

REGULAR MEETING, AUGUST 19, 2019

The Regular Session of the Deadwood City Commission convened on Monday, August 19, 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 Michael Johnson, Sharon Martinisko, Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTE

Struble moved, Martinisko seconded to approve minutes of August 5, 2019. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

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

ACE HARDWARE	SUPPLIES	38.99
AKROP, DAVE	PROJECT	331.65
ALBERTSON ENGINEERING	PROJECT	9,021.61
ALBRIGHT CONSTRUCTION	PROJECT	30,600.00
AMAZON	SERVICE	671.89
ANCESTOR CONCRETE	PROJECT	23,159.00
ARLETH LAND SURVEYING	SERVICE	3,870.00
ASSOCIATED SUPPLY	SUPPLIES	5,643.41
BARCO PRODUCTS	SUPPLIES	215.68
BECK'S NURSERY	SUPPLIES	349.99
BIERSCHBACH EQUIPMENT	SUPPLEIS	64.30
BH CHEMICAL	SUPPLIES	4,698.03
BH LASER DESIGNS	SERVICE	9.00
BH PIONEER	SERVICE	3,517.35
BH SPECIAL SERVICES	CLEANING	2,065.00
BSN SPORTS	SUPPLIES	307.20
CABLE COMMUNICATION	SUPPLIES	503.06
CAMPBELL SUPPLY	SUPPLIES	209.64
CENTURY BUSINESS	CONTRACT	312.11
CHAINSAW CENTER	SUPPLIES	564.95
CLEMENT COMMUNICATIONS	POSTERS	176.41
COCA COLA	SUPPLIES	50.00
COMPETITIVE MASONRY	PROJECT	3,453.35
CONRAD'S SIGNS	REPAIRS	7,182.67
CULLIGAN	SUPPLIES	233.00
DAKOTA TITLE	SERVICE	120.00
DAKOTA'S WINDOW CLEANING	CLEANING	6,245.00
DAYS OF '76	REFUND	1,100.00
DEADWOOD CHAMBER	SERVICE	1,082.00
DEADWOOD HISTORY	SERVICE	122.50
DEMCO	SUPPLIES	585.73
DHARMA TREE CARE	SERVICE	22,650.00
DIAMOND MANUFACTURING	SUPPLIES	45.50
EB COMMUNICATIONS	SERVICE	110.00
ECANOPI	TENT	7,094.33
EMERY-PRATT	BOOKS	261.42
FASNACHT, GLENN	PROJECT	1,474.34
FAST CORP	SUPPLIES	1,159.48
FERBER ENGINEERING	SERVICE	240.00
FIRST GOLD HOTEL	REFUND	1,100.00
FIRST NATIONAL CREDIT CARD	SUPPLIES	7,095.59
GADGETS TECHNOLOGY	SERVICE	99.99
GALLS	UNIFORMS	60.67
GENERAL TRAFFIC CONTROLS,	SUPPLIES	647.00
GOLDEN WEST	SERVICE	1,800.01
HANDYMAN ARTISTRY	PROJECT	7,488.33
HORSLEY SPECIALTIES	PROJECT	21,450.00
JACOBS WELDING	SERVICE	5,331.86
JENNER EQUIPMENT	RENTAL	750.00
KDSJ	SERVICE	160.00
KNECHT	SUPPLIES	3,869.71
KONE	MAINTENANCE	470.34
KT CONNECTIONS	REPAIRS	228.00
KUCHENBECKER, KEVIN	REIMBURSEMENT	71.37
LAWRENCE CO. REGISTER	FEES	120.00
LEAD DEADWOOD ARTS CENTER	EXHIBIT	20.00
LEAD-DEADWOOD SANITARY	USAGE	34,054.36
LYNN'S	SUPPLIES	73.94
M&M SANITATION	RENTAL	287.90
MANUFACTURING SYSTEMS	SERVICE	757.96
MCDIRT EXCAVATION	PROJECT	1,260.00
MENARD'S	SUPPLIES	91.92
MID-AMERICAN RESEARCH CHEM	SUPPLIES	304.34
MIDWEST MOTOR EXPRESS	SHIPPING	172.69
MIDWEST TAPE	DVDS	59.22
MK CONSTRUCTION	PROJECT	340.72
MS MAIL	SERVICE	1,597.02
NETWORK SERVICES	SUPPLIES	148.02
NHS OF THE BLACK HILLS	CONTRACT	3,887.50
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
NORTHERN TRUCK EQUIPMENT	CAMERA BAR	4,055.00
OFFICE DEPOT	SUPPLIES	361.81
ORANGE BUILDING	PROJECT	44,180.65

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OSBORN, JANET	REIMBURSEMENT	593.63
PANNIER	SERVICE	550.00
PASSPORT LABS	METERS	162.50
PETE LIEN & SONS	SUPPLIES	213.00
PETTY CASH	FINANCE	159.85
PITNEY BOWES	POSTAGE	500.00
QUIK SIGNS	SIGNS	302.35
QUILL	SUPPLIES	643.14
RANGEL CONSTRUCTION	PROJECT	49,389.00
RAPID DELIVERY	DELIVERY	14.38
RASMUSSEN MECHANICAL	SERVICE	236.80
RECREATION SUPPLY	DRYERS	3,913.46
RUSSELL, JERAMY	REIMBURSEMENT	570.44
SANITATION PRODUCTS	SUPPLIES	440.34
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF CORRECTIONS	FIREWISE	6,424.41
SD DEPT. OF REVENUE	TAX	9,447.42
SD STATE HISTORICAL	FUNDING	500.00
SOUTHSIDE SERVICE	SERVICE	731.87
SPEIRS, MARK	PROJECT	7,040.83
STEPP BY STEPP	SERVICE	1,415.00
STURDEVANT'S	SUPPLIES	1,205.29
SUMMIT SIGNS	SIGNS	217.50
SYMBOL ARTS	BADGES	250.00
TALLGRASS LANDSCAPE	PROJECT	1,687.00
TEAM LABORATORY CHEMICAL	SUPPLIES	809.00
TEMPERATURE TECHNOLOGY	SERVICE	482.14
THE LORD'S CUPBOARD	RECYCLING	60.00
TOMS, DON	PROJECT	600.00
TRIPLE K	SERVICE	39.00
TRUGREEN	SERVICE	4,888.78
TTG ENTERPRISES	REPAIR	60.00
TWILIGHT	SUPPLIES	42.89
TWIN CITY HARDWARE	GRANT	1,717.00
USA BLUEBOOK	TESTS	235.19
VERIZON CONNECT	SERVICE	109.75
VIGILANT BUSINESS SOLUTION	SERVICE	302.00
VISIONARY LANDSCAPING	REPAIR	2,524.58
WARNE CHEMICAL	SUPPLIES	318.40
WASTE CONNECTIONS	SERVICE	7,642.20
WEST RIVER MASONRY	PROJECT	2,586.90
WHEELER LUMBER OPERATIONS	LUMBER	359.52

TOTAL \$421,182.12

Proclamations

The Mayor read a proclamation declaring September 15th thru September 21, 2019 as Responsible Gaming Education Week in Deadwood.

Spring Street

Public Works Director Nelson Jr. stated Rothenhoefer's have been working with the previous public works directors in regards to extending sewer and water lines to Spring Street in order to build a house. Greg Rothenhoefer spoke about the proposal for financing sewer and asking City to participate with 20%, with agreement to recapture if any other lots build in future. Mayor Ruth Jr. thanked for the information provided and asked legal counsel for review. Martinisko moved, Johnson seconded to continue for review until the next Commission meeting on September 3, 2019. Discussion was held on additional housing and recapture agreement. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Remove trolley driver Eddie Hanson effective August 3, 2019.
- B. Permission to hire Donarski Lawncare for dirt work and sod on the baseball field, amount not to exceed \$7,631.01. (To be paid from BY Development budgeted funds.)
- C. Permission to transfer net future fund year-end balance of \$298,825.50 from Bed and Booze to Outlaw Square Capital Project. (\$300,000 State Grant less expenses of \$1174.50)
- D. Permission to purchase 165 tons of salt from Blackstrap Inc. amount not to exceed \$16,380.00. (To be paid from Streets line item budget.)
- E. Permission to purchase 475 ton of sand from Simon Materials in the amount of \$7,362.50. (To be paid from Streets supplies line item.)
- F. Permission to hire Janke and Sons Trucking to haul sand, amount not to exceed \$2,612.50. (Two estimates received. To be paid from Streets line item budget.)

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- G. Permission for Historical Preservation to purchase 90 archival items from the Seth Bullock Archival Collection from the Dallas Online Auction, LLC in the amount of \$7,095.59 (To be paid from HP Acquisition fund.)
- H. Permission to hire Albright Construction to install roof sheeting under metal roof at trolley barn, amount not to exceed \$12,000.00 (To be paid by Public Buildings and Insurance claim.)

Commissioner Martinisko thanked Historic Preservation Officer Kuchenbecker for the acquisition of Archival Collection.

PUBLIC HEARINGS

Oktoberfest

Public hearing was opened at 5:13 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber of Commerce, was present to answer questions. No comments received, hearing closed.

Martinisko moved, Struble 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 from 5:00 p.m. to 10:00 p.m. on Friday, October 4, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance for same area as approved on Friday, October 4, from noon to 10:00 p.m. on Saturday, October 5, 2019. Roll Call: Aye-All. Motion carried.

Todd moved, Johnson seconded to approve street closure on Main Street from Wall Street to Deadwood Street, including some adjacent side streets from 9:00 a.m. to 6:00 p.m., waiver of vending fees from 11:00 a.m. to 6:00 p.m. and waiver of banner fees for Deadwood Chamber on Saturday October 5, 2019. Roll Call: Aye-All. Motion carried.

Deadweird Events

Public hearing was opened at 5:15 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber of Commerce, was present to answer questions. No comments received, hearing closed.

Martinisko moved, Struble 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 25, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on Friday, October 25 from 12:00 p.m. to 10:00 p.m. on Saturday, October 26, 2019. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to approve street closure on Main Street with location to be determined from 5:00 p.m., Saturday, October 26 to 4:00 a.m. on Sunday, October 27, and waiver of banner fees. Roll Call: Aye-All. Motion carried.

Sarah Kryger, Deadwood Chamber, thanked the Commission and City staff in advance for help during Kool Deadwood Nites. Mayor Ruth Jr. thanked Sarah and Chamber as well.

NEW BUSINESS

Ordinance

Martinisko moved, Johnson seconded to approve second reading of Ordinance 1298 Amending Chapter 5.28 Business Licenses and Regulations. Roll Call: Aye-All. Motion carried.

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Conditional Use Permit

Martinisko moved, Johnson seconded to act as Board of Adjustment and approve Conditional Use Permit for a Tattoo Shop at 470 Main Street for Applicants Jessica Knee and Christopher Fedor - "Lone Wolf Tattoo". (Approved by Planning and Zoning August 7, 2019.)

Commissioner Todd asked why permit was needed. Public Works Director Nelson Jr. replied stated due to nature of business. Roll Call: Aye-All. Motion carried.

Final Plat

Commissioner Todd recused himself. Martinisko moved, Johnson seconded to act as Board of Adjustment and approve final plat of Lots E1 and E2 of M.S. 335, Formerly Lot E of M.S.; City of Deadwood, Lawrence County, South Dakota. Applicant Gary and Marlene Todd of 4 Spring Street. (Approved by Planning and Zoning August 7, 2019.) Roll Call: Aye-All. Motion carried.

Change Order

Nelson Jr. stated change order includes eight pieces, and explained the changes. Todd moved, Johnson seconded to approve Change Order #2 with Simon Contractors in the amount of \$35,280.06 for Lower Main Street Utility Improvement Project (PCN X04P). Roll Call: Aye-All. Motion carried.

Promote

Martinisko moved, Struble seconded to promote Jeramy Russell to Zoning Administrator/City Planner effective August 20, 2019 with an annual salary of \$55,000.00 plus cell phone allowance. Mayor Ruth Jr. thanked all that applied, also the Committee for doing interviews. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to advertise for Community Service Officer, in-house for 5 days and then in official newspaper. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Black Hills National Forest Advisory Board Field Trip – August 21 at 2:18 p.m.

Finance Office McKeown thanked Commission and Department Heads for their time with the budget.

Commission thanked McKeown and other Department Heads for their time on the budget and the FEMA report.

Mayor Ruth Jr. thanked city staff, and emergency management for their help with Kool Deadwood Nites.

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

ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:30 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3), and personnel matter per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Tuesday, September 3, 2019.

After coming out of executive session at 6:17 p.m. Martinisko moved, Johnson seconded to increase Tom Kruzel's salary an additional \$10,000.00 for additional duties assigned making total salary \$72,288.00 plus phone allowance effective August 20, 2019.

With there being no further business, at 6:19 p.m. Martinisko moved, Struble seconded to adjourn.

ATTEST:

Jessica McKeown, Finance Officer

DATE:

BY:

David Ruth Jr., Mayor

Published once at the total approximate cost of _____

