

## REGULAR MEETING, DECEMBER 20, 2022

The Regular Session of the Deadwood City Commission convened on Tuesday, December 20, 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 December 2 and December 5, 2022. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Finance Officer McKeown explained the addition to the bill list. Martinisko moved, Johnson seconded to approve the December 20, 2022 disbursements as amended. Roll Call: Aye-All. Motion carried.

A & J SUPPLY	SUPPLIES	55.20
ACE HARDWARE	SUPPLIES	129.54
ADAMS MUSEUM & HOUSE	OPERATING	95,000.00
ALBERTSON ENGINEERING	PROJECT	5,618.05
ALSCO	SUPPLIES	1,234.43
AMAZON CAPITAL	SUPPLIES	2,092.90
AMAZON	SERVICE	200.36
BH CHEMICAL	SUPPLIES	1,021.61
BH PIONEER	SERVICE	943.66
BH SECURITY	SERVICE	248.93
BH SPECIAL SERVICES	SERVICE	2,150.00
BH WINDOW CLEANING	SERVICE	926.00
BLACKSTRAP	ROAD SALT	5,773.04
BRITE IDEAS	SUPPLIES	1,896.25
BUNNEY'S BODY AND COLLISION	REPAIRS	1,996.95
BUTLER MACHINERY	SUPPLIES	1,705.44
CAPFIRST EQUIPMENT FINANCE	LEASE	24,333.76
CENTURY BUSINESS PRODUCTS	CONTRACT	158.43
CRAMER MARKETING	SUPPLIES	118.22
CULLIGAN	SUPPLIES	208.75
CURTIS BLUE LINE	UNIFORMS	99.41
DEADWOOD CHAMBER	BID#8	106,156.15
DEADWOOD HISTORY	PROGRAMS	15,000.00
DIVERSIFIED INSPECTIONS	SERVICE	1,277.20
DOLAN CONSULTING GROUP	REGISTRATION	390.00
DRAGON BELLY	PROJECT	2,104.84
EAGLE ENTERPRISES	SUPPLIES	500.00
FASTENAL	SUPPLIES	144.04
FERBER ENGINEERING	SERVICE	2,420.00
FETERL, RONDA	REIMBURSEMENT	60.38
FIB CREDIT CARDS	SUPPLIES	4,784.84
FRONTIER GLASS	SERVICE	171.50
G&G GARBAGE	RENTAL	315.00
GAYLORD BROS	SUPPLIES	110.30
GOLDEN WEST	SERVICE	3,464.50
GOODE, BONITA	REIMBURSEMENT	159.68
GUNDERSON, PALMER, NELSON	SERVICE	2,460.00
HANSEN WHEEL & WAGON SHOP	SUPPLIES	1,267.50
HILLYARD	SUPPLIES	420.94
IPS GROUP	SERVICE	4,549.79
IWORQ	SERVICE	6,250.00
JAKE'S COLLISION REPAIR	REPAIRS	339.12
JOHNSON CONTROLS FIRE	SERVICE	825.00
KEYSTONE AREA HISTORICAL	GRANT	5,000.00
KNECHT	GRANTS	324.02
KNIPPER, ANITA	REIMBURSEMENT	69.23
KONE	SERVICE	519.25
LAWSON PRODUCTS	RENTAL	400.00
LEAD-DEADWOOD SANITARY	SERVICE	27,095.70
LOWE ROOFING	PROJECT	2,811.23
MACQUEEN EMERGENCY	SUPPLIES	138.70
MACROVISION	PROJECT	1,950.00
MARCO	CONTRACT	175.24
METERING & TECHNOLOGY SOLUTION	SUPPLIES	1,725.60
MIDWEST TAPE	SUPPLIES	272.63
MS MAIL	SERVICE	5,049.16
NHS OF THE BLACK HILLS	CONTRACT	3,043.75
NORTHWEST PIPE FITTINGS	SUPPLIES	2,113.95
ONSITE FIRST AID	SUPPLIES	262.45
PEARSON, JACI	PROJECT	1,350.00
PETTY CASH	FINANCE	77.74
PETTY CASH	HP/ZONING	36.92
QUADIENT FINANCE	SUPPLIES	223.99
QUIK SIGNS	SERVICE	496.66
RASMUSSEN MECHANICAL	PROJECT	5,280.11
ROCKINGTREE LANDSCAPES	FUNERAL	50.00
RUSTIC NOOK BAKERY	SUPPLIES	90.00
SANDER SANITATION	SERVICE	12,373.09
SD CHAMBER OF COMMERCE	SERVICE	20.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF REVENUE	TAXES	2,359.48

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SD DEPT. OF TRANSPORTATION	PROJECT	2,359.48
SIMON CONTRACTORS	PROJECT	11,438.00
STURDEVANT'S	SUPPLIES	3,174.80
STURGIS GUNS & PAWN	SHIPPING	30.08
TDG COMMUNICATIONS	PROJECT	850.00
THE LORD'S CUPBOARD	RECYCLING	47.90
TRIPLE K	SERVICE	1,966.88
TWIN CITY ANIMAL SHELTER	SPAY & NEUTER	3,250.00
TWIN CITY HARDWARE	GRANTS	176.69
VERENDRYE MUSEUM	GRANT	8,600.00
VERIZON CONNECT	SERVICE	514.80
VERIZON WIRELESS	SERVICE	707.62
VIGILANT BUSINESS SOLUTION	TESTING	339.00
VISIONARY LANDSCAPING	SERVICE	125.00
WALKER CONSULTANTS	SERVICE	4,500.00

Total \$440,892.87

### CONSENT

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

- A. Permission to pay 2023 Parking Lease with First Baptist Church in the amount of \$3,600.00.
- B. Winters Fat Classic, LLC requesting use of public property for Winters Fat Classic on Saturday, February 4, 2023
- C. Reappoint Charles Eagleson to the Planning and Zoning Commission. Term to expire December 31, 2027.
- D. Permission for Mayor to sign 2023 Combined Voting Agreement.
- E. Permission for the Mayor to sign contract with KLJ in the amount of \$52,875 for NEPA (National Environmental Policy Act) study for trail construction project between Deadwood and Mt. Roosevelt including area around Deadwood Dick's Gravesite. (To be paid by BID 8 funding.)
- F. Permission to make Trolley Driver Mike Kitzmiller Weekend Trolley Manager with an additional \$2.00 per hour when acting as manager, retroactive to December 3, 2022 per Section 5.12 of employee handbook.
- G. Permission to hire Andrew Goodwin as full-time Parking Ramp Manager at \$19.00 per hour (D19 rank) effective January 1, 2023.
- H. Permission to move Hailey Trewhella from full-time status to part-time (19 hours per week) as rec. center lifeguard effective January 1, 2023 at \$14.33 per hour.

### PUBLIC HEARINGS

#### New Year's Eve Ball Drop

Public hearing was opened at 5:2 p.m. by Mayor Ruth Jr. Discussion was held concerning barriers, hearing closed.

Martinisko moved, Struble seconded to approve street closure on Main Street from Pine Street to Lee Street from 11:50 pm. on December 31 to 12:10 a.m. on January 1, 2023. Roll Call: Aye-All. Motion carried.

#### St. Patrick's Day

Public hearing was opened at 5:03 p.m. by Mayor Ruth Jr. Sarah Kryger, Chamber, was available to answer questions. Hearing closed.

Martinisko moved, Johnson seconded to approve open container in zones 1 and 2 on Friday, March 17 from 5:00 p.m. to 10:00 p.m., Saturday, March 18 from noon to 10:00 p.m., street closure on Main Street from Lower Main Street at Pioneer Way to Pine Street on Saturday, March 18 from noon until parade ends, Main Street from Wall Street to Pine Street on Saturday, March 18 from noon to 6:00 a.m. on Sunday, March 19 and waiver of banner fees for sponsors on Saturday, March 18, 2023. Roll Call: Aye-All. Motion carried.

#### Set

Struble moved, Todd seconded to set public hearing on January 3 for Retail (on-off sale) Malt Beverage and Retail (on-off sale) Wine license transfers from Deadwood Tobacco at 628 Main Street to Deadwood Tobacco at 715 Main Street. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, DECEMBER 20, 2022**

**OLD BUSINESS**

**Resolution**

McKeown explained the funds. Martinisko moved, Struble seconded to Resolution 2022-22 permission to make Interfund transfers for 2022. Roll Call: Aye-All. Motion carried.

**RESOLUTION 2022-22  
A RESOLUTION TO MAKE THE FOLLOWING INTERFUND CASH  
TRANSFERS FOR THE YEAR 2022**

Be it resolved by the Deadwood City Commission that the City of Deadwood approve the following inter-fund cash transfers, as budgeted, for the year 2022.

From General Fund 0101 to Library Fund 0206: \$73,450.00 for support of operational costs.

From Bed and Booze Fund 0209 to Library Fund 0206: \$10,000.00 for support of operational costs.

From Bed and Booze Fund 0209 to General Fund 0101: \$72,358.00 for partial payment of utilities.

From Historic Preservation Fund 0215 to Trolley Department Fund 0610: \$50,000.00 for support of trolley operational expenses

From Historic Preservation Fund 0215 to Revolving Loan Fund 0216: \$800,000.00 for programs.

Dated this 20th day of December, 2022

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

**NEW BUSINESS**

**Second Reading**

Finance Officer McKeown explained the changes to the following funds: General Fund, Historic Preservation, Parking and Transportation and TIFS. Struble moved, Todd seconded to approve second reading of Ordinance #1362 2022 Budget Supplement as amended. Roll Call: Aye-All. Motion carried.

**Frist Reading**

Zoning Administrator Russell spoke about the amendment concerning The Ridge. Martinisko moved, Johnson seconded to approve first reading of Ordinance#1363, Amending Title 17, Zoning. Roll Call: Aye-All. Motion carried.

**First Reading**

Russel stated the current moratorium is set to expire so this will extend for another 180 days to allow the task force to meet and come back to the Commission with a recommendation.

Martinisko moved, Struble seconded to approve first reading of Ordinance #1364 to extend Ordinance #1355 for an additional 180 days – Temporary Moratorium for Additional Short-Term Rentals in the following zoning districts: Residential (R1), Residential Multi-Family (R2), Planned Unit Development (P.U.D.), Public Use, Park Forest. Roll Call: Aye-All. Motion carried.

**Final Plat**

Russell explained the final plat. He explained ownership should be DMD Construction and not WJP Holdings. Martinisko moved, Johnson seconded to act as Board of Adjustment and approve final plat for 117 Mystery Wagon Road, legally described as: Lots 10A and 10B, Block 4A of Palisades Tract of Deadwood Stage Run Addition to The City of Deadwood formerly Lot 10, Block 4A 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., Cit of Deadwood, Lawrence County, South Dakota. Approved by the Planning and Zoning Commission on December 7, 2022. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, DECEMBER 20, 2022**

Final Plat

Russell explained the final plat. Martinisko moved, Struble seconded to act as Board of Adjustment and approve final plat for Deadwood Stage Run Park, legally described as: Plat of Deadwood Stage Run Park Lots of Palisades Tract of Deadwood Stage Run Addition to The City of Deadwood all 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. Approved by the Planning and Zoning Commission on December 7, 2022. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Commission thanked staff for their efforts during the snowstorm.

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

Commission and Dept. Heads thanked Russell for his service to the City and wished him well.

ADJOURNMENT

Todd moved, Struble seconded to adjourn the regular session at 5:25 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 Tuesday, January 3, 2023 at 5:00 p.m.

Struble secluded herself after regular session and did not stay for executive.

After coming out of executive session at 6:02 p.m.

Permission to terminate Robert Domogalski from the Police Department effective December 20, 2022. Roll Call: Aye-All. Motion carried.

Permission to advertise in-house for 5 days and then in official newspaper for a full-time patrol officer position. (\$25.79 per hour Certified and \$23.22 for Non-Certified.) Roll Call: Aye-All. Motion carried.

Permission to advertise in-house for 5 days and then in official newspaper, if needed, for Public Buildings Superintendent at \$24.00-\$26.00 per hour (D24-D26) depending on experience and qualifications. Roll Call: Aye-All. Motion carried.

Permission to advertise in-house for 5 days and then in official newspaper, if needed, for Parks Superintendent at \$24.00-\$26.00 per hour (D24-D26 rank) depending on experience and qualifications. Roll Call: Aye-All. Motion carried.

Permission to hire Kathryn Bogner as Rec. Center Assistant Director/Program Coordinator at \$19.00 per hour (D19 rank) at \$19.00 per hour effective December 25, 2022. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to adjourn.

ATTEST:

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

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

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

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