

**REGULAR MEETING, April 5, 2021**

The Regular Session of the Deadwood City Commission convened on Monday, April 5, 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, Todd seconded to approve the minutes of March 15, 2021 and Board of Equalization minutes of March 15, 2021. Roll Call: Aye-All. Motion carried.

**MARCH, 2021 PAYROLL:** COMMISSION, \$2,730.76; FINANCE, \$20,143.14; PUBLIC BUILDINGS, \$13,238.09; POLICE, \$72,685.62; FIRE, \$5,850.88; BUILDING INSPECTION, \$4,369.20; STREETS, \$31,065.18; PARKS, \$22,037.17; PLANNING & ZONING, \$4,548.18; LIBRARY, \$6,614.82; RECREATION CENTER, \$18,725.88; HISTORIC PRESERVATION, \$18,339.19; WATER, \$18,105.46; PARKING METER, \$9,820.68; TROLLEY, \$20,168.36; PARKING RAMP, \$1,184.96. **PAYROLL TOTAL: \$269,627.57.**

**MARCH, 2021 PAYROLL PAYMENTS:**

Internal Revenue Service, \$64,360.97; S.D. Retirement System, \$30,683.64; Delta Dental, \$4,510.00.

**APPROVAL OF DISBURSEMENTS**

Martinisko moved, Struble seconded to approve the April 5, 2021 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	542.31
A & B WELDING	SUPPLIES	40.60
A - Z SHREDDING	SERVICE	61.40
ACE HARDWARE	SUPPLIES	65.26
ACE INDUSTRIAL SUPPLY	SUPPLIES	4,167.18
ALICE TRAINING INSTITUTE	REGISTRATION	695.00
ALL ASPECTS	SERVICE	1,312.50
ALLEGIANT EMERGENCY SERVICE	TESTING	1,714.75
ALSCO	SUPPLIES	1,016.83
AMAZON CAPITAL	SUPPLIES	80.26
AMAZON	SERVICE	5,212.00
ATCO INTERNATIONAL	SUPPLIES	426.00
BARCO PRODUCTS	SUPPLIES	209.42
BDTAID	PROJECT	3,545.20
BELLE FOURCHE REC CENTER	CLASS	102.33
BH CHEMICAL	SUPPLIES	1,165.09
BH SECURITY	SERVICE	2,547.15
BLACKSTRAP	SUPPLIES	3,958.70
BOYS & GIRLS CLUB	FUNDING	5,000.00
BURR, RENEE	PURCHASE	500.00
BUTLER MACHINERY	SERVICE	420.00
CENTURY BUSINESS	CONTRACT	155.08
CERTIFIED LABORATORIES	SUPPLIES	244.50
CHAINSAW CENTER	SUPPLIES	820.00
CHRIS SUPPLY	SUPPLIES	489.99
COCA COLA	SUPPLIES	402.56
CODE WORKS	SERVICE	351.20
DAKOTA LUMBER	SUPPLIES	600.00
DEADWOOD CHAMBER	BILL LIST	61,922.62
DEADWOOD GAMING	BID #8	10,000.00
EB COMMUNICATIONS	SERVICE	434.00
EPCO ENVIRONMENTAL	SUPPLIES	119.15
EXHAUST PROS	SERVICE	169.45
FED EX	SHIPPING	15.34
FIRST INTERSTATE BANK	TIF	7,352.16
FLOYD'S TRUCK CENTER	SERVICE	6,737.59
HILLYARD	SUPPLIES	474.80
HOMETOWN MANUFACTURING	SUPPLIES	327.19
INGRAM LIBRARY SERVICES	SUPPLIES	56.85
JACOBS WELDING	SERVICE	655.10
KNECHT	SUPPLIES	262.31
KUBOTA LEASING	LEASE	1,504.00
LAWRENCE CO. REGISTER	SERVICE	30.00
LAWRENCE CO. TREASURER	TAXES	694.04
LAWSON PRODUCTS	SUPPLIES	651.11
LIGHT AND SIREN	SUPPLIES	2,628.00
LTAS TECHNOLOGIES	SERVICE	5,000.00
LYNN'S	SUPPLIES	14.67
MARCO	CONTRACT	471.59
MCDIRT EXCAVATION	PROJECT	6,221.88
MENARD'S	SUPPLIES	1,109.41
METERING & TECHNOLOGY	SERVICE	142.82
MIDWEST TAPE	SUPPLIES	22.49
MDU	SERVICE	10,250.29
MONUMENT HEALTH	TESTING	39.00
MS MAIL	SERVICE	1,629.73
MUTUAL OF OMAHA	INSURANCE	258.37
NORTHERN HILLS TECHNOLOGY	SERVICE	164.00
NORTHERN TRUCK EQUIPMENT	SUPPLIES	145.62
NORTHWEST PIPE FITTINGS	SUPPLIES	2,635.69
OTIS ELEVATOR	MAINTENANCE	727.87

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PETTY CASH	FINANCE	155.59
PITNEY BOWES	SUPPLIES	59.49
QUIK SIGNS	SERVICE	1,124.81
RASMUSSEN MECHANICAL	SERVICE	2,265.06
S AND C CLEANERS	SERVICE	10,398.00
SD DEPT. OF CORRECTIONS	FIREWISE	2,311.10
SD DEPT. OF MOTOR VEHICLES	LICENSE	11.20
SD DEPT. OF TRANSPORTATION	PROJECT	3,664.44
SD PUBLIC ASSURANCE ALLIANCE	SERVICE	751.93
SD PUBLIC HEALTH LAB	TESTING	30.00
SD SCHOOL OF MINES	WORKSHOP	390.00
SD SECRETARY OF STATE	NOTARY	30.00
SDSM&T	WORKSHOP	195.00
SERVALL	SUPPLIES	1,719.75
SOUTH DAKOTA OVERHEAD DOOR	SERVICE	170.00
SUMMIT FIRE PROTECTION	SERVICE	185.32
SUMMIT SIGNS	SERVICE	448.00
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
THE LORD'S CUPBOARD	RECYCLING	64.05
TOUCH OF GLASS	SERVICE	350.00
TOWEY DESIGN GROUP	PROJECT	1,309.04
TWIN CITY HARDWARE	SUPPLIES	3,803.98
VAST BROADBAND	SERVICE	3,486.31
VERIZON CONNECT	SERVICE	95.95
VERIZON WIRELESS	SERVICE	812.88
WELLMARK	INSURANCE	58,311.07
WL CONSTRUCTION SUPPLY	SUPPLIES	720.00
ZOOM VIDEO COMMUNICATIONS,	SERVICE	491.88
		Total \$261,468.16

**ITEMS FROM CITIZENS ON AGENDA**

**Fire Department Annual Awards**

Fire Chief Rakow presented an award to Rylan Rakow for Firefighter of the year. First Assistant Chief Glover presented an award to Louie LaLonde and Charlie Struble with Deadwood Social Club for Friend of the Fire Department. Mayor Ruth Jr. recognized several years of service throughout the firefighters present. He congratulated Rylan and thanked him for his service. He thanked the Social Club as well.

**Proclamation**

The Mayor read a proclamation declaring April 4 through April 10, 2021 as National Library Week in Deadwood. Commission thanked Librarian Brown and the staff.

**CONSENT**

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

- a. Approve Special Alcohol License for Hickok's to serve beer and wine at Outlaw Square, Saturday May 29, and Sunday, May 30, 2021 from 6:00 p.m. to 10:00 p.m. for Deadwood Live Event. No public hearing necessary since license is on publicly owned property.
- b. Approve Special Alcohol License for Silverado to serve beer and wine at Outlaw Square, Sunday June 6, 2021 from 2:00 p.m. to 5:00 p.m. for Deadwoods Mickelson Trail Marathon Post Party Event. No public hearing necessary since license is on publicly owned property.
- c. Permission for the Mayor to sign utility easement for Black Hills Energy across the Flora McDonald Lode of Mineral Survey 295 located near the Kirk Power Plant. Overhead power already in place and this easement will permit the power utility to update the utility in place.
- d. Permission for the Mayor to sign Contract with Sacrison Paving, Inc. in an amount of \$184,184.84 for the Rodeo Grounds Neighborhood Mill and Overlay Project.
- e. Permission to pay BDTAID, Inc. in the amount of \$8,459.40 for the development of the parking garage sign package. (To be paid by P & T professional services.)
- f. Permission to pay Blackstrap invoice in the amount of \$3,991.25 for deicer. (To be paid by Streets Supplies budget.)
- g. Approve reserved residential parking sign for Shane and Krista Pearson at 25 Denver Street per recommendation from Parking and Transportation Committee.
- h. Allow use of public property at the Event Complex on Saturday, May 29, 2021 for Bush-Garrett Wedding. Deposit and user fee has been received.

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- i. Allow use of Sherman Street Lot on Saturday, September 11, 2021 for The Big Mick Event.
- j. Allow use of public property at the Event Complex on Saturday, September 17 and Sunday, September 18, 2021 for Black Hills Veterans March and Marathon. Deposit has been received.
- k. Grant Livery permit to The Lucky Horse, LLC for the operations of a horse drawn vehicle on Historic Main Street for the 2021 season per recommendation from Parking and Transportation Committee.
- l. Permission for the Mayor to sign contract with John Bozell for the final report related to the fauna analysis on the 2001-2004 Chinatown Archaeological Collection.
- m. Permission to pay Convergent Technologies in the amount of \$2,782.24 for upgrading card/membership access system at Rec Center. (To be paid from Rec Center repairs budget.)
- n. Permission to pay Floyd's Repair for Trolley Repairs (2017 Vin # 5589) in the amount of \$6,374.78. (Reimbursed from insurance, less deductible.)
- o. Accept resignation of Fassbender Board member Brad Butturff and appoint Vicki Dar to finish the term expiring May 31, 2021 as well as a new three-year term from June 1, 2021 through May 31, 2024.
- p. Permission for the Mayor to sign contract with Dr. David Wolff in an amount not to exceed \$2,000.00 to assist with research and writing for the new edition of Boots on Bricks: A Walking Tour of Downtown Deadwood with funding through the HP Public Education.
- q. Permission for the Mayor to sign contract with Sue Stone in an amount not to exceed \$2,250.00 for records and title research of a portion of downtown Deadwood to determine scope of work necessary for complete research as part of the Boots on Bricks: A Walking Tour of Downtown Deadwood to be paid from the HP Public Education.
- r. Permission for the Mayor to sign contract with Chelsie Bauer in an amount not to exceed \$2,000.00 for graphic design as part of the Boots on Bricks: A Walking Tour of Downtown Deadwood project to be paid from the HP Public Education line item.
- s. Permission for the Mayor to sign contract with Chelsie Bauer in an amount not to exceed \$2,000.00 for graphic design work necessary for consolidate several HP Brochures into a more robust and user friendly visitor information piece to be paid from the HP Public Education line item.
- t. Permission for the Mayor to sign contract with Siouxland Heritage Center for the creation of a traveling exhibit about Mt. Moriah Cemetery. Expenditure was previously approved by the City Commission on March 15, 2021.
- u. Permission to pay United States Geological Survey \$8,000.00 for archaeological survey work related to the Four Points Hotel project above and beyond the owners responsibility for the previous approved contract from February 3, 2020 with the expenses coming from the HP Archaeology line item.
- v. Permission to hire Devon Schumacher as full-time Patrol Officer at \$22.54 per hour effective April 17, 2021. Permission to post for CSO position in-house for five days and in official newspaper, if needed.
- w. Permission to rehire Ron Blotz as a trolley driver at \$13.84 per hour effective April 12, 2021 pending pre-employment screening.
- x. Approve Resolution 2021-09 Declare Surplus and Destroy.

### **RESOLUTION NO. 2021-09 TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

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

HP 500B MT - Serial number-MXL12327L4  
HP 500B MT - Serial number-MXL1231SWN

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HP 500B MT - Serial number-MXL12401KS

HP Z200 - Serial number-2UA1091G78

HP Prodesk 400G1 SFF - Serial number-MSL5131SM1

Rio Magicard Pro - Serial number-61F7849

HP Compaq DC5700 Microtower - Serial number-2UA7120SFR

HP Workstation XW6200 - Serial number-2UA6020G4B

Dated this 5th day of April, 2021

ATTEST:

CITY OF DEADWOOD

/s/ Jessica McKeown, Finance Officer

/s/ David Ruth Jr., Mayor

- y. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Danaca Doering.
- z. Permission to move Finance Assistant Christin Sjomeling from seasonal to part-time.
- aa. Permission to hire Tessa Allen, Owen Wisser and Greg Nelson for seasonal employment for public works at the rate of \$12.88 per hour, effective May 3, 2021, pending pre-employment screening.
- bb. Acknowledge insurance reimbursement checks (for trolleys) in the amounts of \$5,989.97 for 2018 Vin # 1429 and \$2,797.70 for 2017 Vin # 5589.

## **BID ITEMS**

### **Set**

Historic Preservation Officer Kuchenbecker spoke about the project. Martinisko moved, Johnson seconded to advertise for City Retaining Wall on Denver Street and set bid opening at 2:00 p.m. on April 29, 2021 with results to the City Commission on May 3, 2021.

Kuchenbecker spoke about the project. Martinisko moved, Johnson seconded to advertise for the HP Retaining Wall Project at 40 Jefferson and set bid opening at 2:00 p.m. on April 29, 2021 with results to the City Commission on May 3, 2021. Roll Call: Aye-All. Motion carried.

## **PUBLIC HEARINGS**

### **Set**

Struble moved, Todd seconded to set public hearing on April 19 for Retail (on-off sale) Malt Beverage & SD Farm Wine License for Deadwood Miners at 137 Charles Street. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on April 19 for Back When They Bucked Event. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on April 19 for PRB Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on April 19 for Bev's Poker Run. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to set public hearing on April 19 for Deadwood Live Events. Roll Call: Aye-All. Motion carried.

Todd moved, Martinisko seconded to set public hearing on April 19 for Dia Del Taco Event. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on April 19 for Legends Ride and Motorcycle Parking. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on April 19 for All In Motocross Race. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to set public hearing on April 19 for 3 Wheeler Rally Event. Roll Call: Aye-All. Motion carried.

## **REGULAR MEETING, April 5, 2021**

Martinisko moved, Johnson seconded to set public hearing on April 19, 2021 for City's intention to lease a portion of public sidewalk, 1149 square feet, along Deadwood Street and adjacent to the structure located at 685 Main Street. Roll Call: Aye-All. Motion carried.

### **NEW BUSINESS**

#### **Second Reading**

Kuchenbecker stated section 5.20.010 was added. Martinisko moved, Johnson seconded to approve second reading of Ordinance #1322 Amending Chapter 5.20 Horse-Drawn Vehicles Permit. Roll Call: Aye-All. Motion carried.

#### **First Reading**

Zoning Administrator Russell spoke about the amendment. Discussion was held concerning types of signs. Martinisko moved, Struble seconded to approve first reading of Ordinance #1323 Amending Deadwood Sign Ordinance Chapter 15.32.200 illumination. Roll Call: Aye-All. Motion carried.

#### **Authorize**

Transportation and Facilities Director Kruzel spoke about the projects. Struble moved, Todd seconded to allow City staff to expend an amount not to exceed the HP budgeted funds of \$65,000.00 for upgrades and repairs of carious items of at the Days of 76 Rodeo Grounds. Roll Call: Aye-All. Motion carried.

#### **Purchase**

Kruzel spoke about the purchase. Johnson moved, Martinisko seconded to purchase 2" x 10" decking from Wheeler Lumber for the walkway in the Juso Brothers Grandstands at the Days of 76 Rodeo arena in the amount of \$9,817.50 to be paid from the 2021 HP Capital Assets line item. Roll Call: Aye-All. Motion carried.

#### **Agreement**

Kuchenbecker spoke about the purchase. Struble moved, Martinisko seconded to allow the Mayor to sign purchase agreement. Struble moved to amend motion, Martinisko seconded to allow the Mayor to sign purchase agreement and authorize payment for School Lot 8 (Parcel ID: 30075-00008-000-00) in the amount of \$25,000.00 from Lewis Curatolo, Jr. in order to protect the environs of the Deadwood National Historic Landmark and authorize funding to be allocated from the Deadwood Historic Preservation Commission funds. Roll Call: Aye-All. Motion carried.

#### **Purchase**

Kuchenbecker spoke about the purchase. Johnson moved, Martinisko seconded to purchase benches and trash receptacles from Victor Stanley in the amount of \$21,940.00 to be paid from the budgeted 2021 HP Capital Assets. Roll Call: Aye-All. Motion carried.

#### **Brochures**

Kuchenbecker spoke about the brochures. Martinisko moved, Struble seconded to have 100,000 brochures with map for Mt. Moriah Cemetery from MS Mail at a cost of \$13,359.00 plus shipping in the amount of \$1,800.00 for a total of \$15,159.00 to be paid from Historic Cemeteries Enterprise Fund. Roll Call: Aye-All. Motion carried.

#### **Purchases**

Kruzel spoke about the purchase. Martinisko moved, Johnson seconded purchase upgraded bulk water salesman hardware from Northwest Pipe Fittings Inc. in the amount of \$3,985.00. (To be installed by Public Works and Public Buildings. (Paid from Water Department supply budget.) Roll Call: Aye-All. Motion carried.

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### Final Plat

Russel spoke about the final plat. Martinisko moved, Struble seconded to act as Board of Adjustments and approve final plat legally described as: LOTS 1A AND 1B, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA FORMERLY A PORTION OF LOT 1, BLOCK 4A. (727 and 729 Stage Run. Planning and Zoning approved on March 17, 2021.) Roll Call: Aye-All. Motion carried.

### Purchase

Kruzel spoke about the purchase. Struble moved, Martinisko seconded to purchase and pay Henke Manufacturing Corp. for Plow Loader Adapter in the amount of \$7,431.00 to be paid from Streets Equipment Budget. Roll Call: Aye-All. Motion carried.

### Hire

Kruzel spoke about the upgrade. Johnson moved, Martinisko seconded to hire and pay Temperature Technologies to upgrade RTU 5 rooftop at City Hall in the amount of \$8,401.00 to be paid from Public Buildings repair budget. Roll Call: Aye-All. Motion carried.

### Contract

Kruzel spoke about the purchase. Struble moved, Martinisko seconded to allow Mayor to sign contract with Altec Capital for five-year lease of bucket truck with total contact amount of \$163,481.00 with annual appropriations and allow first annual payment in the amount of \$30,615.24, to be paid from Streets Equipment. Roll Call: Aye-All. Motion carried.

### Purchase

Finance Officer McKeown spoke about the purchase. Martinisko moved, Struble, seconded to purchase 2022 International HV507SFA Chassis with Rosenbauer FX Pumper Body (Fire Truck) per specifications of custom build. Total amount not to exceed \$513,966.00 with \$109,300.00 expended in 2021 and remaining to be paid when delivered pending review from Legislative Audit. (To be paid from Fire Dept. Truck Reserve.) Commissioner Todd thanked the Fire Department for their hard work, dedication and bravery. Roll Call: Aye-All. Motion carried.

## INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

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

### ADJOURNMENT

Struble moved, Johnson seconded to adjourn the regular session at 5:49 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 Monday, April 19, 2021.

After coming out of executive session at 6:22 p.m., Martinisko moved, Johnson seconded to adjourn.

ATTEST:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Jessica McKeown, Finance Officer

BY: \_\_\_\_\_  
David Ruth Jr., Mayor

Published once at the total approximate cost of \_\_\_\_\_