

REGULAR MEETING, MARCH 7, 2016

The Regular Session of the Deadwood City Commission convened on March 7, 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., Mark Speirs, and Jim Van Den Eykel. Commissioner Gary Todd was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Speirs moved, Ruth seconded to approve the minutes of February 16, 2016. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to approve the minutes of special meeting February 24, 2016. Roll Call: Aye-All. Motion carried.

FEBRUARY, 2016 PAYROLL: COMMISSION, \$2,750.76; FINANCE, \$16,479.11; PUBLIC BUILDINGS, \$5,788.61; POLICE, \$51,524.61; FIRE, \$5,013.88; BUILDING INSPECTION, \$3,598.50; STREETS, \$29,051.53; PARKS, \$17,467.39; PLANNING & ZONING, \$4,769.66; LIBRARY, \$6,388.74; RECREATION CENTER, \$12,292.14; HISTORIC PRESERVATION, \$16,405.89; WATER, \$14,239.78; PARKING METER, \$8,655.27; TROLLEY, \$16,660.23; PARKING RAMP, \$5,124.61. **PAYROLL TOTAL: \$216,210.71**

FEBRUARY, 2016 PAYROLL PAYMENTS:

Internal Revenue Service, \$53,215.43; S.D. Retirement System, \$23,895.14; Delta Dental, \$3,821.64.

APPROVAL OF DISBURSEMENTS

Ruth moved, Speirs seconded to approve the March 7, 2016 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE	333.92
A & B WELDING	SUPPLIES	66.06
A & H TRUCK SALVAGE	TANK	250.00
A TO Z SHREDDING	SHREDDING	23.10
ABC BUSINESS	SUPPLIES	191.19
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,771.85
ACTIVE DATA SYSTEMS	SERVICE	6,074.54
ALL AROUND AUTO	SUPPLIES	42.50
ALSCO	SUPPLIES	259.56
AMERICAN LEGAL	ORDINANCES	1,433.76
AMICK SOUND	REPAIR	527.64
ARBOR DAY FOUNDATION	RENEWAL	15.00
ARCHER SEATING	SEATING	6,187.77
ASSOCIATED SUPPLY	SUPPLIES	862.13
ATCO INTERNATIONAL	SUPPLIES	97.00
B.S. REMODELING	SERVICE	2,427.40
BARRON'S	SUBSCRIPTION	52.00
BEST WESTERN RAMKOTA	LODGING	228.00
BH CHEMICAL	SUPPLIES	609.72
BH PIONEER	ADS	113.77
BH POWER	SERVICE	31,611.57
BH SECURITY	SERVICE	89.85
BH SPECIAL SERVICES	CLEANING	1,530.00
BRANDON INDUSTRIES	SUPPLIES	530.00
BUTLER MACHINERY	SUPPLIES	626.32
CALENDARWIZ	SUBSCRIPTION	250.00
CDW GOVERNMENT	COMPUTER	934.79
CENTURY BUSINESS	SERVICE	371.82
CENTURY LINK	SERVICE	175.23
CHADAMS	TOWING	200.00
CHAINSAW CENTER	SUPPLIES	46.48
CHAMBERLIN ARCHITECTS	PROJECT	12,007.50
CLEMENT COMMUNICATIONS	POSTERS	176.41
CNA SURETY	RENEWAL	50.00
COMPUTER SUPPORT	INSTALLATION	260.00
COSMOPOLITAN	SUBSCRIPTION	31.97
CREATIVE PRODUCT	DARE	606.04
CULLIGAN	SUPPLIES	174.00
DAKOTA BUSINESS	CONTRACT	155.88
DALES TIRE	TIRES	11,133.00
DEADWOOD BUSINESS CLUB	ALLOCATION	22,000.00
DEADWOOD ELECTRIC	SERVICE	2,448.25
DEADWOOD SOCIAL CLUB	LUNCHEON	502.68
DEADWOOD-LEAD ECONOMIC	WEBINAR	67.50
DOOLITTLE, JAMES	SESSIONS	800.00
EAGLE ENTERPRISES	SUPPLIES	431.76
EDDIE'S TRUCK	ALTERNATOR	1,633.26
EMERGENCY COMMUNICATIONS	CODERED	1,500.00
EMERY-PRATT	BOOKS	26.42
FIRST INTERSTATE	PAYMENT	756.34
FMG ENGINEERING	PROJECT	7,088.50
FULLER, KELLY	REIMBURSEMENT	462.62
GALLS	UNIFORMS	773.85
GENE'S LOCK SHOP	SAFE	419.94

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GENESEE VALLEY DAOIST	SERVICE	1,450.00
GLAMOUR	SUBSCRIPTION	30.00
GLOBAL EQUIPMENT	SUPPLIES	1,017.82
GOLDEN WEST	SERVICE	1,179.24
GOOD SHEPHERD CLINIC	ALLOCATION	1,000.00
GREEN, RON	REIMBURSEMENT	120.00
GUNDERSON, PALMER, NELSON	SERVICE	3,017.86
HAMANN, ALEX	REIMBURSEMENT	217.27
HAND, TONA	REFUND	65.00
HAWKINS	SUPPLIES	1,044.91
HEAVENLY REPAIRS	TOWING	635.50
HILLS MATERIALS	SUPPLIES	678.53
INTEGRATED PARKING	SUPPLIES	44.88
KDSJ	ADS	340.00
KRUZEL, TOM	REIMBURSEMENT	239.97
KUCHENBECKER, KEVIN	REIMBURSEMENT	228.00
LAMB MOTOR	VEHICLE	31,610.00
LAWRENCE CO. REGISTER	FEES	330.00
LAWRENCE TITLE	TITLE	300.00
LEAD-DEADWOOD SANITARY	USAGE	24,614.61
LESTER, ROB	REIMBURSEMENT	32.99
LUX, JUSTIN	REIMBURSEMENT	17.37
MCLEODS	TICKETS	1,277.36
MENARD'S	SUPPLIES	140.54
MIDWEST TAPE	DVDS	45.98
MDU	SERVICE	10,538.64
MORRISON, RONDA	REIMBURSEMENT	434.68
MUTUAL OF OMAHA	INSURANCE	229.31
NEIGHBORHOOD LENDING	SERVICE	95.10
NELSON, MARY JO	REIMBURSEMENT	348.30
NETWORK SERVICES	SUPPLIES	143.91
NEVE'S UNIFORMS	UNIFORMS	524.00
NORTHERN HILLS TECHNOLOGY	SERVICE	62.00
NORTHERN TRUCK EQUIPMENT	VAULT	2,090.00
NORTHWEST PIPE FITTINGS	SUPPLIES	487.19
PARTSMASTER	SUPPLIES	178.56
PEOPLE	SUBSCRIPTION	348.21
PEPPMEIER, JANICE	REIMBURSEMENT	556.81
PETTY CASH	FINANCE	100.50
PETTY CASH	HP/P&Z	149.37
PITNEY BOWES	POSTAGE	500.00
PUSH-PEDAL-PULL	SERVICE	137.50
QUILL	SUPPLIES	79.01
RADIO ENGINEERING	SYSTEM	1,565.95
RAPID DELIVERY	DELIVERY	46.01
RASMUSSEN	SUPPLIES	21.85
RENNER, DONOVAN	REIMBURSEMENT	254.71
ROCKMOUNT RESEARCH	SUPPLIES	409.06
ROLLING STONE	SUBSCRIPTION	34.95
ROSENBAUM'S SIGNS	WAYFINDING	58,168.00
RUNGE, MIKE	REIMBURSEMENT	55.25
SCHAFFER FINE ART	DELIVERY	852.00
SD PUBLIC ASSURANCE	COVERAGE	54.00
SD DEPT OF REVENUE	TAXES	2,531.60
SD PUBLIC HEALTH LAB	TESTING	45.00
SD STATE ARCHIVES	MICROFILM	28.80
SERVALL	SUPPLIES	2,390.38
SIOUX CITY FOUNDRY	SUPPLIES	1,352.80
SPECIALTY VEHICLES	SUPPLIES	403.96
STREICHER'S	GRAPHICS	284.98
STURGIS AUTO PARTS	SUPPLIES	64.02
TEEN COURT	ALLOCATION	8,500.00
THE LORD'S CUPBOARD	RECYCLING	48.00
TOMS, DON	PROJECT	163.80
TRIPLE K	SERVICE	1,162.95
TSP	PROJECT	983.40
TWILIGHT	SUPPLIES	149.35
TWIN CITY HARDWARE	SUPPLIES	8,423.43
TYLER TECHNOLOGIES	MAINTAINENCE	1,733.55
USPS	PRESORT	225.00
VAST	SERVICE	2,783.55
VERIZON	METERS	40.01
WL CONSTRUCTION	SUPPLIES	1,639.98
ZEP SALES	SUPPLIES	270.00
	TOTAL	\$302,806.15

ITEMS FROM CITIZENS ON AGENDA

Letter

Mayor Turbiville read a letter of appreciation received from Bruce and Mary Ann Oberlander expressing their appreciation to John Tridle, director of the Rec Center, for getting the facility enrolled in the Medica "Silver and Fit" Program. Commission thanked John.

Recommendation

Van Den Eykel moved, Ruth seconded to approve the Parking and Transportation Committee recommendation to amend the current Pastport program to charge users \$1.00 for first ride with no charge for subsequent rides as long as cardholder is participating in the program. Roll Call: Aye-All. Motion carried.

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CONSENT

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

- A. Sign Resolution 2016-07 to participate in 2016 Bridge Reinspection Program.

RESOLUTION 2016-07 BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION RETAINER CONTRACTS

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the *City of Deadwood* is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire *Interstate Engineering, Inc.* (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Dated this 7th day of March, 2016

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- B. Remove Rec Center employees from payroll effective February 1, 2016; Hunter Weaver, Seth Fitzgerald, Ashlee Harrowa and Cydnee Middlemas.
- C. Hire Hailey Trehwella effective March 9, and McKenna Swanson effective March 14, as front desk personnel at Rec Center. Starting wage is \$8.67 per hour, pending pre-employment screening.
- D. Permission for Mayor to sign contract with Black Hills Asphalt to pave two parking lots in the amount of \$15,538.80 (approved February 16, 2016)
- E. Set Local Equalization Review Board Meeting for March 21, 2016 at 9:00 a.m. and request permission to publish notice in official newspaper.
- F. Approve 2016 budgeted allocation of \$48,000.00 to Deadwood-Lead Economic Development Corp. from Bed and Booze Fund.
- G. Permission for Mayor to sign easement for underground work with Black Hills Power at Welcome Center.
- H. Acknowledge receipt of 2015 Annual Financial Report and authorize Finance officer to submit to South Dakota Legislative Audit per SDCL 9-22-21.
- I. Permission for Mayor to renew and sign Adaptive Swim Class Contract with Lead-Deadwood School District for Rec Center pool use at fee of \$2,340.00 for 117 hours at \$20 per hour from March 22, 2016 to March 22, 2017.
- J. Permission for 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 7, 2016 to May 19, 2016.
- K. Permission to upgrade ArcGIS server software upgrade at cost not to exceed \$3,000.00 from Historic Preservation GIS Line item.
- L. Permission to sign contract with Arcadia Publishing for development of Mt. Moriah book (approved February 16, 2016)
- M. Permission for Mayor to sign Labor Agreement between City of Deadwood and International Union of Operating Engineers Police Unit for January 1, 2016 to December 31, 2017.
- N. Remove Trolley Driver Richard Elliot from payroll effective March 25, 2016.
- O. Permission to advertise for two part-time seasonal Trolley Drivers.
- P. Permission to advertise for seasonal summer help in the Finance Office.
- Q. Permission for Police Department to pay \$3,150.00 to Custom Micro Interactive for Justice for annual maintenance and license fee (budgeted)
- R. Permission to increase wage of Rec Center employee Norma Cooper from \$9.69 an hour to \$9.82 an hour effective February 28, 2016 after 4 years of service.

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- S. Permission to hire Heather Monson for full-time patrol officer effective March 8, 2016 at \$19.52 an hour.
- T. Permission to advertise for full time ordinance officer in house for five days and in official newspaper is necessary.
- U. Acknowledge Resolution 2016-08 to Vacate Section Line Right of Way on Dunbar Tract A of Tatanka Subdivision (approved by Board of Adjustment on March 2, 2016)

RESOLUTION 2016 – 08

RESOLUTION TO VACATE A PORTION OF SECTION LINE RIGHT OF WAY

WHEREAS, the Deadwood City Commission desires to vacate a portion of section line right-of-way pursuant to SDCL § 6-5-3,

AND WHEREAS, this section line right of way is located on Dunbar Tract A of Tatanka Subdivision, formerly known as the Dunbar Tract of Tatanka Subdivision, Tract 1 and Tract 4 of M.S. 848 and Tract 1 and Lot 849B of M.S. 349, all located in the NW1/4 of Section 13 and the NE1/4 of Section 14, Township 5 North, Range 3 East Black Hills Meridian, City of Deadwood, Lawrence County, South Dakota.

AND WHEREAS, the public interest will be better served by vacating the below-described section line right-of-way to make the property available for future development.

AND WHEREAS, on March 2, 2016 the Planning and Zoning Commission recommended the vacation to the City Commission;

NOW THEREFORE IT IS HEREBY RESOLVED, pursuant to SDCL 6-5-3, the public interest will be better served by the vacation of the City-owned section line right-of-way for future development.

IT IS FURTHER RESOLVED, that the Deadwood City Commission shall further follow all mandates of SDCL 6-5-3, as statutorily provided.

Dated this 7th day of March, 2016

ATTEST:
/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD
/s/ Charles Turbiville, Mayor

BID ITEMS

Speirs moved, Ruth seconded to set bid opening at 2:00 p.m. on April 14, 2016 for retaining wall at 84 Van Buren, with results to City Commission on April 18, 2016. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set bid opening at 2:00 p.m. on April 14, 2016 for retaining wall at 50 Van Buren, with results to City Commission on April 18, 2016. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

St Patrick's Events

Public hearing was opened at 5:07 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce requested approval for the following:

Ruth moved, Speirs 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 5:00 p.m. to 10:00 p.m. on Friday March 18, 2016. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to allow the relaxation of the open container ordinance on Saturday March 19, 2016 for same area as approved on March 18, 2016 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

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Ruth moved, Speirs seconded to approve the waiver of banner fees and street closure on Main Street from Wall Street to Pine Street on Saturday March 19, 2016 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Forks Corks Kegs Event

Public hearing was opened at 5:09 p.m. by Mayor Turbiville. Sarah Anderson requested approval for the following:

Speirs 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 5:00 p.m. to 10:00 p.m. on Friday April 8, 2016. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container ordinance on Saturday April 9, 2016 for same area as approved on April 8, 2016 from 11:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Set

Ruth moved, Speirs seconded to set public hearing on March 21 for Wild Bill Days activities on June 17 and 18. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on March 21 for PBR Pro Event on June 10 and 11, 2016. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on March 21 for Deadwood Mickelson Trail Marathon on June 4 and 5. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Recommendation

Speirs moved, Ruth seconded to approve Historic Preservation Commission recommendation to grant emergency Not-for-Profit grant to Grace Lutheran Church for mold remediation project in the amount of \$10,000.00. Roll Call: Aye-All. Motion carried.

Quote

Speirs moved, Ruth seconded to approve quote from Dakota Tree for mountain pine beetle spraying at Mt. Moriah and St. Ambrose cemeteries and allow Mayor to sign contract. Total cost \$10,668.00. Roll Call: Aye-All. Motion carried.

Purchase

Speirs moved, Ruth seconded to purchase chains for loader from Pewag Inc. at cost not to exceed \$12,000.00. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Finance Officer Nelson stated the convenience fee charged by vendor for credit card payment option is \$1.50 on transactions from \$0 to \$50.00 and 2.75% for over \$50.00.

John Tridle, Deadwood-Lead Swim Team stated two swimmers went to state swim meet and placed 2nd and 5th overall in the state.

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

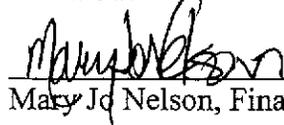
ADJOURNMENT

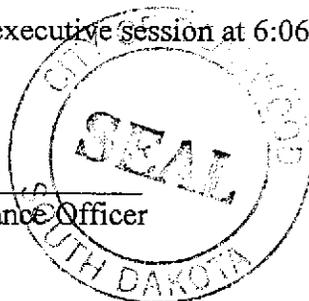
Van Den Eykel moved, Speirs seconded to adjourn the regular session at 5:19 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2 (3) with possible action. The next regular meeting will be on Monday March 21, 2016.

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After coming out of executive session at 6:06 p.m., Ruth moved, Speirs seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: March 22, 2016

BY: Charles M. Turbiville
Charles M Turbiville, Mayor

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