



**City of Spearfish**  
City Council Study Session Minutes  
November 2, 2022, 4:15 p.m.

The City Council Study Session was called to order by Mayor Senden at 4:15 p.m. in the Council Chambers of City Hall on Wednesday, November 2, 2022. The following council members were present: Clark, Hourigan, Jacobs, Klarenbeek, and Rath. Absent: Hodgs. City staff present were: City Administrator McFarland, City Attorney McDonald, Finance Officer DeNeui, Public Safety Director Rotert, Public Works Director Broyles, City Planner Kapsa, and Assistant Public Works Director McMahan.

Clark moved, Klarenbeek seconded, and all voted to approve the agenda as presented.

**Items for Council Discussion:**

Skate Park Design Options – Administrator McFarland noted an amendment to the skate park design to include the location of the volleyball courts. The amendment will be an additional \$4,000 in cost. Formal approval of the amendment will be on the 11/7/2022 city council agenda.

Highway 85 Corridor Development – Discussion was held on the sewer options for the Highway 85 Corridor Development area. Staff provided pros and cons for the sewer options of individual onsite holding tanks, low-pressure system, non-discharging lagoon, and onsite well and water distribution system. Comments regarding the options presented and septic systems were taken from Planning Commission members Rick Tysdal, Meghan Byrum and Greg Kruskamp and resident Joe Jorgensen. Planning Director Kapsa will provide more information pertaining to an EPA study following the failure of the sewer lagoon that was previously used by the City.

**Items for City Council Meeting:**

The following items will appear on the Council agenda for consideration. No comments were received and the items will be reviewed during the council session:

A. City Attorney

- 1) Authorize the mayor to sign a Deed of Revocation for restrictive covenants affecting the properties by the City at Sky Ridge.
- 2) Approve Resolution 2022-31 – A Resolution Approving the Revocation of Covenants on Certain Property Pursuant to SDCL 11-5-6.
- 3) Approve the Third Amendment to the Development Agreement with Dream Design International, Inc.

B. Finance

- 1) Consent Agenda – Approve application Matthews Opera House for a special malt beverage license for the Spearfish Festival in the Park on July 14, 2023, from 4:00 p.m. to

10:00 p.m., July 15, 2023, from 9:00 a.m. to 7:00 p.m., and July 16, 2023, from 10:00 a.m. to 4:00 p.m. at Spearfish City Park.

2) Release the package liquor (off-sale) license available in Spearfish for bid opening on November 29, 2022 at 1:30 p.m. with minimum bid of \$50,000.

3) Approve the following 2023 liquor and wine license renewals:

1	2 Broke Girls	Retail Wine
2	A Perfect 10 Nail & Beauty Bar	Retail Wine
3	Antunez/Dakota Food Gypsies	Retail Wine
4	Applebees	Retail Liquor
5	B&B Lounge & Back Porch	Retail Liquor
6	Best Western BH Lodge	Retail Wine
7	The Clubhouse of Spearfish	Retail Wine
8	Creekside Bean & Vine	Retail Wine
9	Double Barrell Liquor & Casino	Retail Wine
10	Dough Trader Pizza Co	Retail Wine
11	Elkhorn Ridge Golf Course	Retail Wine
12	Elkhorn Ridge RV Park & Campground	Retail Liquor
13	Elkhorn Ridge Travel Center	Package Liquor
14	Exit 8 Phillips 66	Package Liquor
15	False Bottom Bar	Retail Liquor
16	Family Dollar Store	Retail Wine
17	The Farmhouse	Restaurant Liquor
18	Fuji Sushi Bar & Grill	Retail Wine
19	Golden Dragon Restaurant	Retail Wine
20	Good Earth Natural Foods	Retail Wine
21	Grant Street Liquor	Package Liquor & Retail Wine
22	Happy Jacks	Retail Wine
23	Holiday Inn	Convention Center Liquor
24	K-Nails & Beauty Bar	Retail Wine
25	Killians Tavern	Retail Liquor
26	Lueders Food Center	Retail Wine
27	Matthews Opera House	Retail Wine
28	Nonna's Kitchen	Restaurant Liquor
29	Nowhere Men's Clothier	Retail Wine
30	Party Time Liquor	Package Liquor
31	Piranha Salon	Retail Wine
32	Public House	Retail Liquor
33	Queen City Liquor	Package Liquor
34	Queen City VFW	Retail Liquor
35	Redwater Kitchen	Restaurant Liquor

36	Safeway Store	Package Liquor
37	Sawyer Brewing	Retail Wine
38	Scoreboard Lounge	Retail Liquor
39	Sodexo America at BHSU	Retail Wine
40	Spearfish Brewing Co.	Retail Wine
41	Spearfish Canyon Country Club	Retail Liquor
42	Spearfish Sasquatch Baseball Club	Retail Wine
43	Speedy Mart	Package Liquor
44	Stadium Sports Grill	Retail Liquor
45	Steerfish Steak & Smoke	Retail Liquor
46	Sunshine Saloon	Retail Wine
47	Triple 7 Casino	Retail Wine
48	Uncle Louie's	Retail Wine
49	Walgreens	Retail Wine
50	Wal-Mart Supercenter	Package Liquor
51	Yesway	Package Liquor

C. Parks and Recreation

- 1) Approve Change Order #1 for the Sports Complex Maintenance Building, an increase of \$1,695.50.
- 2) Approve the contract with Ainsworth-Benning Construction for the construction of the Sky Ridge Sportsplex Phase 2 project in the amount of \$716,826.92.

D. Planning & Zoning

- 1) 420 Meier Avenue
  - a) Hold a public hearing to consider Resolution 2022-18 – A Resolution to Vacate Meier Avenue Right-of-Way.
  - b) Approve Resolution 2022-18.
  - c) Hold a public hearing to consider Resolution 2022-33 – A Resolution Approving the Land Exchange Between the City of Spearfish and Robert D. Miller.
  - d) Approve Resolution 2022-33.
- 2) Approve Resolution 2022-32 – A Resolution Approving the Petition and Application for the Incorporation of the Mathis Homeowner’s Road District.

E. Public Works

- 1) Approve the final, under/over Change Order #1 for the 2022 Mainline Pavement Markings Project, with a final decrease of \$7,619.01 (-8.83%) and the Certificate of Final Completion and Acceptance.

- 2) Approve Change Order #3 for the 2022 Annual Pavement Maintenance Project with an increase of \$9,114.00 and revise the final completion date to October 20, 2022.
- 3) Approve Change Order #5 for the Sandstone Hills Street Repair & Sewer Up Size Project with an increase of \$32,812.22.
- 4) Authorize the mayor to sign the underground electric easement with Black Hills Power for Phase 2 of the Sky Ridge Housing Project.
- 5) Award the lowest responsive and responsible bid for the Snow Plow Tandem Axle Truck. The low bidder and amount will be presented at the council meeting on November 7, 2022.

F. Public Safety

- 1) Authorize staff to accept a Department of Justice FY22 COPS Hiring Program (CHP) Grant with a federal award amount of \$125,000.00.
- 2) Consent Agenda – Add Louis Antos and Zachary Wachsmuth to the volunteer firefighter list.

**Public Comment** – A time for public comment was opened at 5:17 p.m. and closed with no comments being received.

Administrator McFarland noted the rocket-ship structure in Evans Park has been closed for safety purposes. Safety Benefits has provided an independent review of the structure and the report will be reviewed during the upcoming council meeting.

No additional discussions were held and the meeting was adjourned at 5:22 p.m.