



**Spearfish City Council**  
Regular Session Minutes  
September 7, 2021 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, September 7, 2021. Mayor Boke 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: Interim City Administrator McDonald, City Planner Watson, Finance Officer DeNeui, Public Works Director Kean, Parks and Recreation Director Ehnes, Public Safety Director Rotert, City Engineer Mathis and Fire Chief Ladson.

Klarenbeek moved, Clark seconded and all voted to approve the agenda as presented. No conflicts of interest were declared.

**Public Comment** – At 5:31 p.m. a time for public comment was opened with no comments received.

**Consent Agenda** – Clark moved, Jacobs seconded and with Clark, Hodgs, 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 August 16, 2021.
- B. Move the following employees:
  - 1) Jennifer Driscoll to part-time (not benefit eligible) recreation facility maintenance tech, grade 9, step 1, \$16.55 per hour, effective 8/30/2021.
  - 2) Mckenzie Becker to part-time (not benefit eligible) recreation assistant, grade 7, step 1, \$14.99 per hour, effective 8/22/2021.
  - 3) Ebony Musonda to part-time (not benefit eligible) recreation assistant, grade 7, step 1, \$14.99 per hour, effective 9/8/2021.
- C. Hire the following:
  - 1) Kaylee Cormier, seasonal customer service assistant, \$10.00 per hour, effective 8/31/2021.
  - 2) Brian Vinton as (benefit-eligible) communications officer, grade 12, step 1, \$19.19 per hour, effective 9/8/21.
  - 3) Micah Ortiz as (not benefit-eligible) library page, grade 3, step1, \$12.31 per hour, effective 9/8/21. This position is funded from Federal Work Study.
- D. Add Garrett Ravert, Crystal Chaffins, Kathryn Jones, Anthony Panza and Michael Anderson to the 2021 volunteer fire department list.
- E. Mayor Boke to proclaim September 17-23, 2021 as Constitution Week.
- F. Ratify Spearfish Creek Wine Bar's special on-sale wine license for the Dakota 5-0 Pre-Party on September 3, 2021 from 6:00 p.m. to 10:00 p.m. on Grant Street from Main Street to 5<sup>th</sup> Street.

**Items from Visitors**

**Proclamation** – Mayor Boke proclaimed September 12-18, 2021, as Direct Support Professional Week. Representatives from Northern Hills Training Center accepted the proclamation.

**2020 Audit** – Shelley Goodrich, from Ketel Thorstenson, LLP presented the 2020 financial audit results. Following the presentation Jacobs moved, Hourigan seconded and all voted to approve the Financial Statements and Independent Auditor’s Report dated December 31, 2020.

**MOU** – Bill Schaefer with Black Hills Rapids requested a Memorandum of Understanding for use of the lower field at Spartan Park for soccer practice. Karrie Fjelland, President of Spearfish Soccer Association, spoke in opposition to the request. Following discussions, the request failed for lack of motion.

**Other Items**

**Resolution 2021-24** – Klarenbeek moved, Hourigan seconded and all voted to approve Resolution 2021-24 as follows:

**RESOLUTION 2021-24**

**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 the South Dakota Department of Public Safety Division of Motor Vehicles to lease Hudson Hall, 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 20, 2021.

Dated this 7th day of September, 2021.

**CITY OF SPEARFISH**

(Seal)

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

Attest:

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

Adopted: September 7, 2021  
Published: September 11, 2021  
Effective: October 1, 2021

**Final Project** – Clark moved, Rath seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the final Under/Over Change Order for the 2021 Salem Park Recreation Path Bridge Project for \$7,902.34 (+6.99%) for a final project cost of \$120,932.34. Additionally, Clark moved, Klarenbeek seconded and all voted to approve the Certificate of Final Completion and Acceptance setting September 7, 2021 as the date the two (2) year warranty begins.

**Grant** – Jacobs moved, Klarenbeek seconded and all voted to approve the US Department of the Treasury Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and the Assurance of Compliance with Civil Rights Requirements for the City's \$2,102,285.82 allocation of American Rescue Plan Act funding.

**Ordinance 1344** – Hourigan moved, Jacobs seconded and all voted to approve the first reading of Ordinance 1344 – The 2022 Appropriations Ordinance.

**Transfer** – Hourigan moved, Jacobs seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to transfer \$110,000 from 201-Second Penny Tax Fund to 293-Spearfish Creek Restoration Fund as approved in budget supplement Ordinance 1350.

**Mural** – Hourigan moved, Jacobs seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve a one-time payment to BHSU College of Liberal Arts in the amount of \$3,000 for the George Martin Mural.

**Plan** – A public hearing was opened at 6:23 p.m. to consider the C-1 Redevelopment Incentive Plan for Pioneer Bank at 140 E. Jackson Boulevard. Steve Williams from Williams and Associates Architecture, Inc. reviewed the plan. No additional comments were received and the hearing was closed. Clark moved, Hourigan seconded and all voted to approve the plan for redevelopment.

**Agreement** – Clark moved, Rath seconded and all voted to approve a water service agreement at 396 Evans Lane.

**Set Hearing** – Hourigan moved, Jacobs seconded and all voted to set a public hearing for September 20, 2021 for Resolution 2021-26 – A Resolution to Vacate a Section Line Rights-of-way in Centennial Prairie Addition.

**Agreement** – Klarenbeek moved, Hourigan seconded and all voted to approve the Dedication Agreement for Brooks Loop Phase 4 at Elkhorn Ridge.

**Agreement** – Hourigan moved, Jacobs seconded and all voted to approve a Subsurface Geothermal Pipe Easement Agreement with LS Eklund, LLC.

**Change Order** – Clark moved, Rath seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve Change Order 6 for the Sky Ridge Subdivision Project - Phase 1 with a net increase of \$3,185.55 (+0.08%). No time was added to the contract for this change.

**Truck** – Klarenbeek moved, Rath seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the purchase of a dump truck/snowplow through

the South Dakota VW Program Rebate Agreement. This is a 50/50 grant at a total cost of \$86,441 funded from water (\$78,941) and designating \$15,000 budgeted for asphalt hot box trailer in the 2021 CIP to be used to purchase the sander and plow for snow removal capabilities on the dump truck.

**Grant** – Jacobs moved, Rath seconded and all voted to approve the Financial Assistance Agreement with the State of South Dakota Department of Transportation for the 2021 Coronavirus Response and Relief Appropriate Act (CRRSAA) and to authorize the mayor and appropriate city staff to sign all necessary documents related to the grant.

**Interim Bill List** – Klarenbeek moved, Jacobs seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye voting aye, motion passed to approve the interim bill list dated August 27, 2021 as follows:

<b><u>VENDOR</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
BLACK HILLS ENERGY	JULY/AUG INTERIM 2021	\$ 25,335.77
MONTANA-DAKOTA UTILITIES	7/8/21-8/6/21 NATURAL GAS	\$ 4,886.97
SYSCO FOOD SERVICES OF MT	TORTILLA CHIPS	\$ 1,777.00
		<u>\$ 31,999.74</u>

**Bill List** – Klarenbeek moved, Hourigan seconded and Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the bill list dated September 7, 2021 as follows:

<b><u>VENDOR</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
A & L CONTRACTORS LLC	SALEM PARK BRIDGE PE 5 FINAL	\$ 11,311.54
ADVANCED ELEMENTS INC DBA	STR 41-092-079, 41-092-079 & JKSN IMPROV	\$ 45,952.20
MACQUEEN EQUIPMENT GROUP	SERVICE LADDER TRK-E1,E3-31 PUMPER	\$ 16,951.40
ALLSTATE PETERBILT CO	FILTERS-MIRROR	\$ 176.15
AMAZON CAPITAL SERVICES	DATA LOGGER-BOOKS-TIEROD-WASHE	\$ 6,592.30
AMERICAN ENGINEERING TESTI	JKSN BLVD & SALEM PARK BRIDGE	\$ 618.90
ANIMAL CONTROL OFFICERS AS	TRAINING AC HUMANE ACADEMY	\$ 75.00
AVENZA SYSTEMS INC	AVENZA SYSTEMS RENWAL 14612	\$ 799.00
BAKER & TAYLOR	BOOKS	\$ 1,152.58
BLACK HILLS ENERGY	JULY AUG END OF MONTH ELECTRIC	\$ 18,471.08
BHSU FOUNDATION	HIVE SCULPTURE SHARE	\$ 50,000.00
BHSU PRINTING CENTER	AUG21 UTILITY BILLS	\$ 224.07
BICKLE TRUCK & DIESEL INC	PRESSURE SWITCH	\$ 33.49
BIERSCHBACH EQUIP & SUPPLY	BARACADE WATER REPELL & SEALANT	\$ 3,292.37
BLACK HILLS CHEMICAL CORP	GLOVES-PEROXIDE-DISINFECTANT-BAG	\$ 3,832.17
BLACK HILLS COLLISION PROS	REFINISH CAB CORNER MOULDING	\$ 131.80
BLACK HILLS PSYCHOLOGY LLC	INTERVIEWS HOWARD-HEINERT	\$ 925.00
BLACK HILLS PURE INC	FACILITY WATER	\$ 11.50
BLACK HILLS REPTILE GARDEN	GROUP - REC CENTER FIELD TRIP	\$ 273.00
BOMGAARS SUPPLY INC	AC-FLAGS-CLAMPS-WRENCHES-SEALANT	\$ 2,245.77
BORDER STATES INDUSTRIES I	TAPE-CLAMP-LED-CVR BOX	\$ 1,250.18
BUCK WILD CLIMBING GUIDES	CLIMBING WALL FINAL PAYMENT	\$ 459.50
JT VENTURES LLC	SALT	\$ 148.00

BUILDERS FIRSTSOURCE INC	2X4-10'- OSB	\$	76.26
CASH-WA DISTRIBUTING CO	CONCESSIONS-CANDY-BUNS	\$	429.02
CBH COOPERATIVE	INSTALL GENERATOR-TANK-RGLTR	\$	890.70
CENGAGE LEARNING	AUGUST BEST SELLERS	\$	163.12
TMT INC	PEROXIDE-FILTERS	\$	1,192.42
CENTURYLINK INC	AUG 911 BKUP LN-HYDRO,AIRPORT, FD	\$	354.20
CLAUSER MACHINE WORKS	PUMP BASE-GASKET-REBUILD PUMP	\$	6,061.00
CLIMATE CONTROL SYSTEMS &	WATER LEAK AT PAVILION	\$	802.14
COLE INFORMATION SERVICES	MAGNA ROTOR BLADE GASKET	\$	600.00
DIAS, GREGORY K	UPDATES TO PATRON COMPUTERS	\$	430.50
CREEKSIDE DEVELOPMENT LLLP	JULY TAX INCREMENT	\$	51,833.60
CROELL INC	M6 C15 DELIVERY	\$	1,370.00
CVD CONSTRUCTION INC	OPERATOR AND BOOM TRUCK	\$	130.00
DAKOTA BUS SERVICE CORP	SUMMER REC GROUP-RSH ADV PRK	\$	1,650.00
WS DARLEY & CO	GASKET REPAIR W COTTER PINS	\$	134.41
DC BOOTH SOCIETY INC	BOOTH QUARTERLY ALLOC	\$	7,650.00
DEMCO INC	BINDER TAPE-LABELS-	\$	433.20
MEDNANSKY, DOUGLAS	150W LED VRT TYPE 5 BRONZE	\$	640.00
ENERGY LABORATORIES INC	EFFLUENT 2 SPECIES	\$	2,452.50
FMG INC	EXIT 8 AREA COMMUNITY PATH	\$	15,607.81
VIEHAUSER ENTERPRISES LLC	PD GARAGE WLKDOOR-SERVICE CALL	\$	663.90
THE GLASS SHOP	NEW STOREFRONT AT HYDRO	\$	5,946.63
GOULD, DONALD F	HEADLINER FOR TRUCK	\$	125.00
GREAT WESTERN TIRE INC	LAWN/GARDEN TURF TRAC-CAPS	\$	922.84
GUNDERSON TRUCKING INC	#2 TRANSPORT TO GILLETTE x4	\$	6,050.00
HAGEMAN, THOMAS	BOOT REIMBURSEMENT	\$	100.00
HAWKINS INC	BLEACH-HYDROCHLORIC ACD-DIFFUSE	\$	9,178.61
HDR ENGINEERING INC	EXIT 17 SURVEY-SPORTS LAYOUT-	\$	54,757.60
HEISLER HARDWARE	SPRINKLER-FASTENERS-PAINT-BRUSHES	\$	755.92
HIGH PLAIN HERITAGE SCTY	QUARTERLY ALLOCATION	\$	17,325.00
INTERSTATE ENGINEERING INC	SURVEY SITE FOR BANDSHELL	\$	4,362.22
TODD EMERY COLLINS	JET CAMPGROUND DRAINS	\$	260.90
JOHNER GRAVEL INC	CLEAN ROCK HURM PIT	\$	303.60
KARL'S INC	ELECTRIC DRYER	\$	629.99
KNECHT HOME CENTER INC	CONCRETE-SILICONE-GLOVES-BAGS	\$	1,903.91
MATTHEWS INTL CORP	KEATS PLAQUE	\$	137.00
MATTHEWS OPERA HOUSE	MATTHEWS OPERA QUARTERLY ALLOC	\$	10,800.00
MEGUIRE CHEMICAL SOLUTIONS	FUEL-PADS-SCREEN-CHEMICALS	\$	850.00
MENARDS	HAMMERS-SAW-KNIFE-CHISEL	\$	342.22
MEREDITH SERVICES CO INC	RIP RAP	\$	425.12
MIDCONTINENT TESTING LABS,	WATER TESTING JULY WATER/SEWER	\$	1,112.00
HUSKER PROPERTIES	FUEL	\$	20.95
MONEY MOVERS	5/1-5/31 REC CENTER	\$	7.00
MURPHY PETROLEUM TRANSPORT	USED OIL PICK UP FEE	\$	104.50
NORTHERN HILLS VENTURES IN	SPT NETWORK SVCS-WIFI-AUG SVC ADJ	\$	14,857.36

MOSSET, COREY	RPLC ROLLERS & HINGES GA SHOP	\$	168.37
NSG LOGISTICS, LLC	ICE SLICER	\$	50,530.72
ONE TIME VENDORS	DOHNER, JIM:CAMPGROUND REFUND	\$	270.00
PETTY CASH	PLAT MONEY AUGUST	\$	277.00
POWERPLAN	DRIVE DISK-G3 SERVICE-	\$	1,232.64
WEST RIVER TRANSIT AUTHORI	QUARTERLY ALLOCATION	\$	10,125.00
PREMIUM INCENTIVE SALES, I	CHRISTMAS GIFTS EMPLOYEES	\$	4,156.88
SCHREINER ENTERPRISES, INC	INV SHEETS-IMPOUND-RECEIPT BOOKS	\$	4,645.71
RCS CONSTRUCTION INC	JKSN BRG PE 4 & JKSN ST & UTIL PH PE11	\$	455,463.13
REED, THERESA DAWN	AUGUST SERVICES	\$	465.00
RIVERSIDE TECHNOLOGIES INC	HD LED LCD MONITOR	\$	438.00
SACRISON ASPHALT INC	LIMESTONE	\$	519.00
SACRISON PAVING INC	ASPHALT PATCHING 12TH HUDSON	\$	1,537.47
SOUTH DAKOTA ONE CALL	FEES FOR JULY	\$	168.00
SD WILDLAND FIRE	BAL DUE ON FD PANTS	\$	6.00
SPEARFISH ECON DEVELOPMENT	SEDC QUARTERLY ALLOCATION	\$	25,000.00
SHERWIN WILLIAMS CO	QP EASYOUTFLTR-RAC 5 TIP	\$	78.96
SIMON CONTRACTORS OF SD IN	1" ROADSTONE	\$	130.94
SIRCHIE FINGER PRINT LAB	SNOWPRINT WAX-AEROSOL	\$	125.17
SPEARFISH AUTO SUPPLY	TIE ROD-FILTERS-FITTINGS-ADAPTOR	\$	3,084.99
SPEARFISH GLASS INC	RUBBLE SITE-SCREEN REPAIRS	\$	46.74
SPEARFISH LUMBER CO	KNEE PADS-SEALANT WINDOW	\$	35.97
GUDAHL INVESTMENTS LLC	BOND PRIME WHITE	\$	88.18
SUPERIOR SANITATION LLC	PORTABLE RESTROOMS CAMPGRND	\$	3,300.00
SWEET TREATS INC	FROYO-TWIN POPS-CONCESSIONS	\$	1,013.00
SYSCO FOOD SERVICES OF MT	ICE CREAM BAR FUDGE-CHIPS	\$	192.71
TRANSOURCE TRUCK & EQUIPME	GUTTER BOOM	\$	253.80
TRUGREEN CHEMLAWN	AUGUST WEED CONTROL	\$	5,108.40
TTG ENTERPRISES INC	LABOR TO INSTALL LED LAMPS	\$	1,320.00
TYLER TECHNOLOGIES INC	UTILITIES & PA CASHCOL FEES-MAINT F	\$	13,004.69
CITY OF SPEARFISH	CITY UTILITIES-BUILDINGS-CAMP ETC	\$	63,140.78
WALMART CAPITAL ONE	SQUARE JAR-DUSTER-LEGAL PADS-	\$	95.15
WARNE CHEMICAL & EQUIPMENT	QUICK GRO MIX	\$	330.00
WHITE'S QUEEN CITY MOTORS	TAHOE-SPEED SENSOR-HUB ISSUE	\$	1,498.93
XYLEM WATER SOLUTIONS USA	BALLAST ECORAY	\$	1,320.15
ZANDSTRA CONSTRUCTION	SKY RIDGE PH 1 PE11	\$	382,375.73
TOTAL		\$	1,421,317.36

**Rec Path** – McDonald noted the Exit 8 Rec Path bid opening was held by the SD Department of Transportation. The bid accepted was above the engineers estimate by approximately \$200,000. The additional amount will be funded 75% by DOT and 25% City bringing the City's share for the project to approximately \$780,000. Construction will begin later this fall. Ehnes noted the RTP grant portion of the Rec Path Project has been completed and will be inspected by the grant agency. After inspection the request will be submitted by finance staff for the \$100,000 grant reimbursement.

There being no further business, Hourigan moved, Clark seconded and all voted to adjourn at 6:38 p.m.

Dated this 7th day of September, 2021.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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