

Spearfish City Council



Regular Session Minutes

Date:
April 20, 2009

The Spearfish City Council met in Regular Session in the Council Chambers of the Municipal Services Centre at 7:00 p.m. on Monday, April 20, 2009 with the following members present: Dardis, Davis, Morgan, Quinn, Schmit and Young. Also present: City Administrator Sund, Police Chief Rotert, Public Works Administrator Johnson, City Planner Watson, Fire Chief Kellogg, Environmental Services Manager Callaway and City Attorney Pluimer. Mayor Krambeck presided and called the meeting to order. All stood and recited the Pledge of Allegiance.

Order of Business

Agenda was updated to include item L. on the Consent Agenda and Bid Award for the DBA Portable Stage in General Matters.

Motion: Young
To approve Order of Business as amended.

Second: Dardis

Disposition: Motion passed on voice vote.

Timetable

7:00 PM – Proclamation

Mayor Krambeck read a proclamation for declaring April 28, 2009 Black Hills State University Employee Recognition Day. Proclamation was received by BHSU staff members.

7:05 PM – Public Hearing

Mayor Krambeck opened Public Hearing at 7:05 for an application of a Retail On-Off Sale Malt Beverage License for Elkhorn Ridge Golf Course, located at 6845 St. Onge Road. No oral or written comments were received and Public Hearing was closed at 7:06PM. This license will be up for renewal July 1st.

Motion: Young
To approve Retail On-Off Sale Malt Beverage License for Elkhorn Ridge Golf Course, LLC.

Second: Morgan

Disposition: Motion passed on voice vote.

7:10 PM - Public Hearing

Mayor Krambeck opened Public Hearing at 7:14 for Northern Hills Training Center applying for a Special Malt Beverage Retailers License for their annual Charity Poker Tournament at the Tretheway Pavilion on May 1, 2009. No oral or written comments were received and public hearing was closed at 7:15 PM

Motion: Schmit

Second: Davis

To approve Special Malt Beverage Retailers License for Northern Hills Training Center for annual Charity Poker Tournament at Pavilion on May 1st.

Disposition: Motion passed on voice vote.

7:15 PM – Grant Request

Debora Smoot from Spearfish Center for the Arts presented an overview of the plans to install projector and screen at Matthews Opera House in order to host various movies and programs that would be available year round. There is historic precedent for this type of program. This has been a project three years in the making and the organization has raised half of the funds. They are appealing to an urgency of getting this done this year as with the Passion Play closing, there is significant void in programs to entice tour groups to come and stay in Spearfish. They have spoken with Visit Spearfish who could offer use of a portable screen, but there is limited storage at the Matthews Opera House and logistics with a portable screen instead of drop down impacts the stage area. Lease/Purchase is also not an option for them. The total purchase price is \$25,644 – they have raised nearly half that and are asking the City to grant the remaining \$13,000 necessary to finish their project.

Motion: Dardis

Second: Morgan

To approve grant to Spearfish Center of the Arts for \$13,000 to assist in the purchase and installation of a new audio-visual system..

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

CONSENT AGENDA

- A. Approve a Performance Contract with Burns and McDonnell.
- B. Authorization to hire Temporary summer laborers effective April 21, 2009:
Cemetery –Jason Otterberg, \$8.50/hr.; **Public Works Admin** – John Schlesselman, \$10.00/hour; **Parks** – Jessica McCormick, \$8.50/hr, Dana Bertsch, \$8.75/hr; **Streets** – Christopher Roozen, \$9.25; **Sewer** – Tanner Riley, \$8.50/hr.; **Rec Center** – Megan Bietz, \$8.50/hr., Andrea Chase, \$8.50/hr., Josh Knutson, \$8.75/hr., Sarah O'Donnell, \$8.50/hr., Jeri Reifschneider, \$8.50/hr., Connie Hubbard, \$8.50/hr., Derek Dies, \$7.25/hr., Nicole Diedrich, \$8.75/hr., Jesse Vrooman, \$8.75/hr., Shannon Hellman, \$8.50/hr., Kaitlin Haase, \$8.50/hr., Morgan Graff, \$8.50/hr., Brianna Mustard, \$9.50/hr., Thomas Tieszen, \$8.50/hr., Kaitlyn Hemmingson, \$8.75, Kelsey Prosser, \$8.75; **Tennis Coordinator** – Doug Dexheimer, \$13.50/hr.
- C. Authorize wage/step increase for Adriane Bohlender following successful completion of six month review, effective 4/19/09, Grade 6/Step 2, \$10.35/hr.
- D. Authorize hiring Donald Clyne, Part-time Maintenance Tech I – Rec. Center, Grade 9/Step 1, \$11.71/hr., effective 4/21/09.
- E. Set bid opening for Sewer Inspection Camera for May 18, 2009 at 1:30 PM.
- F. Authorize Sponsorship of Deadwood Historical Grant to refurbish stone wall at State Street property at a match of 75/25 or 50/50.
- G. Approve annual update of Spearfish Valley Sanitary District Wastewater Discharge Agreement.

H. Authorize Brown Bag Permits:

Facility	Applicant	Type of Function	Date of Function
South Shelter	Keelee Davis	College Grad	5/10/2009
North Shelter	Jared Thompson	Graduation	5/9/2009

Snappers	Vicki Donnelly	Wedding	05/01 & 05/02/09
Snappers	Jason Maicki	College Grad.	5-9-09
Pavilion	Connie Christensen	Wedding Reception	5/2/2009
Pavilion	Tyanna Stock	Wedding Reception	5/15/2009
Pavilion	Susan Bay	Wedding	5/16/2009
Pavilion	Cathy Hackney	Wedding Reception	5/23/2009
Pavilion	Beth Wilson	Wedding Reception	5/24/2009
Pavilion	Kim Anderson	Wedding Reception	5/30/2009

- I. Approve extension of Purchase Agreement for Water Well Land.
- J. Approve Minutes of Regular Session April 6, 2009.
- K. Approve Treasurers Report dated March 31, 2009.
- L. Approve Memorandum of Understanding with South Dakota Science and Technology Authority.

Motion: Dardis

Second: Morgan

To approve Consent Agenda.

Disposition: Motion passed on voice vote.

GENERAL MATTERS

Highway 85 Land Use Guidelines – City Planner Watson reported that this document is a culmination of study and was approved last week at Lawrence County Commission. There have been several Public Meetings and the document has been developing with input. The final document was drafted on February 18, 2009 as a guideline. It does not change the zoning process but helps in land use as a guide for development.

Motion: Schmit

Second: Morgan

To approve Highway 85 Land Use Guidelines.

Disposition: Motion passed on voice vote.

Resolution 2009-11 – Resolution 2009-11 will annex Lot 6 into the West Acres Community Road District. This is the final lot in the area to be placed into a road district.

Resolution No. 2009-11

A RESOLUTION APPROVING THE PETITION AND APPLICATION FOR ANNEXATION OF LAND INTO THE WEST ACRES COMMUNITY ASSOCIATION ROAD DISTRICT.

BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, as follows:

1. The City of Spearfish approved the creation of the West Acres Community Association Road District in Resolution 2005-30.
2. The property described below has petitioned to become a part of said road district.

Lot 6 Block 2 of the SE1/4 SW1/4 Section 28 T7N, R2E BHM Lawrence County, South Dakota

3. The described property is hereby annexed in to the West Acres Community Association Road District, as further illustrated on Exhibit A, attached hereto.

Dated this 20th day of April, 2009.

CITY OF SPEARFISH

By: _____
Jerry A. Krambeck, Mayor

ATTEST:

By: _____
Greg Sund
City Administrator

(SEAL)

Adopted: 4-20-09
Published: 4-24-09
Effective: 5-14-09

Motion: Morgan
To approve Resolution 2009-11.

Second: Quinn

Disposition: Motion passed on voice vote.
Resolution 2009-11 was published on April 24, 2009.

Bid Award – Bids for the Maitland Road Drainage Improvements Project were opened on 4-6-09.

Bid Tab for Maitland Road Drainage Improvements Project

<u>BIDDER</u>	<u>TOTAL BASE BID</u>
Ladner Excavating	\$61,787.76
RCS Construction	\$63,463.58
Site Works Specialists	\$89,991.72
Spearfish Excavating	\$94,301.22
Xcel Demo	\$96,676.65
Ainsworth-Benning Construction	\$101,804.79
MainLine Contracting	\$128,380.72
Pedersen Excavating, Inc.	\$172,311.75
Hills Materials Co.	Improper Submittal
Engineer's Estimate	\$93,440.56

This project will address the draining issues and upsize culverts. Work will begin in June 2009.

Motion: Schmit

Second: Morgan

To award bid to low bidder, Ladner Excavating, for \$61,787.76.

Disposition: Motion passed on voice vote.

Change Order #4, Elkhorn Ridge North Service Road - Based on new information and per request of the owner of the project, this item will be pulled from consideration at this time.

Rec Grants – Parks, Recreation and Forestry Advisory Board held their annual grant request hearings on 4-6-09. Five applications were received and reviewed by the board with recommendations as follows:

Hills Horizon - \$500 for community garden construction and non-profit status

In a 1-3 vote, the SPRFA Board denied a recommendation to approve a \$500 grant. Presenters Kevin O’Dea and Josh Krueger will be encouraged to reapply next year, after a 501c3 status has been completed. The SPRFA Board noted grants are not appropriate for setup, legal or tax expenditures. The monies would be better spent on tangible gardening items like tools or shed materials.

Prairie Hills Transit - \$500 for wheel-ticket scholarships Spearfish Youth

In a 3-0 vote, the SPRFA Board recommends the city council approve a \$500 grant to Prairie Hills Transit. Cline did not vote due to a conflict of interest. The recommendation includes a stipulation: of the 280 wheel tickets, there should be a 10-ride limit to punch cards in order to help the most number of people.

Spearfish Youth Soccer - \$500 for equipment

In a 4-0 vote, the SPRFA Board recommends the city council approve a \$500 grant to the Spearfish Youth Soccer Association. The monies will be used to purchase additional soccer equipment to support the 3- to 5-year-old group that has doubled in the last year.

Softball/Baseball - \$500 for bleachers for Trautman Softball Field

SPRFA Board did not offer a recommendation to issue a \$500 grant to the Spearfish Youth Baseball and Softball Association. The board felt the bleachers the association selected for the Trautman Field were small and not a quality item. The association will be encouraged to return in May with a different set of (five row 15’ or 15’ plus) bleachers. The cost will be more but a matching grant could offset the expense.

B.H. Nordic – faxed but not received

The Black Hills Nordic Association grant application will be reviewed at the May SPRFA Board meeting. Hoffman said that a miscommunication, at no fault of the association, led to the delay.

Motion: Schmit

Second: Morgan

To award \$500 Rec. Grant to Prairie Hills Transit, to award \$500 Rec. Grant to Spearfish Youth Soccer and to deny \$500 request from Hills Horizon.

Disposition: Motion passed on voice vote.

2010 Main Street Project - Public Works Administrator Johnson stated that this overall project has been ongoing for about four years with the Main Street area as the final phase. Two public meetings have been held with comments taken. Design engineers have utilized comments and developed a concept plan. Concept maintains four lanes of traffic, upgrades to curb and gutter conforming to ADA guidelines, enhancements at Main and Grant intersection, concrete off curb for parking, some concrete intersections and some decorative touches. Input varied greatly from

the public and the concept was developed as a mid-ground. Downtown businessman Mark Kazmer spoke to the Council and requested that the pedestrian crossing at Main and Illinois also be addressed in this concept as several downtown businesses feel this is an impossible and dangerous intersection for pedestrians.

Motion: Quinn

Second: Davis

To approve project concept and authorize contract with HDR for design, addressing the Main/Illinois intersection for pedestrian crossing and Main/Grant intersection.

Disposition: Motion passed on voice vote.

Bid Award – Bids for the DBA Portable Stage were opened on 4-20-09 with two bids received:

Bidder	Schedule	Bid Amount
Wenger	B	\$88,949.00
Marshall Austin Productions, Inc.	A	\$87,570.00

The Stage from low bidder Marshall Austin Productions, Inc., is lighter weight and can be hauled with a regular pickup, whereas the Wenger product was over the weight limit and would require a large vehicle such as a semi-tractor to haul.

Motion: Davis

Second: Young

To award bid to low bidder Marshall Austin Productions, Inc. for the amount of \$87,570.00.

Disposition: Motion passed on voice vote.

Report– Public Works Administrator Johnson reported that the umbrellas are up and the pools will be filling and pumps tested soon at the Aquatics Center. Grand Opening will be Memorial Day weekend.

Report – City Planner Watson reported that the Planning Commission will review an Industrial Park Wireless Communication facility and recommendation will come before City Council on 5-4-09.

Report – Police Chief Rotert reported an update to the 911 phone system is in progress and the department is working out bugs in the system at this time.

Report - City Administrator Sund reported that the sign code amendment for nonconforming signage will be going before Planning Commission on 4-21-09.

Bill List of April 20, 2009

VENDOR	DESCRIPTION	AMOUNT
ABC BUSINESS SUPPLY	NOTE PADS/EASEL BOARD/LABELS	\$354.14
ADVANCED GRAPHIX INC	GRAPHICS KIT FOR CHARGER	\$263.00
ALDERMAN, WAYNE	TRAVEL-CPO CLASS-BILLINGS, MT	\$136.96
ALPINE IMPRESSIONS	12 POLO SHIRTS/COAT-ROBISON	\$190.00
AMCON DISTRIBUTING CO	REC CENTER CONCESSIONS	\$439.82

AMERICAN RED CROSS	LIFE GUARD PROVIDER FEES	\$35.00
BELLE FOURCHE LANDFILL	LANDFILL FEES	\$16,000.09
BLACK HILLS CHEMICAL CORP	JANITORIAL SUPPLIES	\$1,279.78
BLACK HILLS PIONEER	MAR 09 LEGAL PUBLISH/WELCOME DISPLAY	\$1,975.84
BLACK HILLS POWER & LIGHT	ELECTRICITY	\$5,629.42
BLACK HILLS PURE, INC	COOLER RENTAL/WATER	\$58.00
BLACK HILLS STATE UNIVERSITY	INSERT UTILITY BILLS/NEWSPAPER PRINTING	\$613.72
BLACK HILLS TIMBER EQUIPMENT	SNOW REMOVAL SERVICES	\$4,887.50
BLACK HILLS WINDSHIELD	CRACK REPAIR	\$75.00
CAUDILL, KATHY	DESIGN/PAINT PARTY ROOM	\$564.32
CENTURY BUSINESS PRODUCTS	G/A COPIER MAINT 03/26/09-2010 & COPIER	\$1,209.00
CHAIN SAW CENTER	SAFETY HELMETS/OIL/WIRE ROPE/REPAIRS	\$1,457.62
CLARK, RICK	INSTALL DOOR SOUTH END SNAPPERS	\$1,621.43
CLAUSER MACHINE WORKS	SHARPEN BITS/BUILD WHEEL SPACERS	\$146.00
COCA-COLA BOTTLING CO	REC CENTER CONCESSIONS	\$167.50
CRUM ELECTRIC SUPPLY CO	MIN BAY GE 755	\$57.60
CULLIGAN SOFT WATER CORP	WATER	\$32.50
DAKOTA BACKUP	MARCH 2009 NETWORK BACKUP SERVICE	\$534.59
DAKOTA BUSINESS CENTER	COPY OVERAGE CHARGES	\$49.39
DAKOTA SILHOUETTE	SIGN-HILLSVIEW FIELD	\$350.00
DAKOTA SUPPLY GROUP	FLUSH VALVES	\$621.18
DENEUI, JASON	TRAVEL-INVESTIGATION TRAINING	\$78.00
DIAMOND POST & STEEL BUILDINGS	SNOW REMOVAL SERVICES	\$1,392.86
DIAS, GREGORY K	LIBRARY NETWORK ADMIN	\$1,036.46
DIVISION OF MOTOR VEHICLES	PD TRAILER LICENSE	\$16.00
ELKHORN RIDGE GOLF MANAGEMENT	2009 GOLF COURSE MANAGEMENT	\$50,000.00
ENERGY LABORATORIES	LAB TESTS	\$2,783.50
FEDEX	FORENSIC LAB SHIPPING	\$20.06
FORD, REED	3 ON 3 BASKETBALL REFEREE/CLASS REFUND	\$315.50
G & H DISTRIBUTING, INC	FLAMMABLE STORAGE CABINET	\$521.57
GARLICK, DORA JEAN	2009 LOCAL ELECTION WORKER	\$148.63
GLASS SHOP, THE	REPLACE SOUTH DOORS-REC CENTER	\$2,745.00
GOLDEN WEST TECHNOLOGIES	NEW TELEPHONE & INSTALLATION	\$290.18
HARD ROCK EXCAVATORS LLC	SNOW REMOVAL SERVICES	\$2,250.00
HD SUPPLY WATERWORKS	WATER METERS FOR CITY FACILITIES	\$7,696.70
HDR ENGINEERING, INC	WWTP UPGRAGE & OTHER ENGINEERING	\$41,360.73
HEISLER HARDWARE	HARDWARE-FIRE DEPARTMENT	\$7.47
HIGHLAND ENTERPRISES	SNOW REMOVAL SERVICES	\$1,917.50
HILLS MATERIALS CO	SAND & SNOW REMOVAL SERVICES	\$710.35
HOLIDAY INN CITY CENTRE	TRAVEL-DENEUI-TRAINING	\$210.00
HUGHES, LINDA	2009 LOCAL ELECTION WORKER	\$164.00
IACP MEMBERSHIP	2009 MEMBERSHIP-ROTERT	\$120.00
ID EDGE INC	REC CENTER WRIST BANDS	\$810.33
INGRAM LIBRARY SERVICES	BOOKS	\$2,488.43
JT VEHICLE SYSTEMS	SET UP NEW POLICE CHARGER	\$903.90
KELLOGG, DRUSE	2009 LOCAL ELECTION WORKER	\$164.00

KONE, INC	2ND QTR 2009 MAINTENANCE	\$200.73
KT CONNECTIONS	NETWORK ADMIN PD	\$331.78
CRITICAL INFORMATION NETWORK	ANNUAL ONLINE WEB SUBSCRIPTION	\$1,746.75
LAW ENFORCEMENT RESOURCE CTR	ONLINE REPORT WRITING TNG	\$36.00
LAZY B ENTERPRISES	CITY HALL PAPER RECYCLING	\$28.00
LYNN PEAVEY COMPANY	CDs	\$186.90
MAILWORKS PLUS	SHIPPING SERVICES	\$99.63
MARTINEZ, EDWARD	3 ON 3 BASKETBALL REFEREE	\$240.00
MATTSON, DELORES	2009 LOCAL ELECTION WORKER	\$164.00
MG OIL COMPANY	MARCH 2009 FUEL CONTRACT	\$14,216.15
MICROMARKETING, LLC	CDs	\$44.95
MINITMAN INC	DIESEL & LAB SAMPLE SHIPPING	\$247.76
NAEMD	2009 EMD CERT. ADAM MILES	\$50.00
NEVE'S UNIFORMS, INC	SHIRT/GLOVES	\$135.64
NORTHERN HILLS TRAINING CENTER	JANITORIAL/SNOW REMOVAL SVCS	\$616.97
NORTHERN HILLS COMMUNITY BAND	SUMMER EVENT SPECIAL ALLOCATION	\$300.00
OCCUPATIONAL HEALTH NETWORK	PRE-EMPLOYMENT SCREENINGS	\$228.00
OFFICE TECHNOLOGY & SUPPLY	CORRECTION TAPE/LABELS/BOOK COVERS	\$63.10
ONE CALL SYSTEMS, INC	LOCATE REQUEST TICKETS	\$33.00
VARIOUS ONE TIME VENDORS	REFUNDS	\$581.50
PENWORTHY COMPANY	BOOKS	\$274.85
QWEST	APRIL 2009 PHONE CHARGES	\$1,087.89
RAPID FIRE PROTECTION INC	STRAIGHTEN SPRINKLER HEAD	\$129.54
ROLLIN OIL COMPANY	OIL/ANTIFREEZE	\$1,071.95
SAFEWAY STORES, INC	MEETING SUPPLIES/PLANT	\$44.33
SANITATION PRODUCTS CORP	WHEELS FOR GARBAGE CARTS	\$50.50
SD DEPT OF HEALTH	HEP INOCULATIONS	\$30.00
SD GOV HUMAN RESOURCE ASSOC	2009 HR SCHOOL REG.-FRIEDEL	\$25.00
SD GOVT FINANCE OFF ASSOC	09 MUN. CLERK REG.-WENZEL	\$249.00
SHARKEY PLUMBING & HEATING	INSTALL WATER METERS-CITY FACILITIES	\$3,448.96
SPEARFISH ALTERNATOR & STARTER	ALTERNATOR REPAIR	\$65.00
SPEARFISH AUTO SUPPLY	STRAPS-FIRE DEPARTMENT	\$11.92
SPEARFISH ELECTRIC & HEATING	ELECTRICAL REPAIRS & SERVICES	\$2,543.84
SPEARFISH EXTINGUISHER	EXTINGUISHER SERVICES	\$267.50
SPEARFISH MOTORS, INC	REPAIR PD8	\$62.33
SUMMIT SIGNS & SUPPLY	STREET SIGNS	\$587.50
SUPERIOR SANITATION	PORTABLE RESTROOM RENTAL	\$390.00
SYSCO FOOD SERVICES OF MT	REC CENTER CONCESSIONS	\$263.15
THE MERCANTILE	SHOP TOWELS/BOLTS	\$19.93
TRENT, JEAN	2009 LOCAL ELECTION SUPERVISOR	\$180.00
TTG ENTERPRISES	REPAIR PUMP	\$194.51
UPSTART	STICKERS-SUMMER READING	\$10.55
VERIZON WIRELESS	APR 2009 CELL PHONES	\$1,928.78
WELLS FARGO BUSINESS CARD	TRAVEL/SOFTWARE/POSTERS/BADGE COVERS	\$1,588.85
WESTERN COMMUNICATIONS	PORTABLE RADIO/RADIO REPAIRS	\$2,021.94
WESTERN STAR, INC	REPAIRS FOR POLICE DOOR	\$143.80

WOELBER EXCAVATING, INC	SNOW REMOVAL SERVICES	\$2,340.00
WOLFF'S PLUMBING & HEATING	REPAIR PLUGGED SINK	\$178.00
** TOTALS **		\$195,661.05

Motion: Morgan
To approve Bill List dated 4-20-09.

Second: Dardis

Disposition: Motion passed on voice vote.

APPROVAL	INITIALS
Mayor Krambeck	
Shawn Dardis	
Eric Davis	
Mary Morgan	
Tom Quinn	
Doug Schmit	
Paul Young	

Report – Council Member Young reported that he was honored to sit as a judge last week for a local Battle of the Bands contest and commended all the contestants.

There being no further business before the Council, Morgan moved, Young seconded and all voted to adjourn at 8:01 PM.

Dated this 20th day of April 2009.

CITY OF SPEARFISH

BY: _____
 Jerry A. Krambeck, Mayor

ATTEST:

 Greg Sund, City Administrator