



**Spearfish City Council**  
Special Session Minutes  
April 23, 2020 4:00 p.m.

The Spearfish City Council met at 4:00 p.m. on Thursday, April 23, 2020 via Zoom Teleconference. 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, City Attorney McDonald, and Finance Officer DeNeui.

Jamie

Eisenbraun moved, Hodgs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the agenda. There were no declarations of any potential conflict-of-interest.

**Committee** – Kory Menken, Spearfish Economic Development Director, thanked the Council for allowing the formation of a Small Business Advisory Committee to review the proposed Ordinance 1316. The committee’s recommendation is to not adopt proposed Ordinance 1316 as originally presented on 4/20/2020 and instead allow for a partial reopening of businesses by utilizing best practices that promote appropriate physical distancing and stringent sanitation protocols.

**Update** – Thomas Worsley, president of the Spearfish Hospital and Hills Markets at Monument Health, provided an update to the Council on preparations for COVID-19 surge and stated they are well prepared to support and care for the community.

**Public Comment** – The public comment section was opened at 4:16 p.m. and comments were received from Luke Donovan, owner of False Bottom Bar, Nathan Hoogshagen, Executive Director of Spearfish Downtown Business Association along with a small business owner, resident Dr. Andrew VanOsdol, resident Kristie Stewart and resident Angie Kent. All comments were related to a gradual re-opening of businesses currently subject to closures.

**Ordinance 1316** – City Attorney McDonald reviewed two different versions of Ordinance 1316. Version 1 would extend the language of Ordinance 1314 for the period of April 30, 2020 to May 31, 2020 with continuation of business closures from April 30, 2020 to May 13, 2020. Version 2 follows Governor Noem’s Executive Order 2020-12 and includes provisions that include any “enclosed retail business that promotes public gatherings” must suspend or modify business practices that involve 10 or more people in an enclosed space where physical separation of at least 6 feet is not possible. In addition, each of the affected businesses must establish a maximum occupancy rate based on 1 person per 36 square feet of public area in the business and post that maximum occupancy at the business entrance. Finally, businesses should continue to consider offering models that do not involve public gatherings, such as takeout, delivery, drive-thru, curbside services, social distancing, or other innovative practices that do not involve public gatherings in an enclosed space. Following discussions, Hodgs moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the first reading of Ordinance 1316, version 2 – An Emergency Ordinance to Address a Public Health Emergency by

Implementing Certain Measures Which Have Been Deemed Necessary to Slow the Community Spread of Coronavirus 2019 (COVID-19).

Mayor Boke reminded staff and citizens to still follow safety precautions as the community is not over the COVID19 pandemic. City Attorney McDonald encouraged businesses to read the ordinance to know how it pertains to their specific business.

There being no further business, Eisenbraun moved, Hodgs seconded and all voted to adjourn at 4:42 p.m.

Dated this 23rd day of April, 2020.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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