

REGULAR MEETING, SEPTEMBER 21, 2020

The Regular Session of the Deadwood City Commission convened on Monday, September 21, 2020 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor David Ruth Jr. called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners Michael Johnson, Sharon Martinisko, Charlie Struble and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Johnson moved, Martinisko seconded to approve the minutes of September 8, 2020. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Struble moved, Todd seconded to approve the September 21, 2020 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	SUPPLIES	292.72
A - Z SHREDDING	SERVICE	15.65
ACE HARDWARE	SUPPLIES	28.98
ACE INDUSTRIAL SUPPLY	SUPPLIES	2,128.90
ADAMS SALVAGE	SERVICE	38.28
ALBERTSON ENGINEERING	PROJECT	38,119.87
AMAZON	SERVICE	229.68
AMERICAN ENGINEERING	TESTING	362.05
ATCO INTERNATIONAL	SUPPLIES	441.68
BADGER METER	SERVICE	1,200.00
BH CHEMICAL	SUPPLIES	300.98
BH PIONEER	SERVICE	593.32
BH SPECIAL SERVICES	CLEANING	3,350.00
BH TRUCK & TRAILER	LIFT GATE	13,879.80
BH WINDOW CLEANING	CLEANING	2,085.00
BLANK ACQUISITION	SUPPLIES	112.14
BUTLER MACHINERY	PAYMENT	39,079.62
CHAINSaw CENTER	SUPPLIES	212.94
CLEMENT COMMUNICATIONS	SERVICE	176.41
COCA COLA	SUPPLIES	480.00
CULLIGAN	SUPPLIES	96.00
DAKOTA LUMBER	PROJECT	11,324.94
DAKOTA TITLE	CLOSING COST	360.00
DEADWOOD CHAMBER	BILL LIST	92,003.63
DEADWOOD CHAMBER	SQUARE	42,549.61
DEADWOOD GRANITE	SERVICE	800.00
DEADWOOD HISTORY	BROTHEL MUSEUM	50,122.50
DONARSKI LAWN CARE	PROJECT	48,100.00
DRINGMAN, PAT	REIMBURSEMENT	93.62
EAGLE ENTERPRISES	SUPPLIES	550.00
ECOLAB	SERVICE	527.88
FASTENAL	SUPPLIES	213.43
FERBER ENGINEERING	SERVICE	2,520.00
FIB CREDIT CARDS	SUPPLIES	5,505.58
FIRST INTERSTATE BANK	TIF#8	2,286.68
GAYLORD BROS.	SUPPLIES	533.25
GOLDEN WEST	SERVICE	1,680.00
GRIMM'S PUMP	SUPPLIES	1,887.81
GTI COMPANIES	PROJECT	82,323.09
GUNDERSON, PALMER, NELSON	SERVICE	5,505.00
HEINZERLING CONCRETE	PROJECT	11,995.45
KIMBALL MIDWEST	SUPPLIES	384.88
KNECHT	SUPPLIES	301.70
KUBOTA LEASING	PAYMENT	1,504.00
LAWRENCE CO. REGISTER	CLOSING COST	90.00
LAWSON PRODUCTS	SUPPLIES	468.94
LEAD-DEADWOOD SANITARY	SERVICE	37,505.34
LIGHTING PLASTICS OF MN	SUPPLIES	378.50
LYNN'S	SUPPLIES	36.00
M&M SANITATION	RENTAL	240.00
MARCO	CONTRACT	522.07
MCMASTER-CARR	SUPPLIES	83.57
MID-AMERICAN RESEARCH	SUPPLIES	242.41
MS MAIL	SERVICE	80.00
NETWORK SERVICES	SUPPLIES	624.13
NHS OF THE BLACK HILLS	SERVICE	5,022.21
OFFICE DEPOT	SUPPLIES	51.42
OLSON, JAMES RICHARD	REIMBURSEMENT	16.10
PASSPORT LABS	METERS	182.75
PITNEY BOWES	LEASE	250.05
PITNEY BOWES	POSTAGE	500.00
POWERPLAN OIB	SERVICE	614.24
QUIK SIGNS	DECALS	88.69
QUILL	SUPPLIES	125.51
RASMUSSEN MECHANICAL	PROJECT	6,833.38
RECREATION SUPPLY	SUPPLIES	364.00
REGIONAL HEALTH	TESTING	175.00
RUSHMORE COMMUNICATIONS	EQUIPMENT	7,122.80
RUSHMORE OFFICE	SUPPLIES	29.99
SANDER SANITATION	SERVICE	11,220.03
SCOTT PETERSON MOTORS	VEHICLE	23,179.00
SCOTT PETERSON MOTORS	SUPPLIES	69.96
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55

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SD DEPT. OF MOTOR VEHICLES	TITLE & PLATES	42.40
SD DEPT. OF REVENUE	TAX	8,802.24
SD ONE CALL	SERVICE	51.52
SD PUBLIC ASSURANCE	RENEWAL	161,790.86
SERVALL	SUPPLIES	130.78
SILVERADO	RECEPTION	590.34
SIMON MATERIALS	SUPPLIES	1,183.08
SOUTHSIDE SERVICE	SERVICE	544.53
SPEARFISH AUTO SUPPLY	SUPPLIES	710.22
STATION AUTOMATION	RENEWAL	1,230.00
STREICHER'S	AMMUNITION	396.16
STRETCH'S	SERVICE	2,156.27
STURDEVANT'S	SUPPLIES	1,064.97
STURGIS AUTO PARTS	SUPPLIES	727.07
THE LORD'S CUPBOARD	RECYCLING	76.56
TOMS, DON	PROJECT	600.00
TREE WISE MEN	PROJECT	2,000.00
TRIPLE K	REPAIR	50.00
TWIN CITY HARDWARE	SUPPLIES	74.39
VIGILANT BUSINESS SOLUTION	SERVICE	146.00
WHEELER LUMBER OPERATIONS	SUPPLIES	2,407.20
WHITE'S CANYON MOTORS	REPAIR	568.05

Total \$777,585.35

CONSENT

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

- A. Allow open container in zones 1 and 2 on Friday November 6 from 5:00 p.m. to 10:00 p.m. and Saturday November 7 from 11:00 a.m. to 10:00 p.m. for Forks, Corks, and Kegs. (was approved for April 3 and 4, on February 18, 2020)
- B. Appoint Tessa Allen to Library Board with term ending December 31, 2022.
- C. Permission to advertise in-house for five days for a Full-Time Parks Technician.
- D. Acknowledge monthly HP bond payments for July, August and September paid to US Bank in that amount of \$82,055.29 for 2019 Series COP. (Outlaw Square)
- E. Acknowledge payment to South Dakota Public Assurance Alliance for annual insurance renewal in the amount of \$161,790.86. (2020 expense was \$238,870.67 which is a cost savings of \$77,079.80.)

PUBLIC HEARINGS

Homecoming Parade

Public hearing was opened at 5:02 by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Struble moved, Martinisko seconded to approve street closure for Homecoming Parade on September 25 from 2:00 p.m. until parade ends. Roll Call: Aye-All. Motion carried.

Public Property

Public hearing was opened at 5:03 by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Johnson moved, Martinisko seconded to set public hearing on Sept. 21st for City's intention to lease a portion of public property (approximately 1000 sq. ft. located along Miller St. & adjacent to the structure located at 79 Sherman St.) to Jacob's Brewhouse. Zoning Administrator Russell explained the lease. Commissioner Todd questioned if lease will be yearly. Russell stated lease agreement is in process. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow staff to prepare agreement. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Second Reading

Finance Officer McKeown stated no changes from first reading. Martinisko moved, Johnson seconded to approve second reading of 2021 Budget Appropriation Ordinance #1314. Roll Call: Aye-All. Motion carried.

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First Reading

Zoning Administrator Russell explained which banners should be allowed within the City of Deadwood with a permit, which are: coming soon banner, grand opening banner and historic, cultural and community related activities. Commissioner Martinisko questioned coming soon banners, which states only new structures. Martinisko believes rehabilitation structures should be allowed as well. Russell stated changes can be made during first and second readings. Martinisko moved, Struble seconded to approve first reading of Ordinance #1315, Amending Chapter 15.32.150. Roll Call: Aye-All. Motion carried.

Change Order

Public Work Director Nelson Jr. explained the change order is to reset a wastewater manhole due to a conflict with grade and additional valves. Martinisko moved, Johnson seconded to approve Change Order #1 in the amount of \$8,638.60 for original TIF #12 Infrastructure Installation to be paid by Second Stage LLC. Roll Call: Aye-All. Motion carried.

Permission

Nelson Jr. explained the water leaks. Struble moved, Martinisko seconded to pay McDirt Construction in the amount of \$5,236.25 and Schmidt Concrete in the amount of \$4,317.00 for emergency work associated with two City water leaks. Roll Call: Aye-All. Motion carried.

Final Plat

Russell spoke about the plat. Johnson moved, Todd seconded to Act as Board of Adjustment and consider final plat for 79 Sherman Street. (Jacobs Brewhouse) Legal Lot 17A, Block 34 Original Townsite, City of Deadwood, Located in the SW1/4 of Section 23, T5N, R3E, B.H.M. , Lawrence County, South Dakota, formerly Lots 23A and 17, Block 34. Roll Call: Aye-All. Motion carried.

Resolution/Contract

Mayor Ruth Jr. stated Commission has been requested to continue Resolution 2020-22 and Contract with Second Stage LLC. Commissioner Martinisko questioned the amendment and contract. Martinisko directed staff to work with contractor and Second Stage LLC for clarification, due to numbers not matching and items omitted from contract.

Martinisko moved, Struble to continue Resolution 2020-22 Amendment #1 to Project Plan for TIF #12, contract for Private Development with Second Stage LLC and request staff to obtain clarification. Martinisko requested all expenditures to be itemized. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Anyone interested in serving on the Planning and Zoning Commission is encouraged to submit a letter of interest to Jeramy Russell.
- B. Deadwood VFW 5969 Auxiliary is partnering with the City of Deadwood and Deadwood/Lead High School to raise awareness about Mission 22 and suicide prevention. Sept 23rd- 26th, sidewalks in Deadwood and Lead (VFW, Deadwood City Hall, Welcome Center, Outlaw Square, Lead High School, and Lead City Hall) will be painted with chalk to bring support and awareness to the cause.

Ron Russo, resident and business owner, spoke about the fountain house on Sherman Street. He stated years ago a plan was drawn up with items to be completed such as general beautification, which to date has not been done. Historic Preservation Officer Kuchenbecker stated a letter has been sent to the owner asking for a timeline. Mayor Ruth Jr. stated this will be addressed.

Russo also spoke about the tiny house in front of fountain house. Mayor Ruth Jr. stated this will be addressed as well.

Russo, owner of Fairmont Hotel, spoke about the sign on sidewalk in front of Fairmont Hotel directing people to another business. Russo requested sign be removed and stated the Ordinance states no solicitation in front of another business.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25-2 (1) and union negotiations per SDCL 1-25-2(4) with possible action.

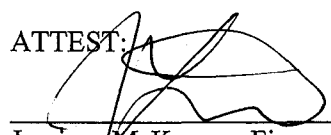
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ADJOURNMENT

Struble moved, Todd seconded to adjourn the regular session at 5:29 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3), personnel matters per SDCL 1-25-2 (1) and union negotiations per SDCL 1-25-2(4) with possible action. The next regular meeting will be on Monday, October 5, 2020.

After coming out of executive session at 6:32 p.m. Martinisko moved, Johnson seconded to adjourn.

ATTEST:



Jessica McKeown, Finance Officer

DATE: 10/5/20

BY: 

David Ruth Jr., Mayor

Published once at the total approximate cost of _____

