

## REGULAR MEETING, SEPTEMBER 15, 2025

The Regular Session of the Deadwood City Commission convened on Monday, September 15, 2025 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor Charlie Struble-Mook called the meeting to order with the following members present: Department Heads, City Attorney Quentin Riggins, and Commissioners Charles Eagleson, Michael Johnson Blake Joseph and Sharon Martinisko. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Joseph moved, Eagleson seconded to approve the minutes of September 2, 2025. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the September 15, 2025 disbursements as amended. Roll Call: Aye-All. Motion carried.

ACE HARDWARE	SUPPLIES	164.55
ADAMS SALVAGE RECYCLING	SERVICE	55.67
ALBERTSON ENGINEERING	PROJECT	8,082.40
AMAZON CAPITAL	SUPPLIES	108.51
AVID4 ENGINEERING	PROJECT	472.50
BAILEY, ROBERT	PROJECT	2,874.82
BH ENERGY	SERVICE	33,179.52
BH MOBILITY	SERVICE	130.00
BH SPECIAL SERVICES	CLEANING	2,800.00
BRUNSEN, RONDA	REIMBURSEMENT	97.10
BUTLER MACHINERY	SERVICE	300.00
CAPFIRST EQUIPMENT FINANCE	PAYMENT	98,892.78
CENTURY BUSINESS PRODUCTS	CONTRACT	344.67
CHAINSAW CENTER	SUPPLIES	661.28
CHAMBERLIN ARCHITECTS	SERVICE	12,590.00
CULLIGAN	SUPPLIES	97.75
DAKOTA PRAIRIE LANDSCAPES	SERVICE	9,411.00
DARK CANYON COFFEE	SUPPLIES	139.97
DAY'S OF '76	DEPOSIT REFUND	2,350.00
DEADWOOD CHAMBER	BILL LIST	104,245.80
DEADWOOD CHAMBER - OUTLAW	BID #9	60,000.00
DEADWOOD ELECTRIC	SERVICE	2,674.40
DYNAMITE MEDIA SOLUTIONS	PROJECT	500.00
EBSCO	SUBSCRIPTIONS	2,255.39
ENVIRONMENTAL EQUIPMENT	SUPPLIES	1,397.24
FETERL, RONDA	REIMBURSEMENT	25.00
FIB CREDIT CARDS	SUPPLIES	7,143.61
FIRST GOLD HOTEL	DEPOSIT REFUND	2,350.00
FRONTIER GLASS OF BELLE	SERVICE	496.94
GOLDEN WEST	SERVICE	7,150.68
IPS GROUP	SERVICE	26,183.23
JACOBS WELDING	SERVICE	166.71
JERRY GREER'S AUTO SHOP	SERVICE	121.70
JOHN'S FINE CARPENTRY	PROJECT	12,718.60
KEENEY, COLT	REFUND	292.05
KING APPRAISALS	BID #8	4,250.00
KNECHT	SUPPLIES	307.20
KONE CHICAGO	SERVICE	592.24
LAWRENCE CO. REGISTER	SERVICE	90.00
LEAD-DEADWOOD SANITARY	SERVICE	34,408.31
LIBERTY NATIONAL BANK	TIF #9	392.53
MASSA, PAM	PROJECT	16,047.44
MCKEOWN, JESSICCA	REIMBURSEMENT	525.00
MENARD'S	SUPPLIES	237.00
MID-AMERICAN RESEARCH CHEM	SUPPLIES	239.68
MIDWEST TAPE	SUPPLIES	296.01
MONSTERS OF DESTRUCTION	DEPOSIT REFUND	2,350.00
MORRISON, RONDA	SERVICE	620.00
MS MAIL	SERVICE	1,169.74
NHS OF THE BLACK HILLS	SERVICE	3,500.00
NORTHWEST PIPE FITTINGS	SUPPLIES	7,129.06
ODP BUSINESS SOLUTIONS	SUPPLIES	194.28
OFFICE OF FIRE MARSHAL	SERVICE	400.00
PONDEROSA LAND SURVEYS	SERVICE	478.75
RCS CONSTRUCTION	PROJECT	49,277.70
ROHE, TINA	CITATION	10.00
RUNGE, MIKE	REIMBURSEMENT	132.97
SACRISON PAVING	PROJECT	111,599.62
SANDER SANITATION	SERVICE	14,807.76
SD COMMISSION ON GAMING	CITY SLOTS	32,386.36
SD MUNICIPAL LEAGUE	CONFERENCE	648.00
SD REDBOOK FUND	SERVICE	600.00
SDN COMMUNICATIONS	SERVICE	2,646.00
SERVALL	SUPPLIES	915.50
SODAK TITLE	SERVICE	240.00
SONTECH VEHICLE TECHNOLOGI	SUPPLIES	10,626.05
STONE LAND SERVICES	PROJECT	4,850.50
TOMS, DON	PROJECT	2,600.00
TRUGREEN CHEM-LAWN	SERVICE	4,335.35
USA BLUEBOOK	SUPPLIES	12.99
VERIZON CONNECT	SERVICE	218.84
VIGILANT BUSINESS SOLUTION	TESTING	419.00

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WATERS HARDWARE	SUPPLIES	1,073.50
WATERS HARDWARE	GRANTS	3,143.80
WEKOLA	PROJECT	7,421.00
WESTERN COMMUNICATIONS	SUPPLIES	1,304.58
WESTERN CONSTRUCTION	PAY APP #3	170,929.24
WILSON, JAMES	REFUND	45.00

Total \$893,944.87

### CONSENT

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

- A. Permission to accept resignation from seasonal parks, Landen Mattson, effective August 20, 2025.
- B. Permission to add phone stipend for Steven Murphy effective August 18, 2025.
- C. Permission to hire Blaze Eagle Horse as full-time (certified) police officer at \$28.00 per hour effective September 22, 2025 pending pre-employment screening.
- D. Permission to hire Hannah Bordewyk as part-time (10 hours per week) Library Assistant I at \$16.00 per hour effective September 22, 2025 pending pre-employment screening.
- E. Permission to increase wage of Madelynn Geppert from \$26.97 to \$27.97 effective September 1, 2025 due to continuing education achievement.
- F. Permission to approve revised job description for Public Buildings Technician.
- G. Permission to move Troy Jassman from Water Operator to Public Buildings Technician (same rate of pay) effective September 14, 2025.
- H. Permission to advertise in house for 5 days and with outside sources for Water and Wastewater Maintenance Operator, wage depending on experience, qualifications and education.
- I. Permission to approve job description for part- time (19 hours a week ) custodian for the Recreation Center and Aquatic Center.
- J. Certification of Municipal Tax Levy for Fiscal Year 2026.
- K. Acknowledge Mayor's signature on Oakridge Cemetery Certificates of Purchase and Warranty Deeds for William and Laurie Denke.
- L. Permission to make 2025 budget allocation to Lawrence County Teen Court (Northern Hills Diversion) in the amount of \$8,500.00. (\$4,500 from Bed and Booze fund and \$4,000 from Police Dept.)
- M. Acknowledge grant from Black Hills Area Foundation in the amount of \$5,000.00 for the Deadwood trail system project.
- N. Permission for the Mayor to sign contract with Atlas Exteriors, for the Streets Dept. Metal Roof Replacement. (Bid awarded on September 2, 2025.)
- O. Permission for the Mayor to sign a utility easement for Black Hills Energy to run power to the Verizon Cell Tower at the Days of '76 Event Complex.
- P. Permission to waive late fee to Tin Lizzie Gaming Resort in the amount of \$803.92 for BID 1-6 bill due to an issue with their software.
- Q. Permission to remove Isaiah Osorio from Deadwood Volunteer Fire Department roster for worker's compensation purposes effective September 11, 2025.

### PUBLIC HEARINGS

#### Homecoming Parade

Public hearing was opened at 5:02 p.m. by Mayor Struble-Mook. No one spoke for or against, hearing closed. Johnson moved, Martinisko seconded to approve street closure on Main Street from Lower Main at Pioneer Way to Pine Street for parade on Friday, September 26, 2025 from 2:00 p.m. until parade ends. Roll Call: Aye-All. Motion carried.

#### Oktoberfest

Public hearing was opened at 5:03 p.m. by Mayor Struble-Mook. Mayor Struble-Mook stated the actual public hearing for Oktoberfest has been approved, this is just additional street closure. Jesse Allen, Deadwood Chamber, was available for questions. seconded to approve street closure on Main Street from Deadwood Street to Pine Street from 10:00 a.m. to 4:00 p.m. on Saturday, October 4, 2025. Roll Call: Aye-All. Motion carried.

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### **Kringle Crawl**

Public hearing was opened at 5:04 p.m. by Mayor Struble-Mook. Jesse Allen, Deadwood Chamber, was available for questions, hearing closed. Johnson moved, Martinisko seconded to approve open container in zones 1 and 2 on Friday, December 12 from 5:00 to 10:00 p.m., and Saturday, December 13, 2025 from noon to 10:00 p.m. Roll Call: Aye-All. Motion carried.

### **Transfer**

Martinisko moved, Eagleson seconded to set public hearing on October 6 for Retail (on-off sale) Malt Beverage and SD Farm Wine and Retail (on-off sale) Wine License transfers from Gold Run, LLC to Anand Hospitality, LLC dba Super 8 at 196 Cliff Street. Roll Call: Aye-All. Motion carried.

### **NEW BUSINESS**

Mayor Struble-Mook stated that the public will have the opportunity to speak and reminded everyone that questions and comments are to be directed towards her, no outside questions or comments towards each other. Out of respect for everyone's time, please do not repeat the questions and keep statements under two minutes.

### **Second Reading**

Kuchenbecker spoke about the ordinance. He stated most of the sandwich boards present this summer were in violation of the existing ordinance. Business Owner, Harley Kirwan, unaware of first meeting, believes this will hurt the businesses on Main Street and asked the commission to continue ordinance to create a taskforce to revise ordinance. Business Owner, Dale Berg, believes ordinance could be written better with some allowance. Business Owner, Kellie Gayle, the sandwich board impacted her business. Business Manager, Shawn Mitzell, believes sandwich boards promote businesses. Business Owner, Aaron Jorgenson, believes sandwich boards should be allowed especially September through April. Business Owner, Dina Flores, suggested same size sandwich boards would be better. Business Owner, Donovan Waheed, believes a solution is needed that will work for everyone. Resident, David Herdt, spoke in favor of the ordinance to protect the history of Deadwood and safety. He suggested signs be regulated by Historic Preservation. President of Deadwood Lead Economic Development, Molly Brown, supports business owners, which is part of their mission, but as a previous main street business owner, she followed the existing ordinance and doing so affected her business. Resident, Bree Brooks, spoke in favor of the ordinance, she is opposed of the language that is used on the sandwich boards and t-shirts. Business Owner, Brad Myers, make being family friendly a priority and promoting deadwood history. He supports cleaning up Main Street but does not support the negative impact this will have for businesses. Business Owner, Ken Geinger, thanked the Commission for putting ordinance together and agrees in cleaning up Main Street.

Commissioner Martinisko thanked everyone for coming and believes if everyone comes together a solution can be found. Commissioner Joseph is concerned about safety and believes this is a start. Commissioner Johnson appreciates everyone's input and believes continued conversations will lead to some consensus. Commissioner Eagleson believes it is not good business to have sandwich boards where there are safety issues and are not uniform and regulated. He stated Deadwood is a National Historic Landmark District and we need to do everything to protect the status. Mayor Struble-Mook thanked everyone for coming and believes we all need to work together to figure out what works best for the city, visitors, residents and business owners. Martinisko moved, Joseph seconded to approve second reading of Ordinance #1429 amending Chapter 15.32 – II Disallowed Signs, Allowed Signs Not Subject to Permit, and Allowed Signs Subject to Permit. Roll Call: Aye-All. Motion carried.

### **Second Reading**

Kuchenbecker stated many items identified in this ordinance have been brought forward as concerned with the last ordinance. He welcomed the feedback and would be willing to work with the commission on a task force. Several of the business owners or managers that spoke on the previous ordinance addressed the same concerns and would like to work with the city to create a task force. Commission agreed to create a task force within the next couple of weeks to search for a solution to keeping Main Street safe for everyone. Martinisko moved, Johnson seconded to approve second reading of Ordinance #1430 amending Chapter 5.28.035 Display of Merchandise. Roll Call: Aye-All. Motion carried.

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### **Second Reading**

City Attorney Riggins spoke about the ordinance. Martinisko moved, Eagleson seconded to approve second reading of Ordinance #1431 Adopting Chapter 2.08.044 Enforcement – Violation – Penalty. Roll Call: Aye-All. Motion carried.

### **First Reading**

Kuchenbecker spoke about the ordinance. Martinisko moved, Eagleson seconded to approve first reading of Ordinance #1432 - Chapter 17, including 17.08.010 - Definitions, 17.32.020 Uses Permitted by Right (C1- Commercial), 17.36.020 Uses Permitted by Right (CE - Commercial Enterprise), 17.40.020 Uses Permitted by Right (CH - Commercial Highway.) Roll Call: Aye-All. Motion carried.

### **First Reading**

Finance Officer McKeown spoke about the supplement. Johnson moved, Joseph seconded to approve first reading of Ordinance #1433 Budget Supplement #5 for 2025. Roll Call: Aye-All. Motion carried.

### **Deannexation**

Kuchenbecker spoke about the petition and addressed the following facts to consider; location within the Deadwood National Historic District, Inclusion in the original Town Site of Deadwood (dating back to 1881), loss of Property tax revenue, Deadwood's need for housing, importance of Zoning in this area, and contribution to Deadwood unique viewshed. He stated Planning and Zoning Commission does not recommend approval of Petition for Deannexation per Planning and Zoning Commission meeting held September 3, 2025. Attorney Riggins stated while Planning and Zoning did recommend not to allow deannexation, that is not binding on this commission, ultimately it is up to this Commission to consider what is brought before you, what is provided to you, listen to public comment and make your decision. President of Deadwood Lead Economic Development, and Vice Chair of Deadwood Historic Preservation Commission, Molly Brown, believes the deannexation would be detrimental to both historic preservation and to control economic growth in the city. Residents James Olson, Nyla Griffith, spoke against the deannexation due to jeopardizing historic status, loss of taxes and protection of the viewshed. Boot Hill Estates Attorney, Willert said the biggest concern he has heard would be the loss of revenue through taxation. He stated future use is not necessarily a factor to consider, that land has been zoned park-forest, mostly trees. He spoke about infrastructure, TIF which would be explored if not annexed. He addressed other factors to consider which were; value of property is not enhanced by being within the city, subjected to increase taxation, land is not necessary for public purpose, no injustice would be done by granting deannexation, not designed for urban use, again no benefit for being in the city. He questioned how it threatens economic opportunities tied to tourism and how does it affect city's character.

Commissioner Joseph agrees not to de annex due to loss of leverage, loss of infrastructure investment and public trust. Commissioner Martinisko thanked everyone and addressed the following; deannexation could compromise preservation initiatives aimed at maintaining Deadwoods character and value, loss of property tax, and importance of zoning. Martinisko moved, Eagleson seconded to Deny Petition for Deannexation of Territory for land legally described as Buena Vista Tract, being a portion of M.S. 343, M.S. 681, M.S. 685, M.S. 788, M.S. 840, M.S. 920, M.S. 1208, and Lot R7 of M.S. 840, located in Sections 23 and 24, T5N, R3E, B.H.M., containing portions within and outside the City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-Eagleson, Johnson, Joseph, Martinisko, Struble-Mook. Motion carried.

### **Permit**

Kuchenbecker spoke about the permit. Resident, Wade Morris, spoke against the permit. Commissioner Martinisko thanked Morris and stated the way the ordinances are written this permit meets all criteria.

Commissioner Joseph moved to deny, motion died for lack of second.

Commissioner Eagleson stated maybe the ordinances need to be reviewed.

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Martinisko moved, Eagleson seconded to Act as Board of Adjustment and approve Application for Conditional Use Permit - 5 Charles Street - Vacation Home Establishment (Ole Grey Barn LLC) with the following conditions: The conditional use permit runs with the applicant and not the land, proof of state sales tax number, Building Inspector has inspected the building, City water and sewer rates have changed from residential to commercial rates, proper paperwork has been filed with the City of Deadwood Finance Office for BID taxes, City of Deadwood Business and Short-Term Rental licenses have been obtained, lodging license from the South Dakota Dept. of Health has been obtained, all parking shall be off street, and burn permits will be issued to this address. Legally described as The southwesterly one-half of Lot 2 and all of Lot 3 in Block 69 of the City of Deadwood, Lawrence County, South Dakota, according to P.L. Rogers plat. (Approved by Planning and Zoning Commission August 20, 2025.) Roll Call: Aye-Eagleson, Johnson, Martinisko, Struble-Mook, Nay-Joseph. Motion carried.

### **Motor**

Parking and Transportation Director Lux spoke about the repair. Joseph moved, Martinisko seconded to replace the motor in trolley 5 by Inland Truck Parts & Service (low quote) at a cost not to exceed \$17,600.00. Roll Call: Aye-All. Motion carried.

### **INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS**

Resident, Brian Safier, asked when Adams Street will be paved. Public Works Director Stalder stated paving will take place next year.

President of Deadwood Lead Economic Development, and Vice Chair of Deadwood Historic Preservation Commission, Molly Brown, thanked the commission for making tuff decisions. There will always be friction between economic development, business friendly actions and preserving historic preservation. We will probably be coming into uncertain economic times over the next few years and feels we need to maintain the support to the local businesses as we are making decisions going forward as a town.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25(1) and union and/or contractual negotiations per SDCL 1-25-2(4) with possible action.

### **ADJOURNMENT**

Joseph moved, Eagleson seconded to adjourn the regular session at 6:37 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25(1) and union and/or contractual negotiations per SDCL 1-25-2(4) with possible action. The next regular meeting will be Monday, October 6, 2025 at 5:00 p.m.

After coming out of executive session at 7:08 p.m.,

Martinisko moved, Joseph seconded to approve change order #1 from Kone, Inc for Broadway parking elevator in the amount of \$11,385.62 increasing total contract cost from \$550,000.00 to \$561,385.62 due to unforeseen tariffs on materials. Roll call: Aye-All. Motion carried.

Martinisko moved, Joseph seconded to adjourn.

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

\_\_\_\_\_  
Jessica McKeown, Finance Officer BY: \_\_\_\_\_  
\_\_\_\_\_  
Charlie Struble-Mook, Mayor

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