

**REGULAR MEETING, November 21, 2022**

The Regular Session of the Deadwood City Commission convened on Monday, November 21, 2022 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Acting Commission President Sharon Martinisko called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners Michael Johnson and Charlie Struble. Mayor David Ruth Jr. and Commissioner Gary Todd were absent. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Struble moved, Johnson seconded to approve the minutes of November 7, 2022. Roll Call: Aye-All. Motion carried.

**APROVAL OF DISBURSEMENTS**

Struble moved, Johnson seconded to approve the November 21, 2022 disbursements. Roll Call: Aye-All. Motion carried.

|                                  |                  |           |
|----------------------------------|------------------|-----------|
| A & I DISTRIBUTORS               | SUPPLIES         | 139.71    |
| ACE HARDWARE                     | SUPPLIES         | 784.63    |
| ADAMS SALVAGE RECYCLING          | SERVICE          | 20.10     |
| ALBERTSON ENGINEERING            | PROJECT          | 2,706.25  |
| ALSCO                            | SUPPLIES         | 2,537.85  |
| AMAZON CAPITAL                   | SUPPLIES         | 2,881.32  |
| AMAZON                           | SERVICE          | 201.07    |
| ATCO INTERNATIONAL               | TAKE-OFF/TROLLEY | 100.00    |
| BALCO UNIFORM                    | UNIFORMS         | 143.00    |
| BARRY'S ELECTRIC SERVICE         | SERVICE          | 6,128.00  |
| BELLE FLOWERS                    | LILY             | 61.99     |
| BH CHEMICAL                      | SUPPLIES         | 1,470.36  |
| BH ENERGY                        | SERVICE          | 26,140.96 |
| BH PIONEER                       | SERVICE          | 1,319.78  |
| BH SPECIAL SERVICES              | CLEANING         | 18,900.00 |
| BOMGAARS                         | SUPPLIES         | 69.99     |
| CARA MIA                         | PROJECT          | 15,000.00 |
| CENTURY BUSINESS PRODUCTS,       | CONTRACT         | 301.07    |
| CHAINSAW CENTER                  | RENTAL           | 750.00    |
| CLEMENT COMMUNICATIONS           | SERVICE          | 176.41    |
| CULLIGAN                         | SUPPLIES         | 160.75    |
| DEADWOOD CHAMBER - OUTLAW SQUARE | BID #9           | 40,000.00 |
| DVFD                             | REIMBURSEMENT    | 830.46    |
| DEMCO                            | SUPPLIES         | 282.89    |
| DOOLITTLE, JAMES                 | SERVICE          | 400.00    |
| DRINGMAN, PAT                    | REIMBURSEMENT    | 91.45     |
| DRUMMOND, NICHOLAS               | PROJECT          | 1,600.00  |
| ECOLAB                           | SERVICE          | 254.73    |
| FIB CREDIT CARDS                 | SUPPLIES         | 1,367.89  |
| GALLS                            | UNIFORMS         | 211.99    |
| GOLDEN WEST                      | SERVICE          | 3,914.50  |
| GOODE, BONITA                    | REIMBURSEMENT    | 72.33     |
| GREEN, LINDA                     | SERVICE          | 600.00    |
| GUNDERSON, PALMER, NELSON        | SERVICE          | 2,266.50  |
| HILLS INTERIORS                  | SUPPLIES         | 267.86    |
| HILLS SEPTIC SERVICE             | SERVICE          | 220.00    |
| HOMETOWN MANUFACTURING           | SUPPLIES         | 292.65    |
| IPS GROUP                        | SERVICE          | 3,613.58  |
| KIMBALL MIDWEST                  | SUPPLIES         | 250.96    |
| KLJ ENGINEERING                  | PROJECT          | 2,744.53  |
| KNECHT                           | GRANTS           | 200.89    |
| KONE CHICAGO                     | MAINTENANCE      | 519.25    |
| KUBOTA LEASING                   | SERVICE          | 250.24    |
| LAWRENCE CO. AUDITOR             | SERVICE          | 1,694.00  |
| LAWRENCE CO. REGISTER            | SERVICE          | 180.00    |
| LAWSON PRODUCTS                  | RENTAL           | 400.00    |
| LEAD-DEADWOOD SANITARY           | SERVICE          | 30,076.03 |
| LIGHTING MAINTENANCE             | REPAIRS          | 298.75    |
| LYNN'S                           | SUPPLIES         | 29.97     |
| M & T FIRE AND SAFETY            | SERVICE          | 2,028.40  |
| MACQUEEN EMERGENCY               | SERVICE          | 2,286.25  |
| MACROVISION                      | PROJECT          | 2,310.00  |
| MIDWEST TAPE                     | SUPPLIES         | 284.42    |
| MONUMENT HEALTH                  | TESTING          | 35.00     |
| MOTOROLA SOLUTIONS               | RADIOS           | 12,212.28 |
| MS MAIL                          | SERVICE          | 1,205.76  |
| NHS OF THE BLACK HILLS           | CONTRACT         | 6,238.75  |
| ODP BUSINESS SOLUTIONS           | SUPPLIES         | 222.15    |
| ONSITE FIRST AID                 | SUPPLIES         | 415.73    |
| OTIS ELEVATOR                    | MAINTENANCE      | 375.00    |
| PEARSON, JACI                    | PROJECT          | 2,025.00  |
| PETE LIEN & SONS                 | SUPPLIES         | 470.15    |
| QUADIENT FINANCE                 | POSTAGE          | 508.35    |
| QUADIENT LEASING                 | LEASE            | 245.46    |
| QUIK SIGNS                       | SERVICE          | 155.23    |
| QUILL                            | SUPPLIES         | 70.02     |
| RASMUSSEN MECHANICAL             | MAINTENANCE      | 21,034.16 |
| ROYAL ELECTRIC                   | REPAIRS          | 761.69    |
| SANITATION PRODUCTS              | SUPPLIES         | 828.73    |
| SD COMMISSION ON GAMING          | CITY SLOTS       | 29,829.55 |
| SD DEPT. OF REVENUE              | TRANSFER         | 75.00     |
| SD DEPT. OF REVENUE              | TAXES            | 4,665.31  |

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|                          |                  |                    |
|--------------------------|------------------|--------------------|
| SD HISTORICAL SOCIETY    | CONFERENCE       | 1,500.00           |
| SDML WORKERS' COMP FUND  | SERVICE          | 71,982.00          |
| SIMON CONTRACTORS        | PROJECT          | 140,068.50         |
| SOUTHSIDE OIL            | FUEL             | 16,995.00          |
| SOUTHSIDE SERVICE        | SERVICE          | 871.90             |
| SPEARFISH AUTO SUPPLY    | REPAIRS          | 20.47              |
| STONE LAND SERVICES      | SERVICE          | 5,360.00           |
| STURDEVANT'S             | SUPPLIES         | 1,846.67           |
| TEAM LABORATORY CHEMICAL | SUPPLIES         | 942.50             |
| TRINITY UNITED METHODIST | WREATHES-GARLAND | 1,702.00           |
| TRIPLE K                 | SERVICE          | 1,012.00           |
| TRUCANO, MIKE            | PROJECT          | 10,000.00          |
| TWIN CITY HARDWARE       | SUPPLIES         | 49.96              |
| TWIN CITY HARDWARE       | GRANTS           | 472.46             |
| TWIN CITY HARDWARE       | GRANTS           | 642.35             |
| UMENTHUM, KEITH          | PROJECT          | 367.20             |
| USA BLUEBOOK             | SUPPLIES         | 516.06             |
| VERIZON CONNECT          | SERVICE          | 92.95              |
| WARREN, DR. ROBERT E.    | PROJECT          | 1,500.00           |
| WESTERN STATES FIRE      | SERVICE          | 225.00             |
|                          |                  | Total \$517,374.10 |

### CONSENT

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

- A. Permission to increase wage for Parks Technician employee Matthew Johnson from \$20.27 to \$21.34 per hour effective November 16, 2022 after two years of service, which is 100% of prevailing wage.
- B. Remove Assistant Archivist, Barb Fosheim, from payroll effective November 1, 2022
- C. Accept resignation of Jeramy Russell, Planning and Zoning Administrator, effective December 23, 2022.
- D. Permission to hire Bridger Janvirin as part-time lifeguard at \$13.27 effective November 28, 2022, pending pre-employment screening.
- E. Removed for separate consideration in New Business.
- F. Permission to have Rasmussen Mechanical Services replace parts for both CRAC Units in City Hall at a cost not to exceed \$3,971.00. Repairs necessary from damage due to ineffective water softener. (To be paid from HP Capital Assets line item.)
- G. Permission to contract with American Engineering Testing for Geotechnical exploration and review for the Whitewood Creek Boardwalk Trail Reconstruction project at a cost of \$5,250.00. (To be paid from P&Z Professional Services line item.)
- H. Approve Special Alcohol License for First Gold to serve liquor at Event Complex Sunday, July 9 through Thursday, July 13, 2023 from noon to 10:00 p.m. for 3 Wheeler Rally Event. No public hearing necessary since license is on publicly owned property.
- I. Permission for fire department to order three sets of bunker gear (PPE) from Alex Air in an amount not to exceed \$9,600.00. (To be paid from 2023 fire equipment line item.)
- J. Permission for finance officer to sign Merchant Credit Card Agreement with i3 - BIS, LLC who is taking over for current vendor of Pace.
- K. Permission to make 2022 budgeted allocation to Boys and Girls Club in the amount of \$3,500 from Bed and Booze Fund.
- L. Permission for Mayor to sign the Labor Agreement for the Police Department between the City of Deadwood and Teamsters Local union No. 120
- M. Permission to purchase up to \$20,000.00 of deicer from BlackStrap at \$169 per ton delivered. (To be paid from Streets Supply budget.)
- N. Permission to contract with Rasmussen Mechanical Services in the amount of \$3,120.00 for repair and replacement of cooling fin, actuator and foot pedal for HVAC system at Fire Hall. (To be paid from Public Buildings budget.)
- O. Permission to contract with Rasmussen Mechanical Services in the amount of \$5,784.00 for repair and replacement of compressor, ignitor, and labor for HVAC system at City Hall. (To be paid from Public Buildings budget.)



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### PUBLIC HEARINGS

#### Transfer

Public hearing was opened at 5:01 p.m. by Commissioner Martinisko. No one spoke in favor or against, hearing closed.

Johnson moved, Struble seconded to approve 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.

#### Snocross

Public hearing was opened at 5:02 p.m. by Commissioner Martinisko. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Johnson moved, Struble seconded to allow the relaxation of open container Friday, January 27 from 11:00 a.m. to 2:00 a.m. on Saturday, January 28, and Saturday, January 28 from 11:00 a.m. to 2:00 a.m. on Sunday, January 29. Special temporary full liquor license for Deadwood Chamber on Friday, January 27 and Saturday, January 28, 2023 from 11:00 a.m. to 10:00 p.m. each day and fireworks display at 6:00 p.m. each day at the Event Complex. Roll Call: Aye-All. Motion carried.

#### K-9 Keg Pull

Public hearing was opened at 5:03 p.m. by Commissioner Martinisko. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Struble moved, Johnson seconded to allow open container in zones 1 and 2 noon to 10:00 p.m., Main Street closure from Deadwood Street to Pine Street 9:00 a.m. to 6:00 p.m. and waiver of banner fees on Saturday, January 28, 2023. Roll Call: Aye-All. Motion carried.

#### Mardi Gras

Public hearing was opened at 5:04 p.m. by Commissioner Martinisko. Sarah Kryger, Deadwood Chamber, was available to answer questions, hearing closed.

Johnson moved, Struble seconded to allow open container in zones 1 and 2 on Friday, February 10 from 5:00 p.m. to 10:00 p.m., Saturday, February 11 from noon to 10:00 p.m., street closure on Main Street from Lower Main Street at Pioneer Way to Pine Street from 6:45 p.m. to 8:00 p.m. or until parade ends on Saturday, February 11, 2023. Roll Call: Aye-All. Motion carried.

#### 3-Wheeler Rally

Johnson moved, Struble seconded to continue public hearing until December 5 for 3-Wheeler Rally Events. Roll Call: Aye-All. Motion carried.

#### Set

Struble moved, Johnson seconded to set public hearing on December 4, 2022 in regards to zoning amendment request for a Planned Unit Development (PUD) at The Ridge Development. Public hearing to include discussion on zoning districts, setbacks, parking requirements and use of short-term rentals. Roll Call: Aye-All. Motion carried.

### OLD BUSINESS

#### Advertise

Johnson moved, Struble seconded to advertise in-house for 5 days and then in official newspaper, if needed, for Rec Center Assistant Director/Program Coordinator at \$19.00 per hour. (D9 rank with position starting January 1, 2023.) Roll Call: Aye-All. Motion carried.

### NEW BUSINESS

#### Agreement

Commissioner Martinisko asked for agreement to be continued for review. Johnson moved, Struble seconded to continue Tri-City Rubble Site agreement with Adams Salvage Recycling & Recovery, LLC for operating the rubble site from December 2022 through December 31, 2027. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, November 21, 2022

### Final Plat

Struble moved, Johnson seconded to Act as Board of Adjustment and approve final plat legally described as: LOTS 8A, 8B, 9A and 9B, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOTS 8 and 9, BLOCK 4A 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. (113 and 115 Mystery Wagon Road, Planning and Zoning Approved on November 16, 2022.) Roll Call: Aye-All. Motion carried.

### Purchase

Interim Public Works Director Kuchenbecker spoke about the purchase. Johnson moved, Struble seconded to accept delivery and pay \$37,253.52 to Scott Peterson Motors for 2022 Ford Super Duty F-350 to replace 2002 Streets pickup. (Ordered off state bid in November 2021) (To be paid by 2022 Streets Department supplement budget.) Roll Call: Aye-All. Motion carried.

### INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Reminder: Free parking in all pay by plate fee areas excluding Broadway Parking Garage from Wednesday, November 23 thru Monday, December 26, 2022. Revenue received from holiday parking will be dispersed to local non-profit organizations. Information on how to apply will be posted in future meetings and on social media.

Jaci Pearson, Black Hills Pioneer, thanked Planning and Zoning Administrator Russell for all his help.

Attorney Riggins requested Executive Session for personnel matters per SDCL 1-25-2(1) with possible action.

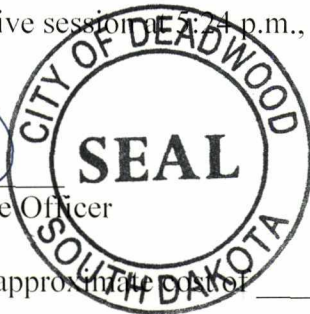
### ADJOURNMENT

Johnson moved, Struble seconded to adjourn the regular session at 5:11 p.m. and convene into Executive Session for personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday, December 5, 2022 at 5:00 p.m.

After coming out of executive session at 7:24 p.m., Johnson moved, Struble seconded to adjourn.

ATTEST:

  
Jessica McKeown, Finance Officer



DATE: 12-5-22

BY: 

David Ruth Jr., Mayor

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