The Regular Session of the Deadwood City Commission convened on Tuesday, January 17, 2023 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor David Ruth Jr. called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners Michael Johnson, Sharon Martinisko, Charlie Struble and Gary Todd. All motions passed unanimously unless otherwise stated.

# APPROVAL OF MINUTES

Martinisko moved, Johnson seconded to approve the minutes January 3, 2023. Roll Call: Aye-All. Motion carried.

# APROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the January 17, 2023 disbursements as amended. Roll Call: Aye-All. Motion carried.

		5.6.05
A & B BUSINESS SOLUTIONS	CONTRACT	76.25
ACE HARDWARE	SUPPLIES	44.30
ALBERTSON ENGINEERING	PROJECT	16,882.80
ALSCO AMAZON CAPITAL	SUPPLIES SUPPLIES	793.55 1,080.26
ASSOCIATION OF STATE FLOOD	MEMBERSHIP	300.00
BADGER METER	SERVICE	2,253.00
BALCO UNIFORM	UNIFORMS	219.15
BH CHEMICAL	SUPPLIES	2,952.59
BH ENERGY	SERVICE	31,603.63
BH PIONEER	SERVICE	654.93
BH SECURITY	SERVICE	2,907.00
BH SPECIAL SERVICES	CLEANING	1,650.00
BUTLER MACHINERY	SUPPLIES	161.52
CENTURY BUSINESS PRODUCTS	CONTRACT	261.90
CIVICPLUS	SERVICE	2,400.00
COMPLETE CONCRETE	PROJECT	32,904.00
CULLIGAN	SUPPLIES	119.00
DEADWOOD CHAMBER	BILL LIST	18,057.44
DVFD	PAY PER CALL PROJECT	26,544.70
DEMCO	SUPPLIES	585.93
ECOLAB	SERVICE	254.73
ENTERPRISE HOLDINGS	REFUND	50.00
FIB CREDIT CARDS FIRST BAPTIST CHURCH	SUPPLIES	1,745.88 3,600.00
G&G GARBAGE	LEASE RENTAL	157.50
GALLS	SUPPLIES	103.21
GOLDEN WEST	SERVICE	3,464.50
GRIMM'S PUMP	REPAIRS	322.86
GUNDERSON, PALMER, NELSON	SERVICE	1,757.04
HENDERSON, STEVEN	REIMBURSEMENT	122.86
HOLLINGER METAL EDGE	SUPPLIES	66.61
IPS GROUP	SERVICE	5,344.38
IWORQ	SERVICE	2,150.00
JACOBS WELDING	SERVICE	54.32
JOHN REID & ASSOCIATES	SERVICE	630.00
JORGENSEN LOG HOMES	PROJECT	18,069.30
KDSJ 980 AM RADIO	SERVICE	153.00
KLJ ENGINEERING	PROJECT	185.00
KNECHT	GRANT	28.40
KONE	MAINTENANCE	519.25
LAWRENCE CO. REGISTER LAWSON PRODUCTS	SERVICE RENTAL	180.00 400.00
LEAD-DEADWOOD SANITARY	SERVICE	29,205.53
LYNN'S	SUPPLIES	171.85
LYNN, JACKSON, SCHULTZ	SERVICE	180.00
MARCO	CONTRACT	336.66
MASONIC CENTER ASSOCIATION	REFUND	725.81
MCDIRT EXCAVATION	PROJECT	4,630.00
METERING & TECHNOLOGY	SUPPLIES	1,096.31
MIDWEST TAPE	SUPPLIES	96.22
MDU	SERVICE	20,497.37
MONUMENT HEALTH	TESTING	1,013.00
MS MAIL	SERVICE	1,498.46
NHS OF THE BLACK HILLS	CONTRACT	3,000.00
NOVA FITNESS EQUIPMENT	SERVICE	225.55
ONSITE FIRST AID	SUPPLIES	336.85
ONSOLVE OTIS ELEVATOR	CODE RED MAINTENANCE	1,500.00 157.26
OWENS INTERSTATE SALES	SUPPLIES	245.88
PERFECT HANGING GALLERY	SUPPLIES	675.00
PLAY IT AGAIN SPORTS	SUPPLIES	547.20
POOL & SPA CENTER	SERVICE	120.00
QUADIENT FINANCE USA	POSTAGE	500.23
QUIK SIGNS	SERVICE	221.74
RAPID DELIVERY	SERVICE	14.95
RASMUSSEN MECHANICAL	SERVICE	2,378.00
S AND C CLEANERS	CLEANING	9,143.00
SANDER SANITATION	SERVICE	12,395.72
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF REVENUE	LICENSE	225.00
SD DEPT. OF TOURISM	GALA	600.00

SELBY'S	RENEWAL	420.00
SIMON CONTRACTORS	PROJECT	3 <b>,</b> 920.76
SOUTHSIDE OIL	FUEL	16,445.00
SOUTHSIDE SERVICE	SERVICE	1,820.75
STURDEVANT'S	SUPPLIES	1,798.71
TDG COMMUNICATIONS	SERVICE	550.00
THE LORD'S CUPBOARD	RECYCLING	48.00
TOWEY DESIGN GROUP	PROJECT	2,883.00
TRIPLE K TIRE	SERVICE	190.00
USA BLUEBOOK	SUPPLIES	56.88
VERIZON CONNECT NWF	SERVICE	92.95
VIGILANT BUSINESS SOLUTION	TESTING	555.75
VISIONARY LANDSCAPING	SERVICE	425.00
WL CONSTRUCTION SUPPLY	SUPPLIES	618.31

Total \$ 333,203.04

#### CONSENT

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

- A. Permission for Dylan Bell to travel to Gillette, WY on January 23-27, 2023 for Reid Investigator training.
- B. Permission to hire Brandon Webb as full-time (non-certified) patrol officer \$23.22 per hour effective January 18, 2023 pending pre-employment screening.
- C. Permission to hire Matthew Johnson as Parks Superintendent at \$26.00 per hour plus phone allowance, effective January 22, 2023. (D16 rank)
- D. Permission to advertise in-house for 5 days and then in official newspaper for Parks Technician at \$19.00 per hour. (D9 rank)
- E. Remove the phone allowance from the Community Service Officer Position effective January 22, 2023. The city provides cellular phones for parking enforcement which are utilized for the duration of each shift.
- F. Permission to accept letter of retirement from Kenneth Mertens effective April 14, 2023.
- G. Permission to advertise for Police Chief position in-house for 5 days and then in official newspaper, if needed.
- H. Permission to correct job titles for Erik Jandt to Sergeant II and Sally Sprigler to Sergeant I.
- I. Approve consulting services from Randy Pfarr at \$40.00 per hour, as needed. (To be paid from Water Professional Services.)
- J. Recommendation from Parking and Transportation approval of Tourist Conveyance Licenses for Ride Deadwood dba Boot Hill Tours, Alkali Ike Tours and Original Deadwood Tours for the 2023 season, contingent upon vehicle inspections and insurance information.
- K. Permission to pay PCNation invoice in the amount of \$3,854.30 for Wall of Fame touch screen monitor. (To be paid from HP Public Education line item.)
- L. Permission to purchase a 4-Piece Office Furniture set from Modern Office for the Public Works Director's office in the amount of \$3,299.00 including shipping. (To be paid from the Streets, Water and Public Buildings supply line items.)
- M. Acknowledge invoice and permission to pay McDirt Excavation for emergency repairs on Main Street on December 9, 2022, in the amount of \$4,630.00 (to be paid out of the 2022 Water Dept Repairs budget)
- N. Acknowledge difference of \$1,890.00 on invoice to National Signal for Digital Message Board. Purchase of \$16,513.00 was approved on June 20, 2022 but freight was overlooked when submitted to commission.
- O. Permission to make 2023 budgeted allocation to Twin City Clothing Center in the amount of \$2,500.00 from Bed and Booze Fund.
- P. Permission for Mayor to sign agreement with Friends of the Twin City Animal Shelter for the operation and maintenance of the animal shelter.
- Q. Approve expenditures associated with Deadwood Day at the Capitol in amount not to exceed \$4,000.00. (To be paid from HP Public Education Budget.)
- R. Permission to sign agreement with Roger Tellinghuisen as lobbyist for Deadwood Historic Preservation Commission at a cost of \$20,000.00. (To be paid from HP Public Education line item.)

#### PUBLIC HEARINGS

#### License

Public hearing was opened at 5:02 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Todd moved, Struble seconded to approve Retail (on-off sale) Malt Beverage License for West River Whiskey Company LLC at 644 Main Street. Roll Call: Aye-All. Motion carried.

#### License Transfer

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

Johnson moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage (RB-25948) and Retail (on-off sale) Wine (RW-25947) license transfers from Jacobs Family International to Jacobs Gallery dba Jacobs Gallery at 670 Main Street. Roll Call: Aye-All. Motion carried.

# License Transfer

Public hearing was opened at 5:04 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Johnson moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage (RB-26826,) Retail (on-off sale) Wine (RW-26825) and Retail (on sale) Liquor - Restaurant (RR-26948) License transfers from Jacobs Family International to Jacobs Restaurant, Inc. at 79 Sherman Street. Roll Call: Aye-All. Motion carried.

### Forks Corks and Kegs

Public hearing was opened at 5:05 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions. Hearing closed.

Todd moved, Struble seconded to approve open container in zones 1 and 2 on Friday, April 14 from 5:00 p.m. to 10:00 p.m. and Saturday, April 15, 2023 from 11:00 a.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

## Legends Ride, Motorcycle Parking

Public hearing was opened at 5:06 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions. Hearing closed.

Martinisko moved, Struble seconded to approve parking on Main Street 10:00 a.m. to 2:00 a.m. daily Sunday, July 30 through Sunday, August 13; parking in Interpretive Lot 10:00 a.m. to 2:00 a.m. daily Thursday, August 3 through Sunday, August 13; use of Welcome Center 8:00 a.m. to 9:00 p.m. daily Thursday, August 3 through Saturday, August 12; street closure on Main Street from Pine to Deadwood from 8:00 a.m. to 3:30 p.m., and waiver of banner fees on Monday, August 7, 2023.

### **NEW BUSINESS**

# **Contacts**

Parks, Recreation & Events Director Adler and Planning, Zoning & Historic Preservation Officer Kuchenbecker spoke about the project. Struble moved, Martinisko seconded to enter into contact with Tallgrass Landscape Architecture for design services for Mt Moriah cemetery project in the amount of \$29,876.00. (To be paid by 2023 Historic Cemetery budget.) Roll Call: Aye-All. Motion carried.

Kuchenbecker spoke about the project. Martinisko moved, Johnson seconded to approve contract with Don Toms to index Lawrence County Tax Records for 2023 at a cost not to exceed \$8,000.00. (To be paid from 2023 HP Archives budget.) Roll Call: Aye-All. Motion carried.

Kuchenbecker spoke about the project. Johnson moved, Martinisko seconded to approve contract with Jaci Conrad Pearson to conduct oral histories for 2023 at a cost of \$6,750.00. (To be paid from 2023 HP Archives Budget.) Roll Call: Aye-All. Motion carried.

#### Resolution

Finance Officer McKeown spoke about the changes to the rates. Commissioner Johnson asked about cemetery lots. Commissioner Martinisko asked Commissioner Struble about Event Committees reasoning behind the \$3.00 surcharge for events. Struble stated surcharge would help offset additional charges. Martinisko believes focus should be elsewhere and come to an agreement with the Chamber and other entities bringing events to town pay a fee. Kuchenbecker stated event committee was looking about revenue sources to offset additional costs of the events. Mayor Ruth Jr. would like to work with Chamber and Outlaw Square to being more self-efficient to find a way to make a difference as opposed to creating a fee that would take away from revenue. Also need to recognize other events that need to be addressed to create a new revenue stream. Martinisko asked about Outlaw Square being self-supporting. McKeown stated the Square no longer receives Bed and Booze money. As far as maintaining as a public building, cleaning, utilities and maintenance is through the city. Discussion was held concerning cleaning. Martinisko moved, Todd seconded to approve Resolution 2023-04 Establish Schedule of Rates for 2023 as amended with the \$2.00 surcharge. Mayor Ruth Jr. stated a cleaning and rate portion should be included in the event packet. Discussion was held concerning fees and labor. Roll Call: Aye-All. Motion carried.

## CITY OF DEADWOOD RESOLUTION 2023-05

# 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 2023 year, replaces Resolution 2021-27. All utility rates will be effective January 1, 2023. All other rates will be effective upon passing of resolution.

#### **FINANCE**

Business Licenses:	
New License	\$100.00
Annual Renewal(s)	\$20.00
Special Alcohol License	
NSF charges maximum allowed by	
POLICE DEPARTMENT:	
Accident Report	\$5.00
Animal Impound Fees:	
First Impoundment	\$35.00
Second Impoundment	\$75.00
Third and Subsequent Impoundment	
Animal License:	
Dog or cat, spayed or neutered	\$5.00
Dog or cat, unsprayed or neutered	
Golf Cart Permit	\$50.00
Fleet permits:	
0-2 vehicles per year	\$500.00
3-5 vehicles per year	\$1,000.00
6-10 vehicles per year	
Annual for each vehicle after 10	\$150.00
6-month permit per vehicle	\$250.00
Daily fleet	
Pawn Broker	\$2,500.00
Horse Drawn Vehicles-limited to two	\$150.00
Taxi License:	
Limit five, maximum twenty vehicles	\$150.00
Each additional Taxi	\$50.00

# PLANNING & ZONING:

Mobile Food & Beverage Ver	nding Perm	it:			
Application Fee	•••••				\$20.00
Sign Permit Fee	• • • • • • • • • • • • • • • • • • • •				\$200.00
Zoning Fees:					
Change of Zoning					
Conditional Use Permit					
Subdivision approval first					
Variance Vending (temporary) 60-day			•••••		\$200.00
Outside (14 days)					\$750.00
Inside (14 days)					
Convention Center (Janua					
Building & Contractor Fees:	ny Beech	1001/	•••••	••••••	φ1,500.00
Contractor License:					
New license	• • • • • • • • • • • • • • • • • • • •				\$100.00
Renewal license (befo	re February	<sup>7</sup> 15 <sup>th</sup> )			\$75.00
Violation for Contractor operation	ating witho	ut a license.			\$150.00
Grading Fee:					
0 to 10 cubic yards					_
11 to 50 cubic yards					
Over 50 cubic yards					
Investigation Fee	•••••		see or	dinance 17.04.	110 paragraph B
Staging fee-construction:					¢125.00
Parking Space per month					
Use of City Property per I House Moving Permit Fee (in					\$300.00
Mobile or Manufactured I		•		,	\$50.00
All other structures					
Flash Drive (Historic Preserva	ation brand	ed)		•••••	\$5.00
CEMETERIES: Oakridge: Adult Plot, Burial Fees Sp	oace, exclud	ling recordin	g fee		\$300.00
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 $<sup>*</sup>Reciprocating\ membership\ with\ Lead\ Handley\ Center\ is\ an\ additional\ \$10.00/Per\ Month$ 

\*\*Must present current picture student ID

$\mathbf{F}$	V	$\mathbf{F}()$	N	7	Z.

<b>Deadwood Event</b>	Complex and	<b>Outlaw Square</b>	<b>Ticketed Events o</b>	n City Property:

Facility Use Fee / Ticket Surcharge (Reserved Seating, General Admission):

### **PARKING**:

I ARKING.	XX7'.1 '	A C	A.C.	A C
D 11 77 1 41 44	Within	After	After	After
Parking Violations*	7 Days	7 Days	30 Days	45 Days
Parking Meter Violation				
8am-10pm 7 Days/week	\$20.00	\$30.00	\$50.00	\$75.00
Broadway Ramp Violation 24/7	\$25.00	\$35.00	\$60.00	\$100.00
Blocking Driveway	\$35.00	\$45.00	\$70.00	\$110.00
No Parking Area	\$35.00	\$45.00	\$70.00	\$110.00
No Parking - 20 Minutes Only	\$35.00	\$45.00	\$70.00	\$110.00
No Parking - Library Use Only	\$35.00	\$45.00	\$70.00	\$110.00
No Parking - Trolley Stop	\$35.00	\$45.00	\$70.00	\$110.00
No Parking Here to Corner	\$35.00	\$45.00	\$70.00	\$110.00
No Parking - Blocking Crosswalk/Sidev	walk \$35.00	\$45.00	\$70.00	\$110.00
No Parking - City Employee Only	\$35.00	\$45.00	\$70.00	\$110.00
Recreation Center Parking Only	\$35.00	\$45.00	\$70.00	\$110.00
Yellow Marked Area	\$35.00	\$45.00	\$70.00	\$110.00
Permit Parking Only	\$50.00	\$70.00	\$90.00	\$100.00
Residential Parking Only	\$35.00	\$45.00	\$70.00	\$110.00
Dead Storage Over 24 Hrs.	\$35.00	\$45.00	\$70.00	\$110.00
Snow Removal/Street Cleaning	\$35.00	\$45.00	\$70.00	\$110.00
Parking in Unloading Zone	\$35.00	\$45.00	\$70.00	\$110.00
Motorcycle/Participant Only	\$20.00	\$30.00	\$50.00	\$75.00
Fire Hydrant Encroachment	\$35.00	\$45.00	\$70.00	\$110.00
Red Zone	\$100.00	\$140.00	\$180.00	\$200.00
Parked Against Traffic	\$35.00	\$45.00	\$70.00	\$110.00
Handicapped Parking Only	\$100.00	\$140.00	\$180.00	\$200.00
Mickelson Trail Use Only	\$100.00	\$140.00	\$180.00	\$200.00
Purple Heart Recipient Parking Only	\$100.00	\$140.00	\$180.00	\$200.00
Immobilization Fee	\$200.00	\$220.00	\$250.00	\$300.00
Detached or Unattended Trailer	\$75.00	\$115.00	\$155.00	\$175.00
Meters/Kiosks			\$1.	00 per hour
Flat Rate Parking lots			\$5.00 f	for 24 hours
T 1.04 E		<b>010</b>	5 00 · 005 00/0	2 0 4 1

Broadway Parking Facility:

Daily Rates:

Lease Rates:\* 

\*26 + spaces will need review and negotiation by the Parking & Transportation

Committee

<sup>\*</sup>After 45 Days Violations will be sent to a collection agency

TROLLEY:		
Fares with cash		\$2.00/ride cash
Fares with token		
All day pass		
Convention pass		
Punch card pass for 12 rides		
Group Rates:*		. 1
0 – 25 members		\$100.00
26 – 50 members		\$200.00
51 – 75 members		\$300.00
76 – 100 members		\$400.00
Each 25 additional		\$100.00
.*By showing a name tag of the regis	tered group, rides would be	unlimited, providing the
event does not last longer than two (2	- ·	71 0
	•	
Paratransit Services:*	Daggangara 60 and Older	Daggangarg Under 60
Deadwood to Deadwood	Passengers 60 and Older	Passengers Under 60
Deadwood to Lead	No Charge	\$2.50 per trip
	No Charge	\$2.50 per trip
Deadwood to Spearfish	\$10.00 per trip	\$10.00 per trip
Deadwood to Sturgis/Ft Meade	\$10.00 per trip	\$10.00 per trip
Deadwood to Rapid City *For Deadwood (city limits) residents (ex	\$15.00 per trip	\$15.00 per trip
Tor Dedawood (City timus) residents (ex	acı change requirea). A irip	is defined as one way.
PUBLIC WORKS:		
Nuisance/Labor Charges:		
Nuisance Removal		\$150.00/hour/employee
Snow Removal		
Repair for damage to city property*		1 0
After Hours Call-Out**		
After Hour Call-Out Holiday**		* ·
*Additional costs (supplies/equipment) in		
**Applies to water turn on/off services	, , , , , , , , , , , , , , , , , , ,	•
Tent Rental with Approved Special Event:		
10' by 10' Set up and take down		\$200.00
20' by 30' Set up and take down		
20' by 40' Set up and take down		\$600.00
LIDIT IDIEC.		
UTILITIES:		
Water:  Posidential minimum demand charge		\$28 10 Monthly
Residential minimum demand charge	•••••	

# U

follows:

Water Usage	Water Rate
0 - 4,999 gallons	\$2.10/1,000 gallons
5,000 - 9,999 gallons	\$2.55/1,000 gallons
10,000 - 19,999 gallons	\$3.20/1,000 gallons
20,000 - 49,999 gallons	\$3.85/1,000 gallons
50,000 and over gallons	\$5.00/1,000 gallons

**Commercial** accounts: Monthly minimum (demand) charge for all accounts, whether on or off, based upon meter size, per meter, as follows: (10% increase for 2023)

Meter Size	Cost
1 inch or less	\$57.00
1.5 inch	\$76.00
2 inch	\$114.00
3 inch	\$171.00
4 inch	\$228.00
6 inch	\$342.00

with commercial water usage rates as follows:

Water Usage	Water Rate
0 - 9,999 gallons	\$5.25/1,000 gallons
10,000 - 49,999 gallons	\$6.05/1,000 gallons
50,000 and over gallons	\$6.85/1,000 gallons

#### Waste water:

Residential	\$5.00 per month
Commercial one (1) inch or less meter	\$15.00 per month
Commercial meter greater than one (1) inch	\$30.00 per month

### Garbage/Recycling Service:

Commercial accounts: Responsible for own garbage removal.

### Sanitary Sewer Tap Fee:

Residential Tapping of Sanitary Collection System	\$1,500.00
Commercial Tapping of Sanitary Collection System	\$3,000.00

### Water Distribution Tap Fee:

Both Residential and Commercial fees are the same, as the fee is based on the size of the water service to the property.

1"Tap	\$1,500.00
2" Tap	
4" Tap	
6" Tap	

Dated this 17th day of January, 2023

ATTEST: CITY OF DEADWOOD /s/ Jessicca McKeown, Finance Officer /s/ David Ruth Jr., Mayor

# INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Petitions may be taken out and circulation may begin on January 27, 2023 for two (2) City Commission seats, each 3-year term. Petitions must be returned no later than February 24, 2023 at 5:00 p.m.
- B. Effective Monday, January 16, 2023, the fuel surcharge at the Tri-City Rubble Site will be removed due to the drop in fuel prices as per agreement with Adams Salvage. Commissioner Todd thanked staff.
- C. A quorum of City Commissioners and Historic Preservation Commissioners may be present at the South Dakota Governor's Conference on Tourism in Pierre January 17-19,

2023 and Deadwood Day at the Capital in Pierre on January 19, 2023. No official action or meeting will take place.

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

# **ADJOURNMENT**

Martinisko moved, Struble seconded to adjourn the regular session at 5:38 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Tuesday, February 6, 2023 at 5:00 p.m.

After coming out of executive session at 6:12 p.m	., Martin	isko, Johnson seconded to adjourn.
ATTEST:	DATE:	
	BY:	
Jessicca McKeown, Finance Officer		David Ruth Jr., Mayor
Published once at the total approximate cost of		