

**REGULAR MEETING, March 21, 2022**

Mayor Ruth Jr. explained the process of Commission Meetings to the Class of 2024 for Government Day.

The Regular Session of the Deadwood City Commission convened on Monday, March 21, 2022 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 Katelyn A. Cook, 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 March 7, 2022. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Struble moved, Todd seconded to approve the March 21, 2022 disbursements. Roll Call: Aye-All. Motion carried.

ACE HARDWARE	SUPPLIES	90.76
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,215.22
ADAMS SALVAGE RECYCLING	SERVICE	26.79
ALBERTSON ENGINEERING	PROJECT	5,943.44
ALPINE IMPRESSIONS	SERVICE	150.00
ALSCO	SUPPLIES	1,060.50
AMAZON CAPITAL	SUPPLIES	1,137.00
AMAZON	SERVICE	199.58
AMERICAN ENGINEERING	TESTING	1,924.25
ANCESTOR CONCRETE	PROJECT	9,970.00
ANFINSON, BONNY	REIMBURSEMENT	30.00
ATCO INTERNATIONAL	SUPPLIES	142.30
BEAR BUTTE CREEK HIST.PRES	GRANT	3,200.00
BERG, DALE	REIMBURSEMENT	30.00
BIERSCHBACH EQUIPMENT	SUPPLIES	334.80
BH CHEMICAL	SUPPLIES	1,348.36
BH ENERGY	SERVICE	30,749.04
BH PIONEER	SERVICE	947.64
BH TRUCK & TRAILER	SUPPLIES	246.62
BLACKSTRAP	SUPPLIES	7,628.85
BOYS & GIRLS CLUB	FUNDING	5,000.00
BRIDGER STEEL	PROJECT	883.08
BUTLER MACHINERY	SERVICE	210.00
CNA SURETY	NOTARY RENEWAL	50.00
CONVERGINT TECHNOLOGIES	SERVICE	760.20
CORE & MAIN	SUPPLIES	175.62
CULLIGAN	SUPPLIES	61.50
DAKOTA TITLE	SERVICE	240.00
DEADWOOD CHAMBER	BILL LIST	71,172.60
DEADWOOD ELECTRIC	SERVICE	1,924.62
DEADWOOD MAIN	PROJECT	106,361.80
DIEDE, LEO	REIMBURSMENT	30.00
ECOLAB	SERVICE	254.73
FERBER ENGINEERING	SERVICE	980.45
FIB CREDIT CARDS	SUPPLIES	2,835.03
FIRST BAPTIST CHURCH	GRANT	13,890.00
FIRST INTERSTATE BANK	TIF #8	210,641.02
FRONTIER GLASS	SERVICE	397.69
GALLS	SUPPLIES	42.15
GENPRO ENERGY SOLUTIONS	SERVICE	215.06
GOLDEN WEST	SERVICE	2,486.00
GUNDERSON, PALMER, NELSON	SERVICE	2,491.50
HEBRON BRICK SUPPLY	PROJECT	6,679.83
HOMETOWN MANUFACTURING	SUPPLIES	574.15
HUNTINGTON	TROLLEYS	121,724.97
IPS GROUP	SERVICE	12,140.75
JACOBS WELDING	SERVICE	137.48
KUCHENBECKER, KEVIN	REIMBURSEMENT	30.00
LAKOTA CONTRACTING	SUPPLIES	442.50
LAWRENCE CO. REGISTER	SERVICE	570.00
LAWRENCE CO. TREASURER	SERVICE	212.16
LAWSON PRODUCTS	SUPPLIES	475.33
LEAD-DEADWOOD SANITARY	SERVICE	27,368.08
LIBERTY NATIONAL BANK	TIF #9	135,121.70
LTAS TECHNOLOGIES	SERVICE	5,000.00
MACQUEEN EMERGENCY	SERVICE	257.50
MARCO	CONTRACT	204.95
MEINERS DRYWALL	PROJECT	400.00
MENARD'S	SUPPLIES	771.68
METERING & TECHNOLOGY	SUPPLIES	1,094.89
MIDWEST TAPE	SUPPLIES	115.20
MORSE, MARCIA E.	MORTGAGE EXPENSE	77.45
MS MAIL & MARKETING	SERVICE	2,163.52
NARTEC	SUPPLIES	354.12
NHS OF THE BLACK HILLS	CONTRACT	3,473.75
NORTHERN HILLS HOMES	SERVICE	2,704.00
NORTHERN HILLS TECHNOLOGY	SERVICE	454.00
NORTHWEST PIPE FITTINGS	SUPPLIES	111.34

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ONE WAY SERVICE PROS	PROJECT	10,552.18
PITNEY BOWES	POSTAGE	92.48
RASMUSSEN MECHANICAL	SUPPLIES	1,191.06
SANDER SANITATION	SERVICE	12,019.18
SCOTT PETERSON MOTORS	SERVICE	258.01
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF MOTOR VEHICLES	RENEWAL	17.00
SD DEPT. OF REVENUE	TAXES	2,788.28
SD DEPT. OF TRANSPORTATION	PROJECT	1,085.16
SOUTHSIDE OIL	FUEL	16,500.00
SOUTHSIDE SERVICE	SERVICE	266.95
SPEARFISH AUTO SUPPLY	SUPPLIES	7.28
STURDEVANT'S	SUPPLIES	3,020.88
THE LORD'S CUPBOARD	RECYCLING	62.00
TOBIN LIVESTOCK EQUIPMENT	SUPPLIES	6,183.27
TRINITY TACTICAL CONSULTIN	TUITION	250.00
TWIN CITY HARDWARE	SUPPLIES	349.32
VERIZON CONNECT	SERVICE	95.95
VIEHAUSER ENTERPRISES	SERVICE	14.00
VIGILANT BUSINESS SOLUTION	SCREENING	797.00
WILLIAMS, ANTHONY	SUPPLIES	30.00
WINTER & COMPANY	PROJECT	13,127.97
		Total \$908,675.07

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

- A. Allow use of public property for Deadwood Mickelson Trail Marathon: use of Sherman Street Lot Saturday June 4 through Sunday June 5 and use of Event Complex parking area on Sunday June 5, 2022 from 5:00 a.m. to 3:00 p.m. Deposit has been received.
- B. Allow use of public property at the Event Complex on Wednesday, June 8 through Sunday, June 12, 2022 for PBR Event. Deposit has been received.
- C. Approve Special Alcohol License for Saloon #10 to serve liquor at Event Complex from noon to 10:00 p.m. Friday, June 10 and Saturday, June 11, 2022 for PBR Event. No public hearing necessary since license is on publicly owned property.
- D. Allow use of public property for The Big Mick: use of Sherman Street Lot Saturday, June 11, 2022.
- E. Allow use of public property at the Event Complex for Lead Deadwood Youth Football and Cheer Friday, July 15 through Thursday, November 3, 2022 pending proof of insurance
- F. Allow use of public property at the Event Complex on Friday, September 17 and Saturday, September 17 and Sunday, September 18, 2022 for Black Hills Veterans March and Marathon. Deposit has been received.
- G. Allow use of public property at the Event Complex on Saturday, July 9 through Friday, July 15, 2022 for 3-Wheeler Rally Event. Deposit has been received.
- H. Approve Special Alcohol License for First Gold to serve liquor at Event Complex Sunday, July 10 through Thursday, July 14 2022 from 11:00 a.m. to 10:00 p.m. for 3-Wheeler Rally Event. No public hearing necessary since license is on publicly owned property.
- I. Permission to pay Montana Dakota Utilities in the amount of \$4,265.00 for gas service extension at the Deadwood Event Complex from HP capital assets line item.
- J. Permission to hire Rasmussen Mechanical Service to replace the compressor at the Pluma Gateway building for an amount not to exceed \$3,319.00. (To be paid from Public Buildings budget.)
- K. Appoint the following residents to serve on election board for April 12, 2022; Georgeann Silvernail as superintendent at \$204.00, Marlene Todd and Deb Maynard as clerks at \$180.00, with additional \$20.00 each for attending election school.
- L. Acknowledge purchase of MuniCode products - Code of Ordinances, MuniDocs and MuniPRO - at an annual cost of \$1,845.00 to be paid within the following budgets: HP, P&Z, IT and Commission.
- M. Permission for parks department to order 2022 Dodge Ram 1500 from Wegner Auto Company with state bid pricing of \$31,697.00. (To be paid from Parks equipment budget.)

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- N. Permission to pay Rasmussen Mechanical in the amount of \$7,627.26 for A/C unit replacement at the Adams House. Previously approved on June 21, 2021 but amount was incorrectly quoted. (To be paid from HP Capital Asset budget.)
- O. Permission to pay BlackStrap in the amount of \$4,316.75 for road salt. (To be paid from Streets supplies budget.)
- P. Permission to enter into contract with Archaeo-Physics, LLC for geophysical investigations at Gordon Park, Oakridge Cemetery and 66 Taylor Avenue at a cost of \$11,990.00 to be paid equally from HP Archaeology, Oakridge and Mt. Moriah Cemetery Funds.
- Q. Approve the annual contract for services with the South Dakota State Historical Society's Historic Preservation Office at a cost of \$70,000.00 as budgeted in the 2022 HPC budget.
- R. Permission to enter into contract with Berberich Design Group for the development of a Pedestrian Wayfinding system in the amount of \$11,495.00 from the HP professional services line item.
- S. Acknowledge receipt of Deadwood Public Library 2021 annual report which has been submitted to the SD State Library.
- T. Permission to accept resignation from Baylee Schultz for Library Assistant II position effective April 2, 2022.
- U. Permission to advertise in house for 5 days and then official newspaper for Library Assistant II position at \$13.27 per hour.
- V. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Robyn Novotny.
- W. Permission for Fire Department to expend up to \$2,535.00 for six portable radios/pagers and bay charger from Western Communications. (To be paid from Fire Department equipment budget.)
- X. Permission for Mayor to sign Work-Based Learning Program Agreement with Boxelder Job Corps.
- Y. Acknowledge 63-month lease with Quadient Leasing (thru Midwest Connect) for a new postage meter with quarterly payments of \$245.46. Pitney Bowes lease was terminated on March 15, 2022.
- Z. Permission to pay Otis Elevator Company in the amounts of \$5,596.00 and \$2,625.00 for repair to the elevator door sensor edge and replacement of the guide shoes at the Adams Museum. (To be paid from Public Buildings repair budget.)
- aa. Acknowledge Deadwood Fire Dept. 2021 Annual Report
- bb. Permission to enter into Agreement with Straight Line Striping to Paint all parking lines in the Broadway Parking Garage in the amount of \$2,849.23. (To be paid from Parking & Transportation.)
- cc. Permission to enter into Agreement with Straight Line Striping to paint all curbs, crosswalks, and parking lines on Main Street, Sherman Street and side streets in the amount of \$7,728.24. (To be paid from Parking and Transportation budget.)
- dd. Permission to hire Kyle Kooima as a part-time trolley driver at \$13.50 per hour pending pre-employment screening, effective March 28, 2022.
- ee. Make 2022 budget allocation to Teen Court in the amount of \$8,500.00. (\$4,500.00 paid from Bed and Booze and \$4,000.00 from Police.)

## **BID ITEMS**

### **Permission**

Public Works Director stated no bids were received for Days of '76 Concession and Restrooms. Finance Officer McKeown stated City could request quotes per SDCL. Martinisko moved, Johnson seconded to acknowledge no bids received and direct staff to receive quotes for Days of '76 Concession and Restrooms. Roll Call: Aye-All. Motion carried.

## **PUBLIC HEARINGS**

### **Mickelson Trail Marathon Post Party**

Public hearing was opened at 1:04 p.m. by Mayor Ruth Jr. Bobby Rock, Outlaw Square, was available to answer questions, hearing closed.

Martinisko moved, Struble seconded to approve open container in zone 4: Outlaw Square only from 2:00 p.m. to 5:00 p.m. on Sunday, June 5, 2022. Roll Call: Aye-All. Motion carried.

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### **PBR**

Public hearing was opened at 1:06 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Todd moved, Martinisko seconded to approve open container from noon to 10:00 p.m. on Friday, June 10 and Saturday, June 11, 2022 at Event Complex. Roll Call: Aye-All. Motion carried.

### **Wild Bill Days**

Public hearing was opened at 1:07 p.m. by Mayor David Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Struble moved, Todd seconded to approve street closure on Main Street, Deadwood to Pine at 9:00 a.m. on Thursday, June 16 through 10:00 p.m. Saturday, June 18; street closure on Main Street, Wall to Deadwood from 2:15 p.m. on Thursday, June 16 through 2:00 a.m. on Sunday, June 19; motorcycle parking on Main Street from Wild Bill Bar to Nugget Saloon and in front of Mineral Palace from 8:00 a.m. to 10:00 p.m. Friday, June 17 and Saturday, June 18, open container in zones 1 and 2 Thursday, June 16 and Friday, June 17 from 5:00 p.m. to 10:00 pm, and Saturday, June 18 from noon to 10:00 p.m., use of public property Friday, June 17 for Midnight Cowboy 5K, waiver of banner and vending fees Friday, June 17 and Saturday, June 18 for the following non-profits: Deadwood Chamber and Northern Hills Alliance for Children. Roll Call: Aye-All. Motion carried.

### **CFDA Nationals/Cowboy Fastdraw**

Public hearing was opened at 1:08 p.m. by Mayor David Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Johnson moved, Struble seconded to approve waiver of user fees at Event Complex on Wednesday, June 15 through Saturday, June 18, 2022. Roll Call: Aye-All. Motion carried.

### **3-Wheeler Rally**

Public hearing was opened at 1:10 p.m. by Mayor David Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Martinisko moved, Johnson seconded to approve street closure on Main Street from Wall St. to Deadwood St. for motorcycle parking Wednesday, July 13 from 11:15 a.m. to 2:00 p.m.; street closure on Main Street for parade Thursday, July 14 at 8:30 p.m. until parade ends and open container at Event Complex Sunday, July 10 through Thursday, July 14, 2022 from 11:00 a.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

### **Annexation**

Martinisko moved, Johnson seconded to acknowledge cancelation of public hearing for Resolution of Intent to Annex Property contiguous to Deadwood on Highway 85 near Preacher Smith and set public hearing on April 4, 2022. Legally described as follows: Lot A of Lot H2 & H3 of Government Lot 13 and Lot H4 of Government Lot 19 of Section 11, - AND - Lot B of Lot H2, H3 & H4 of Government Lot 3 & Lot H4, H5 and H6 of Government Lot 11 of Section 14. All Located in Sections 11 & 14, TSN, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Planning and Zoning Administrator Russell stated there was an issue with the plat process. Roll Call: Aye-All. Motion carried.

### **Annexation**

Public hearing was opened at 1:12 p.m. by Mayor David Ruth Jr. Bill Pearson, Developer was available to answer questions. Commissioner Martinisko asked where the land is located at in Stage Run. Russell stated off Mystery Wagon Road. Hearing closed. Todd moved, Struble seconded to approve Resolution of Intent to Annex Property contiguous to Deadwood near Stage Run. Roll Call: Aye-All. Motion carried.

### **Set**

Struble moved, Martinisko seconded to set public hearing on April 4 for street closure on Gold Street between Main Street and Broadway Alley. Roll Call: Aye-All. Motion carried.

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**NEW BUSINESS**

**Hire**

Historic Preservation Officer Kuchenbecker spoke about the project. Martinisko moved, Johnson seconded to hire Tree Wise Men, LLC in the amount of \$17,750.00 for general pruning of dead and damaged branches at Mt. Moriah Cemetery to be paid by the Historic Cemeteries enterprise fund. Roll Call: Aye-All. Motion carried.

**Contract**

Kuchenbecker spoke about the project. Johnson moved, Struble seconded to enter into contract with Visionary Landscaping in the amount not to exceed \$15,000.00 for the 2022 season of vegetation management at Mt. Moriah Cemetery and St. Ambrose Cemetery to be paid from the Historic Cemeteries enterprise fund. Roll Call: Aye-All. Motion carried.

**Purchase**

Russell spoke about the purchase. Martinisko moved, Johnson seconded to purchase eleven MS1 parking kiosks from IPS Group in the amount of \$89,473.50 to be used in the Welcome Center and Sherman Street parking lots. (Recommended approval by the Parking and Transportation Committee on March 10, 2022. To be paid from P&T equipment line item. Roll Call: Aye-All. Motion carried.

**INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS**

Sarah Anderson thanked the city for their assistance during St. Patrick's Day Events.

Department Heads and Commission thanked the city staff, teachers and Class of 2024 for Government Day activities.

Attorney Cook requested Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25(1) with possible action.

**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) with possible action. The next regular meeting will be on Monday, April 4, 2022 at 5:00 p.m.

After coming out of executive session at 2:08 p.m., Martinisko moved, Todd seconded to adjourn.

ATTEST:

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

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

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

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