

REGULAR MEETING, October 5, 2015

The Regular Session of the Deadwood City Commission convened on October 5, 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., Mark Speirs, Gary Todd and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Todd moved, Speirs seconded to approve the minutes of September 21, 2015 and amended minutes of August 24, 2015. Roll Call: Aye-All. Motion carried.

SEPTEMBER, 2015 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$16,472.85; PUBLIC BUILDINGS, \$4,995.34; POLICE, \$51,310.16; FIRE, \$4,820.92; BUILDING INSPECTION, \$3,345.70; STREETS, \$28,159.49; PARKS, \$18,930.84; PLANNING & ZONING, \$4,676.36; LIBRARY, \$6,119.58; RECREATION CENTER, \$10,530.62; HISTORIC PRESERVATION, \$12,916.61; WATER, \$14,349.96; MT. MORIAH, \$6,078.38; PARKING METER, \$8,739.00 TROLLEY, \$21,601.83; PARKING RAMP, \$5,148.04; RUBBLE SITE, \$3,031.95. **PAYROLL TOTAL: \$223,958.39**

SEPTEMBER, 2015 PAYROLL PAYMENTS:

Internal Revenue Service, \$55,333.76; S.D. Retirement System, \$22,603.20; Delta Dental, \$3,759.20

APPROVAL OF DISBURSEMENTS

Ruth moved, Speirs seconded to approve the September 21, 2015 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE	244.19
ABC BUSINESS	SUPPLIES	230.60
ALERT-ALL	SUPPLIES	185.00
ALL AROUND AUTO	SUPPLIES	526.92
ALPHABET SIGNS	SIGN	205.00
ARLETH LAND SURVEYING	PROJECT	457.50
ASSOCIATED SUPPLY	SUPPLIES	740.82
BH CHEMICAL	SUPPLIES	368.10
BH POWER	SERVICE	24,534.20
BH SECURITY	SERVICE	194.70
BH SPECIAL SERVICE	CLEANING	2,115.00
BUTLER MACHINERY	SUPPLIES	261.83
CAI CONSTRUCTION	PROJECT	29,313.01
CENTURY BUSINESS	MAINTENANCE	350.35
CENTURY LINK	SERVICE	382.62
CHAINSAW CENTER	SUPPLIES	64.02
CHANEY-MOODIE, JEANETTE	REIMBURSEMENT	145.02
COCA COLA	SUPPLIES	631.65
CULLIGAN	SUPPLIES	284.50
CUSTOM DECOR MASONRY	REPAIR	1,796.75
DALES TIRE	SUPPLIES	1,142.00
DATA FLOW	SUPPLIES	176.70
DEADWOOD ELECTRIC	PROJECT	835.16
FARMER BROTHERS	SUPPLIES	83.60
FASTENAL	SUPPLIES	98.59
FMG ENGINEERING	PROJECT	5,320.00
FULLER, KELLY	REIMBURSEMENT	426.62
GALLS	UNIFORMS	165.06
GOLDEN WEST	SERVICE	433.50
GREAT WESTERN TIRE	SUPPLIES	219.00
GRIMM'S PUMP	SERVICE	266.38
HAWKINS	CHEMICALS	1,031.60
HD SUPPLY	SUPPLIES	291.90
HELMIN, MATT	MEETINGS	200.00
HERSRUDS	SUPPLIES	316.01
INTEGRATED PARKING	MAINTENANCE	3,456.00
INTERSTATE BATTERY	SUPPLIES	214.50
J. SCULL CONSTRUCTION	PROJECT	490,218.88
JACOBS WELDING	SIGNS	144.76
JULIN, SUZANNE	PROJECT	1,950.00
KUCHENBECKER, KEVIN	REIMBURSEMENT	251.44
LAWRENCE CO. REGISTER	FEES	360.00
LAWRENCE TITLE	FEES	300.00
LESTER, ROB	REIMBURSEMENT	1,804.50
LEWIS, TRACY	PROJECT	2,340.12
LIBERTY NATIONAL	TIF	81.58
LIGHTING MAINTENANCE	SUPPLIES	277.50
MERTENS, KENNETH	REIMBURSEMENT	293.72
MIDWEST TAPE	DVD	161.93
MDU	SERVICE	2,404.93
MUTUAL OF OMAHA	INSURANCE	229.31
NEIGHBORHOOD LENDING	SERVICE	147.20
NEVE'S	UNIFORMS	686.39
NORTHWEST PIPE FITTINGS	SUPPLIES	1,781.26
OTIS ELEVATOR	MAINTENANCE	120.81
PASSPORT PARKING	METERS	38.50
PEPPMEIER, JANICE	REIMBURSEMENT	543.15

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PETTY CASH	LIBRARY	49.00
PIKE, MATTHEW	PROJECT	469.39
PITNEY BOWES	LEASE	237.93
PITNEY BOWES	POSTAGE	500.00
QUILL	SUPPLIES	119.70
RC JOURNAL	SUBSCRIPTION	283.40
RASMUSSEN MECHANICAL	PROJECT	1,628.22
ROCKMOUNT RESEARCH	SUPPLIES	734.20
S&C CLEANERS	CLEANING	700.00
SCHMIDT, WILLIAM	PROJECT	2,884.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SEMAPHORE	SOFTWARE	105.50
SERVALL	SUPPLIES	1,217.73
SD HISTORICAL	SERVICE	360.00
STRETCH'S	SERVICE	866.95
THIS OLD HOUSE	RENEWAL	10.00
TOMS, DON	PROJECT	630.00
TRIDLE, JOHN	REIMBURSEMENT	47.65
TROUTON, JEFF AND LAUREN	PROJECT	800.00
TRUGREEN	SERVICE	947.25
TSP	PROJECT	6,936.54
TURBIVILLE INDUSTRIAL	SUPPLIES	103.95
TURBIVILLE, CHARLES	REIMBURSEMENT	195.30
TWILIGHT	SUPPLIES	281.26
TWIN CITY HARDWARE	SUPPLIES	6,523.72
VAN DIEST SUPPLY	SUPPLIES	671.50
VAST	SERVICE	1,245.66
VERIZON	METERS	40.01
WELLMARK	INSURANCE	39,521.63
WESTERN STATES FIRE	INSPECTION	225.00
	TOTAL	\$650,209.87

ITEMS FROM CITIZENS ON AGENDA

Proclamation

The Mayor read a proclamation declaring October 5 and every Monday in October as World Habitat Day in the City of Deadwood. Renee Keech gave a brief description about World Habitat.

Petition

Tim Johns presented a petition of Annexation and requested that the City adopt a resolution of intent to annex and enter into a development agreement. Johns also requested that the City schedule a public hearing on Resolution of Intent to Annex property. Todd moved, Speirs seconded to approve the petition of Annexation and set a public hearing on October 19, 2015. Roll Call: Aye-Speirs, Todd, Van Den Eykel, Turbiville. Ruth recused himself from discussion and voting. Motion carried.

Permission

Troy Fairbanks, Buffalo Dreamers, brought information requested to the Commission and asked for street closure on Main Street through December 1, 2015. He stated he met with Trolley Manager Nelson Sr. and discussed trolley stop times at different locations on Main Street. Commission was not in favor of Main Street location but suggested alternative locations. Commissioner Ruth thanked Fairbanks for bringing the information forward. After further discussion Todd moved, Ruth seconded to allow Buffalo Dreamers to perform at the Interpretive Center through October 31 contingent upon signed agreement. Roll Call: Aye-All. Motion carried.

Amanda Kille, Deadwood Chamber, asked Commission to allow Deadwood Chamber to use Interpretive Lot from 7:00 a.m. to 9:30 a.m. on October 12 for Great American Auto Race. Kille gave a brief description of the event. Ruth moved, Speirs seconded request. 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 for Mayor to sign contract with Dakota Prairie Landscapes LLC for Mickelson Trail drainage (approved September 21, 2015)
- B. Permission to increase wage for Police Reserve Casey Nelson from \$12.14 an hour to \$12.66 an hour effective October 2, 2015 after 3 years of service.
- C. Permission for Mayor to sign Oakridge Certificates of Purchase and Warranty Deeds for Geraldine Nelson and David and Claudia Fredericksen.
- D. Fire Prevention Week Proclamation October 4 through 10, 2015.
- E. Allow trolley to participate in Homecoming parade on October 16.

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- F. Permission for Mayor to sign contract with Genesee Valley Daoist Hermitage to transcribe documents pertaining to Wing Tsue Emporium at cost not to exceed \$2,000.00, to be paid from Archives budget.
- G. Purchase 5500 gallons of gas from Southside for \$2.44 per gallon for total cost of \$13,420.00.
- H. Permission for Mayor to sign an easement with Deadwood Hospitality Resort, LLC for work that contractor will be doing for the Mickelson Trail Drainage project.
- I. Permission to hire Cady Harrington as a part-time Collections Intern at \$8.50 an hour beginning October 12, 2015 pending necessary pre-drug screening requirements.
- J. Permission for the Mayor to sign Professional Services Agreement with Albertson engineering for increase in services as approved September 21, 2015.

PUBLIC HEARINGS

Public hearing was opened at 5:13 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Todd moved, Van Den Eykel seconded to approve the street closure on Main Street from Four Aces to Masonic Temple on October 16 from 2:00 p.m. until parade ends for Lead-Deadwood High School Homecoming Parade. Roll Call: Aye-All. Motion carried.

Set

Sarah Anderson, Deadwood Chamber, asked the Commission to set an additional public hearing in conjunction with Deadweird. Todd moved, Ruth seconded to set public hearing on October 19 at 5:00 p.m. for street closure, Main Street from Deadwood to Pine from 6:00 p.m. to 10:00 p.m. on October 31 and close Main Street from Wall to Deadwood from 1:00 p.m. to 4:00 p.m. instead of 10:00 p.m., which was previously approved. Roll Call: Aye-All. Motion carried.

OLD BUSINESS

Discussion

Discussion continued concerning noise ordinance #1229. Mayor Turbiville stated members of the Commission, Police Department, Bob Nelson Sr., Mike Trucano, and Tim Conrad met Tuesday September 29 to perform decibel testing at several locations around the community. Mike Trucano presented a handout to the Commission, and spoke about concerns as a resident dealing with the proposed ordinance. Yancy DeVeer spoke about first amendment rights and was opposed to proposed ordinance. After much discussion, Mayor Turbiville stated more meetings will be held to address noise levels and will be discussed at a later date.

NEW BUSINESS

Participation

Finance Officer Nelson stated during the Economic Development meeting, housing study was discussed and several non-profits and cities would like to participate. Van Den Eykel moved, Ruth seconded to participate in Housing Needs Study and cost-share incentive program with City of Lead, Lead-Deadwood Economic Development and other contributing area agencies, not to exceed \$1,000.00. Roll Call: Aye-All. Motion carried.

Contract

Todd moved, Speirs seconded to contract with Armstrong Extinguisher Service for \$4,414.00 to perform the annual maintenance service on fire extinguishers throughout city property. Roll Call: Aye-All. Motion carried.

Approve

Speirs moved, Ruth seconded to approve Deadwood Historic Preservation Commission's recommendation to award St. Ambrose Catholic Church a nonprofit grant in the amount of \$36,845.00 for the repair and replacement of the concrete steps on the south side of the church. Commissioner Van Den Eykel questioned why only one bid was received. Roll Call: Aye-Ruth, Speirs, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

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Change order

Van Den Eykel moved, Ruth seconded to approve Change Order for the Rodeo Grounds Concessions and Restrooms with Scull Construction in the amount of \$16,842.27 per recommendation of City Staff and Stafford Architecture for necessary construction directives to complete the project. Commissioner Todd questioned why this amount was not in the initial bid. Historic Preservation Officer Kuchenbecker stated additional electrical and communications were required and future needs were not included in the original plan. Roll Call: Aye-All. Motion carried.

Resignation

Todd moved, Ruth seconded to accept resignation of Laura Floyd from the Fassbender Photographic Collection Board of Directors and announce opening to the general public. Mayor Turbiville stated interested parties should contact Historic Preservation Officer Kuchenbecker. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville stated appointment is needed on Planning and Zoning Commission. Interested parties please submit letter of interest to Bob Nelson Jr. at 108 Sherman Street.

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

Commissioner Speirs thanked the Library staff for the Festival of Books, thanked the Chamber and Parks department for Oktoberfest, and thanked Deadwood Alive for the shootout performance during the Festival of Books and Oktoberfest.

ADJOURMENT

Van Den Eykel moved, Todd seconded to adjourn the regular session at 6:16 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2 (1) with possible action. The next regular meeting will be on Monday October 19, 2015.

After coming out of executive session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2(1) the following motions were made.

Ruth moved, Speirs seconded to increase wage of Rhonda McGrath to \$15.99 per hour effective October 5, 2015.

Speirs moved, Ruth seconded to direct City Attorney to draft letter to States Attorney Fitzgerald in response to open meeting complaint.

Speirs moved, Todd seconded to adjourn at 6:35 p.m.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: Oct. 20, 2015

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____