

REGULAR MEETING, OCTOBER 19, 2020

The Regular Session of the Deadwood City Commission convened on Monday, October 19, 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

Struble moved, Martinisko seconded to approve the minutes of October 5, 2020. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the October 19, 2020 disbursements. Roll Call: Aye-All. Motion carried.

A & I DISTRIBUTORS	SUPPLIES	44.78
ABSOLUTE LOG HOMES	SUPPLIES	459.00
ACE HARDWARE	SUPPLIES	61.05
ACE INDUSTRIAL SUPPLY	SUPPLIES	3,921.92
ADAMS SALVAGE	SERVICE	76.56
ALBERTSON ENGINEERING	PROJECT	26,080.06
ALLEGIANTE EMERGENCY SERVICES	SUPPLIES	4,528.42
AMAZON	SERVICE	231.58
AMERICAN ENGINEERING TESTING	TESTING	904.00
ANTHEM SPORTS	SUPPLIES	450.71
BDAID	SIGNAGE	7,709.37
BH ASPHALT	SERVICE	892.86
BH CHEMICAL	SUPPLIES	1,131.19
BH PIONEER	SERVICE	685.38
BH TRUCK & TRAILER	SUPPLIES	681.81
BH VETERANS MARCH	REFUND	500.00
BRUCE OBERLANDER	PROJECT	3,129.05
BUTLER MACHINERY	SUPPLIES	1,274.81
BUTTE COUNTY EQUIPMENT	SUPPLIES	109.30
C. EAGLE CONSTRUCTION	PROJECT	126,996.77
CAI CONSTRUCTION	PROJECT	68,500.00
CARTER FMX	REFUND	1,100.00
CENTURY BUSINESS PRODUCTS	CONTRACT	262.14
CHAINSAW CENTER	SUPPLIES	88.50
CHAPTER Y - PEO	POINSETTIAS	100.00
CITY OF LENNOX	GRANT	2,500.00
CRESCENT ELECTRIC SUPPLY	SUPPLIES	315.61
CULLIGAN	SUPPLIES	156.00
CURTIS BLUE LINE	SUPPLIES	391.50
DAKOTA LUMBER	PROJECT	7,544.37
DEADWOOD CHAMBER	BILL LIST	61,914.59
DEADWOOD ELECTRIC	SERVICE	604.24
DVFD	REIMBURSEMENT	503.71
DEADWOOD GRANITE	SERVICE	800.00
DONARSKI LAWN CARE	SERVICE	3,759.45
EAGLE ENTERPRISES	SUPPLIES	147.00
FASTENAL	SUPPLIES	165.20
FIB CREDIT CARDS	SERVICE	2,736.67
FLOYD, TRAVIS	MORTGAGE EXPENSE	500.00
GADGETS TECHNOLOGY	SUPPLIES	112.98
GENPRO ENERGY SOLUTIONS	SERVICE	2,056.45
GLOBAL EQUIPMENT	SUPPLIES	603.60
GOLDEN WEST	SERVICE	1,780.00
GRIMM'S PUMP	SUPPLIES	113.41
GUNDERSON, PALMER, NELSON	SERVICE	3,509.80
HAWKINS	SUPPLIES	1,040.54
HEARTLAND PELLA	PROJECT	6,800.00
HILLS INTERIORS	SUPPLIES	81.60
INFINITY DIESEL	SERVICE	1,035.60
JACOBS WELDING	SERVICE	341.49
JEEP JAMBOREE	REFUND	500.00
JUSTICE FIRE & SAFETY	SERVICE	643.80
KNECHT	SUPPLIES	172.73
KNECHT	GRANTS	2,805.42
KONE	MAINTENANCE	486.80
LAKOTA CONTRACTING	SERVICE	15.95
LAWRENCE CO. REGISTER	SERVICE	270.00
LAWSON PRODUCTS	SUPPLIES	169.90
LEAD-DEADWOOD SANITARY	CONSUMPTION	32,422.92
LYNN'S	SUPPLIES	40.18
M & T FIRE AND SAFETY	SERVICE	1,491.25
M L ENTERPRISES	PROJECT	4,374.70
M&M SANITATION	RENTAL	240.00
MENARD'S	SUPPLIES	2,123.85
MIDCONTINENT TESTING	TESTING	22.25
MIDWEST TAPE	SUPPLIES	66.22
MORSE, MARCIA E.	MORTGAGE EXPENSE	124.17
MOTION FITNESS	INTERACTIVE ROWERS	5,000.00
MS MAIL	SERVICE	9,318.75
NETWORK SERVICES	SUPPLIES	241.05
NHS OF THE BLACK HILLS	SERVICE	2,470.36
NORTHWEST PIPE FITTINGS	SUPPLIES	891.98
PETTY CASH	LIBRARY	48.97

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PHEASANTLAND INDUSTRIES	SERVICE	127.52
POWERPLAN OIB	SUPPLIES	80.34
QUICK TROPHY	SUPPLIES	47.99
QUIK SIGNS	SIGNS	155.57
QUILL	SUPPLIES	51.10
RAPID DELIVERY	DELIVERY	15.81
RCS CONSTRUCTION	PROJECT	38,185.00
REGIONAL HEALTH	TESTING	105.00
ROBITAILLE, PAUL	REIMBURSEMENT	60.47
ROCHELLE CONSTRUCTION	PROJECT	26,666.00
RUNGE, MIKE	REIMBURSEMENT	95.38
RUNNING SUPPLY	SUPPLIES	199.98
RUSHMORE OFFICE	SUPPLIES	48.00
SANDER SANITATION SERVICE	SERVICE	11,220.03
SANITATION PRODUCTS	SUPPLIES	929.95
SCOTT PETERSON MOTORS	SUPPLIES	291.21
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SERVALL	SUPPLIES	130.78
SIMON MATERIALS	SUPPLIES	915.59
SOUTH DAKOTA 811	SERVICE	42.56
SPEARFISH AUTO SUPPLY	SUPPLIES	1,844.99
STRETCH'S	SERVICE	1,161.38
STUEN CONSTRUCTION	PROJECT	902.50
STURDEVANT'S	SUPPLIES	1,334.04
SUMMIT COMPANIES	MAINTENANCE	4,051.00
SYMBOLARTS	SUPPLIES	135.00
TALLGRASS LANDSCAPE	SERVICE	1,560.00
THE UPS STORE	SHIPPING	88.78
TOMS, DON	PROJECT	600.00
TRIPLE K	SERVICE	736.49
TWIN CITY HARDWARE	GRANTS	314.36
USA BLUEBOOK	SUPPLIES	34.53
VERENDRYE MUSEUM	GRANT	4,500.00
VERIZON CONNECT	SERVICE	95.95
VIGILANT BUSINESS SOLUTION	SERVICE	292.00
WARNE CHEMICAL	SERVICE	5,200.00
WEST RIVER HISTORY	CONFERENCE	730.00

Total \$546,153.17

CONSENT

Johnson moved, Martinisko seconded to 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.
- B. Parking and Transportation recommendation – approve reserved residential parking sign for Robb & Wendy Nelson at 19 Centennial Street until completion of garage project.
- C. Permission to purchase 5500 gallons of fuel at \$1.95 per gallon from Southside Oil.
- D. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for The Irene & Delmar Olsen Family.
- E. Permission to appoint Dave Bruce to the vacant Planning and Zoning Commission position with a term expiring December, 31, 2023.
- F. Permission to approve updated Sections 2.13.1 (Telephone Policy) and 2.18 (Computer Policy) of the Employee Handbook.
- G. Permission to pay Blackstrap, Inc. in the amount of \$3,948.75 for road salt. (To be paid from Streets Supplies.)
- H. Permission for Mayor to sign Albertson Engineering for FEMA Project # 123107 (Whitewood Creek Restoration)
- I. Permission for Mayor to sign resolution 2020-24 to surplus City property for the purpose of exchanging similar land on Railroad Avenue and McKinley Street.
- J. Permission for Mayor to sign Quitclaim Deed and Certificate of Real-Estate Value for the purpose of transferring property to Lead Deadwood Economic Development.
- K. Permission to pay Motorola in the amount of \$33,449.88 for mobile radios (To be paid from Fire Dept Equipment budget with 100% reimbursement by a grant thru Homeland Security.)
- L. Permission for Historical Preservation to enter into contract with DocuTek to microfilm and PDF historic Lawrence County tax ledgers on file in the Case Library at BHSU. Total cost of project not to exceed \$5,500.00 to be paid from 2020 Archives budget.
- M. Permission for Mayor to sign CARES Act Humanities Relief Grants for the Deadwood Library.

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BID OPENINGS

Mayor Ruth Jr. stated three bids were opened for four-wheel drive dump truck on October 13 at 2:00 p.m. as advertised. Public Works Director Nelson Jr. spoke about the bids and asked to continue for review. Martinisko moved, Todd seconded to continue until November 2. Roll Call: Aye-All. Motion carried.

Floyd's Truck Center: Total of \$176,099.00 (4 annual payments of \$31,491.82 and 5th year \$35,219.80)

Sanitation Products, Inc: Total \$157,164.00 (4 annual payments \$29,475.92 and 5th year \$30,000.00)

PUBLIC HEARINGS

Deadweird Events

Public hearing was opened at 5:03 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber of Commerce, was present to answer questions. No comments received, hearing closed.

Todd moved, Martinisko 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 Sherman Street from 5:00 p.m. to 10:00 p.m. on Friday, October 30, 2020. Roll Call: Aye-All. Motion carried.

Todd moved, Martinisko seconded to allow the relaxation of the open container ordinance for same area as approved on Friday, October 30 from 12:00 p.m. to 10:00 p.m. on Saturday, October 31, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to approve street closure on Main Street from Wall to Deadwood 5:00 p.m., Saturday, October 31 to 4:00 a.m. on Sunday, November 1, 2020 and waiver of banner fees. Roll Call: Aye-All. Motion carried.

Set

Martinisko moved, Struble seconded to set public hearing for November 2 for transfers of Convention Center (on-sale) Liquor (CL15404), Retail (on-off sale) Wine (RW-6401), Package (off sale) Liquor (PL-4522) and Retail (on-off sale) Malt Beverage Licenses from Deadwood Gulch Resort to Ernest Hospitality LLC dba Deadwood Gulch Resort at 304 Cliff Street. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to set public hearing on November 2 for Special Alcohol License request from Deadwood Elks Lodge for event at Masonic Temple on Saturday, November 28, 2020. Roll Call: Aye-All. Motion carried.

OLD BUSINESS

Resolution 2020-22 (Continued from October 5)

Discussion continued concerning amendment to Project Plan for TIF #12. Mayor Ruth Jr. stated at the last Commission meeting the commission requested additional information for the TIF document. Finance Officer McKeown stated the document shows the new evaluation amount which before was only an estimate. City Attorney Riggins noted the concerns and comments about a re-evaluation by the accessors office is noted in the document. Commissioner Todd supports the project but believes the money should be available for city projects. Commissioner Martinisko is concerned that the document just has the increase amount with no justification. Blaise Emerson, BKE Consulting, stated the justification was provided in separate document. LeRoy Stuen, Second Stage LLC, stated the original TIF is used for water, sewer, and engineer fees, the additional fees will be used for roads, sidewalks and communication. Commissioners Johnson and Struble agree with Todd and Martinisko and believe the Commission needs to start looking at future projects for the city. Stuen stated it's time to invest in Deadwood and housing is a need in Deadwood. Mayor Ruth Jr. thanked Stuen for his comments and stated if this was an annual appropriation instead of standard TIF, he would be able to support finding a way to continue to see that this housing need is being met. After discussion concerning additional costs, evaluation, and the use of annual appropriation vs. a standard TIF, Todd moved, Martinisko seconded to deny Resolution 2020-22 Amendment #1 to Project Plan for TIF #12. Martinisko

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encouraged all to continue asking questions regarding the potential for an annual appropriation TIF, and continue with the project. Ruth encouraged Attorney Riggins to research whether the TIF is convertible to an annual appropriation TIF. Roll Call: Aye-All. Motion carried.

Contract

Martinisko moved, Johnson seconded to deny Amendment to Contract for Private Development with Second Stage LLC (continued from September 21.) Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Change Order

Nelson Jr. spoke about the change order, which is due to safety issues. Martinisko moved, Johnson seconded to approve change order #1 in the amount of \$4,876.95 for the Owner Directed Changes to the Event Complex South ADA Access project with payment to PL Carpentry. (To be paid from HP Capital Assets – Maintenance.) Roll Call: Aye-All. Motion carried.

Permission

Nelson Jr. spoke about the repairs. Johnson moved, Martinisko seconded pay PL Carpentry in the amount of \$3,444.00 for emergency repairs to the grandstands. (To be paid from HP Capital Assets – Maintenance.) Roll Call: Aye-All. Motion carried.

Contract

Chief Mertens spoke about the contract. Martinisko moved, Struble seconded to allow Mayor to sign contract with IPS Group, Inc. to purchase new parking technology and related services. (2021 Budgeted project in Parking & Transportation.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

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


ADJOURNMENT

Todd moved, Martinisko 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) and personnel matters per SDCL 1-25-2 (1) with possible action. The next regular meeting will be on Monday, November 2, 2020.

After coming out of executive session at 6:14 p.m., Martinisko moved, Johnson seconded to grant Veteran's Day as a paid holiday with City Offices being closed on November 11, 2020.

Martinisko moved, Johnson seconded to adjourn.

ATTEST:


Jessica McKeown, Finance Officer

DATE: 11/2/20

BY: 

David Ruth Jr., Mayor

Published once at the total approximate cost of _____

