

**REGULAR MEETING, FEBRUARY 22, 2022**

The Regular Session of the Deadwood City Commission convened on Tuesday, February 22, 2022 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 February 7, 2022. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Martinisko moved, Johnson seconded to approve the February 22, 2022 disbursements. Roll Call: Aye-All. Motion carried.

A & I DISTRIBUTORS	SUPPLIES	78.73
A - Z SHREDDING	SERVICE	39.35
ACE HARDWARE	SUPPLIES	132.64
ACE INDUSTRIAL SUPPLY	SUPPLIES	2,031.75
ALBERTSON ENGINEERING	PROJECT	2,667.97
ALL ASPECTS	SUPPLIES	262.50
AMAZON CAPITAL	SUPPLIES	1,329.83
AMAZON	SERVICE	198.81
ATCO INTERNATIONAL	SUPPLIES	362.00
AUCA WESTERN FIRST AID	SUPPLIES	328.56
BADGER METER	SERVICE	153.00
BIERSCHBACH EQUIPMENT	SUPPLIES	534.00
BH CHEMICAL	SUPPLIES	2,233.68
BH PIONEER	SERVICE	1,620.67
BLACKBURN BASEMENT SYSTEMS	PROJECT	8,760.00
BLACKSTRAP	SUPPLIES	5,090.20
BRANDON INDUSTRIES	SUPPLIES	1,393.00
BRIDGER STEEL	PROJECT	12,475.24
BUTLER MACHINERY	SUPPLIES	724.46
BUTTE COUNTY EQUIPMENT	SUPPLIES	421.98
CARA MIA	PROJECT	83.12
CITY OF RAPID CITY	SPONSORSHIP	500.00
CODE WORKS	SERVICE	1,690.40
CULLIGAN	SUPPLIES	102.75
DEADWOOD ELECTRIC	SERVICE	261.15
DEADWOOD-LEAD ECONOMIC DEV	ALLOCATION	24,000.00
DEER MOUNTAIN GUTTER	PROJECT	1,439.48
DIAMOND M CONCRETE COATING	PROJECT	6,473.48
DRIVERS LICENSE GUIDE	SUPPLIES	108.50
EAGLE ENTERPRISES	SUPPLIES	2,048.94
ENERSPECT MEDICAL SOLUTION	SUPPLIES	1,620.52
ESRI	MAINTENANCE	16,600.00
FASNACHT, GLENN	PROJECT	1,335.20
FASTENAL	SUPPLIES	1,173.22
FED EX	SHIPPING	15.76
FIB CREDIT CARDS	SUPPLIES	2,095.72
GOLDEN WEST	SERVICE	2,486.00
GOVERNOR'S INN	CONFERENCE	231.00
GUNDERSON, PALMER, NELSON	SERVICE	4,843.50
HAWKINS	SUPPLIES	1,357.04
HOMETOWN MANUFACTURING	SUPPLIES	97.68
HUNTINGTON	TROLLEYS	9,400.86
HUNTINGTON	TROLLEY	-25,000.00
INTERNATIONAL CODE COUNCIL	MEMBERSHIP	145.00
IPS GROUP	SERVICE	2,562.94
JACOBS WELDING	PROJECT	4,664.57
KETCH-ALL	SUPPLIES	218.95
KIMBALL MIDWEST	SUPPLIES	191.89
KNECHT	SUPPLIES	3,052.83
KONE	MAINTENANCE	519.25
LAWSON PRODUCTS	SUPPLIES	511.43
LYNN'S	SUPPLIES	74.84
M&M SANITATION	RENTAL	140.00
MENARD'S	SUPPLIES	2,117.63
METERING & TECHNOLOGY	SUPPLIES	4,934.40
MIDWEST TAPE	SUPPLIES	61.47
MOTION FITNESS	SUPPLIES	95.00
MS MAIL	SERVICE	972.91
NHS OF THE BLACK HILLS	SERVICE	7,670.15
NORTHERN HILLS CASA	ALLOCATION	3,500.00
NORTHWEST PIPE FITTINGS	SUPPLIES	282.67
OLD FORT MEADE MUSEUM	GRANT	3,200.00
OLSON, JAMES RICHARD	REIMBURSEMENT	44.86
OVERDRIVE	SERVICE	1,500.00
PRESSURE SERVICES	SUPPLIES	77.45
QUIK SIGNS	SERVICE	153.31
RASMUSSEN MECHANICAL	SERVICE	523.04
RCS CONSTRUCTION	PROJECT	51,904.50
SD BUILDING OFFICIALS	TRAINING	170.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT OF REVENUE	TAXES	3,008.85
SD MUNICIPAL LEAGUE	REGISTRATION	338.00

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SD POLICE CHIEFS' ASSOC	REGISTRATION	170.00
SD STATE HIST.SOCIETY	SERVICE	6,913.90
SOUTHSIDE SERVICE	SERVICE	1,269.10
SPEARFISH AUTO SUPPLY	SUPPLIES	510.11
SQUARE 9 SOFTWARE	MAINTENANCE	650.00
STURDEVANT'S	SUPPLIES	479.34
SUMMIT SIGNS	SIGNS	280.00
THE LORD'S CUPBOARD	RECYCLING	94.00
TRIPLE K	SERVICE	15.00
TRITECH SOFTWARE	MAINTENANCE	840.00
TWIN CITY HARDWARE	SUPPLIES	154.79
VERIZON CONNECT	SERVICE	171.60
VERIZON CONNECT NWF	SERVICE	95.95
VIEHAUSER ENTERPRISES	SERVICE	332.90
VIGILANT BUSINESS SOLUTION	SERVICE	250.00
VISIONARY LANDSCAPING	PROJECT	2,450.00
WELLS PLUMBING	SUPPLIES	441.09

Total \$228,252.34

### CONSENT

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

- A. Allow Use of public property at the Event Complex on Monday, May 30 through Monday, June 6 for All In Freestyle Motocross Show and Tuesday, September 6 through Monday, September 12, 2022 for All in Arenacross Race. Deposits have been received.
- B. Approve Special Liquor License for Cadillac Jacks to serve liquor at Event Complex on Saturday, June 4 and Saturday, September 10, 2022 from 4:00 p.m. to 10:00 p.m. for Motocross Events. No public hearing necessary since license is on publicly owned property.
- C. Permission to hire Genes Lock Shop to install ADA Door Operator with Wireless Battery Power at the Deadwood Public Library at cost of \$3,825.00 to be paid from the HP Capital Assets line item.
- D. Permission to accept resignation of Brandon Snyder as full-time patrol officer, with permission to remain as a part-time patrol officer at \$23.22 effective February 24, 2022.
- E. Permission to advertise in-house for 5 days and then in official newspaper for one full time patrol officer position. (\$25.79 per hour for Certified and \$23.22 for Non-Certified)
- F. Permission to increase wage of patrol officer Devon Schumacher from \$23.22 per hr. to \$25.79 per hr. effective February 25, 2022 after passing all certification testing with the S.D. Law Enforcement Training Center.
- G. Permission to hire Adriane Melcher as part-time (29 hours per week with ½ benefits per employee policy handbook) rec center front desk receptionist at \$13.27 per hour effective February 6, 2022.
- H. Permission to hire Jamie Williams as full-time patrol officer position at \$25.79 per hour pending pre-employment screening, effective March 1, 2022.
- I. Permission for Mayor to sign and renew parking lease with SD Commission on Gaming for seven parking spots in Miller Lot at total of \$525.00 per month plus tax.
- J. Approve purchase of lockable metal cabinet from Steel Fixture Manufacturing Co. for the archaeological collections in an amount not to exceed \$4,500.00 as budgeted in the 2022 HP archives line item.
- K. Approve Reserved Residential Parking Permit for Dennis and Sherry Varner at 47 Centennial Avenue. (Approved by Parking and Transportation February 10th, 2022.)
- L. Permission to pay 2022 Parking Lease with First Baptist Church in the amount of \$3,600.00.
- M. Permission to purchase 10,000 trolley tokens from CHIPCO in the amount of \$4,809.80 to be paid from Parking & Transportation budget. (Approved by Parking and Transportation Committee on February 10, 2022.)
- N. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Trevor D. Santochi.
- O. Permission to advertise in-house and in the official newspaper for part-time lifeguards at \$13.27 per hour.
- P. Permission to Advertise for Parks Seasonal Positions at \$13.27 per hour and Parks Seasonal Technician Position at \$15.39.
- Q. Permission to pay BlackStrap in the amount of \$4,942.95 for Blackslicer sand and gravel (31.89 tons) (to be paid from Streets Supplies budget)
- R. Permission for Mayor to sign three-year contract with OnSolve (Code Red) in the amount of \$1,500.00 per year.



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- S. Acknowledge the following expenses for the Days of '76 VIP Grandstand project: One Way Service Pros in the amount of \$10,552.18 for mini-split systems; Bridger Steel for siding materials in the amount of \$12,475.24; Builders FirstSource for materials in the amount of \$3,051.93; Journey Group Companies dba Ainsworth/Benning Construction to install metal siding and trim in the amount of \$7,526.00; and Black Hills Tent and Awning for materials, fabrication and installation of awnings in the amount of \$6,640.05. (Expenditures part of approved project budget)
- T. Permission to pay All Aspects Inc. Land Surveying in the amount of \$2,595.00, to paid from Planning and Zoning Professional Services, for survey work at the Yellow Creek Shooting Range.
- U. Permission to purchase post driver from Bierschbach in the amount of \$3,075.00 (To be paid from Streets Equipment budget.)

### BID ITEMS

#### Results

Public Works Director Nelson Jr. stated the bid opening for Foundation and Framing for the Days of '76 VIP Grandstand – Concessions Building was canceled due to issues with plans.

#### Advertise

Nelson Jr. spoke about the project. Discussion was held concerning budget, time frame and concessionaire. Martinisko moved, Johnson seconded to advertise and set bid opening for Days of '76 Concession and Restrooms at 2:00 p.m. on Wednesday, March 16 with results to City Commission on Monday, March 21, 2022. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### Forks Corks Kegs Event

Public hearing was opened at 5:07 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street in Zones 1 and 2 from 5:00 p.m. to 10:00 p.m. on Friday April 8 and 11:00 a.m. to 10:00 p.m. on Saturday, April 9, 2022. Roll Call: Aye-All. Motion carried.

#### All in Motocross Race

Public hearing was opened at 5:08 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Todd moved, Struble seconded to allow open container from 4:00 p.m. to 10:00 p.m. on Saturday, June 4, 2022 at Event Complex. Roll Call: Aye-All. Motion carried.

#### Wednesday Night Concert Series

Public hearing was opened at 5:09 p.m. by Mayor Ruth Jr. Bobby Rock, Outlaw Square, was available to answer questions, hearing closed.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street in Zones 1 and 2 from 5:00 p.m. to 10:00 p.m. on the following Wednesdays: June 1, June 8, June 15, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 17, August 24 and August 31 and street closure from 6:15 p.m. to midnight on the following Wednesdays: June 1, June 8, June 15, June 22, June 29, July 6, July 13, July 20, July 27, August 3, August 17, August 24 and August 31, 2022. Roll Call: Aye-All. Motion carried.

#### All in Motocross Race

Public hearing was opened at 5:13 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Martinisko moved, Struble seconded to allow open container from 4:00 p.m. to 10:00 p.m. on Saturday, September 10, 2022 at Event Complex. Roll Call: Aye-All. Motion carried.



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### NEW BUSINESS

#### Second Reading

Planning and Zoning Administrator Russell spoke stated no changes between first and second readings. Martinisko moved, Johnson seconded to approve second reading of Ordinance #1351 Amending Zoning Regulations for Cannabis Establishments. Roll Call: Aye-All. Motion carried.

#### Second Reading

Russel stated no changes between first and second reading. Struble moved, Todd seconded to approve second reading of Ordinance #1352 Amending Chapter 5.56 the Revised Ordinance for Creating Licensing Provisions for Medical Cannabis Establishments including Dispensaries, Cultivation, Product Manufacturing and Testing Facilities. Roll Call: Aye-All. Motion carried.

#### Leases

Martinisko moved, Johnson seconded to allow Finance Officer to sign leases for three trolleys (2022 Villager VL190G) with Huntington National bank in the amount of \$161,221.00 each per bid opening on August, 2, 2021. Lease terms are as follows: Trolley 1: three-year term. \$4,216.78 monthly and \$50,601.36 annually. Trolley 2: four-year term. \$3,389.14 monthly and \$40,669.68 annually. Trolley 3: five-year term. \$2,916.14 and \$34,993.68 annually. Discussion was held concerning rotation of trolleys and staff's direction with the additional two trolleys. Roll Call: Aye-All. Motion carried.

#### Grants

Struble moved, Todd seconded to accept the Historic Preservation Commission recommendations for the "Outside of Deadwood" grant allocations for a total of \$44,072.00 for the first half of 2022, which are the following: Black Hills Mining Museum – \$9,000.00; Faith St. Joseph Catholic Church – \$10,000.00; Fort Meade Historic District – \$8,842.00; Keystone Historical Society – \$5,000.00; Lake Preston Museum – \$8,400.00 and Newell Museum – \$2,830.00. (Budgeted in 2022 HP Grants line item.) Roll Call: Aye-All. Motion carried.

#### Parking Donations

McKeown spoke about the parking donations collected from November 24<sup>th</sup> through December 26 which totaled \$22,750.00 and allocation of disbursement of funds. Martinisko moved, Johnson seconded to approve allocations for funds collected from Holiday Parking donations in the amount of \$22,750.00. Mayor Ruth Jr. thanked everyone for their involvement not just city staff but visitors and employees of Deadwood, thanked them for their contributions knowing this money was going to charities in Deadwood area. Roll Call: Aye-All. Motion carried.

Black Hills Auxiliary Post 5969 - \$1,000.00  
Cloths-A-Kid - \$1,000.00  
DARE 7<sup>th</sup> Grade - \$1,000.00  
DL Swim Team \$ 1,000.00  
Feeding Deadwood - \$2,500.00  
Grace Lutheran Church - \$1,000.00  
Lead-Dwd 49ers Football and Cheer - \$500.00  
LD Arts Center - \$500.00  
LDHS Class of 2024 - \$100.00  
Lead Deadwood Ministerial Assoc. - \$2,500.00  
LD Lions Club - \$1,000.00  
Post Prom - \$400.00  
Twin City Clothing Center - \$1,000.00

Boys and Girls Club - \$1,000.00  
DARE 5<sup>th</sup> Grade - \$1,000.00  
Deadwood History - \$1,000.00  
Deadwood Lead Optimist Club - \$1,000.00  
Golden Gang Easter Egg Hunt - \$500.00  
Homestake Opera House - \$1,000.00  
LD AAU Youth Wrestling Club - \$500.00  
Lead Deadwood Choirs - \$1,000.00  
LD Knowledge Bowl Teams - \$750.00  
LD Track & Field - \$500.00  
PEO - \$500.00  
TeamMates - \$500.00

#### Resolution

Attorney Riggins spoke about the Resolution. Martinisko moved, Struble seconded to Resolution 2022-05 Rescinding Resolution 2000-07. Roll Call: Aye-All. Motion carried.

### **RESOLUTION 2022-05 RESOLUTION RESCINDING ORDINANCE 2000-07**

**REGULAR MEETING, FEBRUARY 22, 2022**

WHEREAS, the City of Deadwood passed Resolution 2000-07 to address Convention Center Liquor Licenses in 2000; and

WHEREAS, the City of Deadwood subsequently passed ordinance 5.04.110 to address the procedure for obtaining a Convention Center Liquor License within the City of Deadwood; and

WHEREAS, the City of Deadwood wishes to resolve inconsistencies between Resolution 2000-07 and Deadwood Municipal Ordinance 5.04.110.

NOW THEREFORE, IT IS HEREBY RESOLVED:

That the City of Deadwood has determined that Deadwood Municipal Ordinance 5.04.110 is the sole authority for determining the criteria necessary for the issuance of a Convention Center Liquor License within the City and therefore Resolution 2000-07 should be rescinded.

Dated this 22nd day of February, 2022

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

**INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS**

- A. Raffle permit received from Black Hills Shootist Association. Drawing will be held Saturday, September 24, 2022.

Fire Chief Rakow welcomed Alex Hamann as the new Fire Chief. Commission thanked Rakow for his time and welcomed Hamann.

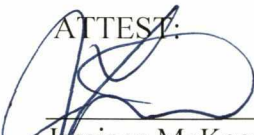
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25(1) with possible action.

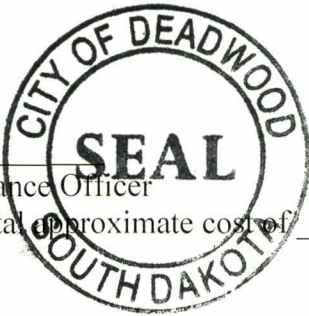
**ADJOURNMENT**

Todd moved, Struble seconded to adjourn the regular session at 5:28 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) with possible action. The next regular meeting will be on Monday, March 7, 2022.

After coming out of executive session at 6:12 p.m., Martinisko moved, Struble seconded to adjourn.

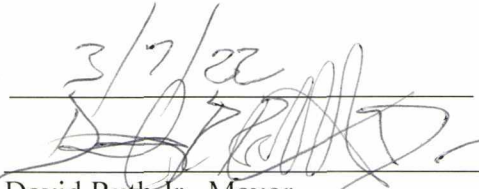
ATTEST:

  
\_\_\_\_\_  
Jessica McKeown, Finance Officer



DATE:

BY:

3/7/22  
  
\_\_\_\_\_  
David Ruth Jr., Mayor

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