

REGULAR MEETING, NOVEMBER 5, 2018

The Regular Session of the Deadwood City Commission convened on Monday, November 5, 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, Gary Todd. All motions passed unanimously unless otherwise stated.

COMMISSION DEPARTMENTAL APPOINTMENTS

Mayor Ruth announced the following Commission appointments:

David Ruth Jr. – Historic Preservation, Parks & Recreation, Public Works Commissioner and Chamber of Commerce Representative;

Sharon Martinisko – Trolley, Public Buildings and Safety Commissioner, Library Representative, and Council of Local Governments Representative;

Gary Todd – Police and Fire Commissioner, Commission President;

Charlie Struble – Finance, Planning and Zoning Commissioner and Deadwood History Inc. Board Member.

Martinisko moved, Struble seconded to approve appointments. Roll Call: Aye-All. Motion carried.

APPROVAL OF MINUTES

Martinisko moved, Struble seconded to approve the minutes of October 15 and October 24, 2018. Roll Call: Aye-All. Motion carried.

OCTOBER, 2018 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$35,593.45; PUBLIC BUILDINGS, \$5,687.54; POLICE, \$61,214.74; FIRE, \$5,200.48; BUILDING INSPECTION, \$3,999.76; STREETS, \$29,711.53; PARKS, \$25,561.78; PLANNING & ZONING, \$5,059.44; LIBRARY, \$6,538.09; RECREATION CENTER, \$13,551.45; HISTORIC PRESERVATION, \$16,584.10; WATER, \$13,487.22; MT. MORIAH, \$5,628.64; PARKING METER, \$10,094.30; TROLLEY, \$17,953.64; PARKING RAMP, \$673.32. **PAYROLL TOTAL: \$259,270.24**

OCTOBER, 2018 PAYROLL PAYMENTS:

Internal Revenue Service, \$62,774.68; S.D. Retirement System, \$25,945.66; Delta Dental, \$4,162.00.

APPROVAL OF DISBURSEMENTS

Todd moved, Struble seconded to approve the November 5, 2018 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	341.05
ACE HARDWARE	SUPPLIES	87.96
ACE INDUSTRIAL	SUPPLIES	2,473.32
ALPINE IMPRESSIONS	UNIFORMS	77.00
ALSCO	SUPPLIES	523.28
AMANO MCGANN	TICKETS	2,796.10
AMERICAN LIBRARY	CONFERENCE	270.00
ATCO INTERNATIONAL	SUPPLIES	718.00
BAKER, BRIANA	TOKENS	50.00
BDTAID	PROJECT	775.00
BH AREA FINANCE	DUES	10.00
BH ENERGY	SERVICE	10,962.30
BH LASER DESIGNS	SERVICE	18.00
BH SECURITY	REPAIR	288.27
BH SPECIAL SERVICES	CLEANING	1,505.00
BLACKSTRAP	ROADSALT	4,559.40
BOMGAARS	SUPPLIES	299.62
BUTLER MACHINERY	SUPPLIES	300.19
CENTRAL PARTS	SUPPLIES	116.61
CENTURY BUSINESS	CONTRACT	560.76
CHAINSAW CENTER	RENTAL	225.00
CONOVER, MICHAEL	GRANT	8,148.18
DAYS OF '76 MUSEUM	OPERATING	80,000.00
DEADWOOD CHAMBER	SERVICE	99,320.00
DEADWOOD GAMING	BID#8	10,000.00
DEADWOOD GRANITE	SERVICE	875.00
DEMCO	SUPPLIES	124.65
DHARMA TREE CARE	SERVICE	11,500.00
EAGLE ENTERPRISES	SUPPLIES	275.00
EDDIE'S TRUCK CENTER	SUPPLIES	310.44
EMERY-PRATT	BOOKS	340.32
EPCO ENVIRONMENTAL	SUPPLIES	215.04
FALL RIVER COUNTY	CONFERENCE	250.00
FASTENAL	SUPPLIES	13.68
FIRST INTERSTATE BANK	TIF PAYMENT	3,856.33
GLOBAL EQUIPMENT	SUPPLIES	1,289.28
GOLDEN WEST	SERVICE	53.13
GREAT WESTERN TIRE	REPAIR	109.50
GROTON COMMUNITY	GRANT	8,321.34
GUNDERSON, PALMER, NELSON	SERVICE	2,355.00

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HAVERBERG FAMILY LTD PTR	GRANT	3,187.16
HAWKINS	SUPPLIES	1,005.50
HOMETOWN TROLLEY	SUPPLIES	253.52
JACOBS PRECISION WELDING	SERVICE	153.85
JAHN, ISAAC	REIMBURSEMENT	168.08
JOHNSON, MICHAEL	GRANT	7,617.24
KNECHT	SUPPLIES	3,733.42
LANE, KATHLEEN	GRANT	1,487.00
LAWRENCE CO. REGISTER	RECORDING	90.00
LIBERTY CHEVROLET	SERVICE	555.35
LOWE ROOFING	PROJECT	34,731.00
LYNN'S	SUPPLIES	110.38
MCKEOWN, JESSICCA	REIMBURSEMENT	278.04
MENARD'S	SUPPLIES	426.60
MIDWEST TAPE	DVDS	354.48
MDU	SERVICE	6,869.67
MS MAIL	SERVICE	2,575.00
MUTUAL OF OMAHA	INSURANCE	230.80
NELSON, GREG	REIMBURSEMENT	134.17
NETWORK SERVICES	SUPPLIES	381.77
NFPA	SUBSCRIPTION	1,575.00
NH FRATERNAL	DUES	390.00
NORTHERN HILLS ALLIANCE	REFUND	500.00
NORTHERN HILLS TECHNOLOGY	SERVICE	234.00
NOVUS	REPAIR	1,365.00
OBEREMBT, KEVIN	GRANT	432.28
OLSON, JAMES	REIMBURSEMENT	66.99
PARTSMASTER	SUPPLIES	154.99
PASSPORT LABS	METERS	160.25
PETTY CASH	HP/ZONING	92.65
PL CARPENTRY	PROJECT	2,204.17
POSITIVE PROMOTIONS	SUPPLIES	322.58
QUICK SIGNS	SIGNS	51.07
QUILL	SUPPLIES	307.49
RASMUSSEN MECHANICAL	SERVICE	2,691.59
REGIONAL HEALTH	TESTING	105.00
ROCKY MOUNTAIN MICROSCOPE	CAMERA	5,845.00
RUNGE, MIKE	REIMBURSEMENT	20.00
S AND C CLEANERS	CLEANING	3,512.50
SAFETY BENEFITS	CONFERENCE	325.00
SCHMIDT, WILLIAM	PROJECT	5,077.00
SD ONE CALL	SERVICE	34.72
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,340.33
SIMON MATERIALS	SAND	3,480.99
SOUTHSIDE OIL	FUEL	15,024.67
STRETCH'S	SERVICE	1,135.24
SUMMIT SIGNS	SIGNS	427.50
TALLGRASS	PROJECT	8,027.45
TCF	TROLLEYS	9,400.86
TDG COMMUNICATIONS	SERVICE	800.00
TEMPERATURE TECHNOLOGY	SERVICE	258.70
TERRONES, LUIS	GRANT	6,561.35
THE LORD'S CUPBOARD	RECYCLING	62.70
TOMS, DON	PROJECT	500.00
TRIPLE K	SERVICE	1,678.37
TRUGREEN	SERVICE	63.34
TURBIVILLE INDUSTRIAL	SUPPLIES	240.10
TWILIGHT	SUPPLIES	577.70
TWIN CITY HARDWARE	SUPPLIES	4,119.02
UMENTHUM, KEITH	INSPECTIONS	2,600.00
VANWAY TROPHY	AWARD	123.00
VAST	SERVICE	3,221.61
VERIZON	SERVICE	133.52
WALSH, JOHN	PROJECT	4,189.88
WEIS FIRE	SHIPPING	18.80
WELLMARK	INSURANCE	45,022.24

TOTAL \$453,161.43

ITEMS FROM CITIZENS ON AGENDA

Audit

Bruce Hintz with South Dakota Dept. of Legislative Audit appeared before the Commission for the closing conference of the 2017 Audit. He stated that there was one written warning, concerning the revolving loan fund. The report contained some classification and accrual type errors that were adjusted. Hintz stated that the audit went well, thanked Mary Jo Nelson and Finance Office staff for their cooperation and assistance. Commission thanked Hintz for his time.

CONSENT

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

- A. Permission for Mayor to sign a Memorandum of Understanding between the City of Deadwood, the City of Lead and the Lead-Deadwood School District for two School Resource Officers

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- B. Permission to pay Lance Sandidge, Public Buildings Maintenance Technician, a cell phone allowance of \$23.08 per pay period effective October 16, 2018
- C. Permission to advertise in-house five days for a full-time Water Technician at \$18.95 per hour, which is 90% of prevailing wage. If not filled in-house, permission to advertise in newspaper and outside sources.
- D. Allow Mayor to sign Application for Abatement from Lawrence County Treasurer.
- E. Permission to advertise in-house five days for two full-time Patrol Officers to be hire in 2019. If not filled in-house, permission to advertise in newspaper and outside sources.
- F. Permission to pay Bill Schmidt \$3,901.00 for concrete work done after water leak repair on Burnham Ave.
- G. Permission to pay Integrated Parking Solutions for annual maintenance agreement in the amount of \$3,456.00, to be paid from P&T budget.
- H. Winter's Fat Classis, LLC requesting use of public property for Winters Fat Classic on Saturday, February 2, 2019.
- I. Approve final payment to SDDOT in the amount of \$30,824.50 for the Gateway Park in Pluma. (to be paid from HP Capital Assets)
- J. Allow Mayor to sign the Collection Agreement for interpretive panels at the Mount Roosevelt Friendship Tower site.
- K. Permission for Finance Office to purchase one computer and two printers at a cost of \$2,551.00.
- L. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Philip Breland and Georgette Ohayon.
- M. Permission for Jeanette Moodie to attend the American Library Association Midwinter meeting January 24 – 29, 2019 in Seattle, Washington at a cost not to exceed \$2,500.00
- N. Approve Special Alcohol License for First Gold Gaming Resort to serve liquor at Event Complex Tuesday, July 9 through Saturday, July 13, 2019 for Three Wheeler Rally Event. No public hearing necessary since license in on publicly owned property.
- O. Permission to increase wage of Fire Dept. Administrative Asst. Sandra Glover from \$9.48 per hr. to \$9.70 per hr. effective November 8, 2018 after two years of part-time service; Parks Dept. employee Trevor Tridle from \$18.11 per hr. to \$19.06 per hr. effective November 8, 2018 after two years of full-time service (100% prevailing wage), Re Center employee Chelsie Bauer from \$10.56 per hr. to \$10.83 per hr. after three years of part-time service and Police reserve Wylie Walno II from \$12.55 per hr. to \$13.13 per hr. effective November 8, 2018 after two years of part-time service.
- P. Approve Change Order #1 for 55 Taylor Retaining Wall in the amount of \$3,751.00, bringing total contract to \$83,751.00.
- Q. Approve payment to G.S.R. Construction in the amount of \$ 2,845.00 for interior chinking on the Crow's Nest; to be paid from HP Capital Assets Rodeo Grounds account.
- R. Removed for separate consideration in new business.
- S. Removed for separate consideration in new business.
- T. Permission to hire Brittney Case as a lifeguard at \$10.01 per hr. effective November 7, 2018 pending pre-employment drug screening
- U. Permission for Mayor to sign contract with Jaci Pearson for services related to the production of oral histories.
- V. Remove Robert Nelson Sr. effective November 1, 2018 from the Volunteer Fire Department roster for workers compensation purposes.
- W. Permission to purchase bags and stickers that indicate free parking at a cost not to exceed \$300.00 and allow payment from Bed and Booze funds.
- X. Permission to hire Kevin Donnelly as Trolley Driver at \$12.06 per hr. effective November 6, 2018 pending pre-employment drug testing
- Y. Permission to purchase 5500 gallons of diesel from Southside Service at \$2.79 a gallon
- Z. Approve consulting services from Mary Jo Nelson at \$75.00 hr.

PUBLIC HEARINGS

BID 1-6

Public hearing was opened at 5:10 p.m. by Mayor Ruth. No one spoke in favor or against, hearing closed. Martinisko moved, Todd seconded to establish new rates for Business Improvement Districts 1-6 as indicated in Resolution 2018-26, approved on October 1, 2018. Roll Call: Aye-All. Motion carried.

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Set

Todd moved, Struble seconded to set public hearing on November 19, 2018 for 3 Wheeler Event. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to set public hearing on November 19, 2018 for NAJA Shriners Circus Event. Roll Call: Aye-All. Motion carried.

Todd moved, Martinisko seconded to set public hearing on November 19, 2018 for Austin-Healy Conclave Event. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Contract

After discussion concerning public property and safety issues, Martinisko moved, Struble seconded to approve design services with ACES for sidewalk design for Deadwood Pedestrian Way from Armory Street to Pine Street, in the amount of \$8,900.00 and allow Mayor to sign contract, to be paid from P&T budget, per P&T recommendation. Roll Call: Aye-All. Motion carried.

Agreement

Sandy Glover, President of Rodeo Grounds Block Club, spoke concerning safety issues regarding the removal of stoplight and pedestrian crossing at McKinley Street. After discussion, concerning safety and monitoring, Martinisko moved, Struble seconded to allow Mayor to sign agreement with SD Department of Transportation regarding McKinley Street stoplight. Roll Call: Aye-All. Motion carried.

Ordinance

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

Pay

Todd moved, Struble seconded to pay South Dakota Workers Compensation Fund \$65,529.00 for 2019 coverage from General Fund Commission line item. Roll Call: Aye-All. Motion carried.

Permission

Martinisko moved, Todd seconded to allow Fire Dept. to purchase SCBA equipment off the Brown County Bid; \$27,923.80 in December 2018 and \$26,734.05 in January 2019, provided all necessary paperwork to meet State bidding requirements from Brown County is in Finance Officer prior to ordering. Commission thanked Fire Department for safety and cost savings. Roll Call: Aye-All. Motion carried.

Clarification

Attorney Riggins clarified Commission vacancies. He stated if David Ruth Jr. chose to run for a full term as Mayor, if elected he would be holding two seats. He said at that time a replacement would be named for David's Commission seat. If not elected he would retain his Commission seat.

Hire

Todd moved, Struble seconded to hire P&L Carpentry to perform log replacement at the Event Complex at a cost not to exceed \$24,000.00; to be paid from HP capital Assets General Maintenance. Facilities Director Kruzel gave a brief update on log replacement. Roll Call: Aye-All. Motion carried.

Contract

Martinisko moved, Todd seconded to allow Mayor to sign CMAR contract with Scull Construction Services, Inc. upon final approval of legal counsel. Roll Call: Aye-All. Motion carried.

Permission

Martinisko moved, Struble seconded to allow Harley Davidson to use same area in Welcome Center lot in 2019 as they used in 2018 for the motorcycle rally. Chamber of Commerce will pay City \$3,000.00 for use of the space. Lee Harstad, Deadwood Chamber was available to answer questions. Roll Call: Aye-All. Motion carried.

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Permission

Martinisko moved, Struble seconded to allow Chamber of Commerce to market and lease vendor spaces at Welcome Center lot during 2019 motorcycle rally; August 2-11, 2019. Vendors must be approved by Chamber of Commerce and then Planning & Zoning. Lee Harstad, Deadwood Chamber was available to answer questions. Roll Call: Aye-All. Motion carried.

Purchase

Martinisko moved, Struble seconded to purchase two parking kiosks from Amano McGann at a cost not to exceed \$25,197.00, to be paid from P&T fund. Discussion was held concerning placement of kiosks. Roll Call: Aye-All. Motion carried.

Agreement

Martinisko moved, Struble seconded to allow Mayor to sign Amendment to letter of Agreement entered into on August 8, 2018 pertaining to Future Fund Grant #1638/Main Street Plaza. Deadwood-Lead Economic Development Director Wagner spoke concerning grant. Commissioner Martinisko thanked Main Street Initiative Executive Group, Economic Development, and staff for all their work. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Direction

Planning and Zoning Director Nelson Jr provided Commission two Ordinances; Disallowed Signs and Display of Merchandise. Nelson asked if Commission would like to move forward with the ordinances as is and if so, allow Attorney to draft a Resolution allowing him authorization to write citations. Mayor Ruth expressed concerns about sandwich boards, and mannequins causing safety hazards. Commissioner Todd questioned a uniformed officer accompanying Nelson. Commissioner Martinisko asked that businesses be given a copy of the ordinances and the opportunity to comply.

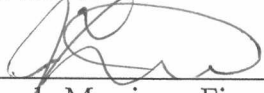
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2 (3) with possible action.

ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:51 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, November 19, 2018.

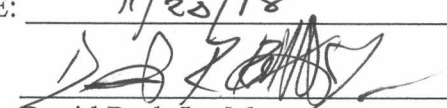
After coming out of executive session at 6:40 p.m., Martinisko moved, Todd seconded to adjourn.

ATTEST:



Ronda Morrison, Finance Officer

DATE: 11/20/18

BY: 

David Ruth Jr., Mayor

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