

REGULAR MEETING, February 1, 2016

The Regular Session of the Deadwood City Commission convened on February 1, 2016 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., Mark Speirs, 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 January 19, 2016. Roll Call: Aye-All. Motion carried.

JANUARY, 2016 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$16,582.38; PUBLIC BUILDINGS, \$5,386.36; POLICE, \$54,802.24; FIRE, \$4,917.80; BUILDING INSPECTION, \$3,448.74; STREETS, \$27,656.95; PARKS, \$15,018.39; PLANNING & ZONING, \$4,769.66; LIBRARY, \$6,199.14; RECREATION CENTER, \$10,814.53; HISTORIC PRESERVATION, \$16,019.42; WATER, \$13,259.24; PARKING METER, \$8,911.49; TROLLEY, \$18,495.70; PARKING RAMP, \$5,496.44. **PAYROLL TOTAL: \$214,509.24**

JANUARY, 2016 PAYROLL PAYMENTS:

Internal Revenue Service, \$53,309.00; S.D. Retirement System, \$23,948.64; Delta Dental, \$3,821.64.

APPROVAL OF DISBURSEMENTS

Todd moved, Van Den Eykel seconded to approve the February 1, 2016 disbursements. Roll Call: Aye-All. Motion carried.

10-B VIDEO	SYSTEM	1,795.00
A & B BUSINESS	CONTRACT	406.93
ABC BUSINESS	SUPPLIES	532.62
ACTIVE DATA	MAINTANENCE	207.85
ADAMS MUSEUM & HOUSE	OPERATING	60,000.00
ALSCO	SUPPLIES	172.18
AMERICAN LEGAL	ORDINANCES	450.00
AMERICAN PUBLIC WORKS	MEMBERSHIP	310.00
ARLETH LAND SURVEYING	PROJECT	772.50
ATCO INTERNATIONAL	SUPPLIES	166.00
BH POWER	SERVICE	28,565.61
BH SECURITY	SERVICE	419.40
BH SPECIAL SERVICES	CLEANING	990.00
BH URGENT CARE	TESTING	108.00
BLAIR, THOMAS	REIMBURSEMENT	70.00
BOYS & GIRLS CLUB OF	ALLOCATION	15,000.00
BUTLER MACHINERY	SERVICE	4,044.02
CENTURY BUSINESS	CONTRACT	333.74
CHAMBERLIN ARCHITECTS	PROJECT	2,574.94
CITY OF LEAD	SHELTER	2,460.30
CULLIGAN	SUPPLIES	36.50
DAKOTA BUSINESS CENTER	CONTRACT	173.40
DAKOTA STATE UNIVERSITY	CETUP	5,000.00
DAYS OF '76 MUSEUM	OPERATING	40,000.00
DEADWOOD ALIVE	REIMBURSMET	418.41
DEADWOOD DEVELOPMENT	SHIPPING	30.94
DVFD	REIMBURSMET	178.32
ECOLAB	SERVICE	520.00
EME	SCANNER	150.00
EMERY-PRATT	BOOKS	33.28
FASTENAL	SUPPLIES	15.53
FULLER, KELLY	REIMBURSEMENT	426.62
GENE'S LOCK SHOP	SERVICE	657.96
HD SUPPLY WATERWORKS	SUPPLIES	422.50
HOMESTAKE OPERA HOUSE	GRANT	5,564.50
IDVILLE	LANYARDS	44.75
INLAND TRUCK PARTS	SUPPLIES	296.32
INTERSTATE BATTERY	BATTERIES	240.40
JOHNSON, MICHAEL	REIMBURS EMENT	70.00
KRAMBECK, JERITY	TRAINING	32.34
KUCHENBECKER, KEVIN	REIMBURS EMENT	70.00
LAWRENCE CO. TREASURER	RENEWALS	859.00
LAWSON PRODUCTS	SUPPLIES	283.81
LESTER, ROB	REIMBURS EMENT	1,608.00
M & T FIRE	SERVICE	3,439.10
MARKERTEK VIDEO	CABLE	339.87
MENARD'S	SUPPLIES	119.96
MICHAEL TODD	CHAIN	395.86
MIDWEST ART CONSERVATION	MEMBERSHIP	50.00
MIDWEST TAPE	DVD	193.91
MDU	SERVICE	10,215.39
NALCO COMPANY	SUPPLIES	702.46
NAMMINGA, LYNN	HEADBOARD	11.99
NEIGHBORHOOD LENDING	CALENDAR	1,890.00
NELSON, ROBERT JR.	REIMBURSEMENT	55.00
NETWORK SERVICES	SUPPLIES	60.62
NEVE'S	UNIFORMS	103.79
NEWMAN TRAFFIC	SIGNS	370.48
NFPA	SUBSCRIPTION	1,305.00

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NORTHERN HILLS CASA	ALLOCATION	5,000.00
NORTHERN HILLS TECHNOLOGY	SERVICE	59.00
NORTHERN TRUCK EQUIPMENT	KIT	534.00
PEPPMEIER, JANICE	REIMBURSEMENT	556.81
PERCEVICH, MIKE	PROJECT	8,376.15
PHIL'S ELECTRIC	PROJECT	204.08
QUALITY INN	CONFERENCE	513.00
QUILL	SUPPLIES	32.44
RAMKOTA HOTEL	LODGING	273.00
RAPID DELIVERY	DELIVERY	39.69
RAPID FIRE PROTECTION	REPAIRS	300.00
RUNGE, MIKE	REIMBURSEMENT	42.52
SD DEPT. OF MOTOR VEHICLES	LICENSES	11.20
SD DEPT. OF TOURISM	REGISTRATION	525.00
SD DEPT. OF TRANSPORTATION	SERVICE	114,166.09
SD PUBLIC HEALTH LAB	TESTING	45.00
SD STATE HIST.SOCIETY	PROJECT	75.00
SECOND CENTURY DEVELOPMENT	GRANT	4,237.68
SERVALL	SUPPLIES	1,702.97
SHEPHERD, LANNY	PROJECT	1,460.58
STREICHER'S	UNIFORMS	149.99
STURGIS AUTO PARTS	SUPPLIES	59.27
SUMMIT SIGNS	SIGNS	132.50
TASER	COURSE	435.00
TEAM LABORATORY	PATCH	439.50
TRIPLE K	SERVICE	2,422.85
TWIN CITY HARDWARE	SUPPLIES	2,930.57
ULTRAMAX	AMMUNITION	1,240.00
VAST	SERVICE	1,251.57
VELOCITEL	REFUND	25.00
VERIZON	METERS	40.01
WATER GEAR	SUPPLIES	301.37
WELLMARK	INSURANCE	40,516.45
WHITE, CAROLYN	PROJECT	4,293.00
WINTER CONSTRUCTION	PROJECT	24,500.00
ZOGICS	SUPPLIES	719.70
	TOTAL	\$ 413,376.09

ITEMS FROM CITIZENS ON AGENDA

Update

Mark Schmidt, President of Lead-Deadwood Regional Hospital, gave the Commission an update on the hospital. He spoke about the ambulance service, select mail and room service, services provided and new services, community relations, recruitment, patient/family advisory program and the community health needs assessment. Commission thanked him for his time.

Request

In addition to letter received from Jan Van Tassel, Mike Kitzmiller, owner of Alkali Ike, asked the Commission to consider leaving the tour bus fee at \$1.00 instead of \$2.00 per adult for Mt. Moriah Cemetery. Ron Pray also spoke in favor. After discussion, Todd moved, Speirs seconded to allow the tour bus fee to remain at \$1.00 per person including children for 2016 and 2017 and a year's notice if the price increases. Roll Call: Aye-All. Motion carried.

Update

Ron Russo, Chairman of Revitalization Committee, read a prepared statement, and asked the Commission for city support and to allow city staff to participate in project development. Mike Rodman presented the Commission with a handout and also asked the Commission to support the concept, and allow City Planner to work with Revitalization. Commissioner Ruth stated the Commission should support the committee and feels it is important to utilize city staff and work together. Commissioner Todd requested an update on Centurylink project. Mr. Russo explained a study will be conducted to determine feasibility at cost of \$36,000.00. Commissioner Van Den Eykel stated he supports Revitalization but does not believe staff time should be utilized. Mayor Turbiville directed the committee to complete the pending loan application without staff time and requested a business plan. After discussion Ruth moved, Speirs seconded to allow use of city staff to show support and help develop programs with Revitalization. Roll Call: Aye-Ruth, Speirs, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

CONSENT

Ruth moved, Speirs seconded to approve the following consent items and omit permission for Rob Lester to attend Active Shooter Class. Roll Call: Aye-All. Motion carried.

- A. Permission for Mayor to sign contract with Albertson Engineering to design Raymond Street retaining wall and street drainage improvement. (approved on January 4, 2016, at an amount not to exceed \$19,025.00)

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- B. Permission for Finance Office to pay 2016 allocation of \$5,000.00 to Norther Hills Alliance for Children and \$1,000.00 to Neighborworks/Campaign for Home Ownership from Bed and Booze (budgeted)
- C. Permission to remove Rec Center employee Ben Anderson from payroll effective February 1, 2016.
- D. Permission to hire Hunter Weaver as lifeguard at \$9.44 per hour pending pre-employment screening, effective February 2, 2016.
- E. Resolution 2016-06 Extending Workers Compensation to Specific Individuals.

RESOLUTION 2016-06

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO SPECIFIC INDIVIDUALS FOR THE YEAR 2016

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood extend the South Dakota Municipal League Workers' Compensation benefit for coverage on the following individuals who are not automatically covered because they are appointed or elected to their positions:

City Commission: Charles M. Turbiville, David Ruth Jr., Mark Speirs, Gary Todd, and Jim Van Den Eykel;

Historic Preservation Commission: Dale Berg, Tom Blair, Laura Floyd, Mike Johnson, Lynn Namminga, Lyman Toews, and Chuck Williams;

Historic Preservation Volunteers: Judy Farris and Susan Zepkin;

Library Board: Dawn Burns, Linda Fredrick, Raul Ponce De Leon, Ashley Marske, and Charlene Miller;

Parks & Recreation Board: Shirley Black, Tom Blair, Henry Cordes, and Brad Steinlicht;

Planning & Zoning Commission: Mel Allen, Tony Biesiot, Marie Farrier, Brett Runge, and Jim Shedd;

Police Department Reserve Officers: Kenneth Batka, Deam Carollo, Sonya Bertalot, Mark Heltzel, Heather Monson, Casey Nelson, Sam Otto, Sally Sprigler, and Matthew Symonds;

Deadwood Volunteer Fire Department: Randy Addington, Ken Allen, Nate Allen, Phil Arellano, Pat Eastman, Toby Edstrom, Sandy Glover, Bill Glover, Larry Groll, Alex Hamann, Ken Hawki, Mathew Helmin, Francis Iverson, Mike Klamm, Jeff Millard, Trent Mohr, Robert Nelson Sr., Jerry Pontius, Courtne Rakow, Jason Rakow, Rylan Rakow, Mike Runge, Richard Stanger, Paul Thomson, Anne Wieringa, and Lei'Ani Wieringa.

The Finance Office will be notified of any personnel changes to the above-mentioned committees and commissioners.

Dated this 1st day of February, 2016

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- F. Permission for Mayor to sign CODE RED Next Services Emergency Notification System Agreement (approved January 19, 2016)
- G. Approve request for support from Society of Black Hills Pioneers for Annual Publication in the amount of \$2,500.00 from Public Education (budgeted)
- H. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Roland Maynard.
- I. Allow use of public property at the Event Complex on July 11 through July 17 for 3 Wheeler Motorcycle Rally. Fees and deposit have been received.
- J. Allow use of public property at the Event Complex on September 22 through September 24 for Black Hills Jeep Jamboree. Fees and deposit have been received.

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PUBLIC HEARINGS

3 Wheeler Motorcycle Rally

Public hearing was opened at 5:42 p.m. by Mayor Turbiville. Sarah Anderson, on behalf of Terry Sankey, requested approval for the following:

Street Closure

Speirs moved, Todd seconded to approve the street closures on Main Street on Thursday July 14 from Tin Lizzies to the Masonic Temple from 8:30 p.m. until parade ends, Friday July 15 from Wall Street to Deadwood Street from 10:30 a.m. to 2:00 p.m. for Show 'n Shine, and Saturday July 16 from Four Aces to Masonic Temple from 10:00 a.m. until parade ends. Discussion was held concerning tour busses, possible one-way traffic and timing of truck deliveries during the street closures. Roll Call: Aye-Ruth, Speirs, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

Set

Speirs moved, Todd seconded to set public hearing on February 16 for Retail (on-off sale) Malt Beverage (RB-21255) License transfer from Pandora's Box to Dakota Gunslingers at 669 Main Street. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on February 16 for NAJA Shriners parade: Street Closure May 7, 2016. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to set public hearing on February 16 for NAJA Shriners Circus: request to waive fees and vending fees at event complex on July 9, 2016.

NEW BUSINESS

Resolution 2016-05

Van Den Eykel moved, Ruth seconded to approve Resolution 2016-05 to approve credit card acquisition and use policy as authorized by SDCL 4-3-27. Roll Call: Aye-All. Motion carried.

RESOLUTION NO. 2016-05

CREDIT CARD ACQUISITION AND USE POLICY

Whereas: The Deadwood City Commission has determined that the City has a need for a credit card as authorized by SDCL 4-3-27,

Now Therefore, Be It Resolved: The Finance Office is hereby authorized to acquire and use credit card accounts for the purchase of certain necessities on behalf of and for the benefit of the City of Deadwood, in accordance with the policies set out below.

The credit card account shall only be used for the purchase of meeting registration, motel room guarantees, or other purchases that cannot be accomplished by the issuance of a purchase order and billed directly to the city to be processed in the normal warrant process, unless it is more economically advantageous to pay by credit card. Cards may be used to pay for pre-authorized purchases through the Internet, if it is the only means of payment accepted by the vendor. **All purchases must follow purchasing limit guidelines as set forth in employee personnel manual (proper approval for amount of purchase). Monthly credit limit per card holder shall not exceed \$2,500.00 in any statement period.**

The card may not be used to pay for meals that qualify for reimbursement through per diem or for any item which does not directly benefit the City of Deadwood.

The credit card accounts shall be administered by the Finance Office at all times, and may assign sub-administrators for certain departments to oversee the usage, limits, and processing for that department. In all cases where a credit card is used by any city employee original receipts, invoices or other authentic documentation stating what the card was used for shall be submitted to the designated administrator or sub-administrator. The designated person shall immediately verify the purchase was necessary and to the benefit of the City of Deadwood and submit the invoice to the Finance Office with appropriate account coding information. **Charges submitted to the Finance Office for payment without the proper documentation will not be processed and may become the responsibility of the employee through garnishment.** Personal use of the credit card is strictly prohibited. Misuse of credit card accounts or repeated failure to provide proper documentation will be the responsibility of the employee and will be considered grounds for disciplinary action up to and including termination and any restitution.

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Any perks, credits or items of value earned because of the use of said cards shall only be used for the benefit of the City and not for that of any employee. Except, frequent flier credits may accrue to the employee/official actually incurring the credit, in accordance with Official Opinion No. 90-04 of the SD Office of the Attorney General.

Dated this 1st day of February, 2016

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Grants

Ruth moved, Speirs seconded to approve Outside of Deadwood grants totaling \$125,000.00 for the first half of 2016. The approved grants are: All Angels Episcopal Church – Stained Glass Window - \$20,000.00; Black Hills Mining Museum – Signage and Labeling - \$5,000.00; City of Keystone - Museum Roof - \$20,000.00; City of Lead – Highway 85 Trestle - \$12,400.00; Butte County Historical Society – Mark the Ft. Pierre to Deadwood Trail - \$2,600.00; Historic Rapid City – McGillycuddy House - \$15,000.00; Old Fort Meade – Handicap Access - \$10,000.00; South Dakota State Archives – Photo Digitization - \$20,000.00; and Dell Rapids Society of Historic Preservation – Orphanage Complex Structures - \$20,000.00. Roll Call: Aye-All. Motion carried.

Approval

Speirs moved, Van Den Eykel seconded to approve grandstand log replacement project at Days of 76 Rodeo grounds in the amount of \$48,400.00 from Historic Preservation Capital Asset line item, not budgeted. Roll Call: Aye-All. Motion carried.

Permission

Ruth moved, Speirs seconded to extend Zone 2 open container area to include Kodiak's Arcade at 83 Sherman Street. Discussion was held concerning enforcement of barriers. Roll Call: Aye-All. Motion carried.

RFQ

Ruth moved, Speirs seconded to issue Request for Qualifications for Static and Interactive Displays at Deadwood Welcome Center and set deadline for submittals on March 7, 2016 with final selection presented on April 7 at City Commission meeting. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Toby Keehn, owner of Mustang Sally's, asked if the bank at the Broadway Parking Ramp could be increased. .

Mayor Turbiville stated the next Commission meeting will be held on Tuesday, February 16, 2016 due to observance of President's Day.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2 (3) with possible action.

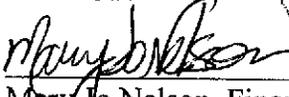
Commissioner Ruth thanked the City staff for their work during Snowcross and Mardi Gras events.

ADJOURNMENT

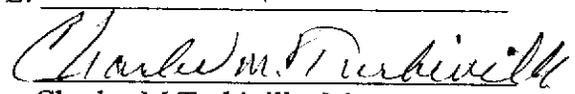
Todd moved, Ruth seconded to adjourn the regular session at 6:06 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) with possible action. The next regular meeting will be on Tuesday February 16, 2016.

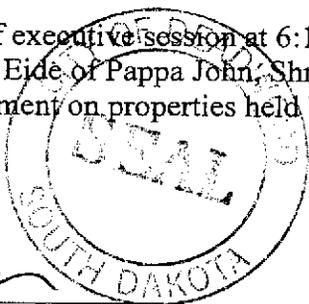
After coming out of executive session at 6:15 p.m., Van Den Eykel moved, Ruth seconded to contract with Larry Eide of Pappa John, Shriver, Eide, and Nielson to pursue executing the Confession of Judgment on properties held by William Wohlers. Van Den Eykel moved, Speirs moved to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 2-16-16

BY: 
Charles M Turbiville, Mayor



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