

## REGULAR MEETING, APRIL 1, 2019

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

### APPROVAL OF MINUTES

Struble, Todd seconded to approve the minutes of March 18, 2019 and Board of Equalization minutes of March 19, 2019. Roll Call: Aye-All. Motion carried.

MARCH, 2019 PAYROLL: COMMISSION, \$2,230.76; FINANCE, \$17,968.20; PUBLIC BUILDINGS, \$6,891.91; POLICE, \$68,236.89; FIRE, \$5,373.64; BUILDING INSPECTION, \$4,912.00; STREETS, \$33,647.38; PARKS, \$22,990.68; PLANNING & ZONING, \$5,210.88; LIBRARY, \$6,641.36; RECREATION CENTER, \$14,014.00; HISTORIC PRESERVATION, \$16,854.56; WATER, \$16,937.69; PARKING METER, \$9,175.77; TROLLEY, \$16,922.03; PARKING RAMP, \$840.19. **PAYROLL TOTAL: \$248,847.94.**

### MARCH, 2019 PAYROLL PAYMENTS:

Internal Revenue Service, \$58,800.61; S.D. Retirement System, \$28,349.88; Delta Dental, \$4,356.50.

### APPROVAL OF DISBURSEMENTS

Struble, Todd seconded to approve the April 1, 2019 disbursements. Roll Call: Aye-All. Motion carried.

10-8 VIDEO	CAMERA SYSTEM	2,075.45
A & B BUSINESS	CONTRACT	331.32
A & B WELDING	SUPPLIES	143.88
A - Z SHREDDING	SERVICE	15.01
ACE HARDWARE	SUPPLIES	146.52
ALLEGIANTE EMERGENCY	AIR TANKS	54,657.85
ALPINE IMPRESSIONS	UNIFORMS	15.98
ALSCO	SUPPLIES	425.03
ARMSTRONG EXTINGUISHER	INSPECTIONS	164.22
ATCO INTERNATIONAL	SUPPLIES	738.00
AXON ENTERPRISE	HOLSTERS	256.00
BH CHEMICAL	SUPPLIES	1,147.18
BH SECURITY	SERVICE	2,157.45
BURNS, TONI	REIMBURSEMENT	36.00
CENTURY BUSINESS PRODUCTS	CONTRACT	387.13
CITY OF SPEARFISH	SPEAKER CONTRIBUTION	2,000.00
CREATIVE PRODUCT SOURCING	SUPPLIES	542.63
DEADWOOD CHAMBER	BILL LIST	157,904.36
DVFD	REIMBURSEMENT	604.90
DEADWOOD GAMING	BID#8	10,000.00
DEADWOOD HISTORY	AD	425.00
DEERE & COMPANY	TRACTOR	16,362.85
ECOLAB	SERVICE	254.73
EDDIE'S TRUCK CENTER	SUPPLIES	76.92
EMERY-PRATT	BOOKS	394.15
FASTENAL	SUPPLIES	497.55
FIRST INTERSTATE BANK	TIF	5,129.11
FIRST NATIONAL CREDIT CARD	SUPPLIES	1,430.99
GALLS	SUPPLIES	37.45
GLOBAL EQUIPMENT	SUPPLIES	611.01
GOLDEN WEST	SERVICE	1,254.00
GRIMM'S PUMP	SUPPLIES	36.88
HAWKINS INC	SUPPLIES	931.46
HEIMAN FIRE EQUIPMENT	BUNKER GEAR	3,848.00
HILLS INTERIORS	PROJECT	1,883.30
HILLYARD	SUPPLIES	2,100.00
INTERSTATE ENGINEERING	PROJECT	2,529.38
JACOBS WELDING	SERVICE	80.00
JENSEN HARDWOOD FLOORS	PROJECT	4,277.50
KNECHT	SUPPLIES	2,578.72
KT CONNECTIONS	REPAIR	330.00
LAWRENCE CO. REGISTER	FEE	180.00
LEAD CHAMBER	SPONSOR	6,000.00
LYNN'S	SUPPLIES	36.59
MARCO	CONTRACT	459.51
MED-TECH RESOURCE	SUPPLIES	191.95
MID-AMERICAN RESEARCH	SUPPLIES	311.67
MIDWEST TAPE	DVDS	320.43
MITZI'S BOOKS	BOOKS	48.76
MDU	SERVICE	8,923.20
NETWORK SERVICES	SUPPLIES	282.49
NHS OF THE BLACK HILLS	SERVICE	31.95
NORTHERN HILLS RECREATION	BID#8	14,893.96
NORTHWEST PIPE FITTINGS	SUPPLIES	1,510.00
OTIS ELEVATOR	CONTRACT	137.91
OVERDRIVE	MAINTENANCE	1,500.00
PAPOUSEK, SONYA	REIMBURSEMENT	80.00
PINNACLE CARPET	CLEANING	884.23
PITNEY BOWES	POSTAGE	500.00
POWERPLAN	SUPPLIES	285.94
QUICK TROPHY	SERVICE	22.00
RASMUSSEN MECHANICAL	PROJECT	32,500.00
REGIONAL HEALTH	TESTING	125.00
RUSHMORE OFFICE	SUPPLIES	17.48
S AND C CLEANERS	CLEANING	3,325.00

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SD HISTORICAL SOCIETY	SPONSOR	1,500.00
SD MUNICIPAL LEAGUE	REGISTRATION	51.00
SD ONE CALL	SERVICE	6.72
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	206.60
SOUTHSIDE OIL	FUEL	12,709.62
STURGIS AUTO PARTS	SUPPLIES	44.36
SUMMIT SIGNS	SIGNS	60.00
SUPER G INVESTMENTS	PROJECT	196,274.40
SYMBOL ARTS	SUPPLIES	405.00
TCF EQUIPMENT	TROLLEYS	9,400.86
THE LORD'S CUPBOARD	RECYCLING	59.73
TWILIGHT	SUPPLIES	35.90
TWIN CITY CLOTHING	ALLOCATION	3,500.00
TWIN CITY HARDWARE	SUPPLIES	5,499.56
UMENTHUM, KEITH	PROJECT	95.00
VANWAY TROPHY	AWARDS	43.00
VAST	SERVICE	3,236.83
VERIZON	SERVICE	133.70
WESTERN COMMUNICATIONS	SUPPLIES	1,144.00

TOTAL \$585,822.26

## ITEMS FROM CITIZENS ON AGENDA

### Proclamations

Joann Eastman requested Mayor Ruth Jr. sign the Proclamation declaring April 30, 2019 as Arbor Day. Joann invited everyone to the tree planting at the welcome sign on Upper Main Street at 1:00 p.m. on April 30.

The Mayor read a proclamation declaring April 3, 2019 as Albert Kryger Day in Deadwood. Commission thanked Kryger for his time and wished him luck.

The Mayor read a proclamation declaring April 7, 2019 as Trevor Tridle Day in Deadwood. Trevor spoke about the experience.

### CONSENT

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

- A. Permission to increase wages for Rec Center Lifeguard Anna Campbell from \$10.31 per hr. to \$10.59 per hr. effective March 19, 2019 after one year of service; Rec Center Lifeguard Katie Tieman from \$10.31 per hr. to \$10.59 per hr. effective March 25, 2019 after one year of service; and Rec Center Receptionist Valerie Meiners from \$9.48 per hr. to \$9.76 per hr. effective April 9, 2019 after one year of service.
- B. Permission to increase wage for Parks Technician Riley Lundquist from \$17.66 per hr. to \$18.65 per hr. effective March 26, 2019 after one year of service, which is 95% of prevailing wage.
- C. Permission to purchase 5500 gallons of gasoline from Southside Service at \$2.31 per gallon
- D. Permission to advertise for season workers for the Parks Dept., Street Dept., and Mt. Moriah ticket booth
- E. Resolution 2019-15 Pre-Disaster Mitigation Plan update for Lawrence County

### **RESOLUTION 2019-15 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

Dated this 1st day of April, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- F. Allow use of public property on Saturday April 27, 2019 for Relay for Life 5K. Race leaves Deadwood Mountain Grand down Water Street to Mickelson Trail and turns around at Pluma Visitor Center.
- G. Permission to have S&C Cleaners clean locker rooms, public bathrooms, and entrance area of the Rec Center at a cost of \$85.00 per day; to be paid from Public Buildings Professional Services



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- H. Permission to have S&C Cleaners clean Street Department and Parks Department at a cost of \$1,500.00 per month. Current employee has been reassigned to the Rec Center.
- I. Permission to promote Brittney Case and Hailey Trehwella to swim instructors at \$11.42 per hr. effective April 2, 2019
- J. Permission for Mayor to sign agreement with Donarski Lawn and Landscaping
- K. Accept resignations from lifeguards Katie Tieman and Hannah Valentine effective April 8, 2019
- L. Approve Not-For-Profit grant to the Deadwood Masonic Center Association in the amount of \$4,000.00 for the construction of display cases and wall cabinets.
- M. Permission to hire Danny Stacy as a part-time Police Officer at \$21.35 per hr. effective April 2, 2019

### BID ITEMS

#### Set

Todd moved, Struble seconded to set bid opening for removal and reconstruction of heated sidewalk at Rec Center on May 2, 109 at 2:00 p.m. with results to Commission on May 6. Transportation and Facilities Director Kruzel spoke about the project. (Life safety issue with possible budget supplement) Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set bid opening for removal and replacement of steel roof at Welcome Center on May 16, 2019 at 2:00 p.m. with results to Commission on May 20. Roll Call: Aye-All. Motion carried.

#### Results

Acknowledged results of Bid Package 2 of Outlaw Square in the amount of \$478,366.00 for foundation and utility work. Historic Preservation Officer Kuchenbecker spoke about the overview of Bid Package 2. He also stated the final bid package, Phase 3 will be due April 25.

### PUBLIC HEARINGS

#### Set

Struble moved, Martinisko seconded to set the following public hearings on April 15: PBR Pro Events, Days of '76 Events, Days of '76 Steer Roping Events, Northern Hills Community Band Event, and Wild Bill Days. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to set public hearing on May 6 for Deadwood Custom Cycle Bike Nights. Roll Call: Aye-All. Motion carried.

### NEW BUSINESS

#### Ordinances

Martinisko moved, Todd seconded to approve second reading of Ordinance 1291 Amending Chapter 15.32 Signs. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to approve second reading of Ordinance #1292 Supplemental Budget #1 for 2019. Roll Call: Aye-All. Motion carried.

#### Plat

Martinisko moved, Struble seconded to act as Board of Adjustment and approve final plat of Lot 20, Block 2 of Palisades Tract of Deadwood Stage Run Addition; All located in the SW ¼ Section 14, the SE ¼ Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota, aka 775 Stage Run. (Approved by Planning and Zoning March 20, 2019.) Roll Call: Aye-All. Motion carried.

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### Resolution

Struble moved, Todd seconded to approve Resolution 2019-16 Authorizing Defeasance and Call of Certain Outstanding Refunding Certificates of Participation. Roll Call: Aye-All. Motion carried.

### Resolution 2019-16

#### RESOLUTION AUTHORIZING DEFEASANCE AND CALL OF CERTAIN OUTSTANDING REFUNDING CERTIFICATES OF PARTICIPATION

BE IT RESOLVED by the City Commission of the City of Deadwood, South Dakota (the "City"), as follows:

SECTION 1. The City has issued its \$7,375,000 Refunding Certificates of Participation, Series 2012, dated, as originally issued, as of January 17, 2012 (the "Series 2012 Certificates"), of which \$950,000 in principal amount remains outstanding, and its \$8,850,000 Refunding Certificates of Participation, Series 2015, dated, as originally issued, as of April 4, 2015 (the "Series 2015 Certificates," and together with the Series 2012 Certificates, the "Certificates"), of which \$4,560,000 of principal amount remains outstanding. The Certificates were issued pursuant to and Indenture of Trust dated as of November 1, 1990, as amended, between the City and The First National Bank in Sioux Falls, as trustee (the "Indenture").

SECTION 2. The City has determined that it is in the best interests of the City to defease and redeem the Certificates by establishing an escrow account for each series of Certificates. The Finance Officer is hereby authorized to deposit with the Trustee or other authorized escrow agent funds of the City available therefore in an amount sufficient, together with funds already on deposit under the Indenture, to pay principal of and interest on the Certificates to and including their maturity or earlier redemption date. The Mayor and Finance Officer are hereby authorized to enter into an escrow agreement with the escrow agent establishing the terms and conditions for the respective escrow accounts. A Notice of Redemption for the Series 2012 Certificates is attached here to as Exhibit A, and the form of Notice of Redemption for the Series 2015 Certificates is attached here to as Exhibit B.

Dated this 1st day of April 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

### Permission

Martinisko moved, Todd seconded to proceed with hail repairs at History and Interpretive Center with Rangel Construction in the amount of \$49,389.00 and allow Mayor to sign contract when available. 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.
- Take no action on Raffle Permit for Black Hills Shootist, Ltd, to conduct ticket sales for fund raising event on September 28, 2019.
- Public Works Director Green stated the Timm Lane Bridge was a recipient of the 2019 Bridge Improvement Grant.

Kevin Wagner, Deadwood Lead Economic Development stated late Mayor Chuck Turbiville will be receiving the award for Excellence in Community for Economic Development from the Governor at the Governors Economic Development Conference.

Historic Preservation Officer Kuchenbecker stated two seats are available on Historic Preservation Commission.

Planning and Zoning Administrator Nelson Jr. stated currently AT&T, Verizon, and Cingular are cellular service providers, by end of summer, Team Mobile and Sprint will be provided as well.

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

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ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:35 p.m. The next regular meeting will be on Monday April 1, 2019.

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

ATTEST:

DATE: 4/1/19

  
Jessica McKeown, Finance Officer

BY: David Ruth Jr. / Pres  
David Ruth Jr., Mayor

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