

REGULAR MEETING, APRIL 15, 2019

The Regular Session of the Deadwood City Commission convened on Monday, April 15, 2019 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commissioner Gary Todd called the meeting to order with the following members present: Department Heads, City Attorney Matthew Naasz, and Commissioners Sharon Martinisko, and Charlie Struble. Mayor David Ruth Jr. was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTE

Struble moved, Martinisko seconded to approve the minutes of April 1, 2019. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Struble seconded to approve the April 15, 2019 disbursements. Roll Call: Aye-All. Motion carried.

ACE HARDWARE	SUPPLIES	19.97
ALBERTSON ENGINEERING	PROJECT	4,023.61
ALSCO	SUPPLIES	253.29
AMAZON	SERVICE	671.30
ASSOCIATION OF SD MUSEUMS	MEMBERSHIP	100.00
ATCO INTERNATIONAL	SUPPLIES	352.00
BH CHEMICAL	SUPPLIES	493.02
BH ENERGY	SERVICE	29,658.15
BH PIONEER	SERVICE	1,534.38
BH WINDOW CLEANING	CLEANING	1,916.00
BLOOMERS FLOWERS	PLANT	63.00
BUTLER MACHINERY	SUPPLIES	140.61
CAMPBELL SUPPLY	SUPPLIES	15.99
COCA COLA	SUPPLIES	131.28
CONOVER, MICHAEL	PROJECT	12,479.29
CONVERGINT TECHNOLOGIES	INSPECITON	341.58
CULLIGAN	SUPPLIES	139.90
DEADWOOD CHAMBER	BILL LIST	36,017.01
EAGLE ENTERPRISES	SUPPLIES	730.00
FASSBENDER COLLECTION	OPERATIONS	15,000.00
FIRST NATIONAL CREDIT CARD	SUPPLIES	2,682.16
GALLS	UNIFORMS	83.16
GODFREY BRAKE	SUPPLIES	118.04
GOLDEN WEST	SERVICE	1,725.88
GUNDERSON, PALMER, NELSON	SERVICE	9,945.66
HAWKINS	SUPPLIES	42.61
HILLYARD	SUPPLIES	192.29
IWORQ	SERVICE	2,500.00
JENNER EQUIPMENT	REPAIR	134.67
JOHNSON, TRACIE	PROJECT	4,170.90
JOLLY LANE	BASKETS	1,440.00
JUNEKS SERVICE	REPAIR	115.00
KARL'S TV	SOFA	809.88
KDSJ	ADS	160.00
KNECHT	SUPPLIES	109.54
KONE	MAINTANENCE	470.34
KUCHENBECKER, KEVIN	REIMBURSEMENT	562.10
L.L. BEAN	AWARDS	365.75
LEAD-DEADWOOD SANITARY	USAGE	27,960.88
LEAD-DEADWOOD SCHOOL	PUBLICATION	9.03
LOWE ROOFING	PROJECT	24,081.00
LUX, JUSTIN	REIMBURSEMENT	7.20
M&M SANITATION	RENTAL	240.00
MACK'S AUTO BODY	SERVICE	10,672.72
MACROVISION	PROJECT	150.00
MED-TECH RESOURCE	SUPPLIES	90.81
MENARD'S	SUPPLIES	410.70
MINNILUSA HISTORICAL	MEMBERSHIP	100.00
MOHR, TRENT	REIMBURSEMENT	11.00
MUTUAL OF OMAHA	INSURANCE	253.82
NELSON, MARY JO	CONSULTING	337.50
NETWORK SERVICES	SUPPLIES	383.27
NHS OF THE BLACK HILLS	SERVICE	5,875.00
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
PANNIER	SIGN	304.00
PETTY CASH	HP/ZONING	121.54
PL CARPENTRY	PROJECT	6,303.93
POWERPLAN	REPAIR	13.88
QUICK TROPHY	NAME TAG	13.00
QUICK SIGNS	SIGN	51.73
QUILL	SUPPLIES	555.14
RADENSLEBEN, ROBERT	REIMBURSEMENT	152.48
RAPID DELIVERY	DELIVERIES	70.75
RAPID SPA	HOT TUB	9,482.40
RASMUSSEN MECHANICAL	SUPPLIES	9.58
SCULL CONSTRUCTION	PAY APP#3	331,214.85
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	7,486.87
SD DEPT. OF REVENUE	TAXES	2,307.22
SD PLANNERS ASSOCIATION	MEMBERSHIP	200.00
SERVALL	SUPPLIES	1,565.75
SIMON CONTRACTORS	PROJECT	24,317.86
SIMON MATERIALS	SUPPLIES	148.68

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SIouxLAND HERITAGE MUSEUMS	SERVICE	30.00
SOUTHSIDE OIL	DIESEL	13,497.05
SOUTHSIDE SERVICE	SERVICE	1,062.34
SPLIT ROCK STUDIOS	PROJECT	6,000.00
SPRIGLER, SALLY	REIMBURSEMENT	90.26
STURDEVANT'S	SUPPLIES	1,949.57
SUMMIT SIGNS	SIGNS	351.00
TALLGRASS LANDSCAPE	PROJECT	4,100.00
THE LORD'S CUPBOARD	RECYCLING	45.76
TRIPLE K	SERVICE	23.00
TWILIGHT	SUPPLIES	348.64
TYLER TECHNOLOGIES	MAINTENANCE	836.27
US POSTAL SERVICE	PERMIT	235.00
VERIZON CONNECT	SERVICE	109.75
WASTE CONNECTIONS	SERVICE	7,642.20
WELLMARK	INSURANCE	48,653.53
WESTERN STATES FIRE	INSPECTION	350.00
WHEELER LUMBER OPERATIONS	SUPPLIES	4,655.48
WINTER & COMPANY	PROJECT	10,084.00
ZEP SALES	SUPPLIES	452.90

TOTAL \$714,989.75

ITEMS FROM CITIZENS ON AGENDA

Proclamations

Commissioner Todd read a proclamation declaring April 29, 2019 as Marlene Todd Day in Deadwood. Marlene thanked the City for their support throughout the years.

Commissioner Todd read a proclamation declaring April 27, 2019 as Relay for Life Day in Deadwood.

Years of Service

Commissioner Todd presented certificates to the following employees: Tom Kruzel for 5 years of service; Anthony Bradley for 15 years of service; Dan Bridenstine and Albert Kryger for 20 years of service; and Ken Hawki for 35 years of service. Kasey Campbell was absent but recognized for 5 years of service. Commission thanked each of them for their time.

Dispute

Joseph Garza, renter at 65 Sherman St., spoke to Commission concerning the water bill. He explained his usage throughout the year and believes at no point did he have any leaks throughout the building, and is asking for a reduction of bill. Commissioner Todd questioned the water meter, and heard there were toilets leaking. Public Works Director Green stated when Water Department noticed the high usage, they contacted the owner (Danny Gray) and he found running water within the building. Green stated the meter has been working properly. Commissioner Martinisko believes the building owner should help pay since he acknowledged water running within the building. Finance Officer McKeown spoke about the amount due. After much discussion Martinisko moved, Struble seconded to continue until the next Commission meeting on May 6, to allow Joseph to visit with building owner, Gray. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Approve Special Alcohol License for Saloon #10 to serve liquor at Event Complex Friday, June 7 and Saturday June 8 for PBR Event. No public hearing necessary since license is on publicly owned property.
- B. Make 2019 budgeted allocation to SD Humanities Council (for book festival) in the amount of \$10,000.00 from Bed and Booze Fund.
- C. Permission to sponsor 2019 Festival of the Book in the amount of \$10,000.00 to be held in Deadwood October 3-6, 2019 by the South Dakota Humanities Council (Budgeted in HP Public Education line item.)
- D. Make 2019 budgeted (March/April) allocation to Deadwood Alive in the amount of \$21,500.00 from Bed and Booze Fund.
- E. Permission to purchase 5500 gallons of diesel at \$2.45 per gallon from South Side Service.

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- F. Permission to hire Utility Services Associates to perform out bi-annual leak detection service on our water system. Attached quote from September 4, 2019 in the amount of \$3,089.00 is still applicable. (Budgeted under Water Dept. Professional Services line item.)
- G. Permission to hire the following for seasonal employees in the Parks/Streets Departments: Betsy Carbo at rate of \$17.67 per hr. effective April 17, 2019; Troy Jassman at \$9.48 per hr. effective April 22, 2019; Coltan Radensleben at rate of \$11.19 per hr. effective April 29, 2019; and Jared Quaschnick at rate of \$9.76 per hr. effective April 29, 2019.
- H. Permission to hire Randy Adler as full-time parks technician at \$17.67 per hour effective May 6, 2019.
- I. Removed from agenda
- J. Permission to pay ESRI GIS Software Maintenance agreement in the amount of \$15,829.32 with costs covered through various departments as budgeted.
- K. Permission for Mayor to sign Loan Agreement with La Salle County Historical Society in Illinois for the traveling James Butler "Wild Bill" Hickok exhibit from May 20 to August 31, 2019.
- L. Permission to purchase digital kiosk from Seaton Publication for exhibit space in the History and Information Center in the amount of \$2,900.00 from HP Public Education line item. (Budgeted project)
- M. Permission to purchase Screening Bucket from McDaniel Sales, Inc. in Minnetrista, MN for use by the Public Works Department for Historic Preservation projects at a cost of \$5,776.23 using HP Capital Assets line item.
- N. Removed for separate consideration in New Business.
- O. Acknowledge address correction on Resolution 2019-09.
- P. Permission to hire Dylan Bell as a part-time police officer at \$21.35 per hour effective April 16, 2019
- Q. Permission to increase wage of Ken Rehberg from \$18.65 per hr. to \$19.63 per hr. effective May 2, 109 after two years as Asst. Trolley Manager.
- R. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Rocky A. Mattson and Barb J. Mattson.
- S. Permission to add an ADA bathroom to Mt. Moriah Improvements. (Funds will need to be moved from other line items and offset from rental income)

BID ITEMS

Results

Commissioner Todd stated four bids were opened for retaining wall at 336 Williams Street at 1:00 p.m. on April 12 per addendum. Bid bonds were included in the following bid submittals:

CAI Construction – Base Bid - \$63,000.00, Alternate 1 - \$26,000.00, Alternate 2 - \$21,000.00, Alternate 3 - \$24,000.00, Total - \$134,000.00

RCS Construction – Base Bid - \$72,300.00, Alternate 1 - \$31,800.00, Alternate 2 - \$34,200.00, Alternate 3 - \$21,200.00, Total - \$159,500.00

Complete Concrete – Base Bid - \$91,297.00, Alternate 1 - \$66,172.00, Alternate 2 - \$43,801.00, Alternate 3 - \$29,764.00, Total - \$231,034.00

C. Eagle Construction – Base Bid - \$72,000.00, Alternate 1 - \$41,000.00, Alternate 2 - \$34,000.00, Alternate 3 - \$20,800.00, Total - \$167,800.00

Historic Preservation Officer Kuchenbecker recommended Commission continue for review. Martinisko moved, Struble seconded to continue. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Struble seconded to advertise for synthetic ice rink for Outlaw Square with bids due May 15, 2019 at 2:00 p.m. with results to Commission on May 20, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to advertise for Event Complex Parking Lot Paving with bids due May 2, 2019 at 2:00 p.m. with results to Commission on May 6, 2019. Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS

PBR Pro Event

Public hearing was opened at 5:42 p.m. by Commissioner Todd. Sarah Anderson, Deadwood Chamber, was available to answer questions, hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Thursday, June 6, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Friday, June 7, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Saturday, June 8, 2019. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to approve waiver of vending fee on Thursday, June 6 through Saturday, June 8, 2019. Roll Call: Aye-All. Motion carried.

Days of 76

Public hearing was opened at 5:45 p.m. by Commissioner Todd. No one spoke in favor or against, hearing closed, hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. Saturday, July 20 to 2:00 a.m. on Sunday, July 21, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex From 7:00 a.m. on Sunday, July 21 to 2:00 a.m. on Monday, July 22, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. on Monday, July 22 to 2:00 a.m. on Tuesday, July 23, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. on Tuesday, July 23 to 2:00 a.m. on Wednesday, July 24, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. on Wednesday, July 24 to 2:00 a.m. on Thursday, July 25, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. on Thursday, July 25 to 2:00 a.m. on Friday, July 26, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. on Friday, July 26 to 2:00 a.m. on Saturday, July 27, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex From 7:00 a.m. on Saturday, July 27 to 2:00 a.m. Sunday, July 28, 2019. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to approve the use of the Event Complex Wednesday, July 17 through Wednesday, July 31, street closure on Main Street from Masonic Temple to Tin Lizzies Gaming Resort and a portion of 14A from Tin Lizzies Gaming Resort to Event Complex from 1:00 p.m. until parade ends on Friday July 26, and from 9:30 a.m. until parade ends on Saturday, July 27, and waiver of vending fee on Tuesday, July 23 through Saturday July 27, 2019. Roll Call: Aye-All. Motion carried.

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Days of 76 Continued

Struble moved, Martinisko seconded to approve special full temporary liquor license for Days of '76 on Tuesday, July 23 through Saturday, July 27, 2019. Roll Call: Aye-All. Motion carried.

Steer Roping

Public hearing was opened at 5:51 p.m. by Commissioner Todd. No one spoke in favor or against, hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. to 10:00 p.m. on Saturday, August 17, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. to 10:00 p.m. on Sunday, August 18, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. to 10:00 p.m. on Monday, August 19, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex from 7:00 a.m. to 10:00 p.m. on Tuesday, August 20, 2019. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to approve the use of the Event Complex, waiver of vending fee for Days of '76 on August 18 through August 20, 2019. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to approve special full temporary liquor license for Days of 76 on August 18 through August 20, 2019. Roll Call: Aye-All. Motion carried.

Northern Hills Community Band

Public hearing was opened at 5:55 p.m. by Commissioner Todd. No one spoke in favor or against, hearing closed. Struble moved, Martinisko seconded to approve the street closure on Main Street from Pine to Wells Fargo Entrance on Thursday, July 25, 2019 from 6:15 p.m. to 7:45 p.m., and use of portico at History Interpretive Center Saturday, July 27, 2019 beginning at 12:00 p.m. for the Northern Hills Community Band performance for the Days of 76 concerts. Roll Call: Aye-All. Motion carried.

Wild Bill Days

Public hearing was opened at 5:56 p.m. by Commissioner Todd. Sarah Anderson, Deadwood Chamber, was available to answer questions. Hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street from the Tin Lizzie 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 5:00 p.m. to 10:00 p.m. on Friday, June 14, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Saturday, June 15, 2019 from noon to 10:00 p.m. for same area as approved on June 14, 2019. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to approve the street closure on Deadwood Street from Martin Mason To Sherman Street, Thursday, June 13 at 9:00 a.m. and remain closed until 10:00 p.m. Saturday, June 15, 2019; Main Street from Wall to Deadwood Street on Thursday, June 13 at 2:00 p.m. and remain closed until 2:00 a.m. Sunday, June 16. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko allow the use of public property for Deadwood's Midnight Cowboy 5K Run on Saturday, June 15, 2019. Roll Call: Aye-All. Motion carried.

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Wild Bill Days Continued

Struble moved, Martinisko seconded to waive the vending fee and allow vending on Main Street on Friday and Saturday, June 14 and 15, for Chamber merchandise and Northern Hills Alliance for Children; waiver of banner fees Friday & Saturday, June 14 & 15; Motorcycle parking on Main Street from Wild Bill Bar to Belle Joli Winery, northwest side only noon to 10:00 p.m. Friday June 14 and Saturday, June 15, 2019. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Struble seconded to set public hearing on May 6 for Retail (on-off sale) Malt Beverage License, and Retail (on-off sale) Wine License for Family Dollar at 124 Sherman Street. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Item N (Cleaning)

Commissioner Todd questioned the amount and if the cleaning could be done in house. Public Works Director Green stated this will be a scheduled process going forward. Martinisko moved, Struble seconded to hire SF Professional Pressure Washing for parking garage cleaning in the amount of \$11,424.00. (To be paid from Parking Garage Professional Services line item.) Roll Call: Aye-All. Motion carried.

Ordinance

Martinisko moved, Struble seconded to approve first reading of Ordinance 1293 Amending Chapter 15.01 International Building Code. Roll Call: Aye-All. Motion carried.

Permit

Struble moved, Martinisko seconded to allow the Issuance of horse-drawn vehicle permit per DCO 5.20 for Stagecoach operations through Deadwood Alive for 2019 per information and particulars provided. (Insurance and fee received by Finance Office.) Roll Call: Aye-All. Motion carried.

Easement

Martinisko moved, Struble seconded to allow Mayor to sign Conservation Easement for Franklin Hotel for Pediment and parapet. Historic Preservation Kuchenbecker spoke about the Easement. (Purchase of easement already approved.) Roll Call: Aye-All. Motion carried.

Amendment #3

Struble moved, Martinisko seconded to allow Mayor to sign Amendment #3 for Bid Package #2 of CMAR Contract with Scull Construction Services in the amount of \$478,366.00. (Bids acknowledged by Commission on April 1, 2019) Roll Call: Aye-All. Motion carried.

Appoint

Martinisko moved, Struble seconded to appoint the following individuals to Business Improvement Board #9 pursuant to SDCL 9-55-5; Wayne Morris, Jim Burgess, Mike Trucano, Jim Trucano, and Trinity Conrad. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Open Commissioner Seat (1-year term) Letters of Interest should be submitted to the Mayor's office by 5:00 p.m. on April 26, 2019.

Commissioner Todd requested Executive Session for personnel matters per SDCL 1-25-2(1) with possible action.


ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 6:11 p.m. and convene into Executive Session for personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday May 6, 2019.

After coming out of executive session, Struble moved, Martinisko seconded to increase wage of Cory Percy from \$19.52 per hr. to \$20.61 per hr. effective April 7, 2019, which is 95% prevailing wage. Martinisko moved, Struble seconded to adjourn at 6:28 p.m.

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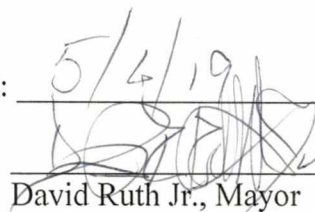
ATTEST:



Jessica McKeown, Finance Officer

DATE:

BY:



David Ruth Jr., Mayor

Published once at the total approximate cost of _____

