

REGULAR MEETING, MARCH 4, 2024

The Regular Session of the Deadwood City Commission convened on Monday, March 4, 2024 at 1:00 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 Riggins, and Commissioners Michael Johnson, Sharon Martinisko, Charlie Struble and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Martinisko moved, Struble seconded to approve the minutes of February 20, 2024. Roll Call: Aye-All. Motion carried.

FEBRUARY 2024 PAYROLL: COMMISSION, \$3,692.28; FINANCE, \$23,605.71; PUBLIC BUILDINGS, \$7,886.02; POLICE, \$76,338.17; FIRE, \$5865.20; BUILDING INSPECTION, \$5,138.80; STREETS, \$34,088.50; PARKS, \$31,770.29; LIBRARY, \$9,161.26; RECREATION CENTER, \$19,064.68; HISTORIC PRESERVATION, \$23,078.91; WATER, \$19,630.31; PARKING METER, \$16,616.12; TROLLEY, \$16,915.00; PARKING RAMP, \$3,522.40
PAYROLL TOTAL: \$300,183.35.

FEBRUARY 2024 PAYROLL PAYMENTS:

Internal Revenue Service, \$69,438.55; S.D. Retirement System, \$34,657.09; Delta Dental, \$3,638.50.

APPROVAL OF DISBURSEMENTS

Todd moved, Struble seconded to approve the March 4, 2024 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	785.42
A & J SUPPLY	SUPPLIES	59.98
AMAZON CAPITAL	SUPPLIES	1,739.03
AMERICAN RED CROSS	SUPPLIES	46.00
ASSOCIATED BAG	SUPPLIES	65.53
AVID4 ENGINEERING	SERVICE	3,350.00
BEAR BUTTE CREEK HIST.PRES	GRANT	10,000.00
BIERSCHBACH EQUIPMENT	SUPPLIES	443.75
BH AUXILIARY 5969	PARKING DONATION	2,000.00
BH CHEMICAL	SUPPLIES	82.14
BLUEPEAK	SERVICE	4,798.81
BOMGAARS	SUPPLIES	249.99
BROKEN BOOT GOLD MINE	GRANT	15,301.36
BUTLER MACHINERY	SUPPLIES	2,376.04
CENTURY BUSINESS PRODUCTS	CONTRACT	259.23
CIVICPLUS	RENEWAL	350.00
CORR CONSTRUCTION	PAY APP	33,550.72
CULLIGAN	SUPPLIES	79.80
DAKOTA LUMBER	PROJECT	4,782.62
DAKOTALAND	GRANT	4,550.00
DEADWOOD ALIVE	SERVICE	5,500.00
DEADWOOD CHAMBER	BILL LIST	41,878.89
DEADWOOD CHAMBER - OUTLAW	BID #9	42,000.00
DVFD	REIMBURSEMENT	250.00
DEADWOOD GAMING	BID #8	10,000.00
DEADWOOD HISTORY	PARKING DONATION	6,475.00
DEADWOOD LEAD 76ERS	PARKING DONATION	1,000.00
DEADWOOD LEAD OPTIMIST CLUB	PARKING DONATION	1,000.00
DEMCO	SUPPLIES	382.29
ELITE SIGNS	SERVICE	3,112.76
FETTER, CHARLES	REIMBURSEMENT	140.00
FIB CREDIT CARDS	SUPPLIES	50.00
GALLS	UNIFORMS	254.05
GOLDEN GANG EASTER EGG HUNT	PARKING DONATION	700.00
GOLDEN WEST	SERVICE	270.00
GOOD SHEPHERD CLINIC	PARKING DONATION	1,000.00
GREAT WESTERN TIRE	REPAIR	185.00
HAWKINS	SUPPLIES	785.90
JACOBS WELDING	SERVICE	82.70
KUBOTA LEASING	PAYMENT	3,753.48
LAWRENCE CO. REGISTER	SERVICE	90.00
LAWRENCE CO. TREASURER	SERVICE	681.22
LAWSON PRODUCTS	SUPPLIES	184.86
LEAD-DEADWOOD 49ERS YOUTH	PARKING DONATION	500.00
LEAD-DEADWOOD BASEBALL	PARKING DONATION	500.00
LEAD-DEADWOOD CLOTHE-A-KID	PARKING DONATION	600.00
LEAD-DEADWOOD LIONS CLUB	PARKING DONATION	1,000.00
LEAD-DEADWOOD SCHOOL	PARKING DONATION	850.00
LIVENGOOD BLUES	PROJECT	4,143.44
MACK'S AUTO BODY	REPAIR	2,470.50
MCDIRT EXCAVATION	SERVICE	3,454.59
MIDWEST TAPE	SUPPLIES	371.86
MIKE VAGA PLUMBING	PROJECT	3,359.36
MDU	SERVICE	11,393.49
MUTUAL OF OMAHA	INSURANCE	326.99

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NHS OF THE BLACK HILLS	PARKING DONATION	500.00
NORTHERN HILLS CASA	PARKING DONATION	500.00
ORANGE COUNTY	TRUCK	130,000.00
OVERDRIVE	SERVICE	1,500.00
PARHAM, MICHAEL	PROJECT	3,000.00
PLAINS TOWING & RECOVERY	TOWING	400.00
PLAYPOWER LT FARMINGTON	SUPPLIES	600.00
PRAIRIE HILLS TRANSIT	CONTRACT	3,500.00
QUICKTROPHY	SUPPLIES	11.00
RASMUSSEN	SERVICE	15,119.96
RCS CONSTRUCTION	PAY APP #5	1,215,091.80
ROBITAILLE, PAUL	REIMBURSEMENT	223.82
S AND C CLEANERS	CLEANING	8,472.00
SAFE LIFE DEFENSE	UNIFORMS	1,347.28
SANTA SHOP	PARKING DONATION	500.00
SCHNERINGER, CINDY	SERVICE	875.00
SCOTT PETERSON MOTORS	SUPPLIES	303.45
SD DEPT. OF REVENUE	SALES TAX	3,327.04
SD HISTORICAL SOCIETY	CONFERENCE	1,500.00
SD PUBLIC ASSURANCE ALLIANCE	INSURANCE	735.43
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,568.20
SIGNATURE AUTO SALES	EQUIPMENT	3,200.00
SIMON MATERIALS	SUPPLIES	211.35
STURDEVANT'S	SUPPLIES	1,977.60
STURGIS RESPONDER SUPPLY	UNIFORMS	835.18
TALLGRASS LANDSCAPE	PROJECT	2,622.00
THE LIBRARY STORE	SUPPLIES	619.92
THE LITTLE PRINT SHOP	SERVICE	9.04
THE LORD'S CUPBOARD	PARKING DONATION	750.00
TOMS, DON	PROJECT	600.00
TWIN CITY ANIMAL SHELTER	PARKING DONATION	1,000.00
TWIN CITY CLOTHING CENTER	PARKING DONATION	1,100.00
TWIN CITY HARDWARE	SUPPLIES	1,977.73
ULINE	SUPPLIES	428.22
US POSTAL SERVICE	SERVICE	320.00
VERIZON WIRELESS	SERVICE	708.42
WELLMARK	INSURANCE	45,873.45

Total \$1,684,954.69

Oz Enderby from American Legion Post 31 thanked the City of Deadwood and Commission for their help accommodating Government Day with Lead Deadwood High School. Commission thanked Enderby.

CONSENT

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

- A. Permission to hire Brian Remmers as full-time (certified) police officer at \$26.79 per hour effective March 17, 2024 pending pre-employment screening.
- B. Permission to approve new job description for full-time Rec Center Receptionist.
- C. Permission to advertise in-house for 5 days for full time Rec Center Receptionist at \$16.00 per hour with full-time benefits.
- D. Permission to advertise for two Parks seasonal positions at \$16.00 per hour and two Parks Seasonal Technician positions at \$17.60 per hour.
- E. Permission to advertise for six seasonal Mt Moriah ticket booth attendants at \$16.00 per hour.
- F. Permission to make 2024 Budget Allocation to Boys and Girls Clubs of the Black Hills in the amount of \$3,500.00. (To be paid from Bed and Booze budget.)
- G. Permission to make 2024 Budget Allocation to Northern Hills CASA in the amount of \$3,500.00. (To be paid from Bed and Booze budget.)
- H. Permission to purchase up to 70 tons of salt from Black Strap at state bid of \$172.00 per ton delivered. (To be paid by Streets supply budget.)
- I. Submittal of 2023 Annual Report on Building Permits for the City of Deadwood by Trent Mohr, Building Inspector.
- J. Approve recommendation from the Parking & Transportation Committee for free trolley rides for Forks, Corks, and Kegs passholders Friday, April 12, 2024 and Saturday, April 13, 2024 for \$400.00 (To be paid by the Deadwood Chamber of Commerce).

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BID ITEMS

Results

Mayor Ruth Jr. stated 2 bids were received for the retaining wall project at 10 Denver Avenue on February 29, 2024 at 2:00 as advertised.

RCS Construction - \$162,000.00
Complete Concrete - \$397,900.00

Planning, Zoning and Historic Preservation Officer Kuchenbecker spoke about the project and recommends approval to low bidder RCS Construction. Martinisko moved, Johnson seconded to award bid to RCS Construction in an amount of \$162,000.00 for retaining wall project at 10 Denver Avenue. Roll Call: Aye-All. Motion carried.

Results

Mayor Ruth Jr. stated 3 bids were received for the retaining wall project at 74 Van Buren Avenue on February 29, 2024 at 2:00 as advertised.

RCS Construction - \$132,000.00, Alternate #1 \$15,000.00;
Complete Concrete - \$332,900.00, Alternate #1 \$14,700.00;
Branch Construction Services - \$55,000.00, Alternate #1 \$20,000.00.

Kuchenbecker spoke about the project and recommend approval to low bidder Branch Construction Services. Johnson moved, Struble seconded to award bid to Branch Construction Services in an amount of \$55,000.00 not to include Alternate #1. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Struble seconded to advertise for bids for Phase 1A and 1B Whitewood Creek Restoration (FEMA Project) and set bid opening for April 9 at 2:00 p.m. with results to City Commission on April 15, 2024. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to advertise for bids for the Fuller Brothers Trail Systems project and set bid opening for March 28 with results to City Commission on April 1, 2024. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to advertise for bids for the White Rocks Trail System and set bid opening for March 28 with results to City Commission on April 1, 2024. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Set

Todd moved, Struble seconded to set public hearing on March 18 for Retail (on-off sale) Malt Beverage & SD Farm Wine License (RB-2521) transfer from WWW LLC to Gold Country Inn LLC dba Gold Country Inn at 801 Main Street. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on March 18 for Farmers Market. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to set public hearing on March 18 for Black Hills Redemption. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on March 18 for Monsters of Destruction. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on March 18 for July 4th Parade. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to set public hearing on March 18 for WO Motorsports Arenacross & Freestyle Motocross Show. Roll Call: Aye-All. Motion carried.

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Johnson moved, Martinisko seconded to set public hearing on March 18 for Medicine Wheel Riders. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to set public hearing on March 18 for Legends Ride. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to set public hearing on March 18 for Rusty Wallace Ride. Roll Call: Aye-All. Motion carried.

Mayor Ruth Jr. explained the process for public hearings.

NEW BUSINESS

Second Reading

Finance Officer McKeown stated no changes between first and second readings. Martinisko moved, Johnsons seconded to approve second reading of Ordinance #1395 Budget Supplement #2 for 2024. Roll Call: Aye-All. Motion carried.

First Reading

McKeown spoke about Ordinance. Struble moved, Martinisko seconded to approve first reading of Ordinance #1396 Renewing Cable Franchise with Midcontinent. Roll Call: Aye-All. Motion carried.

Mayor Ruth Jr. explained the process of Ordinances.

Resolution

McKeown spoke about the Resolution. Martinisko moved, Johnson seconded to approve Resolution 2024-06 Establish Cash Designations. Roll Call: Aye-All. Motion carried.

**Resolution 2024-06
A RESOLUTION TO ESTABLISH CASH DESIGNATIONS**

Be it resolved by the Deadwood City Commission that the City of Deadwood approved the establishment of cash reserves in the following funds for future capital expenditure purposes per SDCL 9-21-14.1 as of December 31, 2023:

General Fund Designated for Equipment Replacement-	
Streets Department	\$ 60,000.00
Parks Department	\$ 12,000.00
General Fund Designated for Fire Truck:	\$ 269,447.00
Business Improvement District #7 Designated for Convention Center:	\$ 438,789.80
Parking and Transportation Designation for Trolley Replacement:	\$ 181,168.00

Dated this 4th day of March, 2024

ATTEST:
/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD
/s/ David Ruth Jr., Mayor

Pay

Parking and Transportation Director spoke about the leases. Martinisko moved, Struble seconded to pay Huntington Bank for annual trolley leases. Trolley #1 - \$48,815.55, Trolley #2 - \$39,227.97, Trolley #3 - \$33,681.45. Roll Call: Aye-All. Motion carried.

Findings of Fact

Kuchenbecker spoke about the permit. Johnson moved, Martinisko seconded to Act as Board of Adjustment and approve Findings of Fact and Conclusion - Conditional Use Permit - RV Park - 20577 Highway 85 - B & L Properties (Brad Kooiker) legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. Recommended Approval by Planning and Zoning Commission on July 19, 2023 and Approval by Board of Adjustment on August 7, 2023. Roll Call: Aye-All. Motion carried.

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Final Plat

Kuchenbecker spoke about the plat. Martinisko moved, Struble seconded to Act as Board of Adjustment and approve Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood. Plat of Tract 3 of Block 30, O.T. Deadwood; Being a Portion of Tract 1 of the Miller Street Subdivision, City of Deadwood, Lawrence County, South Dakota. (Approved by Planning & Zoning Commission February 21, 2024.) Discussion was held concerning surplus. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Candidate Forum will be held at City Hall on March 19, 2024 at 5:00 p.m.
- B. Deadwood Volunteer Fire Department will host the Annual Pancake Feed Sunday, March 10, 2024 from 9:00 a.m. to 1:00 p.m. Free smoke detectors and/or batteries for those who need them.
- C. Raffle permit received from American Legion Post 31/VFW Post 5959. Drawing will be held Monday, May 27, 2024.
- D. Raffle permit received from Black Hills Shootist Assoc. LTD. Drawing will be held September 28, 2024.

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.

Commission and Department Heads thanked the city staff, teachers and Class of 2025 for participating in Government Day activities.

Commissioner Todd asked for an update on the boardwalk. Kuchenbecker stated project will be forthcoming.

ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 1:28 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, March 18, 2024 at 5:00 p.m.

After coming out of executive session at 2:14 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 _____