



City Commission Regular Meeting Agenda

Monday, June 06, 2022 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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 May 16, 2022 City Commission minutes

4. **Approve Bills**

- a. Approval of Bill List for June 6, 2022

5. **Items from Citizens on Agenda**

- a. Present Longevity Award to Toby Edstrom for 40 years and Hen Hawki for 50 years with the Fire Department
- b. American Legion Auxiliary #31 of Lead requests special alcohol license to serve beer and wine at Interpretive Lot during Kool Deadwood Nites on Friday August 26 and Saturday, August 27, 2022 from 11:00 a.m. to 8:00 p.m. daily. No public hearing necessary since license is on publicly owned property.
- c. Black Hills Post 5969 VFW requests special alcohol license to serve beer and wine at Interpretive Lot during Kool Deadwood Nites on Friday, August 26 and Saturday, August 27, 2022 from 11:00 a.m. to 10:00 p.m. No public hearing necessary since license is on publicly owned property. Payment and application have been received.

6. **Consent Agenda**

Matters appearing on Consent Agenda are expected to be non-controversial and will be acted upon by the Commission at one time, without discussion, unless a member of the Commission 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 for the Mayor to sign contract with Simon Contractors of SD, Inc for the Sampson Street mill/overlay project awarded on May 2, 2022.
- b. Accept resignation of Wes Thompson as Mount Moriah Cemetery Ticket Booth Attendant effective May 23, 2022.

- c. Permission to move Verla Little from part-time to full-time patrol officer at \$25.79 per hour effective June 7, 2022
- d. Permission to make Trolley Drivers Randi Coddington and Herb Cowart Weekend Trolley Managers with an additional \$2.00 per hour when acting as managers, per Section 5.12 of employee handbook.
- e. Remove Alison Ball, Library Assistant II, from payroll effective May 31, 2022.
- f. Permission to advertise in house for 5 days and then official newspaper for Library Assistant II at 13.27 per hour.
- g. Permission for the library to purchase four Maxwell Thomas Lounge chairs with tablet arm and power from Direct Supply in the amount of \$5,333.19. (To be paid from Library furniture budget which was increased due to SD Humanities Council American Rescue Plan grant that was received on November 22, 2021.)
- h. Employee Handbook 4.15 (Needs discussion with wage scale)
- i. Recommendation from Event Committee to waive user fees for Jeep Jamboree due to issues with parking at Event Complex during 2021 Jeep Jamboree Event.
- j. Permission for Mayor to sign parking lease with Peterson CPA for three (3) parking spots located on Seiver Street for a total of \$225.00 per month plus tax and applicant shall incur the cost of the signs and installation. Recommended approval by the Parking and Transportation Committee on May 19, 2022.
- k. Allow use of public property at the Event Complex on Thursday, September 15 through Saturday, September 17, 2022 for Black Hills Jeep Jamboree.
- l. Permission to approve updated job description for Fire Service Technician position.
- m. Recommendation from Parking & Transportation Committee to allow free ridership on City trolleys during Kool Deadwood Nites (Wednesday, August 25th through Sunday, August 28, 2022.) Acknowledge \$21,000.00 of contributions to the City from sponsors to offset Trolley revenue for event.
- n. Approve Special Alcohol License for His and Hers Ale House to serve beer and wine at Outlaw Square, Sunday, July 3 from 4:30 p.m. to 10:00 p.m. and Friday, July 8 and Saturday, July 9, 2022 from 4:30 p.m. to 10:00 p.m. for Deadwood Live Events. No public hearing necessary since license is on publicly owned property.
- o. Permission to hire and pay Viehauser Enterprises (DBS Genes) to upgrade keyless entry for back door of the firehall in the amount of \$2,934.94. (To be paid from Public Buildings budget.)
- p. Permission to hire Warne Chemical for Noxious Weed treatment along Whitewood Creek through Deadwood in the amount of \$5,030.00. (To be paid from Parks - CIP Whitewood Creek line item.)
- q. Permission to allow Police Dept to purchase 2020 Dodge Durango from Kansas Highway Patrol in amount of \$29,350.00. (To be paid from Police equipment budget.)

- r. Permission to allow Sergeant Cory Shafer to travel (via airplane) to Topeka, Kansas and drive back newly purchased vehicle. Travel will occur within the next two weeks with expenditures not to exceed \$1,500.00.

7. Bid Items

- a. Results of bid opening on June 1 at 2:00 p.m. for Mount Moriah Cemetery Improvements Project. Complete Concrete - \$283,840.00 and S&S Builders - \$687,290.00
- b. Results of bid opening on Thursday, June 2 at 2:00 p.m. of 23 Centennial Avenue Retaining Wall. RCS Construction - 129,000.00
- c. Results of bid opening on Thursday, June 2 at 2:00 p.m. for 9 Shine Street Retaining Wall. RCS Construction - \$164,000.00
- d. Results of bid opening on Thursday, June 2 at 2:00 p.m. for 8 Jefferson Street Retaining Wall. RCS Construction - \$249,000.00

8. Public Hearings

- a. Set public hearing on June 20 for Retail (on-off sale) Malt Beverage for Clark & Apex LLC at 612-614 Main Street
- b. Set public hearing on June 20 for Retail (on sale) Liquor License Transfer from Midnight Star, LLC to Main Ledge, LLC dba Midnight Star
- c. Set public hearing on June 20 for What Women Want Event: street closure on Deadwood Street from Main Street to Pioneer Way from 9:00 a.m. to 9:00 p.m. and open container in Zone 3 Outlaw Square including Deadwood Street from 11:00 a.m. to 7:00 p.m. on Saturday, July 16, 2022.
- d. Set public hearing on June 20 for Dia Del Taco Event: street closure on Deadwood Street from Main Street to Pioneer Way from 8:00 a.m. to 11:00 p.m. and open container in Zone 3 Outlaw Square including Deadwood Street from noon to 10:00 p.m. on Sunday, July 10, 2022.

9. Old Business

- a. Review 2021 Unaudited Annual Report for the City of Deadwood.

10. New Business

- a. Act as Board of Adjustment and approve/deny Request for Variance - Richard Neeson - 26 Washington Avenue (Tract A being a Subdivision of Lots 3 and 4 in Block 53 of the Original Townsite of Deadwood Lawrence County, South Dakota) Approved by the Planning and Zoning Commission on May 18, 2022 and Historic Preservation Commission on May 25, 2022.
- b. Act as Board of Adjustment and approve/deny the final plat. Corrected Final Plat - Creating Property Lines/Sale of Property - Stage Run - DMD Construction INC. Lots 12A, 12B, 13A and 13B, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood Located in the SW1/4 of Section 14, the SE1/4 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, Formerly a

Portion of Lot 1, Block 4A. Approved by Planning & Zoning Commission May 18, 2022.

- c. Act as Board of Adjustment and approve/deny the final plat - Creating Property Lines/Sale of Property - The Ridge - Randy Horner. Lot A of the Ridge Development Formerly A Portion of the Preacher Smith Tract. Located in Government Lot 8 and Government Lot 5 Sec. 1, T.5.N., R.3.E., B.H.M. The City of Deadwood, Lawrence County, South Dakota. Approved by the Planning and Zoning Commission on May 18, 2022
- d. Act as Board of Adjustment and approve/deny final Plat - Consolidating Property Lines - Park Plat - City of Deadwood. Park Lot and Spring Street Lots 1 and 2; Consisting of an Unnamed Lot, Lot C and Lot 2 of Block 1, Lots A, B and Lots 2 thru 6 of Block 2, and the Unnamed Right of Way; Being Portions of M.S 283, in the City of Deadwood, Lawrence County, South Dakota. Approved by the Planning and Zoning Commission on May 18, 2022.
- e. Act as Board of Adjustment and approve/deny rezoning request - Nicole Ideus - 6, 8, 10 Water Street - Plat of Tract A revised, including Tract A, Lot B-2, Lot C of Water Street Right of Way and the remainder of probate Lot 318 lying West of the East Bulkhead of Whitewood Creek. Being a portion of Probate Lot 318 and Block 38, Original Town, City of Deadwood. All located in the SE1/4 of Section 22, and the SW1/4 of Section 23, T.5N., R.3E., B.H.M., Lawrence County, South Dakota. (Lot C and B-2 according to Plat Doc. #95-4001) Recommended Approval by Planning and Zoning Commission May 18, 2022.
- f. First Reading of Ordinance #1354 Amending Title 17 - Zoning
- g. Act as Board of Adjustment and approve/deny Findings of Fact and Conclusion - Conditional Use Permit - Bed and Breakfast - Deanna and Thomas Smith at 29 Van Buren St. (The Southerly 57 feet of Lots 21, 22, 23 and 24, Block 50 Original Townsite, City of Deadwood Lawrence County, South Dakota) Recommend Approval by Planning and Zoning Commission on May 18, 2022.
- h. Permission to issue Medical Dispensary Cannabis License to the following establishment, subject to State approval:
GLP SD, LLC - 415 Cliff Street
- i. Permission to purchase streetlight banners from Quiksigns for Pioneer Way from Broken Boot to First Gold at cost not to exceed \$7,321.50. (To be paid from the HP Public Education line item.)
- j. Permission for Fire Dept to purchase four (4) Motorola AXP4000 and six (6) Motorola SL-300 radio/pagers from Western Communications in an amount not to exceed \$15,106.00. (To be paid from Fire Dept Equipment budget.)
- k. Permission to enter into contract with L and L insulation Inc. to mitigate mold in the basement of 1 Mt. Moriah Drive in the amount of \$7,860.00. (To be paid from Mt Moriah repair budget.)
- l. Permission to accept quote and enter into contract with Tree Wise Men LLC for phase 6 of clean up to Whitewood Creek (Highway 385 to 320 Cliff Street) in the

amount of \$29,700.00. Project plans sent to 7 contractors with 1 quote received. (To be paid from the Parks Department Budget - CIP Whitewood Creek.)

- m. Permission to pay Lawrence County in the amount of \$10,030.13 for the third payment of three for the 2020 flight of Pictometry Aerial Imagery to be paid from Historic Preservation GIS line item.
- n. First Reading Ordinance 1355 - Temporary Moratorium for Additional Short-Term Rentals in the following zoning districts: Residential (R1), Residential Multi-Family (R2), Planned Unit Development (P.U.D.), Public Use, Park Forest.
- o. Set public hearing for second reading of Ordinance 1355 on June 20, 2022.

11. Informational Items and Items from Citizens

12. Executive Session

- a. Executive Session for Personnel Matters per SDCL 1-25-2 (1) with possible action.
Executive Session for Legal Matters per SDCL 1-25-2(3) with 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

Please practice the CDC's social distancing recommendations.

Please be considerate of others and if you no longer have business activities during the meeting, do not feel obligated to remain.