



Spearfish City Council
Regular Session Minutes
September 21, 2020 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, September 21, 2020. Mayor Boke presided and called the meeting to order. Roll call was taken with the following members present: Clark, Eisenbraun, Herrmann, Hodgs and Jacobs. Absent: Klarenbeek. Also present: City Administrator Harmon, City Planner Watson, Parks and Recreation Director Ehnes, City Attorney McDonald, City Engineer Mathis, Finance Officer DeNeui, Public Works Director Lee, Public Safety Director Rotert, Fire Chief Deaver and Police Chief Jacobs.

All stood and recited the pledge of allegiance. The agenda was amended to change item 12B to authorize Council President Hodgs to sign the documents due to Mayor Boke having the same last name as the other party but there is no financial interest with the party. Eisenbraun moved, Jacobs seconded and all voted to approve the amended agenda. No potential conflicts of interest were noted.

Consent Agenda – Eisenbraun moved, Hodgs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, and Jacobs voting aye, motion passed to approve the consent agenda as follows:

- A. Approve the minutes of the City Council regular session dated September 8, 2020.
- B. Approve the treasurer's report dated August 31, 2020.
- C. Add Kordel Chmela, Jacob Powell, Bridger Janvrin and Brock Pentheny to the Spearfish Recreation and Aquatics Center referees list.
- D. Hire Sidney Forsch as part-time (not benefit eligible), recreation assistant, grade 7, step 1, \$13.13 per hour, effective 9/22/2020.
- E. Hire Brandy Kean, part-time (not benefit eligible) project engineer (PE), grade 22, step 22, \$46.06 per hour, effective 9/28/2020. This position will be utilized up until the time a candidate is found to fill the full-time position.

Proclamation – Mayor Boke proclaimed September 25, 2020 as Disabled American Veterans Day in Spearfish.

Proclamation – Mayor Boke proclaimed Friday, October 2, 2020 as Olga Marie Ghirardini Girardi Nelson Day in Spearfish.

Ordinance 1327 – Clark moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to approve the second reading of Ordinance 1327 – An Ordinance Amending Chapter 14 Streets, Sidewalks and Other Public Places, Article VI. Cemeteries of the Revised Ordinances of the City of Spearfish.

Ordinance 1328 – Clark moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to approve the second reading of Ordinance 1328 – An Ordinance Amending Chapter 9 Health, Sanitation and Nuisances, Article II. Nuisances of the Revised Ordinances of the City of Spearfish.

Ordinance 1329 – Hodgs moved, Eisenbraun seconded and all voted to approve the first reading of Ordinance 1329 – An Ordinance Amending Chapter 17, Traffic and Vehicles, Article VI. Stopping, Standing and Parking of the Revised Ordinances of the City of Spearfish.

Ordinance 1330 – Eisenbraun moved, Jacobs seconded and following discussions all voted to approve the first reading of Ordinance 1330 – An Ordinance Amending Chapter 4 Alcoholic Beverages, Article I. Licenses and General Provisions of the Revised Ordinances of the City of Spearfish.

Ordinance 1331 – Clark moved, Jacobs seconded and all voted to approve the first reading of Ordinance 1331 – An Ordinance Amending Chapter 14 Streets, Sidewalks and Other Public Places, Article V. Use of Municipal Rights-of-Way (ROW) and Other Properties of the Revised Ordinances of the City of Spearfish.

Final Project – Herrmann moved, Hodgs seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to approve the final Under/Over Change Order #2 for the Pickle Ball Court Project 1 for a net increase of \$12,864.02 (increase of \$15,042.02 and a decrease of \$2,178.00); final project cost totaled \$72,613.64 with the original contract amount of \$54,397.52 and to authorize Mayor Boke sign the Certificate of Final Completion and Acceptance setting September 21, 2020 as the date the two (2) year warranty begins.

Agreement – Hodgs moved, Eisenbraun seconded and all voted to authorize Mayor Boke to sign an Easement Agreement for a proposed 5-foot sidewalk along Hillsvie Road as part of the Exit 8 Area Community Path Project.

Ordinance 1332 – Hodgs moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to approve the second reading of Ordinance 1332 – 2021 Appropriations Ordinance.

Bond – Hodgs moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to authorize the settlement of the Sales Tax Revenue Bonds, Series 2020A, for the TIF6 projects.

Policy – Hodgs moved, Herrmann seconded and following discussions all voted to adopt the employee negative leave balance administrative policy while COVID-19 is ongoing.

Resolution 2020-28 – Jacobs moved, Hodgs seconded and all voted to adopt Resolution 2020-28 as follows:

Resolution No. 2020-28

**RESOLUTION APPROVING THE PROJECT PLAN FOR
TAX INCREMENTAL DISTRICT NUMBER SIX, CITY OF SPEARFISH**

BE IT RESOLVED by the Common Council of the City of Spearfish, as follows:

WHEREAS, the Common Council has established Spearfish Tax Incremental District Number Six by Resolution 2020-18 on August 17, 2020 with an effective date of August 18, 2020; and

WHEREAS, the Common Council deems it in the best interests of the City to promote the creation of affordable housing within the City; and

WHEREAS, the projects identified within the Project Plan makes such affordable housing feasible by providing public works improvements within the tax increment district; and

WHEREAS, the use of tax increment financing to promote this affordable housing development is authorized by the statutes of the State of South Dakota; and

WHEREAS, a Project Plan for this Tax Incremental District proposing such improvements has been developed and recommended by the Spearfish Planning Commission; and

WHEREAS, the Common Council has determined that the Project Plan developed for Tax Incremental District Number Six is economically feasible; and

WHEREAS, the Common Council has further determined that this Project Plan is in conformity with the City of Spearfish Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SPEARFISH that the Project Plan for Tax Incremental District Number Six be, and is hereby approved; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the total amount of tax increment revenues authorized to retire the debts and obligations of Tax Incremental District Number Six shall not exceed \$17,764,919 including interest, are hereby authorized as permitted under the provisions of SDCL 11-9.

Dated this 21st day of September, 2020

CITY OF SPEARFISH

By: _____
Dana Boke, Mayor

ATTEST:

Michelle DeNeui, Finance Officer

(SEAL)

Adopted: September 21, 2020

Published: September 22, 2020

Effective: October 12, 2020

Dedication – Eisenbraun moved, Jacobs seconded and all voted to authorize Council President Hodgs to sign the following documents related to the dedication of Red Fern Court, Gooseberry Road, Foxglove Court, and Buttercup Court:

- 1) Dedication and Acceptance of Public Improvements;
- 2) Storm Drain easement agreement pertaining to Foxglove Court; and
- 3) Drainage and Utility Easement document pertaining to Red Fern Court.

Ordinance 1333 – Clark moved, Herrmann seconded and all voted to approve the first reading of Ordinance 1333 – An Ordinance Repealing Ordinance 1320.

Hire – Hodgs moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to hire Travis Ladson as full-time (benefit eligible), fire chief, grade 23, step 1, \$33.54 per hour (\$69,763.20 annual salary), effective 10/5/2020.

Award Bid – Eisenbraun moved, Hodgs seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to award the lowest responsive and responsible bid for the 2020 Airport Perimeter Wildlife Exclusion Fence Project bid to Quinn Construction at a total of \$1,279,870.50.

Award Bid – Eisenbraun moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to award the lowest responsive and responsible bid for the Sky Ridge Development Infrastructure Project Phase 1, to Zandstra Construction Inc. for a total base bid of \$3,958,943.26.

Bill List – Hodgs moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs and Jacobs voting aye, motion passed to approve the bill list dated September 21, 2020 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
A & B BUSINESS INC	AUG 2020 CONTRACT BASE RATE	\$ 2,640.28
A & B WELDING SUPPLY CO	GASSES/CYLINDERS	\$ 172.51
ALPINE IMPRESSIONS	APPAREL	\$ 1,080.00
AMAZON CAPITAL SERVICES	OFFICE/TECH/JANITORIAL/BOOKS	\$ 1,033.88
AMERICAN LEGAL PUBLISHING	SUPPLEMENT PAGES	\$ 2,327.13
BAKER & TAYLOR	BOOKS	\$ 647.13
BELLE FOURCHE LANDFILL	AUG 2020 SOLID WASTE DISPOSAL	\$ 28,762.14
BELLE FOURCHE IRRIGATION DISTRICT	LABOR/EQUIP/MILEAGE	\$ 897.60
BLACK HILLS ENERGY	AUG / SEPT 2020 ELECTRICITY	\$ 14,666.48
BLACK HILLS PIONEER	SUBSCRIPTIONS/LEGAL/MARKETING	\$ 2,323.35
BLACK HILLS PURE INC	BOTTLED WATER/COOLER RENTAL	\$ 34.50
BLACK HILLS URGENT CARE	JULY 2020 SCREENINGS	\$ 324.00
BROKEN LINK CONSTRUCTION	LABOR/MATERIALS	\$ 36,160.18
BROWN, HEATH G	PER DIEM 8/19-/20 - 8/26/20	\$ 102.00
BUILDERS FIRSTSOURCE INC	PARTS	\$ 60.80
BUTLER MACHINERY CO	PARTS	\$ 498.63
BUTTE ELECTRIC COOP	ELECTRIC 6/24/20 - 7/24/20	\$ 47,307.16
CALIBRATION TECHNICIANS	02 SENSOR	\$ 165.00
VISUAL WORKS INC	JULY 2020 ONLINE RESERVATIONS	\$ 1,494.00
CBH COOPERATIVE	AUG 20 GAS/DIESEL	\$ 18,538.26
CITY OF SPEARFISH CC	OFFICE/REGISTRATIONS/PER DIEM	\$ 5,510.23
CLAUSER MACHINE WORKS	PARTS	\$ 143.00

CLIMATE CONTROL SYSTEMS	2020 PM CONTRACT/PARTS/LABOR	\$ 5,194.43
COBAN TECHNOLOGY	MICROPHONE/TECH	\$ 60.00
COCA-COLA BOTTLING CO	COFFEE/KITCHEN	\$ 1,206.00
CORE & MAIN LP	PARTS/SUPPLIES	\$ 4,633.97
CROELL INC	PSI NO ASH	\$ 225.00
CULLIGAN SOFT WATER CORP	BOTTLED WATER X 13	\$ 149.50
CVD CONSTRUCTION INC	LABOR/EQUIP	\$ 1,267.50
DAKOTA PUMP INC	SCADA EQUIP/LABOR/SVC CALL ON SITE	\$ 49,744.99
DALE'S TIRE & RETREADING	TIRES	\$ 700.00
DANKO EMERGENCY EQUIPMENT	PARTS/LABOR	\$ 71.60
RAPID CITY REGIONAL HOSPITAL	SCREENINGS	\$ 535.00
MEDNANSKY, DOUGLAS	LED SUPPLIES	\$ 360.00
ECOLAB PEST ELIMINATION	RODENT CONTROL	\$ 233.89
EQUIPMENT SERVICE PROFESSIONAL	SVC CALL/PARTS	\$ 279.30
NEWHOUSE ENTERPRISES INC	OFFICE SUPPLIES	\$ 210.33
FIB - TRAVEL CARDS MISC VENDORS	FUEL/LODGING/PER DIEM	\$ 2,357.04
FIB-AP PURCHASE CARDS	ITEMIZED BY VENDOR - TOTAL \$124,586.12	
FOOTHILLS SEED INC	SEEDS AND SUPPLIES	\$ 749.00
FRAWLEY RANCHES INC.	REIMBURSE ELEC APR - AUG 2020	\$ 62.72
THE GLASS SHOP	LABOR/MATERIALS/REPAIRS	\$ 10,017.00
GRAINGER INC	BATTERIES	\$ 277.02
GTI COMPANIES INC	PICKLEBALL CT PROJECT 2019-15	\$ 37,161.88
GUNDERSON TRUCKING INC	TRANSPORT WWTP TO GILLETTE	\$ 2,500.00
HAGEMAN, THOMAS	PER DIEM 8/10/20 - 8/29/20	\$ 112.00
HDR ENGINEERING INC	EXIT 17/SPORTS COMPLEX/WWTP	\$ 91,590.64
VIVI BENE INC	PARTS/LABOR/LIGHT POLE	\$ 6,130.85
THE ICE MAN LLC	ICE	\$ 1,339.20
JOLOVICH, CODY	PER DIEM 8/10/20 - 8/29/20	\$ 224.00
KIJ SOLUTIONS HOLDING CO	EXIT 8 PATH/AIRPORT FENCE/XWIND	\$ 29,711.74
PCARD MISC VENDORS	RETIREMENT GIFT	\$ 400.00
LAKESIDE EQUIPMENT CORP	PARTS	\$ 233.00
LOWE ROOFING INC	REFUND BP FEE/SHS ROOF	\$ 1,097.20
LYNN, JACKSON, SHULTZ & LE	GENERAL BUSINESS ADVICE	\$ 149.00
MANDY BING LLC	100 BUNDLES OF FIREWOOD	\$ 350.00
MONTANA-DAKOTA UTILITIES	8/7/20 - 9/8/20 NATURAL GAS	\$ 1,394.06
MICHAEL TODD & CO	TRAFFIC CONES/COLLARS	\$ 2,095.10
MIDCO	AUG 2020 CABLE/INTERNET/TELEPHONE	\$ 923.93
MIDCONTINENT TESTING LABS	AUG 2020 WATER TESTING	\$ 597.00
MONEY MOVERS	AUG 2020 MONTHLY MAINT FEE	\$ 7.00
NORTHERN HILLS TRNG CENTER	AUG 2020 JANITORIAL SVCS	\$ 1,320.46
NMS LABS	LAB ANALYSIS	\$ 143.00
NORTH CENTRAL INTERNATIONAL	PARTS/LABOR	\$ 707.27
MOSSET, COREY	PARTS/LABOR	\$ 448.98
NORTHWEST PIPE FITTING CO	COPPER PIPE	\$ 437.40
NUTRIEN AG SOLUTIONS INC	PROSPECT PLUS	\$ 880.00

PRO WINDMILL INC	AIR CARE/RODENT CONTROL	\$ 618.00
SOUTH DAKOTA ONE CALL	AUG 2020 MESSAGE FEES	\$ 143.85
PAUL, JACOB	PER DIEM 8/10/20 - 8/29/20	\$ 112.00
GOSMA	ANNUAL MEMBERSHIP, M HARMON	\$ 150.00
PREMIER SAFETY	CHEMICALS	\$ 1,019.41
QUIK SIGNS INC	SIGNS	\$ 414.82
RCS CONSTRUCTION INC	RELOCATE PARK BENCH	\$ 1,835.20
REDWOOD TOXICOLOGY LAB INC	TESTING	\$ 165.06
ROSEN & ROSEN INDUSTRIES I	MESH LIME VESTS	\$ 250.48
SACRISON ASPHALT INC	LIMESTONE/TACK	\$ 1,346.50
SACRISON PAVING INC	ASPHALT PATCHING	\$ 10,348.80
SAFEWAY STORES INC	GROCERY/KITCHEN	\$ 37.82
SCHREINER ENTERPRISES, INC	(10) RECEIPT BOOKS	\$ 267.45
SANITATION PRODUCTS INC	HARNESS	\$ 753.26
SCALA INC	ANNUAL RENEWAL	\$ 280.00
SPEARFISH CHAMBER OF COMMERCE	LEADERSHIP: KAYLA SPRIGLER	\$ 595.00
SDRS SPECIAL PAY PLAN	PARTICIPANT - KIM WHITNEY	\$ 45.00
SERVALL TOWEL & LINEN	JANITORIAL	\$ 1,013.66
SHARKEY PLUMBING HEATING	PARTS/LABOR/SVC CALL	\$ 2,500.00
SHERWIN WILLIAMS CO	PAINT	\$ 2,654.10
SOUTH DAKOTA DOT	BILLBOARD ADS	\$ 16.00
STAMPS.COM	AUG/SEP 20 PRO PLAN	\$ 17.99
STEC'S INNOVATIVE SAFETY S	AUG 20 SAFETY REWARDS CERTS	\$ 799.00
THE UPS STORE #5137	SHIPMENTS	\$ 22.52
THOMSON REUTERS WEST	JULY 2020 DATABASE CHARGES	\$ 498.12
TURBIVILLE INDUSTRIAL ELEC	ELEC PARTS/LABOR	\$ 425.15
ALB TWILIGHT LLC	EARPLUGS	\$ 197.86
ULINE INC	JANITORIAL	\$ 137.47
USA BLUE BOOK	PARTS	\$ 47.87
CLARITY TELECOM LLC	7/16 - 8/15 PHONE/INTERNET	\$ 4,765.83
VERIZON WIRELESS	6/24 - 7/23 WIRELESS	\$ 4,400.33
VISIT SPEARFISH INC	ALLOCATIONS	\$ 35,341.25
WAMCO LAB INC	EFFLUENT ACUTE TOXICITY TEST	\$ 650.00
WENZEL, WILLIAM W	PER DIEM, 8/10/20 - 8/29/20	\$ 112.00
WISHBONE FENCING COMPANY	PART/LABOR/INSTALLATION	\$ 3,534.00
	** TOTAL **	<u>\$ 498,692.06</u>

Public comment section was opened at 6:13 p.m. with no comments received.

There being no further business, Eisenbraun moved, Jacobs seconded and all voted to adjourn at 6:15 p.m.

Dated this 21st day of September 2020.

CITY OF SPEARFISH

By: _____
Dana Boke, Mayor

ATTEST:

Michelle DeNeui, Finance Officer

Published once at the approximate cost of _____.