

REGULAR MEETING, May 18, 2015

The Regular Session of the Deadwood City Commission convened on May 18, 2015 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 and Commissioners David Ruth Jr., Mark Speirs, and Gary Todd. Commissioner Jim Van Den Eykel was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Ruth moved, Todd seconded to approve the minutes of May 4, 2015. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Ruth seconded to approve the May 18, 2015 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	RENTAL	9.92
ABC BUSINESS	SUPPLIES	1,360.22
ADAMS	SUPPLIES	279.87
ADAMS MUSEUM	OPERATING	52,500.00
ALBERTSON ENGINEERING	PROJECT	4,281.68
ALLIED 100	SUPPLIES	177.00
ALSCO	MAT	90.97
AMANO MCGANN	TICKETS	2,714.48
AMAZON	SERVICE	222.06
AMPAC	BAGS	354.92
ATCO	SERVICE	390.00
AVENET	SERVICE	450.00
AVI SYSTEMS	REPAIR	64.50
BARNEY SIGNS	PROJECT	3,520.46
BERBERICH DESIGNS	PANELS	8,598.60
BH CHEMICAL	DEGREASER	278.60
BH PIONEER	ADS	1,877.22
BH POWER	ELECTRICITY	24,365.05
BH URGENT CARE	TESTING	101.69
CAI	PROJECT	36,000.00
CAMPBELL SUPPLY	SUPPLIES	281.20
CENTURY BUSINESS	LEASE	624.16
CENTURY LINK	SERVICE	254.01
COCA COLA	SUPPLIES	137.70
CORBITT, SHELLEY	REIMBURSEMENT	503.83
CREATIVE PRODUCT	DARE	974.79
CRESCENT ELECTRIC	SERVICE	2,378.75
CULLIGAN	SUPPLIES	141.00
DAKOTA SUPPLY	LIGHTS	1,111.50
DEADWOOD CHAMBER	MARKETING	21,389.40
DEADWOOD HISTORY	AD	1,688.16
ECOLAB	SERVICE	482.84
EMERY-PRATT	BOOKS	146.18
FARMER BROTHERS	SUPPLIES	52.65
FASTENAL	SUPPLIES	147.15
FIRST PHOTO	PRINTS	21.60
FIRST WESTERN INSURANCE	BOND	1,542.00
G3 FIRE	SUPPLIES	337.16
GALLS	BOOTS	225.84
GENERAL TRAFFIC	SUPPLIES	813.76
GOLDEN WEST	SERVICE	7,747.15
GRIMM'S PUMP	PUMP	764.75
HAMANN, ALEX	REIMBURSEMENT	109.56
HARRISCOS	CHAINS	10,209.85
HOLIDAY INN	LODGING	110.00
J. SCULL	PROJECT	107,050.50
JUNIOR LIBRARY GUILD	SUBSCRIPTION	366.00
KDSJ	AD	150.00
KELLY PRINTING	CARTRIDGES	125.90
KOALA ELECTRIC	REPAIR	490.54
LAKER CHEMICAL	SUPPLIES	1,243.50
LARIVE, ANDREW	REIMBURSEMENT	53.60
LAWRENCE TITLE	FEES	127.20
LAWSON PRODUCTS	SUPPLIES	527.30
LEAD-DEADWOOD SANITARY	USAGE	24,367.85
LEAD-DEADWOOD SCHOOL	REIMBURSEMENT	8.73
LINDSTAD'S ALIGNMENT	SERVICE	30.00
M&M SANITATION	RENTAL	575.42
MAC CONSTRUCTION	PROJECT	21,372.00
MIDCONTINENT	SERVICE	65.00
MIDWEST TAPE	DVD	172.92
MITZI'S BOOKS	BOOKS	22.35
MOHR, TRENT	REIMBURSEMENT	263.09
MDU	SERVICE	271.65
MS MAIL	SERVICE	1,078.04
NETWORK SERVICES	SUPPLIES	299.09
NEVE'S UNIFORMS	UNIFORMS	49.22
NORTHERN HILLS TECHNOLOGY	SERVICE	207.75
NORTHWEST PIPE FITTINGS	SUPPLIES	126.87
OFTEDAL	PROJECT	134,229.38
OSBORN, JANET	REIMBURSEMENT	146.76
PANNIER	SUPPLIES	2,418.00
PARTSMASTER	SUPPLIES	61.39
PASSPORT PARKING	METERS	37.00
PETTY CASH	LIBRARY	49.00

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PETTY CASH	MT. MORIAH	250.00
PL CARPENTRY	PROJECT	202.04
PUMPHOUSE	WORKSHOP	354.15
RAPID DELIVERY	SERVICE	22.80
REGIONAL HEALTH	TESTING	75.00
RENNER, DONOVAN	REIMBURSEMENT	242.27
ROCKINGTREE	TREES	374.90
SANITATION PRODUCTS	SUPPLIES	613.81
SD DEPT. OF REVENUE	LICENSES	6,212.50
SD GOV. FINANCE OFFICERS	REGISTRATION	75.00
SD LIBRARY NETWORK	SERVICE	1,119.75
SD ONE CALL	SERVICE	48.16
SD STATE ARCHIVES	MICROFILM	144.00
SD STATE HISTORICAL	MEMBERSHIP	395.00
SERVALL	SUPPLIES	314.00
SEW IT GOES	SERVICE	525.52
SIOUXLAND HERITAGE	SERVICE	5,995.00
SOUTHSIDE OIL	OIL	2,398.00
SOUTHSIDE SERVICE	REPAIR	274.08
SPEARFISH HUSKY	SUPPLIES	28.00
SPECIALTY VEHICLES	SERVICE	244.18
SPEIRS, MARK	REIMBURSEMENT	75.00
SPORTS ILLUSTRATED	SUBSCRIPTION	89.04
STURDEVANT'S	SUPPLIES	957.95
T & R SERVICE	TRANSFORMER	136.00
TALLGRASS	PROJECT	5,782.50
THE VEST MAN	VEST	200.00
TOMS, DON	PROJECT	630.00
TRIDLE, JOHN	REIMBURSEMENT	232.11
TRINITY HIGHWAY	SUPPLIES	3,537.50
TRIPLE K	REPAIRS	2,624.82
TURBIVILLE, CHARLES	REIMBURSEMENT	216.82
TWILIGHT	SUPPLIES	342.56
TWIN CITY HARDWARE	SUPPLIES	2,519.65
UPSTART	SUPPLIES	76.40
VAST BROADBAND	SERVICE	1,407.20
WASTE CONNECTIONS	SERVICE	7,895.61
WESTERN STATES FIRE	INSPECTION	270.00
WOLFF'S PLUMBING	REPAIR	780.29

TOTAL \$ 533,499.89

ITEMS FROM CITIZENS ON AGENDA

Permission

Speirs moved, Ruth seconded to allow Neighborworks to use portion of Lower Main parking lot at bottom of Burnham Hill for annual yard sale on June 20, 2015, beginning at 7:00 a.m. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Permission to hire election workers for the June 2, 2015 Special City Election: Shirley Bergen as superintendent at \$168.00, Arlene Gustafson and Verna Sandidge as clerks at \$143.00 each.
- B. Permission to hire Doug Magnuson as trolley driver at \$12.38 per hour effective May 18, 2015 and Tom Riley as trolley driver at \$9.50 per hour effective May 19, 2015 pending pre-employment drug screening.
- C. Permission for Mayor to sign contract with Black Hills Special Services to provide trolley-cleaning services.
- D. Accept resignation from Lifeguard Brooke Bialas effective May 5, 2015.
- E. Permission to purchase new computers for the Library at cost not to exceed \$5,000.00, budgeted item.
- F. Permission to hire up to ten part-time temporary police officers during the bike rally at \$15.76 per hour.
- G. Approve \$28,060.90 for Broken Boot Gold Mine through the Deadwood Historic Preservation Commission Non-Profit Grant Program from 2015 Historic Preservation Commission budgeted line item.
- H. Approve \$10,000.00 financial sponsorship for the South Dakota Humanities Council's 2015 Festival of Books in Deadwood, budgeted from Historic Preservation Commission Public Education line item.

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- I. Approve proposed wage scale for lifeguards and swim instructors.]

LIFEGUARD WAGE SCALE						
Department	Starting Wage	After 1 Year of Service	After 2 Years of Service	After 3 Years of Service	After 4 Years of Service	Top Wage for Position
Lifeguards Swim Instructor	\$ 9.25	\$ 9.50	\$ 9.75	\$ 10.00	\$ 10.25	\$ 10.25
						\$ 10.25

- J. Permission to increase wages for the following lifeguards effective May 10, 2015 if new wage scale is approved: Benjamin Anderson \$8.50 per hour to \$9.25 per hour, Emilia Anderson \$8.50 per hour to \$9.25 per hour, Nicole Diedrich \$9.50 per hour to \$10.00 per hour, Courtney Gould \$8.75 per hour to \$9.50 per hour, Kayla Huber \$8.50 per hour to \$9.25 per hour, Mike Olsen \$10.16 per hour to \$10.25 per hour, Jim Phillips \$9.63 per hour to \$10.25 per hour, Toni Schavone \$10.16 per hour to \$10.25 per hour. Additionally, permission to hire Emily Reif as Rec Center receptionist at \$8.97 per hour effective May 20, 2015 and Madisen Dean as lifeguard at \$9.25 per hour effective May 20, 2015.
- K. Remove Darrell Iwan as Streets Dept. Seasonal and Pat Asmussen as Parks seasonal.
- L. Permission to hire Trent Olson as Streets Dept. seasonal at \$8.50 per hour effective May 2015.

BID ITEMS

Auction

Todd moved, Speirs seconded to set auction for lease on forty (40) city slot machines on Tuesday, June 16, 2015 at 10:00 a.m. Roll Call: Aye-All. Motion carried.

Advertise

Speirs moved, Ruth seconded to advertise for Phases I and II of the Deadwood Wayfinding Project and set bid opening for June 9, 2015 at 2:00 p.m. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Apex 1996

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Ruth moved, Speirs seconded to approve the Retail (on-off sale) Malt Beverage License for Apex 1996, LLC at 614 Main Street. Roll Call: Aye-All. Motion carried.

Transfer

Public hearing was opened at 5:06 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Ruth moved, Speirs seconded to approve the transfer for Retail (on-off sale) Wine License (RW-20691) from Angel's Attic to Savour Your Soul at 732 Main Street. Roll Call: Aye-All. Motion carried.

Kool Deadwood Nites

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

Thursday August 20, 2015

Speirs 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 4:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Friday, August 21, 2015

Speirs moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on August 20, 2015 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

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Saturday August 22, 2015

Silvermail moved, Ruth seconded to allow the relaxation of the open container ordinance for same area as approved on August 20, 2015 from 12:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Todd moved, Ruth seconded to approve street closure on Main Street from Wall to Deadwood Street on Wednesday August 19, 2015 from 2:00 p.m. to 2:00 a.m. on Sunday August 23, 2015; Siever Street on Thursday August 20, 2015 from 5:00 p.m. to 10:00 p.m.; Main Street from Deadwood Street to Pine Street on Thursday August 20, 2015 from 4:00 p.m. to 10:00 p.m.; Main Street from Deadwood to Pine on Friday August 21, and Saturday August 22, 2015 from 4:00 p.m. to 10:00 p.m.; Main Street from Pine to Four Aces on Sunday August 23, 2015 from 8:00 a.m. to 3:00 p.m.; waiver of vendor fees for Deadwood Chamber merchandise on Main Street, Interpretive Lot, and Rodeo Grounds Thursday August 20 through Sunday August 23, 2015; waiver of vending fee for non-profit (Optimist Club and American Legion) at Interpretive Lot on Thursday August 20, 2015 from 4:00 p.m. to 10:00 p.m. and American Legion at the Rodeo Grounds on Saturday August 22 and Sunday August 23, 2015; use of Interpretive Lot Thursday August 20 at 2:00 a.m. to 2:00 p.m. Sunday, August 23, 2015; use of Rodeo Grounds on Saturday August 22 from 6:00 a.m. to 3:00 p.m. and Sunday August 23 at 7:00 a.m. for parade lineup and waiver of banner fees Thursday August 20 through Sunday August 23, 2015. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to approve use of Lower Main Street parking lot for classic cars Friday, August 21 at 8:00 a.m. to 10:00 p.m. on Saturday, August 22, 2015; and allow classic car parking on Main Street behind stage to Mineral Palace excluding six spots for emergency vehicles Thursday, August 20 through Saturday August 22, 2015 from 4:00 p.m. to 10:00 p.m. each day. Roll Call: Aye-All. Motion carried.

Set

Speirs moved, Ruth seconded to set public hearing at 5:00 p.m. on June 1 for 2015-2016 Retail (on-off sale) Malt Beverage License for Pam's Purple Door at 637 Main Street. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing at 5:00 p.m. on June 1 for Retail (on-sale) Liquor (RL-5536) License transfer from First Interstate Bank to Nugget Saloon, LLC at 604 Main Street. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Permission

Speirs moved, Todd seconded to allow the Mayor to sign Agreement for Land and Water Conservation Fund Assistance for 50% of eligible costs up to \$40,000.00 for Deadwood Gordon Park playground upgrade. Roll Call: Aye-All. Motion carried.

Renew

Ruth moved, Speirs seconded to renew 2015-2016 Malt Beverage Licenses, pending payment of property tax and Business Improvement District taxes. Roll Call: Aye-All. Motion carried.

PACKAGE (OFF-SALE) MALT BEVERAGE

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

RETAIL (ON-OFF SALE) MALT BEVERAGE

Vaughn Mary Boyd, Deadwood Tobacco Co. & Cigar Bar, 628 Main Street, RB-2108
Gold Dust Lodging Group, LLC, Holiday inn Express Hotel & Suites 22 Lee St., RB-2391
Mustang Sally's Inc., Mustang Sally's, 634 Main Street, RB-2405
Deadwood Inc. & Gamblers Gulch, Inc., Deadwood Gulch Saloon, 558 Main St., RB-2416
Black Diamond Capital LLC, Gold Dust, 688 Main Street, RB-2418,
Bullock Hospitality LLC, Bullock Hotel, 633 Main Street, RB-2445
BRI, Inc., Best Western Hickok House, 137 Charles Street, RB-2447
Mary Larson, Deadwood Dicks Restaurant, 51 Sherman Street, RB-2449
Princeton Inc., Deadwood Super 8 / Lucky 8 Gaming, 196 Cliff Street, RB-2450
Willys Wild West, Deadwood Station, 68 Main Street, RB-2453
Midnight Star Enterprises, LP, Midnight Star I & II, 677 Main Street, RB-2454
Blue Sky Gaming, Inc., Tin Lizzie Gaming Halls, 555 Main St., RB-2463
Old Style Saloon #10, Inc., Saloon #10, 657 Main Street, RB-2466

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Super G Investment Corporation, Silverado, 709 Main Street, RB-2512
WWW LLC, Gold Country Inn, 801 Main Street, RB-2521
TJ Gear, Madame Peacock's Accessory Lounge, 638 Main Street, RB-2527
Midwest Motels of Deadwood II, Buffalo Bodega, 658 Main Street, RB-2576
First Gold, Inc., First Gold Hotel, 270 Main Street, RB-2584
GR Deadwood LLC, Mineral Palace Hotel & Gaming, 607 Main Street, RB-2593
Fairmont Hotel Corporation, Fairmont Hotel, 628 Main Street, RB-2597
Deadwood Hospitality Resort LLC, Deadwood Gulch Resort, 304 Cliff Street, RB-2609
Blue Sky Gaming Inc., Tin Lizzie, 555 Main Street, RB-2644
Hotel Franklin Inc., Historic Franklin, 700 Main Street, RB-2659
Blue Sky Gaming, Inc., Tin Lizzie Gaming Halls, 555 Main Street, RB-2831
Gulches LLC, Comfort Inn Gulches of Fun, 225 Cliff Street, RB-3536,
Rolling Hills Farm Investment LLC, Celebrity Hotel, 629 Main Street, RB-3722
B.Y. Development, Inc., Cadillac Jack's Gaming Resort, 360 Main Street, RB-3894
Deadwood Resort, LLC, The Lodge at Deadwood, 100 Pine Crest Lane, RB-19227
Deadwood History Inc., Adams Museum & House Inc., 150 Sherman St., RB-19328
Deadwood History Inc., Days of '76 Museum, 1876 Drive, RB-20301
Pandora's Box LLC, Heaven, 669 Main St., RB-21255
Dakota's Best Wine & Gifts, Schade Winery & Dakota Best Gifts, 250 US Hwy 14A, RB-21478
Tentekota, LLC, Deadwood Mountain Grand, 1906 Deadwood Mountain Drive, RB-21329
George Milos, Geo's Eats and Drinks, 11 Charles St., RB-21341

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

Deadwood Development, McKenna's Gold, 470 Main Street, BW-20163
Deadwood Land Holding, LLC, Tatanka, Story of the Bison, 100 Tatanka Drive, BW-20586
Effective Education, Pump House at Mind Blown Studio, 73 Sherman Street, BW-20797
Deadwood Development Co, Bullets and Beer Saloon, 12 Lee Street, RB-20935

PACKAGE (OFF SALE) MALT BEVERAGE AND SD FARM WINE

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

Reappoint

Speirs moved, Ruth seconded to reappoint Lynn Namminga and Chuck Williams to the Historic Preservation Commission for a three-year term ending May 31, 2018. Roll Call: Aye-All.
Motion carried.

Approval

Speirs moved, Ruth seconded to approve additional curb and gutter work in the Highway 85 reconstruction project and reimburse South Dakota Department of Transportation for estimated cost of \$8,840.20 and allow Mayor to sign letter indicating additional city responsibility for additional removals where Gateway sign was located. Public Works Director Green stated this project is to change the location of entrance, curb and gutter work to Sherman Street parking lot. Roll Call: Aye-All. Motion carried.

Quote

Todd moved, Ruth seconded to accept quote from Knight Security to replace security system at Broadway Parking Ramp at cost of \$27,321.98, three quotes were received. In addition, allow Mayor to sign agreement with Knight Security. Mayor Turbiville updated the Commission on the system and funding. Roll Call: Aye-All. Motion carried.

Recommendation

Ruth moved, Speirs seconded to approve Parking and Transportation recommendation to allow weekday valet parking for Cadillac Jacks at Lower Main parking lot until paving parking lot is complete which will be prior to Memorial Day. Roll Call: Aye-All. Motion carried.

Emergency

Ruth moved, Speirs seconded to declare emergency for retaining wall due to public safety concerns per SDCL 5-18A-8 for property at 10 Harrison and contract with CAI Construction to stabilize wall as part of the retaining wall program at a cost not to exceed \$22,000.00. Roll Call: Aye-All. Motion carried.

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INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Turbiville stated St. John's Church will be selling raffle tickets until September 7, 2015, no action approves per SDCL 22-25-25.

Turbiville stated dedication ceremony for Martha Bullock Park will be Friday May 29, 2015 at 10:00 a.m.

Turbiville stated opening day for baseball will be Tuesday May 26, 2015 at 4:00 p.m.

Shirttail Gulch Homeowners, Harvey and Peg Kelley, Dan and Diane DesLauriers, John and Jeanne Reigle and Deb Fegueroa, expressed their concerns about the discharge of firearms at the shooting range located at 251 U.S. Hwy 14A, within the City limits. They felt strongly against the location, noise and traffic safety. The Commission listened to their concerns and Mayor Turbiville stated that he will visit with Chief Fuller, review and possibly revisit the issue at the next meeting on June 1. Commissioners thanked them for the phone calls. Discussion was also heard on Yellowcreek Gun Range.

Turbiville congratulated Teen Court on 20 years of operation.

Commissioner Speirs thanked employees Green, Kuchenbecker, and Mohr for working with residents, local contractor and Albertson Engineering for the collapsed retaining wall on Harrison Street.

Attorney Williams requested Executive Session for legal matters per SDCL 1-25-2 (3) with no action.

ADJOURNMENT

Ruth moved, Speirs seconded to adjourn the regular session at 5:53 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3). The next regular meeting will be on Monday June 1, 2015.

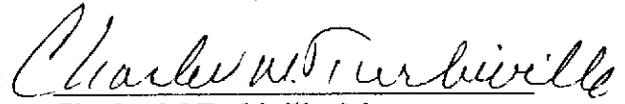
After coming out of executive session at 6:10 p.m., Todd moved, Ruth seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: June 1, 2015

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____