

## REGULAR MEETING, FEBRUARY 20, 2024

The Regular Session of the Deadwood City Commission convened on Monday, February 5, 2024 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 Riggins, and Commissioners Sharon Martinisko and Charlie Struble. Commissioners Michael Johnson and Gary Todd were absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Struble moved, Martinisko seconded to approve the minutes of February 5, 2024. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Martinisko moved, Struble seconded to approve the February 20, 2024 disbursements as amended. Roll Call: Aye-All. Motion carried.

A & B WELDING	SUPPLIES	140.15
A & I DISTRIBUTORS	6 GAL EACH SYN 5W20 BLEND/STRT	308.95
A & J SUPPLY	ANGLE IRON BUMPER/STREETS	260.00
ACE HARDWARE	10Y SEALED CO ALARM/PB	170.11
ALBERTSON ENGINEERING	WHITEWD CRK ADD SVC ADDEND#3	31,110.43
AMAZON CAPITAL	CONFERENCE TABLE-CHAIRS/PARKS	2,512.00
AMERICAN ENGINEERING TESTING	TIMM LN BRIDGE-FIELD/LAB TESTS	2,775.95
AMERICAN RED CROSS TRAINING	(4) LIFEGUARD REVIEWS/REC	184.00
ASSOCIATED BAG COMPANY	ZIPPER BAGS	636.19
ATCO INTERNATIONAL	SPARKLE-ATCOTE/TROLLEY	255.00
AVID4 ENGINEERING	GIS TECH SERVICES RETAINER	2,130.00
BIERSCHBACH EQUIPMENT	(10) 50# BAGS COLD MIX ASPH/ST	177.50
BH CHEMICAL	(24) 45 GAL GARB BAGS/PARKS	2,734.99
BH COUNCIL	2024 ASSESSMENT DUES	605.00
BH ENERGY	POWER 12/22-01/24/24/PUB BLDGS	30,605.27
BH PIONEER	HOLIDAY PARKING AD/P&T	1,265.70
BLACKSTRAP	28.01 TONS BLACK MAGIC SALT/ST	4,817.72
BOMGAARS	2 BATTERIES - FIRE DEPT	399.98
BUTLER MACHINERY	10W ADV HYDO 5 GAL-BLADE A/STR	154.12
CENTURY BUSINESS PRODUCTS	3051CI 1/24 - 2/24	250.99
CHAINSAW CENTER	SPRING-AIR FILT-GLV-TRIMMER/PR	1,114.17
CITY OF LEAD	1/2 EXP-2023 TC ANIMAL SHELTER	1,953.14
COCA COLA	(2) CO2 TANKS/GRANDSTANDS	200.00
CRAIG MATTSON	2024 LOBBYIST FEES	20,040.00
CRAMER MARKETING	CHECKS - FINANCE OFC.	339.48
CULLIGAN	BOTTLED WATER, COOLER RENT- PD	210.00
DEADWOOD CHAMBER	BILL LIST-2/20/2024-B&B, BID1-6	33,637.38
DEADWOOD ELECTRIC	ADD OUTLETS BEHIND RNDHOUSE/ST	302.24
DRIVERS LICENSE GUIDE	2024 I.D.CHECKING GUIDE - P D	122.50
EIDE, KIM	REFUND PARK CITATION/P&T	25.00
EXCEL CONSTRUCTION	47 LINCOLN EMANUEL	559.32
FIB CREDIT CARDS	6-MAGNET RAPIDLOCKS - POLICE	2,715.02
FLOYD'S TRUCK CENTER	BAL.DUE-REPAIR-ENG#2-FIRE DPT	1,867.30
GENERAL TRAFFIC CONTROLS	PED PUSHBUTTON ASSY-SHIP/STRTS	530.00
GOLDEN WEST	EMAIL SECUR, BKUP, WKSTNS	7,094.48
GUNDERSON, PALMER, NELSON	LEGAL SERVICES	5,376.75
IPS GROUP	CC TRANS-WIRELESS DATA FEE/P&T	6,879.11
JACOBS WELDING	FLAT BAR 48"/STREETS	61.49
JENNER EQUIPMENT	ASSY BLADE-OIL 46HD H/PARKS	69.84
JOSEPH, SHIRLENE	771 MAIN JOSEPH	583.60
KNECHT HOME CENTER	HANDLE-PVC-TRAP-KNOB/WATER	212.20
KONE CHICAGO	SRVC CALL FOR ELEV REPAIR/RAMP	2,111.45
KT CONNECTIONS	ZOOM ROOM - CONNECT MICS	136.00
KUCHENBECKER, KEVIN	MEALS TESTIFY HB 1149	24.00
LAWRENCE CO. REGISTER	53 LINCOLN OLSON	90.00
LEAD-DEADWOOD SANITARY	FEB CONSUMPTION/PUB BLDGS	20,823.00
LOOKOUT PLAN + CODE	PLAN REVIEW LODGE-LANDMARK	2,423.20
LYNN'S	COFFEE-FILTERS/TROLLEY	69.70
MACK'S AUTO BODY	REPAIR-'20 DURANGO #3037 - PD	7,123.16
MACQUEEN EMERGENCY	LITHIUM BATTERIES-SCBAs/FIRE	1,575.19
METERING & TECHNOLOGY SOLUTIONS	(12) M25 PLASTIC BARE METER/WT	707.14
MICROSOFT	AZURE SUPPORT 01/01-01/31/24	714.11
MORRISON, RONDA	JAN'24 CONTRACT SVCS- FINANCE	1,760.00
MS MAIL	PRINTING #10 ENVELOPES - FIRE	1,446.64
NHS OF THE BLACK HILLS	CONTRACT JAN 2024	3,520.00
OTIS ELEVATOR	ELEV MAINT 3/1-5/31/24/AM, HAAR	861.66
POOL & SPA CENTER	(2) 75 SQ FT CALDERA FILTER/RE	172.10
QUADIENT FINANCE	REFILL POSTAGE METER	500.00
QUADIENT LEASING	LEASE PYMT - 3/10-6/9/24	245.46
QUIK SIGNS	(2) GRAPHIC CUT OUT SIGNS/STRT	108.61
QUILL	SPOONS & FORKS	127.10
RAMKOTA HOTEL	L STALDER- HB1149	476.00
SAFELITE AUTOGLASS	WINDSHIELD 2019 SILVERADO/PARK	402.26
SANDER SANITATION	JAN RESIDENTIAL GARBAGE	12,787.32
SD COMMISSION ON GAMING	CITY SLOTS - PYMT 8, YR 3	29,829.55
SD DEPT. OF REVENUE	LIC.TRSF.-DWD OUTF,DWD MAIN	225.00
SODAK TITLE	55 TAYLOR COOMES	240.00
SOUTHSIDE SERVICE	TIRE REPAIRS-SENSOR STEM/STRTS	58.00
STONE LAND SERVICES	BOOTS TO BRICKS	4,755.00
STURGIS RESPONDER SUPPLY	TASER HOLDER, 3 POLOS, NM PLT-PD	381.42
SUMMIT SIGNS AND SUPPLY	REFL-LAMINATED STRT SIGNS/STRT	343.00
THE EMBLEM AUTHORITY	CSO-PARKING AUTH PATCHES/P&T	468.00

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TRITECH SOFTWARE SYSTEMS	ANNUAL MAINTENANCE FEES - PD	681.36
VERIZON CONNECT	JANUARY VEHICLE TRACKING/S,P,W	171.60
VERIZON CONNECT NWF	JAN DATA CONNECT SRVC/P&T	92.95
VIGILANT BUSINESS SOLUTION	TESTING	293.75
WHEELER LUMBER OPERATIONS	(25) 6X6-8' FIR #1 RGH Q-NAP/P	2,070.00
WINZER	REMOVE SALES TAX ENTD IN ERROR	188.05
		Total \$263,388.85

### ITEMS FROM CITIZENS ON AGENDA

#### Officer of the Year

Chief Shafer presented Devon Schumacher with the Officer of the Year award for 2023. Shafer stated Schumacher is team orientated, willing to learn, works together to solve problems and has a positive impact on the quality of life of residents and the business community. Commission thanked him for his service. Schumacher thanked Commission, residents and fellow officers of the Police Department.

#### CONSENT

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

- A. Update Personnel Policy 6.4 for Recreation and Health Benefits
- B. Set Local Review Board meeting for Monday, March 18, 2024 at 9:00 a.m. and request permission to publish in official newspaper.
- C. Permission to hire Albertson Engineering in the amount not to exceed \$75,000.00 for engineering services for retaining walls and other structural engineering needs within the city. (To be paid out of HP Professional Services line item.)
- D. Approve the final portion of Deadwood Historic Preservation Commission's 2024 commitment to the Deadwood Arts Committee in the amount of \$5,000.00 for a total of \$25,000.00 for the creation of a Seth Bullock statue as budgeted.
- E. Permission to award round one of the 2024 Outside of Deadwood Grants in the amount of \$46,500.00 based on the recommendation of Deadwood Historic Preservation Commission.
- F. Purchase of 178 Luxfer Prism Glass Tiles from Two Bit Originals, LLC in the amount of \$1,424.00 to be used as architectural salvage for several historic buildings within Deadwood National Historic Landmark. (To be paid from HP Acquisitions line item.)
- G. Permission for Mayor to sign Payment Processing Agreement with CSG Forte Payments, Inc. for credit card processing at the Rec Center.
- H. Allow use of public property for Deadwood Mickelson Trail Marathon: use of Sherman Street Lot Saturday, June 1 through Sunday, June 2 and use of Event Complex parking area on Sunday, June 2, 2024 from 5:00 a.m. to 3:00 p.m. Deposit has been received.
- I. Approve special alcohol license for VFW to serve alcohol at History and Interpretive Lot for Kool Deadwood Nites on Thursday, August 22, Friday, August 23 and Saturday, August 24, 2024 from 11:00 a.m. to 10:00 p.m. daily. No public hearing necessary since license is on publicly owned property. Payment and application have been received.
- J. Permission to purchase up to 5,600 gallons of non-ethanol fuel at a price of \$2.74 per gallon from Southside Service. (To be paid out of the Streets supplies budget.)
- K. Permission to engage King Appraisals as a state-certified general appraiser to determine a fair-market value of the right-of-way for the proposed Burnham Avenue extension. (To be paid from P&Z professional services line item)

### PUBLIC HEARINGS

#### Alcohol Transfer

Public hearing for alcohol license transfers from Earnest Hospitality LLC to Fools Gold Gaming LLC dba Deadwood Gulch Resort was canceled.

#### Alcohol License

Public hearing was opened at 5:08 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Struble moved, Martinisko seconded to approve Retail (on-off sale) Wine and Cider License and transfer of Retail (on-off sale) Malt Beverage and SD Farm Wine License (RB-29580) From Black Hills Provisions to Deadwood Main, LLC dba The Vault Lounge at 696 Main Street. Roll Call: Aye-All. Motion carried.

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### Alcohol License

Public hearing was opened at 5:09 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed. Struble moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage and SD Farm Wine License for Deadwood Outfitters & Tippy Buffalo Bar at 653 Main Street. Roll Call: Aye-All. Motion carried.

### Summer Kick Off Concerts

Public hearing was opened at 5:10 p.m. by Mayor Ruth Jr. Bobby Rock, Outlaw Square, was present to answer questions, hearing closed. Martinisko moved, Struble seconded to approve open container in Zone 1 and 2 from 5:00 p.m. until 10:00 p.m. on Friday, May 24, and noon to 10:00 p.m. on Saturday, May 25; street closure on Deadwood Street from Main Street to Pioneer Way from 9:00 a.m. on Friday, May 24 to 1:00 a.m. on Sunday, May 26, 2024. and closure of Siever Street (if needed) from 7:00 a.m. to midnight on Saturday, May 25, 2024. Roll Call: Aye-All. Motion carried.

### Wednesday Night Concert Series

Public hearing was opened at 5:12 p.m. by Mayor Ruth Jr. Bobby Rock, Outlaw Square, was present to answer questions, hearing closed. Martinisko moved, Struble seconded to approve street closure on Deadwood Street from Main Street to Pioneer Way from 6:15 p.m. to 10:00 p.m. on the following Wednesdays: May 29, June 5, June 12, June 19, June 26, July 3, July 10, July 17, July 24, July 31, August 14, and August 28 and open container in zone 1 and 2 from 5:00 p.m. to 10:00 p.m. on the above mentioned Wednesdays with the addition of August 21, 2024. Roll Call: Aye-All. Motion carried.

### Wild Bill Days

Public hearing was opened at 5:16 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions, hearing closed. Struble moved, Martinisko seconded to approve street closure on Main Street, Deadwood to Pine at 4:00 a.m. on Thursday, June 13 through 10:00 p.m. on Saturday, June 15; street closure on Main Street, Wall to Deadwood from 2:15 p.m. on Thursday, June 13 through 2:00 a.m. on Sunday, June 16; open container in zones 1 and 2 Thursday, June 13, Friday, June 14 and Saturday, June 15 from noon to 10:00 p.m. daily, use of public property Friday, June 14 for Midnight Cowboy 5K, waiver of banner and vending fees Thursday, June 13 through Saturday, June 15, 2024 for the following non-profits: Deadwood Chamber and Northern Hills Alliance for Children. Roll Call: Aye-All. Motion carried.

### Sturgis Motorcycle Parking

Public hearing was opened at 5:17 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions, hearing closed. Struble moved, Martinisko seconded to approve parking on Main Street 10:00 a.m. to 2:00 a.m. daily Sunday, July 28 through Monday, August 12; parking in Interpretive Lot 10:00 a.m. to 2:00 a.m. daily Thursday, August 1 through Sunday, August 11, 2024. Roll Call: Aye-All. Motion carried.

### Kool Deadwood Nites

Public hearing was opened at 5:19 p.m. by Mayor Ruth Jr. Sarah Kryger, Deadwood Chamber, was present to answer questions, hearing closed. Struble moved, Martinisko seconded to approve street closure on Main Street from Wall to Deadwood at 6:00 p.m. to 9:00 p.m. on Tuesday, August 20, street closure on Main Street from Wall to Deadwood at 2:15 p.m. Wednesday, August 21 to 3:00 a.m. Sunday, August 25; street closure on Siever Street on Thursday, August 22 from 5:00 p.m. to 10:00 p.m.; street closure on Main Street from Deadwood to Pine street on Thursday, August 22 from 4:00 p.m. to 10:00 p.m.; street closure on Main Street from Deadwood to Pine Street on Friday, August 23 and Saturday, August 24 from 4:00 p.m. to 10:00 p.m. daily; street closure on Main Street from Lower Main Street at Pioneer Way to Pine Street from 8:00 a.m. to 3:00 p.m. for parade and Show and Shine on Sunday, August 25; open container in Zones 1 and 2 on Wednesday, August 21 from 5:00 p.m. to 10:00 p.m. and Thursday, August 22, Friday, August 23, Saturday, August 24 and Sunday, August 25 from noon to 10:00 p.m. daily; waiver of banner fees Sunday, August 18 through Sunday, August 25; waiver of vending fees for the following non-profits: Deadwood Chamber and American Legion Tuesday, August 20 through Sunday, August 25; waiver of vending fees for Napa (or alternative sponsor) at Welcome Center Lot Thursday, August 22 through Saturday, August 25; use of Interpretive Lot at 2:00 a.m. on Thursday, August 22 through 2:00 p.m. on Sunday, August 25; use of Interpretive Lot (7 parking spaces near Deadwood Street) Sunday, August 18

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through Sunday, August 25 for tent and merchandise; use of Welcome Center Lot at 6:00 a.m. on Tuesday, August 20 through 10:00 p.m. on Saturday, August 24; use of Event Complex, Friday, August 23 through Sunday August 25; and Main Street parking from Wild Bill Bar to Nugget Saloon and in front of Mineral Palace on Thursday, August 22 to Saturday, August 24, 2024 from 10:00 a.m. to 10:00 p.m. daily. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Second Reading

Parking and Transportation Director Lux stated no changes between first and second readings. Martinisko moved, Struble seconded to approve second reading of Ordinance #1393 Amending Chapter 10.12.047 Parking Meter Rate regarding language under subsection c(3). Roll Call: Aye-All. Motion carried.

First Reading

Finance Officer McKeown stated no changes between first and second readings. Struble moved, Martinisko seconded to approve second reading of Ordinance #1394 Budget Supplement 1 for 2024. Roll Call: Aye-All. Motion carried.

Parking Donations

McKeown spoke about the parking donations collected which totaled \$22,800.00. Martinisko moved, Struble seconded to approve allocations for funds collected from Holiday Parking donations November 22 through December 26, 2023. Mayor Ruth Jr. thanked everyone that applied. Roll Call: Aye-All. Motion carried.

Black Hills Auxiliary Post 5969 - \$2,000.00	DARE 5 <sup>th</sup> Grade - \$500.00
DARE 7 <sup>th</sup> Grade - \$500.00	Deadwood Alive - \$1,500.00
Deadwood History - \$1,000.00	Deadwood-Lead Optimist Club - \$1,000.00
Deadwood-Lead 76ers Swim Team - \$1,000.00	Digger Track and Field Team - \$500.00
Feeding Deadwood - \$ 2,500.00	Golden Gang Easter Egg Hunt - \$700.00
Good Sheperd Clinic, Inc. - \$1,000.00	Homestake Opera House - \$500.00
Knowledge Bowl - \$850.00	Lead-Dwd Area Lions Club - \$1,000.00
Lead-Dwd AAU Wrestling Club - \$500.00	Lead Dwd Baseball Association - \$500.00
Lead Dwd Clothe-A-Kid - \$600.00	Lead Dwd Youth Soccer - \$500.00
Lead-Dwd 49ers BHY Football & Cheer - \$500.00	Lord's Cupboard - \$750.00
NeighborWorks – KidWeird - \$500.00	Northern Hills CASA Program - \$500.00
Santa Shop Elves - \$500.00	Shop with a Cop - \$500.00
Twin City Animal Shelter - \$1,000.00	Twin City Clothing Center - \$1,100.00
Twin City Senior Center - \$800.00	

Service

Public Works Director Stalder spoke about the service. Struble moved, Martinisko seconded to engage Towey Design Services at a cost of \$15,210.00 for the engineering design of the Railroad Avenue Water Main Extension project identifies as Urgent Task #2 of the recent water study to create a loop system as secondary source of water for zones 4, 5, 6, 7 and 8. (To be paid from Water Enterprise Fund.) Roll Call: Aye-All. Motion carried.

Pay

Fire Chief Hamann spoke about the purchase. Martinisko moved, Struble seconded to pay Orange County ESD 3 in the amount of \$130,000.00 for the purchase of 2002 Ferrara Inferno 100 Tower Ladder truck. (To be paid by Fire Department Truck Reserve.) Roll Call: Aye-All. Motion carried.

Pay

Hamann spoke about the expense. Martinisko moved, Struble seconded to allow Fire Department to expend up to \$12,000.00 for freight/delivery fees for newly purchased ladder truck. (To be paid by Fire Department Truck Reserve.) Roll Call: Aye-All. Motion carried.

First Reading

McKeown spoke about the Ordinance. Struble moved, Martinisko seconded to approve first reading of Ordinance #1395 Budget Supplement #2 for 2024. Roll Call: Aye-All. Motion carried.

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**INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS**

A. Commission Meeting on March 4, 2024 will be at 1:00 p.m. to accommodate Government Day Activities with the School District.

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.

Fire Chief Hamann stated that Friends of the Fire Department Award went to Rocksino, Gold Country Inn and Bill and Jaci Pearson, and Firefighter of the Year is Joel Ellis

**ADJOURNMENT**

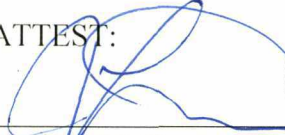
Struble moved, Martinisko seconded to adjourn the regular session at 5:37 p.m. The next regular meeting will be on Monday, March 4, 2024 at 1:00 p.m.

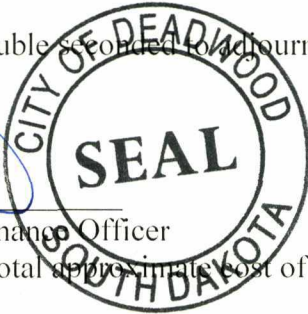
After coming out of executive session at 6:15 p.m.,

Struble moved, Martinisko seconded to hire Justin Lux as Safety Coordinator effective February 21, 2024 with annual stipend of \$3,000.00 per year. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to adjourn.

ATTEST:

  
\_\_\_\_\_  
Jessica McKeown, Finance Officer  
Published once at the total approximate cost of \_\_\_\_\_



DATE:

3/4/24

BY:

  
\_\_\_\_\_  
David Ruth Jr., Mayor