

REGULAR MEETING, January 6, 2014

The Regular Session of the Deadwood City Commission convened on January 6, 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 December 30, 2013. Roll Call: Aye-All. Motion carried.

DECEMBER, 2013 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$14,752.48; PUBLIC BUILDINGS, \$2,037.55; POLICE, \$45,598.16; FIRE, \$4,428.80; BUILDING INSPECTION, \$3,604.26; STREETS, \$22,244.50; PARKS, \$20,937.04; PLANNING & ZONING, \$3,890.68; LIBRARY, \$5,904.93; RECREATION CENTER, \$11,123.64; HISTORIC PRESERVATION, \$12,068.04; WATER, \$13,342.78; PARKING METER, \$7,674.30; TROLLEY, \$14,550.41; PARKING RAMP, \$5,674.98; RUBBLE SITE, \$1,350.00. **PAYROLL TOTAL: \$191,913.31**

DECEMBER, 2013 PAYROLL PAYMENTS:

Internal Revenue Service, \$46,809.89; S.D. Retirement System, \$20,340.64; Delta Dental, \$3,679.08

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded to approve the January 6, 2014 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	RENTAL	9.30
ABC BUSINESS	SUPPLIES	202.67
ALCO	SUPPLIES	49.21
ARGUS LEADER	SUBSCRIPTION	326.32
ARLETH LAND SURVEYING	PROJECT	1,500.00
COMPANION LIFE	INSURANCE	212.58
CONSUMER REPORTS	SUBSCRIPTION	99.00
COSMOPOLITAN	SUBSCRIPTION	29.97
DEADWOOD GIFT SHOPPE	BOOKS	25.00
EMERY-PRATT	BOOKS	220.32
FASTENAL	SUPPLIES	606.35
GOLDEN WEST	SERVICE	2,768.75
JACOBS WELDING	SUPPLIES	143.05
LAWRENCE CO. TREASURER	REGISTRATION	725.00
LEAD-DEADWOOD SANITARY	USAGE	26,078.44
LESTER, ROB	REIMBURSEMENT	756.00
LYNN'S	SUPPLIES	82.19
MERTENS, KENNETH	REIMBURSEMENT	277.08
MICHAEL TODD	SUPPLIES	1,255.07
MIDWEST TAPE	DVDS	157.93
MDU	SERVICE	10,694.39
MS MAIL	CARDS	25.00
OTIS ELEVATOR	SERVICE	117.00
SCHUMACHER, DUSTIN	REIMBURSEMENT	378.00
SD DEPT. OF TOURISM	CONFERENCE	175.00
SD MUNICIPAL LEAGUE	REGISTRATION	35.00
SD STATE ARCHIVES	MICROFILM	86.40
SD STATE TREASURER	SALES TAX	2,472.94
SERVALL	SUPPLIES	1,676.70
SEW IT GOES	REPAIRS	192.50
SOUTHSIDE SERVICE	BULB	10.00
SPECIALTY VEHICLES	SERVICE	176.87
STERNHAGEN, JAMES	REPAIRS	1,532.40
TRIPLE K	SERVICE	485.98
TROPHY AWARDS	TOWERS	201.37
WOW	SERVICE	2,477.69
	TOTAL	\$56,261.47

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ITEMS FROM CITIZENS ON AGENDA

Request

Greg Vecchi asked the Commission for a variance to allow firearm discharge in City limits, specifically in the Gallows building at 12 Lee Street. Mayor Turbiville said discussion was held earlier and found City has an ordinance that would refer to this issue, however the ordinance is in direct opposition to state law. Turbiville said the Commission could approve the variance with some conditions, and City would take steps to appeal ordinance. Vecchi explained the operation to the Commission. He also stated no one would be allowed to operate a gun without taking a Breathalyzer test. Silvernail moved, Todd seconded to allow a variance to allow firearm discharge in City limits with condition of financial documentation annually that more than 50% of income is not from the sale of alcohol. Roll Call: Aye-All. Motion carried

PUBLIC HEARING/BID OPENINGS

Permission

Silvernail moved, Van Den Eykel seconded to set bid opening at 2:00 p.m. on February 3, 2014 for retaining wall project at 416 Williams Street with results to City Commission at 5:00 p.m. at regularly scheduled meeting. Roll Call: Aye-All. Motion carried.

Public Hearing-Midwest Motels

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. There being no public comment in opposition, hearing closed. Todd moved, Van Den Eykel seconded to approve the transfer of Retail (on sale) Liquor License (RL-5535) from Midwest Motels of Deadwood to Midwest Motels of Deadwood, dba Buffalo Bodega at 658 Main Street. Roll Call: Aye-All. Motion carried.

FINANCE

Election Day

Peterson moved, Silvernail seconded to set 2014 Election Day on April 8, 2014 for two (2) three-year terms for Commission. Roll Call: Aye-All. Motion carried.

Newspaper

Peterson moved, Silvernail seconded to designate Black Hills Pioneer as official newspaper per SDCL 9-12-6. Roll Call: Aye-All. Motion carried.

Approve

Peterson moved, Todd seconded to approve the following official depositories for the City of Deadwood: Pioneer Bank and Trust, Spearfish SD; Great Western Bank, Spearfish SD; Wells Fargo Bank, Deadwood SD; First National Bank, Lead SD; First Interstate Bank, Deadwood SD; Bank West, Pierre SD per SDCL 9-22-6. Roll Call: Aye-All. Motion carried.

Hire

Peterson moved, Silvernail seconded to hire Brian Carmichael at Broadway Parking Ramp effective January 9, 2014 at \$8.79 an hour. Roll Call: Aye-All. Motion carried.

Resolution 2014-01

Peterson moved, Silvernail seconded to allow the Mayor to sign Resolution 2014-01, to Establish Wages for 2014 per SDCL 9-14-28. Roll Call: Aye-All. Motion carried.

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RESOLUTION NO: 2014-01

CITY OF DEADWOOD EMPLOYEE WAGES FOR THE YEAR 2014

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood hereby approves the following wages for City of Deadwood employees for the year 2014: Thomas Adams, \$11.90 per hour; Kenneth Allen, \$17.17 per hour; Linda Allen, \$10.52 per hour; Ken Batka, \$18.78 per hour; Douglas Bechen, \$13.27 per hour; Sonya Bertalot, \$15.68 and \$11.90 per hour; Brooke Bialas, \$8.00 per hour.; William Binder, \$17.26 per hour; Anthony Bradley, \$22.51 per hour; Hunter Bradley, \$8.79 per hour.; Daniel Bridenstine, \$18.78 per hour; Richard Brooks, \$12.14 per hour; Sabrina Brossart, \$8.79 per hour; Cody Brotsky, \$10.00 per hour; Bo Burleson, \$10.00 per hour.; William Burleson, \$21.91 per hour; Karla Cameron, \$9.83 per hour; Sarah Canida, \$11.90 per hour; Marie Carr, \$8.79 per hour; Jeanette Chaney-Moodie, \$45,448.96 per year; Randi Coddington, \$12.14 & \$14.14 per hour; Patrick Coffield, \$12.00 per hour; Norma Cooper, \$8.28 per hour; Henry Cordes, \$12.14 per hour; Debra Dauer, \$11.38 per hour; Dian DeRosier, \$9.31 per hour; Nicole Diedrich, \$8.79 per hour; Karla Dower, \$10.00 per hour; Christine Elliott, \$10.52 per hour; Kenneth Elliott, \$10.52 per hour; Richard Elliott, \$12.14 per hour; Jeanne Emmert, \$9.31 per hour; Caitlyn Jo Engebretson, \$15.67 per hour; Cherise Feser, \$9.96 per hour; Judy Fidler, \$10.52 per hour; Rodney Fischer, \$10.35 per hour; Theresa Fox, \$8.00 per hour; Kelly Fuller, \$68,714.49 per year; Alex Hamann, \$20.87 per hour; Terry Hansen, \$12.14 per hour; Carol Hauck, \$15.69 per hour; Kenneth Hawki, \$24.18 per hour; Mark Heltzel, \$18.78 per hour; Steven Hogan, \$12.14 per hour; Michael Holbert, \$12.14 per hour; Roanne Hudson, \$10.52 per hour; Barbara Hughes, \$10.35 per hour; Arlys Janke, \$10.52 per hour; Chase Job, \$8.00 per hour; Michael Kitzmiller, \$12.14 per hour; Tom Kruzel, \$9.31 per hour; Donald Kryger, \$21.91 per hour; Kevin Kuchenbecker, \$66,550.26 per year; Andrew Larive \$18.78 per hour; Frank Lawton, \$10.35 per hour; James Lee, \$18.78 per hour; Robert Lester, \$21.60 per hour; Tavis Little, \$18.78 per hour; Justin Lux, \$20.87 per hour; Alexandra Madsen, \$8.28 per hour; Derek Makley, \$9.83 per hour; John Marshall, \$20.87 per hour; James Mattson, \$12.00 per hour; Kip Mau, \$20.87 per hour; Tera Mau, \$10.52 per hour; Michael McLeod, \$10.50 per hour; Brian Mehlberg, \$15.50 per hour; Kenneth Mertens, \$23.29 per hour; Douglas Miller, \$12.14 per hour; Mildred Morrison, \$9.31 per hour; Ronda Morrison, \$21.91 per hour; Casey Nelson, \$16.55 and \$11.38 per hour; Gregory Nelson, \$10.00 per hour and \$18.78 per hour; Mary Jo Nelson, \$71,960.85 per year; Robert Nelson Sr., \$55,729.08 per year; Robert Nelson, Jr., \$51,941.66 per year; Michael Olsen, \$9.96 per hour; James Olson, \$20.87 per hour; David Osborn, \$11.38 per hour; Janet Osborn, \$8.79 per hour; Janice Peppmeier, \$17.47 per hour; Joe Peterson, \$6,500.00 per year; Randy Pfarr, \$19.08 per hour; Edward Pierce, \$10.52 per hour; Lynette Quaschnick, \$8.00 per hour; Charles Quenzer, \$20.23 per hour; Jerold Rachetto, \$17.26 per hour; Robert Radensleben, \$18.78 per hour; Jim Raysor, \$78,453.56 per year; Arthur Reato, \$12.14 per hour; Kenneth Rehberg, \$12.14 per hour and \$14.14 per hour; Emily Reif, \$8.00 per hour; Scott Reif, \$17.26 per hour; Donovan Renner, \$21.91 per hour; David Riley, \$18.78 per hour; Michael Runge, \$19.20 per hour; Dean Schallenkamp, \$17.26 per hour; Dustin Schumacher, \$20.87 per hour; Kristy Schumacher, \$13.27 per hour; Georgeann Silvernail, \$6,500.00 per year; Tracy Sigdestad, \$8.00 per hour; Lili Sjomeling, \$8.00 per hour; Sarah Solano, \$17.04 per hour; Susan Stalder, \$8.28 per hour; Zachery Steinlicht, \$9.31 per hour; James Sternhagen, \$12.14 per hour and \$14.14 per hour; Alexis Stevens, \$8.00 per hour; Kathryn Storhaug, \$15.68 per hour; David Swaney, \$9.31 per hour; Matthew Symonds, \$18.78 per hour; Gary Todd, \$6,500.00 per year; Teresa Tomford, \$15.68 per hour; Denise Trehwella, \$10.00 per hour; Misty Trehwella, \$16.93 per hour; John Tridle, \$18.66 per hour; Charles Turbiville, \$9,500.00 per year; Keith Umenthum, \$22.38 per hour; Jim Van Den Eykel, \$6,500.00 per year; Greg Wagner, \$12.14 & \$14.14 per hour; Thomas Wolf, \$9.31 per hour; Charles Wuitschick, \$12.14 per hour.

Dated this 6th day of January 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

REGULAR MEETING, January 6, 2014

Resolution 2014-02

Peterson moved, Van Den Eykel seconded to allow the Mayor to sign Resolution 2014-02, to Establish Cash Designations in Certain Funds in 2013. Roll Call: Aye-All. Motion carried.

Resolution 2014-02

A RESOLUTION TO ESTABLISH CASH DESIGNATIONS

Be it resolved by the Deadwood City Commission that the City of Deadwood approved the establishment of cash reserves in the following funds for capital outlay purposes per SDCL 9-21-14.1 as of December 31, 2013:

Business Improvement District 1-6 Designated for Parking:	\$370,413.00
General Fund Designated for Fire Truck:	\$394,000.00
Business Improvement District #7 Designated for Convention Center:	\$286,301.00
Parking and Transportation Designation for Trolley Replacement:	\$250,000.00

Dated this 6th day of January 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Resolution 2014-03

Peterson moved, Silvernail seconded to allow the Mayor to sign Resolution 2014-03, to Allow Interfund Cash Transfers in 2013. Roll Call: Aye-All. Motion carried.

RESOLUTION 2014-03

A RESOLUTION TO MAKE THE FOLLOWING INTERFUND CASH TRANSFERS FOR THE YEAR 2013

Be it resolved by the Deadwood City Commission that the following interfund cash transfers be approved for the year 2013.

From Historic Preservation (Fund 0215) to Trolley Department (Fund 0610) \$25,000.00 for trolley reserve and \$92,000.00 for support of trolley operational expenses. From Historic Preservation (Fund 0215) to General Fund (Fund 0101) for impact funds \$1,322,356.00. From Historic Preservation (Fund 0215) to Water Fund (Fund 0602) for impact funds \$160,814.00. From Historic Preservation Fund (0215) to St. Ambrose Capital Projects Fund (Fund 0544) for construction project \$80,130.30.

From General Fund (0101) to Rubble Site Fund (0701) \$5,000.00 for Deadwood's share of operational expenses at the site per agreement.

From General Fund (Fund 0101) to Library Fund (Fund 0206) \$30,500.00 in support of operational expenses.

From Bed and Booze Fund (Fund 0209) to General Fund (Fund 0101) \$35,000.00 for partial payment of utility costs.

From BID 1-6 (Fund 0213) to Parking Ramp Fund (0611) \$11,000.00 to meet bond reserve.

From BID 7 (Fund 0214) to Rec Center (Fund 0209) \$10,000.00 for equipment purchase.

Dated this 6th day of January 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

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Allocations

Peterson moved, Silvernail seconded to pay the following budgeted allocations from Bed and Booze Fund for 2014 (funded as same levels as 2013): Campaign for Home Ownership \$4,000.00; Lead-Deadwood Economic Development \$23,000.00; Northern Hills Alliance for Children \$2,500.00; Deadwood Business Club \$12,000.00; Teen Court \$8,500.00 (\$4,00.00 from Bed and Booze Fund, \$4,500.00 from Police Department); Prairie Hills Transit \$7,000.00; and Days of '76 Committee \$5,000.00. Peterson volunteered to abstain due to ties with Days of '76 Committee. Commission had no issues with Peterson making said motion. Roll Call: Aye-All. Motion carried.

Resolution 2014-04

Peterson moved, Silvernail seconded to allow the Mayor to sign Resolution 2014-04, Extending Workers Compensation to Specific Individuals. Roll Call: Aye-All. Motion carried.

RESOLUTION 2014-04

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO SPECIFIC INDIVIDUALS FOR THE YEAR 2014

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, Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel;

Historic Preservation Commission: Darin Derosier, Laura Floyd, George Milos, Lynn Namminga, Willie Steinlicht, and Chuck Williams;

Planning & Zoning Commission: Mel Allen, Marie Farrier, Sheree Green, Jim Shedd and Mark Speirs;

Library Board: Charlene Miller, Mike Olsen, Jaci Conrad Pearson, Georgeann Silvernail, Donna Watson, and Karin Wood;

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

Police Department Reserve Officers: Thomas Adams, Kenneth Batka, Doug Bechen, Sonya Bertalot, Sarah Canida, Matt Hardin, Mark Heltzel, Tavis Little, Casey Nelson, Greg Nelson, Kristy Schumacher, and Matthew Symonds;

Deadwood Volunteer Fire Department: Randy Addington, Ken Allen, Anthony Biesoit, John Bigney, Pat Eastman, Verne Edstrom, Sandy Glover, Bill Glover, Gary Gould, Larry Groll, Alex Hamann, Lee Harstad, Ken Hawki, Mathew Helmin, Francis Iverson, Mike Klamm, Seth Martens, Jeff Millard, Trent Mohr, Robert Nelson Sr., Jerry Pontius, Courtne Rakow, Jason Rakow, Rylan Rakow, Mike Runge, Richard Stanger, Allen Sternhagen, Paul Thomson, Kathy Toscana, Greg Wagner, Ben Weiss, Keith Wellard, 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 6th day of January 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Terminate

Peterson moved, Silvernail seconded to terminate Parking Ramp employee Stephen Fisher effective December 31, 2013. Roll Call: Aye-All. Motion carried.

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POLICE/FIRE/LIBRARY

Purchase

Silvernail moved, Peterson seconded to allow Police Department to purchase Ford Interceptor utility truck from Lamb Motors off state contract #16546. Cost is \$26,996.00, a budgeted item. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Peterson seconded to allow Fire Department to begin process of purchasing 2014 Crew Cab at approximate cost of \$48,000.00 by sealed bid or state contract. Roll Call: Aye-All. Motion carried.

Terminate

Silvernail moved, Peterson seconded to terminate Police Reserve Bryan Johnson effective December 31, 2013. Roll Call: Aye-All. Motion carried.

Hire

Silvernail moved, Peterson seconded to hire Greg Vecchi as part time police officer at \$18.78 an hour (90% prevailing wage) effective February 5, 2014. Roll Call: Aye-All. Motion carried.

TROLLEY/SAFETY

Resignation

Todd moved, Silvernail seconded to accept resignation from Trolley driver Janet Pisciotta effective December 27, 2013. Roll Call: Aye-All. Motion carried.

Repair

Todd moved, Van Den Eykel seconded to allow Eddie's Truck sales to make repairs on trolley #150 in an amount not to exceed \$4,000.00. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Certificate

Todd moved, Silvernail seconded to allow the Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for James R. Olson/Daniel R. Olson. Roll Call: Aye-All. Motion carried.

Agreement

Silvernail moved, Todd seconded to allow the Mayor to sign agreement with Global Caulking to complete Pavilion Window Project. Roll Call: Aye-Peterson, Silvernail, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

MAYORS BUSINESS

Meeting

Mayor Turbiville announced the next City Commission meeting would be on Tuesday, January 21, 2014 at 5:00 p.m. due to the observance of the Martin Luther King Day.

Executive Session

Mayor Turbiville requested Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2 (1).

ITEMS FROM CITIZENS NOT ON AGENDA

Deadwood Resident Tom Blair informed the Commission about Deadwood Gaming Commission taking a substantial bill to the state as a change to the Constitutional Amendment. He believes Deadwood should be able to vote on this bill the same way as when gaming was approved in 1989. Blair believes City Commission represents residents and is in charge of gaming in Deadwood, not the Deadwood Gaming Association. Commissioner Van Den Eykel requested that Mr. Rodman address Commission on the matter since it requires constitutional change.

REGULAR MEETING, January 6, 2014

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

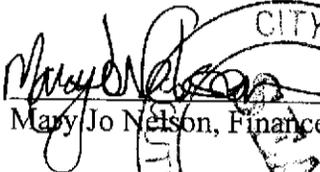
Commissioner Van Den Eykel asked if surface at the rodeo grounds was removed prior to packing snow for the SnowCross Shootout. Commissioner Peterson agreed.

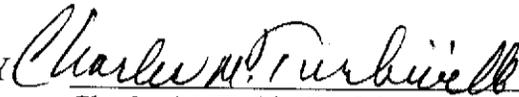
ADJOURNMENT

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) and personnel matters per SDCL 1-25-2 (1). The next regular meeting will be on Tuesday January 21, 2014. After coming out of executive session at 6:21 p.m., Silvernail moved, Peterson seconded to adjourn.

ATTEST:

DATE: _____


Mary Jo Nelson, Finance Officer

BY 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____