

## REGULAR MEETING, February 3, 2020

The Regular Session of the Deadwood City Commission convened on Monday, February 3, 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, Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

Mayor Ruth Jr. introduced Daniel Egemo, senior in high school who is shadowing as part of his senior experience, since he is interested in local politics.

### APPROVAL OF MINUTES

Struble moved, Todd seconded to approve the minutes of January 21, 2019. Roll Call: Aye-All. Motion carried.

JANUARY, 2020 PAYROLL: COMMISSION, \$4,096.14; FINANCE, \$27,798.01; PUBLIC BUILDINGS, \$11,765.89; POLICE, \$115,399.36; FIRE, \$8,157.70; BUILDING INSPECTION, \$6,405.75; STREETS, \$44,831.32; PARKS, \$33,273.52; PLANNING & ZONING, \$6,627.12; LIBRARY, \$15,530.73; RECREATION CENTER, \$22,072.51; HISTORIC PRESERVATION, \$25,993.28; WATER, \$23,804.70; PARKING METER, \$15,594.23; TROLLEY, \$29,903.18; PARKING RAMP, \$1,219.87. **PAYROLL TOTAL: \$392,473.31.**

### JANUARY, 2020 PAYROLL PAYMENTS:

Internal Revenue Service, \$94,111.42; S.D. Retirement System, \$45,064.54; Delta Dental, \$4,487.50.

### APPROVAL OF DISBURSEMENTS

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

A & B BUSINESS SOLUTIONS	CONTRACT	306.79
A & B WELDING	SERVICE	172.43
A-1 CONSTRUCTION	PROJECT	70,183.46
ACE HARDWARE	SUPPLIES	2.79
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,177.30
ALBERTSON ENGINEERING	PROJECT	406.37
ALSCO	SUPPLIES	603.91
AMERICAN LEGAL PUBLISHING	SERVICE	2,242.00
ARROWHEAD FORENSICS	SUPPLIES	588.21
ATCO INTERNATIONAL	SUPPLIES	348.60
BALCO UNIFORM	UNIFORMS	1,072.42
BDAID	PROJECT	2,048.40
BERG, DALE	REIMBURSEMENT	235.20
BH CHEMICAL	SUPPLIES	295.48
BH ENERGY	SERVICE	29,621.60
BH SPECIAL SERVICES	CLEANING	1,155.00
BH WINDOW CLEANING	CLEANING	2,779.00
BLOOMBERG BUSINESSWEEK	RENEWAL	50.00
CARMODY, ROBIN	REIMBURSEMENT	52.00
CENTURY BUSINESS PRODUCTS	SERVICE	340.14
DALES TIRE	SERVICE	2,628.00
DEADWOOD CHAMBER	BILL LIST	144,873.89
DEADWOOD GAMING ASSOCIATIO	BID #8	24,000.00
DU-HA	SUPPLIES	367.92
EB COMMUNICATIONS	PROGRAMMING	112.00
ECOLAB	SERVICE	254.73
EME	SUPPLIES	1,467.00
EMERY-PRATT	BOOKS	11.94
FASSBENDER COLLECTION	OPERATIONS	15,000.00
FERBER ENGINEERING	SERVICE	8,272.00
FIRST NATIONAL CREDIT CARD	SUPPLIES	561.68
FLAT EARTH SIGN	PROJECT	2,495.00
GALLS	UNIFORMS	338.39
GOLDEN WEST	SERVICE	2,207.00
GROSSENBURG IMPLEMENT	SUPPLIES	1,192.42
HAMPTON INN	MEETINGS	850.80
HANSEN WHEEL & WAGON SHOP	SERVICE	1,625.84
HAWKINS	SUPPLIES	1,012.07
HIGH TECH MECHANICAL	PROJECT	3,486.57
INTOXIMETERS	SUPPLIES	205.25
IT STRAPS ON	SUPPLIES	127.82
JACOBS WELDING	SUPPLIES	245.23
JOHNSON, MICHAEL	REIMBURSEMENT	223.20
KEYSTONE AREA HISTORICAL	SPONSOR	400.00
KNECHT HOME CENTER	SUPPLIES	22.98
KNECHT HOME CENTER	GRANTS	10,291.82
KTM DESIGN SOLUTIONS	PROJECT	1,370.00
KUCHENBECKER, KEVIN	REIMBURSEMENT	235.20
LAWRENCE CO. AUDITOR	FEE	5,937.00
LAWRENCE CO. REGISTER	FEE	90.00
LEAD DEADWOOD ARTS CENTER	FRAMING	230.00
LOUDEN, BRYAN	PROJECT	1,363.66
LYNN'S	SUPPLIES	23.59
MDU	SERVICE	12,308.25
MORSE, MARCIA E.	MORTGAGE EXPENSE	513.45
MOSHER, ANDREW	REIMBURSEMENT	52.00
MS MAIL	SERVICE	395.00

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MUTUAL OF OMAHA	INSURANCE	255.55
NATIONAL BUSINESS FURNITURE	SUPPLIES	1,268.00
NETWORK SERVICES	SUPPLIES	276.24
NFPA	MEMBERSHIP	1,575.00
NHS OF THE BLACK HILLS	SERVICE	2,327.50
NORTH CENTRAL SUPPLY	SUPPLIES	2,500.98
NUGGET SALOON	PROJECT	41,209.67
OFFICE DEPOT	SUPPLIES	372.34
PEARSON, TRAVIS	REIMBURSEMENT	52.00
PETTY CASH	HP/ZONING	49.53
PHEASANTLAND INDUSTRIES	SIGNS	156.41
PL CARPENTRY	PROJECT	3,734.28
QUILL	SUPPLIES	759.51
RAMKOTA HOTEL	LODGING	213.98
RASMUSSEN MECHANICAL	SERVICE	929.04
RCS CONSTRUCTION	PROJECT	21,806.50
RUSHMORE OFFICE	SUPPLIES	198.75
RUTH JR., DAVID	REIMBURSEMENT	223.20
S AND C CLEANERS	CLEANING	7,182.00
SANFORD, TY	REIMBURSEMENT	52.00
SD DEPT. OF REVENUE	LICENSE	150.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,332.78
SIMON CONTRACTORS	PROJECT	66,822.30
SMITH, JAY	PROJECT	1,204.87
STRETCH'S	SERVICE	168.05
STURGIS AUTO PARTS	SUPPLIES	541.03
SUMMIT SIGNS	SIGNS	368.00
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
TRIPLE K	SERVICE	968.96
TWILIGHT	SUPPLIES	230.93
TWIN CITY HARDWARE	SUPPLIES	2,915.44
TWIN CITY HARDWARE	GRANTS	676.98
VAST BROADBAND	SERVICE	3,300.29
VERIZON WIRELESS	SERVICE	186.64
VIEHAUSER ENTERPRISES	SERVICE	58.85
VISIONS HOME IMPROVEMENTS	PROJECT	13,806.75
WEBER, JILL	REIMBURSEMENT	52.00
WEBER, TODD	REIMBURSEMENT	235.20
WELLMARK	INSURANCE	54,584.30
WESTENDORF, RANDY	PROJECT	2,940.16
WESTERN COMMUNICATIONS	SUPPLIES	857.50
WIERINGA, ANNE M.	REIMBURSEMENT	221.12
ZUERCHER TECHNOLOGIES	CONVERSION	13,500.00
		Total \$618,168.29

## CONSENT

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

- A. Permission for Kevin Kuchenbecker to sign the Amendment to the Programmatic Agreement among the United States Department of Agriculture Rural Business-Cooperative Service, the South Dakota State Historic Preservation Officer, the Deadwood Historic Preservation Office and Deadwood Hotels, LLC regarding the Deadwood Hotels, LLC Hotel Construction Project. This is for the modification of the Archaeological & Historical Treatment Plan for Four Points Hotel Project.
- B. Removed for separate consideration in New Business
- C. Permission for Historic Preservation Office to purchase Metal Cabinet from Steel Fixture Manufacturing Company of Topeka, Kansas in an amount not to exceed \$4,500.00 for Archaeological Collections as budgeted from 2020 HP Archives budget.
- D. Permission to engage TDG Communications to update brochures for walking tour and Mt. Moriah Cemetery in an amount not to exceed \$2,500.00 from the 2020 HP Public Education budget.
- E. Permission to enter into contract with Donald Toms to index the Lawrence County Tax Records (1891-1910) in amount not to exceed \$8,000.00 as budgeted from the 2020 HP Archives budget.
- F. Permission to purchase new document/photographic scanner from Large Document Solutions in the amount not to exceed \$4,500.00 as budgeted from the 2020 HP Archives budget.
- G. Permission to engage Maryland Archaeological Conservation Laboratory to assist in the recovery of the wood water feature and woven basket discovered in the archaeological investigation of the Four-Points Hotel Project in an amount not to exceed \$2,900.00 with funding from HP Archaeology line item.
- H. Permission to sponsor the 2020 publication of the Society of Black Hills Pioneers Annual history book in the amount of \$3,000.00 from the 2020 HP Public Education budget.



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- I. Permission to allow a phone allowance of \$35.00 per pay period for Troy Jassman (Public Buildings) effective 1/22/2020.
- J. Approve purchase materials from Wheeler Lumber to upgrade the ADA access for Days of 76 Grandstands south side in the amount of \$12,376.95. (To be paid from budgeted HP Capital Assets Rodeo Grounds line item.)
- K. Permission to approve updated job descriptions for Rec Center Program Coordinator, Rec Center Assistant Manager, Rec Center Receptionist and Lifeguard.
- L. Permission to approve updated job description for Police Chief.
- M. Permission to Hire Northern Hills Homes to do body repairs to Trolley #2 in the amount of \$5,004.00. (Covered by insurance funds. To be paid out of Trolley Repairs.)
- N. Permission to pay Northern hills homes for body repairs to Trolley #3 in the amount of \$3,787.92. (Covered by insurance. To be paid out of Trolley Repairs.)
- O. Permission to hire Rachel Janssen for lifeguard position at Rec center at a rate of \$10.57 per hour effective 2/4/2020, pending pre-employment testing.
- P. Permission to remove Geoffrey Fillingsness from payroll effective 2/9/2020.
- Q. Permission to advertise for Library Assistant (30 hours with benefits) position in house for 5 days and then in official newspaper, if needed.
- R. Pending direction of Library Board, permission to advertise for Library Director position in house for 5 days and then in official newspaper.
- S. Permission to pay Lowe roofing in the amount of \$2,502.00 to replace sky lights at Library, damaged in 2019 hail storm. (To be paid from Public buildings repair budget.)
- T. Permission to hire Lowe roofing to replace roof system on elevator shaft at Parking Garage (damaged by 2018 hail storm) amount not to exceed \$4,955.00. (To be paid from Parking Ramp repair line item.)
- U. Permission to purchase 5500 gallons of gas at \$2.13 per gallon from Southside Oil.
- V. Allow use of public property at the Event Complex March 16 through May 31, 2020 for Lead Deadwood Soccer pending proof of insurance.
- W. Allow use of public property at the Event Complex July 27 through October 31, 2020 for BHYFL 49ers Football Practice pending proof of insurance.
- X. Permission to hire Rasmussen Mechanical to replace the furnace assembly at Streets Shop, amount not to exceed \$6000.00. (Life safety item to be paid from Public Buildings Repair budget.)
- Y. Permission to allow Mayor to sign 2020 Initial Boundary Validation (BVP) for the US Census Bureau.
- Z. Permission to pay Western Communications in the amount of \$7,530.00 for the Police Repeater Upgrade Project. (Budgeted in Police Professional Services.)
- AA. Removed for separate consideration in New Business
- BB. Permission for Mayor to sign updated agreement with ZCN, LLC for eight parking spaces for City of Deadwood police vehicles.

## PUBLIC HEARINGS

### Transfer

Public hearing was opened at 5:03 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 Midnight Star Enterprises to Lamar Feed and Grain at 677 Main Street. Roll Call: Aye-All. Motion carried.

### License

Public hearing was opened at 5:04 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Johnson moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage License, and Retail (on-off sale) Wine Licenses for Jacobs Brewhouse at 79 Sherman Street. Roll Call: Aye-All. Motion carried.

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### Set

Martinisko moved, Struble seconded to set public hearing on February 18 for Forks, Corks, and Kegs Event. Roll Call: Aye-All. Motion carried.

## NEW BUSINESS

### Agreement

Historic Preservation Officer Kuchenbecker explained the joint-funding agreement with USGS for archaeological investigations. Martinisko moved, Johnson seconded to allow Mayor to sign joint-funding agreement (20NTJFASD0059) for documenting and mapping surface geological material and historic features found in archaeological investigations associated with Four-Points Hotel Project. Project in the amount of \$2,500.00 with an additional match by USGS of \$1,300.00 for total cost of \$3,800.00 with funding from HP Archaeology line item. Roll Call: Aye-All. Motion carried.

### Application

Commissioner Martinisko stated instead of permission for Mayor it should state permission for Ken Hawki to sign. Finance Officer McKeown stated Hawki has been working on this grant for the Fire Department and is present to answer any questions. Martinisko moved, Johnson seconded to allow Ken Hawki to sign Homeland Security Grant Application for the Deadwood Volunteer Fire Department. Roll Call: Aye-All. Motion carried.

### Contract

Transportation and Facilities Director Kruzel explained Phase 1 of Supervisory Control and Data Acquisition. He stated two units of eleven around town, plus head unit will be updated to cellular technology. Struble moved, Todd seconded to enter into contract with TTG Enterprise, Inc. to perform phase one of Supervisory Control and Data Acquisition, SCADA, update proposal and install two of the remote units from phase two, in an amount not to exceed \$23,200.00. Roll Call: Aye-All. Motion carried.

### Purchase

Martinisko moved, Johnson seconded to grant permission to purchase a 2020 Ram Pro-master van from Scott Peterson Motors in the amount of \$22,980.00. (To be paid from Public Buildings budget.) Commissioner Martinisko questioned the purpose of the van. Kruzel stated this is for the additional public buildings technician. Roll Call: Aye-All. Motion carried.

### Purchase

Martinisko moved, Johnson seconded to grant permission to purchase a 2020 Ford F350 pickup (off of state bid) in the amount of \$33,671.66 from Scott Peterson Motors, and purchase a utility box and lift gate to be installed on the truck in the amount not to exceed \$12,315.28 from Black Hills Truck and Trailer. (Total amount of \$45,986.94, budgeted item from Water Department.) Kruzel stated this vehicle will replace a 2004 Ford F350. Roll Call: Aye-All. Motion carried.

### Permission

Kuchenbecker explained the project, and will work with the Chamber of Commerce. Kruzel stated different contractors as well as in-house employees will be working on the project. Struble moved, Todd seconded to grant permission to construct new visitor's information counter and seating area at History and Interpretive Center, in the amount not to exceed \$17,500.00. (Budgeted in HP capital assets.) Roll Call: Aye-All. Motion carried.

### Permission

Planning and Zoning Administrator Russell explained Phase Four of Whitewood Creek, which is Walnut Street to Comfort Inn. Martinisko moved, Johnson seconded to grant permission to obtain quotes for Whitewood Creek Improvement (Phase 4) Project to include creek cleanup and planting. Roll Call: Aye-All. Motion carried.



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First Reading

Attorney Riggins explained the amendment to Chapter 4, Alcohol Beverages. He stated this additional license will be set by statue, and market value. Mayor Ruth Jr. stated there are two Restaurant Liquor Licenses available, but to qualify 60% of total sales has to be food only. Toby Keehn, Mustang Sally's, questioned total sales. After discussion, Martinisko moved, Johnson seconded to approve first reading of Ordinance #1309 to Amend Chapter 4, Alcoholic Beverages. Roll Call: Aye-All. Motion carried.

Resolution

Russell explained the change of grading permits. Discussion was held concerning Commercial versus Residential rates. Todd moved, Martinisko seconded approve Resolution 2020-06 Schedule of Rate of Grading Permit. Roll: Aye-All. Motion carried.

**CITY OF DEADWOOD  
RESOLUTION 2020-06**

**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 fee(s) and other designations effective January 1, 2020:

**Grading Fee:**

0 to 10 cubic yards.....	no charge
11 to 50 cubic yards .....	\$50.00
Over 50 cubic yards.....	\$1.00 per cubic yard
Over 50 cubic yards .....	\$100.00

Dated this 3rd day of February, 2020

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Petitions may be taken out and circulation may begin on January 31, 2020 for two City Commission seats, each 3-year terms. Petitions must be returned no later than February 28, 2020 at 5:00 pm.
- B. The City of Deadwood is soliciting Deadwood residents interested in serving on the Deadwood Historic Preservation Commission to submit letter of interest and complete application form with the Mayor's Office by April 15, 2020. There will be three commission seats available beginning June 1, 2020.
- C. Set Special Meeting for Parking Donation Request Work Session. February 6<sup>th</sup> at 8 a.m.

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, Struble seconded to adjourn the regular session at 5:35 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 Tuesday, February 18, 2020.

After coming out of executive session at 5:54 p.m. Martinisko moved, Johnson seconded to adjourn.

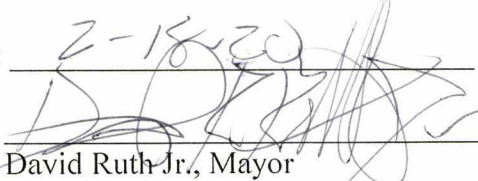
ATTEST:



Jessicca McKeown, Finance Officer

DATE:

BY:

2-18-20  
  
David Ruth Jr., Mayor

Published once at the total approximate cost of \_\_\_\_\_