

REGULAR MEETING, February 17, 2015

The Regular Session of the Deadwood City Commission convened on February 17, 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, Van Den Eykel seconded to approve the minutes of February 2, 2015. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the February 17, 2015 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B WELDING	RENTAL	238.28
ABC BUSINESS	SUPPLIES	311.35
AINSWORTH-BENNING	PROJECT	32,736.26
ALBERTSON ENGINEERING	PROJECT	8,775.10
ALL AROUND AUTO	SUPPLIES	1,191.14
ALSCO	MATS	71.57
AMAZON	SERVICE	229.24
AMERICAN LEGAL	SERVICE	1,004.54
AUGUSTANA	CONFERENCE	1,000.00
AVX NORTHWEST	SYSTEM	2,617.00
BH PIONEER	ADS	575.80
BH SECURITY	SERVICE	1,839.70
BH URGENT CARE	TESTING	138.00
BOYER TRUCKS	PUMP	14.65
CHAMBERLIN ARCHITECTS	PROJECT	44,652.79
COMFORT INN	CONFERENCE	1,010.00
DAKOTA SECURITY	SERVICE	579.43
DAKOTA SUPPLY	LOCATOR	760.00
DEADWOOD BUSINESS CLUB	ALLOCATION	33,000.00
DEADWOOD CHAMBER	PRODUCTION	62,500.00
DEADWOOD ELECTRIC	SERVICE	91.72
DRIVERS LICENSE	GUIDE	100.75
DUNCAN PARKING	SUPPLIES	1,347.19
ESRI	CONTRACT	12,000.00
FARMER BROTHERS	SUPPLIES	405.80
FASTENAL	BATTERIES	137.78
FULLER, KELLY	REIMBURSEMENT	828.25
FURROIS, ED & SUMMERS, JOHN	PAYMENT	20,250.00
GOLDEN WEST	PAGERS	855.40
GOOD SHEPHERD CLINIC	ALLOCATION	1,000.00
HAMANN, ALEX	REIMBURSEMENT	27.05
HAWKINS	CHEMICALS	1,017.10
INLAND TRUCK	SUPPLIES	554.45
INTEGRATED PARKING	MAINTENANCE	592.00
INTERSTATE BATTERY	BATTERIES	522.70
JACOBS WELDING	FLAT BAR/CUTTING EDGES	448.31
KNECHT	SUPPLIES	942.25
KT CONNECTIONS	REPAIR	216.50
LAWRENCE CO. REGISTER	RECORDING	90.00
LEAD-DEADWOOD SANITARY	USAGE	24,554.87
LOWE ROOFING	PROJECT	45,407.00
M & T FIRE	MACHINES	214.90
M&M SANITATION	RENTAL	205.00
MERTENS, KENNETH	REIMBURSEMENT	293.72
MID-STATES ORGANIZED	MEMBERSHIP	150.00
MIDCONTINENT	SERVICE	65.00
MLSC	TEST	246.00
MS MAIL	SERVICE	1,030.08
NARTEC	SUPPLIES	285.36
NEIGHBORHOOD LENDING	REPORT	1,565.23
NETWORK SERVICES	SUPPLIES	391.91
NEVE'S	UNIFORMS	164.85
NORTHERN HILLS TECHNOLOGY	SERVICE	36.00
PIONEER PRODUCTS	SUPPLIES	298.96
QUIK SIGNS	SIGNS	359.88
QUILL	SUPPLIES	325.60
RC JOURNAL	BOOK	95.85
RENNER, DONOVAN	REIMBURSEMENT	433.00
ROGER BROOKS	SERVICE	8,000.00
RUNGE, MIKE	REIMBURSEMENT	169.60
SANITATION PRODUCTS	SUPPLIES	222.80
SD COMMISSION ON GAMING	CITY SLOTS	18,852.27
SD DENR	CERTIFICATION	12.00
SD DEPT OF REVENUE	TAX	2,386.70
SD PUBLIC HEALTH LAB	TESTING	15.00
SERVALL	SUPPLIES	153.58
SD HISTORICAL	GRANT	19,150.00
SOUTH EASTERN COUNCIL	MEMBERSHIP	130.00
SOUTHSIDE SERVICE	REPAIR	762.88
SPECIALTY VEHICLES	MIRROR	963.71
STRETCH'S GLASS	SERVICE	238.36
STURDEVANT'S	SUPPLIES	1,596.33
SYMBOL ARTS	BADGE	95.00
TALLGRASS	PROJECT	360.00
TASER INTERNATIONAL	EQUIPMENT	6,521.70

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TEEN COURT	ALLOCATION	8,500.00
TRIDLE, JOHN	REIMBURSEMENT	47.87
TRIPLE K	REPAIR	537.72
TSP	PROJECT	1,682.49
TURBIVILLE, CHARLES	REIMBURSEMENT	359.00
VERIZON	SERVICE	80.02
W.S. DARLEY	KEYS	399.90
WASTE CONNECTIONS	SERVICE	7,754.59
WESTERN COMMUNICATIONS	CONNECTOR	24.00
WHITE'S CANYON	SOLE	96.55
WOW	SERVICE	1,625.51
	TOTAL	\$391,532.89

CONSENT

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

- A. Accept resignation of Gregory Vecchi from Police Department effective January 28, 2015.
- B. Permission to renew system support for File Director Document Manager with Active Date Systems at a cost of \$6,074.54. Cost shared between Finance and Historic Preservation budgets.
- C. Permission for mayor to sign agreement with Midwest Art Conservation Center to provide conservation treatments on textile objects (approved on February 2, 2015.)
- D. Permission for Mayor to sign agreement with Maryland Archeological Conservation Laboratory to provide conservation treatments to 49 items unearthed during 2001-2004 Chinatown investigation at cost of \$2,200.00.
- E. Permission to hire Janet Lanphear as temporary part time employee at Public Works Department at rate of \$17.38 per hour effective March 9, 2015.
- F. Pay City of Lead \$2,535.67 for 1/2 of Twin City Animal Shelter expenses per agreement.
- G. Pass Resolution 2015-06 Designating Special Events recognized by the City of Deadwood for purposes of Ordinances Section 15.32.100 and 15.32.140.

A RESOLUTION DESIGNATING SPECIAL EVENTS RECOGNIZED BY THE CITY OF DEADWOOD FOR PURPOSES OF ORDINANCES 15.32.100 AND 15.32.140

BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective months of occurrence, are hereby recognized for the year 2015 as "special or civic event(s)" for purposes of Ordinances 15.32.100 and 15.32.140:

<u>Special or Civic Event:</u>	<u>Date(s) of Event:</u>
1. St. Patrick's Day	March 13-14, 2015
2. Cinco De Mayo	May 2, 2015
3. Mickelson Trail Marathon	June 6-7, 2015
4. Wild Bill Hickok Days	June 19-20, 2015
5. Fourth of July	July 4, 2015
6. Days of '76	July 21-25, 2015
7. Sturgis Bike Rally	August 1-9, 2015
8. Kool Deadwood Nites	August 20-23, 2015
9. Deadwood Jam	September 18-19, 2015
10. Oktoberfest	October 2-3, 2015
11. Deadweird	October 31, 2015

Dated this 17th day of February, 2015

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- H. Permission for Mayor to sign contract with Albertson Engineering Inc. at cost not to exceed \$45,000.00. Contract includes additional insurance required by City Commission.
- I. Permission to hire the following at Deadwood Rec Center: Peggy McDonald at front desk at \$10.20 per hour effective March 8, 2015 and Ben Anderson as lifeguard at \$8.50 per hour effective February 19, 2015 pending pre-employment screening.
- J. Permission for Mayor to sign contract with Lescka Inc. for Mickelson Trail boardwalk at cost of \$214,000.00. Commission approved on February 2, 2015.
- K. Permission to enter into contract with Donald Toms to index twelve ledgers at cost not to exceed \$8,000.00 to be paid from Archives, budgeted item.

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BID ITEMS

Accept

Todd moved, Van Den Eykel seconded to accept low bid from Rosenbauer opened on February 2, 2015 for fire truck apparatus and reject all options for cost of \$260,926.00, less \$1,925.00 for payment when chassis arrives on site. Purchase to be paid from truck reserve. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Ruth seconded to allow Fire Department to purchase the following equipment direct from vendor: used TNT equipment from Allegiant at cost of \$12,000.00 and para-tech bags direct from M&T at cost of \$4,520.00. Purchase to be paid from truck reserve. Roll Call: Aye-All. Motion carried.

Change Order

Ruth moved, Silvernail seconded to approve change order #1 to deduct \$5,886 from Rosenbauer contract and allow Fire Department to purchase two hose and reels directly. Roll Call: Aye-All. Motion carried.

Accept

Van Den Eykel moved, Todd seconded to low bid plus alternates from CAI2 Construction for St. Ambrose project in the amount of \$392,709.00. Bids were opened on February 2, 2015. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

3 Wheeler Motorcycle Rally

Public hearing was opened at 5:04 p.m. by Mayor Turbiville. Terry Sankey, on behalf of First Gold and Deadwood Mountain Grand, requested approval for the following:

Street Closure

Silvernail moved, Todd seconded to approve the street closure on Main Street from Four Aces to the Masonic Temple from 6:00 p.m. to 8:00 p.m. or until parade ends. Roll Call: Aye-All. Motion carried.

St. Patrick's Day

Public hearing was opened at 5:06 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce requested approval for the following:

Open Container

Friday March 13, 2015

Silvernail moved, Ruth 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 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Saturday March 14, 2015

Silvernail moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance for same area as approved on March 13, 2014 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Street Closure/Banner Fees

Silvernail moved, Todd seconded to approve the waiver of banner fees and street closure on Main Street from Wall Street to Deadwood Street on Saturday March 14, 2015 from 2:30 p.m. to 6:00 p.m. for Pub Crawl, and from Four Aces to Masonic Temple from 6:45 p.m. to 8:00 p.m. or until parade ends. Roll Call: Aye-All. Motion carried.

Anderson thanked the Commission and City for the support during Snocross and Mardi Gras.

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Days of '76 Steer Roping

Public hearing was opened at 5:09 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed.

Ruth moved, Todd seconded to approve the use of the rodeo grounds August 26 through September 2, 2015 and waiver of vending fee on Friday August 28 through Sunday August 20, 2015. Roll Call: Aye-All. Motion carried.

Silvernail moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance and Special Full Temporary liquor license at the Rodeo Grounds on Friday August 28, 2015. Roll Call: Aye-All. Motion carried.

Silvernail moved, Todd seconded to allow the relaxation of the open container ordinance and Special Full Temporary liquor license at the Rodeo Grounds on Saturday August 29, 2015. Roll Call: Aye-All. Motion carried.

Silvernail moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance and Special Full Temporary liquor license at the Rodeo Grounds on Sunday August 30, 2015. Roll Call: Aye-All. Motion carried.

Set

Todd moved, Ruth seconded to set public hearing on March 2 for open container, special full temporary liquor license, waiver of banner fee, waiver of vending fee and street closure on May 11 through May 17, 2015 for ATV Event at the Rodeo Grounds. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Second Reading

Discussion was held concerning second reading of Ordinance #1223 to amend residency requirement to include Lawrence County. Commissioner Todd stated he received several calls opposing the ordinance. He stated the intension of this ordinance was to make sure the City provides the best service possible to the residents of Deadwood. Sharon Martinisko, Wayne Morris and Terry Hauck spoke against the ordinance, stating the employee has a year to relocate and felt this will allow the employee to know their neighbors and be part of the community. Lenny Schroeder thought exemptions should be granted if ordinance does not pass. Bruce Oberlander stated the employees should be close enough to be available and part of the community. After further discussion, Ruth moved, Turbiville seconded to approve second reading of Ordinance #1223 to amend residency requirement to include Lawrence County. Roll Call: Aye-Ruth, Turbiville. Nay-Silvernail, Todd, Van Den Eykel. Motion failed.

Appraisal

Silvernail moved, Todd seconded to accept appraisal report for city owned parcel: .262 acres located between Forest Avenue and Selbie Street valued at \$2,283.00, accept sealed bids with a minimum of \$2,000.00 until 5:00 p.m. on March 16, 2015 and open that same day at Commission meeting. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Van Den Eykel seconded to contract with Dakota Tree Spraying for pine beetle spraying at Mt. Moriah and St. Ambrose at cost of \$10,668.00. Roll Call: Aye-All. Motion carried.

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Grants

Silvernail moved, Ruth seconded to approve Outside of Deadwood grants totaling \$125,000.00 for the first half of 2015. The approved grants are: Black Hills Mining Museum – Archival Development - \$10,000.00; City of Buffalo Gap – Community Center Rehabilitation - \$2,900.00; Messiah Episcopal Church - Protect and Preserve Chief Solomon Iron Nation’s gravesite - \$7,045.00; Dell Rapids Society of Historic Preservation – Odd Fellows Complex Rehabilitation - \$22,500.00; Fall River County Historical Society – Pioneer Museum Rehabilitation - \$4,500.00; Little Spearfish Conservation and Historic Preservation Association – Anderson House Restoration - \$15,000.00; Newell Museum – Bushnell Building Restoration - \$10,000.00; City of Lead – Highway 85 and 385 Trestle Sign - \$22,500.00; South Dakota Historical Society Foundation – Archival Development - \$20,000.00; Trinity United Methodist Church – Building Repairs - \$6,555.00; West Lead Cemetery – Restoration and Maintenance - \$4,000.00. Roll Call: Aye-All. Motion carried.

Deeds

Todd moved, Ruth seconded to allow Mayor to sign quit claim deeds for Lots 23 A and B of Peck’s Garden Subdivision, City of Deadwood, Lawrence County, South Dakota, according to the plat recorded January 29, 2015 as document no. 2015-384 in the office of the Register of Deeds, Lawrence County, South Dakota and transfer to Deadwood-Lead Economic Development. Total area is 4,000 square feet. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Turbiville stated Finance Office will draw names for ballot placement at 8:30 a.m. on March 2, 2015. Petitions are due in Finance Office by 5:00 p.m. February 27.

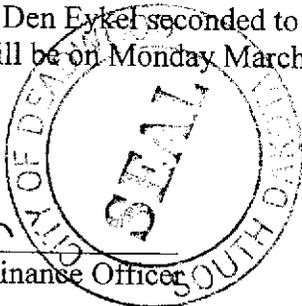
Historic Preservation Officer Kuchenbecker stated Historic Preservation Commission is a Regional Partner of the year with Forest Service and will be recognized through the Rocky Mountain Region Forest Service.

ADJOURNMENT

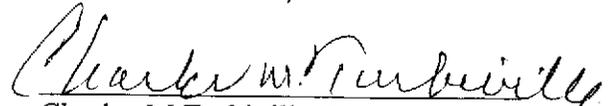
Todd moved, Van Den Eykel seconded to adjourn the regular session at 5:42 p.m. The next regular meeting will be on Monday March 2, 2015.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: March 2, 2015

BY: 
Charles M Turbiville, Mayor

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