



Spearfish City Council
Regular Session Minutes
August 3, 2020 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, August 3, 2020. Mayor Boke presided and called the meeting to order. Roll call was taken with the following members present: Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek. Absent: None. 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 Lee, Public Safety Director Rotert, Library Director Wilde, Police Chief Jacobs, Fire Chief Deaver, Wastewater Treatment Facility Superintendent Evridge, and Assistant Finance Officer Thurmes.

All stood and recited the pledge of allegiance. Klarenbeek moved, Hodgs seconded and all voted to approve the agenda. No potential conflicts of interest were noted.

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

- A. Approve the minutes of the City Council regular session dated July 20, 2020.
- B. Approve a special on-sale liquor license for the B & B Lounge for the Hamster Block Party on August 8, 2020 from 7:00 p.m. to 11:00 p.m. on Hamster Hill.
- C. Approve a special on-sale liquor license for False Bottom Bar for a wedding on August 15, 2020 from 6:00 p.m. to 12:00 a.m. at the Pavilion.
- D. Hire Ralph Weatherstone as a part-time (not benefit eligible) rubble site operator, grade 7, step 12, \$16.32 per hour, effective 8/4/2020.
- E. Hire Erin Magee as a part-time (not benefit eligible) library page, grade 1, step 1, \$9.76 per hour, effective 8/4/2020.
- F. Add Guy Gregory to the 2020 Parks Volunteer List.

Public Hearing – A public hearing was opened at 5:33 p.m. to consider a Tower Lease Agreement with Homeslice Corporation. No oral or written comments were received and the hearing was closed at 5:34 p.m.

Agreement – Clark moved, Klarenbeek seconded and all voted to approve the Tower Lease Agreement with Homeslice Corporation.

Assessment – Hodgs moved, Eisenbraun seconded and all voted to continue the Spearfish Downtown Special Assessment per Resolution 2018-18.

Resolution 2020-20 – Eisenbraun moved, Jacobs seconded and all voted to adopt Resolution 2020-20 as follows:

RESOLUTION 2020-20

A RESOLUTION LEVYING AN ANNUAL SPECIAL MAINTENANCE FEE FOR STREET SURFACES

WHEREAS, well-maintained public streets are necessary for the health, safety, and welfare of the citizens of the City of Spearfish; and

WHEREAS, the Common Council of the City of Spearfish has determined that it is in the best interests of the City of Spearfish and its citizens to regularly inspect, maintain, and resurface its public streets and not permit Spearfish's infrastructure to deteriorate to the point of failure; and

WHEREAS, SDCL § 9-43-76 authorizes the City of Spearfish to levy special assessments for local improvements, such as public streets, on private properties benefiting from those public improvements; and

WHEREAS, the City of Spearfish has, in the past, levied special assessments on private property adjoining public streets to resurface, repair, and reconstruct those streets; and

WHEREAS, SDCL § 9-43-138 authorizes the City of Spearfish to levy, for the purpose of maintaining or repairing public improvements, an Annual Special Maintenance Fee upon the lots fronting and abutting any municipally-maintained public improvements within the City of Spearfish; and

WHEREAS, in the judgment of the Common Council of the City of Spearfish, residents of the City of Spearfish prefer to pay an Annual Special Maintenance Fee for the purpose of maintaining or repairing public improvements, as is specifically authorized by statute, as opposed to a much larger special assessment as specific streets are repaired or reconstructed;

NOW THEREFORE, the Common Council of the City of Spearfish makes the following legislative findings:

1. It is in the best interests of the City of Spearfish and its citizens for the City of Spearfish to complete regular and frequent street maintenance and resurfacing projects; and
2. Assessing an Annual Special Maintenance Fee permits the City of Spearfish to complete regular and frequent street maintenance and resurfacing projects; and
3. Regularly inspected, maintained, and resurfaced streets generally benefit every property within Spearfish, every resident of Spearfish, and user of streets within Spearfish; and
4. Properties fronting and abutting regularly inspected, maintained, and resurfaced streets receive an actual, physical, and material special benefit over and above the general benefit conferred on all persons and properties, to include:
 - a. The convenience of not having the street(s) abutting one's property deteriorate to the point of requiring major reconstruction as opposed to merely minor resurfacing or routine maintenance;
 - b. Reduced wear and tear on personal vehicles caused by frequent trips on a poorly maintained street abutting one's property;
 - c. Enhanced aesthetics, curb appeal, marketability, and property value;
 - d. The future benefit of replacing, resurfacing, and maintaining a street before the end of its useful life;
 - e. The future benefit of preventing a loss in value associated with a poorly maintained street; and

- f. Preventing, through inspection, maintenance, and repair, damage to private property resulting from settled or heaved curbs and water flow.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that all taxable real property parcels fronting and abutting a city street shall be assessed a special front foot fee of forty (40) cents per front foot; and

BE IT FURTHER RESOLVED that forty (40) cents per front foot is the amount determined by the Common Council of the City of Spearfish to be the amount of the special benefit conferred upon the assessed properties over and above the general benefit; and

BE IT FURTHER RESOLVED that no taxable real property parcel fronting and abutting a city street shall be assessed more than forty dollars, annually per platted lot; and

BE IT FURTHER RESOLVED that the City Administrator of the City of Spearfish, Lawrence County, South Dakota, be and the same is hereby instructed to direct the County Treasurer to add the fee to the general assessment against all taxable real property parcels; and

BE IT FURTHER RESOLVED that the Finance Officer of the City of Spearfish, certify the fee together with the regular assessment to the County Auditor to be collected as municipal taxes for general purposes.

Dated this 3rd day of August 2020.

CITY OF SPEARFISH

By: _____
Dana Boke, Mayor

ATTEST:

Michelle DeNeui, Finance Officer (SEAL)

Adopted: August 3, 2020

Published: August 8, 2020

Effective: August 28, 2020

Plan – Hodgs moved, Herrmann seconded and all voted to approve a DRD final plan and preliminary plat for the Sky Ridge Subdivision. (Workforce housing project)

Plat – Eisenbraun moved, Jacobs seconded and all voted to approve a preliminary plat for Lot 1B, Block 4 of the Heritage Addition.

Ordinance 1325 – Jacobs moved, Hodgs seconded and all voted to set a public hearing for August 17, 2020 and approve the first reading of Ordinance 1325 – An Ordinance Amending Appendix A – Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. (Lot 1B, Block 4 of the Heritage Addition)

Purification – Hodgs moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the purchase and installation of an air purification system for City Hall at an estimated cost of \$30,358 to be reimbursed through the Coronavirus Relief Funding.

Application – Eisenbraun moved, Klarenbeek seconded and all voted to authorize Mayor and City Attorney to sign the application for the Perimeter Wildlife Exclusion Fence Grant AIP #3-46-0065-027-2020 and any subsequent documents (including grant award agreements or funding agreements with SD DOT or Federal Aviation Administration) necessary to secure and finalize grant funding for the project.

Bill List – Hodgs moved, Klarenbeek seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the bill list dated August 3, 2020 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
AE2S	JAX 1 CONSTRUCTION ADMIN	\$ 15,331.40
AMAZON CAPITAL SERVICES	OFFICE SUPPLIES/MASKS/TOILETPPR	\$ 1,352.36
AMERICAN ENGINEERING TESTI	PICKLEBALL PROJ TESTING	\$ 1,042.65
BAKER & TAYLOR	BOOKS	\$ 405.08
BLACK HILLS ENERGY	JUNE/JULY 2020 ELECTRICITY	\$ 15,678.58
BLACK HILLS CHEMICAL CORP	LINERS/WIPES/CLEANERS	\$ 872.06
BLACK HILLS PIONEER	VOLUNTEERS NEEDED ADS	\$ 792.00
BOMGAARS SUPPLY INC	BULBS/FOGGER/SEEDS/TAPE/OIL	\$ 1,413.19
CITY OF SPEARFISH CC	FUEL/TRAINING/CARWASH/TIRES	\$ 830.51
CLAUSER MACHINE WORKS	MACHINE STUDS FOR GARAGE	\$ 56.35
DG INVESTMENT INTERMEDIATE	CAMERA REPAIRS	\$ 479.59
CORE & MAIN LP	METERS	\$ 14,309.62
CROELL INC	4000 PSI FOR WWTP EQ BASIN	\$ 478.75
CVD CONSTRUCTION INC	BOOM TRUCK/ROCKS/DRILL HOLE	\$ 1,877.28
ELKHORN RIDGE @ FRAWLEY RA	TAX INCREMENT DUE	\$ 5,117.11
FEDEX	SHIPPING	\$ 26.71
FELSBURG HOLT & ULLEVIG IN	JACKSON BRIDGE BIG-DESIGN PE1	\$ 40,572.98
VIEHAUSER ENTERPRISES LLC	KEYS/PADLOCKS	\$ 533.52
GRAYBAR ELECTRIC COMPANY	STREET LIGHTING JACKSON PH 2	\$ 190,275.00
GREAT WESTERN TIRE INC	TIRES	\$ 318.70
GUNDERSON TRUCKING INC	TRANSFER WASTE TO GILLETTE	\$ 1,500.00
HAWKINS INC	CHLORINE CYLINDER	\$ 808.50
HDR ENGINEERING INC	STREETS & SPORTS COMPLEX DESIGNS	\$ 55,937.96
HEARTLAND PAPER CO	CLOROX/CLEANERS/DUSTERS	\$ 536.13
HEISLER HARDWARE	VALVES/FASTNERS/CUTTER/BATTERY	\$ 416.85
HICKS, KIMBERLY	MEAL REIMBURSE WILDLAND FIRE	\$ 84.00
KETEL THORSTENSON LLP	AUDIT WORK RENDERED	\$ 26,309.65
LOWE ROOFING INC	ROOF DRAIN/CITYHALL ROOF PROJ	\$ 61,540.88
LYNN, JACKSON, SHULTZ & LE	LEGAL CONSULTING	\$ 920.00
MANDY BING LLC	FIREWOOD FOR CAMPGROUND	\$ 612.50
MEREDITH SERVICES CO INC	WATER VALVE/EXCAVATION	\$ 2,057.03
NEBRASKA SALT & GRAIN CO	ICE SLICER	\$ 48,662.69

NORTHERN HILLS VENTURES IN	JULY/AUG 20 0365/NETWORK/DISASTE	\$	15,550.00
NUTRIEN AG SOLUTIONS INC	PROSPECT PLUS PCSCU 50LB	\$	880.00
PETE LIEN & SONS INC	CEMENT	\$	1,681.25
RCS CONSTRUCTION INC	JACKS BLVD PH 1 & 2, WWTP EQ BASIN	\$	320,760.67
RDO EQUIPMENT CO	THERMOSTAT/MUFFLERS	\$	587.43
L.E.R., INC.	PICKLE BALL COURT PROJ 2 PE 2	\$	25,200.00
ROCKINGTREE FLORAL/GARDEN	WATER DRIPS AND RAINS	\$	74.90
RIVERSIDE TECHNOLOGIES INC	MONITORS/COMPUTERS/LAPTOPS	\$	15,570.00
SACRISON ASPHALT INC	LIMESTONE	\$	247.20
SAFEWAY STORES INC	CREAMER/PLANT	\$	34.16
SHARKEY PLUMBING HEATING	TOILET REPAIR CAMPGROUND	\$	1,090.81
SHERWIN WILLIAMS CO	PAINT	\$	1,476.00
SIMON CONTRACTORS OF SD IN	ROADSTONE	\$	2,991.43
SMITH, COLLIN	MEAL REIMB PIERRE HONORGUARD	\$	80.00
SPEARFISH AUTO SUPPLY	DEF/OIL/DEGREASER/LOCK/NUTS	\$	5,260.42
STAN HOUSTON EQUIPMENT	PERMA PATCH 50 BAGS	\$	1,499.00
STEC'S INNOVATIVE SAFETY S	SAFETY REWARD POINTS	\$	342.00
SUPERIOR SANITATION LLC	PORTABLE RESTROOMS	\$	512.00
TASC	ADMIN FEES FOR FLEX ACCTS	\$	353.00
TRAFFIC CONTROL CORP	LED 12" BALL	\$	96.00
TURBIVILLE INDUSTRIAL ELEC	PUMP/MOTOR REPAIRS AND TESTING	\$	5,047.03
US BANK NATIONAL ASSOCIATI	2014 SRF CLEAN WATER - GOLLIHER	\$	91,072.41
USA BLUE BOOK	BUFFER SOLUTION REPLACEMENT	\$	63.01
WALMART COMMUNITY/GEMB	FOLDERS/PENS/COFFEE/TISSUE/CUPS	\$	796.13
WELLS PLUMBING CORP	PARTS/COUPLINGS/NIPS/SWITCH	\$	1,181.55
WENZEL, WILLIAM W	MEAL REIMBURSE WILDLAND FIRE	\$	46.00
	TOTAL	\$	983,642.03

July 2020 Salary Expense & Credit Card Fees

	<u>Gross</u>		<u>Gross</u>		
	<u>Wages/Benefits</u>		<u>Wages</u>	<u>Benefits</u>	
Mayor/Council	\$11,876.67	1.35%	\$11,300.37	\$576.30	1.44%
City Administrator	28,388.15	3.22%	25,101.60	3,286.55	3.20%
City Attorney	13,605.03	1.54%	12,208.80	1,396.23	1.56%
Finance	38,338.91	4.34%	33,880.04	4,458.87	4.32%
Human Resources	10,584.87	1.20%	9,432.00	1,152.87	1.20%
Gov't Bldgs	19,345.65	2.19%	16,514.50	2,831.15	2.11%
PW Admin	39,843.21	4.51%	35,440.81	4,402.40	4.52%
Police	196,819.88	22.30%	172,251.99	24,567.89	21.96%
Fire	39,306.02	4.45%	37,823.14	1,482.88	4.82%
Bldg Inspect	24,008.23	2.72%	21,209.57	2,798.66	2.70%
Streets	54,548.45	6.18%	48,342.40	6,206.05	6.16%
Cemetery	6,359.87	0.72%	5,779.38	580.49	0.74%
Animal Control	4,916.86	0.56%	4,238.40	678.46	0.54%
Recreation/Aquatic	66,242.58	7.50%	59,239.39	7,003.19	7.55%

Parks	38,253.71	4.33%	34,059.22	4,194.49	4.34%
Library	29,321.64	3.32%	26,144.70	3,176.94	3.33%
Plan & Zone	23,519.11	2.66%	20,951.36	2,567.75	2.67%
Motor Pool	15,908.01	1.80%	14,379.78	1,528.23	1.83%
Wildland Fire	39,007.56	4.42%	36,359.10	2,648.46	4.63%
Police Comm	41,526.32	4.70%	36,509.97	5,016.35	4.65%
SAFER Grant	3,835.44	0.43%	3,124.25	711.19	0.40%
Water	23,220.31	2.63%	19,693.05	3,527.26	2.51%
Electric Production	20,062.46	2.27%	17,925.83	2,136.63	2.28%
Sewer	21,798.59	2.47%	18,457.11	3,341.48	2.35%
WWTP	37,219.35	4.22%	33,297.00	3,922.35	4.24%
Solid Waste	30,464.62	3.45%	27,042.36	3,422.26	3.45%
Campground	4,451.05	0.50%	3,808.74	642.31	0.49%
Totals	<u>\$882,772.55</u>	100.00%	<u>\$784,514.86</u>	<u>\$98,257.69</u>	100.00%
Credit Card Fees					
June	<u>\$6,541.86</u>				
Grand Total	<u><u>\$889,314.41</u></u>				

2021 Budgets – 2021 budgets for the departments of Engineering, Human Resources, Library, Planning and Zoning, Public Safety and Public Works were presented.

Herrmann informed the council of the decision by the organizers of the Dakota 5-0 to move the 2020 event to a virtual platform due to the COVID-19 pandemic.

Public comment section was opened at 6:32 p.m. with no comments received.

There being no further business, Clark moved, Eisenbraun seconded and all voted to adjourn at 6:33 p.m.

Dated this 3rd day of August 2020.

CITY OF SPEARFISH

By: _____
Dana Boke, Mayor

ATTEST:

Michelle DeNeui, Finance Officer

Published once at the approximate cost of _____.