



**Spearfish City Council**  
Regular Session Minutes  
September 8, 2020 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Tuesday, September 8, 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 Administrator Harmon, City Planner Watson, Parks and Recreation Director Ehnes, City Attorney McDonald, City Engineer Mathis, Finance Officer DeNeui, Public Works Director Lee, Public Safety Director Rotert, and Assistant Finance Officer Thurmes.

All stood and recited the pledge of allegiance. The agenda was amended to remove item 12C. Klarenbeek moved, Hodgs seconded and all voted to approve the amended agenda. 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 August 17, 2020.
- B. Approve and authorize Mayor Boke to sign the MOU with the Spearfish Pickleball Club for the newly constructed pickleball courts located at the City Park.
- C. Hire Jade Addison as full-time, benefit-eligible facility maintenance tech, grade 10, step 1, \$15.22 per hour effective September 9, 2020.
- D. Add Elizabeth Gray to the Library Volunteer list.
- E. Add Matthew Wenzel to the Fire Department Volunteer list.

**Event** – Clark moved, Herrmann seconded and all voted to approve the special event and street closure for the Art Wine and Autumn Fest. The event will be held on Saturday, September 19, 2020 and will close Main Street from Illinois Street to Hudson Street from 8:00 a.m. to 4:00 p.m.

**Fees** – Eisenbraun moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to refund the Spearfish School District's building permit fee of \$1,097.20 for the roof repairs to the High School and waive the building permit fee of \$531.00 for the roof repairs to the Administration Facility.

**Proclamation** – Mayor Boke proclaimed September 13-19, 2020 as Direct Support Professionals Week. Rich Mulholland, Chief Executive Officer of Northern Hills Training Center, accepted the proclamation on behalf of the staff of Northern Hills Training Center.

**Ordinance 1327** – Klarenbeek moved, Hodgs seconded and all voted to approve the first reading of Ordinance 1327 – An Ordinance Amending Chapter 14 Streets, Sidewalks and Other Public Places, Article VI. Cemeteries of the Revised Ordinances of the City of Spearfish.

**Ordinance 1328** – Clark moved, Jacobs seconded and all voted to approve the first reading of Ordinance 1328 – An Ordinance Amending Chapter 9 Health, Sanitation and Nuisances, Article II. Nuisances of the Revised Ordinances of the City of Spearfish.

**Final Project** – Clark moved, Eisenbraun seconded and all voted to approve the final under/over Change Order for the 2019 City Hall Site Improvements Project for a decrease of \$52,912.32, with a final project cost of \$374,019.07 (original contract amount was \$419,912,91) and to authorize Mayor Boke to sign the Certificate of Final Completion and Acceptance setting September 8, 2020 as the date the two (2) year warranty begins.

**Bridges** – Clark moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to remove the Peoria bridge and relocate the Rushmore bridge in its place at an estimated cost of \$120,000 to \$130,000.

**Sign** – Clark moved, Eisenbraun seconded and all voted to approve the design of the Jackson Boulevard Exit 12 Gateway/Welcome sign as option D presented with print lettering for the “welcome to” lettering.

**Proposal** – Hodgs moved, Eisenbraun seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to accept FMG Engineering’s design proposal, Amendment No. 3 at a cost not to exceed \$12,598 for Phase 2 of the Exit 8 Area Community Path Project.

**Resolution 2020-24** – Eisenbraun moved, Jacobs seconded and all voted to adopt Resolution 2020-24 as follows:

**RESOLUTION NO. 2020-24**

**A RESOLUTION AMENDING THE CITY OF SPEARFISH CREDIT CARD ACQUISITION AND USE POLICY**

**Whereas:** The City of Spearfish City Council has determined that the City has a need for a credit card as authorized by SDCL 4-3-27,

**Now Therefore, Be It Resolved:** The Finance Office (herein after referred to as the “designated official”) is hereby authorized to acquire and use credit card accounts for the purchase of certain necessities on behalf of and for the benefit of the City of Spearfish, in accordance with the policies set within the Purchasing Policy of the City of Spearfish, as amended from time to time.

Dated this 8th day of September 2020.

CITY OF SPEARFISH

BY: \_\_\_\_\_  
Dana Boke, Mayor

ATTEST:

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

(SEAL)

Adopted: September 8, 2020  
Published: September 12, 2020  
Effective: October 2, 2020

**Policy** – Jacobs moved, Klarenbeek seconded and all voted to adopt policy 4.1 purchasing as presented.

**Resolution 2020-27** – Eisenbraun moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to adopt Resolution 2020-27 as follows:

**RESOLUTION NO. 2020-27**

**A RESOLUTION OF SUPPORT FOR GROWING SPEARFISH BUSINESSES**

**WHEREAS**, the Common Council of the City of Spearfish supports and believes in the value of growing Spearfish businesses; and

**WHEREAS**, the Common Council is committed to using all tax dollars in the most effective and efficient manner possible; and

**WHEREAS**, the Common Council acknowledges that Spearfish Economic Development Corporation, Visit Spearfish, and the Spearfish Area Chamber of Commerce have similar yet unique missions that support and grow the community of Spearfish as a whole.

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the City of Spearfish, South Dakota:

1. A one-time appropriation of \$125,000 will be paid to Visit Spearfish in October 2020.
2. The source of the appropriation will be from the fund balance of the Hospitality Tax Fund.
3. The Spearfish Economic Development Corporation, Visit Spearfish, and the Spearfish Area Chamber of Commerce are directed to develop collaborative economic efficiencies that will benefit the Spearfish community.
4. These organization are further directed to present a report of the efficiencies developed to the Common Council of the City of Spearfish prior to January 1, 2022.

Dated this 8<sup>th</sup> day of September 2020.

**CITY OF SPEARFISH**

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

ATTEST:

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

(SEAL)

Adopted: September 8, 2020  
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**Ordinance 1331** – Eisenbraun moved, Jacobs seconded and all voted to approve the first reading of Ordinance 1331 – 2021 Appropriations Ordinance.

**Final Project** – Clark moved, Jacobs seconded and all voted to approve the closeout of the 2020 Pickleball Court Phase 2 Project with L.E.R. Inc dba Renner Sports (final project cost totaled \$148,312.32 with total approved bid price of the same amount) and authorize Mayor Boke to sign the Certificate of Final Completion and Acceptance setting September 8, 2020 as the date the two (2) year warranty begins.

**Resolution 2020-25** – Jacobs moved, Klarenbeek seconded and all voted to adopt Resolution 2020-25 as follows:

**RESOLUTION NO. 2020-25**

**A RESOLUTION OF APPLICATION FOR THE TRANSPORTATION  
ALTERNATIVE GRANT TO AID IN FINANCING THE EXIT 8 MULTI-USE  
CONNECTOR REC PATH.**

WHEREAS, Transportation Alternatives (TA) is a program that uses federal transportation funds, designated by Congress, for specific activities that enhance the intermodal transportation system and provide safe alternative transportation options;

WHEREAS, the Exit 8 Multi-Use Connector Rec Path would be a desirable improvement to the City of Spearfish's existing rec path system.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Spearfish, South Dakota:

1. That Tyler Ehnes (Parks and Recreation Director) or his delegate is hereby authorized to execute and file an application on behalf of the City of Spearfish with the State of South Dakota, Department of Transportation, for a Transportation Alternative grant to aid in financing the Exit 8 Multi-Use Connector Rec Path Phase 2 for the City of Spearfish South Dakota and its Environs.
2. That Tyler Ehnes or his delegate is hereby authorized and directed to furnish such information as the above mentioned federal and/ or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Spearfish shall provide a minimum of 18.05% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

Dated this 8th day of September, 2020

**CITY OF SPEARFISH**  
By: \_\_\_\_\_  
Dana Boke, Mayor

ATTEST:

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Michelle DeNeui, Finance Officer  
(SEAL)

Adopted: September 8, 2020  
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**Safety Manual** – Clark moved, Klarenbeek seconded and all voted to adopt the new City of Spearfish employee safety program manual.

**Public Hearing** – A public hearing was opened at 6:21 p.m. to consider Ordinance 1324 – An Ordinance Amending Appendix A – Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property. (Rezoning the two 17-foot strip parcels along Colorado Boulevard.) No oral or written comments were received and the hearing was closed at 6:21 p.m.

**Ordinance 1324** – Hodgs moved, Jacobs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to approve the second reading of Ordinance 1324 – An Ordinance Amending Appendix A – Zoning of the Revised Ordinances of the City of Spearfish by Zoning Certain Property.

**Public Hearing** – A public hearing was opened at 6:23 p.m. to consider Ordinance 1326 – An Ordinance Amending Appendix A. Zoning, Article V. Supplementary Regulations, Section 6. Sign Regulations of the Revised Ordinances of the City of Spearfish. No oral or written comments were received and the hearing was closed at 6:23 p.m.

**Ordinance 1326** – Clark moved, Klarenbeek seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye, motion passed to approve the second reading of Ordinance 1326 – An Ordinance Amending Appendix A. Zoning, Article V. Supplementary Regulations, Section 6. Sign Regulations of the Revised Ordinances of the City of Spearfish.

**Close Alley** – Hodgs moved, Herrmann seconded and all voted to authorize City staff to permanently close the last 250 feet of East Main Alley.

**Final Project** – Eisenbraun moved, Klarenbeek seconded and all voted to approve the final change order for the City Hall Roof Membrane Replacement Project for a \$0.00 increase (final project cost was \$134,985 with total approved bid price of the same amount) and to authorize Mayor Boke to sign the Certificate of Final Completion and Acceptance setting September 8, 2020 as the date the two-year warranty begins.

**Bill List** – Eisenbraun moved, Hodgs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the bill list dated September 8, 2020 as follows:

<b><u>Vendor</u></b>	<b><u>Description</u></b>		<b><u>Amount</u></b>
AMAZON CAPITAL SERVICES	OFFICE/JANITORIAL/TECH	\$	2,042.16
AMERICAN ENGINEERING TESTING	WWTP EQ BASIN TESTING	\$	218.50

BAKER & TAYLOR	A/V, BOOKS	\$	376.48
BLACK HILLS ENERGY	JULY/AUGUST 2020 ELECTRICITY	\$	33,250.90
BHSU PRINTING CENTER	UTILITY BILLS	\$	230.51
BIERSCHBACH EQUIP & SUPPLY	PARTS	\$	299.25
BLACK HILLS CHEMICAL CORP	JANITORIAL	\$	3,348.68
BLACK HILLS STATE UNIVERY	ANNUAL STUDENT WELCOME	\$	1,039.00
BLACK HILLS WINDSHIELD	REPAIRS - TRUCK #30	\$	60.00
BOMGAARS SUPPLY INC	CHEMICALS/TOOLS	\$	733.97
BORDER STATES INDUSTRIES	ELEC PARTS	\$	132.13
BUTLER MACHINERY CO	PARTS/LABOR	\$	518.07
CASH-WA DISTRIBUTING CO	JANITORIAL	\$	526.13
CENGAGE LEARNING	BOOKS	\$	97.75
CENTURION TECHNOLOGIES	SMARTSHIELD ENT BUS CARE REN	\$	96.00
CENTURYLINK INC	AUG 2020 TELEPHONE	\$	1,066.78
CHAIN SAW CENTER	PARTS	\$	97.98
CITY OF SPEARFISH CC	TRAINING/REGISTRATION	\$	1,350.00
COMBINED BLDG SPECIALTIES	SIGNAGE	\$	690.00
CVD CONSTRUCTION INC	OPERATOR/EQUIP	\$	125.00
DC BOOTH SOCIETY INC	SEMI ANNUAL ALLOCATION	\$	7,063.00
MEDNANSKY, DOUGLAS	ELECTRICAL	\$	1,476.80
ELKHORN RIDGE @ FRAWLEY RA	AUG 20 TAX INCREMENT DUE	\$	2,844.34
NEWHOUSE ENTERPRISES INC	PAPER, PRINTER/COPY	\$	107.97
FELSBURG HOLT & ULLEVIG	JACKSON BLVD BRIDGE DESIGN	\$	15,952.67
FMG INC	EXIT 8 AREA PATH, PHASE I	\$	7,499.20
VIEHAUSER ENTERPRISES LLC	SVC CALL/PARTS/LABOR	\$	939.98
GREAT WESTERN TIRE INC	PARTS/LABOR	\$	6,611.35
HAWKINS INC	CHEMICALS	\$	11,770.00
HDR ENGINEERING INC	EXIT 17 DEV SURV & GEOTECH	\$	73,968.76
HEARTLAND PAPER CO	JANITORIAL	\$	958.18
HEISLER HARDWARE	PARTS/HARDWARE/PAINT	\$	670.56
HIGH PLAIN HERITAGE SCTY	SEMI ANNUAL ALLOCATION	\$	15,996.00
HILLS INTERIORS INC	CARPET TILES	\$	395.92
IMLA	DUES 10/1/20 - 9/30/21	\$	300.00
JUNEK'S SERVICE CORP	PARTS/LABOR	\$	843.16
KETEL THORSTENSON LLP	FINAL BILL FOR AUDIT/FIN STMTS	\$	5,716.80
LOWE ROOFING INC	SVC CALL/PUMP STATON	\$	61,160.10
MACK'S AUTO BODY LLC	PARTS/LABOR	\$	1,356.48
MATTHEWS OPERA HOUSE	SEMI ANNUAL ALLOCATION	\$	9,971.00
MG OIL COMPANY	OIL	\$	540.70
NORTHERN HILLS VENTURES IN	IT SERVICES/SUPPORT	\$	37,132.03
NORTHERN BALANCE & SCALE	SVC CALL	\$	193.00
MOSSET, COREY	SVC CALL/CANYON ADMIN	\$	295.92
NSG LOGISTICS, LLC	ICE SLICER	\$	13,276.07
ONE TIME VENDORS	REFUNDS	\$	1,130.00
PETTY CASH	POSTAGE/OFFICE/KICHEN/MILES	\$	120.34

PETTY CASH	PLAT/RESOLUTION FILING FEES	\$	689.00
POWERPLAN	PARTS	\$	145.63
RAPID DELIVERY	AUG 2020 SERVICES	\$	255.66
RCS CONSTRUCTION INC	JACKSON BLVD /WWTP	\$	602,507.61
REED, THERESA DAWN L.E.R., INC.	JANITORIAL - DOWNTOWN RR	\$	465.00
SCHREINER ENTERPRISES, INC	PICKLE BALL 7/18/20-8/20/20	\$	31,117.63
SD DEPT OF PUBLIC SAFETY	DOOR HANGERS	\$	407.90
SPEARFISH ECON DEVELOPMENT	TELETYPE, 07/01/20 - 12/31/20	\$	3,090.00
SOUTH DAKOTA HISTORICAL SO	QUARTERLY ALLOCATION	\$	8,833.00
SOUTH DAK STATE TREASURER	2019 DUES	\$	50.00
SPEARFISH AUTO SUPPLY	AUG 2020 SALES TAX DUE	\$	14,493.97
SPEARFISH GLASS INC	PARTS/TOOLS/JANITORIAL	\$	4,149.26
STATE OF SD-EXECUTIVE MGMT	PARTS/LABOR	\$	152.96
STEC'S INNOVATIVE SAFETY S	AUG 2020 CENTREX FEES	\$	14.30
SUPERIOR CONCRETE SOLUTION	JULY 2020 SAFETY REWARDS PTS	\$	139.00
SUPERIOR SANITATION LLC	REPAIR/RESURFACE	\$	3,583.95
TIMECLOCK PLUS	JUL 2020 - PORTABLE RR'S	\$	512.00
TRANSOURCE TRUCK & EQUIPMENT	ANNUAL LICENSE RENEWAL	\$	5,625.00
TRUGREEN CHEMLAWN	PARTS	\$	743.47
TSP INC	WEED CONTROL, PROJ #2020-10	\$	5,794.83
TURFWERKS	LIBRARY RENOVATION STUDY	\$	2,329.39
TYLER TECHNOLOGIES INC	PARTS/KIT	\$	273.87
CITY OF SPEARFISH	PROJ ACCT/CASH/SQL COLL	\$	12,393.33
WALMART COMMUNITY/GEMB	AUGUST W/S/G	\$	51,736.33
WARNE CHEMICAL & EQUIPMENT	TV/GROCERY/OFFICE/ELEC	\$	807.18
WESTERN DAKOTA WASTE SOLUT	QUICK GRO MIX	\$	290.00
WESTERN HILLS HUMANE SCTY	DISPOSAL	\$	1,414.60
WHEELER LUMBER LLC	SEMI ANNUAL KENNEL CONTRACT	\$	6,000.00
INTEGRITY ACQUISITION LLC	COPPER	\$	135.00
WOLFF'S PLUMBING & HEATING	2020 FORD EXPLORER X 2	\$	75,174.00
	PLUMBING PARTS	\$	188.10
	TOTAL	\$	<u>1,158,101.59</u>

Public comment section was opened at 6:35 p.m. with comments received from resident John Dale on COVID-19 and the reading of a poem. Comments were also received from Doris Cardwell and Jared DeGraff thanking the council for the compromise for funding to Visit Spearfish. Public comment section was closed at 6:40 p.m.

There being no further business, Clark moved, Hodgs seconded and all voted to adjourn at 6:41 p.m.

Dated this 8th day of September 2020.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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