

REGULAR MEETING, December 16, 2013

The Regular Session of the Deadwood City Commission convened on December 16, 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 and Gary Todd, and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Van Den Eykel seconded to approve the minutes of December 9, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the December 16, 2013 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	PRINTER	116.68
ABC BUSINESS	SUPPLIES	1,630.18
ALBERTSON ENGINEERING	PROJECT	6,564.92
AMAZON WEB	MAINTANENCE	275.63
ARLETH LAND SURVEYING	ZONING	500.00
BH CHEMICAL	SUPPLIES	299.94
BH PIONEER	ADS	332.88
BH URGENT CARE	TESTING	216.00
BH WINDOW CLEANING	CLEANING	412.00
BH BADLANDS	MEMBERSHIP	476.00
BLACKSTRAP	SALT	4,200.90
BLOOM, KEVIN	PROJECT	2,254.75
CULLIGAN	SUPPLIES	28.00
DEADWOOD GRANITE	SERVICE	1,800.00
DEROSTER, DARIN	ATTENDANCE	325.00
FARMER BROTHERS	SUPPLIES	150.50
FLOYD, LAURA	ATTENDANCE	300.00
FULLER, KELLY	REIMBURSEMENT	400.28
GOLDEN WEST	MONITOR	262.00
GUNDERSON, PALMER, NELSON	SERVICE	8,583.44
JANKE AND SONS	SERVICE	1,076.80
JOHNSON, MICHAEL	ATTENDANCE	325.00
JUNEKS SERVICE	SWITCH	120.24
KADRMAS LEE & JACKSON	PROJECT	1,714.80
KLK VENTURES	REVS.INCORRECT PYMT	0.00
MICHAEL TODD COMPANY	SUPPLIES	516.26
MIDCONTINENT COMMUNICATION	SERVICE	65.00
MILOS, GEORGE	ATTENDANCE	225.00
MS MAIL & MARKETING	SERVICE	210.00
NAMMINGA, LYNN	ATTENDANCE	300.00
PASTPERFECT SOFTWARE	RENEWAL	432.00
PUMPHOUSE	SERVICE	58.50
SD DEPT. OF REVENUE	LICENSE	75.00
SD DEPT. OF TOURISM	CONFERENCE	275.00
SD ONE CALL	SERVICE	13.32
SD STATE ARCHIVES	IMAGES	180.70
SDN COMMUNICATIONS	SERVICE	571.20
SPECIALTY VEHICLES	SUPPLIES	427.38
STEINLICHT, WILLIE	ATTENDANCE	300.00
THE GLASS SHOP	SERVICE	559.78
TOMS, DON	PROJECT	2,520.00
TWIN CITY HARDWARE	SUPPLIES	2,682.28
WEIGH RITE TECHNOLOGY	CHAINS	610.62
WEST RIVER INTERNATIONAL	REPAIR	1,880.81
WESTERN STAR	TRANSMITTERS	63.98
WILLIAMS, CHUCK	ATTENDANCE	250.00
WYSS ASSOCIATES	PROJECT	228.75
ZOMBIE ASSASSIN	PROJECT	2,050.00
	TOTAL	\$46,861.52

PUBLIC HEARING/BID OPENINGS

Public Hearing

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Todd moved, Van Den Eykel seconded to approve the application of Retail (on-off sale) Wine License and transfer of Retail (on-off sale) Malt Beverage License RB-2449 from Kathleen MCS Shane, McBird LLC to Mary C Larson, Deadwood Dicks at 51 Sherman Street. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded to set a public hearing at 5:05 p.m. on December 30, 2013 for National Snow Cross Event including open container, user fee, waiver of banner and vending fees. Roll Call: Aye-All. Motion carried.

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Public Hearing

Silvernail moved, Van Den Eykel seconded to set a public hearing at 5:07 p.m. on December 30, 2013 for 2014 Mardi Gras Event including open container, street closure, and waiver of banner fees. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded to set a public hearing at 5:09 p.m. on December 30, 2013 for Malt Beverage License (RB-20301), and Wine License (RW-19327) transfer from Days of '76 Museum to Deadwood History Inc. dba Days of '76 Museum at 18 Seventy Six Drive. Roll Call: Aye-All. Motion carried.

FINANCE

Second Reading

Peterson moved, Silvernail seconded to approve the second reading of Supplemental Budget Ordinance #1202. Roll Call: Aye-All. Motion carried.

Approval

Peterson moved, Silvernail seconded to approve the 2014 Retail (on-off sale) Wine License (RW-20626) Renewal for Deadwood Station at 68 Main Street. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING

Update

Public Works Director Raysor gave the Commission an update on the insurance assessment on the Adams House Museum. He said years prior the City attempted to file a warranty claim and the claim was not approved due to company not standing by the warranty, and states a claim should be filed if the architect believes the damage was caused by hail. Commissioner Van Den Eykel believes a file should be kept for each City owned building. Mayor Turbiville believes the City cannot declare hail damage when there is already damage to the roof. Commissioner Todd would like to see an estimate. Raysor said the insurance agent will be in town Wednesday and while in town will visit the Museum.

Contract

Van Den Eykel moved, Silvernail seconded to enter into contract for 2014 with Albertson Engineering for professional services for the Retaining Wall Program in an amount not to exceed \$45,000.00, and direct City Attorney to prepare such contract. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Hire

Silvernail moved, Van Den Eykel seconded to hire Kasey Campbell as Equipment Operator at \$16.41 an hour effective December 30, 2013 pending pre-employment drug screen. Roll Call: Aye-All. Motion carried.

Sidewalk

Discussion was held on Deadwood Mountain Grand sidewalk. Public Works Director Raysor told the Commission a meeting was held last week between Mayor Turbiville, Tim Conrad, Gustafson Construction and himself. He said the issue is lack of drainage between the existing retaining wall and the new retaining wall. He stated that there is gravel between the two walls to allow drainage, but over time the creek has dropped, and during times of high water the gravel washes away and therefore the sidewalk collapsed. Mayor Turbiville said the City is obligated to fix the problem due to the easement on the wall. City Attorney Riggins spoke with Mr. Conrad to discuss a maintenance agreement moving forward to share in any future expenses. Mayor Turbiville stated this will take care of the problem but will not fix the retaining wall completely. After discussion Silvernail moved, Peterson seconded to accept estimate from Gustafson Contracting in the amount of \$18,000.00 to replace the sidewalk contingent upon project being completed before December 31, 2013. Roll Call: Aye-All. Motion carried.

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POLICE/FIRE/LIBRARY

Purchase

Silvernail moved, Peterson seconded to purchase backup cameras for the brush trucks and ladder truck from Public Safety Equipment Company at a cost not to exceed \$4,000.00. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Peterson seconded to purchase a garage door opener from Overhead Door Company at a cost not to exceed \$1,000.00. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Second Reading

Silvernail moved, Todd seconded to approve the second reading of Ordinance #1201, to repeal 17.60.010 due to adoption of Ordinance #1200, which amends sections 12.04.010 to 12.040.070. Roll Call: Aye-All. Motion carried.

First Reading

Silvernail moved, Van Den Eykel seconded to approve the first reading of Ordinance #1203 to extend Midcontinent Franchise Agreement by 90 days. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved Van Den Eykel seconded to allow the Mayor to sign contract with Waste Connections to provide solid waste collection in Deadwood from January 1, 2014 through December 31, 2017. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Todd seconded to allow the Mayor to sign contract with Berendse and Sons Paint Company, Inc. for the preparation and painting of the metal roof shingles on the Adams House Museum in an amount not to exceed \$45,850.00. Roll Call: Aye-All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioner Silvernail extended condolences to the family of Lillian Shea.

ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:32 p.m. and convene into executive session for Legal Matters per SDCL 1-25-2 (3). The next regular meeting will be on Monday December 23, 2013.

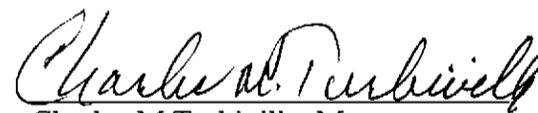
ATTEST:



Mary Jo Nelson, Finance Officer



DATE: 12.23.13

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____