

REGULAR MEETING, OCTOBER 3, 2022

The Regular Session of the Deadwood City Commission convened on Monday, September 19, 2022 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commission President Gary Todd called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners Michael Johnson and Sharon Martinisko. Mayor David Ruth Jr. and Commissioner Charlie Struble were absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Martinisko moved, Johnson seconded to approve the minutes of September 6, 2022. Roll Call: Aye-All. Motion carried.

SEPTEMBER, 2022 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$23,065.59; PUBLIC BUILDINGS, \$10,675.94; POLICE, \$89,738.42; FIRE, \$4,919.28; BUILDING INSPECTION, \$4,498.80; STREETS, \$21,744.88; PARKS, \$30,778.17; PLANNING & ZONING, \$7,463.26; LIBRARY, \$6,534.22; RECREATION CENTER, \$20,679.88; HISTORIC PRESERVATION, \$21,780.98; WATER, \$17,334.23; MT. MORIAH, \$4,379.10; PARKING METER, \$10,430.92; TROLLEY, \$18,825.42; PARKING RAMP, \$2,461.58. **PAYROLL TOTAL: \$298,041.43.**

SEPTEMBER, 2022 PAYROLL PAYMENTS:

Internal Revenue Service, \$71,851.25; S.D. Retirement System, \$33,080.06; Delta Dental, \$4,167.64.

APROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the September 19, 2022 disbursements as amended. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	588.11
A & I DISTRIBUTORS	SUPPLIES	137.96
ACE HARDWARE	SUPPLIES	48.55
ALSCO	SUPPLIES	4,247.71
AMAZON CAPITAL	SUPPLIES	879.62
AMAZON	SERVICE	200.38
AMERICAN ENGINEERING	PROJECT	663.90
AMERICAN RED CROSS	SUPPLIES	35.00
ANCESTOR CONCRETE	PROJECT	4,800.00
ARCHIVAL METHODS	SUPPLIES	1,112.27
BH BUILDERS	PROJECT	4,235.19
BH CHEMICAL	SUPPLIES	863.98
BH SECURITY	SERVICE	2,757.15
BH VETERANS MARCH	REFUND	500.00
BH WINDOW CLEANING	SERVICE	901.00
BLOOMERS	SUPPLIES	54.99
BLUEPEAK	SERVICE	4,271.88
BOMGAARS	SUPPLIES	319.97
BRANDON INDUSTRIES	SUPPLIES	279.00
CARROT-TOP INDUSTRIES	SUPPLIES	406.41
CARTER FMX	REFUND	1,100.00
CENTENNIAL STONE CHURCH	GRANT	10,000.00
CHAINSAW CENTER	SUPPLIES	55.25
CITY OF LAKE PRESTON	GRANT	8,400.00
CPS DISTRIBUTORS	SUPPLIES	1,738.28
DAYS OF '76	REFUND	1,100.00
DVFD	AWARDS	400.00
DEADWOOD GAMING	BID #8	10,000.00
DEADWOOD HISTORY	SERVICE	400.00
DEADWOOD-LEAD ECONOMIC	ALLOCATION	24,000.00
DRUMMOND, NICHOLAS	PROJECT	2,000.00
ECOLAB	SERVICE	103.27
FASTENAL	SUPPLIES	26.38
FIRST NET	SERVICE	171.56
GOLDEN WEST	SERVICE	1,376.22
IDENTISYS	SUPPLIES	653.40
JACOBS WELDING	SERVICE	439.76
JUNEKS SERVICE	SERVICE	3,568.40
JUSTICE FIRE & SAFETY	SERVICE	247.40
KNECHT	GRANTS	54.58
L.L. BEAN	SUPPLIES	197.80
LAKOTA CONTRACTING	UNIFORMS	80.35
LAWSON PRODUCTS	SUPPLIES	405.00
LYNN'S	SUPPLIES	144.20
MACQUEEN EMERGENCY	SERVICE	2,050.28
MARCO	CONTRACT	239.01
MICHAEL TODD & COMPANY	SUPPLIES	473.11
MIDWEST TAPE	SUPPLIES	77.47
MDU	SERVICE	4,393.97
MOTOROLA SOLUTIONS	SUPPLIES	239.68
NEDCC	SERVICE	560.00
NFPA	MEMBERSHIP	1,345.50

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NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
NORTHWEST PIPE FITTINGS	SUPPLIES	5,188.98
NOVA FITNESS EQUIPMENT	SERVICE	834.68
ONSITE FIRST AID	SUPPLIES	81.02
OTIS ELEVATOR	SERVICE	151.95
QUADIENT FINANCE	POSTAGE	500.00
QUIK SIGNS	SERVICE	115.65
QUILL	SUPPLIES	671.38
ROBITAILLE, PAUL	REIMBURSEMENT	281.40
RUNGE, MIKE	REIMBURSEMENT	50.06
S AND C CLEANERS	CLEANING	10,643.00
SACRISON ASPHALT	SERVICE	266.64
SCHMIDT, CHRIS	PROJECT	1,300.00
SCHMIDT, WILLIAM	BID #8	8,349.00
SCOTT PETERSON MOTORS	SUPPLIES	374.03
SD PUBLIC HEALTH LAB	SERVICE	211.00
SD STATE POETRY SOCIETY	MEMBERSHIP	40.00
SUMMIT FIRE PROTECTION	SERVICE	199.75
THE ARCHAEOLOGICAL CONSERV	MEMBERSHIP	30.00
THE LIBRARY STORE	SUPPLIES	919.98
THE LORD'S CUPBOARD	RECYCLING	79.35
THE PLUMBER	PROJECT	3,990.00
TOWEY DESIGN GROUP	PROJECT	3,654.70
TRAFFIC CONTROL	SUPPLIES	760.00
TRIPLE K	SUPPLIES	33.99
TRUGREEN	SERVICE	3,440.09
TWIN CITY HARDWARE	SUPPLIES	2,320.30
TWIN CITY HARDWARE	GRANTS	996.04
TWIN CITY HARDWARE	GRANTS	1,358.90
UNDERHILL, RON	PROJECT	6,018.86
VERIZON WIRELESS	SERVICE	748.42
VIEHAUSER ENTERPRISES	SERVICE	186.00
VIGILANT BUSINESS SOLUTION	SERVICE	141.50
WALKER CONSULTANTS	PROJECT	8,500.00
WARNE CHEMICAL & EQUIPMENT	SUPPLIES	6,069.00
WELLMARK	INSURANCE	44,976.95
WESTERN COMMUNICATIONS	SUPPLIES	2,036.82
		Total \$218,895.88

ITEMS FROM CITIZENS ON AGENDA

Years of Service

Asst. Fire Chief Rakow presented certificates to Sandy Glover, Francis Iverson and Anne Wieringa for 20 years of service as a volunteer firefighter. Chief also mentioned Richard Stanger for 20 years of service as a volunteer firefighter. Commission thanked them for their years of service.

Proclamations

Commissioner Todd read a proclamation declaring Monday, October 3 as World Habitat Day in the City of Deadwood. Richard Millikan spoke about his opportunity with Habitat for Humanity.

CONSENT

Martinisko moved, Johnson seconded to remove Item I for separate consideration and approve the following consent items. Roll Call: Aye-All. Motion carried.

- A. Permission to accept resignation of Jeffery Rodriquez as full-time patrol officer, with permission to remain as part-time patrol officer at \$23.22 per hour effective Oct 7, 2022.
- B. Permission to advertise in-house for 5 days and then in official newspaper for one full time patrol officer position. (\$25.79 per hour for Certified and \$23.22 for Non-Certified)
- C. Permission to advertise in-house for 5 days for water technician in the Water Department at \$23.00 per hour. (D23 rank)
- D. Accept resignation of Owen Wiser as Season Park Technician effective September 30, 2022.
- E. Negate removal of the following employees from payroll as they will remain on as part-time status: Joe Royall-McKeown (trolley) and Cristian Fierro (library.)
- F. Approve revised job description for Rec Center Assistant Manager/Program Coordinator. (Effective January 1, 2023.)
- G. Permission to hire Brian Swets as part time patrol officer at \$23.22 per hour effective October 4, 2022, pending per-employment screening.
- H. Permission to hire Michael Anderson and Ron Goldenstein as trolley drivers at \$14.50 per hour effective October 9, 2022 pending pre-employment screening.
- I. Removed for separate consideration in New Business.
- J. Permission to approve revised Section 7.13 City Holidays policy in the employee handbook effective October 1, 2022.

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- K. Permission for Mayor to sign contract with Monument Health Hospital for use of swimming pool from November 1, 2022 through October 31, 2023.
- L. Permission for Mayor to sign agreement with Lookout Plan and Code Consulting for building plan review.
- M. Permission for Mayor to sign renewal agreement with Terry Peak Ski Resort for billboard lease from November 1, 2022 to October 31, 2023 at rate of \$220.00 per month.
- N. Permission to hire MS Mail to print the 2023 City Calendars at a cost not to exceed \$3,500.00 with funding coming from Public Education and Block Club line items.
- O. Permission to purchase SimpleK software program from Gene's Lock Shop in an amount not to exceed \$2,975.00 for key management of City and Historical Preservations facilities. (To be paid from Public Buildings professional services budget.)
- P. Permission for the Mayor to sign the contract for 458 Williams Retaining Wall project with RCS Construction in the amount of \$82,000.00. (To be paid for HP City Retaining Wall line item and approved by City Commission on 09/06/2022.)
- Q. Permission for the Mayor to sign easement with Black Hills Energy for transformer at Event Complex for additional power for special events such as snocross.
- R. Permission for the Mayor to sign easement with Black Hills Energy at Public Library for ingress and egress for utility lines resulting from Retaining Wall project.
- S. Permission to pay McDirt Excavation in the amount of \$5,440.00 for emergency water leak repairs on Burnham Avenue (To be paid from Water Dept repair budget.)
- T. Permission to purchase 18" Floor Drill Press from Fastenal at a cost of \$2,751.59 to replace existing drill press. (To be paid from Streets Equipment budget.)
- U. Permission to pay Summit Fire Protection in the amount of \$4,254.00 for annual inspection of all fire extinguishers in City buildings. (To be paid out of Public Buildings professional service budget)
- V. Permission to pay Summit Fire Protection in the amount of \$3,058.00 for annual inspection of fire extinguishers at Fire Hall. (To be paid out of Fire Dept. professional service budget)
- W. Request free parking in all pay by plate fee areas excluding Broadway Parking Garage from Wednesday, November 23 thru Monday, December 26, 2022. All donations going to local non-profit organizations. (Approved by Parking and Transportation on Thursday, September 22)
- X. Permission to waive City pet licensing fees on Wednesday, October 12, 2022 for City-sponsored Pet Licensing Day at Welcome Center. Veterinarian will be on onsite from 3:00 p.m. - 6:00 p.m. to offer discounted pet vaccinations, as well.
- Y. Approve Resolution 2022-19 to Vacate a Portion of Section Line Right-Of-Way with updated legal description. Previously approved September 4, 2022.
- Z. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Gregg Maynard.
- AA. Permission for Mayor to sign a Memorandum of Understanding between the City of Deadwood, The City of Lead and the Lead-Deadwood School District for two School Resource Officers.
- BB. Permission to purchase 5,500 gallons of diesel from Southside Oil, at a price of \$4.12 per gallon. (To be paid from Streets Supply budget.)

BID ITEMS

Timm Lane Bridge

Commissioner Todd stated three bids were opened for Timm Lane Bridge as advertised. Bid bonds and acknowledge of Addendums 1 and LDs were included in the following bid submittals:

Corr Construction - \$673,721.66
Complete Concrete - \$847,338.57
Heavy Constructors - \$750,237.00

Finance Officer McKeown and City Attorney Riggins spoke about the project and bids. Martinisko moved, Johnson seconded to continue bid opening for Structure and Approach Grading PCN 075J – Project BRO8041(00)19-1 Timm Lane Bridge. Roll Call: Aye-All. Motion carried.

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Advertise

McKeown spoke about the state bid guidelines. Johnson moved, Martinisko seconded to advertise and accept bids for the 2022 or newer F-600 Ford Chassis 4X4 Regular Cab truck or equivalent for the Street Department Sander with bids due November 3 at 2:00 p.m. with result to City Commission on November 2, 2022. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

CDL Testing

Commissioner Martinisko spoke about the corrections. Martinisko moved, Johnson seconded to approve revised Section 6.11 CDL Testing Reimbursement policy in employee handbook effective October 15, 2022. Roll Call: Aye-All. Motion carried.

Permit

Planning and Zoning Administrator Russell spoke about the Conditional Use Permit. Dena Sandidge and Alec Keating, Keating Resources and Brad Burns, Chamberlin Architects were available to answer questions. Discussion was held concerning permit, parking, number of condominiums and casino. Martinisko moved, Johnson seconded to act as Board of Adjustment and approve the application for a Conditional Use Permit – Condominiums – Keating Resources at 51, 53, 55 Sherman Street. Legal Description: The Northern One Foot Six Inches (1'6") Of Lot 17, All of Lot 19, 21, 23, 25 and Vacated Alley Between Lots 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—3484, All Located In The SW1/4 Of Section 23, Township 5 North, Range 3 East Of The Black Hills Meridian, City Of Deadwood, South Dakota. (Recommend Approval by Planning and Zoning Commission on September 21, 2022.) Roll Call: Aye-All. Motion carried.

Second Reading

Planning and Zoning Administrator Russell stated no changes between first and second reading. Martinisko moved, Johnson seconded to approve second reading of Ordinance #1361. Roll Call: Aye-All. Motion carried.

Permission

Russell spoke about the retaining wall issues. Martinisko moved, Johnson seconded to allow Black Hills Energy to install temporary 3 Phase riser and overhead for Library Retaining Wall at a cost of \$18,828.86 and then to permanently remove pole and add 3 phase cabinet and pad at an additional cost of \$41,772.72 for total cost of \$60,584.58. (To be paid from HP – City Wall Retaining Wall Budget.) Roll Call: Aye-All. Motion carried.

Pay

Police Chief Mertens spoke about the purchase. Johnson moved, Martinisko seconded to pay Keltek in the amount of \$38,668.24 for six mobile data terminals with mounting hardware installed in police vehicles. Roll Call: Aye-All. Motion carried.

Install

McKeown spoke about the shed. Martinisko moved, Johnson seconded to construct and install small shed with electricity at Oakridge Cemetery for meeting with individuals during inclement weather at a cost not to exceed \$9,000.00. (Budgeted under Oakridge Cemetery.) Roll Call: Aye-All. Motion carried.

Pay

Johnson moved, Martinisko seconded to hire and pay Schmidt Construction in the amount of \$7,575.00 for replacement of concrete street panels at the intersection of Burnham Avenue and Pearl Street. (To be paid from Streets Department repairs budget.) Roll Call: Aye-All. Motion carried.

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Agreement

McKeown and Riggins spoke about the 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.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Barry Decker and Keith Ewy, residents, asked for an update on the parking for the residents and employees of Deadwood. Russell stated parking for residents and employee are still in the works. He spoke about the parking master plan for the city.

ADJOURNMENT

Johnson moved, Martinisko seconded to adjourn the regular session at 5:47 p.m. The next regular meeting will be on Monday, October 3, 2022 at 5:00 p.m.

ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____