

REGULAR MEETING, MARCH 18, 2019

The Regular Session of the Deadwood City Commission convened on Monday, March 18, 2019 at 1:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor Ruth Jr. called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners Charlie Struble, and Gary Todd. Commissioner Sharon Martinisko via conference call. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Todd moved, Struble seconded to approve the minutes of March 4, 2019. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Struble moved, Todd seconded to approve the March 18, 2019 disbursements. Roll Call: Aye-All. Motion carried.

A - Z SHREDDING	FINANCE	93.00
ACE HARDWARE	SUPPLIES	133.11
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,470.00
AFFORDABLY CREATIVE	PROJECT	7,565.00
ALERE ESCREEN	TESTING	150.00
ALLEGIAN'T EMERGENCY	TEST	802.95
AMAZON	SERVICE	623.99
ATCO INTERNATIONAL	SUPPLIES	330.00
AXON ENTERPRISE	HOLSTER	64.00
BALCO UNIFORM	UNIFORMS	183.31
BH CHEMICAL	SUPPLIES	360.25
BH ENERGY	SERVICE	28,902.53
BH MINING MUSEUM	GRANT	1,390.30
BH PIONEER	SERVICE	371.39
BH SECURITY	SERVICE	280.10
BH SPECIAL SERVICES	CLEANING	1,050.00
BLACKSTRAP	ROAD SALT	2,318.37
BOMGAARS	SUPPLIES	249.99
BUTLER MACHINERY	SUPPLIES	1,028.46
CERTIFIED LABORATORIES	SUPPLIES	419.94
CULLIGAN	SUPPLIES	136.50
DAKOTA LUMBER	PROJECT	1,428.70
DB MARKETING TEAM	GUN CASE	94.44
DEADWOOD CHAMBER	SERVICE	104,808.69
DEADWOOD ELECTRIC	SERVICE	59.70
EAGLE ENTERPRISES	SUPPLIES	325.00
EDDIE'S TRUCK CENTER	SUPPLIES	350.77
EMERY-PRATT	BOOK	12.54
FASTENAL	SUPPLIES	20.72
FED EX	SHIPPING	13.00
FERBER ENGINEERING	TRACKER	2,101.00
GADGET TECHNOLOGY	SUPPLIES	7.99
GALLS	UNIFORMS	166.71
GOLDEN WEST	SERVICE	1,566.50
GOOD SHEPHERD CLINIC	ALLOCATION	2,000.00
HAWKINS	SUPPLIES	1,265.60
HILLYARD	SUPPLIES	115.20
KDSJ	SERVICE	430.00
KNECHT	SUPPLIES	586.76
KONE	MAINTENANCE	470.34
LEAD-DEADWOOD SANITARY	USAGE	27,195.40
LOWE ROOFING	PROJECT	11,091.00
LYNN'S	SUPPLIES	83.95
M&M SANITATION	RENTAL	240.00
MIDWEST TAPE	DVDS	151.42
MOHR, TRENT	REIMBURSEMENT	190.00
MDU	SERVICE	369.57
MORRISON, RONDA	REIMBURSEMENT	44.58
MS MAIL	SERVICE	1,318.70
MUTUAL OF OMAHA	INSURANCE	258.77
NELSON, MARY JO	CONSULTING	375.00
NETWORK SERVICES	SUPPLIES	67.99
NHS OF THE BLACK HILLS	SERVICE	4,242.50
NORTHERN HILLS TECHNOLOGY	SERVICE	131.50
NORTHWEST PIPE FITTINGS	SUPPLIES	64.80
PAGE ETC	PROJECT	135.63
PARTSMASTER	SUPPLIES	57.49
PASSPORT LABS	METERS	65.00
PEOPLE	SUBSCRIPTION	322.38
PETTY CASH	FINANCE	202.03
PITNEY BOWES	LEASE	250.05
RAPID CITY JOURNAL	SUBSCRIPTION	119.40
RAPID DELIVERY	DELIVERY	43.71
REDWOOD TOXICOLOGY	TESTING	50.00
RUNGE, MIKE	REIMBURSEMENT	438.40
SCULL CONSTRUCTION	PAY APP#2	243,368.51
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	7,333.36
SD DEPT. OF MOTOR VEHICLES	FEE	2.00
SD DEPT. OF REVENUE	TAX	2,520.42
SD DEPT. OF REVENUE	TRANSFER	75.00
SD HISTORICAL SOCIETY	CONFERENCE	190.00
SD MUNICIPAL LEAGUE	REGISTRATION	68.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SD SHERIFFS' ASSOCIATION	REGISTRATIONS	170.00

REGULAR MEETING, MARCH 18, 2019

SOUTHSIDE SERVICE	SERVICE	819.05
SPEARFISH LUMBER	PROJECT	2,507.72
SPEARFISH SEAMLESS	SUPPLIES	1,757.00
STURDEVANT'S	SUPPLIES	35,739.68
TEAM LABORATORY	FERTILIZER	1,293.50
THE LORD'S CUPBOARD	RECYCLING	52.50
TRIPLE K	SERVICE	880.73
UMENTHUM, KEITH	INSPECTIONS	200.00
VERIZON	SERVICE	109.75
VIEHAUSER ENTERPRISES	SERVICE	115.00
VIGILANT BUSINESS	INVESTIGATION	111.00
WASTE CONNECTIONS	SERVICE	7,642.20
WESTERN COMMUNICATIONS	SUPPLIES	90.00
WL CONSTRUCTION	SUPPLIES	429.85

TOTAL \$ 546,590.94

ITEMS FROM CITIZENS ON AGENDA

Mayor Ruth thanked Oz Enderby and Tom Carr from American Legion for their help facilitating Government Day with Lead Deadwood High School. Ruth explained the process of Commission Meetings.

CONSENT

Todd moved, Struble seconded to omit item G for separate consideration and approve the following consent items as amended: Roll Call: Aye-All. Motion carried.

- A. Make 2019 budgeted allocation to Twin City Clothing Center in the amount of \$3,500.00 from Bed and Booze Fund.
- B. Make 2019 budgeted allocation to Recreation in the amount of \$500.00 for the annual Easter Egg Hunt paid from Bed and Booze Fund.
- C. Make 2019 budgeted allocation to Lead Chamber of Commerce in the amount of \$6,000.00 for the fireworks display paid from Bed and Booze Fund.
- D. Remove the following individuals from the Volunteer Fire Department Roster for worker's compensation purposes effective March 5, 2019: Jerity Krambeck, Courtne Rakow and Lei'Ani Wieringa.
- E. Permission to hire Jennifer Widener as Rec Center front desk receptionist at \$9.48 per hr. effective March 25, 2019 pending pre-employment drug testing and background check.
- F. Permission to hire Scott Reif for the Parks Foreman position at \$22.81 per hour (includes longevity pay) to retroactive beginning March 4, 2019.
- G. Removed for separate consideration in New Business.
- H. Permission for Mayor to sign and renew parking lease with SD Commission on Gaming for five parking spots at Miller Lot at total of \$250.00 per month plus tax.
- I. Permission to contract with Donarski Lawncare and Landscaping for tree trimming, removal, grading, and retaining wall work at Deadwood Event Complex in the amount of \$7,290.00 (To be paid from BY Development Donation for parking.)
- J. Permission to hire Hills Interiors to replace flooring in police department in the amount of \$13,964.75. (To be paid with funds from insurance claim from hail damage in 2018)
- K. Historical Preservation request to approve the use of Public Ed and Advocacy funds, not to exceed \$2,700.00 for the vacant building window display project.
- L. Historical Preservation request to create the Historical Publication Fund to come out of the Advocacy line item and not to exceed \$25,000.00. (New accounting subcategory will be created for record tracking)
- M. Permission to advertise (in-house for 5 days) for a full time patrol officer.

BID ITEMS

Results

Mayor Ruth stated two bids were opened for Whitewood Creek Improvement Project Phase 3 at 2:00 p.m. on March 13 as advertised. Bid bonds and acknowledgement of Addendum number one were included in the following bid submittals:

Donarski Lawncare and Landscaping - \$38,350.00
RCS Construction - \$87,500.00

After discussion, Todd moved, Struble seconded to approve low bid from Donarski Lawncare and Landscaping in the amount of \$38,350.00 and allow Mayor to sign contract. (Capital Improvement Project Budgeted and this budget item will have \$42,260 remaining.) Roll Call: Aye-All. Motion carried.

REGULAR MEETING, MARCH 18, 2019

Set

Todd moved, Struble seconded to set bid opening for retaining wall at 336 Williams Street on April 10, 2019 at 2:00 p.m. with results to Commission on April 15. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Transfer

Public hearing was opened at 1:06 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Struble moved, Todd seconded to approve Convention Center (on-sale) Liquor License (CL-0501), and Retail (on-off sale) Malt Beverage (RB-3536) transfer from Gulches LLC to Cliff Street, LLC dba Comfort Inn at 225 Cliff Street. Roll Call: Aye-All. Motion carried.

Hops and Hogs Event

Public hearing was opened at 1:07 p.m. by Mayor Ruth Jr. Sarah Anderson, Deadwood Chamber, was available to answer questions. Hearing closed.

Struble moved, Todd seconded to allow the relaxation of the open container ordinance on Main Street from Tin Lizzies Gaming Resort to Masonic Temple, Broadway Street from Wall to Shine, Sherman Street from Pioneer Way to the south side of Pine Street, Deadwood Street from Pioneer Way to Sherman Street, Siever Street, Pine Street from Main Street to Sherman Street and Lee Street from Pioneer Way to 83 Sherman Street on Friday April 26, 2019 from 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to allow the relaxation of the open container ordinance on Saturday April 27, 2019 from 12:00 a.m. to 10:00 p.m. for same area as approved on April 26, 2019. Roll Call: Aye-All. Motion carried.

Block Grant

Public hearing was opened at 1:09 p.m. by Mayor Ruth Jr. Lysann Zeller, BH Council of Local Government, spoke about the Community Development Block Grant for a Senior Center. Zeller stated the center would cost approximately \$531,000.00, and the grant would be half of the cost minus the public restrooms. Commissioner Todd questioned the time frame. Zeller replied deadline to apply is April 1st, goes through a review period, awarded in June, then environmental 30-day review process, and funding is good for 18 months after review is approved. Mayor Ruth thanked Bob Nelson Jr and Zeller for their help with strengthening and unifying the community. Todd moved, Struble seconded to approve Community Development Block Grant to be submitted to the State of SD for possible construction of a Senior Center. Roll Call: Aye-All. Motion carried.

Lysann Zeller stated the other part of this hearing is a Community Development and Housing Needs Assessment to be eligible to apply for this Grant. She stated the City has to consider what the housing needs are in the community. Hearing closed.

OLD BUSINESS

Ordinance

Planning and Zoning Administrator Nelson Jr explained the changes to the Ordinance. Todd moved, Struble seconded to approve first reading of Ordinance 1291 Amending Chapter 15.32 Signs. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Item G (Appoint)

After discussion, Todd moved, Struble seconded to appoint the following people to complete negotiations for the lease contract of Outlaw Square: Commissioners Charlie Struble and Gary Todd, Bill Pearson, Lee Harstad and two Chamber Board members. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, MARCH 18, 2019

Plat

Martinisko moved, Struble seconded to act as Board of Adjustment and approve final plat of Lots 10A1 and 10A2, Block B, Sunnyside Addition, Formerly Lot 10A, Block B, Sunnyside Addition located in the NE ¼ of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. (approved by Planning and Zoning March 6, 2019.) Roll Call: Aye-All. Motion carried.

Resolution

Blaze Emerson, BK Consulting, stated this resolution would establish boundaries and will come forward with the project plan at a later date. Commissioner Todd believes this project does not qualify for a TIF through the City due to being limited on what City can offer and incase a project identified through comprehensive plan comes along. Todd also stated in the past, city allowed some TIF, with improvements that benefited the City, and feels without a plan, he cannot move forward with identifying the boundaries. Commissioner Martinisko questioned the area that is not included. Emerson replied Hampton Inn was excluded. After discussion, Martinisko moved, Struble seconded to Act as Board of Adjustment and approve Resolution 2019-08 Creating Tax Incremental District Number Eleven.

Commissioner Todd asked fellow Commissioners their reasoning for approval and benefit to the city. Todd stated the project would be development whether or not a TIF is created. Commissioner Struble stated her main reason was it would be in conjunction with Main Street Master Plan. Todd replied there is no Main Street Master Plan as of now, and recommends if wanted to work in conjunction, postponing until City has a master plan to identify what the plan is. Mayor Ruth stated creating district boundaries does not create TIF funds, just recognizing proposed expansion, and interest in working in conjunction with the City. Commissioner Martinisko stated resolution is creating potential in the future and does not have a problem with creating boundaries. (Recommended approval by Planning and Zoning on March 6, 2019). Roll Call: Aye-Struble, Martinisko, Ruth. Nay-Todd. Motion carried.

RESOLUTION # 2019-08

RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER ELEVEN

WHEREAS the Deadwood City Commission deems it necessary to create a tax incremental district, pursuant to SDCL 11-9-6, that includes real property as more particularly described herein; and,

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9 for an overlay tax incremental district; and,

WHEREAS the Council finds that:

1. Not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and
2. The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district
3. The aggregate assessed value of taxable property in the proposed district plus the tax incremental base of all other existing districts does not exceed ten percent (10%) of the total assessed value of property within the City of Deadwood; and

NOW, THEREFORE, BE IT RESOLVED by the City of Deadwood that the real property legally described below shall constitute the final boundaries of Tax Incremental District Number ELEVEN (TID #11):

LOTS 1, 2, 3, 4 AND 5, BLOCK 11, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, ACCORDING TO P.L. ROGERS MAP AND AS SHOWN ON PLAT BOOK 3 PAGE 642 AND A TRIANGULAR STRIP ADJOINING LOT 1 FURTHER DESCRIBED AS FOLLOWS: "BEGINNING AT A POINT ON COURSE 1 OF M.S. 216 FROM WHICH POINT CORNER NO. 4 OF M.S. 216 BEARS N. 8° 24' W. A DISTANCE OF 201 FEET; THENCE S 42° 58' E. A DISTANCE OF 123 FEET TO CORNER NO. 2; THENCE N. 63° 28' W. A DISTANCE OF 110 FEET TO CORNER NO. 3; THENCE 19° 32' E. A DISTANCE OF 44 FEET TO CORNER NO. 1 THE PLACE OF BEGINNING ACCORDING TO THE OFFICIAL PLAT OF P.L ROGERS AND AS SHOWN ON PLAT BOOK 3 PAGE 642 BEING A PORTION OF M.S. 216 IN THE CITY OF

REGULAR MEETING, MARCH 18, 2019

DEADWOOD, EXCEPT THAT PORTION DEEDED TO THE STATE OF SOUTH DAKOTA AS SET OUT IN BOOK 376 PAGE 600, BEING A PORTION OF M.S. 216";

LOTS 1 AND 2, FOUR POINT SUBDIVISION, ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 7, 9, 11, 17 AND 19 IN BLOCK 13, EXCEPTING THEREFROM THE NORTH 70 FEET OF SAID LOT 19, ORIGINAL TOWN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, ACCORDING TO THE OFFICIAL PLAT OF P.L. ROGERS OF DEADWOOD;

LOTS 13, 15, 21, AND 23 AND THE NORTHERLY 70 FEET OF LOT 19 IN BLOCK 13, ORIGINAL TOWN OF THE CITY OF DEADWOOD, ACCORDING TO P.L. ROGERS MAP OF THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 25, 27, 29, 31 AND 33, ALL IN BLOCK 13 OF THE CITY OF DEADWOOD, ACCORDING TO P.L. ROGERS MAP OF THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

PROBATE LOT 186 LOCATED IN THE CITY OF DEADWOOD, ACCORDING TO THE P.L. ROGERS MAP OF SAID CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS A AND C OF PROBATE LOT 227, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

SCHOOL LOT 66 LOCATED IN THE CITY OF DEADWOOD, ACCORDING TO THE P.L. ROGERS MAP OF SAID CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 32, 34, 36, 38, 40, 42 AND 44, BLOCK 12, O.T., CITY OF DEADWOOD, SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA;

LOT 35, BLOCK 13, O.T., CITY OF DEADWOOD, SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 6 AND 7, BLOCK 11, O.T., CITY OF DEADWOOD, LOCATED IN THE SW¼ OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA.

ALL LOCATED IN THE CITY OF DEADWOOD, SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST BLACK HILLS MERIDIAN, LAWRENCE COUNTY, SOUTH DAKOTA INCLUDING WITHIN AND ADJACENT RIGHTS-OF-WAYS.

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Easements

Planning and Zoning Administrator Nelson Jr. explained the easements. Martinisko moved, Struble seconded to allow Mayor to sign Temporary Construction Easements with the following landowners: Haverberg Family Limited Partner, Larry and Jeanne Stuefen, April and Michael Gustafson, Bid D Oil Company, Thomas May, Terry and Alice Hoffer, WWW LLC, Blue Sky Gaming, GR Deadwood LLC. Easements are required for SDDOT Project PCNX04P. Roll Call: Aye-All. Motion carried.

Petition

Roger Tellinghuisen, on behalf of various properties, stated this resolution is to accept voluntary petitions for the creation of Business Improvement District #9 to support Outlaw Square and district. He stated the public hearing will be held Monday, May 6. Todd moved, Struble seconded to accept Petition from various properties to Create Business Improvement District #9 and approve Resolution 2019-09 to Establish Boundaries for BID #9.

Commissioner Todd asked if this creates a problem or concern within the Finance Office. Finance Officer McKeown stated this BID will be different from others on how we set up but is feasible. Commissioner Martinisko thanked Main Street Initiative and businesses in support of the Outlaw Square. Mayor Ruth thanked citizens and employees for realizing the goal and vision of Outlaw Square. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, MARCH 18, 2019

**RESOLUTION NO. 2019-09
RESOLUTION OF INTENT TO ESTABLISH
BUSINESS IMPROVEMENT DISTRICT #9**

WHEREAS, the City of Deadwood has received a petition for the creation of Business Improvement District #9 pursuant to SDCL 9-55 as amended, and requesting the City of Deadwood adopt a Resolution of Intent to establish Business Improvement District #9 and impose an occupational tax on the transient guests of the following lodging establishments within the City of Deadwood and a general occupation tax based on linear front footage on the following non-lodging establishments within the City of Deadwood; and

WHEREAS, it appearing to the City of Deadwood that the proposed Business Improvement District #9 is being created to fund the following public project:

Main Street revitalization efforts focusing on the development and operation of the Main Street Plazas.

NOW THEREFORE, BE IT RESOLVED by the City of Deadwood that the City hereby declares its intent to establish Business Improvement District #9 with the boundaries to be the following lodging and non-lodging establishments in the City of Deadwood. Any lodging or non-lodging establishments not listed can become a part of this District and included in the boundaries of the District by petition and approval of the City Council:

Transient Commercial Property Owners – hotels & motels

<u>Name</u>	<u>Business Address</u>
BH Inn & Suites	206 Mtn Shadow Lane, Deadwood, SD 57732
Celebrity Hotel	629 Main, Deadwood, SD 57732
Deadwood Cottages	390 Main, Deadwood, SD 57732
Deadwood Cottages	388 Main, Deadwood, SD 57732
Hickok's Hotel & Casino	685 Main, Deadwood, SD 57732
Hickok House Hotel	137 Charles, Deadwood, SD 57732
Iron Horse Inn	27 Deadwood, Deadwood, SD 57732
Deadwood Rentals	36 Water Street, Deadwood, SD 57732
Bullock Hospitality	633-635 Main, Deadwood, SD 57732
Trucano B & B	124 Charles, Deadwood, SD 57732

Non-Transient Commercial Property Owners

<u>Name</u>	<u>Business Address</u>
Black Hills Novelty, LLC	69 Sherman, Deadwood, SD 57732
Wayne Morris	696 Main, Deadwood, SD 57732
Wild Hog, LLC DWD Harley	681 Main, Deadwood, SD 57732
Patchstop, LLC	666 Main, Deadwood, SD 57732
The Pink Door	596 Main, Deadwood, SD 57732
RE Center of Lead/DWD	11 Charles, Deadwood, SD 57732
David Barth	69 Lee, Deadwood, SD 57732
Madame Peacock's	638 Main, Deadwood, SD 57732
Berg Jewelry and Gift	650 Main, Deadwood, SD 57732
Jacobs Gallery	670 Main, Deadwood, SD 57732

BE IT FURTHER RESOLVED that the City of Deadwood declares its intent to establish an occupational tax to be imposed on transient guests renting rooms in the above described lodging establishments. The amount of the tax shall be \$2 per occupied room per night, which shall not apply or be imposed on any transient guest who has been offered a room by a lodging establishment on a complimentary basis and for which no fee or rent was charged for such room.

BE IT FURTHER RESOLVED that the City of Deadwood declares its intent to establish a general occupation tax based on the linear front footage of the above described non-lodging establishments. The amount of tax shall be \$50 per month for each non-lodging establishment which has 30 or less linear feet of front footage, and shall be \$75 per month for each non-lodging establishment with more than 30 linear front footage feet.

The total estimated or proposed cost for the above projects and activities is projected to be \$100,000 annually, with the revenues from the occupancy tax and the general occupation tax to fund some or all of the above projects and activities; and be it further

REGULAR MEETING, MARCH 18, 2019

RESOLVED that a hearing shall be held before the Deadwood City Commission on Monday, May 6, 2019 at 5:00 p.m. at the City Commission Chambers located at 102 Sherman Street in the City of Deadwood, South Dakota, to consider the establishment of Business Improvement District #9 and the imposition of a \$2 per room occupancy tax on transient guests for rooms rented by the above lodging establishments, and the imposition of \$50 per month for each non-lodging establishment above with 30 or less linear feet of frontage, and \$75 per month for each non-lodging establishment above with more than 30 linear feet of frontage.

The City Finance Officer shall give notice of this hearing by mailing a complete copy of this Resolution of Intent to each of the owners of the lodging establishments or non-lodging establishments listed above and located within the proposed Business Improvement District #9 at least 30 days prior to the public hearing date.

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Ordinance

Finance Officer McKeown, and Historic Preservation Officer Kuchenbecker explained Ordinance. Commissioner Todd questioned why supplement when funds have not been received with bonding. McKeown stated she does not foresee any issues with the bond. Struble moved, Todd seconded to approve first reading of Ordinance #1292 Supplemental Budget #1 for 2019. Roll Call: Aye-All. Motion carried.

Allocation

Nelson Jr. stated there are energy efficient deductions with the welcome center, and Skyline Engineering LLC asked permission to take credits. Mayor Ruth stated municipalities are not allowed to apply but designers are, and will have to be inspected by a third party. Todd moved, Struble seconded to allow Mayor to sign Tax Rebate Allocation to Skyline Engineering for Deadwood Welcome Center building. Roll Call: Aye-All. Motion carried.

Permission

Historic Preservation Officer Kuchenbecker explained the project and improvements needed to be made. Struble moved, Todd seconded to expend up to \$45,000.00 for ADA Compliance project at the Rodeo Grounds. (Budgeted HP Capital Assets) Roll Call: Aye-All. Motion carried.

Commitment Letter

Lysann Zeller stated this letter is a requirement for the grant application. Struble moved, Todd seconded to allow Mayor to sign Funding Commitment Letter for City of Deadwood CDBG Application for Senior Center. Roll Call: Aye-All. Motion carried.

Resolution

Zeller stated this resolution authorizes Mayor to sign application and submit grant. Struble moved, Todd seconded to approve Resolution 2019-10, CDBG Application for Senior Center. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION # 2019-10 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION RESOLUTION

The City Commission of the City of Deadwood, a municipal corporation, meeting in regular session on March 18, 2019, pursuant to SDCL 9-19, motion was made by Struble, seconded by Todd that the following resolution be adopted:

WHEREAS, the City of Deadwood has identified the need to construct a building for a senior center to be located in the community; and,

WHEREAS, the City of Deadwood proposes to apply for a Community Development Block Grant (CDBG) not to exceed \$280,490 for said senior center project in order to meet the needs of the community; and,

WHEREAS, the project is eligible for Federal assistance under the CDBG program; and,

WHEREAS, with the submission of the CDBG application, the City of Deadwood assures and certifies that all CDBG program requirements will be fulfilled; and,

REGULAR MEETING, MARCH 18, 2019

WHEREAS, the City of Deadwood has held the required public hearing on March 18, 2019, for the Community Development Block Grant;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Deadwood be authorized to execute the CDBG application for the City of Deadwood.

AND, BE IT FURTHER RESOLVED, that the following supporting CDBG documents also be adopted:

- Equal Employment Opportunity Policy
- Operation, Maintenance, and Repair Statement
- Relocation, Displacement and Acquisition Plan
- Restrictions on Lobbying Certification
- Excessive Force Policy

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Process

Todd moved, Struble seconded to allow Mayor to sign the following attachments required for application process: CDBG Equal Employment Opportunity Policy, CDBG Operation, Maintenance and Repair Statement, CDBG Relocation, Displacement and Acquisition Plan, DCBG Excessive Force Policy, DCBG Certification Regarding Restrictions on Lobbying. Roll Call: Aye-All. Motion carried.

Resolution

Zeller stated resolution authorizes Mayor and Finance Officer to sign required documents pertaining to the grant. Todd moved, Struble seconded to approve Resolution 2019-11, CDBG Project Certifying Officer. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION # 2019-11

**COMMUNITY DEVELOPMENT BLOCK GRANT
PROJECT CERTIFYING OFFICER RESOLUTION**

The City Commission of the City of Deadwood, a municipal corporation, meeting in regular session on March 18, 2019, pursuant to SDCL 9-19, motion was made by Todd, seconded by Struble, that the following resolution be adopted:

WHEREAS, the City of Deadwood is applying for a Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development, as administered by the State of South Dakota; and,

WHEREAS, if awarded CDBG funds, the City of Deadwood will be required to designate a Project Certifying Officer for the purpose of signing required documents pertaining to this grant;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Deadwood be hereby designated as the City's official for the purpose of signing grant agreements, contracts, and other related items;

AND, BE IT FURTHER RESOLVED, that the City Finance Officer of the City of Deadwood be hereby designated as the City's representative for the purpose of signing correspondence, pay requests and other required documents directly relating to the CDBG project.

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

REGULAR MEETING, MARCH 18, 2019

Resolution

Zeller stated resolution authorizes Mayor to sign environmental documents pertaining to the application. Struble moved, Todd seconded to approve Resolution 2019-12 CDBG Environmental Certifying Officer. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION # 2019-12

COMMUNITY DEVELOPMENT BLOCK GRANT ENVIRONMENTAL CERTIFYING OFFICER RESOLUTION

The City Commission of the City of Deadwood, a municipal corporation, meeting in regular session on March 18, 2019, pursuant to SDCL 9-19, motion was made by Struble, seconded by Todd, that the following resolution be adopted:

WHEREAS, the City of Deadwood is applying for a Community Development Block Grant from the U.S. Department of Housing and Urban Development as administered by the State of South Dakota; and,

WHEREAS, the City of Deadwood is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this application;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Deadwood be hereby designated as the City's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Resolution

Zeller stated resolution verifies commitment by the City to eliminate prejudice, intolerance, disorder and discrimination in housing. Todd moved, Struble seconded to approve Resolution 2019-13 CDBG Assuring Fair Housing. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION # 2019-13

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION ASSURING FAIR HOUSING

WHEREAS, it is the firm belief of the City of Deadwood that discrimination in housing not only threatens the rights and privileges of citizens, but also menaces the institutions and foundations of a free and democratic society; and,

WHEREAS, the City of Deadwood desires to give meaning to the guarantees of equal rights contained in the Constitution and Laws of this State and the United States and to encourage and bring about mutual self-respect and understanding among all citizens and ground in the City; and,

WHEREAS, under the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968), it is illegal to deny housing to any person because of race, color, religion, sex or national origin;

NOW, THEREFORE, BE IT RESOLVED, that the City of Deadwood makes firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.

BE IT FURTHER RESOLVED, that the Fair Housing and Equal Opportunity logo will be displayed in the City of Deadwood's buildings and on all official correspondence.

BE IT FURTHER RESOLVED, that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. The City of Deadwood shall inform all City employees of the City's commitment to equal housing.
2. The City of Deadwood shall direct all employees to forward immediately to the Mayor reports they receive of housing discrimination.

REGULAR MEETING, MARCH 18, 2019

3. The Mayor shall forward such complaints to the South Dakota Division of Human Rights within 10 days of receipt of said complaint.

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Resolution

Zeller stated resolution verifies the city will administer grant funding in compliance with Federal and State standards, regulations, and laws, no members involved in contract selection shall have a conflict of interest, and no City staff is allowed to accept gratuities or gifts from contractors. Todd moved, Struble seconded to approve Resolution 2019-14, CDBG Code of Conduct. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION # 2019-14

**COMMUNITY DEVELOPMENT BLOCK GRANT
CODE OF CONDUCT RESOLUTION**

WHEREAS, the purpose of this "Code of Conduct" is to ensure the efficient, fair, and professional administration of Federal grant funds in compliance with applicable Federal and State standards, regulations, and laws; and,

WHEREAS, this "Code of Conduct" applies to the city council, officers, employees, or agents of the City of Deadwood engaged in the award or administration of contracts supported by Federal grant funds; and,

WHEREAS, no city council members, officers, employees or agents of the City of Deadwood shall participate in the selection, award or administration of a contract supported by Federal grant funds – if a conflict of interest (real or apparent) would be involved. Such a conflict would arise when: (a) members of the city council, city employee, officer or agent; (b) any member of his/her immediate family; (c) his/her partner; or (d) an organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for award; and,

WHEREAS, the city council members, officers, employees or agents of the City of Deadwood shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or subcontractors; and,

WHEREAS, to the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against the city council members, officers, employees or agents of the City of Deadwood, or the contractors, potential contractors, subcontractors or their agents.

NOW, THEREFORE, BE IT RESOLVED, that the City of Deadwood adopts this "Code of Conduct" and affirms the code as a policy of the City.

Dated this 18th day of March, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Assessment

Todd moved, Struble seconded to adopt Community Development Needs Assessment. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Local Review Board meeting March 19, 2019 at 9:00 a.m.
- Open Commissioner Seat (1-year term) Letters of Interest should be submitted to the Mayor's office by 5:00 p.m. on April 26.

Lee Harstad, Deadwood Chamber, thanked city staff for assistance with St. Patrick's Day Events.

REGULAR MEETING, MARCH 18, 2019

Oz Enderby, American Legion, thanked Commission and City staff for accommodating Government Day

Jessicca received and distributed 2018 Event Complex annual summary from Deadwood Chamber. Also workers compensation was down from previous years and commended staff.

Fire Chief Rakow presented annual report.


Commission thanked city staff and Deadwood Chamber for a great and successful weekend.

Commission thanked Lead Deadwood students for attending.

ADJOURNMENT

Struble moved, Todd seconded to adjourn the regular session at 2:05 p.m. The next regular meeting will be on Monday April 1, 2019.

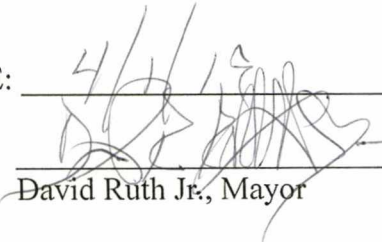
ATTEST:



Jessica McKeown, Finance Officer

DATE:

BY:



David Ruth Jr., Mayor

Published once at the total approximate cost of _____

