



**Spearfish City Council**  
Regular Session Minutes  
July 20, 2020 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, July 20, 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 Planner Watson, Parks and Recreation Director Ehnes, City Attorney McDonald, Public Works Director Lee, Public Safety Director Rotert, Police Chief Jacobs, Wastewater Treatment Facility Superintendent Evridge, Recreation Facility Superintendent Rauterkus, Police Sergeant Hofmann, and Finance Officer DeNeui.

All stood and recited the pledge of allegiance. Clark moved, Klarenbeek seconded and all voted to approve the revised agenda that removed item 10G. 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 6, 2020.
- B. Approve the treasurer’s report dated June 30, 2020.
- C. Hire Samantha Rosenau as full-time (benefit-eligible) police officer, grade 18, step 5, \$24.46 per hour, effective 8/3/2020.
- D. Hire Dillon Smith part-time (not benefit-eligible) recreation assistant, grade 7, step 1, \$13.13 per hour, effective 7/21/2020.
- E. Hire Madison Bates part-time (not benefit-eligible) recreation assistant, grade 7, step 1, \$13.13 per hour, effective 7/21/2020.
- F. Move Anne-Marie Rolando to part-time (not benefit-eligible) customer service assistant, grade 7, step 1, \$13.13 per hour, effective 7/12/2020.

**Audit** – Shelley Goodrich with Ketel Thorstensen LLP presented a brief overview of the 2019 audit results. Following the presentation Hodgs moved, Clark seconded and all voted to approve the 2019 audited financial statements.

**Event** – Connie Feist, BHSU Head Coach, presented a brief overview of plans for a Triathlon Invitational. Following the presentation Hodgs moved, Eisenbraun seconded and all voted to approve the special event application from BHSU for a Triathlon Invitational to be held on Sunday, September 6, 2020.

**Resolution 2020-17** – Eisenbraun moved, Jacobs seconded and all voted to approve Resolution 2020-17 as follows:

**RESOLUTION 2020-17**

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

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

**WHEREAS**, the Common Council of the City of Spearfish intends to enter into a lease agreement with Homeslice Corporation to lease portions of Lookout Mountain to use existing structures for the transmission and reception of communications signals, 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 August 3, 2020.

Dated this 20th day of July, 2020.

**CITY OF SPEARFISH**

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

(Seal)

Attest:

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

Adopted: July 20, 2020

Published: July 25, 2020

Effective: August 14, 2020

**Chosen Provider** – Herrmann moved, Jacobs seconded and all voted to approve Kids Point Daycare and Preschool as the chosen provider for the daycare at the Spearfish Recreation and Aquatics Center and authorize staff to negotiate the terms of a contract for council’s consideration.

**License** – Jacobs moved, Herrmann seconded and all voted to approve a special on-sale wine license for Nonna’s Kitchen for the Downtown Friday Night Events from 5:00 p.m. to 10:00 p.m.

**Public Hearing** – A public hearing was opened at 5:42 p.m. to consider Ordinance 1320 – 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 at 5:42 p.m.

**Ordinance 1320** – Clark moved, Eisenbraun seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to approve the second reading of Ordinance 1320 – An Ordinance Amending Appendix A - Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. (Heritage Addition)

**Public Hearing** – A public hearing was opened at 5:44 p.m. to consider Ordinance 1321 – 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 at 5:44 p.m.

**Ordinance 1321** – Klarenbeek moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to approve the second reading of Ordinance 1321 – An Ordinance Amending Appendix A - Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. (Airport)

**Public Hearing** – A public hearing was opened at 5:45 p.m. to consider Ordinance 1322 – 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 at 5:45 p.m.

**Ordinance 1322** – Jacobs moved, Eisenbraun seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to approve the second reading of Ordinance 1322 – An Ordinance Amending Appendix A - Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. (Two parcels at airport)

**Ordinance 1323** – Klarenbeek moved, Clark seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to approve the second reading of Ordinance 1323 – An Ordinance Amending Chapter 10 Licenses, Permits and Business Regulations, Article VII. Peddlers, Section 10-214 and Repealing Section 10-215 of the Revised Ordinances of the City of Spearfish.

**Annexation** – Eisenbraun moved, Jacobs seconded and all voted to initiate an annexation for the S 17' of the N 50' of the NW1/4 and the S 17' of the N 50' of the NW1/4 of the NE1/4, both of Section 21, T6N, R3E, BHM, Lawrence County.

**Resolution 2020-19** – Klarenbeek moved, Hodgs seconded and all voted to approve Resolution 2020-19 as follows:

**RESOLUTION NO. 2020-19**

**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, City of Spearfish, and the same is hereby annexed, to-wit: (See Exhibit A, attached to this resolution).

The South 17 feet of the North 50 feet of the NW1/4NE1/4; and the South 17 feet of the North 50 feet of the NW1/4 except Lot H2 all Located in Section 21, T6N, R3E, B.H.M., Lawrence County, South Dakota.

Dated this 20th day of July, 2020

CITY OF SPEARFISH

ATTEST:

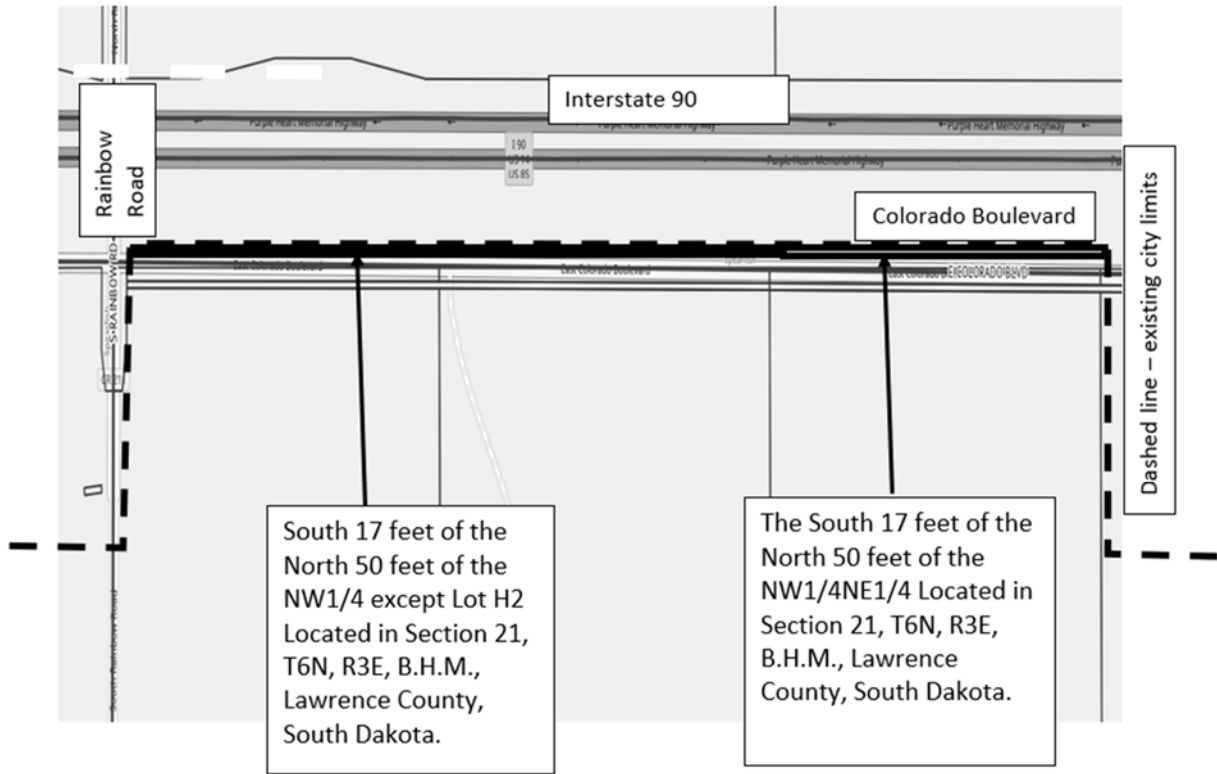
By:

\_\_\_\_\_  
Michelle DeNeui, Finance Officer (SEAL)

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

Adopted: July 20, 2020  
Published: July 21, 2020  
Effective: August 10, 2020

EXHIBIT A



**Permit** – Eisenbraun moved, Hodgs seconded and all voted to authorize Mayor Boke to sign and accept the South Dakota DENR Surface Water Discharge Permit and Statement of Basis.

**Bill List** – Clark moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the bill list dated July 20, 2020 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
3D SPECIALTIES INC	EQUIPMENT	\$ 3,029.01
7TH CAVALRY D&B CORPS	JULY 4TH PARADE	\$ 125.00
A & B WELDING SUPPLY CO	CYLINDER RENTAL	\$ 202.37
A & J SUPPLY	IRON, PARTS	\$ 511.98
AMAZON CAPITAL SERVICES	DRY ERASE BOARD, LABELS, CUPS	\$ 205.77
BAKER & TAYLOR	BOOKS	\$ 302.18
BELLE FOURCHE LANDFILL	JUNE 20 LANDFILL DISPOSAL FEES	\$ 30,984.61
BLACK HILLS ENERGY	JUNE/JULY 2020 ELECTRICITY	\$ 6,278.89
BICKLE TRUCK & DIESEL INC	PARTS/LABOR FOR REPAIRS	\$ 10,750.00
BIERSCHBACH EQUIP & SUPPLY	COMBO GUARD/CURB-ORANGE	\$ 539.00
BLACK HILLS CHEMICAL CORP	SANITIZER, TISSUE, CLEANERS	\$ 990.78
BLACK HILLS LIBRARY CONSOR	ANNUAL SUPPORT & HOSTING	\$ 6,636.66
BLACK HILLS PIONEER	JUNE 20 PUBLISHING, ADVERTISING	\$ 515.07

BLACK HILLS PURE INC	WATER, COOLER RENTAL	\$	67.00
UPSTATE WHOLESALE SUPPLY I	HARDWARE, TOOLS	\$	860.00
JT VENTURES LLC	2ND QUARTER CAR WASHING	\$	194.28
BUTTE ELECTRIC COOP	ELECTRICITY, 4/24/20 - 5/24/20	\$	40,739.70
CBH COOPERATIVE	JUNE2020 BULK FUEL	\$	14,774.40
CENGAGE LEARNING	BOOKS	\$	22.79
CHILDREN'S HOME SOCIETY OF	INTERVIEW 1	\$	150.00
CITY OF SPEARFISH CC	H2OCAN/HARDDRIVE/PAPER/YRSSVC	\$	2,426.91
CLAUSER MACHINE WORKS	BOLTED PALLET	\$	29.00
COCA-COLA BOTTLING CO	COFFEE/CREAMER	\$	604.00
COLLABORATIVE SUMMER LIBRA	LIBRARY PROGRAM MATERIALS	\$	488.60
ROBERT'S, MICHAEL T	MAITLAND RD RENTALS-HAIL DAMAG	\$	8,158.96
CORE & MAIN LP	PARTS, TUBING	\$	7,194.92
CROELL INC	GROUT	\$	183.50
CULLIGAN SOFT WATER CORP	BOTTLED WATER	\$	78.00
L N CURTIS & SONS	HELMETS & SHIELDS	\$	16,950.00
ZW USA INC	DOG WASTE BAGS	\$	579.30
MEDNANSKY, DOUGLAS	BALLAST TUBE, LED LIGHTS, REPAIRS	\$	13,500.97
ECOLAB PEST ELIMINATION DI	RODENT, ANT, FLY PROGRAM	\$	233.89
ET SPORTS, LLC	PARTS	\$	423.88
NEWHOUSE ENTERPRISES INC	FOLDERS, WRAPPERS, PENS, BELL, WHITEOUT	\$	100.72
EVIDENT INC	DRUG TEST KITS	\$	120.75
FEDEX	FORENSIC LAB SHIPPING	\$	13.32
FERC	HYDROPLANT ANNUAL CHARGES	\$	5,680.06
FIB - TRAVEL CARD MISC VEN	WILDLAND FIRE FUEL	\$	125.56
FIB-AP PURCHASE CARDS	TRAVEL REFUND TO PCARD	\$	(1,769.43)
FIB-AP PURCHASE CARDS	ITEMIZED BY VENDOR, \$116,417.38		
LAO INC	EXTINGUISHER MAINT, HOOD INSPECT	\$	262.65
EDDIE'S TRUCK CENTER	PARTS, GLOVES, REPAIRS	\$	1,030.23
FMG INC	DESIGN SVS-EXIT 8 REC PATH PH1	\$	2,220.00
FRONTIER GLASS	CLEAR GLASS AND LABOR	\$	128.32
G & H DISTRIBUTING INC	LAYFLAT HOSE	\$	238.34
GALLS LLC	NAMEPLATE,GLOVES,PANTS,BOOTS,BELTS	\$	1,431.52
VIEHAUSER ENTERPRISES LLC	UNLOCK TRUCK,REPAIR CAMPG DOOR, KEY	\$	1,518.60
GOLDEN WEST INDUSTRIAL SUP	JANITORIAL SUPPLIES	\$	413.03
GRAINGER INC	EQUIP/TOOLS/PARTS/FLAGS/JANITORIAL	\$	1,081.96
GRIMMS PUMP SERVICE	DRAIN AND ELEMENT	\$	223.00
GUNDERSON TRUCKING INC	SOLID WASTE TO GILLETTE	\$	5,000.00
HAWKINS INC	AQUA HAWK CHEMICALS	\$	4,259.40
HDR ENGINEERING INC	WWTP MAIN LIFT STATION PROJ ENG	\$	9,659.26
HEARTLAND PAPER CO	VACUUM BAGS, CLEANERS, TISSUE	\$	487.42
HELWIG CARBON PRODUCTS INC	PARTS	\$	1,283.58
INFINITY FIRE COMMUNICATIO	RADIOS & MICROPHONES	\$	172.50
JJS GLOBAL VENTURES INC	GAS	\$	305.00
TODD EMERY COLLINS	JET AIRPORT BLDG SINK LINE	\$	275.00

JUNEK'S SERVICE CORP	TIRE PRESSURE SENSOR	\$	56.78
LAWRENCE COUNTY EQUALIZATI	PICTOMETRY SHARE 1 OF 3	\$	10,030.13
MATTHEWS INTL CORP	BRONZE PLAQUE - GOLAY	\$	132.50
MANDY BING LLC	FIREWOOD BUNDLES	\$	437.50
MONTANA-DAKOTA UTILITIES	NATURAL GAS 6/6 TO 7/9	\$	1,442.23
MIDCO	5/12 - 6/11 CABLE TV/INTERNET	\$	923.19
MIDCONTINENT TESTING LABS,	JUNE 2020 WATER TESTING	\$	611.25
MONEY MOVERS	MONTHLY MAINTENANCE FEE	\$	7.00
NORTH CENTRAL LABORATORIE	CHEMICALS/EQUIP	\$	144.20
NORTH CENTRAL INTERNATION	PARTS/LABOR	\$	622.80
MOSSET, COREY	REPLACE HANGAR DOOR CABLE	\$	280.61
PRO WINDMILL INC	PEST SPRAYING JUNE	\$	773.00
SOUTH DAKOTA ONE CALL	JUNE 20 811 MESSAGE FEES	\$	183.75
ONE TIME VENDORS	3 CAMPGROUND REFUNDS	\$	235.00
PETE LIEN & SONS INC	CEMENT	\$	1,244.13
PHAZE ELECTRIC INC	HORN STROBES	\$	327.83
PETTY CASH	JUNE PLAT MONEY REIMBURSEMENT	\$	341.00
WATER TREE INC	SOFTENER SALT	\$	30.00
RAPID DELIVERY	DELIVERY SVC	\$	231.81
RAPID CITY REGIONAL HOSPIT	SCREENING	\$	350.00
L.E.R., INC.	PICKLEBALL COURT PROJ 2 PE1	\$	91,994.69
SACRISON ASPHALT INC	LIMESTONE, SAND, ROADSTONE	\$	273.00
SAND CREEK PRINTING CORP	NOTARY SEAL J HAFNER	\$	41.95
SANITATION PRODUCTS INC	OIL COOLER	\$	883.31
SDPAA	STREET LIGHT INSURANCE PREMIUM	\$	171.57
SERVALL TOWEL & LINEN	JANITORIAL, RUGS, JUMPSUITS	\$	748.26
SIMON CONTRACTORS OF SD IN	DIAMOND DRY - QUARRY	\$	2,192.51
SOLE PERFECTION	BOOTS - R MCDONALD	\$	100.00
SOUTH DAK STATE TREASURER	JUNE20 SALES TAX	\$	15,763.59
SPEARFISH LUMBER CO	REDI-CRETE 60# - 56	\$	274.40
GUDAHL INVESTMENTS LLC	BASE PAINT	\$	49.49
SPEARFISH RIFLE & TRAP CLU	PARTNER FOR RANGE IMPROVEMENTS	\$	4,000.00
STATE OF SD-EXECUTIVE MGMT	WWTP CENTREX FEES	\$	20.66
STREICHER GUNS	OC SPRAY, AMMO, IRRITANT	\$	1,073.88
SUPER CAR WASH	VEHICLE WASHES	\$	406.72
SWANK MOTION PICTURES INC	3 TTLES, MOVIES IN THE PARK	\$	1,240.00
SYNOVIA SOLUTIONS LLC	ANNUAL LEASE, 28 GPS UNITS	\$	9,333.00
TACTICAL MEDICAL SOLUTIONS	MEDICAL SUPPLIES	\$	202.33
THOMSON REUTERS WEST	JUN 2020 SUBSCRIPTION	\$	498.12
TIMECLOCK PLUS	JUL19-JUN20 TIMECLOCK LICENSE	\$	148.30
TRUGREEN CHEMLAWN	2020 WEED CONTROL PROJECT	\$	6,883.83
TSP INC	LIBRARY RENOVATION STUDY	\$	1,156.89
ALB TWILIGHT LLC	JANITORIAL, FIRST AID KIT RESTOCK	\$	835.04
TYLER TECHNOLOGIES INC	ONLINE PMT FEES APR-JUN 20	\$	2,167.65
THE UPS STORE #5137	SHIPPING	\$	53.55

CITY OF SPEARFISH	JUNE 2020 W/S/G	\$	26,227.84
CLARITY TELECOM LLC	MAY20 PHONE/INTERNET SVCS	\$	4,869.12
VERIZON WIRELESS	4/23 - 5/24 WIRELESS SERVICES	\$	4,233.40
VISIT SPEARFISH INC	BID BOARD/HOSPITALITY TAX ALLOCATIONS	\$	26,900.09
VISUAL WORKS INC	MAY20 ONLINE RESERVATION FEES CAMPGR	\$	782.00
WESTERN COMMUNICATIONS	PORTABLE RADIOS	\$	3,193.30
WESTERN STATES FIRE PROT C	ANNUAL FIRE ALARM INSPECTION	\$	400.00
INTEGRITY ACQUISITION LLC	VEHICLE REPAIR	\$	82.89
WHITE'S QUEEN CITY MOTORS	OUTLET/TANK/RADIATOR	\$	1,673.28
	TOTAL	\$	<u>430,271.58</u>

Public comment section was opened at 5:55 p.m. with comments received from resident Joe Jorgensen regarding Spearfish’s housing market, Visit Spearfish Director Mistie Caldwell regarding Spearfish visitor traffic, and Spearfish School Board Member Mistie Caldwell regarding school district questionnaire and upcoming board meeting to be held on July 29, 2020.

**Executive Session** – At 5:59 p.m. Eisenbraun moved, Jacobs seconded and all voted to enter executive session to consult with legal counsel regarding proposed litigation pursuant to SDCL 1-25-2(3).

Council returned to regular session at 6:17 p.m.

**Executive Session** – At 6:17 p.m. Hodgs moved, Jacobs seconded and all voted to enter executive session to consult with legal counsel regarding contractual matters pursuant to SDCL 1-25-2(3).

Council returned to regular session at 6:21 p.m.

There being no further business, Clark moved, Eisenbraun seconded and all voted to adjourn at 6:21 p.m.

Dated this 20th day of July 2020.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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