

**REGULAR MEETING, APRIL 1, 2024**

The Regular Session of the Deadwood City Commission convened on Monday, April 1, 2024 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 Riggins, and Commissioners Michael Johnson, Sharon Martinisko and Gary Todd. Commissioner Charlie Struble was absent. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Todd moved, Martinisko seconded to approve the minutes of March 18, 2024. Roll Call: Aye-All. Motion carried.

**MARCH 2024 PAYROLL:** COMMISSION, \$3,692.28; FINANCE, \$23,612.07; PUBLIC BUILDINGS, \$7,453.76; POLICE, \$80,151.26; FIRE, \$5,865.20; BUILDING INSPECTION, \$5,138.80; STREETS, \$33,835.75; PARKS, \$30,146.19; PLANNING & ZONING, \$3,803.70; LIBRARY, \$9,048.82; RECREATION CENTER, \$19,886.38; HISTORIC PRESERVATION, \$22,422.08; WATER, \$18,869.96; PARKING METER, \$17,126.51; TROLLEY, \$17,149.10; PARKING RAMP, \$3,222.40 **PAYROLL TOTAL: \$301,424.26.**

**MARCH 2024 PAYROLL PAYMENTS:**

Internal Revenue Service, \$70,248.11; S.D. Retirement System, \$35,225.98; Delta Dental, \$3,684.50.

**APPROVAL OF DISBURSEMENTS**

Martinisko moved, Johnson seconded to approve the April 1, 2024 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	628.91
A & B WELDING	SUUPPLIES	138.65
A-1 MECHANICAL	SERVICE	1,629.00
ACE HARDWARE	SUPPLIES	377.52
AMAZON CAPITAL	SUPPLIES	1,161.29
AMERICAN ASSN. FOR STATE	MEMBERSHIP	118.00
AMERICAN ENGINEERING TESTING	PROJECT	3,130.00
AMERICAN LEGION EMBLEM SAL	SUPPLIES	486.95
AMERICAN RED CROSS TRAINING	SUPPLIES	184.00
BICKLE'S TRUCK & DIESEL	SUPPLIES	31.97
BH CHEMICAL	SUPPLIES	2,150.47
BH LIBRARY	SERVICE	2.99
BLUEPEAK	SERVICE	4,217.31
BOMGAARS	SUPPLIES	139.99
CHAINSAW CENTER	SUPPLIES	774.69
CUSTER COUNTY HISTORICAL	DONATION	2,500.00
DALKE, BENJAMIN	REIMBURSEMENT	113.99
DEADWOOD ALIVE	MARCH	10,000.00
DEADWOOD CHAMBER	BID #8	87,541.32
DEADWOOD CHAMBER - OUTLAW	BID #9	50,000.00
DEADWOOD ELECTRIC	SERVICE	780.88
DVFD	REIMBURSEMENT	200.00
FIRST NET	SERVICE	240.24
HAWKINS	SUPPLIES	950.88
HEIMAN	SERVICE	1,222.51
INTERSTATE BATTERY	SUPPLIES	219.00
JACOBS WELDING	SERVICE	627.60
JANKE AND SONS TRUCKING	SERVICE	1,625.00
JUSTICE FIRE & SAFETY	SERVICE	456.00
KNECHT	SUPPLIES	26.36
LAWRENCE CO. REGISTER	SERVICE	30.00
LAWSON PRODUCTS	SUPPLIES	272.18
LEAD-DEADWOOD BASEBALL	SPONSORSHIP	250.00
LEGENDARY ELECTRIC	SERVICE	1,831.63
LIBBY PRODUCTIONS	SPONSORSHIP	36,000.00
LYNN'S	SUPPLIES	89.66
MARCO	CONTRACT	500.00
MENARD'S	SUPPLIES	307.46
METERING & TECHNOLOGY	SUPPLIES	3,543.23
MIDWEST TAPE	SUPPLIES	128.93
MDU	SERVICE	7,597.30
MS MAIL	SERVICE	185.81
MUTUAL OF OMAHA	INSURANCE	346.79
NATIONWIDE TRANSPORT	SHIPPING	10,995.00
ONSITE FIRST AID	SUPPLIES	700.84
OTIS ELEVATOR	SERVICE	162.69
PAPOUSEK, SONYA	REIMBURSEMENT	60.61
PAWLUS, CRYSTAL	REIMBRUSEMENT	20.40
RASMUSSEN MECHANICAL	SERVICE	6,489.82
RCS CONSTRUCTION	PAY APP #6	835,324.24
S AND C CLEANERS	CLEANING	8,472.00
SCHMIDT, WILLIAM	PROJECT	2,255.00
SCHNERINGER, CINDY	SERVICE	700.00
SCOTT PETERSON MOTORS	SUPPLIES	258.88
SD DEPT. OF REVENUE	LICENSE	150.00

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SD POLICE CHIEFS' ASSOC	CONFERENCE	295.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SD SCHOOL OF MINES	WORKSHOP	550.00
SERVALL	SUPPLIES	1,672.45
SODAK TITLE	SERVICE	120.00
SOUTHSIDE SERVICE	SERVICE	621.82
STAN HOUSTON EQUIP	SUPPLIES	219.50
STURDEVANT'S	SUPPLIES	4,216.94
SUMMIT FIRE PROTECTION	SERVICE	297.00
TALLGRASS LANDSCAPE	SERVICE	390.00
TECHNOLOGY	CAMERAS	10,052.84
THE LIBRARY STORE	SUPPLIES	874.55
THE MIGHTY BOWTONES	SUBSCRIPTION	30.00
TOLAR, JESSICA	COURIER	13.15
TRAFFIC LOGIX	SERVICE	1,500.00
TRANSSUPPLY	SUPPLIES	469.75
TWIN CITY HARDWARE	SUPPLIES	2,311.92
TWO BIT ORIGINALS	SUPPLIES	1,424.00
USA BLUEBOOK	SUPPLIES	126.67
VERIZON WIRELESS	SERVICE	708.46
VIEHAUSER ENTERPRISES	SERVICE	115.00
VIGILANT BUSINESS	SERVICE	117.25
WESTERN COMMUNICATIONS	SUPPLIES	450.00
WESTERN LEGACY FOUNDATION	BID #8 SPONSOR	25,000.00
WILD WEST HISTORY ASSOC	SERVICE	227.00

Total \$1,140,181.29

## ITEMS FROM CITIZENS ON AGENDA

### Years of Service

Fire Chief Hamann presented certificate to Trent Mohr for 40 years of service as a volunteer firefighter. Commission thanked him for his years of service.

### Proclamations

The Mayor read a proclamation declaring April 7 through April 13, 2024 as National Library Week in Deadwood.

The Mayor read a proclamation declaring Friday, April 19, 2024 as Arbor Day in Deadwood.

### CONSENT

Martinisko moved Johnson seconded to omit item 6F for separate consideration and approve the following consent items. Roll Call: Aye-All. Motion carried.

- A. Permission to sign additional engagement letter with Casey Peterson CPA for contracted accounting services. (To be paid by Finance Professional Services.)
- B. Permission to sign engagement letters with Ketel Thorstenson, LLP for 2021 and 2022 auditing services. (To be paid by Finance Professional Services.)
- C. Permission to pay \$5,000.00 to the Days of '76 Museum for sponsorship of 2024 Days of '76 Lakota Experience. (To be split from Historic Preservation Public Ed and Bed/Booze line items.)
- D. Permission to enter into contract with Robert Bozell for Four Points Hotel Faunal Analysis Project at a cost not to exceed \$3,500.00. (To be paid from HP Archaeological line item.)
- E. Permission for the Mayor to sign temporary construction and permanent drainage easement with Steven R. Jobman and Sherry A. Jobman, Trustees Jobman Living Trust at 3 Ryan Road, Deadwood for FEMA project.
- F. Removed for separate consideration in New Business.
- G. Allow use of public property at the Event Complex for Lead Deadwood Youth Soccer Monday, March 25 through Thursday, May 30, 2024.
- H. Permission to purchase one pallet of Chemguard Direct Attack Foam from Pennington County Fire Administration in an amount not to exceed \$2,745.60. (To be paid by Fire Dept. supply budget.)

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### BID ITEMS

#### Results

Mayor Ruth Jr. stated 4 bids were received for the Fuller Brothers Trail System project on March 28, 2024 at 2:00 as advertised.

AusCar X - \$186,350.00  
Benchmark Trails - \$147,487.82  
Highpoint Siteworks - \$180,950.00  
K4 Trails - \$90,475.00

Planning, Zoning and Historic Preservation Officer Kuchenbecker spoke about the project and recommends approval to low bidder K4 Trails. Martinisko moved, Johnson seconded to award bid to K4 Trails in an amount of \$90,475.00 for Fuller Brothers Trail System Project. Roll Call: Aye-All. Motion carried.

#### Results

Mayor Ruth Jr. stated 4 bids were received for the White Rocks Trail System project on March 28, 2024 at 2:00 as advertised.

AusCar X - \$53,660.00  
Benchmark Trails - \$44,038.44  
Highpoint Siteworks - \$24,160.00  
K4 Trails - \$34,254.00

Kuchenbecker spoke about the project and asked to continue for review. Martinisko moved, Johnson seconded to continue bid opening for White Rocks Trail System Project. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### Transfer

Public hearing was opened at 5:11 p.m. by Mayor Ruth Jr. Olivia Snedeker, Pony Hills LLC, was present to answer questions. Hearing closed. Johnson moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage & SD Farm Wine and Retail (on-off sale) Wine and Cider Licenses for Pony Hills LLC dba The Venue at Deadwood at 250 US Hwy 14A. Roll Call: Aye-All. Motion carried.

#### Set

Todd moved, Martinisko seconded to set public hearing on April 15 for Mickelson Trail Post Race Party. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on April 15 for PBR Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on April 15 for NAJA Shriners Circus Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to set public hearing on April 15 for Weekend Freedom Concerts. Roll Call: Aye-All. Motion carried.

Johnson moved, Todd seconded to set public hearing on April 15 for Days of '76 Events. Roll Call: Aye-All. Motion carried.

Todd moved, Martinisko seconded to set public hearing on April 15 for Harley Davidson Rally Outlaw Square Activation. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on April 15 for Mustang Rally Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on April 15 for Deadwood Jam Event. Roll Call: Aye-All. Motion carried.

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### Set

Todd moved, Martinisko seconded to set public hearing on April 15 for Oktoberfest event. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on April 15 for Wild West Songwriters Festival Events. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to set public hearing on April 15 for Deadweird Event. Roll Call: Aye-All. Motion carried.

## NEW BUSINESS

### Parking

Discussion was held concerning parking. Martinisko moved, Johnson seconded to allow Mr. Wu's to lease twelve Main Street parking spaces August 20-24, 2024 for \$700.00.

Recommendation from Parking and Transportation Committee. Roll Call: Aye-All. Motion carried.

### Permit

Kuchenbecker spoke about the permit. Discussion was held concerning care of property.

Martinisko moved, Johnson seconded to Act as Board of Adjustment and approve the Conditional Use Permit - Vacation Home Establishment - 81 Charles Street - Lorann Berg (on behalf of BNS Properties, LLC) with the following conditions: The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void, Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files, Inspection by the City of Deadwood Building to ensure the building meets all building codes, City water and sewer rates to be changed from residential to commercial rates, Proper paperwork is filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes, City of Deadwood Business License, Obtain Lodging License after inspection from the South Dakota Department of Health, Two designated parking spots are to be clearly marked with the use of painted stripes, Signs are to be hung specifying where guests are to park and Compliance with all city ordinances must be met. Legally described as Lot 7 in Block 74 of the Original Town of Deadwood, Lawrence County, South Dakota, as shown on the P.L. Rogers map of the Town of Deadwood. Roll Call: Aye-All. Motion carried.

### Purchase

Public Works Director Stalder spoke about the purchase. Martinisko moved, Johnson seconded to purchase/install eight Verkada cameras and one Verkada viewing station at the Deadwood Recreation Center from Technology Inc. at a cost not to exceed \$17,499.81. (To be paid from Parking and Transportation, Historic Preservation and Rec Center equipment budgets.) Roll Call: Aye-All. Motion carried.

### Purchase

Stalder spoke about the purchase. Martinisko moved, Todd seconded to purchase two DVR camera recorders with installation from Gene's Lock Shop at a cost not to exceed \$3,074.92 for '76 Museum and Outlaw Square. (To be paid by Public Buildings equipment line item.) Roll Call: Aye-All. Motion carried.

### Purchase

Stalder spoke about the purchase. Martinisko moved, Johnson seconded to purchase a Craco HD Linedriver for striping parking lots and residential areas from Diamond Vogel at a cost not to exceed \$8,582.86. Cost will be split from the Parking and Transportation and Streets budget. Roll Call: Aye-All. Motion carried.

### Hire

Stalder spoke about the hire. Martinisko moved, Johnson seconded to hire Interstate Engineering to inspect the Charles Street bridge, McKinley Street bridge, and the 76 Drive bridge at a cost not to exceed \$12,500.00. These are SDDOT required inspections and is cost shared at an 80% State/20% municipality split. Roll Call: Aye-All. Motion carried.

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Purchase

Parks, Recreation & Events Director Adler spoke about the purchase. Martinisko moved, Johnson seconded to purchase 22' long X 15' wide shade canopy for baseball fields from Black Hills Tent and Awning, and repair existing canopy in total amount not to exceed \$3,779.59. (To be paid from Parks budget.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Reminder Election Day is April 9, 2024 from 7:00 a.m. to 7:00 p.m. You can early vote at the Finance Office Monday through Friday 8:00 a.m. and 5:00 p.m.

Mayor Ruth Jr. requested Executive Session for personnel matters per SDCL 1-25(1) with possible action.

ADJOURNMENT

Todd moved, Martinisko seconded to adjourn the regular session at 5:44 p.m. and convene into Executive Session for personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday, April 15, 2024 at 5:00 p.m.

After coming out of executive session at 5:48 p.m., 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 \_\_\_\_\_