

## REGULAR MEETING, JULY 1, 2019

The Regular Session of the Deadwood City Commission convened on Monday, July 1, 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 Katelyn A. Cook, and Commissioners Michael Johnson, Sharon Martinisko, Charlie Struble. Commissioner Gary Todd was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTE

Martinisko moved, Johnson seconded to approve as amended the minutes of June 17, 2019.

Roll Call: Aye-All. Motion carried.

JUNE, 2019 PAYROLL: COMMISSION, \$2,605.76; FINANCE, \$19,049.40; PUBLIC BUILDINGS, \$8,243.90; POLICE, \$79,885.53; FIRE, \$5,373.64; BUILDING INSPECTION, \$4,142.00; STREETS, \$41,577.84; PARKS, \$30,705.08; PLANNING & ZONING, \$5,210.88; LIBRARY, \$7,074.52; RECREATION CENTER, \$15,366.95; HISTORIC PRESERVATION, \$17,211.66; WATER, \$15,627.12; MT. MORIAH, \$5,564.90; PARKING METER, \$10,780.46; TROLLEY, \$22,681.53; PARKING RAMP, \$1,889.68. **PAYROLL TOTAL: \$292,990.85.**

### JUNE, 2019 PAYROLL PAYMENTS:

Internal Revenue Service, \$72,317.33; S.D. Retirement System, \$27,992.54; Delta Dental, \$4,096.50.

### APPROVAL OF DISBURSEMENTS

Struble moved, Martinisko seconded to approve the July 1, 2019 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	291.13
ACE HARDWARE	SUPPLIES	26.46
ADAMS	SUPPLIES	3,303.17
ADAMS SALVAGE RECYCLING	REIMBURSEMENT	148.24
AFFORDABLY CREATIVE	SERVICE	7,000.00
ALLEGIANCY EMERGENCY	SERVICE	493.50
ALSCO	SUPPLIES	534.20
AMANO MCGANN	SERVICE	650.00
ANCESTOR CONCRETE	PROJECT	17,305.32
ARCADIA PUBLISHING	SERVICE	246.29
ARMOUR ROOFING	PROJECT	14,432.00
ATCO INTERNATIONAL	SUPPLIES	97.00
BLACK HAWK VANS	PROJECT	17,865.00
BH CHEMICAL	SUPPLIES	4,415.04
BH PIONEER	SERVICE	531.49
BLACK HILLS SECURITY	SERVICE	2,157.45
BLAIR, LINDA	REIMBURSEMENT	155.81
CAMPBELL SUPPLY	SUPPLIES	262.19
CHAINSAB CENTER	SUPPLIES	160.84
DAKOTA LUMBER	PROJECT	2,546.60
DEADWOOD ALIVE	JULY	20,000.00
DEADWOOD CHAMBER	BILL LIST/DID 8	80,043.85
DEADWOOD ELECTRIC	SERVICE	507.14
DVFD	STAFFING	1,188.66
DEADWOOD GAMING	BID #8	10,000.00
DIAMOND VOGEL PAINT	SUPPLIES	118.00
ECOLAB	SERVICE	90.00
EPCO ENVIRONMENTAL	SUPPLIES	45.48
EXHAUST PROS	REPAIR	80.00
FIRST GOLD HOTEL	PAYMENT	6,500.00
FIRST INTERSTATE BANK	TIF PAYMENT	19,097.78
FIRST NATIONAL CREDIT CARD	SUPPLIES	3,962.29
FLACK TRUCKING	SOIL	800.00
FMG ENGINEERING	TESTING	2,417.70
FREEMAN'S ELECTRIC	SERVICE	1,850.00
GALLS	UNIFORMS	455.21
GLOVER, SANDY	REIMBURSEMENT	71.70
GOVERNMENT FINANCE OFFICER	MEMBERSHIP	210.00
GUNDERSON, PALMER, NELSON	SERVICE	4,518.84
HAAGON COUNTY AUDITOR'S	GRANT	10,000.00
HAWKINS	SUPPLIES	294.50
HEAVY CONSTRUCTORS	REPAIR	1,685.12
HOMETOWN TROLLEY	SUPPLIES	36.70
INLAND TRUCK PARTS	SUPPLIES	748.96
JACOBS WELDING	SERVICE	1,291.84
JUNEKS SERVICE	REPAIR	281.27
KDSJ	SERVICE	220.00
KNECHT	SUPPLIES	1,021.71
LAWRENCE CO. HISTORICAL	GRANT	11,200.00
LIBBY PRODUCTIONS	PBR	1,100.00
LIBERTY NATIONAL BANK	TIF #9	173.82
LYNN'S	SUPPLIES	241.06
MCKEOWN, JESSICA L.	REIMBURSEMENT	237.76
MID-AMERICA BUSINESS	SUPPLIES	847.77
MIDWEST ART CONSERVATION	MEMBERSHIP	50.00
MK CONSTRUCTION	PROJECT	3,910.00
MDU	SERVICE	3,787.23
MORRISON, RONDA	REIMBURSEMENT	180.76
MS MAIL	SERVICE	80.00
MUTH ELECTRIC	REPAIR	1,695.29
NETWORK SERVICES	SUPPLIES	546.59

## REGULAR MEETING, JULY 1, 2019

NORTH CENTRAL INT'L	SUPPLIES	160.92
NORTHERN HILLS RECREATION	MT. ROOSEVELT	13,400.00
NORTHERN HILLS SOD FARM	SUPPLIES	99.20
NORTHWEST PIPE FITTINGS	SUPPLIES	1,665.08
OVERHEAD DOOR	SERVICE	638.22
PARTSMASTER	SUPPLIES	428.32
PASSPORT LABS	METERS	140.25
PL CARPENTRY	SERVICE	11,497.46
QUIK SIGNS	SIGNS	137.95
RAMKOTA HOTEL	CONFERENCE	576.00
RASMUSSEN MECHANICAL	SERVICE	1,065.60
RECREATION SUPPLY	SUPPLIES	328.02
ROCKY MOUNTAIN TREE-RING	SUPPLIES	200.00
S AND C CLEANERS	CLEANING	8,648.00
SANDIDGE, LANCE	REIMBURSEMENT	20.00
SCHMIDT, WILLIAM	PROJECT	6,127.00
SD DEPT. OF CORRECTIONS	FIREWISE	581.40
SD DEPT. OF ENVIRONMENT	FEES	650.00
SD DEPT. OF MOTOR VEHICLES	FEE	5.00
SD DEPT. OF REVENUE	LICENSE	150.00
SD MAGAZINE	RENEWAL	50.00
SD ONE CALL	SERVICE	44.80
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	968.02
SF PROFESSIONAL PRESSURE	CLEANING	2,856.00
SHARKEY PLUMBING	SERVICE	150.00
SIMON CONTRACTORS	PROJECT	172,889.90
SOUTHSIDE OIL	FUEL	12,604.16
SPEARFISH BUILDING	PROJECT	3,366.00
STRETCH'S	SUPPLIES	29.99
STURGIS AUTO PARTS	SUPPLIS	24.78
SUMMIT SIGNS	SIGNS	988.50
SUPER 8 LODGE	LICENSE	300.00
SUPPLY HOUSE INDUSTRIAL	SUPPLIES	860.80
TCF EQUIPMENT	TROLLEYS	9,400.86
THE LORD'S CUPBOARD	RECYCLING	78.30
TRIPLE K	REPAIR	46.99
TRUCANO, JIM	PROJECT	3,500.00
TRUGREEN	SERVICE	2,598.05
TWILIGHT	SUPPLIES	42.89
TWIN CITY HARDWARE	SUPPLIES	8,808.86
TWIN CITY HARDWARE	GRANT	72.89
UMENTHUM, KEITH	PROJECT	1,050.00
VANWAY TROPHY	PLAQUE	103.00
VAST	SERVICE	3,265.16
VERIZON	SERVICE	146.09
VIEHAUSER ENTERPRISES	SERVICE	56.00
VISIONS HOME IMPROVEMENTS	PROJECT	8,160.00
WASTE CONNECTIONS	SERVICE	7,206.30
WELLMARK	INSURANCE	47,131.14
WESTERN STAR DOOR	SERVICE	1,217.88
WL CONSTRUCTION	SUPPLIES	419.99
WWHA	MEMBERSHIP	75.00

TOTAL \$599,269.53

## CONSENT

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

- A. Permission to purchase 5500 gallons of fuel @ \$2.29 per gallon from South Side Service.
- B. Remove Lifeguard Brittney Case from payroll effective June 1, 2019.
- C. Make 2019 budgeted allocation to The Lord's Cupboard in the amount of \$2500 from the Bed & Booze account.
- D. Permission to hire Cynthia Schneringer as Historic Preservation/Planning & Zoning Administrative Assistant at \$17.83 per hour effective July 15, 2019 pending pre-employment drug screening and background check.
- E. Permission for Mayor to sign annual agreement between South Dakota School for the Deaf for office space at History and Info Center at cost of \$250.00 per month
- F. Permission for Mayor to sign annual agreement with Deadwood Gaming Association for office space at History and Info Center at cost of \$250.00 per month.
- G. Approve Resolution 2019-24 Pre-Disaster Mitigation Plan Update for Lawrence County

## **RESOLUTION 2019-24 PRE-DISASTER MITIGATION PLAN UPDATE FOR LAWRENCE COUNTY**

RESOLVED: The City of Deadwood deems it advisable and in the best interest of the community and Lawrence County to approve said Pre- Disaster Mitigation Plan update



## REGULAR MEETING, JULY 1, 2019

Dated this 1st day of July, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- H. Permission for Mayor to sign contract between City of Deadwood and Deb and Melvin Maynard to operate Mt. Moriah Gift Shop from January 1, 2020 – December 31, 2024.
- I. Acknowledge annual check from BID #7 Fund to TENTEXKOTA in the amount of \$543,751.50. Will be added to bill list.
- J. Permission to hire Dharma Tree Care in the amount of \$4,250.00 for removal of two hazardous dead pine trees at 846 Main Street from Parks Department Professional Services.
- K. Permission to enter into contract with Albright Construction to replace roof on trolley barn in the amount of \$26,128.62 from Public Buildings budget. (two quotes were received)
- L. Permission to enter into contract with Albright Construction to replace roof on fire hall bell tower in the amount of \$15,138.90 from Public Buildings budget.
- M. Permission to enter into contract with Albright Construction to replace roof on VIP (East) Grandstands in the amount of \$32,296.32 from Public Buildings budget. (two quotes were received)
- N. Permission to increase wage of Police Officer Sally Sprigler from \$21.35 per hr. to \$23.72 per hour retroactive to June 7, 2019 after passing S.D. Certification training.
- O. Permission to hire Competitive Masonry to repair the cap of the retaining wall at 55 Taylor Street in the amount of \$3,453.35.
- P. Permission for Finance Office to pay Grant Thornton two different invoices, totaling \$4,500.00, for final arbitrage calculation on 2012 and 2015 bond series, to be paid from Historic Preservation professional service.
- Q. Approve Outside of Deadwood Grants in the amount of \$50,000 as budgeted for Round Two, as recommended by the Deadwood Historical Perseveration Commission. Individual applicants, projects, locations and dollar amounts will be part of official minutes.
- R. Accept Tony Biesiot's resignation from Planning & Zoning Commission, effective June 28, 2019

## PUBLIC HEARINGS

### Licenses

Public hearing was opened at 5:02 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Struble moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage, and Retail (on-off sale) Wine Licenses Ashely Eaklor, Adventure Pizza Works at 65 Sherman Street. Roll Call: Aye-All. Motion carried.

### Set

Martinisko moved, Johnson seconded to set public hearing on July 15 for All in One Motocross Event. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to set public hearing on July 15 for Deadwood Jam Event. Roll Call: Aye-All. Motion carried.

## OLD BUSINESS

### Proposals (Continued)

Zoning Administrator Nelson Jr. and Water Department met with McGuire Iron, Inc. about proposals and evaluations. Nelson Jr. recommended to award to Suez Advance Solutions. Martinisko moved, Johnson seconded to McGovern Hill Water Tank Maintenance Program to Suez Advanced Solution and direct staff to draft contract. Roll Call: Aye-All. Motion carried.

## NEW BUSINESS

### Agreement

Martinisko moved, Struble seconded to allow Mayor to sign Department of Transportation Funding Agreement in the amount of \$8,748.70 to be applied to City's matched funds for Bridge Improvement Grant (BIG). Nelson Jr. stated funds were left over from previous bridge grant program. Roll Call: Aye-All. Motion carried.

## **REGULAR MEETING, JULY 1, 2019**

### **Resolution**

Martinisko moved, Johnson seconded to approve Resolution 2019-25 Authorizing Execution of Bridge Improvement Grant Agreement. Nelson Jr. stated Resolution is requirement for the grant. Roll Call: Aye-All. Motion carried.

### **RESOLUTION 2019-25 RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT**

WHEREAS, The City of Deadwood desires to obtain funding under the Bridge Improvement Grant Program.

#### **NOW THEREFORE BE IT RESOLVED:**

Mayor David Ruth Jr. is hereby authorized as the City's representative to execute the following funding agreement(s) for the noted project(s):

Project BRO 8041(00)19-1, Deadwood, PCN 075J

Vote of Commissioners: Yes \_\_\_\_\_ No \_\_\_\_\_

Dated at Deadwood, SD, this 1st day of July, 2019.

#### **ATTEST:**

/s/ Jessica McKeown, Finance Officer

**CITY OF DEADWOOD**

/s/ David Ruth Jr., Mayor

### **Agreement**

Martinisko moved, Struble seconded to allow Mayor to sign funding agreement with Department of Transportation for the 2019 Bridge Improvement Grand (BIG) in the amount of \$300,000.00. Nelson Jr. stated grant is for the construction cost, city was also award 80 % of engineering for design and construction administration. He also stated \$100,000.00 is budgeted for this year, but design for Timm Lane Bridge has not been finalized. Roll Call: Aye-All. Motion carried.

### **Contract**

Transportation and Facilities Director Kruzel stated he met with Albright and Armour Roofing and recommends Armour Roofing. Johnson moved, Struble seconded to enter into contract with Armour Roofing and Construction in the amount of \$97,980.00 for removal and replacement of steel roof at Welcome Center. Roll Call: Aye-All. Motion carried.

### **Plat Ratification**

Nelson Jr. stated during the process of platting 26 Fremont, county land was involved. Martinisko moved, Struble seconded to allow Mayor to sign plat ratification and joinder for 26 Fremont Street. Roll Call: Aye-All. Motion carried.

### **Resolution/Quit Claim**

Martinisko moved, Johnson seconded to approve Resolution 2019-26 to Surplus City Owned Real Estate, Lot A of Peck's Garden Subdivision and allow Mayor to sign Quit Claim Deed to Deadwood-Lead Economic Development and Certificate of Real Estate Value. Roll Call: Aye-All. Motion carried.

### **RESOLUTION 2019 - 26 RESOLUTION TO SURPLUS CITY OWNED REAL ESTATE**

WHEREAS, the Deadwood City Commission desires to designate certain City owned real property as surplus land and transfer said real property to Deadwood-Lead Economic Development Corporation, pursuant to SDCL § 6-5-3 and 6-5-4,

AND WHEREAS, the public interest will be better served by transferring the following described real property to the Deadwood-Lead Economic Development Corporation;



## REGULAR MEETING, JULY 1, 2019

Lot A of Peck's Garden Subdivision; Formerly Part of Peck Street, Peck's Garden Subdivision; City of Deadwood, Lawrence County, South Dakota

AND WHEREAS, the land to be designated as surplus and then transferred encourages the development of said property.

NOW THEREFORE IT IS HEREBY RESOLVED, pursuant to SDCL 6-5-4, the public interest will be better served by the proposed designation of surplus property and transfer of land to the Deadwood-Lead Economic Development Corporation.

IT IS FURTHER RESOLVED, that the Deadwood City Commission shall further follow all mandates of SDCL 6-5-4, as statutorily provided.

Dated this 1st day of July, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

### Service

Historic Preservation Officer Kuchenbecker explained the cleanup process. Martinisko moved, Johnson seconded to hire Dharma Tree Care in the amount not to exceed \$16,000.00 for tree trimming and branch cleanup/removal at Mt. Moriah Cemetery. To be paid from Historic Cemeteries (Enterprise Fund) Professional Services. (Budget Supplement would be needed.) Roll Call: Aye-All. Motion carried.

### Ordinance

Kuchenbecker explained the amendment to Chapter 15.01. Martinisko moved, Johnson seconded to approve first reading of Ordinance #1296 Amending Chapter 15.01 International Building Code. Roll Call: Aye-All. Motion carried.

### INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- 100<sup>th</sup> Anniversary of the Friendship Tower at Mt. Roosevelt – Saturday, July 6<sup>th</sup> at 10:00 a.m.

Nelson Jr. thanked Mr. Biesiot for his service on Planning and Zoning Commission.

Commissioner Martinisko thanked city staff for their time and is proud to be a city commissioner.

Mayor Ruth on behalf of NAJA Shriners thanked city staff for assistance with circus.

Mayor stated 50 years ago today Elmer Pontius lost his life in a fire. He thanked first responders for their service.

Mayor Ruth 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

Martinisko moved, Struble seconded to adjourn the regular session at 5:22 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 July 15, 2019.

After coming out of executive session at 5:55 p.m.

Martinisko moved, Struble seconded to place the Building Inspector under the supervision of the Zoning Administrator. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to place the Recreation Center Director position under the supervision of the Transportation and Facilities Director. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to place Historic Cemeteries (Mt. Moriah and St. Ambrose) under the supervision of the Historical Preservation Officer. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, JULY 1, 2019**

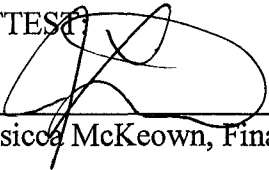
Martinisko moved, Struble seconded to relocate the Public Works Director and Building Inspector offices to City Hall with emphasis to expedite as soon as possible. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to approve the updated job description for Public Works Director. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow Finance Office to advertise in-house for 5 days for Public Works Director position. Roll Call: Aye-All. Motion carried.

With there being no further business, at 5:58 p.m. Martinisko moved, Struble seconded to adjourn.

ATTEST

  
\_\_\_\_\_  
Jessica McKeown, Finance Officer

DATE: 7/15/19

BY: 

\_\_\_\_\_  
David Ruth Jr., Mayor

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

