

REGULAR MEETING, FEBRUARY 19, 2019

The Regular Session of the Deadwood City Commission convened on Monday, February 4, 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, and Gary Todd. Commissioner Charlie Struble was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Martinisko moved, Todd seconded to approve the minutes of February 4, 2019. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the February 19, 2019 disbursements. Roll Call: Aye-All. Motion carried.

ACE HARDWARE	SUPPLIES	194.97
ACE INDUSTRIAL	SUPPLIES	3,775.66
ALBERTSON ENGINEERING	PROJECT	10,479.87
ALPINE IMPRESSIONS	SERVICE	30.00
AMAZON	SERVICE	670.21
ARBOR DAY FOUNDATION	MEMBERSHIP	15.00
BH CHEMICAL	SUPPLIES	1,408.97
BH COUNCIL	MEMBERSHIP	910.00
BH ENERGY	SERVICE	18,916.93
BH PIONEER	SERVICE	1,093.12
BH SPECIAL SERVICES	CLEANING	1,190.00
BOYS & GIRLS CLUB	ALLOCATION	12,500.00
BRUNSON, RONDA	REIMBURSEMENT	104.95
BUTLER MACHINERY	SUPPLIES	764.24
CHAINSAW CENTER	SUPPLIES	225.00
COCA COLA	SUPPLIES	450.00
CONOVER, MICHAEL	PROJECT	8,724.89
CULLIGAN	SUPPLIES	172.00
DEADWOOD CHAMBER	BILL LIST	99,772.41
DVFD	REIMBURSEMENT	106.89
DEADWOOD GAMING	BID #8	22,000.00
DMC WEAR PARTS	SUPPLIES	686.54
DRIVERS LICENSE GUIDE	GUIDES	100.75
FASTENAL COMPANY	SUPPLIES	413.15
GALLS	SUPPLIES	1,414.36
GENERAL TRAFFIC CONTROLS	SIGN	1,690.00
GOLDEN WEST	SERVICE	2,064.63
GRASSROOTS ADVISORS	KEYBOARDS	252.39
HEIMAN FIRE EQUIPMENT	COATS	1,469.10
HILLYARD	SUPPLIES	473.68
INTEGRATED PARKING	MAINTENANCE	106.40
KDSJ	ADS	240.00
KNECHT	PROJECT	10,599.38
KONE	MAINTENANCE	470.34
KUCHENBECKER, KEVIN	REIMBURSEMENT	43.00
LANE, KATHLEEN	GRANT	50.00
LAWRENCE CO. REGISTER	FEE	60.00
LAWSON PRODUCTS	SUPPLIES	112.47
LOWE ROOFING	PROJECT	30,107.00
LYNN'S	SUPPLIES	6.09
M&M SANITATION	RENTAL	240.00
MS MAIL	SERVICE	1,882.45
MUTUAL OF OMAHA	INSURANCE	255.55
NATIONAL ASSOCIATION	MEMBERSHIP	75.00
NELSON, MARY JO	CONSULTING	900.00
NETWORK SERVICES	SUPPLIES	629.71
NHS OF THE BLACK HILLS	SERVICE	3,745.00
NORTH CENTRAL INT'L	SUPPLIES	159.25
NORTHERN HILLS RECREATION	ALLOCATION	15,000.00
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
PAGE ETC	PROJECT	8,115.32
PARK, ELIZABETH	GRANT	734.25
PARTSMASTER	SUPPLIES	395.25
PASSPORT LABS	METERS	68.50
PITNEY BOWES	POSTAGE	500.00
PL CARPENTRY	PROJECT	4,783.14
QUICK TROPHY	TAG	12.50
QUILL	SUPPLIES	544.07
RAPID DELIVERY	SERVICE	39.69
RAPID SPA	SUPPLIES	299.00
RASMUSSEN MECHANICAL	SERVICE	2,271.00
REDWOOD TOXICOLOGY LAB	TEST	15.25
RUSSO, RON	GRANT	1,669.27
RUTH JR., DAVID	REIMBURSEMENT	200.08
SCULL CONSTRUCTION	OUTLAW SQUARE	231,781.10
SD BUILDING OFFICIALS	PROGRAM	82.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	6,426.43
SD DEPT. OF REVENUE	TRANSFER	75.00
SD DEPT. OF REVENUE	TAXES	3,283.33
SD REDBOOK FUND	HANDBOOKS	359.00
SD STATE HISTORICAL	GRANT	15,000.00
SERVALL	SUPPLIES	206.60
SOUTH DAKOTA OVERHEAD DOOR	REPAIR	1,815.36
SOUTHSIDE SERVICE	SERVICE	206.99

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STRETCH'S	SERVICE	1,872.52
STURDEVANT'S	SUPPLIES	1,666.68
STURGIS AUTO PARTS	SUPPLIES	12.20
TDG COMMUNICATIONS	WEBSITE	450.00
THE GLASS SHOP	SERVICE	571.43
THE LORD'S CUPBOARD	RECYCLING	53.40
TROPHY AWARDS	AWARD	99.95
TWILIGHT	SUPPLIES	180.84
VANWAY TROPHY	NAME PLATES	12.15
VERIZON NETWORKFLEET	SERVICE	109.75
VIGILANT BUSINESS	SERVICE	131.00
WALSH, JOHN	GRANT	2,646.11
WASTE CONNECTIONS	SERVICE	7,642.20
WESTERN COMMUNICATIONS	EQUIPMENT	8,112.00

TOTAL \$589,056.76

ITEMS FROM CITIZENS ON AGENDA

Office of the year

Police Chief Fuller presented Jason Huber a plaque for being named 2018 Officer of the Year. Commission thanked him for his service.

Concern

Resident Ron Robley requested to continue until next regular Commission meeting on March 4, 2019.

CONSENT

Todd moved, Martinisko seconded to omit Item L and approve the following consent items: Roll Call: Aye-All. Motion carried.

- A. Permission to buy tire chains for one of our motor graders in the amount of \$20,388.00 from Sturdevants. (To be paid from Street Department Supplies line item)
- B. Permission to buy tire chains for one of our front end loaders in the amount of \$12,568.00 from Sturdevants. (To be paid from Street Department Supplies line item)
- C. Make 2019 budgeted allocation to Victims of Violence Intervention Program in the amount of \$2,000.00 from Bed and Booze Fund.
- D. Permission to increase wage of Lifeguard Hannah Campbell from \$10.31 per hr. to \$10.59 per hr. effective February 16, 2019 after completing one year of service.
- E. Permission to increase wage of Trolley Driver Philip Lovell from \$13.11 per hr. to \$13.80 per hr. effective February 22, 2019 after completing two years of service.
- F. Authorize City Planner to act as Proxy to Black Hills Council of Local Government's quarterly meeting when commissioner is unable to attend.
- G. Permission for Sally Sprigler to attend March 10th LET 13-week Basic Certification Class in Pierre
- H. Acknowledgement of \$104,881.10 payment to Scull Construction Service, Inc. for first Pay Application of Amendment #1 of CMAR Contract. (Paid from Future Fund Account with State Proceeds receipted to Bed & Booze)
- I. Acknowledgement of \$126,999.00 payment to Scull Construction Service, Inc. for Phase 1 Design of Outlaw Square, per original CMAR contract. (Paid from Future Fund Account with State Proceed receipted to Bed & Booze)
- J. Permission to enter into contact with Jaci Conrad-Pearson to collect and transcribe ten oral histories in the amount not to exceed \$6,750.00. (2019 budgeted item)
- K. Permission to enter into contract with DocuTech to microfilm and PDF 46 Lawrence County Ledgers at a cost not to exceed \$5,500.00. (2019 budgeted item)
- L. Removed for separate consideration under new business
- M. Resolution 2019-05 Surplus City Owned Real Estate Lot 4A-1 and Lot 4A-2, Block 3.

RESOLUTION 2019 – 05

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;

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Lots 4A-1 and 4A-2, Block 3 of Howard's First Addition to the City of Deadwood; Formerly Lot 4A, Block 3, of Howard's First Addition, 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 19th day of February, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

N. Sign Deed and CREV for Lot 4A-1 and Lot 4A-2.

O. Resolution 2019-06 Surplus Trolley in the amount of \$5,000.00 to Hill City Chamber of Commerce.

**RESOLUTION NO. 2019-06
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 sold to Hill City Chamber, Hill City, SD for \$5,000.00.

2004 Ford Molly Trolley - VIN# 1F6MF53S140A05114

Dated this 19th day of February, 2019

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

P. Permission to use CSS Services, as needed, for IT contracted services at a rate of \$75.00 per hour.

PUBLIC HEARINGS

Transfer

Public hearing was opened at 5:05 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Todd moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage License (RB-21478) and Retail (on-off sale) Wine License (RW-21479) transfer from Broken Arrow Trading Company to H&H Deadwood, LLC dba Deadwood Winery at 696 Main Street. Roll Call: Aye-All. Motion carried.

Camaro Rally

Public hearing was opened at 5:06 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Todd moved, Martinisko seconded to approve parking on Main Street from Celebrity to Mineral Palace (southwest side only) and Wall to Lee Street (northwest side only) from 5:00 p.m. to 9:00 p.m. on Friday, June 28, 2019. Roll Call: Aye-All. Motion carried.

Forks, Corks, Kegs

Public hearing was opened at 5:07 p.m. by Mayor Ruth Jr. Sarah Anderson, Deadwood Chamber, was available to answer questions. Hearing closed.

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

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Martinisko moved, Todd seconded to allow the relaxation of the open container ordinance on Saturday April 6, 2019 from 11:00 a.m. to 10:00 p.m. for same area as approved on April 5, 2019. Roll Call: Aye-All. Motion carried.

Mickelson Trail Marathon

Public hearing was opened at 5:09 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Martinisko moved, Todd seconded to approve the use of the Sherman Street Parking Lot on Saturday, June 1 and Sunday, June 2 2019, and use of the Event Complex parking area from 5:00 a.m. to 3:00 p.m. on June 2, 2019. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Permission

Martinisko moved, Todd seconded to pay PL Carpentry \$8,979.96 to install historical soda fountain. Commissioner Todd questioned the damage to the marble. Historic Preservation Officer Kuchenbecker stated the repair will not exceed \$2,000.00 and will be included within the lease. (Expense will be paid thru HP Capital Assets and Reimbursed from Ms. Flores thru lease agreement.)

Ordinance

Martinisko moved, Todd seconded to approve second reading of Ordinance 1290 Creating Chapter 12.54 Parks and Recreation Areas. Roll Call: Aye-All. Motion carried.

Final Plat

Martinisko moved, Todd seconded to act as Board of Adjustment and approve Final Plat of Lt C1, C2, and Common Lob b of the Stage Run Addition. Approved by Planning and Zoning on February 6, 2019. Legal Description: Lot C2 and Common Lot B of Block 1 and Lot C1 of Block 2 of Palisades Tract of Deadwood Stage Run Addition: All located in the SW1/4 of Section 14, the SE1/4 of Section 15, the NE1/4NE1/4 of Section 22, and the N1/2NW1/4 of Section 23, T5N, R3E, BHM., City of Deadwood Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

Final Plat

Martinisko moved, Todd seconded to act as Board of Adjustment and approve final plat of Deadwood City Shop Tracts A-1 and A-2. Approved by Planning and Zoning on February 6, 2019. Legal Description: Deadwood City Shop Tracts A-1 and A-2; Formerly Deadwood City Shop Tract A, consisting of Lots 2 and 3 of E.L. Keener Lots in M.S. 335, Lots 1 and 2, Block 3 of Mirick Addition in M.S. 735 and Portions of Lots 3, 4, and 5 of Railroad Avenue Block in M.S. 735; City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

Petition

Martinisko moved, Todd seconded to accept petition of Voluntary Annexation Lot 4, of Mineral Survey 166. Planning and Zoning Administrator Nelson Jr. explained the process. Roll Call: Aye-All. Motion carried.

Petition

Martinisko moved, Todd seconded to accept petition of Voluntary Annexation Tract A1 of Majestic Heights. Roll Call: Aye-All. Motion carried.

Funding

Public Works Director Green stated this funding would aid in our Firewise Program. Todd moved, Martinisko seconded to apply for funding from "Action and Implementation for Mitigation Partnership" to help in developing "Community Wildfire Risk Assessments." Roll Call: Aye-All. Motion carried.

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Retirement

Martinisko moved, Todd seconded to accept letter of retirement from Donald Kryger effective April 3, 2019. Commission wished him well in his future endeavors. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to advertise in house for five days. Martinisko moved, Todd seconded to amend motion to include advertise in newspaper after five days if not filled. Roll Call: Aye-All. Motion carried.

Grants

Historic Preservation Officer, Kuchenbecker informed the Commission that sixteen grant applications were submitted to Historic Preservation for the Outside of Deadwood grants project totaling \$204,170.52. Nine grants were approved for the following: Old Fort Meade Museum – Upgrade Exhibits – Sturgis - \$2,000.00; Verendrye Museum Association – Trail Markers/Telegraph – Ft. Pierre - \$4,500.00; Historic Rapid City – McGillicuddy House/Door – Rapid City - \$5,000.00; Mitchell Area Historical Society – Carnegie Library Windows – Mitchell - \$10,000.00; Fall River County – Pioneer Museum/Water Damage – Hot Springs - \$5,250.00; Hermosa Arts and History Association – Masonic Lodge Restoration – Hermosa - \$8,000.00; United Church of Christ – Stained Glass Window Repair – Yankton - \$8,000.00; Newell Museum – Church Museum Roof – Newell - \$2,250.00; and Trinity United Methodist Church – Church Siding – Lead - \$5,000.00. Martinisko moved, Todd seconded to accept the recommendation for the “Outside of Deadwood” grants allocations for a total of \$50,000.00 for the first half of 2019. Roll Call: Aye-All. Motion carried.

Funding

Martinisko moved, Todd seconded to approve 2019 Advocacy Funding request from Deadwood Chamber of Commerce in the amount of \$7,875.00. (2019 Budget Advocacy Line Item.) Roll Call: Aye-All. Motion carried.

Amendment

Martinisko moved, Todd seconded to allow Mayor to sign Amendment #2 to existing CMAR contract with Scull Construction Service, Inc. for Phase 2 Design of the Outlaw Square for Design Development and Construction Drawing in the amount of \$297,760.00. Historic Preservation Officer Kuchenbecker stated this amendment will complete the design part except for Construction Administration. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Commission Meeting time to 1:00 p.m. on March 18, 2019 to accommodate Government Day Activities with the School District.
- Recreation Center will be closed March 10th – 16th for cleaning.

Sarah Kryger, Deadwood Chamber thanked the Commission and City for the support during Snocross.

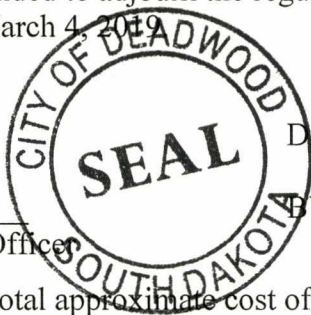
Police Chief Fuller thanked Fire and Trolley department for their assistance Sunday night.

ADJOURNMENT

Martinisko moved, Todd seconded to adjourn the regular session at 5: p.m. The next regular meeting will be on Monday March 4, 2019.

ATTEST:

Jessica McKeown, Finance Officer



DATE:

BY:

David Ruth Jr., Mayor

Published once at the total approximate cost of _____