

## REGULAR MEETING, MARCH 20, 2023

The Regular Session of the Deadwood City Commission convened on Monday, March 20, 2023 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

Martinisko moved, Struble seconded to approve the minutes March 6, 2023. Roll Call: Aye-All. Motion carried.

### APROVAL OF DISBURSEMENTS

Struble moved, Todd seconded to approve the March 20, 2023 disbursements and additional bill. Roll Call: Aye-All. Motion carried.

A - Z SHREDDING	SERVICE	13.90
ALBERTSON ENGINEERING	PROJECT	4,845.59
ALSCO	SUPPLIES	1,092.23
AMAZON CAPITAL	SUPPLIES	874.83
AMAZON	SERVICES	351.75
AVID4 ENGINEERING	PROJECT	6,203.82
BARCO PRODUCTS	BENCH	1,293.33
BEAR BUTTE CREEK HIST.PRES	GRANT	8,842.00
BH CHEMICAL	SUPPLIES	1,797.00
BH PIONEER	SERVICE	775.28
BH SPECIAL SERVICES	CLEANING	2,200.00
BLACKSTRAP	SUPPLIES	5,254.21
BUTLER MACHINERY	SUPPLIES	1,010.73
CENTURY BUSINESS PRODUCTS	CONTRACT	230.51
CIVICPLUS	RENEWAL	350.00
CLOTHE-A-KID OF LEAD-DEADW	PARKING DONATION	600.00
CURTIS BLUE LINE	SUPPLIES	24.70
DAKOTA PUMP	REPAIR	5,972.46
DAYS OF '76 MUSEUM	SERVICE	2,500.00
DEADWOOD CHAMBER	BILL LIST	93,800.25
DEADWOOD HISTORY	MAGAZINE	475.00
ECOLAB	SERVICE	254.73
FIB CREDIT CARDS	SUPPLIES	212.81
FULLER BROTHERS	LAND	690,461.87
GALLS	UNIFORMS	343.58
GOLDEN WEST	SERVICE	3,464.50
GUNDERSON, PALMER, NELSON	SERVICE	3,205.02
HEIMAN	SUPPLIES	840.00
HILLYARD	SUPPLIES	261.60
IDENTISYS	SUPPLIES	683.40
INTERSTATE ENGINEERING	PROJECT	70,567.67
IPS GROUP	SERVICE	3,771.29
JACOBS WELDING	SERVICE	40.00
JANKE AND SONS TRUCKING	SERVICE	300.00
KDSJ	SERVICE	255.00
KONE CHICAGO	MAINTENANCE	537.17
KUBOTA LEASING	LOADER	1,629.12
LAWSON PRODUCTS	RENTAL	400.00
LEAD-DEADWOOD AAU WRESTLING	PARKING DONATION	500.00
LEAD-DEADWOOD CLASS	PARKING DONATION	100.00
LEAD-DEADWOOD MINISTERIAL	CANNABIS ALLOCATION	5,000.00
LEAD-DEADWOOD SANITARY	SERVICE	29,443.53
LEAD-DEADWOOD SCHOOL	PARKING DONATION	500.00
LEAD-DEADWOOD YOUTH SOCCER	PARKING DONATION	500.00
LYNN'S	SUPPLIES	119.75
MED-TECH RESOURCE	SUPPLIES	102.03
METERING & TECHNOLOGY	SUPPLIES	5,316.86
MIDWEST TAPE	SUPPLIES	37.49
MUTUAL OF OMAHA	INSURANCE	260.10
NHS OF THE BLACK HILLS	CONTRACT	4,233.75
NORTHERN HILLS RAILWAY	PARKING DONATION	250.00
NORTHWEST PIPE FITTINGS	SUPPLIES	51.09
ODD JOBS	PROJECT	2,040.82
OLSON, JAMES	REIMBURSEMENT	249.31
ONSITE FIRST AID	SUPPLIES	844.18
OVERDRIVE	SERVICE	1,500.00
OWENS INTERSTATE	SUPPLIES	10.97
PAPOUSEK, SONYA	REIMBURSEMENT	54.29
PATRIOT FIRE & SAFETY	REPAIR	12,725.95
POLLREISZ, SHANE	COLLECTION	21,950.00
POWERPLAN	SUPPLIES	648.13
RAPID DELIVERY	SERVICE	31.20
RASMUSSEN MECHANICAL	SERVICE	15,892.30
RIERSON, KATHLEEN	REIMBURSEMENT	105.44
RUSHMORE COMMUNICATIONS	SERVICE	740.00
SABO CONSTRUCTION	PROJECT	1,650.00
SACRED MOUNTAIN RETREAT	PARKING DONATION	2,000.00
SANDER SANITATION SERVICE	SERVICE	12,825.48
SCHUMACHER, DEVON	REIMBURSEMENT	39.35
SD ASSN. OF CODE ENFORCEMENT	CONFERENCE	250.00
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SODAK TITLE	SERVICE	120.00

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SOUTHSIDE SERVICE	SERVICE	1,239.15
SPEARFISH BUILDING & SUPPLY	PROJECT	298.31
SUBWAY	TRAINING	441.92
SYMBOLARTS	SUPPLIES	479.75
THE LORD'S CUPBOARD	RECYCLING	86.79
TOMS, DON	PROJECT	1,200.00
TYLER TECHNOLOGIES	SOFTWARE	16,943.93
U.S. BANK	2019 SERIES	1,250.00
VANWAY TROPHY	SUPPLIES	350.20
VERIZON CONNECT NWF	SERVICE	92.95
VIGILANT BUSINESS SOLUTION	SERVICE	498.00
WEST RIVER TRAILER SALES	SUPPLIES	159.98
WHITE'S CANYON MOTORS	SERVICE	1,156.90
ZOGICS	SUPPLIES	599.80

Total \$1,093,450.25

## ITEMS FROM CITIZENS ON AGENDA

### Officer of The Year

Police Chief Mertens presented Aaron McPheeters a plaque for being named Officer of the Year. Commission thanked him for his service. McPheeters thanked the Commission and Police Department.

### Youth Advocacy Group

Chad Blair, on behalf of Youth Advocacy Group, spoke to the Commission about creating a Community Activities Director position within the cities of Deadwood and Lead. He spoke about the challenges, tasks, budget, funding and benefits of supporting the youth. Mayor Ruth Jr. thanked everyone for attending. He thanked Blair for suggesting a committee be formed with the cities, school and all youth sports involved throughout the cities. Ruth stated when the question was raised about being underutilized at the Rec Center, issues and age limits have been revised.

## CONSENT

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

- A. Permission to accept retirement letter from Assistant Finance Officer, Ronda Morrison, effective June 9, 2023. (37 years of service to the City of Deadwood)
- B. Permission to approve revised job description for Assistant Finance Officer.
- C. Permission to advertise in-house for 5 days and in official newspaper for Assistant Finance Officer position at \$27.00-\$30.00 per hour (D17-D20 rank) depending on education, experience and qualifications.
- D. Permission to accept retirement letter from Equipment Mechanic Charles Quenzer, effective June 1, 2023. (32 years of service to the City of Deadwood)
- E. Permission to advertise in-house for 5 days and in official newspaper for Equipment Mechanic at \$22.00-\$24.00 per hour (D12-D14 rank) depending on education, experience and qualifications.
- F. Permission to increase wage of Trolley Driver Kyle Kooima to \$16.48 per hour effective March 26, 2023 after one year of service.
- G. Permission to advertise for six seasonal Mt Moriah ticket booth attendants at \$14.33 per hour.
- H. Permission to hire Samantha Hamann as Historic Preservation Archival Intern at \$14.33 per hour effective May 15, 2023 pending pre-employment screening.
- I. Recommendation from Event Committee to waive user fees for Deadwood Mickelson Trail Marathon due to issues with parking at Event Complex during 2022 Deadwood Mickelson Trail Marathon Event.
- J. Allow use of public property for Deadwood Mickelson Trail Marathon: use of Sherman Street Lot Saturday, June 3 through Sunday, June 4, use of Event Complex parking area on Sunday, June 4, 2023 from 5:00 a.m. to 3:00 p.m. Deposit has been received.
- K. Allow use of public property at the Event Complex on Thursday, September 21 through Saturday, September 23, 2023 for Black Hills Jeep Jamboree.
- L. Permission for Mayor to sign contract with Lead-Deadwood School District for use of Rec Center swimming pool for elementary school at cost of \$1,500.00 from March 27 to May 12, 2023.



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- M. Permission for Mayor to sign contract with Black Hills University for use of Rec Center swimming pool at a cost of \$200.00 per day (4 hours) for Friday, April 21 and Sunday, April 23, 2023.
- N. Permission to renew 2023 software maintenance with ESRI in the amount of \$18,210.00 and allow Planning, Zoning and Historic Preservation Officer to sign. Cost will be shared between departments using the software as budgeted.
- O. Approve Livery Vehicle Permits (2) for Deadwood Alive for 2023. Approved by Parking and Transportation on March 9, 2023.
- P. Permission for Mayor to sign an Assignment and Assumption Agreement for the Contract between the City of Deadwood and LTAS. Avenu acquired LTAS/Harmari which is the software system the City uses for tracking and enforcing short-term rental properties.
- Q. Permission to purchase two water meters from Metering and Technology Solutions in the amount of \$2,877.50. (To be paid from Water Dept. Supply budget with reimbursement coming from LD Hospital.)
- R. Permission to purchase 5,500 gallons of gasoline from Southside Service at \$3.01 per gallon.

### BID ITEMS

#### Contract

Historic Preservation Officer Kuchenbecker spoke about the project. He stated the bids were rejected in June of 2022 due to cost. Commissioner Todd asked about the timeframe. Kuchenbecker stated 120 days after notice to proceed has been issued. Martinisko moved, Struble seconded to allow Mayor to sign contract with Sabo Construction Inc. for Retaining Wall Replacement Project Roll Call: Aye-All. Motion carried.

#### Set Bids

Kuchenbecker spoke about the project. He stated no bids were received last time project was bid. Discussion was held concerning bid and budget. Martinisko moved, Struble seconded to set bid opening for the Days of '76 VIP Grandstand Concession building with bid opening at 2:00 p.m. on Thursday, April 27, 2023 with results to City Commission on May 1, 2023. Roll Call: Aye-All. Motion carried.

Kuchenbecker spoke about the project. Martinisko moved, Johnson seconded to set bid opening for the City wall adjacent to Berg Jewelry Stair Enclosure with bid opening at 2:00 p.m. on Thursday, April 27, 2023 with results to City Commission on May 1, 2023. Roll Call: Aye-All. Motion carried.

Kuchenbecker spoke about the project. Johnson moved, Martinisko seconded to set bid opening for the retaining wall at 5 Harrison Street with bid opening at 2:00 p.m. on Thursday, April 27, 2023 with results to City Commission on May 1, 2023. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### Wednesday Night Concert Series

Public hearing was opened at 5:28 p.m. by Mayor Ruth Jr. No one spoke in favor or against. Commissioner Martinisko questioned where the alcohol would be coming from. Hearing closed. Struble moved, Martinisko seconded to allow open container in zone 4 from 2:00 p.m. to 5:00 p.m. on Sunday, June 4, 2023. Roll Call: Aye-All. Motion carried.

#### Wild Bill Days

Public hearing was opened at 5:30 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions. Hearing closed. Johnson moved, Martinisko seconded to approve street closure on Main Street, Deadwood to Pine at 9:00 a.m. on Thursday, June 15 through 10:00 p.m. Saturday, June 17; street closure on Main Street, Wall to Deadwood from 2:15 p.m. on Thursday, June 15 through 2:00 a.m. on Sunday, June 18; open container in zones 1 and 2 Thursday, June 15 from 5:00 p.m. to 10:00 p.m. and Friday, June 16 and Saturday, June 17 from noon to 10:00 p.m., use of public property Friday, June 16 for Midnight Cowboy 5K, waiver of banner and vending fees Friday, June 16 and Saturday, June 17 for the following non-profits: Deadwood Chamber and Northern Hills Alliance for Children. Roll Call: Aye-All. Motion carried.

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July 4<sup>th</sup> Parade

Public hearing was opened at 5:31 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions. Hearing closed.

Martinisko moved, Struble seconded to approve street closure: Main Street from Lower Main at Pioneer Way to Pine from 3:00 p.m. till parade ends Tuesday, July 4, 2023. Roll Call: Aye-All. Motion carried.

Mustang Rally

Public hearing was opened at 5:32 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions. Hearing closed.

Struble moved, Johnson seconded to approve street closure, Main Street from Wall to Deadwood Street, and parking on Main Street from Wild Bill Bar to Nugget Saloon, northwest side only from 10:00 a.m. to 2:00 p.m. on Thursday, August 31, 2023. Roll Call: Aye-All. Motion carried.

Deadwood Jam

Public hearing was opened at 5:33 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions. Commissioner Martinisko asked about vending fees. Hearing closed.

Todd moved, Martinisko seconded to approve street closure on Deadwood Street from Main Street to Pioneer Way from 8:00 a.m. on Thursday, September 14 to 2:00 a.m. on Sunday, September 17; street closure on Siever Street from 6:00 a.m. to 10:00 p.m. each day on Friday, September 15 and Saturday, September 16; open container in Zones 1 and 2 on Friday, September 15 from 5:00 p.m. to 10:00 p.m. and Saturday, September 16 from noon to 10:00 p.m.; waiver of banner and vending fees Friday, September 15 and Saturday, September 16, 2023. Roll Call: Aye-All. Motion carried.

Set Hearings

Todd moved, Struble seconded to set public hearing on April 3 for Retail (on-off sale) Malt Beverage & SD Farm Wine License transfer from Chubby Chipmunk Hand Dipped Chocolates to Carolle & Seth Tautkus dba Chubby Chipmunk at 420 Cliff Street. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on April 3 for PBR Event. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on April 3 for Days of '76 Event. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on April 3 for Monsters of Destruction Event. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to set public hearing on April 3 for Kool Deadwood Nites Event. Roll Call: Aye-All. Motion carried.

OLD BUSINESS

Resolution

Finance Officer McKeown spoke about the correction to the Membership rates. She stated student must show valid student ID. Martinisko moved, Johnson seconded to approve Resolution 2023-06 Membership Rates for Rec Center. Roll Call: Aye-All. Motion carried.

**CITY OF DEADWOOD  
RESOLUTION 2023-06  
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;  
NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective January 17, 2023 :



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**RECREATION & AQUATIC CENTER**

Membership Rates:*	Daily	Monthly	Quarterly	Six month	Annual
Student Rate**	\$7.00	\$20.00	<del>\$48.00</del> \$35.00	<del>\$75.00</del> \$60.00	<del>\$128.00</del> \$100.00

Key Cards - \$5.00

*\*\*Must present current picture student ID*

Dated this 20th day of March, 2023

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

**NEW BUSINESS**

Resolution

McKeown spoke about the donation to City of Lead. Struble moved, Todd seconded to approve Resolution 2023-07 Declare Surplus Property and donate to City of Lead and destroy. Roll Call: Aye-All. Motion carried.

**RESOLUTION NO. 2023-07  
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

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

- |                             |                            |
|-----------------------------|----------------------------|
| (2) 6" Compression Dresser  | (5) 4" Compression Dresser |
| (4) 8" Compression Dresser  | (4) 4" Grip Ring Pack      |
| (4) 6" Grip Ring Pack       | (8) 4" MJ Pack             |
| (8) 6" MJ Pack              | (6) 8" MJ Pack             |
| (6) 10" MJ Pack             | (5) 12" MJ Pack            |
| (4) 4" Restrainer           | (3) 6" Restrainer          |
| (4) 6" Band Aids            | (6) 8" Band Aids           |
| (5) 10" Band Aids           | (1) 6"x 2" Tapping Saddle  |
| (1) 4"X 3/4" Tapping Saddle | (3) 6"x 1" Tapping Saddle  |
| (1) 8"x 1" Tapping Saddle   | (3) 12"x 1" Tapping Saddle |
| (5) 1" Repair Band Aid      | (6) 1-1/4" Repair Band Aid |
| (2) 3/4" Repair Sleeve      | (6) 1" Repair Sleeve       |
| (1) 1 1/4" Repair Sleeve    | (2) 1 1/2" Repair Band Aid |
| (2) 2 1/2" Repair Sleeve    |                            |

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approve the following to be declared surplus and destroyed:

HP LaserJet CP4025 Printer – Serial #JPDCFBW0CN

Dated this 20th day of March, 2023

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

First Reading

McKeown spoke about the different transactions for the Supplement. Martinisko moved, Johnson seconded to approve First Reading of Ordinance #1365 Budget Supplement #1 for 2023. Roll Call: Aye-All. Motion carried.

Recommendation

Kuchenbecker spoke about the grant. Johnson moved, Martinisko seconded to approve recommendation from Historic Preservation to award Deadwood Masonic Association in the amount of \$9,639.31 for upgrading restroom to ADA standards. (To be paid by Not-for-Profit Grant program.) Roll Call: Aye-All. Motion carried.

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Advertise

Public Works Director Stalder spoke about the proposal. Commissioner Martinisko thanked everyone for their input. Discussion was held concerning supplies and cleaning. Martinisko moved, Johnson seconded to allow Public Works to release and advertise the Request for Proposal for cleaning services for City's thirteen (13) municipal facilities with RFP due to City hall on April 19, 2023 by 5:00 p.m. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Raffle permit received from American Legion Post 31/VFW Post 5959. Drawing will be held Monday, May 29, 2023.
- B. Raffle permit received from South Dakota American Legion Foundation. Drawing will be held Friday, February 16, 2024.
- C. Raffle permit received from Abbot House. Drawing will be held April 1, 2024.

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.

Commissioner Todd questioned the issue with Sampson Avenue Area Mill and Overlay Project.

Department Heads and Commission thanked Ronda Morrison and Charles Quenzer for their service to the City.


Mayor Ruth recognized Lee Harstad from the Chamber on his resignation even though he is not a city employee, he will be missed.

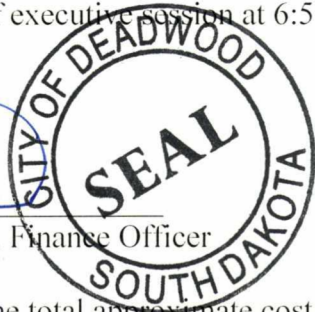
ADJOURNMENT


Martinisko moved, Todd seconded to adjourn the regular session at 6:01 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, April 3, 2023 at 5:00 p.m.

After coming out of executive session at 6:51 p.m., Martinisko moved, Struble seconded to adjourn.

ATTEST:

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



DATE: 4-3-23  
BY:   
\_\_\_\_\_  
David Ruth Jr., Mayor

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