

REGULAR MEETING, February 18, 2014

The Regular Session of the Deadwood City Commission convened on February 18, 2014 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 Terri Williams and Commissioners Joe Peterson, Georgeann Silvernail, Gary Todd and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Todd seconded to approve the minutes of February 3, 2014. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded to approve the February 18, 2014 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE	248.76
AASLH MEMBERSHIP	WEBINAR	80.00
ABC BUSINESS	SUPPLIES	362.89
ALCO	SUPPLIES	31.94
AMAZON WEB	SERVICE	284.37
AMERICAN PUBLIC WORKS	DUES	292.00
ARMSTRONG EXTINGUISHER	MAINTENANCE	311.00
BH DISPOSAL	SERVICE	760.00
BH PIONEER	ADS	450.62
BH URGENT CARE	TESTING	326.00
BURLESON, BILL	ADVANCE	655.50
CAPITOL INN & SUITES	CONFERENCE	509.94
CAROPINO, MARY	BASKETBALLS	50.00
CHAINSAW CENTER	RENTAL	3,530.00
CLEMENT COMMUNICATIONS	POSTERS	504.66
COCA COLA	SUPPLIES	227.00
CONRADS BIG SIGNS	KITS	918.84
CULLIGAN	SUPPLIES	113.50
DAKOTA SUPPLY	SUPPLIES	578.36
DAKOTA TRAVEL	TICKET	590.00
DEADWOOD BUSINESS CLUB	ALLOCATION	17,500.00
DEMCO	SUPPLIES	575.57
DOOLITTLE, JAMES	NEGOTIATIONS	800.00
DRIVERS LICENSE GUIDE	GUIDES	100.75
ELEVATE DESIGN STUDIOS	PROJECT	553.11
FARMER BROTHERS	SUPPLIES	230.65
FASTENAL COMPANY	SALT	625.18
FOUNDATION FOR HEALTH	ALLOCATION	1,000.00
FULLER, KELLY	REIMBURSEMENT	405.12
GENE'S LOCK SHOP	DOORS	319.48
GLAMOUR	SUBSCRIPTION	30.00
GOLDEN WEST	SERVICE	2,858.93
GOVERNOR'S INN	CONFERENCE	75.00
GRIMM'S PUMP	NOZZLE	120.70
HAWKI, KEN	REIMBURSEMENT	49.95
HAWKINS	SUPPLIES	967.90
HEARTLAND PAPER	SUPPLIES	117.22
HERTEL, STEVEN	REISSUE	219.06
INTEGRATED PARKING	MAINTENANCE	592.00
JACOBS WELDING	SERVICE	9,928.15
KADRMAS LEE & JACKSON	PROJECT	683.93
KEN'S CAMPER	PROPANE	36.80
KONE	MAINTENANCE	258.40
LAWRENCE CO. REGISTER	FEE	30.00
LAWSON PRODUCTS	SUPPLIES	568.25
LEAD-DEADWOOD SANITARY	USAGE	26,707.72
LESTER, ROB	REIMBURSEMENT	378.00
LEVEL BUILDERS	PROJECT	2,229.72
LIGHTING PLASTICS	GLOBES	516.50
M&M SANITATION	RENTAL	307.50
MACK'S AUTO BODY	REPAIRS	898.00
MARIAH PRESS	PROJECT	80.00
MENARD'S	SUPPLIES	33.89
MIDCONTINENT	SERVICE	65.00
MIDWEST TAPE	DVD'S	276.87
MDU	SERVICE	11,269.19
NATIONAL FIRE PROTECTION	SUBSCRIPTION	1,165.50
NH FRATERNAL ORDER	DUES	360.00
NHS OF THE BLACK HILLS	CONTRACT	21,725.00
NORTH WESTERN WAREHOUSE	SERVICE	1,894.07
NORTHERN HILLS TECHNOLOGY	SERVICE	22.00
OFFICE DEPOT	SUPPLIES	44.92
PIONEER PRODUCTS	SUPPLIES	537.35
PROFESSIONAL MAPPING	PROJECT	600.00
RANGEL CONSTRUCTION	PROJECT	46,631.79
RAPID DELIVERY	SERVICE	13.00
RASMUSSEN	REPAIRS	275.15
SCHUMACHER, DUSTIN	REIMBURSEMENT	378.00
SD COMMISSION ON GAMING	CITY SLOTS	18,852.27
SD DEPT. OF CORRECTIONS	FIREWISE	5,965.76
SD DEPT. OF REVENUE	TAX	2,200.96
SD ONE CALL	SERVICE	5.55
SD PLANNERS ASSOCIATION	SUBSCRIPTION	280.00
SD POLICE CHIEFS'	REGISTRATION	75.00
SD STATE ARCHIVES	MICROFILM	86.40

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SDN COMMUNICATIONS	SERVICE	571.20
SERVALL	SUPPLIES	37.33
SOUTHSIDE OIL	FUEL	21,416.39
SOUTHSIDE SERVICE	SERVICE	478.09
SPEARFISH HUSKY	LOCK	63.70
SPECIALTY VEHICLES	SERVICE	372.98
STANLEY STEEMER	SERVICE	180.00
STATE RADIO COMMUNICATIONS	SERVICE	2,250.00
STRETCH'S	PROJECT	1,289.74
STURDEVANT'S	SUPPLIES	1,967.44
TDG COMMUNICATIONS	SCRAPBOOKS	1,399.00
TRIPLE K	SERVICE	1,574.00
TURBIVILLE, CHARLES	REIMBURSEMENT	492.69
WASTE CONNECTIONS	SERVICE	7,277.22
WELLS PLUMBING	CULVERT	754.80
WHITE'S CANYON	WHEELS	207.98
	TOTAL	\$233,679.20

ITEMS FROM CITIZENS ON AGENDA

Second Reading

Mayor Turbiville opened discussion on second reading of Ordinance #1207. Paul Thompson, Pastor of Assembly of God Church in Lead said from a biblical point of view, he discourages rescinding the ordinance. Attorney Williams said Section B should be repealed as well. Commissioner Peterson asked if the Commission is going to address activities at the cemeteries. Turbiville believes the City has ordinances in place to discourage such activity and groups still need permission from Commission prior to doing so. Turbiville moved, Van Den Eykel seconded to approve the second reading of Ordinance #1207 to rescind Ordinance Section 5.52.010 regarding fortune telling and clairvoyants, including Section B. Roll Call: Aye-Peterson, Todd, Van Den Eykel, Turbiville. Nay-Silvernail. Motion carried.

Skate Park

Eric Schumacher and Jacob Gabrith, Lead-Deadwood middle school students, asked the Commission to consider moving the skate park to Lead. They said the park would be utilized more often and would be less dangerous since skateboarders currently travel on the highway to get to the park. Mayor Turbiville believes the skate park is underutilized at present location and would have to be stored for two years when highway project construction begins. He said he has talked with the City of Lead and indicated to them that he believes Lead should dismantle and move at their own expense. After discussion Silvernail moved, Van Den Eykel seconded to declare fixed asset, skate park G40234, as surplus and to donate to City of Lead, to be moved at no expense to Deadwood. Roll Call: Aye-All. Motion carried.

Snow Removal

John Huggins, resident at 33 Jackson Street asked the Commission to improve maintenance on City streets. He said he has a hard time getting to Jackson Street, and sometimes needs assistance driving up Jefferson, Lincoln or Washington. After discussion, Mayor Turbiville said in the future the City will grade, then sand and believes that will solve the issue. Turbiville thanked Huggins for his time and military service. Huggins also asked if a deaf sign could be provided on Jefferson Street. Police Officer Fuller said he would review the sign request at the next Parking and Transportation meeting.

PUBLIC HEARING/BID OPENINGS

Accept

Silvernail moved, Todd seconded to accept low bid from Sabo Construction in the amount of \$21,300.00 for retaining wall project at 416 Williams Street. Roll Call: Aye-All. Motion carried.

FINANCE

Renew

Peterson moved, Silvernail seconded to renew File Director Management software license with Active Data Systems and pay \$6,074.54 from Finance and Historic Preservation budgets. Roll Call: Aye-All. Motion carried.

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STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Purchase

Todd moved, Van Den Eykel seconded to approve process change and allow fuel purchase payments when invoice is submitted on bill list without first seeking permission to pay. Roll Call: Aye-All. Motion carried.

Replace

Silvernail moved, Peterson seconded to replace door at Police Department and refurbish doors at rear of city hall at cost of \$5,355.30 from Commercial Door & Specialties, Inc. Commissioner Todd requested that this project be coordinated with security system upgrade. Roll Call: Aye-All. Motion carried.

Approval

Silvernail moved, Todd seconded to approve out of state travel for Bill Burleson to Harris, Minnesota to pick up bucket truck at approximate cost of \$1,100.00. Roll Call: Aye-All. Motion carried.

Quote

Silvernail moved, Van Den Eykel seconded to accept quote from Dakota Security to replace security system at City Hall at cost of \$20,110.16. Roll Call: Aye-All. Motion carried.

Resolution 2014-06

Silvernail moved, Todd seconded to participate in South Dakota Dept. of Transportation bridge inspection program and allow Mayor to sign Resolution 2014-06. Roll Call: Aye-All. Motion carried.

RESOLUTION 2014-06

**BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH
SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION RETAINER
CONTRACTS**

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the *City of Deadwood* is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire *Interstate Engineering, Inc.* (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Dated this 18th day of February 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

POLICE/FIRE/LIBRARY

Permission

Silvernail moved, Peterson seconded to allow Andrew Larive to attend LET Basic Training Academy from March 2 to May 30, 2014. Roll Call: Aye-All. Motion carried.

Resignation

Silvernail moved, Todd seconded to accept with regret the resignations from police reserve officers Kristy Schumacher and Thomas Adams effective immediately. Roll Call: Aye-All. Motion carried.

Permission

Silvernail moved, Peterson seconded to advertise for reserve officers. Roll Call: Aye-All. Motion carried.

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LEGAL BUSINESS

Second Reading

Todd moved, Van Den Eykel seconded to approve second reading of Ordinance #1208 Renewing Cable Franchise with Midcontinent. Roll Call: Aye-All. Motion carried.

Second Reading

Silvernail moved, Todd seconded to approve second reading of Ordinance #1209 Renewing Cable Franchise with WOW. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign contract with Don Toms to prepare indexed database and transcribe eight Lawrence County ledgers at cost not to exceed \$8,000.00. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign contract with Suzanne Julin for ten oral histories at cost of \$6,500.00. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign contract with Elevate Designs for Rotary Park improvements. Roll Call: Aye-All. Motion carried.

Contract

Commissioner Todd questioned timing of the lower main project given the presentation from Roger Brooks regarding a possible new direction for Deadwood. After discussion from staff and Commissioners, Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign contract with Chamberlin Architects for Lower Main Master Plan. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign contract with SD State Historic Society for digitization of twenty-one Lawrence County ledgers at cost not to exceed \$5,526.00. Roll Call: Aye-All. Motion carried.

Attorney Williams requested Executive Session for legal matters per SDCL 1-25-2(3).

MAYORS BUSINESS

Appoint

Silvernail moved, Van Den Eykel seconded to appoint Brett Runge, Chuck Williams and Francis Toscana to Board of Appraisers to review possible land swap with Tim Davis. Roll Call: Aye-All. Motion carried.

Contribute

Van Den Eykel moved, Silvernail seconded to contribute \$20,000.00 to Dakota State University on behalf of CETUP scientists from Bed and Booze Fund. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Todd seconded to allow the Mayor to sign police department union contract for time period of January 1, 2014 to December 31, 2015. Roll Call: Aye-All. Motion carried.

ITEMS FROM CITIZENS NOT ON AGENDA

Ron Russo asked about the review of the process for his recent charge for after hour call out with Water Department. Turbiville said there is an ordinance that states a charge for all call outs, and all are billed at that rate.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioner Silvernail stated Alex Hamann was recently names Police Officer of the Year and Sonya Bertalot was Reserve Officer of the Year.

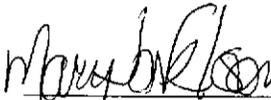
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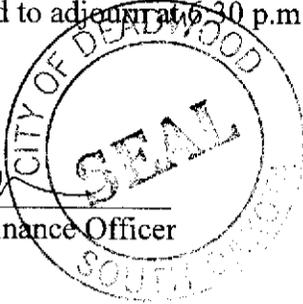
ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:47 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3). The next regular meeting will be on Monday March 3, 2014.

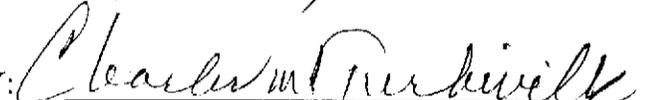
After coming out of executive session for legal matters per SDCL 1-25-2 (3), Silvernail moved, Turbiville seconded to adjourn at 6:30 p.m.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: March 3, 2014

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____