

## REGULAR MEETING, FEBRUARY 2, 2015

The Regular Session of the Deadwood City Commission convened on February 2, 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, Silvernail seconded to approve the minutes of January 20, 2015. Roll Call: Aye-All. Motion carried.

JANUARY, 2015 PAYROLL: COMMISSION, 2,730.76; FINANCE, \$15,529.39; PUBLIC BUILDINGS, \$5,713.75; POLICE, \$57,550.52; FIRE, \$4,909.21; BUILDING INSPECTION, \$14,608.93; STREETS, \$30,925.32; PARKS, \$16,045.89; PLANNING & ZONING, \$4,676.36; LIBRARY, \$6,140.78; RECREATION CENTER, \$10,853.14; HISTORIC PRESERVATION, \$15,699.08; WATER, \$14,875.48; PARKING METER, \$8,638.77; TROLLEY, \$18,200.17; PARKING RAMP, \$5,538.32; RUBBLE SITE, \$1,634.04. **PAYROLL TOTAL: \$234,269.91**

### JANUARY, 2015 PAYROLL PAYMENTS:

Internal Revenue Service, \$60,598.78; S.D. Retirement System, \$24,948.38; Delta Dental, \$3,802.08

### APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the February 2, 2015 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	RENTAL	272.56
A & B WELDING	SERVICE	87.22
A TO Z	SHREDDING	60.00
ABC BUSINESS	SUPPLIES	2,468.52
AMERICAN FLOOR	SUPPLIES	453.72
AMERICAN TECHNICAL	PROJECT	2,360.00
ARLETH LAND SURVEYING	PROJECT	617.50
ATCO INTERNATIONAL	SUPPLIES	324.00
BW RAMKOTA INN	LODGING	510.00
BH AREA FINANCE	MEMBERSHIP	10.00
BH CHEMICAL	SUPPLIES	301.72
BH POWER	ELECTRICITY	27,460.74
BH SECURITY	SERVICE	209.70
BH SPECIAL SERVICES	CLEANING	908.50
BOSCH, WILLIAM	BOOK	16.50
BUTLER MACHINERY	SUPPLIES	902.34
CAI CONSTRUCTION	PROJECT	11,627.54
CENTURY LINK	SERVICE	253.80
CHRISTENSEN, RANDY	REIMBURSEMENT	162.76
COMPANION LIFE	INSURANCE	231.02
COSMOPOLITAN	SUBSCRIPTION	31.97
DAKOTA STATE UNIVERSITY	SUPPORT	20,000.00
DAKOTACARE	INSURANCE	42,391.67
DEADWOOD CHAMBER	ADVOCACY	4,535.00
DEADWOOD DEVELOPMENT	SHIPPING	65.49
DVFD	TRAINING	751.50
DEADWOOD-LEAD ECONOMIC	ALLOCATION	48,000.00
DELL RAPIDS CARNEGIE	GRANT	6,663.00
FAMILY DOLLAR	SUPPLIES	27.00
FASSBENDER	DOCUMENTATION	382.50
FREEMAN'S ELECTRIC	PROJECT	9,800.00
GALLS	UNIFORMS	221.93
GLOBAL CAULKING	PROJECT	14,795.00
GLOVER, WILLIAM	REIMBURSEMENT	52.00
GOLDEN WEST	COMPUTER	1,929.88
GRANT THORNTON	SERVICE	4,000.00
HAMANN, ALEX	REIMBURSEMENT	84.77
HAWKI, KEN	REIMBURSEMENT	72.04
HILLS MATERIALS	ROADSTONE	122.38
IDVILLE	REELS	74.50
INLAND TRUCK	CLUTCH	188.41
JACK'S TRUCK	SUPPLIES	38.03
JACOBS WELDING	GLOVES	160.59
KIMBALL MIDWEST	SUPPLIES	34.46
KNECHT	SUPPLIES	660.90
LAWSON PRODUCTS	CONCRETE	139.77
LOWE ROOFING	PROJECT	28,007.00
MCCLELLAND'S	LUNCH	1,888.50
MIDWEST TAPE	DVD'S	260.87
MITZI'S	BOOKS	20.78
MDU	GAS	13,268.36
MS MAIL	SERVICE	942.39
NEIGHBORHOOD LENDING	GRANT	2,500.00
NETWORK SERVICES	SUPPLIES	230.16
NH ALLIANCE	ALLOCATION	2,000.00
NH CASA	ALLOCATION	4,000.00
NH TECHNOLOGY	SERVICE	261.00
OLD HOUSE JOURNAL	SUBSCRIPTION	49.95
OVERDRIVE	MAINTENANCE	1,500.00

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PEARSON, TRAVIS	REIMBURSEMENT	52.52
PEPMEIER, JANICE	REIMBURSEMENT	521.55
PILIP AARP	DIRECTORY	6,500.00
PITNEY BOWES	POSTAGE	500.00
PONTIUS, JERRY	REIMBURSEMENT	61.07
QUIK SIGNS	SIGNS	475.02
RASMUSSEN MECHANICAL	SERVICE	939.33
RUNGE, MIKE	REIMBURSEMENT	19.23
SD DEPARTMENT OF PUBLIC	SERVICE	2,340.00
SD DEPT. OF CORRECTIONS	FIREWISE	4,540.48
SD DEPT. OF MOTOR VEHICLES	LICENSE	9.00
SD FIREFIGHTERS	MEMBERSHIP	775.00
SD PLANNERS ASSOCIATION	MEMBERSHIP	250.00
SD STATE HISTORICAL SOCIETY	CONFERENCE	1,500.00
SERVALL	SUPPLIES	1,572.94
SIERKS, JENA	REIMBURSEMENT	52.00
SILVERNAIL, GEORGEANN	REIMBURSEMENT	37.00
SD REDBOOK	HANDBOOKS	165.38
SOUTHSIDE OIL	SERVICE	10,247.83
SPECIALTY VEHICLES	CONTROL	266.40
STROSCHE, LEE	REIMBURSEMENT	33.00
STURGIS MOTORSPORTS	ATV	24,175.00
TEMPERATURE TECHNOLOGY	SERVICE	190.20
THE LORD'S CUPBOARD	RECYCLING	65.72
THOMSON REUTERS	SUBSCRIPTION	90.00
TRIDDLE, JOHN	REIMBURSEMENT	136.28
TRIPLE K	SERVICE	858.11
TSP	PROJECT	2,381.70
TURBIVILLE, CHARLES	REIMBURSEMENT	171.32
TWIN CITY HARDWARE	SUPPLIES	1,282.68
UNITED STATES DEPARTMENT	GRANT	2,658.82
W.S. DARLEY	JAMMERS	223.10
WHITCOMB, SEAN	REIMBURSEMENT	52.00
WIERINGA, ANNA	REIMBURSEMENT	52.00
WOW	SERVICE	814.83
ZEP SALES	SUPPLIES	266.86
	<b>TOTAL</b>	<b>\$ 324,026.31</b>

### Proclamation

The Mayor read a proclamation declaring February 12, 2015 as "Carla Caneva Day" in Deadwood. Ms. Caneva received standing ovation from all in attendance.

### CONSENT

Ruth moved, Van Den Eykel seconded to approve the following consent items. Roll Call: Aye-All. Motion carried.

- A. Approve plat approved by Deadwood Planning and Zoning Commission on January 21, 2015. Plat approved entrance to Lower Main parking lot to be transferred to City of Deadwood from the State of South Dakota.
- B. Findings of Fact from front yard variance setback request from First Interstate Bank at 152 Sherman Street approved by Planning and Zoning Commission on January 21, 2015.
- C. Accept resignation from archive intern Pwey Doh effective January 22, 2015.
- D. Set public hearing on February 17 for street closure on Saturday July 18 for 3 Wheeler Motorcycle Rally.
- E. Set public hearing on February 17 for open container, street closure and waiver of banner fees on Friday March 13 and Saturday March 14 for St. Patrick's Day Events.
- F. Set public hearing on February 17 for waiver of vendor fees, open container, special temporary liquor license and use of Rodeo Grounds on August 26 through September 2, 2015 for Days of '76 Steer Roping Event.
- G. Permission to enter into contract with Mathisons Graphics and Ferber Engineering to digitize and georectify 1930 Sanborn Fire Insurance maps at cost not to exceed \$4,500.00 from Historic Preservation Public Education line item.
- H. Enter into contact with Dr. Suzanne Julin to collect and transcribe ten oral histories at cost not to exceed \$6,500.00 and allow Mayor to sign contract, budgeted from Historic Preservation Archives line item.
- I. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Kim P. and M. Michele Fundaun.

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- J. Pass Resolution to Surplus 2015-05 for Clark metal lathe and accept sealed bids on March 2, 2015 until 5:00 p.m. to be opened at regular meeting.

**RESOLUTION 2015-05  
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approve the following be declared surplus, accept sealed bids until 5:00 p.m. on March 2, 2015, and open bids that same day:

**Clark Commercial Grade Metal Lathe**

Dated this 2nd day of February, 2015

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- K. Permission to advertise for lifeguards.  
L. Permission to transfer Toni Schavone to swim instructor at Deadwood Rec Center and change rate of pay to \$10.16 per hour.  
M. Terminate employment of Ericka Neumann at Deadwood Rec Center effective January 26, 2015.  
N. Permission for Mayor to sign Land and Water Conservation Fund affidavit stating that inspection forms are complete and accurate.

**BID ITEMS**

**Apparatus**

Police Chief Glover opened two bids for the fire apparatus. Bid bonds were included in the following bid submittals:

Maintainer Custom Body - \$262,706.00

Rosenbauer of America - \$260,926.00

Glover requested Commission continue for review. Silvernail moved, Ruth seconded request. Roll Call: Aye-All. Motion carried.

**Results**

Planning and Zoning Administrator Nelson opened 5 bids for the Mickelson Trail Boardwalk project on Tuesday January 27 as advertised. Bid bonds were included in the following bid submittals:

Leskca Construction - \$214,000.00

MAC Construction - \$255,000.00

RCS Construction - \$338,500.00

Ainsworth-Benning Construction - \$339,000.00

Central America Inc. - \$347,800.00

Nelson requested Commission accept the low bid from Leskca Construction. Silvernail moved, Van Den Eykel seconded request. Roll Call: Aye-All. Motion carried.

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### Results

Three bids were received for St. Ambrose Preservation Phase 5 at 2:00 p.m. as advertised. Present at the bid opening were Mike Bender with KLJ, Bob Nelson Jr. and Mary Jo Nelson with City of Deadwood, Thad Fuller with CAI Construction, Katy Berg with Mac Construction, and Bob Conway with RCS Construction. Bid bonds were included in the following bid submittals:

Description	Engineers Estimate	RCS Construction	CAI Construction	MAC Construction
BASE BID	\$360,000.00	\$440,000.00	\$316,839.00	\$422,800.00
Alternate 1 (Plot 59)	\$23,900.00	\$15,000.00	\$18,260.00	\$24,500.00
Alternate 2 (Plot 60)	\$42,700.00	\$20,000.00	\$24,450.00	\$36,800.00
Alternate 3 (Plot 61)	\$34,200.00	\$15,000.00	\$19,200.00	\$23,500.00
Alternate 4 (Plot 62)	\$2,100.00	\$700.00	\$750.00	\$700.00
Alternate 5 (Plot 63)	\$3,800.00	\$4,200.00	\$11,780.00	\$4,900.00
Alt. 6 (Monument 2991)	\$2,200.00	\$1,300.00	\$1,430.00	\$1,600.00
TOTAL	\$468,900.00	\$496,200.00	\$392,709.00	\$514,800.00

Finance Officer Nelson requested Commission continue to allow review from Historic Preservation Officer Kuchenbecker. Silvernail moved, Ruth seconded request. Roll Call: Aye-All. Motion carried.

### Bid

Silvernail moved, Todd seconded to change bid opening date for Days of '76 Grandstand project from February 17, 2015 at 2:00 p.m. to February 24, 2015 at 2:00 p.m. with results to Commission on March 2, 2105. Roll Call: Aye-All. Motion carried.

### OLD BUSINESS

#### Committees (continued from January 20, 2015)

Commissioner Silvernail would like to visit with department heads about information provided on January 5, 2015. Mayor Turbiville agreed and recommended each Commissioner visit with their respective department heads and discuss at a later date.

### NEW BUSINESS

#### Second Reading

Silvernail moved, Ruth seconded to approve second reading of Ordinance #1222, Supplementary Budget #1. Roll Call: Aye-All. Motion carried.

#### Second Reading

Silvernail moved, Todd seconded to approve second reading of Ordinance #1205 to reference correct chapter. Roll Call: Aye-All. Motion carried.

#### Proposal

Ruth moved, Silvernail seconded to accept proposal from Four Front Design in the amount of \$5,950.00 to address compliance with FEMA and flood plain ordinance, paid from Public Buildings line item. Planning and Zoning Administrator Nelson stated this study will determine what measures are required to bring the property into compliance with the floodplain ordinance and FEMA. Roll Call: Aye-Ruth, Silvernail, Van Den Eykel, Turbiville. Nay-Todd. Motion carried.

#### Payments

Ruth moved, Van Den Eykel seconded to approve the following budgeted payments to non-profits: Teen Court for 2015: \$8,500.00 (\$4,500.00 from Bed and Booze Fund, \$4,000.00 from Police Department General Fund), Deadwood Business Club for 2015: \$33,000.00 (\$21,000.00 from BID 7 Fund, \$12,000.00 from Bed and Booze Fund) and Good Shepherd Clinic for \$1,000.00 (Bed and Booze Fund). Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, FEBRUARY 2, 2015**

First Reading

Mayor Turbiville stated previous ordinance regarding residency policy was denied by Commission. Mayor stated ordinance is amended to include Lawrence County instead of the 5-mile radius, the Police Chief and Public Works Director shall designate employees within their departments who are deemed necessary for the safety and welfare of the city to also be available for work within thirty minutes. Chief Fuller stated this Ordinance is beneficial to retaining the current employees, recruiting future qualified applicants and will put the City on a level field with surrounding communities. Commissioners Silvernail and Van Den Eykel spoke against, stating younger families with children should be in Lead-Deadwood school system and that living closer creates a sense of community. Commissioner Todd and Ruth spoke in favor, stating current ordinance is costing city an opportunity to hire the best candidate, and that this alternative is less expensive than increasing wages to attract and retain good employees. After further discussion Ruth moved, Todd seconded to approve first reading of Ordinance #1223 to amend residency requirement for employees to include Lawrence County. Roll Call: Aye-Ruth, Todd, Turbiville. Nay-Silvernail, Van Den Eykel. Motion carried.

Policy

Silvernail moved, Van Den Eykel seconded to adopt media policy. Attorney Riggins stated the City's insurance carrier requested city adopt policy to designate certain individuals to be available to media. Roll Call: Aye-All. Motion carried.

Contract

Ruth moved, Silvernail seconded to allow Historic Preservation to enter into contract with Midwest Art Conservation Center at cost of \$11,500.00 for textile conservation treatments of Chinese artifact, budgeted from Historic Preservation archives line item. Roll Call: Aye-All. Motion carried.

Discussion

Commissioner Van Den Eykel stated he would like to continue discussion at a later date due to the absence of Historic Preservation Officer Kuchenbecker, possible impact on community and to review with legal counsel and Kuchenbecker.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Turbiville stated the next City Commission meeting is Tuesday, February 17 due to observance of President's Day.

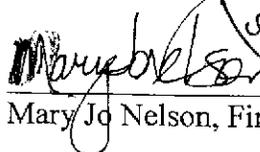
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2 (3) with possible action.

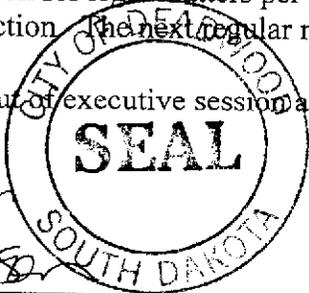
ADJOURNMENT

Silvernail moved, Todd seconded to adjourn the regular session at 5:33 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel per SDCL 1-25-2 (1) with possible action. The next regular meeting will be on Tuesday February 17, 2015.

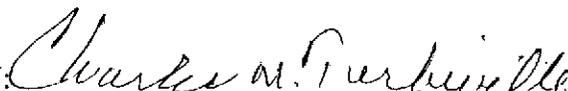
After coming out of executive session at 5:57 p.m., Silvernail moved, Todd seconded to adjourn.

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: Feb 2, 2015

BY:   
Charles M Turbiville, Mayor

Published once at the total approximate cost of \_\_\_\_\_