

REGULAR MEETING, April 20, 2015

The Regular Session of the Deadwood City Commission convened on April 20, 2015 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor Turbiville called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins and Commissioners David Ruth Jr., Georgeann Silvernail, Gary Todd and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Ruth moved, Silvernail seconded to approve the minutes of April 6, 2015. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the April 20, 2015 disbursements. Roll Call: Aye-All. Motion carried.

4-IMPRINT	SUPPLIES	195.66
A & B WELDING	CYLINDER	135.50
ABC BUSINESS	SUPPLIES	1,460.67
ALSCO	SUPPLIES	75.17
AMAZON	SERVICE	203.02
ARLETH LAND SURVEYING	PROJECT	2,490.00
ATLAS BUILDING	SERVICE	412.94
BERGEN, SHIRLEY	ELECTION	178.00
BIERSCHBACH EQUIPMENT	PUMP	490.00
BH CHEMICAL	SUPPLIES	390.88
BH DISPOSAL	DUMPSTER	800.00
BH PIONEER	ADS	1,690.24
BH POWER	SERVICE	2,418.98
BH SPECIAL SERVICE	CLEANING	1,228.00
BH URGENT CARE	TESTING	366.00
BH WINDOW CLEANING	CLEANING	1,218.00
BROKEN BOOT GOLD MINE	GRANT	2,928.88
BUY ON LINE	SUPPLIES	364.30
CALIFORNIA CONTRACTORS	SUPPLIES	333.10
CENTER FOR WESTERN	REGISTRATION	55.00
CENTURY LINK	SERVICE	254.01
CHAINSAW CENTER	SUPPLIES	145.00
CHEMSEARCH	SUPPLIES	301.56
COCA COLA	SUPPLIES	97.20
CODE WORKS	SERVICE	65.00
CONRADS BIG SIGNS	REPAIRS	4,931.63
CULLIGAN	SUPPLIES	223.75
DAKOTA TERRITORIAL MUSEUM	GRANT	15,000.00
DANKO	SUPPLIES	755.00
DEADWOOD CHAMBER	SERVICE	2,000.00
DEADWOOD DEVELOPMENT	SHIPPING	30.83
DEADWOOD ELECTRIC	REPAIR	139.03
DVFD	MEMBRSHIP	100.00
DEADWOOD HISTORY	REIMBURSEMENT	1,775.00
EDDIE'S TRUCK SALES	REPAIRS	645.15
FARMER BROTHERS	SUPPLIES	163.60
FASTENAL COMPANY	SUPPLIES	12.74
FERBER ENGINEERING	SUPPORT	527.50
FULLER, KELLY	REIMBURSEMENT	426.62
GOLDEN WEST	SERVICE	813.50
GOVERNMENT FINANCE OFFICER	MEMBERSHIP	160.00
GUNDERSON, PALMER, NELSON	SERVICE	6,898.56
GUSTAFSON, ARLENE	ELECTION	153.00
HAWKINS	SUPPLIES	574.13
HILLS PRODUCTS	RAIL	1,709.75
JACOBS WELDING	GA TUBING	605.87
JOHN WILEY & SONS	BOOK	212.74
JUNEKS SERVICE	REPAIR	23.75
KDSJ	AD	330.00
KONE	MAINTENANCE	266.80
KRUZEL, TOM	REIMBURSEMENT	244.78
LAKER CHEMICAL	SUPPLIES	305.00
LAWRENCE CO. REGISTER	FEES	90.00
LAWSON PRODUCTS	SUPPLIES	1,061.99
LYNN'S	SUPPLIES	39.90
M & T FIRE	SUPPLIES	1,034.11
M&M SANITATION	RENTAL	373.40
MED-TECH RESOURCE	SUPPLIES	116.44
MENARD'S	BATTERIES	81.70
MIDCONTINENT	SERVICE	65.00
MS MAIL	SERVICE	1,537.72
NATIONAL BUSINESS	SUPPLIES	449.00
NETWORK SERVICES	SUPPLIES	598.92
NEVE'S	UNIFORMS	710.08
NH TECHNOLOGY	SERVICE	83.50
NORTHERN TRUCK EQUIPMENT	KIT	5,900.00
NORTHWEST PIPE FITTINGS	VALVE	49.95
PANNIER	PANEL	415.48
PASSPORT PARKING	METERS	27.75
PETTY CASH	FINANCE	151.45
PITNEY BOWES	POSTAGE	500.00
PLAY IT AGAIN SPORTS	SUPPLIES	331.15
QUILL	SUPPLIES	720.73
RASMUSSEN	SERVICE	729.30
REGIONAL HEALTH PHYSICIANS	TESTING	175.00

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RENNER, DONOVAN	REIMBURSEMENT	242.27
RUNGE, MIKE	REIMBURSEMENT	84.99
SANDIDGE, VERNA	ELECTION	153.00
SD COMMISSION ON GAMING	PAYMENT	37,704.54
SD DEPT. OF HEALTH	SHOTS	20.00
SD DEPT. OF REVENUE	LICENSE	150.00
SD FIRE CHIEF'S	MEMBERSHIP	100.00
SD ONE CALL	SERVICE	26.64
SDN COMMUNICATIONS	SERVICE	571.20
SOUTHSIDE SERVICE	SERVICE	58.70
SPECIALTY VEHICLES	BUMPER	502.48
STREICHER'S	GRAPHICS	125.97
STURDEVANT'S	SUPPLIES	1,210.43
THE LORD'S CUPBOARD	RECYCLING	92.22
TOMS, DON	PROJECT	630.00
TRIDLE, JOHN	REIMBURSEMENT	20.00
TRUGREEN	SERVICE	383.25
TURBIVILLE, CHARLES	PROJECT	7,716.43
TWILIGHT	SUPPLIES	416.70
TWIN CITY HARDWARE	SUPPLIES	239.98
TYCO SIMPLEX GRINNELL	PAYMENT	354.19
VICTOR STANLEY	SUPPLIES	16,904.00
WASTE CONNECTIONS	SERVICE	8,379.83
WIN	MAINTENANCE	395.00
YELLOWSTONE INTERNATIONAL	SERVICE	1,000.00
ZEP SALES	SUPPLIES	370.42

TOTAL \$150,420.65

ITEMS FROM CITIZENS ON AGENDA

Request

Todd moved, Silvernail seconded to approve the change in free trolley for Deadwood History Inc. and allow trolley to pick up at Boys and Girls Club in Lead and transport to elementary school on May 7, 2015. Roll Call: Aye-All. Motion carried.

Permit

Van Den Eykel moved, Ruth seconded to approve the request from Dick Herman for livery vehicle permit for stagecoach rides on Main Street. Police Chief Fuller stated Parking and Transportation Committee recommended approving the permit application since the same permit was approved last year after several concerns were addressed. Commission required a two million dollar liability policy naming city as additional insured. Roll Call: Aye-All. Motion carried.

CONSENT

Ruth moved, Van Den Eykel seconded to approve the following consent items. Roll Call: Aye-All. Motion carried.

- A. Hire Ashley Hanson for part time seasonal work in Finance Office effective May 11, 2015 at rate of \$8.97 per hour.
- B. Deadwood History Inc. request approval to serve liquor at Days of '76 Museum May 16 from 3:00 p.m. to 10:00 p.m. for party.
- C. Permission for Justin Lux and Andrew Larive to attend Criminal Interdiction Training in Pierre from May 4 to May 6. Requesting use of vehicle.
- D. Permission to increase wage of Water Maintenance operator Ken Allen from \$18.58 an hour to \$19.56 an hour effective April 23, 2015 after two years of service.
- E. Permission for Fire Department to purchase one mobile and portable radio at total cost of \$4,991.50.
- F. Permission to hire Performance Automatics and Repair to replace transmission in 2008 trolley at cost not to exceed \$5,000.00.
- G. Purchase 5500 gallons of gasoline from Southside at cost of \$2.29 per gallon.
- H. Permission for Streets Department to purchase guardrail with bolts for installation on Mt. Roosevelt Road at cost of \$3,537.50.
- I. Amend quote from Jensen Hardwood Floors to include additional \$32.00 and request permission for Mayor to sign contract in the amount of \$20,982.40.
- J. Approve the following personnel changes at Deadwood Rec Center: hire Jim Phillips as lifeguard effective April 21, 2015 at \$9.63 an hour; hire Jesse Willis as lifeguard effective April 22, 2015 at \$8.50 an hour; hire Nicole Diedrich as lifeguard effective April 22, 2015 at \$9.50 an hour; accept letter of resignation from Alex Madsen effective April 21, 2015; increase wage of lifeguard Courtney Gould from \$8.50 an hour to \$8.75 an hour effective April 19, 2015 after one year of service.
- K. Permission for Mayor to sign contract with Tallgrass in the amount of \$21,185.00 for 2016 Powerhouse Park project. Expenditure approved on April 6, 2015.

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PUBLIC HEARINGS

Cinco De Mayo

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. Deadwood Business Club Representative, Rhonda Van Den Eykel requested approval of the following:

Silvernail moved, Todd seconded to approve the street closure on Gold Street and Main Street from Wall Street to Deadwood Street on Saturday, May 2, 2015, from 12:00 p.m. to 5:00 p.m. Roll Call: Aye-All. Motion carried.

Silvernail moved, Todd seconded to waive vending fees and allow vending on Main Street and Sherman Street for the Sidewalk Sale with proceeds to charity, and waiver of the banner fee. Roll Call: Aye-All. Motion carried.

Wild Bill Days

Public hearing was opened at 5:10 p.m. by Mayor Turbiville . Sarah Anderson, Deadwood Chamber requested approval of the following:

Ruth moved, Silvernail seconded to approve the street closure on Main Street from Pine to Deadwood Street on Thursday June 18, 2015 at 9:00 a.m. and remain closed until 10:00 p.m. Saturday June 20, 2015, and Main Street from Wall to Deadwood Street on Thursday June 18, 2015 at 2:00 p.m. Street and remain closed until 2:00 a.m. Sunday June 21, 2015. Roll Call: Aye-All. Motion carried.

Friday June 19, 2015

Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance on Main Street from the Four Aces to Masonic Temple, Broadway Street from Wall to Shine, Sherman Street from Pioneer Way to the south side of Pine Street, Deadwood Street from Pioneer Way to Sherman Street, Siever Street, Pine Street from Main Street to Sherman Street and Lee Street from Pioneer Way to Sherman Street from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Saturday June 20, 2015

Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance for same area as approved on June 19, 2015 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Silvernail moved, Ruth seconded to waive the vending fee and allow vending on Main Street on Friday, June 19 and Saturday, June 20, 2015 for Chamber merchandise and at Rodeo Grounds for Strongman Competition June 20, 2015. Roll Call: Aye-All. Motion carried.

Silvernail moved, Ruth seconded to approve the waiver of the banner fees Friday & Saturday, June 19 & 20, 2015. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to allow the use of public property for Deadwood's second Midnight Cowboy 5K Run on Saturday June 20, 2015 and waiver of user fees at the Rodeo Grounds for Strongman Competition event on Saturday June 20, 2015. Roll Call: Aye-All. Motion carried.

National Impala

Public hearing was opened at 5:14 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber requested approval of the following:

Silvernail moved, Ruth seconded to approve the street closure on Main Street from Deadwood to Wall Street on Wednesday July 22, 2015 from 7:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

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Motorcycle Parking

Public Hearing was opened at 5:15 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce, requested approval of the following:

Silvernail moved, Ruth seconded to allow the use of the Interpretive Lot for motorcycle parking and allow motorcycle parking on Main Street from Franklin Hotel to Four Aces, northwest side only from 10:00 a.m. to 2:00 a.m. daily from Sunday July 26, 2015 through Saturday August 8, 2015. Roll Call: Aye-All. Motion carried.

Legends Ride

Public hearing was opened at 5:16 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce, requested approval of the following:

Todd moved, Van Den Eykel seconded to allow street closure on Main Street from Pine to Deadwood Street from 9:00 a.m. to 3:30 p.m. for Legends Ride, allow motorcycle parking on a portion of Main Street in front of Deadwood Tobacco Company from 9:00 a.m. to 3:00 p.m. and waive Banner Fees on Monday August 3, 201500010. Roll Call: Aye-All. Motion carried.

Malt Beverage

Public hearing was opened at 5:18 p.m. by Mayor Turbiville. There being no public comment, hearing closed. Van Den Eykel moved, Silvernail seconded to approve the Retail (on-off sale) Malt Beverage License for Carbon County Cattle Company, dba Two Buck Slims at 175 Sherman Street. Roll Call: Aye-All. Motion carried.

Set

Ruth moved, Silvernail seconded to set public hearing at 5:00 p.m. on May 4 for Northern Hills Community Band: Street closure on July 23 and use of portico at History interpretive Center on July 25. Roll Call: Aye-All. Motion carried.

Todd moved, Silvernail seconded to set public hearing at 5:00 p.m. on May 4 to hear request for temporary vending license application from Joycie's Street Meats in conjunction with ATV event on May 15-16, 2015. Vendor responsible for publication costs. Roll Call: Aye-All. Motion carried.

Ruth moved, Silvernail seconded to set public hearing at 5:00 p.m. on May 4 for Retail (on-off sale) Malt Beverage for N.M.D. Venture LLC at 685 Main Street. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Election Results

Silvernail moved, Ruth seconded to allow the Mayor and Commissioners to sign the Official Election Canvass Form and approve the results of the election. Election for two three-year Commission seats as follows: Gary Todd – 211, Mark Speirs – 225, Gregory Vecchi – 112 and Georgeann Silvernail – 109. Initiated Measure 1, An initiated measure to require a majority vote of the public prior to moving, demolishing or destroying any historic property listed on the State or National Register of Historic Places – 165 Yes, 207 No. Initiated Measure 2, An initiated measure to permit diagonal parking on Main Street Deadwood – 22 Yes, 355 No. Roll Call: Aye-All. Motion carried.

Second Reading

Todd moved, Ruth seconded to approve the second reading of Ordinance #1225 Amending Liquor Licensing. Roll Call: Aye-All. Motion carried.

Petition

Mayor Turbiville stated a petition was accepted and declared valid by Finance Office on April 10, 2015. Petition proposes submittal to voters for their approval or rejection: Ordinance #1211, an Ordinance Amending Chapter 17.68 Entitled Historic Preservation passed by Deadwood City Commission on March 16, 2015. Attorney Riggins stated state law requires election to be held at next regular general election unless Commission would like to hold the election sooner. If so, the election must be at least 30 days from today's date. Riggins also stated old ordinance will remain in effect until the election is held. Todd moved, Ruth seconded to accept the petition and set election for Tuesday June 2, 2015. Roll Call: Aye-All. Motion carried.

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Resignation

Todd moved, Silvernail seconded to accept resignation of Caitlyn Engebretson, Public Works Administrative Assistant, effective April 23, 2015. Commissioner Ruth asked Public Works Director Green to convey his thanks to Ms. Engebretson for her service to city and our country. Roll Call: Aye-All. Motion carried.

Closure

Silvernail moved, Ruth seconded to close Water Street for a portion of time on May 13 and May 14 to allow triathlon participants to reach Rec Center. Roll Call: Aye-All. Motion carried.

Banners

Silvernail moved, Todd seconded to allow Lead-Deadwood Regional Hospital and Clinic to hang banners for the month of May and waive fees. Approved by Planning and Zoning Commission on April 15, 2015. Roll Call: Aye-All. Motion carried.

Silvernail moved, Van Den Eykel seconded to allow Building Inspector and Zoning Administrator to approve or deny banner applications for businesses affected by Highway 85 construction from Cemetery to Walnut Street. Approved by Planning and Zoning Commission on April 15, 2015. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Ruth seconded to purchase used VB Bomag 120 AD-4 double drum roller packer from Diesel Machinery at cost of \$39,000.00. Budgeted as cost share between Water Department and Streets Department. Roll Call: Aye-All. Motion carried.

Quote

Silvernail moved, Van Den Eykel seconded to accept quote from Black Hills Asphalt and give permission for Mayor to sign contract for \$13,737.00 for asphalt repairs at Oak Ridge Cemetery. Roll Call: Aye-All. Motion carried.

Silvernail moved, Ruth seconded to accept quote from Rapid Fire Protection in the amount of \$18,970.00 to upgrade sprinkler system in basement of city hall. Upgrade is a CIP project and will be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Todd seconded to purchase loader chains from Harriscos LLC at cost of \$10,209.85 from Streets department budget. Roll Call: Aye-All. Motion carried.

Proposal

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign Chamberlin Architect Services proposal in the amount of \$550,800 and approve 50/50 cost share between Historic Preservation and General Fund for \$358,800.00, amount over remaining budget from Parking and Transportation Fund. After discussion on possible ways to finance and timing of project, Mayor Turbiville directed Finance Officer Nelson to gather information on various funding options for the Commission consideration. Mayor requested this matter be placed on May 4 agenda for further discussion. Roll Call: Aye-Silvernail, Van Den Eykel. Nay-Ruth, Todd, Turbiville. Motion failed.

Decision

Discussion was held concerning waiving image fee to Prairie Berry LLC in return for printing courtesy on bottle. Mayor Turbiville stated Prairie Berry would like to use a photo of Wild Bill Hickok from the City's collection and place a courtesy on the label for the use of the image. Ruth moved, Van Den Eykel seconded to waive image fee to Prairie Berry LLC in return for printing courtesy on bottle. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Turbiville stated Marty Jackley will be in Deadwood on Thursday May 7 for a meet and greet, presentation on new laws and regulations and question and answer session. Meeting begins at 5:00 p.m. at Springhill Suites. Public is encouraged to attend.

Turbiville stated due to Mark Speirs being elected to the City Commission, a vacant seat on Planning and Zoning Commission is available to an interested party. Turbiville thanked Speirs for his time with Planning and Zoning.

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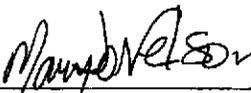
Turbiville stated a letter was received thanking Police Officer Jim Olson for his friendliness during a traffic stop.

The Commissioners and Department Heads presented Commissioner Silvernail with a plaque for her time of service and wished her well.

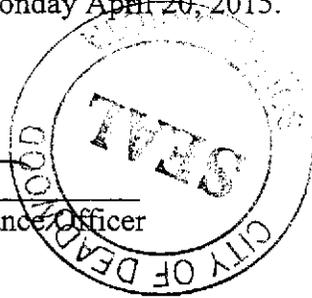
ADJOURNMENT

Silvernail moved, Todd seconded to adjourn the regular session at 6:03 p.m. The next regular meeting will be on Monday April 20, 2015.

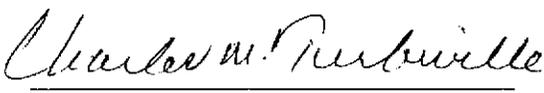
ATTEST:



Mary Jo Nelson, Finance Officer



DATE: May 4, 2015

BY: 

Charles M Turbiville, Mayor

Published once at the total approximate cost of _____