

REGULAR MEETING, May 20, 2013

The Regular Session of the Deadwood City Commission convened on May 20, 2013 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 Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Van Den Eykel seconded to approve the minutes of May 13, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the May 20, 2013 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	SUPPORT	1,853.62
ALSCO	MATS	45.36
AMANO MCGANN	TICKETS	2,426.10
AMERICAN WATER WORKS	RENEWAL	70.00
BAILEY ELECTRIC	SERVICE	68.40
CENTURY LINK	SERVICE	160.99
CHAINSAW CENTER	SERVICE	168.60
CONRADS SIGNS	PROJECT	643.95
CRARY HUFF LAW	SERVICES	393.00
DAKOTA BUSINESS CENTER	MAINTENANCE	143.90
DAKOTA GRAPHICS	CARDS	105.00
DAKOTA SUPPLY	SUPPLIES	418.26
DEADWOOD CHAMBER	BILL LIST	50,000.00
GUNDERSON, PALMER, NELSON	SERVICES	6,582.58
J.V.BAILEY	PROJECT	1,860.00
JACOBS WELDING	SERVICE	243.00
KONE	MAINTENANCE	205.00
NEVE'S	UNIFORMS	237.06
RC JOURNAL	RENEWAL	210.60
RAPID DELIVERY	SERVICE	67.80
SANITATION PRODUCTS	PARTS	178.00
SD COMMISSION ON GAMING	PAYMENT	18,852.27
SOUTHSIDE SERVICE	SERVICE	59.70
SYMBOL ARTS	BADGES	705.00
TRUGREEN	SPRAYING	513.50
TWILIGHT	SUPPLIES	278.42
WATER GEAR	SUPPLIES	170.30
WESTERN COMMUNICATIONS	REPLACEMENT	112.00
	TOTAL	\$86,772.41

ITEMS FROM CITIZENS ON AGENDA

Proclamation

The Mayor read a proclamation declaring May 25, 2013, as "Lillian Shea Day" in Deadwood.

Permission

Van Den Eykel informed the Commission that Jan Van Tassel with Original Deadwood Tours is requesting bus location be moved to a different location on Main Street from May 20, to June 1, 2013, either in front of the Gold Dust or down in front of the Buffalo and Deadwood Gift Shop due to construction at Midnight Star. Fuller stated Jim Headid from Black Hills Roofing would be here next week to address these issues. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Van Den Eykel seconded to set a public hearing on May 28, 2013 at 5:05 p.m. for permission to vend on June 15 through June 16, 2013, for Weapons Concepts LLC, Deadwood Jake's Guns. Application was received in Zoning Office after 60-day deadline and license fee of \$750.00 has been paid.

Annexation

John Frederickson presented a petition of Annexation and requested approval of Annexation and Development Agreement for property contiguous to Deadwood on Highway 85. He also requested that the City schedule a public hearing on Resolution of Intent to Annex property on June 17, 2013 at 5:10 p.m. Frederickson stated the agreement states the City does not have to provide services and includes 707.93 acres. According to Frederickson, some property owners have to go through annual CUP process with Lawrence County, which makes financing difficult. Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign the Annexation and Development Agreement and set the public hearing on June 17, 2013 at 5:10 p.m. Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Todd moved, Silvernail seconded to set a public hearing at 5:07 p.m. on June 3, 2013 for Retail (on-off sale) Wine License for Angel's Attic at 732 Main Street. Roll Call: Aye-All. Motion carried.

Bid Opening

Finance Officer, Mary Jo Nelson opened one bid for the 2007 Dodge Durango previously surplused on resolution 2013-06. Bid as follows:
Cole Kuchenbecker - \$4,444.00. Silvernail moved, Van Den Eykel seconded to accept the bid from Kuchenbecker. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Van Den Eykel seconded to set a public hearing at 5:10 p.m. on June 3, 2013 for Malt Beverage License (RB-2418), Package Liquor License (PL-4520), and Convention Center Liquor License (RL-5792) transfers from High Noon Investments LLC to Black Diamond Capital LLC at 688 Main Street. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING

Resignation

Van Den Eykel moved, Silvernail seconded to accept the resignation from archive intern, Kay Nay Mya effective May 17, 2013. Roll Call: Aye-All. Motion carried.

Final Plat

Van Den Eykel moved, Silvernail seconded to approve the final plat for Palisades LLC. Stage Run Addition, 781 Stage Run: Plat of Lot 23, Block 2 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ of Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Approved by Planning and Zoning on May 15, 2013. Roll Call: Aye-All with Peterson abstaining. Motion carried.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Wage Increase

Silvernail moved, Todd seconded to increase the wage of Rec Center Lifeguard, Cydnee Middlemas from \$8.00 an hour to \$8.28 an hour effective May 16, 2013 after one year of service. Roll Call: Aye-All. Motion carried.

Resignation

Silvernail moved, Peterson seconded to accept the resignation from Lifeguard, Nicole Diedrich effective May 12, 2013. Roll Call: Aye-All. Motion carried.

Wage Increase

Silvernail moved, Todd seconded to increase the wage of Rec Center Receptionist, Dian DeRosier from \$8.79 an hour to \$9.31 an hour effective May 18, 2013 after three years of service. Roll Call: Aye-All. Motion carried.

Painting

After discussion regarding pros and cons of contract labor versus in house labor, Silvernail moved, Van Den Eykel seconded to set a bid opening on June 17, 2013 at 5:15 p.m. for the painting of the street poles on Main Street, to be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded to enter into contract with Dakota Tree Service to spray trees in Mt. Moriah and St. Ambrose at a cost of \$10.00 per tree, to be paid from Mt. Moriah and St. Ambrose Capital Project Fund. Roll Call: Aye-All. Motion carried.

Pavilion

Mayor asked the Commission to continue the removal, replace windows in the Pavilion gymnasium area, and paint where chipping and peeling have occurred until June 17, 2013 so that the Historic Preservation Committee has time to review.

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Change Order

Silvernail moved, Peterson seconded to approve Change Order #1 to Ainsworth Benning for Mickelson Trail Bridge project. Change order installs new support angles at bridge ends at a cost of \$5,330.00, bringing total cost to \$205,620.51 and no additional days. Van Den Eykel and Todd questioned necessity of change order, Raysor replied change order is necessary to change drainage. Kuchenbecker added more costs would have been incurred up front through surveying. Roll Call: Aye-All. Motion carried.

Approval

Silvernail moved, Todd seconded to approve the replacement of compressor and condenser fan at the Adams Museum at a cost of \$3,653.00 plus labor. Roll Call: Aye-All. Motion carried.

POLICE/FIRE/LIBRARY

Permission

Silvernail moved, Peterson seconded to allow Robert Lester to attend Basic School Resource Officer Training June 24 through June 28, 2013 in Cheyenne, Wyoming, use of city vehicle only. Fuller added the rest of the cost is covered by Lead-Deadwood School District. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Appoint

Silvernail moved, Todd seconded to appoint the following individuals to Board of Appeals per city ordinance: Leroy Stuen, term expires May 31, 2014; Darin Derosier and Ted Spencer, terms expire May 31, 2015; Mike Albertson and Jim Benning, terms expire May 31, 2016. According to Kuchenbecker, adoption of this board is a required step in the process to pursue maintenance required by property owners that may qualify for demolition by neglect. He added this was part of the process as set forth in the 2012 Building Code, which was adopted by ordinance. Roll Call: Aye-All. Motion carried.

Meeting Change

Mayor Turbiville announced the next meeting would be at 5:00 p.m. on Tuesday, May 28, 2013 due to the Memorial Day Holiday.

Executive Session

Mayor Turbiville requested executive session for Legal Matters per SDCL 1-25-2 (3).

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioner Todd said he spoke to a concerned citizen regarding the location of a Mt. Moriah Tour Bus by the Interpretive Lot, making it difficult to turn onto the street and asked Chief Fuller to look into.

ADJOURNMENT

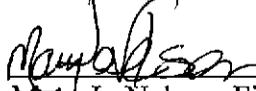
Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:35 p.m. and convene into Executive Session for Legal Matters per SDCL 1-25-2 (3). The next regular meeting will be at 5:00 p.m. on Tuesday May 28, 2013.

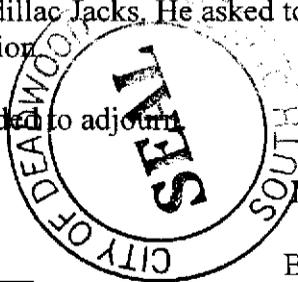
Silvernail moved, Peterson seconded to come out of Executive Session.

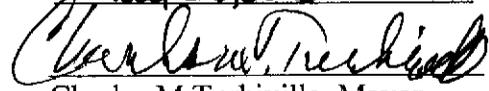
Bob Brandt, contractor with Mountaintop Construction on Cadillac Jack's addition, arrived at 6:00 p.m., thanked the City of Deadwood, and said the City staff was incredible to work with during the construction of Cadillac Jacks. He asked to relay his gratitude to Public Works, Police, and Historic Preservation.

Todd moved, Peterson seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: May 28, 2013
BY: 
Charles M Turbiville, Mayor

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Published once at the total approximate cost of _____