

## REGULAR MEETING, November 7, 2022

The Regular Session of the Deadwood City Commission convened on Monday, November 7, 2022 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commission President Gary Todd 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. Mayor David Ruth Jr. was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Martinisko moved, Struble seconded to approve the minutes of October 17, 2022. Roll Call: Aye-All. Motion carried.

OCTOBER, 2022 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$22,587.31; PUBLIC BUILDINGS, \$14,449.11; POLICE, \$84,970.26; FIRE, \$5,237.76; BUILDING INSPECTION, \$4,498.80; STREETS, \$25,532.47; PARKS, \$27,451.54; PLANNING & ZONING, \$7,463.26; LIBRARY, \$7,369.93; RECREATION CENTER, \$19,631.54; HISTORIC PRESERVATION, \$22,020.84; WATER, \$17,362.10; MT. MORIAH, \$3,131.72; PARKING METER, \$7,152.63; TROLLEY, \$14,846.75; PARKING RAMP, \$2,179.60. **PAYROLL TOTAL: \$288,616.38.**

### OCTOBER, 2022 PAYROLL PAYMENTS:

Internal Revenue Service, \$69,639.73; S.D. Retirement System, \$33,035.54; Delta Dental, \$4,089.22.

### APPROVAL OF DISBURSEMENTS

Martinisko moved, Johnson seconded to approve the November 7, 2022 disbursements as amended and additional checks. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	576.06
ACE HARDWARE	SUPPLIES	227.28
ALBERTSON ENGINEERING	PROJECT	5,740.17
ALPINE IMPRESSIONS	SERVICE	15.00
AMAZON CAPITAL	SUPPLIES	776.91
BARRY'S ELECTRIC	SERVICE	4,540.30
BH ASPHALT	PROJECT	23,357.89
BH CHEMICAL	SUPPLIES	804.03
BH ENERGY	PROJECT	60,601.58
BLUEPEAK	SERVICE	4,245.17
BOMGAARS	SUPPLIES	369.99
CHAINSAW CENTER	RENTAL	330.00
CHAPTER Y - PEO	POINSETTIAS	125.00
CODE WORKS	PROJECT	3,362.24
COMPLETE CONCRETE	PROJECT	296,136.00
CONRAD'S ELECTRIC	SERVICE	300.00
CRAMER MARKETING	FORMS	197.60
CREATIVE PRODUCT SOURCING	SUPPLIES	802.83
CULLIGAN	SUPPLIES	152.50
CURTIS BLUE LINE	UNIFORMS	36.75
DEADWOOD CHAMBER	BILL LIST	70,306.05
DEADWOOD ELECTRIC	SERVICE	1,851.65
DEADWOOD GAMING	BID #8	5,000.00
DEADWOOD HISTORY	SUPPORT	113,000.00
DOG WASTE DEPOT	SUPPLIES	87.98
E-Z FABRICATION AND WELDING	HANDRAIL	10,403.76
FELD FIRE	SUPPLIES	447.00
FIRST INTERSTATE BANK	TIF #8	5,740.53
FIRST NET	SERVICE	240.24
FLOYD'S TRUCK CENTER	SUPPLIES	607.34
G&G GARBAGE	SERVICE	1,575.00
GENPRO ENERGY SOLUTIONS	SERVICE	2,307.97
GLANZER, MIKE	PROJECT	270.00
HAWKINS	SUPPLIES	831.38
HILLS SEPTIC SERVICE	SERVICE	220.00
INNOVATIVE OFFICE SOLUTION	SUPPLIES	547.85
IPS GROUP	SERVICE	2,584.90
J.P. TOWING	SERVICE	100.00
JAKE'S COLLISION REPAIR	SERVICE	339.12
JOE DIRT SEPTIC & DRAIN	SERVICE	362.00
JOHNSON, MICHAEL	PROJECT	32,047.76
KNECHT	SUPPLIES	330.92
KNECHT	GRANTS	38.53
LAWRENCE CO. EQUALIZATION	SERVICE	10.00
LAWRENCE CO. REGISTER	SERVICE	60.00
LAWSON PRODUCTS	SUPPLIES	264.33
LEAD-DEADWOOD SANITARY	SERVICE	34,028.81
LYNN'S	SUPPLIES	84.88
MACQUEEN EMERGENCY	UNIFORMS	1,683.45
MARTINISKO, SHARON	REIMBURSEMENT	378.42
MCDIRT EXCAVATION	REPAIR	12,500.00
MID-AMERICAN RESEARCH	SUPPLIES	168.96
MDU	SERVICE	8,337.27
MS MAIL	SERVICE	590.00
MUTUAL OF OMAHA	INSURANCE	261.59
NORTHERN HILLS TECHNOLOGY	SERVICE	65.00

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OHAYON, GEORGETTE	PROJECT	33,487.00
ONE WAY SERVICE PROS	PROJECT	9,307.83
PANNIER	SERVICE	264.00
PELLA WINDOWS & DOORS	PROJECT	19,000.00
PETTY CASH	FINANCE	178.68
QUICK SIGNS	SERVICE	254.49
RAMKOTA HOTEL	CONFERENCE	606.00
RAPID CITY JOURNAL	SERVICE	168.00
RAPID DELIVERY	SERVICE	14.95
RASMUSSEN MECHANICAL	REPAIR	9,027.97
RECREATION SUPPLY	SUPPLIES	46.12
RUNGE, MIKE	REIMBURSEMENT	200.00
S AND C CLEANERS	SERVICE	10,388.00
SANDER SANITATION	SERVICE	12,104.18
SCHREIER ENGINEERING	SERVICE	225.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SD WATER & WASTEWATER	RENEWAL	20.00
STAIRS, ELIZABETH	REIMBURSEMENT	335.48
STATE GAME LODGE	CONFERENCE	186.30
SUMMIT FIRE PROTECTION	SERVICE	2,468.00
SUMMIT SIGNS AND SUPPLY	SUPPLIES	152.50
TALLGRASS LANDSCAPE	PROJECT	4,287.50
THE LORD'S CUPBOARD	RECYCLING	188.50
TOMS, DON	PROJECT	600.00
TOWEY DESIGN GROUP	PROJECT	11,979.04
TRITECH SOFTWARE SYSTEMS	SUBSCRIPTION	126.00
TWIN CITY HARDWARE	SUPPLIES	3,673.29
TWIN CITY HARDWARE	GRANT	870.89
ULINE	SUPPLIES	202.33
VERIZON WIRELESS	SERVICE	748.25
VFW BLACK HILLS POST 5969	GRANT	20,842.47
VIGILANT BUSINESS SOLUTION	SERVICE	1,127.25
WALKER CONSULTANTS	PROJECT	9,500.00
WARNE CHEMICAL	SUPPLIES	646.77
WELLMARK	INSURANCE	48,990.25
WEST RIVER HISTORY CONFERENCE	REGISTRATION	125.00
ZOGICS	SUPPLIES	599.80

Total \$913,341.83

## ITEMS FROM CITIZENS ON AGENDA

### Service Awards

Commissioner Todd presented certificates to the following employees: Karla Dower, Erik Jandt for 5 years of service; Casey Nelson, Misty Trewhella for 10 years of service; Mike Runge for 20 years of service; and William Burleson for 25 years of service. Robert Radensleben was absent but recognized for 25 years of service. Commission thanked each of them for their time.

### Hall of Fame

Commissioner Todd announced Mike Runge was inducted into the South Dakota Municipal League Hall of Fame for 20 years of service within a municipality. Todd presented Runge with a certificate.

### CONSENT

Martinisko moved, Johnson seconded to omit Item Q for separate consideration approve the following consent items. Roll Call: Aye-All. Motion carried.

- A. Permission to pay Southside Service for 5,500 gallons of gasoline at \$3.09 per gallon.
- B. Renew Liquor and Wine Licenses for 2023, pending payment of Business Improvement District and property taxes.

## **APPROVAL OF APPLICATIONS FOR LIQUOR/WINE LICENSE RENEWALS FOR 2023**

### CONVENTION CENTER LICENSES

Blue Sky Gaming, Tin Lizzie Gaming Resort (CL-505)  
BY Development Inc., Cadillac Jacks (RL-504)  
Cliff Street, LLC, Deadwood Comfort Inn (CL-501)  
Deadwood Resort LLC, The Lodge at Deadwood, (CL-509)  
DHIH, LLC – Hickok's Hotel & Casino (CL-508)  
Ernest Hospitality, LLC, Deadwood Gulch Resort (CL-15404)  
First Gold, Inc., First Gold Hotel, (CL-502)  
Gold Dust Lodging Group LLC, Holiday Inn Express Hotel & Suites (CL-503)  
GR Deadwood LLC, Mineral Palace Hotel & Gaming (CL-507)



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Historic Deadwood Convention Facility, LLC, Wooden Nickel, Iron Horse Inn, Martin  
Mason Hotel, (CL-511)  
Hotel Franklin Inc., Historic Franklin Hotel (CL-506)  
ZCN LLC, Deadwood Mountain Grand Hotel & Casino (CL-510)

### PACKAGE (OFF-SALE) LIQUOR

Black Diamond Capital LLC, Gold Dust (PL-4520)  
Blue Sky Gaming, Tin Lizzie Gaming Resort, (PL-4521)  
Ernest Hospitality, LLC., Deadwood Gulch Resort, (PL-4522)  
GR Deadwood LLC, Mineral Palace Hotel & Gaming, (PL-4524)  
Packhorse Liquor & Convenience Inc., Pack Horse Liquor & Convenience (PL-4523)

### RETAIL LIQUOR LICENSES

Black Diamond Capital LLC, Gold Dust (RL-5792)  
B.P.O Elks Lodge #508, Elks Lodge (RL-5540)  
Broken Arroe Trading company, Broken Arrow Trading Company (RL-5536)  
DBUH, LLC, Bullock Hotel (RL-5542)  
Full Throttle S'loonshine, LLC, Deadwood Distillery (RL-5534)  
Main Ledge LLC, Midnight Star (RL-5995)  
Midwest Motels of Deadwood, Buffalo Bodega (RL-5535)  
Old Style Saloon No. 10 Inc., Saloon No. 10 (RL-5537)  
Super G Investments Inc., Silverado Gaming Establishment (RL-5538)  
VFW Post 5969, VFW (RL-5541)

### RETAIL (ON SALE) LIQUOR – RESTAURANT

Jacobs Family International, Jacobs Brewhouse & Grocer (RR-26948)  
Mustang Sally's, Inc., Mustang Sally's (RR-26941)

### RETAIL (ON-OFF SALE) WINE

Aces Full Inc., Mr. Wu's (RW-6646)  
Angels Attic Uncorked, Angels Attic (RW-20691)  
Blue Sky Gaming Inc., Tin Lizzie Gaming Resort, (RW-6491)  
BY Development Inc., Cadillac Jacks, (RW-6537)  
Celebrity Hotel, Inc, Celebrity Hotel (RW-26807)  
Deadwood DDG, Black Hills Deadwood (KOA) (RW-27686)  
Deadwood Hotels, Four Points by Sheraton, (RW-27808)  
Deadwood Miners LLC, Deadwood Miners Hotel & Restaurant (RW-27949)  
Deadwood Resort LLC, The Lodge at Deadwood, (RW-19226)  
Deadwood Tobacco Company, Deadwood Tobacco (RW-6648)  
Door 4 LLC, Fairmont/Oyster Bay (RW-6461)  
Ernest Hospitality, LLC, Deadwood Gulch Resort, (RW-6401)  
Family Dollar Stores of SD, Family Dollar (RW-26390)  
First Gold Inc., First Gold Hotel (RW-27660)  
Gold Run LLC, Super 8 Deadwood, (RW-6447)  
GR Deadwood LLC, Mineral Palace Hotel & Gaming, (RW-6480)  
H&H Deadwood LLC, His & Hers Ale House and Wine Bar, (RW-21479)  
Hotel Franklin Inc., Historic Franklin Hotel, (RW-6643)  
Jackson Winery & Vineyard LLC, Belle Joli Winery, (RW-7568)  
Jacobs Family International, Jacobs Brewhouse and Grocer, (RW-26825)  
Jacobs Family International, Jacobs Gallery (RW-25947)  
Main Ledge, LLC, Midnight Star (RW-27009)  
Michelle's Tacos Deadwood LLC, Michelle's Tacos Deadwood (RW-28261)  
M.S. Mail, LLC, M.S. Mail, (RW-22642)  
Mustang Sally's Inc., Mustang Sally's, (RW-6499)  
Old Style Saloon No. 10 Inc., Saloon No. 10, (RW-19210)  
Richard & Marguerite Olesen, Deadwood Wild Bills Trading Post (RW-21777)  
Super G Investments, Inc., Silverado, (RW-6436)  
Waufle Travel, Deadwood Day Spa (RW-27362)



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Winery Hill City LLC, Sick & Twisted Brewing, (RW-24025)

ZCN LLC, Deadwood Mountain Grand Hotel & Casino (RW-21330)

- C. Acknowledge price increase from \$4.12 to \$4.32 per gallon of 5,500 gallons of diesel approved and purchased from Southside Oil on October 3, 2022.
- D. Acknowledge issuance of City of Deadwood Medical Cannabis license to Deadwood Growhouse dba Trails Head Cannabis Company at 32 Charles St.
- E. Permission to approve and authorize Mayor to sign contract with Dr. Peter Brown of the Rocky Mountain Tree-Ring Research facility in an amount not to exceed \$12,000.00 for the 2022 Deadwood Fire History Project. (Budgeted in the 2022 HP Archives budget)
- F. Approve Resolution 2022-21 Schedule of Rates for Event Center and Outlaw Square Ticket Surcharge effective January 1, 2023. 2023 already approved events at the \$2.00 rate are: Snocross, Back When They Bucked and 3-Wheeler Rally.
- G. Permission for the interim Public Works Director, Kevin Kuchenbecker, to sign and to submit Trail Proposal application with the Black Hills National Forest for trail connection between Mt. Roosevelt and the City of Deadwood.
- H. Adopt updated Event Complex Application to include change in deposit amounts effective January 1, 2023. \$1,250.00 (no Alcohol) and \$2,500.00 (serving alcohol.) Each includes at \$250.00 non-refundable administrative fee. 2023 already approved events are: Back When They Bucked and 3-Wheeler Rally.
- I. Permission to sign Notice of Award and Agreement Form with Corr Construction regarding the Timm Lane Bridge project.
- J. Permission to hire Patrick Kaiser as full-time (certified) patrol officer at \$25.79 per hour effective November 9, 2022 pending pre-employment screening.
- K. Permission to add phone stipend for Forrest Wilson effective November 1, 2022.
- L. Remove seasonal public works employee, Greg Nelson, from payroll effective September 1, 2022.
- M. Adopt department head organizational chart for city operations.
- N. Permission to adopt new wage scale for new hires within the City of Deadwood.
- O. Permission to advertise in-house for 5 days and then in official newspaper for Public Buildings Technician at \$19.00-\$21.00 per hour, depending on experience. (D9-D11 rank)
- P. Permission to transfer Troy Jassman from Public Buildings Technician to Water and Wastewater Maintenance Operator at \$23.00 per hour, effective November 14, 2022.
- Q. Removed for separate consideration in New Business
- R. Permission to create department head and adopt position description for a Parks, Recreation and Events Director.
- S. Permission to advertise for the Parks, Recreation and Events Director in-house for five days and in official newspaper, if not filled.
- T. Permission to accept description changes to the Parks Superintendent and Recreation Center Manager positions.
- U. Permission to create department head and adopt position description for a Parking and Transportation Director.
- V. Permission to advertise for the Parking and Transportation Director in-house for five days and in official newspaper, if not filled.
- W. Permission to accept position description changes to the Transportation Superintendent and Community Service Officers.
- X. Permission to create and adopt position description for a Parking Ramp Manager.
- Y. Permission to advertise in-house for five days and then in official newspaper (if needed) for new Parking Ramp Manager position at \$19.00 per hour (D9 rank) starting January 1, 2023.
- Z. Adopt department head description changes to the Police Chief and Public Works Director positions.
- AA. Permission to accept position description changes to the Public Buildings Superintendent, Streets Superintendent and Water Wastewater Superintendent.
- BB. Assign additional duties to the Historic Preservation Officer to include Planning & Zoning duties.

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### BID ITEMS

#### Results

Commissioner Todd stated one bid was opened for a 2022 or newer F-600 Ford Chassis 4X4 Regular Cab truck or equivalent for the Streets Department sander as advertised. Bid bond was included in the following bid submittal:

McKie Ford, Lincoln - \$69,480.00

Interim Public Works Director Kuchenbecker spoke about the bid and recommends approval. Martinisko moved, Struble seconded to award the bid to McKie Ford, Lincoln for the 2022 or newer F-600 Ford Chassis 4X4 Regular Cab truck or equivalent for the Street Department sander in an amount of \$69,480.00. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### Set

Struble moved, Martinisko seconded to set public hearing on November 21 for Retail (On-off sale) Malt Beverage License transfer for Salon 14A LLC at US HWY 14A to Salon 14A at 68 Main Street. Roll Call: Aye-All. Motion carried.

Struble moved, Johnson seconded to set public hearing on November 21 for SnoCross Events. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on November 21 for K-9 Keg Pull Event. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to set public hearing on November 21 for Mardi Gras Events. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to set public hearing on November 21 for 3-Wheeler Rally Events. Roll Call: Aye-All. Motion carried.

### OLD BUSINESS

#### Agreement

City Attorney Riggins spoke about the lease of the sweeper with Connell. Martinisko moved, Struble seconded to allow Mayor to sign updated Master Lease Agreement with Connell Equipment Leasing Company for the Model S30 Ride-On Sweeper from Tennant Sales and Service Company (lease approved by City Commission on August 15, 2022.)

### NEW BUSINESS

#### Advertise (Item Q)

Martinisko moved, Johnson seconded to continue the permission to advertise in-house for 5 days and then in official newspaper, if needed, for Rec Center Program Coordinator at \$19.21 per hour effective January 1, 2023. Roll Call: Aye-All. Motion carried.

#### Project

Struble moved, Johnson seconded to pay Simon for Sampson Mill and Overlay Project (Contract signed June 6, 2022) in the amount of \$282,218.00 (To be paid from Streets Improvements budget.) Commissioner Todd expressed concerns and complaints about the intersection of Sampson and Spring. Roll Call: Aye-All. Motion carried.

#### Site Inspection Report

Kuchenbecker spoke about the box culvert, structural issues and inspection report. Martinisko moved, Johnson seconded to allow Interim Public Works Director, Kuchenbecker, to sign and submit amended Site Inspection Report with FEMA for the damage to Whitewood Creek during the July 2019 flood event. Roll Call: Aye-All. Motion carried.



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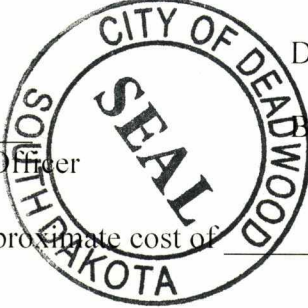
**ADJOURNMENT**

Johnson moved, Martinisko seconded to adjourn the regular session at 5:21 p.m. The next regular meeting will be on Monday, November 21, 2022 at 5:00 p.m.

ATTEST:



Jessicca McKeown, Finance Officer



DATE:

Nov 21, 2022

BY:



David Ruth Jr., Mayor

*acting President*

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