

REGULAR MEETING, FEBRUARY 6, 2023

The Regular Session of the Deadwood City Commission convened on Monday, February 6, 2023 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

Martinisko moved, Struble seconded to approve the minutes January 17, 2023. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the February 6, 2023 disbursements as amended. Roll Call: Aye-All. Motion carried.

1000BULBS.COM	SUPPLIES	242.06
A & B BUSINESS SOLUTIONS	CONTRACT	508.51
A & B WELDING	SUPPLIES	396.81
A & I DISTRIBUTORS	SUPPLIES	931.13
ACE HARDWARE	SUPPLIES	27.67
AMAZON CAPITAL	SUPPLIES	1,386.46
BARRY'S ELECTRIC	SERVICE	1,592.65
BELL, DYLAN	REIMBURSEMENT	252.13
BH CHEMICAL	SUPPLIES	1,045.20
BH PIONEER	SERVICE	281.69
BH SECURITY	SERVICE	543.83
BH WINDOW CLEANING	SERVICE	1,050.00
BLUEPEAK	SERVICE	4,230.06
CERTIFIED LABORATORIES	SUPPLIES	436.60
CHAINSAW CENTER	SUPPLIES	975.09
CODE WORKS	SERVICE	13,385.89
CRAMER MARKETING	SUPPLIES	255.19
CREATIVE PRODUCT SOURCING	SUPPLIES	971.74
CULLIGAN	SUPPLIES	116.25
CURTIS BLUE LINE	SUPPLIES	330.67
DAR, VICKI	REIMBURSEMENT	20.00
DAYS INN WATERTOWN	LODGING	385.00
DEADWOOD CHAMBER	BILL LIST	18,875.00
DEADWOOD GAMING	BID #8	55,000.00
DEADWOOD HISTORY	AD	204.92
DEMCO	SUPPLIES	201.80
DOG WASTE DEPOT	SUPPLIES	299.98
EAGLE ENTERPRISES	SUPPLIES	8,800.00
EAGLESON, CHARLES	REIMBURSEMENT	177.08
EBSCO	SUPPLIES	148.49
FASSBENDER COLLECTION	OPERATIONS	20,000.00
FETTER, CHARLES	REIMBURSEMENT	68.00
FIRST NET	SERVICE	240.24
FLOYD'S TRUCK CENTER	SUPPLIES	935.90
G&G GARBAGE	RENTAL	106.25
GALLS	UNIFORMS	255.43
GLOBAL INDUSTRIAL	SUPPLIES	200.90
GLOVER, SANDY	REIMBURSEMENT	257.72
GLOVER, WILLIAM	REIMBURSEMENT	68.00
GOLDEN WEST	SERVICE	1,874.35
H&S UNIFORMS AND EQUIPMENT	SUPPLIES	90.00
HAMPTON INN	LODGING	392.00
HAWKI, KEN	REIMBURSEMENT	257.72
HAWKINS	SUPPLIES	1,730.99
HIGH PLAINS REMODELS	REPAIR	3,897.63
HILLYARD	SUPPLIES	431.28
HOMETOWN MANUFACTURING	SERVICE	353.67
IPS GROUP	SERVICE	1,393.06
IT STRAPS ON	SUPPLIES	146.34
JACOBS WELDING	SERVICE	2,080.22
JLG ARCHITECTS	PROJECT	33,625.00
KIMBALL MIDWEST	SUPPLIES	363.16
KLJ ENGINEERING	BID #8	52,875.00
KONE CHICAGO	MAINTENANCE	537.17
KT CONSTRUCTION	PROJECT	9,000.00
KUCHENBECKER, KEVIN	REIMBURSEMENT	20.00
LAWRENCE CO. REGISTER	SERVICE	60.00
LAWSON PRODUCTS	SUPPLIES	264.33
LBT	CARRIER KITS	7,325.00
LINDSTAD'S ALIGNMENT	SERVICE	50.00
LYNN'S	SUPPLIES	764.20
MED-TECH RESOURCE	SUPPLIES	264.93
METERING & TECHNOLOGY	SUPPLIES	290.24
MIDWEST TAPE	SUPPLIES	67.47
MODERN OFFICE	FURNITURE	3,299.00
MDU	SERVICE	22,763.76
MONUMENT HEALTH	SERVICE	485.00
MS MAIL	SERVICE	712.78
MUTUAL OF OMAHA	INSURANCE	255.15
NATIONAL MAIN STREET CENTER	RENEWAL	295.00
NATIONAL TRUST FOR HISTORIC	MEMBERSHIP	250.00
NUCKLES, LES	REIMBURSEMENT	54.00

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ODP BUSINESS SOLUTIONS	SUPPLIES	1,108.10
OLSON TOWING	SERVICE	1,400.00
OLSON, JAMES	REIMBURSEMENT	43.27
OVERHEAD DOOR CO.	DOOR	5,610.00
OWENS INTERSTATE SALES	SUPPLIES	233.88
PCNATION	SUPPLIES	3,854.30
PEARSON, TRAVIS	REIMBURSEMENT	54.00
PLUMBING DESIGN	SERVICE	551.02
PONCE DE LEON, RAUL	REIMBURSEMENT	243.00
POOL & SPA CENTER	SERVICE	120.00
QUALITY TINTS	SERVICE	933.78
QUIK SIGNS	SERVICE	294.50
RASMUSSEN MECHANICAL	SERVICE	15,952.78
RUTH JR., DAVID	REIMBURSEMENT	177.08
S AND C CLEANERS	CLEANING	9,263.00
SANFORD, TY	REIMBURSEMENT	54.00
SD DEPT. OF REVENUE	TRANSFER	75.00
SD DEPT. OF REVENUE	TAX	2,648.30
SD DEPT. OF TRANSPORTATION	INSPECTION	868.17
SD FIREFIGHTERS ASSN.	MEMBERSHIP	800.00
SD MUNICIPAL LEAGUE	CONFERENCE	150.00
SOUTH DAKOTA 811	SERVICE	262.08
STURDEVANT'S	SUPPLIES	2,398.29
STURGIS RESPONDER SUPPLY	UNIFORMS	139.98
SUNSHINE TOWING	SERVICE	170.00
TELLINGHUISEN, ROGER	LOBBYING FEES	20,040.00
THE LORD'S CUPBOARD	RECYCLING	95.37
TRIPLE K TIRE	SERVICE	58.98
TURBIVILLE INDUSTRIAL	SERVICE	239.30
TWIN CITY CLOTHING CENTER	ALLOCATION	2,500.00
TWIN CITY HARDWARE	SUPPLIES	2,696.31
TWIN CITY HARDWARE	GRANTS	22.74
TYLER BUSINESS FORMS	SUPPLIES	135.07
USA BLUEBOOK	SUPPLIES	177.25
VERIZON WIRELESS	SERVICE	747.75
VIEHAUSER ENTERPRISES	SERVICE	3,561.76
VIGILANT BUSINESS SOLUTION	SERVICE	117.00
WELLMARK	INSURANCE	47,606.18
WEST PLAINS ENGINEERING	PROJECT	1,025.00
WESTERN COMMUNICATIONS	SERVICE	458.50
WIERINGA, ANNE	REIMBURSEMENT	68.00

Total \$408,426.53

ITEMS FROM CITIZENS ON AGENDA

Safety Award

Police Chief Mertens presented safety awards to Trent Rachetto and Trevor Tridle for providing outstanding contributions to the City of Deadwood for providing safety to clear sidewalks during a recent snowstorm. Commissioner thanked them for their service.

Presentation

Mike Towey, Towey Design Group, spoke about Task 1 of the Deadwood Water Modeling Study. He spoke about the concerns about the size of the current water system, potential expansion and Denver Avenue Water Booster Pump. Commissioner Martinisko stated next phase if approved would be to help identify solutions to the potential new subdivisions. Commissioner Todd asked about the timeframe before we have to add another tank and booster. Mr. Towey said there is some flexibility with the booster pump and will not have an exact date or time frame. Commission thanked him for his time.

CONSENT

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

- A. Permission to advertise in-house for 5 days and then in official newspaper for part-time trolley drivers at \$15.66 per hour.
- B. Permission to approve revised Sections 2.2, 2.3.3 and 2.18.2 General Policies in the employee handbook effective February 1, 2023.
- C. Permission to advertise in-house for 5 days for part time (29 hours per week with 1/2 benefits per employee policy) Rec center front desk receptionist at \$14.33 per hour.
- D. Permission to hire Kurt Nolan as full-time (certified) patrol officer at \$25.79 per hour effective March 13, 2023 pending pre-employment screening.
- E. Acknowledge difference of \$1,785.22 to Rasmussen for installation of pool heater. Total project of \$20,000.00 was approved on September 19, 2022.
- F. Permission to pay Rasmussen Mechanical in the amount of \$3,110.24 for repairs to heating units at City Hall. (To be paid by Public Buildings repair budget.)
- G. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Steven Palmer.

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- H. Permission to pay Metering & Technology for commercial water meter for the Lawrence County Building in the amount of \$3,556.10. (To be paid by Water supplies budget with reimbursement from Lawrence County.)
- I. Permission to pay Blackstrap in an amount not to exceed \$4,800.00 for 26 tons of road salt. The price is currently \$169.00 a ton delivered. Tonnage can vary. (To be paid out of the Streets Supply Budget.)
- J. Permission to pay High Plains remodeling in the amount of \$3,897.63 for repairs in women's bathroom at Days of 76 arena due to water damage. (Expense will be reimbursed thru City insurance claim.)
- K. Permission for the Mayor to sign contract with Jaci Conrad Pearson for 2023 Oral History project with the Historic Preservation Office (Project approved by City Commission on January 17, 2023).
- L. Permission for the Mayor to sign contract with Don Toms for 2023 Ledger indexing project with the Historic Preservation Office (Project approved by City Commission on January 17, 2023).
- M. Grant permission for Fire Department to apply for SD Wild Land VFA grant (50/50 match) to purchase radios and wildland fire gear, city portion not to exceed \$17,000.00.
- N. Permission to pay invoice from Metering & Technology solutions in the amount of \$3,304.27 for water meter parts and supplies. (To be paid by Water supplies budget.)
- O. Permission to pay the City of Lead in the amount of \$4,618.69 for 1/2 of 2022 Twin City Animal Shelter expenses.
- P. Permission to make first-half of 2023 budget allocation to Deadwood Lead Economic Development in the amount of \$24,000.00 from Bed and Booze Fund.
- Q. Permission to pay Golden West Technology \$6,018.51 for 3 year renewal of Sonic Wall Gateway security. (To be paid by IT Professional Services.)
- R. Permission to pay High Tines Building & Design in the amount of \$2,965.31 for floor leveling, grinding and tiling the women's bathroom at the Rec Center. (To be paid from Public Buildings Rec Center repair budget.)
- S. Permission to pay annual assessment dues to Black Hills Council of Local Governments in the amount \$2,740.00. (To be paid from Commission Professional Services.)
- T. Acknowledge issuance of City of Deadwood Medical Cannabis license to From the Hills at 460 Main St.

PUBLIC HEARINGS

Set

Martinisko moved, Johnson seconded to set public hearing on February 21 for Retail (on-off sale) (July 2023-2024) Malt Beverage and Retail (on-off sale) Wine (2023) Licenses for Sportsbook Deadwood LLC dba The Landmark Casino at 51 Sherman Street. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on February 21 for Retail (on-off sale) Wine License for Clark & Apex LLC at 612-614 Main Street. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to set public hearing for Wednesday Night Concert Series. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Certification

Historic Preservation Officer Kuchenbecker spoke about the certification. Martinisko moved, Johnson seconded to allow Mayor to sign Planned Unit Development Certification for The Ridge development as required under DCO Chapter 17.72.090. Roll Call: Aye-All. Motion carried.

Contract

Public Works Director Stadler spoke about the modeling study. Martinisko moved, Johnson seconded to enter into contract with Towey Design Group to complete Task 2 of the Deadwood Water Modeling Study at a cost of \$24,905.00. (To be paid from Water Department professional services budget.) Roll Call: Aye-All. Motion carried.

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Lease

Kuchenbecker spoke about the supplement. Johnson moved, Struble seconded to allow Mayor to sign lease supplement with CommNet Cellular, Inc. d/b/a Verizon Wireless for Outlaw Square for the planned installation of a small cell. Mayor Ruth Jr. stated this is a step towards better cellular service during special events. (First amendment to land lease approved by City Commission on April 6, 2020.) Roll Call: Aye-All. Motion carried.

Resolution

Finance Officer McKeown spoke about the expenditures. Martinisko moved, Johnson seconded to approve Resolution 2023-05 Establish Cash Designations Roll Call: Aye-All. Motion carried.

Resolution 2023-05

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, 2022:

General Fund Designated for Equipment Replacement-	
Streets Department	\$ 60,000.00
Parks Department	\$ 12,000.00
General Fund Designated for Fire Truck:	\$ 693,509.00
Business Improvement District #7 Designated for Convention Center:	\$ 371,328.40
Parking and Transportation Designation for Trolley Replacement:	\$ 181,168.00

Dated this 6th day of February, 2023

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Rescind Approval

McKeown spoke about the license. Martinisko moved, Johnson seconded to rescind approval of Retail (on-off sale) Malt Beverage License and refund the amount of \$300.00 for West River Whiskey Company LLC at 644 Main Street (Public hearing was held January 17, 2023.) Roll Call: Aye-All. Motion carried.

Permission

Fire Chief Hamann spoke about the repair. Todd moved, Struble seconded to expend up to \$10,000.00 to Patriot Fire for repairs and service to the Spartan ladder truck. (To be paid from Fire Dept. repair budget.) Roll Call: Aye-All. Motion carried.

Payments

McKeown explained the payments. Martinisko moved, Johnson seconded to pay the 2023 leased equipment payments (attached) as indicated on lease contracts/schedules. (To be paid from Public Works equipment budgets.) Roll Call: Aye-All. Motion carried.

Permission

Struble moved, Martinisko seconded to pay Huntington Bank for trolley annual leases. Trolley 1-\$48,815.55, Trolley 2-\$39,227.97, Trolley 3-\$33,681.45, Trolley 4-\$48,815.55 and Trolley 5-\$39,227.97. Total amount of \$209,768.49. 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 March 1, 2023. No action approves.
- B. Next meeting will be held on Tuesday, February 21, 2023 due to observance of President's Day.

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.

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ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:34 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 Tuesday, February 21, 2023 at 5:00 p.m.

Todd excused himself at 6:08 p.m.

After coming out of executive session at 6:15 p.m.

Martinisko moved, Johnsons seconded to purchase 5,500 gallons of diesel from Southside Oil, at a price of \$3.77 per gallon. Roll Call: Aye-All. Motion carried.

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 _____