

REGULAR MEETING, JUNE 1, 2020

The Regular Session of the Deadwood City Commission convened on Monday, May 18, 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. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Struble moved, Todd seconded to approve the minutes of May 18, 2020. Roll Call: Aye-All. Motion carried.

MAY, 2020 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$18,579.80; PUBLIC BUILDINGS, \$10,415.49; POLICE, \$64,384.17; FIRE, \$5,679.60; BUILDING INSPECTION, \$4,244.40; STREETS, \$30,341.35; PARKS, \$21,876.86; PLANNING & ZONING, \$4,418.08; LIBRARY, \$4,325.12; RECREATION CENTER, \$10,748.35; HISTORIC PRESERVATION, \$17,333.70; WATER, \$20,075.44; PARKING METER, \$6,376.62; TROLLEY, \$17,740.68; PARKING RAMP, \$687.50. **PAYROLL TOTAL: \$239,957.92.**

MAY, 2020 PAYROLL PAYMENTS:

Internal Revenue Service, \$56,191.46; S.D. Retirement System, \$27,891.66; Delta Dental, \$4,510.04.

APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the June 1, 2020 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	298.38
ALBRIGHT CONSTRUCTION	PROJECT	26,106.19
AMANO MCGANN	SUPPLIES	81.23
ATCO INTERNATIONAL	SUPPLIES	264.00
BALCO UNIFORM	UNIFORMS	255.00
BICKLE'S TRUCK	SERVICE	8,521.35
BIERSCHBACH EQUIPMENT	SUPPLIES	272.00
BH ASPHALT	PROJECT	1,994.70
BH PIONEER	SERVICE	113.21
BOMGAARS	SUPPLIES	805.93
BRANDON INDUSTRIES	SUPPLIES	1,768.00
CURTIS BLUE LINE	SUPPLIES	378.00
DAKOTA LUMBER	PROJECT	3,019.80
DASH WOODWORKING	PROJECT	9,337.79
EAGLE ENTERPRISES	SIGN	49.72
EB COMMUNICATIONS	SERVICE	75.00
EPCO ENVIRONMENTAL	SUPPLIES	146.48
FENTON, KRIS & MELANIE	PROJECT	10,000.00
FIRST BAPTIST CHURCH	GRANT	20,000.00
FIRST INTERSTATE BANK	TIF#6, #8, #10	254,626.12
FOUNDANT TECHNOLOGIES	RENEWAL	4,750.00
GALLS	UNIFORMS	192.17
GAYLORD BROS	SUPPLIES	187.55
GENESEE VALLEY DAOIST	SERVICE	100.00
GOLDEN WEST	SERVICE	106.26
GOVERNMENT FINANCE	MEMBERSHIP	160.00
HAWKI, KEN	REIMBURSEMENT	52.11
IAFC	MEMBERSHIP	215.00
INPRO	SIGNS	221.42
JACOBS WELDING	SUPPLIES	557.22
JENNER EQUIPMENT	SUPPLIES	286.40
KNECHT	SUPPLIES	116.47
LAWRENCE CO. REGISTER	SERVICE	120.00
LEAD-DEADWOOD SANITARY	SERVICE	22,574.49
LIBERTY NATIONAL BANK	TIF#9	245.92
LIGHT AND SIREN	SUPPLIES	4,941.01
LYNN'S	SUPPLIES	85.45
MDU	SERVICE	3,590.27
MS MAIL	SERVICE	400.00
MURALS BY SUNSET	MURAL	5,350.00
MUTUAL OF OMAHA	INSURANCE	248.87
NETWORK SERVICES	SUPPLIES	110.56
NORTHERN HILLS ALLIANCE	ALLOCATION	3,500.00
OBERLE'S RADIATORS	SERVICE	100.00
OTIS ELEVATOR	MAINTENANCE	748.86
PANNIER	SIGN	800.00
PETTY CASH	HP/ZONING	105.52
PITNEY BOWES	POSTAGE	500.00
POWERPLAN	SUPPLIES	272.32
PRESSURE SERVICES	SUPPLIES	59.80
QUIK SIGNS	SIGNS	978.09
QUILL	SUPPLIES	28.80
RAPID CITY JOURNAL	SUBSCRIPTION	119.40
RASMUSSEN MECHANICAL	PROJECT	15,094.65
RJ THOMAS MFG	SERVICE	518.00
S AND C CLEANERS	CLEANING	6,023.00
SCHMIDT, WILLIAM	PROJECT	2,085.00
SD DENR	SERVICE	650.00
SD PUBLIC ASSURANCE ALLIAN	SERVICE	427.80
SD PUBLIC HEALTH LAB	TESTING	30.00
SD STATE UNIVERSITY	SCHOLARSHIP	1,000.00
SERVALL	SUPPLIES	851.30

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SIMON MATERIALS	SUPPLIES	317.61
SOUTHSIDE SERVICE	SERVICE	68.00
STRETCH'S	REPAIR	5,964.69
STURGIS AUTO PARTS	SUPPLIES	41.98
SUMMIT SIGNS	SIGNS	254.00
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
THE LORD'S CUPBOARD	RECYCLING	33.60
TRIANGLE D	PROJECT	5,975.41
TRIPLE K	SERVICE	517.45
TRUGREEN	SERVICE	2,646.13
TWIN CITY HARDWARE	SUPPLIES	5,362.31
UNIVERSITY OF SOUTH DAKOTA	SCHOLARSHIP	1,000.00
VAST	SERVICE	3,340.56
VERIZON CONNECT	SERVICE	97.25
VERIZON WIRELESS	SERVICE	186.34
VIEHAUSER ENTERPRISES	SERVICE	14.00
WEBER, TODD	REIMBURSEMENT	121.98
WELLS PLUMBING	SUPPLIES	406.41
WELLMARK	INSURANCE	56,154.87
WESTERN STATES FIRE	INSPECTION	645.00
WHEELER LUMBER	SUPPLIES	12,376.93

Total \$521,541.99

ITEMS FROM CITIZENS ON AGENDA

Justin Coupens, resident, spoke to Commission concerning his vacation rental at 23 Monroe. Zoning Administrator Russell spoke about the vacation rentals and letters sent out to owners. Coupens stated he understands the rules and regulations but would like to find some resolution to keep him in operation with his reservations and commitments. He stated the only complaint he has received was concerning snow removal. Mayor David Ruth Jr. stated the goal as the city is to try to collect bid tax from all vacation homes that are allowable under the law. He said the challenge being faced is that neighborhood is zoned R1 Residential. He asked Russell to work with Coupens to see which options are available as far as obtaining a conditional use permit.

Commissioner Todd

questions if conditional use permit will work. Commissioner Martinisko stated there is a process to making a structure contributing. Commission thanked him for his time.

CONSENT

Martinisko moved, Johnson seconded to omit Item H and approve the following consent items.

Roll Call: Aye-All. Motion carried.

- A. Permission to hire Jim Doolittle for 2021 union negotiations at \$400.00 per session.
- B. Permission to write-off 2018 uncollectible utility account in the amount of \$37.67 for 7 Emery Street.
- C. Acknowledge refund check from SD Public Assurance Alliance in the amount of \$32,796.06 for updates/revisions done to policy.
- D. Permission for Mayor to sign SD Public Library Survey FY2019 that will be submitted to the SD State Library.
- E. Permission to promote Anthony Bradley to police lieutenant position at \$28.00 per hour effective 6/1/2020.
- F. Request use of public property for Firecracker 5K on July 4, 2020
- G. Permission to obtain quotes for debris cleanup along embankments of Whitewood Creek due to Disaster #4467.
- H. Removed for separate consideration in New Business.
- I. Approve agreement between the Deadwood Historic Preservation Office and the Hot Springs Public Library for the use of the Wild Bill Hickok Traveling Exhibit from June 1, 2020 to September 1, 2020.
- J. Permission for Mayor to sign parking lease agreement with Latchstrings Getaway, LLC for 3 parking spaces on Deadwood Street.
- K. Permission to hire three part-time Rec Center employees effective June 10, 2020 pending pre-employment screening. Patrick Humphrey as front desk receptionist at \$12.50 per hour, and Mollie Zvorak and Tyler Huber as lifeguards at \$12.50 per hour.
- L. Acknowledge monthly HP bond payments for Jan, Feb, March, April, May and June paid to US Bank in that amount of \$82,055.29 for 2019 Series COP. (Outlaw Square)

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BID ITEMS

56 Taylor

Historic Preservation Officer Kuchenbecker spoke about the retaining wall and staff recommends awarding bid with alternate #2 and denying alternate #1. Martinisko moved, Struble seconded to award bid to low bidder CAI Construction for retaining wall at 56 Taylor Avenue and allow Mayor to sign contract with CAI Construction in the amount of \$225,000.00 and Alternate #2 for \$14,500.00. Roll Call: Aye-All. Motion carried.

11 Lincoln

Kuchenbecker spoke about the retaining wall and staff recommends awarding to low bidder. Johnson moved, Martinisko seconded to award bid to low bidder Eagle Construction for retaining wall at 11 Lincoln and allow Mayor to sign contract with Eagle Construction in the amount of \$141,400.00. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Set

Martinisko moved, Johnson seconded to waive 45-day requirement and set public hearing on June 15 for Keehn Moore Wedding at Outlaw Square. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on June 15 for July 4th concert at Outlaw Square. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to set public hearing on June 15 for July 4th parade. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on June 15 for Kool Deadwood Nites. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Item H

Commissioner Todd questioned current financial situation and any expenditure over \$2,500.00 should be under new business instead of consent. He stated there was a bid for \$5,000.00 which was then withdrew and now offer for \$8,000.00. Kuchenbecker stated Historic Preservation Office searched for artist's with experience and received competitive quotes. Martinisko moved, Johnson seconded to hire Erica Merchant to reproduce the ghost mural of the "Grain Belt Beer" sign for a cost not to exceed \$7,934.58 to be paid through HP Revolving Loan Fund.

Use of Public Property

Transportation and Facilities Director Kruzel stated event was approved through event committee and was provided with a COVID plan. Mayor Ruth Jr. thanked John Rystrom and Lead Deadwood Girls Softball for their plan. Discussion was held concerning concession stand. Rystrom thanked City and Nelson Jr. for their help throughout the years. Martinisko moved, Struble seconded to waive 45-day requirement and allow use of public property and waiver of parking lot fees for Lead-Deadwood Girls Softball Tournament June 19 through June 21, 2020. Roll Call: Aye-All. Motion carried.

Purchase

Public Works Direct Nelson Jr. spoke about the purchase. Johnson moved, Martinisko seconded to allow the purchase of Snow Box for dump truck from Fair Manufacturing, Inc. in the amount of \$12,213.00, to be paid from Streets Equipment. Roll Call: Aye-All. Motion carried.

Permission

Kuchenbecker spoke about the maintenance and repairs at Mt. Moriah. He stated this will provide a plan to move forward and go out for bid. Martinisko moved, Johnson seconded to engage with Tallgrass Landscape Architecture, LLC to provide a multi-year phased design approach with each phase concentrating on specific types of specialties for Mt. Moriah Cemetery in the amount of \$26,725.00, to be paid from Historic Cemeteries Enterprise Funds. Roll Call: Aye-All. Motion carried.

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Change Order

Kuchenbecker spoke about the design change of the retaining wall. Struble moved, Martinisko seconded to accept Change Order #1 from RCS Construction for the retaining wall project at 562 Williams Street in the amount of \$4,855.00 for work raising the grade of the retaining wall and \$1,530.00 for addition of gutter pan, to be paid by the owners, bringing the total contract to \$99,985.00. Roll Call: Aye-All. Motion carried.

Pay App

Kuchenbecker spoke about the construction at 30 Adams Street. Discussion was held concerning retaining wall and insurance. Commissioner Martinisko asked staff to inquire about homeowner insurance. Martinisko moved, Johnson to accept Pay App #1 to RCS Construction for emergency work done on City property and adjacent property due to movement of both the hillside and retaining wall behind the residence at 30 Adams Street in the amount of \$46,890.39. Roll Call: Aye-All. Motion carried.

Contract

Martinisko moved, Struble seconded to allow Mayor to sign contract with Albertson Engineering for design services associated with July 4, 2019 flood damage with portions to be reimbursed through FEMA as part of the disaster declaration DR-4467 Project #123113. Roll Call: Aye-All. Motion carried.

Appoint

Kuchenbecker spoke about the appointments and thanked Tom Blair, Lyman Toews, and the late Willie Steinlicht for their service on the Commission. Martinisko moved, Johnson seconded to appoint Leo Diede, Trevor Santochi and Jill Weber to Historical Preservation Commission with terms expiring May 31, 2023. Commission thanked everyone for applying. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

A. Certificate of Recognition from Lead-Deadwood High School Student Internship Program.

Louie LaLonde, business owner, requested a task force be formed to work with Russell to take a look at the Ordinance that eliminates some of the opportunities to display merchandise and come to agreement. Mayor Ruth Jr. stated this has been a concern for many years, question as to why all of the sudden the interest in it. He stated staff has been directed to start enforcing all ordinances, recognizing some ordinance may not work, and then apply a task force to look into making ordinances better for the community. Harley Kirwan, business owner, asked Commission to reconsider relaxation of ordinance. Commission Todd stated ordinance is in place and until amended, ordinance is enforced. Mayor Ruth Jr recommended Kirwan visit with Russell to identify opportunities. Nir Giist, business owner, spoke in favor of task force and recommended closure of Main Street for summer similar to Colorado. Lacey Kirwan, business owner, asked Commission to reconsider enforcing ordinances and explained the street closure in Breckenridge, Colorado. Commissioner Martinisko thanked everyone for coming and appreciates everyone working with Russell. Commissioner Struble stated she has received several comments about closing Main Street. Commissioner's Martinisko, Struble and business owners Harley Kirwan and Lacey Kirwan stated they would be interested in being part of the task force.

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.

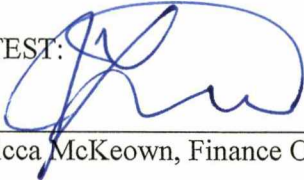
ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 6:10 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, June 1, 2020.

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After coming out of executive session at 6:55 p.m. Martinisko moved, Struble seconded to adjourn.

ATTEST:

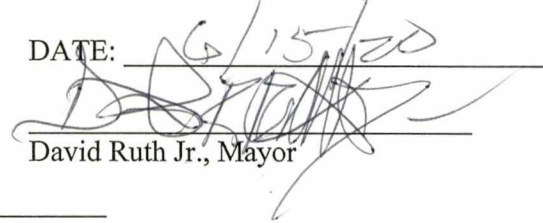


Jessicca McKeown, Finance Officer

DATE:

6/15/20

BY:



David Ruth Jr., Mayor

Published once at the total approximate cost of _____

