

Spearfish City Council

Regular Session Minutes



Date:
October 5, 2009

The Spearfish City Council met in Regular Session in the Council Chambers of the Municipal Services Centre at 7:00 PM on Monday October 5, 2009 with the following members present: Davis, Morgan, Schmit, Young, and Baker. Mayor Krambeck and Quinn were absent. Also present: City Administrator Sund, Public Works Administrator Johnson and City Attorney Pluimer. Council Vice President Davis presided and called the meeting to order. All stood and recited the Pledge of Allegiance.

Order of Business

Motion: Morgan

Second: Young

To approve Order of Business.

Disposition: Motion passed on voice vote.

Public Hearing – Retail (On-Off sale) Malt Beverage License – New Imperial China Buffet at 715 Main Street has applied for a Retail On-Off Sale Malt Beverage License. Council Vice President Davis opened public hearing at 7:02 PM. There were no oral or written comments and public hearing was closed at 7:02 PM.

Motion: Schmit

Second: Morgan

To approve Retail On-Off Sale Malt Beverage License for New Imperial China Buffet at 715 Main Street, Spearfish.

Disposition: Motion passed on voice vote.

Public Hearing – Spearfish Area Chamber of Commerce has applied for a Special Malt Beverage License for 'Savor the Flavor' at the Pavilion on October 8, 2009. Council Vice President Davis opened public hearing at 7:03 PM. There were no oral or written comments and public hearing was closed at 7:03 PM.

Motion: Morgan

Second: Young

To approve Special Malt Beverage License for Spearfish Area Chamber of Commerce 'Savor the Flavor' event on October 8, 2009 at the Pavilion.

Disposition: Motion passed on voice vote.

Proclamation – Council Vice President Davis read a proclamation where the Mayor proclaimed October 18-24 as National Save for Retirement Week.

Proclamation – Council Vice President Davis read a proclamation where Mayor Krambeck proclaimed October 5th as ‘World Habitat Day in Spearfish’. Rick Ellerton of Habitat for Humanity was present to accept the proclamation certificate on behalf of Habitat for Humanity.

Consent Agenda

- A. Approve Out of state travel request for Greg Sund to attend ICMA Credentialing Advisory Board Meeting in Washington, DC - November 12 & 13.
- B. Approve Temporary Construction and Permanent Drainage Easement on Lot 4 of Block 2 Part of Lot 1A of Block 2 of Hansen Addition -JDR Company LLC (Jim Robinson).
- C. Approve Change Order, #1, City-wide Annual Asphalt Pavement Repairs and Overlays which increases project amount by \$7,260.
- D. Approve Change Order #2, Heritage Park Sprayground and Sidewalk Improvements which increases project amount by \$1,858.00. (final under/over quantities)
- E. Approve Change Order #2, Spearfish Business and Industrial Park Drainage Improvements Project which increases project amount by \$750.
- F. Approve Change Order #2 - 2009 Street Improvements Project, which increases project amount by \$1,155.
- G. Approve Bidding 2010 Budgeted Equipment Mounted Snow Blower.
- H. Approve Brown Bag Permits:

FACILITY	APPLICANT	EVENT	DATE
Pavilion	Monique Dana	Wedding Reception	11/06/2009
Pavilion	Nowelle Dick	Wedding Reception	11/07/2009
Snappers	Roxie Tetrault	Rehearsal Supper	11/05/2009
Pavilion	Melissa Passolt	Wed Recep Setup	10/09/2009
- I. Approve Minutes of Prior Meetings: Special Session September 30, 2009 and Regular Session September 21, 2009.

Motion: Schmit

Second: Morgan

To approve Consent Agenda.

Disposition: Motion passed on voice vote.

Proposed Ordinance – City Administrator Sund stated that by having the new Downtown Business Improvement District approved after assessments are made for 2009, we will be able to retire the Parking District during its end-year rather than ending it ahead of time. Shortfalls will need to be addressed before the first assessment through the Downtown BID in 2010 and discussions are in progress with the newly appointed board of the Downtown BID about establishing a snow removal contract.

Motion: Schmit

Second: Young

To approve first reading of Proposed Ordinance to establish Downtown BID.

Disposition: Motion passed on voice vote.

Ordinance 1109 – Second Reading of Ordinance 1109 - Water Rates. This ordinance removes fees from City code to be placed in a City Fee Listing.

Motion: Morgan

Second: Baker

To approve second reading of Ordinance 1109.

Disposition: Motion passed on voice vote.

Resolution 2009-24 – Resolution 2009-24 will set water rates in the City Fee Listing. These rates are transferred directly from City code with no changes.

RESOLUTION 2009-24

A RESOLUTION TO SET FEES CHARGED BY THE CITY.

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

FEE DESCRIPTION	DEPARTMENT	AMOUNT
Water – Base Fee – Includes 0-1000 Gallons	Water	\$11.00
Water - 1001 to 6000 gallons, per 1000 gallons - residential and Class 2 commercial	Water	\$2.10
Water - 6001 to 30000 gallons, per 1000 gallons - residential and class 2 commercial	Water	\$2.20
Water - 30001 gallons and over, per 1000 gallons - residential and class 2 commercial	Water	\$2.30
Water - Outside of City Limits - residential and commercial	Water	1.5 times the applicable rate
Demand Meter - per month in addition to other charges - 1 inch meter	Water	\$7.50
Demand Meter - per month in addition to other charges - 1 1/2 inch meter	Water	\$15.00
Demand Meter - per month in addition to other charges - 2 inch meter	Water	\$24.00
Demand Meter - per month in addition to other charges - 3 inch meter	Water	\$52.50
Demand Meter - per month in addition to other charges - 4 inch meter	Water	\$94.50
Demand Meter - per month in addition to other charges - 6 inch meter	Water	\$210.00

*Appropriate Taxes will be added

Adopted this 5th day of October, 2009.

Jerry A. Krambeck, Mayor

ATTEST:

Greg Sund, City Administrator

(SEAL)

Adopted: October 5, 2009

Published: October 9, 2009

Effective Date: October 29, 2009

Motion: Schmit **Second:** Young
To approve Resolution 2009-24 to set water rates in the City Fee Listing.

Disposition: Motion passed on voice vote.

Dump Truck Purchase – Public Works Administrator addressed the need for a 10-yard dump truck at the Wastewater Facility. This purchase was overlooked when the 2009 Budget was developed. The truck will be needed because biosolids will no longer be land applied. We will now be hauling biosolids to the Belle Fourche landfill. Currently, the facility has borrowed a truck from the snow removal fleet as a short term solution. Average cost of a new vehicle of this nature is estimated to be between \$95,000 and \$115,000, but we may be able to find a used truck via online auction for a significant savings. Following state bid guides, to purchase from an online auction, three similar proposals must be obtained and the online auction price must be less than 80% of the average quoted price. If the purchase is made via online auction, the cost of delivery will be separate. Of note, the sludge hauler at the wastewater facility will be surplus in 2010 which will help offset this expense.

Motion: Baker **Second:** Schmit
To approve the purchase of a 10-yard dump truck for a maximum purchase price of \$35,000 either by online auction or competitive quote.

Disposition: Motion passed on voice vote.

Unissued Package Liquor Licenses – City Administrator Sund stated that we have received inquiries from businesses wanting to acquire one of the two unissued Package Liquor Licenses. One concern is that one of the businesses has been inquiring to purchase an existing license from a local business. Council member Schmit stated he was uncomfortable finding that there may be a private sale and does not want the City to be a factor in setting this price or impacting the private sector. Council member Morgan was not comfortable issuing another package liquor license. Council member Davis expressed concern that by the City holding back these licenses, it will drive the prices up in the private sector.

Motion: Young **Second:** Schmit

To approve the release of one unissued Package Liquor License for a minimum bid of \$50,000 with right to reject any/all bids and approve advertising bid and public hearing for November.

Disposition: Motion passed on voice vote with Morgan voting no.

Public Works Reports – Public Works Administrator Johnson reported that we have received 20 tons of sand/salt and the trucks are ready for the snow removal season. She further reported that the bulbs have been planted in the Honor Garden site across from DC Booth Hatchery.

Rec Center ‘Annivers-A-Free’ – City Administrator Sund reported that the one year anniversary of the Rec Center is October 22nd and the facility will hold an event between 8:30 AM – 6:30 PM. There will be no charge to use the facility that day and they will have a drawing for one free membership.

Historic Preservation Commission Presentation – City Administrator Sund reported that a representative of the State Historic Preservation Office will provide an educational session on Thursday October 29th from 3PM to 5PM in the City Council Chambers.

Citizen Relationship Management Software (CRM) – City Administrator Sund would like Mayor and Council to participate in a web-based demonstration of CRM software. Contact City Administration to advise of dates and times available for your participation.

Snow Removal Policies and Map – Sund reported that the revised snow removal policy and map is now on the city website at www.cityofspearfish.com. They are ready to be printed and will be mailed out in the next series of city utility billings.

City Council report – Council member Schmit reported that he has received a compliment regarding the City’s decision to purchase another snow blower for the snow removal efforts.

Bill List of October 5, 2009

VENDOR	DESCRIPTION	AMOUNT
A & B WELDING SUPPLY CO	CYLINDER RENTAL/ARGON/C-25	\$186.69
ABC BUSINESS SUPPLY	OFFICE SUPPLIES/CART/CARTRIDGES	\$985.11
AINSWORTH-BENNING CONSTRUCTION	PR#6 2009 STREET IMP PROJECT	\$83,536.41
AMERICAN LEGAL PUBLISHING	ORDINANCE SUPPLEMENTS	\$49.85
APPLE SCIENTIFIC, INC	BUFFER	\$72.36
ARGUS-HAZCO	MSA O2 SENSOR	\$193.87
BAKER & TAYLOR CO	BOOK	\$20.85
BECK'S NURSERY CORP	GYP SUM/PLANTS	\$189.34
BLACK HILLS CHEMICAL CORP	JANITORIAL SUPPLIES	\$974.77
BLACK HILLS POWER & LIGHT	ELECTRICITY	\$33,586.84
BLACK HILLS TRUCK & TRAILER	EXPANSION TANK	\$153.35
BRADY PLUIMER, PC	RETAINER/TIF# LEGAL FEES/MISC FEES	\$6,614.83
BURGE CONCRETE & MASONRY	CEMETERY CONCRETE WORK	\$6,517.80
BUTLER MACHINERY CO	REPAIR CONTROL LEVER/SEALS	\$944.17
BUTTE ELECTRIC COOP	ELECTRICITY	\$34,230.14

CARGILL, INC	DEICER	\$2,774.63
CETEC ENGINEERING SERVICES	VARIOUS ENGINEERING PROJECTS	\$10,870.50
CIT TECHNOLOGY FIN SERVICES	3 X COPIER LEASE	\$691.40
CLARK PRINTING CORP	LASER CHECKS/WORK ORDERS/FORMS	\$794.85
COLLEGIATE USA	VENDING-KEY CHAINS	\$255.00
CONDREY AND ASSOCIATES	REVIEW ASST CITY ENGINEER POSN	\$65.00
DAKOTA AMMO, INC.	PISTOL AMMO	\$711.50
DAKOTA SECURITY SYSTEMS	REPAIR SECURITY CAMERA PD	\$401.33
DALE'S TIRE & RETREADING	TIRES	\$3,331.96
DIVISION OF MOTOR VEHICLES	SPECIAL LICENSE FEE	\$9.00
EDDIE'S TRUCK SALES, INC	COMPUTER BOARD-FIRE TRUCK/KIT	\$2,086.08
ENTENMANN-ROVIN	POLICE BADGE	\$149.73
EXHAUST PROS OF SPEARFISH	EXHAUST REPAIR	\$145.40
FASTENAL CO	HARDWARE/GLOVES	\$126.99
GENE'S LOCK SHOP	SERVICE CALLS/LOCKS-WWTP/KEYS	\$490.42
GOLZ CONSTRUCTION, INC	STREET LINE PAINTING	\$9,218.83
GREAT WESTERN TIRE, INC	TIRE/TUBES/FLAT REPAIRS	\$1,629.28
HD SUPPLY WATERWORKS	RATCHET/WATER REPAIR PARTS	\$1,616.43
	FERC HYDRO LICENSING	
HDR ENGINEERING, INC	ENGINEERING	\$3,771.00
HEISLER HARDWARE	HARDWARE/SUPPLIES/TOOLS/PAINT	\$2,136.63
HEPPER, KEITH	LODGING-RAPID-SDPRA CONFERENCE	\$87.72
HILLS MATERIALS CO	VARIOUS 2009 STREET REPAIRS	\$40,468.93
	SERVICE PD10/HEATER CONTROL	
INTEGRITY FORD CORP	KNOB	\$66.69
INT'L PUBLIC MGMT ASSOCIATION	POLICE ENTRY TESTS	\$454.50
INTOXIMETERS, INC	MOUTHPIECES	\$1,025.00
KLOPPEL, DONNA	2009 MEDICAL REIMBURSEMENT	\$350.00
KNECHT HOME CENTER, INC	HARDWARE/LUMBER/PAINT/TOOLS	\$869.90
KNOLOGY INC	SEP 2009 PHONE/INTERNET	\$1,759.42
CREATIVE EDUCATION	BOOKS	\$134.60
KT CONNECTIONS	SERVICE TO BLACKBERRY	\$109.00
KUERBISS, CHELSEA	REC CENTER INSTRUCTION 4 HRS	\$40.00
	TWO DIGITAL VIDEO SYSTEMS &	
L3 COMMUNICATIONS MOBILE-V	ASSYS	\$13,081.90
LAWSON PRODUCTS, INC	TOOLS	\$226.04
LIGHTING MAINTENANCE	LIGHTING MAINTENANCE CONTRACT	\$126.00
LUEDERS FOOD CENTER	REC CENTER CONCESSIONS	\$13.04
JOLLEY, M.	BRONZE PLAQUE-E. H. GOLAY	\$150.00
MANUFACTURING SYSTEMS INC	PAINT WELLHOUSE SCREENS	\$209.50
METZGER-HOLCOMB ANIMAL CLINIC	MONTHLY EAUTHASIA CONTRACT	\$100.00
MIDCONTINENT COMMUNICATIONS	OCT 09 CAMPGROUND CABLE & NET	\$386.74
MOTION INDUSTRIES, INC	FLEX ELEMENT ELASTOMER CPLGS	\$114.37
MUTH ELECTRIC, INC	REPAIR LIGHT POLES WWTP	\$3,397.75
NATIONAL MERCHANT ALLIANCE	10/2009-9/2008 ANNUAL REC CENTER IP	\$500.00
NEVE'S UNIFORMS, INC	UNIFORMS/BELTS/CUFF CASE	\$690.23

NORTHERN HILLS TRAINING CENTER	JANITORIAL/MOWING SERVICES	\$1,013.44
NRPA	2010 ANNUAL MEMBERSHIP-HEPPER	\$140.00
OFFICE TECHNOLOGY & SUPPLY	PAPER	\$10.99
OHLSON LAVOIE COLLABORATIVE	POSTAGE REC CENTER CONSULTING	\$43.80
ONE TIME VENDORS	VARIOUS REFUNDS	\$323.52
3BG LLC	RUBBER DOOR BANDS/FOGGING OIL	\$18.14
OVERHEAD DOOR CO	DOORS GREEN ACRES/REPAIR REC	
PEDERSEN EXCAVATING INC	CTR	\$8,754.00
PENWORTHY CO	PR#2 BHCSC WATER MAIN EXTEND	\$50,630.83
PETE LIEN & SONS, INC	BOOKS	\$211.79
PITNEY BOWES, INC	GRAVEL RUBBLE SITE ROAD	\$1,688.00
PKG CONTRACTING, INC	POSTAGE METER RENTAL	\$456.00
PRIORITY DISPATCH	PR#16 WWTP EXP PROJ/REPAIR STAIRS	\$189,664.96
PUMPKIN BOOKS INC	CARDSET ESP MAINT AGREEMENT	\$78.00
DEICHERT, MARTIN	BOOKS	\$136.66
QUIK SIGNS INC	BROKEN SPRING REPAIR-GREEN	
RANDOM HOUSE, INC	ACRES	\$188.78
RAPID DELIVERY	NSF CHECK FEE SIGNS	\$55.08
RAPID FIRE PROTECTION INC	CDs	\$106.55
RESERVE ACCOUNT	PICKUP/DELIVERY SERVICES	\$187.00
ROCKINGTREE LANDSCAPE INC	ANNUAL INSPECTION-PAVILION	\$450.00
SACRISON PAVING, INC	OCT 2009 POSTAGE METER REFILL	\$3,000.00
SAND CREEK PRINTING CORP	TREES	\$616.45
SANITATION PRODUCTS CORP	CAMPGROUND ADA RAMP/CEMETERY	\$13,780.81
SDPRA	BUSINESS CARDS-EVRIDGE/FRIEDEL	\$105.00
SHARKEY PLUMBING & HEATING	CURBTENDER PARTS	\$2,861.16
SIRCHIE FINGER PRINT LAB	REGISTER-POWELL/DARGATZ/EHNES	\$240.00
SOUTH DAKOTA MUNICIPAL LEAGUE	POLY ADAPTER	\$7.00
SOUTH DAKOTA STATE TREASURER	FINGERPRINT SUPPLIES	\$74.84
SPEARFISH ALTERNATOR & STARTER	2009 LEAGUE CONVENTION-QUINN	\$115.00
SPEARFISH AUTO SUPPLY	SEP 2009 SALES TAX REMITTANCE	\$9,189.66
SPEARFISH CHAMBER OF COMMERCE	DELCO STARTER	\$165.00
SPEARFISH EXCAVATING, INC	REPAIRS/TOOLS/SUPPLIES/GLOVES	\$4,792.09
SPEARFISH EXTINGUISHER	BROWN SACK PERMIT	
JOSEPH B. MILLER	REIMBURSEMENT	\$25.00
SPEARFISH MOTORS, INC	TIF#2 PROJ/TIF#2 DRAINAGE/TIF#1 N	
SPEARFISH SENIOR SERVICE CENTER	RD	\$285,585.60
STADEL, BRENDA	ANNUAL EXTINGUISHER INSPECTION	\$65.50
SUMMIT SIGNS & SUPPLY, INC	GAS CAP/PRIMER BULB/BEVEL GEARS	\$30.00
SUND, GREG	AIR FILTER-PD8/SERVICE PD8 & PD2	\$98.54
SUPERIOR SANITATION LLC	MONTHLY ALLOTMENT	\$850.00
THE MERCANTILE	WEBSITE ADMINISTRATION	\$100.00
	SPEED LIMIT SIGN/SKATE PARK SIGNS	\$155.00
	TRAVEL EXPENSE/ICMA-MONTREAL	\$284.00
	CITY SHOP DRAIN CLEANING	\$545.00
	DECK BRUSH/HARDWARE	\$40.28

THE UPS STORE #5137	SHIPPING-SANITATION PRODUCTS	\$9.24
TOUR ICE OF PIERRE & STURGIS	ICE	\$10.85
TRU-FORM CONSTRUCTION, INC	PR#1 HERITAGE PARK SPRAYPAD	\$44,869.32
TRUGREEN CHEMLAWN	REC CENTER WEED & FEED/AERATION	\$391.25
TURNBULL & SON MASONRY	STATE ST PARK STONE WALL PROJECT	\$4,135.67
TYLER TECHNOLOGIES	AN'L SOFTWARE MAINT UB/CASH	
UNITED STATES POSTAL SERVICE	COL'T	\$6,291.00
USA BLUE BOOK	BULK POSTAGE REFILL PERMIT #59	\$3,168.96
WALMART COMMUNITY	HOSE HANGER	\$29.39
WARNE CHEMICAL & EQUIPMENT	SUPPLIES/CONCESSIONS/TOOLS/PLANT	\$1,710.97
WELLS FARGO BUSINESS CARD	PONDMASTER	\$44.50
WELLS PLUMBING CORP	TRAVEL FUEL/CLEANER/ONLINE TNG	\$246.20
WESTERN COMMUNICATIONS	SALT/WATER PLUGS/REPAIR PARTS	\$219.61
WESTERN HILLS HUMANE SOCIETY	RADIO/REPAIR RADIO	\$417.30
** TOTALS **	MONTHLY DETENTION/NEUTER	
	PROGRM	\$1,250.00
		\$913,571.40

September 2009 Salary Expense - Bill List 10/05/2009

	Gross Wages/Benefits	
Mayor/Council	\$ 6,763.52	1.59%
City Administrator	10,942.78	2.57%
Finance	8,744.51	2.06%
Human Resources	4,994.96	1.17%
Government Buildings	11,135.40	2.62%
Public Works Administration	20,531.40	4.83%
Police	93,058.72	21.88%
Police Communications	23,120.63	5.44%
Fire	440.68	0.10%
Building Inspection	9,901.73	2.33%
Streets	17,998.54	4.23%
Snow Removal	89.00	0.02%
Storm Water	367.36	0.09%
Cemetery	4,954.64	1.17%
Animal Control	2,199.35	0.52%
Recreation/Aquatic	50,346.27	11.84%
Spectator Recreation	4,689.13	1.10%
Parks	14,926.82	3.51%
Library	15,712.00	3.69%
Planning & Zoning	8,656.17	2.04%
Motor Pool	12,232.80	2.88%
Water	21,165.95	4.98%
Electric Production	10,146.30	2.39%
Sewer	16,627.28	3.91%
WasteWater Treatment Plant	26,815.37	6.31%
Parking	593.83	0.14%

Solid Waste	20,456.01	4.81%
Campground	7,656.20	1.80%
Totals	<u>\$ 425,267.35</u>	<u>100.00%</u>

Motion: Morgan
To approve the Bill List dated October 5, 2009.

Second: Schmit

Disposition: Motion passed on voice vote.

APPROVAL INITIALS

Mayor Krambeck - Absent
David Baker
Eric Davis
Mary Morgan
Tom Quinn - Absent
Doug Schmit
Paul Young

There being no further business before the Council, Morgan moved, Young seconded and all voted to adjourn at 7:33 PM.

Dated this 5th day of October, 2009.

CITY OF SPEARFISH

BY: _____
Eric Davis, Council Vice President

ATTEST:

Greg Sund, City Administrator

Published once at the approximate cost of _____.