

Spearfish City Council

Regular Session Minutes



Date:
November 2, 2009

The Spearfish City Council met in Regular Session in the Council Chambers of the Municipal Services Centre at 7:00 PM on Monday November 2, 2009 with the following members present: Baker, Davis, Morgan, Schmit, and Young. Quinn was absent. Also present: City Administrator Sund, Public Works Administrator Johnson, Police Chief Rotert, City Planner Watson, Assistant Finance Officer Dutton and City Attorney Pluimer. Mayor Krambeck 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.

Consent Agenda

- A. Authorize City Administrator Sund to submit Energy and Conservation ARRA Grant Application.
- B. Authorize City Administrator Sund to write letter to Lawrence County Commission in support of Spearfish School District's interest in Recovery Zone Bond Program.
- C. Authorize Change Order #6, Spearfish Business and Industrial Park Expansion, Phase 2.
- D. Authorize Change Order #2, Asphalt Pavement Repairs and Overlays within Spearfish City Limits Project.
- E. Authorize contracting with CETEC Engineering to Design 2010 Colorado Boulevard Water Main Improvements Project.
- F. Set bid openings on November 23, 2009 at 1:30 p.m. for the following purchases:
 1. MXU Radio Read Controls and Cold Water Meters (2010)
 2. Enhanced Deicing Salt Product (2010)
 3. Utility Work Machine
- G. Authorize advertising for bid two police cruisers.

H. Approve Minutes of Regular Session October 19, 2009.

Motion: Schmit

Second: Morgan

To approve Consent Agenda.

Disposition: Motion passed on voice vote.

PUD Amendment – Edgewood Vista Expansion – City Planner Watson explained this project is the expansion of the Edgewood Vista Assisted Living facility located on the corner of 5th Avenue and Falcon Crest Drive. 23 one bedroom apartment units are proposed to be added on a new wing located south of the current structure. Plans for this addition were shown in the 2001 plans, but due to elapsed time, it is back for review and approval. The applicant has addressed several issues such as breaking up the long roof section to move away from the institutional look and provide a landscaping buffer. Parking code dictates that the facility must have at least 61 spaces and they will have 82 stalls on site following completion of the project. At the public hearing before the Planning Commission, some neighbors had concerns regarding the traffic on 5th avenue. Staff and Planning Commission did not feel the expansion would cause a significant problem in traffic flow. Rich Ostert of Edgewood Vista explained the expansion would also add seven additional full time employees to the facility.

Motion: Schmit

Second: Morgan

To approve the Edgewood Vista Expansion.

Disposition: Motion passed on voice vote.

Final Plan approval – Storage facility at the Reserve on Higgins Creek – City Planner Watson provided an overview of the plans for this project located in the Development Review District at the south end of the Reserve on Higgins Creek Development. The proposed site includes the parcel originally set aside for a future Fire Department substation. The developer contacted the City to move the location of the Fire Department dedicated lot to the west. Initial concerns have been satisfied such as downward shielded lighting, paving within ordinance regulations and a landscape buffer of surrounding trees. A 30 foot access easement from Old Belle Road has been approved by Lawrence County.

Motion: Young

Second: Morgan

To approve the Final Plan for a Storage facility at the Reserve on Higgins Creek.

Disposition: Motion passed on voice vote.

Final Plan approval – Prairie Hills Transit Facility at McGuigan Ranch – City Planner Watson stated this property is located in a Development Review District. This specific use was listed in the annexation document for the McGuigan Ranch Development. The majority of bus activity for the Transit facility will be on the south side with the north side having the public entry and parking. Landscaping buffers are planned.

Motion: Davis

Second: Morgan

To approve the Final Plan for Prairie Hills Transit Facility at McGuigan Ranch.

Disposition: Motion passed on voice vote.

Food Pantry – New Proposed Location – Mayor Krambeck has been working with Rec Center staff and local contractors to develop a proposal to convert 1500 square feet in the extreme northwest corner of the Rec Center into the Food Pantry. Estimated cost is \$30,000 to \$35,000 and he stated that the raising of this money should come from the community, but recommended that the City provide some seed money. Food Pantry Board members feel the proposed location is sufficient and they approved having a long-term place as they have had to move several times in past years.

Motion: Young

Second: Morgan

To approve the concept of the Food Pantry new location in the northwest corner of the Rec Center building.

Disposition: Motion passed on voice vote.

Food Pantry – Funding – City Council discussed an initial ‘seed’ amount for the Food Pantry to begin its fundraising efforts to raise money in the community for the proposed relocation and build out at the Rec Center.

Motion: Morgan

Second: Young

To approve the City providing \$7,000 seed money to begin the fund raising for the Food Pantry new location project.

Disposition: Motion passed on voice vote.

Resolution 2009-25 – Surplus Declaration and appointment – City Administrator Sund stated this surplus declaration is for an Allen Bradley Bulletin 150 SMC Motor Controller that was missed in the last surplus declaration and there is now a party interested in buying it. Three free holders must also be appointed to appraise the property. In addition, he stated that we also will need to declare as surplus the 2009 Dodge Police Cruiser that was wrecked in the accident at Main and Hudson last week.

Motion: Davis

Second: Morgan

To approve Resolution 2009-25 to surplus Allen Bradley Controller, a wrecked 2009 Police Cruiser and appoint three free holders.

Disposition: Motion passed on voice vote.

Ordinance Proposal (1111) - Public Lands and Facilities District – City Planner Watson stated this ordinance will clarify uses of all public lands. Currently, City, University and Schools are all zoned differently. Other communities have adopted similar districts; however, this ordinance proposal includes an enhanced public notice process which is only used by one other city in the state, Rapid City. City Attorney Pluimer stated that the ordinance is not too restrictive, does not have a real element of control and would foster communication standards. Council Member Davis stated this has become more complicated than he is comfortable with and hesitates on imposing more government rules.

Motion: Baker

Second: Morgan

To approve first reading of Ordinance 1111 – Public Lands and Facilities District and to set Public Hearing for Monday, November 16, 2009.

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

Ordinance Proposal– To Amend Chapter 14, Streets, Sidewalks and Other Public Places –
City Administrator Sund stated this ordinance brings snow removal codes into line with our snow removal information policy and references the policy rather than including policy details in ordinance.

Motion: Schmit

Second: Young

To approve first reading of Proposed Ordinance to amend Chapter 14, Streets, Sidewalks and Other Public Places.

Disposition: Motion passed on voice vote.

Council Planning Session – Reminder of Council Planning Session this Wednesday at 6:30PM.

Committee Schedule for Veterans Day – Legal, Finance and Public Safety Committee and Public Works Committee will both meet next Tuesday beginning at 4:15 PM.

Sales Tax Report – City Administrator Sund presented a city sales tax report through the end of October showing general City Sales Tax for 2009 even with the same time period in 2008. In addition, Hospitality Tax revenues are up by 11%.

City Computer Network – City Administrator Sund reported that we recently had a system assessment to check the function of our computer network. This was prompted by the slow failing of our City Hall voicemail system. Golden West has advised that we need two upgrades to handle a new phone system involving Voice Over Internet Protocol (VOIP), to keep our network functioning, and to keep our network secure. These upgrades involve a new firewall and switch. Evaluation is in progress.

2009 Budget Amendment – City Administrator Sund advised the Council that a budget amendment will be coming as we have three departments that are over budget: Elections, Snow Removal and Rec. Center.

Bill List of November 2, 2009 –

VENDOR	DESCRIPTION	AMOUNT
A M LEONARD, INC	TREE STRAPS/TIES	\$285.11
ABC BUSINESS SUPPLY	INK CARTRIDGES/OFFICE SUPPLIES	\$173.43
AINSWORTH-BENNING CONSTRUCTION	PR #7 2009 STREET IMP PROJECT	\$58,140.82
AMCON DISTRIBUTING CO	REC CENTER CONCESSIONS	\$267.20
AMERICAN LIFEGUARD PRODUCTS	LIFEGUARD UNIFORMS	\$112.00
AMERICAN TECHNICAL SERVICES	MATERIAL TESTING MISC PROJECTS	\$537.00

AMERICAN WATER WORKS ASSOC	2010 MEMBERSHIP-CALLAWAY	\$165.00
APPLE SCIENTIFIC, INC	LATEX GLOVES	\$261.75
BEST WESTERN RAMKOTA INN, WAT.	SDML CONVENT.-KRAMBECK/YOUNG	\$324.00
BEST WESTERN-RAMKOTA INN, PIER.	HAFNER/DOWDY-TRAINING SFALLS	\$179.98
BILLY LEE DURNAL II	REPAIR REC CENTER TILE FLOOR	\$14,336.82
BLACK HILLS LAUNDRY & DRYCLEANG	CLEAN STREET BANNERS	\$105.00
BLACK HILLS POWER & LIGHT	ELECTRICITY	\$12,789.91
CENEX	PROPANE	\$717.95
CENTURY BUSINESS PRODUCTS	4TH QTR 2009 REC CENTER COPIER	\$405.00
CETEC ENGINEERING SERVICES	PROJECT ENGINEERING SERVICES	\$4,345.80
CHAIN SAW CENTER	KOMATSU FG25 FORKLIFT	\$13,170.00
CHEMSEARCH	NU-CONCEPT/AEROSOL	\$329.86
CIT TECHNOLOGY FIN SERV, INC	3 X COPIER LEASE	\$691.40
CLARK PRINTING CORP	BILLING STATEMENTS/DEPOSIT FORMS	\$1,715.40
DAKOTA BUSINESS CENTER	DUST COVER	\$14.25
DAKOTA SECURITY SYSTEMS	SECURITY CAMERA INSTALLATION-REC	\$5,263.21
DAKOTA SUPPLY GROUP	CHILD SEATS/LAMPS/CHECK VALVE	\$561.41
DALE'S TIRE & RETREADING	TIRES	\$258.40
DEMCO, INC	ANNUAL DATA MAINT SUBSCRIPTION	\$1,590.42
DISC GOLF ASSOC INC	DISC GOLF 9 HOLES EQUIPMENT	\$6,526.10
DYKSTRA POTTERY	REC CENTER POTTERY CLASS	\$520.00
EDDIE'S TRUCK SALES, INC	TRANSMISSION FLUID	\$89.04
ENERGY LABORATORIES	LAB TESTS	\$75.00
FASTENAL CO	MALE RUN TEES/HARDWARE	\$397.40
GENE'S LOCK SHOP	LOCKS FOR EVIDENCE STORAGE	\$636.92
GREAT WESTERN TIRE, INC	TIRES/TIRE REPAIR/ROTATE TIRES	\$283.44
GRIMM'S PUMP SERVICE	REPAIR FUEL PUMP	\$471.54
HACH CO	PIPETS	\$277.14
HD SUPPLY WATERWORKS	MXUs/MANHOLE RINGS	\$9,298.14
HEISLER HARDWARE	HARDWARE/TOOLS/SUPPLIES/REPAIRS	\$2,347.60
HIGHSMITH CO	CD CASES	\$38.50
HILLS MATERIALS CO	PR#2 STREET REPAIRS/2" BALLAST	\$61,458.28
HILLYARD / SIOUX FALLS	BUFFER PADS/SCRUBBER PADS	\$340.86
HOUCHEN BINDERY, LTD	BOOK BINDING	\$320.80
JUNEK'S SERVICE CORP	COUPLING/TRANSMISSION LEAK REPAIR	\$184.08
KMART	PLANTERS/PENS/CAT LITTER/LITE BULBS	\$108.14
KNIGHT SECURITY INC	2010 ANNUAL SECURITY MONITORG	\$384.00
KNOLOGY INC	OCT 2009 TELEPHONE/INTERNET	\$1,717.46
KONE, INC	4TH QTR 2009 MAINT CONTRACT	\$200.73
KT CONNECTIONS	TELEPHONE DEPT LABOR	\$693.24
LADNER EXCAVATING & TRENCHING	PR#1 COUNTRY OAKS STORM WATER	\$29,304.21
LAWSON PRODUCTS, INC	TOOLS/BOLLARD PAINT/PLOW BOLTS	\$797.01
LIBRARY PETTY CASH	LIBRARY PETTY CASH-POSTAGE	\$33.94
LIGHTING MAINTENANCE, CONTRACT	LIGHTING MAINTENANCE SERVICE	\$126.00
LUSTRE-CAL	LUSTRE-CAL PRODUCT	\$337.80

M G OIL CO	MOBIL OIL	\$378.13
HUYCK, PHILIP	REVERSIBLE CUT-OFF TOOL	\$145.00
METZGER-HOLCOMB ANIMAL CLINIC	NOV 2009 EUTHANASIA CONTRACT	\$100.00
MID DAKOTA VEGETATION MGMT	CITY WIDE VEGETATION CONTROL	\$20,208.12
MIDCONTINENT COMMUNICATIONS	NOV 2009 CAMPGROUND CABLE/NET	\$386.74
MONTANA-DAKOTA UTILITIES	NATURAL GAS	\$561.96
NATIONAL EMERGENCY NUMBER ASSN	2010 DUES-RAFFERTY	\$75.00
NEVE'S UNIFORMS, INC	UNIFORM PANTS/POCKETS	\$211.06
NOLD EXCAVATING	WATER LEAK COLO BLVD	\$1,326.00
OFFICE TECHNOLOGY & SUPPLY	FOLDERS	\$9.49
ONE TIME VENDORS	VARIOUS REFUNDS	\$422.50
PETE LIEN & SONS, INC	4K EXTERIOR	\$128.75
PETTY CASH-FINANCE OFFICE	FO PETTY CASH-TRAVEL/POSTAGE/MISC	\$177.41
PKG CONTRACTING, INC	PR#17 WWTP EXP PROJECT	\$257,411.92
POWERPLAN	HYDRAULIC PARTS	\$328.43
PRECISION DYNAMICS CORP	REC CENTER WRIST BANDS	\$1,948.54
PROBUILD, TIMBERROOTS MTD	HARDWARE/EVIDENCE ROOM REPAIRS	\$137.09
RANDOM HOUSE, INC	CDs	\$113.70
RECORDED BOOKS, LLC	RECORDED BOOKS	\$776.20
SAFEWAY STORES, INC	BH MAYORS MEETING SUPPLIES	\$115.46
SAND CREEK PRINTING CORP	BUSINESS CARDS-HEPPER	\$55.00
SANITATION PRODUCTS CORP	SNO-GO SNOW BLOWER	\$123,490.00
SEARS COMMERCIAL ONE	COMPACT FRIDGE-ENGINEERING	\$167.99
SHARKEY PLUMBING & HEATING	RE-PIPE IRRIGATION LINES	\$728.87
SOLAR SOUND CORP	LIGHTING MAINTENANCE SERVICE	\$126.00
SPEARFISH AUTO SUPPLY	GLOVES/REPAIRS/TOOLS/OIL/SUPPLIES	\$4,096.69
SPEARFISH BUILDING & SUPPLY	EVIDENCE ROOM MATERIALS/REPAIRS	\$624.74
SPEARFISH EXCAVATING, INC	PROJECTS-TIF#1-TIF#2 & TIF#2 DRAINAGE	\$314,764.87
SPEARFISH EXTINGUISHER	FIRE EXTINGUISHER & 1ST AID KIT SERVC.	\$574.95
SPEARFISH MOTORS, INC	SERVICE & REPAIR POLICE VEHICLES	\$585.72
SPEARFISH SENIOR SERVICE CENTER	MONTHLY ALLOTMENT	\$850.00
SUPERIOR SANITATION LLC	PORTABLE RESTROOM RENTALS	\$642.00
TAGGART, JOSEPH E	HALLOWEEN REC CTR SKATE PARTY	\$350.00
THE MERCANTILE	EMPLOYEE WINTER CLOTHING/2x4S	\$951.36
THE UPS STORE #5137	SHIPPING-NEVE'S	\$17.35
TIMECLOCK PLUS	TIMECLOCK FOR REC CENTER	\$3,028.00
US GEOLOGICAL SURVEY	CREEK FLOW GAUGING-10/08-9/09	\$6,900.00
USA BLUE BOOK	SAFETY LOCKOUTS	\$45.85
WALMART COMMUNITY BRC	OFFICE-MEETING-REC CTR-MISC SUPPLIES	\$1,652.24
WELLS FARGO BANK NA	4/39 2007 REC CENTER REVENUE BOND	\$331,781.87
WELLS FARGO BROKERAGE SERVICE	PAYMENT 16/20 HUMANE SOC BUILDING	\$6,530.41
WELLS FARGO BUSINESS CARD	FINANCE CONFERENCE TABLE	\$608.00
WELLS PLUMBING CORP	SALT/BRASS FITTING	\$13.24
WESTERN HILLS HUMANE SOCIETY	MONTHLY DETENTION/NEUTER ALLOTMENT	\$1,250.00

WHITE'S QUEEN CITY MOTORS

SENSOR REPAIR & SERVICE-PD12

\$313.60

** TOTALS **

\$1,318,818.74

October 2009 Salary Expense - Bill List 11/02/2009

	Gross Wages/Benefits	
Mayor/Council	\$ 6,763.52	1.68%
City Administrator	11,537.43	2.87%
Finance	9,110.98	2.27%
Human Resources	5,105.63	1.27%
Government Buildings	10,153.49	2.53%
Public Works Administration	20,430.28	5.09%
Police	94,718.07	23.59%
Police Communications	22,373.63	5.57%
Fire	368.99	0.09%
Bldg Inspect	10,002.71	2.49%
Streets	15,441.14	3.85%
Snow Removal	1,612.78	0.40%
Storm Water	-	0.00%
Cemetery	5,184.79	1.29%
Animal Control	2,341.81	0.58%
Recreation/Aquatic	36,172.08	9.01%
Spectator Recreation	3,837.44	0.96%
Parks	10,715.19	2.67%
Library	16,107.94	4.01%
Planning & Zoning	8,691.58	2.16%
Motor Pool	13,087.42	3.26%
Water	20,225.13	5.04%
Electric Production	11,687.95	2.91%
Sewer	17,390.01	4.33%
WWTP	25,865.63	6.44%
Parking	531.47	0.13%
Solid Waste	19,410.70	4.83%
Campground	2,596.96	0.65%
Totals	<u>\$ 401,464.75</u>	<u>100.00%</u>

Motion: Morgan

Second: Young

To approve the Bill List dated November 2, 2009.

Disposition: Motion passed on voice vote.

APPROVAL

INITIALS

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

Executive Session -

Motion: Morgan **Second:** Schmit
To enter into Executive Session at 8:09 PM to discuss two SERF applications and legal matters.

Disposition: Motion passed on voice vote.

Council returned to regular session at 8:58 PM.

Motion: Schmit **Second:** Morgan
To loan Ruth Engineering \$40,000 from the Spearfish Economic Revolving Fund (SERF)

Disposition: Motion passed on voice vote

Motion: Young **Second:** Morgan
To extend by six months Lehman Trike option to purchase land in Business and Industrial Park immediately north of their building.

Disposition: Motion passed on voice vote

Motion: Schmit **Second:** Morgan
To authorize City Administrator and City Attorney to develop Gere/Fischer Memorandum of Agreement regarding a house under construction and to authorize signatures.

Disposition: Motion passed on voice vote

Motion: Young **Second:** Morgan
To authorize signatures on the Elkhorn Ridge Water and Sewer Agreements

Disposition: Motion passed on voice vote.

There being no further business before the Council, Davis moved, Baker seconded and all voted to adjourn at 9:00 PM.

Dated this 2nd day of November 2009.

CITY OF SPEARFISH

BY: _____
Jerry A. Krambeck, Mayor

ATTEST:

Greg Sund, City Administrator

Published once at the approximate cost of _____.