



# City Commission Regular Meeting Agenda

Monday, November 20, 2023 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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Public comments are welcomed, but no action can be taken by the Commission on comments received at this meeting. Anyone wishing to have the Commission vote on an item should call the Finance Office at 578-2600 by 5:00 p.m. on the Wednesday preceding the next scheduled meeting to be placed on the agenda.

1. **Call to Order and Pledge of Allegiance**

2. **Roll Call**

3. **Approve Minutes**

- a. Approval of November 6, 2023 City Commission minutes

4. **Approve Bills**

- a. Approval of Bill List for November 20, 2023

5. **Items from Citizens on Agenda**

6. **Consent Agenda**

Matters appearing on Consent Agenda are expected to be non-controversial and will be acted upon by the City Commission (Items A-P) and Board of Adjustments (Items Q-X) at one time, without discussion, unless a member of the Commissions requests an opportunity to address any given item. Items removed from the Consent Agenda will be discussed at the beginning of New Business.

- a. Permission to hire Jessica Tolar as part-time Library Assistant I at \$14.33 per hour effective November 28, 2023 pending pre-employment screening.
- b. Permission to accept resignation from lifeguard James Phillips effective November 16, 2023
- c. Permission to extend up to 42.5 hours of vacation time for Jessica McKeown until January 15, 2024.
- d. Permission to increase pay for Police Officer Brandon Webb from \$23.22 to \$25.79 per hour effective November 19, 2023 after graduating and becoming certified from the Police Academy.
- e. Add Shaun Brautigan, Jeremy and Sarah Van Tassel effective October 12, 2023 to the Volunteer Fire Department Roster and Anita Knipper and Charles Eagleson effective November 9, 2023 to the volunteer list for Historic Preservation for workers compensation purposes.

- f. Permission to accept resignation for Tessa Allen from the Library Board effective November 13, 2023.
- g. Appoint Alison Ball to Library Board with term December 1, 2023 thru December 31, 2026.
- h. Permission to approve abatement request for Lawrence County parcel 30205-00000-080-00. (Crawford Addition II Tract 1)
- i. Permission to sell 1,500 trolley tokens to the Deadwood Chamber of Commerce and Visitor's Bureau at a cost of \$1,500.00 to be given away during the 2024 St. Patrick's Day event for DriveSafeSD. Recommendation from the Parking & Transportation Committee.
- j. Permission to allow free use of two City of Deadwood Trolleys for the American Legion Go Getters Reception on February 17, 2024 between 6:00 pm - 8:00 pm. Recommendation from the Parking & Transportation Committee.
- k. Permission to purchase 28 tons of De-Icing salt from BlackStrap, Inc. at a cost not to exceed \$4,900.00. (To be paid from Streets supplies budget.)
- l. Allow use of public property at the Event Complex for Lead Deadwood Girls Softball Friday, June 14 through Sunday, June 16, 2024.
- m. Permission to sign contract with Lookout Plan and Code Consulting for building plan reviews in 2024. (The cost of review is reimbursed by applicant.)
- n. Approve Special Alcohol License for Cadillac Jacks to serve alcohol at Event Complex from 9:00 a.m. to 9:00 p.m. Sunday, May 26, 2024 for Back When They Bucked Event. No public hearing necessary since license is on publicly owned property.
- o. Approve Special Alcohol License for First Gold to serve alcohol at Event Complex Sunday, July 7 through Thursday, July 11, 2024 from 9:00 a.m. to 9:00 p.m. for 3 Wheeler Rally Event. No public hearing necessary since license is on publicly owned property.
- p. Permission for Mayor to sign Temporary Construction easement with Jim Waisanen for work associated with the FEMA/Whitewood Creek Project.
- q. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Variance - Setbacks - Lot 1 Block 3A Mystery Wagon Road - WJP Holdings, LLC (William Pearson) legally described as Lot 1, Block 3A of the Palisades Tract of the Deadwood Stage Run Addition to the City of Deadwood Located in the SW1/4 of Section 14, the SE14 of Section 15, the NE1/4NE1/4 of Section 22 and the N1/2NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Recommend Approval by Planning and Zoning Commission and Approved by Board of Adjustment on May 15, 2023.
- r. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Variance - Setbacks - 3 Pearl Street - Bob and Bonita Goode legally described as Lot A, Block 7, Highland Park Addition, Formerly a Portion of Lots 1 thru 6, Block 7 Highland Park Addition, City of Deadwood, Lawrence County, South Dakota,

according to Plat Document No. 2009-6668. Recommend Approval by Planning and Zoning Commission and Approved by Board of Adjustment on August 7, 2023.

- s. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Variance - Setbacks - 22 Washington Street - Jackie and Diana Fisher and Bryan James Duffy Revocable Trust legally described as Tract C, Block 53, a Subdivision of Part of Lots 1 and 2, Block 53, Original Town, City of Deadwood, Located in the NW1/4 of Section 26, T5N, R3E, B.H.M., Lawrence County, South Dakota according to Plat Records as Document No. 2001-01165, Subject to Easements, Reservations, and Restrictions of Record. Recommend Approval by Planning and Zoning Commission and Approved by Board of Adjustment on July 3, 2023.
- t. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Vacation Home Establishment - 819 Main Street - Deadwood Rentals, LLC (Trinity Conrad) legally described as Lot 12 in Block A of Sunnyside Addition to the City of Deadwood as set out in Plat Book 3 Page 251, Lawrence County, South Dakota, Except that Part Deeded to the State of South Dakota for Highway Purposes as Set Out in Book 372 Page 58 and Page 168; and, Tract A-1 in Block A, a Replat of Tracts "A" and "B" of the Subdivision of Lot 13, Block A of Sunnyside Addition, Located in the NW1/4NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota, According to Plat Filed in Document No. 2001-4003. Recommend Approval by Planning and Zoning Commission on September 6, 2023 and Approved by Board of Adjustment on September 18, 2023.
- u. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Vacation Home Establishment - 64 Cliff Street - Owson Properties, LLC (Mike and Kat Sneesby) legally described as Lot X2 of Riverside Addition City of Deadwood, Lawrence County, South Dakota Formerly Lot X of Riverside Addition located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Recommended Approval by the Planning and Zoning Commission on August 16, 2023 and Approved by Board of Adjustment on August 21, 2023.
- v. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Bed and Breakfast Establishment - 5 Burlington - Jay and Pam Smith legally described as Lots Three (3) and Four (4) of Peck's Garden Subdivision of Part of Probate Lots 138 and 327, Deadwood City, Lawrence County, SD, According to the Recorded Plat Thereof. Recommended Approval by Planning and Zoning Commission on July 5, 2023 and Approved by Board of Adjustment on July 17, 2023.
- w. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Home Business - 63 Stewart Street - Carson Witt legally described as the Easterly 50 Feet of Lot 2, Block 72 Original Town in the City of Deadwood Lawrence County, South Dakota Except that Portion Deeded to the City of Deadwood for Street Purposes. Recommend Approval by Planning and Zoning Commission on April 19, 2023 and Approved by Board of Adjustment on May 1, 2023.

- x. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Vacation Home Establishment - 36 Water Street - Deadwood Rentals, LLC (Trinity Conrad) legally described as Tract A, an 8' Platted Alley and a Portion of Lot R-1 of the City of Deadwood Railroad Property all Located in the Hillsdale Addition to the City of Deadwood, in the NW1/4 of Section 26, T5N, R3E, B.H.M., City of Deadwood Lawrence County, South Dakota; and, Tract B-1, McGovern Hill Addition of the City of Deadwood, Located in the NW1/4W1/4 of Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Recommend Approval by Planning and Zoning Commission on August 16, 2023 and Approved by Board of Adjustment on August 21, 2023.

## 7. **Bid Items**

- a. Results of bid opening for retaining wall project at 33 1/2 Jackson Street held on November 16, 2023 at 2:00 p.m. Complete Concrete - \$290,800.00; RCS Construction - \$196,000.00.

## 8. **Public Hearings**

- a. Hold public hearing for New Year's Eve Ball Drop Event: Main Street closure from Pine Street to Lee Street from 11:50 pm. on December 31, 2023 to 12:10 a.m. on January 1, 2024 for the New years Eve Ball Drop at the Franklin Hotel.
- b. Hold public hearing for Mardi Gras Events: open container in zones 1 and 2 on Friday, February 9 from 5:00 p.m. to 10:00 p.m., Saturday, February 10 from noon to 10:00 p.m., street closure on Main Street from Lower Main Street at Pioneer Way to Pine Street from 6:45 p.m. to 8:00 p.m. or until parade ends and waiver of banner fees for event sponsors on Saturday, February 10, 2024.
- c. Hold public hearing for St. Patrick's Day Events: open container in zones 1 and 2 on Friday, March 15 from 5:00 p.m. to 10:00 p.m. and Saturday, March 16 from noon to 10:00 p.m.; street closure on Main Street from Lower Main Street at Pioneer Way to Pine Street on Saturday, March 16 from noon until parade ends; street closure on Main Street from Wall Street to Pine Street at noon on Saturday, March 16 to 6:00 a.m. on Sunday, March 17 and waiver of banner fees for event sponsors on Saturday, March 16, 2024.
- d. Hold public hearing for Back When They Bucked Event: waiver of user fees Wednesday, May 22 through Tuesday, May 28 and open container from 9:00 a.m. to 9:00 p.m. on Sunday, May 26, 2024 at Event Complex.
- e. Hold public hearing for 3 Wheeler Rally Event: street closure on Main Street from Wall St. to Deadwood St. for motorcycle parking on Wednesday, July 10 from 2:00 p.m. to 4:00 p.m.; street closure on Main Street from Lower Main Street at Pioneer Way to Pine Street on Thursday, July 11 from 8:30 p.m. until parade ends; open container Sunday, July 7 though Thursday, July 11, 2024 from 11:00 a.m. to 10:00 p.m. each day at Event Complex.
- f. Set public hearing on December 4 for Retail (on sale) Liquor License Transfer from Broken Arrow Trading Company to Nugget Saloon, LLC

## 9. **Old Business**

## 10. **New Business**

- a. Second Reading of Ordinance No. 1386 Amending Chapter 17.08 and Chapter 17.100.030 of Title 17 regarding spot zoning.
- b. Second Reading Ordinance #1388 - 2024 Budget Appropriations.
- c. Permission to expend up to \$10,000.00 with Golden West Technologies for six new desktop computers (including install) to replace outdated city network computers. (To be paid from IT Professional Services.)
- d. Permission to approve Not-For-Profit grant request from Broken Boot Gold Mine in the amount of \$15,301.52 for resource repairs. (To be paid by Historic Preservation.)
- e. Permission pay Central Square in an amount not to exceed \$7,397.40 for printer software, setup fee and training for previously ordered Police printers. (To be paid by Police Professional Services.)
- f. Permission to pay McKie Ford for 2023 Ford F-600 4X4 in the amount of \$69,480.00 which was bid/ordered in 2022. (To be paid by Streets Equipment budget.)
- g. Permission to purchase a new Fuel Management System in the amount not to exceed \$17,974.00 from Grimm's Pump Service. (To be paid 50/50 split from Streets and Parking & Transportation budgets.)
- h. Permission to pay Rasmussen Mechanical Services in the amount of \$7,077.29 for repairs to the radiant tube heater in the Water Department shop. (To be paid by Public Buildings repairs budget.)
- i. Permission to enter into five-year (\$86.41 per month) lease with Century Business Products for a Kyocera TASKalfa 2554ci copy/printer for the Recreation center. (To be paid from 2024 Bed & Booze Professional Services.)

## 11. **Informational Items and Items from Citizens**

- a. Free parking in all pay by plate fee areas excluding Broadway Parking Garage from Wednesday, November 22 thru Monday, December 26, 2023. Revenue received from holiday parking will be dispersed to local non-profit organizations. Information on how to apply will be posted in future meetings and on social media.
- b. Raffle permit received from South Dakota Association of Plumbing, Heating, Cooling Contractors. Drawing will be held February 22, 2024.
- c. The Library Board is looking for a board member with a term to begin January 1, 2024. For additional information, please reach out to Patty at the Library.

## 12. **Executive Session**

- a. Executive Session for Personnel Matters per SDCL1-25-2 (1) w/ possible action  
Executive Session for Legal Matters per SDCL1-25-2 (3) w/ possible action  
Executive Session for Union negotiations per SDCL 1-25-2(4) w/ possible action

## 13. **Adjournment**

This will be a public Meeting conducted through Zoom. To participate, join Zoom Meeting

URL: <https://us02web.zoom.us/j/6055782082?pwd=Z1QrRXhXaXp4eStPSjg2YjVTNUtZQT09>  
Meeting ID: 605 578 2082  
Password: 1876  
One tap mobile: 669-900-9128

*If you no longer have business activities during the meeting, do not feel obligated to remain.*