

REGULAR MEETING, JANUARY 3, 2023

The Regular Session of the Deadwood City Commission convened on Tuesday, January 3, 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.

COMMISSION DEPARTMENTAL APPOINTMENTS

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

APPROVAL OF MINUTES

Struble moved, Todd seconded to approve the minutes of December 20, 2022. Roll Call: Aye-All. Motion carried.

DECEMBER, 2022 PAYROLL: COMMISSION, \$4,096.14; FINANCE, \$33,987.13; PUBLIC BUILDINGS, \$15,098.81; POLICE, \$131,574.33; FIRE, \$7,617.78; BUILDING INSPECTION, \$7,946.43; STREETS, \$50,315.91; PARKS, \$36,681.39; PLANNING & ZONING, \$16,270.06; LIBRARY, \$9,725.95; RECREATION CENTER, \$29,472.53; HISTORIC PRESERVATION, \$33,289.77; WATER, \$38,297.15; PARKING METER, \$18,885.12; TROLLEY, \$20,344.50; PARKING RAMP, \$2,395.24. **PAYROLL TOTAL: \$455,998.24.**

DECEMBER, 2022 PAYROLL PAYMENTS:

Internal Revenue Service, \$112,996.67; S.D. Retirement System, \$53,726.80; Delta Dental, \$3,855.64.

APPROVAL OF DISBURSEMENTS

Finance Officer McKeown explained the addition to the bill list. Martinisko moved, Johnson seconded to approve the January 3, 2023 disbursements as amended. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	547.05
A - Z SHREDDING	SERVICE	20.40
ALL METAL MANUFACTURING	PROJECT	5,918.38
ALSCO	SUPPLIES	1,521.21
AMAZON CAPITAL	SUPPLIES	1,146.24
BARRY'S ELECTRIC	REPAIRS	9
BH CHEMICAL	SUPPLIES	787.08
BH ENERGY	SERVICE	27,989.26
BH MINING MUSEUM	GRANT	2,678.52
BLUEPEAK	SERVICE	4,154.92
BOZELL, JOHN	CONSULTING	2,400.00
BROWN, PATRICIA	REIMBRUSEMENT	42.84
BRUCE, DAVID	MEETINGS	245.00
CARA MIA	PROJECT	600.00
CARMODY, ROBIN	MEETINGS	280.00
CHRIST CHURCH EPISCOPAL	GRANT	5,739.00
COCA COLA	SUPPLIES	87.04
COMPUTER SUPPORT	SERVICE	245.99
CURTIS BLUE LINE	SUPPLIES	39.75
DAKOTA TITLE	SERVICE	240.00
DAR, VICKI	MEETINGS	385.00
DEADWOOD MOUNTAIN GRAND	LODGING	440.00
DEADWOOD SOCIAL CLUB	PARTY	240.00
DIEDE, LEO	MEETINGS	385.00
DOCUTEK	PROJECT	2,029.30
EAGLE ENTERPRISES	SUPPLIES	410.00
EAGLESON, CHARLES	MEETINGS	350.00
FASTENAL	SUPPLIES	141.29
FIRST INTERSTATE BANK	TIF #8	689.28
FIRST NET	SUPPLIES	240.24
GALLS	UNIFORMS	305.92
GRAPHIC ENTERPRISES	SUPPLIES	85.28
HAWKINS	SUPPLIES	1,103.05
IDENTISYS	SUPPLIES	653.40
ISAAK, JOHN	REIMBURSEMENT	469.20
JOHNSTONE SUPPLY	GRANT	2,299.73
KEEHN, JOSH	MEETINGS	350.00

REGULAR MEETING, JANUARY 3, 2023

KNECHT	GRANTS	46.03
KNIGHT SECURITY	SERVICE	310.00
KUBOTA LEASING	PAYMENT	1,504.00
LAWRENCE CO. REGISTER	SERVICE	90.00
LAWSON PRODUCTS	SUPPLIES	274.34
LIBERTY NATIONAL BANK	TIF #9	111.04
MACROVISION	PROJECT	1,050.00
MARTINISKO, JOHN	MEETINGS	315.00
MIDWEST TAPE	SUPPLIES	153.68
MOTOROLA SOLUTIONS	SUPPLIES	419.44
MUTUAL OF OMAHA	INSURANCE	253.42
NAMMINGA, LYNN	GRANT	3,024.67
NATIONAL SIGNAL	MESSAGE BOARD	18,403.00
NEBRASKA SALT & GRAIN	SUPPLIES	5,198.11
NORTHWEST PIPE FITTINGS	SUPPLIES	132.08
NOVA FITNESS EQUIPMENT	SERVICE	884.70
PEARSON, JACI	PROJECT	1,350.00
POSEY, BEVERLY	MEETINGS	420.00
QUICKTROPHY	SUPPLIES	191.49
QUIK SIGNS	SUPPLIES	85.26
QUILL	SUPPLIES	56.00
RASMUSSEN MECHANICAL	SERVICE	989.42
ROCKY MOUNTAIN TREE	PROJECT	12,000.00
SANTOCHI, TREVOR	MEETINGS	385.00
SD DEPT. OF MOTOR VEHICLES	SERVICE	24.20
SD DEPT. OF REVENUE	LICENSE	75.00
SD DEPT. OF TRANSPORTATION	INSPECTION	1,554.42
SD PUBLIC HEALTH LAB	TESTING	30.00
SHREVES CONSULTING	SUPPLIES	1,500.00
THE LIBRARY STORE	SUPPLIES	3,154.00
THE LORD'S CUPBOARD	RECYCLING	48.50
TWIN CITY HARDWARE	SUPPLIES	1,926.40
UMENTHUM, KEITH	SERVICE	560.00
VERIZON CONNECT	SERVICE	92.95
VERIZON WIRELESS	SERVICE	40.01
WAGNER, KEVIN	MEETINGS	210.00
WEBER, JILL	MEETINGS	280.00
WELLMARK	INSURANCE	46,018.60
WEST RIVER TRAILER SALES	SUPPLIES	349.49
WESTERN STATES FIRE	INSPECTION	245.00
WILLIAMS, ANTHONY	MEETINGS	385.00
		Total \$171,231.62

CONSENT

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

- A. Set Election Day; April 11, 2023
- B. Permission for Mayor to appoint Ken Owens to the vacant Planning and Zoning Commission position effective January 4th, 2023. Term expires December 31, 2025.
- C. Resolution 2023-01 to Establish Wages for 2023

RESOLUTION NO: 2023-01

CITY OF DEADWOOD EMPLOYEE WAGES FOR THE YEAR 2023

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood hereby approves the following wages for City of Deadwood employees for the year 2023 and shall be paid bi-weekly: Randy Adler, \$75,000.00 per year; Michael Anderson, \$15.66 per hour; Bonny Anfinson, \$24.56 per hour; Aidan Baker, \$14.33 per hour; Reece Beck, \$17.29 per hour; Dylan Bell, \$27.85 per hour; William Binder, \$23.35 per hour; Kathryn Bogner, \$20.52 per hour; Lynn Bradley, \$14.33 per hour; Patricia Brown, \$57,288.60 per year; William Burleson, \$30.55 per hour; Hannah Campbell, \$14.33 per hour; John Campbell, \$14.33 per hour; Kasey Campbell, \$25.14 per hour; Deam Carollo, \$17.71 per hour; Herbert Cowart, \$17.29 per hour; Jocelyn Dirksen, \$14.33 per hour; Karla Dower, \$16.21 per hour; Charles Fetter, \$27.00 per hour; Cristian Fierro, \$14.33 per hour; Rodney Fischer, \$17.29 per hour; Jennelea Fowls, \$14.33 per hour; Sandra Glover, \$14.33 per hour; Andrew Goodwin, \$14.33 per hour and \$19.00 per hour; Steven Henderson, \$25.48 per hour; Ethan Hess, \$14.33 per hour; Trevor Houska, \$25.08 per hour; John Isaak, \$24.84 per hour; Erik Jandt, \$29.16 per hour; Rachel Janssen, \$14.33 per hour; Bridger Janvrin, \$14.33 per hour; Troy Jassman, \$24.84 per hour; Matthew Johnson, \$23.05 per hour; Michael Johnson, \$9,000.00 per year; Patrick Kaiser, \$27.85 per hour; Michael Kitzmiller, \$17.29 per hour; Kyle Kooima, \$15.66 per hour; Samuel Kooima, \$14.33 per hour; Kevin Kuchenbecker, \$91,990.18 per year; Andrew Larive \$28.27 per hour; Kathryn Larsen, \$15.66 per hour; Frank Lawton, \$17.29 per hour; James Lee, \$26.31 per hour; Verla Little, \$27.85 per hr.; Kay Luther, \$25.08 per hour; Justin Lux, \$75,000.00 per year & \$25.08 per hour; Doug Magnuson, \$17.29 per hr.; Sharon Martinisko, \$9,000.00 per year; Rhonda McGrath, \$23.27 per hour; Jessica McKeown, \$90,723.66 per year; Kathy McKillip, \$15.57 per hour; Aaron McPheeters, \$27.85 per hour; Adriane Melcher, \$14.33 per hour; Kenneth Mertens, \$91,661.76

REGULAR MEETING, JANUARY 3, 2023

per year; Trent Mohr, \$29.89 per hour; Allison Mollman, \$14.33 per hour; Bradley Morgan, \$14.33 per hour; Ronda Morrison, \$33.93 per hour; Casey Nelson, \$22.93; Debra Oban, \$17.29 per hour; Randall Oldfield, \$17.29 per hour; Baylee Oliver, \$14.33 per hour; James Olson, \$29.13 per hour; Tracy Owens, \$14.33 per hour; Sonya Papousek, \$27.85 per hour; Janice Peppmeier, \$26.36 per hour; Cory Percy, \$29.26 per hour; Randy Pfarr, \$30.26 per hour; James Phillips, \$14.33 per hour; Charles Quenzer, \$28.31 per hour; Jerold Rachetto, \$24.12 per hour; Coltan Radensleben, \$21.89 per hour; Robert Radensleben, \$26.20 per hour; Jenny Rea, \$27.85 per hour; Kenneth Rehberg, \$17.29 per hour; Scott Reif, \$23.57 per hour; Thomas Riley, \$24.84 per hour; Jeffrey Rodriguez II, \$25.08 per hour; Joseph Royall-McKeown, \$15.66 per hour; Michael Runge, \$26.45 per hour; David Ruth Jr., \$12,000.00 per year; Tanner Ruth, \$14.33 per hour; Cynthia Schneringer, \$23.27 per hour; Devon Schumacher, \$27.85 per hour; David Semingson, \$17.29 per hour; Cory Shafer, \$31.32 per hour; Lili Sjomeling, \$15.57 per hour; Brandon Snyder, \$25.08 per hour; Sally Sprigler, \$27.85 per hour; Danny Stacy, \$25.08 per hour; Lornie Stalder, \$75,000.00 per year; James Sternhagen, \$17.29 per hour; Alea Struble, \$9,000.00 per year; Brian Swets, \$25.08 per hour; Matthew Symonds, \$25.08 per hour; Gary Todd, \$9,000.00 per year; Hailey Trehwella, \$20.75 per hour and \$14.33 per hour; Misty Trehwella, \$26.36 per hour; John Tridle, \$30.14 per hour; Trevor Tridle, \$23.05 per hour; Marie Vansickel, \$23.27 per hour; Ethan Van Tassel, \$14.33 per hour; Wylie Walno, \$17.71 per hour; Jamie Williams, \$27.85 per hour; Forrest Wilson, \$20.52 per hour.

Trolley Drivers who work between 6:00 pm and 8:00 am will receive an additional \$3.00 per hour for shift differential pay. Trolley Drivers who take on additional duties of carrying the pager and being on call during the absence of the trolley manager, will receive an additional \$2.00 per hour while acting as assistant manager.

Dated this 3rd day of January, 2023

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- D. Resolution 2023-02 Designating Special Events Recognized by the City of Deadwood for purposes of Ordinances Section 15.32.100 and 15.32.140 for 2023

RESOLUTION 2023-02

A RESOLUTION DESIGNATING SPECIAL EVENTS RECOGNIZED BY THE CITY OF DEADWOOD FOR PURPOSES OF ORDINANCES 15.32.100 AND 15.32.140

BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective dates of occurrence, are hereby recognized for the year 2023 as “special or civic event(s)” for purposes of Ordinances 15.32.100 and 15.32.140:

<u>Special or Civic Event:</u>	<u>Date(s) of Event:</u>
1. ISOC Deadwood SnoCross Shootout	January 27-28, 2023
2. Mardi Gras	February 10-11, 2023
3. St. Patrick’s Day	March 17-18, 2023
4. Forks, Corks, and Kegs	April 14-15, 2023
5. Wild Bill Hickok Days	June 15-17, 2023
6. 3-Wheeler Rally	July 9-14, 2023
7. Days of ’76	July 23-29, 2023
8. Sturgis Rally	August 4-13, 2023
9. Kool Deadwood Nites	August 23-27, 2023
10. Oktoberfest	October 6-7, 2023
11. Wild West Songwriter’s Festival	October 12-14, 2023

Dated this 3rd day of January, 2023

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- E. Resolution 2023-03 Extending Workers Compensation to Specific Individuals

RESOLUTION 2023-03

A RESOLUTION EXTENDING WORKERS’ COMPENSATION COVERAGE TO SPECIFIC INDIVIDUALS FOR THE YEAR 2023

REGULAR MEETING, JANUARY 3, 2023

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood extend the South Dakota Municipal League Workers' Compensation benefit for coverage on the following individuals who are not automatically covered because they are appointed or elected to their positions:

City Commission: David Ruth Jr., Michael Johnson, Sharon Martinisko, Charlie Struble, and Gary Todd;

Historic Preservation Commission: Robin Carmody, Vicky Dar, Leo Diede, Beverly Posey, Trevor Santochi, Jill Weber and Tony Williams;

Historic Preservation Volunteers: David Trentz and Trevor Santochi;

Library Board: Tessa Allen, Teri Bruce, Sue DeGooyer, Emily Kutil, and Krystal Stulken;

Planning & Zoning Commission: David Bruce, Charles Eagleson, Josh Keehn, John Martinisko and Ken Owens;

Police Department Reserve Officers: Deam Carollo, Kay Luther, Brandon Snyder, Danny Stacy, Brian Swets, Matthew Symonds, and Wylie Walno;

Deadwood Volunteer Fire Department: Randy Addington, Melanie Bond, Karla Dower, Joel Ellis, Charles Fetter, Don Gifford, JT Gifford, Sandy Glover, Bill Glover, Alex Hamann, Ken Hawki, Francis Iverson, Jackson Grangaard, Mike Klamm, Anita Knippers, Cassidy LeMons, Jeff Millard, Trent Mohr, Nicole Olson, Michelle Peil, Steve Peil, Jerry Pontius, Cody Rakow, Jason Rakow, Rylan Rakow, Paul Robitaille, Jade Rodiack, Mike Runge, Richard Stanger, Paul Thomson, Brandon Wallin, and Anne Wieringa.

The Finance Office will be notified of any personnel changes to the above-mentioned committees and commissioners.

Dated this 3rd day of January, 2023

ATTEST:

/s/ Jessica McKeown, Finance Officer

CITY OF DEADWOOD

/s/ David Ruth Jr., Mayor

- F. Renew agreement with NeighborWorks - Dakota Home Services for the administration of Historic Preservation revolving loan programs for 2023 in the amount not to exceed \$60,000.00. (Budgeted under HP Revolving Loan fund.)
- G. Deadwood History Inc. requests approval to serve beer and wine Homestake Adams Research and Cultural Center on Friday, February 24, 2023 from 6:00 p.m. to 9:00 p.m. for Calamity's Shindig.
- H. Remove Trolley Driver Russell Seidel from payroll effective December 1, 2022.
- I. Permission to accept letter of retirement from Community Service Officer Marie Vansickel effective January 11, 2023.
- J. Permission to advertise in-house for 5 days and then in official newspaper, if needed, for Community Service Officer position at \$19.00 per hour. (D9 rank)
- K. Permission to promote Erik Jandt from Sergeant II to Sergeant I at \$30.24 per hour effective January 8, 2023.
- L. Permission to promote Sally Sprigler to Sergeant II at \$29.16 per hour effective January 8, 2023.
- M. Permission to adopt corrected job description for Police Chief position.
- N. Approve consulting services from Jeramy Russell at \$40.00 per hour, as needed. (To be paid from P & Z or P & T Professional Services.)
- O. Permission to increase wage for Public Buildings Technician Coltan Radensleben from \$21.89 to \$22.96 per hour effective January 4, 2023 after two years of service, which is 100% of prevailing wage.
- P. Permission to pay Southside Service for 5,500 gallons of gasoline at cost not to exceed \$3.30 per gallon.

PUBLIC HEARINGS

License Transfer

Public hearing was opened at 5:03 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Todd moved, Struble seconded to approve Retail (on-off sale) Malt Beverage and Retail (on-off sale) Wine License Transfers from Deadwood Tobacco at 628 Main Street to Deadwood Tobacco at 715 Main Street. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, JANUARY 3, 2023

Set

Struble moved, Todd seconded to set public hearing on January 17 for Retail (on-off sale) Malt Beverage License for West River Whiskey Company LLC at 644 Main Street. Roll Call: Aye-All. Motion carried.

Johnson moved, Martinisko seconded to set public hearing on January 17 for Retail (on-off sale) Malt Beverage (RB-25948) and Retail (on-off sale) Wine (RW-25947) license transfers from Jacobs Family International to Jacobs Gallery dba Jacobs Gallery at 670 Main Street. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on January 17 for Retail (on-off sale) Malt Beverage (RB-26826,) Retail (on-off sale) Wine (RW-26825) and Retail (on sale) Liquor - Restaurant (RR-26948) License transfers from Jacobs Family International to Jacobs Restaurant, Inc. at 79 Sherman Street. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on January 17 for Forks Corks Kegs Event. Roll Call: Aye-All. Motion carried.

Struble moved, Martinisko seconded to set public hearing on January 17 for Legends Ride and Motorcycle Parking. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Second Reading

Planning, Zoning and HP Officer Kuchenbecker stated no changes between first and second reading other than the exhibit. Martinisko moved, Struble seconded to approve second reading of Ordinance #1363 Amending Title 17-Zoning. Roll Call: Aye-All. Motion carried.

Second Reading

Kuchenbecker stated no changes between first and second reading. Martinisko moved, Struble seconded to approve second reading of Ordinance#1364, to Extend Ordinance #1355 for an additional 180 days - Temporary Moratorium for Additional Short-Term Rentals in the following zoning districts: Residential (R1), Residential Multi-Family (R2), Planned Unit Development (P.U.D.), Public Use, Park Forest. Roll Call: Aye-All. Motion carried.

Final Plat

Kuchenbecker spoke about the plat. Martinisko moved, Johnson seconded to act as Board of Adjustment and approve final plat for final plat for Merle & Dawn Carpenter - Deadwood Stage Run Addition - legally described as: Lot 25A and Lot 25B, Block 2 of Palisades Tract of Deadwood Stage Run Addition to The City of Deadwood Formerly Lot 25 Revised, Block 2 of Palisades Tract of Deadwood Stage Run Addition all Located in the SW1/4 of Section 14, the SE1/4 of Section 15, the NE1/4 NE1/4 of Section 22 and the N1/2NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. (Approved by the Planning & Zoning Commission on December 21, 2022.) Roll Call: Aye-All. Motion carried.

Final Plat

Kuchenbecker spoke about the plat. Struble moved, Martinisko seconded to act as Board of Adjustment and approve final corrective plat for Revision/Adjusting Lot Lines - for The Summit at Deadwood Stage Run, LLC - Deadwood Stage Run Addition - legally described as: Lots 8A Revised, 10 Revised, 18A Revised, 29 Revised, 30 Revised And 31A Revised Block 1 of Palisades Tract of Deadwood Stage Run Addition to the City Of Deadwood Formerly Lots 8A, 10, 18A, 20, 29, 30 and 31A, Block 1 all Located in the SW1/4 of Section 14, The SE1/4 of Section 15, The NE1/4NE1/4 of Section 22 and the N1/2NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. (Approved by the Planning & Zoning Commission on December 21, 2022.) Roll Call: Aye-All. Motion carried.

REGULAR MEETING, JANUARY 3, 2023

Final Plat

Kuchenbecker spoke about the plat. Johnson moved, Struble seconded to act as Board of Adjustment and approve final plat for the City of Deadwood located near Railroad Avenue and McKinley Street - legally described as: Corrective Plat of Park Lot and Spring Street Lots 1 and 2 Of Weisflog's 2nd Addition; Consisting of Lot C of Block 1, Lots 2 Thru 6, and Lots A and B of Block 2 of Weisflog's 2nd Addition, Lot 2 of Railroad Avenue Block, and an Unnamed Lot, and Unnamed Right Of Way Located In M.S. 283; All Located in of M.S. 283, in the City Of Deadwood, Lawrence County, South Dakota. (Approved by the Planning & Zoning Commission on December 21, 2022.) Roll Call: Aye-All. Motion carried.

Hire

Parks, Recreation and Events Director Adler spoke about the install. Martinisko moved, Johnson seconded to hire Overhead Door Company to install new overhead door at parks shop in the amount not to exceed \$5,610.00. (To be paid from 2023 Parks department repair budget.) Roll Call: Aye-All. Motion carried.

Permission

Finance Officer McKeown spoke about the pay-per-call project. Todd moved, Struble seconded to expend \$26,544.70 to the Deadwood Volunteer Fire Department for pay-per-call project. (to be paid from 2022 Fire Department Recruitment/Retention line item.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Holiday Parking Donations - Letters to request funding must be received by the finance officer no later than noon on January 25, 2023.
- B. Next meeting will be held on Tuesday, January 17, 2023 due to observance of Martin Luther King Day.


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.

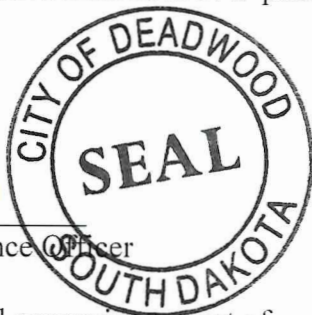
ADJOURNMENT

Struble moved, Todd seconded to adjourn the regular session at 5:21 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 Tuesday, January 17, 2023 at 5:00 p.m.

After coming out of executive session at 5:49 p.m., Struble moved, Todd seconded to adjourn.

ATTEST:


Jessica McKeown, Finance Officer



DATE: 1/13/23

BY: 

David Ruth Jr., Mayor

Published once at the total approximate cost of _____