



**Spearfish City Council**  
Regular Session Minutes  
January 21, 2020 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Tuesday, January 21, 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: 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, Finance Officer DeNeui, Public Safety Director Rotert, and Police Chief Jacobs.

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

**Consent Agenda** – Eisenbraun moved, Hodgs seconded approved to approve the consent agenda as follows:

- A. Approve the minutes of City Council regular session dated January 6, 2020.
- B. Approve the treasurer's report dated December 31, 2019.
- C. Approve a special malt beverage and on-sale wine license for False Bottom for 3-Cheers on January 30, 2020 from 5:30 p.m. to 8:30 p.m. at the Pavilion.
- D. Approve a special on-sale wine license for Spearfish Creek Wine Bar for Chinook Fest on January 25, 2020 from noon to 7:00 p.m. at the Pavilion.
- E. Approve a special malt beverage and on-sale wine license for Spearfish Creek Wine Bar for the Chocolate Festival on February 8, 2020 from 8:00 a.m. to 5:00 p.m. at the Pavilion.
- F. Approve a special on-sale wine license for Spearfish Creek Wine Bar for Crow Peak Sound Off on February 16, 2020 from 3:00 p.m. to 6:00 p.m. at the Pavilion.
- G. Approve a special on-sale liquor license for the Stadium Sports Grill for a wedding on February 1, 2020 from 4:00 p.m. to midnight at the Pavilion.
- H. Add Rick Radliff to the 2020 fire department volunteer list.

**Items from Visitors**

**Leadership Spearfish** – The 2020 Leadership Spearfish class presented their class project of a story walk. This project will provide podiums that will have children's books for families to read along the rec paths near Evans Park and Jorgensen Park. The class has worked with parks and recreation staff to address placement and construction and Friends of Library to assume long-term care and updating of the podiums. Hodgs moved, Jacobs seconded and all voted to support the project and locations of the story walk.

**Other Items**

**Agreement** – Following discussions, Eisenbraun moved and Hodgs seconded to approve Dream Design International, Inc., as the chosen firm for the workforce development housing project and authorize staff to negotiate the terms of a development agreement with Dream Design International, Inc., for Council's future consideration. Motion passed with Clark, Eisenbraun, Hodgs, Jacobs and Klarenbeek voting aye and Herrmann voting nay.

**Community Rating System** – Clark moved, Klarenbeek seconded and all voted to sign the Community Rating System CC-213 Recertification, FEMA form 086-0-35A(4/17).

**Contract** – Eisenbraun moved, Jacobs seconded and all voted to approve the revised Intergovernmental Contract with South Dakota Public Assurance Alliance.

**Public Hearing** – A public hearing was opened at 6:01 p.m. to consider an application from Kelly Gould with 2 Broke Girls for an on-off sale wine license located at 605 N Main Street. No oral or written comments were received and the public hearing was closed.

**License** – Clark moved, Jacobs seconded and all voted to approve an application from Kelly Gould with 2 Broke Girls for an on-off sale wine license located at 605 N Main Street.

**Public Hearing** – A public hearing was opened at 6:01 p.m. to consider an application from Sajan Baniya with Himalayan Indian Cuisine for an on-off sale wine license located at 6764 Colorado Loop Ste 2. No oral or written comments were received and the public hearing was closed.

**License** – Clark moved, Herrmann seconded and all voted to approve an application from Sajan Baniya with Himalayan Indian Cuisine for an on-off sale wine license located at 6764 Colorado Loop Ste 2.

**Public Hearing** – A public hearing was opened at 6:02 p.m. to consider an application from Zac Eixenberger with Spread the Tunes for a special malt beverage license for Chinook Days on January 25, 2020 from noon to 7:00 p.m. at the Pavilion. No oral or written comments were received and the public hearing was closed.

**License** – Hodgs moved, Herrmann seconded and all voted to approve an application from Zac Eixenberger with Spread the Tunes for a special malt beverage license for Chinook Days on January 25, 2020 from noon to 7:00 p.m. at the Pavilion.

**Public Hearing** – A public hearing was opened at 6:02 p.m. to consider an application from Spearfish Chamber of Commerce for a special on-sale liquor license for Taste of Spearfish on January 27, 2020 from 5:00 p.m. to 7:00 p.m. at the Pavilion. No oral or written comments were received and the public hearing was closed.

**License** – Clark moved, Herrmann seconded and all voted to approve an application from Spearfish Chamber of Commerce for a special on-sale liquor license for Taste of Spearfish on January 27, 2020 from 5:00 p.m. to 7:00 p.m. at the Pavilion.

**Audit** – Clark moved, Hodgs seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye to approve the engagement letter with Ketel Thorstenson, LLP for audit of the financial statements for the year ended December 31, 2019.

**Resolution 2020-03** – Clark moved, Klarenbeek seconded and all voted to approve Resolution 2020-03 as follows:

**RESOLUTION 2020-03**

**A RESOLUTION ESTABLISHING FUND 511 – WORKFORCE HOUSING PROJECT FUND**

**WHEREAS**, the City of Spearfish has determined it to be prudent and responsible to establish a capital project fund for the appropriate financial administration for the multiple-year project of developing Workforce Housing in Spearfish.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Spearfish that Fund 511 – Workforce Housing Project Fund is hereby established and included in the City’s annual budget.

**BE IT FURTHER RESOLVED** that a transfer of \$50,000 from the General Fund will be deposited into the Workforce Housing Project Fund for authorized expenditures.

**BE IT FURTHER RESOLVED** the funds contained within the Workforce Housing Project Fund shall be appropriated for allowable costs included in the development, design, and construction of workforce housing in Spearfish.

**BE IT FURTHER RESOLVED** this resolution will become effective upon publication.

Dated this 21st day of January, 2020.

**CITY OF SPEARFISH**

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

(Seal)

Attest:

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

Adopted: January 21, 2020  
Published: January 25, 2020  
Effective: February 14, 2020

**Ordinance 1309** – Clark moved, Hodgs seconded and all voted to approve the first reading of Ordinance 1309 – An Ordinance Amending Chapter 18, Section 18-216 Tap Fees.

**Resolution 2020-02** – Clark moved, Hodgs seconded and all voted to adopt Resolution 2020-02 as follows:

**RESOLUTION 2020-02**

**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–

~~strike through~~ indicating text to be deleted, underline indicating text to be added, and certain fees are subject to applicable sales tax:

ITEM	AREA	FEE DESCRIPTION	CURRENT AMOUNT	AMENDED /NEW AMOUNT	2021	2022	2023	2024
New	SEWER	Sewer Tap Fee – 1 inch Meter/Tap – Following Tap Fee Policy	New	\$750.00	\$1,000.00	\$1,250.00	\$1,500.00	\$1,750.00
New	SEWER	Sewer Tap Fee – 1 ½ inch Meter – Following Tap Fee Policy	New	\$1,500.00	\$2,000.00	\$2,500.00	\$3,000.00	\$3,500.00
New	SEWER	Sewer Tap Fee – 2 inch Meter – Following Tap Fee Policy	New	\$2,400.00	\$3,200.00	\$4,000.00	\$4,800.00	\$5,600.00
New	SEWER	Sewer Tap Fee – 3 inch Meter – Following Tap Fee Policy	New	\$4,500.00	\$6,000.00	\$7,500.00	\$9,000.00	\$10,500.00
New	SEWER	Sewer Tap Fee – 4 inch Meter – Following Tap Fee Policy	New	\$7,500.00	\$10,000.00	\$12,500.00	\$15,000.00	\$17,500.00
New	SEWER	Sewer Tap Fee – 6 inch Meter – Following Tap Fee Policy	New	\$15,000.00	\$20,000.00	\$25,000.00	\$30,000.00	\$35,000.00
New	WATER	Water Tap Fee – 1 inch Meter – Following Tap Fee Policy	New	\$750.00	\$1,000.00	\$1,250.00	\$1,500.00	\$1,750.00
New	WATER	Water Tap Fee – 1 ½ inch Meter – Following Tap Fee Policy	New	\$1,500.00	\$2,000.00	\$2,500.00	\$3,000.00	\$3,500.00
New	WATER	Water Tap Fee – 2 inch Meter – Following Tap Fee Policy	New	\$2,400.00	\$3,200.00	\$4,000.00	\$4,800.00	\$5,600.00
New	WATER	Water Tap Fee – 3 inch Meter – Following Tap Fee Policy	New	\$4,500.00	\$6,000.00	\$7,500.00	\$9,000.00	\$10,500.00
New	WATER	Water Tap Fee – 4 inch Meter – Following Tap Fee Policy	New	\$7,500.00	\$10,000.00	\$12,500.00	\$15,000.00	\$17,500.00
New	WATER	Water Tap Fee – 6 inch Meter – Following Tap Fee Policy	New	\$15,000.00	\$20,000.00	\$25,000.00	\$30,000.00	\$35,000.00
1406	PUBLIC WORKS	<del>Water and Sewer: Class 4, Excessive Use, Tap fee, Motels and hotels with food services and bar, per gallon, per day, per unit</del>	<del>\$175.00</del>	Remove				
1407	PUBLIC WORKS	<del>Water and Sewer: Class 4, Excessive use, Tap fee, Motels and hotels with no food service and bar, per gallon, per day, per unit</del>	<del>\$100.00</del>	Remove				

1408	PUBLIC WORKS	Water and Sewer: Class 4, Excessive Use, Tap fee, Other facilities, average monthly consumption computed from water bills for similar businesses in this area or from national averages.	???	Remove
1409	PUBLIC WORKS	Water and Sewer: Class 4, Excessive Use, Tap fee, Service stations, per gallon, per month, average monthly consumption computed from water bills for similar businesses in this area or from national averages	???	Remove
1410	PUBLIC WORKS	Water and Sewer: Class 4, Excessive Use, Tap fee, swimming pool considered additional unit.	\$175.00	Remove
1411	PUBLIC WORKS	Water and sewer: Commercial, Class 2, Tap fee	\$2,200.00	Remove
1412	PUBLIC WORKS	Water and sewer: Commercial, Class 2, Tap fee, per one thousand (1,000) gallons of average monthly water consumption	\$50.00	Remove
1413	PUBLIC WORKS	Water and sewer: Industrial, Class 3, Tap fee	\$3,400.00	Remove
1414	PUBLIC WORKS	Water and sewer: Industrial, Class 3, Tap fee, per one thousand (1,000) gallons of average monthly water consumption	\$50.00	Remove
1415	PUBLIC WORKS	Water and Sewer: Residential, Class I, Tap fees	\$1,000.00	Remove
1505	SEWER	Sewer: Commercial, Class 2, Tap fee, only	\$1,400.00	Remove
1506	SEWER	Sewer: Commercial, Class 2, Tap fee, only, per one thousand (1,000) gallons of average monthly water consumption	\$32.00	Remove
1507	SEWER	Sewer: Industrial, Class 3, Tap fee, only	\$2,000.00	Remove

1508	SEWER	Sewer: Industrial, Class 3, Tap fee, only, per one thousand (1,000) gallons of average monthly water consumption	\$32.00	Remove
1511	SEWER	Sewer: Residential, Tap fee, Class I, only	\$500.00	Remove
1929	WATER	Water: Capacity fee, 1" tap	\$1,000.00	Remove
1930	WATER	Water: Capacity fee, 2" tap	\$2,000.00	Remove
1931	WATER	Water: Capacity fee, 3" tap	\$3,000.00	Remove
1932	WATER	Water: Capacity fee, 4" tap	\$4,000.00	Remove
1933	WATER	Water: Capacity fee, 6" tap	\$6,000.00	Remove
1934	WATER	Water: Commercial, Class 2, Tap fee, only	\$800.00	Remove
1935	WATER	Water: Commercial, Class 2, Tap fee, only, per one thousand (1,000) gallons of average monthly water consumption	\$18.00	Remove
1937	WATER	Water: Fire Suppression system only, 1/4 of fees listed	-75%	Remove
1938	WATER	Water: Industrial, Class 3, Tap fee, only	\$1,400.00	Remove
1939	WATER	Water: Industrial, Class 3, Tap fee, only, per one thousand (1,000) gallons of average monthly water consumption	\$18.00	Remove
1941	WATER	Water: Residential, Tap fee, Class I, only	\$500.00	Remove

CITY OF SPEARFISH

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Dana Boke, Mayor

ATTEST:

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Michelle DeNeui, Finance Officer

(SEAL)

Adopted: January 21, 2020

Published: January 25, 2020

Effective: February 14, 2020 and then January 1<sup>st</sup> of each year noted.

**Policy** – Klarenbeek moved, Hodgs seconded and all voted to adopt the tap fee policy as presented.

**Quote** – Clark moved, Eisenbraun seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs, and Klarenbeek voting aye to accept the quote for 20 tablet/mobile data terminals (MDTs) and related accessories from Brite at the cost of \$56,942.

**Position** – Hodgs moved, Jacobs seconded and all voted to approve the position description for public safety records manager and authorize to recruit to fill this position.

**Sell** – Clark moved, Eisenbraun seconded and all voted to authorize City staff to sell two dump-trucks (1998 Kenworth and 1994 Volvo) to the City of Belle Fourche for \$25,000.

**Surplus** – Clark moved, Hodgs seconded and all voted to surplus the attached list of items to be auctioned, destroyed, salvaged/sold as scrap, traded in, transferred to another government agency, or sold by sealed bid, and appoint the following as appraisers: Neil Plocek, Dustin Lee, Rex McDonald, Kelly Klein, Crystena Sieber, Nancy Hoffman, Leland Hanson, Lee Alberts, Dion Block, Dennis Hafner, Brian Ulmer, Pat Rotert, Curt Jacobs, Rob Mathis, Wayne Alderman and Mike Harmon.

**Interim Bill List** – Clark moved, Eisenbraun seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye to approve the bill list dated January 13, 2020 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
US BANK TRUST NA	BOND PAYMNET	\$ 96,470.41
		<u>\$ 96,470.41</u>

**Bill List** – Eisenbraun moved, Klarenbeek seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye to approve the bill list dated January 21, 2020 as follows:

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
3RD DEGREE SCREENING INC	SCREENING X 2	\$ 47.50
AE <sub>2</sub> S	JACKSON BLVD STREET/UTILITY PROJ	\$ 24,188.94
ALPINE IMPRESSIONS	12-30-19, CLOTHING/SCREENS	\$ 30.00
AT & T	TO 12/24/19, LONG DISTANCE	\$ 42.12
BAKER & TAYLOR	DEC 2019, AUDIO/BOOKS	\$ 144.36
BELLE FOURCHE LANDFILL	DEC 2019, SOLID WASTE DISPOSAL	\$ 24,260.82
BHSU CAREER DEVELOPMENT	SPRING CAREER FAIR	\$ 120.00
BICKLE TRUCK & DIESEL INC	12-31-19, PARTS/LABOR	\$ 413.60
BLACK HILLS COLLISION PROS	REPAIR PARTS	\$ 296.15

BLACK HILLS ENERGY	DEC 19/JAN 20, ELECTRICITY	\$	14,050.48
BLACK HILLS PIONEER	DEC 2019, LEGALS	\$	708.14
BLACK HILLS PSYCHOLOGY LLC	CLINICAL INTERVIEW & MCMI-IV	\$	400.00
BLACK HILLS PURE INC	DEC 2019, WATER	\$	12.00
BORDER STATES ELECTRIC	STERNBERG LIGHT POLE	\$	2,018.18
JT VENTURES LLC	2019, 4TH QTR FLEET WASHES	\$	201.98
BUILDERS FIRSTSOURCE INC	PARTS	\$	171.50
BUTLER MACHINERY CO	PARTS	\$	3,134.46
CAPTAIN CLEAN OF THE NHILL	AUTO DETAIL	\$	110.00
CASH-WA DISTRIBUTING	01-03-20, CONCESSIONS	\$	697.14
CATERPILLAR FINANCIAL SER	ANNUAL PAYMENT	\$	21,141.80
CBH COOPERATIVE	DEC 2019, GAS/DIESEL	\$	33,025.50
CENGAGE LEARNING	NOV 2019, WESTERN 2 PLAN	\$	37.18
CENTURYLINK INC	MONTHLY SVC, JAN 2020	\$	971.67
CHILDREN'S HOME SOCIETY	INTERVIEWS, 07-2019 - 12/2019	\$	600.00
CITY OF SPEARFISH CC	SUBSCRIPTS/TEXTING/EXIT BATTERIES	\$	227.40
CLAUSER MACHINE WORKS	PARTS/LABOR	\$	970.43
CLW INC	BLUELINE, PICKLEBALL COURT	\$	90.72
LON DALE	JANITORIAL SUPPLIES	\$	699.45
DIAS, GREG	DEC 2019, MONTHLY BACKUP	\$	44.97
DORY HANSON	12-26-19, AFLAC REFUND	\$	149.76
MEDNANSKY, DOUGLAS	LED LAMPS/PARTS	\$	1,295.40
NEWHOUSE ENTERPRISES INC	DEC 2019, OFFICE SUPPLIES	\$	103.39
KNUTSON, DARREL	ANNUAL HOIST INSPECTION	\$	760.00
FETTER, CHARLES J	PER DIEM MEALS	\$	80.00
FIB-AP PURCHASE CARDS	ITEMIZED BY VENDOR - TOTAL \$45,808.08	\$	-
FMG INC	CITY HALL IMPROVEMENTS & EXIT 8	\$	17,408.90
GOVT FINANCE OFFICERS ASSN	MAY 17-20, 2020 - CONF REGISTRATION	\$	635.00
GREAT WESTERN TIRE INC	PARTS	\$	3,942.96
HDR ENGINEERING INC	UTILITY RATE STUDY & WWTP MAIN LIFT	\$	5,356.05
JONES & BARTLETT LEARNING	(25) BOOKS, TTILE 15133-6	\$	2,155.31
KELLEY BLOCK LLC	2020 DOWNTOWN RESTROOM, LEASE 2	\$	3,600.00
KT CONNECTIONS	11-25-19, SVC CALL - MOVE EXT	\$	57.00
LAWRENCE COUNTY AUDITOR	2020 DBID ASSESSMENT	\$	2,489.95
MATHIS JR, ROBERT	PER DIEM MEALS/MILEAGE	\$	242.12
MONTANA-DAKOTA UTILITIES	NATURAL GAS, 12/6/19 - 01/08/20	\$	7,825.93
MEREDITH SERVICES CO INC	DEC 2019, SEWER REPAIR, 3RD ST	\$	7,646.04
MIDCO	12/07 - 01/06, BUSINESS INTERNET	\$	115.00
MIDCONTINENT TESTING	DEC 2019, WATER TESTING	\$	400.50
MONEY MOVERS	DEC 2019, MONTHLY MTNCE FEE	\$	7.00
NORTH CENTRAL LABORATORI	11-25-19, PARTS RETURN	\$	479.08
NORTHERN HILLS TRNG CENTER	DEC 19, JANITORIAL/SNOW REMOVAL	\$	1,665.74
NORTHERN TRUCK EQUIPMENT	PARTS	\$	7,079.20
HOPEWELL WILLIAM	PARTIAL REFUND GROUND LEASE	\$	27.72
KRAMER, LAURA	REFUND, WINE LICENSE	\$	500.00



QUIK SIGNS INC	BUSINESS CARDS	\$	37.00
RAPID DELIVERY	DEC 2019	\$	140.92
SAND CREEK PRINTING CORP	DEC 2019, (6) PET LIC BOOKS	\$	76.20
SD ASSOC OF CODE ENF. OFFICIA	2020 DUES - T PAISLEY	\$	40.00
SD DEPT OF PUBLIC SAFETY	TELETYPE, 01/01/20 TO 06/30/20	\$	3,090.00
SD FIRE INSTRUCTORS SOCIETY	2020 CONFERENCE & MEMBER DUES	\$	175.00
SD POLICE CHIEF'S ASSOCIATION	2020 MEMBERSHIP DUES X 3	\$	329.07
SDPAA	2020 PROPERTY/LIABILITY INSURANCE	\$	374.55
SHARKEY PLUMBING HEATING	WATER SVC REPAIR	\$	1,400.00
SOUTH DAKOTA DOT	OVERPYMT SDDOT BRIDGE SP FDG	\$	11,850.38
SOUTH DAKOTA ONE CALL	DEC 2019 MESSAGE FEES	\$	72.45
VIVI BENE INC	OCT - DEC 2019, ELEC REPAIR/LABOR	\$	11,440.01
SPEARFISH LUMBER COMPANY	(10) RED-CRETE	\$	49.00
STATE OF SD-EXECUTIVE MGMT	12/31/19, NOV 19 LONG DISTANCE	\$	16.21
SUNSHINE TOWING	TOW GARBAGE TRUCK	\$	367.00
SUPER CAR WASH	2019, 4TH QTR FLEET WASHES	\$	295.39
SUPERIOR SANITATION LLC	DEC 2019, PORTABLE RR'S	\$	704.00
TRUGREEN CHEMLAWN	11-25-19, WEED APPLICATION	\$	145.00
TYLER TECHNOLOGIES INC	4TH QTR 2019-UTIL BILL SUBSCRIPTION	\$	12.40
USA BLUE BOOK	CHEMICALS	\$	328.92
CITY OF SPEARFISH	12/6/19-01/09/20, UTILITY BILL	\$	571.41
VESSCO INC	(2) RAS PUMPS	\$	45,214.00
VISIT SPEARFISH INC	BID BOARD ALLOCATION & DMO ALLOC	\$	117,500.00
WELLS PLUMBING CORP	PARTS	\$	27.23
INTEGRITY ACQUISITION LLC	PARTS	\$	578.84
WHITE'S QUEEN CITY MOTORS	PARTS	\$	168.99
WILLIAMS STANDARD SERVICE	PARTS/LABOR	\$	77.34
ZIEGLER, BRIAN	PER DIEM MEALS	\$	80.00
		\$	<u>388,039.85</u>

**Public Comment** – Public comment section was opened with comments received from residents John Dale, Joe Jorgensen, and Ryan Wordeman regarding the workforce housing project and tap fees. Misti Caldwell, Executive Director of Visit Spearfish, spoke on tourism and events in Spearfish.

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

Dated this 21st day of January, 2020.

**CITY OF SPEARFISH**

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

**ATTEST:**

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Michelle DeNeui, Finance Officer

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