



City Commission Regular Meeting Agenda

Monday, May 06, 2024 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

Public comments are welcomed, but no action can be taken by the Commission on comments received at this meeting. Anyone wishing to have the Commission vote on an item should call the Finance Office at 578-2600 by 5:00 p.m. on the Wednesday preceding the next scheduled meeting to be placed on the agenda.

1. **Call to Order and Pledge of Allegiance**

- a. Swear In and taking Oath of Office
Commissioners - Sharon Martinisko and Blake Joseph
City Attorney - Quentin Riggins

2. **Roll Call**

- a. Commission Department Appointments
David Ruth Jr. – Commissioner of Finance & Revenue and Chamber of Commerce Representative
Charlie Struble - Commissioner of Public Safety (Police & Fire) and Commission President
Sharon Martinisko - Commissioner of Parks, Recreation & Events, Library Representative and Council of Local Governments Representative
Michael Johnson - Commissioner of Public Works & Utilities, Parking & Transportation and Deadwood History Board Member
Blake Joseph- Commissioner of Historic Preservation and Planning & Zoning

3. **Approve Minutes**

- a. Approval of April 15, 2024 City Commission minutes

4. **Approve Bills**

- a. Approval of Bill List for May 6, 2024 and additional bills

5. **Items from Citizens on Agenda**

- a. Department of Agricultural and Natural Resources (DANR) Secretary's Award for Drinking Water Excellence (23 consecutive years) and recognition of Deadwood's system operators - Cory Percy, Steven Henderson and Troy Jassman
- b. Proclamation declaring May 1 - May 7, 2024 as Youth Week in City of Deadwood
- c. Proclamation declaring May 12 - May 18, 2024 as Police Week in City of Deadwood
- d. Proclamation declaring the Month of May 2024 as National Historic Preservation Month in the City of Deadwood

6. **Consent Agenda**

Matters appearing on Consent Agenda are expected to be non-controversial and will be acted upon by the Commission at one time, without discussion, unless a member of the Commission requests an opportunity to address any given item. Items removed from the Consent Agenda will be discussed at the beginning of New Business.

- a. Permission to hire Greg Nelson as Parks Seasonal Tech at \$17.60 per hour effective May 7, 2024, pending pre-employment screening.
- b. Permission to hire Priscilla Mund as Parks Seasonal Tech at \$17.60 per hour effective May 13, 2024, pending pre-employment screening.
- c. Permission to hire seasonal Mt Moriah ticket booth attendants Gertrude Anderson, Douglas White, Barbara Hughes, David Trentz, Sandra Parsons and Ruth Durst at \$16.00 per hour effective May 13, 2024 pending pre-employment screening.
- d. Permission to hire Kashton Dillman for seasonal Parks position at \$16.00 per hour effective May 13, 2024, pending pre-employment screening.
- e. Permission to accept resignation of Police Officer Brian Remmers effective April 25, 2024.
- f. Permission to advertise in-house for 5 days and then in official newspaper for one full-time police officer position. (\$26.79 per hour for Certified and \$24.22 for Non-Certified)
- g. Permission to promote Hailey Trewhella to half-time (29 hours per week with 1/2 time benefits per employee handbook) Rec Center front desk receptionist at \$16.00 per hour, effective May 7, 2024.
- h. Permission to hire Archives intern, Samantha Hamann, beginning May 6, 2024 to August 23, 2024 at \$16.00 per hour pending pre-employment screening.
- i. Approve recommendation from Mayor Ruth to appoint Jesse Allen and Anita Knipper to three-year terms on the Historic Preservation Commission beginning June 1, 2024 and ending May 31, 2027.
- j. Resolution 2024-12 Transferring BID 7 Funds from ZCN, LLC to SGMSD, LLC
- k. Resolution 2024-13 In Support of Application to Occupy SD Department of Transportation Highway Right of Way for Days of '76 Parade July 26 and 27, 2024
- l. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchases and Warranty Deed for Sierra Sims.
- m. Permission to accept letters from Cadillac Jacks, Silverado and Tin Lizzie requesting three year extension on city slot machine lease, as allowed by contracts.
- n. Renew 2024-2025 Malt Beverage Licenses, pending payment of property tax and BID taxes.
- o. Permission for Finance Officer to sign lease with DeAngelo Contracting Services to allow use of Public Works shop parking area as a lay-down yard for the month of May with lease rent of \$500.00.

- p. Permission for Mayor to sign the Easement Agreement with Worg Den, LLC for the installation of the Tootsie sign at 667 Main Street.
- q. Permission for the Mayor to sign Agreement to Execute Easement with Jobman Living Trust for portions of the infrastructure improvements associated with the FEMA Whitewood Creek Restoration project.
- r. Acknowledge Mayor's signature on the Recreation Trail program Project Agreement between State of South Dakota and City of Deadwood for the Deadwood OHV Trailhead Parking Area grant in the amount of \$246,527.00.
- s. Permission for the Mayor to sign contract with Complete Concrete, Inc. for FEMA Project Phase 1A - 1B in the amount of \$1,772,423.00. (Awarded April 15, 2024).
- t. Permission for Mayor to sign agreement with Rob Bozell for Four Points Faunal Analysis Project.
- u. Permission to pay Jacobs Welding for the repair of five bucking chutes for the '76 Arena in the amount of \$2,500.00 (To be paid by Parks Professional Services, reimbursed by ISOC Racing.)
- v. Permission for Jacobs Welding to fabricate 8 hinges and install gates for the '76 Arena Bucking chutes in an amount not to exceed \$6,204.85. (To be paid by HP Capital Assets.)
- w. Permission to hire Straight Line Striping to stripe Lee, Sherman, Deadwood, Pine and Main Street in the amount not to exceed \$13,566.20. (To be paid by Street Professional Services line item.)
- x. Acknowledge termination of office space lease with Red Road Inc. effective May 31, 2024.
- y. Allow use of public property for The Big Mick: Sherman Street Lot Saturday, June 15, 2024.
- z. Permission to purchase signage package for the new Sherman Lot trolley stop from Brandon Industries in an not to exceed \$2,671.00. (To be paid by City funding with possible match back from FEMA funding.)
- aa. Acknowledge grant submitted by Deadwood Historic Preservation Office (Archives) to Mary Chilton DAR Foundation in the amount of \$4,000.00 for digitization of bank ledger books
- bb. Permission to terminate street parking lease with the Iron Horse Inn effective April 30, 2024. (Recommendation from the Parking and Transportation Committee).

7. Bid Items

- a. Set City slot machine auction date at 10:00 a.m. on June 5, 2024 at Deadwood City Hall for lease of ten (10) city slot machines, to be auctioned in two blocks of five.

8. Public Hearings

- a. Hold public hearing for Convention Center (on-sale) Liquor (CL-0510), Retail (on-off sale) Malt Beverage & SD Farm Wine (RB-21329) and Retail (on-off sale) Wine and

Cider (RW-21330) License transfers from ZCN, LLC to SGMSD, LLC dba Deadwood Mountain Resort.

- b. Set public hearing on May 20 for Bev's Poker Run: Main Street Parking from Wall to Lee Street (southwest side only) from 5:00 p.m. to 10:00 p.m. on Sunday, June 23, 2024.

9. **Old Business**

10. **New Business**

- a. Act as Board of Adjustment to approve/deny the Temporary Vendor Application - Back When They Bucked - Black Horse Brew, LLC - Maria Roghair. (Approved by Planning and Zoning Commission on May 1, 2024).
- b. Act as Board of Adjustment to approve the Application for Plat - Adjust Lot Lines - 288 Williams Street legally described as: Plat of Lots 1 and 2 of Probate Lots 354 and 508; formerly Probate Lot 354 except the west 11' thereof and Probate Lot 508 and the west 11' of Probate Lot 354; City of Deadwood, Lawrence County, South Dakota. (Approved by the Planning and Zoning Commission on May 1, 2024.)
- c. Act as the Board of Adjustment and accept the Planning and Zoning Commission annual C.U.P. review conducted on May 1, 2026 for 63 Stewart Street - Do or Donut - Home Based Business; 28 Lincoln Avenue - The Backyard Cottage - Bed and Breakfast Establishment; and 771 Main Street - The Tucker Inn - Bed and Breakfast Establishment.
- d. First Reading of Ordinance #1397 to Amend Chapter 17.53 - Transient Commercial Use of Property
- e. First Reading Ordinance # 1398 Budget Supplement 3 for 2024
- f. Resolution 2024-11 Declaring a portion of Miller Street parcel (Tract 3 of Block 30) as surplus property
- g. Declare Plat 2024-1009, legally described as Plat of Tract 3 of Block 30, O.T. Deadwood; being a portion of tract 1 of the Miller Street subdivision; City of Deadwood, Lawrence County, South Dakota, as surplus and transfer to Deadwood Lead Economic Development.
- h. Accept Change Order No. 1 in the amount of \$25,970.00 for additional work identified by Chime Master Systems, Inc. for restoration of the chimes system at the Adams Museum (original project dated 2019) bringing total project to \$69,790.00. (Restoration of chimes to be split between Deadwood History, Inc. and Deadwood Historic Preservation)
- i. Permission to hire Feuillerat Welding LLC for the installation of the Tootsie Sign at its original location at a cost not to exceed \$9,306.25 (To be paid by HP Public Education line item.)
- j. Permission for Tim Peterson from Flat Earth Art Co. to remove, recondition and reinstall two 48"x 60" Mount Moriah Gift shop signs at a cost not to exceed \$8,685.00. (To be paid by Historic cemetery budget.)

- k. Permission to engage Tallgrass Landscape Architecture, LLC to develop design plans for a library "Garden" area for the rear yard of the Deadwood Public Library at a cost not to exceed \$13,205.00. (To be paid by HP Capital Assets line item.)
- l. Permission to hire PSP Metal Solutions to build 15 sets of flower arms for Sherman Street at a cost of \$5,200.05. (To be paid from HP Capital Assets line item)
- m. Permission to hire Utility Services to perform leak detection on all City owned water lines at an amount not to exceed \$3,621.00. (To be paid by Water Professional Services line item.)
- n. Permission to accept the low quote of \$46,972.00 for mill and overlay on Van Buren and Adams Street from Johner Paving. (To be paid by Streets Improvements line item.)
- o. Permission to hire MCD Sealcoating to crack fill and sealcoat the HARCC and Sherman Lots at a price not to exceed \$33,848.73. (To be paid by FEMA line items.)
- p. Permission to purchase benches and trash cans from Victor Stanley in the amount not to exceed \$18,101.00. (To be paid by City funding with possible match back from FEMA funding.)
- q. Permission to hire Black Hills Asphalt to crack seal First Ward, sealcoat and crack seal Roosevelt and Stage Run Road at a cost not to exceed \$20,640.33. (To be paid by Streets repairs budget.)

11. Informational Items and Items from Citizens

- a. Spring Clean Up Week - May 6 - 11, 2024. Any questions, please contact Public Works at 605-578-3082.
- b. Raffle permit received from Lead Deadwood Area Lions Club. Drawing will be held Saturday, September 28, 2024.
- c. Raffle permit received from Northern Hills Republican Women. Drawing will be held October 28, 2023.

12. Executive Session

- a. Executive Session for Personnel Matters per SDCL1-25-2 (1) w/ possible action
Executive Session for Legal Matters per SDCL1-25-2 (3) w/ possible action

13. Adjournment

This will be a public Meeting conducted through Zoom. To participate, join Zoom Meeting

URL: <https://us02web.zoom.us/j/6055782082?pwd=Z1QrRXhXaXp4eStPSjg2YjVTNUtZQT09>
 Meeting ID: 605 578 2082
 Password: 1876
 One tap mobile: 669-900-9128

Please be considerate of others and if you no longer have business activities during the meeting, do not feel obligated to remain.