

REGULAR MEETING, June 17, 2013

The Regular Session of the Deadwood City Commission convened on June 17, 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 June 10, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Van Den Eykel moved, Silvernail seconded to approve the June 17, 2013 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS		
ABC BUSINESS		
ALCO		
ALLEN, MEL		
ALSCO		
AMAZON WEB		
AVENET		
BH CHEMICAL		
BH DISPOSAL		
BH OCCUPATIONAL		
BH PIONEER		
BH WINDOW CLEANING		
BUTLER MACHINERY		
CAI CONSTRUCTION		
CENTURY BUSINESS		
CENTURY LINK		
CONOVER, MICHAEL		
CULLIGAN		
DAKOTA ELECTRIC		
DAKOTA GRAPHICS		
DEADWOOD ALIVE		
DEADWOOD CHAMBER		
EMERY-PRATT		
ENSMINGER, RICK & BARB		
FARMER BROTHERS		
FARRIER, MARIE		
FASTENAL		
FIRST NATIONAL		
FLOYD, LAURA		
FREEMAN'S ELECTRIC		
GOLDEN WEST		
GOLDSTAR PRODUCTS		
GREEN, SHEREE		
GRIMM'S PUMP		
HANSEN, ANITA		
HEARTLAND PAPER		
HISTORIC RAPID CITY		
HOMESTAKE ADAMS RESEARCH		
KADRMAS LEE & JACKSON		
KONE		
LAWRENCE CO. REGISTER		
LEAD CHAMBER		
MASONIC CENTER		
MIDCONTINENT		
MIDDLEMAS, KAITLAN		
MIDWEST TAPE		
MILOS, GEORGE		
MINNEHAHA COUNTY		
MDU		
NAMMINGA, LYNN		
NAPA		
NEVE'S		
OLSON, STEVE		
PETE LIEN & SONS		
PIKE, MATTHEW		
PITNEY BOWES		
QUICK TROPHY		
QUICK SIGNS		
RUNGE, MIKE		
SCHUMACHER, DUSTIN		
SD ONE CALL		
SD STATE ARCHIVES		
SD STATE TREASURER		
SDN COMMUNICATIONS		
SDSM4T		
SHEDD, JIM		
SPEIRS, MARK		
STEINLICHT, WILLIE		
TESSIERS		
TOM'S T'S		
TRIPLE K		
TRUGREEN		
TWIN CITY HARDWARE		
UNIVERSITY OF WYOMING		
WWHA		
WYSS ASSOCIATES		
MAINTENANCE		388.96
SUPPLIES		144.40
SUPPLIES		247.51
ATTENDANCE		175.00
SUPPLIES		45.36
GIS		284.37
HOSTING		450.00
SUPPLIES		753.88
DUMPSTER		1,140.00
TESTING		830.00
ADS		840.86
CLEANING		662.00
REPAIRS		1,959.39
PROJECT		6,101.23
MAINTENANCE		195.30
SERVICE		163.12
DISBURSEMENT		3,500.00
SUPPLIES		34.50
SERVICE		172.45
SUPPLIES		198.00
PAYMENT		20,000.00
BILL LIST		83,405.77
BOOK		409.22
DISBURSEMENT		6,500.00
SUPPLIES		5.85
ATTENDANCE		150.00
SUPPLIES		162.35
DEBT		20,167.50
ATTENDANCE		225.00
SERVICE		51.02
SERVICE		1,941.76
SUPPLIES		462.46
ATTENDANCE		150.00
WAX		86.50
ATTENDANCE		150.00
SUPPLIES		539.31
GRANT		10,000.00
FUNDING		10,000.00
PROJECT		1,207.01
MAINTENANCE		205.00
CLOSING COSTS		60.00
SERVICE		5,000.00
GRANT		3,704.00
SERVICE		65.00
REIMBURSEMENT		86.42
DVD		233.53
ATTENDANCE		175.00
CONTRIBUTION		2,000.00
GAS		140.25
ATTENDANCE		250.00
SUPPLIES		2,982.01
UNIFORMS		135.80
ATTENDANCE		225.00
SERVICE		180.75
ATTENDANCE		150.00
REFILL		500.00
PLATE		25.49
SIGNS		332.96
REIMBURSEMENT		319.84
REIMBURSEMENT		352.00
FEES		31.08
MICOFILM		28.80
SALES TAX		3,097.84
SERVICE		571.20
SCHOLARSHIP		1,000.00
ATTENDANCE		175.00
ATTENDANCE		150.00
ATTENDANCE		250.00
PROJECT		11,419.00
TSHIRTS		99.10
SERVICE		325.90
FERTILIZER		575.50
SUPPLIES		2,380.74
SCHOLARSHIP		1,000.00
DUES		50.00
PROJECT		1,602.50
TOTAL		\$213,779.79

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CONDOLENCES

On behalf of the Commission, Commissioner Silvernail extended condolences to the family of former Commissioner Keith Harrison.

ITEMS FROM CITIZENS ON AGENDA

Banners

Mary Beth Seamonds representing Cadillac Jacks asked the Commission for permission to display banners during the Open House June 21 through 23, 2013. Bob Nelson Jr. stated it is against the ordinance and Commission would have to waive the restrictions for banners, and the banners are allowed three days before and two days after during a special event. Mayor Turbiville said many banners up in town are already in violation of the Ordinance. Van Den Eykel moved, Silvernail seconded to waive the banner restrictions and allow Cadillac Jacks to display banners June 21 through 23, 2013. Roll Call: Aye-All. Motion carried.

Floor Plan

Van Den Eykel moved, Silvernail seconded to approve the Retail Floor Plan for Willy's Wild West at 68 Main Street contingent upon the Building Inspector, Umenthum's signature. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing-Resolution

Public hearing was opened at 5:10 p.m. by Mayor Turbiville. John Frederickson was present and requested the hearing be continued to July 15, 2013 at 5:10 p.m. According to Frederickson, since Ag land is involved, Lawrence County Commission must review and approve. Silvernail moved, Van Den Eykel seconded to continue the hearing until July 15, 2013. Roll Call: Aye-All. Motion carried.

Bid Opening-Light Poles, Fixtures

Public Works Director Jim Raysor opened three bids for the painting of the light poles and fixtures. Bid bonds or cashier's checks were included in the following bid submittals:

Forcoli & Sons - \$11,142.88
Lamb Painting - \$18,652.00
Black Hills Painting - \$64,850.00

Raysor requested Commission accept the bid from Forcoli & Sons. Silvernail moved, Todd seconded request. Roll Call: Aye-All. Motion carried.

Bid

Silvernail moved, Todd seconded to accept the bid from Ainsworth Benning for the Trailhead Project in the amount of \$113,389.78 with alternate of \$8,696.10, for a total amount of \$122,085.88. Kuchenbecker stated that the state has reviewed and accepted. Roll Call: Aye-All. Motion carried.

FINANCE

Permission

Peterson moved, Silvernail seconded to pay Black Hills Vision \$10,000.00 from Bed and Booze Fund, budgeted item. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING

Permission

Van Den Eykel moved, Silvernail seconded to expend up to \$20,000.00 for new trash receptacles and benches from Historic Preservation Capital Assets. Kuchenbecker stated that 50% of the expenditure will be paid by the business owner if they would like a bench outside their business and the City will pay 100% for the trash receptacles. Roll Call: Aye-All. Motion carried.

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Repair

Van Den Eykel moved, Silvernail seconded to have portions of the 1902 soda fountain repaired by American Soda Fountain, Inc. in Chicago, Illinois at a cost not to exceed \$20,000.00 from Historic Preservation Public Education. According to Kuchenbecker, the fountain has been in storage since the City purchased in 2002. American Soda Fountain will modernize the cooling system to make use of fountain more practical. The pending lease will specify that ownership is retained by the City. Roll Call: Aye-All. Motion carried.

Upgrade

Van Den Eykel moved, Silvernail seconded to upgrade the computer storage device with six one TB hard drives from Golden West at a cost of \$6,214.00 from Historic Preservation Professional Services. Roll Call: Aye-All. Motion carried.

Easement

Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign the Permanent and Temporary Construction Easement with Michael Hall at 66 Taylor for the installation of an interpretive panel on the Old Deadwood Cemetery. Roll Call: Aye-All. Motion carried.

POLICE/FIRE/LIBRARY

Hire

Silvernail moved, Peterson seconded to hire up to eight additional police officers during 2013 Sturgis Rally at a wage of \$15.00 an hour. Roll Call: Aye-All. Motion carried.

TROLLEY/SAFETY

Purchase

Todd moved, Van Den Eykel seconded to purchase and install an engine for Trolley 153 from Eddie's Truck Service, not to exceed \$13,000.00 Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

First Reading

Silvernail moved, Peterson seconded to approve the first reading of Ordinance #1188, Creating Chapter 5.49 to Authorize Convention Center Liquor License Holders to Operate Shuttle Service. Roll Call: Aye-Peterson, Silvernail, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

First Reading

Todd moved, Silvernail seconded to approve the first reading of Ordinance #1189, Amending Chapter 5.44, Designating Trolley as Only Transportation Service. Roll Call: Aye-Peterson, Silvernail, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

MAYORS BUSINESS

Resolution

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign the Resolution 2013-09. Roll Call: Aye-All. Abstained-Peterson. Motion carried.

RESOLUTION 2013-09

RESOLUTION IN SUPPORT OF APPLICATION TO OCCUPY S.D. DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT-OF-WAY WITHIN DEADWOOD CORPORATE LIMITS

WHEREAS, the City of Deadwood (CITY) will be home to the 91st Annual Days of '76 Celebration on July 23rd through July 27th, 2013; and,

WHEREAS, the Days of '76 Parade is a time honored tradition during the Celebration; and,

WHEREAS, the size and popularity of the parade is such that CITY deems it necessary to block traffic along the parade route; and,

WHEREAS, State of South Dakota Highways 14A and 85 are located within the corporate limits of CITY and are affected by said closure; and,

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WHEREAS, CITY herewith is submitting an application to the South Dakota Department of Transportation (SDDOT) for permit to occupy right-of-way for those portions of S.D. Highways 14A and 85 within the corporate limits of CITY on July 26, 2013, beginning at 1:15 p.m. until the end of the parade, and on July 27, 2013, beginning at 9:45 a.m. until the end of the parade; and,

WHEREAS, by submission of the application for permit to occupy right-of-way, CITY agrees to provide protection to highway traffic during occupancy by use of proper signs, barricades, flag persons, and lights as prescribed in the "Manual of Uniform Traffic Control Devices"; and,

WHEREAS, CITY further agrees to indemnify, hold and save harmless the State of South Dakota, its Department of Transportation, its Officers and Employees, from any and all suits, actions or claims of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of right-of-way designated in this Resolution;

NOW, THEREFORE, BE IT RESOLVED, that the City of Deadwood hereby supports the submission of the South Dakota Department of Transportation Application for Permit to Occupy Right-of-Way for the purpose described herein.

Dated this 17th day of June, 2013

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

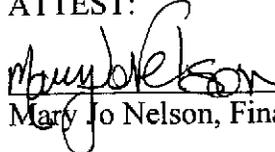
Certificate

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

ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:25 p.m. The next regular meeting will be at 5:00 p.m. on Monday June 24, 2013.

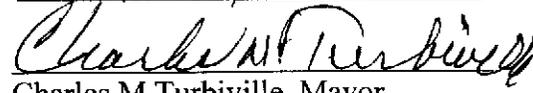
ATTEST:


Mary Jo Nelson, Finance Officer



DATE: June 24, 2013

BY:


Charles M Turbiville, Mayor

Published once at the total approximate cost of _____