

Spearfish City Council



Regular Session Minutes

May 20, 2019

The Spearfish City Council met at 5:30 PM on Monday, May 20, 2019. Council President Hodgs 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, Eisenbraun, Hodgs, Jacobs and Klarenbeek. Mayor Boke and Martin were absent. Also present: City Administrator Harmon, Finance Officer Dutton, City Planner Watson, City Attorney McDonald, Assistant Public Works Director Lee, Police Chief Rotert, Assistant Finance Officer DeNeui, Park and Recreation Director Ehnes, City Engineer Mathis, Finance Administrative Assistant Weber, Wastewater Treatment Facility Superintendent Evridge and Police Lieutenant Dean.

Eisenbraun moved, Jacobs seconded and all voted to approve the Agenda. There were no declarations of any potential conflicts-of-interest.

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

- A. Authorize Michael Harmon to sign the Cooperative Agreement with the South Dakota Department of Agriculture, Wildland Fire Division.
- B. Approve special malt beverage licenses for B&B Lounge, False Bottom Bar, Flanagan's Irish Pub, Level Wine Bar, and Zbar for Downtown Friday Nights, each Friday, beginning June 7, 2019 through August 30, 2019 and also the Spearfish Corvette Classic on July 19, 2019 along with Spearfish Brewing & a special on-sale wine license for Level from 5:00 PM to 10:00 PM on Main Street from Illinois to Grant.
- C. Approve annual renewals for the 2019-2020 retail on-off sale malt beverage & SD farm wine licenses as follows:

	<u>License Owner</u>	<u>Address</u>
1	Antunez	117 E. Illinois Street
2	Aviands @ BHSU	1200 University Street
3	B&B Lounge	703 N. Main Street
4	Barbacoa's	305 W. Jackson Blvd
5	Best Western Black Hills Lodge	540 E. Jackson Blvd
6	Blackbird Espresso	503 N. Main Street
7	Chris' Campground	701 Christensen Drive
8	Common Cents Food Store	546 W. Jackson Blvd
9	Dakota Seafood	741 Main Street Suite 110

10	Double Barrel Liquor & Casino	6764 Colorado Loop
11	Dough Trader	543 W. Jackson Blvd
12	Elkhorn Ridge Golf Course	6845 St. Onge Road
13	Elkhorn Ridge RV Park	20189 US Hwy 85
14	Exit 8 Phillips 66	3275 Old Belle Road
15	False Bottom Bar	645 Main Street
16	Fuji Sushi Bar & Grill	126 W. Hudson Street
17	Golden Dragon Restaurant	1850 North Avenue
18	Good Day Café	541 W. Jackson Blvd #4
19	Grant Street Liquor	127 West Grant Street
20	Green Oven	608 Main Street
21	Happy Jacks	520 W. Jackson Blvd
22	Jade Palace China Buffet	715 N. Main Street
23	Level Lounge	604 N. Main Street
24	Los Cabos	447 N. Main Street
25	Lucky Strike Lanes	1740 Ryan Road
26	Lueders Food Center	620 7th Street
27	Matthews Opera House	612 Main Street
28	Mini Mart #445	813 N. Main Street
29	Minitman Food & Fuel	820 E. Colorado Blvd
30	Minitman Too	611 E. Jackson Blvd
31	Northern Hills Cinema	1830 N. Main Street
32	Pizza Hut	435 W. Jackson Blvd
33	Queen City Liquor	210 E. Rushmore Street
34	Roma's Ristorante	2281 E. Colorado Blvd 741 N. Main Street Suite
35	Spearfish Brewing Co	130
36	Spearfish Sasquatch Baseball	350 W. Highway 14
37	Spearfish Softball Association	850 South Dakota Way
38	Speedy Mart	2615 E. Colorado Blvd
39	Sunshine Saloon	3226 W. Fairground Loop
40	Triple 7 Casino	923 E. Colorado Blvd
41	Walgreens	1430 North Avenue
42	Yesway	2728 1st Avenue

- D. Authorize Mayor Boke to appoint Darick Eisenbraun to Legal, Finance and Public Safety Committee, DC Booth Society (ex-officio) and Spearfish Parks, Recreation and Forestry Advisory Board (ex-officio).
- E. Transfer Kayla Sprigler to Police Department Administrative Assistant, effective 5/20/2019. This is a lateral transfer with no change in wage or benefits.

- F. Add Pam Burley to the Police Department volunteer list effective 6/1/2019, add Karla Weber to the Volunteer List effective 6/1/2019 and add David Dutton to the Volunteer List effective 6/15/2019.
- G. Move Austin Nelson to full-time (benefit-eligible) Facility Maintenance Technician effective 5/19/2019.
- H. Hire the following seasonal employees effective May 21, 2019:

Public Works:		
William Klapperich	Construction Observation/Inspection	\$45.00
Parks:		
Johanna Mitchell	Laborer	\$11.25
Michael Yost	Laborer	\$11.75
Riley Reisig	Laborer	\$11.25
Recreation:		
Drew Couch	WSI	\$10.50

- I. Approve Minutes of City Council Regular Session dated May 6, 2019.
- J. Accept monthly financial statements dated April 30, 2019.

Items from Visitors

Proclamations - Council President Hodgs, on behalf of Mayor Boke proclaimed Emergency Medical Services Week and Emergency Medical Services for Children Day in Spearfish. Executive Director Brian Hambek provided an update on Spearfish Emergency Ambulance Service.

City Attorney

Resolution 2019-12 - Council President Hodgs opened a public hearing at 5:41 PM to consider Resolution 2019-12 - A resolution of intent to lease certain property on the McLaughlin Sawmill site and the lease. The lessee is Black Hills Energy. There were no oral or written comments and the public hearing was closed at 5:41 PM. Jacobs moved, Eisenbraun seconded and all voted to approve Resolution 2019-12 and authorize Mayor Boke to sign the lease with Black Hills Energy.

RESOLUTION 2019-12

A RESOLUTION OF INTENT TO ENTER INTO A LEASE AGREEMENT FOR CERTAIN PROPERTY ON THE MCLAUGHLIN SAWMILL SITE

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 surface lease agreement with Black Hills Energy, Inc. to lease portions of the McLaughlin Sawmill Site, 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 May 20, 2019.

Dated this 15th day of April, 2019.

CITY OF SPEARFISH

(Seal)

By: _____
Dana Boke, its Mayor

Attest:

David H. Dutton, Finance Officer

Adopted: April 15, 2019
Published: April 26, 2019
Effective: May 16, 2019

Addendum - Jacobs moved, Klarenbeek seconded and all voted to authorize Mayor Boke to sign the Electric Power Supply Agreement Second Addendum with Black Hills Energy.

Safety Partnership - Jacobs moved, Klarenbeek seconded and all voted to authorize Mayor Boke to sign Safety Partnership Letter of Understanding with Black Hills Energy.

Finance

License - Council President Hodgs opened a public hearing at 5:44 PM to consider an application from Jeff Drumm with Crow Peak Brewing for a special malt beverage license for the Gold Rush Gravel Grinder on June 8, 2019 from 12:00 PM to 5:00 PM at the Spearfish City Park. There were no oral or written comments and the public hearing was closed at 5:44 PM. Clark moved, Eisenbraun seconded and all voted to approve the license.

Licenses - Council President Hodgs opened a public hearing at 5:45 PM to consider an application from Tammy McDaniel with Spearfish Creek Wine Bar for six (6) special on-sale wine licenses for the Canyon Acoustic Series every Wednesday starting June 26, 2019 through July 31, 2019 from 5:30 PM to 7:30 PM at the Spearfish City Park Bandshell. There were no oral or written comments and the public hearing was closed at 5:45 PM. Klarenbeek moved, Jacobs seconded and all voted to approve the licenses.

Public Works

Bid - Jacobs moved, Clark seconded and all voted to award bid to low bidder Highway Improvement Inc. for the 2019 Asphalt Surface Crack Sealing Project - total amount \$32,812.00.

Bid Tab:

	Contractor	Base Bid
	Estimate	\$70,000.00
1	Astech Corp.	\$44,529.00
2	Fahrner Asphalt Sealers, LLC	\$128,818.00
3	Black Hills Asphalt	\$75,089.00
4	Roadway Services Inc.	\$159,344.00
5	Highway Improvement Inc.	\$32,812.00
6	GTI Companies, Inc.	\$109,940.00

Parking Lot - Eisenbraun moved, Jacobs seconded and all voted to allow Holiday Inn Hotel & Convention Center to begin their parking lot maintenance. This is considered emergency work that was not budgeted for 2019. Total project amount is \$22,500 with City of Spearfish cost share \$11,250.00 per MOU. Funded from Hospitality Tax Fund.

Agreement - Clark moved, Jacobs seconded and all voted to approve Biosolids Disposal Agreement between City of Spearfish and City of Gillette, WY.

Engineering

HDR Proposal - Clark moved and Jacobs seconded to approve HDR Engineering amendment proposal for engineering services for the Spearfish Standards and Specifications Project which will increase HDR's level of duties to complete the existing scope. This includes professional services to finish the preliminary set of engineering documents that will result in a comprehensive collection of standards and specifications to be used on all future private and public projects. The amendment cost is at a total of \$33,592.00. Funded from 2nd Penny Fund. Motion passed 4/1 with Klarenbeek voting no.

Planning and Zoning

Ordinance 1300 - Council President Hodgs opened a public hearing at 5:55 PM to consider Second Reading of Ordinance 1300 - RV Parking Ordinance. Mark Nelson, 246 Kansas Street asked if there was a way to get a permit to park an RV in the boulevard. City Planner Watson stated in this case a variance is not applicable and stated that Council had previously chosen to not allow this in the downtown corridor. Mr. Nelson cited several safety factors regarding backing out as opposed to parking in the boulevard. There were no further comments and the public hearing was closed at 6:04 PM. Eisenbraun moved, Jacobs seconded and Second Reading of Ordinance 1300 was approved 4/1 with Klarenbeek voting no.

Ordinance 1301 - Eisenbraun moved, Jacobs seconded and all voted to approve First Reading Ordinance 1301 - Light Industrial Outdoor Storage and to set public hearing for June 3, 2019.

Bill List - Clark moved, Klarenbeek seconded and all voted to approve Bill List dated May 20, 2019.

VENDOR	DESCRIPTION	AMOUNT
2XL CORPORATION	WIPES	\$ 387.59
A & B WELDING SUPPLY CO	GLOVES/FLASHLIGHT/PROPANE/OXYGEN/RENTALS	\$ 383.68
A & L CONTRACTORS LLC	HAUL DIRT TO RUBBLE SITE	\$ 570.00
A&B BUSINESS INC	MAY 2019 CITY COPIER LEASE	\$ 2,529.06
ALPINE IMPRESSIONS	SHIRTS/EMBLEM/FIRE CORPS CLOTHING	\$ 1,991.00
AMERICAN LEGION FLAG & EMB	FLAGS	\$ 313.20
AMERICAN RED CROSS	CPR/AED TRAINING MATERIALS	\$ 60.00
AMERICAN WATER WORKS ASSN	ANNUAL MEMBERSHIP-R GLENN	\$ 324.00
WESTERN STATES FIRE PROTEC	STATION 3 SETUP & MONITORING	\$ 1,420.00
BAKER & TAYLOR	BOOKS/MEDIA	\$ 525.40
BELLE FOURCHE LANDFILL	APR 2019 LANDFILL FEES	\$ 28,473.10
BLACK HILLS CHEMICAL CORP	CUPS/GLOVES/CLEANERS/TISSUE/TOWELS	\$ 854.66
BLACK HILLS ENERGY	ELECTRICITY	\$ 8,025.97
BLACK HILLS PIONEER	APR 2019 ADS & LEGAL PUBLISHING	\$ 1,422.34
BLACK HILLS PURE INC	WATER/COOLER RENTALS	\$ 57.00
BLACK HILLS STATE UNIV	CEMETERY BOOKLETS	\$ 75.00
BLACK HILLS TRUCK/TRAILER	SENSOR/SENSOR KIT	\$ 148.77
BLACK HILLS URGENT CARE	DOT TESTING	\$ 55.00
BORDER STATES ELECTRIC	ELECTRICAL PARTS & REPAIRS	\$ 2,391.55
UPSTATE WHOLESALE SUPPLY	REPAIR TABLET	\$ 802.19
BUTLER MACHINERY CO	FILTERS/COUPLINGS/HOSE/SEALS/SOCKET/KIT	\$ 596.81
BUTTE ELECTRIC COOP	ELECTRICITY	\$ 50,720.01
CAMPBELL SUPPLY	2019 BOOTS-R GLENN	\$ 100.00
CAPTAIN CLEAN OF THE NHILL	CLEAN PATROL CAR	\$ 95.00
CARROT-TOP INDUSTRIES INC	FLAG	\$ 53.48
CBH COOPERATIVE	APR 2019 BULK FUEL CONTRACT	\$ 23,902.05
CENGAGE LEARNING	BOOKS	\$ 80.96
CENTURYLINK INC	MAY 2019 CIRCUITS & E911	\$ 958.33
CITY OF SPEARFISH CREDIT CARDS	TRAVEL/SUPPLIES/SERVICES/TOOLS/REPAIRS/ADS	\$ 4,697.79
CLAUSER MACHINE WORKS	REPAIR BROKEN BOLTS	\$ 80.00
CLIMATE CONTROL SYSTEMS	REPAIR HEATER	\$ 363.82
COCA-COLA BOTTLING CO	COFFEE/CREAMER	\$ 752.00
CORE & MAIN LP	HEX BOLTS/COUPLINGS/INSERTS/CURB BOX	\$ 507.41
CVD CONSTRUCTION INC	CONCRETE PARK PADS	\$ 5,370.00
DEMCO INC	SUMMER READING PROGRAM SUPPLIES	\$ 776.71
NORTHERN HILLS VENTURES	CITY LOGO GRAPHIC DESIGN	\$ 250.00
ECOLAB PEST ELIMINATION	PEST CONTROL	\$ 406.60
EDDIE'S TRUCK CENTER INC	VEHICLE REPAIRS/SWITCH/FENDER QUARTERS	\$ 1,722.03
ENTENMANN-ROVIN	POLICE BADGES	\$ 230.50

NEWHOUSE ENTERPRISES INC	TISSUE/TOWELS/PAPER/MOPS/INK/RULERS	\$	699.63
FIB-AP PURCHASE CARD PROGRAM	APR AP CARD \$78,226.90-CHARGES INDIV. LISTED	\$	-
SA&J SERENDIPITY 57 INC	CITY HALL WINDOW CLEANING	\$	960.00
FMG INC	EXIT 8 REC PATH & CITY HALL LOT ENGINEERING	\$	8,923.40
VIEHAUSER ENTERPRISES LLC	REPAIR CAMPGROUND OFFICE LOCK/PADLOCKS	\$	294.96
GRAINGER INC	TOWELS/MOULDING/MAIL SLOT/BIT SET	\$	204.76
HAGEMAN, THOMAS	TRAVEL PER DIEM	\$	128.00
HARMON, MICHAEL	DAY OF EXCELLENCE EXPENSES	\$	66.00
JEFFRIES, KIRK	WATERPARK SLIDE REPAIRS	\$	1,116.00
INTOXIMETERS INC	DRYGAS	\$	205.25
TODD EMERY COLLINS	LOCATE SUMP PUMP ODOR ORIGIN 420 N CANYON	\$	75.00
JUNEK'S SERVICE CORP	KEY FOB	\$	226.34
WASTE CONNECTIONS OF SD	HAUL PERMIT	\$	500.00
KLJ SOULUTIONS HOLDING CO	CROSSWIND RUNWAY & WILDLIFE FENCE STUDY	\$	11,590.80
KT CONNECTIONS	SWITCH PHONE LINES & CABLING	\$	385.00
LAWRENCE COUNTY AUDITOR	JAN-APR 2019 TIF 5 INCREMENTS	\$	7,419.26
LYNN, JACKSON, SHULTZ & LEBRUN	LEGAL SERVICES	\$	112.50
MATTHEWS OPERA HOUSE	HISTORIC PRESERVATION MEETING	\$	150.00
MIDCO	APR 2019 INTERNET/PHONE/CABLE	\$	1,010.16
MIDCONTINENT TESTING LAB	LAB TESTS	\$	1,359.50
MONTANA-DAKOTA UTILITIES	NATURAL GAS	\$	3,632.43
NAT'L FLOOD INSURANCE PROGRAM	BRIDGES BUILT WITHOUT LOMR STUDY	\$	8,250.00
NORTHERN HILLS TRNG CENTER	MOWING/JANITORIAL SERVICES	\$	2,259.09
PRO WINDMILL INC	DEODORIZER SERVICE/PEST CONTROL	\$	273.00
ONE TIME VENDOR	ATLANTIS GLOBAL:CITATION PAPER	\$	147.08
PENWORTHY CO	BOOKS	\$	116.30
PHAZE ELECTRIC INC	ROTARY SWITCH	\$	525.00
PETTY CASH P&Z-WELLS FARGO	PLAT FEES	\$	124.00
PUBLIC SAFETY EQUIPMENT	PRISONER CAGES	\$	2,742.00
PUSH PEDAL PULL INC	REPAIR FITNESS EQUIPMENT	\$	497.10
QUIK SIGNS INC	SIGNS	\$	146.81
RECREATION SUPPLY CO	POOL VACUUMS	\$	4,987.60
RECORDED BOOKS LLC	ANNUAL RENTAL SERVICE	\$	1,500.00
RIVERFRONT BROADCASTING	REC CENTER RADIO ADS	\$	240.00
SACHARA, MARK	REIMBURSE REGISTRATION-WFCA	\$	550.00
SACRISON ASPHALT INC	LIMESTONE	\$	2,406.60
SANITATION PRODUCTS INC	CHAIN/CALIPER STATOR KIT/UNHEATED MIRROR	\$	866.24
SDGFOA	REGISTRATION-J HAFNER-D HANSON	\$	150.00
SD MUNICIPAL ATTORNEY ASSOC	REGISTRATION-A MCDONALD	\$	18.00
SDRS SPECIAL PAY PLAN	DAVE DUTTON & KARLA WEBER SPECIAL PAY PLAN	\$	90.00
SERVALL TOWEL & LINEN	FLUSHER/UNIFORM/MOP/MAT/RENTAL	\$	855.52
SHARKEY PLUMBING HEATING	REPAIR FLUSH VALVE	\$	311.73
SILVERSTONE GROUP INC	FY 2018 ACTUARIAL SERVICES	\$	3,700.00

SIMON CONTRACTORS OF SD	LIMESTONE/ROADSTONE	\$	2,961.65
SOUTH DAKOTA FEDERAL PROPERTY	PALLET JACK	\$	150.00
THE SOUTHWELL CO	ITEM	\$	800.00
SPEARFISH AMBULANCE SERV	AED PADS	\$	124.92
SPEARFISH CHAMBER OF COMM	KNOWLEDGE AT NOON	\$	15.00
VIVI BENE INC	ELECTRICAL SERVICES & REPAIRS	\$	1,255.39
SPEARFISH SCHOOL DIST 40-2	JAN-APR 2019 TIF 5 INCREMENTS	\$	20,722.96
THOMSON REUTERS WEST	MAR 2019 WEST LAW SERVICE	\$	474.40
TRAFFIC CONTROL CORP	PEDESTRIAN LEDS	\$	872.00
ULINE INC	WELDED STEEL CART	\$	369.58
THE UPS STORE #5137	SHIPPING SERVICES	\$	20.56
USA BLUE BOOK	FLOURIDE AMPULES	\$	122.07
CLARITY TELECOM LLC	APR 2019 PHONES & INTERNET	\$	3,381.93
VERIZON WIRELESS	MAR 2019 CITY CELL PHONES	\$	2,683.39
VISUAL WORKS INC	MAR 2019 CAMPGROUND RESERVATIONS	\$	228.00
WENZEL, WILLIAM W	TRAVEL MILEAGE & PER DIEM	\$	290.12
WHITE'S QUEEN CITY MOTORS	SENSOR/TEST & REPLACE BATTERY	\$	318.85
WOLFF'S PLUMBING & HEATING	HUMAN SOCIETY H2O HEATER REPAIR/TOILET RPRS	\$	581.00
WOODROOF, JUSTIN	TRAVEL PER DIEM	\$	180.00
YOUNG, ZACHARY R	TRAVEL PER DIEM	\$	180.00
** TOTALS**		\$	248,019.89

APPROVAL INITIALS

Mayor Boke - Absent
Marty Clark
Darick Eisenbraun
Dan Hodgs
Pam Jacobs
Larry Klarenbeek
George Martin - Absent

Mayor and Council

Reports and discussion items - Clark provided update on Historic Preservation and SPRF Advisory Board.

Departmental Discussion Items - City Administrator Harmon discussed the recent Gordon Graham classes on professional development. City Planner Watson and Park and Recreation Director Ehnes discussed the new playground at Jorgensen Park. Assistant Public Works Director Lee announced the new street sweeper is here and he stated the sawmill cleanup is done. Police Chief Rotert provided an update on last night's robbery and gave congratulations to Eric Bowers on his recent Special Olympic victories.

Public Comment – Public Comment section was opened at 6:22 PM. John Dale expressed continuing concern with incoming 5G technology and stated the carcinogenic effects need due diligence. He also expressed concerns that 5G emitters can be weaponized and thusly opens

avenues of terrorism and discussed the philosophy of infiltration into private residences. He thanked council for the opportunity to share this information and also asked for larger font on the display screens. There were no additional public comments and this section was closed at 6:26 PM.

There being no further business before the Council, Jacobs moved, Clark seconded and all voted to adjourn at 6:26 PM.

Dated this 20th day of June 2019.

CITY OF SPEARFISH

BY: _____
Dan Hodgs, City Council President

ATTEST:

David H. Dutton, Finance Officer

Published once at the approximate cost of _____.