

REGULAR MEETING, SEPTEMBER 3, 2024

The Regular Session of the Deadwood City Commission convened on Tuesday, August 19, 2024 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. 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, Blake Joseph and Sharon Martinisko. Commissioner Charlie Struble was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Martinisko moved, Joseph seconded to approve the minutes of August 19, 2024. Roll Call: Aye-All. Motion carried.

AUGUST 2024 PAYROLL: COMMISSION, \$3,692.28; FINANCE, \$24,134.49; PUBLIC BUILDINGS, \$7,357.68; POLICE, \$106,860.71; FIRE, \$6,036.92; BUILDING INSPECTION, \$5,138.80; STREETS, \$36,135.06; PARKS, \$37,803.92; PLANNING & ZONING, \$3,857.70; LIBRARY, \$8,610.75; RECREATION CENTER, \$22,704.20; HISTORIC PRESERVATION, \$25,066.56; WATER, \$18,924.21; MT. MORIAH, \$7,168.00; PARKING METER, \$17,325.23; TROLLEY, \$24,526.12; PARKING RAMP, \$3,222.40 **PAYROLL TOTAL: \$358,565.03.**

AUGUST 2024 PAYROLL PAYMENTS:

Internal Revenue Service, \$84,570.01; S.D. Retirement System, \$38,902.00; Delta Dental, \$4,181.42.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the September 3, 2024 disbursements as amended. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	579.49
ACE HARDWARE	SUPPLIES	183.43
AMAZON CAPITAL	SUPPLIES	593.69
AXON ENTERPRISE	TASERS	3,809.42
BARCO MUNICIPAL PRODUCTS	SUPPLIES	172.31
BH ASPHALT	PROJECT	17,168.90
BH CHEMICAL	SUPPLIES	3,891.43
BH SECURITY	SERVICE	508.11
BLUEPEAK	SERVICE	4,824.81
BOMGAARS	SUPPLIES	353.97
BRANCH CONSTRUCTION	PROJECT	13,110.00
CHAINSAW CENTER	SERVICE	88.60
COMPLETE CONCRETE	PAY APP #4	288,831.27
COUSIGN	SUPPLIES	528.98
DEADWOOD ALIVE	AUGUST	20,000.00
DEADWOOD CHAMBER	BID #8	2,962.25
DEADWOOD CHAMBER - OUTLAW	BID #9	75,000.00
DEADWOOD ELECTRIC	SERVICE	94.39
DVFD	STAFFING	2,887.50
DEADWOOD GAMING	BID #8	10,000.00
DEADWOOD HISTORY	SERVICE	298.33
DRINGMAN, PAT	REIMBURSEMENT	70.92
ECOLAB	SERVICE	119.19
GAYLORD BROS	SUPPLIES	178.07
GOLDEN WEST	SERVICE	150.00
HAWKINS	SUPPLIES	1,925.14
INTERSTATE BATTERY	SUPPLIES	124.00
IPS GROUP	SUPPLIES	1,226.32
JACOBS WELDING	SERVICE	753.57
JERRY GREER'S ENGINEERING	SERVICE	3,820.30
LAWRENCE CO. REGISTER	SERVICE	180.00
LEAD-DEADWOOD MINISTERIAL	ALLOCATION	5,000.00
LOOKOUT PLAN + CODE CONSUL	SERVICE	142.20
LYNN'S	SUPPLIES	27.20
MARCO	CONTRACT	168.90
MID-AMERICAN RESEARCH CHEM	SUPPLIES	450.75
MIDWEST TAPE	SUPPLIES	66.98
MDU	SERVICE	2,598.49
MS MAIL	SERVICE	1,832.36
NORTHERN HILLS ALLIANCE	ALLOCATION	3,500.00
NORTHWEST PIPE FITTINGS	SUPPLIES	168.88
OTIS ELEVATOR	MAINTENANCE	861.66
QUADIENT LEASING USA	LEASE	245.46
QUIK SIGNS	SERVICE	899.78
RASMUSSEN MECHANICAL	SERVICE	223.75
RCS CONSTRUCTION	PAY APP #11	200,317.00
REEDE, ALLEN	SERVICE	240.00
ROGERS CONSTRUCTION	BID #8	102,808.34
RUNGE, MIKE	REIMBURSEMENT	45.00
RUSHMORE COMMUNICATIONS	SUPPLIES	378.00
S AND C CLEANERS	CLEANING	10,434.00
SCHMIDT, WILLIAM	PROJECT	2,983.00
SCHRAMM, STEVE	PROJECT	23,949.02
SD DEPT. OF MOTOR VEHICLES	SERVICE	26.70
SD DEPT. OF REVENUE	TAXES	11,101.73

REGULAR MEETING, SEPTEMBER 3, 2024

SD PUBLIC HEALTH LAB	TESTING	30.00
SD SECRETARY OF STATE	NOTARY	30.00
SETON	SUPPLIES	193.35
SIMON MATERIALS	SUPPLIES	676.46
SOUTHSIDE OIL	FUEL	18,438.40
STURDEVANT'S	SUPPLIES	150.68
STURGIS RESPONDER SUPPLY	UNIFORMS	179.90
SUMMIT SIGNS	SUPPLIES	404.00
SUNSHINE TOWING	SERVICE	80.00
THE LIBRARY STORE	SUPPLIES	860.48
TOMS, DON	PROJECT	600.00
TOWEY DESIGN GROUP	SERVICE	8,508.16
TREE WISE MEN	SERVICE	3,600.00
TREETOP PRODUCTS	SUPPLIES	2,152.26
TRIPLE S STEEL	SERVICE	2,965.00
TRITECH SOFTWARE SYSTEMS	SERVICE	89.67
TWIN CITY HARDWARE	GRANTS	30,816.51
TWO WHEELER DEALER	SUPPLIES	30.50
VERIZON WIRELESS	SERVICE	715.10
VIEHAUSER ENTERPRISES	SERVICE	143.00
WAREING STURGIS	SUPPLIES	36.54
WESTERN COMMUNICATIONS	SUPPLIES	2,550.42
WHITE'S CANYON MOTORS	SERVICE	87.20

Total \$896,241.22

ITEMS FROM CITIZENS ON AGENDA

Proclamations

The Mayor read a proclamation declaring the summer and fall of 2024 as Deadwood Farmers Market Season in the City of Deadwood.

The Mayor read a proclamation declaring September as Library Card Sign-Up month in the City of Deadwood.

The Mayor read a proclamation declaring Friday, September 13 as Deadwood Jam Day in the City of Deadwood.

CONSENT

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

- A. Permission to accept resignation from seasonal Mt. Moriah ticket booth attendant David Trentz effective September 6, 2024.
- B. Permission to remove part-time Police Officer Jackson Bong from payroll effective August 13, 2024.
- C. Resolution 2024-20 Schedule of Rates for Event Center and Outlaw Square Ticket Surcharge effective January 1, 2025. (Approved by Event Committee on August 29, 2024.)

**CITY OF DEADWOOD
RESOLUTION 2024-20**

**A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE
CITY OF DEADWOOD**

WHEREAS, City Ordinances require certain use fees, charges for services and other designations to be established by resolution;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective January 1, 2025;

Deadwood Event Complex and Outlaw Square Events with Tickets:

Facility Use Fee / Ticket Surcharge:
Applied to sold tickets (Reserved Seating, General Admission)**\$3.00/Per Ticket/Per Performance**

Dated this 3rd day of September, 2024

ATTEST:
/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD
/s/ David Ruth Jr., Mayor

REGULAR MEETING, SEPTEMBER 3, 2024

- D. Permission to make 2024 budget allocation to Lawrence County Teen Court (Northern Hills Diversion) in the amount of \$8,500.00. (\$4,500.00 from Bed and Booze fund and \$4,000.00 from Police Dept.)
- E. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deeds for Daniel and Belinda Larson.
- F. Permission for Finance Officer to sign revised engagement letter with Casey Peterson, LTD for professional services from \$20,000.00 to \$35,000.00. (To be paid from Finance Professional Services.)
- G. Update the following for 2024 workers compensation purposes - Add: Historic Preservation Commissioners Anita Knipper and Jesse Allen effective June 12; Library Board member Beverly Posey effective September 1. Remove: Historic Preservation Commissioners Beverly Posey and Robin Carmody effective June 12 and Library Board member Emily Kutil effective May 15, 2024.
- H. Permission for Trent Mohr to attend the Building Officials State Presidents Forum December 3-5, 2024 in Quincy, MA at a cost to the City not to exceed \$350.00.
- I. Confirm Mayoral appointments commencing September 4, 2024 to the Board of Appeals for Property Maintenance as follows: City Commissioner Mike Johnson, Planning & Zoning Commissioner Charles Eagleson, and Historic Preservation Commissioner Trevor Santochi (Terms ending December 31, 2026) and Planning & Zoning Commissioner Josh Keene and Historic Preservation Commissioner Anita Knipper (Terms ending December 31, 2027).
- J. Permission to purchase a 3 inch residential meter from Metering and Technology at a cost not to \$3,370.58. (To be paid by Water supplies line item with reimbursement by the property owner.)
- K. Waive 45-day requirement and allow use of public property at the Event Complex for Lead Deadwood Youth Soccer Friday, August 29 through Monday, October 28, 2024.
- L. Appoint Beverly Posey to Library board with term September 1, 2024 term ending December 31, 2025.

PUBLIC HEARINGS

License

Public hearing was opened at 5:10 p.m. by Mayor Ruth Jr. Lee Harstad, Nugget Saloon, was available to answer questions, hearing closed. Johnson moved, Martinisko seconded to approve the Retail (on-off sale) Malt Beverage and SD Farm Wine License for Nugget Saloon, LLC at 604-610 Main Street. Roll Call: Aye-All. Motion carried.

Oktoberfest Addendum

Public hearing was opened at 5:11 p.m. by Mayor Ruth Jr. Lee Harstad, Nugget Saloon, was available to answer questions. Discussion was held concerning barriers, security and vending. Hearing closed. Joseph moved, Martinisko seconded to approve street closure on Main Street from Wild Bill Bar to Nugget Saloon for pop-up vendors on Saturday, October 5 from 9:00 a.m. to 10:00 p.m., one-way traffic will be allowed down Main Street via Wall Street and the Parking Ramp; and waiver of vending fees on Saturday, October 5, 2024. Mayor Ruth Jr. thanked Harstad for bringing the addendum forward as an option to expand the events. Roll Call: Aye-All. Motion carried.

Deadweird Addendum

Public hearing was opened at 5:16 p.m. by Mayor Ruth Jr. Lee Harstad, Nugget Saloon, was available to answer questions. Commissioner Martinisko stated questions were answered in previous public hearing. Hearing closed. Martinisko moved, Johnsons seconded to approve street closure on Main Street from Wall to Deadwood Street from noon on Saturday, October 26 to 6:00 a.m. Sunday, October 27, 2024, previously approved on Saturday, October 26 from 4:00 p.m. to 6:00 a.m. on Sunday, October 27; Main Street closure from Wild Bill Bar to Nugget Saloon for pop-up vendors on Saturday, October 26 from noon to 10:00 p.m., one-way traffic will be allowed down Main Street via Wall Street and the Parking Ramp; and waiver of vending fees on Saturday, October 26, 2024. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, SEPTEMBER 3, 2024

NEW BUSINESS

Permit

Planning, Zoning and Historic Preservation Officer Kuchenbecker spoke about review. Martinisko moved, Joseph seconded to Act as Board of Adjustment and approve Annual Review - Conditional Use Permit - Vacation Home Establishment - 64 Cliff Street - Owson Properties, LLC (M. Sneesby) with the following conditions: The conditional use permit runs with the applicant and not the land, proof of state sales tax number, the Building Inspector has inspected the building, city water and sewer rates have been changed from residential to commercial rates, proper paperwork is filed with finance office for BID taxes, proof of City of Deadwood Business License, maintain lodging license with SD Department of Health and all parking shall be off street. Legally described as Lot X2 of Riverside Addition City of Deadwood, Lawrence County, South Dakota, formerly Lot X of Riverside Addition located in the NE 1/4 of Section 27, T5N, R3E, B.H.M. (Approved by Planning & Zoning Commission on Wednesday, August 21, 2024.) Roll Call: Aye-All. Motion carried.

Permit

Kuchenbecker spoke about the review. Martinisko moved, Johnson seconded to Act as Board of Adjustment and approve Annual Review - Conditional Use Permit - Specialty Resort (RV Park) - 20577 Highway 85 - Can Am 85 VRBO-RV (B. Kooiker) with the following conditions: The conditional use permit runs with the applicant and not the land, proof of state sales tax number, the Building Inspector has inspected the building, proper paperwork is filed with finance office for BID taxes, proof of City of Deadwood Business License, obtain lodging license from SD Dept. of Health, all parking shall be off street. Legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE 1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No 613 in the NE 1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. (Approved by Planning & Zoning Commission on Wednesday, August 21, 2024.) Roll Call: Aye-All. Motion carried.

First Reading

Finance Officer McKeown spoke about the Ordinance. Martinisko moved, Joseph seconded to approve First Reading of Ordinance #1404 Amending Chapter 2.04.060 Agenda. Roll Call: Aye-All. Motion carried.

First Reading

McKeown spoke about the Ordinance. Martinisko moved, Johnson seconded to approve First Reading of Ordinance #1405 Creating Chapter 2.04.05 Code of Conduct for Elected Officials as amended. Roll Call: Aye-All. Motion carried.

Hire

Kuchenbecker spoke about the project. Martinisko moved, Johnson seconded to hire Arapahoe Roofing and Sheet Metal, Inc. in the amount of \$393,748.00 to replace the metal Victorian shingles with in-kind materials, repair box gutters, wood trim and paint at Adams House, under Sole Source Procurement due to the unique nature of the Historic Preservation project. (To be paid by 2019 insurance proceeds and Historic Preservation Capital Assets.) McKeown stated a budget supplement may be needed. Roll Call: Aye-All. Motion carried.

Hire

Parks, Recreation & Events Director Adler spoke about the project. Martinisko moved, Joseph seconded to hire RCS Construction for Deadwood Public Library Garden Fence project in the amount not to exceed \$46,900.00, lowest quote of three received. (To be paid by HP Capital Assets line item.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Suicide Prevention week is September 8th - 14th, 2024. Sidewalks in Deadwood and Lead will be painted with chalk to bring support, education and prevention to the cause. Please share #988 (Suicide and Crisis Lifeline) with friends, family, neighbors and strangers.

REGULAR MEETING, SEPTEMBER 3, 2024

Bobby Rock, Outlaw Square, thanked Parks, Police and Streets Departments for all the support and help at Outlaw Square.

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

ADJOURNMENT

Martinisko moved, Joseph seconded to adjourn the regular session at 5:31 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 negotiations per SDCL 1-25-2(4) w/ possible action. The next regular meeting will be on Monday, September 16, 2024 at 5:00 p.m.

After coming out of executive session at 6:07 p.m., Martinisko moved, Joseph seconded to adjourn.

ATTEST:

DATE: _____

Jessica McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____