

REGULAR MEETING, OCTOBER 17, 2022

The Regular Session of the Deadwood City Commission convened on Monday, October 17, 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 and Charlie Struble. Commissioner Gary Todd was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Struble moved, Johnson seconded to approve the minutes of October 3, 2022. Roll Call: Aye-All. Motion carried.

APROVAL OF DISBURSEMENTS

Martinisko moved, Struble seconded to approve the October 17, 2022 disbursements as amended. Roll Call: Aye-All. Motion carried.

ACE HARDWARE	SUPPLIES	8.26
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,890.55
ADAMS SALVAGE	SERVICE	8.61
ALBERTSON ENGINEERING	PROJECT	11,084.45
ALLEN, KEN	GRANT	9,407.46
ALSCO	SUPPLIES	118.49
AMAZON CAPITAL	SUPPLIES	2,003.89
AMAZON	SERVICE	200.36
AMERICAN RED CROSS TRAINING	SUPPLIES	70.00
ANCESTOR CONCRETE	PROJECT	10,000.00
ASSOCIATED BAG	SUPPLIES	104.61
BADGER METER	SERVICE	153.00
BH CHEMICAL	SUPPLIES	669.97
BH ENERGY	SERVICE	28,524.45
BH EXTERIORS	PROJECT	4,489.13
BH PIONEER	SERVICE	794.83
BH SECURITY	SERVICE	145.41
BOOKLIST	SUBSCRIPTION	174.95
BUTTE COUNTY EQUIPMENT	SUPPLIES	104.13
CENTURY BUSINESS PRODUCTS	CONTRCT	310.12
CHAINSAW CENTER	RENTAL	770.00
DAKOTA TITLE	SERVICE	120.00
DEADWOOD ALIVE	SEPTEMBER	30,000.00
DEADWOOD CHAMBER	BILL LIST	30,874.22
DVFD	STAFFING	1,354.05
DEADWOOD GRANITE	SERVICE	1,875.00
DJ CUSTOMS	PROJECT	13,259.07
ECOLAB	SERVICE	101.02
FASTENAL	SUPPLIES	2,751.59
FERBER ENGINEERING	SERVICE	2,350.00
FIB CREDIT CARDS	SUPPLIES	1,218.11
G&G GARBAGE	RENTAL	275.00
GALLS	UNIFORMS	44.35
GENERAL EQUIPMENT	SUPPLIES	133.40
GOLDEN WEST	SERVICE	5,249.96
GUNDERSON, PALMER, NELSON	SERVICE	6,115.62
HANSEN WHEEL & WAGON SHOP	SUPPLIES	106.70
HAWKINS	SUPPLIES	1,118.78
HILLYARD	SUPPLIES	293.28
HUBER, WEEDEN	PROJECT	1,500.00
INTREPID NETWORKS	SUBSCRIPTION	122.00
IPS GROUP	SERVICE	5,656.79
JACOBS WELDING	SERVICE	37.80
KELTEK	TERMINALS	38,668.24
KNECHT	SUPPLIES	448.06
KONE CHICAGO	MAINTENANCE	519.25
LAKOTA CONTRACTING	UNIFORMS	160.70
LAWRENCE CO. REGISTER	SERVICE	120.00
LAWSON PRODUCTS	SUPPLIES	476.00
LEAD-DEADWOOD SANITARY	SERVICE	1,400.83
LIGHTING MAINTENANCE	REPAIR	535.70
LYNN'S	SUPPLIES	42.47
MACK'S AUTO BODY	SERVICE	1,689.44
MACQUEEN EMERGENCY	SERVICE	4,284.41
MACROVISION	PROJECT	1,440.00
MARCO	CONTRACT	400.43
MCDIRT EXCAVATION	SERVICE	5,440.00
MCKILLIP, KATHY	REIMBURSEMENT	614.13
MICHAEL TODD & COMPANY	SUPPLIES	1,015.79
MIDWEST TAPE	SUPPLIES	287.87
MODERN MARKETING	SUPPLIES	257.54
MOHR, TRENT	REIMBURSMENT	160.41
MONUMENT HEALTH	TESTING	304.00
MOUNTAIN AIR MECHANICAL	PROJECT	5,229.23
MS MAIL	SERVICE	1,038.55
MUTUAL OF OMAHA	INSURANCE	256.64
NHS OF THE BLACK HILLS	SERVICE	3,258.00
NORTHWEST PIPE FITTINGS	SUPPLIES	1,532.85
NOVA FITNESS EQUIPMENT	TREADMILLS	10,380.60
ODD JOB CONSTRUCTION	PROJECT	1,037.72
ONSITE FIRST AID	SUPPLIES	601.78
OTIS ELEVATOR	MAINTENANCE	1,467.50

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PASTPERFECT SOFTWARE	SERVICE	812.00
POWERPLAN OIB	SUPPLIES	227.02
QUIK SIGNS	SERVICE	3,081.40
QUILL	SUPPLIES	224.39
RASMUSSEN MECHANICAL	SERVICE	1,108.94
RCS CONSTRUCTION	PROJECT	47,579.80
RUNGE, MIKE	REIMBURSEMENT	296.73
SAFETY BENEFITS	REGISTRATION	375.00
SANDER SANITATION	SERVICE	12,104.18
SCHMIDT, CHRIS	PROJECT	11,615.00
SCOTT PETERSON MOTORS	SERVICE	2,550.82
SCOTT PETERSON MOTORS	SUPPLIES	139.86
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF REVENUE	TAXES	8,680.76
SOUTH DAKOTA 811	SERVICE	208.32
SOUTHSIDE OIL	ANTIFREEZE	459.25
SOUTHSIDE SERVICE	SERVICE	630.55
STALDER, LORNI	SUPPLIES	109.80
STURDEVANT'S	SUPPLIES	21,569.57
SUMMIT FIRE PROTECTION	SERVICE	7,312.00
THE GLASS SHOP	SERVICE	1,800.00
THE LIBRARY STORE	SUPPLIES	1,086.17
THOMPSON, MARK	PROJECT	5,229.23
TOMS, DON	PROJECT	600.00
TRAFFIC CONTROL	SUPPLIES	43.00
TREE WISE MEN	PROJECT	41,000.00
TRIDLE, JOHN	REIMBURSEMENT	25.54
TRIPLE K	SERVICE	192.50
TRUGREEN	SERVICE	2,268.73
VERIZON CONNECT	SERVICE	171.60
VERIZON CONNECT NWF	SERVICE	95.95
VICTOR STANLEY	SUPPLIES	3,181.00
VIEHAUSER ENTERPRISES	SERVICE	9,809.68
VISIONARY LANDSCAPING	PROJECT	900.00
W.D. MASONRY	PROJECT	48,604.17
WELLS PLUMBING	SERVICE	848.07

Total \$523,428.13

ITEMS FROM CITIZENS ON AGENDA

Mayor Ruth stated City of Deadwood received a Gold Level Loss Control/Safety Achievement Award from South Dakota Public Assurance Alliance and South Dakota Municipal League Workers Compensation Fund during South Dakota Municipal League Conference. Commission thanked staff.

CONSENT

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

- A. Permission ion for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Susan E. Shama Caldwell and Philip E. Shama.
- B. Permission to hire Forrest Wilson as Community Service Officer at \$19.00 per hour effective November 1, 2022 pending pre-employment screening.
- C. Remove seasonal Mt. Moriah employees Ruth Durst, Gertrude Anderson, Mike Olsen and Georgeann Silvernail from payroll effective October 25, 2022.
- D. Permission to hire Carrie Kappes as part-time (not to exceed 19 hours per week) Para Transit Driver at \$14.50 per hour effective October 24, 2022 pending pre-employment screening.
- E. Accept resignation of Teresa Tomford, seasonal Park Technician, effective October 14, 2022.
- F. Permission for the Mayor to sign Temporary Construction Easement with Rand T. Williams and Gayla J. Williams for retaining wall project along City Creek behind 458 Williams Street.
- G. Permission for the Mayor to sign Permanent Retaining Wall Maintenance Easement and Permanent Access Easement with Rand T. Williams and Gayla J. Williams for retaining wall project along City Creek behind 458 Williams Street.
- H. Permission for the Mayor to sign Temporary Construction Easement with Meghan Clemens for retaining wall project along City Creek behind 458 Williams Street.
- I. Permission for the Mayor to sign Permanent Retaining Wall Maintenance Easement and Permanent Access Easement with Meghan Clemens for retaining wall project along City Creek behind 458 Williams Street.
- J. Permission for the Mayor to sign Temporary Construction Easement with Peter Curry and Teresa Hamilton for retaining wall project along City Creek behind 458 Williams Street.

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- K. Permission for the Mayor to sign Permanent Retaining Wall Maintenance Easement and Permanent Access Easement with Peter Curry and Teresa Hamilton for retaining wall project along City Creek behind 458 Williams Street.
- L. Permission for the Mayor to sign Permanent Retaining Wall Maintenance Easement and Permanent Access Easement with J&T Keehn Rentals, LLC for retaining wall project along City Creek behind 458 Williams Street.
- M. Permission for Mayor to sign letter of commitment for Lawrence County Pre-Disaster Mitigation Plan.
- N. Permission to pay Tallgrass Landscape Architecture for Phase 6 of clean up to Whitewood Creek in the amount of \$4,287.50. (To be paid from the Parks - CIP Whitewood Creek line item.)
- O. Permission to pay One Way Service Pros for installation of new Navien boiler for snow melt system at City Hall in the amount of \$9,307.83. (\$586.73 more than originally approved on April 4, 2022. To be paid by Public Buildings repair line item.)
- P. Request approval of Outside-of-Deadwood Grant request from Plankinton Preservation Society for emergency work to stabilize the veranda of the Historic Sweep Van Dyke Hotel in the amount of \$4,300.00. (Approved by Historic Preservation Commission on October 12, 2022.)
- Q. Permission to pay Barry's Electric in the amount \$4,540.30 for electrical services at the Fire Department. (To be paid by Public buildings professional services line item.)
- R. Permission to purchase and pay Butler Machinery in the amount of \$6,068.70 for thumb bucket for backhoe loader. (To be paid from Water Department equipment line item.)
- S. Permission to pay Rasmussen Mechanical Services in the amount of \$9,027.97 for emergency repairs to HVAC unit at City Hall. (To be paid by Public Buildings professional services line item.)
- T. Accept low quote for four vehicular wayfinding signs with Rosenbaum Signs in the amount of \$15,375.00. (To be paid by HP Capital Assets - Wayfinding.)

BID ITEMS

Timm Lane Bridge (continued from October 3, 2022)

Historic Preservation Officer Kuchenbecker spoke about the project, bids and stated staff recommends awarding bid to Corr Construction. Martinisko moved, Johnson seconded to Structure and Approach Grading PCN 075J – Project BRO8041(00)19-1 Timm Lane Bridge to Corr Construction in the amount of \$673,721.66. Roll Call: Aye-All. Motion carried.

OLD BUSINESS

Agreement

Martinisko moved, Johnson seconded to continue Master Lease Agreement with Connell Equipment Leasing Company for the Model S30 Ride-On Sweeper from Tennant Sales and Service Company (Lease approved on August 15, 2022) Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Findings of Fact

Martinisko moved, Johnson seconded to act as Board of Adjustment and approve Findings of Fact and Conclusion – Conditional Use permit – Condominiums – Keating Resources at 51, 53 and 55 Sherman Street. Legal Description as follows: (The Northern one foot six inches (1'6") of Lot 17, All of Lots 19, 21, 23, 25 and Vacated alley between Lot 23 and Lot 25, and All of Lot 26, and Lot 27, All in Block 30 of The City of Deadwood According to the P.L. Rogers Map of The City of Deadwood. Less and Except Tract 1 of Miller Street Subdivision According to Plat Document #2012-05646, and Less and Except Wild Bill Lot According to Plat Document #2012-03484, All Located in the SW1/4 of Section 23, T5N, R3E, BHM, City of Deadwood, South Dakota.) Recommend approval by Planning and Zoning Commission on September 21, 2022 and approved by Board of Adjustment on October 3, 2022. Planning and Zoning Administrator Russell stated moving forward the permit should be allowed to run with the land instead of the applicant and asked for direction. Roll Call: Aye-All. Motion carried.

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Findings of Fact

Martinisko moved, Struble seconded to act as Board of Adjustment and approve Findings of Fact and Conclusion – Request for Variance – 10.04.020 K Street Grades and Alley. Maximum Street Grades R1 (Residential) District 9% - The Summit at Deadwood Stage Run. Legal Description as follows: Palisades Tract of Deadwood Stage Run Addition, Formerly Tracts E, F, G, H, I, J, K and L and the Remaining Portion of MS 696 Palisades Stone Placer, All Located in the SW1/4, 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, BHM, City of Deadwood, Lawrence County, South Dakota. Recommend approval by Planning and Zoning Commission and Board of Adjustment on October 5, 2022. Roll Call: Aye-All. Motion carried.

Agreements

Russell spoke about the agreements with JLG Architects and Walker Consultants. He stated the agreement for the design and construction is allowing city to move forward with the parking management plan. When the study was conducted of where the garage should be, there was discussion on if a garage is actually needed. The parking plan will look into the current parking lots, structures, enforcement and permits.

Martinisko moved, Johnson seconded to allow Mayor to sign agreement between The City of Deadwood and JLG Architects for the design and construction of the Miller Street Parking Garage. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to allow Mayor to sign agreement with Walker Consultants for the development of Parking Management Plan for The City of Deadwood in an amount not to exceed \$150,000.00 (To be paid from Parking and Transportation Professional Services line item.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mike Runge introduced Dr. Peter Brown, Rocky Mountain Tree Ring Research, who has been working a several different projects throughout the City of Deadwood. He stated the current project is dating the fire history and reconstructing the environmental history of Deadwood Gulch Fire. Dr. Brown discussed the history of fire and what it means in terms of future forest dynamics and forest management. He showed a tree slab showing fire scars from the 2002 and 1959 fires.

Commissioner Martinisko requested Executive Session for personnel matters per SDCL 1-25(1) with possible action.

ADJOURNMENT

Struble moved, Martinisko seconded to adjourn the regular session at 5:24 p.m. and convene into Executive Session for personnel matters per SDCL 1-25(1) with possible action. The next regular meeting will be on Monday, November 7, 2022 at 5:00 p.m.

After coming out of executive session at 5:33 p.m., Martinisko moved, Johnson moved to adjourn.

ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____