



Spearfish City Council
 Regular Session Minutes
 April 5, 2021 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, April 5, 2021. Mayor Boke presided and called the meeting to order. Roll call was taken with the following members present: Clark, Hodgs, Klarenbeek and Lee. Jacobs arrived at 5:41 p.m. Absent: Herrmann. Also present: City Administrator Harmon, City Planner Watson, Parks and Recreation Director Ehnes, City Attorney McDonald, City Engineer Mathis, Human Resource Director Mathis, Finance Officer DeNeui, Public Works Director Kean, Public Safety Director Rotert, Police Chief Jacobs, Fire Chief Ladson, Assistant Police Chief Dean and Executive Assistant Gengler.

The agenda was amended to move item 16B to 8D. Klarenbeek moved, Hodgs seconded and all voted to approve the agenda as amended. No potential conflicts of interest were declared.

Public Comment – Tracy Wangen of 846 Hill Street spoke on traffic issues on Tinton Road and Hills Street; Public Safety Director Rotert will follow-up. Jeremy Smith of 287 Evans Lane spoke on opposing the terms of the proposed lease agreement with Clearview Towers (item 12C on the agenda).

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

- A. Approve the minutes of the City Council regular session dated March 15, 2021.
- B. Approve and authorize Mayor Boke to sign the 2021 Weed Spraying Contract with TruGreen Lawn Care, total cost of \$22,350, budgeted in General Fund and several enterprise funds.
- C. Approve and authorize Mayor Boke to sign the Memorandum of Understanding with Black Hills State University (BHSU) and Spearfish Adult Softball Association for the softball fields located at the BHSU Complex.
- D. Move Tayler Rovere to wastewater treatment operator II, grade 13, step 11, \$21.88 per hour effective 4/4/2021. Due to successful completion of South Dakota Class II Wastewater Treatment Operator’s certification.
- E. Hire the following seasonal employees effective 4/6/2021:

Parks Department:		
Kaelynn Ahrendt	Parks Laborer	\$12.25
Larry Gabriel	Parks Laborer	\$12.75
Jacob Ziegler	Parks Laborer	\$12.50
Peyton Bodemann	Parks Laborer	\$12.50
Hayden Sadowsky	Parks Laborer	\$12.25
Kade Walter	Parks Laborer	\$12.50
Grace Karsten	Parks Laborer	\$12.25
Tiffany Valentine	Parks Laborer	\$12.25
Emma Singer	Parks Laborer	\$12.25

Joshua Coppe	Cemetery Summer Laborer	\$12.25
Isaiah Tivis	Cemetery Summer Laborer	\$12.25
Kathan Martel	Campground Attendant	\$10.50
Tyler Barkley	Spectator Recreation Laborer	\$12.25
Chad Barker	Spectator Recreation Laborer	\$12.25
Elizabeth Smith	Campground Assistant Manager	\$13.00
Grace Tieszen	Parks Laborer	\$12.25
Hannah Snyder	Campground Attendant	\$10.50
Public Works		
Jadyn Sirofchuck	WWTF Summer Laborer	\$12.50
Christine Mart	Street Summer Laborer	\$12.25
Recreation & Aquatics Center:		
Lainey Hall	WSI Lifeguard	\$11.25
Lauren Cermak	WSI Lifeguard	\$11.75
Bella Reid	Lifeguard	\$11.00
Josie Kaufman	WSI Lifeguard	\$11.00
Macy Johnson	WSI Lifeguard	\$10.75
Grace Wetrich	Lifeguard Coordinator	\$11.00
Bridger Janvirn	Lifeguard	\$11.00
Tyler Huber	Lifeguard	\$11.25
Madison Watts	WSI Lifeguard	\$11.00
Mollie Zvorak	Lifeguard Coordinator	\$12.00
Macy Johnson	WSI Lifeguard	\$10.75
Brittney Case	WSI Lifeguard	\$11.50
Kayla Olson	WSI Lifeguard	\$11.00
Ryan Peldo	WSI Lifeguard	\$11.25
Jewel West	WSI Lifeguard	\$11.75
Braeden Ferguson	Lifeguard Coordinator	\$11.50
Katelyn Sylvester	WSI Lifeguard	\$10.75
Kristin Marcoe	Summer Customer Service Ass't	\$11.25
Catherine Walton	Lifeguard	\$10.75
Brady Umberger	Summer Customer Service Ass't	\$10.00
Carleen Krebs	WSI/Lifeguard	\$10.75
Fire Department:		
Cody Jolovich	Wildland Firefighter	\$13.50
Carter Jones	Wildland Firefighter	\$13.50

Items from Visitors

Awards – Police Chief Jacobs presented Life Saver Awards to Officers Austin Drapeaux and Jacob Westover.

Awards – Executive Assistant Gengler and Mayor Boke presented Years of Service Awards to the following employees:

- 5 Years – Shawn Fox, Greg King, Ed Richards, Collin Smith, Justin Woodroof
- 10 Years – Dustin Bush, Aaron Jurgensen, Dawn Lolley
- 15 Years – Gary Lillehaug, Tonya Vig, Lee Alberts
- 25 Years – Eric Bowers, Boyd Dean

Banners – Clark moved, Hodgs seconded and all voted to approve the banners proposed and funded by Downtown Business Improvement District (DBID) for Main Street and Jackson Boulevard. John Senden represented the DBID for the request.

Proclamation – Mayor Boke proclaimed April 11-17, 2021 as Public Safety Telecommunicator Week.

City Attorney

Resolution 2021-11 – Hodgs moved, Jacobs seconded and all voted to adopt Resolution 2021-11 as follows:

RESOLUTION 2021-11

A RESOLUTION OF INTENT TO ENTER INTO A SURFACE LEASE AGREEMENT

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 lease agreement with L & H Industrial to lease Lot 3 of the Business Park owned by the City, 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 April 19, 2021.

Dated this 5th day of April, 2021.

CITY OF SPEARFISH

By: _____
Dana Boke, its Mayor

(Seal)

Attest:

Michelle DeNeui, Finance Officer

Adopted: April 5, 2021

Published: April 14, 2021

Effective: May 4, 2021

Engineering

Amendment – Clark moved, Klarenbeek seconded and all voted to approve the Amendment to Exit 8 Area Community Path – Phase 1 Easement Agreement between Lawrence County and the City of Spearfish, to amend construction of path date.

Award Bid – Hodgs moved, Clark seconded and with Clark, Hodgs, Jacobs, Klarenbeek and Lee voting aye, motion passed to award the lowest responsive and responsible bid for the Salem Park Recreation Path Bridge Project to A & L Contractors at a total amount of \$113,030.00, with funding source to be determined.

Parks and Recreation

Agreement – Clark moved, Hodgs seconded and all voted to approve and authorize Mayor Boke to sign the Transportation Alternative Grant Agreement (Project PTAPU(31) PCN 08E7) with the South Dakota Department of Transportation.

Planning and Zoning

Public Hearing – A public hearing was opened at 6:04 p.m. to consider Ordinance 1340 – An Ordinance Amending Appendix A. Zoning, Article V. Supplementary Regulations, Section 3. Minimum Amounts of Off-Street Parking Facilities Required, of the Revised Ordinances of the City of Spearfish. No oral or written comments were received and the hearing was closed.

Ordinance 1340 – Hodgs moved, Lee seconded and with Clark, Hodgs, Jacobs, Klarenbeek and Lee voting aye, motion passed to approve second reading of Ordinance 1340 – An Ordinance Amending Appendix A. Zoning, Article V. Supplementary Regulations, Section 3. Minimum Amounts of Off-Street Parking Facilities Required, of the Revised Ordinances of the City of Spearfish.

Ordinance 1341 – Clark moved, Jacobs seconded and all voted to approve the first reading and set a public hearing for Monday, April 19, 2020 at 5:30 p.m. to consider Ordinance 1341 – An Ordinance Amending Appendix A – Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. (Miller Ranch as DRD)

Lease – Following discussions, Lee moved, Klarenbeek seconded and with Hodgs, Jacobs, Klarenbeek and Lee voting aye and Clark voting nay, motion passed to approve the lease terms proposed by Riverfront Broadcasting/Clearview Tower for the tower on Lookout Mountain.

Permit Application – Lee moved, Klarenbeek seconded and with Hodgs, Jacobs, Klarenbeek and Lee voting aye and Clark voting nay, motion passed to authorize Clearview Tower to apply for a conditional use permit.

Public Safety

Ordinance 1342 – Jacobs moved, Lee seconded and with Clark, Hodgs, Jacobs, Klarenbeek and Lee voting aye, motion passed to approve the second reading of Ordinance 1342 – An Ordinance Amending Chapter 14 Streets, Sidewalks, and Other Public Places, Article II. Streets and Public Rights-of-way, Division 2. Obstructions and Encroachments of the Revised Ordinances of the City of Spearfish.

Ordinance 1343 – Klarenbeek moved, Clark seconded and all voted to approve the first reading of Ordinance 1343 – An Ordinance Amending Chapter 9 Vegetation, Article II. Trees, Division 3. Planting and Maintenance, Section 19-72. Trees on Private Property and Adding Sections 19-77 Wilt Disease and Invasive Species Information and Advisory Guide, 19-78 Hazardous Tree Emergency Declaration and 19-79 Additional Power of Administrative Staff of the Revised Ordinance of the City of Spearfish.

Position – Clark moved, Hodgs seconded and with Clark, Hodgs, Jacobs, Klarenbeek and Lee voting aye, motion passed to approve the position description and authorize the recruitment process for full-time Wildland Engine Boss/Firefighter.

Public Works

Resolution 2021-10 – Clark moved, Hodgs seconded and all voted to adopt Resolution 2021-10 as follows:

RESOLUTION 2021-10

FEDERAL AID BRIDGE PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, the City of Spearfish desires the X replacement or _____ removal of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: Structure #: 41-155-090
~0.05 Miles West of US Hwy 85

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT
(NAMES & ADDRESSES):

Elkhorn Ridge @ Frawley Ranches LLC 12600 W COLFAX AVE STE B130 LAKEWOOD, CO 80215	Sodak Storage LLC PO BOX 556 SPEARFISH, SD 57783
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AND WHEREAS, the City of Spearfish is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, the City of Spearfish is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Federal Bridge Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

1. The condition rating is Poor.
2. For Replacement project the bridge is not located on a County or Township designated No Maintenance or Minimum Maintenance Road.
3. For Removal project the bridge location will not be eligible for federal or state bridge funds in the event that a bridge is reconstructed. The owner agrees to submit a

separate resolution to delete the structure from the National Bridge Inventory upon completion of the project.

4. The bridge is located on a Federal Aid Route X , a school bus route X , a mail route _____, or other (please specify) _____.
5. The load carrying capacity of the existing bridge can _____ or cannot X be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the “Local Roads Plan” and the State’s “Standard Specifications for Roads and Bridge,” the bridge project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$750,000
Federal Share (81.95%): \$614,625
Local Share (18.05%): \$135,375

Vote of Commissioners/Council: Yes X No _____

Dated this 5th day of April, 2021.

CITY OF SPEARFISH

By: _____
Dana Boke, its Mayor

(Seal)

Attest:

Michelle DeNeui, Finance Officer

Adopted: April 5, 2021
Published: April 14, 2021
Effective: May 4, 2021

Allocation – Hodgs moved, Klarenbeek seconded and with Clark, Hodgs, Jacobs, Klarenbeek and Lee voting aye, motion passed to allow allocation of the 2021 CIP Hudson Hall Roof Replacement funds to be utilized for other priority government building repairs.

Reject Bids – Clark moved, Klarenbeek seconded and all voted to reject all bids for the Sandstone Hills Street Repair & Sewer Upsize Project.

Bill List – Klarenbeek moved, Jacobs seconded and with Clark, Hodgs, Jacobs, Klarenbeek and Lee voting aye, motion passed to approve the bill list dated April 5, 2021 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
ADVANCED BUILDERS INC	LABOR & MATERIALS BASEMENT	\$ 9,024.00
ADVANCED ELEMENTS INC	BRIDGE REMOVE/REPLACE ENG	\$ 7,110.00
ALLSTATE PETERBILT CO	WATER INLET/OUTLET	\$ 322.05
AMAZON CAPITAL SERVICES	BOOKS, SUPPLIES, PARTS	\$ 1,910.71
AMICK SOUND INC	FIRE PANEL	\$ 6,635.00
BAKER & TAYLOR	BOOKS	\$ 1,238.62
BB&T GOVERNMENTAL FINANCE	WWTP 2020 BOND REFINANCE P&I	\$ 186,299.13
BLACK HILLS ENERGY	FEB/MAR 2021 ELECTRICITY	\$ 28,818.06
BLACK HILLS CHEMICAL CORP	MATS, TOWELS, WIPES, CLEANER	\$ 2,188.58
BLACK HILLS PIONEER	2021 SUBSCRIPTION FOR PD	\$ 164.79
BLACKSTRAP INC.	ROAD SALT X3 DELIVERIES	\$ 7,363.48
BOMGAARS SUPPLY INC	TOOLS, SUPPLIES, PARTS, REPAIRS	\$ 1,472.35
BOSS ENTERPRISES, INC	REPAIR WORK AT WWTP	\$ 3,099.18
BROWN, HEATH G	2021 BOOTS - BROWN AND LYFT REIMB	\$ 162.57
BUILDERS FIRSTSOURCE INC	DRILL BIT, CAULK	\$ 634.08
BUTLER MACHINERY CO	COUPLING	\$ 388.26
AINSWORTH AUTO PARTS LLC	TPMS TRANSMITTER	\$ 42.11
CASH-WA DISTRIBUTING CO	CONCESSIONS PRODUCTS	\$ 1,284.67
CDW GOVERNMENT	PARTS	\$ 27.76
CENGAGE LEARNING	BOOKS	\$ 59.37
TMT INC	HARDBOUND TWL 10"	\$ 257.40
CHAIN SAW CENTER	STIHL CHAIN SAW, BAR OIL, REPAIRS	\$ 1,168.23
CHEYENNE CROSSING STORE LL	FIRE BANQUET MEALS	\$ 1,837.50
CLARK PRINTING CORP	HISTORY REMEMBERED POSTERS	\$ 6.60
CONDREY AND ASSOCIATES INC	CLASSIFICATION & COMPENSATION	\$ 11,250.00
CREEKSIDE DEVELOPMENT LLLP	FEB21 TAX INCREMENT	\$ 51,833.60
CVD CONSTRUCTION INC	METAL SIDING REPAIR	\$ 8,980.00
ELKHORN RIDGE @ FRAWLEY RA	FEB21 TAX INCREMENT	\$ 167,742.70
ENTENMANN-ROVIN	BADGE-ACO	\$ 80.50
DICTION SALES & SERVICES	MAINT AGREEMNT 6/2021 - 5/2022	\$ 8,783.00
NEWHOUSE ENTERPRISES INC	PAPER, SUPPLIES, STAMPS, FOLDERS	\$ 372.13
FASTENAL CO	GLOVES, EAR MUFFS	\$ 60.67
VIEHAUSER ENTERPRISES LLC	LOCK REPAIRS AND BASEMENT LOCKS	\$ 15,699.92
THE GLASS SHOP	SPEAK THRU WINDOWS	\$ 6,690.42
GREAT WESTERN TIRE INC	TIRES FOR UNIT 43, FLAT REPAIR	\$ 1,076.80
GUNDERSON TRUCKING INC	HAUL WASTE TO GILLETTE	\$ 1,000.00
HAUCK ELECTRIC & CONTROLS	OVENS AT REC CENTER	\$ 5,186.35
HAWKINS INC	AQUA HAWK	\$ 4,259.40
HDR ENGINEERING INC	SKYRIDGE DEV & SPORTS COMPLX ENG	\$ 65,097.75
HEISLER HARDWARE	BRUSH,SEALANT,SANDPAPER,BROOM	\$ 938.39
HEMEYER ENTERPRISES INC	PAVING REPAIR	\$ 1,836.73
HOUCHEN BINDERY LTD CORP	BOOKS	\$ 263.95
JUNEK'S SERVICE CORP	SWITCH: STOP LAMP	\$ 29.63
KELLEY BLOCK LLC	2021 RESTROOM LEASE 3 OF 5	\$ 3,600.00
KNECHT HOME CENTER INC	SAWZALL BLADES, TOOLS, PARTS	\$ 1,235.59

KNIGHT SECURITY INC	SERVICE CALL	\$ 300.00
MONTANA-DAKOTA UTILITIES	2/5 - 3/8 NATURAL GAS	\$ 9,045.72
MURPHY PETROLEUM TRANSPORT	USED OIL PICK UP	\$ 110.00
NORTHERN HILLS VENTURES IN	IT SVCS, O365 LICENSES, INSTALL COMP	\$ 14,286.44
PETTY CASH	REIMB FOR PLAT FEES	\$ 258.00
POWELL, JACOB	REFEREE SERVICES FOR 3 ON 3	\$ 181.25
SCHREINER ENTERPRISES, INC	GRAVE CARDS	\$ 69.60
RIVERSIDE TECHNOLOGIES INC	10 COMPUTERS 7 MONITORS	\$ 14,065.00
SANITATION PRODUCTS INC	65 AND 95 GAL CONTAINERS	\$ 14,792.00
SD BUILDING OFFICIALS ASSN	MEMBERSHIP - BUSSIERE	\$ 5.00
SD DEPT OF HEALTH-PUBLIC H	SCREENINGS	\$ 72.00
SD DEPT OF HEALTH	HEP A & B DOSES	\$ 120.00
SOUTH DAKOTA ONE CALL	MESSAGE FEES	\$ 58.80
SD NARCOTICS OFFICERS' ASS	CONF-BUSH,DEAN,JACOBS,WEBER,LITTLE	\$ 250.00
SDRS SPECIAL PAY PLAN	PARTICIPANT FEE- MELLOTT	\$ 45.00
SIMON CONTRACTORS OF SD IN	1" ROADSTONE	\$ 517.19
SOLE PERFECTION	WORK SHOES - BROSNAHAN	\$ 100.00
SPEARFISH AUTO SUPPLY	ALARM, SCREWDRIVERS,BLADES,LAMP	\$ 4,873.83
SPEARFISH GLASS INC	REPLACE COMMERCIAL WINDOW	\$ 302.13
SPEARFISH LUMBER CO	PAINT SUPPLIES, PLYWOOD	\$ 132.11
STEC'S INNOVATIVE SAFETY S	FEB REWARDS	\$ 20.87
TNEMEC CO INC	H-B EPOXOLINE LT GRAY	\$ 257.26
TYLER TECHNOLOGIES INC	CIS/CRM 2021 FEE&MAINT & ONLINE FEES	\$ 4,005.55
VISIT SPEARFISH INC	MARCH & APRIL BID FEES	\$ 20,794.00
WALMART COMMUNITY/GEMB	OFFICE SUPPLIES,SUPPLIES,SAFETY	\$ 246.02
WARNE CHEMICAL & EQUIPMENT	CAMLOCKS	\$ 395.00
WELLS PLUMBING CORP	PLUMBING PARTS, PLUGS, PIPE	\$ 399.67
INTEGRITY ACQUISITION LLC	REAPIRS, BREATHER CAP, SEAL, ARM	\$ 1,106.33
WHITE'S QUEEN CITY MOTORS	VEHICLE PARTS	\$ 103.16
ZANDSTRA CONSTRUCTION	SKY RIDGE CONSTRUCTION PE 6	\$ 196,971.33
		<u>\$ 901,415.29</u>

March 2021 Salary Expense & Credit Card Fees

	<u>Gross Wages/Benefits</u>		<u>Gross Wages</u>	<u>Benefits</u>	
Mayor/Council	\$8,248.02	1.38%	\$7,661.88	\$586.14	1.62%
City Administrator	17,270.32	2.89%	13,894.40	3,375.92	2.94%
City Attorney	10,238.70	1.72%	8,443.20	1,795.50	1.79%
Finance	25,714.97	4.31%	20,172.67	5,542.30	4.27%
Human Resources	8,045.50	1.35%	6,523.20	1,522.30	1.38%
Gov't Bldgs	15,083.89	2.53%	11,594.52	3,489.37	2.45%
Engineering	22,477.59	3.77%	18,048.58	4,429.01	3.82%
Public Safety Admin	20,607.26	3.45%	16,244.73	4,362.53	3.44%
Police	125,965.87	21.10%	98,446.54	27,519.33	20.83%
Fire	14,173.01	2.37%	12,024.82	2,148.19	2.54%
Bldg Inspection	18,639.55	3.12%	14,665.61	3,973.94	3.10%

Streets & Snow	51,231.06	8.58%	41,159.58	10,071.48	8.71%
Cemetery	4,070.68	0.68%	3,033.03	1,037.65	0.64%
Animal Control	3,634.82	0.61%	2,613.80	1,021.02	0.55%
Recreation/Aquatic	36,872.60	6.18%	29,283.58	7,589.02	6.20%
Parks	25,525.97	4.28%	20,086.33	5,439.64	4.25%
Library	24,481.72	4.10%	19,214.97	5,266.75	4.07%
Plan & Zone	12,834.96	2.15%	10,544.01	2,290.95	2.23%
Motor Pool	11,151.42	1.87%	9,252.53	1,898.89	1.96%
Wildland Fire	0.00	0.00%	0.00	0.00	0.00%
Police Comm	37,285.10	6.25%	28,682.91	8,602.19	6.07%
SAFER Grant	5,039.63	0.84%	3,613.46	1,426.17	0.76%
Water	17,827.92	2.99%	13,684.99	4,142.93	2.90%
Electric Production	13,252.43	2.22%	11,064.76	2,187.67	2.34%
Sewer	16,927.02	2.84%	13,008.06	3,918.96	2.75%
WWTP	26,931.46	4.51%	21,637.36	5,294.10	4.58%
Solid Waste	21,469.13	3.60%	16,474.56	4,994.57	3.49%
Campground	1,965.71	0.33%	1,470.27	495.44	0.31%
Totals	<u>\$596,966.31</u>	<u>100.00%</u>	<u>\$472,544.35</u>	<u>\$124,421.96</u>	<u>100.00%</u>
Banking Fees March	91.40				
Credit Card Fees					
March	<u>4,075.61</u>				
Grand Total	<u>\$601,041.92</u>				

Mayor and Council

Trail – Following discussions, Hodgs moved, Lee seconded and all voted to rescind approval of the Spearfish Nature and History Trail proposal.

There being no further business, Clark moved, Hodgs seconded and all voted to adjourn at 6:37 p.m.

Dated this 5th day of April 2021.

CITY OF SPEARFISH

By: _____
Dana Boke, Mayor

ATTEST:

Michelle DeNeui, Finance Officer

Published once at the approximate cost of _____.