



Spearfish City Council
Regular Session Minutes
September 5, 2023 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Tuesday, September 5, 2023. Mayor Senden presided and called the meeting to order. Roll call was taken with the following members present: Clark, Hodgs, Hourigan, Jacobs, Klarenbeek, and Rath. Absent: None. Also present: City Administrator McFarland, City Attorney McDonald, Public Safety Director Rotert, Finance Officer DeNeui, Parks and Recreation Director Ehnes, Planning Director Kapsa, and Assistant Public Works Director McMahon. All stood and recited the pledge of allegiance.

Klarenbeek moved, Jacobs seconded, and all voted to amend the agenda to change item 14G to be: Approve Change Order #7 for the Sandstone Hills Street Repair & Sewer Upsize Project to pave a temporary asphalt patch on Sandstone Hills Drive for no change to the contract as the City will purchase the asphalt material, estimated at \$14,250, directly from the asphalt supplier.

Hourigan moved, Hodgs seconded, and all voted to approve the agenda as amended. No potential conflicts of interest were noted.

Public Comment – At 5:32 p.m. a time for public comment was opened and closed with no comments being received.

Consent Agenda – Clark moved, Hourigan seconded, and all voted to approve the consent agenda as follows:

- A. Approve the minutes of the City Council regular session dated August 21, 2023.
- B. Add Chris Olson (effective 8/21/2023), Cain Kolar, Joshua Gerhold, Cash Jones, Randy Finkbeiner, and John Ziadat to the 2023 youth football volunteer list.

Proclamation – Mayor Senden proclaimed Tuesday, September 5, 2023, as Gary Mule Deer Day in Spearfish, South Dakota.

Proclamation – Mayor Senden proclaimed September 10-16, 2023, as Direct Support Professionals Week.

Ordinance 1381 – Hodgs moved, Jacobs seconded, and all voted to approve the first reading of Ordinance 1381 – The 2024 Appropriations Ordinance.

Resolution 2023-27 – Hodgs moved, Hourigan seconded, and all voted to approve Resolution 2023-27 as follows:

RESOLUTION 2023-27

**A RESOLUTION OF INTENT TO ENTER INTO A HANGAR GROUND LEASE
AGREEMENT**

WHEREAS, SDCL § 9-12-5.2 authorizes the City of Spearfish to lease municipally owned property, and

WHEREAS, the Common Council of the City of Spearfish intends to enter into a hangar ground lease agreement with the South Dakota Department of Public Safety Wildland Fire Division to lease portions of the Black Hills Airport – Clyde Ice Field, 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 September 18, 2023.

Dated this 5th day of September, 2023.

CITY OF SPEARFISH

By: _____
John Senden, its Mayor

(Seal)

Attest:

Michelle DeNeui, Finance Officer

Adopted: September 5, 2023
Published: September 8, 2023
Effective: September 28, 2023

Financial Statements – Klarenbeek moved, Hourigan seconded, and all voted to approve the 2022 audited financial statements.

Dedication Agreement – Jacobs moved, Rath seconded, and all voted to approve the Dedication and Acceptance of Public Improvements Agreement for Lots 3-5 of Tract SC of Elkhorn Ridge Addition with Elkhorn Ridge at Frawley Ranches, LLC.

Development Agreement – Rath moved, Klarenbeek seconded, and all voted to approve the Development Agreement for Lot 4 of Tract SC in the Elkhorn Ridge Addition with Elkhorn Ridge at Frawley Ranches, LLC.

Financial Guarantee – Clark moved, Hodgs seconded, and all voted to approve a request to allow a delay in the completion of the remaining punch list items for Phase G2 of Countryside Subdivision with a financial guarantee of \$33,170.33 from the Countryside of Spearfish, Inc.

Dedication Agreement – Klarenbeek moved, Hourigan seconded, and all voted to approve the Dedication and Acceptance of Public Improvements agreement for Phase G2 of Countryside Subdivision with the Countryside of Spearfish, Inc.

Drainage Agreement – Jacobs moved, Rath seconded, and all voted to approve the Drainage Easement Agreement for Tract 2R of the Countryside Subdivision with the Countryside of Spearfish, Inc.

Utility Easement – Jacobs moved, Hourigan seconded, and all voted to vacate a portion of the existing Utility Easement located at 1444 North Main Street.

Bid Award – Hodgs moved, Hourigan seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to award the lowest responsive and responsible bid for the Fire Station 1 Roof Membrane Replacement project to Lowe Roofing, Inc at a total of \$81,175.00.

Change Order – Hodgs moved, Hourigan seconded, and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to approve Change Order #1 for the North Avenue Street Repair Project with an increase of \$2,483.00.

Amendment – Hodgs moved, Rath seconded, and with Clark, Hodgs, Hourigan, Jacobs, and Rath vote aye, and Klarenbeek voting nay, motion passed to approve the amendment for additional time and fee to construction admin services for KLJ Engineering, LLC for the Green Acres, 2022 Street Improvements project, an increase of \$63,750.00 to the original agreement of not to exceed \$58,000.00, for total of \$121,750.00.

Change Order – Clark moved, Jacobs seconded, and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to approve the final, under/over Change Order #1 for the 2023 Colorado Blvd Chip Seal Project, with an increase of \$34,809.26 and a decrease of \$6,608.99, with a net increase of \$28,200.27 (+14.64%) and approve the Certificate of Final Completion and Acceptance; there is no warranty period for this project.

Easement – Clark moved, Rath seconded, and all voted to approve the temporary construction easement for Frawley Pond Dredging project.

Bid Award – Clark moved, Rath seconded, and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to award the lowest responsive and responsible bid for the Tretheway Pavilion Metal Roof Replacement project to LaPrade Construction at a total of \$200,381.00.

Resolution 2023-28 – Clark moved, Hourigan seconded, and all voted to approve Resolution 2023-28 as follows:

RESOLUTION 2023-28

**BRIDGE IMPROVEMENT GRANT PROGRAM
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS**

WHEREAS, the City of Spearfish wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

Structure Number 41-093-081 on Grant Street in Spearfish, SD, over Spearfish Creek.

And **WHEREAS**, the City of Spearfish certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*; and

WHEREAS, the City of Spearfish agrees to pay the 20% match on the Bridge Improvement Grant funds; and

WHEREAS, the City of Spearfish hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE, BE IT RESOLVED that the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Vote of the council: Yes X No

Dated this 5th day of September 2023.

CITY OF SPEARFISH

By: _____
John Senden, its Mayor

(Seal)

Attest:

Michelle DeNeui, Finance Officer

Change Order – Hourigan moved, Hodgs seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek, and Rath voting aye, motion passed to approve Change Order #7 for the Sandstone Hills Street Repair & Sewer Upsize Project to pave a temporary asphalt patch on Sandstone Hills Drive for no change to the contract price as the City will purchase the asphalt material, estimated to be \$14,250, directly from the asphalt supplier.

Bill List – Clark moved, Jacobs seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the bill list dated September 5, 2023, as follows:

<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
A & J CLOTHING -CHECK VEND	BOOT REIMBURSEMENT	\$100.00
ALLSTATE PETERBILT CO	PARTICULATE FILTER KIT	\$2,991.79
AMAZON CAPITAL SERVICES	BOOKS-ADAPTER-TOOLS-CHAIRS	\$5,073.01
AMERICAN ENGINEERING TESTING	STREET REPAIR	\$3,370.25
AMERICAN TREE AND FORESTRY	REMOVAL OF COTTON TREE	\$1,999.99

ARROWWOOD RESORT AT CEDAR	INCODE TRAINING	\$119.72
BAKER & TAYLOR	BOOKS FOR LIBRARY	\$1,256.78
BECK'S NURSERY CORP	FIESTA MAPLE-MEMORIAL TREES	\$1,233.33
BLACK HILLS ENERGY	JULY/AUG SRVCS- HYDRO WORK	\$49,712.91
BLACK HILLS CHEMICAL CORP	RESTOCK TP-TOWELS-UTENSILS	\$739.56
BLACK HILLS PURE INC	WATER DELIVERY CITY HALL	\$23.63
BOMGAARS SUPPLY INC	HITCH-RATCHET-BUNGEY-POSTS	\$2,087.10
BUILDERS FIRSTSOURCE INC	REBAR X 3	\$197.05
CASH-WA DISTRIBUTING CO	REC CENTER CONCESSIONS	\$4,260.22
CENGAGE LEARNING	BOOKS FOR LIBRARY	\$377.41
CLARK PRINTING CORP	2023 SPEARFISH MAP AD PLACEMEN	\$150.00
CLW INC	PLANS CO BLVD SENTRY SWR	\$314.80
DAKOTA BUS SERVICE CORP	SUMMER REC TRAVELING	\$925.00
DAKOTA FLUID POWER INC	SYNTHETIC ISO 4 GAL CASE	\$136.30
DAKOTA PUMP INC	REPLACE UPS BATTERIES W/S	\$1,785.72
DC BOOTH SOCIETY INC	QUARTERLY ALLOC 9/2023	\$12,500.00
DIVISION OF MOTOR VEHICLES	REGISTRATION FEE VIN 1122396	\$26.70
DAKOTA REDI-MIX, INC	SKY RIDGE SUB PHASE 2	\$58,944.46
ELKHORN RIDGE @ FRAWLEY RA	JULY TAX INCREMENT DUE	\$4,364.22
ELKHORN RIDGE AT FRAWLEY R	ENGINEERING CA/CO CONTRACT	\$15,919.73
BDG INC	SET SCREW	\$28.35
GEICO INSURANCE	REIMBURSE CLAIM 8777865790	\$2,000.00
VIEHAUSER ENTERPRISES LLC	CAMPGROUND KEYS-PARK DEPT	\$45.00
GTI COMPANIES INC	PVMNT GRN ACRES PE 1	\$58,775.22
HAWKINS INC	WATER PARK CHEMICALS	\$10,455.63
HEISLER HARDWARE	PLIERS-CYCLE OIL-PVC-DRILL BIT	\$949.52
HIGH PLAIN HERITAGE SCTY	QUART ALLOC 9/23	\$20,000.00
INTERSTATE ENGINEERING INC	PLAT REMAINDER LOT 1 BLOCK 35	\$2,000.00
JOHNER GRAVEL INC	ASPHALT	\$2,834.37
JUNEK'S SERVICE CORP	JEEPS FOR MOTORPOOL	\$83,590.00
KONE INC	TROUBLESHOOT ELEVEATOR	\$5,224.21
LAKOTA CONTRACTING INC	FIRE DEPARTMENT BARS FOR SRVCS	\$394.20
MACQUEEN EQUIPMENT, LLC DB	VALVES AND HOSE	\$174.56
MATTHEWS OPERA HOUSE	QUART ALLOC 9/2023	\$12,500.00
MEGUIRE CHEMICAL SOLUTIONS	LABOR FOR INSTALL GYM FLOOR	\$995.00
MONEY MOVERS	MAINT FEE FOR REC CENTER	\$10.00
NORTHERN HILLS VENTURES IN	REPLACE COMPUTERS X 6	\$22,129.05
NORTHERN HILLS EXCAVATION	REPAIR WATER LINE SPARTAN PRK	\$4,920.93
ONE TIME VENDORS	STEVE BJORUM:CAMP REFUND	\$985.00
ORIGINAL WATERMEN INC	LIFE GUARD UNIFORMS	\$112.34
WEST RIVER TRANSIT AUTHORI	QUART ALLOC 9/23	\$11,250.00
SCHREINER ENTERPRISES, INC	RECEIPT BOOKS-DOOR HANGERS	\$982.60
QUIK SIGNS INC	BUSINESS CARDS -SIGNS HYDRO	\$437.57

REED, THERESA DAWN	CLEAN DOWNTOWN RESTROOMS AUG	\$465.00
RYEDOODLE BOARDING & TRAIN	POLICE K9 BOARD	\$152.00
SACRISON ASPHALT INC	ASPHALT	\$3,767.20
SACRISON PAVING INC	STREET IMPROVE MTN SHDWS	\$363,858.68
SANITATION PRODUCTS-EFT VE	LIDS WITH HINGE KITS X 25	\$6,834.54
SDML	SDML REGISTRATION X 7	\$740.00
SPEARFISH ECON DEVELOPMENT	QUART ALLOC 9/2023	\$17,500.00
SIMON CONTRACTORS OF SD IN	ROADSTONE	\$220,982.59
SPEARFISH LUMBER CO	HEM FIR	\$13.01
STEC'S INNOVATIVE SAFETY S	REWARDS PROGRAM	\$26.18
STRUCTURAL DYNAMICS, LLC	CONSTRUCTION CMU SKYRIDGE	\$426.40
SUMMIT BLASTING	BLAST DUMP BED	\$1,632.66
SUPER CAR WASH	APR-MAY-JUNE 2023	\$862.25
SUPERIOR SANITATION LLC	JULY RENTAL AND SERVICES	\$4,176.00
TNEMEC CO INC	EPOXOLINE WWTP	\$244.96
TTG ENTERPRISES INC	ALARM SYSTEM COMPUTER UPGRADE	\$752.36
TYLER TECHNOLOGIES INC	ANNUAL FEES	\$449.17
VISIT SPEARFISH INC	BID BOARD ALLOCATION 9/23	\$26,598.00
WALMART CAPITAL ONE	WATER FOR W/S FIELD STAFF-FOGG	\$332.31
WATEROUS COMPANY	KIT MECH SEAL MOTOR POOL	\$780.20
INTEGRITY ACQUISITION LLC	NUTS- KIT11	\$107.08
WHITE'S QUEEN CITY MOTORS	TRUCK FOR WATER DEPT	\$56,105.00
WYSS ASSOCIATES, INC.	ELKHORN RIDGE LIFT STATION	\$46,300.24
	TOTAL	\$1,162,509.06

August 2023 Salary Expense & Credit Card Fees

	<u>Gross</u>		<u>Gross</u>		
	<u>Wages/Benefits</u>		<u>Wages</u>	<u>Benefits</u>	
Mayor/Council	\$8,981.00	0.94%	\$8,342.72	\$638.28	1.07%
City Administrator	21,072.82	2.21%	16,945.60	4,127.22	2.18%
City Attorney	11,663.02	1.22%	9,656.00	2,007.02	1.24%
Finance	27,717.59	2.90%	22,600.00	5,117.59	2.91%
Human Resources	9,907.46	1.04%	8,123.20	1,784.26	1.05%
Gov't Bldgs	18,877.22	1.98%	14,783.43	4,093.79	1.90%
Engineering	37,216.67	3.90%	30,108.61	7,108.06	3.88%
Public Safety Admin	25,655.14	2.69%	20,238.78	5,416.36	2.61%
Police	156,234.39	16.37%	123,359.17	32,875.22	15.88%
Fire	20,754.54	2.17%	16,982.80	3,771.74	2.19%
Bldg Inspection	24,387.10	2.56%	19,017.60	5,369.50	2.45%
Streets & Snow	82,243.71	8.62%	65,503.28	16,740.43	8.43%
Cemetery	11,434.57	1.20%	9,565.56	1,869.01	1.23%
Animal Control	4,638.02	0.49%	3,280.51	1,357.51	0.42%
Recreation/Aquatic	127,867.77	13.40%	112,281.56	15,586.21	14.45%
Parks	72,741.68	7.62%	60,666.51	12,075.17	7.81%

Library	34,293.34	3.59%	27,551.24	6,742.10	3.55%
Plan & Zone	19,551.65	2.05%	15,759.04	3,792.61	2.03%
Motor Pool	23,092.72	2.42%	17,763.80	5,328.92	2.29%
Wildland Fire	24,506.51	2.57%	21,242.44	3,264.07	2.73%
Police Comm	46,868.38	4.91%	36,969.43	9,898.95	4.76%
Water	23,950.20	2.51%	18,953.25	4,996.95	2.44%
Electric Production	17,398.63	1.82%	13,824.58	3,574.05	1.78%
Sewer	22,714.20	2.38%	18,038.23	4,675.97	2.32%
WWTP	37,996.65	3.98%	30,674.38	7,322.27	3.95%
Solid Waste	27,744.36	2.91%	21,449.87	6,294.49	2.76%
Campground	14,923.99	1.56%	13,210.59	1,713.40	1.70%
Totals	<u>\$954,433.33</u>	100.00%	<u>\$776,892.18</u>	<u>\$177,541.15</u>	100.00%
Banking Fees July	86.28				
Credit Card Fees July	<u>\$14,202.00</u>				
Grand Total	<u><u>\$968,635.33</u></u>				

Added or Adjusted Wages:

Employee	Position	Wage	Effective Date
Pitman, Cassie	Accounts Payable & Cemetery Coordinator	\$ 23.04	8/20/2023

Planning Director Kapsa noted public comments on the Colorado Boulevard Corridor Study are being accepted via the website (www.coloradoblvdcorridorstudy.com) until September 24, 2023. The website contains information shared during the two public meetings held on the study as well. Comments can be submitted by using the “Submit a Comment” under Public Involvement or through the “Contact Us” at the top of the page.

Parks and Recreation Director Ehnes noted that the grant application for the Skate Park has been denied. Staff will reapply for the grant in 2024 as construction isn’t planned until 2025.

City Administrator McFarland noted that Catholic Social Services has raised around \$37,000 for June flood victims.

There being no further business, Hourigan moved, Clark seconded, and all voted to adjourn at 6:07 p.m.

Dated this 5th day of September 2023.

Attest:

By: _____
John Senden, Mayor

Michelle DeNeui, City Finance Officer

Published once at the approximate cost of _____.