



**Spearfish City Council**  
Regular Session Minutes  
February 18, 2020 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Tuesday, February 18, 2020. Mayor Boke presided and called the meeting to order. All stood and recited the pledge of allegiance. Roll call was taken with the following members present: Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek. Absent: Clark. Also present: City Administrator Harmon, City Planner Watson, Parks and Recreation Director Ehnes, Finance Officer DeNeui, Public Works Director Lee, Public Safety Director Rotert, Police Chief Jacobs, Assistant City Planner Van Holland, Assistant Chief of Police Dean, and Police Sergeant Hofmann.

Klarenbeek moved, Jacobs seconded and all voted to approve the agenda. There were no declarations of any potential conflict-of-interest.

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

- A. Approve the minutes of City Council regular session dated February 3, 2020.
- B. Accept Spearfish Community Pantry 2019 Annual Report.
- C. Approve a special malt beverage license for Grant Street Liquor for the Crow Peak Soup Off on February 16, 2020 from 3:00 p.m. to 6:00 p.m. at the Pavilion.
- D. Approve the treasurer's report dated January 31, 2020.
- E. Add Braden Baker to the 2020 Spearfish Fire Department Volunteer Firefighters list.
- F. Add Trevor Houska to 2020 Spearfish Fire Department Volunteer Firefighter list.

**Other Items**

**Agreement** – Klarenbeek moved, Hodgs seconded and with Eisenbraun, Hodgs, Jacobs and Klarenbeek voting aye and Herrmann voting nay motion passed to approve the Development Agreement and Declaration of Land Use Restrictive Covenants between the City of Spearfish and Dream Design International.

**Abatement** – Eisenbraun moved, Hodgs seconded and all voted to abate 2019 taxes payable in 2020 for Connection Church Spearfish, value of the abatement is for the full taxable value.

**Public Hearing** – A public hearing was opened at 5:55 p.m. to consider an application from Monet Vermetter with Ye Olde Shoppes LLC dba Nowhere, A Men's Clothier for a retail (on-off sale) malt beverage and wine license located at 109 E. Hudson Street. There were no oral or written comments received and the public hearing was closed.

**License** – Hodgs moved, Jacobs seconded and all voted to approve the application from Monet Vermetter with Ye Olde Shoppes LLC dba Nowhere, A Men's Clothier for a retail (on-off sale) malt beverage and wine license located at 109 E. Hudson Street.

**Agreement** – Hodgs moved, Eisenbraun seconded and all voted to approve the professional service agreement with HDR Engineering Inc. for services related to the potential construction of new

sports fields and layout of proposed subdivision. Park and Recreation Director Ehnes noted the agreement includes layout of trail connectivity and two options for sports fields; one for 30 acres and one for 40 acres.

**Resolution 2020-05** – Hodgs moved, Jacobs seconded and all voted to adopt Resolution 2020-05 as follows:

**RESOLUTION 2020-05**

**A RESOLUTION TO SET FEES CHARGED BY THE CITY**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SPEARFISH, SOUTH DAKOTA that the following fees shall be amended and/or charged by the City of Spearfish:

ITEM	AREA	FEE DESCRIPTION	CURRENT AMOUNT	AMENDED/NEW AMOUNT
1227	Parks	SRAC Summer Rec-Guppies Weekly Fee	\$15.00	\$20.00
1230	Parks	SRAC Summer Rec-Piranhas Weekly Fee	\$15.00	\$20.00
1228	Parks	<del>SRAC Summer Rec-Minnows Weekly Fee</del>	\$7.00	Remove
N/A	Parks	SRAC Summer Rec-Minnows Daily Fee	New Fee	\$3.50
1156	Parks	SRAC-Lifeguard and WSI Classes	\$225.00	\$110.00
N/A	Parks	Baby Sitting Class Fee	New Fee	\$60.00

Date this 18<sup>th</sup> day of February, 2020.

CITY OF SPEARFISH

ATTEST:

By:

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

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

(SEAL)

Adopted: February 18, 2020

Published: February 21, 2020

Effective: March 12, 2020

**Public Hearing** – A public hearing was opened at 6:05 p.m. to consider Ordinance 1310 – An Ordinance Amending Appendix A Zoning, Article V. Supplementary Regulations, Section 6 Sign

Regulations. City Planner Watson reviewed the proposed changes to the regulations. No additional oral or written comments were received and the public hearing was closed.

**Ordinance 1310** – Hodgs moved, Eisenbraun seconded and with Eisenbraun, Hodgs, Herrmann, Jacobs and Klarenbeek voting aye to approve the second reading of Ordinance 1310 – An Ordinance Amending Appendix A Zoning, Article V. Supplementary Regulations, Section 6 Sign Regulations.

**Deed** – Hodgs moved, Jacobs seconded and all voted to accept a quit claim deed from Lawrence County to convey lands to the City of Spearfish along the south side of Colorado Boulevard where city water and sewer infrastructure is presently located.

**Resolution 2020-04** – Hodgs moved, Klarenbeek seconded and all voted to adopt Resolution 2020-04 as follows:

**RESOLUTION NO. 2020-04**

**A RESOLUTION OF ANNEXATION TO EXTEND THE BOUNDARIES OF THE CITY OF SPEARFISH, SOUTH DAKOTA, BY ANNEXING LANDS MORE SPECIFICALLY DESCRIBED HEREIN:**

WHEREAS, The City of Spearfish has conducted an analysis of the territory where a petition for voluntary annexation has been submitted, and has determined the resources necessary to serve the annexed territory; and,

WHEREAS, the territory described herein adjoins and is contiguous to the existing boundaries of the City of Spearfish and is not separated from the existing City by any significant physical barriers, and annexation is natural and reasonable and the municipal body hereby created constitutes a homogenous and unified entity; and,

WHEREAS, the City of Spearfish has held public hearings and considered all testimony regarding said annexation; and,

WHEREAS, the City of Spearfish has fully complied with all statutory requirements of SDCL Chapter 9-4 required and precedent to this Resolution.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the following described territory shall be incorporated into the Elkhorn Ridge Addition to the City of Spearfish, and the same is hereby annexed, to-wit: (See Exhibit A, attached to this resolution)

The NE1/4 of the NE1/4 including the S 17' of the N 50' of Section 21,  
T6N R3E, BHM, Lawrence County, South Dakota.

Dated this 18th day of February, 2020

CITY OF SPEARFISH

ATTEST:

By:

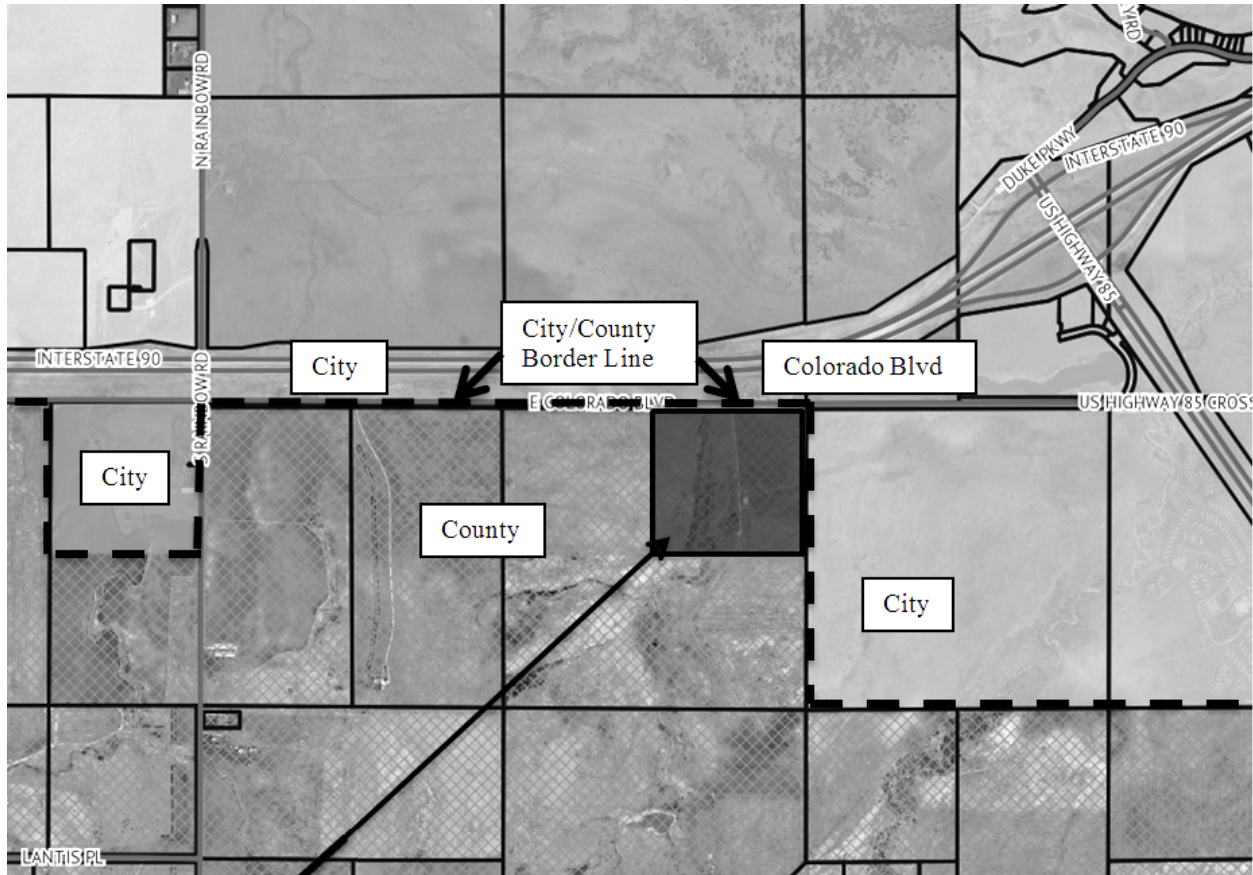
\_\_\_\_\_  
Michelle DeNeui, Finance Officer

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

(SEAL)

Adopted: February 18, 2020  
Published: February 24, 2020  
Effective: March 15, 2020

EXHIBIT A



NE1/4 NE1/4 including the S 17' of the N 50' Section 21,  
T6N R3E, BHM, Lawrence County, South Dakota.

The above described parcel contains ± 39.49 acres (1720184.4 sq. ft.)

City of Spearfish Resolution 2020-04

**Ordinance 1311** – Eisenbraun moved, Jacobs seconded and all voted to approve the first reading of Ordinance 1311 – An Ordinance Amending Appendix A – Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property, and set public hearing for Ordinance 1311 for March 2, 2020.

**Agreement** – Jacobs moved, Hodgs seconded and all voted to approve the Dedication Agreement for Venture Court (5 lot industrial park subdivision at the north end of Seaton Circle).

**Agreement** – Eisenbraun moved, Hodgs seconded and all voted to approve the Sanitary Sewer Easement Agreement with Access Point Properties.

**Agreement** – Hodgs moved, Jacobs seconded and all voted to approve the Drainage Easement Agreement with Access Point Properties.

**Purchase** – Hodgs moved, Eisenbraun seconded and with Eisenbraun, Hodgs, Herrmann, Jacobs and Klarenbeek voting aye to approve the purchase of two (2) 2020 Ford Explorer Police Interceptors from Whites Canyon Motors at a cost of \$37,587 per vehicle, total of \$75,174; the vendor is matching South Dakota state bid pricing.

**Agreement** – Klarenbeek moved, Hodgs seconded and all voted to approve the lease agreement with Spearfish Rifle and Trap Club for the gun range in the canyon.

**Hire** – Hodgs moved, Eisenbraun seconded and with Eisenbraun, Hodgs, Herrmann, Jacobs and Klarenbeek voting aye to hire Thomas Hageman, as seasonal/on-call wildland firefighter, \$13.50/hr., effective 5/1/2020.

**Hire** – Jacobs moved, Hodgs seconded and with Eisenbraun, Hodgs, Herrmann, Jacobs and Klarenbeek voting aye to hire Cody Jolovich as seasonal/on-call wildland firefighter, \$13.50/hr., effective 5/1/2020.

**Hire** – Herrmann moved, Klarenbeek seconded and with Eisenbraun, Hodgs, Herrmann, Jacobs and Klarenbeek voting aye to hire Jacob Paul as seasonal/on-call wildland firefighter, \$13.50/hr., effective 5/1/2020.

**Move** – Eisenbraun moved, Jacobs seconded and all voted to move Adam McMahon to assistant public works director effective 2/23/2020, a lateral move.

**Hire** – Jacobs moved, Hodgs seconded and with Eisenbraun, Hodgs, Herrmann, Jacobs and Klarenbeek voting aye to hire KLJ to design a wildlife fence for the airport.

**Bill List** – Klarenbeek moved, Eisenbraun seconded and with Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye to approve the bill list dated February 18, 2020 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
3RD DEGREE SCREENING INC	SCREENING X 2	\$ 55.00
A & B WELDING SUPPLY	GASSES, PARTS, SUPPLIES	\$ 2,925.15
A & J SUPPLY	PARTS, BOOT ALLOWANCE	\$ 179.32
IRON OUTFITTER WASTE SERVICE	12-18-19, ON SITE SHREDDING	\$ 520.60
A&B BUSINESS INC	FEB 20 CONTRACT BASE RATE	\$ 2,529.06
ADAMS - ISC	PARTS/LABOR	\$ 7,409.77
AE2S	JACKSON BLVD & FLOODPLAIN MAPPING	\$ 53,534.27
ALEX AIR APPARATUS INC	INSPECTION/PARTS/LABOR	\$ 3,448.43
ALICE TRAINING INSTITUTE LLC	TRAINING, FOX AND SIMPSON	\$ 1,290.00
ALLDATA	SUBSCRIPT RENEWAL 2020	\$ 1,500.00
AT & T	TO 1/24/20 LONG DISTANCE	\$ 42.12

BAKER & TAYLOR	BOOKS	\$ 973.58
BELLE FOURCHE LANDFILL	JAN 2020 SOLID WASTE DISPOSAL	\$ 26,320.35
BHSU PRINTING CENTER	JANUARY 2020 NEWSLETTER	\$ 548.76
BLACK HILLS & BADLANDS TOUR	2020 ATTRACTION RENEWALS	\$ 1,446.00
BLACK HILLS CHEMICAL CORP	JANITORIAL	\$ 1,521.85
BLACK HILLS ENERGY	DEC 19/JAN 20 ELECTRICITY	\$ 12,977.36
BLACK HILLS PIONEER	JAN 2020 LEGALS	\$ 1,184.79
BLACK HILLS PURE INC	WATER	\$ 18.00
BLACK HILLS URGENT CARE	JAN 2020 - SCREENING	\$ 280.00
BOKE, DANA	PER DIEM MILEAGE	\$ 424.88
BRADLEY, HUNTER	PER DIEM 01/07-01/16	\$ 112.00
BROWN, HEATH G	PER DIEM MEALS, M-410 TRAINING	\$ 280.00
BUILDERS FIRSTSOURCE INC	PARTS	\$ 158.76
BUTLER MACHINERY CO	PARTS/LABOR/REPAIRS	\$ 2,426.50
BUTTE ELECTRIC COOP	ELECTRIC 11/27/19 - 12/24/19	\$ 45,783.64
CALIBRATION TECHNICIANS	PARTS/EQUIP	\$ 4,716.62
CASH-WA DISTRIBUTING CO	CONCESSIONS	\$ 1,057.65
CBH COOPERATIVE	JAN 20 FUEL	\$ 21,652.10
CENGAGE LEARNING	BOOKS	\$ 36.58
CHAIN SAW CENTER	PARTS/EQUIP/OIL	\$ 3,131.10
CHRIS SUPPLY CO	CMR SHIELDED	\$ 250.00
CITY OF SPEARFISH CC	EQUIP/OFFICE/TRAVEL/REGISTRATIONS	\$ 7,488.17
CLARK PRINTING CORP	BUSINESS CARDS	\$ 281.74
COCA-COLA BOTTLING CO	COFFEE/CONCESSIONS	\$ 1,198.25
CORE & MAIN LP	PARTS	\$ 673.72
ASAP CRUISES INC	MAY 2020 - MICHELLE DENEUI	\$ 2,049.41
CULLIGAN SOFT WATER CORP	BOTTLED WATER	\$ 52.00
CUMMINS CENTRAL POWER LLC	12-27-19, PLANNED MAINT	\$ 847.06
L N CURTIS & SONS	HELMETS/UNIFORM ACCESSORIES	\$ 527.38
CVD CONSTRUCTION INC	LABOR/MATERIAL/EQUIPMENT	\$ 517.54
DAKOTA AREA FIRE CHAPLAINS	REGISTER - PATRICK LEWELLEN	\$ 300.00
DAKOTA TITLE LLC	OWNERS POLICY / CLOSING FEE	\$ 3,168.85
DEZURIK INC	EQUIP REPAIR	\$ 606.00
MEDNANSKY, DOUGLAS	25W LED T-5	\$ 393.75
ECOLAB PEST ELIMINATION	PEST CONTROL	\$ 102.94
NEWHOUSE ENTERPRISES INC	OFFICE SUPPLIES	\$ 668.47
FIB - TRAVEL CARD	FUEL	\$ 34.41
FIB - AP PURCHASE CARDS	ITEMIZED BY VENDOR, TOTAL \$98,234.55	\$ -
PETTY CASH-WELLS FARGOBANK	POSTAGE/PER DIEM/GROCERY/REF	\$ 252.07
FIREFIGHTER'S BOOKSTORE	OPERATOR HANDBOOK	\$ 1,278.54
EDDIE'S TRUCK CENTER	PARTS	\$ 1,771.53
FMG INC	JAN 2020 - EXIT 8 AREA PATH	\$ 8,688.90
GEA MECHANICAL EQUIPMENT	911 REPAIR TO CENTRIFUGE	\$ 14,026.90
VIEHAUSER ENTERPRISES LLC	KEYS	\$ 22.98
GOPHER	SPORTS EQUIPMENT	\$ 665.15

GOVT FINANCE OFFICERS ASSN	RENEWALS, DENEUI & THURMES	\$ 320.00
GRAYBAR ELECTRIC COMPANY	ELECTRICAL	\$ 330.50
HEIMAN FIRE EQUIPMENT INC	EQUIPMENT	\$ 118.95
IAPMO TRAINING DEPT	CONTINUING ED, B ULMER	\$ 80.00
INTERNATIONAL CODE COUNCIL	REGION III , SESSION 66	\$ 160.00
INFRASTRUCTURE MANAGEMENT	RST FIELD DATA COLLECTION	\$ 15,357.00
INT'L PUBLIC MGMT ASSOC	12-06-19, 911-20 TESTING MAT	\$ 384.50
INTERSTATE ENGINEERING INC	REVIEW FEE, WILDLIFE FENCE	\$ 3,000.00
JENNER EQUIPMENT CO	PARTS	\$ 2,170.55
KANE, RACHEL	REFEREE/SCORE KEEPER	\$ 75.00
KNECHT HOME CENTER INC	PAINT/SUPPLIES/REPAIRS/TOOLS	\$ 1,289.90
KONE INC	1ST QTR 2020 MAINTENANCE	\$ 160.69
MCMASTER CARR, INC	PARTS	\$ 36.25
MONTANA-DAKOTA UTILITIES	1/9/20 - 2/5/20 NATURAL GAS	\$ 7,305.89
MIDCO	CABLE/INTERNET/PHONE	\$ 1,038.29
MIDCONTINENT TESTING LABS	JAN 2020 WATER TESTING	\$ 372.00
MID-STATES ORGANIZED CRIME	DEC 2019, 2020 MEMBERSHIP FEES	\$ 150.00
MURPHY PETROLEUM TRANSPORT	USED ANTIFREEZE	\$ 50.00
NARTEC INC	TESTING SUPPLIES	\$ 187.50
OVERDRIVE INC	BH LIBRARY DIGITAL CONSORTIUM	\$ 3,000.00
OVERHEAD DOOR OF RC	WINDOW INSTALLATION	\$ 218.37
PAISLEY, TOM	PER DIEM MEALS 01/31 - 02/06	\$ 232.00
PITNEY BOWES INC	METER 1ST QTR 2020	\$ 180.00
PETTY CASH P&Z-WELLS FARGO	PLAT & DOCUMENT FILING FEES	\$ 435.00
POWERPLAN	PARTS	\$ 605.20
QUIK SIGNS INC	SIGNAGE	\$ 249.90
ROSEN & ROSEN INDUSTRIES	MESH LIME, ASST SIZES	\$ 322.80
RAPID DELIVERY	COPY COUNTRY, PLANS	\$ 80.53
RCS CONSTRUCTION INC	JACKSON BLVD STREET IMPROVEMENTS	\$ 193,076.31
REED, THERESA DAWN	FEB 2020 DOWNTOWN RR	\$ 900.00
RAPID CITY REGIONAL HOSPITAL	SCREENING X 4	\$ 140.00
RMS JEWELERS	ENGRAVING	\$ 10.00
SD DEPT OF HEALTH	HEP A DOSE X 2	\$ 50.00
SD STATE HISTORICAL SOCIETY	2020 INSTITUTION MEMBERSHIP	\$ 40.00
SDRS SPECIAL PAY PLAN	SPP PARTICIPANT FEE	\$ 45.00
SERVALL TOWEL & LINEN	JANITORIAL	\$ 867.41
SESAC INC	SUBSCRIPT, 01/2020 - 12/2020	\$ 460.00
SCOTT RITSCHKE DBA DNH TOOL	6 PC ADAPTER SET	\$ 142.50
TRIO SYSTEMS LLC	SUPPORT RENEWAL 2020	\$ 395.00
SOUTH DAKOTA STATE TREASURER	JAN 2020 SALES TAX REPORTING	\$ 8,550.46
SPEARFISH AUTO SUPPLY	PARTS/EQUIP/FILTERS/REPAIR	\$ 341.28
STATE OF SD-EXECUTIVE MGMT	DEC 19, TELEPHONE	\$ 13.87
SUNDANCE ENGINEERING INC	CONSULTING SVCS/MILEAGE	\$ 455.92
SUPERIOR SANITATION LLC	JAN 20 PORTABLE RR	\$ 704.00
THOMSON REUTERS WEST	MONTHLY SOFTWARE SUSSCRIPTION	\$ 498.12

TTG ENTERPRISES INC	PARTS/LABOR/REPAIRS	\$ 562.50
THE UPS STORE #5137	SHIPPING	\$ 92.10
US BANK NATL ASSOCIATION	2014 SRF CLEAN WATER, GOLLIHER	\$ 91,072.41
CITY OF SPEARFISH	WATER/SEWER/GARBAGE	\$ 6,021.62
VANWAY TROPHY & AWARD	AWARDS	\$ 141.35
CLARITY TELECOM LLC	DEC 19/JAN 20 TELEPHONE	\$ 3,317.07
VERIZON WIRELESS	NOV 24 - DEC 23, CELLULAR	\$ 4,469.84
VESSCO INC	PARTS	\$ 544.78
VISIT SPEARFISH INC	BID BOARD ALLOCATION	\$ 17,500.00
VISUAL WORKS INC	DEC 2019 - ONLINE RESERVATIONS	\$ 46.00
WESTERN COMMUNICATIONS	(2) PAGERS	\$ 911.02
WESTERN STATES FIRE PROTECTIO	PARTS/LABOR, STATION 3	\$ 936.45
WIEN'TJES, REMI	REFEREE/SCOREKEEPER	\$ 165.00
WILLIAMS STANDARD SERVICE	PARTS/REPAIR	\$ 18.50
WOLFF'S PLUMBING & HEATING	SPRINKLER SYSTEM REPAIR	\$ 706.00
		<u>\$ 615,455.33</u>

**Elections** – Eisenbraun moved, Jacobs seconded and all voted to elect Hodgs as council president. Hodgs moved, Klarenbeek seconded and all voted to elect Eisenbraun as council vice-president.

**Public Comment** – Public comment section was opened with comments received from resident John Dale regarding 5G and jobs in Spearfish.

There being no further business, Hodgs moved, Eisenbraun seconded and all voted to adjourn at 6:30 p.m.

Dated this 18th day of February, 2020.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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