

REGULAR MEETING, JUNE 20, 2022

The Regular Session of the Deadwood City Commission convened on Monday, June 20, 2022 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, Todd seconded to approve the minutes of June 6, 2022. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the June 20, 2022 disbursements plus additional bill as amended. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	62.09
A & B WELDING	SERVICE	215.08
ACE HARDWARE	SUPPLIES	48.30
ADAMS SALVAGE RECYCLING	TIRES	25.84
ALBERTSON ENGINEERING	PROJECT	12,128.91
AMAZON CAPITAL	SUPPLIES	1,358.16
AMAZON	SERVICE	199.65
AMERICAN LEGION AUX. #31	REIMBURSEMENT	200.00
AMERICAN TREE AND FORESTRY	SERVICE	1,000.00
BECK'S NURSERY	SUPPLIES	45.99
BEE ELECTRONICS	SUPPLIES	203.96
BERBERICH DESIGNS	PROJECT	6,805.98
BH ASPHALT	PROJECT	29,621.63
BH CHEMICAL	SUPPLIES	4,057.35
BH ENERGY	SERVICE	28,672.98
BH LIBRARY	SERVICE	11.47
BH PIONEER	SERVICE	800.88
BH SECURITY	SERVICE	418.06
BODY CAMS BY RETIRED COPS	BODY CAMS	9,000.00
BOMGAARS	SUPPLIES	169.98
BUILDERS FIRSTSOURCE	SUPPLIES	83.99
CERTIFIED LABORATORIES	TESTING	242.97
CIVICPLUS	SERVICE	600.00
CODE WORKS	SERVICE	210.20
COLLABORATIVE SUMMER LIBRARY	SUPPLIES	128.88
COOL CONCEPTS TRAVEL	FLIGHT	372.00
CPS DISTRIBUTORS	SUPPLIES	1,513.40
DAKOTA BARRICADE	SUPPLIES	1,625.00
DAN'S DUMPSTER	SERVICE	1,500.00
DATA443 RISK MITIGATION	SERVICE	182.40
DEADWOOD CHAMBER	BILL LIST	86,307.74
DEADWOOD ELECTRIC	SERVICE	2,340.96
DEADWOOD HISTORY	SERVICE	713.34
DEFENSIVE EDGE TRAINING	REGISTRATION	450.00
DOG WASTE DEPOT	SUPPLIES	299.98
DRINGMAN, PAT	REIMBURSEMENT	55.26
ECOLAB	SERVICE	98.15
FASTENAL	SUPPLIES	90.41
FERBER ENGINEERING	SERVICE	300.00
FIB CREDIT CARDS	SUPPLIES	6,118.04
FOUNDANT TECHNOLOGIES	RENEWAL	5,000.00
FRONTIER STONE	SUPPLIES	1,130.00
G&G GARBAGE	RENTAL	185.50
GALLS	UNIFORMS	70.91
GOLDEN WEST	SERVICE	3,304.50
GUNDERSON, PALMER, NELSON	SERVICE	3,518.03
HILLYARD	SUPPLIES	1,699.69
HOMETOWN MANUFACTURING	SUPPLIES	526.85
IPS GROUP	SERVICE	5,572.18
JACOBS WELDING	SERVICE	1,278.52
JANKE AND SONS TRUCKING	SERVICE	1,252.06
KANSAS HIGHWAY PATROL	VEHICLE	29,350.00
KNECHT	SUPPLIES	2,341.91
KONE CHICAGO	MAINTENANCE	519.25
LAWRENCE CO. EQUALIZATION	IMAGERY	10,030.13
LAWSON PRODUCTS	SERVICE	400.00
LEAD-DEADWOOD SANITARY	SERVICE	30,115.77
LIBERTY MUTUAL INSURANCE	SERVICE	750.00
LYNN'S	SUPPLIES	120.30
MACQUEEN EMERGENCY	TESTING	943.41
MARCO	CONTRACT	227.01
MCGRATH, RHONDA	REIMBURSEMENT	159.00
MENARD'S	SUPPLIES	255.73
MIDWEST ART CONSERVATION	RENEWAL	50.00
MIDWEST TAPE	SUPPLIES	140.19
MITCHELL TECHNICAL	SCHOLARSHIP	500.00
MONUMENT HEALTH	TESTING	375.00
MS MAIL	SERVICE	995.02
NHS OF THE BLACK HILLS	SERVICE	3,000.00
NORTHWEST PIPE FITTINGS	SUPPLIES	727.57
NORTON MOBILE WELDING	SERVICE	2,910.00
ODD JOB CONSTRUCTION	PROJECT	21,770.49

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ONE WAY SERVICE PROS	SERVICE	11,868.32
ONSITE FIRST AID	SUPPLIES	1,800.88
PETTY CASH	FINANCE	193.15
POMP'S TIRE SERVICE	SUPPLIES	780.00
QUIK SIGNS	SERVICE	67.44
QUILL	SUPPLIES	75.96
RAPID DELIVERY	SERVICE	34.78
ROCKINGTREE LANDSCAPES	SUPPLIES	600.00
SANDER SANITATION	SERVICE	12,019.18
SCHMIDT, WILLIAM	PROJECT	5,460.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DENR	SERVICE	650.00
SD DEPT. OF CORRECTIONS	FIREWISE	2,555.61
SD DEPT. OF MOTOR VEHICLES	SERVICE	24.20
SD DEPT. OF MOTOR VEHICLES	SERVICE	59.20
SD DEPT. OF REVENUE	TAX	4,541.02
SD DEPT. OF REVENUE	LICENSES	150.00
SD STATE HISTORICAL SOCIETY	MEMBERSHIP	70,125.00
SD STATE UNIVERSITY	SCHOLARSHIP	1,000.00
SECO CONSTRUCTION	PROJECT	206,398.90
SHAFER, CORY	REIMBURSEMENT	56.00
SIMON MATERIALS	SUPPLIES	326.98
SOUTHSIDE SERVICE	SERVICE	138.95
ST. CLOUD UNIVERSITY	SCHOLARSHIP	1,000.00
STAN HOUSTON EQUIP	SUPPLIES	136.82
STRETCH'S	SERVICE	1,124.30
STURDEVANT'S	SUPPLIES	852.73
THE LIBRARY STORE	SUPPLIES	685.57
THE LORD'S CUPBOARD	RECYCLING	81.31
THE PLUMBER	SERVICE	247.50
TRIPLE K	SERVICE	45.00
TRUGREEN	SERVICE	3,083.49
TWIN CITY HARDWARE	SUPPLIES	584.19
TWIN CITY HARDWARE	GRANT	152.54
TWISTED APPAREL	SUPPLIES	10.99
USA BLUEBOOK	SUPPLIES	45.27
VERIZON CONNECT	SERVICE	95.95
VIEHAUSER ENTERPRISES	SERVICE	3,825.00
VIGILANT BUSINESS SOLUTION	SERVICE	1,166.25
VISIONARY LANDSCAPING	SERVICE	14,915.62
WESTERN COMMUNICATIONS	SUPPLIES	71.45
WHITE'S QUEEN CITY MOTORS	SERVICE	400.84
WL CONSTRUCTION SUPPLY	SUPPLIES	738.65
WWHA	MEMBERSHIP	75.00
ZCN, LLC	BID #7	550,000.00

Total \$1,255,591.64

CONSENT

- Struble moved, Todd seconded to omit item H for separate consideration and approve the following consent items. Roll Call: Aye-All. Motion carried.
- A. Permission for Mayor to sign SDML Work Comp Intergovernmental Contract.
 - B. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Glen and Penny Roller and Carleen Greslin.
 - C. Acknowledge annual check from BID #7 Fund to ZCN, LLC (Deadwood Mountain Grand) per contract in the amount of \$550,000.00.
 - D. Permission to pay Schmidt Concrete \$4,500.00 for installation of 400 square feet of concrete under the new Crows Nest Seating Area. To be paid from the HP Capital Assets Rodeo Grounds line item.
 - E. Permission to accept termination of patrol officer Lane Bridges effective June 10, 2022.
 - F. Permission to advertise in-house for 5 days and then in official newspaper for one full time patrol officer position. (\$25.79 per hour for Certified and \$23.22 for Non-Certified)
 - G. Permission to promote Cory Shafer to Lieutenant position at \$29.00 per hour effective June 21, 2022.
 - H. Permission to advertise in house for 5 days for Patrol Sergeant II position at \$27.00 per hour.
 - I. Permission to hire John Campbell as part-time lifeguard at \$13.27 per hour effective June 21, 2022, pending pre-employment screening.
 - J. Permission to hire Cristian Fierro as part-time seasonal Library Assistant I at \$13.27 per hour effective June 27, 2022 pending pre-employment screening.
 - K. Permission to approve updated job descriptions for Library Assistant I and Library Assistant II. Acknowledge Jenna Fowls as Assistant I and Kathy McKillip as Assistant II. No duties or wages will change but revising numbers for consistency across all departments.
 - L. Approve loan agreement 2022-002 to the Hulett Wyoming Museum for display of the Traveling Baseball Exhibit.
 - M. Permission for Mayor to sign annual agreement with South Dakota School of the Deaf for office space at History and Info Center at cost of \$400.00 per month.

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- N. SD Wildland Fire letter of support for a local office
- O. Permission for Mayor to appoint Charles Eagleson to the vacant Planning and Zoning Commission position effective June 21st, 2022. Term expires on December 31, 2022.
- P. Permission to allow finance officer to sign Agent Transfer Request form for Wellmark group health policy.
- Q. Permission to pay All Metal Manufacturing, Inc. for 63' of metal railing at Outlaw Square in the amount of \$5,918.38. (Originally approved in 2021 but not completed until 2022. To be split equally between Public Buildings Maintenance, Bed and Booze and Outlaw Square.)
- R. Permission to pay Affordable Seating invoice for 60 ladder back metal bar stools in the amount of \$7,150.00 for the Days of 76 Crows Nest deck. (Expenditure part of approved budget for HP Capital Assets)
- S. Deadwood History Inc. request approval to serve complimentary beer and wine for Big Thank You Event at Adams Museum from 5:00 p.m. to 7:00 p.m. Thursday, September 8, 2022
- T. Permission to purchase 5500 gallons of fuel at \$4.51 per gallon from Southside Oil
- U. Approve Resolution 2022-13 Declare Surplus and Destroy.

**RESOLUTION NO. 2022-13
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following be declared surplus, accept sealed bids until 2:00 p.m. on July 13, 2022. Bids will be publicly opened at 2:00 p.m. with results presented to the City Commission on July 18, 2022 at 5:00 p.m.

2017 Ford Model F5DS Trolley - VIN# 1F66F5DY7H0A12196

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following to be declared surplus and destroyed:

Ricoh Estudio355 Copier	Serial #SCPD026356
Crown 2 Ch Amplifier	Serial #105271
HP ProDesk 400 G1 SFF	Serial #MXL5131SM1
HP Compaq 4300 SFF	Serial #MXL35026HZ
HP ProLiant DL360 G5	Serial #USE650N1GF
HP ProLiant DL360 G5	Serial #USE650N1GC
HP ProLiant DL360 G5	Serial #USE650N1GD
HP ProLiant DL360 G5	Serial #USE650N3K5
HP P2000	Serial #MXQ3040FSM
HP P2000	Serial #MXQ3040FQF
HP ProLiant DL360P GEN 8	Serial #CN8245N251
HP ProLiant DL360P GEN 8	Serial #CN8339N213
HP Compaq Pro 4300 SFF	Serial #2UA3150T66
HP ProBook 4525S	Serial #2CE10873Q
Brother Fax 4100E	Serial #U61639J5J578197

Dated this 3rd day of January, 2022

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- V. Permission to waive 45-day requirement and approve use of public property at Sherman Street Lot on Monday, July 4, 2022 for July 4 Firecracker 5K Run/Walk
- W. Permission to hire Schmidt Concrete to replace concrete road panels on Stewart Street in the amount of \$5,750.00. City Staff will perform the removal of the damaged concrete. (To be paid from the street repair budget.)
- X. Permission to hire Mike Olsen as Mt. Moriah Ticket Booth Attendant at \$13.27 per hour effective June 21, 2022 pending pre-employment screening.

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BID OPENINGS

Mt. Moriah Cemetery Improvements

Historic Preservation Officer Kuchenbecker spoke about the Project. Johnson moved, Martinisko seconded to approve recommendation and award Mt. Moriah Cemetery Improvements Project to Complete Concrete in the bid amount of \$283,840.00 with alternates of \$45,200 for a total of \$329,040.00. Roll Call: Aye-All. Motion carried.

23 Centennial Avenue

Kuchenbecker spoke about the project. Struble moved, Martinisko seconded to approve recommendation and award 23 Centennial Avenue Retailing Wall to RCS Construction in the amount of \$129,000.00. Roll Call: Aye-All. Motion carried.

9 Shine Street

Kuchenbecker spoke about the project. Johnson moved, Martinisko seconded to approve recommendation and award 9 Shine Street Retailing Wall to RCS Construction in the amount of \$164,000.00. Roll Call: Aye-All. Motion carried.

8 Jefferson Street

Kuchenbecker spoke about the project. Martinisko moved, Struble seconded to deny bid for 8 Jefferson Street Retailing Wall. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Malt License

Public hearing was opened at 5:08 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Martinisko moved, Struble seconded to approve Retail (on-off sale) Malt Beverage for Clark & Apex LLC at 612-614 Main Street. Roll Call: Aye-All. Motion carried.

Transfer

Public hearing was opened at 5:09 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Todd moved, Struble seconded to approve Retail (on sale) Liquor License transfer from Midnight Star, LLC to Main Ledge, LLC dba Midnight Star. Roll Call: Aye-All. Motion carried.

Dia Del Taco

Public hearing was opened at 5:10 p.m. by Mayor Ruth Jr. Bobby Rock, Outlaw Square, was available to answer questions. Hearing closed. Martinisko moved, Johnson seconded to approve street closure on Deadwood Street from Main Street to Pioneer Way from 8:00 a.m. to 11:00 p.m. and open container in Zone 3 Outlaw Square including Deadwood Street from noon to 10:00 p.m. on Sunday, July 10, 2022. Roll Call: Aye-All. Motion carried.

What Women Want

Public hearing was opened at 5:11 p.m. by Mayor Ruth Jr. Bobby Rock, Outlaw Square, was available to answer questions. Hearing closed. Struble moved, Todd seconded to approve street closure on Deadwood Street from Main Street to Pioneer Way from 9:00 a.m. to 9:00 p.m. and open container in Zone 3 Outlaw Square including Deadwood Street from 11:00 a.m. to 7:00 p.m. on Saturday, July 16, 2022. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Johnson seconded to set public hearing on July 5 for What Women Want Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on July 5 to review extension of open container Zone 2 to include 93 Sherman Street. (Review was stipulation of original approval.) Roll Call: Aye-All. Motion carried.

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NEW BUSINESS

Second Reading

Zoning Administrator Russell stated no changes between first and second reading. Martinisko moved, Johnson seconded to approve Second Reading of Ordinance #1354 Amending Title 17, Zoning. Commissioner Todd is concerned about future owners. Roll Call: Aye-All. Motion carried.

Second Reading

Zoning Administrator Russell stated no changes between first and second reading. Struble moved, Todd seconded to approve second reading of Ordinance #1355, Temporary Moratorium for additional short-term rentals in the following zoning districts: Residential (R1), Residential Multi-Family (R2), Planned Unit Development (P.U.D.), Public Use and Park Forest. Bryan Arsaga, resident, is concerned about parking with short-term rentals. Barry Decker, resident, asked the difference between short-term rentals and bed and breakfast. Mayor Ruth Jr. stated a bed and breakfast, the operator is required to live on property while being rented and short-term rentals the owner is not required. Pat Dringman, resident, stated the block club members met and are in favor of the moratorium. Zoning Administrator Russell spoke about the zoning matter in Stage Run. Lonnie Burger, resident, questioned the zoning in Stage Run. Roll Call: Aye-All. Motion carried.

Purchase

Public Works Director Nelson Jr. spoke about the purchase. Martinisko moved, Johnson seconded to purchase a new Sunray 90 message board trailer from National Signal Inc. in the amount of \$16,513.00. (Cost to be shared from Street, Water and Parks equipment budgets.) Roll Call: Aye-All. Motion carried.

First Reading

Historic Preservation Officer Kuchenbecker spoke about the route tour bus companies must take to and from Mt. Moriah and possible revocation of annual license. Commissioner Martinisko stated the route came from resident complaints and revocation came due to incidents and city not having a follow up to the incident. Martinisko moved, Johnson seconded to approve First Reading of Ordinance #1356 Amending 5.40 Tourist Conveyances. Roll Call: Aye-All. Motion carried.

Contract

Russell spoke about the contract. Discussion was held concerning cost and location. Martinisko moved, Johnson seconded to approve recommendation from Parking and Transportation and enter into contract negotiations with JLG Architects and Walker Consultants for Planning & Design Services for a future parking facility at a location to be determined. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Barry Decker asked Commission about parking for residents and employees of Deadwood. Mayor Ruth Jr. stated city is working on all the concerns raised by residents as well as business owners in regard to transit parking. Russell stated the city recognizes the hardship with the employees.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25(1) and contractual matters per SDCL 1-25-2(4) 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), personnel matters per SDCL 1-25(1) and contractual matters per SDCL 1-25-2(4) with possible action. The next regular meeting will be on Tuesday, July 5, 2022 at 5:00 p.m.

After coming out of executive session at 6:17 p.m., Martinisko moved, Johnson seconded to adjourn.

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ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____