

## REGULAR MEETING, February 18, 2020

The Regular Session of the Deadwood City Commission convened on Tuesday, February 18, 2020 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor 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 Gary Todd. Commissioner Charlie Struble was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Martinisko moved, Johnson seconded to approve the minutes of February 3, 2020. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the February 18, 2020 disbursements. Roll Call: Aye-All. Motion carried.

A - Z SHREDDING	SHREDDING	64.15
AACC OPERATING	PROJECT	30.00
ALBERTSON ENGINEERING	PROJECT	4,759.18
ALSCO	SUPPLIES	302.74
AMAZON	SERVICE	682.64
BALCO UNIFORM	UNIFORMS	595.66
BDTAID	PROJECT	2,541.36
BELLE FOURCHE AREA	CLASSES	330.00
BH CHEMICAL	SUPPLIES	538.62
BH OCCUPATIONAL	TESTING	30.00
BH PIONEER	SERVICE	913.40
BH SPECIAL SERVICES	CLEANING	2,380.00
BUTLER MACHINERY	SUPPLIES	4,296.78
CAPFIRST EQUIPMENT FINANCE	PAYMENT	5,261.42
CENTURY BUSINESS	CONTRACT	561.90
COCA COLA	SUPPLIES	50.00
CONRAD'S ELECTRIC	SERVICE	1,687.30
CULLIGAN	SUPPLIES	95.50
DAKOTA TITLE	SERVICE	120.00
DEADWOOD CHAMBER	SERVICE	35,328.16
DRIVERS LICENSE GUIDE	SUPPLIES	100.75
EAGLE ENTERPRISES	SUPPLIES	407.76
EME CORPORATION	SUPPLIES	4,789.00
EPCO ENVIRONMENTAL	SUPPLIES	1,064.97
FELD FIRE	SUPPLIES	1,161.00
FERBER ENGINEERING	SERVICE	3,241.70
FIB CREDIT CARDS	SUPPLIES	3,170.41
FITZGERALD, SARA J.	PROJECT	147.00
FLOYD'S TRUCK CENTER	SUPPLIES	86.60
FOLTZ AND SONS ELECTRIC	PROJECT	85.71
GALLS	UNIFORMS	441.98
GOLDEN WEST	SERVICE	1,611.00
GRIMM'S PUMP	SUPPLIES	140.00
J. PATTERSON PARK	PROJECT	2,860.00
JOE'S SANDBLASTING	PROJECT	1,190.00
KDSJ	SERVICE	350.00
KIMBALL MIDWEST	SUPPLIES	133.08
KNECHT	SUPPLIES	1,029.96
KONE	MAINTENANCE	486.80
LAWRENCE CO. REGISTER	SERVICE	240.00
LEAD-DEADWOOD BASEBALL ASS	RENEWAL	250.00
LEAD-DEADWOOD SANITARY DIS	SERVICE	26,941.87
LOUDEN, BRYAN	PROJECT	1,401.21
LOWE ROOFING	PROJECT	18,966.00
LYNN'S	SUPPLIES	35.94
M&M SANITATION	RENTAL	120.00
MACROVISION	SERVICE	150.00
MIDCONTINENT TESTING	TESTING	44.50
MITCHELL AREA HISTORICAL	GRANT	10,000.00
MDU	SERVICE	481.96
MONTANA HISTORICAL SOCIETY	PHOTO	30.00
MS MAIL	SERVICE	25.00
NEBRASKA SALT & GRAIN	SUPPLIES	470.00
NETWORK SERVICES	SUPPLIES	244.92
NORTHERN HILLS TECHNOLOGY	SERVICE	131.50
PASSPORT LABS	METERS	100.50
PITNEY BOWES	POSTAGE	500.00
PL CARPENTRY	PROJECT	4,519.02
PLAY IT AGAIN SPORTS	SUPPLIES	114.48
QUIK SIGNS	SIGNS	1,434.84
RAMKOTA HOTEL	CONFERENCE	1,548.00
REGIONAL HEALTH	TESTING	304.00
RITZ, JODY	PROJECT	285.74
ROCK RIDGE TRUCKING	SERVICE	2,360.00
RUNGE, MIKE	REIMBURSEMENT	58.76
SANDER SANITATION SERVICE	SERVICE	11,220.03
SANTOCHI, TREVOR	PROJECT	2,397.50
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	7,210.60
SD DEPT. OF REVENUE	TAX	2,999.77
SD DEPT. OF TOURISM	SPONSOR	2,715.00
SD MUNICIPAL LEAGUE	REGISTRATION	126.00

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SOUTHSIDE OIL	GASOLINE	9,911.88
SOUTHSIDE SERVICE	SERVICE	1,267.33
SPEARFISH SEAMLESS GUTTER	PROJECT	913.16
ST. JOHN'S EPISCOPAL CHURCH	GRANT	2,460.00
STARTZ & STARTZ LANDSCAPING	SERVICE	920.00
STRICKLAND, VICKI	PHOTOS	320.00
STURDEVANT'S	SUPPLIES	686.96
SUNSHINE TOWING	SERVICE	379.00
TALLGRASS LANDSCAPE	PROJECT	1,000.00
THE LORD'S CUPBOARD	RECYCLING	66.69
TRINITY UNITED METHODIST	GRANT	5,000.00
TWIN CITY HARDWARE	GRANT	155.64
VERIZON CONNECT	SERVICE	109.75
VIEHAUSER ENTERPRISES	SERVICE	3,783.00
VIGILANT BUSINESS SOLUTION	SERVICE	489.00
WASTE CONNECTIONS	SERVICE	6,664.05
WASTEQUIP	SUPPLIES	6,814.70
WATCH D.O.G.S.	SUPPLIES	223.44
WESTENDORF, RANDY	PROJECT	1,257.71
WESTERN COMMUNICATIONS	SUPPLIES	7,650.00
WINSSELL CONSTRUCTION	PROJECT	17,316.40

Total \$277,711.93

### CONSENT

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

- A. Make 2020 budgeted allocation to Lead Area Chamber of Commerce (Gold Camp Jubilee Fireworks) in the Amount of \$5,000.00 from Bed and Booze Fund.
- B. Permission to approve updated job description for Mt. Moriah Booth Attendant under Historic Cemeteries.
- C. Removed for separate consideration in New Business.
- D. Permission to pay BlackStrap, Inc. in the amount of \$4,731.00 for road salt. (To be paid from Streets Supplies.)
- E. Permission to reverse City invoice to CAI,2 LLC in the amount of \$223.20 as this was a City expense and should not have been passed to contractor.
- F. Permission for the Mayor to sign the renewal agreement between the City of Deadwood and Deadwood Chamber for the management and lease of the Deadwood Welcome Center
- G. Permission for the Mayor to sign the renewal agreement between the City of Deadwood and Deadwood Chamber for the management of the Deadwood History & information Center
- H. Permission to purchase new lockers from Salisbury Industries in an amount not to exceed \$8,800.00. (Budgeted line item for Rec Center.)
- I. Permission to increase wage of Rec Center employees Hannah Campbell from \$10.85 per hr. to \$11.15 per hr. effective February 16, 2020 after two years of service, and Rebecca Groeger from \$10.57 per hr. to \$10.85 per hr. effective February 17, 2020 after one year of service.
- J. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Mark and Penny Paddock.
- K. Removed for separate consideration in New Business
- L. Permission for Finance Office to refund \$150.00 to Steven Wells for withdrawn application for Conditional Use Permit.
- M. Permission to pay First Baptist Church Parking lease in the amount of \$3,600.00. (To be paid from Parking and Transportation budget.)
- N. Contract with Simpsons Printing to reprint Boots on Bricks publication in the amount of \$ 11,973.00 plus freight to be paid from the budgeted 2020 Public Education line item of Historic Preservation.
- O. Approve Historic Preservation Commission's recommendation to award 6 grant recipients from the Outside of Deadwood Grant Program in a total amount of \$50,000.00 as budgeted in the 2020 Historic Preservation budget and allow Mayor to sign agreements. Grants were approved for the following: American Legion Pierre Post 8 – repair cabins original pine logs – Pierre - \$10,000.00; Our Savior's Lutheran Church – repair exterior façade – Menno - \$5,000.00; Lead/Deadwood Sanitary – repair Hanna Pump Station – Lead - \$10,000.00; United Church of Crist Congregational – stain glass windows – Yankton - \$10,000.00; Haakon County – repair of parapet – Phillip - \$10,000.00; Fall River County – museum collection of photographs – Hot Springs - \$5,000.00.
- P. Permission to purchase an additional 50 Recycle Totes in the amount of \$3,757.84. To be Paid from the Sanitation Budget

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- Q. Permission to advertise in-house and in the newspaper for a part-time (19 hours per week) public buildings custodial position at \$12.74 per hour.
- R. Permission for Mayor to sign agreement with TTG Enterprise, Inc. to perform phase one of Supervisory Control and Data Acquisition, SCADA. (Approved February 3)
- S. Permission to pay Lawrence County \$3,562.00 for completion of BPR of Central Square Implementation for Police software upgrade. (To be paid from Police Professional Services budget.)
- T. Permission to make 2020 budgeted allocation installment payment to Deadwood Chamber of Commerce for the Jumbo TV Screen at Outlaw Square in the amount of \$25,000.00 from Bed and Booze Fund.
- U. Add Annie Groves, Jasmine Riter and Allen Sternhagen to the Volunteer Fire Department roster for workers compensation purposes effective February 13, 2020.

### PUBLIC HEARINGS

#### Forks, Corks, Kegs

Public hearing was opened at 5:02 p.m. by Mayor Ruth Jr. Bobby Rock, Deadwood Chamber, was available to answer questions. Hearing closed.

Martinisko moved, Johnson 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 April 3, 2020 from 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Saturday April 4, 2020 from 11:00 a.m. to 10:00 p.m. for same area as approved on April 5, 2019. Roll Call: Aye-All. Motion carried.

#### Set

Todd moved, Martinisko seconded to set public hearing for March 2 for Retail (on-off sale) Malt Beverage (RB-2416) and Retail (on-off sale) Wine (RW-6646) License transfers from DSG LLC to Aves Full dba Mr. Wu's at 560 Main Street. Roll Call: Aye-All. Motion carried.

### NEW BUSINESS

#### Item C (job description)

Commissioner Martinisko stated under Mental Demands, Use of tact and diplomacy should be checked yes instead of no. Martinisko moved, Johnson seconded to approve updated job description for Public Works Seasonal Employee. Roll Call: Aye-All. Motion carried.

#### Item K (Updated Policy)

Martinisko moved, Johnson seconded to continue into executive session for further discussion, the updated policy 5 (Hours of Work) employee Handbook. Roll Call: Aye-All. Motion carried.

#### Second Reading

After discussion concerning the requirements for the license, Martinisko moved, Johnson seconded to approve second reading of Ordinance #1309. Discussion continued concerning price and how to determine who qualifies for the license. After discussion, Martinisko moved, Johnson seconded to amend the motion and approve second reading of Ordinance #1309 to Amend Chapter 4, Alcoholic Beverages with price set as \$100,000.00 for Retail (on-sale) Liquor-Restaurant License. Roll Call: Aye-All. Motion carried.

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### Funds

Mayor Ruth Jr. spoke about the parking donations and read the Organizations approved, which are listed below. Martinisko moved, Johnson seconded to approve allocations for funds collected from Holiday Parking Donation Fund in the total amount of \$13,183.58. (To be paid from Parking and Transportation Grants to other entities account, 2019 expense.) Commissioner Martinisko thanked staff and especially Tom Kruzel for bringing this forward. Roll Call: Aye-All. Motion carried.

Deadwood History \$ 500.00	Digger AAU Wrestling Club \$ 1,000.00
Digger Track and Field Team \$ 500.00	DL Swim Team \$ 500.00
Golden Gang Easter Egg Hunt \$ 250.00	LD School District \$ 500.00
LD Baseball Association \$ 1,000.00	LD Booster Club \$ 500.00
LD Clothe-A-Kid \$ 500.00	LD Lions Club \$ 500.00
LD Music Dept \$ 575.00	LD Post Prom Committee \$ 500.00
LD PTO Santa Shop \$ 2,000.00	LD RoboWerks/Steam \$ 800.00
LD Youth Football League 49ers and Cheer Team \$ 808.58	
LD Youth Soccer \$ 1,000.00	Realtors for Kids \$ 1,000.00
Twin City Clothing Center \$ 750.00	

### Agreement

Planning and Zoning Administrator Russell spoke about the agreement between City of Deadwood and Second Stage LLC concerning sidewalks and city maintenance at the new development at Stage Run. Martinisko moved, Johnson seconded to act as Board of Adjustments, and direct staff to bring fourth an updated Memorandum of Agreement. Roll Call: Aye-All. Motion carried.

### Amendment

Public Works Direct Nelson Jr. spoke about the amendment for Timm Lane design contract. Todd moved, Martinisko seconded to approve an amendment to the Timm Lane design contract with Interstate Engineering in the amount of \$7,546.57 for Scour Calculations. (To be reimbursed from SD Dept. of Transportation) Roll Call: Aye-All. Motion carried.

### Request for Proposals

Johnson moved, Todd seconded to allow Historic Preservation Office to issue Request for Proposals for the professional services of an organization to perform the Historic Main Street Reenactments and Performance of the Trail of Jack McCall. Roll Call: Aye-All. Motion carried.

### Contract

Commissioner Martinisko questioned the quotes. Transportation and Facilities Director Kruzel stated the low bid was comparable to the engineers estimate. Todd moved, Martinisko seconded to approve the staff recommendation and enter into contract with PL Carpentry to construct the Grandstands ADA South Boardwalk Project in the amount of \$29,677.72. Quotes were received by 2:00 p.m. on February 12, 2020. This is a budgeted project in Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

### Advertise

Nelson Jr. spoke about TIF #12. Martinisko moved, Johnson seconded to advertise for the Installation of the Infrastructure related to TIF #12 Affordable Housing Stage Run and set bid opening for Tuesday March 24 at 2:00 p.m. with results presented to City Commission on April 6. Roll Call: Aye-All. Motion carried.

### Advertise

Nelson Jr. explained the project. Martinisko moved, Johnson seconded to advertise for Reconstruction of the South City Hall parking lot and set bid opening for March 11 at 2:00 pm. with results to City Commission on March 16, 2020. Roll Call: Aye-All. Motion carried.

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INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Regular City Commission meeting on March 2 will be held at 1:00 p.m. to accommodate Government Day for Lead/Deadwood High School.

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.

ADJOURNMENT

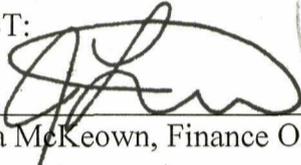
Todd moved, Martinisko seconded to adjourn the regular session at 5:47 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2 (1) with possible action. The next regular meeting will be on Monday, March 2, 2020.

After coming out of executive session at 6:46 p.m. Todd moved, Martinisko seconded to appoint an interview committee for the Chief of Police position. Roll Call: Aye-All. Motion carried.

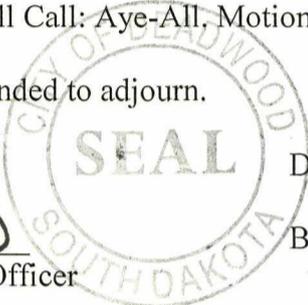
Martinisko moved, Johnson seconded to allow Mayor to sign separation agreement with Police Officer Braxton McKeon. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to adjourn.

ATTEST:



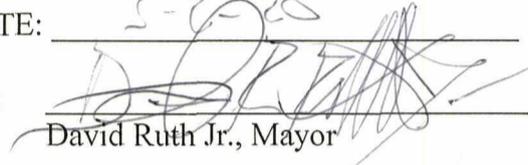
Jessicca McKeown, Finance Officer



DATE:

3-2-20

BY:



David Ruth Jr., Mayor

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