

**REGULAR MEETING, MARCH 3, 2014**

The Regular Session of the Deadwood City Commission convened on March 3, 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 Terri Williams via conference call and Commissioners Joe Peterson, Georgeann Silvernail, Gary Todd and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Todd moved, Silvernail seconded to approve the minutes of February 18, 2014. Roll Call: Aye-All. Motion carried.

**FEBRUARY, 2014 PAYROLL:** COMMISSION, \$2,730.76; FINANCE, \$14,577.85; PUBLIC BUILDINGS, \$4,790.36; POLICE, \$46,883.92; FIRE, \$4,422.94; BUILDING INSPECTION, \$3,626.96; STREETS, \$26,163.66; PARKS, \$15,855.66; PLANNING & ZONING, \$4,007.06; LIBRARY, \$5,940.93; RECREATION CENTER, \$11,896.02; HISTORIC PRESERVATION, \$12,003.38; WATER, \$13,536.83; PARKING METER, \$8,020.08; TROLLEY, \$15,138.17; PARKING RAMP, \$5,592.16; RUBBLE SITE, \$1,255.50. **PAYROLL TOTAL: \$196,442.24**

**FEBRUARY, 2014 PAYROLL PAYMENTS:**

Internal Revenue Service, \$48,097.99; S.D. Retirement System, \$21,534.10; Delta Dental, \$4,041.12

**APPROVAL OF DISBURSEMENTS**

Silvernail moved, Van Den Eykel seconded to approve the March 3, 2014 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE	132.08
ABC BUSINESS	SUPPLIES	512.08
ACTIVE DATA	LICENSE	6,074.54
ALCO	SUPPLIES	139.03
ALL AROUND AUTO	SUPPLIES	199.00
ALSCO	SUPPLIES	54.00
AMERICAN LEGAL	ORDINANCES	1,057.56
AMPAC	BAGS	432.40
ARLETH LAND SURVEYING	TOPO	3,800.00
ATCO INTERNATIONAL	SUPPLIES	136.00
BH CHEMICAL	SUPPLIES	1,044.30
BH COUNCIL	MEMBERSHIP	1,565.00
BH PIONEER	SUBSCRIPTION	103.77
BH POWER	SERVICE	31,047.49
BH SPECIAL SERVICES	CLEANING	1,350.00
BH WINDOW CLEANING	SERVICE	258.00
BLOOM, KEVIN	PROJECT	623.04
BURLESON, BILL	REIMBURSEMENT	468.26
CENTURION TECHNOLOGIES	MAINTENANCE	50.00
CENTURY BUSINESS	SERVICE	224.84
CENTURY LINK	SERVICE	252.36
COMPANION LIFE	INSURANCE	217.53
CONRADS SIGNS	REPAIRS	1,580.75
COOMES, TIM	PROJECT	10,000.00
CULLIGAN	SUPPLIES	28.00
DAKOTA BUSINESS	MAINTENANCE	147.49
DAKOTA STATE UNIVERSITY	SUPPORT	20,000.00
DAKOTA SUPPLY GROUP	REMOTE	97.72
DAKOTACARE	INSURANCE	41,537.22
DAVE STAFFORD ARCHITECTURE	PROJECT	1,200.00
DEADWOOD DENTAL	PROJECT	140.00
DEADWOOD SOCIAL CLUB	LUNCHEON	351.50
DIAMOND YARDS	BRICKS	126.00
ELL, DUSTEN	PROJECT	300.00
ESRI	CONTRACT	12,000.00
FASTENAL COMPANY	SUPPLIES	304.92
FEDERAL EXPRESS	SHIPPING	61.22
FREEMAN'S ELECTRIC	PROJECT	415.77
GENE'S LOCK SHOP	KEYS	213.44
GOLDEN WEST	SERVICE	350.63
GREAT WESTERN TIRE	REPAIRS	119.50
GUNDERSON, PALMER, NELSON	SERVICE	5,467.11
HAGGERTY'S MUSIC	SYSTEM	1,674.95
INTOXIMETERS	SUPPLIES	690.00
JACOBS WELDING	TUBING	69.16
KNECHT	SUPPLIES	78.19
KONE	SERVICE	91.01
LAWRENCE CO. REGISTER	FEE	55.00
M & T FIRE	SERVICE	260.00
MACROVISION	SERVICE	930.00
MARIAH PRESS	PROJECT	200.00
MENARD'S	SUPPLIES	330.97
NATIONAL SEMINARS GROUP	SEMINAR	299.00
NEIGHBORHOOD LENDING	PROJECT	16.50
NEVE'S	BOX	316.50
NORTHWEST PIPE FITTINGS	SUPPLIES	428.04
PEPPMEIER, JANICE	REIMBURSEMENT	504.79
PITNEY BOWES	POSTAGE	500.00
RAYSOR, JAMES	REIMBURSEMENT	160.00

## REGULAR MEETING, MARCH 3, 2014

RENNER, DONOVAN	REIMBURSEMENT	125.05
ROGER BROOKS INTERNATIONAL	ASSESSMENT	20,000.00
RUNGE, MIKE	REIMBURSEMENT	155.83
SCHUMACHER, DUSTIN	REIMBURSEMENT	378.00
SD PUBLIC HEALTH LAB	TESTING	26.00
SEW IT GOES	REPAIRS	292.48
STRETCH'S	PLEXIGLASS	136.62
TRIDLE, JOHN	SUPPLIES	29.96
TRIPLE K	SERVICE	2,370.39
TSP THREE	PROJECT	16,356.65
TURBIVILLE INDUSTRIAL	MOTOR	60.00
TWILIGHT	SUPPLIES	377.70
TWIN CITY HARDWARE	SUPPLIES	3,691.89
US POSTAL SERVICE	PERMIT	220.00
UTILITY EQUIPMENT	MANUAL	105.50
WESTERN STAR	SUPPLIES	135.20
WHITE'S CANYON MOTORS	SENSOR	65.31
WOW	SERVICE	2,195.37
	<b>TOTAL</b>	<b>\$197,508.61</b>

## PUBLIC HEARING/BID OPENINGS

### Public Hearing-St. Patrick's Day

Public hearing was opened at 5:03 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce requested approval for the following:

#### Open Container

Friday March 14, 2014

Silvernail moved, Todd 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 Sherman Street from 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Saturday March 15, 2014

Silvernail moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance for same area as approved on March 14, 2014 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

#### Street Closures

Silvernail moved, Van Den Eykel seconded to approve the street closure on Main Street from Wall Street to Deadwood Street on Saturday March 15, 2014 from 2:30 p.m. to 6:00 p.m. for Pub Crawl, and from Four Aces to Masonic Temple from 6:45 p.m. to 8:00 p.m. or until parade ends. Roll Call: Aye-All. Motion carried.

#### Banner Fees

Silvernail moved, Todd seconded to waive banner fees on Saturday March 15, 2014 for parade. Roll Call: Aye-All. Motion carried.

#### Advertise

Silvernail moved, Peterson seconded to advertise for retaining wall at 2 Dudley on April 7, 2014 at 2:00 p.m. with results to City Commission that same day. Roll Call: Aye-All. Motion carried.

#### Public Hearing

Todd moved, Silvernail seconded to set public hearing at 5:05 p.m. on March 17, 2014 for use of Sherman Street Lot and Rodeo Grounds, and waiver of banner fees for Deadwood Mickelson Trail Marathon. Roll Call: Aye-All. Motion carried.

## FINANCE

#### Terminate

Peterson moved, Silvernail seconded to terminate employment of Parking Ramp attendant Judy Fidler effective January 10, 2014. Roll Call: Aye-All. Motion carried.

#### Acknowledge

Peterson moved, Silvernail seconded to acknowledge receipt of 2013 Annual Financial Report and authorize Finance Officer to forward to Department of Legislative Audit. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, MARCH 3, 2014

### Raffle Permit

Peterson moved, Silvernail seconded to acknowledge raffle permit for National Sunflower Association, drawing held on June 24, 2014 with proceeds to benefit Curtis Stern Memorial Scholarship. Roll Call: Aye-All. Motion carried.

### Tax Appeal

Peterson moved, Todd seconded to set Local Property Tax Appeal Review Board Meeting for 9:00 a.m. on March 17, 2014 and request permission to publish notice in official newspaper. Finance Officer Nelson stated any resident appealing property tax valuation needs to fill out an application prior to meeting. Roll Call: Aye-All. Motion carried

### Wage Increase

Peterson moved, Silvernail seconded to increase wage of Finance Office employee Misty Trehwella from \$16.93 an hour to \$17.80 an hour effective March 6, 2014 after completing two years of service. Roll Call: Aye-All. Motion carried

### Application

Peterson moved, Silvernail seconded to approve FEMA application to recover costs incurred from snowstorm and debris removal in the amount of \$167,926.27. Finance Officer Nelson stated the City should receive 75% of amount requested, less allocated amount of \$49,169.26 for cold storage facility, which will be paid in part with insurance proceeds. Roll Call: Aye-All. Motion carried

## STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

### Wage Increase

Silvernail moved, Todd seconded to increase wage of Public Buildings employee Millie Morrison from \$9.31 an hour to \$10.00 an hour effective March 1, 2014 after completing three years of service. Roll Call: Aye-All. Motion carried.

### Wage Increase

Silvernail moved, Peterson seconded to increase wage of Rec Center employee Norma Cooper from \$8.28 an hour to \$8.79 an hour effective February 28, 2014 after completing two years of service. Roll Call: Aye-All. Motion carried.

### Resolution 2014-07

Silvernail moved, Todd seconded to allow the Mayor to sign Resolution 2014-07 to Surplus bucket lift truck and donate to City of Lead, with understanding that it be returned to Deadwood for future salvage value when no longer needed. Roll Call: Aye-All. Motion carried.

### **RESOLUTION NO. 2014-07 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, with understanding that asset be returned to Deadwood for any possible salvage value when no longer in service.

### **1990 International Bucket Truck - VIN# 1HTSCZWL1LH233318**

Dated this 3rd day of March 2014

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

### Hire

Silvernail moved, Todd seconded to approve hiring the following summer staff: six full time and one part time Mt. Moriah staff, up to ten seasonal Parks Department staff, and two additional seasonal Street Department employees. Public Works Director Raysor stated the two additional seasonal Street Department employees will be replacing the bricks on Main Street. Roll Call: Aye-All. Motion carried.

### Contract

Silvernail moved, Peterson seconded to contract with Black Hills Security and Systems to replace security system at Deadwood Library at cost of \$2,124.00 plus \$34.95 per month. Public Works Director Raysor stated \$34.95 per month is the service fee for daily monitoring of the system. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, MARCH 3, 2014

### POLICE/FIRE/LIBRARY

#### Agreement

Silvernail moved, Todd seconded to pay \$3,150.00 to Custom Micro to renew annual license and maintenance agreement for Police Department software from March 2014 to February 2015, a budgeted item. Roll Call: Aye-All. Motion carried.

#### Terminate

Silvernail moved, Peterson seconded to terminate employment of high school intern Alexis Stevens effective March 3, 2014. Roll Call: Aye-All. Motion carried.

#### Purchase

Silvernail moved, Peterson seconded to purchase Ford truck for Fire Department from Whites Queen City Motors at \$46,430.10, less than state contract #16546 amount of \$47,680.00. Roll Call: Aye-All. Motion carried.

#### Agreement

Silvernail moved, Todd seconded to continue the signing of Mutual Aid agreement between Lead and Deadwood until March 17, 2014. Roll Call: Aye-All. Motion carried.

#### Permission

Silvernail moved, Todd seconded to allow Jeanette Chaney-Moodie to attend Public Library Association Conference in Indianapolis March 10-15, 2014. Roll Call: Aye-All. Motion carried.

#### Proposal

Mayor Turbiville stated the proposal with Passport came about as a recommendation from Roger Brooks after his review of the City. Chief Fuller stated Passport is a web based system where customers can pay for parking by coin, text or by an app on their phone. He also said there is a transaction fee of .35 cents with no additional fee to extend, fees can be adjusted when needed, and they offer an option for businesses to pay for discounted or validated parking. According to Fuller, other benefits of the system included increased customer service which will allow extended stays, increased convenience, less tickets issued and a slight increase in revenue. Commissioner Van Den Eykel stated he did not think Roger Brooks recommended the City proceed and questioned the need for any parking meters in Deadwood. Turbiville said Brooks did not recommend meter removal, but encouraged Deadwood to look at the Passport concept and use the revenue from parking meters to improve lots and other areas. After further discussion Silvernail moved, Peterson seconded to allow Parking and Transportation Committee to pursue options and review proposal from Passport to set up alternative meter payments. Roll Call: Aye-Peterson, Silvernail, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

#### Acknowledge

Silvernail moved, Peterson seconded to acknowledge receipt of 2013 Annual Reports from Police and Fire Departments. Commissioner Silvernail stated the City expanded partnership with Lead-Deadwood School to protect our youth. She also stated 3,818 tickets were written and of those 2,403 were warning tickets. She also stated the Fire Department spent 685.75 hours in education, 344.50 hours in community education, and 967.45 hours spent in community activities. She said Business Friends of Firefighters was awarded to Days Inn in Lead, Friend of Firefighters was Tex Addington, and the Firefighter of the Year was Jason Rakow. Roll Call: Aye-All. Motion carried.

#### Permission

Silvernail moved, Peterson seconded to apply for South Dakota Department of Transportation Small Community Transportation Study program. Planning and Zoning Administrator Nelson Jr. stated this program works with our community regarding any transportation related items such as speed limits and bike trails. Roll Call: Aye-All. Motion carried.

### TROLLEY/SAFETY

#### Hire

Todd moved, Van Den Eykel seconded to hire David Semingson as a trolley driver at \$9.31 an hour effective March 4, 2014. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, MARCH 3, 2014

### LEGAL BUSINESS

#### Agreement

Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign agreement with Gold Dust Lodging for parking at Broadway Parking Ramp. According to Mayor Turbiville, Gold Dust requested month to month billing instead of annual lease until completion of Pine View Building. Roll Call: Aye-All. Motion carried.

#### Agreement

Todd moved, Silvernail seconded to allow the Mayor to sign agreement with RCS Construction for repair work at the Library. Roll Call: Aye-All. Motion carried.

#### Agreement

Silvernail moved, Peterson seconded to allow the Mayor to sign agreement with Dakota Security for upgrade to system at City Hall. Roll Call: Aye-All. Motion carried.

#### Agreement

Todd moved, Van Den Eykel seconded to allow the Mayor to sign agreement with Sabo Construction, Robert Sjomeling and City of Deadwood for retaining wall project at 416 Williams Street. Roll Call: Aye-All. Motion carried.

#### Agreement

Todd moved, Silvernail seconded to allow the Mayor to sign agreement with Mystic Miner Resort to renew Billboard Lease. Roll Call: Aye-All. Motion carried.

#### Agreement

Silvernail moved, Peterson seconded to allow the Mayor to sign agreement with Dr. Thomas David to provide dental analysis on remains from 66 Taylor at cost not to exceed \$2,500.00 Roll Call: Aye-All. Motion carried.

#### Contract

Silvernail moved, Todd seconded to allow the Mayor to sign Adaptive Swim Class Contract with Lead-Deadwood School District for Rec Center pool use at fee of \$2,300.00 for 117 hours at \$20.00 per hour from March 22, 2014 to March 22, 2015. Roll Call: Aye-All. Motion carried.

#### Contract

Todd moved, Silvernail seconded to allow the Mayor to sign contract with Lead-Deadwood School District for use of Rec Center swimming pool for elementary school at cost of \$1,500.00 from March 3, 2014 to May 19, 2014. Roll Call: Aye-All. Motion carried.

#### Agreement

Todd moved, Silvernail seconded to allow the Mayor to sign parking lease with Lawrence County regarding use of eight spaces behind courthouse in exchange for six spaces on Siever Street. Commissioner Van Den Eykel asked if the spaces could be on Miller or Sherman Street to allow more parking for our guests on Siever Street. Mayor Turbiville believed that was not discussed since spaces on Siever Street have been used by Lawrence County for a number of years, but will discuss with the County. Roll Call: Aye-All. Motion carried.

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

### ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioners thanked Finance Officer, Fire Chief and Police Chief for 2013 annual reports.

#### ADJOURNMENT

Todd moved, Van Den Eykel seconded to adjourn the regular session at 5:46 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3). The next regular meeting will be on Monday March 17, 2014.

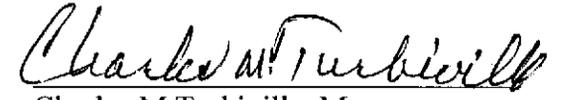
After coming out of Executive Session, Silvernail moved, Peterson seconded to pay Lawrence County Treasurer \$9,635.11 for 2012 property taxes due in 2013 for Bates property, Lead SD Lawrence County. Taxes will be paid from Revolving Loan Fund. Silvernail moved, Todd seconded to adjourn meeting at 6:10 p.m.

**REGULAR MEETING, MARCH 3, 2014**

ATTEST:

DATE: 03-17-2014

  
Mary Jo Nelson, Finance Officer

BY:   
Charles M Turbiville, Mayor

Published once at the total approximate cost of \_\_\_\_\_

