

REGULAR MEETING, DECEMBER 20, 2021

The Regular Session of the Deadwood City Commission convened on Monday, December 20, 2021 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

Johnson moved, Struble seconded to approve the minutes of December 6, 2021. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Commissioner Martinisko read corrections to the bill list. Martinisko moved, Struble seconded to approve the December 20, 2021 disbursements as corrected. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	114.12
A & B WELDING	SUPPLIES	221.02
ACE HARDWARE	SUPPLIES	176.35
ADAMS MUSEUM & HOUSE	OPERATING	95,000.00
ADAMS SALVAGE RECYCLING	SERVICE	88.99
ALBERTSON ENGINEERING	PROJECT	4,284.34
AMAZON CAPITAL	SUPPLIES	648.67
AMAZON	SERVICE	201.59
AMERICAN ENGINEERING TESTING	PROJECT	1,628.00
AMERICAN LEGION EMBLEM	SUPPLIES	1,227.70
ANFINSON, BONNY	REIMBURSEMENT	79.12
ATCO INTERNATIONAL	SUPPLIES	309.10
BADGER METER	HOSTING	49.14
BERG, DALE	MEETINGS	385.00
BH ASPHALT	PROJECT	11,221.65
BH CHEMICAL	SUPPLIES	1,552.80
BH ENERGY	SERVICE	28,555.65
BH HARLEY DAVIDSON	SERVICE	1,008.91
BH LASER DESIGNS	PROJECT	192.00
BLACK HILLS PIONEER	SERVICE	1,511.48
BH SPECIAL SERVICES	CLEANING	2,000.00
BH WINDOW CLEANING	CLEANING	1,844.75
BOOKLIST	SUBSCRIPTION	169.50
BRUCE, DAVID	MEETINGS	280.00
BRUNSON, RONDA	REIMBURSEMENT	67.99
CARMODY, ROBIN	MEETINGS	420.00
CENTURY BUSINESS PRODUCTS	CONTRACT	288.54
CHAINSAW CENTER	SUPPLIES	375.45
CHAMBERLIN ARCHITECTS	PROJECT	7,257.12
CULLIGAN	SUPPLIES	34.00
DALES TIRE	SUPPLIES	659.92
DAR, VICKI	MEETINGS	140.00
DEADWOOD CHAMBER	BILL LIST	7,514.95
DEADWOOD CHAMBER	B&B FUNDS	73,931.97
DEADWOOD ELECTRIC	SERVICE	132.65
DVFD	REIMBURSEMENT	25.00
DEMCO	SUPPLIES	940.31
DIEDE, LEO	MEETINGS	490.00
EAGLE ENTERPRISES	SUPPLIES	1,033.52
EB COMMUNICATIONS	SERVICE	8,497.74
ESO SOLUTIONS	SERVICE	716.11
FIB CREDIT CARDS	SUPPLIES	4,210.44
FIRST INTERSTATE BANK	TIF #8 & #10	2,387.27
GALLS	SUPPLIES	14.18
GAYLORD BROS.	SUPPLIES	1,506.24
GLOVER, SANDY	REIMBURSEMENT	172.40
GOLDEN WEST	SERVICE	1,747.00
GOOD CONSTRUCTION	PROJECT	21,940.03
GOODE, BONITA	REIMBURSEMENT	517.06
GRAPHIC ENTERPRISES	SUPPLIES	515.04
GUNDERSON, PALMER, NELSON	SERVICE	3,645.00
HEIMAN	SUPPLIES	152.65
HOOPLA	SUPPLIES	1,000.00
IDENTISYS	SUPPLIES	624.40
INLAND TRUCK PARTS COMPANY	SUPPLIES	85.95
IPS GROUP	SERVICE	4,266.83
JACOBS WELDING	SERVICE	235.99
KEEHN, JOSH	MEETINGS	245.00
KNECHT	SUPPLIES	3,236.19
KNECHT	GRANTS	384.95
KNIPPER, ANITA	REIMBURSEMENT	170.76
KONE CHICAGO	MAINTENANCE	502.76
LAWRENCE CO. AUDITOR	SERVICE	1,613.00
LAWRENCE CO. REGISTER	SERVICE	30.00
LE MONS, CASSIDY	REIMBURSEMENT	469.56
LEAD-DEADWOOD SANITARY	SERVICE	26,506.20
LYNN'S	SUPPLIES	220.95
M&M SANITATION	RENTAL	140.00
MAGICARD	SERVICE	496.92
MARCO	CONTRACT	178.17
MARTINISKO, JOHN	MEETINGS	210.00

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MID-AMERICAN RESEARCH	SUPPLIES	130.11
MIDCO DIVING	SERVICE	7,247.00
MIDWEST TAPE	SUPPLIES	82.71
MORSE, MARCIA E.	MORTGAGE	259.97
MS MAIL	SERVICE	1,773.89
NHS OF THE BLACK HILLS	SERVICE	3,322.50
NOVA FITNESS EQUIPMENT	TREADMILL	6,550.00
OFFICE DEPOT	SUPPLIES	60.45
PCNATION	SUPPLIES	2,265.01
PEARSON, JACI	PROEJCT	2,025.00
PETTY CASH	LIBRARY	29.00
PETTY CASH	FINANCE	100.19
PETTY CASH	HP/ZONING	74.55
PITNEY BOWES	LEASE	250.05
PLATINUM CHEMICALS	SUPPLIES	1,702.00
PLAY IT AGAIN SPORTS	SUPPLIES	5,993.03
POSEY, BEVERLY	MEETINGS	525.00
PRO-STEAM CARPET	SERVICE	200.00
QUALITY FIRST ROOFING	REIMBURSEMENT	25.00
QUIK SIGNS	SERVICE	3,019.20
QUILL	SUPPLIES	21.99
RAPID CITY PLANTSMYTH	SUPPLIES	644.93
RASMUSSEN MECHANICAL	SERVICE	245.20
RCS CONSTRUCTION	PROJECT	81,495.00
RIVERFRONT BROADCASTING	SERVICE	244.80
ROCKINGTREE LANDSCAPES	SUPPLIES	130.00
RUNNING SUPPLY	SUPPLIES	39.92
SANDER SANITATION	SERVICE	11,590.86
SANTOCHI, TREVOR	MEETINGS	455.00
SCHLOSSER CONSTRUCTION	PROJECT	6,670.00
SCOTT PETERSON MOTORS	SUPPLIES	152.60
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	41.46
SD DEPT. OF REVENUE	TAX	2,874.78
SECO CONSTRUCTION	PROJECT	66,032.60
SIMON MATERIALS	SUPPLIES	393.57
SOUTHSIDE OIL	FUEL	15,185.52
SOUTHSIDE SERVICE	SERVICE	1,329.50
STERNHAGEN, AARON	PROJECT	2,000.00
STURDEVANT'S	SUPPLIES	851.39
TDG COMMUNICATIONS	SERVICE	550.00
THE LIBRARY STORE	SUPPLIES	428.18
THE LORD'S CUPBOARD	ALLOCATION	2,583.58
THE UPS STORE	SHIPPING	85.76
THOMSON REUTERS	SUBSCRIPTION	121.92
TRI AIR TESTING	SERVICE	209.66
TWIN CITY HARDWARE	SUPPLIES	92.47
TWIN CITY HARDWARE	GRANTS	34.13
VERIZON CONNECT	SERVICE	171.60
VERIZON CONNECT NWF	SERVICE	25.21
VIGILANT BUSINESS SOLUTION	TESTING	613.50
VISIONARY LANDSCAPING	PROJECT	4,053.79
W.S. DARLEY	SUPPLIES	2,575.20
WAGNER, KEVIN	MEETINGS	280.00
WARNE CHEMICAL	SUPPLIES	1,900.00
WEBER, JILL	MEETINGS	420.00
WHEELER LUMBER	SUPPLIES	20,336.42
WILLIAMS, ANTHONY	MEETINGS	350.00
		Total \$623,394.84

ITEMS FROM CITIZENS ON AGENDA

Years of Service

Fire Chief Rakow presented certificate to Cody Rakow for 5 years of service as a volunteer firefighter. Commission thanked him for his years of service.

CONSENT

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

- A. Permission to pay Adams Salvage and Recycling LLC in the amount of \$4,241.76 for Deadwood’s portion of the Tri-City Rubble Site annual insurance premium per contract.
- B. Removed for separate consideration in New Business.
- C. Approval to terminate lease agreement with SRK Development LLC (Hickok's Hotel) for their use of twelve (12) parking spaces in the Broadway Ramp, effective December 31, 2021.
- D. Permission for Mayor to sign the Labor Agreement for the Police Department between the City of Deadwood and Teamsters Local union No. 120
- E. Permission to increase wage of Parks Superintendent Randy Adler from \$24.98 to \$26.30 effective December 17, 2021 after two years as Superintendent. (100% of prevailing wage)

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- F. Permission to pay Good Construction for construction of a new crow's nest at Day's of 76 event center in amount of \$21,940.03 and acknowledge funds received from Day's of 76 Rodeo Committee in the amount of \$20,000.00. (To be paid from HP Capital Assets.)
- G. Permission to pay invoice #130053 from BlackStrap Inc in the amount of \$4,312.10 for 27.82 tons of road salt. (To be paid out of the Streets Supply Budget.)
- H. Winters Fat Classic, LLC requesting use of public property for Winters Fat Classic on Saturday, February 5, 2022
- I. Adopt updated Event Complex Application to include change in ticketed surcharge to \$2.00 and changes to Liquor liability section.
- J. Recommendation from Event Committee to accept the \$1.00 surcharge fee for three Event Complex applications approved prior to December 6, 2021. (SnoCross, Back When they Bucked and Monsters of Destruction.)
- K. Permission to purchase and pay Menards for a overhead door for announcers area at the Event Center crow's nest in the amount of \$3,907.98. (To be paid from 2022 HP capital assets.) 3 quotes obtained
- L. Permission to hire Robin Rhoden, Grace Rhoden, Clover Rhoden and rehire Aaron Olinger for lifeguard position at Rec Center at \$13.27 per hour effective December 27, 2021, pending pre- employment screening.
- M. Appoint Sue DeGooyer to Library Board with term January 1, 2022 thru December 31, 2025.
- N. Permission to post in-house for 5 days for Library Assistant I position at \$14.42 per hour.

PUBLIC HEARINGS

New Year's Eve Drop

Public hearing was opened at 5:06 p.m. by Mayor Ruth Jr. John Rystrom, Franklin Hotel, was available to answer questions, hearing closed.

Martinisko moved, Struble seconded to approve street closure on Main Street from Pine Street to Lee Street from 11:50 p.m. on December 31, 2021 to 12:10 a.m. on January 1, 2022 for the New Year's Eve Ball Drop at the Franklin Hotel. Roll Call: Aye-All. Motion carried.

Wine License

Public hearing was opened at 5:07 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Struble moved, Todd seconded to approve Retail (on-off sale) Wine License Deadwood Miners at 137 Charles Street. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Struble seconded to set public hearing on January 3 for Mardi Gras Events. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on January 3 for St. Patrick's Day Events. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Appoint

Struble moved, Todd seconded to reappoint John Martinisko to the Planning and Zoning Commission for new term to expire December 31, 2026. Roll Call: Aye-Johnson, Ruth, Struble, Todd. Martinisko abstained. Motion carried.

Second Reading

Finance Officer McKeown stated no changes between first and second readings. Martinisko moved, Johnson to approve second reading of Ordinance #1341 Amending Business Improvement District #9. Roll Call: Aye-All. Motion carried.

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Second Reading

Public Works Director Nelson Jr. stated no changes between first and second readings. Struble moved, Todd seconded to approve second reading of Ordinance #1342, Amending Chapter 13.04 Water Service System. Roll Call: Aye-All. Motion carried.

Second Reading

Nelson Jr. stated no changes between first and second readings. Johnson moved, Todd to approve second reading of Ordinance #1343, Amending Chapter 13.08 Sewer Service System. Roll Call: Aye-All. Motion carried.

Second Reading

McKeown spoke about the changes between first and second readings. Martinisko moved, Johnson seconded to approve second reading of Ordinance #1344, Budget Supplement. Roll Call: Aye-All. Motion carried.

Second Reading

Police Chief Mertens stated no changes between first and second readings. Struble moved, Johnson seconded to approve second reading of Ordinance #1345, Amending Chapter 5.48 Taxicabs. Roll Call: Aye-All. Motion carried.

Second Reading

Zoning Administrator Russell read a letter received from resident Karla Dower. Commissioner Martinisko thanked Dower for the letter and understands her concerns however with what the city has in place now, city needs to move forward. Todd Weber, Business Owner, questioned a vote by the public. Attorney Riggins stated anytime a zoning change is made by ordinance, vote is made by the Commission but there are procedures in place for citizens who do not agree with the changes. Discussion was held concerning locations and number of establishments. Mayor Ruth Jr. appreciates the comments received and stated the city was set with parameters given by the state and will follow the guidelines from the state. Martinisko moved, Struble to approve second reading of Ordinance #1346, Amending Title 17, Zoning. Roll Call: Aye-All. Motion carried.

Second Reading

Attorney Riggins spoke about extending moratorium to February 15, 2022. Johnson moved, Struble seconded to approve second reading of Ordinance #1347, Extending Ordinance #1336 Extending Ordinance 1327 a Temporary Ordinance regarding the Local Permit and Licensing Cultivation, Testing and Manufacturing of Medical Cannabis and Delaying Implementation of Ordinance 1329 Creating Zoning Regulations for Cannabis Establishments. Commissioner Martinisko stated this is another way city is doing due diligence on everything moving forward. Roll Call: Aye-All. Motion carried.

Boiler

Transportation and Facilities Director Kruzel explained the emergency repair for the boiler. Johnson moved, Martinisko seconded for Rasmussen Mechanical to replace boiler at Deadwood Library for an amount not to exceed \$18,000.00 with boiler and installation included. (To be paid from Public Buildings Improvement budget supplement.) Roll Call: Aye-All. Motion carried.

Resolution 2021-28

McKeown spoke about the transfers. Struble moved, Todd seconded to approve Resolution 2021-28 Interfund Cash Transfers for budget year 2021. Roll Call: Aye-All. Motion carried.

RESOLUTION 2021-28 A RESOLUTION TO MAKE THE FOLLOWING INTERFUND CASH TRANSFERS FOR THE YEAR 2021

Be it resolved by the Deadwood City Commission that the following interfund cash transfers be approved for the year 2021.

From Historic Preservation Fund (0215) to Revolving Loan Fund (0216) \$1,000,000.00 programs.

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From Historical Preservation Fund (0215) to Parking & Transportation Fund (0610) \$50,000.00 for support of trolley operational expenses.

From General Fund (Fund 0101) to Library Fund (Fund 0206) \$62,174.00 in support of operational expenses.

From Parking Ramp Fund (0610) to General Fund (0101) \$36,000.00 for parking lot maintenance.

From Bed and Booze Fund (Fund 0209) to General Fund (Fund 0101) \$72,358.00 for partial payment of utility costs.

From BID 6 Fund (0213) and BID 7 Fund (0214) and BID 9 Fund (0211) and BID 8 Fund (0212) to General Fund (0101) \$10,000.00 each for Administrative Fees. (Total of \$40,000.00)

From Main Street Ramp Fund (0611) to Parking & Transportation Fund (0610) \$4,455.78 to close inactive fund.

Dated this 20th day of December, 2021

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Purchase

Chief Mertens spoke about the purchase. Todd moved, Struble seconded to allow police department to order budgeted 2022 Durango Pursuit from Wegner Auto Company with state bid pricing of \$35,960.00. (2022 budget item with no funds expended in 2021.) Roll Call: Aye-All. Motion carried.

Purchase

Mertens spoke about the purchase which will replace exiting terminals. Struble moved, Todd seconded to allow police department to purchase six mobile data terminals (with mounting hardware) from Keltek in an amount not to exceed \$38,515.24. (To be paid from 2022 police equipment budget.) Roll Call: Aye-All. Motion carried.

Adoption

Historic Preservation Officer Kuchenbecker stated this will complete the contract with Winter & Company which included three options, which are: widen the sidewalk on one side, or both sides narrowing the street, or reconstruct as is with no changes. The next step will be the implementation phase. Johnson moved, Martinisko seconded to adopt Main Street Master Plan and finalize contract with Winter and Company. Mayor Ruth Jr. thanked Department Heads for their work. Roll Call: Aye-All. Motion carried.

Final Plat

Russell spoke about the plat. Martinisko moved, Struble seconded to act as Board of Adjustments and approve final plat of Tract Q1 Located in a Portion of Bavarian Lode M.S. 1054 Situated in the SE ¼ of Section 14, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Approved by the Deadwood Planning and Zoning Commission on December 15, 2021. 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 January 9, 2022. No action approves.
- B. Raffle permit received from SD Association of Plumbing Heating Cooling Contractors. Drawing will be held February 24, 2022. No action approves.

ADJOURNMENT

Struble moved, Martinisko seconded to adjourn the regular session at 5:43 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, January 3, 2022.

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After coming out of executive session at 5:48 p.m., Martinisko moved, Todd seconded to adjourn.

ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____