



# City Commission Regular Meeting Agenda

Monday, July 17, 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 July 3, and July 10, 2023 City Commission minutes

4. **Approve Bills**

- a. Approval of Bill List for July 17, 2023

5. **Items from Citizens on Agenda**

- a. Acknowledge VFW Post #5969 Awards: Recognition of Paul Robitaille for 2022 State Volunteer Firefighter of the Year and Michael Runge for the 2021 Local Firefighter of the Year award.

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 to hire Marvin Maynard as a part-time Trolley Driver at \$15.66 per hour effective July 18, 2023, pending pre-employment screening.
- b. Permission to hire Amy Klein-Greba as Administrative Assistant for the Planning, Zoning and Historic Preservation Office at \$22.00 per hour (D12 rank) effective July 19, 2023 pending pre-employment screening.
- c. Permission to increase wage of trolley driver Joseph Royall-McKeown from \$15.66 to \$16.48 per hour after 1 year of service, effective July 6, 2023.
- d. Permission to allow phone allowance to James Lee effective June 1, 2023 and Jeremy Russell effective June 6, 2023.
- e. Renew Wellmark health insurance for employees from August 1, 2023 through July 31, 2024. Allow Finance officer to sign all associated documents.
- f. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchases and Warranty Deeds for Sam Namminga, Virginia Poling and Denise McGrath.

- g. Acknowledge payment to Days of '76 in the amount of \$5,000.00 for use of the slag pile for overflow parking during Days of '76 rodeo. (Paid per BID 8 board approval.)
- h. Permission to make 2023 budget allocation to Lawrence County Teen Court in the amount of \$8,500.00. (\$4,500.00 from Bed and Booze fund and \$4,000.00 from Police Dept.)
- i. Acknowledge grant money received from SD DANR in the amount of \$70,202.00 for Streets Department.
- j. Permission for Mayor to sign Quitclaim Deed and Certificate of Real Estate Value for the property located along Freemont Street from David H. Wilkinson and Laori May Wilkinson Revocable Trust to the City of Deadwood [Matter addresses retaining wall holding up Freemont Street].
- k. Permission for Mayor to sign contract with Schlosser Construction for the reconstruction of the stone retaining wall holding up Jackson Street along side 26 Washington. (Approved by City Commission on July 3, 2023)
- l. Permission to pay Triple H Performance in the amount of \$2,820.00 for work performed to Rescue #3 fire truck. (To be paid from Fire Dept. Repair budget.)
- m. Permission to pay Barry's Electric in the amount of \$4,200.10 for electrical upgrades at City Hall. (To be paid by Public Buildings Professional Service budget.)
- n. Permission to purchase office furniture from Modern Office for the new Zoning Coordinator office in the amount of \$3,199.00 including shipping. (To be paid from the HP supplies budget.)
- o. Approve recommendation from the Parking & Transportation Committee to waive parking fees for the Outlaw Square Shootout AAU Wrestling Tournament participants on July 22, 2023 from 12:00 pm to the end of the event in all areas except the Broadway Parking Ramp. AAU Wrestling will be responsible for providing proof of participation to assist enforcement staff.
- p. Permission to award 2023 Outside-of-Deadwood Grants (Round 2) in the amount of \$41,550.00.
- q. Permission to adopt Deadwood Recreation and Aquatic Lightning Storm Closure Policy to be effective immediately.
- r. Permission to allow the Mayor to sign AIA contract document with RCS Construction for work associated with Whitewood Creek Restoration - Bid Package 1 - Sites 1C, 2A, 2B, 3A, 3B for FEMA Project #123107. (Accepted bid of 07-10-2023)

7. **Bid Items**

8. **Public Hearings**

- a. Hold public hearing for the Deadwood Redemption Day: street closure on Deadwood Street from Main Street to Pioneer Way from 10:00 a.m. on Saturday, August 19 to 1:00 a.m. on Sunday, August 20, 2023. Deadwood Street will reopen for the Deadwood Alive performance at 2:00 p.m. and close at 2:30 p.m.

- b. Hold public hearing for HOGS Passport Run: Main Street Parking, southwest side only, from 681 to 677 Main Street (Harley Davidson and Midnight Star) from 1:00 p.m. to 3:00 p.m. on Saturday, July 22, 2023.
- c. Hold public hearing for Steer Roping Event: waiver of user fees Friday, August 18 through Monday, August 21, open container Friday, August 18 from 11:00 a.m. to 2:00 a.m. on Saturday, August 19; Saturday, August 19 from 11:00 a.m. to 2:00 a.m. on Sunday, August 20; Sunday, August 20 from 11:00 a.m. to 2:00 a.m. on Monday, August 21; and Monday, August 21 at 11:00 a.m. to 2:00 a.m. on Tuesday, August 22; and special liquor license to Days of '76 Committee from Saturday, August 19 through Monday, August 21, 2023 from 10:00 a.m. to 6:00 p.m. daily at the Event Complex.
- d. Set public hearing on August 7, 2023 for Retail (on sale) Liquor - Restaurant License for Door 4 LLC, dba Fairmont Hotel/Oyster Bay at 628 Main Street.
- e. Set public hearing on August 7, 2023 for Gold Street: Permanently close Gold Street between Main Street and Broadway Alley to vehicular traffic for use as a pedestrian plaza. Broadway alley will be one way from Shine Street to Wall Street.
- f. Set public hearing on August 7 for Hops and Hogs Event: open container in zones 1 and 2 Friday, September 22 from 5:00 p.m. to 10:00 p.m. and Saturday, September 23, 2023 from noon to 10:00 p.m.
- g. Set public hearing on August 7 for Oktoberfest events: open container in zones 1 and 2 Friday, October 6 from 5:00 to 10:00 p.m. and Saturday, October 7 from noon to 10:00 p.m.; street closure on Main Street from Wall to Deadwood Street from 9:00 a.m. to 6:00 p.m. and waiver of banner fees on Saturday, October 7, 2023.
- h. Set public hearing on August 7 for Wild West Songwriters Festival Events: open container in zones 1 and 2 on Thursday, October 12 from 5:00 to 10:00 p.m., Friday, October 13 from 5:00 p.m. to 10:00 p.m. and Saturday, October 14, 2023 from noon to 10:00 p.m.
- i. Set public hearing on August 7 for Deadweird Events: open container in zones 1 and 2 Friday, October 27 from 5:00 p.m. to 10:00 p.m. and Saturday, October 28 from noon to 10:00 p.m.; street closure on Main Street from Wall to Pine from 4:00 p.m. Saturday, October 28 to 5:00 a.m. Sunday, October 29, 2023.
- j. Hold Public Hearing - Request for Conditional Use Permit - Bed and Breakfast - 5 Burlington Street

9. **Old Business**

10. **New Business**

- a. Act as Board of Adjustment and approve/deny Conditional Use Permit - Bed and Breakfast - Jay and Pam Smith - 5 Burlington Street 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.

- b. Act as Board of Adjustment and approve/deny Final Plat of Lots 21A and 22A - Adjusting Property Lines - Stage Run Addition - Hueners Living Trust and John & Sharon Martin. Legally described as: Plat of Lots 21A and 22A, Block 2 of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood all located in the SW1/4 of Section 14, the SE1/4 of Section 15, the NE1/4/NE1/4 of Section 22 and the N1/2NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota Formerly Lots 20 Revised, 21 and 22, Block 2 of Palisades Tract of Deadwood Stage Run Addition
- c. Second Reading of Ordinance #1374 Amending Chapter 17.60.100 Fire and Life Safety to match adopted Building Codes of the City of Deadwood.
- d. Second Reading of Ordinance #1375 Amending Chapter 15.01.020 Exceptions and Amendments regarding language under Subsection I.
- e. Second Reading of Ordinance #1376 repealing Chapter 15.20.010 Life Safety Code - Adopted
- f. First Reading of Ordinance #1377 Budget Supplement #4 for 2023
- g. First Reading of Ordinance #1378 Amending Chapter 5.04 Alcoholic Beverages
- h. First Reading of Ordinance #1378 Amending Chapter 12.20 Snow Removal
- i. First Reading of Ordinance #1380 Amending Chapter 17.53.040 Exception to Transient Commercial Use of Property
- j. First Reading of Ordinance #1381 Amending Chapter 12.24.025 Event Committee
- k. Permission to pay Connell Equipment Leasing Company in the amount of \$16,787.65 for 1st of 4 lease payments (7/1/2023 - 6/30/2024) on 2023 S30 Sweeper. (To be paid by Parks Equipment budget.)
- l. Permission to enter into contract with the State Archaeological Research Center for additional archaeological investigations required as part of the Deadwood FEMA project in the amount of \$14,548.44. (To be paid as part of the FEMA project)
- m. Accept Contract Addendum #5 at a cost of \$28,600.00 with Albertson Engineering for additional services required for the completion of the FEMA project. (A portion reimbursable from FEMA).
- n. Permission to hire Black Hills Asphalt at a price not to exceed \$22,121.70 for sealing, crack fill and striping of the following parking lots: Gateway, City Hall, Centennial, Library, and the front half of the Sherman Street Lot. (To be paid by Parking and Transportation repair budget.)

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

- a. Dedication of interpretation marker for the conservation easement donated by ZCN, LLC (aka Deadwood Mountain Grand) at the beginning of the Homestake Trail in Deadwood at 11:00 a.m. on Tuesday, July 18, 2023.
- b. Raffle permit received from Lead-Deadwood AAU Wrestling Club. Drawing will be held July 22, 2023.
- c. 2024 HPC Budget Meeting - 8:00 a.m. July 25, 2023 - Deadwood City Hall

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

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