consent agenda as follows:

- A. Approve the minutes of the City Council regular session dated April 17, 2023.
- B. Approve the treasurer's report dated March 31, 2023.

Other Items

Lease – A public hearing to consider a Facility Lease and Use Agreement for Hudson Hall was opened at 5:42 p.m. and closed with no oral or written comments being received. Klarenbeek moved, Jacobs seconded and all voted to approve the Facility Lease and Use Agreement.

License – A public hearing to consider an application from Dorcie Dardis for the transfer of a retail (on-off sale) wine and cider license from Good Earth Natural Foods to Living Healthy, LLC dba Good Earth Natural Foods located at 638 N. Main St. was opened at 5:43 p.m. and closed with no oral or written comments being received. Clark moved, Jacobs seconded and all voted to approve the transfer of the license.

License – A public hearing to consider an application from Dorcie Dardis with Living Healthy, LLC dba Good Earth Natural Foods for a retail (on-off sale) malt beverage & SD farm wine license

located at 638 N Main St. was opened at 5:44 p.m. and closed with no oral or written comments being received. Clark moved, Rath seconded and all voted to approve the license.

Statements – Klarenbeek moved, Hourigan seconded and all voted to approve the preliminary 2022 financial statements.

Surplus – Klarenbeek moved, Hourigan seconded and all voted to surplus children’s furniture and décor for transfer to another government agency.

Proposal – Clark moved, Hourigan seconded and with Clark, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to award My Turn Play Systems as the best value proposal for the design and construction of the Evans Park Play System project at a cost not to exceed \$340,000.

Grant – Jacobs moved, Rath seconded and all voted to accept the Transportation Alternatives grant for \$600,000 from the SD DOT and authorize Mayor Senden and other City staff to sign all agreements and documents necessary for the administration of the grant.

Contract – Clark moved, Hourigan seconded and with Clark, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to award the Comprehensive Plan contract to SE Group at a cost not to exceed \$111,030.

Resolution 2023-14 – Clark moved, Jacobs seconded and all voted to approve Resolution 2023-14 as follows:

RESOLUTION 2023-14

A RESOLUTION TO TRANSFER REAL PROPERTY FROM THE CITY OF SPEARFISH TO SPEARFISH ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, the City of Spearfish has completed public infrastructure at the Sky Ridge affordable housing development and individual lots are ready for home construction.

WHEREAS, pursuant to SDCL 9-27-36 and 9-54-1, the City of Spearfish will convey 1 lots to the Spearfish Economic Development Corporation for affordable housing thus serving a public purpose and encouraging and assisting in the location of new business and industry and the expansion of existing business development.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the following described territory be conveyed to the Spearfish Economic Development Corporation:

Lot 1 of Block 2 of Sky Ridge Subdivision, being a part of Tract V-1 of Sky Ridge Subdivision, which is a part of Tract V of Elkhorn Ridge Addition, City of Spearfish, Lawrence County, South Dakota.

under the terms and conditions of the Development Agreement approved on February 18, 2020 and amendment thereto approved March 6, 2023.

Dated this 1^h day of May, 2023

CITY OF SPEARFISH

Attest:

By: _____
John Senden, Mayor

Michelle DeNeui, City Finance Officer

(SEAL)

Adopted: May 1, 2023

Published: May 5, 2023

Effective: May 25, 2023

Final Plat – A public hearing to consider a final plat for Tracts JL-1 and JL-2 of Section 36, T6N, R3E was opened at 5:56 p.m. and closed with no oral or written comments being received. Jacobs moved, Klarenbeek seconded and all voted to approve the final plat.

Bid Award – Klarenbeek moved, Jacobs seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to award the lowest responsive and responsible bid for the 2023 Mountain Shadows Street Improvements project to Sacrison Paving Inc. at a total amount of \$929,436.04.

Proposal – Jacobs moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to approve the proposal from Shive-Hattery, Inc. for surveying, design, permitting, and bidding services for the Frawley Pond Dredging Project at a fixed fee of \$51,200.

Resolution 2023-15 – Clark moved, Rath seconded and all voted to approve Resolution 2023-15 as follows:

RESOLUTION NO. 2023-15

CITY OF SPEARFISH

**RESOLUTION AUTHORIZING A REQUEST FOR ADDITIONAL FINANCIAL ASSISTANCE FOR THE
EXIT 17 WATER TANK & WELL PROJECT**

WHEREAS, the City of Spearfish (the “City”) has determined it is necessary to proceed with drinking water system improvements, including, but not limited to, a new water supply well, well house, booster station, one (1) million gallon water storage tank, water main, and related improvements, all to be constructed in the area of I-90 Exit 17 to serve the East-Low Pressure Zone (the “Project”);

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and a Drinking Water Facilities Funding Application for financial assistance from the South Dakota Board of Water and Natural Resources (the “Board”) was submitted April 1, 2022, and \$4,620,000 in funding was previously awarded by the Board for the Project; and,

WHEREAS, an updated engineer’s opinion of probable cost has been prepared for the Project and it has been determined the original construction budget and funding available for the Project are now insufficient to cover the costs; and,

WHEREAS, the City now requires additional funding to proceed with the Project and, therefore, intends to submit a written request (the “Request”) to the Board to amend their original funding award.

NOW, THEREFORE, BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of the Request for additional financial assistance in an amount not to exceed \$3,648,327 to the Board for the Project; and,
2. The Mayor of the City is hereby authorized to execute the Request and submit it to the Board, and to execute and deliver such other documents and perform all acts necessary to effectuate the Request for additional financial assistance.

Dated this 1^h day of May, 2023

CITY OF SPEARFISH

Attest:

By: _____
John Senden, Mayor

Michelle DeNeui, City Finance Officer

(SEAL)

Adopted: May 1, 2023

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Bill List – Jacobs moved, Hourigan seconded and with Clark, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to approve the bill list dated May 1, 2023, as follows:

| <u>VENDOR NAME</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|----------------------------|-------------------------------------|----------------------|
| A & B BUSINESS INC | LEASES MARCH/APRIL 2023 | \$2,592.92 |
| AMAZON CAPITAL SERVICES | MOTORS-BOOKS-DVDS-LIB DÉCOR-LOTO | \$1,950.56 |
| WESTERN STATES FIRE PROTEC | MONITORING SERVICE FD STN 3 | \$720.00 |
| BAKER & TAYLOR | BOOKS FOR LIBRARY | \$1,683.70 |
| BECK'S NURSERY CORP | FABRIC-FABRIC STAPLES | \$299.99 |
| BLACK HILLS ENERGY | MAR/APR 2023 BHE | \$11,248.17 |
| BLACK HILLS CHEMICAL CORP | CLEANING SUPPLIES-DISINFECTANT | \$1,706.96 |
| BLACK HILLS LIBRARY CONSOR | 2023 TAX PREP FEE | \$35.49 |
| BLACK HILLS PIONEER | ADS BY KIDS-WEB ADS-COMMUNITY PGS | \$376.50 |
| BLACK HILLS TITLE INC | 1 LOT TRANS TO SEDC THEN DDI | \$453.50 |
| BOMGAARS SUPPLY INC | CABLE TIES-BOOTS-BATTERIES-SAW-HOSE | \$2,310.27 |
| BRAD HUNT | TRAVEL TO CONF IN CO- WWTP | \$186.00 |

| | | |
|----------------------------|------------------------------------|--------------|
| UPSTATE WHOLESALE SUPPLY I | UPSTATE WHOLESALE SUPPLY INC | \$5,240.00 |
| BUILDERS FIRSTSOURCE INC | WOOD | \$204.09 |
| AINSWORTH AUTO PARTS LLC | LUBE 10W30 GAL | \$239.10 |
| CASH-WA DISTRIBUTING CO | CONCESSIONS REC CENTER | \$675.77 |
| CENGAGE LEARNING | BOOKS FOR LIBRARY | \$206.87 |
| CLARK PRINTING CORP | BUSINESS CARDS FOR PD | \$110.00 |
| CLAUSER MACHINE WORKS | HYDRO CYLINDER | \$320.00 |
| REGENCY MIDWEST VENTURES L | FINANCE OFFICER AGA CONFERENCE | \$386.64 |
| CREEKSIDE DEVELOPMENT LLLP | MARCH 23 TAX INCREMENT TIF | \$10,949.16 |
| CROELL INC | V BLOCK | \$1,050.00 |
| DANR WASTE MANAGEMENT PROG | PERMITS-WWTP-RUS-NPDES MUNINCIPAL | \$16,850.00 |
| DIVISION OF MOTOR VEHICLES | 0029 FEE FOR NEW LICENSE PLATE | \$14.20 |
| ELKHORN RIDGE @ FRAWLEY RA | MAR 23 TAX INCREMENT TIF | \$151,247.43 |
| ENTENMANN-ROVIN | BADGES AND CASES | \$584.50 |
| NEWHOUSE ENTERPRISES INC | FACIAL TISSUE | \$445.50 |
| KNUTSON, DARREL | ANNUAL CRANE AND HOIST INSPECT | \$360.00 |
| FASTENAL CO | WASHERS-HEX NUTS-FENDER WASHER | \$602.69 |
| FERC | HYDRO POWER ANNUAL CHARGES | \$5,822.93 |
| GRASS & GRIT LLC | INDOOR SLED RUN | \$6,076.13 |
| FOTH INFRASTRUCTURE & ENVI | LOW ZONE DRINKING WTR IMPROVE | \$66,289.94 |
| GAHAGAN WOOD PRODUCTS LLC | 180 FIREWOOD BUNDLES CMPGRND | \$720.00 |
| GAME TIME | PLAYGROUND EQUIPMENT SWINGSET | \$6,195.62 |
| VIEHAUSER ENTERPRISES LLC | RE-KEY 12 PADLOCKS | \$425.52 |
| GTI COMPANIES INC | SNDSTN ST RPR SWR UP PE 10 | \$66,654.61 |
| GUNDERSON TRUCKING INC | TRANSPORT #2 TO GILLETTE | \$5,688.00 |
| HAWKINS INC | CHLORINE CYLINDERS W/S AND WWTP | \$889.01 |
| HDR ENGINEERING INC | SEWER UPSIZE- COLORADO BLVD IMPROV | \$73,783.50 |
| HIGH PLAINS CONSTRUCTION I | SUPER SLIDE FOR BASEBALL FIELD | \$3,503.80 |
| TODD EMERY COLLINS | WATER/SEWER CAMERA USAGE | \$550.00 |
| LIGHTING MAINT CONTRACTS | STREET LIGHTS OUT X5 | \$1,341.17 |
| LINDSTAD'S ALIGNMENT/BRAKE | ALIGN FRONT TAHOE | \$50.00 |
| M & T FIRE AND SAFETY INC | ENGINE #2 PRESSURE SWITCH PUMP | \$135.64 |
| MAINLINE CONTRACTING INC | ELKHRN SCH A PE 9 | \$564,314.61 |
| MONTANA-DAKOTA UTILITIES | MAR/APR 2023 MDU BILL | \$11,540.05 |
| MG OIL COMPANY | CHEV MEROPA 68 OIL | \$125.30 |
| MIDWEST CONNECT | LABELS FOR POSTAGE MACHINE | \$59.00 |
| MONEY MOVERS | MARCH MAINT FEES REC CENTER | \$10.25 |
| MUNRO EARTHMOVING LLC | HARVARD ST WATERLINE | \$3,612.76 |
| NORTHERN HILLS VENTURES IN | MANAGED SERVER- LICENSES | \$17,863.54 |
| NORTHERN HILLS EXCAVATION | EXCAVATION | \$1,208.70 |
| ONE TIME VENDORS | KAHN HOSPITALITY:REFUND BID OC | \$242.00 |
| SCHREINER ENTERPRISES, INC | WINDOW ENVELOPES | \$285.25 |
| QUIK SIGNS INC | DOORHANGERS FOR PD-BUSINESS CARDS | \$698.25 |

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|----------------------------|----------------------------------|-----------------------|
| RECREATION SUPPLY CO | GOGGLES FOR WATER PARK | \$1,633.02 |
| ROVERE, TAYLER | TRAVEL TO CO FOR CONFERENCE WWTP | \$186.00 |
| S&S BUILDERS LLC | SKYRIDGE PH 2 PAY REQUEST 11 | \$110,057.27 |
| SOUTH DAKOTA ONE CALL | MESSAGE FEES FOR MARCH | \$91.35 |
| SIMON CONTRACTORS OF SD IN | LIMESTONE-ROADSTONE-RIVER ROCK | \$1,964.60 |
| SMITH, COLLIN | IOMGIA 2023 CONFERENCE TRVL | \$587.97 |
| SPEARFISH LUMBER CO | POLE YELLOW PAINT | \$64.99 |
| STRUCTURAL DYNAMICS, LLC | SPORTSPLEX SKY RDGE MNT BLDG | \$8,694.80 |
| SUPERIOR SANITATION LLC | MARCH RENTAL INVOICES | \$704.00 |
| TURBIVILLE INDUSTRIAL ELEC | BEARINGS AT REC CENTER | \$1,211.99 |
| US BANK | BOND PMNT 5- 2020A SERIES | \$100,382.50 |
| US BANK NATIONAL ASSOCIATI | SRF CLEAN WATER GOLLIHER TANK | \$91,072.41 |
| VISIT SPEARFISH INC | MONTHLY BID BOARD ALLOC 4/23 | \$12,722.00 |
| WALMART CAPITAL ONE | MICROWAVE-FOOD BLIZZARD-LAMPS | \$530.95 |
| INTEGRITY ACQUISITION LLC | MOTOR- CUTTING EDGE KIT | \$571.92 |
| | Total | \$1,381,611.36 |

April 2023 Salary Expense & Credit Card Fees

| | <u>Gross</u> <u>Wages/Benefits</u> | | <u>Gross</u> <u>Wages</u> | <u>Benefits</u> | |
|---------------------|---------------------------------------|--------|------------------------------|-----------------|--------|
| Mayor/Council | \$8,981.00 | 1.13% | \$8,342.72 | \$638.28 | 1.33% |
| City Administrator | 21,084.20 | 2.64% | 16,955.62 | 4,128.58 | 2.71% |
| City Attorney | 11,663.02 | 1.46% | 9,656.00 | 2,007.02 | 1.54% |
| Finance | 27,515.92 | 3.45% | 22,600.00 | 4,915.92 | 3.61% |
| Human Resources | 9,907.46 | 1.24% | 8,123.20 | 1,784.26 | 1.30% |
| Gov't Bldgs | 18,518.05 | 2.32% | 14,461.12 | 4,056.93 | 2.31% |
| Engineering | 36,889.55 | 4.62% | 29,820.78 | 7,068.77 | 4.77% |
| Public Safety Admin | 24,925.36 | 3.12% | 19,902.08 | 5,023.28 | 3.18% |
| Police | 141,277.71 | 17.70% | 110,372.65 | 30,905.06 | 17.64% |
| Fire | 13,864.53 | 1.74% | 12,100.00 | 1,764.53 | 1.93% |
| Bldg Inspection | 24,394.73 | 3.06% | 19,017.60 | 5,377.13 | 3.04% |
| Streets & Snow | 84,745.98 | 10.62% | 59,836.04 | 24,909.94 | 9.56% |
| Cemetery | 6,202.43 | 0.78% | 4,567.36 | 1,635.07 | 0.73% |
| Animal Control | 4,638.02 | 0.58% | 3,280.51 | 1,357.51 | 0.52% |
| Recreation/Aquatic | 58,230.43 | 7.30% | 46,530.67 | 11,699.76 | 7.44% |
| Parks | 45,671.60 | 5.72% | 35,915.68 | 9,755.92 | 5.74% |
| Library | 34,033.93 | 4.26% | 27,317.61 | 6,716.32 | 4.37% |
| Plan & Zone | 20,562.29 | 2.58% | 16,240.01 | 4,322.28 | 2.60% |
| Motor Pool | 21,912.51 | 2.75% | 16,673.68 | 5,238.83 | 2.66% |
| Wildland Fire | 7,881.10 | 0.99% | 5,917.16 | 1,963.94 | 0.95% |
| Police Comm | 42,307.72 | 5.30% | 32,965.15 | 9,342.57 | 5.27% |
| SAFER Grant | 5,834.73 | 0.73% | 4,828.99 | 1,005.74 | 0.77% |
| Water | 23,462.56 | 2.94% | 18,517.21 | 4,945.35 | 2.96% |

| | | | | | |
|---------------------------|---------------------|----------------|---------------------|---------------------|----------------|
| Electric Production | 17,519.70 | 2.20% | 13,942.82 | 3,576.88 | 2.23% |
| Sewer | 21,680.74 | 2.72% | 17,128.81 | 4,551.93 | 2.74% |
| WWTP | 36,490.24 | 4.57% | 29,233.14 | 7,257.10 | 4.67% |
| Solid Waste | 27,410.65 | 3.43% | 21,131.38 | 6,279.27 | 3.38% |
| Campground | 543.75 | 0.07% | 421.05 | 122.70 | 0.07% |
| Totals | \$798,149.91 | 100.00% | \$625,799.04 | \$172,350.87 | 100.00% |
| Banking Fees March | 80.95 | | | | |
| Credit Card Fees March | 8,047.48 | | | | |
| Grand Total | \$806,197.39 | | | | |

Added or Adjusted Wages:

| Employee | Position | Wage | Stipend | Effective Date |
|---------------------------|-------------------------------------|-------------|----------------|-----------------------|
| Torres, Saul | Police Officer | | \$2.00 | 4/3/2023 |
| Bussiere, Erica | Administrative Assistant | \$22.48 | | 3/19/2023 |
| Ziegler, Brian | Deputy Fire Chief | \$36.83 | | 5/15/2023 |
| Seasonal Employees | | | | |
| Mitchell, Johanna | Seasonal Parks Laborer | \$15.50 | | 4/17/2023 |
| Thurlow, Shelby | Lifeguard | \$15.25 | | 5/3/2023 |
| Tudor, Sophie | Lifeguard/WSI | \$15.25 | | 5/3/2023 |
| Noor, Abigail | Seasonal Customer Service Assistant | \$14.25 | | 5/3/2023 |
| Hamilton, Coy | Seasonal Customer Service Assistant | \$14.25 | | 5/3/2023 |
| Marcoe, Luke | Seasonal Parks Laborer | \$15.25 | | 6/5/2023 |
| Rotert, Brendan | Cemetery Summer Laborer | \$15.25 | | 6/5/2023 |
| Goodyear, Sean | Summer Rec Assistant | \$14.25 | | 5/3/2023 |
| Flock, Brendan | Seasonal Parks Laborer | \$15.25 | | 5/22/2023 |
| Ferrell, Daniel | Seasonal Parks Laborer | \$15.25 | | 6/5/2023 |
| Lewis, Anathasia | Lifeguard/WSI | \$15.25 | | 5/3/2023 |
| Dowdy, Lilly | Seasonal Customer Service Assistant | \$14.25 | | 5/3/2023 |
| Pietzyk, Anissa | Seasonal Customer Service Assistant | \$14.25 | | 5/3/2023 |
| Laird, Emery | Seasonal Customer Service Assistant | \$14.25 | | 5/3/2023 |
| Hogan, Allie | Lifeguard/WSI | \$15.25 | | 5/3/2023 |

There being no further business, Clark moved, Hourigan seconded, and all voted to adjourn at 6:27 p.m.

Dated this 1st day of May, 2023

Attest:

By: _____
John Senden, Mayor

Michelle DeNeui, City Finance Officer

Published once at the approximate cost of _____.