

REGULAR MEETING, January 4, 2021

The Regular Session of the Deadwood City Commission convened on Monday, January 4, 2021 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

Struble moved, Martinisko seconded to approve the minutes of December 21, 2020. Roll Call: Aye-All. Motion carried.

DECEMBER, 2020 PAYROLL: COMMISSION, \$4,096.14; FINANCE, \$28,948.67; PUBLIC BUILDINGS, \$15,470.18; POLICE, \$116,963.36; FIRE, \$9,990.60; BUILDING INSPECTION, \$7,410.21; STREETS, \$45,733.06; PARKS, \$35,809.28; PLANNING & ZONING, \$6,627.12; LIBRARY, \$8,194.66; RECREATION CENTER, \$30,686.78; HISTORIC PRESERVATION, \$27,299.37; WATER, \$24,323.88; PARKING METER, \$14,884.41; TROLLEY, \$29,778.05; PARKING RAMP, \$1,712.50. **PAYROLL TOTAL: \$407,928.27.**

DECEMBER, 2020 PAYROLL PAYMENTS:

Internal Revenue Service, \$97,998.95; S.D. Retirement System, \$47,447.52; Delta Dental, \$4,618.54.

APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the January 4, 2021 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	363.28
A & B WELDING	SUPPLIES	104.76
A & I DISTRIBUTORS	SUPPLIES	56.52
ACE INDUSTRIAL SUPPLY	SUPPLIES	655.96
AFFORDABLY CREATIVE ENGINE	PROJECT	4,765.00
ALSCO	SUPPLIES	281.24
ARROWHEAD FORENSICS	SUPPLIES	169.33
BALCO UNIFORM	UNIFORMS	832.68
BDTAID	PROJECT	3,503.50
BH CHEMICAL	SUPPLIES	1,506.21
BH SECURITY	SERVICE	2,692.56
BOMGAARS	SUPPLIES	99.98
BOOM CONCRETE	SUPPLIES	895.00
CAPFIRST EQUIPMENT FINANCE	PAYMENTS	24,333.76
CDW GOVERNMENT	COMPUTER	231.58
CERTIFIED LABORATORIES	SUPPLIES	338.75
CHEIFTAIN DISTRIBUTION	PROJECT	15,400.00
CLEMENS, MEGHAN	PROJECT	548.47
COMPUTER SUPPORT SERVICES	SERVICE	2,190.95
CREATIVE PRODUCT SOURCING	SUPPLIES	517.40
DAVID HERDT	PROJECT	2,580.00
DAYS OF '76	BID#8	10,000.00
DEADWOOD ALIVE	BID#8	5,000.00
DEADWOOD CHAMBER	BILL LIST	112,484.45
DEADWOOD ELECTRIC	SERVICE	645.85
DVFD	REIMBURSEMENT	93.60
DEADWOOD GAMING	BID#8	10,000.00
DOCUTEK	PROJECT	4,441.90
EB COMMUNICATIONS	SERVICE	112.00
FASTENAL	SUPPLIES	157.25
FIRST INTERSTATE BANK	TIF	359.46
GOLDEN WEST	SERVICE	229.51
HEARTLAND PELLA	PROJECT	7,300.00
IPS GROUP	PROJECT	60,916.30
IWORQ	LICENSING	2,150.00
JACOBS WELDING	SNOW BOX	11,728.73
KARL'S	SUPPLIES	28.28
KOALA ELECTRIC	PROJECT	2,586.00
LAWRENCE CO. AUDITOR	SERVICE	2,375.00
LAWRENCE CO. REGISTER	SERVICE	30.00
LAWSON PRODUCTS	SUPPLIES	470.65
LIGHT AND SIREN	SUPPLIES	56.00
M&M SANITATION	RENTAL	130.00
MARCO	CONTRACT	567.04
MENARD'S	SUPPLEIS	62.86
MID-STATES ORGANIZED CRIME	MEMBERSHIP	150.00
MIDWEST TAPE	DVDS	22.49
MDU	SERVICE	9,635.05
MONUMENT HEALTH	FLU SHOTS	800.00
MS MAIL	SERVICE	1,079.14
MUTH ELECTRIC	SERVICE	1,732.60
MUTUAL OF OMAHA	INSURANCE	258.37
NEWKIRK, ADRIAN	PROJECT	10,030.85
NORTHERN HILLS TECHNOLOGY	SERVICE	711.50
OTIS ELEVATOR	MAINTENANCE	147.12
RAKOW, JASON	REIMBURSEMENT	125.75
RAPID SPA	SUPPLIES	160.96
RASMUSSEN MECHANICAL	PROJECT	6,214.00
RUSSELL, JERAMY	REIMBURSEMENT	49.95
S AND C CLEANERS	CLEANING	8,423.00
SD DEPT. OF CORRECTIONS	FIREWISE	334.05
SD DEPT. OF TRANSPORTATION	INSPECTECTION	1,636.58

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SD FIREFIGHTERS ASSN.	MEMBERSHIP	650.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,318.72
SJOMELING, DAN & SHAUNNA	PROJECT	1,785.06
SKIDRIL INDUSTRIES	SUPPLIES	89.08
SOUTHSIDE OIL	FUEL	5,553.70
SPEARFISH AUTO SUPPLY	SUPPLIES	229.95
SPEIRS, MARK	PROJECT	3,852.15
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
TECH SOUP	SUPPLIES	78.00
TEMPERATURE TECHNOLOGY	SERVICE	2,378.92
THE LORD'S CUPBOARD	RECYCLING	78.88
TWIN CITY HARDWARE	SUPPLIES	3,178.64
TWIN CITY HARDWARE	GRANT	221.65
VAST	SERVICE	3,565.42
VERIZON WIRELESS	METERS	40.01
WELLMARK	INSURANCE	58,796.60
WESTERN COMMUNICATIONS	SUPPLIES	96.43
WILLIAMS, ANTHONY	REIMBURSEMENT	37.17
WINSSELL CONSTRUCTION	PROJECT	10,845.86
WOLFF'S PLUMBING	SUPPLIES	75.00

Total \$437,805.32

ITEMS FROM CITIZENS ON AGENDA

Request

Lisa Kitzmiller, Alkali Ike, asked Commission to allow the \$750.00 license fee for 2020 be carried over to 2021 due to COVID and not operating. Chief Mertens spoke about the meeting of Parking and Transportation held December 29. Mayor Ruth Jr. questioned if City required businesses to not operate other than the 6 weeks before the tourist season and if Alkali Ike could not park in normal spot on Main Street. Mertens replied no. Commissioner Martinisko thanked Kitzmiller for attending the P&T meetings. She stated Alkali Ike chose not to run for safety reasons, however Alkali Ike was allowed to run if chosen, and cannot support carrying over the \$750.00 for 2021. Commissioner Todd and Johnson echoed Martinisko. Commissioner Struble stated with the circumstances this year we should try to help. After discussion, Martinisko moved, Johnson seconded to deny request from Alkali Ike Tours to carry over 2020 license fee of \$750.00 to 2021. Roll Call: Aye-Johnsons, Martinisko, Todd, Ruth. Nay-Struble. Motion carried.

CONSENT

Martinisko moved, Johnson seconded to approve the following consent items. Roll Call: Aye-All. Motion carried. Commissioner Martinisko stated three people were appointed throughout the city and appreciate that citizens are stepping forward, we need to have residents and citizens engaged.

- A. Set Election Day; April 13, 2021
- B. Approve Resolution 2021-01 to Establish Wages for 2021

RESOLUTION NO: 2021-01

CITY OF DEADWOOD EMPLOYEE WAGES FOR THE YEAR 2021

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood hereby approves the following wages for City of Deadwood employees for the year 2021 and shall be paid bi-weekly: Randy Adler, \$24.98 per hr.; Bonny Anfinson, \$22.08 per hour; Ken Batka, \$22.54 per hour; Reece Beck, \$13.11 per hr.; Dylan Bell, \$25.04 per hour; William Binder, \$20.99 per hour; Anthony Bradley, \$28.84 per hour; Daniel Bridenstine, \$23.44 per hour; Richard Brooks, \$14.57 per hour; Patricia Brown, \$51,500.00 per year; William Burleson, \$27.47 per hour; Anna Campbell, \$12.88 per hour; Hannah Campbell, \$12.88 per hour; Kasey Campbell, \$22.60 per hour; Deam Carollo, \$15.92 per hour; Karla Dower, \$14.57 per hour; Rodney Fischer, \$14.57 per hour; Barbara Fosheim, \$12.88 per hour; Jennelea Fowls, \$12.88 per hour; Sandra Glover, \$12.88 per hour; Andrew Goodwin, \$12.88 per hour; Rebecca Groeger, \$12.88 per hour; Kenneth Hawki, \$30.45 per hour; Mark Heltzel, \$22.54 per hour; Steven Henderson, \$20.61 per hour; Robert Herrmann, \$12.88 per hour; Jason Huber, \$25.04 per hour; Tyler Huber, \$12.88 per hour; Patrick Humphrey, \$12.88 per hour; Erik Jandt, \$25.04 per hour; Rachel Janssen, \$12.88 per hour; Bridger Janvrin, \$12.88 per hour; Troy Jassman, \$20.61 per hour; Matthew Johnson, \$18.65 per hour; Michael Johnson, \$6,500.00 per year; Michael Kitzmiller, \$14.57 per hour; Tom Kruzel, \$76,318.76 per year; Kevin Kuchenbecker, \$82,695.23 per year; Andrew Larive \$25.42 per hour; Frank Lawton, \$14.57 per hour; James Lee, \$23.65 per

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hour; Philip Lovell, \$14.57 per hour; Don Luckie, \$14.57 per hr.; Kay Luther, \$22.54 per hour; Justin Lux, \$25.42 per hour; Doug Magnuson, \$14.57 per hr.; Dale Marlow, \$14.57 and \$16.57 per hour; Sharon Martinisko, \$6,500.00 per year; Kip Mau, \$26.18 per hour; Rhonda McGrath, \$20.92 per hour; Jessica McKeown, \$81,556.69 per year; Kathy McKillip, \$12.88 per hour; Aaron McPheeters, \$25.04 per hour; Kaitlyn Meade, \$12.88 per hour; Adriane Melcher, \$12.88 per hour; Kenneth Mertens, \$82,400.00 per year; Trent Mohr, \$26.87 per hour; Bradley Morgan, \$12.88 per hour; Ronda Morrison, \$27.59 per hour; Casey Nelson, \$20.61 and \$15.92 per hour; Robert Nelson, Jr., \$80,237.00 per year; Debra Oban, \$14.57 per hour; Randall Oldfield, \$13.84 per hour; Aaron Olinger, \$12.88 per hour; James Olson, \$26.18 per hour; Sonya Papousek, \$25.04 per hour; Brock Pentheny, \$12.88 per hour; Janice Peppmeier, \$23.70 per hour; Cory Percy, \$22.90 per hour; Randy Pfarr, \$27.20 per hour; James Phillips, \$12.88 per hour; Charles Quenzer, \$25.45 per hour; Jerold Rachetto, \$21.68 per hour; Coltan Radensleben, \$12.88 per hour (\$18.65 per hour on 1/4/21); Robert Radensleben, \$23.55 per hour; Kenneth Rehberg, \$20.72 per hour; Scott Reif, \$21.18 per hour; Thomas Riley, \$14.57 per hour; Jeffrey Rodriguez II, \$25.04 per hour; Michael Runge, \$23.78 per hour; David Ruth Jr., \$9,500.00 per year; Brandon Russell, \$12.88 per hour; Jeramy Russell, \$58,066.25 per year; Edmund Ryan, \$12.88 per hour; Lance Sandidge, \$22.90 per hour; Cynthia Schneringer, \$19.87 per hour; Devon Schumacher, \$18.83 & \$13.65 per hour; David Semingson, \$14.57 per hour; Cory Shafer, \$27.02 per hour; Christin Sjomeling, \$12.88 per hour; Lili Sjomeling, \$12.88 per hour; Brandon Snyder, \$25.04 per hour; Sally Sprigler, \$25.04 per hour; Danny Stacy, \$22.54 per hour; James Sternhagen, \$14.57 per hour and \$16.57 per hour; Alea Struble, \$6,500.00 per year; Matthew Symonds, \$22.54 per hour; Gary Todd, \$6,500.00 per year; Hailey Trewhella, \$12.88 per hour; Misty Trewhella, \$23.70 per hour; John Tridle, \$27.10 per hour; Trevor Tridle, \$20.72 per hour; Marie Vansickel, \$20.92 per hour; Wylie Walno, \$15.92 per hour; Jennifer Widener, \$12.88 per hour; Benjamin Wise, \$12.88 per hour; Mollie Zvorak, \$12.88 per hour .

Trolley Drivers who work after midnight until 6:00 am will receive an additional \$1.00 per hour for shift differential pay. Trolley Drivers who take on additional duties of carrying the pager and being on call during the absence of the trolley manager, will receive an additional \$2.00 per hour while acting as assistant manager.

Dated this 4th day of January, 2021

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

C. Resolution 2021-03 Extending Workers Compensation to Specific Individuals.

RESOLUTION 2021-03

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO SPECIFIC INDIVIDUALS FOR THE YEAR 2020

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood extend the South Dakota Municipal League Workers' Compensation benefit for coverage on the following individuals who are not automatically covered because they are appointed or elected to their positions:

City Commission: David Ruth Jr., Michael Johnson, Sharon Martinisko, Charlie Struble, and Gary Todd;

Historic Preservation Commission: Dale Berg, Robin Carmody, Leo Diede, Beverly Posey, Trevor Santochi, Jill Weber and Tony Williams;

Library Board: Tessa Allen, Teri Bruce, Dawn Burns, Raul Ponce De Leon, and Krystal Stulken;

Planning & Zoning Commission: David Bruce, Josh Keehn, John Martinisko, Bill Rich, and Brett Runge;

Police Department Reserve Officers: Kenneth Batka, Deam Carollo, Mark Heltzel, Kay Luther, Devon Schumacher, Danny Stacy, Matthew Symonds, and Wylie Walno;

Deadwood Volunteer Fire Department: Randy Addington, Phil Arellano, Melanie Bond, Doug Douglas, Pat Eastman, Toby Edstrom, Sandy Glover, Bill Glover, Alex Hamann, Ken Hawki, Francis Iverson, Jacob Karras, Mike Klamm, Jeff Millard, Trent Mohr, Austin Needles, Dustin Nelson, Jerry Pontius, Cody Rakow, Jason Rakow, Rylan Rakow, Paul Robitaille, Mike Runge, Richard Stanger, Allen Sternhagen, Paul Thomson, and Anne Wieringa.

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The Finance Office will be notified of any personnel changes to the above-mentioned committees and commissioners.

Dated this 4th day of January, 2021

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- D. Resolution 2021-04 Designating Special Events Recognized by the City of Deadwood for purposes of Ordinances Section 15.32.100 and 15.32.140 for 2021.

RESOLUTION 2021-04

A RESOLUTION DESIGNATING SPECIAL EVENTS RECOGNIZED BY THE CITY OF DEADWOOD FOR PURPOSES OF ORDINANCES 15.32.100 AND 15.32.140
BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective months of occurrence, are hereby recognized for the year 2021 as “special or civic event(s)” for purposes of Ordinances 15.32.100 and 15.32.140:

<u>Special or Civic Event:</u>	<u>Date(s) of Event:</u>
1. ISOC Deadwood SnoCross Shootout	January 29-30, 2021
2. Mardi Gras	February 5-6, 2021
3. St. Patrick’s Day	March 12-13, 2021
4. Forks, Corks, and Kegs	April 9-10, 2021
5. Wild Bill Hickok Days	June 18-19, 2021
6. 3 Wheeler Rally	July 11-16, 2021
7. Days of ’76	July 27-31, 2021
8. Sturgis Rally	August 6-15, 2021
9. Kool Deadwood Nites	August 26-29, 2021
10. Oktoberfest	October 1-2, 2021
11. Wild West Songwriter’s Festival	October 7-9, 2021

Dated this 4th day of January, 2021

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- E. Winter’s Fat Classic, LLC requesting use of public property for Winters Fat Classic on Saturday, February 6, 2021
- F. Permission for Mayor to appoint Kevin Wagner to the vacant Planning and Zoning Commission position effective January 6th, 2021. Term expires December 31, 2025.
- G. Permission for Mayor to appoint Teri Bruce and Krystal Stulken to the Library Board of Trustees effective January 1, 2021. Term expires December 31, 2023.
- H. Extend 48.50 hours of vacation for Jessica McKeown until February 15, 2021
- I. Permission to pay Harmari by LTAS \$5500.00 for the license and subscription agreement for the purpose of regulating short term rentals. (2021 Planning & Zoning budgeted item) (approved by Commission on December 21, 2020)
- J. Permission to purchase new 2020 Jeep Grand Cherokee from local inventory from Liberty Superstore in the previous approved amount of \$27,748.00. (2021 Parking and Transportation budgeted item.) (Approved by Commission on October 19, 2020)

PUBLIC HEARINGS

Licenses

Public hearing was opened at 5:12 p.m. by Mayor Ruth. No one spoke in favor or against, hearing closed.

Todd moved, Struble seconded to approve Retail (on-off sale) Malt Beverage & SD Farm Wine and Retail (on-off sale) Wine and Cider Licenses for Deadwood Day Spa at 93 Sherman Street. Roll Call: Aye-All. Motion carried.

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Set

Struble moved, Todd seconded to set public hearing on January 19 for St. Patrick's Day Events. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on January 19 for Forks Corks Kegs Event. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Resolution

Todd Weber, Stagecoach Stop, believes the word "mandate" is stronger than needs to be. Mayor Ruth Jr. stated this is a way to educate the public as to what our expectations are when they are in a public building. Commissioner Martinisko stated as a city commissioner, she takes pride in the fact that we want to protect city staff and city-owned public places. Martinisko moved, Johnson seconded to approve Resolution 2021-02, an Emergency requiring the wearing of face coverings in certain situations to slow the community spread of the Novel Coronavirus (COVID-19). Roll Call: Aye-All. Motion carried.

Resolution 2021-02

AN EMERGENCY RESOLUTION REQUIRING THE WEARING OF FACE COVERINGS IN PUBLIC SPACES TO SLOW THE COMMUNITY SPREAD OF THE NOVEL CORONAVIRUS (COVID-19).

WHEREAS, the City of Deadwood has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass resolution for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

WHEREAS, pursuant to SDCL 9-32-1, the City has the power to do what is necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, in response to the spread of COVID-19 Governor Noem issued Executive Order 2020-34 which declared a state of emergency to exist in all counties in the State of South Dakota through June 30, 2021; and

WHEREAS, in the last few weeks the number of active cases of COVID-19 have accelerated rapidly in both South Dakota and Lawrence County; and

WHEREAS, over the last month the number of people in South Dakota who are dying from COVID-19 has also been increasing; and

WHEREAS, as of December 30, 2020, the State of South Dakota has 5,729 active cases of COVID-19; and

WHEREAS, the increase in the number of active COVID-19 cases has caused a corresponding increase in the number of people hospitalized which is straining the capacity of the medical facilities; and

WHEREAS, if no additional action is taken to slow the spread of COVID-19 in the community it is likely to continue overwhelming the hospital's capacity; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and

WHEREAS, the CDC and the vast majority of medical professionals are recommending the use of face coverings by the public to slow the spread of COVID-19; and

WHEREAS, the City is implementing a mandate that people wear face coverings in public places owned by the City of Deadwood in hope that it will slow the spread of COVID-19 and avoid the need for future restrictions on businesses and limitations on public gatherings in the City; and

WHEREAS, the City of Deadwood Commission has determined that it is in the City's best interests that face coverings be worn in an effort to slow the spread of COVID-19.

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NOW THEREFORE, BE IT RESOLVED, by the City Commission of the City of Deadwood that:

I. PRIVATE BUSINESSES

Private businesses shall have the ability to mandate and enforce mask requirements as they deem fit. Patrons not abiding by posted requirements, as established by the business, can be asked to vacate the premises. Failure to vacate may result in a criminal prosecution under SDCL 22-35-6, Entering and Remaining After Notice.

II. INDOOR PUBLIC SPACES OWNED BY CITY OF DEADWOOD

Within the City of Deadwood, all persons must wear a face mask/face covering in indoor public places owned by the City of Deadwood. A “face covering” or “mask” must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth mask, a scarf, a bandanna, or neck gaiter. The restrictions set forth in the above paragraph shall not apply to an individual:

- a) Under the age of five (5) years old;
- b) Seated at a public place to eat or drink, or while immediately consuming food or beverages;
- c) With a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering;
- d) Individuals who are engaged in swimming or physical activity where the level of exertion makes it difficult to wear a face covering; and
- e) Public safety workers actively engaged in a public safety role. including but not limited to law enforcement personnel, fire fighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of the individual's public safety responsibilities.

III. OUTDOOR PUBLIC SPACES OWNED BY CITY OF DEADWOOD

Within the City of Deadwood, all persons must wear a face mask/face covering in outdoor public places when gathering for more than 15 minutes and/or when 6 foot social distancing cannot be achieved or maintained. A “face covering” or “mask” must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth mask, a scarf, a bandanna, or neck gaiter. The restrictions set forth in the above paragraph shall not apply to an individual:

- a) Under the age of five (5) years old;
- b) Seated at a public place to eat or drink, or while immediately consuming food or beverages;
- c) With a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering;
- d) Individuals who are engaged in outdoor physical activity where the level of exertion makes it difficult to wear a face covering; and
- e) Public safety workers actively engaged in a public safety role. including but not limited to law enforcement personnel, fire fighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of the individual's public safety responsibilities.

IV. PUBLIC TRANSPORTATION OWNED BY CITY OF DEADWOOD

Within the City of Deadwood, all persons must wear a face mask/face covering while utilizing public transportation. A “face covering” or “mask” must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth mask, a scarf, a bandanna, or neck gaiter. The restrictions set forth in the above paragraph shall not apply to an individual:

- a) Under the age of five (5) years old;
- b) With a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering;
- c) Public safety workers actively engaged in a public safety role. including but not limited to law enforcement personnel, fire fighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of the individual's public safety responsibilities.

V. EFFECTIVE DATES

This resolution shall become effectively immediately and remain in effect until March 31, 2021. The City of Deadwood Commission may deem it necessary to extend this resolution.

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BE IT FURTHER RESOLVED, that this emergency Resolution requiring the wearing of face coverings in city and public spaces is hereby declared necessary for the immediate preservation of the public health, safety, and welfare of the city. Patrons not abiding by posted requirements, as established by the City, can be asked to vacate the premises. Failure to vacate may result in a criminal prosecution under SDCL 22-35-6, Entering and Remaining After Notice.

Dated this 4th day of January, 2021

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Recommendation

Martinisko moved, Struble seconded to approve recommendation from Parking & Transportation to approve qualified Tourist Conveyance License applications for Boot Hill Tours and Alkali Ike Tours for the 2021 season per Ordinance Section 5.40.010. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. The South Dakota Department of Transportation will be holding the second virtual public meeting on the Deadwood Box Culvert Project January 7th – February 7th 2021. The website for information on this project and the public meeting is www.deadwoodbox.com . We encourage the public to engage in this public meeting as the SDDOT as well as the design consultants are soliciting the public to aid in project design and construction.

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 5:27 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25(1) with possible action. The next regular meeting will be on Tuesday, January 19, 2020.

After coming out of executive session at 5:51 p.m., Martinisko moved, Struble seconded to direct City Attorney to draft city policy on COVID-19 vaccinations.

Martinisko moved, Todd seconded to adjourn.

ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____