

REGULAR MEETING, July 8, 2013

The Regular Session of the Deadwood City Commission convened on July 8, 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 Quentin L. Riggins 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 July 1, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Van Den Eykel moved, Silvernail seconded to approve the July 8, 2013 disbursements. Roll Call: Aye-All. Motion carried.

2ND AMENDMENT	SIGNAL	167.80
ATCO INTERNATIONAL	SUPPLIES	280.00
BARCO	BAGS	301.16
BH CHEMICAL	SUPPLIES	1,187.34
BH PIONEER	MINUTES	605.15
BH POWER	ELECTRICITY	23,473.53
BUTLER MACHINERY	VALVE	424.00
CAMPBELL SUPPLY	TRAPS	388.80
CREDIT COLLECTIONS	COLLECTIONS	44.07
DAKOTA TREE	SPRAYING	8,930.00
DEADWOOD FIRE DEPARTMENT	MEETINGS	300.00
DEPT.PUBLIC HEALTH	TESTING	26.00
DEPT.SOCIAL SERVICES	SUPPORT	230.50
FASTENAL	GRINDER	118.57
FULLER, KELLY	REIMBURSEMENT	400.28
GREAT WESTERN TIRE	REPAIR	119.50
HEAVENLY REPAIRS	TOWING	404.50
HILLS MATERIALS	SAND	232.94
IDVILLE	REELS	89.45
INTERNAL REVENUE	WITHHOLDING	29,500.13
INTERSTATE	BATTERIES	291.90
KNOLOGY	PHONES	230.84
LAWRENCE CO. REGISTER	FILING	120.00
LEAD-DEADWOOD SANITARY	USAGE	31,199.06
LOWE ROOFING	INSPECTION	1,577.00
MIDCO DIVING	TANK CLEANING	2,199.00
MDU	UTILITIES	2,858.85
NEVE'S	CASE	613.48
PIONEER PRODUCTS	DISINFECTANT	274.65
RASMUSSEN	REPAIRS	1,125.91
SD LIBRARY NETWORK	ANNUAL FEE	4,346.00
SD STATE TREASURER	SALES TAX	4,128.56
SDRS SUPPLEMENTAL RETIREMENT	RETIREMENT	727.43
SOUTHSIDE OIL	GAS	25,494.12
STRETCH'S	URETHANE	22.00
THOMAS, MIKE	REIMBURSEMENT	800.00
TRIDLE, JOHN	REIMBURSEMENT	49.73
TRIPLE K	REPAIR	736.96
TRUGREEN	WEED CONTROL	2,087.00
TC ANIMAL SHELTER	RECYCLING	153.00
WASTE CONNECTIONS	GARBAGE	7,881.43
	TOTAL	\$ 154,140.64

ITEMS FROM CITIZENS ON AGENDA

Request

Pat Roberts from the Days of '76 Committee requested that the City allow the Committee to control the gate and rodeo grounds area during the celebration and rodeo and to make parking available for rodeo only during the time period from Friday, July 19, 2013 through Sunday, July 28, 2013. Silvernail moved, Todd seconded to allow the request. Roll Call: Aye-Todd, Van Den Eykel, Silvernail, Turbiville. Abstain-Peterson. Motion carried.

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Request

Emmet Winkler from Black Hills Bus Service requested permission to use the Lower Main Information Center as the site from which his bus would provide tours to the Open Cut in Lead, Spearfish Canyon, and Spearfish and return. Mayor Turbiville explained the City has an Ordinance stating that only the City Trolley may service that lot, and the City Commissioners would have to approve an exception. Van Den Eykel asked various questions regarding his operation. Silvernail stated that they had previously denied other similar requests because it would be using the City Parking Lot to transport people out of Deadwood. Turbiville agreed that it might start a precedent for other businesses which might also remove people from Deadwood. Todd and Van Den Eykel suggested he find a private location from which to operate. Silvernail then moved, Todd seconded to deny the request. Roll Call: Aye-All. Motion carried.

Mickelson Trail Trek

Silvernail moved, Todd seconded to allow the use of Sherman Street Parking Lot, use of trolley and waiver of trolley group fee from 10:30 a.m. to 2:00 p.m. on September 22, 2013 for the 16th Annual Mickelson Trail Trek. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Silvernail moved, Todd seconded to set a public hearing at 5:05 p.m. on July 22, 2013 for Retail (on-off) Malt Beverage License for Angel's Attic at 732 Main Street. Roll Call: Aye-All. Motion carried.

FINANCE

Allocation

Peterson moved, Silvernail seconded to allow the Finance Office to pay 2013 allocation of \$3,500.00 to NAJA Shriners from Bed and Booze Fund, a budgeted item. Roll Call: Aye-All. Motion carried.

Payment

Peterson moved, Silvernail seconded to allow the Finance Office to pay Golden West \$2,880.00 for annual off-site back up, a budgeted item. Roll Call: Aye-All. Motion carried.

Resolution 2013-10

After explanation from Turbiville that the bleachers at the Pavilion are in bad shape and unsafe, Peterson moved, Silvernail seconded to allow the Mayor to sign Resolution 2013-10, to Surplus wooden bleachers in Deadwood Pavilion. Roll Call: Aye-All. Motion carried.

**RESOLUTION NO. 2013-10
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 August 12, 2013, and open bids at 5:07 p.m. that same day:

Set of wooden bleachers installed in Deadwood Pavilion in 1955, 90 feet long, 5x18 foot sections, ten tiers high.

Dated this 8th day of July, 2013

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Bid Opening

Peterson moved, Silvernail seconded to set bid opening at 5:07 p.m. on August 12, 2013 for sealed bids to purchase and remove the bleachers at the Deadwood Pavilion. Roll Call: Aye-All. Motion carried.

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HISTORIC PRESERVATION/PLANNING AND ZONING

Hire

Van Den Eykel moved, Silvernail seconded to hire Dave Stafford Architecture to develop necessary plans and specs for \$6,000.00, to repair and rehab windows at the Rec Center from Historic Preservation Capital Asset line item. Kuchenbecker explained that the specifications address how to prepare and detail each window. Roll Call: Aye-All. Motion carried.

Hire

Van Den Eykel moved, Todd seconded to hire Dave Stafford Architecture to prepare specifications for slate roof replacement at History and Information Center at a cost of \$6,000.00 from Historic Preservation Capital Asset line item. Kuchenbecker stated that an additional estimate from Chamberlain Architect was between \$5000-\$7000. Roll Call: Aye-All. Motion carried.

Advertise

Van Den Eykel moved, Todd seconded to advertise for bids to upgrade Deadwood Pavilion, including repair and replacement of broken windows and paint exterior metal, to be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

Van Den Eykel also commented that he would like to see Main Street become a more customer friendly community, that he thinks we sometimes ticket visitors and delivery trucks too quickly. He would like to encourage our guests to stay a little longer by being more accommodating. Chief Fuller said that a car can be ticketed on Main Street after it is parked there more than 20 minutes, but they don't usual ticket that soon, and normally don't tow a car unless a business owner complains that it has parked too long in front of his store. Silvernail commented that she feels our police force and all our city staff are very cooperative and friendly with our visitors.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Wage Increase

Turbiville moved, Silvernail seconded to increase the wage of lifeguard Cody Brotsky from \$8.79 an hour to \$9.31 an hour effective July 2, 2013 after completing three years of service. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Van Den Eykel seconded to approve the purchase of 300 tons of sand, not to exceed \$6000, from Parks Dept. budget for the rodeo grounds. Roll Call: Aye-All. Motion carried. Kuchenbecker stated that if additional sand is needed after this amount is spread, the Historic Preservation Budget could supplement this amount later. Mayor instructed Raysor to inform Commission the following week if more sand was needed.

POLICE/FIRE/LIBRARY

Permission

Silvernail moved, Peterson seconded to allow Ken Hawki to transport the air compressor to Casper, WY for assessment and possible repair. The repair cost is to be brought to City Commission after approximate amount is obtained from vendor. Silvernail stated that Hawki explained it would be much cheaper to transport the compressor than to have the servicemen come here. Roll Call: Aye-All. Motion carried.

Permission

Silvernail moved, Todd seconded to allow the Fire Department to purchase two portable radios and a Bluetooth from Western Communications at a cost of \$3,089.00, a budgeted item. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Certificate

Silvernail moved, Todd seconded to allow the Mayor to sign the Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Carl and Leona Moser, and Herman W. and Danelda M. Steier. Roll Call: Aye-All. Motion carried.

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Executive Session

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

MAYORS BUSINESS

Banners

Turbiville moved, Silvernail seconded to allow the Days of '76 banners, including the Four Aces banner, to be hung on Main Street, starting tomorrow, July 9, 2013. Roll Call: Aye-Todd, Van Den Eykel, Silvernail, Turbiville. Abstain – Peterson. Motion carried.

Tourism Trolley

Trolley Manager Robert Nelson Sr. reported that a total of 41 people, including employees, have ridden the Tourism Trolley between May 26th and July 6th, 2013. The total cost was approximately \$2200.00, or an average of \$55.00-\$60.00 per rider. Turbiville stated it was a noble effort that needed to be tried, but he now feels it should be discontinued effective tomorrow. Silvernail moved, Todd seconded to discontinue the route beginning tomorrow, July 9, 2013. Van Den Eykel stated he feels it hasn't been given adequate time and would like to see it continue. Todd agreed that he would have liked it to run through July, but now feels that the numbers show it should be stopped. Roll Call: Aye-Todd, Peterson, Silvernail, Turbille. Nay-Van Den Eykel. Motion carried.

ITEMS FROM CITIZENS NOT ON AGENDA

Jan VanTassel from Original Deadwood Tours stated that he feels business on Main Street is significantly down this year and wants to know who should be blamed – whether it is the fault of the City Commission, the Chamber of Commerce, the Gaming Commission or who. He feels that "Deadwood" not just "Gaming" should be advertised, that we need to promote tourism to families, not just to gamblers. Turbiville stated that some of the other businesses have reported their revenue is up this year, so possibly each business needs to recheck its own marketing procedures. He thanked Van Tassel for coming and providing his thoughts, as the Commission appreciates hearing from business owners.

Arlene Cox, representing the First Baptist Church, explained that on a recent Sunday morning their church members were ticketed when they parked in "City Parking Only" areas, because other cars were parked in the church designated area. Chief Fuller stated that those tickets were voided, and that he will instruct his Ordinance Officers not to ticket cars during church hours on Sunday morning.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

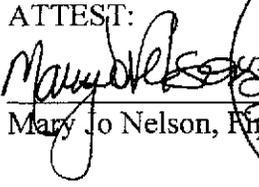
Commissioner Silvernail thanked the library employees for their hard work in helping with cleanup from storm damage. She also read a letter from a Florida visitor, complimenting our helpful and courteous police officers during his recent visit.

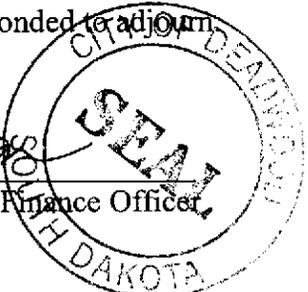
ADJOURNMENT

Silvernail moved, Todd seconded to adjourn the regular session at 5:57 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 15, 2013.

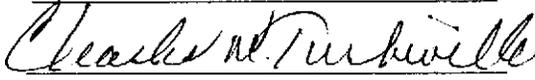
After coming out of executive session for legal matters at 6:35 p.m., Silvernail moved, Vandeneysel seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: _____

BY: 
Charles M Turbiville, Mayor