

REGULAR MEETING, July 22, 2013

Meeting was called to order at 8:00 a.m. on Monday, July 22, 2013 to discuss 2014 budget. Finance Officer provided Commission with summary of all city funds including revenues, expenditures and transfers. Commission focused review of General Fund revenues and expenditures and discussion was held regarding sales tax projections, property tax revenue and other General Fund income. Total General Fund revenue for 2014 is projected to be \$3,261,537.00. Budget requests and funding sources from outside agencies were also reviewed and discussed. Finance Officer was directed to update list and amounts and bring to Commission for further discussion. Commission also reviewed the following department requests: Finance, Data Processing, Commission Fund, and Zoning. Next budget meetings are scheduled for August 12 and August 13, 2013 at 8:00 a.m. Turbiville moved, Silvernail seconded to adjourn at 9:50 a.m.

The Regular Session of the Deadwood City Commission convened on July 22, 2013 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

Van Den Eykel moved, Todd seconded to approve the minutes of July 15, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded to approve the July 22, 2013 disbursements. Roll Call: Aye-All. Motion carried.

ALCO	SUPPLIES	180.79
BH CHEMICAL	SUPPLIES	1,274.39
BH SPECIAL SERVICE	CLEANING	1,491.00
BLUE TARP FINANCIAL	SUPPLIES	627.76
CENTURY LINK	SERVICE	160.81
CLEARWATER SECURITY	SERVICE	1,275.00
CONRADS SIGNS	SERVICE	1,092.25
DAKOTA BUSINESS CENTER	COPIES	184.29
DAKOTA PLAINS AUCTION	ITEMS	8,512.00
DANIELSON, HAROLD	REIMBURSEMENT	803.00
DAYS OF '76	ALLOCATION	61,000.00
DEADWOOD CHAMBER	BILL LIST	57,000.00
DEADWOOD ELECTRIC	SUPPLIES	1,687.80
DEADWOOD FIRE DEPARTMENT	STAFF	878.88
EDDIE'S TRUCK SALES	SERVICE	11,333.03
EPCO ENVIRONMENTAL	SUPPLIES	43.18
FARMER BROTHERS	SUPPLIES	57.65
FIRST BAPTIST CHURCH	LEASE	3,600.00
FLACK TRUCKING	SERVICE	375.00
FOURFRONT DESIGN	PROJECT	1,581.46
GRIMM'S PUMP	SUPPLIES	133.55
GUNDERSON, PALMER, NELSON	SERVICE	8,977.06
HAWKI, KEN	REIMBURSEMENT	250.00
HD SUPPLY	GRATE	300.56
JACOBS WELDING	ANGLE	99.20
KIMBALL MIDWEST	SUPPLIES	28.27
KONE	MAINTENANCE	205.00
LAWRENCE CO. REGISTER	EASEMENTS	90.00
LIGHTING PLASTICS	GLOBES	505.75
PIERCE, DOROTHY	REIMBURSEMENT	1,650.25
PITNEY BOWES	POSTAGE	500.00
QUIK SIGNS	SERVICE	118.88
QUILL	SUPPLIES	119.70
RAPID DELIVERY	SERVICE	21.60
SCHUMACHER, DUSTIN	REIMBURSEMENT	352.00
SD COMMISSION ON GAMING	CITY SLOTS	69,125.00
SD DEPT. OF CORRECTIONS	FIREWISE	3,391.58
SD DEPT. OF REVENUE	LICENSE	150.00
SD ONE CALL	FEES	29.97
THOMSON REUTERS	SERVICE	181.00
TRIPLE K	SERVICE	2,185.94
VFW BH POST 5969	FLAGS	59.00
ZEP SALES	SUPPLIES	148.96

TOTAL \$ 241,781.56

PUBLIC HEARINGS/BID OPENINGS

Public Hearing-Angel's Attic

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. No one spoke in favor or against. Silvernail moved, Todd seconded to approve the application for Retail (on-off sale) Malt Beverage License for Angel's Attic at 732 Main Street. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, July 22, 2013

HISTORIC PRESERVATION/PLANNING AND ZONING

Reimburse

Van Den Eykel moved, Silvernail seconded to reimburse Days of 76 Inc. for sand at rodeo grounds in the amount of \$4,695.06, from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

Contract

Van Den Eykel moved, Todd seconded to enter into contract with CAI to repair bulkhead on Whitewood Creek retaining wall at a cost of \$4,505.60, from Historic Preservation Capital Assets retaining wall line item. Roll Call: Aye-All. Motion carried.

Permission

Van Den Eykel moved, Silvernail seconded to close Mt. Moriah Cemetery to tour buses and waive the entrance fees to cemetery from 9:00 a.m. to 12:00 p.m. on July 23, 2013 for the dedication of Chinese Burner and Alter. Roll Call: Aye-All. Motion carried.

Change Order

Van Den Eykel moved, Todd seconded to accept Change Order #1 with Ainsworth Benning, to deduct \$1,103.50 for the Mickelson Trailhead Project, bringing cost of contract price to \$120,982.38. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Contract

Turbiville moved, Todd seconded to allow the Mayor to sign the contract with RCS Construction for Broadway Alley repairs. Roll Call: Aye-All. Motion carried.

Change Order (continued from July 15, 2013)

Silvernail moved, Peterson seconded to approve the Change Order #1, to allow Tessier's to utilize CVD Construction to provide roof support for additional weight load per review by engineer, and allow contract extension to October 25, 2013. Change order in amount of \$94,370.00 allowed due to unforeseen circumstances per SDCL 5-18B-19(2). Public Works Director Raysor stated when the design was submitted, they had no idea what size the units were to be until the system was designed, therefore the weight of the units are too much for the roof. Roll Call: Aye-Peterson, Silvernail, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

Expenditure

Silvernail moved, Todd seconded to approve expenditure of up to \$25,000.00 for swim team equipment at Deadwood Rec Center, with reimbursement of \$10,000.00 from private donations and \$10,000.00 commitment from Bid #7. \$5,000.00 balance to be paid from Bed and Booze Fund. John Tridle stated this was an electronic system, which would make a better venue for holding swim meets. With this new equipment, the swim team will be able to have one to two day meets with 250-350 competing, which will encourage families to stay the night, and use the facility. Commissioner Todd commended Tridle for finding outside sources to assist in funding. Mayor congratulated Tridle and added his efforts are great for kids and great for the community. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Certificate

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign the Oakridge Cemetery Certificate of Purchase and Warranty Deed for Connie Blair and Stephanie Bartels. Roll Call: Aye-All. Motion carried.

Executive Session

Attorney Williams requested executive session for Legal Matters per SDCL 1-25-2 (3) with no action.

REGULAR MEETING, July 22, 2013

MAYORS BUSINESS

Easement

Peterson moved, Silvernail seconded to allow the Mayor to sign easement with Mike Trucano and J-Mak Distributors, Inc. for private parking easement in exchange for granting easement on Lot H-2 to South Dakota Department of Transportation. Zoning Administrator Nelson Jr. stated the easement is for the Highway 85 Reconstruction, land needed for enhancement in exchange for a parking easement. Roll Call: Aye-All. Motion carried.

Second Reading

Van Den Eykel moved, Peterson seconded to approve the second reading of Ordinance #1189, Amending Section 5.44.010, designation of trolley as the only transportation service. Commissioner Silvernail requested an explanation, which was provided by the Mayor. Silvernail expressed displeasure at lack of control this revision provides and believes decrease in trolley ridership is a direct result. Commission Todd requested additional guidelines regarding conveyances such as a golf cart. Roll Call: Aye-Peterson, Van Den Eykel, Turbiville. Nay-Silvernail, Todd. Motion carried.

Second Reading

Van Den Eykel moved, Silvernail seconded to approve the second reading of Ordinance #1190, Amending Section 10.12.11, Main Street parking restrictions, permits and fees. Mayor discussed changes to the Ordinance. Roll Call: Aye-All. Motion carried.

Second Reading

Silvernail moved, Van Den Eykel seconded to approve the second reading of Ordinance #1191, Amending Section 10.12.010, stopping, standing, or parking. Mayor discussed changes to the Ordinance. Roll Call: Aye-All. Motion carried.

Acknowledge

Silvernail moved, Peterson seconded to acknowledge the Revitalization Committee. Mayor stated this Committee was developed to facilitate discussion and build consensus on developing a series of goals for economic development for Deadwood within the context of Historic Preservation. The Committee is involved with various organizations including: Business Improvements Districts, Chamber of Commerce, Downtown Business Association, Deadwood History Inc., City of Deadwood, Deadwood Gaming Association, and Civic Organizations. There are also plans to have meetings in September and October to look at the overall strengths, weaknesses, opportunities and threats to Deadwood. Roll Call: Aye-All. Motion carried.

Resignation

Silvernail moved, Todd seconded to accept the resignation with regret of Anita Hansen from Historic Preservation Commission. Mayor thanked Hansen for her time invested in the Commission. Roll Call: Aye-All. Motion carried.

Appoint

Silvernail moved, Todd seconded to appoint Chuck Williams as the replacement on the Historic Preservation Commissioner. Roll Call: Aye-All. Motion carried.

ITEMS FROM CITIZENS NOT ON AGENDA

Peter Demangus, Manager of Gold Dust, voiced concerns about parking enforcement before 11 a.m. According to Demangus, Fisher Beverage made a delivery and the Ordinance Officer told them to move or a ticket would be issued. Mayor asked Demangus if he discussed with Police Department and Demangus stated he has not but has discussed with the Ordinance Officer. Chief Fuller said they would not have been told to move if they were legally parked. Mayor recommended DeMangus contact Chief Fuller directly.

REGULAR MEETING, July 22, 2013

Jan Van Tassel, Original Deadwood Tours, voiced concerns about the ticket he received while his bus was parked on Main Street. He was also upset that a ticket was issued while passengers were on the bus visiting Deadwood. Mayor asked Van Tassel about his schedule, and the number of buses in Mt. Moriah at the same time. Commissioners Todd and Van Den Eykel questioned why the ticket was written. Chief Fuller stated according to the Ordinance Officer, this instance was the second day in a row that Mr. Van Tassel's bus left late and entered Mt. Moriah during another tour buses scheduled time. Chief stated that despite several complaints and letters from the other tour bus companies this happens on a regular basis. According to Fuller, the other tour bus companies deserve the same rights that Van Tassel does when comes to operating their business. Fuller stated Van Tassel does not comply with the regulations, he received the ticket after several verbal warnings, and the only recourse the Ordinance Officers had was to penalize him in hopes of gaining compliance that he would follow regulations, and at this point that is not being done.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioner Van Den Eykel followed up with the ticket issues and he stated that several tickets have been issued and asked if necessary. He added there is a reason for starting a group such as the Revitalization Committee, that numbers are down throughout Deadwood.

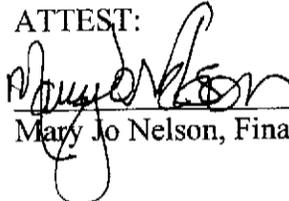
Commissioner Silvernail extended condolences to Public Works Director, Jim Raysor on the loss of his mother.

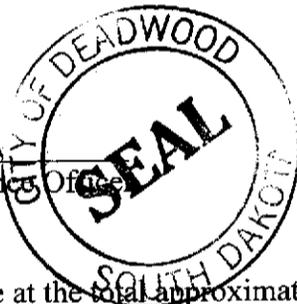
ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:59 p.m. and convene into executive session for Legal Matters per SDCL 1-25-2 (3). The next regular meeting will be at 5:00 p.m. on Monday July 29, 2013.

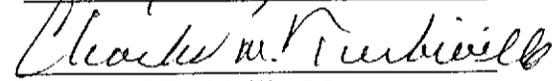
After coming out of executive session for legal matters at 6:30 p.m., Silvernail moved, Van Den Eykel seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: July 29, 2013

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____