

REGULAR MEETING, DECEMBER 16, 2024

The Regular Session of the Deadwood City Commission convened on Monday, December 16, 2024 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Dakota. Mayor David Ruth Jr. called the meeting to order with the following members present: Department Heads, City Attorney Quentin Riggins, and Commissioners Blake Joseph, Michael Johnson, Sharon Martinisko and Charlie Struble. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Joseph moved, Struble seconded to approve the minutes of December 2, 2024. Roll Call: Aye-All. Motion carried.

APROVAL OF DISBURSEMENTS

Struble moved, Joseph seconded to approve the December 16, 2024 disbursements and additional checks. Roll Call: Aye-All. Motion carried.

A & B WELDING	SUPPLIES	148.66
A & I DISTRIBUTORS	SUPPLIES	718.70
ACE HARDWARE	SUPPLIES	63.01
ALBERTSON ENGINEERING	SERVICE	14,784.32
ALLEN, JESSE	MEETINGS	490.00
AMAZON CAPITAL	SUPPLIES	387.86
AVID4 ENGINEERING	SERVICE	1,980.00
AXON ENTERPRISE	SUPPLIES	225.42
BH CHEMICAL	SUPPLIES	115.56
BH ENERGY	SERVICE	28,905.33
BH PIONEER	SERVICE	890.08
BH SECURITY	SERVICE	145.41
BH SPECIAL SERVICES	CLEANING	2,300.00
BH TITLE	SERVICE	91,746.30
BH VETERANS MARCH	DEPOSIT REFUND	1,000.00
BOEN, RENEE	SERVICE	680.00
BOMGAARS	SUPPLIES	349.99
BROWN, MOLLY	MEETINGS	420.00
BRUCE, DAVID	MEETINGS	315.00
BRUNSON, RONDA	REIMBURSEMENT	272.64
BUTLER MACHINERY	PAYMENT	45,765.81
BUTTE COUNTY EQUIPMENT	SUPPLIES	109.82
CAPFIRST EQUIPMENT FINANCE	PAYMENT	24,500.00
CED SPEARFISH	SERVICE	493.89
CENTURY BUSINESS PRODUCTS	CONTRACT	151.46
CHAINSAW CENTER	SUPPLIES	539.94
COMPLETE CONCRETE	PROJECT	6,285.73
CREATIVE PRODUCT SOURCING	SUPPLIES	126.00
CULLIGAN	SUPPLIES	72.60
DAKOTA FLUID POWER	SUPPLIES	10.71
DAKOTALAND	GRANT	5,000.00
DAR, VICKI	MEETINGS	525.00
DARK CANYON COFFEE	SUPPLIES	59.75
DEADWOOD CHAMBER	BILL LIST	102,125.67
DEADWOOD CHAMBER - OUTLAW	BID #9	43,000.00
DEMCO	SUPPLIES	410.09
DIEDE, LEO	MEETINGS	525.00
DOCUTEK	PROJECT	7,920.10
DRINGMAN, PAT	REIMBURSEMENT	39.01
EAGLESON, CHARLES	MEETINGS	385.00
FEEDING DEADWOOD	RECYCLING	159.35
FETERL, RONDA	REIMBURSEMENT	518.22
FIB CREDIT CARDS	SUPPLIES	5,197.83
FIRST NET	SERVICE	240.24
FLOYD'S TRUCK CENTER	SUPPLIES	1,204.97
GALLS	SUPPLIES	46.41
GAYLORD BROS.	SUPPLIES	3,970.79
GEPPERT, MADDY	REIMBURSEMENT	28.00
GOLDEN WEST	SERVICE	3,986.48
GREAT WESTERN TIRE	SERVICE	36.00
GREBA, AMY	REIMBURSEMENT	28.00
GREENLEE, BENJAMIN	PROJECT	317.89
GUNDERSON, PALMER, NELSON	SERVICE	4,975.84
IPS GROUP	SERVICE	7,949.63
IWORQ	SERVICE	12,400.00
J & J TRUCK & AUTO BODY	SERVICE	5,947.20
JACOBS WELDING	SERVICE	3,955.06
JANDT, ERIK	REIMBURSEMENT	328.77
JEEP JAMBOREE USA	DEPOSIT REFUND	1,100.00
KEEHN, JOSH	MEETINGS	350.00
KIMBALL MIDWEST	SUPPLIES	371.04
KITZMILLER, MICHAEL	REIMBURSEMENT	28.00
KNIPPER, ANITA	REIMBURSEMENT	674.08
KONE CHICAGO	MAINTENANCE	564.03
LEAD-DEADWOOD SANITARY	SERVICE	19,113.79
LOOKOUT PLAN + CODE CONSUL	SERVICE	145.16
LOWE ROOFING	SERVICE	4,948.99
LUX, JUSTIN	REIMBURSEMENT	28.00
LYNN'S	SUPPLIES	11.97
MARTINISKO, JOHN	MEETINGS	385.00
MCGRATH, RHONDA	REIMBURSEMENT	28.00
METERING & TECHNOLOGY SOLU	SUPPLIES	1,431.52

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MICROSOFT	SERVICE	865.30
MIDWEST TAPE	SUPPLIES	538.87
MODERN MARKETING	SUPPLIES	524.97
MOHR, TRENT	REIMBURSEMENT	243.76
MORRISON, RONDA	SERVICE	1,280.00
MS MAIL	SERVICE	3,928.54
MUTUAL OF OMAHA	INSURANCE	375.34
NHS OF THE BLACK HILLS	SERVICE	3,000.00
NORTHWEST PIPE FITTINGS	SUPPLIES	7.14
OWENS, KEN	MEETINGS	385.00
PATRIOT PAINTING	SERVICE	9,143.33
PEARSON, JACI	SERVICE	2,700.00
PETTY CASH	LIBRARY	46.25
PETTY CASH	FINANCE	195.59
PINPOINT PDR	SERVICE	7,506.00
QUIK SIGNS	SERVICE	2,352.63
QUILL	SUPPLIES	53.24
RAPID DELIVERY	SERVICE	53.30
RASMUSSEN MECHANICAL	SERVICE	91.25
ROCKINGTREE LANDSCAPES	PLANT	80.00
ROSENBAUM, LESTER	REFUND	5.00
S AND C CLEANERS	CLEANING	8,472.00
SAFETY BENEFITS	REGISTRATION	375.00
SANDER SANITATION	SERVICE	12,834.16
SANTOCHI, TREVOR	MEETINGS	455.00
SD COMMISSION ON GAMING	CITY SLOTS	32,386.36
SD DEPT. OF TOURISM	CONFERENCE	1,150.00
SD HOUSING DEVELOPMENT	TIF #13	18.28
SDN COMMUNICATIONS	SERVICE	3,112.20
SERVALL	SUPPLIES	1,784.34
SOUTHSIDE SERVICE	SERVICE	5,379.95
SPEARFISH BUILDING	SUPPLIES	87.31
STALDER, LORNIE	REIMBURSEMENT	476.41
STRETCH'S	SERVICE	554.99
STURDEVANT'S	SUPPLIES	3,336.84
STURGIS RESPONDER SUPPLY	SUPPLIES	31.99
THE JUNK DRAWER	SERVICE	819.91
TOMS, DON	PROJECT	1,800.00
TWIN CITY HARDWARE	GRANTS	1,657.97
TWIN CITY HARDWARE	GRANTS	3,587.52
USA BLUEBOOK	SUPPLIES	67.01
VIGILANT BUSINESS SOLUTION	SERVICE	258.50
WAREING STURGIS	SUPPLIES	383.16
WESTERN STATES FIRE	SERVICE	9,480.00
WHITE'S CANYON MOTORS	SERVICE	326.46
WILLIAMS, ANTHONY	MEETINGS	350.00

Total \$679,083.45

ITEMS FROM CITIZENS ON AGENDA

Badge Pinning

Police Chief Shafer recognized and congratulated officer Schumacher on his recent promotion to Sergeant. Shafer stated Schumacher is a member of the community events response team, field training officer, firearms instructor and motor unit. Lawrence County Sheriff's Sergeant Dustin Schumacher pinned the badge to his son's uniform. Sergeant Schumacher thanked the City of Deadwood, Deadwood Police Dept. and Chief Shafer for giving him this opportunity. Mayor Ruth Jr. thanked the Schumacher family.

Shop with a Cop

School Resource Officer Sonya Papousek and Fire Captain Charles Fetter gave an update on Shop with a Cop. Papousek stated this is the second year the Fire Department has joined. Fetter stated we would like to keep the program going with support from the City. Odd Fellows Lodge presented \$500.00 to the program.

CONSENT

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

- A. Permission to remove Trolley driver James Sternhagen from payroll effective November 30, 2024.
- B. Permission to accept resignation from part-time officer Jeffery Rodriguez II effective December 10, 2024.
- C. Permission to accept resignation of Library Education/Program Coordinator Kirsten Robeson effective December 19, 2024.
- D. Permission to advertise in-house for 5 days and then outside sources for half-time (25 hours per week) Library Education/Program coordinator at \$17.50 per hour.
- E. Permission to advertise in-house for 5 days and then outside sources, if needed, for full-time Rec Center Lifeguard II at \$19.00 per-hour.
- F. Permission to update part-time wage scale effective January 2, 2025.

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- G. Permission to sign engagement Letter with Casey Peterson for professional services related to the 2023 audit. (To be paid by Finance Professional Services line item.)
- H. Add Karla Dower and Isaiah Osorio to the Volunteer Fire Department Roster effective November 14, 2024 for worker's compensation purposes.
- I. Permission to write off building permit BP230144 for Chekpa Concrete in the amount of \$288.00 due to non-payment.
- J. Permission for Mayor to sign 2025 Combined Voting Agreement.
- K. Permission for Mayor to sign agreement with City of Lead and Friends of the Twin City Animal Shelter for the operation and maintenance of the animal shelter.
- L. Permission for the Mayor to sign the Trail Proposal Process form with the Black Hills National Forest for study of Mt. Roosevelt Trail System. (Cost of NEPA study to be paid by BID 8 funding).
- M. Permission for Police Chief to sign 4-year contract for 2024 pricing for an additional Axon in-car camera system. (To be paid and installed in 2025.)
- N. Permission to pay 2025 Parking Lease with First Baptist Church in the amount of \$3,600.00.
- O. Permission to pay Bickle's Truck and Diesel Service for Trolley 3 for brake and wheel repairs in the amount not to exceed \$2,820.70. (To be paid by Trolley repair line item.)
- P. Permission to pay J & J Truck & Autobody for hail damage to the 2022 Freightliner dump truck in the amount not to exceed \$5,971.03. (To be paid by Insurance proceeds with \$2,500 deductible from Streets repairs.)
- Q. Permission to pay Carstar Collision Center for damages caused by trolley to Swifttec van in the amount of \$2,829.80. (To be paid by Trolley repairs.)
- R. Permission to purchase 29.63 tons of road salt from Black Strap at a state bid price of \$175.00 per ton delivered. (To be paid by Streets supply budget.)
- S. Permission to pay Complete Concrete to tie downspouts to creek as part of the FEMA project at a cost of \$6,285.73 outside of the contract. (To be paid by HP Capital Assets).
- T. Permission to purchase four desktop computers from Golden West Technology in the amount not to exceed \$6,400.00 to replace computers within rotation. (To be paid by IT Equipment line item.)
- U. Approve free parking in the Miller Street Lot January 4 and 5, 2025 from 7:00 a.m. to 3:00 p.m. on both days for the Deadwood Invitational Swim Meet (Recommendation from the December 12, 2024 Parking and Transportation Committee.)
- V. Permission for Mayor to sign Certificate of Substantial and Final Completion with RCS Construction for the Whitewood Creek Restoration project - Bid Package 1.
- W. Permission to pay six invoices in the total amount of \$19,647.39 to Rowdy Boyz Construction for utility work associated with Phase 1 of the FEMA project outside the contract with RCS Construction but related to the project.
- X. Permission to pay Great Plains Contractors, LLC in the amount of \$4,691.08 for utility work associated with Phase 1 of the FEMA project outside the contract with RCS Construction but related to the project.
- Y. Permission for the Mayor and staff to sign the Plan of Development for the Yellow Creek Shooting Range with the Bureau of Land Management - South Dakota Field Office.
- Z. Approve transfer of two (2) taxi device licenses from Canyon Cab to Deadwood Taxi, two (2) taxi device licenses from Canyon Cab to Dakota Taxi, and one (1) taxi device licenses from Canyon Cab to Black Hills Grab-A-Cab (Recommendation from the Parking and Transportation Committee).
- AA. Permission to approve employee parking permit revenue, from November 26, 2024 to December 26, 2024, excluding Broadway Ramp permits. All proceeds will be donated to local non-profit organizations as part of the free holiday parking donations. (Recommendation by Parking and Transportation Committee on December 12, 2024.)
- BB. Permission to purchase four new restroom partition stalls from Partition King at a cost not to exceed \$6,872.00. (To be paid by Parks Improvement line item.)
- CC. Permission to allow six members of the Deadwood Volunteer Fire Department (Melanie Bond, Sarah Van Tassel, Jeremy Van Tassel, John Beck, Anita Knipper and Don Gifford) to use city vehicle to attend Wildland Field Training Course in Rapid City on December 21, 2024.

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BID ITEMS

Results

Mayor Ruth Jr. stated 1 bid was received for the lease of Mt. Moriah Facility on December 10, 2024 at 2:00 as advertised.

Fatih Gokce - \$6,000.00

Finance Officer McKeown asked to continue for review. Commissioner Joseph asked why review. McKeown stated applicant is asking for additional things to do at the facility and more time is needed to review to see if Ordinances would allow. Martinisko moved, Struble seconded to continue bid opening for Mt. Moriah Facility. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Ball Drop

Public hearing was opened at 5:13 p.m. by Mayor Ruth Jr. Jesse Allen, Deadwood Chamber, was available to answer questions, hearing closed. Martinisko moved, Joseph seconded to approve Main Street closure from Pine Street to Lee Street from 11:50 pm. on December 31, 2024 to 12:10 a.m. on January 1, 2025 for the New Years Eve Ball Drop at the Franklin Hotel. Roll Call: Aye-All. Motion carried.

Wolfpack Working Dogs

Public hearing was opened at 5:14 p.m. by Mayor Ruth Jr. Jesse Allen, Deadwood Chamber, was available to answer questions, hearing closed. Joseph moved, Martinisko seconded to approve request waiver of parking lot fees at Event Complex for Wolfpack Working Dogs Event on Friday, May 16 through Sunday, May 18, 2025. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Review

Planning, Zoning and Historic Preservation Officer Kuchenbecker spoke about the annual review. Struble moved, Joseph seconded to act as Board of Adjustment and approve Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 388 Main Street – First Deadwood Cottages (W. Morris) with the following conditions: proof of state sales tax number, update City of Deadwood Short-Term Rental License to reflect the property is being utilized as a Vacation Home Establishment instead of a Bed and Breakfast Establishment, update the State of SD Dept. of Health Lodging License to reflect a Vacation Home Establishment instead of a Bed and Breakfast Establishment, provide a copy of the SD Dept. of Health Lodging License, maintain a City of Deadwood Business License, proof that the Building Inspector has inspected the building, proper paperwork is filed with finance office for BID taxes, city water and sewer to remain at commercial rates and all parking shall be off street. Legally described as Lot 12 and the south half of Lot 13, both lots in Block 3 in the Fountain City addition to the City of Deadwood. (Approved by Planning and Zoning Commission on December 4, 2024. Roll Call: Aye-All. Motion carried.

Review

Kuchenbecker spoke about the annual review. Martinisko moved, Johnson seconded to Act as Board of Adjustment and approve Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 54 Taylor Avenue – Miss Kahler's BNB (D. Kahler) with the following conditions: proof of state sales tax number, provide a copy of the SD Dept. of Health Lodging License, maintain a City of Deadwood Business License, proof that the Building Inspector has inspected the building, proper paperwork is filed with finance office for BID taxes, city water and sewer to remain at commercial rates and all parking shall be off street. Legally described as Lot A, Lot D and Lot E of the subdivision of Lots 66-67 and 68, the southerly part of Lot 66 Block 35, and parts of Lots 28 through 36, Block 35, of the City of Deadwood, South Dakota, according to Plat Book 3 page 79-80, Lawrence County, South Dakota. (Approved by the Planning and Zoning Commission on December 4, 2024). Roll Call: Aye-All. Motion carried.

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Review

Kuchenbecker spoke about the annual review. Struble moved, Martinisko seconded to Act as Board of Adjustment and approve Annual Review - Conditional Use Permit for Vacation Home Establishment – 606 1/2 Main Street – The Nugget (W. Morris) with the following conditions: proof of state sales tax number, provide a copy of the SD Dept. of Health Lodging License, maintain a City of Deadwood Business License, proof that the Building Inspector has inspected the building, proper paperwork is filed with finance office for BID taxes, city water and sewer to remain at commercial rates and all parking shall be off street. Legally described as Lot 24, in Block 15 of the Original Townsite of the City of Deadwood, Lawrence County, South Dakota, according to the P.L. Rogers Map except a portion of land along the southerly side of Lot 24, Block 15 being 8 inches in width fronting on Main and back of even width of 100' as set forth in deed and recorded in Book 162 Page 243. (Approved by Planning and Zoning Commission December 4, 2024.) Roll Call: Aye-All. Motion carried.

Second Reading

Kuchenbecker stated no changes between first and second reading. He stated he reached out to Angel's Attic and there is no need for a change of zoning because the church put a deed restriction prohibiting gaming when building was sold. Martinisko moved, Johnson seconded to approve second reading of Ordinance #1411 Amending Title 17 – Zoning for amendment to the Zoning Map. Roll Call: Aye-All. Motion carried.

Second Reading

Finance Officer McKeown spoke about the changes to the supplement. Joseph moved, Martinisko seconded to approve second reading of Ordinance #1412 Budget Supplement #6 for 2024. Roll Call: Aye-All. Motion carried.

First Reading

Parking and Transportation Director spoke about the ordinance. Commissioner Joseph recused himself. Martinisko moved, Johnson seconded to approve first reading of Ordinance #1409 Amending Title 5 – Tour Conveyance Licenses. (recommendation from the Parking and Transportation Committee.) Roll Call: Aye-All. Motion carried.

First Reading

McKeown spoke about the ordinance. Martinisko moved, Struble seconded to approve first reading of ordinance #1413 Amending Chapter 3.20 Occupancy Tax BID 8. Roll Call: Aye-All. Motion carried.

First Reading

McKeown spoke about the ordinance. Martinisko moved, Struble seconded to approve first reading of Ordinance #1414 Amending Chapter 3.20 Occupancy Tax BID 9. Roll Call: Aye-All. Motion carried.

Pay

Lux spoke about the project. Struble moved, Joseph seconded to pay Patriot Painting & Drywall in the amount of \$3,462.00 for additional painting and hardware not included in original quote for Broadway ramp sign package. (To be paid by Broadway Professional Services line item.) Roll Call: Aye-All. Motion carried.

Purchase

Public Works Direct Stalder spoke about the purchase. Martinisko moved, Struble seconded to purchase new technology equipment and installation at Days of '76 event center from Golden West Technology at a price not to exceed \$18,784.58. This equipment is in conjunction with the new network fiber provided by SDN. (To be paid by HP Capital Assets Rodeo Grounds line item.) Roll Call: Aye-All. Motion carried.

Pay

Police Chief Shafer spoke about the equipment. Struble moved, Martinisko seconded to pay Sontech Vehicle Technologies to equip 2022 Dodge Police charger in an amount not to exceed \$21,830.21. (To be paid by Police equipment line item.) Roll Call: Aye-All. Motion carried.

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Change Order

Kuchenbecker spoke about the correction. Martinisko moved, Struble seconded to acknowledge correct Construction Change Order #3 from Hoskinson Contracting for 48-52 Taylor Avenue retaining wall project in the amount not to exceed \$15,069.87 to address damaged storm water drain under city steps not part of the original project. (approved Change Order #2 on December 2, 2024 for \$18,496.50.) Roll Call: Aye-All. Motion carried.

Purchase

Stalder spoke about the purchase. Joseph moved, Struble seconded to purchase two drive motors from Dakota Pump for Denver Street pump house in an amount not to exceed \$9,850.00. (To be paid by Water Improvement line item.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Raffle permit received from Deadwood Lead 76ers Swim Team. Drawing will be held on Monday, February 24, 2025.

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.

ADJOURNMENT

Struble moved, Martinisko seconded to adjourn the regular session at 5:41 p.m. and convene into Executive Session for personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday, January 6, 2025 at 5:00 p.m.

After coming out of executive session at 6:10 p.m., Martinisko moved, Struble seconded to adjourn.

ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____