

REGULAR MEETING, JANUARY 22, 2019

The Regular Session of the Deadwood City Commission convened on Tuesday, January 22, 2019 at 5:00 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 Sharon Martinisko, Charlie Struble and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Struble moved, Martinisko seconded to approve the minutes of January 7, 2019. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Struble seconded to approve the January 22, 2019 disbursements. Roll Call: Aye-All. Motion carried.

ADAMS SALVAGE	TIRES	25.82
ALPINE IMPRESSIONS	PRINTING	155.92
AMAZON	SERVICE	670.24
AMERICAN LEGAL	ORDINANCES	450.00
AMERICINN FT. PIERRE	LODGING	127.99
APWA	DUES	40.00
ARROWHEAD FORENSICS	SUPPLIES	343.68
ATCO INTERNATIONAL	SUPPLIES	200.00
AVI SYSTEMS	REPAIR	222.19
BALCO UNIFORM	UNIFORMS	85.25
BH CHEMICAL	SUPPLIES	1,021.56
BH PIONEER	SUBSCRIPTION	834.05
BH SECURITY	SERVICE	2,082.45
BH SPECIAL SERVICES	CLEANING	910.00
BLAIR, LINDA	REIMBURSEMENT	43.08
BUTLER MACHINERY	SUPPLIES	354.76
CHAINS AW CENTER	SUPPLIES	208.15
COCA COLA	SUPPLIES	456.00
CULLIGAN	SUPPLIES	88.50
DEADWOOD CHAMBER	BILL LIST	88,552.45
DVFD	REIMBURSEMENT	150.00
DEADWOOD GAMING	BID #8	10,000.00
DEADWOOD HISTORY	AD SHARE	425.00
FERBER ENGINEERING	TRACKER	5,901.25
FLAT EARTH SIGN	PROJECT	565.00
FMG ENGINEERING	PROJECT	400.40
FREEMAN'S ELECTRIC	SERVICE	1,299.55
GALLS	UNIFORMS	249.96
GOLDEN WEST	SERVICE	1,596.50
GRASSROOTS ADVISORS	TABLETS	3,771.48
GUNDERSON, PALMER, NELSON	SERVICE	4,836.83
JACOBS WELDING	PROJECT	621.55
KDSJ	ADS	160.00
KNECHT HOME CENTER	GRANT	14,500.00
KONE	MAINTENANCE	455.40
KTM DESIGN	MONITORING	400.00
LAWSON PRODUCTS	SUPPLIES	316.16
LEAD DEADWOOD ARTS	FRAMES	530.00
LEAD-DEADWOOD SANITARY	USAGE	25,447.58
LUX, JUSTIN	REIMBURSEMENT	137.11
M&M SANITATION	RENTAL	220.00
MAC CONSTRUCTION	PROJECT	77,229.00
MCKEOWN, JESSICCA	REIMBURSEMENT	191.52
MENARD'S	SUPPLIES	103.31
MID-STATES ORGANIZED	FEES	150.00
MS MAIL	SERVICE	3,791.77
NARTEC	SUPPLIES	186.98
NATIONAL TRUST	DUES	250.00
NETWORK SERVICES	SUPPLIES	113.20
NHS OF THE BH	REIMBURSEMENT	3,671.45
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
OPHEIM, JOSEPH AND JULIE	GRANT	1,784.44
PENNINGTON CONSERVATION	TREE BUNDLES	1,590.00
POWERPLAN	SUPPLIES	7,145.92
QUIK SIGNS	SIGNS	562.06
QUILL	SUPPLIES	73.53
RAPID DELIVERY	DELIVERY	13.23
S AND C CLEANERS	CLEANING	3,310.00
SANITATION PRODUCTS	SUPPLIES	181.53
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	2,019.77
SD DEPT. OF REVENUE	TAXES	1,897.40
SD DEPT. OF TOURISM	REGISTRATIONS	1,980.00
SD ONE CALL	SERVICE	13.44
SD WATER	RENEWALS	40.00
SOUTHSIDE SERVICE	SERVICE	1,087.65
STURDEVANT'S	SUPPLIES	402.85
STURGIS AUTO PARTS	SUPPLIES	105.13
SYMBOL ARTS	BADGES	665.00
TDG COMMUNICATIONS	SERVICE	800.00
THE LORD'S CUPBOARD	RECYCLING	62.70
THOMSON REUTERS	SUBSCRIPTION	99.78
TRIPLE K	SERVICE	187.47
TWILIGHT	SUPPLIES	33.93
TWIN CITY HARDWARE	GRANT	1,418.37

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UMENTHUM, KEITH	PROJECT	4,801.50
UNDERHILL, RON	PROJECT	593.00
VERENDRYE MUSEUM	GRANT	4,000.00
VERIZON NETWORKFLEET	SERVICE	51.76
VIGILANT BUSINESS	BACKGROUND	118.50
WASTE CONNECTIONS	SERVICE	7,619.95
WESTERN COMMUNICATIONS	SERVICE	889.00
WHITE'S CANYON MOTORS	SERVICE	356.97
WOLFF'S PLUMBING	PROJECT	407.63
ZOGICS	SUPPLIES	719.70

TOTAL \$329,437.35

ITEMS FROM CITIZENS ON AGENDA

Years of Service

Fire Chief Rakow presented certificate to Pat Eastman for 30 years of service as a volunteer firefighter. Commission thanked him for his years of service.

CONSENT

Martinisko moved, Struble seconded to approve the following consent items: Roll Call: Aye-All. Motion carried.

- A. Reappointment of Tony Biesiot to the Planning and Zoning Commission, term to expire December 2023.
- B. Permission to hire Josh Stoltenberg as full time Patrol Officer, effective January 23, 2019, at an hour rate of \$23.72.
- C. Accept letter of retirement from Corporal Robert Lester effective June 1, 2019.
- D. Make 2019 budgeted allocation to Northern Hills Alliance for Children in the amount of \$10,000.00 from Bed and Booze Fund
- E. Make 2019 budgeted allocation to Helpline Center, Inc. in the amount of \$1,000.00 from Bed and Booze Fund
- F. Make 2019 budgeted allocation to Northern Hills CASA Program in the amount of \$5,720 from Bed and Booze Fund
- G. Make 2019 budgeted allocation to Lawrence County Teen Court in total amount of \$8,500.00. (\$4,500.00 from Bed and Booze Fund/\$4,000.00 from Police)
- H. Make annual payment of \$3,600.00 to First Baptist Church for annual lease of spaces from Parking and Transportation (Budgeted, contract still needs to be completed)
- I. Allow Mayor to sign Application for Abatement from Lawrence County Treasurer.
- J. Permission for Mayor to sign annual parking lease with NMD Ventures for twelve (12) spaces at Broadway parking Structure in the amount of \$1,200.00 per month plus tax
- K. Approve Mt. Moriah Tour Bus Renewals for 2019 per Ordinance Section 5.40.010
- L. Permission to purchase Square 9 Document Management System, in the amount of \$4,4190.72 to be used by Planning and Zoning and Historic Preservation. (Budget from P&Z and HP Professional Services)
- M. Permission to Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Randy Chyba
- N. Deadwood History Inc. request approval to serve liquor at HARC February 8 from 6:00 p.m. to 9:00 p.m.

PUBLIC HEARINGS

St. Patrick's Day

Public hearing was opened at 5:03 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street from the Tin Lizzie 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 Sherman Street on Friday, March 15, 2019 from 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on March 15 for Saturday, March 16, 2019 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

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Todd moved, Struble seconded to approve the waiver of banner fees and street closure on Main Street from Wall Street to Deadwood Street on Saturday March 16, 2019 from noon to midnight or possibility of 3:00 a.m. for Pub Crawl, and from Tin Lizzie Gaming Resort to Masonic Temple from noon until parade ends. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Contract

Todd moved, Martinisko seconded to approve low bid from Simon Contractors in the amount of \$1,235,595.37 for the City’s portion of the SD Department of Transportation’s Lower Main Project and allow Mayor to sign contract. Roll Call: Aye-All. Motion carried.

Direction

Discussion was held concerning the future of School Lot 37. Zoning Administrator Nelson Jr. stated City received a request to purchase School Lot 37. He stated Historic Preservation and City bought the Lot from the School District in 2007. After discussion concerning surplus or retain ownership, Martinisko moved, Todd seconded to retain ownership of School Lot 37. Roll Call: Aye-All. Motion carried.

Resolution

Martinisko moved, Struble seconded to approve Resolution 2019-03 to update 2019 fee schedules to include rate changes for Broadway parking Ramp. Chief Fuller gave a brief update on the fee structure at Broadway Parking ramp. Zoning Administrator Nelson Jr. gave an update on lost tickets. Roll Call: Aye-All. Motion carried.

**CITY OF DEADWOOD
RESOLUTION 2019-03
A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE
CITY OF DEADWOOD**

WHEREAS, City Ordinances require certain license fees, charges for services, and other designations to be established by resolution;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective for the 2019 year, replaces Resolution 2018-31. Rates were effective January 1, with exception of Broadway Parking:

Accident Report	\$2.00
Animal Impound Fees:	
First Impoundment	\$25.00
Second Impoundment.....	\$50.00
Third and Subsequent Impoundment.....	\$100.00
Animal License:	
Dog or cat, spayed or neutered	\$5.00
Dog or cat, unsprayed or neutered	\$10.00
Banner Fee	\$150.00
Burial Fees-Oakridge:	
Space, excluding recording fee.....	\$125.00
For perpetual care(mandatory)	\$75.00
City Hall Office:	
NSF charges	maximum allowed by SDCL 57A-3-421
Contractors License-new	\$75.00
Contractors License-renewal (before February 15 th)	\$50.00
Horse Drawn Vehicles-limited to two	\$75.00

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Grading Fee
0 to 10 cubic yards.....no charge
11 to 50 cubic yards\$50.00
Over 50 cubic yards.....\$100.00

Investigation Fee..... two times building permit

Mt. Moriah:
Admission over 12.....\$2.00
12 and under free

Nuisance/Labor Charge
Weed Removal \$71.50/hour
Snow Removal \$71.50/hour
Repair for damage to city property..... \$71.50/hour

Parking:
Broadway hourly:
All Day October 15 thru May 15.....\$5.00
All Day May 16 thru October 14\$10.00

Lost Ticket.....\$25.00

Broadway leases:
Employee lease \$50.00/month
Annual lease:
1-25 spaces \$100.00/month
26-50 spaces \$85.00/month
50-119 spaces \$75.00/month
120+ spaces \$60.00/month

Meters-Lower Main Street and Pioneer Way/Armory..... \$1.00/hour
All other meters \$.50/hour
Parking meter violation.....\$10.00

Other offenses:

Within 72 hrs.	After 72 hrs.	
Blocking driveway	\$ 25.00	\$ 34.00
No parking area	25.00	34.00
Yellow marked area	25.00	34.00
Dead storage over 24 hrs.	25.00	34.00
Snow removal area	25.00	34.00
Parking in unloading zone	35.00	44.00
Too near fire hydrant	25.00	34.00
Parked against traffic	25.00	34.00
Handicapped parking only	100.00	109.00
Red marked area	75.00	84.00
Unauthorized residential parking	25.00	34.00

Tow and Storage Fee for Abandoned
Vehicles..... \$125.00/+\$25.00/day

Pawn Broker.....\$100.00/annual

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Recreation Center

Family Pass (parents and legal guardians and all children grade twelve (12) and under).

Daily - \$7.00
One (1) month - \$30.00
Three (3) month - \$82.00
Six (6) month - \$150.00

Single Adult (19-54)

Daily - \$4.00
One (1) month - \$23.00
Three (3) month - \$55.00
Six (6) month - \$85.00

Child/Senior (0-12 and 55+)

Daily - \$2.00
One (1) month - \$12.00
Three (3) month - \$30.00
Six (6) month - \$50.00

High School Student (13-18).

Daily - \$2.00
One (1) month - \$15.00
Three (3) month - \$32.00
Six (6) month - \$55.00

Corporate Family

One (1) month (family) - \$25.00
Three (3) month (family) - \$70.00
Six (6) month (family) - \$140.00

Corporate Single

One (1) month - \$17.00
Three (3) month - \$44.00
Six (6) month - \$70.00

Key Cards

Key - \$3.00
Locker Rental. Monthly - \$5.00 half locker; \$10.00 full locker.

Sign Permit Fee \$100.00

Special Alcohol License\$50.00/day

Staging fee-construction:

Parking Space \$125.00/month
Use of City Property \$500.00/month

Taxi License, Limit five, maximum twenty vehicles\$75.00 first/\$25.00
each additional (annual)

TENT RENTAL WITH APPROVED SPECIAL EVENT:

10' by 10' Set up and taken down by City Staff\$100.00
20' by 30' Set up and taken down by City Staff\$200.00

Trolley:

Fare \$1.00/ride
All day pass\$5.00/pass
Convention pass..... \$5.00/pass
Punch card pass for 12 rides\$10.00/pass

Group Rates:

0 – 25 members\$50.00
26 – 50 members\$100.00
51 – 75 members\$150.00
76 – 100 members\$200.00
Each 25 additional\$50.00

By showing a name tag of the registered group, rides would be unlimited, providing the event does not last longer than two (2) consecutive days

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Paratransit Services:

For Deadwood residents, with payment to be made by exact change or check. A Trip is defined as one way:

Passengers 60 and Older

Deadwood to Deadwood	No Charge
Deadwood to Lead	No Charge
Deadwood to Spearfish	\$10.00 per trip
Deadwood to Sturgis/Ft Meade	\$10.00 per trip
Deadwood to Rapid City	\$15.00 per trip

Passengers Under 60

Deadwood-to-Deadwood	\$2.50 per trip
Deadwood to Lead	\$2.50 per trip
Deadwood to Spearfish	\$10.00 per trip
Deadwood to Sturgis/Ft. Meade	\$10.00 per trip
Deadwood to Rapid City	\$15.00 per trip

Utilities:

Water:

Residential minimum demand charge\$24.85 Monthly
for all accounts, whether on or off, regardless of water usage; water usage charged as follows:

Water Usage	Water Rate
0 - 4,999 gallons	\$1.82 \$1.91/1,000 gallons
5,000 - 9,999 gallons	\$2.21 \$2.32/1,000 gallons
10,000 - 19,999 gallons	\$2.75 \$2.89/1,000 gallons
20,000 - 49,999 gallons	\$3.31 \$3.48/1,000 gallons
50,000 and over gallons	\$4.41 \$4.63/1,000 gallons

Commercial accounts: Monthly minimum (demand) charge for all accounts, whether on or off, based upon meter size, per meter, as follows:

Meter Size	Cost
1 inch or less	\$44.56 \$36.23
1.5 inch	\$59.67 \$48.51
2 inch	\$89.51 \$72.77
3 inch	\$134.25 \$109.15
4 inch	\$179.00 \$145.53
6 inch	\$268.51 \$218.30

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with commercial water usage rates as follows:

Water Usage	Water Rate
0 - 9,999 gallons	\$3.31 \$3.48 /1,000 gallons
10,000 - 49,999 gallons	\$3.86 \$4.05 /1,000 gallons
50,000 and over gallons	\$4.41 \$4.63 /1,000 gallons

Waste water:

Residential ~~\$4.00~~ **\$4.20** per month
Commercial one (1) inch or less meter ~~\$10.00~~ **\$10.50** per month
Commercial meter greater than one (1) inch..... ~~\$20.00~~ **\$21.00** per month

Garbage:

Residential and small commercial accounts (defined as in-home apartments on the same site as the primary residential account): will be charged at the current contract rate that the city must pay to a private contractor, which includes service and applicable tax, per month for all accounts, whether on or off.

Commercial accounts: Responsible for own garbage removal.

Vending (temporary) 60 day notice required:

Outside..... \$750/14 days
Inside \$250/14 days
Convention Center..... \$1500/January-December

Zoning Fees:

Change of Zoning\$150.00
Conditional Use Permit\$150.00
Selling unrecorded plat.....\$100.00
Subdivision approval first lot, then thereafter \$100.00/\$30.00
Variance\$150.00

Dated this 22nd day of January, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Service

Martinisko moved, Todd seconded to approve design services with ACES for Upper Main Street Design in the amount of \$9,200.00, budgeted in CIP – Upper Main/14A. Zoning Administrator Nelson Jr. explained the service. Roll Call: Aye-All. Motion carried.

Final Plats

Martinisko moved, Struble seconded to act as Board of Adjustment and approve final plat of City Hall Lot. Legal Description: City Hall Lot; Formerly Lost 36, 38, 40, and 42 of Block 37; Lots 29, 31, 33, 35, 37, 39 and 41 of Block 38; Lot B-1 of Tact B of Probate Lot 318 and Portions of Carney Street and Water Street; City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to act as Board of Adjustment and approve final plat of Lot D-1. Legal Description: Lot D-1, A Subdivision of Tract D of the McGovern Hills Addition, Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

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Meeting

Martinisko moved, Struble seconded to change Commission Meeting time to 1:00 p.m. on March 18, 2019 to accommodate Government Day Activities with the School District. Mayor Ruth Jr. stated changing of meeting time will allow students to observe. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Petitions for Mayor's seat can be circulated beginning January 25, 2019, and must be returned to Finance Officer by 5:00 p.m. on February 22, 2019.
- Raffle permit received from Sacred Mountain Retreat Center. Drawing will be held on February 16, 2019 for \$1,500.00 prize. No action approves.

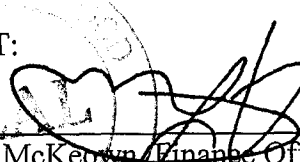
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2 (3) with possible action.

ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:27 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) with possible action. The next regular meeting will be on Monday, February 4, 2019.

After coming out of executive session at 6:05 p.m. Martinisko moved, Struble seconded to adjourn.

ATTEST:


Jessica McKeown, Finance Officer

DATE: 2-4-19

BY: 

David Ruth Jr., Mayor

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