

REGULAR MEETING, AUGUST 20, 2018

A special budget meeting of the Deadwood City Commission convened at noon on August 13, 2018, 102 Sherman Street, Deadwood, South Dakota. Mayor Turbiville began the meeting with the following Commissioners present: Commissioners Charlie Struble, Gary Todd, David Ruth Jr., and Sharon Martinisko. Department Heads, Ronda Morrison, Jerry Pontius and Fire Chief Rakow were also present. Commission reviewed each fund in detail, discussed current debt, intent to pay off sales tax bond early in December of 2019, and studied Capital Improvement Plan expenditures as presented by Bob Nelson Jr. Commissioners also directed Finance Officer to include capital outlay cash designations in budget for Fire, Streets and Parks departments. No motions were made. Finance Officer will continue to amend working budget, working toward first reading of appropriation ordinance on September 4. Meeting ended at 3:00 p.m.

The Regular Session of the Deadwood City Commission convened on Monday, August 20, 2018 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 Sharon Martinisko, David Ruth Jr., Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Todd moved, Ruth seconded to approve the minutes of August 6, 2018. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Struble moved, Martinisko seconded to approve the August 20, 2018 disbursements. Roll Call: Aye-All. Motion carried.

| | | |
|---------------------------|---------------|-----------|
| A & B BUSINESS | CONTRACT | 45.58 |
| ACE HARDWARE | SUPPLIES | 83.93 |
| ACE INDUSTRIAL | SUPPLIES | 1,697.32 |
| AFFORDABLY CREATIVE | SERVICE | 2,200.00 |
| ALBERTSON ENGINEERING | PROJECT | 3,782.00 |
| ALPINE IMPRESSIONS | SERVICE | 65.00 |
| AMANO MCGANN | SUPPLIES | 1,964.75 |
| AMAZON | SERVICE | 838.06 |
| ATCO INTERNATIONAL | SUPPLIES | 467.77 |
| BH CHEMICAL | SUPPLIES | 6,571.52 |
| BH PIONEER | SUBSCRIPTION | 1,116.16 |
| BH SECURITY | SERVICE | 969.03 |
| BH WINDOW CLEANING | CLEANING | 1,655.00 |
| BRICHER, FRANK | PROJECT | 1,016.94 |
| BROKEN BOOT GOLD MINE | GRANT | 9,994.92 |
| BUTLER MACHINERY | SUPPLIES | 79.11 |
| CAMPBELL SUPPLY | SUPPLIES | 197.64 |
| CHRIS SUPPLY | SUPPLIES | 66.46 |
| CNA SURETY | RENEWAL | 50.00 |
| COCA COLA | SUPPLIES | 2,550.00 |
| CULLIGAN | SUPPLIES | 192.50 |
| DAKOTA PLAYGROUND | SUPPLIES | 168.50 |
| DEADWOOD ELECTRIC | SERVICE | 1,037.76 |
| DVFD | REIMBURSEMENT | 22.66 |
| EAGLE ENTERPRISES | SUPPLIES | 649.50 |
| EMERY-PRATT | BOOKS | 177.46 |
| FORGEY CONSTRUCTION | PROJECT | 5,976.90 |
| GALLS | UNIFORMS | 203.81 |
| GARDNER CONSTRUCTION | PROJECT | 595.00 |
| GASPER, MARTIN | PROGRAM | 754.11 |
| GENPRO | SUPPLIES | 396.00 |
| GERVING CONSTRUCTION | PROJECT | 19,441.10 |
| GOLDEN WEST | SERVICE | 987.50 |
| GRIFFITH, LAWRENCE | REIMBURSEMENT | 602.98 |
| GRIMM'S PUMP | SUPPLIES | 274.24 |
| HAWKINS | SUPPLIES | 988.50 |
| HILLYARD | SUPPLIES | 75.29 |
| INTERSTATE ENGINEERING | PROJECT | 4,002.95 |
| IT STRAPS ON | SUPPLIES | 126.89 |
| JACOBS WELDING | SERVICE | 1,733.44 |
| KDSJ | ADS | 160.00 |
| KONE | MAINTANENCE | 455.40 |
| LAWSON PRODUCTS | SUPPLIES | 558.75 |
| LEAD-DEADWOOD GIRLS | REFUND | 500.00 |
| LEAD-DEADWOOD SANITARY | USAGE | 33,856.99 |
| LESTER, ROB | REIMBURSEMENT | 622.82 |
| LIGHTING PLASTICS | SUPPLIES | 3,571.25 |
| LYNN'S | SUPPLIES | 253.65 |
| M&M SANITATION | RENTAL | 455.00 |
| MACROVISION | VIDEO | 700.00 |
| MARTINISKO, SHARON | REIMBURSEMENT | 21.00 |
| MIDWEST TAPE | DVDS | 216.31 |
| MDU | SERVICE | 17.60 |
| MS MAIL | SERVICE | 4,186.10 |
| NEIGHBORHOOD HOUSING | CONTRACT | 4,002.50 |
| NETWORK SERVICES | SUPPLIES | 305.93 |
| NEWELL MUSEUM | GRANT | 4,000.00 |
| NORTHERN HILLS TECHNOLOGY | SERVICE | 32.50 |
| NORTHERN TOOL | SUPPLIES | 321.94 |

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| ONE WAY SERVICE | PROGRAM | 2,538.39 |
| OWENS INTERSTATE | SUPPLIES | 182.33 |
| PANNIER | PANELS | 1,186.00 |
| PASSPORT LABS | METERS | 258.75 |
| PETTY CASH | FINANCE | 129.74 |
| PETTY CASH | HP | 89.44 |
| PITNEY BOWES | SUPPLIES | 254.97 |
| QUIK SIGNS | SIGNS | 355.36 |
| QUILL | SUPPLIES | 72.99 |
| RAPID DELIVERY | DELIVERY | 41.12 |
| RUNGE, MIKE | REIMBURSEMENT | 32.31 |
| RUSHMORE COMMUNICATIONS | SUPPLIES | 2,292.40 |
| SANITATION PRODUCTS | SUPPLIES | 445.56 |
| SCOTT PETERSON MOTORS | SUPPLIES | 137.45 |
| SD COMMISSION ON GAMING | CITY SLOTS | 29,829.55 |
| SD DEPT. OF CORRECTIONS | FIREWISE | 7,203.01 |
| SD DEPT. OF REVENUE | TAX | 7,921.92 |
| SHAW FIRE | SUPPLIES | 149.00 |
| SILVERNAIL, GEORGEANN | PROGRAM | 1,295.51 |
| SPEARFISH AUTO SUPPLY | SUPPLIES | 159.98 |
| SPECIALTY VEHICLES | SUPPLIES | 114.21 |
| SPEIRS, MARK | PROJECT | 2,142.86 |
| STRUBLE, ALEA | REIMBURSEMENT | 215.04 |
| STURDEVANT'S | SUPPLIES | 500.86 |
| THE LORD'S CUPBOARD | RECYCLING | 82.08 |
| TOMS, DON | PROJECT | 500.00 |
| TRAILS WEST FINE ART | PROJECT | 1,569.60 |
| TRIPLE K | SERVICE | 586.56 |
| TWIN CITY HARDWARE | SUPPLIES | 270.63 |
| TWIN CITY HARDWARE | GRANT | 1,248.73 |
| TYLER TECHNOLOGIES | MAINTENANCE | 14,595.48 |
| UMENTHUM, KEITH | PROGRAM | 3,815.00 |
| UNITED CHURCH OF CHRIST | GRANT | 4,000.00 |
| VERIZON NETWORKFLEET | SERVICE | 138.90 |
| VIEHAUSER ENTERPRISES | SERVICE | 607.68 |
| VIGILANT BUSINESS | INVESTIGATION | 246.00 |
| WASTE CONNECTIONS | SERVICE | 7,619.95 |
| WESTERN COMMUNICATIONS | SUPPLIES | 1,485.00 |
| WL CONSTRUCTION | SUPPLIES | 919.90 |

TOTAL \$223,290.28

ITEMS FROM CITIZENS ON AGENDA

Thank you

Students from Box Elder Job Corp presented the City with a plaque in appreciation for their support of Job Corp. Mayor Turbiville thanked the students for their hard work and dedication, and expressed city's appreciation for the partnership between the two entities.

CONSENT

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

- A. Permission for Mayor to sign contract with DocuTek, Inc. to digitize/microfilm ledger books for City of Deadwood at cost not to exceed \$7,848.00. (budgeted in Archives)
- B. Permission for Mayor to sign Loan Agreement with Jay Hoagland of DocuTek for microfilm/digitization project
- C. Permission for Mayor to sign Loan Agreement with Case Library, Black Hills State University from August 1, 2018 to December 31, 2018 to digitize Lawrence County tax records from 1880 to 1900
- D. Accept letter of retirement from Mary Jo Nelson effective October 12 and advertise for Finance Officer position
- E. Permission to purchase new tire chains for sanding/plow truck from Rud-Chain at cost of \$2,567.44 from Streets budget
- F. Permission for Mayor to sign documents related to three (3) temporary and permanent easements for ADA curb ramps as indicated in Maintenance and Encroachment Agreement #614780, Highway 14A from Railroad Avenue east to junction of Highway 85
- G. Replace conveyer belt for snow blower from Leeboy at cost not to exceed \$5,300.00 from Streets budget
- H. Permission for Mayor to sign agreement with RCS Construction for 55 Taylor Street retaining wall in the amount of \$79,000.00 (approved on July 16)
- I. Permission for Mayor to sign agreement with MAC Construction for Upper Main Street Archway project at cost of \$102,500.00 (approved on August 6)
- J. Permission to pay Mehlberg Construction for stone veneer installed on Cliff Street PRV building in the amount of \$2,550.25, to be paid from HP General maintenance

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PUBLIC HEARINGS

Oktoberfest

Public hearing was opened at 5:03 p.m. by Mayor Turbiville. Sarah Kryger, Deadwood Chamber of Commerce, was present to answer questions. No comments received, hearing closed.

Ruth moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street from Tin Lizzies Gaming Resort 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 83 Sherman Street from 5:00 p.m. to 10:00 p.m. on Friday, October 5, 2018. Roll Call: Aye-All. Motion carried.

Martinisko moved, Ruth seconded to allow the relaxation of the open container ordinance for same area as approved on Friday, October 5, from noon to 10:00 p.m. on Saturday, October 6, 2018. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to approve street closure on Main Street from Wall Street to Deadwood Street, including some adjacent side streets from 9:00 a.m. to 6:00 p.m., waiver of vending fees from 11:00 a.m. to 6:00 p.m. and waiver of banner fees for Deadwood Chamber on Saturday October 6, 2018. Roll Call: Aye-All. Motion carried.

Deadweird Events

Public hearing was opened at 5:05 p.m. by Mayor Turbiville. Sarah Kryger, Deadwood Chamber of Commerce, was present to answer questions. No comments received, hearing closed.

Ruth moved, Martinisko seconded to allow the relaxation of the open container ordinance on Main Street from Tin Lizzies Gaming Resort 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. on Friday, October 26, 2018. Roll Call: Aye-All. Motion carried.

Martinisko moved, Struble seconded to allow the relaxation of the open container ordinance for same area as approved on October 26 from 12:00 p.m. to 10:00 p.m. on Saturday, October 27, 2018. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to approve street closure on Main Street from Wall Street to Deadwood Street, including some adjacent side streets from 5:00 p.m., Saturday, October 27 to 4:00 a.m. on Sunday, October 28, and Deadwood Street to Pine Street from 5:00 p.m. to 10:00 p.m. on Saturday October 27, 2018. Roll Call: Aye-All. Motion carried.

Wild West Songwriters

Mayor Turbiville opened the public hearing 5:07 p.m. Sarah Kryger, Deadwood Chamber, was present to answer questions. No comments received, hearing closed.

Ruth moved, Struble seconded to allow the relaxation of the open container ordinance on Main Street from the Tin Lizzie Gaming Resort 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 83 Sherman Street from 5:00 p.m. to 10:00 p.m. on Friday, October 12, 2018. Roll Call: Aye-All. Motion carried.

Martinisko moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on October 12 from 12:00 p.m. to 10:00 p.m. on Saturday, October 13, 2018. Roll Call: Aye-All. Motion carried.

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NEW BUSINESS

Ordinance

Ruth moved, Martinisko seconded to approve first reading of Ordinance #1278 Amending portion of Chapter 2.04, Mayor and Commission regarding agenda, roll call and executive session. Finance Officer Nelson stated amending ordinance also brings city in compliance with state law. Roll Call: Aye-All. Motion carried.

Payment

Martinisko moved, Ruth seconded to allow payment of annual renewal fee to Black Hills Pioneer for Deadwood Welcome Center kiosks and mobile app at cost of \$20,250.00, to be paid from HP Advocate line item. Historic Preservation Officer Kuchenbecker stated there is a contract in place and this renewal is budgeted. Roll Call: Aye-All. Motion carried.

Contracts

Martinisko moved, Ruth seconded to enter into contract and allow Mayor to sign contract with Lowe Roofing Inc. to remove and replace Deadwood Recreation and Aquatics Center roof at cost of \$179,815.00. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to enter into contract and allow Mayor to sign contract with Lowe Roofing Inc. to remove and replace Deadwood Library roof at cost of \$56,130.00. Roll Call: Aye-All. Motion carried.

Ruth moved, Martinisko seconded to enter into contract and allow Mayor to sign contract with Armour Roofing to replace steel roof with shingles at Days of 76 Museum at cost of \$30,270.72. Roll Call: Aye-All. Motion carried.

Resolution

Martinisko moved, Ruth seconded to approve Resolution 2018-21 to Determine Need for Construction Manager at Risk for Public Gathering Space. Roll Call: Aye-All. Motion carried.

RESOLUTION 2018-21 RESOLUTION DETERMINING NEED FOR USE OF NON-EMPLOYEE CONSTRUCTION MANAGER AT RISK FOR THE CITY OF DEADWOOD

WHEREAS, SDCL 5-18B-44 authorizes the City of Deadwood to engage in the services of a construction manager under certain circumstances; and

WHEREAS, The City of Deadwood desires to engage the services of a construction manager with extensive experience with the construction manager at risk for the design, construction management and construction of a public gathering space; and

WHEREAS, the City of Deadwood has determined that it is in the public interest to utilize the services of a construction manager; and

WHEREAS, the City of Deadwood has determined that the construction management services would not unreasonably duplicate and would be in addition to the normal scope of separate architect or engineer contracts; and

NOW, THEREFORE, BE IT RESOLVED that the Deadwood City Commission hereby authorizes the Planning and Preservation Office to issue a Request for Proposal with procedures for preparing, submitting, evaluating and negotiating proposals for the services of a construction manager-at-risk for the purpose of creating a public gathering space.

Dated this 20th day of August, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Proposals

Ruth moved, Martinisko seconded to allow Request for Proposals for firms in conjunction with Public Gathering Space Construction Manager at Risk. Proposals will be due on September 20, 2018 by 5:00 p.m. Roll Call: Aye-All. Motion carried.

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Permission

Martinisko moved, Ruth seconded to allow Mayor to sign Grant Recipient or Subrecipient Attestation in conjunction with Governor's Office of Economic Development in the amount of \$300,000.00 for expenses related to planning for public square project. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Sarah Kryger, Deadwood Chamber, thanked the Commission and City staff in advance for help during Kool Deadwood Nites.

Chief Fuller thanked Fire and Public Works Departments for their assistance during Shriners parade.

Commissioner Todd expressed concerns with Cadillac Jacks signage. He stated he has received several complaints as well.

Commissioner Ruth thanked the City for their support with Shriners parade.


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

ADJOURNMENT

Struble moved, Todd seconded to adjourn the regular session at 5:28 p.m. convene into Executive Session for legal matters per SDCL 1-25-2(3) with possible action, union negotiations per SDCL 1-25-2 (4), and personnel matters per SDCL 1-25-2 (1) with no action. The next regular meeting will be on Tuesday, September 4, 2018.

After coming out of executive session at 6:12 p.m., Martinisko moved, Ruth seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 9-5-18

BY: 

Charles M Turbiville, Mayor

Published once at the total approximate cost of _____