

REGULAR MEETING, NOVEMBER 19, 2018

The Regular Session of the Deadwood City Commission convened on Monday, November 19, 2018 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. Commissioner Gary Todd via conference call. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Struble moved, Martinisko seconded to approve the minutes of November 5, 2018. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Struble seconded to approve the November 19, 2018 disbursements. Roll Call: Aye-All. Motion carried.

ACE HARDWARE	SUPPLIES	167.51
ACE INDUSTRIAL SUPPLY	SUPPLIES	491.90
ADAMS MUSEUM	OPERATING	123,000.00
ADAMS SALVAGE	INSURANCE	3,586.00
ALBERTSON ENGINEERING	PROJECT	7,713.28
ALMANZA, TYSON	FOUNDATION	1,574.57
ANCESTOR CONCRETE	FOUNDATION	8,504.99
ARLETH LAND SURVEYING	SERVICE	689.59
BARCO PRODUCTS	BENCH	2,013.78
BERG, TIM	REFUND	29.10
BEST BUY	TABLETS	509.98
BICKLE'S TRUCK	SERVICE	1,312.25
BH CHEMICAL	SUPPLIES	1,873.84
BH MINING MUSEUM	GRANT	4,796.80
BH PIONEER	ADS	601.54
BH SECURITY	REPAIR	342.09
BLACKSTRAP	SALT	2,267.80
BLAIR, LINDA	REIMBURSEMENT	153.47
BLOOMERS FLOWERS	TRIBUTE	225.00
BLUE SKY GAMING	REFUND	500.00
BOUCHER, DAVID	REIMBURSEMENT	632.61
CAMPBELL SUPPLY	SUPPLIES	35.96
CENTURY BUSINESS	CONTRACT	559.69
CLEMENT COMMUNICATIONS	POSTERS	176.41
COCA COLA	SUPPLIES	40.00
CONOVER, MICHAEL	GRANT	13,579.56
COOL CONCEPTS	CONFERENCE	480.60
CULLIGAN	SUPPLIES	146.00
DATA FLOW	FORMS	323.27
DEADWOOD ELECTRIC	SERVICE	1,113.30
DIAMOND YARDS BRICKS	SUPPLIES	42.00
DUNCAN PARKING	MAINTAINANCE	798.24
EAGLE ENTERPRISES	SUPPLIES	921.63
EMERY-PRATT	BOOKS	29.39
FASTENAL	SUPPLIES	1,293.61
FIRST NATIONAL CREDIT CARD	SUPPLIES	915.18
GOLDEN WEST	SERVICE	4,286.50
GUNDERSON, PALMER, NELSON	SERVICE	5,055.50
HARRY & JOE'S SPAGHETTI	REFUND	450.00
HI-VIZ SAFETY	SUPPLIES	86.71
HISTORIC HOMESTAKE OPERA	TREE	95.00
INTEGRATED PARKING	MAINTAINENCE	3,456.00
INTERSTATE ENGINEERING	SERVICE	1,086.50
KDSJ	ADS	580.00
KENCO	SUPPLIES	536.61
KONE	MAINTAINENCE	455.40
LANE, KATHLEEN	GRANT	813.00
LAWLER, JEFFREY	GRANT	8,635.08
LAWRENCE CO. EQUALIZATION	MAP	15.00
LAWRENCE CO. REGISTER	FEES	150.00
LEAD-DEADWOOD SANITARY	USAGE	27,102.91
LYNN'S	SUPPLIES	86.09
M&M SANITATION	RENTAL	455.00
MACROVISION	SERVICE	325.00
MARTIN'S DECORATIVE STONES	PROJECT	4,094.00
MENARD'S	SUPPLIES	116.04
MIDWEST TAPE	DVDS	408.08
MS MAIL	SERVICE	2,653.81
NATIONAL ALLIANCE	RENEWAL	50.00
NEIGHBORHOOD HOUSING	CONTRACT	4,168.75
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
NORTHWEST PIPE FITTINGS	SUPPLIES	804.71
OCHSE, ANN	GRANT	1,700.34
OSBORN, JANET	REIMBURSEMENT	180.17
OVERHEAD DOOR	REPAIR	161.10
PEARSON, JACI	PROJECT	675.00
PEHRSON, JOBERTA	GRANT	995.52
POWERPLAN	SERVICE	701.91
QUIK SIGNS	SIGNS	118.53
QUILL	SUPPLIES	967.03
RANGEL CONSTRUCTION	PROJECT	28,235.00
RAPID CITY JOURNAL	SUBSCRIPTION	406.50
RAPID DELIVERY	DELIVERY	15.24
RASMUSSEN MECHANICAL	SERVICE	1,734.06
RCS CONSTRUCTION	PROJECT	48,339.00

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ROBLEY, GREG	PROJECT	2,845.00
ROEBUCK-PEARSON	GRANT	1,986.01
ROPE FOR THE GOLD	DEPOSIT	500.00
SD ASSN. OF CODE ENFORCEME	RENEWAL	40.00
SD BUILDING OFFICIALS	RENEWAL	50.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	6,953.63
SD DEPT. OF REVENUE	TAX	3,919.89
SD DEPT. OF TRANSPORTATION	PROJECT	30,824.50
SD GOV. FINANCE OFFICERS	MEMBERSHIP	130.00
SD GOV. HUMAN RESOURCE	MEMBERSHIP	50.00
SD MUNIC. STREET	MEMBERSHIP	35.00
SD MUNICIPAL LEAGUE	RENEWAL	1,906.87
SD POLICE CHIEFS'	MEMBERSHIP	121.78
SDML WORKERS' COMP	PREMIUM	65,529.00
SIMON MATERIALS	SAND	1,816.22
STRETCH'S	SERVICE	422.83
STURDEVANT'S	SUPPLIES	2,001.29
TALLGRASS	PROJECT	4,633.60
TERRONES, LUIS	GRANT	10,031.68
TRINITY UNITED	DECORATIONS	1,744.00
TRIPLE K	SERVICE	69.00
TURBIVILLE INDUSTRIAL	REPAIR	148.94
TWIN CITY HARDWARE	GRANTS	4,503.49
UMENTHUM, KEITH	INSPECTIONS	700.00
VIGILANT BUSINESS	BACKGROUND	234.00
WASTE CONNECTIONS	SERVICE	7,619.95
WHISLER BEARING	SUPPLIES	32.22
WHITE'S QUEEN CITY	SUPPLIES	101.65
WL CONSTRUCTION	SUPPLIES	719.97

TOTAL \$ 511,168.60

CONSENT

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

- A. Permission for Mayor to sign contract with Silverado Gaming for lease of 14 parking spaces. Contract has clause that terminates when construction begins.
- B. Pay 2018 allocation to The Lord's Cupboard in the amount of \$2,500.00 from Bed and Booze (budgeted)
- C. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deed for Jack C. Ward, Doris A. Ward and Michael D. Miller.
- D. Pay annual trustee fees to First National Bank-Sioux Falls for Series 2012 and 2015 Certificates of Participation in the amount of \$5,391.25 from Historic Preservation
- E. Remove the following inactive and seasonal employees from payroll: Chelsie Bauer and Mike Olsen effective November 1, 2018; Linda Carrico, Ruth Durst, Loretta Klein, Doric Schenk, Georgeann Silvernail and Ardath Waisanen effective October 18, 2018; Elizabeth Carbo effective October 31, 2018
- F. Permission to pay Specialty Installation, LLC \$6,365.00 for the purchase and installation of a walk draw gym divider curtain for the Rec Center. (budgeted)
- G. Allow City personnel to help erect the Community Christmas tree at Mustang Sally's
- H. Permission for Mayor to sign the Garbage Contract Extension
- I. Permission for Mayor to sign Resolution 2018-27 for Bridge Improvement Grant Program authorizing submission of applications

RESOLUTION 2018-27 BRIDGE IMPROVEMENT GRANT PROGRAM RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS

WHEREAS, City of Deadwood wishes to submit an application(s)
for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

Bridge ID #41-157-166

City of Deadwood

On Timm Lane over Whitewood Creek

and WHEREAS, The City of Deadwood certifies that the project(s) are listed in
the country's Five-Year County Highway and Bridge Improvements Plan*;

and WHEREAS, The City of Deadwood agrees to pay the 20% match on the
Bridge Improvement Grant Funds;

and WHEREAS, The City of Deadwood hereby authorizes the Bridge

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Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge improvement Grant application(s)

Dated this 19th day of November, 2018

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- J. Renew Wine and Alcohol Licenses for 2019, pending payment of Business Improvement District and property taxes

**APPROVAL OF APPLICATIONS
FOR LIQUOR/WINE LICENSE RENEWALS FOR 2019**

CONVENTION CENTER LICENSES

Blue Sky Gaming, Tin Lizzie Gaming Resort (CL-505)
BY Development Inc., Cadillac Jacks (RL-504)
Deadwood Hospitality Resort LLC, Deadwood Gulch Resort (CL-15404)
Deadwood Resort LLC, The Lodge at Deadwood, (CL-509)
First Gold, Inc., First Gold Hotel, (CL-502)
Gold Dust Lodging Group LLC, Holiday Inn Express Hotel & Suites (CL-503)
GR Deadwood LLC, Mineral Palace Hotel & Gaming (CL-507)
Gulches LLC, Deadwood Comfort Inn/Gulches of Fun (CL-501)
Historic Deadwood Convention Facility, LLC, Wooden Nickel, Iron Horse Inn, Martin
Mason Hotel, (CL-511)
Hotel Franklin Inc., Historic Franklin Hotel (CL-506)
NMD Venture, NMD Venture –Hickok’s Hotel & Casino (CL-508)
Tentexkota, Deadwood Mountain Grand Hotel & Casino (CL-510)

PACKAGE (OFF-SALE) LIQUOR

Black Diamond Capital LLC, Gold Dust (PL-4520)
Blue Sky Gaming, Tin Lizzie Gaming Resort, (PL-4521)
Deadwood Hospitality Resort, LLC., Deadwood Gulch Resort, (PL-4522)
GR Deadwood LLC, Mineral Palace Hotel & Gaming, (PL-4524)
Packhorse Liquor & Convenience Inc., Pack Horse Liquor & Convenience (PL-4523)

RETAIL LIQUOR LICENSES

Black Diamond Capital LLC, Gold Dust (RL-5792)
B.P.O Elks Lodge #508, Elks Lodge (RL-5540)
Bullock Hospitality, Bullock Hotel (RL-5542)
Deadwood Distillery, LLC, Deadwood Distillery (RL-5534)
Midnight Star Enterprises, Midnight Star I & II (RL-5995)
Midwest Motels of Deadwood, Buffalo Bodega (RL-5535)
Nugget Saloon, LLC, Nugget Saloon, (RL-5536)
Old Style Saloon No. 10 Inc., Saloon No. 10 (RL-5537)
Super G Investments Inc., Silverado Gaming Establishment (RL-5538)
VFW Post 5969, VFW (RL-5541)

RETAIL (ON-OFF SALE) WINE

Angels Attic Uncorked, Angels Attic (RW-20691)
Blue Sky Gaming Inc., Tin Lizzie Gaming Resort, (RW-6491)
BRI Inc., Best Western Hickok House, (RW-6466)
Broken Arrow Trading Company Inc., Deadwood Winery, (RW-21479)
BY Development Inc., Cadillac Jacks, (RW-6537)
Deadwood Hospitality Resort LLC, Deadwood Gulch Resort, (RW-6401)
Deadwood Resort LLC, The Lodge at Deadwood, (RW-19226)
DGS LLC, Deadwood Gulch Saloon, (RW-6646)
Fairmont Hotel Corp., Fairmont Hotel, (RW-6461)
GR Deadwood LLC, Mineral Palace Hotel & Gaming, (RW-6480)

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Hotel Franklin Inc., Historic Franklin Hotel, (RW-6643)
Jackson Winery & Vineyard LLC, Belle Joli Winery, (RW-7568)
Mary Larson, Deadwood Dicks, (RW-20965)
M.S. Mail LLC, M.S. Mail, (RW-22642)
Mustang Sallys Inc., Mustang Sallys, (RW-6499)
Old Style Saloon No. 10 Inc., Saloon No. 10, (RW-19210)
Princeton Inc., Deadwood Super 8/Lucky 8 Gaming, (RW-6447)
Richard & Marguerite Olesen, Deadwood Wild Bills Trading Post (RW-21777)
Rolling Hills Farm Investments LLC, Celebrity Hotel & Casino, (RW-6542)
Scott & Sharon Jacobs, Jacobs Gallery (RW-25947)
Super G Investments, Inc., Silverado, (RW-6436)
Tentexkota LLC, Deadwood Mountain Grand Hotel & Casino (RW-21330)
Vaughn Mary Boyd, Deadwood Tobacco Company, (RW-6648)
Willy's Wild West Inc., Deadwood Station, (RW-20626)
Winery Hill City LLC, Naked Winery Deadwood, (RW-24025)

- K. Permission for Mayor to sign the Labor Agreement for the Police Department between the City of Deadwood and Teamsters Local Union No. 120
- L. Permission to hire Sage Forsting as a lifeguard at \$10.01 per hour effective November 21, 2018, pending pre-employment drug screening and background check
- M. Permission to purchase a "NuStep" Recumbent Cross Trainer to replace old "Cybex" Stair Climber from NuStep, LLC at a cost of \$6,594.00. (to be paid from Rec Center Machinery line item. Stair climber to be surplusd.
- N. Pass resolution to Surplus 2018-28 and accept sealed bids on December 13 with results to Commission on December 17

RESOLUTION NO. 2018-28 TO DECLARE THE FOLLOWING SURPLUS PROPERTY

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following be declared surplus, accept sealed bids until 2:00 p.m. on December 13, 2018. Bids will be publicly opened at 2:00 p.m. in the Commission Chambers at City Hall 102 Sherman Street, Deadwood, SD with results presented to the City Commission on December 17, 2018 at 5:00 p.m.

1992 Chevy Pickup - VIN# 1GCFK24HXNZ184740
1996 Dodge Ram 2500 - VIN# 1B7KF26Z2TJ194425
2005 Dodge Durango - VIN# 1D4HB38N15F579263
2008 Dodge Durango - VIN# 1D8HB38NX8F139724
Pettibone Crane- Model #15B1WF (15,000 lb. capacity)

Dated this 19th day of November, 2018

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- O. Permission to purchase 10 tablets for the Historic Preservation Commission meetings at a cost not to exceed \$4,700.00
- P. Permission to purchase vents from Twin City Hardware for Cold Storage Building Flood Mitigation Project in the amount of \$4,379.77; to be paid from Public Buildings
- Q. Permission to pay Adams Salvage \$3,586.00 (Deadwood's portion) for their insurance premium per contract
- R. Declare Christmas Eve and New Years' Eve as holidays for City employees; all City offices and departments to be closed December 24th, 25th, and 31st, 2018 and January 1, 2019

BID ITEMS

Set

Struble moved, Martinisko seconded to advertise for bids for a Design Build on the replacement and upgrade of the HVAC system at the History and Interpretive Center and set bid opening for December 13, 2018 at 2:00 p.m., with results to City Commission on December 17, 2018. Transportation Director Kruzel explained replacement and upgrade. (This is a 2019 budgeted item) Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS

3 Wheeler Motorcycle Rally

Public hearing was opened at 5:03 p.m. by Mayor Ruth Jr. First Gold Representative Teresa Schanzenbach gave a summary of the event. Hearing closed.

Martinisko moved, Struble seconded to approve the street closures on Main Street on Friday, July 12, 2019 from Wall Street to Deadwood Street from 11:00 a.m. to 2:00 p.m., Saturday, July 13 from Tin Lizzies Gaming Resort to the Masonic Temple from 8:00 p.m. until parade ends, and waiver of vending fees at the Event Complex on Tuesday, July 9 through Saturday, July 13, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to allow the relaxation of the open container at the Event Complex on Tuesday, July 9, 2019 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to allow the relaxation of the open container at the Event Complex on Wednesday, July 10, 2019 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Thursday, July 11, 2019 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Friday, July 12, 2019 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to allow the relaxation of the open container at the Event Complex on Saturday, July 13, 2019 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Shrine Circus

Public Hearing was opened at 5:10 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Martinisko moved, Struble seconded to waive user and vending fees for Event Complex for the NAJA Shrine Circus event on Saturday, June 29, 2019. Roll Call: Aye-All. Motion carried.

Austin-Healy Conclave

Public Hearing was opened at 5:11 p.m. by Mayor Ruth Jr. Sarah Kryger, on behalf of Austin-Healy Conclave, was available to answer questions. Hearing closed.

Martinisko moved, Struble seconded to approve the street closures on Main Street on Sunday, September 8, 2019 from Wall Street to Deadwood Street from 11:00 a.m. to 2:30 p.m., winners will park in front of Oyster Bay to the Nugget; Sunday, September 8, from Tin Lizzies Gaming Resort to the Masonic Temple from 10:00 a.m. until parade ends, and use of Interpretive Lot for Private Event at a cost of \$500.00 Friday, September 6, 2019 from 8:00 a.m. to 5:00 p.m. Roll Call: Aye-All. Motion carried.

Set

Todd moved, Martinisko seconded to set public hearing on December 17 to consider adoption of the City of Deadwood Comprehensive Plan. Planning and Zoning Administrator Nelson Jr. stated public hearings for Planning and Zoning and Historic Preservation is December 5 and December 12. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Ordinance

Struble moved, Martinisko seconded to approve second reading of Ordinance #1281 Business Improvement District 1-6 Tax Levy. Roll Call: Aye-All. Motion carried.

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Discussion

Discussion was held concerning reimbursed money from Pavilion. Commissioner Martinisko believes public buildings should be reimbursed once the money is received. Attorney Riggins stated the money should go to general fund and then reallocated to correct fund. After discussion, Martinisko moved, Struble seconded to continue discussion to allow Attorney to review until December 3, 2018. Roll Call: Aye-All. Motion carried.

Ordinance

Martinisko moved, Struble seconded to approve first reading of Ordinance #1282 for TIF 10 TRU Hotel. No city money was expended, but budget is created to book developer paid expenses in accounting system for annual reporting purposes. Roll Call: Aye-All. Motion carried.

Ordinance

Martinisko moved, Struble seconded to approve first reading of Ordinance #1283 Supplemental Budget #3 for 2018. Roll Call: Aye-All. Motion carried.

RFP

Martinisko moved, Struble seconded to allow Historic Preservation Office to distribute a Request for Proposal (RFP) to exhibit design firms for the design, fabrication and installation of new displays and interpretive panels in the History and Interpretive Center. Roll Call: Aye-All. Motion carried.

Closing Date

Martinisko moved, Struble seconded to set closing date as December 7 for land exchange with Super G Investments on December 7, 2018. Attorney Riggins stated he spoke with Super G Investments attorney and December 7 works best with the 30 day removal of property per agreement. Roll Call: Aye-All. Motion carried.

Discussion

Historic Preservation Officer Kuchenbecker explained the Main Street Audio Project for a zone sound system with multiple uses, including emergency management. He stated this would coordinate with Main Street Master Plan. After discussion, Martinisko moved, Struble seconded to approve Phase 1 with Ironwood Rainworks in an amount of \$6,324.00. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Darlene Burns, Deadwood Resident, expressed concerns concerning the McKinley Street stop light. She asked the Commission to observe the traffic in that area. Commission thanked her for her time.

Commission welcomed Finance Officer Jessica McKeown.


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

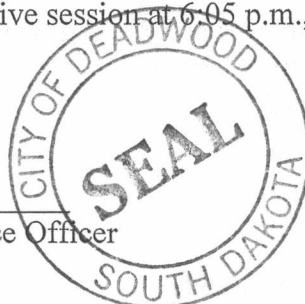
ADJOURNMENT

Struble moved, Martinisko seconded to adjourn the regular session at 5:42 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2 (3) with possible action. The next regular meeting will be on Monday, December 3, 2018.

After coming out of executive session at 6:05 p.m., Struble moved, Martinisko seconded to adjourn.

ATTEST:


Jessica McKeown, Finance Officer



DATE: 12-3-18

BY: 

David Ruth Jr., Mayor

Published once at the total approximate cost of _____