

REGULAR MEETING, SEPTEMBER 3, 2019

The Regular Session of the Deadwood City Commission convened on Monday, September 3, 2019 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.

APPROVAL OF MINUTE

Martinisko moved, Johnson seconded to approve the amended minutes of August 19, 2019. Roll Call: Aye-All. Motion carried.

AUGUST, 2019 PAYROLL: COMMISSION, \$4,096.14; FINANCE, \$28,521.41; PUBLIC BUILDINGS, \$11,876.24; POLICE, \$118,643.85; FIRE, \$8,060.46; BUILDING INSPECTION, \$6,404.69; STREETS, \$42,907.91; PARKS, \$51,426.54; PLANNING & ZONING, \$8,991.72; LIBRARY, \$10,058.53; RECREATION CENTER, \$24,806.87; HISTORIC PRESERVATION, \$25,458.55; WATER, \$22,893.64; MT. MORIAH, \$8,501.80; PARKING METER, \$16,655.92; TROLLEY, \$34,354.08; PARKING RAMP, \$3,930.36. **PAYROLL TOTAL: \$427,588.71.**

AUGUST, 2019 PAYROLL PAYMENTS:

Internal Revenue Service, \$100,848.52; S.D. Retirement System, \$42,546.62; Delta Dental, \$4,336.00.

APPROVAL OF DISBURSEMENTS

Struble moved, Todd seconded to approve the September 3, 2019 disbursements. Roll Call: Aye-All. Motion carried.

A & I DISTRIBUTORS	SUPPLIES	610.76
A&B BUSINESS SOLUTIONS	CONTRACT	308.59
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,933.13
ALSCO	SUPPLIES	394.36
ARLETH LAND SURVEYING	SERVICE	2,037.50
ARROWHEAD FORENSICS	SUPPLIES	132.30
ATCO INTERNATIONAL	SUPPLIES	224.00
BARRETT, VICKIE	REFUND	284.00
BICKLE'S TRUCK	SUPPLIES	727.00
BH CHEMICAL	SUPPLIES	4,305.60
BUTLER MACHINERY	SUPPLIES	343.63
CARTER FMX	SPONSOR-MOTOCROSS SHOW 9/7/19	25,000.00
CHAINSAW CENTER	REPAIR	24.95
CONVERGINT TECHNOLOGIES	MONITORING	720.00
DEADWOOD ALIVE	SEPTEMBER 2019	10,000.00
DEADWOOD CHAMBER	BILL LIST	49,000.00
DEADWOOD ELECTRIC	REPAIRS	252.38
DEADWOOD GAMING	SEPTEMBER 2019	13,000.00
DONARSKI LAWCARE	SERVICE	38,100.00
EB COMMUNICATIONS	SERVICE	110.00
ECOLAB	SERVICE	90.00
EMERY-PRATT	BOOKS	143.81
FAST BREAK SCREEN PRINTING	SERVICE	180.00
FIRST NATIONAL CREDIT CARD	SUPPLIES	1,462.81
FLOYD, LAURA	GRANT	207.31
FMG ENGINEERING	TESTING	415.20
FULL RESTORATION	PROJECT	19,226.47
GARDNER CONSTRUCTION	PROJECT	1,421.49
GENPRO ENERGY SOLUTIONS	MAINTENANCE	411.00
HANDYMAN ARTISTRY	PROJECT	5,421.83
HAWKINS	SUPPLIES	1,062.60
HILLYARD	SUPPLIES	563.70
IDENTISYS	SUPPLIES	600.00
JACOBS WELDING	SERVICE	569.12
KARL'S TV	SUPPLIES	359.99
KNECHT	SUPPLIES	3,303.28
LAKOTA CONTRACTING	SUPPLIES	36.95
LAMB PAINTING	PROJECT	8,488.54
LEAD-DEADWOOD ELEMENTARY	DONATION	45.00
LYNN'S	SUPPLIES	117.03
MCKIE FORD-LINCOLN	REPAIRS	276.44
MIDWEST TAPE	DVDS	415.48
MDU	SERVICE	2,060.69
MS MAIL	SERVICE	2,372.00
MUTH ELECTRIC	SERVICE	2,286.06
MUTUAL OF OMAHA	INSURANCE	230.80
NAT'L ASS'N OF SCHOOL	COURSE	495.00
NETWORK SERVICES	SUPPLIES	152.55
NEWELL MUSEUM	GRANT	2,250.00
NITRO ALLEY	SUPPLIES	2,676.00
OTIS ELEVATOR	SERVICE	730.32
PARTSMaster	SUPPLIES	293.97
PEARSON, JACI	PROJECT	2,025.00
RAMKOTA HOTEL	LODGING	203.00
RAPID SPA	SERVICE	557.97
REGIONAL HEALTH	TESTING	90.00
RUNGE, MIKE	REIMBURSEMENT	56.16
S AND C CLEANERS	CLEANING	10,313.00
SCHMIDT, WILLIAM	PROJECT	1,425.00

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SCOTT PETERSON MOTORS	BRACKET	34.98
SD ONE CALL	SERVICE	66.08
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,261.48
SIMON MATERIALS	SUPPLIES	236.61
SMITHSONIAN	RENEWAL	8.00
SPEARFISH LUMBER	SUPPLIES	1,188.99
STRETCH'S	SUPPLIES	311.84
SUMMIT SIGNS	SIGNS	697.00
TALLGRASS LANDSCAPE	PROJECT	2,163.50
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
TERRONES, LUIS	PROJECT	420.00
THIS OLD HOUSE	RENEWAL	20.00
TOMS, DON	PROJECT	600.00
TRI AIR TESTING	SERVICE	392.32
TRIPLE K	SERVICE	474.49
TRUE BUILDERS	PROJECT	4,731.27
TRUGREEN	SERVICE	1,037.69
TWILIGHT	SUPPLIES	503.58
TWIN CITY HARDWARE	SUPPLIES	5,539.09
TWIN CITY HARDWARE	GRANTS	2,182.53
UTILITY SERVICE	CONTRACT	4,000.00
VAST	SERVICE	3,229.09
VERIZON	SERVICE	1,948.68
VIEHAUSER ENTERPRISES	SERVICE	2,022.90
WELLMARK	INSURANCE	51,698.71
WENGER GARAGE DOORS	PROJECT	1,515.31
WESTERN STATES FIRE	INSPECTION	225.00
WINSELL CONSTRUCTION	PROJECT	19,617.36
		TOTAL \$336,101.13

Spring Street

Martinisko moved, Johnson seconded to continue discussion with Rothenheofer's in regards to extending sewer and water lines for further review until September 16 Commission meeting. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Permission to hire Ainsworth-Benning Construction for grind and seal of Fremont Street in the amount of \$8,921.07. (To be paid from Streets Repair and Maintenance Budget.)
- B. Permission for the Finance Office to credit utility account of 340 Williams Street in the amount of \$50 for excess water consumption used during retaining wall project.
- C. Permission to increase wage of Rec Center employee Brad Morgan from \$9.76 per hr. to \$9.99 per hr. effective September 8, 2019 after two years of service.
- D. Accept resignations from the following seasonal employees: Colt Bradley effective August 9, 2019, Carolyn Groeger effective August 16, 2019 and Kadden Dillman effective August 30, 2019.
- E. Designate Black Hills Pioneer as official City of Deadwood newspaper for twelve months per SDCL 9-12-6
- F. Acknowledge Mayors signature on Deed of Conservation Easement with Orange Building LLC dba TDG Communications.
- G. Permission for Mayor to sign parking lease agreement with First Baptist Church for nine spaces for 48 months (January 2020 through December 2023), \$3,600.00 per year
- H. Permission to hire Lowe Roofing to replace 624 Sq. Ft. of Membrane Roofing at Days of 76 Museum in the amount of \$7,485.00, to be paid from Public Buildings Budget. (Hail Damage)
- I. Permission to hire Brittney Case as a swim instructor at \$11.42 per hr. effective September 5, 2019 pending pre-employment drug screening.
- J. Appointment of Jeramy Russell to the Parking and Transportation Committee.
- K. Permission for Fire Dept. to purchase equipment from SD Wildland Fire Division in the amount of \$3,473.32. (To be paid from Fire equipment budget.)

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BID ITEMS

291 Williams St.

Mayor Ruth stated one bid was opened for Retaining Wall at 291 Williams Street at 2:00 p.m. on August 27 as advertised. Bid bond were included in the following bid submittals:

RCS Construction - \$195,800.00, Alternate 1 - \$25,000.00 Deduct

Public Works Director Nelson Jr. explained the project. Martinisko moved, Struble seconded to accept low bid from RCS Construction in the amount of \$195,800.00 and reject Alternate 1 and direct City Attorney to prepare contract. Roll Call: Aye-All. Motion carried.

562 Williams St.

Mayor Ruth stated two bids were opened for Retaining Wall at 562 Williams Street at 2:00 p.m. on August 27 as advertised. Bid bond were included in the following bid submittals:

RCS Construction - \$93,600.00
CAI2 - \$100,750.00

Public Works Director Nelson Jr. explained the project. Discussion was held concerning possibly change orders. Martinisko moved, Johnson seconded to accept low bid from RCS Construction in the amount of \$93,600.00 and direct City Attorney to prepare contract. Roll Call: Aye-All. Motion carried.

PUBLIC BUILDINGS

Set

Martinisko moved, Struble seconded to set public hearing on September 16 for Consideration of TIF #11 Project Plan and Contract for Development. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on September 16 for Homecoming Parade. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to set public hearing on September 16 for Retail (on-off sale) malt Beverage (RB-21329), Retail (on-off sale) Wine (RW-21330), and Convention Center (on sale) Liquor (CL-0510) Licenses transfers from TenTexKota LLC to ZCN LLC dba Deadwood Mountain Grant at 1906 Deadwood Mountain Grand. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Ordinance

Finance Officer McKeown explained the Ordinance and noted changes will be reflected due to SD Department of Transportation invoice that was just received. Commissioner Martinisko thanked staff on commitment to helping city maintain budget. Martinisko moved, Johnson seconded to approve first reading of Ordinance #1300. Roll Call: Aye-All. Motion carried.

Change of Zoning

Nelson Jr. explained the change of zoning. Martinisko moved, Struble seconded to approve zoning change from Commercial Highway to Residential of parcel legally described as: Aspen Storage 3 of Wilmington Placer M.S. 848, Located in the unplatted portion of Wilmington Placer, M.S. 848, in the SW1/4 Section 13, T5N, R3E, B.H.M. Recommended by Planning and Zoning Commission on August 21, 2019. Roll Call: Aye-All. Motion carried.

Struble move, Todd seconded to approve first reading of Ordinance #1299, Amending Title 17-Zoning. Roll Call: Aye-All. Motion carried.

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Contract

Nelson Jr. explained the project. Mayor Ruth Jr. stated the home owners would like to rehabilitate the house. Commissioner Todd questioned the amount to run the sewer lines. Martinisko moved, Todd seconded to enter into contract with KTM Design Solution in the amount not to exceed \$9,440.00 for the design and bidding service for a sanitary sewer line for 227 Williams Street, out of HP Professional services line item. Roll Call: Aye-All. Motion carried.

Plat

Nelson Jr. explained the plat. Todd moved, Martinisko seconded to submit preliminary plat of Tracts 1, 2, and 3 located in Nevada Gulch to Lawrence County for recording. Roll Call: Aye-All. Motion carried.

Resolution 2019-30

Martinisko moved, Johnson seconded to Surplus City Property, take surplus items to sell at Lawrence County Auction in Spearfish on Saturday, September 28, 2019. Roll Call: Aye-All. Motion carried.

**RESOLUTION NO. 2019-30
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following be declared surplus, and sold in conjunction with Lawrence County Surplus Auction on Saturday, September 28, 2019 in Spearfish.

1979 Ford F378S – VIN #F37SPFE1895 (Welder Truck) with Big 40 Welder – VIN#NK301012
1987 Ford F800 – VIN #1FDXF82H9HVA34088
1995 Mustang Skid Steer – Model 940 – Serial #5177303
2001 Chevrolet CK15 – VIN#1GCEK14T41Z287088
2003 Chevrolet CK25903 – VIN#1GCHK24U63E324261
2007 Chevrolet CK36003 – VIN#1GBJK34GX7E129372 (Sander) with Plow – VIN#6272
SCO96C and Sanding Box
2003 Chevrolet CK Reg – VIN#1GCHK24U33E317719
Cushman Truckster – VIN#1CUNH2221JL013705
John Deere 455 – VIN#M00455DO50241 (Tractor)
Yazoo M185 – VIN#1726707196 (Mower 18HP)
2003 Chevrolet – C15906 Suburban – VIN#1GNFK16Z23J259059
1996 Ford Mustang – VIN#1FALP4047TF218706
2005 Jeep Liberty – VIN#1J4GL48K45W609187
2010 Chevrolet Tahoe – VIN#1GNUKAE04AR185474

Dated this 3rd day of September, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

Change Order

Struble moved, Martinisko seconded to approve Change Order #1 with CAI2 Construction in the amount of \$4,945.06 (deduct) for Retaining Wall at 336 Williams Street bringing total contract amount to \$108,054.94. Roll Call: Aye-All. Motion carried.

Contract

Nelson JR. spoke about the project. Martinisko moved, Johnson seconded to enter into contract with Albertson Engineering – Whitewood Creek Assessment Proposal for Engineering Services as a result of July 4th Storm Damage in the amount of \$18,670.00, to be paid from excess hail insurance proceeds, line itemed in Public Buildings. Roll Call: Aye-All. Motion carried.

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INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Comprehensive Plan Update Stakeholder Meeting – Tuesday, September 24th from 1:00 p.m. to 2:30 p.m. at the Sanford Lab Homestake Visitor Center in Lead for Local Industry Partners.
- South Dakota DOT road construction scheduled for the Intersection of US Highway 14A and County Highway 473 (Maitland Road) will require a US Highway 14A closure of five days starting September 23rd.
- City of Deadwood partnering with Lawrence County for public auction to be held September 28th at 9:30 a.m. at the Spearfish Shop near exit 10.

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

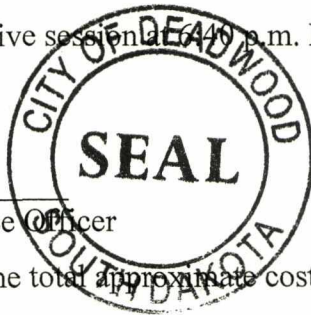
ADJOURNMENT

Johnson moved, Struble 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), and personnel matter per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday, September 16, 2019.

After coming out of executive session at 6:40 p.m. Martinisko moved, Todd seconded to adjourn.

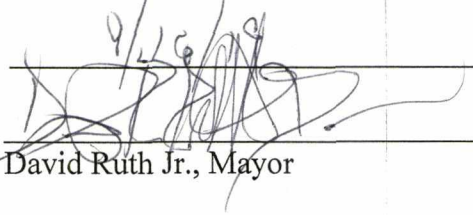
ATTEST:


Jessica McKeown, Finance Officer



DATE:

BY:


David Ruth Jr., Mayor

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