

REGULAR MEETING, May 20, 2019

The Regular Session of the Deadwood City Commission convened on Monday, May 20, 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 April 15, 2019. Roll Call: Aye-All. Motion carried.

SWEAR IN COMMISSIONERS

Swearing in of newly elected City Commissioner Michael Johnson will be held June 3.

APPROVAL OF DISBURSEMENTS

Struble moved, Todd seconded to approve the May 20, 2019 disbursements. Roll Call: Aye-All. Motion carried.

24HR PLUMB AFFORDABLE	PROJECT	2,693.50
AMAZON	SERVICE	655.31
ANFINSON, BONNY	REIMBURSEMENT	32.00
BH CHEMICAL	SUPPLIES	1,124.24
BH PIONEER	SERVICE	21,583.82
BH SPECIAL SERVICES	CLEANING	1,085.00
CHAINSAB CENTER	SUPPLIES	512.96
COCA COLA	SUPPLIES	531.00
CREATIVE PRODUCT	SUPPLIES	430.54
CRESCENT ELECTRIC	SUPPLIES	2,372.13
CULLIGAN	SUPPLIES	166.50
DAKOTA TITLE	REPORT	120.00
DEADWOOD ALIVE	MAY 2019	20,000.00
DEADWOOD CHAMBER	BILL LIST	54,507.11
DEMCO	SUPPLIES	115.83
DHARMA TREE CARE	PROJECT	1,600.00
DONARSKI LAWN CARE	PROJECT	7,290.00
EAGLE ENTERPRISES	SUPPLIES	550.00
ECOLAB	SERVICE	160.68
EMERY-PRATT	BOOKS	136.80
ENVIRONMENTAL EQUIPMENT	SUPPLIES	279.17
FASTENAL	SUPPLIES	229.89
FED EX	SHIPPING	167.86
FORCOLI & SONS PAINTING	PROJECT	6,760.22
GALLS	UNIFORMS	1,352.14
GOLDEN WEST	SERVICE	7,955.50
GUNDERSON, PALMER, NELSON	SERVICE	2,508.14
HAVERBERG FAMILY	GRANT	11,421.51
HAWKINS	SUPPLIES	981.05
HOLLINGER METAL EDGE	SUPPLIES	263.19
HOMETOWN TROLLEY	SUPPLIES	79.57
JACOBS WELDING	SERVICE	225.89
JESS REAUSAW CONSTRUCTION	PROJECT	1,083.17
JUSTICE FIRE	MAINTENANCE	478.57
KDSJ	SERVICE	160.00
KNECHT	GRANTS	8,582.10
KNECHT	SUPPLIES	359.37
KONE	MAINTENANCE	470.34
KUCHENBECKER, KEVIN	REIMBURSEMENT	32.00
LAWRENCE CO. EQUALIZATION	MAP	5.00
LEAD-DEADWOOD SANITARY	USAGE	27,607.73
LIGHT AND SIREN	SUPPLIES	930.00
LOWE ROOFING	PROJECT	21,030.00
LYNN'S	SUPPLIES	41.95
M&M SANITATION	RENTAL	333.00
METERING & TECHNOLOGY	SERVICE	1,576.93
MIDWEST TAPE	DVDS	186.53
MS MAIL	SERVICE	938.10
NELSON, MARY JO	CONSULTING	187.50
NETWORK SERVICES	SUPPLIES	651.68
NHS OF THE BLACK HILLS	SERVICE	5,580.00
NORTH CENTRAL INT'L	SUPPLIES	409.07
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
NORTHWEST PIPE FITTINGS	SUPPLIES	428.09
PITNEY BOWES	POSTAGE	500.00
QUILL	SUPPLIES	185.00
RAPID DELIVERY	DELIVERIES	27.61
ROCKINGTREE LANDSCAPES	SUPPLIES	580.75
RUNGE, MIKE	REIMBURSEMENT	193.37
SCHMIDT, WILLIAM	PROJECT	5,710.00
SD ASSN. OF RURAL WATER	EXPO	100.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	5,616.56
SD DEPT. OF REVENUE	RENEWALS	6,600.00
SD DEPT. OF REVENUE	TAXES	2,308.69
SD HISTORICAL SOCIETY	SERVICE	120.00
SD STATE HISTORICAL	RENEWAL	90.00
SKIDRIL INDUSTRIES	SUPPLIES	245.00
SOUTHSIDE OIL	FUEL	13,152.17
SOUTHSIDE SERVICE	SERVICE	273.60

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STRETCH'S GLASS	SERVICE	670.68
STURDEVANT'S	SUPPLIES	2,449.88
STURGIS AUTO PARTS	SUPPLIES	189.04
TALLGRASS LANDSCAPE	PROJECT	642.50
TEAM LABORATORY CHEMICAL	SUPPLIES	918.00
TRIPLE K	SERVICE	711.78
TRUGREEN	SERVICE	79.92
TWIN CITY HARDWARE	SUPPLIES	26.76
TWIN CITY HARDWARE	GRANTS	147.13
ULINE	SUPPLIES	1,048.89
UTILITY SERVICES	SERVICE	3,089.00
VERIZON CONNECT	SERVICE	60.29
VIGILANT BUSINESS	INVESTIGATIONS	622.50
WASTE CONNECTIONS	SERVICE	7,642.20
WHITE'S CANYON MOTORS	MISC	270.00
TOTAL		\$303,096.05

ITEMS FROM CITIZENS ON AGENDA

Certificates

Chief Rakow presented Melissa Rodgers Fire Fighter 1 and 2 Certificates for completion of training. Commission thanked her for her time.

Award

Mayor Ruth stated Deadwood received SD Dept. of Environment and Natural Resources award for Drinking Water Excellence for eighteen consecutive years of supplying safe drinking water to the public and presented the following system operation specialists with certificates: Kenneth Allen, Randy Pfarr, and Scott Reif.

CONSENT

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

- A. Accept recommendation of Parking & Transportation Committee to lease three metered parking spaces on Deadwood Street to Mike Trucano at a cost of \$50.00 + tax per spot per month. Lease will run from June to October. (7 days /week from 5pm - 9am daily.) Allow Mayor to sign contract.
- B. Permission to purchase a utility locator from Ditch Witch of South Dakota, Inc. for \$5,252.40 to be paid for from Machinery and Equipment. (Line item in Streets Budget)
- C. Accept with regrets the resignation of Meghan Wittmis as Historic Preservation Administrative Assistance effective June 3, 2019 and allow Historic Preservation Office to advertise in-house for 5 days and if not filled advertise in official newspaper.
- D. Permission for Mayor to sign a Contract (labor) with Bricher Construction to perform landscaping maintenance work at Mt. Moriah Cemetery from the end of May to the end of September. (Expense not to exceed \$4,000 for the term of the contract.)
- E. Renew 2019-2020 Malt Beverage Licenses, pending payment of property tax and BID taxes.

RETAIL (ON-OFF SALE) MALT BEVERAGE

Vaughn Mary Boyd, Deadwood Tobacco Co. & Cigar Bar, 628 Main St., RB-2108
Gold Dust Lodging Group, LLC, Holiday inn Express Hotel & Suites 22 Lee St., RB-2391
Mustang Sally's Inc., Mustang Sally's, 634 Main St., RB-2405
DGS LLC, Deadwood Gulch Saloon, 560 Main St, RB-2416
Black Diamond Capital LLC, Gold Dust, 688 Main St., RB-2418,
Bullock Hospitality LLC, Bullock Hotel, 633 Main St., RB-2445
MPLS Hotel management, Best Western Hickok House, 137 Charles St., RB-2447
Mary Larson, Deadwood Dicks Restaurant, 51 Sherman St., RB-2449
Willy's Wild West, Deadwood Station, 68 Main St., RB-2453
Midnight Star Enterprises, LP, Midnight Star I & II, 677 Main St., RB-2454
Old Style Saloon #10, Inc., Saloon #10, 657 Main St., RB-2466
Super G Investment Corporation, Silverado, 709 Main St., RB-2512
WWW LLC, Gold Country Inn, 801 Main St., RB-2521
TJ Gear, Madame Peacock's Accessory Lounge, 638 Main St., RB-2527
Midwest Motels of Deadwood II, Buffalo Bodega, 658 Main St., RB-2576
First Gold, Inc., First Gold Hotel, 270 Main St., RB-2584
GR Deadwood LLC, Mineral Palace Hotel & Gaming, 607 Main St., RB-2593
Fairmont Hotel Corporation, Fairmont Hotel, 628 Main St., RB-2597
Deadwood Hospitality Resort LLC, Deadwood Gulch Resort, 304 Cliff St., RB-2609
Hotel Franklin Inc., Historic Franklin Hotel, 700 Main St., RB-2659

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Blue Sky Gaming, Inc., Tin Lizzie Gaming Resort, 555 Main St., RB-2831
Cliff Street LLC, Comfort Inn Deadwood, 225 Cliff St., RB-3536,
B.Y. Development, Inc., Cadillac Jack's Gaming Resort, 360 Main St., RB-3894
Deadwood Resort, LLC, The Lodge at Deadwood, 100 Pine Crest Lane, RB-19227
Dakota Gunslingers LLC, Dakota Gunslingers, 669 Main St., RB-21255
Tentexkota, LLC, Deadwood Mountain Grand, 1906 Deadwood Mountain Drive, RB-21329
H&H Deadwood LLC, His and Hers Ale House and Wine Bar, 696 Main St, RB-21478
NMD Venture LLC, Hickok's Hotel & Casino, 685 Main St, RB-21688
Apex 1996 LLC, Apex 1996 LLC, 612 Main St, RB-21693
Pandora's Box, Pam's Purple Door, 637 Main St, RB-21725
Jackson Winery & Vineyards, Belle Joli Winery, 594 Main St, RB-21771
Richard & Marguerite Olesen, Wild Bill Old West Trading Post, 624 Main St, RB-21772
Winery Hill City, LLC, Naked Winery Deadwood, 692 Main St., RB-24024
Big D Oil Co., Big D Oil #11, 402 Main St., RB-25530
Optima LLC, SpringHill Suites by Marriot, 360 Main St., RB-25531
Chip Shot Golf LLC, Chip Shot Golf, 306 Cliff St., RB-25532
Deadwood Land Holdings, LLC, Tatanka: Story of the Bison, 100 Tatanka Drive, RB-25533
Virginia A Tice-Poseley, Dakota Sky Stone, 671 Main St., RB-25535
Boondocks LLC, Happy Days, 639 Main St., RB-25536
The Gallows Tavern LLC, The Gallows Tavern, 8 Lee St., RB-25693
TSG, LLC, Pump House Mind Blown Studio, 73 Sherman St., RB-25694
Chocolates LLC, Chubby Chipmunk Hand Dipped Chocolates, 420 Cliff St., RB-25696
Broken Arrow Trading Company, Broken Arrow Trading Company, 604/606 Main St., RB-25908
Scott & Sharon Jacobs, Jacobs Gallery, 670 Main St., RB-25948

- F. Permission to hire returning seasonal Trolley drivers: Linda Kottke at \$13.80 per hour and Herbert Cowart at \$13.11 per hour, both effective May 21, 2019. (Pending pre-employment drug testing and background checks.)
- G. Permission to hire Rachel Geier as part-time seasonal finance office assistant at a rate of \$9.48 effective May 23, 2019. (Pending pre-employment drug testing and background checks.)
- H. Permission to hire Armour roofing to replace seven roofs (hail damage) on four City properties with Class 4 impact resistant shingles at a total cost of \$29,980.00. (Estimates provided)
- I. Permission to prepare and allow Mayor to sign contract with Rasmussen Mechanical Services for the rec center heated sidewalk project. (Approved 5/6/19)
- J. Allow Mayor to sign contract with Simon Contractors Event Complex Parking Lot Repairs and Paving (Approved 5/6/19)
- K. Allow Mayor to sign loan agreement with Journey Museum for use of city owned Termesphere from May 20 through August 31, 2019.
- L. Permission to hire Donarski Landscaping to reset brick pavers at History center in the amount of \$7,050.00. (Budgeted item)
- M. Permission for the Mayor to sign contract with Bernie Reasaw and CAI2 for retaining wall project at 336 Williams Street.
- N. Permission to allow consumption of beer and wine at Gordon Park for Neighborhood Block Club from 3:00 p.m. to 7:00 p.m. on Sunday, July 21, 2019.
- O. Permission to Participate in Project Skills Program, which is a SD paid work experience for high school student with disabilities. The program is a cooperative arrangement between the state vocational rehabilitation agencies and the local school districts.

BID ITEMS

Steel Roof at Welcome Center

Tom Kruzel stated no bids were received, and requested permission to obtain quotes. Martinisko moved, Todd seconded to grant permission to obtain quotes for removal and replacement of steel roof at Welcome Center. Roll Call: Aye-All. Motion carried.

Results

Mayor Ruth stated one bid was opened for synthetic ice at Outlaw Square on May 15 at 2:00 p.m. as advertised. Bid bonds were included in the following bid submittal:

Glice USA, Inc. - \$210,957.80

Historic Preservation Officer Kuchenbecker stated staff negotiated down with alternative design strategy for a total of \$147,860.30, which is allowed under state bid law SDCL 5-18B-5. Martinisko moved, Struble seconded to accept bid from Glice USA in the amount of \$147,860.30. Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS

Parade

Public hearing was opened at 5:09 p.m. by Mayor Ruth. Sarah Anderson, Deadwood Chamber of Commerce, was present to answer questions, hearing closed. Martinisko moved, Struble to approve street closure on Main Street from Tin Lizzie Gaming Resort to the Masonic Temple from 3:00 p.m. until the parade ends on Thursday, July 4, 2019. Roll Call: Aye-All. Motion carried.

Mustang Rally

Public hearing was opened at 5:10 p.m. by Mayor Ruth. Sarah Anderson, Deadwood Chamber of Commerce, was present to answer questions, hearing closed. Struble moved, Todd seconded to approve street closure on Main Street from Wall to Deadwood Street from 10:00 a.m. to 2:00 p.m. on Thursday, August 29, 2019. Roll Call: Aye-All. Motion carried.

Kool Deadwood Nites

Public hearing was opened at 5:11 p.m. by Mayor Ruth. Sarah Anderson, Deadwood Chamber of Commerce, was present to answer questions.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street from the 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 from 12:00 p.m. to 10:00 p.m. on Thursday, August 22, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on August 22, from 12:00 p.m. to 10:00 p.m. on Friday, August 23, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance for same area as approved on August 22, from 12:00 p.m. to 10:00 p.m. on Saturday, August 24, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance for same area as approved on August 22, from 12:00 p.m. to 6:00 p.m. on Sunday, August 25, 2019. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to approve waiver of vendor fees for Deadwood Chamber merchandise on Main Street, and Interpretive Lot on Thursday, August 22 through Saturday, August 24; waiver of vending fee for non-profit (American Legion) at Interpretive Lot on Thursday, August 22 through Sunday, August 25; waiver of vending fee for Napa at Lower Main Lot on Thursday, August 22 through Saturday, August 24; use of Interpretive Lot Thursday August 22 at 2:00 a.m. to 2:00 p.m. Sunday, August 25; use of Lower Main Lot for registration and registered cars only Thursday, August 22 at 8:00 a.m. through 10:00 p.m. Saturday, August 24; use of Event Complex on Saturday, August 24 from 5:00 a.m. to 2:00 p.m. for car judging and Sunday, August 25 at 5:00 a.m. for parade lineup; waiver of banner fees Thursday, August 22 through Sunday, August 25, 2019; street closure on Main Street from Wall to Deadwood Street on Wednesday, August 21 from 2:15 p.m. to 2:00 a.m. on Sunday, August 25; Siever Street on Thursday August 22 from 5:00 p.m. to 10:00 p.m.; Main Street from Deadwood Street to Pine Street on Thursday, August 22, from 3:00 p.m. to 10:00 p.m.; Main Street from Deadwood Street to Pine Street on Friday, August 23, and Saturday August 24 from 3:00 p.m. to 10:00 p.m.; and Main Street from Tin Lizzies Gaming Resort to Pine Street on Sunday, August 25, 2019 from 8:00 a.m. to 3:00 p.m. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Ordinance

Martinisko moved, Todd seconded to approve second reading of Ordinance #1295 Creating Business Improvement District #9. Roll Call: Aye-All. Motion carried.

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Renew

Finance Officer McKeown spoke about the changes to insurance. Struble moved, Martinisko seconded to renew Wellmark health insurance for employees from August 1, 2019 to July 31, 2020 at a 3.95% premium increase and allow Mayor to sign all associated documents. Roll Call: Aye-All. Motion carried.

Acknowledge

Transportation and Facilities Director Kruzel spoke about the change order. Todd moved, Struble seconded to approve Change Order with Scull Construction in the amount of \$9,535.53 to replace existing sewer line for Outlaw Square. (Funding from Public Works Sewer and Public Buildings) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Northern Hills Emergency Preparedness Fair – June 1 at the Spearfish Walmart parking lot from 10:00 a.m. to 2:00 p.m.
- Main Street Cleanup (aka Butt Brigade) – May 23, starting at Tin Lizzie at 4:00 p.m. and working their way up Main Street, weather permitting.

Ruth stated celebration of retirement for Rob Lester will be 2:00 p.m. to 4:00 p.m. May 30 in the Commission Room.

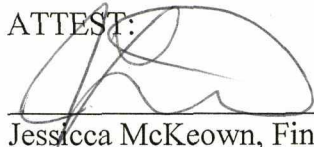
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) and personnel matter per SDCL 1-25-2(1) with possible action.

ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:25 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 May 20, 2019.

After coming out of executive session at 6:20 p.m. Martinisko moved, Todd seconded to adjourn.

ATTEST:



Jessicca McKeown, Finance Officer

DATE:

6-3-19

BY:



David Ruth Jr., Mayor

Published once at the total approximate cost of _____

