

REGULAR MEETING, August 19, 2013

Mayor Chuck Turbiville called budget meeting to order at 8:00 a.m. on August 19, 2013 in City Hall, 102 Sherman Street, Deadwood, South Dakota. Those present were: Commissioners Joe Peterson, Georgeann Silvernail, Gary Todd, and Finance Officer Nelson. Commissioner VandenEykel was absent.

Finance Officer reviewed a summary of revenues, expenditures and cash transfers for all budgeted funds after suggested changes from prior meeting. After discussion on departmental requests, a meeting was scheduled on August 21, 2013. Silvernail moved, Peterson seconded to adjourn.

Mayor Chuck Turbiville called budget meeting to order at 8:00 a.m. on August 21, 2013 in City Hall, 102 Sherman Street, Deadwood, South Dakota. Those present were: Commissioners Joe Peterson, Georgeann Silvernail, Gary Todd, Historic Preservation Officer Kuchenbecker and Finance Officer Nelson. Commissioner VandenEykel was absent.

Kuchenbecker reviewed Historic Preservation plans for St. Ambrose project, placement and size of generator at city hall and proposed repair of brick streets. Kuchenbecker requested that St. Ambrose and brick street project be conducted in phases over a 3-4 year time period. Discussion was also held regarding the best way to assess amount of wear and tear on streets and if currents staff could be utilized as opposed to hiring contractor. Silvernail moved, Todd seconded to adjourn.

The Regular Session of the Deadwood City Commission convened on August 19, 2013 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 Joe Peterson, Georgeann Silvernail, Gary Todd. Commissioner Jim Van Den Eykel was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Todd seconded to approve the minutes of August 12, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Silvernail seconded to approve the August 19, 2013 disbursements. Roll Call: Aye-All. Motion carried.

ABC BUSINESS	SUPPLIES	2,764.47
AINSWORTH-BENNING	PROJECT	45,692.86
ALBERTSON ENGINEERING	PROJECT	1,110.90
ALCO	SUPPLIES	149.47
AMAZON SERVICES	MAP	284.34
ARLETH LAND SURVEYING	SERVICE	1,917.50
ATCO	SERVICE	390.00
BH DISPOSAL	DUMPSTER	720.00
CENTURY LINK	SERVICE	169.48
CITY OF LEAD	CONTRIBUTION	2,784.91
CRARY HUFF	SERVICES	750.50
CULLIGAN	SUPPLIES	79.50
DAKOTA BUSINESS	MAINTENANCE	147.49
DEADWOOD ALIVE	PAYMENT	30,000.00
DEADWOOD ELECTRIC	SERVICE	806.45
ECOLAB	SERVICE	341.50
EDDIE'S TRUCK SALES	REPAIR	930.52
ENSMINGER, RICK & BARB	LOAN	3,000.00
GOLDEN WEST	SERVICES	7,357.60
GUNDERSON, PALMER, NELSON	SERVICES	10,238.68
HERMOSA ARTS	GRANT	4,000.00
HILLS MATERIALS	PROJECT	345.64
INTERSTATE BATTERY	BATTERIES	55.96
JACOBS WELDING	SERVICE	431.28
JUNEKS	SERVICE	270.00
KARL'S	REFRIG.	569.00
KONE	MAINTENANCE	205.00
LAWRENCE CO. REGISTER	CLOSING COSTS	180.00
LYNN'S	SUPPLIES	80.09
MARIAH PRESS	PROJECT	100.00
MERTENS, KENNETH	REIMBURSEMENT	261.40
MIDCONTINENT	SERVICE	65.00
MS MAIL	FLYERS	2,612.50
NEIGHBORHOOD LENDING	CONTRACT	21,725.00
NEVE'S	UNIFORMS	139.38
NORTHWEST PIPE FITTINGS	SERVICE	1,160.76
PETTY CASH	HP & P&Z	86.15
QUICK TROPHY	PLATE	25.49
RAPID DELIVERY	SERVICE	10.80
SABO CONSTRUCTION	PROJECT	9,108.00
SCHUMACHER, DUSTIN	REIMBURSEMENT	378.00
SD COMMISSION ON GAMING	PAYMENT	18,852.27
SD DEPT. OF CORRECTIONS	FIREWISE	3,598.90
SD ONE CALL	SERVICE	22.20
SDN COMMUNICATIONS	SERVICE	571.20

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SILVERNAIL, GEORGEANN	REIMBURSEMENT	41.88
STADLER INDUSTRIAL	PROJECT	100.00
STAN HOUSTON	SUPPLIES	592.50
STRETCH'S	SERVICE	267.15
BLIND GUY	SERVICE	1,721.83
TOMS, DON	PROJECT	1,260.00
TWIN CITY HARDWARE	SUPPLIES	3,288.70
TYLER TECHNOLOGIES	MAINTENANCE	11,655.80
WEBER, ROBERT	LOAN	6,000.00
WESTERN COMMUNICATIONS	SERVICE	200.00
WYSS ASSOCIATES	PROJECT	1,203.25
ZEP SALES	SUPPLIES	218.45
ZIEGLER	SUPPLIES	127.80
	TOTAL	\$201,167.55

ITEMS FROM CITIZENS ON AGENDA

Permission

Dr. Greg Vecchi and Tom Blair were in attendance to request for permission to discharge firearms in the city limits of Deadwood. Item was continued from August 12, 2013 due to concerns from members of the community regarding noise and safety. Dr. Vecchi also presented additional slides regarding proposal for private gun range and addressed concerns from previous meeting. He added that unlike the site at Yellow Creek, this range would always be supervised by certified NRA Safety Officers.

Mayor Turbiville requested input from audience. Business owner Blake Haverberg spoke in favor and said it is a positive way to promote gun safety and promote our history. Will Cooper also spoke in favor and stated we are fortunate to have Dr. Vecchi in the area, as he will present an opportunity to learn about guns in a controlled environment. Business owner Frank Pavich and former Marine infantryman also spoke in favor and requested that the Commission has the vision to set this project in motion. He reviewed the site prior to meeting. Todd Moon spoke in favor also.

Speaking in opposition were residents Ronda Feterl, 10 Ryan Road, and Mark Shirey, 20 Peck Street. Mr. Shirey visited the site and has concerns that shooting will be towards Deadwood. He also reviewed photos presented by Dr. Vecchi to reinforce his point of view. He is also in opposition of any blockage of property that prohibits users of an area trail. Ms. Feterl added that she does not want the proposed range in her neighborhood, particularly in light of a proposed relocation of big horn sheep in the area. She also voiced concerns about neighborhood deer, possible contamination of lead in water supply and noise. She requested that the public be involved and believes another test should be scheduled and requested a continuance for more input.

Tom Blair added that he did an onsite with Bureau of Land Management, who believes the site is in a good location. Mayor Turbiville stated a test was conducted on August 15. Those present were: Kip Mau, Kelly Fuller, Greg Vecchi, Tom Blair, Commissioner Joe Peterson, Commissioner Jim Van Den Eykel, Rob Ruffato, Tracy Island and Blake Haverberg. He read portions of Chief Fuller's assessment of the testing on August 15, which concluded that "ambient noise levels as measured at the Comfort Inn, Deadwood Gulch and the Campground Lodge were equal to or higher than the maximum noise levels in the middle of the campground. It should also be noted that the highest sound pressure level that was measured, 88dB, was recorded while a hot rod drove past the Comfort Inn." Business owner Ron Island asked if city needed an ordinance to allow this activity. City Attorney Riggins stated a variance can be approved by Commission to allow discharge of firearms in city limits. Turbiville added that City Commission recently gave same type of approval to a site at the slag pile earlier this year. Mayor then ended time for public comment.

Silvernail moved, Peterson seconded to approve the proposed shooting range and grant a variance to allow the discharge of firearms within the City of Deadwood, with agreement to be forthcoming from City Attorney. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing-Steer Roping

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. Pat Roberts, Days of '76 Committee requested approval for the Steer Roping event:

Silvernail moved, Todd seconded to approve the special liquor license, waiver of banner, vending fees and the use of the rodeo grounds on Saturday August 31, 2013, with Days of '76 in charge of clean up and no staffing from Parks Department. Roll Call: Aye-All. Abstain - Peterson. Motion carried.

REGULAR MEETING, August 19, 2013

Bid Opening-Pavilion Window Improvement

Public Works Director, Raysor opened three bids for the Pavilion window improvement and painting. Bid bonds or cashier's checks were included in the following bid submittals:

Lamb Painting - \$15,000.00
Vic Utech - \$34,771.00
GS Construction - \$8,988.94

Raysor requested to continue until August 26, 2013 for review. Peterson moved, Silvernail seconded request. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Silvernail seconded to set a public hearing at 5:05 p.m. on Tuesday September 3, 2013 for waiver of user fee at the rodeo grounds and request open container for Black Hills Veterans March on September 21, 2013. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Peterson seconded to set a public hearing at 5:05 p.m. on September 9, 2013 for street closures, open container in zone 1 and 2, and waiver of vending and banner fees for Oktoberfest events on October 5, 2013. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded to set a public hearing at 5:07 p.m. on September 9, 2013 for street closure and waiver of banner fees for Zombie Walk Event on September 21, 2013. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Resignation

Silvernail moved, Todd seconded to accept the resignations from Summer Camp employees, Shelby Stagner and Colby Newton effective August 12, 2013. Roll Call: Aye-All. Motion carried.

Wage Increase

Silvernail moved, Peterson seconded to increase the wage of lifeguard Sabrina Brossart from \$8.28 an hour to \$8.79 an hour effective August 17, 2013 after two years of service. Roll Call: Aye-All. Motion carried.

Expenditure

Silvernail moved, Todd seconded to approve the expenditure of \$2,915.00 and agree to proposal terms set forth by utility Services Associates for leak detection. Roll Call: Aye-All. Motion carried.

Resignation

Silvernail moved, Todd seconded to accept the resignation of Broc Hanson and Megan Seieroe effective August 23, 2013. Roll Call: Aye-All. Motion carried.

Public Meeting

Silvernail moved, Peterson seconded to allow Public Works Director to hold public meeting in September regarding utility issues related to Highway 85 project. Roll Call: Aye-All. Motion carried.

Permission

Silvernail moved, Todd seconded to spend \$3,000.00 to camera and document irregularities in sewer line at Stage Run. Public Works Director Jim Raysor informed the Commission part of the storm sewer line was installed backwards. Commissioner Peterson added that the City should not be responsible for repairs. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Second Reading

Silvernail moved, Peterson seconded to approve the second reading of Trail Ordinance #1193, Outlining Regulating Mickelson Trail with modification to allow firearm possession with no discharge. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, August 19, 2013

Contracts

Todd moved, Silvernail seconded to allow the Mayor to sign the following contracts: Lowe Roofing for firehall, Sacrison Paving for Water Street overlay, Hills Materials for Williams Street overlay, Custom Décor for Adams Museum repairs, KT Connection for surveillance system at Library and TSP for topo survey work associated with Highway 85 project. Roll Call: Aye-All. Motion carried.

ITEMS FORM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

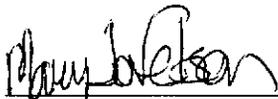
Finance Officer informed press and public that, City Commission will meet at 8:00 a.m. on August 21, 2013 to continue budget meeting.

Public Works Director informed the Commission the recycling bins will be placed in Sherman Street Parking Lot and by the Parks Department within the next week.

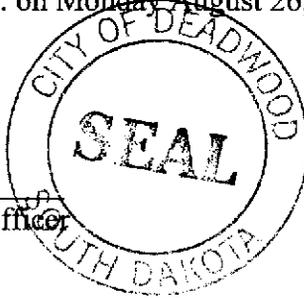
ADJOURNMENT

Silvernail moved, Peterson seconded to adjourn the regular session at 6:12 p.m. The next regular meeting will be at 5:00 p.m. on Monday August 26, 2013.

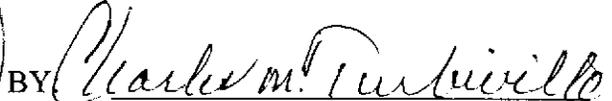
ATTEST:



Mary Jo Nelson, Finance Officer



DATE: 08-26-13



Charles M Turbiville, Mayor

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