

REGULAR MEETING, June 2, 2014

The Regular Session of the Deadwood City Commission convened on June 2, 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 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 May 19, 2014. Roll Call: Aye-All. Motion carried.

MAY, 2014 PAYROLL: COMMISSION, \$4,096.14; FINANCE, \$22,208.06; PUBLIC BUILDINGS, \$6,626.21; POLICE, \$69,666.81; FIRE, \$6,863.24; BUILDING INSPECTION, \$5,440.44; STREETS, \$40,303.00; PARKS, \$26,970.96; PLANNING & ZONING, \$6,010.59; LIBRARY, \$8,935.71; RECREATION CENTER, \$19,403.51; HISTORIC PRESERVATION, \$18,278.83; WATER, \$19,994.24; MT. MORIAH, \$2,240.51; PARKING METER, \$12,096.44; TROLLEY, \$22,787.50; PARKING RAMP, \$7,979.29; RUBBLE SITE, \$4,282.50.
PAYROLL TOTAL: \$304,183.98

MAY, 2014 PAYROLL PAYMENTS:

Internal Revenue Service, \$74,668.48; S.D. Retirement System, \$32,175.94; Delta Dental, \$4,073.28

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded to approve the June 2, 2014 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	144.11
A & J SUPPLY	SUPPLIES	72.00
ABC BUSINESS	SUPPLIES	237.30
ACE INDUSTRIAL	SUPPLIES	143.70
ALBERTSON ENGINEERING	PROJECT	1,283.00
ALCO	SUPPLIES	149.67
ALL AROUND AUTO	SUPPLIES	831.20
ALSCO	SUPPLIES	136.66
AMERICAN WATER WORKS	MEMBERSHIP	72.00
ATCO INTERNATIONAL	SUPPLIES	199.00
BH CHEMICAL	SUPPLIES	722.81
BH SPECIAL SERVICES	CLEANING	1,228.00
CAMPBELL SUPPLY	SUPPLIES	369.36
CHAINSAW CENTER	SUPPLIES	357.11
CHAMBERLIN ARCHITECTS	PROJECT	8,376.00
CHRONICLE OF THE OLD WEST	SERVICE	30.00
COMPANION LIFE	INSURANCE	222.48
CRARY HUFF	COLLECTIONS	567.00
CUSTOM DECOR	PROJECT	491.25
DATA FLOW	CHECKS	202.27
DEADWOOD ALIVE	SERVICE	20,000.00
DIVERSIFIED INSPECTIONS	INSPECTION	1,458.81
DONOVAN LAWCARE	SERVICE	11,586.09
ENERGY EQUIPMENT	SUPPLIES	2,312.57
FARMER BROTHERS	SUPPLIES	21.60
FASTENAL COMPANY	SUPPLIES	43.10
FLAT EARTH SIGN	PROJECT	2,000.00
GOLDEN WEST	SERVICE	710.00
HILLS INTERIORS	PROJECT	2,362.76
HILLS MATERIALS	PROJECT	57,616.11
INTERNATIONAL ASSOCIATION	MEMBERSHIP	234.00
INTERSTATE FLOORING	PROJECT	945.54
JACOBS WELDING	REPAIR	1,180.03
JULIN, SUZANNE	PROJECT	650.00
KADRMAS LEE & JACKSON	PROJECT	1,801.46
KING APPRAISALS	APPRAISAL	4,000.00
KNECHT	SUPPLIES	106.40
KUCHENBECKER, KEVIN	REIMBURSEMENT	114.15
L&L INSULATION	PROJECT	175.00
LAWRENCE CO. REGISTER	RECORDING	30.00
LEDTRONICS	SUPPLIES	140.40
MENARD'S	SUPPLIES	67.82
MIKE VAGA	SERVICE	111.12
MS MAIL	BROCHURES	2,000.00
NETWORK SERVICES	BAGS	311.10
PACK HORSE	SUPPLIES	117.03
PIZZA LAB	PROJECT	298.06
PUSH-PEDAL-PULL	STEPMILL	5,178.86
QUALITY SERVICES	DIG	158,042.33
QUILL	SUPPLIES	160.03
SACRISON PAVING	PROJECT	40,464.82
SCHMIDT, WILLIAM	CONCRETE	1,236.00
SCHUMACHER, DUSTIN	REIMBURSEMENT	378.00
SD ASSN. OF RURAL WATER	EXPO	70.00
SD DEPT. OF CORRECTIONS	CLEANUP	9,408.17
SD DEPT. OF REVENUE	RENEWALS	6,237.50
SD PUBLIC HEALTH LAB	SAMPLES	26.00

REGULAR MEETING, June 2, 2014

SD STATE ARCHIVES	PROJECT	3,034.80
SD STATE HISTORICAL	EXHIBIT	15,000.00
SOUTHSIDE OIL	GAS	35,646.41
SPECIALTY VEHICLES	SUPPLIES	654.28
SUMMIT SIGNS	SIGNS	149.00
TEMPERATURE TECHNOLOGY	REPAIRS	379.80
THE WOOD GROTTO	PLAQUES	76.00
TODDY BOY'S	PROJECT	258.12
TRUGREEN	SERVICE	124.75
TSP THREE	PROJECT	11,130.75
TWIN CITY HARDWARE	SUPPLIES	5,921.86
VERIZON WIRELESS	SERVICE	350.82
WHITE'S CANYON	FORD	46,430.00
WOW	SERVICE	2,123.32
	TOTAL	\$468,709.69

ITEMS FROM CITIZENS ON AGENDA

Variance Request

Commission discussed the request for variance to discharge firearms in city limits and use slag pile property for firearms range operation. After discussion, Todd moved, Silvernail seconded to continue the variance to discharge firearms in city limits for review by safety committee and Police Chief to do on site tour. Roll Call: Aye-All. Motion carried.

Rodeo Ground Request

Days of '76 member, Ted Thompson asked the Commission to use rodeo grounds at no fee for Steer Roping Event on June 7 and 8, 2014. Silvernail moved, Ruth seconded request. Roll Call: Aye-All. Motion carried.

Trolley Request

Todd moved, Van Den Eykel seconded to allow the use of one trolley on July 19, 2014 for Pioneer Society house tours from 11:30 a.m. to 5:00 p.m., and waiver of trolley fee. Roll Call: Aye-All. Motion carried.

Trolley Request

Chelsie Bauer, representing Deadwood History Inc. requested permission for trolley to transport Archeology Camp students to Pillar Peak road and return on July 10 through 12, July 21 through 24, and on July 25, 2014 from Adams House to Days of '76 Museum for parade. Ruth moved, Silvernail seconded request. Roll Call: Aye-All. Motion carried.

CONSENT

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

Agreement

Permission for Mayor to sign loan agreement with Ft. Meade Museum for use of Poker Alice hat and case from June 3, 2014 to October 31, 2014.

Wage Increase

Permission to increase wage of lifeguard Brook Bialas from \$8.00 an hour to \$8.28 an hour effective May 28, 2014 after one year of service.

Reappoint

Reappoint Mary Jo Nelson to board of Deadwood History Inc. for one-year term ending May 31, 2015.

Fire Roster

Add Shelley Corbitt and remove Seth Martens from the Volunteer Fire Department roster for workers compensation purposes effective May 20, 2014.

Agreements

Permission for Mayor to sign Indemnification Agreement with Boot Hill Tours.
Permission for Mayor to sign agreement with Deadwood Stage Tours LLC for Horse Drawn Vehicle Permit.

Letter

Allow the Mayor to sign letter to Department of Transportation to support the idea that shared use of facility construction will enhance use of Mickelson Trail grant.

Public Hearings

Set public hearing on June 16, 2014 at 5:00 p.m. for July 4th, street closure from 3:00 p.m. until parade ends.

Set public hearing on June 16, 2014 at 5:00 p.m. for July 4th street closure for Kid's Coaster Races from 9:30 a.m. to 12:00 p.m.

REGULAR MEETING, June 2, 2014

Public Hearings Cont.

Set public hearing on June 16, 2014 at 5:00 p.m. for Days of '76 events including street closure, special full temporary liquor license, allow vending on public property, waiver of vendor and user fees and consider one-way traffic on Crescent Drive.

Agreements

Permission for Mayor to sign agreement with Macrovision, LLC in amount of \$10,500.00 for Historic Preservation moments.

Permission for Mayor to sign agreement with Macrovision, LLC in amount of \$3,000.00 for Historic Preservation Facebook maintenance.

Contract

Permission for Mayor to sign contract with Dr. Eric Bartelink for isotope testing of 66 Taylor remains at cost not to exceed \$1,200.00.

Banner

Allow Days of '76 banners to be displayed on Main Street beginning on July 4, 2014.

Resignation

Accept resignation of Rec Center employees Nicole Diedrich effective May 16, 2014 and Tracy Sigestad effective May 30, 2014.

BID ITEMS

Bid Opening-Rotary Park

Historic Preservation Officer, Kuchenbecker opened two bids for the Rotary Park/Martha E. Bullock Park Improvements. Bid bonds were included in the following bid submittals:

- CAI2 Base Bid #1 (Trolley Stop, Welcome Plaza, Perimeter Fence) - \$32,600.00
- Base Bid #2 (all work not listed in Base Bid #1) - \$214,300.00
- Alternate #1 (Tennis Court Lighting) - \$32,184.00
- Alternate #2 (Pedestrian Lighting) - \$23,500.00
- Alternate #3 (Park Shelter and Picnic Table) - \$12,500.00
- Alternate #4 (Substitution: Bonded Shredded Rubber Playground Base) - \$22,500.00

RCS Construction

- Base Bid #1 (Trolley Stop, Welcome Plaza, Perimeter Fence) - \$29,000.00
- Base Bid #2 (all work not listed in Base Bid #1) - \$243,000.00
- Alternate #1 (Tennis Court Lighting) - \$39,000.00
- Alternate #2 (Pedestrian Lighting) - \$28,000.00
- Alternate #3 (Park Shelter and Picnic Table) - \$14,000.00
- Alternate #4 (Substitution: Bonded Shredded Rubber Playground Base) - \$17,000.00

Kuchenbecker requested Commission continue until June 16, 2014 for review. Silvermail moved, Van Den Eykel seconded request. Roll Call: Aye-All. Motion carried.

Bids

Three bids were received for the Adams Museum Exterior upgrades at 2:00 p.m. as advertised. Present at the bid opening were Mary Jo Nelson, Kevin Kuchenbecker, and a member from Mac Construction, RCS Construction and SECO Construction. Bid bonds were included in the following bid submittals:

- Mac Construction - \$274,000.00
- RCS Construction - \$254,000.00
- SECO Construction - \$247,600.00

Kevin Kuchenbecker asked the Commission to award the bid to SECO Construction. Silvermail moved, Ruth seconded request. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, June 2, 2014

NEW BUSINESS

Renew

Todd moved, Ruth seconded to renew 2014-2015 Malt Beverage Licenses, pending payment of property tax and BID taxes. Roll Call: Aye-All. Motion carried.

PACKAGE (OFF-SALE) MALT BEVERAGE

Big D Oil Co., 402 Main Street, PB-1621

RETAIL (ON-OFF SALE) MALT BEVERAGE

Vaughn Mary Boyd, Deadwood Tobacco Co. & Cigar Bar, RB-2108, 628 Main Street
DFC – Hickok’s Inc, DFC – Hickok’s Inc. RB-2306, 681 Main Street
Platinum Ventures, LLC, Four Aces 777 Casino, RB-2391, 661-663-665 Main Street
Mustang Sally’s Inc., Mustang Sally’s, RB-2405, 634 Main Street
Deadwood Inc. & Gamblers Gulch, Inc., Deadwood Gulch Saloon, RB-2416, 558-560 Main
Black Diamond Capital LLC, Gold Dust, RB-2418, 688 Main Street
Bullock Properties LLC, 633-635-637 Main Street, RB-2445
BRI, Inc., Best Western Hickok House, RB-2447, 137 Charles St.
Mary Larson, Deadwood Dicks Restaurant, 51 Sherman Street, RB-2449
Princeton Inc., Deadwood Super 8 / Lucky 8 Gaming, RB-2450, 196 Cliff
Willys Wild West, Deadwood Station, RB-2453, 68 Main St.
Midnight Star Enterprises, LP, Midnight Star I & II, RB-2454, 677 Main Street
Platinum Ventures, LLC, Four Aces Hotel & Casino, RB-2463
Old Style Saloon #10, Inc., Saloon #10, RB-2466, 657 Main Street
Super G Investment Corporation, Silverado, RB-2512, 709 Main Street
WWW LLC, Gold Country Inn, 801 Main Street, RB-2521
TJ Gear, Madame Peacock’s Accessory Lounge, RB-2527, 638 Main Street
Midwest Motels of Deadwood II, Buffalo Bodega, RB-2576, 658 Main Street
First Gold, Inc., First Gold Hotel, RB-2584, 270 Main Street
GR Deadwood LLC, Mineral Palace Hotel & Gaming, RB-2593, 607 Main Street
Fairmont Hotel Corporation, Fairmont Hotel, RB-2597, 628 Main Street
Deadwood Hospitality Resort LLC, Deadwood Gulch Resort, RB-2609, 304 Cliff Street
Blue Sky Gaming Inc., Tin Lizzie, RB-2644, 555 Main Street
Hotel Franklin Inc., Historic Franklin, 700 Main Street, RB-2659
Platinum Ventures, LLC, Four Aces Hotel & Casino, 531 Main Street, RB-2831
Thunder Cove Inn, Inc., Thunder Cove Inn, RB-3173, 311-351 Cliff - 1 Katon Drive
Historic Deadwood Convention Facility, LLC, Wooden Nickel, Iron Horse Inn, Martin Mason
Hotel, RB-3185, 5-9 Lee Street
Gulches LLC, Comfort Inn Gulches of Fun, RB-3536, Highway 85 South
Rolling Hills Farm Investment LLC, Celebrity Hotel, RB-3722, 629 Main Street
B.Y. Development, Inc., Cadillac Jack’s Gaming Resort, RB-3894, 360 Main Street
Deadwood Resort, LLC, The Lodge at Deadwood, RB-19227, 100 Pine Crest Lane
Adams Museum & House Inc., Adams Museum & House Inc., RB-19328, 150 Sherman

RETAIL (ON-OFF SALE) MALT BEVERAGE AND SD FARM WINE

D & M Iron Horse Inn LLC, Iron Horse Inn, BW-20162, 27 Lee Street
Deadwood Development, McKenna’s Gold, BW-20163, 470 Main Street
Deadwood History Inc., Days of ’76 Museum, RB-20301, 18 76 Drive
Deadwood Land Holding, LLC, Tatanka, Story of the Bison, BW-20586, 100 Tatanka Dr.
Effective Education, Pump House at Mind Blown Studio, BW-20797, 73 Sherman Street
Weapons Concepts LLC, Bullets and Beer Saloon, RB-20935, 12 Lee Street
Rick & Margi Olesen, Wild Bill Old West Trading Post, 624 Main Street

PACKAGE (OFF SALE) MALT BEVERAGE AND SD FARM WINE

Virginia Tice-Poseley, Dakota Sky Stone, PF-21118, 671 Main Street
Optima LLC, SpringHill Suites by Marriott, PF-20925, 360 Main Street

Appoint

Van Den Eykel moved, Todd seconded to appoint Ron Green as Public Works Director at annual salary of \$68,500 effective June 3, 2014. Roll Call: Aye-All. Motion carried.

Renew

Silvermail moved, Ruth seconded to allow Finance Office to renew server monitoring service with Golden West to May 30, 2015 at cost of \$5,610.00. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, June 2, 2014

Resolution 2014-12

Silvernail moved, Ruth seconded to approve Resolution 2014-12 to surplus and donate 2009 Dodge Durango to City of Lead. Roll Call: Aye-All. Motion carried.

**RESOLUTION NO. 2014-12
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following vehicle be declared surplus and donated to the City of Lead.

2009 DODGE DURANGO - VIN# 1D8HB38P49F712944

Dated this 2nd day of June, 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Duties

Ruth moved, Van Den Eykel seconded to add \$5,000.00 to base salary of Bob Nelson Jr. to assume duties of City Planner. Roll Call: Aye-All. Motion carried.

Discussion

Days of '76 Inc. member, Pat Roberts asked the Commission to donate the Deadwood Stage Replica. Roberts said Days of '76 would insure and maintain the stage. He also believes they need the freedom to be able to take the stage around to promote Deadwood and the rodeo. Van Den Eykel moved, Ruth seconded to prepare a resolution to surplus and donate the Deadwood Stage replica to Days of '76 Inc. Roll Call: Aye-All. Motion carried.

Promote

Silvernail moved, Todd seconded to promote Jeannie Emmert to Assistant Rec Center manager position at \$11.11 an hour. Roll Call: Aye-All. Motion carried.

Contracts

Van Den Eykel moved, Ruth seconded to enter into contract with Barney's Signs to replace fencing at Days of 76 Rodeo grounds at cost of \$26,020.46 to be paid from Historic Preservation Capital Assets, three quotes were obtained. Roll Call: Aye-All. Motion carried.

Ruth moved, Van Den Eykel seconded to enter into contract with L and L Insulation for asbestos abatement at Adams Museum at cost of \$13,820.00 plus daily monitoring fee of \$385.00, pending acceptance of bid at Adams Museum for exterior upgrades. Historic Preservation Officer stated L and L will coordinate with SECO Construction. Roll Call: Aye-All. Motion carried.

Purchase

Silvernail moved, Todd seconded to purchase 5000 trolley tokens at cost not to exceed \$2,600.00 from Phelps Ad Specialties, LLC. Roll Call: Aye-All. Motion carried.

Appoint

Van Den Eykel moved, Silvernail moved, to appoint Lyman Toews, Tom Blair, and Laura Floyd to Historic Preservation Commission for three year term expiring June 1, 2017. Turbiville thanked them for their desire to serve the City of Deadwood. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville acknowledge COP interest payment to bondholders on May 1, 2014 in the amount of \$357,468.75.

Ted Thompson recognized Jim Raysor for his work with Days of '76 and wished him well.

Commissioners and Department Heads thanked Jim Raysor for his years of service to the City and wished him well on his retirement.

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

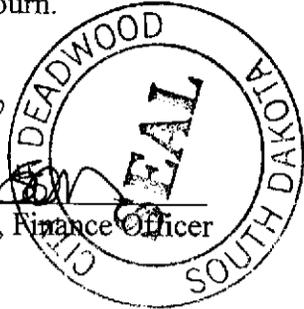
REGULAR MEETING, June 2, 2014

ADJOURNMENT

Van Den Eykel moved, Silvernail 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) with possible action. The next regular meeting will be on Monday May 19, 2014.

After coming out of executive session for legal per SDCL 1-25-2 (3) Silvernail moved, Todd seconded to adjourn.

ATTEST:


Mary Jo Nelson
Mary Jo Nelson, Finance Officer

DATE: June 16, 2014

BY: Charles M. Turbiville
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____