



**Spearfish City Council**  
Regular Session Minutes  
October 4, 2021 5:30 p.m.

The Spearfish City Council met at 5:30 p.m. on Monday, October 4, 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, and Recreation Facility Superintendent Rauterkus.

Mayor Boke noted the World Habitat Day proclamation will be presented so it was removed from the consent agenda. Hodgs moved, Jacobs seconded and all voted to approve the agenda as amended. 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 September 20, 2021.
- B. Add Mason Jensen to the rec center referee list.
- C. Add Patty Penrose to the rec center volunteer list, effective 10/9/2021.
- D. Add Marc Williams the 2021 volunteer fire department list.
- E. Hire Karsyn Black as (benefit-eligible) police officer, grade 17, step 1, \$24.57 per hour, effective 10/5/2021.
- F. Hire Jared Symonds as (benefit-eligible) parks maintenance & forestry technician, grade 12, step 1, \$19.19 per hour, effective 10/18/2021.
- G. Mayor Boke to proclaim the month of October 2021 as Domestic Violence Awareness Month.
- H. Mayor Boke to proclaim October 15, 2021, as White Cane Safety Day.

**Items from Visitors**

**Proclamation** – Mayor Boke proclaimed October 4, 2021 as World Habitat Day. Marcus Rinehart, Spearfish Re-Store Site Manager, accepted the proclamation.

**Other Items**

**Ordinance 1355** – Clark moved, Rath seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the second reading of Ordinance 1355 – An Ordinance Amending the Licensing Provisions for Cannabis Establishments.

**Resolution 2021-30** – Hodgs moved, Hourigan seconded and all voted to approve Resolution 2021-30 as follows:

**RESOLUTION 2021-30**

**A RESOLUTION TO TRANSFER REAL PROPERTY FROM THE CITY OF SPEARFISH TO THE  
SPEARFISH ECONOMIC DEVELOPMENT CORPORATION**

**WHEREAS**, the City of Spearfish owns property in a business park;

**WHEREAS**, pursuant to SDCL 9-27-36 and 9-54-1, the City of Spearfish will convey property to the Spearfish Economic Development Corporation for encouraging and assisting in the location of new business and industry;

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the following described territory be conveyed to the Spearfish Economic Development Corporation:

Lot 5A and Lot 5B of Block 4 of the Hansen Addition City of Spearfish, Lawrence County, South Dakota as shown on recorded plat document numbers 2019-2472 filed in the office of the Lawrence County Register of Deeds

Three (3) +/- acre parcel located in the Unplatted Balance of Tract C Revised All Located of Block 4 of the Hansen Addition City of Spearfish, Lawrence County, South Dakota as shown on recorded plat document numbers 2009-4540 filed in the office of the Lawrence County Register of Deeds. The three (3) +/- acre parcel adjoins to the east property line of Lots 5A and 5B and the south property line of Tract C Revised

under the terms and conditions in the purchase agreement attached hereto.

Dated this 4<sup>th</sup> day of October, 2021

**CITY OF SPEARFISH**

ATTEST:

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

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

Adopted: October 4, 2021  
Published: October 9, 2021  
Effective: October 29, 2021

**License** – Clark moved, Jacobs seconded and all voted to approve the renewal of a retail (on-off sale) malt beverage & SD farm wine license for Sajjan Baniya with Himalayan Indian Cuisine located at 6764 Colorado Blvd, Suite 2.

**Resolution 2021-29** – Clark moved, Hourigan seconded and all voted to approve Resolution 2021-29 as follows:

**RESOLUTION 2021-29**

**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:

ITEM	AREA	FEE DESCRIPTION	CURRENT AMOUNT	AMENDED/NEW AMOUNT
1155	PARKS	SRAC - Group Swim Lessons	\$50.00	\$60.00
1169	PARKS	SRAC - Private Swim Lessons	\$20.00	\$25.00
1232	PARKS	SRAC - Waterpark Single Waterpark Membership (Half off until May 1st)	\$136.00	\$200.00
1233	PARKS	SRAC - Waterpark: Spectator, per day	\$3.00	\$5.00
1234	PARKS	SRAC - Waterpark: Under 48 " Tall- <del>Over 4 Yrs. old,</del> per day	\$7.00	\$10.00
1258	PARKS	SRAC - Waterpark Party Room Package Rental <u>A</u> (10 Wristbands, 2 hours)	\$135.00	\$150.00
1264	PARKS	SRAC - Waterpark- 48" Tall <del>Slider</del> and Over, per day	\$9.00	\$12.00
1266	PARKS	SRAC - Waterpark-Group Rate for 20+	\$6.00	\$9.00
New	PARKS	SRAC- Waterpark Party Room Package Rental B (20 Wristbands, 4 hours)	-	\$240.00
New	FINANCE	Cannabis Establishment Non-refundable Application Fee (applied to license fee)	-	\$1,500.00
New	FINANCE	Cannabis Establishment License Fee	-	\$5,000.00
New	FINANCE	Cannabis Establishment License Renewal Fee	-	\$5,000.00
New	ENGINEERING	Right-of-way Permit Fee	-	\$50.00 per excavation per 400 lineal feet

Be it further resolved that these fees shall go into effect on October 25, 2021.

Dated this 4th day of October, 2021.

CITY OF SPEARFISH

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Dana Boke, Mayor

ATTEST:

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Michelle DeNeui, Finance Officer (SEAL)

Adopted: October 4, 2021

Published: October 5, 2021

Effective: October 25, 2021

**Recruit** – Hodgs moved, Clark seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to authorize staff to begin recruitment of a full-time, benefit eligible customer service assistant for the Recreation and Aquatics Center.

**Set** – Hodgs moved, Jacobs seconded and all voted to set a public hearing for October 18, 2021 for Ordinance 1354 – An Ordinance Amending Appendix A Zoning for Solar Energy Conversion Facilities.

**Resolution 2021-27** – Hodgs moved, Rath seconded and all voted to approve Resolution 2021-27 as follows:

**RESOLUTION 2021-27**

**A RESOLUTION TO TRANSFER REAL PROPERTY FROM THE CITY OF SPEARFISH TO THE SPEARFISH ECONOMIC DEVELOPMENT CORPORATION**

**WHEREAS**, the City of Spearfish has completed public infrastructure at the Sky Ridge affordable housing development and individual lots are ready for home construction.

**WHEREAS**, pursuant to SDCL 9-27-36 and 9-54-1, the City of Spearfish will convey 10 lots to the Spearfish Economic Development Corporation for affordable housing thus serving a public purpose and encouraging and assisting in the location of new business and industry and the expansion of existing business development.

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the City of Spearfish, Lawrence County, South Dakota, that the following described territory be conveyed to the Spearfish Economic Development Corporation:

Lots 1 Through 7 Of Block 1, Lots 11 Through 13 Of Block 1 Of Sky Ridge Subdivision, Being A Part Of Tract V-1 Of Sky Ridge Subdivision, Which Is A Part Of Tract V Of Elkhorn Ridge Addition, City Of Spearfish, Lawrence County, South Dakota

under the terms and conditions of the Development Agreement approved on February 18, 2020.

Dated this 4<sup>h</sup> day of October, 2021

**CITY OF SPEARFISH**

ATTEST:

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

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

Adopted: October 4, 2021

Published: October 9, 2021

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**Change Order** – Clark moved, Klarenbeek seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve Change Order 4 for Jackson Boulevard Street & Utility Improvements - Phase 2 Project for a net increase of \$8,317.61 (+0.20%) and a revised substantial completion date of October 23, 2021.

**Change Order** – Hodgs moved, Jacobs seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve Change Order 1 for 2021 Sanitary Sewer Trunkline CIPP Lining Project for a net decrease of \$45,574.40 (-12.14%).

**Bill List** – Klarenbeek moved, Rath seconded and with Clark, Hodgs, Hourigan, Jacobs, Klarenbeek and Rath voting aye, motion passed to approve the bill list dated October 4, 2021 as follows:

<b><u>VENDOR</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
ADVANCED ENGINEERING & ENV	SPF CREEK FLOODPLAIN & BIG PROJ	\$ 9,793.80
ALLSTATE PETERBILT CO	SWITCH ASSY-DUAL AXIS	\$ 97.01
AMAZON CAPITAL SERVICES	SIGN-PAPER-LAMINATOR-SUPPLIES	\$ 4,498.73
BAKER & TAYLOR	BOOKS	\$ 650.35
BB&T GOVERNMENTAL FINANCE	WWTP REFI BOND 2021-2	\$ 186,299.13
BEE WELL	HONEY PRODCUTS FOR REC CENT	\$ 404.00
BLACK HILLS ENERGY	AUGUST/SEPTEMBER 2021 ELECTRIC	\$ 19,430.27
BHSU POST AWARD GRANTS ACC	MURAL PROJECT PAYMENT	\$ 3,000.00
BLACK HILLS CHEMICAL CORP	GLOVES-CLEANING SUPPLIES	\$ 2,814.81
BLACK HILLS WINDSHIELD	ROCK CHIP REPAIR	\$ 60.00
BOMGAARS SUPPLY INC	NAILS-BULK BOLTS-POSTS	\$ 3,113.88
BYWATER SOLUTIONS, LLC	KOHA LIBKI INSTALLATION	\$ 875.00
CASH-WA DISTRIBUTING CO	CONCESSIONS FOR WP	\$ 1,048.01
CDW GOVERNMENT	FLATBED SCANNER	\$ 290.03
CENGAGE LEARNING	BOOKS	\$ 68.97
TMT INC	COVER-PLASTIC CAP-ELECTRIC BRD	\$ 216.83
CENTRAL SQUARE TECHNOLOGIE	MAINT FEE-CRIMINAL HISTORY	\$ 241.45

CLAUSER MACHINE WORKS	BUILD HANDLE FOR VICE+HUB	\$	135.00
ROBERTS, MICHAEL T	HUDSON HALL-SCRAPE-PREP	\$	408.00
CVD CONSTRUCTION INC	OPERATOR & BOOM TRUCK	\$	195.00
DAKOTA BUS SERVICE CORP	SDML TRANSPORT	\$	850.00
DIVISION OF MOTOR VEHICLES	TITLES & PLATE FEES	\$	21.20
MEDNANSKY, DOUGLAS	24W LED T-5	\$	3,937.50
NEWHOUSE ENTERPRISES INC	FOLDER LEGAL-PAPER	\$	449.85
FASTENAL CO	ZINCHEX LAG-HITPIN-FEND-NYLO	\$	1,211.27
FELSBURG HOLT & ULLEVIG	JKSN BRDG SERV 7/1-8/31	\$	378.02
BDG INC	PATHFINDER TERM KIT	\$	664.25
VIEHAUSER ENTERPRISES LLC	HYDRO PLANT NEW DOOR	\$	446.44
HEISLER HARDWARE	SWAZALL BLADE-PAINT-PVC PIPE	\$	909.48
INTERSTATE ENGINEERING INC	XTRAIN CITY ENG STAFF 8/3-8/14	\$	445.00
KNECHT HOME CENTER INC	BLADE-NUTS-RIVET-BATTERIES	\$	1,621.35
LAMB PAINTING LLC	SEAL FLUTED BLOCK TWO COATS	\$	4,693.89
MID-AMERICA GOLF AND LANDS	SKY RIDGE SPORTS COMPLEX PE 1	\$	230,780.64
MIDCONTINENT TESTING LABS,	WATER TESTING WWTP W/S	\$	930.00
PATLEN ENTERPRISES INC DB	ROTOR-TORO LATCHING SOLENOID	\$	2,344.20
NORTHERN HILLS VENTURES IN	LICENSES RENEW-OCT MNG NET	\$	17,010.64
ONE TIME VENDORS	JUEL DAWN OR AL:CMGRND REF	\$	185.00
PETTY CASH	PLAT MONEY REIMBURSEMENT	\$	122.00
QUIK SIGNS INC	250-60# LINEN LETTERHEAD	\$	332.03
RCS CONSTRUCTION INC	JKSN BRG PE5-JKSN ST IMPRV PE13	\$	509,908.23
ROSENAU, SAMANTHA	INTERROGATION/INTERVIEW TR	\$	224.00
SACRISON ASPHALT INC	LIMESTONE	\$	940.20
SOLE PERFECTION	WORK BOOTS	\$	100.00
SOUTH DAKOTA HISTORICAL SO	BOOKS	\$	56.07
SUPERIOR SANITATION LLC	RESTROOMS 5-0 & AUG RENTAL	\$	2,012.00
TRAFFIC CONTROL CORP	4 EVR ROUND BUTTON-YELLOW	\$	372.00
TYLER TECHNOLOGIES INC	OCT ONLINE BILL FEES	\$	166.00
WALMART CAPITAL ONE	BAGS-VINEGAR WWTP	\$	50.66
INTEGRITY ACQUISITION LLC	LINER	\$	85.00
ZANDSTRA CONSTRUCTION	SKY RIDGE DEV PH 1 PE12	\$	20,173.20
		<u>\$</u>	<u>1,035,060.39</u>

**September 2021 Salary Expense & Credit Card Fees**

	<u>Gross</u>		<u>Gross</u>	<u>Benefits</u>	
	<u>Wages/Benefits</u>		<u>Wages</u>		
Mayor/Council	\$8,246.26	1.09%	\$7,660.26	\$586.00	1.26%
City Administrator	17,096.34	2.27%	13,908.57	3,187.77	2.29%
Finance	32,243.44	4.28%	25,423.34	6,820.10	4.19%
Human Resources	8,914.68	1.18%	7,288.00	1,626.68	1.20%
Gov't Bldgs	16,431.54	2.18%	12,747.83	3,683.71	2.10%
Engineering	32,830.31	4.36%	26,430.22	6,400.09	4.35%
Public Safety Admin	22,532.87	2.99%	17,925.24	4,607.63	2.95%
Police	140,032.78	18.58%	105,461.59	34,571.19	17.37%

Fire	12,717.09	1.69%	10,649.85	2,067.24	1.75%
Bldg Inspection	20,192.48	2.68%	14,436.56	5,755.92	2.38%
Streets & Snow	48,933.35	6.49%	39,667.39	9,265.96	6.53%
Cemetery	6,984.04	0.93%	5,691.56	1,292.48	0.94%
Animal Control	3,986.46	0.53%	2,923.20	1,063.26	0.48%
Recreation/Aquatic	45,554.55	6.04%	37,626.27	7,928.28	6.20%
Parks	33,997.15	4.51%	28,285.56	5,711.59	4.66%
Library	29,141.52	3.87%	23,319.49	5,822.03	3.84%
Plan & Zone	13,800.54	1.83%	11,236.24	2,564.30	1.85%
Motor Pool	11,916.00	1.58%	9,900.37	2,015.63	1.63%
Wildland Fire	66,922.69	8.88%	60,541.41	6,381.28	9.97%
Police Comm	39,405.05	5.23%	30,513.72	8,891.33	5.03%
SAFER Grant	6,946.76	0.92%	5,433.05	1,513.71	0.89%
Water	19,185.53	2.55%	14,843.20	4,342.33	2.44%
Electric Production	34,699.66	4.60%	31,136.31	3,563.35	5.13%
Sewer	17,880.65	2.37%	13,835.48	4,045.17	2.28%
WWTP	29,119.34	3.86%	23,085.35	6,033.99	3.80%
Solid Waste	23,474.07	3.11%	18,263.63	5,210.44	3.01%
Campground	10,464.06	1.39%	8,878.80	1,585.26	1.46%
Totals	<u>\$753,649.21</u>	<u>100.00%</u>	<u>\$607,112.49</u>	<u>\$146,536.72</u>	<u>100.00%</u>
Banking Fees September	99.35				
Credit Card Fees					
September	<u>\$8,685.33</u>				
Grand Total	<u><u>\$762,334.54</u></u>				

There being no further business, Hodgs moved, Hourigan seconded and all voted to adjourn at 5:52 p.m.

Dated this 4th day of October, 2021.

**CITY OF SPEARFISH**

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

**ATTEST:**

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

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