

REGULAR MEETING, April 20, 2020

The Regular Session of the Deadwood City Commission convened on Monday, April 20, 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, and Charlie Struble, and Gary Todd via zoom. All motions passed unanimously unless otherwise stated.

Due to the need for social distancing, this commission meeting was conducted via teleconference, all motions were done by roll call vote.

APPROVAL OF MINUTES

Martinisko moved, Johnson seconded to approve the minutes of April 6, 2020 as amended. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Todd seconded to approve the April 20, 2020 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	98.28
A-1 CONSTRUCTION	PROJECT	32,285.00
ACE HARDWARE	SUPPLIES	95.94
ACE INDUSTRIAL	SUPPLIES	1,751.47
AINSWORTH-BENNING	PROJECT	8,921.07
ALBERTSON ENGINEERING	PROJECT	4,587.15
ALEX AIR APPARATUS	SUPPLIES	596.70
AMAZON	SERVICE	461.29
BALCO UNIFORM	UNIFORMS	73.06
BDAID	SIGNAGE	1,600.00
BH CHEMICAL	SUPPLIES	328.40
BH FLOOR CLEANING	SERVICE	340.00
BH PIONEER	SERVICE	843.36
BH SECURITY	SERVICE	2,525.51
BH WINDOW CLEANING	SERVICE	694.00
BUTLER MACHINERY	SERVICE	210.00
BUTTE COUNTY EQUIPMENT	SUPPLIES	487.32
CHAINSAW CENTER	RENTAL	450.00
COCA COLA	SUPPLIES	771.68
CODE WORKS	PROJECT	6,784.96
CULLIGAN	SUPPLIES	142.25
DAKOTA TITLE	SERVICE	360.00
DEADWOOD ALIVE	APRIL	20,000.00
DEADWOOD CHAMBER	BILL LIST	82,107.96
DVFD	SUPPLIES	519.73
DESTINATION DEVELOPMENT	MEMBERSHIP	180.00
DONARSKI LAWN CARE	PROJECT	3,732.50
FASTENAL	SUPPLIES	100.44
FIB CREDIT CARDS	SUPPLIES	3,842.86
FIRST INTERSTATE BANK	TIF PAYMENT	11,857.07
GARDNER CONSTRUCTION	PROJECT	1,890.00
GLANZER, MIKE	REPAIR	306.00
GOLDEN WEST	SERVICE	6,996.27
GREAT DISPLAY	SUPPLIES	1,684.00
HANSEN WHEEL	MAINTENANCE	3,251.68
HILLYARD	SUPPLIES	80.65
HOLIDAY INN EXPRESS	CONFERENCE	1,372.00
IWORQ	PROJECT	2,500.00
JUNEKS SERVICE	REPAIR	100.28
KEYSTONE RIDGE DESIGNS	ASH URNS	6,115.00
KONE	MAINTENANCE	486.80
LAWRENCE CO. REGISTER	SERVICE	150.00
LAWSON PRODUCTS	SUPPLIES	1,188.56
LIGHTING MAINTENANCE	REPAIR	2,356.83
LYNN'S	SUPPLIES	7.99
M & T FIRE	TESTING	166.00
M&M SANITATION	RENTAL	120.00
NALCO	SUPPLIES	356.96
NORTHERN HILLS HOMES	SERVICE	6,995.00
NORTHERN HILLS TECHNOLOGY	SERVICE	131.50
NORTHWEST PIPE FITTINGS	SUPPLIES	125.53
O'CONNOR	SUPPLIES	964.98
PASSPORT LABS	METERS	40.25
PITNEY BOWES	POSTAGE	500.00
PONDEROSA LAND SURVEYS	SERVICE	802.50
PRO-STEAM CARPET	SERVICE	320.00
QUILL	SUPPLIES	181.73
RAPID DELIVERY	DELIVERY	35.37
RASMUSSEN MECHANICAL	SERVICE	5,343.07
REGIONAL HEALTH	TESTING	35.00
RITZ, JODY	PROJECT	1,670.73
SALSBURY INDUSTRIES	LOCKERS	8,800.00
SCULL CONSTRUCTION	PAY APP	192,716.65
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT. OF LABOR	BENEFITS	1,370.00
SD DEPT. OF MOTOR VEHICLES	SERVICE	21.20
SD DEPT. OF REVENUE	TAX	2,297.23
SD ONE CALL	SERVICE	20.16

REGULAR MEETING, April 20, 2020

SERVALL	SUPPLIES	300.00
SOUTHSIDE OIL	FUEL	7,280.00
SOUTHSIDE SERVICE	SERVICE	390.20
STARTZ & STARTZ LANDSCAPING	SERVICE	75.00
STRETCH'S	SERVICE	1,686.12
STURDEVANT'S	SUPPLIES	1,589.79
TALLGRASS LANDSCAPE	PROJECT	2,564.80
TEAM LABORATORY CHEMICAL	SUPPLIES	806.00
TEEN COURT	ALLOCATION	8,500.00
THE LORD'S CUPBOARD	RECYCLING	49.50
TOMS, DON	PROJECT	600.00
TWILIGHT	SUPPLIES	235.61
TWIN CITY HARDWARE	SERVICE	89.91
TWIN CITY HARDWARE	GRANTS	1,600.00
VERIZON CONNECT	SERVICE	109.75
VIGILANT BUSINESS SOLUTION	SCREENING	657.40

Total \$494,611.55

CONSENT

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

- A. Remove trolley drivers Steve Hogan and Tom Riley from payroll effective April 1, 2020.
- B. Permission to pay Gardner Construction in the amount of \$3,380.00 for contracted services of snow removal. (To be paid from Streets budget)
- C. Permission to pay Stuen Construction in the amount of \$5,567.50 for contracted services of snow removal. (To be paid from Streets budget)
- D. Resolution 2020-15 In Support of Application to Occupy SD Department of Transportation Highway Right of Way for Days of '76 parade July 24 and 25, 2020.

RESOLUTION 2020-15

RESOLUTION IN SUPPORT OF APPLICATION TO OCCUPY S.D. DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT-OF-WAY WITHIN DEADWOOD CORPORATE LIMITS

WHEREAS, the City of Deadwood (CITY) will be home to the 98th Annual Days of '76 Celebration on July 24th through July 25th, 2020; and,

WHEREAS, the Days of '76 Parade is a time honored tradition during the Celebration; and,

WHEREAS, the size and popularity of the parade is such that CITY deems it necessary to block traffic along the parade route; and,

WHEREAS, State of South Dakota Highways 14A and 85 are located within the corporate limits of CITY and are affected by said closure; and,

WHEREAS, CITY herewith is submitting an application to the South Dakota Department of Transportation (SDDOT) for permit to occupy right-of-way for those portions of S.D. Highways 14A and 85 within the corporate limits of CITY on July 24, 2020, beginning at 1:15 p.m. until the end of the parade, and on July 25, 2020, beginning at 9:45 a.m. until the end of the parade; and,

WHEREAS, by submission of the application for permit to occupy right-of-way, CITY agrees to provide protection to highway traffic during occupancy by use of proper signs, barricades, flag persons, and lights as prescribed in the "Manual of Uniform Traffic Control Devices"; and,

WHEREAS, CITY further agrees to indemnify, hold and save harmless the State of South Dakota, its Department of Transportation, its Officers and Employees, from any and all suits, actions or claims of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of right-of-way designated in this Resolution;

REGULAR MEETING, April 20, 2020

NOW, THEREFORE, BE IT RESOLVED, that the City of Deadwood hereby supports the submission of the South Dakota Department of Transportation Application for Permit to Occupy Right-of-Way for the purpose described herein.

Dated this 20th day of April, 2020

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- E. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Keith W. Hardy.

BID ITEMS

Advertise

Historic Preservation Officer Kuchenbecker explained the walls have been identified as high priority and will be funded through Historic Preservation Bond. Mayor Ruth Jr. explained the location of the wall at 11 Lincoln and is impacting the sidewalk.

Todd moved, Martinisko seconded to advertise and set bid opening for City Retaining Wall project at 11 Lincoln for 2:00 p.m. on May 18, 2020 with results presented to the City Commission that same day. Roll Call: Aye-All. Motion carried.

Mayor Ruth Jr. explained the location of the wall at 56 Taylor. Martinisko moved, Johnson seconded to advertise and set bid opening for City Retaining Wall project at 56 Taylor for 2:00 p.m. on May 18, 2020 with results presented to the City Commission that same day. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Wednesday Summer Concert Series

Public hearing was opened at 5:06 p.m. by Mayor Ruth Jr. Lee Harstad, Deadwood Chamber, was available to answer questions. Mayor Ruth Jr. stated as City moves forward and plans for events, we approve the event and cancel event if it is not appropriate at that time. Hearing closed.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Main Street from the Tin Lizzie 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 6:30 p.m. to 10:00 p.m. on Wednesday, May 27, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, June 3, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, June 10, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, June 17, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, June 24, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, July 1, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, April 20, 2020

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, July 8, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, July 15, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, July 22, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, July 29, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, August 5, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, August 19, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, August 26, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, September 2, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Wednesday, September 9, 2020 from 6:30 p.m. to 10:00 p.m. for same area as approved on May 27. Roll Call: Aye-All. Motion carried.

Wild Bill Days

Public hearing was opened at 5:17 p.m. by Mayor David Ruth Jr. Lee Harstad, Deadwood Chamber, was available to answer questions, hearing closed.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on Main Street from the Tin Lizzie 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, June 19, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow the relaxation of the open container ordinance on noon to 10:00 p.m. on Saturday, June 20, 2020 for same area as approved on June 19. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to approve street closure on Main Street from Shine Street to Pine Street, Thursday, June 18 at 9:00 a.m. and remain closed until 10:00 p.m. Saturday, June 20, 2020; Main Street from Wall to Deadwood Street on Thursday, June 18 at 2:00 p.m. and remain closed until 2:00 a.m. Sunday, June 21, use of public property for Deadwood's Midnight Cowboy 5K Run on Friday, June 19, waiver of vending fee and allow vending on Main Street on Friday and Saturday, June 19 and 20, for Chamber merchandise and Northern Hills Alliance for Children; waiver of banner fees Friday and Saturday, June 19 and 20; Motorcycle parking on Main Street from Wild Bill Bar to Belle Joli Winery, northwest side only noon to 10:00 p.m. Friday and Saturday, June 19 and 20, 2020. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, April 20, 2020

Legends Ride

Public hearing was opened at 5:22 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Martinisko moved, Todd seconded to allow street closure on Main Street from Pine to Deadwood Street from 9:00 a.m. to 3:30 p.m. for Legends Ride, use of north end of Interpretive Lot for overflow, and waiver of banner fees for directional signage on Monday August 10, 2020. Roll Call: Aye-All. Motion carried.

Bike Parking

Public hearing was opened at 5:23 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Martinisko moved, Johnson seconded to allow the use of the Interpretive Lot for motorcycle parking Thursday, August 6 through Sunday, August 16, and allow motorcycle parking on Main Street from Franklin Hotel to Tin Lizzie Gaming Resort, northwest side only Sunday, August 2 through Sunday, August 16, 2020 from 10:00 a.m. to 2:00 a.m. daily. Roll Call: Aye-All. Motion carried.

Commissioner Todd questioned if Rally is canceled, what needs to happen to rescind event. City Attorney Riggins stated any events that are deemed unable to continue, place event on agenda and reason as to why rescinding.

Days of '76

Public hearing was opened at 5:26 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. Saturday, July 18 to 2:00 a.m. Sunday, July 19, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex From 7:00 a.m. on Sunday, July 19 to 2:00 a.m. Monday, July 20, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. on Monday, July 20 to 2:00 a.m. Tuesday, July 21, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. on Tuesday, July 21 to 2:00 a.m. Wednesday, July 22, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. on Wednesday, July 22 to 2:00 a.m. Thursday, July 23, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. on Thursday, July 23 to 2:00 a.m. Friday, July 24, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. on Friday, July 24 to 2:00 a.m. Saturday, July 25, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow relaxation of the open container at the Event Complex from 7:00 a.m. on Saturday, July 25 to 2:00 a.m. Sunday, July 26, 2020. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to allow special full temporary liquor license for Days of '76 on Tuesday July 21 through Saturday, July 25, 2020 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, April 20, 2020

Martinisko moved, Johnson seconded to approve the use of the Event Complex Friday, July 17 through Friday, July 31, street closure on Main Street from Masonic Temple to Tin Lizzies Gaming Resort and a portion of 14A from Tin Lizzies Gaming Resort to Event Complex from 1:00 p.m. until parade ends on Friday July 24, and from 9:30 a.m. until parade ends on Saturday, July 25. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Contract

Kuchenbecker explained the RFP. Todd moved, Johnson seconded to accept RFP from Deadwood Alive for Street Performers and direct attorney to develop contract for 2021 to 2025 seasons. Roll Call: Aye-All. Motion carried.

Policy

Finance Officer McKeown explained the policy and that it was a suggestion from the legislative auditor. Johnson moved, Todd seconded to approve Policy for Commissioner Tablets. Roll Call: Aye-All. Motion carried.

Ordinance

Planning and Zoning Administrator Russell explained the license, which will provide additional protection to businesses, and first responders. Discussion was held concerning fee. Todd moved, Martinisko seconded to approve first reading of Ordinance 1311, Business Licenses. Roll Call: Aye-All. Motion carried. Commissioner Martinisko thanked staff for their time. Commissioner Todd stated this will help with accountability.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Ruth Jr. gave an update on the current situation and operation of businesses within the community. He stated a task force has been established consisting of the following nine individuals: Dr. Groeger, Mark Schmidt, Craig Sparrow, Caleb Arceneaux, Louie LaLonde, Mike Trucano, Michael Johnson, Tom Kruzel and himself. The purpose of the task force is to identify and discuss the different data sets and identify which variables, as a community, we need to be mindful of and watch. Also, make responsible decisions in the safety of community and business community as well, with the understanding that we will not give away public safety in the interest of economics but also understand the City of Deadwood cannot sustain being completely closed for the remainder of 2020. He also stated the task force met today to discuss what a reopening of Deadwood will look like when that happens, with the understanding that Deadwood is a community of visitation and tourism, identifying ways to provide a safe and healthy environment for the residents, employees and visitors of the community. He also requested Commission meet every Monday to make realistic, time sensitive decisions going forward until at such time the community is back open.

Resident, Lacey Shirey, believes Deadwood should be opened by May 1 or middle of May. Mayor Ruth Jr. stated those targeted dates are being looked at, it's preliminary to put a date on the calendar based on the information being gathered from Monument Health, Gaming Industry, and CDC guidelines.

Commissioner Todd questioned the street closure on Main Street. Mayor Ruth stated Main Street should be done this Friday.

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

Martinisko moved, Johnson seconded to adjourn the regular session at 5:52 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, May 4, 2020.

REGULAR MEETING, April 20, 2020

After coming out of executive session at 6:42 p.m. Martinisko moved, Struble seconded to allow a temporary pay increase of \$2.00 per hour to the employee taking over the Parks Superintendent position while other employee is out on approved leave, effective April 27, 2020.

Martinisko moved, Struble seconded to adjourn.

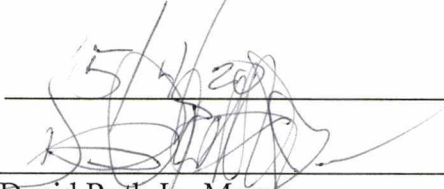
ATTEST:



Jessica McKeown, Finance Officer

DATE:

BY:



David Ruth Jr., Mayor

Published once at the total approximate cost of _____

