

LEAD CITY COMMISSION
Regular Meeting
September 3, 2024

The Lead City Commission met on Tuesday, September 3, 2024, in City Hall, 801 West Main Street at 5:00 PM with the following members present: Mayor Ron Everett and Commissioners Dustin Heupel, Roger Thomas, Kayla Klein and Robert Carr. Absent: None. Mayor Everett called the Regular Meeting to order. The Pledge of Allegiance was recited.

APPROVE MINUTES

1. Minutes of the August 19, and special meeting August 28, 2024, Regular Meeting are approved as read.

ITEMS FROM VISITORS

1. Chris Davis with the Good Shepperd Clinic stated they will be coming to Lead starting September 12th.
2. Darla Auld with the Handley Center announced upcoming events. Please visit their Facebook page or website at handleycenter.org to make sure you don't miss out!

CITY ENGINEER

1. Engineer Report
Zack with Interstate Engineering was present at the meeting and gave an update on the Miners Avenue retaining wall and other upcoming projects.

HISTORIC PRESERVATION

1. Future Opening on Historic Preservation Commission. Contact Robin Lucero if interested.

COMPREHENSIVE PLAN

1. Robin Lucero stated work continues on the comprehensive Plan. The first draft has been presented, with two public meetings to follow before the final presentation.

PUBLIC SAFETY

1. Gold Street- Adjust one way sign to the South to accommodate parking.
John Wainman was present to explain the adjustment of the sign to accommodate parking.
Jason Bauernfeind stated this will also help with snow removal.
The Commission would like a resolution to be presented at the next meeting.

BUILDING INSPECTIONS/PLANNING OFFICE/HEALTH SAFETY

1. Dennis Schumacher stated building permits have slowed down and are behind from last year.

PUBLIC WORKS

1. Approval to submit an application to DANR to have Highway 85 (Lewies) waterline project be put on the state water plan.
M/Klein, S/Thomas- Carried to approve submitting application to DANR to have Highway 85 (Lewies) waterline project be put on state water plan.
2. Approval to submit DANR the Highway 85 sewer line project
M/Carr, S/Thomas- Carried to approve submitting application to DANR to have Highway 85 (Lewies) sewer project be but on state plan.

BILLS

M/Carr, S/Heupel- Carried to approve the Bills in the amount of \$151,490.15 (payables) \$74,396.99 and (wages) \$77,093.16

Vendor	Amount
A&B BUSINESS SOLUTIONS	\$ 43.16
ALL NET CONNECTIONS	\$ 2,859.32
BARRY'S ELECTRIC	\$ 165.00
BOMGAARS SUPPLY	\$ 1,524.41
GALLS, INC.	\$ 70.31
GENE'S LOCK SHOP	\$ 100.31
HANDLEY CENTER	\$ 10,416.66
HEARST LIBRARY	\$ 296.54
HISTORIC HOMESTAKE OPERA HOUSE	\$ 2,083.33
JERRY GREERS ENGINEERING	\$ 227.39
JOHNS & KOSEL, PROF. LLC	\$ 1,185.00
LEAD CHAMBER OF COMMERCE	\$ 5,416.66
M.S. MAIL	\$ 137.50
GARY MCNALL	\$ 1,212.58
MONTANA DAKOTA UTILITIES	\$ 195.44
NORTHWEST PIPE FITTINGS, INC	\$ 1,162.05
S&C CLEANERS	\$ 861.00
SACRISON ASPHALT	\$ 471.90
SIERRA DESIGN SIGNS	\$ 580.00
SIMON NORTH REGION SD	\$ 339.06
SOLAR SOUND CORP	\$ 204.82
STURDEVANTS AUTO PARTS, INC.	\$ 425.83
STURGIS RESPONDER SUPPLY	\$ 167.94
SUMMIT SUPPLY CORP.	\$ 4,183.10
AT&T MOBILITY	\$ 280.28
AVERA HEALTH PLANS	\$ 37,556.35
FIRST NATIONAL CREDIT CARD	\$ 2,231.05
Total Amount	\$ 74,396.99
Payroll	
Mayor/Commission	\$ 1,284.00
Finance	\$ 8,157.93
Govt Buildings	\$ 7,797.66
Police	\$ 19,199.26
Streets	\$ 16,063.91
Health Inspections	\$ 5,108.12
Library	\$ 6,783.88
Sewer	\$ 12,698.40
Total Amount	\$ 77,093.16

HEARINGS/PUBLIC MEETINGS

1. Set Hearing for 121 Spark Street for September 16, 2024, at 5:00PM, Lead City Hall. M/Thomas, S/Heupel- Carried to set hearing for 121 Spark Street for September 16, 2024, at 5:00PM, Lead City Hall.

Dennis Schumacher explained this home has been abandoned for years, he has sent letters to the owner with no response.

Home has been condemned now for quite some time.

If the owner does not show up at the next meeting Dennis would like permission to proceed with the court to take the proper steps to get rid of this house.

LEGAL AND FINANCE

1. Ordinance Changes
 - a) Ordinance 1102-24 City Organizations (discussion only due to substantial changes from 1st reading)
No discussion and will be finalized at the next meeting.
2. Resolution 2024-08 Special Maintenance Fee

Discussion was had regarding Resolution 2024-08. The resolution will be reworded and brought back for discussion at the next meeting.

M/Heupel, S/Carr- Carried to table Resolution 2024-08 until the next meeting.

- 3. Resolution 2024-09 Opposing IM28- M/Klein, S/Thomas- Carried to approve Resolution 2024-09 Opposing IM28.

CITY OF LEAD RESOLUTION # 2024-09

A RESOLUTION IN OPPOSITION TO INITIATED MEASURE 28

The City Commission of the City of Lead, a municipal corporation, meeting in regular session on September 16, 2024, pursuant to SDCL 9-19, motion was made by seconded by Thomas, that the following resolution be adopted:

WHEREAS, Initiated Measure 28 was certified for the November 2024 General Election Ballot by the South Dakota Secretary of State, and

WHEREAS, Initiated Measure 28, if passed, would remove state, municipal and tribal taxes on all items sold for human consumption except alcohol and prepared food, and

WHEREAS, “human consumption” is undefined in South Dakota Codified Law or the South Dakota Constitution. Black’s Law Dictionary defines “consumption” as “the act of destroying a thing by using it; the use of a thing in a way that exhausts it.”, and

WHEREAS, South Dakota Codified Law 34-45-1(7) defines tobacco products as “any item made of tobacco intended for human consumption, including cigarettes, cigars, pipe tobacco, and smokeless tobacco, and vapor products as defined in § 34-46-20.”, and

WHEREAS, South Dakota Codified Law 10-52-2 allows incorporated municipalities to impose a tax on the sale, use, storage and consumption of items that conform in all respects to the state tax on such items up to two percent, and

WHEREAS, the Attorney General’s explanation of the measure states legislative or judicial clarification would be needed if the measure passes, and

WHEREAS, The City of Lead levies a two-percent sales tax and collected \$1,784,831 in the 2023 fiscal year and \$715,587 year-to-date in the 2024 fiscal year, and

WHEREAS, The City of Lead estimates annual lost revenue of \$500,000 unless Initiated Measure 28 is rejected by voters in South Dakota,

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of Lead, that Initiated Measure 28 would negatively impact the municipal budget in our community.

Those voting aye: Mayor Ron Everett and Commissioners Robert Carr, Kayla Klein, Roger Thomas, and Dustin Heupel.

Those voting nay: None

Motion carried.

Dated this 16th day of September, 2024

CITY OF LEAD:

ATTEST:

Ron Everett, Mayor

John Wainman, City Administrator

(SEAL)

- 4. Ordinance 1106-24 Budget (1st Reading)- M/Klein, S/Carr- Carried to approve Ordinance 1106-24 Budget (1st Reading) with amendment to change 2nd page to change from 2025 to 2024.

ITEMS FROM MAYOR & COMMISSIONERS

1. City of Lead/Homestake 150th Anniversary. 100th Anniversary of Gold Camp Jubilee is in 2026. Form event planning committee. Taking applications. Please contact Commissioner Klein.

MEETING/ANNOUNCEMENTS

1. Next Regular Meeting—Monday, September 16th @ 5:00 PM Lead City Hall
2. Planning & Zoning—Tuesday, September 10th @ 5:00 PM Lead City Hall
3. Comprehensive Plan—Thursday September 19th @ 11:00 AM Lead City Hall
4. Historic Preservation—Wednesday, September 18th @ 4:00 PM Lead City Hall

EXECUTIVE SESSION

M/Carr, S/Thomas- Carried to move into executive session

M/Carr, S/Heupel- Carried to come out of executive session at 6:49PM with no action taken.

ADJOURN

M/Klein, S/Carr. —Carried to adjourn Regular Meeting at 6:49 PM.

CITY OF LEAD

ATTEST

Ron Everett, Mayor
(SEAL)

John Wainman, City Administrator