



**Spearfish City Council**  
Regular Session Minutes  
January 18, 2022 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Tuesday, January 18, 2022. Mayor Boke presided and called the meeting to order. Roll call was taken with the following members present: Clark, Hourigan, Jacobs, Klarenbeek, and Rath. Absent: Hodgs. Also present: Interim City Administrator McDonald, City Planner Watson, City Engineer Mathis, Finance Officer DeNeui, Assistant Public Works Director McMahon, Public Safety Director Rotert and Parks and Recreation Director Ehnes.

Clark moved, Rath seconded and all voted to amend the agenda to add an executive session for the purposes of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters under SDCL 1-25-2(3). Clark moved, Jacobs seconded and all voted to approve the agenda as amended. No potential conflicts of interest were noted.

**Public Comment** – At 5:30 p.m. a time for public comment was opened. Comments were received from James Gwynn regarding the number of medical marijuana dispensary licenses in Spearfish and from Calvin Chapman regarding traffic and road conditions on Colorado Boulevard. At 5:38 p.m. the time for public comment was closed.

**Consent Agenda** – Clark moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the consent agenda as follows:

- A. Approve the minutes of the City Council regular session dated January 3, 2022.
- B. Approve the minutes of the City Council special session dated January 7, 2022.
- C. Add Matt Anderson and Britton Elkin to the 2022 volunteer firefighter list.
- D. Approve the treasurer's report dated December 31, 2021.

#### **Items from Visitors**

**Proclamation** – Mayor Boke proclaimed January 22<sup>nd</sup> as Chinook Day.

#### **Other Items**

**CRS Recertification** – Jacobs moved, Klarenbeek seconded and all voted to approve the Community Rating System (CRS) CC-213 Recertification, FEMA form 086-0-035A (10/23).

**Correct Final** – Clark moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the corrected final Under/Over Change Order No. 1 for the Exit 8 Area Community Path Hillsview Rd. and S.F.P. Sports Complex for a decrease of \$6,698.79.

**Correct Final** – Jacobs moved, Klarenbeek seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the corrected final Under/Over Change Order No. 2 for the 2021 Sanitary Sewer Trunkline CIPP Lining Project for a decrease of \$32,594.02.

**Award Bid** – Jacobs moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to award the lowest responsive and responsible bid for the 2022 Sanitary Sewer CIPP Lining Project to Municipal Pipe & Tool Co., LLC at a total amount of \$952,663.46. Total shown includes Base Bid and the Sanitary Sewer Bid Alternate.

**Capacity Allocation** – Following discussions, Clark moved, Hourigan seconded to table the selection for the Exit 17 Lift Station Capacity Allocation Option for two weeks. Klarenbeek moved and Jacobs seconded to amend the motion to table the item until the January 21, 2022 special session to meet contractual deadlines. All voted aye for the motion as amended. The item will be considered on the January 21, 2022 special City Council session.

**Contract** – Klarenbeek moved, Jacobs seconded and all voted to approve the Intergovernmental Contract for the South Dakota Public Assurance Alliance.

**Agreement** – Jacobs moved, Rath seconded and all voted to approve the 2021 Equitable Sharing Agreement and Certification.

**Agreement** – Clark moved, Rath seconded and all voted to approve the Combined Election Agreement for the combined city and school district election to be held on Tuesday, April 12, 2022.

**Proposal** – Klarenbeek moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the preliminary restroom scope of supply and services proposal from Romtec for the purchase of one restroom facility for the Sky Ridge Sportsplex using the Buy Board Purchasing Cooperative price of \$86,306.76, budgeted.

**Proposal** – Hourigan moved, Jacobs seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the Trane Turnkey Proposal for the purchase of two pool heaters using the Omnia purchasing cooperative contract price of \$94,957, budgeted.

**Ordinance 1362** – A public hearing was opened at 6:52 p.m. to consider Ordinance 1362 – An Ordinance Amending Appendix A – Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. No oral or written comments were received and the hearing was closed. Klarenbeek moved, Jacobs seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the second reading of the ordinance. Additionally, Klarenbeek moved, Rath seconded and all voted to approve the private street system for the mobile home portion of the area.

**Resolution 2022-02** – A public hearing was opened at 6:55 p.m. to consider Resolution 2022-02 – A Resolution to Vacate a Sewer Easement. No oral or written comments were received and the hearing was closed. Rath moved, Clark seconded and all voted to approve Resolution 2022-02 as follows:

#### **RESOLUTION 2022-02**

#### **A RESOLUTION TO VACATE A SEWER EASEMENT**

WHEREAS, David Czerny, RR Sawyer Ventures LLC, owner of the herein referenced property has petitioned to request that the Common Council of the City of Spearfish vacate the following:

A twenty foot wide sewer easement located on Lot 6A Block 23, Original Town to the City of Spearfish, Lawrence County, South Dakota as shown on recorded plat document number 95-3625 in the office of the Lawrence County Register of Deeds.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota to hereby approve the request to vacate the section line right-of-way described herein.

Adopted this 18th Day of January, 2022

\_\_\_\_\_  
Dana Boke, Mayor

SEAL

ATTEST: \_\_\_\_\_  
Michelle DeNeui, Finance Officer

Public Hearing and Adoption: January 18, 2022

Published: January 22, 2022

Effective Date: February 11, 2022

**Ordinance 1358** – Jacobs moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the second reading of Ordinance 1358 – An Ordinance Amending Chapter 10 Licenses, Permits, and Business Regulations.

**Ordinance 1359** – Klarenbeek moved, Hourigan seconded and all voted to approve the first reading of Ordinance 1359 – An Ordinance Amending Chapter 6 Buildings and Building Regulations.

**Plat** – Clark moved, Rath seconded and all voted to approve the preliminary plat for Centennial Mountain Estates.

**Plat** – Klarenbeek moved, Jacobs seconded and all voted to approve the preliminary plat for Elkhorn Ridge Phases 5 and 6.

**Land Trade** – Klarenbeek moved, Hourigan seconded and all voted to authorize the initiation of a land trade between the City of Spearfish and Robert Miller, owner of 420 Meier Avenue, at no cost to the City.

**Septic Program** – Watson reviewed the existing practices for septic and drainfield permitting and inspection. Klarenbeek moved, Rath seconded and all voted to direct staff to not research adding a new septic inspection program.

**Agreement** – Jacobs moved, Hourigan seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the agreement and quote from Priority Dispatch for the

emergency medical dispatch software at a cost of \$34,223, fully funded from 911 Coordination Board grant.

**Quote** – Clark moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the sole-source quote from Core and Main for meter transceiver units, cold water meters, and meter pits, budgeted up to \$125,000 and purchased as needed.

**Bill List** – Jacobs moved, Rath seconded and with Clark, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the bill list dated January 18, 2022 as follows:

<b><u>Vendor</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
A & B BUSINESS INC	CONTRACT PRINTERS	\$ 2,636.06
ALLSTATE PETERBILT CO	SWITCH WINDOW LIFT	\$ 86.89
ALPINE IMPRESSIONS	BUS. FACADE LOAN REFUND	\$ 562.20
AMERISCAN IMAGING SVCS INC	DOCS ON DEMAND FEB22 -JAN23	\$ 1,150.00
BAKER & TAYLOR	BOOKS	\$ 145.69
BAKER, DALTON	RURAL WT CONF PIERRE TRVL	\$ 100.00
BELLE FOURCHE LANDFILL	LANDFILL CHARGES	\$ 27,946.71
BLACK HILLS ENERGY	NOV/DEC 2021 ELECTRICITY	\$ 25,806.98
BLACK HILLS CHEMICAL CORP	TOWELS-CLEANER	\$ 2,556.27
BLACK HILLS PIONEER	HILLS HAPPENINGS SEC	\$ 1,879.99
BLACK HILLS WINDSHIELD	1 ROCK CHIP FIXED TRUCK #32	\$ 445.00
JT VENTURES LLC	OCT/NOV/DEC 2021	\$ 184.00
CBH COOPERATIVE	DECEMBER SERVICES	\$ 30,410.59
CENGAGE LEARNING	BOOKS-BESTSELLERS	\$ 59.37
TMT INC	EASY TRAP DUSTER-CLEANER	\$ 1,804.72
CENTURYLINK INC	911 BKUP LINE JAN	\$ 351.74
CHILDREN'S HOME SOCIETY OF	FORENSIC INTERVIEWS	\$ 900.00
CIVICPLUS INC	MASS NOTIFCATION ANNUAL FEE	\$ 6,342.87
DIAS, GREGORY K	BACK UP ONLINE FEES	\$ 44.97
NEWHOUSE ENTERPRISES INC	ERASABLE YEARLY CAL-ADMIN	\$ 35.99
FBI NAT'L ACADEMY ASSOCIAT	DEAN-MEMBER DUES 2022	\$ 110.00
FEDERAL SIGNAL CORPORATION	ANTENNA	\$ 351.90
FIB-AP PURCHASE CARDS	DEC 2021 FIB P CARD \$80.00	\$ -
FRONTIER GLASS	WINDSHIELD INSTALL PD	\$ 382.98
VIEHAUSER ENTERPRISES LLC	ASSA KEY TWIN 53	\$ 28.00
TODD EMERY COLLINS	VAC AND JET SINK IN PD	\$ 218.09
KELLEY BLOCK LLC	2022 RESTROOM LEASE 4 OF 5	\$ 3,600.00
KEVIN GOSE DBA 2ND AMENDME	DECORATIVE STREET LIGHT POLES	\$ 640.00
KONE INC	MAINT ELEVATOR 1/1-3/31 2022	\$ 175.94
MIDCONTINENT TESTING LABS,	WATER TESTING DEC 2021 W/S	\$ 465.50
MJ PLUMBING INC	REPLACED URINAL	\$ 830.64
MONEY MOVERS	NOVEMBER MAINT FEE	\$ 7.00
MURPHY PETROLEUM TRANSPORT	TRANSPORT OF 250 GAL USED OIL	\$ 50.00
PETTY CASH	JAN PLAT MONEY REIMBURSE	\$ 492.00

SCHREINER ENTERPRISES, INC	PET LICENSES	\$	346.35
QUIK SIGNS INC	LAMINATED POSTER- STREETS	\$	135.17
RAPID DELIVERY	MIDCO TESTING WWTP	\$	42.60
REED, THERESA DAWN	MONTHLY CLEANING DEC 2021	\$	465.00
SD AIRPORT MGMT ASSOC	MCMAHON DUES	\$	25.00
SD ASSOCIATION OF CODE ENF	PUBLIC SAFETY DIRECTOR	\$	40.00
SD BUILDING OFFICIALS ASSN	CBO,BLD INPCT,MCH/PLMB, ADMIN	\$	65.00
SD CITY MANAGEMENT	MCFARLAND DUES	\$	150.00
SD DENR	RUS/WWTP	\$	200.00
SD GOV HUMAN RESOURCE ASSO	JODI MEMBER DUES 2022	\$	25.00
SD GOVERNMENTAL FINANCE OF	CFO, ACFO, UBC, AR, AP	\$	160.00
SD MUNICIPAL ATTORNEY ASSO	2022 DUES A MCDONALD	\$	35.00
SD MUNICIPAL STREET MAIN	MCMAHON, STEVENS	\$	35.00
SD STATE BOARD OF TECHNICA	MCMAHON REGISTRATION	\$	80.00
SDML	2022 CITY DUES	\$	7,046.45
SOUTH DAK STATE TREASURER	DEC 2021 SALES TX PMNT	\$	9,148.86
ST PAUL STAMP WORKS INC	ANIMAL TAGS	\$	180.80
STATE OF SOUTH DAKOTA	PUBLIC HEALTH LAB	\$	70.00
STATE OF SD-EXECUTIVE MGMT	DECEMBER WWTP SERVICE	\$	12.53
STEC'S INNOVATIVE SAFETY S	NOVEMBER STECS PROGRAM	\$	3,879.87
BRIGHT, MICHAEL D DBA SUNS	HORN-9MM- PD	\$	2,668.60
SUNSHINE TOWING	TOW FOR PD	\$	90.00
SUPER CAR WASH	OCT/NOV/DEC	\$	591.75
SUPERIOR SANITATION LLC	DEC ADDITIONAL RESTROOM RENT	\$	1,696.00
TNEMEC CO INC	EPOXOLINE LT GRAY	\$	204.82
TYLER TECHNOLOGIES INC	4TH QTR INSITE TRANS FEES	\$	4,199.65
CITY OF SPEARFISH	12/6-1/5 CMPGRND CHARGES	\$	1,088.77
VISIT SPEARFISH INC	MONTHLY BID BOARD ALLOCATION	\$	11,844.00
WILLIAMS STANDARD SERVICE	MTP 94R H7 INTERSTATE BATTERY	\$	189.95
WOELBER EXCAVATING, LLC	13TH STREET WATER MAIN RPR	\$	11,061.90
YOUNGBLOOD & ASSOCIATES, I	POLYGRAPH EXAM-PD APPLICANT	\$	350.00
	Total	\$	166,930.16

**Reappointment** – Clark moved, Rath seconded and all voted to ratify the reappointment of Mistie Caldwell (3-year term) effective 1/1/2022-12/31/2024 to the Spearfish Parks, Recreation and Forestry Advisory Board.

Clark moved, Rath seconded and all voted to enter into executive session at 7:22 p.m. for the purposes of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters under SDCL 1-25-2(3).

Council returned to regular session at 7:33 p.m.

There being no further business, Hourigan moved, Jacobs seconded and all voted to adjourn at 7:33 p.m.

Dated this 18th day of January, 2022.

**CITY OF SPEARFISH**

By: \_\_\_\_\_  
Dana Boke, Mayor

**ATTEST:**

\_\_\_\_\_  
Michelle DeNeui, Finance Officer

Published once at the approximate cost of \_\_\_\_\_.