

REGULAR MEETING, March 16, 2020

The Regular Session of the Deadwood City Commission convened on Monday, March 16, 2020 at 1:00 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, and Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Struble moved, Todd seconded to approve the minutes of March 2, 2020. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the March 16, 2020 disbursements. Roll Call: Aye-All. Motion carried.

4PAWS BROADCASTING	SERVICE	175.00
AASLH MEMBERSHIP	RENEWAL	118.00
ACE HARDWARE	SUPPLIES	186.27
ALBERTSON ENGINEERING	PROJECT	3,427.81
AMAZON	SERVICE	5,226.00
AUGUSTANA COLLEGE	CONFERENCE	250.00
BARCO PRODUCTS	SUPPLIES	182.22
BDTAID	SIGNS	541.20
BIG TEX TRAILER WORLD	SUPPLIES	210.00
BH CHEMICAL	SUPPLIES	282.75
BH COUNCIL	ASSESSMENT	783.00
BH ENERGY	SERVICE	32,190.69
BH LAND ANALYSIS	FIREWISE	4,200.00
BH PIONEER	SERVICE	1,297.98
BH SPECIAL SERVICES	CLEANING	630.00
BLOOMERS	PLANT	60.23
BOYS & GIRLS CLUB	ALLOCATION	3,500.00
BRANDON INDUSTRIES	SIGNS	1,182.00
BUTLER MACHINERY	SUPPLIES	399.78
BUTTE COUNTY EQUIPMENT	PAYMENT	1,251.16
CENTURY BUSINESS PRODUCTS,	CONTRACT	330.40
COCA COLA	SUPPLIES	480.00
COMMERCIAL DOOR	PROJECT	10,924.20
CULLIGAN	SUPPLIES	109.25
DEADWOOD ALIVE	MARCH	10,000.00
DEADWOOD CHAMBER	BILL LIST	95,635.50
DEADWOOD ELECTRIC	SERVICE	1,035.37
DEADWOOD GAMING	BID #8	34,000.00
DEADWOOD HISTORY	DONATION	500.00
DEADWOOD LEAD 76ERS	DONATION	500.00
DEADWOOD SOCIAL CLUB	LUNCHEON	394.59
DIGGER AAU WRESTLING	DONATION	1,000.00
EAGLE ENTERPRISES	SUPPLIES	576.00
EMERY-PRATT	BOOKS	33.77
ESRI	MAINTENANCE	16,600.00
FED EX	SHIPPING	14.11
FERBER ENGINEERING	SERVICE	1,380.00
FIB CREDIT CARDS	SUPPLIES	1,528.14
GALLS	SUPPLIES	153.46
GARDNER CONSTRUCTION	SERVICE	1,560.00
GAYLORD BROS.	SUPPLIES	17.68
GOLDEN GANG	DONATION	250.00
GOLDEN WEST	SERVICE	1,686.00
GOOD HOUSEKEEPING	SUBSCRIPTION	19.97
GRASSROOTS ADVISORS	TABLET	328.14
GTI COMPANIES	SERVICE	937.50
HANDLEY RECREATION CENTER	DONATION	800.00
HAWKINS	SUPPLIES	1,071.01
HISTORIC RAPID CITY	GRANT	5,000.00
INTERSTATE BATTERY	SUPPLIES	200.40
JOHNSON ELECTRIC	PROJECT	388.66
JOHNSON, TRACIE	PROJECT	612.61
KARL'S	SUPPLIES	648.88
KNECHT	PROJECT	1,440.64
KONE	MAINTENANCE	486.80
L-D SCHOOL DISTRICT	DONATION	500.00
L-D YOUTH SOCCER	DONATION	1,000.00
LAWRENCE CO. REGISTER	RECORDING	300.00
LDHS DIGGER TRACK	DONATION	500.00
LEAD-DEADWOOD AREA LIONS	DONATION	500.00
LEAD-DEADWOOD BASEBALL	DONATION	1,000.00
LEAD-DEADWOOD BOOSTER CLUB	DONATION	500.00
LEAD-DEADWOOD CLOTHE-A-KID	DONATION	500.00
LEAD-DEADWOOD POST PROM	DONATION	500.00
LEAD-DEADWOOD SANTA SHOP	DONATION	2,000.00
LEAD-DEADWOOD SANITARY	SERVICE	26,148.46
LEAD-DEADWOOD SCHOOL	ELECTION	9.84
LEAD-DEADWOOD SCHOOL CHOIR	DONATION	575.00
LEAD-DEADWOOD YOUTH FOOTBALL	DONATION	808.58
LOWE ROOFING	REPAIRS	4,955.00
M&M SANITATION	RENTAL	120.00
MANN SIGNS	SIGNS	1,925.00
MARCO	CONTRACT	487.60

REGULAR MEETING, March 16, 2020

MCGRATH, RHONDA	REIMBURSEMENT	374.00
MIDWEST TAPE	DVDS	113.20
MDU	SERVICE	377.44
NATIONAL ASSOCIATION	MEMBERSHIP	75.00
NEBRASKA SALT & GRAIN	SUPPLIES	470.00
NETWORK SERVICES	SUPPLIES	77.92
NHS OF THE BLACK HILLS	CONTRACT	8,877.50
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
OFFICE DEPOT	SUPPLIES	51.48
PITNEY BOWES	LEASE	250.05
POWERPLAN	SUPPLIES	97.95
QUIK SIGNS	SIGNS	1,135.80
RAPID DELIVERY	DELIVERY	14.66
RAPID SPA	SUPPLIES	210.96
RCS CONSTRUCTION	PROJECT	13,232.50
REALTORS FOR KIDS	DONATION	1,000.00
REGIONAL HEALTH	TESTING	35.00
RITZ, JODY	PROJECT	801.93
RODGERS, BARRY	REIMBURSEMENT	64.60
SANDER SANITATION	SERVICE	11,220.03
SANTOCHI, TREVOR	PROJECT	4,901.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	3,083.06
SD DEPT. OF REVENUE	TAX	2,538.67
SD HISTORICAL SOCIETY	SPONSOR	1,000.00
SD NARCOTICS OFFICERS	REGISTRATION	50.00
SD ONE CALL	SERVICE	4.48
SOUTHSIDE OIL	DIESEL	11,265.45
SOUTHSIDE SERVICE	SERVICE	251.55
SPECTRUM EQUIPMENT	SNOMELTER	33,500.00
STURDEVANT'S	SUPPLIES	435.81
SUMMIT SIGNS	SIGNS	82.50
SUNSHINE TOWING	SERVICE	608.00
TALLGRASS LANDSCAPE	PROJECT	1,600.00
TERRONES, LUIS	PROJECT	480.00
THE LORD'S CUPBOARD	RECYCLING	44.10
TOMS, DON	PROJECT	600.00
TRIANGLE D	WORKSTATION	5,975.41
TRIDLE, JOHN	REIMBURSEMENT	129.88
TWILIGHT	SUPPLIES	105.93
TWIN CITY CLOTHING CENTER	DONATION	750.00
VERIZON CONNECT	SERVICE	109.75
VIEHAUSER ENTERPRISES	SERVICE	179.96
WASTEQUIP	SUPPLIES	3,757.84
WEST RIVER MASONRY	PROJECT	1,377.55
WESTENDORF, RANDY	PROJECT	2,409.98
WINTER CONSTRUCTION	PROJECT	1,228.00
		Total \$433,877.64

ITEMS FROM CITIZENS ON AGENDA

Award

Fire Chief Rakow presented certificate to Bill Glover for 35 years of service as a volunteer firefighter. Commission thanked him for his years of service.

TIF

Kevin Wagner, Deadwood-Lead Economic, stated the resolution is non-binding for a project plan in a TIF District boundary. He stated this will be the second phase of Stage Run Development. Commissioner Todd questioned the TIF versus debt. Toby Morris, Dougherty & Company, recommended examining each TIF separately to see the benefit. He also stated this is not constitutional debt, if city chooses not to appropriate, the developer is responsible and that is where together, we match public finance with affordable housing. Commission thanked them for their time.

Census

Rita Marinoni, US Census, spoke to the Commission on the importance of US Census. She stated invitations to public went out last week, and can be completed by mail, phone, or by website. Commission thanked her for her time.

REGULAR MEETING, March 16, 2020

CONSENT

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

- A. Approve Special Alcohol License for Cadillac Jacks to serve liquor at Event Complex Saturday, June 6 from 4:00 p.m. to 10:00 p.m. for Deadwoods All In Freestyle Motocross Event. No public hearing necessary since license is on publicly owned property
- B. Allow use of public property at the Event Complex on Monday June 1 through Monday, June 8 for Deadwoods All In Freestyle Motocross Show. Deposit has been received.
- C. Approve updated contract with Chamber for the management of the Deadwood History & Information Center
- D. Approve updated contract with Chamber for the management and lease of the Deadwood Welcome Center
- E. Permission for Mayor to sign and renew parking lease with SD Commission on Gaming for five parking spots at Miller Lot at total of \$250.00 per month plus tax.
- F. Permission for Mayor to sign revised Memorandum of Agreement with Second Stage LLC. Recommended approval by the Planning and Zoning Commission on March 4.
- G. Accept resignation from Trolley Driver David Osborn effective March 5, 2020.
- H. Permission to advertise for a Patrolman in-house for five days and then in newspaper.
- I. Removed for separate consideration in New Business.
- J. Approve updated Employee Policy Manual; Sections 5.4 Call Back Pay, 5.5 On Call Pay, 5.6 Overtime and 5.7 Compensatory Time and make changes effective March 22, 2020.
- K. Permission to pay CMI \$7,150.00 for annual license for Justice. (2020 budgeted item for Police)
- L. Permission to pay Janke and Sons Trucking in the amount of \$3,700.00 for contracted services of snow removal. (To be paid from Streets budget)
- M. Permission to pay Rock Ridge Trucking in the amount of \$3,135.00 for contracted services of snow removal. (To be paid from Streets budget)
- N. Permission to pay BlackStrap in the amount of \$7,528.75 for sand and gravel. (To be paid from Streets budget)
- O. Permission to purchase three portable radios from Rushmore Communications, Inc. at a cost of \$6,482.40. (To be paid with proceeds awarded from the S.D. Drug Control Fund)
- P. Permission to move Lifeguards Hailey Trewhella and Brandon Russell from part-time to half-time, and Front Desk Receptionist Jennifer Widener from part-time to half-time with half-time benefits effective March 22, 2020. (Rec Center 2020 budgeted item)
- Q. Permission to pay Commercial Door for replacement of City Hall front doors in the amount of \$10,924.20; previously approved at \$8,900.00 on 10-21-19. Increase due to upgrade of solid oak doors. (To be paid from HP Capital Assets)
- R. Permission to hire Stanley Steemer for air duct cleaning at the Rec Center in the amount of \$7,415.00. (To be paid from Public Buildings Professional Services)
- S. Permission to pay Twin City Clothing Center \$2,500.00 for the 2020 budget allocation from Bed & Booze.
- T. Permission for Mayor to sign amendment to joint-funding agreement (20NTJFASD0059) for documenting and mapping surface geological material and historic features found in archaeological investigations associated with Four-Points Hotel Project.
- U. Permission for Mayor to sign contract with Donarski Lawn Care and Landscaping for Whitewood Creek Improvements Phase 4. (approved March 2)
- V. Permission for Mayor to sign loan agreement with North Dakota Historical Society – Chateau de Mores State Historic Site for traveling baseball exhibit.

REGULAR MEETING, March 16, 2020

BID ITEMS

Results

Mayor Ruth Jr. stated two bids were opened for South City Hall Parking Lot Reconstruction as advertised. Bid bonds and acknowledge of Addendums were included in the following bid submittals:

A&L Contractors – Base Bid - \$278,705.99; Alternate 1 - \$134,941.18
GTI Companies – Base Bid - \$241,993.08; Alternate 1 - \$127,144.50

Public Works Director Nelson Jr. stated Parking and Transportation recommended awarding both projects but circumstances with SD DOT partnership with Alternate 1, he recommends awarding Base Bid only to low bidder GTI in the amount of \$241,993.08. Martinisko moved, Johnson seconded to approve Parking and Transportation recommendation to award base bid to GTI Companies. Discussion with Alternate 1, which is the reconfiguring the intersection of Upper Main Street and Highway 14A was held. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Transfer

Public hearing was opened at 5:21 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Todd moved, Struble seconded to approve Retail (on sale) Liquor License (RL-5995) transfer from Lamar Feed and Grain to Midnight Star, LLC at 677 Main Street. Roll Call: Aye-All. Motion carried.

All in One Motocross

Public hearing was opened at 5:22 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Struble moved, Martinisko seconded to allow relaxation of the open container at the Event Complex on Saturday, June 6, 2020 from 4:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Hops and Hogs

Public hearing was opened at 5:24 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions. Hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street from Tin Lizzies Gaming Resort to Masonic Temple, Broadway Street from Wall to Shine, Sherman Street from Pioneer Way to the south side of Pine Street, Deadwood Street from Pioneer Way to Sherman Street, Siever Street, Pine Street from Main Street to Sherman Street and Lee Street from Pioneer Way to 83 Sherman Street on Friday, May 8, 2020 from 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Saturday, May 9, 2020 from 12:00 p.m. to 10:00 p.m. for same area as approved on May 8, 2020. Roll Call: Aye-All. Motion carried.

Mickelson Trail Marathon

Public hearing was opened at 5:26 p.m. by Mayor Ruth Jr. Emily Wheeler, WEM, Inc., was available to answer questions. Hearing closed.

Todd moved, Struble seconded to approve the use of the Sherman Street Parking Lot on Saturday, June 6 and Sunday, June 7, and use of the Event Complex parking area from 5:00 a.m. to 3:00 p.m. on June 7, 2020. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, March 16, 2020

Wednesday Night Summer Concert Series/Open Container Discussion

Public hearing was opened at 5:28 p.m. by Mayor Ruth Jr.

Discussion was held on street closure. Mayor Ruth Jr. stated with the shootout at 6:00 p.m. on Main Street by Silverado, street closure should be at 6:30 p.m. instead of 2:00 p.m. to accommodate residents.

Discussion was held on Open Container. Lee Harstad, Deadwood Chamber, stated the Chamber board voted to have open container in zones 1 and 2 rather than just zone 3 to allow all Main Street Businesses to serve. Commissioner Todd questioned family event and concerns from residents. Harstad replies he has not heard of any concerns. Commissioner Martinisko stated open container through Town makes it an equal opportunity for all businesses, and was part of Squares purpose, to encourage people downtown. She also stated if there are problems, Commission can revoke and revisit in the future. Mike Rodman, representing BID 8 and 9 funding sources for the Square, stated it's important for businesses to have the opportunity to have that business during the event. Mayor Ruth Jr. stated City will rely on the Police Chief to indicate impact, the success rate and personnel for enough staff. After discussion, hearing closed.

Martinisko moved, Johnson seconded to approve Street Closure on Deadwood Street from Main Street to Pioneer Way from 6:30 p.m. to 11:00 p.m. on the following Wednesdays: May 27, June 3, June 10, June 17, June 24, July 1, July 8, July 15, July 22, July 29, August 19, September 2, and September 9, 2020. Roll Call: Aye-All. Motion carried.

Public hearing for open container will be set April 6 for April 20 meeting.

Set

Todd moved, Struble seconded to set public hearing on April 6 for Retail (on sale) Liquor – Restaurant License for Scott Jacobs Brewery at Jacobs Brewhouse at 79 Sherman Street. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Johnson seconded to set public hearing on April 6 for Retail (on sale) Liquor – Restaurant License for Mustang Sally's at 634 Main Street. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Item I

Commissioner Martinisko stated the job descriptions in the packet had errors, which have been corrected. She stated the errors were in the sensory perceptions and mental demands section checklist, which are: color perception, handling conflict, make decisions with limited information, make non-routine or unexpected judgements, and operate in absence of clear expectations or procedures. Martinisko moved, Struble seconded to approve job descriptions for Public Works Part-Time Seasonal and Public Works Seasonal Technician as corrected. Roll Call: Aye-All. Motion carried.

Hire

Johnson moved, Martinisko seconded to promote Lieutenant Kenneth Mertens to Police Chief at \$80,000.00 per year retroactive to March 3, 2020 and appoint him as a member to the Event Committee and as Chairman for the Parking & Transportation Committee. Roll Call: Aye-All. Motion carried. Mayor Ruth Jr. thanked Mertens for applying and his commitment to Deadwood and the force. He also thanked Chief Fuller for all his accomplishments and service.

Resolution

Struble moved, Todd seconded to approve Resolution 2020-09 Support the Creation of a TIF District as amended. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION 2020-09

A RESOLUTION TO SUPPORT THE CREATION OF A TAX INCREMENT FINANCING DISTRICT IN DEADWOOD FOR THE DEVELOPMENT OF AFFORDABLE HOUSING

REGULAR MEETING, March 16, 2020

WHEREAS, the city of Deadwood has a demonstrated lack of affordable housing; and
WHEREAS, SCR Deadwood 1, LLC has been working on a development to contribute inventory of affordable workforce housing; and

WHEREAS, in order to develop municipal infrastructure for the project, a Tax Increment Finance (TIF) District is needed for streets, water, sanitary, curb & gutter, and professional fees.

WHEREAS, the Developer acknowledges the price restrictions of the homes that are put forth on the potential Tax Increment District as defined by South Dakota Department of Revenue to ensure the District is classified as affordable housing.

WHEREAS, the Developer acknowledges that all infrastructure will be built to the City of Deadwood standards and codes.

WHEREAS, the City of Deadwood is a conduit of the Tax Increment District and is not liable for any potential debts the Developer will incur.

NOW, THEREFORE BE IT RESOLVED, the City of Deadwood Board of Commissioners hereby support SCR Deadwood 1, LLC based on the current information presented to Commissioners & City Staff as it continues its efforts toward the creation of a district and passage of a resolution approving the project plan. The City of Deadwood believes the need for affordable housing exists and will consider a proposed plan for a TIF to help fund affordable housing.

Dated this 16th day of March, 2020

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Purchase

Transportation and Facilities Director Kruzel stated the barriers are upgraded barriers for blockades where needed, and the old ones will still be used. Commissioner Martinisko stated the barriers will have the City logo. Johnson moved, Martinisko seconded to approve the purchase of twelve (12) concrete security barriers with three (3) rectangular inserts from Peterson Manufacturing Company in an amount not to exceed \$12,000.00 including shipping, paid from Bed and Booze. Roll Call: Aye-All. Motion carried.

Purchase

Kruzel explained the equipment and the age groups for each game. Todd moved, Struble seconded to approve the purchase equipment from Exergames for the Rec Center in the amount of \$24,985.00 (Rec Center 2020 budgeted item.) Roll Call: Aye-All. Motion carried.

Change Order

Public Works Director Nelson Jr. explained change order is attributed to water main. Martinisko moved, Johnson seconded to approve Change Order #3 from Simon Contractors for Main Street Utility Improvement project in the amount of \$33,480.36, bringing total contract to \$1,317,004.81. Roll Call: Aye-All. Motion carried.

Agreement

Zoning Administrator Russell explained website redesign. Johnson moved, Todd seconded to approve to enter into a four-year agreement (with annual appropriations) with Municode to provide website redesign, hosting and support in the amount of \$5850.00 for two years. (To be funded by HP Professional Services Budget line item and City IT budget line item.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Raffle permit received from Black Hills Shootist Assc. LTD. Drawing will be held on September 26, 2020 for various drawing. No action approves.
- B. Street Closure on Main Street from Tin Lizzie Gaming Resort to Mineral Palace. Kruzel anticipates the closure to be a week. Discussion was held about moving fence and traffic.

Wagner handed out Estimated Disaster Economic Injury Worksheet for Businesses. He explained the worksheet.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2 (1) with possible action.

REGULAR MEETING, March 16, 2020

ADJOURNMENT

Todd moved, Martinisko seconded to adjourn the regular session at 6:08 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2 (1) with possible action. The next regular meeting will be on Monday, April 6, 2020.

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

Martinisko moved, Johnson seconded to continue to pay trolley driver's their normal scheduled wages during the suspension of trolley services, effective March 16, 2020

Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to direct City Staff to contact Jim Doolittle in regards to COVID-19 letter received from the Police Union. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to close public access to City Hall effective March 17, 2020, due to the continued concerns with the COVID-19 pandemic. Business will continue via phone, email and internet methods. City Staff is meeting daily to keep lines of communication open and meet needs as they arise. Mayor Ruth was thanked for his leadership and continued efforts to support staff and keep communication lines open. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to approve updated part-time pay schedule. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to adjourn.

ATTEST:


Jessica McKeown, Finance Officer

DATE: 4-6-20

BY: 

David Ruth Jr., Mayor



Published once at the total approximate cost of _____