

**REGULAR MEETING, November 18, 2013**

The Regular Session of the Deadwood City Commission convened on November 18, 2013 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commissioner Georgeann Silvernail called the meeting to order with the following members present: Department Heads, City Attorney Terri Williams and Commissioners Joe Peterson, and Jim Van Den Eykel. Mayor Charles Turbiville and Commissioner Gary Todd were absent. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Peterson moved, Van Den Eykel seconded to approve the minutes of November 11, 2013. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Van Den Eykel moved, Peterson seconded to approve the November 18, 2013 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	SERVICE	154.96
ABC BUSINESS	SUPPLIES	20,934.57
ADAMS MUSEUM	PROJECT	2,579.00
ALBERTSON ENGINEERING	RETAINING WALL	660.00
ALCO	SUPPLIES	36.87
ALSCO	SUPPLIES	45.36
AMAZON WEB	SERVICE	284.36
ANDERSON'S PEST	SERVICE	250.00
BH DISPOSAL	SERVICE	760.00
BH MINING MUSEUM	PROJECT	5,567.19
BH PIONEER	SERVICE	1,042.84
BH POWER	SERVICE	24,578.11
BLOOM, KEVIN	PROJECT	2,474.52
CALIFORNIA CONTRACTORS	SERVICE	111.92
CENTURY BUSINESS	MAINTENANCE	312.31
DAKOTA BUSINESS	MAINTENANCE	147.49
DAVE STAFFORD ARCHITECTURE	PROJECT	2,311.69
DEADWOOD ALIVE	SERVICE	1,500.00
DVFD	AWARDS	200.00
EDDIE'S TRUCK SALES	SERVICE	264.74
FALL RIVER COUNTY	GRANT	10,000.00
FASSBENDER COLLECTION	COLLECTION	500.00
FIRST INTERSTATE BANK	PAYMENT	212,554.13
GOLDEN WEST	SERVICE	707.80
GUNDERSON, PALMER, NELSON	SERVICE	4,526.46
HAMANN, ALEX	REIMBURSEMENT	84.99
HEARTLAND PAPER	SUPPLIES	27.90
INLAND TRUCK PARTS	LITE	21.44
JANKE AND SONS TRUCKING	SERVICE	1,629.00
JENSEN, JERRY	PROJECT	500.00
JULIN, SUZANNE	INTERVIEWS	1,250.00
KELLY SERVICES	STAFFING	598.61
KONE	MAINTENANCE	250.00
LOWE ROOFING	PROJECT	24,539.00
LYNN'S	SERVICE	204.51
M.R. GUSTAFSON	PAYMENT	42,383.58
MARIAH PRESS	PROJECT	180.00
MARKETING & TECHNICAL	SUPPLIES	157.58
MIDWEST ART CONSERVATION	MEMBERSHIP	50.00
MIDWEST MOTOR EXPRESS	SERVICE	439.81
MS MAIL & MARKETING	SUPPLIES	35.00
NEVE'S	UNIFORMS	288.06
NHS OF THE BH	CONTRACT	21,725.00
ONE WAY SERVICE PROS	REPAIRS	550.90
PIZZA LAB	SERVICE	195.12
RDO EQUIPMENT	THERMOSTATE	30.82
ROGER BROOKS	PROJECT	540.00
SD ASSN. OF CODE ENFORCEME	MEMBERSHIP	40.00
SD DEPT. OF REVENUE	LICENSE	112.50
SD GOV. FINANCE OFFICERS	MEMBERSHIP	130.00
SD GOV. HUMAN RESOURCE	MEMBERSHIP	50.00
SD MUNIC. STREET MAINTENANCE	MEMBERSHIP	35.00
SD MUNICIPAL LEAGUE	MEMBERSHIP	1,216.71
SD ONE CALL	SERVICE	11.10
SD STATE HISTORIC PRESERVATION	SERVICE	51,500.00
SDN COMMUNICATIONS	SERVICE	571.20
STIOUX CITY FOUNDRY	SUPPLIES	1,250.00
THE LOADING DOCK	SERVICE	102.72
TWIN CITY HARDWARE	SUPPLIES	3,330.06
WESTERN COMMUNICATIONS	RADIO	1,011.75
WYSS ASSOCIATES	PROJECT	1,769.95
ZEP SALES	SUPPLIES	515.62
ZOMBIE ASSASSIN	PROJECT	1,370.00
	<b>TOTAL</b>	<b>\$451,202.25</b>

**ITEMS FROM CITIZENS ON AGENDA**

**Award**

Fire Chief Bill Glover presented Jeff Millard a certificate for 25 years of service as a volunteer firefighter. Commissioner Silvernail thanked Jeff for his years of service.

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### Parking

George Milos, Deadwood Chamber appeared before the Commission to request free parking in metered spaces and lots, excluding the Broadway Parking Ramp from Thursday November 28, 2013 through Thursday December 26, 2013. Peterson moved, Van Den Eykel seconded to approve the Chambers request. Roll Call: Aye-All. Motion carried.

## PUBLIC HEARING/BID OPENINGS

### Public Hearing – Spring Hills Suites

Public hearing was opened at 5:05 p.m. by Commissioner Silvernail. No one spoke in favor or against. Peterson moved, Van Den Eykel seconded to close hearing and approved the application for Package (off sale) Malt Beverage and SD Farm Wine License for SpringHill Suites by Marriott at 322 Main Street. Roll Call: Aye-All. Motion carried.

### Results

Four bids were received for the Phase four St. Ambrose Cemetery Restoration Project at 2:00 p.m. as advertised. Present at the bid opening were Mary Jo Nelson, Mike Bender and Kevin Kuchenbecker. Bid bonds were included in the following bid submittals:

Description	CAI	RANGLE CONST.	MAC CONST.	RCS CONST.
BASE BID	\$267,600.00	\$339,000.00	\$414,600.00	\$439,000.00
ALTERNATE 1	\$22,590.00	\$19,000.00	\$20,000.00	\$22,000.00
ALTERNATE 2	\$14,523.00	\$9,000.00	\$8,500.00	\$7,000.00
ALTERNATE 3	\$16,136.00	\$13,000.00	\$16,000.00	\$16,000.00
ALTERNATE 4	\$9,682.00	\$10,000.00	\$6,000.00	\$19,000.00
ALTERNATE 5	\$6,266.00	\$4,000.00	\$4,100.00	\$7,000.00
ALTERNATE 6	\$5,083.00	\$2,000.00	\$2,300.00	\$2,400.00
ALTERNATE 7	\$8,068.00	\$7,000.00	\$2,600.00	\$4,400.00
TOTAL	\$349,948.00	\$403,000.00	\$474,100.00	\$516,800.00

Kevin Kuchenbecker asked the Commission to continue until November 25, 2013 for review. Van Den Eykel moved, Peterson seconded request. Roll Call: Aye-All. Motion carried.

### Public Hearing

Peterson moved, Van Den Eykel seconded to set public hearing at 5:05 p.m. on December 2, 2013 for Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License for Bullets and Beer Saloon at 12 Lee Street. Roll Call: Aye-All. Motion carried.

### Low Bid

Van Den Eykel moved, Peterson seconded to accept low bid from Waste Connections for garbage contract and request that city attorney draft contract. Roll Call: Aye-All. Motion carried.

## FINANCE

### Payment

Peterson moved, Van Den Eykel seconded to acknowledge payment to bondholders made by First National Bank Trust in the amount of \$375,993.75 in interest and \$1,810,000.00 in principal for Historic Preservation Certificates of Participation. Roll Call: Aye-All. Motion carried.

### Permission

Peterson moved, Van Den Eykel seconded to pay annual bond trustee fees in the amount of \$9,730.25 for Historic Preservation Certificates of Participation. Roll Call: Aye-All. Motion carried.

## HISTORIC PRESERVATION/PLANNING AND ZONING

### Resolution 2013-18

Van Den Eykel moved, Peterson seconded to allow the Mayor to sign Resolution 2013-18, South Dakota Department of Transportation, Transportation Alternatives Program Grant Application Sponsorship. Roll Call: Aye-All. Motion carried.

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RESOLUTION 2013-18

SDDOT TRANSPORTATION ALTERNATIVES PROGRAM GRANT APPLICATION  
SPONSORSHIP

WHEREAS, the City of Deadwood desires assistance from the S.D. Department of Transportation Alternatives Program (TAP) for the purpose of constructing the "*Pluma: A Historic Multi-Modal Gateway – Round IP*" project consisting of non-motorized vehicular-related transportation improvements and interpretive historic transportation improvements in an area adjacent to the Mickelson Trail and near the intersection of Highway 85 and 385; and,

WHEREAS, the City Commission hereby commits to the continued maintenance of the above-referenced project; and,

WHEREAS, the City Commission commits to the local match for the project; and,

WHEREAS, the project meets all local zoning and planning regulations and ordinances; and,

WHEREAS, the City Commission hereby certifies that all land, rights-of-ways and easements needed for construction of the project are secured,

NOW THEREFORE BE IT RESOLVED that the City Commission hereby authorizes the filing of a grant application, including all understandings and assurances contained therein, for the Transportation Alternatives Grant, and hereby authorizes the Mayor to execute and act in connection with the application and to provide such additional information as may be required.

Dated this 18th day of November, 2013

ATTEST: CITY OF DEADWOOD  
/s/ Mary Jo Nelson, Finance Officer /s/ Charles Turbiville, Mayor

Change Order

Van Den Eykel moved, Peterson seconded to allow the Mayor to sign change order #2 at History and Information Center slate roof project adding \$7,640.18, bringing total contract to \$404,340.18. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Transfer

Peterson moved, Van Den Eykel seconded to transfer Cody Brotsky to assume duties of Special Project Coordinator at Deadwood Rec Center at \$10.00 an hour. Roll Call: Aye-All. Motion carried.

TROLLEY/SAFETY

Resignation

Van Den Eykel moved, Peterson seconded to accept the resignation of Richard Marsolek effective November 15, 2013. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Agreement

Van Den Eykel moved, Peterson seconded to allow the Mayor to sign agreement with Arleth and Associates for topographical survey of Lower Main Street Parking Lot. Roll Call: Aye-All. Motion carried.

Agreement

Peterson moved, Van Den Eykel seconded to allow the Mayor to sign agreement with Mac Construction for Rec Center window project. Roll Call: Aye-All. Motion carried.

Executive Session

Attorney Williams requested Executive Session for legal matters per SDCL 1-25-2 (3) and union negotiations per SDCL 1-25-2 (4) with no action.

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MAYORS BUSINESS

Application

Peterson moved, Van Den Eykel seconded to allow the Mayor to sign and submit 2014 Active Transportation Collaboration application. Roll Call: Aye-All. Motion carried.

Contract

Van Den Eykel moved, Peterson seconded to allow the Mayor to sign contract with Roger Brooks International in the amount of \$22,000.00, to be paid from Business Improvement District 7. Roll Call: Aye-All. Motion carried.

Contract

Van Den Eykel moved, Peterson seconded to allow the Mayor to sign contract with Berberich Design for wayfinding design services in the amount of \$29,420.00, to be paid from Historic Preservation. Historic Preservation Officer Kuchenbecker stated that an ordinance was passed, application sent to SDDOT and this agreement is to provide design service for the process of becoming a wayfinding community. Roll Call: Aye-All. Motion carried.

First Reading

Peterson moved, Van Den Eykel seconded to approve the first reading of Ordinance #1200 to reformat street names and building numbers. Zoning Administrator Nelson Jr. stated this ordinance is from Police and Fire Departments to make sure all buildings are identified properly and are able to be seen from the street. Roll Call: Aye-All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioner Silvernail congratulated and thanked Saloon #10 and Keep Calm and Chive On South Dakota Group for raising \$20,000.00 for Gunner, the baby from New Underwood.

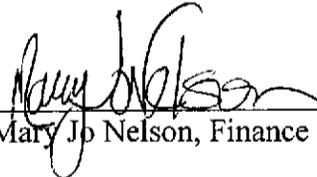
ADJOURNMENT

Peterson moved, Van Den Eykel seconded to adjourn the regular session at 5:20 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2 (3) and union negotiations per SDCL 1-25-2 (4). The next regular meeting will be at 5:00 p.m. on Monday November 25, 2013.

After coming out of executive session, Peterson moved, Van Den Eykel seconded to adjourn.

ATTEST:

DATE: \_\_\_\_\_

  
Mary Jo Nelson, Finance Officer

BY:   
Charles M Turbiville, Mayor



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