

REGULAR MEETING, AUGUST 5, 2019

The Regular Session of the Deadwood City Commission convened on Monday, August 5, 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, and Gary Todd. Commissioner Charlie Struble was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTE

Johnson moved, Martinisko seconded to approve minutes of July 15, 2019 and minutes of Special Meeting of July 24, 2019. Roll Call: Aye-All. Motion carried.

JULY, 2019 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$19,507.39; PUBLIC BUILDINGS, \$8,313.42; POLICE, \$68,970.13; FIRE, \$4,994.02; BUILDING INSPECTION, \$4,142.00; STREETS, \$28,048.48; PARKS, \$29,397.16; PLANNING & ZONING, \$5,210.88; LIBRARY, \$6,791.51; RECREATION CENTER, \$15,743.10; HISTORIC PRESERVATION, \$14,333.62; WATER, \$15,915.17; MT. MORIAH, \$6,039.05; PARKING METER, \$11,065.09; TROLLEY, \$22,877.16; PARKING RAMP, \$2,104.96. **PAYROLL TOTAL: \$266,183.90.**

JULY, 2019 PAYROLL PAYMENTS:

Internal Revenue Service, \$61,813.17; S.D. Retirement System, \$27,275.00; Delta Dental, \$4,313.54.

APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the August 5, 2019 disbursements. Roll Call: Aye-All. Motion carried.

A&B BUSINESS SOLUTIONS	CONTRACT	340.77
ABSOLUTE LOG HOMES	LOGS	951.62
ACE HARDWARE	SUPPLIES	330.54
ACE INDUSTRIAL SUPPLY	SUPPLIES	2,250.31
ADAMS	SHIPPING	90.88
AFFORDABLY CREATIVE ENGINE	SERVICE	17,690.00
ALSCO	SUPPLIES	393.65
AMANO MCGANN	SUPPLIES	415.30
ANCESTOR CONCRETE	PROJECT	9,894.00
ARLETH LAND SURVEYING	SERVICE	350.00
ARMOUR ROOFING	PROJECT	22,428.00
ATCO INTERNATIONAL	SUPPLIES	100.50
BECK'S NURSERY	SUPPLIES	88.75
BH ENERGY	SERVICE	26,816.63
BH PIONEER	SERVICE	108.45
BRANDON INDUSTRIES	SIGNS	691.00
BUTLER MACHINERY	SUPPLIES	1,446.37
CENTURY BUSINESS PRODUCTS	CONTRACT	306.87
CHAINSAW CENTER	SUPPLIES	247.77
CHRONICLE OF THE OLD WEST	SUBSCRIPTION	30.00
CORE & MAIN	SUPPLIES	167.75
CULLIGAN	SUPPLIES	37.50
DAYS OF '76	ALLOCATION	10,000.00
DEADWOOD ALIVE	AUGUST	20,000.00
DEADWOOD CHAMBER	SERVICE	159,182.45
DVFD	STAFFING	1,031.58
DEADWOOD GAMING	BID#8	15,000.00
DEADWOOD HISTORY	SERVICE	547.50
DONARSKI LAWNCARE	PROJECT	23,240.00
EAGLE ENTERPRISES	SUPPLIES	1,075.00
EMERY-PRATT	BOOK	11.04
EPCO ENVIRONMENTAL	SUPPLIES	20.74
FAIRBURY PUBLIC LIBRARY	MICROFILM	5.00
FASNACHT, GLENN	PROJECT	2,046.00
FIRST GOLD HOTEL	EVENT	6,500.00
FIRST INTERSTATE BANK	TIF PAYMENT	1,597.02
FIRST NATIONAL CREDIT CARD	SUPPLIES	4,159.71
FMG ENGINEERING	PROJECT	8,222.30
GAGE'S GARDENS	SUPPLIES	38.85
GAYLORD BROS	SUPPLIES	162.41
GOLDEN WEST	SERVICE	867.13
GOVOFFICE	WEBSITE	550.00
GRIMM'S PUMP	REPAIR	105.18
GUNDERSON, PALMER, NELSON	SERVICE	4,462.73
HANDYMAN ARTISTRY	PROJECT	4,193.05
HAUFF MID-AMERICA SPORTS	SUPPLIES	564.26
HAWKI, KEN	REIMBURSEMENT	34.06
HAWKINS	SUPPLIES	1,038.05
HEIMAN FIRE EQUIPMENT	SUPPLIES	85.11
HILLYARD	SUPPLIES	241.20
HOMETOWN TROLLEY	ALTERNATOR	1,835.50
INFINITY DIESEL	REPAIR	2,293.31
IVERSON CONSTRUCTION	PROJECT	10,000.00
JACOBS WELDING	REPAIR	880.15
JENNER EQUIPMENT	KUBOTA	18,889.94
JOHNSON, MICHAEL	REIMBURSEMENT	184.76
KNECHT	SUPPLIES	244.78
KNECHT	SUPPLIES	12,774.19
KTM DESIGN SOLUTIONS	PROJECT	1,050.02
LAWRENCE CO. REGISTER	FEE	30.00
LAWSON PRODUCTS	SUPPLIES	663.21

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LEAD-DWD GIRLS SOFTBALL	REFUND	500.00
LYNN'S	SUPPLIES	136.55
M&M SANITATION	SERVICE	200.00
MAYNARD, DESTINY AND BRADY	PROJECT	3,726.02
MCGRATH, RHONDA	REIMBURSEMENT	27.15
MID-AMERICAN RESEARCH	SUPPLIES	449.67
MIDWEST TAPE	DVDS	142.44
MOHR, TRENT	REIMBURSEMENT	34.00
MDU	SERVICE	2,497.68
MS MAIL	SERVICE	660.00
MUTUAL OF OMAHA	INSURANCE	255.55
NETWORK SERVICES	SUPPLIES	944.60
NORTHWEST PIPE FITTINGS	SUPPLIES	48.69
PAPOUSEK, SONYA	REIMBURSEMENT	61.00
PASSPORT LABS	METERS	200.00
PEREZ, TRINITY	PROJECT	1,781.97
PETTY CASH	HP/ZONING	90.00
PL CARPENTRY	PROJECT	9,850.00
PROFESSIONAL PAVEMENT	SUPPLIES	144.60
QUICK TROPHY	SUPPLIES	94.80
QUIK SIGNS	SIGNS	657.50
QUILL	SUPPLIES	241.43
RAKOW, JASON	MEETINGS	150.00
RASMUSSEN	SUPPLIES	2,189.67
REGIONAL HEALTH	TESTING	90.00
ROBERT THOMAS CPA	CONSULTING	2,000.00
ROCKINGTREE LANDSCAPES	SUPPLIES	88.80
S AND C CLEANERS	CLEANING	10,113.00
SCULL CONSTRUCTION	PAY APP	366,660.10
SD DEPT. OF CORRECTIONS	FIREWISE	466.65
SD ONE CALL	SERVICE	49.28
SD PUBLIC HEALTH LAB	TESTING	30.00
SD STATE HISTORICAL SOCIET	FUNDING	59,500.00
SERVALL	SUPPLIES	1,733.59
SIMON CONTRACTORS	PROJECT	367,217.97
SIMON MATERIALS	SAND	117.70
SINGER, LEROY	PROJECT	2,500.00
SOUTHSIDE OIL	FUEL	13,640.00
SPEARFISH ALTERNATOR	SUPPLIES	95.00
SPEARFISH AUTO SUPPLY	SUPPLIES	662.64
SPEIRS, MARK	PROJECT	1,884.00
SPLIT ROCK STUDIOS	PROJECT	29,250.00
STRAIGHT LINE STRIPING	PROJECT	2,210.20
STREICHER'S	SUPPLIES	1,530.00
STRETCH'S	SUPPLIES	650.13
STURGIS AUTO PARTS	SUPPLIES	381.22
SUNSHINE TOWING	SERVICE	917.50
TCF EQUIPMENT	TROLLEYS	9,400.86
TERRONES, LUIS	PROJECT	3,357.88
THE LORD'S CUPBOARD	RECYCLING	66.00
THOMSON REUTERS - WEST	SUBSCRIPTION	219.26
TRIPLE K	SERVICE	81.00
TRUCANO, JIM	PROJECT	3,855.69
TRUGREEN	SERVICE	79.92
TWILIGHT	SUPPLIES	543.17
TWIN CITY ANIMAL SHELTER	FUNDS	3,250.00
TWIN CITY HARDWARE	SUPPLIES	9,450.44
TWIN CITY HARDWARE	GRANT	105.43
TYLER TECHNOLOGIES	MAINTENANCE	15,137.08
UMENTHUM, KEITH	INSPECTIONS	350.00
VAST	SERVICE	3,240.97
VERIZON WIRELESS	SERVICE	147.05
VIEHAUSER ENTERPRISES	SERVICE	99.49
VISIONS HOME IMPROVEMENTS	PROJECT	1,938.00
WARNE CHEMICAL	SERVICE	2,420.00
WELLMARK	INSURANCE	51,008.98
WHEELER LUMBER	SUPPLIES	8,498.88
YOUNG, GILBERT JR.	SERVICE	568.00

TOTAL \$1,399,692.09

Proclamations

The Mayor read a proclamation declaring City of Deadwood a Purple Heart City.

Thank you

Ted Thompson and Terry Caudill, on behalf of the Days of '76 Committee, thanked the Commission and City of Deadwood for their support with the Days of '76 Events. Commission expressed appreciation to Days Committee.

Stage Run

Finance Officer McKeown stated Joe Schmitz could not attend the meeting but wanted to make sure the information he provided was passed on.

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CONSENT

Martinisko moved, Johnson seconded to remove item 6A for separate consideration and approve the following consent items. Roll Call: Aye-All. Motion carried.

- A. Removed for separate consideration in New Business.
- B. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for James B. Fahrni.
- C. Accept letter of resignation from Josh Stoltenberg in the Police Dept. effective 7/22/19. Permission to advertise in-house for 5 days and then in official newspaper
- D. Permission to hire Robert Nelson, Jr. as Public Works Director effective 7/16/19 with an annual salary of \$76,000 plus phone allowance.
- E. Permission for Police Department to expend up to \$8,118.00 for their portion of project costs associated with the purchase of a new repeater, which will allow upgraded frequency and communication for the police department.
- F. Permission to hire Simon Contractors for asphalt patching on McGovern Street in the amount of \$18,374.00. (Paid from Streets Repair and Maintenance Budget.)
- G. Permission to hire Simon Contractors for asphalt overlay on McGovern Street in the amount of \$17,566.50. (Paid from Streets Repair and Maintenance Budget.)
- H. Permission to hire Black Hills Asphalt for crack seal in Stage Run Development in the amount of \$9521.20. (Paid from Streets Repair and Maintenance.)
- I. Permission to hire Lamb painting in the amount of \$15,000.00 for exterior painting at the Library. (To be paid from HP capital assets budget line item.)
- J. Permission to purchase two swimsuit dryers from Recreational Supply at a cost of \$1,900.00 each. (To be paid from Rec Center equipment budget line item.)
- K. Permission to hire Schmidt Concrete to replace two front sidewalk panels and 70 linear feet of sidewalk at Fire hall not to exceed \$5,200.00. (To be paid from Public Buildings repair budget.)
- L. Allow use of public property at the Event Complex July 29 through October 31, 2019 for BHYFL 49ers Football Practice.
- M. Permission to purchase a 20'x 40' tent from eCanopy in the amount of \$7,094.33 to be used the Deadwood Event Complex. (To be paid from Parks supplies.)
- N. Permission for HP to purchase two signs from Flat Earth Art Company for the Pluma Information Building in the amount not to exceed \$3,845. (To be paid from HP Capital Assets line item.)
- O. Accept resignation of Jan Osborn from the library effective August 31st. Permission to post in house for 5 days and in newspaper.

BID ITEMS

Set

Martinisko moved, Todd seconded to set bid opening for retaining wall at 291 Williams Street on August 27, 2019 at 2:00 p.m. with results to Commission on September 3. Roll Call: Aye-All. Motion carried.

Todd moved, Johnson seconded to set bid opening for retaining wall at 562 Williams Street on August 27, 2019 at 2:00 p.m. with results to Commission on September 3. Roll Call: Aye-All. Motion carried.

Commissioner Todd asked for Engineers Estimates on both retaining walls. Kuchenbecker stated for 291 Williams St. amount is \$174,000.00, and for 562 Williams St. amount is \$102,000.00.

PUBLIC HEARINGS

Set

Martinisko moved, Todd seconded to set public hearing on August 19 for Oktoberfest Events. Roll Call: Aye-All. Motion carried.

Todd moved, Johnson seconded to set public hearing on August 19 for Deadweird Events. Roll Call: Aye-All. Motion carried.

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OLD BUSINESS

Outlaw Square Manual

Mayor Ruth stated this was continued for review. Johnson moved, Martinisko seconded to approve Outlaw Square Policies and Procedures. Commissioner Martinisko asked Chief Fuller if he had opportunity to review concerning police officers. Chief was okay with the wording. Finance Officer McKeown stated one change was made since last meeting, which was for banners, change was made from Zoning Manager to Zoning Administrator. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Approval

Martinisko moved, Johnson seconded to allow Deadwood History Inc. to serve beer and wine at Days of '76 Museum August 15, 2019 from 4:00 p.m. to 9:00 p.m. for party. Roll Call: Aye-All. Motion carried.

Ordinance

Martinisko moved, Todd seconded to approve second reading of Ordinance 1297 Amending Chapter 12.50 Staging Areas. Roll Call: Aye-All. Motion carried.

Ordinance

Zoning Administrator, Nelson Jr. stated since vending fee structure was created for Event Complex, Commission has waived fees to entice event going on. He also said with addition of Outlaw Square, fee structure puts a hinder on Chamber or Event Holder, and proposes to eliminate fee structure. After discussion concerning vending, Martinisko moved, Johnson seconded to approve first reading of Ordinance 1298 Amending Chapter 5.28 Business Licenses and Regulations. Roll Call: Aye-All. Motion carried.

Removal

Commissioner Martinisko questioned seven parking spots on Lower Main Street under the archway. Martinisko stated years ago this was before Commission due to safety, and it was said if those meters come down, they should stay down, so she is asking that meters not be reinstalled. Commissioner Todd questioned revenue and is concerned about eliminating parking spaces. Chief Fuller stated Parking and Transportation recommendation was to leave metered compact car spaces. Mayor Ruth stated he understands Commissioners Todd argument and believes it is important to hear from other businesses that are impacted as well. Commissioner Johnson believes it's more inviting without parking. Transportation and Facilities Director Kruzel stated if no parking is approved, more signage will need to be added for safety. Lee Harstad, Deadwood Chamber, stated he surveyed Lower Main Street Businesses and they all agreed to keep the metered compact spaces there. After further discussion, Commission agreed to keep metered compact parking as Parking and Transportation recommended. Mayor Ruth suggested the first space be designated for Purple Heart Veterans.

Resolution/Quit Claim

Martinisko moved, Johnson seconded to approve Resolution 2019-29 to Surplus City Owned Real Estate, Lot A 107A of Block 71 and allow Mayor to sign Quit Claim Deed to Deadwood-Lead Economic Development and Certificate of Real Estate Value. Roll Call: Aye-All. Motion carried.

RESOLUTION 2019 – 29

RESOLUTION TO SURPLUS CITY OWNED REAL ESTATE

WHEREAS, the Deadwood City Commission desires to designate certain City owned real property as surplus land, pursuant to SDCL § 6-5-3 and 6-5-4,

Lot 107A of Block 71, Original Town of Deadwood; formerly the Public Lots of an unnamed Public Alley located in the City of Deadwood, Lawrence County, South Dakota.

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AND WHEREAS, the land to be designated as surplus and then transferred encourages the development of said property.

NOW THEREFORE IT IS HEREBY RESOLVED, pursuant to SDCL 6-5-4, the public interest will be better served by the proposed designation of surplus property.

IT IS FURTHER RESOLVED, that the Deadwood City Commission shall further follow all mandates of SDCL 6-5-3, as statutorily provided.

Dated this 5th day of August, 2019

ATTEST:
/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD
/s/ David Ruth Jr., Mayor

Committee

Mayor Ruth appointed Commissioners Johnson and Martinisko to interview committee for Zoning Administrator/City Planner and work with Department Heads Nelson Jr. and McKeown.

Contract

Nelson Jr. stated this includes set of plans and through construction of bridge. Todd moved, Martinisko seconded to allow Mayor to sign contract with Interstate Engineering for design services and construction engineering services for Timm Lane Bridge in the amount of \$69,225.00. (Budgeted item with 80% reimbursable from SDDOT.) Roll Call: Aye-All. Motion carried.

Contract

Historic Preservation Officer Kuchenbecker explained the search engine. McKeown stated search engines will need to work with future upgrade of website. After discussion, Martinisko moved, Johnson seconded to allow City Archives to enter into contract with Ferber Engineering/Smart Software Solution, Inc. to develop online search engine on City of Deadwood's website, in the amount of \$12,800.00 for Phase 1 of project. (To be paid from City Archive budget.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- 2020 Budget meetings will be held in the Century Room on Monday, August 19 at 8:00 a.m. and Tuesday, August 20 at 8:00 a.m. if needed.
- Due to the closure of Deadwood Street, the parade route for Kool Deadwood Nites will include Upper Main Street on August 25th.
- Mayor Ruth encouraged everyone to take Lawrence County Comp Plan survey.

Mayor Ruth and Lee Harstad, Deadwood Chamber, thanked the City for their assistance with Legends Ride.

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

Todd moved, Martinisko seconded to adjourn the regular session at 5:47 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 Monday, August 5, 2019.

After coming out of executive session at 6:25 p.m.

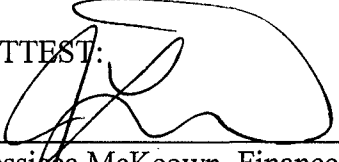
Martinisko moved, Johnson seconded to increase Tom Kruzel's annual salary by \$5,000.00 per year for additional duties assigned to Facilities Director for Rec Center retroactive to July 1, 2019.

Martinisko moved, Johnson seconded to increase Keven Kuchenbeckers annual salary \$1,000.00 per year for additional duties assigned to Historic Preservation Officer for Mt. Moriah retroactive to July 1, 2019.

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With there being no further business, at 6:27 p.m. Martinisko moved, Johnson seconded to adjourn.

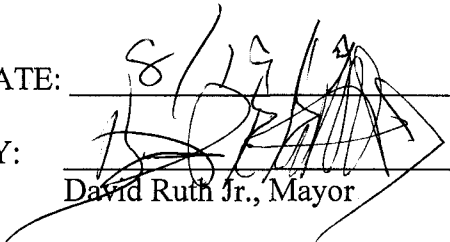
ATTEST:



Jessica McKeown, Finance Officer

DATE:

BY:



David Ruth Jr., Mayor

Published once at the total approximate cost of _____

