

REGULAR MEETING, October 15, 2013

The Regular Session of the Deadwood City Commission convened on October 15, 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 Terri Williams and Commissioners Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel. Commissioner Joe Peterson was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Todd seconded to approve the minutes of September 30, 2013 and special meeting on October 9, 2013. Roll Call: Aye-All. Motion carried.

SEPTEMBER, 2013 PAYROLL: COMMISSION, \$2,756.76; FINANCE, \$14,205.81; PUBLIC BUILDINGS, \$2,057.87; POLICE, \$48,256.94; FIRE, \$4,396.80; BUILDING INSPECTION, \$3,522.96; STREETS, \$24,943.13; PARKS, \$23,701.64; PLANNING & ZONING, \$3,890.68; LIBRARY, \$5,592.06; RECREATION CENTER, \$11,775.06; HISTORIC PRESERVATION, \$13,022.39; WATER, \$12,363.72; MT. MORIAH, \$5,430.72; PARKING METER, \$11,018.81; TROLLEY, \$19,545.35; PARKING RAMP, \$5,952.40; RUBBLE SITE, \$2,740.50. **PAYROLL TOTAL: \$215,173.60.**

SEPTEMBER, 2013 PAYROLL PAYMENTS:

Internal Revenue Service, \$52,897.52; S.D. Retirement System, \$20,946.98; Delta Dental, \$3,616.64

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded to approve the October 15, 2013 disbursements. Roll Call: Aye-All. Motion carried.

A-1 SEWER	INSPECTION	2,330.08
AINSWORTH-BENNING	PROJECT	75,289.52
ALCO	SUPPLIES	19.98
ALL NET	SERVICE	78.75
ALSCO	SUPPLIES	45.36
ARMSTRONG EXTINGUISHER	SERVICE	79.00
ATCO	SUPPLIES	249.00
BARCO PRODUCTS	SUPPLIES	1,290.72
BIERSCHBACH EQUIPMENT	SUPPLIES	516.85
BH CHEMICAL	SUPPLIES	431.48
BH PIONEER	SERVICE	751.62
BH WILBERT VAULT	DISINTERMENT	600.00
BUTLER MACHINERY	SUPPLIES	236.31
CENTRAL PARTS	SUPPLIES	408.65
CENTURY LINK	SERVICE	349.16
CHAINSAW CENTER	SUPPLIES	109.03
CHANEY-MOODIE, JEANETTE	REIMBURSEMENT	148.39
DAKOTA SECURITY	SERVICE	523.14
DAKTRONICS	SYSTEM	19,005.00
DATA FLOW	FORMS	152.22
DEADWOOD ELECTRIC	SERVICE	262.18
DEMCO	SUPPLIES	152.92
EMERY-PRATT	BOOKS	406.38
EPCO ENVIRONMENTAL	SUPPLIES	536.16
FARMER BROTHERS	SUPPLIES	55.25
FASTENAL	SUPPLIES	119.99
FREEMAN'S ELECTRIC	SERVICE	1,080.64
GENE'S LOCK SHOP	SERVICE	126.50
GLOVER, WILLIAM	REIMBURSEMENT	350.00
GRACE BALLOCH MEMORIAL	REPLACEMENT	28.94
GREAT WESTERN TIRE	REPAIR	120.00
HEARTLAND PAPER	SUPPLIES	297.07
INTERSTATE BATTERY	BATTERIES	554.40
JACOBS WELDING	SERVICE	712.09
KELLY SERVICES	STAFFING	1,419.29
KNECHT	SUPPLIES	170.43
LAKER CHEMICAL	SUPPLIES	1,264.50
LAWRENCE CO. REGISTER	RECORD	60.00
LEAD-DEADWOOD SANITARY DIS	USAGE	29,197.45
M&M SANITATION	RENTAL	512.50
MERTENS, KENNETH	REIMBURSEMENT	277.08
MIDWEST TAPE	DVD'S	312.86
MDU	UTILITIES	1,971.70
MS MAIL	BROCHURES	100.00
NAPA	SUPPLIES	2,841.44
NATIONAL FIRE PROTECTION	SUPPLIES	480.55
NORTHWEST PIPE FITTINGS	SUPPLIES	115.75
OTIS ELEVATOR	CONTRACT	113.31
PETTY CASH	LIBRARY	76.00
PINNACLE CARPET	CLEANING	877.50
POSITIVE PROMOTIONS	SUPPLIES	858.31
RCS	PROJECT	62,981.50
SD STATE TREASURER	TAX	3,840.17
SDN COMMUNICATIONS	SERVICE	571.20
SERVALL	SUPPLIES	1,730.10
STURDEVANT'S	SUPPLIES	155.78
TESSIERS	PROJECT	80,693.95

REGULAR MEETING, October 15, 2013

TOM'S T'S	SUPPLIES	38.70
TRIPLE K	SERVICE	275.49
TRUGREEN	SERVICE	1,368.50
TWILIGHT	SUPPLIES	534.85
WASTE CONNECTIONS	SERVICE	7,561.43
WEST RIVER INTERNATIONAL	SUPPLIES	31.52
WOW	SERVICE	2,343.24
ZIEGLER	SERVICE	139.20
	TOTAL	\$310,331.08

ITEMS FROM CITIZENS ON AGENDA

Proclamation

The Mayor read a proclamation declaring the month of October Physical Therapy Month.

Review

Sue Konstant with Pace Strategic Development gave the Commission a six-month review and progress report on the Capital Improvement Plan. She presented the objectives of the six-month review, which included review of the Annual CIP Planning Timeline, examining CIP mechanisms, evaluating the CIP Key Assumptions, CIP Priorities, assessing the Action Steps viability, identifying the current CIP Committee challenges, and developing solutions. The next meeting will be in March 2014. Mayor Turbiville thanked Sue for her time.

Permission

Silvermail moved, Todd seconded to allow VFW Post 5969 to sell liquor and beer at Deadwood Pavilion on October 19, 2013 for a pool tournament. Roll Call: Aye-All. Motion carried.

Parking

Mayor Turbiville summarized some of the operating expenses in Parking and Transportation Fund, costs to repair lots, and number of existing free parking spaces in Deadwood. He also reviewed revenue figures in the fund. Mike Trucano on behalf of Deadwood Business Club, presented the Commission with a presentation concerning free parking at Lower Main Parking lot. He stated there were four areas that the Club tracked during the 90-day trial, which were municipal sales tax, Broadway structure experience, trolley revenue, and remaining parking meters. He said the sales tax was ahead of 2012 but the Broadway, trolley and remaining meters were below 2012. Trucano said the summary of the financial experience exceeded the total by \$48,386.00 of what the Club expected based on trends. In 2012, the Lower Main Lot for the trail period generated \$17,019.00; however, the expected revenue for 2013 if collected was to be \$14,000. Trucano believes we need to put the personalities and politics aside and recognize that free parking in Lower Main lot is a good thing and will benefit the residents, guests and employees. He asked that the City consider removing the meters permanently. Georgette O'Hayen, Kevin Johnson, Mike Gould, Dale Berg, Sharon Martinesko, Tom Blair, Chris LaMont, Tom Hill on behalf of Richard Pluimer, Randy Nelson, Gary Keene and Mike Gustafson expressed concern about downtown Deadwood and are in favor of free parking. Mayor Turbiville said to be fair to everyone he would like to defer any decisions until we have all the information. Ron Island asked why the meters were put back in after the 90-day trial was over. Turbiville replied the trial period was over and important for the City to maintain income. He believes we have an obligation to the taxpayers to try to come up with as much revenue as possible. He asked the people that would like the meters removed "How to you propose to replace the \$230,000.00?" The answers were to cut expenses, \$5.00 parking during special events, and \$5.00 punch passes for the trolley. Commissioner Van Den Eykel stated he talked to several business and residents that are against the meters at Lower Main Lot, also has been working with Parking and Transportation to build a new visitor center and possible relocation of the Chamber which would make a great gateway into our community. After much discussion Van Den Eykel moved, Todd seconded to remove the meters from Lower Main Parking Lot effective immediately. Roll Call: Aye-Todd, Van Den Eykel. Nay-Silvermail, Turbiville. Motion died due to lack of majority.

REGULAR MEETING, October 15, 2013

PUBLIC HEARINGS/BID OPENINGS

Public Hearing-Deadweird

Public hearing was opened at 6:04 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce requested approval for the following event:

Friday, October 25, 2013

Silvernail 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 5:00 p.m. to 10:00 p.m. No one spoke in opposition. Roll Call: Aye-All. Motion carried.

Saturday October 26, 2013

Silvernail moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on October 25, 2013 from 2:00 p.m. to 10:00 p.m. No one spoke in opposition. Roll Call: Aye-All. Motion carried.

Public Hearing-Veterans Appreciation

Public hearing was opened at 6:06 p.m. by Mayor Turbiville. Rhonda Van Den Eykel requested approval for the following event:

Street Closure

Van Den Eykel moved, Todd seconded to approve the street closure for the Veterans & Military Appreciation Parade on Main Street from the Four Aces to Masonic Temple and Pine Street to Sherman Street on Saturday, November 09, 2013 from 1:45 p.m. to 2:30 p.m. or until the parade ends. No one spoke in opposition. Roll Call: Aye-All. Motion carried.

Request

Silvernail moved, Van Den Eykel seconded to refrain from writing parking tickets at meters from November 9 through November 11, 2013. Roll Call: Aye-All. Motion carried.

FINANCE

Raffle

Deadwood Business Club will be selling raffle tickets until November 9, 2013 with proceeds donated to Avenue of Flags at National Cemetery, Wounded Warriors, and South Dakota Fallen Heroes. Not action taken.

HISTORIC PRESERVATION/PLANNING AND ZONING

Permission

Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign engagement letter with Ketel Thorstenson to perform agreed-upon procedures for Revolving Loan program. Roll Call: Aye-All. Motion carried.

Approval

Van Den Eykel moved, Todd seconded to approve the proposal from Albertson Engineering to provide topographic survey and preliminary design plans for Connector Trail between Mickelson Trailhead and proposed Powerhouse Park. Roll Call: Aye-All.

Information

Historic Preservation Officer Kuchenbecker told the Commission the Depot roof repair is delayed due to weather but will continue in the spring.

Hire

Van Den Eykel moved, Silvernail seconded to hire Dave Stafford Architecture to develop plans and specs for Adams Museum repairs and restoration at a cost of \$10,000.00. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, October 15, 2013

Agreement

Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign Transportation Alternatives Program Agreement for Round One Project: to design and construct 450 foot long, 10 foot wide section of Mickelson Trail near 410 Cliff Street. Estimated local match \$29,314.00. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/PARKS AND REC/PUBLIC BUILDINGS

Permission

Silvernail moved, Van Den Eykel seconded to order two sets of motor grader chains at a cost of \$45,000.00 Roll Call: Aye-All. Motion carried.

Rec Center

Public Works Director Raysor informed the Commission he received an invoice from Associated Supply Company, Inc. for ultraviolet light repair in the amount of \$4,727.94, which exceeds quoted amount of 41921.65 plus approximate labor cost of \$300.00. He believes the technician stripped the casing and is asking the City to replace when damage was done by contractor. Raysor recommended the City pay the quoted amount, and referred issue to legal counsel. Attorney Williams suggested City proceed with paying the quoted amount and see if the company would cover remainder. Van Den Eykel moved, Silvernail seconded to approve the quoted amount and allow attorney to look into further. Roll Call: Aye-All. Motion carried.

Information

Public Works Direct Raysor informed the Commission damaged trees can be dropped off at Parks Department lot for disposal and may have to add additional spot at the Days of '76. Residents may also take the trees to the dump at no charge until November 15, 2013. Deadwood resident asked Raysor if we could revisit this issue in the spring for the trees that are not within reach due to snow cover and Raysor agreed to do so. Tracy Sandidge would like to work with the City on this issue and Turbiville directed him to contract Raysor.

POLICE/FIRE/LIBRARY

Hire

Silvernail moved, Todd seconded to hire Lili Sjomeling as Collections Intern at rate of \$8.00 per hour effective October 16, 2013, position to be funded by Historic Preservation. Roll Call: Aye-All. Motion carried.

Permission

Silvernail moved, Todd seconded to allow Dustin Schumacher to travel to Pierre for Instructor Development Training on October 28 through November 1, 2013 at no cost other than use of vehicle. Roll Call: Aye-All. Motion carried.

TROLLEY/SAFETY

Permission

Todd moved, Silvernail seconded to allow the following employees to attend the Safety Conference in Mitchell, SD on November 20 and 21, 2013: Robert Nelson, Sr., Ken Hawki, Robert Nelson, Jr., Caitlyn Engebretson and Robert Radenslaben. Cost is \$65.00 registration fee and \$18.00 for meals for each employee, plus use of city vehicle. Roll Call: Aye-All. Motion carried.

Hire

Todd moved, Silvernail seconded to hire Tom Kruzel as a seasonal trolley driver at \$9.31 an hour effective October 15, 2013 pending pre-employments drug screening. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Agreement

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign agreement with Dr. Diane France for cranial casting. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, October 15, 2013

Agreement

Silvernail moved, Todd seconded to allow the Mayor to sign agreement with Conrad's Bid "C" Signs, Inc. to restore Tootsie sign. Roll Call: Aye-All. Motion carried.

Agreement

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign agreement with NMD Venture, LLC for parking at the Broadway Parking Ramp. Roll Call: Aye-All. Peterson abstained. Motion carried.

MAYORS BUSINESS

Receipt

Mayor Turbiville said the amount of \$462,471.15 was receipted into General Fund from sale of former grocery store on October 2, 2013. Ron Island asked how the sale proceeds went from \$775,000.00 to \$462,000.00. Turbiville said an agreement was made by the City and Larry Woolsten in which the City agreed to pay the former lessors the amount of \$250,000.00 if they would release the lease. He added that this agreement was signed before he became Mayor. Island asked Mayor if he had a conflict of interest since he is also employed as Deadwood Economic Development Director. Mayor Turbiville replied that he does not have a conflict. Roll Call: Aye-All. Motion carried.

Snow Removal

Mayor Turbiville told the Commission the City would not enforce snow removal on sidewalks until Monday or Tuesday.

ITEMS FROM CITIZENDS NOT ON AGENDA

Mike Trucano thanked Commission, Mayor and Street Department for snow removal.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Chief Kelly stated residents on Williams Street and Forest Avenue can pick up parking permits for the Broadway Ramp at the Police Department.

Commissioners and Department Heads thanked the Streets and Parks employees for the snow removal.

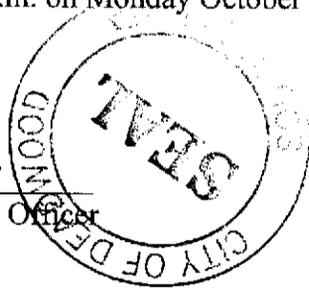
Commissioner Silvernail recognized the City employees on the safety committee for receiving the Gold Achievement Award for 2013.

ADJOURNMENT

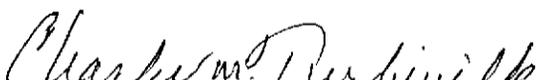
Silvernail moved, Todd seconded to adjourn the regular session at 6:40 p.m. The next regular meeting will be at 5:00 p.m. on Monday October 21, 2013.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: Oct. 21, 2013

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____