

## REGULAR MEETING, MARCH 21, 2016

The Regular Session of the Deadwood City Commission convened on March 21, 2016 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., Gary Todd, and Jim Van Den Eykel. Commissioner Mark Speirs was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Ruth moved, Van Den Eykel seconded to approve the minutes of March 7, 2016. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Todd moved, Van Den Eykel seconded to approve the March 21, 2016 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	131.98
A & B WELDING	SERVICE	65.80
A & I DISTRIBUTORS	SUPPLIES	553.40
ABC BUSINESS	SUPPLIES	881.15
AINSWORTH-BENNING	PROJECT	224,903.00
ALBERTSON ENGINEERING	PROJECT	2,715.05
AMAZON	SERVICE	214.89
ARLETH LAND SURVEYING	SERVICE	2,520.00
BH CHEMICAL	SUPPLIES	790.03
BH PIONEER	ADS	566.42
BH URGENT CARE	TESTING	48.24
BH WINDOW CLEANING	CLEANING	99.00
BUTLER MACHINERY	SUPPLIES	670.57
CAMPBELL SUPPLY	SUPPLIES	99.00
COCA COLA	SUPPLIES	248.50
CONVERGINT TECHNOLOGIES	REPAIRS	158.42
CULLIGAN	SUPPLIES	62.00
CUSTOM MICRO	LICENSE	3,150.00
DAKOTA BUSINESS	MAINTENANCE	155.88
DAKOTA SUPPLY	SUPPLIES	408.00
DEADWOOD CHAMBER	SERVICE	39,489.06
DEADWOOD ELECTRIC	REPAIRS	856.23
DVFD	REIMBURSEMENT	788.15
DEADWOOD-LEAD ECONOMIC	ALLOCATION	48,000.00
ECOLAB	SERVICE	520.00
ESRI	SERVER	12,000.00
FARMER BROTHERS	SUPPLIES	89.05
FMG ENGINEERING	TESTING	6,930.97
FORCOLI & SONS	PAINTING	1,673.47
FOUR WINDS INTERACTIVE	MAINTENANCE	1,473.86
FULLER, KELLY	REIMBURSEMENT	462.62
GALLS	UNIFORMS	318.51
GENE'S LOCK SHOP	CABINET	409.98
GLOBAL EQUIPMENT	VAC	234.35
GOLDEN WEST	SERVICE	434.00
GRIMM'S PUMP	SUPPLIES	41.00
GUNDERSON, PALMER, NELSON	SERVICE	4,055.01
HEARTLAND PAPER	SUPPLIES	54.38
HOLIDAY INN	MEETING	170.00
JACOBS WELDING	SERVICE	135.35
KLAMM, MIKE	REIMBURSEMENT	22.00
KNECHT	SUPPLIES	289.60
KONE	MAINTENANCE	280.14
LAWSON PRODUCTS	SUPPLIES	510.45
LEAD-DEADWOOD SCHOOL	ELECTION	9.07
LOUIS BERGER	EASEMENT	440.00
M&M SANITATION	RENTAL	220.00
MACROVISION	SERVICE	900.00
MED-TECH RESOURCE	SUPPLIES	67.25
MEHLBERG CONSTRUCTION	PROJECT	2,397.88
MEINERS DRYWALL	PROJECT	489.00
MENARD'S	SUPPLIES	414.08
MERTENS, KENNETH	REIMBURSEMENT	293.72
MIDCONTINENT	SERVICE	65.00
MS MAIL	SERVICE	1,481.98
NETWORK SERVICES	SUPPLIES	305.40
NORTHERN HILLS TECHNOLOGY	SERVICE	66.00
NORTHWEST PIPE FITTINGS	SUPPLIES	181.51
OFTEDAL CONSTRUCTION	PROJECT	138,861.17
OLD FORT MEADE MUSEUM	GRANT	1,746.59
OVERHEAD DOOR	REPAIR	45.00
PASSPORT PARKING	METERS	35.75
PHEASANTLAND INDUSTRIES	DECALS	34.34
PRESSURE SERVICES	SUPPLIES	173.22
RAPID VALLEY FIRE	MEETING	60.00
RECREATION SUPPLY	SUPPLIES	31.85
REGIONAL HEALTH	TESTING	147.00
RUNGE, MIKE	REIMBURSEMENT	75.31
SANITATION PRODUCTS	SUPPLIES	1,048.03
SCHMIDT, WILLIAM	PROJECT	1,871.00
SD BUILDING OFFICIALS	SERVICE	75.00
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DEPT. OF CORRECTIONS	FIREWISE	4,529.57
SD ONE CALL	SERVICE	28.00
SD POLICE CHIEFS'	CONFERENCE	170.00

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SMITHSONIAN	SUBSCRIPTION	8.00
SOUTHSIDE SERVICE	SERVICE	1,127.50
SPEARFISH AUTO	SUPPLIES	516.00
STANGER, RICHARD	REIMBURSEMENT	22.00
STRETCH'S	SUPPLIES	73.30
STURDEVANT'S	SUPPLIES	3,920.47
TALLGRASS	PROJECT	2,700.00
TEAM LABORATORY	SUPPLIES	1,137.50
TSP	PROJECT	220.00
TWILIGHT	SUPPLIES	174.26
VAST	SERVICE	464.34
VERENDRYE MUSEUM	MEMBERSHIP	25.00
WASTE CONNECTIONS	SERVICE	7,579.60
WESTERN HILLS PAINTING	PROJECT	4,896.00
WL CONSTRUCTION	SUPPLIES	619.99
	<b>TOTAL</b>	<b>\$564,869.37</b>

## ITEMS FROM CITIZENS ON AGENDA

### Petition

John Frederickson presented a Petition of Annexation from David Winter to annex 185 acres into city limits and requested that the City schedule a public hearing on Resolution of Intent to Annex property. Todd moved, Van Den Eykel seconded to approve the petition of Annexation and set a public hearing on April 18, 2016. Roll Call: Aye-All. Motion carried.

### CONSENT

Todd moved, Van Den Eykel seconded to approve the following consent items with the exception of (D) Sonya Bertalot attending National Animal Control & Humane Officer Academy, which was removed by Mayor Turbiville. Roll Call: Aye-All. Motion carried.

- A. Permission for Police Department to purchase five tasers, holsters, battery pack and warranty from TASER International at cost of \$6,935.30.
- B. Approve the following residents to serve on election board April 12, 2016: Shirley Bergen as superintendent at \$168.00, Arlene Gustafson and Marilyn Harrison as clerks at \$143.00, with additional \$10.00 each for attending election school.
- C. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Kevin and Jennifer Frasier.
- D. Permission to hire Mariah Press to publish 1,000 copies of Baseball in the Mining Camps at a cost not to exceed \$7,600.00. Cost split between the Historic Preservation Archives and Public Education budgets.
- E. Permission for Mayor to sign and renew parking lease with South Dakota Commission on Gaming for five parking spots at Miller Lot at total of \$250.00 per month plus tax.
- F. Permission for Mayor to sign agreement with Maryland Archeological Conservation Laboratory for treatments to three (3) solder-dot cans in the amount of \$1,300.00. (Approved January 19, 2016)
- G. Permission for Mayor to sign agreement with Maryland Archeological Conservation Laboratory for a two-day on-site conservation review of metal objects discovered during the Chinatown excavations in the amount of \$2,700.00. (Approved January 19, 2016)
- H. Permission for Mayor to sign agreement with Genesee Valley Daoist Hermitage for amount not to exceed \$2,000.00. Genesee Valley will provide translation of documents and photographs from Chinese to English. Expense will be paid from Archives budget.
- I. Permission for Public Works Department to advertise for the following seasonal positions: 12 Parks Department, 2 landscape beautification, and 2 Streets Department.
- J. Permission for David Zurey to transfer from Public Buildings to Mt. Moriah at \$9.15 per hour effective May 1, 2016.
- K. Acknowledge receipt of 2015 Police Report form Chief Fuller.
- L. Allow Mayor to sign Application for Permit to Occupy Right-of-Way with S.D. Dept. Of Transportation. City crews and DOC crews will work between guardrail and residential properties of Main Street to clear tree debris from storm Atlas and to firewise the land.
- M. Accept Local Bridge Improvement Grant in the amount of \$35,270.00 for bridge repairs on Timm Lane. Permission for Mayor to sign contract after same is prepared by City Attorney.
- N. Add Jerity Krambeck to the Volunteer Fire Department roster for workers compensation purposes effective February 11, 2016.
- O. Permission for Mayor to sign SD Department of Transportation C.C.O. No. 05 for Highway 85/385 Project.
- P. Permission to increase wage of Rec Center receptionist, Linsey Sandidge, from \$8.67 an hour to \$8.93 an hour effective march 18, 2016 after one year of service.

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- Q. Permission to purchase Bleacher Planks from Dakota Fence for the ballfield at a cost of \$5,946.60 (Budgeted in CIP Ballfield Renovations)

### BID ITEMS

Mayor Turbiville stated four bids were opened for the Powerhouse Park improvements at 2:00 p.m. on March 15, 2016 as advertised. Bid bonds were included in the following bid submittals:

RCS Construction - \$220,000.00  
CAI Construction - \$248,401.00  
Ainsworth Benning Construction - \$277,580.00  
Leskca Inc. - \$ 244,704.00

Planning and Zoning Administrator Nelson Jr. recommended Commission accept the low bid from RCS Construction in the amount of \$220,000.00. Van Den Eykel moved, Ruth seconded request to approve request to award bid, and in addition, allocate \$20,000.00 from the Gateway Project for funding amount over budget. Roll Call: Aye-All. Motion carried.

Mayor Turbiville stated two bids were opened for the Gateway Landscape remodel at 2:00 p.m. on March 15, 2016 as advertised. Bid bonds were included in the following bid submittals:

#### CAI Construction

Gateway 1 - \$48,287.00  
Gateway 2 - \$36,625.00  
Gateway 3 - \$51,019.00  
Gateway 4 - \$16,650.00  
Gateway 5 - \$35,428.00  
Total - \$188,009.00

#### RCS Construction

Gateway 1 - \$43,200.00  
Gateway 2 - \$52,300.00  
Gateway 3 - \$53,200.00  
Gateway 4 - \$19,000.00  
Gateway 5 - \$35,600.00  
Total - \$203,300.00

After discussion concerning the gateways, Todd moved, Van Den Eykel approved to reject all bids. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to set bid opening for Mt. Moriah drainage project on April 12 at 2:00 p.m. with results to Commission on April 18. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### Wild Bill Days

Public hearing was opened at 5:10 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber requested approval of the following:

Todd moved, Ruth seconded to approve the street closure on Main Street from Pine to Deadwood Street on Thursday June 16, 2016 at 9:00 a.m. and remain closed until 10:00 p.m. Saturday June 18, 2016, and Main Street from Wall to Deadwood Street on Thursday June 16, 2016 at 2:00 p.m. and remain closed until 2:00 a.m. Sunday June 19, 2016. Roll Call: Aye-All. Motion carried.

Todd moved, Ruth seconded to allow the relaxation of the open container ordinance on Main Street from the Four Aces to Masonic Temple, Broadway Street from Wall to Shine, Sherman Street from Pioneer Way to the south side of Pine Street, Deadwood Street from Pioneer Way to Sherman Street, Siever Street, Pine Street from Main Street to Sherman Street and Lee Street from Pioneer Way to 83 Sherman Street from 12:00 p.m. to 10:00 p.m. on Friday, June 17, 2016. Roll Call: Aye-All. Motion carried.

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Ruth moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on June 17, 2016 from 12:00 p.m. to 10:00 p.m. on Saturday, June 18, 2016. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Saturday June 18, 2016. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 4:00 p.m. on Sunday, June 19, 2016. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to waive the vending fee and allow vending on Main Street on Friday and Saturday June 17 and 18, 2016 for Chamber merchandise and Northern Hills Alliance for Children, approve the waiver of banner fees Friday & Saturday, June 17 & 18, 2016 and allow the use of public property for Deadwood's Midnight Cowboy 5K Run on Saturday June 18, 2016. Roll Call: Aye-All. Motion carried.

Todd moved, Ruth seconded to approve the use of the Event Complex for the Arenacross event Tuesday June 14 through Monday June 20, 2016 and special full temporary liquor license on Saturday and Sunday June 18 and 19, 2016. Roll Call: Aye-All. Motion carried.

### PBR Pro Event

Public hearing was opened at 5:17 p.m. by Mayor Turbiville. Sarah Anderson requested approval for the following:

Ruth moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Friday June 10, 2016. Roll Call: Aye-All. Motion carried.

Todd moved, Ruth seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Saturday June 11, 2016. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to approve special full temporary liquor license on Friday and Saturday, June 10 and 11, 2016. Roll Call: Aye-All. Motion carried.

Sarah Anderson thanked the City for their assistance during St. Patrick's Day Events.

### Mickelson Trail Marathon

Public hearing was opened at 5:22 p.m. by Mayor Turbiville. Emily Wheeler requested approval for the following:

Van Den Eykel moved, Todd seconded to approve the use of the Sherman Street Parking Lot on June 3 through June 5, 2016, use of Lower Main Parking Lot if available on June 5, 2016 and use of the Event Complex parking area from 5:00 a.m. to 3:00 p.m. on June 5, 2016. Roll Call: Aye-All. Motion carried.

## NEW BUSINESS

### Contract

Ruth moved, Van Den Eykel seconded to contract with Tallgrass Landscape Architecture to develop a restoration/renovation plan for Whitewood Creek between Days of '76 Drive and McKinley Street bridges. Total compensation through bidding and construction cost \$15,500.00, budgeted item. Roll Call: Aye-All. Motion carried.

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### Report

Discussion was held concerning future of the old Charles Street Bridge located at intersection of Charles and Cliff Streets. Planning and Zoning Administrator Nelson Jr. stated Historic Preservation Commission recommended disassembling bridge for future use. Mayor Turbiville stated three options are; 1) Demolition of Bridge, 2) Disassemble bridge for future use and 3) Rehabilitate bridge in current location. Commissioner Todd believes the City does not set good precedent if we disassemble a historic structure. Commissioner Ruth stated Historic Preservation Commission recommended disassembling bridge to possibly relocate in the future. After much discussion concerning expense, construction in the area, potential liability of an unsafe structure, Van Den Eykel moved, Todd seconded to continue discussion until July 1 to allow Historic Preservation to discuss funding and to gather more information concerning pricing on complete demolition and complete rehabilitation. Roll Call: Aye-All. Motion carried.

### Applications

Ruth moved, Todd seconded to allow the Zoning Administrator and Building Inspector to approve or deny banner applications with no charge for businesses affected by Highway 85 and 385 construction area, with a maximum of two banners per business. Reconstruction period is from April 1 to October 1, 2016. Roll Call: Aye-All. Motion carried.

### Quote

Van Den Eykel moved, Ruth seconded to approve quote from Rushmore Fencing for 640 linear foot of chain link fence along Highway 85 near Tin Lizzies in the amount of \$32,996.35, to be paid from Streets budget and allow the Mayor to sign contract proposal from South Dakota Department of Transportation for reimbursement of \$16,498.18. Roll Call: Aye-All. Motion carried.

### Contract

Ruth moved, Todd seconded to contract with Action Mechanical for \$16,856.00, Freeman's Electric for \$2,600.00, Stretch's Glass for \$9,608.44 to install a climate control system in the Carriage Gallery at the Days of '76 Museum. Total cost \$29,064.44 to be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

### Agreement

Todd moved, Van Den Eykel seconded to allow the Mayor to sign agreement with Dave Stafford Architecture to provide limited architectural services for the rodeo grounds grandstand roof replacement in the amount of \$7,200.00. To be paid from 2016 Historic Preservation Professional Service budget. Roll Call: Aye-All. Motion carried.

### Quote

Van Den Eykel moved, Ruth seconded to accept low quote from Mainline Construction to replace bolts for water valves at intersection of Wall Street and Main at cost of \$7,820.00 and allow Mayor to sign contract. Roll Call: Aye-All. Motion carried.

### Ordinance

Ruth moved, Van Den Eykel seconded to approve first reading of Supplemental Budget Ordinance #1243. Finance Officer Nelson stated she provided Commission with minutes from previous meetings for approved unbudgeted expenditures and remaining items previously budgeted in 2015, but unspent before year end. Roll Call: Aye-All. Motion carried.

## INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville stated a public information night on Historic Preservation Programs will be March 30, 2016 at 5:30 p.m.

Commission thanked Chief Fuller for the annual report.

Commissioner Ruth congratulated Mike Runge on being named Firefighter of the year.

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

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ADJOURNMENT

Van Den Eykel moved, Ruth seconded to adjourn the regular session at 5:44 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 April 4, 2016.

After coming out of executive session at 5:55 p.m., Ruth moved, Van Den Eykel seconded to adjourn.

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: April 5, 2016

BY: Charles M. Turbiville  
Charles M Turbiville, Mayor

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