



**Spearfish City Council**  
Special Session Minutes  
April 14, 2020 4:00 p.m.

The Spearfish City Council met at 4:00 p.m. on Tuesday, April 14, 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.

Mayor Boke requested the agenda be amended to move the public comment section from item 8 to prior to item 5 on the agenda. Hodgs moved, Herrmann seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to approve the amended agenda. There were no declarations of any potential conflict-of-interest.

**Public Comment** – The public comment section was opened at 4:05 p.m. and comments were received from Luke Donovan owner of False Bottom Bar, Nathan Hoogshagen Executive Director of Spearfish Downtown Business Association and small business owner, resident John Dale, Corey Brost owner of Common Grounds, and Doris Cardwell manager at Good Earth Natural Foods. All comments were related to business closures and planning for re-opening of businesses.

**Resolution 2020-07** – City Attorney McDonald reviewed Resolution 2020-07 which would extend the current business closures until April 29, 2020 as Ordinance 1314 which authorized the closures ends on April 29, 2020. Following discussions, Hodgs moved, Herrmann seconded and with Clark voting nay and Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye motion passed to adopt the resolution as follows:

**RESOLUTION 2020-07**

**A RESOLUTION EXTENDING EMERGENCY ORDINANCE 1314**

**WHEREAS**, the Common Council adopted Ordinance 1314 to address a public health crisis caused by the novel coronavirus 2019 (COVID-19) by ordering certain businesses to close,

**WHEREAS**, the closure order in Ordinance 1314 is due to expire on April 15, 2020,

**WHEREAS**, Lawrence County has been declared to have significant community spread of COVID-19,

**WHEREAS**, public health officials in the state of South Dakota have projected the peak infection rate will not occur until approximately June, 2020,

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the closures ordered in provisions 1 through 6 of Ordinance 1314 are extended and shall be in effect through 11:59 p.m. on April 29, 2020. All other provisions of Ordinance 1314 remain in full force and effect.

**BE IT FURTHER RESOLVED**, that, pursuant to SDCL 9-19-13, this resolution is necessary to suppress disease and for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage and publication.

Dated this 14th day of April, 2020.

**CITY OF SPEARFISH**

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

(Seal)

Attest:

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

Adopted: April 14, 2020  
Published: April 15, 2020  
Effective: April 15, 2020

**Ordinance 1316** – City Attorney McDonald reviewed two different versions of Ordinance 1316. Version 1 would extend the language of Ordinance 1314 for period of April 30, 2020 to May 31, 2020 with continuation of business closures from April 30, 2020 to May 13, 2020. Version 2 would extend the language of Ordinance 1314 for period of April 30, 2020 to May 31, 2020 with language that would permit business closures to be enacted by adoption of a resolution of the council. Following discussions, Herrmann moved, Clark seconded and with Clark, Eisenbraun, Herrmann, Hodgs, Jacobs and Klarenbeek voting aye to postpone action on either versions of the Ordinance until April 23, 2020. A special session will be called for this items consideration.

There being no further business, Eisenbraun moved, Hodgs seconded and all voted to adjourn at 5:00 p.m.

Dated this 14th day of April, 2020.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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