

**REGULAR MEETING, May 4, 2015**

The Regular Session of the Deadwood City Commission convened on May 4, 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 Quentin L. Riggins and Commissioners David Ruth Jr., Georgeann Silvernail, Gary Todd and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Ruth moved, Silvernail seconded to approve the minutes of April 20, 2015. Roll Call: Aye-All. Motion carried.

**APRIL, 2015 PAYROLL:** COMMISSION, \$4,096.14; FINANCE, \$24,091.29; PUBLIC BUILDINGS, \$7,793.18; POLICE, \$69,582.86; FIRE, \$7,322.72; BUILDING INSPECTION, \$5,048.72; STREETS, \$40,298.74; PARKS, \$23,266.60; PLANNING & ZONING, \$7,014.54; LIBRARY, \$9,629.03; RECREATION CENTER, \$18,744.94; HISTORIC PRESERVATION, \$23,114.31; WATER, \$21,767.39; PARKING METER, \$12,786.84; TROLLEY, \$22,565.97; PARKING RAMP, \$7,622.84; RUBBLE SITE, \$3,451.68. **PAYROLL TOTAL: \$308,197.79**

**APRIL, 2015 PAYROLL PAYMENTS:**

Internal Revenue Service, \$76,486.61; S.D. Retirement System, \$33,926.00; Delta Dental, \$3,843.08

**APPROVAL OF DISBURSEMENTS**

Silvernail moved, Ruth seconded to approve the May 4, 2015 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE	304.90
ABC BUSINESS	SUPPLIES	329.04
ALBERTSON ENGINEERING	PROJECT	1,945.40
ALL AROUND AUTO	SUPPLIES	332.93
ALSCO	SUPPLIES	81.97
ARLETH LAND SURVEYING	SERVICE	650.00
ATCO INTERNATIONAL	SUPPLIES	523.00
BAILEY ELECTRIC	SERVICE	950.00
BERENDSE & SONS	PROJECT	19,947.60
BLACK HILLS SECURITY	SECURITY	104.85
BUTLER MACHINERY	LAMP	32.26
CENTURY BUSINESS	CONTRACT	542.57
CHAINSAW CENTER	LIFT	508.80
CHAMBERLIN ARCHITECTS	PROJECT	9,092.33
CLEMENT COMMUNICATIONS	POSTERS	176.41
COMPANION LIFE	INSURANCE	235.86
CONRADS SIGNS	TAX	100.66
DAKOTA BUSINESS	MAINTENANCE	151.47
DAKOTA SUPPLY	LAMP	19.50
DAKOTACARE	INSURANCE	43,292.40
DEADWOOD CHAMBER	MARKETING	41,257.76
DEADWOOD DEVELOPMENT	SHIPPING	17.35
EDDIE'S TRUCK	SERVICE	109.66
ELECTROTECHNICS	HARNESS	51.87
FIRST NATIONAL BANK	DISCLOSURE	91,781.25
FOUR WINDS INTERACTIVE	USAGE	1,463.62
FULLER, KELLY	REIMBURSEMENT	426.62
GLOBAL CAULKING	PROJECT	14,386.72
GRIMM'S PUMP	GUN	61.44
HAWKI, KEN	REIMBURSEMENT	296.79
HAWKINS	CHEMICALS	965.99
HEAVENLY REPAIRS	TOWING	422.00
HILT CONSTRUCTION	SUPPLIES	180.00
LAWRENCE CO. REGISTER	EASEMENTS	60.00
LIGHT AND SIREN	SUPPLIES	377.87
MC KEON, BRAXTON	REIMBURSEMENT	73.01
MERTENS, KENNETH	REIMBURSEMENT	293.72
MID-AMERICAN RESEARCH	DUNKS	95.36
MDU	SERVICE	6,537.17
MS MAIL	BROCHURES	1,850.00
NEIGHBORHOOD LENDING	CAMPAIGN	1,000.00
NELSON, MARY JO	REIMBURSEMENT	162.97
PEPPMEIER, JANICE	REIMBURSEMENT	521.55
PERFORMANCE AUTOMATICS	TRANSMISSION	4,888.56
PUSH-PEDAL-PULL	REPAIR	177.50
QUALITY SERVICES	SERVICE	600.00
QUILL	SUPPLIES	43.94
RC JOURNAL	SUBSCRIPTION	231.01
ROCKMOUNT RESEARCH	SERVICE	3,414.58
SABO, DENNIS	SERVICE	9,880.00
SACRISON ASPHALT	LIMESTONE	495.60
SANITATION PRODUCTS	BROOM	360.00
SD DEPT. OF CORRECTIONS	FIREWISE	3,368.97
SD DEPT. OF REVENUE	LICENSE	150.00
SD DEPT. OF REVENUE	TAX	2,389.13
SD GOV. HUMAN RESOURCE	REGISTRATION	50.00
SD STATE ARCHIVES	RESEARCH	10.00
SERVALL	SUPPLIES	1,821.31
SOUTHSIDE OIL	GAS	11,673.02

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SUMMIT SIGNS	SIGNS	45.00
TALLGRASS	SERVICE	2,160.00
TOM'S T'S	SHIRTS	467.43
TRIPLE K	REPAIR	551.99
TSP	PROJECT	2,494.62
TTG ENTERPRISES	SERVICE	197.00
TWILIGHT	SUPPLIES	82.80
TWIN CITY HARDWARE	SUPPLIES	2,574.55
VANWAY TROPHY	PLAQUE	20.50
VAST	SERVICE	1,068.06
VERIZON	METERS	40.01
WATER GEAR	SUPPLIES	234.17
WESTERN COMMUNICATIONS	SPEAKERS	121.00
WESTERN STAR	REPAIR	97.80
WL CONSTRUCTION	SUPPLIES	419.99

TOTAL \$291,843.27

### SWEAR IN COMMISSIONERS

The Honorable Michelle Percy, Magistrate Judge, administered the Oath of Office to newly elected City Commissioners Mark Speirs and Gary Todd. Commissioner Silvernail left her post at this time, and Mr. Speirs assumed his duties as City Commissioner.

### COMMISSION DEPARTMENTAL APPOINTMENTS

Mayor Turbiville announced the following Commission appointments:

David Ruth Jr. – Historic Preservation, Planning and Zoning Commissioner;

Mark Speirs – Public Buildings, Parks & Recreation, Public Works Commissioner, Black Hills Council of Local Governments Representative;

Gary Todd – Trolley and Safety Commissioner;

Charles Turbiville – Police and Fire Commissioner, Chamber of Commerce Representative;

Jim Van Den Eykel – Finance Commissioner and Library Representative, Commission President.

### ITEMS FROM CITIZENS ON AGENDA

#### Appreciation

Trolley Manager Nelson presented Henry Cordes with a certificate of appreciation for 22 years of service as a trolley driver. Mayor and Commissioners thanked him for his years of service.

#### Request

John Tridle, representing Deadwood Elks Lodge, asked the Commission to allow the use of portico at History and Information Center for Flag Day Ceremony on June 14, 2015. Ruth moved, Speirs seconded said request. Roll Call: Aye-All. Motion carried.

#### Proclamation

Joann Eastman requested Mayor Turbiville sign the Proclamation for Arbor Day on May 8, 2015. Joann invited everyone to the tree planting at across from Franklin Hotel at 1:00 p.m. on May 8.

#### Lease

Kerry Ruth, representing South Dakota School for the Deaf, asked the Commission to rent city office space at \$250.00 per month, including one parking space. Van Den Eykel moved, Speirs seconded to allow the mayor to sign annual lease as prepared by South Dakota School for the Deaf. Roll Call: Aye-All. Ruth abstained. Motion carried.

### CONSENT

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

- A. Permission for Mayor to sign contract between City of Deadwood and South Dakota Historic Society to microfilm nine (9) Lawrence County executor and Administrator Bonds and Letters from 1883-1963 at cost not to exceed \$2,500.00 and twenty (20) historic mortuary ledgers from Fidler-Isburg Funeral Chapel at cost not to exceed \$3,500.00 and permission for Mayor to sign contract with Historical Society for Lawrence County bonds and ledgers in the amount of \$2,500.00 .
- B. Permission for Mayor to sign contract between City of Deadwood and Kevin and Margie Akin to provide transcriptions of Chinese characters located on metal coins unearthed during 2001-2004 Chinatown archeological investigation at cost not to exceed \$500.00.

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- C. Permission to hire the following pending pre-employment drug screening: Clyde Stratman as trolley driver effective May 5, 2015 at \$9.50 per hour and Kayla Huber as lifeguard effective May 6, 2015 at \$8.50 per hour. Parks seasonal employees effective May 2015: Trevor Tridle at \$10.20 per hour, Hunter Bradley at \$10.03 per hour, Andrew Pisciotta at \$9.50 per hour, Colt Bradley at \$8.50 per hour, Broc Hanson at \$8.97 per hour, Colt Radensleben at \$8.50 per hour, Kole Frisinger at \$8.75 per hour, Miranda Luze at \$8.50 per hour, Patricia Asmussen at \$8.50 per hour, Shelley Corbitt at \$8.50 per hour and Randi Coddington at \$8.50 per hour. Streets seasonal employees effective May 2015: Greg Nelson at \$10.20 per hour and Darrell Iwan at \$8.50 per hour. Mt. Moriah seasonal employees effective May 2015: Constance Olsen at \$10.20 per hour, Peggy McDonald at \$10.20 per hour, Georgeann Silvernail at \$8.50 per hour, Doris Schenk at \$10.20 per hour, Pam Goodwin at \$8.97 per hour, Jeanne Zurey at \$8.97 per hour and Meggan Pierce at \$8.75 per hour.
- D. Remove from payroll: Lifeguard Jesse Willis effective April 22, 2015 and Collections Intern Nathaniel DeMarcus effective April 29, 2015.
- E. Approve the following pay raises: Increase wage of Police Officer Braxton McKeon from \$19.15 per hour to \$21.28 per hour effective April 10, 2015 after becoming a certified officer in the State of South Dakota. Increase wage for Sonya Bertalot as Police Reserve from \$12.66 per hour to \$13.53 per hour effective May 3, 2015 after four years of service, and as Ordinance Officer from \$16.96 per hour to \$17.85 per hour effective May 8, 2015 after two years of service. Increase wage for Lynette Quaschnick as Fire Department Secretary from \$8.75 per hour to \$8.97 per hour effective May 1, 2015 after two years of service.
- F. Permission for Mayor to sign agreement between City of Deadwood and Rapid Fire Protection to upgrade sprinkler system in basement of city hall at cost of \$18,970.00.
- G. Permission for Mayor to sign Loan Agreement for Use of City Property and allow Ft. Meade Museum to display Poker Alice hat and case until October 31, 2015.
- H. Safety Committee recommendation-allow Tom Kruzel to work with Gene's Lock Shop to upgrade existing lock systems to ASSA key system at various city buildings at cost not exceed \$7,000.00.
- I. Add Jessey Pullen to the Volunteer Fire Department roster effective May 1, 2015 for workers compensation purposes.
- J. Accept resignation from Trolley Driver Henry Cordes effective April 30, 2015.

## PUBLIC HEARINGS

### Northern Hills Band

Public hearing was opened at 5:13 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Speirs moved, Todd seconded to approve the street closure on Main Street from Pine to Deadwood Street on Thursday July 23, 2015 from 6:15 p.m. to 7:45 p.m., and use of portico at History Interpretive Center Saturday July 25, 2015 beginning at 12:00 p.m. for the Northern Hills Community Band performance for the Days of 76 concerts. Roll Call: Aye-All. Motion carried.

### Vending

Public hearing was opened at 5:14 p.m. by Mayor Turbiville. Kenny Hall spoke in favor. Planning and Zoning Administrator Nelson stated Joycie has valid sales tax license and servesafe certificate. Hearing closed. Ruth moved, Speirs seconded to approve temporary vending license for Joycie's Street Meats in conjunction with ATV event on May 16 and 17, 2015 contingent upon payment of vendor fee and publication costs. Roll Call: Aye-All. Motion carried.

### N.M.D. Venture

Public hearing was opened at 5:16 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Speirs moved, Todd seconded to approve the 2015-2016 Retail (on-off sale) Malt Beverage for N.M.D. Venture LLC at 685 Main Street. Roll Call: Aye-All. Motion carried.

### Set

Todd moved, Ruth seconded to set public hearing at 5:00 p.m. on May 18 for 2015-2016 Retail (on-off sale) Malt Beverage for Apex 1996, LLC at 614 Main Street. Roll Call: Aye-All. Motion carried.

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Todd moved, Van Den Eykel seconded to set public hearing at 5:00 p.m. on May 18 for Retail (on-off sale) Wine Licenses transfer from Angels Attic to Savour Your Soul at 732 Main Street. Roll Call: Aye-All. Motion carried.

Todd moved, Van Den Eykel seconded to set public hearing at 5:00 p.m. on May 18 for Kool Deadwood Nite activities: Street Closure August 19 through August 23, Open Container in Zones 1 and 2 on August 20, 21, and 22, waiver of banner and vending fees for the following non-profits: Deadwood Chamber, Optimist Club, and American Legion August 20 through August 23, use of Interpretive Lot for classic cars only on August 20 through August 23, use of Lower Main Street Lot for classic cars only August 21 and 22, Use of Rodeo Grounds August 22 and 23, and allow parking on portions of both sides of Main street behind stage to Mineral Palace excluding emergency vehicles. Roll Call: Aye-All. Motion carried.

## NEW BUSINESS

### Proposal

Ruth moved, Van Den Eykel seconded to allow the Mayor to sign Chamberlin Architect Services proposal in the amount of \$550,800.00 and approve 50/50 cost share between Historic Preservation and General Fund for \$358,800.00, amount over the remaining budget from Parking and Transportation Fund. After discussion, roll call vote was taken. Roll Call: Aye-Ruth, Todd, Van Den Eykel, Turbiville. Nay-Speirs. Motion carried.

### Appointments

Van Den Eykel moved, Todd seconded to appoint Tony Biesiot to Planning and Zoning Commission for remainder of term vacated by Mark Speirs, which expires in 2018. Discussion ensued on candidates Biesiot and Martinisko. Roll Call: Aye-Todd, Van Den Eykel, Turbiville. Nay-Ruth, Speirs. Motion carried.

Turbiville also appointed Planning and Zoning Commissioner Sheree Green to the Capital Improvement Committee. Speirs stated residents should be included on the Capital Improvement Committee.

### Starting Wage

Speirs moved, Ruth seconded to increase starting lifeguard wage from \$8.50 to \$9.25 an hour and advertise again for lifeguards. Turbiville stated Recreation Director Tridle believes the City should be equal with the surrounding communities. Roll Call: Aye-All. Motion carried.

### Parking

Speirs moved, Ruth seconded to temporarily eliminate parking on Harrison Avenue and all parking on Van Buren Avenue between intersections of Washington and Jefferson until Cemetery Street is open for traffic. Roll Call: Aye-All. Motion carried.

## INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Turbiville read a proclamation declaring May as Historic Preservation and Archeology Month.

Turbiville acknowledged Regional Forester's Award for the Historic Preservation Commission and Kevin Kuchenbecker as "Regional Partner of the Year."

Turbiville stated the recycle bins have been moved from Sherman Street parking lot to the trolley barn on Dunlop Avenue due to construction.

Planning and Zoning Administrator Nelson thanked Mark Speirs for his time serving on the Planning and Zoning Committee.

Commissioners thanked former Commissioner Georgeann Silvermail for her service over the years.

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

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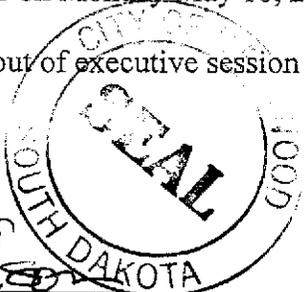
ADJOURNMENT

Ruth moved, Speirs seconded to adjourn the regular session at 5:47 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 May 18, 2015.

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

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: May 18, 2015

BY:   
Charles M Turbiville, Mayor

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