

## REGULAR MEETING, JUNE 3, 2019

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

### APPROVAL OF MINUTE

Martinisko moved, Struble seconded to approve the minutes of May 20, 2019. Roll Call: Aye-All. Motion carried.

### SWEAR IN COMMISSIONERS

The Honorable Michelle Comer, Magistrate Judge, administered the Oath of Office to newly appointed City Commissioner Michael Johnson.

MAY, 2019 PAYROLL: COMMISSION, \$2,230.76; FINANCE, \$19,357.39; PUBLIC BUILDINGS, \$9,227.76; POLICE, \$69,657.46; FIRE, \$5,416.90; BUILDING INSPECTION, \$4,142.00; STREETS, \$31,480.42; PARKS, \$22,446.93; PLANNING & ZONING, \$5,210.88; LIBRARY, \$6,823.12; RECREATION CENTER, \$13,913.74; HISTORIC PRESERVATION, \$17,943.53; WATER, \$15,420.61; MT. MORIAH, \$1,247.40; PARKING METER, \$9,175.77; TROLLEY, \$16,656.47; PARKING RAMP, \$1085.37. **PAYROLL TOTAL: \$251,436.51.**

### MAY, 2019 PAYROLL PAYMENTS:

Internal Revenue Service, \$59,256.45; S.D. Retirement System, \$27,962.10; Delta Dental, \$4,248.00.

### APPROVAL OF DISBURSEMENTS

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

A & B BUSINESS SOLUTIONS	CONTRACT	391.72
ACE HARDWARE	SUPPLIES	160.89
ALBERTSON ENGINEERING	PROJECT	2,804.37
ALSCO	SUPPLIES	459.83
BARCO PRODUCTS	SUPPLIES	394.78
BH CHEMICAL	SUPPLIES	794.76
BH MINING MUSEUM	GRANT	804.13
BH PIONEER	SERVICE	226.41
BHSU	SCHOLARSHIP	1,000.00
BLOOMERS	FLOWERS	119.65
BOMGAARS	SUPPLIES	79.98
CENTURY BUSINESS	CONTRACT	320.44
CERTIFIED LABORATORIES	SUPPLIES	159.99
DAKOTA LUMBER	SUPPLIES	542.10
DEADWOOD ALIVE	JUNE	20,000.00
DEADWOOD CHAMBER	BILL LIST	203,777.49
DEADWOOD GAMING	BID #8	5,500.00
DEADWOOD HISTORY	SERVICE	423.60
DEMCO	SUPPLIES	242.95
EASTMAN, JOANN	PLAQUE	725.91
ECOLAB	SERVICE	184.05
EMERY-PRATT	BOOKS	16.24
FASTENAL	SUPPLIES	425.18
FED EX	SHIPPING	161.28
FIRST NATIONAL CREDIT CARD	SUPPLIES	1,759.27
FOUNDANT TECHNOLOGIES	RENEWAL	4,750.00
GALLS	SUPPLIES	130.19
GARDNER CONSTRUCTION	PROJECT	1,193.74
GASPERS, MARTIN	PROJECT	3,723.03
GOLDEN WEST	SERVICE	531.25
HAWKINS	SUPPLIES	221.48
HILLS INTERIORS	PROJECT	13,536.25
IAFC	MEMBERSHIP	215.00
IDENTISYS	SUPPLIES	600.00
INTERSTATE BATTERY	SUPPLIES	481.20
JACOBS WELDING	PROJECT	5,394.48
KNECHT	SUPPLIES	3,754.50
KOLBE, ROBERT	BOOK	26.49
LAWRENCE CO. REGISTER	FEES	180.00
LIBBY PRODUCTIONS	BID#8	25,000.00
LIGHTING PLASTICS	SUPPLIES	615.00
LYNN'S	SUPPLIES	55.87
M&M SANITATION	SERVICE	190.00
MCGRATH, RHONDA	REIMBURSEMENT	11.00
MENARD'S	SUPPLIES	397.97
MIDWEST TAPE	DVD	14.99
MDU	SERVICE	6,326.09
MONTANA HISTORICAL SOCIETY	RENEWAL	35.00
NELSON, ROBERT JR.	REIMBURSEMENT	168.00
NORTH FORK PAINT	PROJECT	15,840.30
NORTHERN TRUCK EQUIPMENT	REPAIR	508.52
OLD HOUSE JOURNAL	SUBSCRIPTION	71.00
OLSON, JAMES	REIMBURSEMENT	72.37
OTIS ELEVATOR	SERVICE	730.32
PASSPORT LABS	METERS	270.50
PETTY CASH	H/P	115.75
PUSH-PEDAL-PULL	MAINTENANCE	268.00

## REGULAR MEETING, JUNE 3, 2019

QUIK SIGNS	SERVICE	1,151.16
QUILL	SUPPLIES	259.45
RAMKOTA HOTEL	CONFERENCE	306.00
RASMUSSEN MECHANICAL	PROJECT	102,500.00
REGIONAL HEALTH	TESTING	390.00
ROCKMOUNT RESEARCH	SUPPLIES	184.48
RUNGE, MIKE	REIMBURSEMENT	232.02
S AND C CLEANERS	CLEANING	7,380.50
SCHMIDT, CHRIS	PROJECT	1,289.00
SD DEPT. OF REVENUE	RENEWALS	300.00
SD FIREFIGHTERS ASSN.	DUES	50.00
SD ONE CALL	SERVICE	47.04
SD PUBLIC HEALTH LAB	TESTING	45.00
SD SCHOOL OF MINES	SCHOLARSHIP	1,000.00
SERVALL	SUPPLIES	1,273.32
SF PROFESSIONAL PRESSURE	CLEANING	8,568.00
SIMON CONTRACTORS	PROJECT	115,898.32
SIMPSONS PRINTING	SERVICE	4,864.00
SPEIRS, MARK	PROJECT	992.28
SPRIGLER, SALLY	REIMBURSEMENT	135.20
STOLTENBERG, JOSHUA	REIMBURSEMENT	46.00
STRETCH'S	SERVICE	2,703.61
SUMMIT SIGNS	SIGNS	196.00
SUPERIOR SANITATION	INSPECTION	275.00
TCF EQUIPMENT	TROLLEYS	9,400.86
TERRONES, LUIS	PROJECT	350.00
THE LORD'S CUPBOARD	RECYCLING	56.32
TRIPLE K	SERVICE	2,021.73
TRUGREEN	SERVICE	640.23
TWILIGHT	SUPPLIES	265.30
TWIN CITY HARDWARE	SUPPLIES	7,173.62
TWIN CITY HARDWARE	GRANT	699.70
TYLER TECHNOLOGIES	MAINTENANCE	878.08
UMENTHUM, KEITH	INSPECTIONS	500.00
VAST	SERVICE	3,238.71
VERIZON WIRELESS	SERVICE	146.09
VIEHAUSER ENTERPRISES	SERVICE	32.00
WELLMARK	INSURANCE	48,653.53
WHISLER BEARING	SUPPLIES	24.98
WILLIAMS, JOHN W.	BOOKS	45.00
WITTMIS, MEGHAN	REIMBURSEMENT	43.55
ZOGICS	SUPPLIES	719.70
		TOTAL \$651,879.09

## ITEMS FROM CITIZENS ON AGENDA

### Appreciation

Zoning Administrator Nelson Jr. gave an overview of the projects. Mayor Ruth Jr. presented a Certificate of Appreciation to Students and Faculty of the Box Elder Job Corp for their volunteerism and efforts to beautify Deadwood through cleaning Whitewood Creek and along Mickelson Trail.

### Engagement

Al Schaefer, Department of Legislative Audit, appeared to request permission for the Mayor and Finance Officer to sign the engagement letter for the 2018 audit. Schaefer invited the Commissioners to visit with Legislative Audit regarding any concerns. Martinisko moved, Johnson seconded said request. Roll Call: Aye-All. Motion carried.

### Farmers market

Golden West Farming Co., requested permission to operate seasonal Deadwood Farmers Market every Friday from 9:00 a.m. to 4:00 p.m. June 7, 14, 21 and 28; July 5, 12, 19 and 26; August 2, 9, 16, 23, and 30; and September 6, 13, 30, and 27 at Gordon Park. Todd moved, Struble seconded to approve the request contingent upon receiving insurance. Roll Call: Aye-All. Motion carried.

### Permission

Sarah Kryger, Deadwood Chamber, requested permission to block of 42 parking spots at Welcome Center parking lot for Tin Lizzie guests June 14 and June 15 to allow Dock Dogs in their parking lot during Wild Bill Days. Martinisko moved, Struble seconded to approve the request. Roll Call: Aye-All. Motion carried.



## REGULAR MEETING, JUNE 3, 2019

### CONSENT

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

- A. Permission to expend \$4,243.00 to Light and Siren to retrofit 2017 Dodge Police vehicle. (Budgeted from Police Equipment line item.)
- B. Renew 2019-2020 Malt Beverage License for Family Dollar and Super 8, pending payment of property tax.
- C. Permission to pay Glice USA \$73,930.15, 50% of approved contract.
- D. Approve Resolution 2019-20 To Surplus Police Asset

### **RESOLUTION NO. 2019-20 TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approved the following be declared surplus and donated to retiree.

**Sig Sauer P226 Pistol – 47A190679**

Dated this 3rd day of June, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- E. Approve Resolution 2019-21 To Surplus Smart Board to Lawrence County, allowable under SDCL 6-5-1.

### **RESOLUTION NO. 2019-21 TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approved the following be declared surplus and donated to Lawrence County, allowable under SDCL 6-5-1.

**Smart Board 800 with UF75W Projector – Serial Number – SBX885-M2-A026451**

Dated this 3rd day of June, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- F. Permission to hire Warne Chemical & Equipment for noxious weed treatment in Whitewood Creek in the amount of \$7,300. (Budgeted CIP)
- G. Permission to hire Jim Doolittle for 2020 union negotiations at \$400.00 per session.
- H. Permission to pay FMG Engineering \$6,728.30 for DOT required geotechnical testing and geotechnical services on the Lower Main Project
- I. Request from Deadwood History to serve complimentary beer and wine for Big Thank You Event at Adams Museum on Wednesday, September 18 from 5:00 p.m. to 7:00 p.m.
- J. Permission to hire (up to 5) police officers for Rally at \$21.35 per hour.
- K. Accept resignation of James Phillips as Rec Center lifeguard effective 5/31/2019.
- L. Promote Carolyn Groeger to swim instructor at \$11.42 per hour effective 6/3/19.
- M. Permission Dylan Bell as full time police officer at \$23.72 effective 6/4/19.
- N. Accept Mayor's appointment of Anthony Williams to the Historic Preservation Commission for a 3-year term.
- O. Permission to allow pyrotechnics for PBR on June 7 and 8.
- P. Move to approve the use of Public Ed and Advocacy Funds for the utility box wrap project in the amount of \$2,872.25.
- Q. Permission for Mayor to sign Loan Agreement with Case Library, Black Hills State University for Lawrence County Tax Records.
- R. Permission for Mayor to sign Loan Agreement with DocuTek for digitization project.
- S. Permission for Mayor to sign Loan Agreement with National Park Service, Mount Rushmore National Monument for Traveling Exhibit of Theodore Roosevelt and Seth Bullock.

## REGULAR MEETING, JUNE 3, 2019

### PUBLIC HEARINGS

#### Set

Todd moved, Struble seconded to set public hearing on June 17 for Retail (on-off sale) Malt Beverage License for Gold Run LLC, Super 8, and transfer of Retail (on-off sale) Wine (RW-6447) License from Princeton; Deadwood Super 8/Lucky 8 Gaming to Gold Run LLC, Super 8 at 196 Cliff Street. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to set public hearing on June 17 for Bev's B's Poker Run. Roll Call: Aye-All. Motion carried.

Struble moved, Johnson seconded to set public hearing on June 17 for Legends Ride. Roll Call: Aye-All. Motion carried.

### NEW BUSINESS

#### Resolution

Public Works Director Green spoke about the membership. Martinisko moved, Struble seconded to approve Resolution 2019-22 to Schedule of Rates for Reciprocating Membership with Handley Center. Roll Call: Aye-All. Motion carried.

## **CITY OF DEADWOOD RESOLUTION 2019-22**

### **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 June 4, 2019:

#### **Recreation Center:**

Reciprocating Membership with Proof of Handley Center Membership .....\$10.00/Per Month

Dated this 3rd day of June, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

#### Contract

Historic Preservation Officer Kuchenbecker spoke about the Diorama. Johnson moved, Martinisko seconded to allow Mayor to sign contract with Mr. Anfinson for the purchase of the Deadwood Diorama at a cost of \$45,000.00. Roll Call: Aye-All. Motion carried.

#### Resolution

After discussion concerning the ordinance, Martinisko moved, Johnson seconded to continue Resolution 2019-23 to Adopting Design Criteria Appendix A – Boarding Standard for 2018 International Property Maintenance Code per Ordinance 1293. Roll Call: Aye-All. Motion carried.

### INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Main Street Cleanup (aka Butt Brigade) – Rescheduled to June 5<sup>th</sup> (Starting at Tin Lizzie at 2:00 p.m. and working their way up Main Street)
- Deadwood Crazy Days – Sidewalk Sale – will be held July 4<sup>th</sup> from 9:00 a.m. to 2:00 p.m. and July 5<sup>th</sup> and 6<sup>th</sup> from 9:00 a.m. to 6:00 p.m.

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.

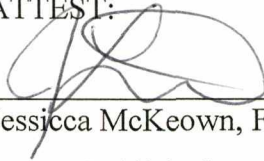
REGULAR MEETING, JUNE 3, 2019

ADJOURNMENT

Struble moved, Martinisko seconded to adjourn the regular session at 5:30 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 June 17, 2019.

After coming out of executive session, Martinisko moved, Struble seconded to accept the resignation of Ronald Green effective June 3, 2019. Roll Call: Aye-All. Motion carried. Martinisko moved, Johnson seconded to adjourn at 6:12 p.m.

ATTEST:

  
Jessica McKeown, Finance Officer

DATE: 6-17-19

BY: 

David Ruth Jr., Mayor

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