

REGULAR MEETING, SEPTEMBER 6, 2022

The Regular Session of the Deadwood City Commission convened on Tuesday, September 6, 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 August 18, 2022. Roll Call: Aye-All. Motion carried.

AUGUST, 2022 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$23,508.19; PUBLIC BUILDINGS, \$10,590.60; POLICE, \$110,521.61; FIRE, \$4,006.39; BUILDING INSPECTION, \$4,498.80; STREETS, \$33,117.94; PARKS, \$34,115.19; PLANNING & ZONING, \$7,463.26; LIBRARY, \$7,086.38; RECREATION CENTER, \$27,533.88; HISTORIC PRESERVATION, \$23,349.41; WATER, \$16,686.27; MT. MORIAH, \$5,838.80; PARKING METER, \$12,326.51; TROLLEY, \$16,378.83; PARKING RAMP, \$2,667.28. **PAYROLL TOTAL: \$342,420.10.**

AUGUST, 2022 PAYROLL PAYMENTS:

Internal Revenue Service, \$84,409.81; S.D. Retirement System, \$35,241.84; Delta Dental, \$4,255.76.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the September 6, 2022 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	559.41
A & B WELDING	RENEWAL	78.25
A - Z SHREDDING	SERVICE	14.90
ACE HARDWARE	SUPPLIES	35.29
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,289.03
ADAMS SALVAGE RECYCLING	SERVICE	4.78
AMAZON	SUPPLIES	487.54
BACHAND, MIKE	REIMBURSEMENT	275.10
BALCO UNIFORM	UNIFORMS	66.90
BH CHEMICAL	SUPPLIES	443.13
BH PSYCHOLOGY	SERVICE	450.00
BLUEPEAK	SERVICE	4,468.94
CARMODY, ROBIN	REIMBURSEMENT	408.32
CENTURY BUSINESS PRODUCTS	SERVICE	136.44
CHAINSAW CENTER	SERVICE	582.24
COCA COLA	SUPPLIES	2,314.56
CODE WORKS	SERVICE	1,302.72
CPS DISTRIBUTORS	SUPPLIES	1,493.79
CRAMER MARKETING	SUPPLIES	209.25
CROWN ARTS	SCUPTURE	45,000.00
DAKOTA LUMBER	PROJECT	761.89
DAKOTA TITLE	SERVICE	120.00
DAR, VICKI	REIMBURSEMENT	125.00
DAYS OF '76	BID 8	5,000.00
DEADWOOD ALIVE	BID 8	44,000.00
DEADWOOD CHAMBER	BILL LIST	103,987.66
DEADWOOD CHAMBER	BID 9	52,800.00
DEADWOOD ELECTRIC	SERVICE	175.53
DEADWOOD GAMING	BID 8	10,000.00
DEADWOOD GRANITE	SERVICE	3,750.00
EAGLE ENTERPRISES	SUPPLIES	288.00
EBSCO	SUBSCRIPTIONS	2,471.54
ECOLAB	SERVICE	98.15
FASTENAL	SUPPLIES	133.20
FIRST NET	SERVICE	160.16
G&G GARBAGE	RENTAL	275.00
GALLS	UNIFORMS	122.39
GAYLORD BROS.	SUPPLIES	138.99
GEFFRE CONSTRUCTION	PROJECT	2,712.28
GOLDEN WEST	SERVICE	2,355.00
GOODWIN, ANDY	REIMBURSEMENT	115.37
GUNDERSON, PALMER, NELSON	SERVICE	1,910.95
HAWKINS	SUPPLIES	1,041.50
HILLYARD	SUPPLIES	806.05
HOLLINGER METAL EDGE	SUPPLIES	321.04
IDENTISYS	SUPPLIES	653.40
INTERSTATE BATTERY	SUPPLIES	176.00
JOHNSTONE SUPPLY	PROJECT	4,900.87
KLJ ENGINEERING	PROJECT	4,500.00
LAWRENCE CO. REGISTER	SERVICE	150.00
LIBBY PRODUCTIONS	REFUND	1,100.00
LYNN'S	SUPPLIES	122.00
MACROVISION	SUPPLIES	15,000.00
MIDWEST TAPE	SUPPLIES	142.70
MDU	SERVICE	3,926.13

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MUTUAL OF OMAHA	INSURANCE	226.53
O'CONNOR COMPANY	SUPPLIES	399.50
O'GARA, HUGH	SUPPLIES	47.00
ONSITE FIRST AID	SUPPLIES	903.91
OTIS ELEVATOR	MAINTENANCE	814.59
PETTY CASH	HP/ZONING	152.56
PLAINS TOWING & RECOVERY	SERVICE	625.00
QUADIENT LEASING	LEASE	245.46
S AND C CLEANERS	SERVICE	11,833.00
SACRISON ASPHALT	SUPPLIES	182.16
SCHMIDT, WILLIAM	PROJECT	21,100.00
SD DEPT. OF CORRECTIONS	FIREWISE	4.08
SD DEPT. OF MOTOR VEHICLES	SERVICE	24.20
SD MUNICIPAL LEAGUE	REGISTRATION	165.00
SD PUBLIC HEALTH LAB	TESTING	45.00
STRETCH'S	SERVICE	250.00
THE LORD'S CUPBOARD	RECYCLING	158.75
TOWEY DESIGN GROUP	PROJECT	5,486.32
TRIPLE K	SERVICE	1,145.90
TRUGREEN	SERVICE	431.95
TWIN CITY ANIMAL SHELTER	DONATION	50.00
TWIN CITY HARDWARE	SUPPLIES	4,736.92
TWIN CITY HARDWARE	GRANTS	123.08
TWIN CITY HARDWARE	GRANTS	1,254.44
UNIQUE SOUND	SYSTEM	10,554.45
VERIZON WIRELESS	SERVICE	749.08
VIEHAUSER ENTERPRISES	SERVICE	1,076.46
VISIONARY LANDSCAPING	PROJECT	4,423.89
WARNE CHEMICAL	SERVICE	1,900.00
WELLMARK	INSURANCE	32,717.64
WESTERN COMMUNICATIONS	SUPPLIES	2,622.85
WHEELER LUMBER OPERATIONS	SUPPLIES	4,338.00
ZEBRA TECHNOLOGIES	SERVICE	190.00

Total \$432939.11

ITEMS FROM CITIZENS ON AGENDA

Proclamations

The Mayor read a proclamation declaring week of September 17 through September 23 as Constitution Week in Deadwood. Ellen Gross spoke about the Catherine Thybo Chapter.

The Mayor read a proclamation declaring month of September as Responsible Gaming Education month in Deadwood.

CONSENT

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

- A. Removed from agenda
- B. Removed from agenda
- C. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Karl Burke and Linda Simon and Bobbie Isaak.
- D. Permission to purchase and install new memorial stone for the baby section at Oakridge Cemetery in the amount of \$4,500.00 from Deadwood Granite & Marble Works. (To be paid from the Oakridge Cemetery fund.)
- E. Designate Black Hills Pioneer as official City of Deadwood newspaper for twelve months per SDCL 9-12-6.
- F. Permission to hire Lornie Stalder as Public Buildings Superintendent at \$23.00 per hour (plus phone stipend) effective September 19, 2022, pending pre-employment screening.
- G. Permission to hire John Isaak as full-time Streets Equipment Operator starting on September 18, 2022 at \$21.00 per hour, to be increased to \$23.00 per hour upon completion of full CDL certification.
- H. Permission to increase wage of trolley driver Reece Beck to \$16.01 per hour effective August 21, 2022 after two years of service.
- I. Permission to add phone stipend for Charles Fetter effective August 21, 2022.
- J. Add Charles Fetter effective July 29, 2022, Jade Rodiack and Adam Rogge effective August 11, 2022 to Volunteer Fire Department Roster for workers compensation purposes.
- K. Remove Doug Egemo, Mount Moriah Ticket Booth Attendant, from payroll effective August 19, 2022.
- L. Accept resignation Dale Marlow, trolley driver, effective August 27, 2022.
- M. Permission to hire Violet Baker for Library Assistant 1 at \$13.27 per hour effective Sept. 9, 2022 pending pre-employment screening.

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- N. Permission to make 2022 budget allocation to Naja Shriners in the amount of \$3,500.00. (To be paid from Bed and Booze.)
- O. Acknowledge cancelation of parking lease with Black Hills Central Reservations for two (2) parking spots located on Siever Street.
- P. Permission to pay Deadwood Electric in the amount of \$3,483.71 to pipe and wire new camper pedestals at the rodeo grounds. (To be paid from Parks repair budget.)
- Q. Deadwood History Inc. request approval to serve beer and wine at Homestake Adams Research and Cultural Center on Thursday, October 13 from 6:00 p.m. to 10:00 p.m. for Ann Charles' Fan Party.
- R. Acknowledge sale of 2017 Trolley thru Purple Wave Auction in the amount of \$70,000.00.
- S. Permission to enter into contract with DocuTek for Digitization of Lawrence County Records (Phase 5) in amount not to exceed \$3,300.00. (To be paid from 2022 Archives budget.)
- T. Permission to purchase 5500 gallons of fuel from Southside Oil at \$3.20 per gallon. (To be paid from Streets Supply budget.)
- U. Permission to hire Kenneth Rehberg as part-time trolley driver at \$16.01 per hour, effective September 7, 2022.
- V. Permission to grant Veteran's Day as a paid holiday with City Offices being closed on Friday, November 11, 2022.
- W. Acknowledge updated address to 460 Main Street, originally 470 Main Street, on Form E for Medical Dispensary Cannabis for From the Hills, LLC.

BID ITEMS

5 Harrison Street Retaining Wall

Historic Preservation Officer Kuchenbecker stated staff recommends rejecting all bids. Martinisko moved, Johnson seconded to reject all bids for 5 Harrison Street Retaining Wall. Roll Call: Aye-All. Motion carried.

458 Williams Street Retaining Wall

Kuchenbecker spoke about the project. Discussion was held concerning the alternate bid. Todd moved, Struble seconded to approve base bid of \$82,000.00 from RCS Construction and reject Alternate #1 for 458 Williams Street Retaining Wall. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Set

Struble moved, Todd seconded to set public hearing on September 19 for Hops and Hogs Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to set public hearing on September 19 for Oktoberfest Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on September 19 for Wild West Songwriters Festival Event. Roll Call: Aye-All. Motion carried.

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

NEW BUSINESS

First Reading

McKeown spoke about the expenses, funds, and stated total budget for 2023 is \$21,947,861.00 which included interfund transfers. Commission thanked Dept. Heads for their work. Martinisko moved, Johnson seconded to approve first reading of 2023 Budget Appropriation Ordinance #1359. Roll Call: Aye-All. Motion carried.

First Reading

Police Chief Mertens spoke about the Ordinance. He stated the State of South Dakota no longer licenses golf carts but there is a provision in state law that allows municipalities to issue permits.

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Martinisko moved, Struble seconded to approve first reading of Ordinance #1360 Creating Chapter 10.28 Golf Carts. Martinisko moved, Struble seconded to amend motion to remove fee and include in fee resolution. Roll Call: Aye-All. Motion carried.

Vacate Section Line

Planning and Zoning Administrator Russell spoke about the section line. Martinisko moved, Johnson seconded to act as Board of Adjustments and approve the vacate section line – The Ridge – TRD, LLC (Randy Horner.) Preacher Smith Tract. Formerly Preacher Smith Tract. Located in Government Lots 10 and 12 of Section 11, T.5. N, R.3.E., B.H.M City of Deadwood, Lawrence County, South Dakota. Approved by Planning and Zoning Commission on August 17, 2022. Roll Call: Aye-All. Motion carried.

Final Plat

Russell spoke about the final plat. Martinisko moved, Struble seconded to act as Board of Adjustments and approve final plat, Establishing New Lots, The Ridge, Randy Horner. Lot A in Block A and Lot A in Block 1A of The Ridge Development. Formerly Lot A of Government Lot 13 and 19 in Section 11; Lot B of Government Lot 19 in Section 11 and Government Lot 12 in Section 14-AND- A portion of Preacher Smith Tract. All located in Sections 11, 12, 13 and 14 T.5.N., R.3.E., B.H.M., City of Deadwood, Lawrence County, South Dakota. Approved by Planning & Zoning Commission August 17, 2022. Roll Call: Aye-All. Motion carried.

Proposal

Kuchenbecker spoke about the proposal. Johnson moved, Struble seconded to accept proposal from Rasmussen Mechanical Services to provide necessary preventive maintenance on HVAC systems, including filters, for all city buildings for fall of 2022 at a cost of \$20,498.75. (To be paid by Public Buildings professional services.) Roll Call: Aye-All. Motion carried.

Proposal

Kuchenbecker spoke about the proposal. Discussion was held concerning maintenance within city staff. Johnson moved, Martinisko seconded to accept proposal from Rasmussen Mechanical Services to provide annual preventive maintenance of HVAC systems, including filters, for all city building for 2023 at a cost of \$81,995.00. (To be paid from the 2023 Public Buildings professional services.) Roll Call: Aye-All. Motion carried.

Purchase

Kuchenbecker spoke about the purchase. Struble moved, Todd seconded to purchase replacement chains for loader and road grader from Sturdevant's Auto Parts in the amount of \$21,658.83. (To be paid by 2022 Street Equipment budget.) Roll Call: Aye-All. Motion carried.

Hire

Kuchenbecker spoke about the master key system. Todd moved, Martinisko seconded to hire Gene's Lock Shop at a cost of \$14,392.78 to rekey the Days of '76 Museum and Homestake Adams Research and Cultural Center with compatible city-wide key system. Roll Call: Aye-All. Motion carried.

Addendum

Kuchenbecker spoke about the addendum. Discussion was held concerning cost. Martinisko moved, Johnson seconded to continue Addendum Number 3 from Albertson Engineering for additional professional design services associated with Whitewood Creek Restoration project due to additional items requested from FEMA. Roll Call: Aye-All. Motion carried.

Proposal

Kuchenbecker spoke about the proposal on the city's water system. Martinisko moved, Struble seconded to accept proposal from TDG Engineering Services in the amount of \$23,873.00 for the design services to create a Water Demands Modeling and Preliminary Planning for the preparation and understanding of future increased demands on water services as a result of planned development. (To be paid from the 2022 Water Department professional services.) Roll Call: Aye-All. Motion carried.

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Hire

McKeown spoke about the city’s network computer system. Struble moved, Todd seconded to hire Golden West Technologies to network the Deadwood Volunteer Fire Department into City’s computer system at a cost not to exceed \$4,265.33. (To be paid from 2022 or 2023 Fire Dept. professional services depending on availability of parts.) Roll Call: Aye-All. Motion carried.

Hire

McKeown stated this will bring all IT support into one company instead of having three companies. Johnson moved, Martinisko seconded to hire Golden West Technologies to network the Deadwood Library into City’s computer system at a cost not to exceed \$9,404.48. (To be paid from 2022 or 2023 Library and Public Buildings professional services depending on availability of parts.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Suicide Prevention week is September 4th through September 10th, 2022. Sidewalks in Deadwood and Lead will be painted with chalk to bring support, education and prevention to the cause. 988 is the new Suicide and Crisis Lifeline.

Bobby Rock, Outlaw Square Director, thanked city staff for their assistance throughout the summer during the events held at Outlaw Square.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25(1) and union negotiations per SDCL 1-25-2(4) with possible action.

ADJOURNMENT

Struble moved, Todd seconded to adjourn the regular session at 5:54 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25(1) and union negotiations per SDCL 1-25-2(4) with possible action. The next regular meeting will be on Monday, September 19, 2022 at 5:00 p.m.

After coming out of executive session at 6:41 p.m., Struble moved, Todd seconded to adjourn.

ATTEST: _____ DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____