

**REGULAR MEETING, JUNE 7, 2021**

The Regular Session of the Deadwood City Commission convened on Monday, June 7, 2021 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, Todd seconded to approve the minutes of May 17, 2021. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Struble moved, Todd seconded to approve the June 7, 2021 disbursements. Roll Call: Aye-All. Motion carried.

10-8 VIDEO	SUPPLIES	2,304.95
A & B BUSINESS SOLUTIONS	CONTRACT	533.49
A & B WELDING	SUPPLIES	199.14
ACE HARDWARE	SUPPLIES	393.72
ACE INDUSTRIAL SUPPLY	SUPPLIES	2,346.55
ADAMS	SUPPLIES	3.66
ALSCO	SUPPLIES	1,631.73
AMAZON CAPITAL	SUPPLIES	381.35
ANTRIM, JAMES	PROJECT	18,661.51
AT&T MOBILITY	SERVICE	160.16
ATCO INTERNATIONAL	SUPPLIES	281.80
AUCA WESTERN FIRST AID	SUPPLIES	214.76
BALCO UNIFORM	UNIFORMS	196.07
BARCO PRODUCTS	SUPPLIES	1,964.70
BDTAID	SPONSORSHIP	2,460.16
BEE ELECTRONICS	SUPPLIES	79.22
BH ASPHALT	SERVICE	1,811.22
BH CHEMICAL	SUPPLIES	2,285.04
BH PIONEER	RENEWAL	20,250.00
BH SECURITY	SERVICE	436.23
BH SPECIAL SERVICES	CLEANING	6,300.00
BOOM CONCRETE	SUPPLIES	270.00
BRANDON INDUSTRIES	SUPPLIES	3,048.00
BUTLER MACHINERY	SUPPLIES	109.99
CAPFIRST EQUIPMENT FINANCE	LOADERS	36,882.10
CENTURY BUSINESS PRODUCTS	SUPPLIES	4,328.67
CHAINSAW CENTER	RENTAL	790.37
CITY OF LEAD	SHELTER	2,940.60
CLAUSEN, LARRY	REIMBURSEMENT	20.00
COAST TO COAST SOLUTIONS	BOOKS	100.00
COCA COLA	SUPPLIES	895.00
CULLIGAN	SUPPLIES	54.75
CURTIS BLUE LINE	SUPPLIES	387.12
CUTTING EGDE TIMBER	SUPPLIES	140.00
DAKOTA TITLE	SERVICE	120.00
DB MARKETING TEAM	SUPPLIES	105.44
DEADWOOD ALIVE	MAY	20,000.00
DEADWOOD CHAMBER	LUNCHEON	32.00
DEADWOOD GAMING	BID #8 CONTRIBUTION	10,000.00
DEADWOOD GRANITE	SERVICE	900.00
DEADWOOD HISTORY	SERVICE	423.00
DEMCO	SUPPLIES	820.84
DOG WASTE DEPOT	SUPPLIES	351.69
EPCO ENVIRONMENTAL	SUPPLIES	1,330.91
FASTENAL	SUPPLIES	54.66
FERBER ENGINEERING	SERVICE	607.50
FIRST INTERSTATE BANK	TIF #6	259,376.47
G&H DISTRIBUTING	PAYMENT	19,300.00
GAGE'S GARDENS	SUPPLIES	1,858.03
GALLS,	UNIFORMS	421.41
GARDNER CONSTRUCTION	PROJECT	1,500.00
GENPRO ENERGY SOLUTIONS	PROJECT	2,574.00
GLOBAL EQUIPMENT COMPANY	SUPPLIES	572.64
GRAND CANYON UNIVERSITY	SCHOLARSHIP	1,000.00
GRIMM'S PUMP	SUPPLIES	48.96
HAWKINS	SUPPLIES	1,666.19
HAYES, STEPHEN	PROJECT	17,272.95
HENDERSON, STEVEN	REIMBURSEMENT	198.24
HENKE	SUPPLIES	8,916.05
HILLYARD	SUPPLIES	625.34
IDENTISYS	SUPPLIES	600.00
INGRAM LIBRARY	BOOKS	152.17
IPS GROUP	SERVICE	1,168.67
JACOBS WELDING	SERVICE	358.17
KIMBALL MIDWEST	SUPPLIES	396.25
KNECHT	SUPPLIES	8,117.59
KNECHT	GRANTS	138.16
KONE	REPAIR	1,098.44
KUBOTA LEASING	SERVICE	125.12
LAWRENCE CO. REGISTER	SERVICE	60.00
LEAD-DEADWOOD SANITARY	SERVICE	55,862.39
LEAD-DEADWOOD SCHOOL	ELECTION	9.62
LIBBY PRODUCTIONS	BID #8 SPONSORSHIP	25,000.00

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LIBERTY NATIONAL BANK	TIF #9	268.30
LIGHTING MAINTENANCE	SUPPLIES	508.41
LYNN'S	SUPPLIES	51.71
MCLEODS	SUPPLIES	1,304.13
MIDWEST ART CONSERVATION	RENEWAL	50.00
MIDWEST TAPE	DVDS	84.45
MOHR, TRENT	REIMBURSEMENT	52.13
MDU	SERVICE	6,447.10
MS MAIL	SERVICE	306.36
MUTUAL OF OMAHA	INSURANCE	258.37
NORTHWEST PIPE FITTINGS	SUPPLIES	4,090.69
OTIS ELEVATOR	MAINTENANCE	775.80
PERCIFIELD, BOB	REIMBURSEMENT	795.28
PETTY CASH	LIBRARY	48.26
QUINNS LANDSCAPING	PROJECT	74,685.00
RC JOURNAL	RENEWAL	124.39
RASMUSSEN MECHANICAL	SERVICE	24,261.48
ROCHELLE CONSTRUCTION	PROJECT	24,519.44
ROCKINGTREE LANDSCAPES	SUPPLIES	244.00
RUSSELL, JERAMY	REIMBURSEMENT	28.00
S AND C CLEANERS	CLEANING	9,413.00
SACRISON PAVING	SERVICE	3,500.00
SCOTT PETERSON MOTORS	DURANGO	34,675.00
SCOTT PETERSON MOTORS	SUPPLIES	67.20
SD DEPT. OF CORRECTIONS	FIREWISE	3,494.34
SD PUBLIC HEALTH LAB	TESTING	30.00
SD SCHOOL OF MINES	SCHOLARSHIP	1,000.00
SIMON MATERIALS	SUPPLIES	336.42
SOUTHSIDE SERVICE	SUPPLIES	107.00
STRETCH'S	SUPPLIES	529.96
SYMBOLARTS	BADGES	240.00
TALLGRASS LANDSCAPE	PROJECT	1,100.00
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
TDG COMMUNICATIONS	PROJECT	135.00
THE LORD'S CUPBOARD	RECYCLING	89.68
TRIPLE K	SERVICE	451.48
TRUGREEN	SERVICE	2,094.18
TWIN CITY HARDWARE	SUPPLIES	3,594.60
ULINE	SUPPLIES	116.19
VAST	SERVICE	3,423.60
VERIZON	SERVICE	685.06
VIEHAUSER ENTERPRISES	SERVICE	60.00
WELLMARK	INSURANCE	57,753.40
WEM	BID #8 SPONSORSHIP	5,000.00
WESTERN STATES FIRE	INSPECTION	995.00
WINTER & COMPANY	PROJECT	14,005.00
ZOGICS	SUPPLIES	599.80

Total \$847,825.03

## ITEMS FROM CITIZENS FROM AGENDA

### Transfer

Mayor Ruth thanked the motorcycle industry and Deadwood Custom Cycles for their donation of a 2007 Harley Davison FLHTPI. Ruth Jr. thanked Jason Mook for coming up with the idea embraced by the motorcycle industry to support the police force and City of Deadwood. Martinisko moved, Johnson seconded to allow finance office to sign necessary title documents for title transfer and licensing.

### CONSENT

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

- A. Re-appoint Beverly Posey and Robin Carmody to the Historic Preservation Commission with the terms expiring May 31, 2024.
- B. Approve Resolution 2021-11 Declare Surplus Duty Weapon

## **RESOLUTION NO. 2021-11 TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approved the following be declared surplus and donated to retiree.

**Sig Sauer P226R Elite Pistol – 47A190710**

Dated this 7th day of June, 2021.

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor



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- C. Approve Personnel Policy 6.4.1 Employee Recognition Program
- D. Permission to rescind motion on December 21, 2020 to approve the temporary liquor license on Friday, August 6 through Tuesday, August 10, 2021 for Road Grub Throwdown.
- E. Make 2021 budgeted allocation to Northern Hills Alliance for Children in the amount of \$3500 from Bed and Booze Fund.
- F. Rescind approval of 2021 abatement request for City of Deadwood on parcel 30820-00000-000-00 (School Lot 8) done on May 17th, 2021. (Abatement was actually for a different property but property address wasn't identified.)
- G. Approve 2021 abatement request for City of Deadwood parcel 30820-00000-000-00 School lot 8.
- H. Approve 2021 abatement request for Lawrence County parcel 30820-00000-000-00. Dunbar Tract A. Tatanka, SD.
- I. Deadwood History Inc. request approval to serve complimentary beer and wine for Big Thank You Event at Adams Museum from 5:00 p.m. to 7:00 p.m. Thursday, September 9, 2021
- J. Permission to hire Branden Hester as full-time Patrol Officer at \$22.54 per hour effective June 16th, 2021, pending pre-employment screening.
- K. Permission to purchase two sets of turn-out gear from Heiman Fire Equipment in an amount not to exceed \$7,000.00 plus shipping. (To be paid from Fire Dept Equipment budget.)
- L. Approve HPC recommendation to support the Deadwood Masonic Association in the amount of \$8,000.00 for the Not-for-Profit Grant Request, and allow Mayor to sign agreement.
- M. Approve HPC recommendation to fund Lawrence County \$50,000.00 under their Not-for-Profit Grant Request for the Courthouse Restoration, and allow Mayor to sign agreement.
- N. Permission to pay Rushmore Communications in the amount of \$2,648.80 for previously approved police equipment on new patrol vehicle.
- O. Approve the creation and installation of flag pole and plaza at Deadwood Elementary in recognition of the 50th anniversary of the combining of the Lead-Deadwood High Schools in the amount of \$10,000.00 to be paid from the HP Public Education line item.
- P. Enter into contract with Erica Merchant to restore Henry George Cigar ghost mural on side of Bodega at a cost of \$14,988.47 in exchange for conservation easement from property owner.
- Q. Permission to engage M.S. Mail to print 50,000 of the Deadwood Walking Tour brochures at a cost of \$11,900 from the HP Public Education line item.
- R. Permission to pay Lawrence County in the amount of \$10,030.13 for the second payment of three for the 2020 flight of Pictometry Aerial Imagery to be paid from Historic Preservation GIS line item.
- S. Permission to allow consumption of beer and wine at Gordon Park for Neighborhood Block Club from 4:00 p.m. to 6:00 p.m. on Sunday, July 18, 2021

### BID ITEMS

#### Set

Martinisko moved, Johnson seconded to advertise and set bid opening for up to 5 Trolleys on July 29, 2021 with results to City Commission on August, 2, 2021. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### License

Public hearing was opened at 5:05 p.m. by Mayor Ruth Jr., no one spoke in favor or against, hearing closed.

Martinisko moved, Johnson seconded to approve Retail (on-off sale) Wine License for First Gold Inc. at 270 Main Street. Roll Call: Aye-All. Motion carried.

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### Set

Struble moved, Todd seconded to set public hearing on June 21 for Retail (on-off sale) Malt Beverage and Retail (on-off sale) wine licenses for Deadwood DDG, LLC dba Deadwood KOA at 11484 US Hwy 14A. Roll Call: Aye-All. Motion carried.

### Set

Martinisko moved, Johnson seconded to set public hearing on June 21 for Road Grub Thrown Down. Roll Call: Aye-All. Motion carried.

### Set

Martinisko moved, Johnson seconded to set public hearing on June 21 for Outlaw Square Harley Davidson event. Roll Call: Aye-All. Motion carried.

### Set

Martinisko moved, Struble seconded to set public hearing on June 21 to allow for sidewalk sales on Tuesday's in conjunction with the Outlaw Square Farmer's Market from 3:00 p.m. to 7:00 p.m. beginning June 29 through October 26, 2021. Roll Call: Aye-All. Motion carried.

### Set

Commissioner Martinisko removed setting public hearing for City owned property from the agenda.

## NEW BUSINESS

### Ordinance

Finance Officer McKeown stated no changes since first reading. Martinisko moved, Struble seconded to approve second reading of Ordinance #1325 Amending Business Improvement District #7. Roll Call: Aye-All. Motion carried.

### Ordinance

McKeown stated no changes since first reading. Martinisko moved, Struble seconded to approve second reading of Ordinance #1326 Supplemental Budget #1 for 2021. Roll Call: Aye-All. Motion carried.

### Ordinance

McKeown stated no changes since first reading. Todd moved, Martinisko seconded to approve second reading of Ordinance #1327 Temporary Ordinance Issuance of Local Medical Cannabis Establishment Permits and/or Licenses. Roll Call: Aye-All. Motion carried.

### Findings of Fact

Zoning Administrator Russell spoke about the conditional use permit with the following conditions: Permit runs with the applicant and not the land, must be owner occupied, proof of stated sales tax, proof that Building Inspector has inspected building, proper paperwork filed for BID taxes, proof of Deadwood business license, lodging license and all parking shall be off street. Johnson moved, Martinisko seconded to act as Board of Adjustment and approve the Findings of Fact for a Conditional Use permit for a Bed & Breakfast at 768 Main Street for Rick and Chris Jordan. Discussion was held concerning state statues and meals served. Approved by Planning and Zoning Commission and Board of Adjustment on May 19, 2021.

### Resolution

McKeown spoke about the fees for the Rec Center. Martinisko moved, Struble seconded to approve Resolution 2021-14 Fees for Recreation & Aquatic Center. Roll Call: Aye-All. Motion carried.

## **CITY OF DEADWOOD RESOLUTION 2021-14 A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE CITY OF DEADWOOD**

WHEREAS, City Ordinances require certain use fees, charges for services and other designations to be established by resolution;



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NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective July 1, 2021:

**RECREATION & AQUATIC CENTER**

Membership Rates:*	Daily	Monthly	Quarterly	Six month	Annual
Family Pass	\$14.00	\$30.00	\$82.00	\$150.00	\$270.00
Single Adult (19-54)	\$8.00	\$23.00	\$55.00	\$85.00	\$147.00
Child (0-12)	\$4.00	\$12.00	\$30.00	\$50.00	\$88.00
Senior (55+)	\$4.00	\$12.00	\$30.00	\$50.00	\$95.00
Corporate Family	n/a	\$25.00	\$70.00	\$140.00	\$260.00
Corporate Single	n/a	\$17.00	\$44.00	\$70.00	\$123.00

Dated this 7th day of June, 2021

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

**Resolution 2021-15**

McKeown spoke about the repeal. Struble moved, Todd seconded to approve Resolution 2021-15 to repeal Resolution 2021-13 Face Coverings. Roll Call: Aye-All. Motion carried.

**Resolution 2021-15**

**A RESOLUTION REPEALING RESOLUTION 2021-13 REQUIRING THE WEARING OF FACE COVERINGS IN PUBLIC SPACES TO SLOW THE COMMUNITY SPREAD OF THE NOVEL CORONAVIRUS (COVID-19).**

**WHEREAS**, the City of Deadwood has the authority pursuant to SDCL 9-32-13 and resolution 2021-13 to repeal resolution 2021-13 enacted for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

**WHEREAS**, the City of Deadwood deems it in the best interest of the City and its Citizens to repeal resolution 2021-13;

**NOW THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Deadwood that:

**I. PRIVATE BUSINESSES**

Private businesses shall have the ability to mandate and enforce mask requirements as they deem fit. Patrons not abiding by posted requirements, as established by the business, can be asked to vacate the premises. Failure to vacate may result in a criminal prosecution under SDCL 22-35-6, Entering and Remaining After Notice.

**II. DEADWOOD CITY HALL, DEADWOOD PUBLIC LIBRARY & PUBLIC TRANSPORTATION OWNED BY CITY OF DEADWOOD**

Within the City of Deadwood, all persons are encouraged but not required to wear a face mask/face covering when social distancing cannot be achieved. A “face covering” or “mask” should be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth mask, a scarf, a bandanna, or neck gaiter. The restrictions set forth in the above paragraph shall not apply to an individual:

- a) Under the age of five (5) years old;
- b) With a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering;
- c) Public safety workers actively engaged in a public safety role. including but not limited to law enforcement personnel, fire fighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of the individual's public safety responsibilities.

**III. EFFECTIVE DATES**

This resolution shall become effective immediately.

Dated this 7th day of June, 2021.

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

**REGULAR MEETING, JUNE 7, 2021**

Pay

Martinisko moved, Johnson seconded to pay Scott Peterson Motors in the amount of \$34,675.00 for the purchase of 2021 Dodge Durango Pursuit for police department. (2021 budgeted item)  
Roll Call: Aye-All. Motion carried.

Hire

Martinisko moved, Johnson seconded to hire All Metal Manufacturing Inc. at a cost of \$5,800.00 to install approximately 63' of metal railings at Outlaw Square to become compliant with safety concerns from City insurance carrier. (Funding to be split between Public Buildings Maintenance budget – Outlaw Square and Bed and Booze.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. City slot machine auction is Wednesday, June 16, 2021 at 2:00 p.m. 40 city slot machines, to be auctioned in eight blocks of five.

Rebecca Joseph, Boot Hill Tours, asked Commission to update ticket booth. Mayor Ruth Jr. stated there is a process to go through and must consider foot traffic, which Parking and Transportation will consider before recommending approval or denial. Joseph spoke about the booth design to increase professionalism and safety. Commissioner Martinisko stated Parking and Transportation cannot approve until all requirements are met through Historic Preservation and Planning and Zoning. Discussion was held concerning structure, location, alternate locations, and leasing public space, which would involve a public hearing. Commission thanked them for attending.


Commissioner Martinisko commended Public Works Department for working as a team during all the special events.

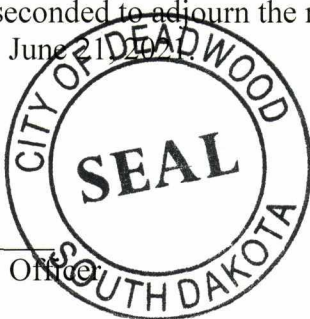
Mayor Ruth Jr. met with Barrett family. They let him know how clean and beautiful City of Deadwood looks.

ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:44 p.m. The next regular meeting will be on Monday, June 11, 2021.

ATTEST:

  
Jessica McKeown, Finance Officer



DATE: 

BY:

David Ruth Jr., Mayor

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