

## REGULAR MEETING, JUNE 18, 2018

The Regular Session of the Deadwood City Commission convened on Monday, June 18, 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

Struble moved, Ruth seconded to approve the minutes of June 4, 2018. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Todd moved, Martinisko seconded to approve the June 18, 2018 disbursements. Roll Call: Aye-All. Motion carried.

ACE INDUSTRIAL	SUPPLIES	4,268.60
AFFORDABLY CREATIVE	SERVICE	2,450.00
ALBERTSON ENGINEERING	SERVICE	6,290.31
ALPINE IMPRESSIONS	SHIRTS	755.32
AMAZON	SERVICE	241.68
ATCO INTERNATIONAL	SUPPLIES	486.31
BICKLE TRUCK	SERVICE	525.23
BIESIOT, TONY	MEETINGS	175.00
BILL FETERL	SERVICE	1,458.00
BH AMMUNITION	AMMUNITION	874.04
BH CHEMICAL	SUPPLIES	1,540.22
BH ENERGY	SERVICE	27,049.49
BH PIONEER	ADS	1,023.50
BRANDON INDUSTRIES	SIGNS	1,476.00
BUTLER MACHINERY	SUPPLIES	481.38
CAMPBELL SUPPLY	SUPPLIES	166.96
CARBO, ELIZABETH	REIMBURSEMENT	76.50
CENTURY BUSINESS	CONTRACT	431.02
CHRIS SUPPLY	SUPPLIES	280.92
COCA COLA	SUPPLIES	40.00
CONOVER, MICHAEL	PROJECT	5,384.70
CONVERGINT TECHNOLOGIES	SERVICE	44.64
CULLIGAN	SUPPLIES	238.50
DAKOTA TREE SPRAYING	SERVICE	9,000.00
DEADWOOD ALIVE	JUNE	20,000.00
DEADWOOD CHAMBER	BILL LIST	25,867.69
DEADWOOD ELECTRIC	SERVICE	2,273.60
DEADWOOD GRANITE	HEADSTONE	800.00
DEADWOOD HISTORY	CAMP	3,000.00
EAGLE ENTERPRISES	SUPPLIES	943.19
EMERY-PRATT	BOOKS	30.35
FASTENAL COMPANY	SUPPLIES	923.30
FENTON, KRIS	REIMBURSEMENT	22.62
FERBER ENGINEERING	SERVICE	1,941.10
FISH, VERONICA	REPRINT	300.00
FLACK TRUCKING	SERVICE	400.00
FORGEY CONSTRUCTION	PROJECT	31,169.03
FRITZMEYER, LYLE	REIMBURSEMENT	95.85
GALLS	SHIRTS	308.82
GARDNER CONSTRUCTION	SERVICE	1,717.50
GASPER, MARTIN	GRANT	4,015.81
GLOBAL EQUIPMENT	SUPPLIES	596.04
GLOVER, SANDY	REIMBURSEMENT	36.52
GOLDEN WEST	SERVICE	987.50
GRACE LUTHERAN	GRANT	1,407.27
GUNDERSON, PALMER, NELSON	SERVICE	5,207.20
HILLYARD	SUPPLIES	248.73
INTERSTATE ENGINEERING	SERVICE	2,204.38
JACOBS WELDING	SERVICE	349.86
KDSJ	ADS	280.00
KONE	MAINTENANCE	455.40
LAWRENCE CO. EQUALIZATION	PICTOMETRY	6,839.16
LAWRENCE CO. REGISTER	FEE	30.00
LAWSON PRODUCTS	SUPPLIES	153.05
LEAD-DEADWOOD SANITARY	CONSUMPTION	28,784.75
M&M SANITATION	RENTAL	403.39
MARCO	CONTRACT	454.71
MARTINISKO, JOHN	MEETINGS	150.00
MIDWEST TAPE	DVDS	54.72
MITCHELL TECHNICAL	SCHOLARSHIP	500.00
MITZI'S BOOKS	BOOKS	73.52
MS MAIL	SERVICE	1,488.05
NAMMINGA, LYNN	REIMBURSEMENT	45.32
NEIGHBORHOOD HOUSING	CONTRACT	3,247.50
NETWORK SERVICES	SUPPLIES	332.52
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
NORTHWEST PIPE FITTINGS	SUPPLIES	544.16
OCHSE, ANN	GRANT	2,007.26
PARTSMASTER	SUPPLIES	73.12
PASSPORT	METERS	125.75
PFARR, RANDY	REIMBURSEMENT	40.13
PITNEY BOWES	LEASE	250.05
QUICK TROPHY	PLATES	51.38
QUIK SIGNS	SIGNS	743.37
QUILL	SUPPLIES	829.07

## REGULAR MEETING, JUNE 18, 2018

RAPID DELIVERY	SERVICE	38.82
RASMUSSEN MECHANICAL	SERVICE	983.36
RECREATION SUPPLY	SUPPLIES	96.48
RED ROOF INN	CONFERENCE	57.00
REGIONAL HEALTH	TESTING	380.00
RICH, BILL	MEETINGS	175.00
ROLLING STONE	SUBSCRIPTION	34.95
RUNGE, BRETT	MEETINGS	150.00
SCHMITZ, JOE	REIMBURSEMENT	528.63
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DEPT. OF CORRECTIONS	FIREWISE	4,402.89
SD DEPT. OF REVENUE	TAX	4,243.89
SD MUNICIPAL LEAGUE	WORKSHOP	100.00
SD ONE CALL	SERVICE	48.16
SD POLICE CHIEFS'	SUPPLIES	280.00
SD STATE HISTORICAL	MEMBERSHIP	50.00
SDSM&T	SCHOLARSHIP	1,000.00
SHEDD, JIM	MEETINGS	175.00
SIMON MATERIALS	SUPPLIES	243.54
SOUTHSIDE OIL	GASOLINE	14,360.22
SOUTHSIDE SERVICE	SERVICE	96.15
STURDEVANT'S	SUPPLIES	1,150.30
SUBWAY	SERVICE	278.00
SUMMIT SIGNS	SIGNS	213.00
TCF EQUIPMENT	TROLLEYS	9,400.86
TDG COMMUNICATIONS	SIGNS	75.00
TOMS, DON	PROJECT	500.00
TREWHELLA, MISTY	REIMBURSEMENT	219.70
TWILIGHT	SUPPLIES	267.49
TWIN CITY ANIMAL SHELTER	SPAY/NEUTER	3,250.00
TWIN CITY HARDWARE	SUPPLIES	9.18
TWIN CITY HARDWARE	GRANT	991.55
ULINE	SUPPLIES	222.65
UNIVERSITY OF SIOUX FALLS	SCHOLARSHIP	1,000.00
VERIZON NETWORKFLEET	SUPPLIES	151.15
WALL STREET JOURNAL	SUBSCRIPTION	197.94
WASTE CONNECTIONS	SERVICE	7,616.09
WEM	DEPOSIT	500.00
WESTERN STATES FIRE	REPAIR	571.99
WHITE'S CANYON MOTORS	SERVICE	550.00
WL CONSTRUCTION	SUPPLIES	819.98
WWHA	MEMBERSHIP	60.00

TOTAL \$300,525.71

## ITEMS FROM CITIZENS ON AGENDA

### Thank you

Mayor Turbiville read a thank you letter from Emily Wheeler, thanking the city for assistance during the Deadwood Mickelson Marathon.

### Request

Ruth moved, Martinisko seconded to allow Deadwood History to serve complimentary beer and wine for Big Thank You Event at Adams Museum on September 12 from 5:00 p.m. to 7:00 p.m. Roll Call: Aye-All. Motion carried.

### Update

Kevin Kuchenbecker updated Commission on efforts of negotiating committee to acquire Century Link building. He stated their position is the same today as twelve months ago: they would be willing to donate the building but requested payment of over 4 million dollars to move switching station to Lead. Kuchenbecker also stated the committee asked if CenturyLink would consider making the building more compatible to historic district and possibly adding public restrooms, which may be a possibility in the next few years.

### CONSENT

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

- A. Allow Finance Officer to write annual check from BID #7 Fund to Tentexkota after June 20 remittances have been received. Amount owed to date is \$481,750.70.
- B. Approve Special Alcohol License for Cadillac Jacks to serve liquor at Event Complex Friday, September 7 and Saturday, September 8 from 5:00 p.m. to 9:00 p.m. for Deadwoods All In Freestyle Motocross Event. No public hearing necessary since license is on publicly owned property.
- C. Allow use of public property at Event Complex on Monday, September 3 through Sunday, September 9 for Deadwoods All In Freestyle Motocross Show. Deposit was received.
- D. Accept resignation of Jhamel Smith as Community Services Officer effective June 4, 2018.



## REGULAR MEETING, JUNE 18, 2018

- E. Permission to advertise for Community Services Officer for five days and then outside sources if necessary.
- F. Permission to hire Liz Schweigert as Library Assistant at \$16.34 per hour effective June 25, 2018 pending pre-employment screening
- G. Pay budgeted amount of \$6,000.00 to Lead Chamber of Commerce for Gold Camp Jubilee Days from Bed and Booze Fund
- H. Pay budgeted amount of \$65,000.00 to Days of '76 Rodeo: \$60,000.00 from Historic Preservation and \$5,000.00 from Bed and Booze Fund
- I. Purchase 5500 gallons of gasoline from Southside at cost of \$2.61 per gallon
- J. Approve special license and allow Optimist Club to serve beer at the History and Interpretive Center on Thursday, August 23 from 3:00 p.m. to 10:00 p.m. during Kool Deadwood Nites
- K. Permission for Mayor to sign renewal of annual agreement between South Dakota School for the Deaf and City for office space at History and Info Center at \$250.00 per month
- L. Approve paying Deadwood Electric \$3,064.77 for repairs to street lighting underground infrastructure damaged during the Pavilion Project
- M. Permission to pay Forgey Construction for replacing concrete panels on 3 Stewart Street to facilitate fixing water line leak at cost of \$3,396.31 from Streets budget
- N. Allow Mayor to sign agreement with Forcoli and Sons to paint 53 light poles at cost of \$6,760.22 to be paid from HP Capital Assets (budgeted)
- O. Permission for Mayor to sign annual parking lease with NMD Ventures for twelve (12) spaces at Broadway Parking Structure in the amount of \$1,200.00 per month plus tax.
- P. Permission for Mayor to sign annual lease with Deadwood Gaming Association to use portion of History and Information Center at cost of \$250.00 per month
- Q. Contract with Mehlberg Construction to do concrete work and repairs at Event Complex for \$2,550.35, including excise tax
- R. Permission to enter into loan agreements for the following dates; Redfield Carnegie Library for traveling baseball panels from July 1, 2018 to August 31, 2018 and American Legion Baseball Class B State Tournament Banquet on July 31, 2018.

## BID ITEMS

### Results

Todd moved, Struble seconded to enter into three-year city slot machine lease with the Lodge at Deadwood for \$97,500.00 annually with one option to renew and allow Mayor to sign agreement. Finance Officer Nelson stated auction was held on June 11 as advertised, with four bidders. Roll Call: Aye-All. Motion carried.

### Set

Ruth moved, Martinisko seconded to set bid opening for retaining wall at 55 Taylor on July 12, 2018 at 2:00 p.m. with results to Commission on July 16, 2018. Roll Call: Aye-All. Motion carried.

Martinisko moved, Ruth seconded to set bid opening for Upper Main Archway Project on July 12, 2018 at 2:15 p.m. with results to Commission on July 16, 2018. Roll Call: Aye-All. Motion carried.

## PUBLIC HEARINGS

### Camaro Rally

Public hearing was opened at 5:10 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Martinisko moved, Struble seconded to approve parking on Main Street from Celebrity to Mineral Palace (southwest side only) and Wall to Lee Street (northwest side only) from 5:00 p.m. to 9:00 p.m. on Friday, June 22, 2018. Roll Call: Aye-All. Motion carried.

### Poker Run

Public hearing was opened at 5:12 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Todd moved, Martinisko seconded to approve parking on Main Street from Wall to Lee Street (southwest side only) from 6:00 p.m. to 10:00 p.m. on Sunday, June 24, 2018. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, JUNE 18, 2018

### Parade

Public hearing was opened at 5:13 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Ruth moved, Struble to approve street closure on Main Street from Tin Lizzie Gaming Resort to the Masonic Temple from 3:00 p.m. until the parade ends on Wednesday, July 4, 2018. Roll Call: Aye-All. Motion carried.

### Public Hearing Set

Martinisko moved, Struble seconded to set a public hearing on July 2 to consider exchange of city owned property at Pavilion for Franklin Motor Lodge property to construct community gathering place. Roll Call: Aye-All. Motion carried.

## OLD BUSINESS

### Trash Issue

City Attorney Riggins explained that in addition to current ordinance, he also reviewed the Deadwood Downtown Design Guidelines, which states in part that trash receptacles should be grouped in enclosures and should be simple in design. Riggins added the issue before the Commission is how to proceed with enforcement when so many areas are non-compliant. Commissioner Ruth commented he would like to appoint a committee for further input and discussion, and added his goal is to eliminate selective enforcement. Mayor Turbiville's position is that ordinance is impractical to enforce and requested that Main Street Initiative take on the issue as well. Ruth moved, Struble seconded to appoint Bob Jr., Kevin Kuchenbecker, Commissioner Ruth and Attorney Riggins to a committee to discuss and return at a later date.

## NEW BUSINESS

### Ordinances

Ruth moved, Martinisko seconded to approve first reading of Ordinance #1274, Amending Chapter 2.24.030, Residency Policy. Roll Call: Aye-All. Motion carried.

Martinisko moved, Ruth seconded to approve second reading of Ordinance #1275 to Revise Chapter 5.04 Alcoholic Beverages. Roll Call: Aye-All. Motion carried.

After update on proposed changes from business owner Olivia Jacobs, Todd moved, Ruth seconded to approve first reading of Ordinance #1276 to Amend Chapter 8.12, Noise Ordinance. Roll Call: Aye-All. Motion carried.

### Recommendation

Struble moved, Todd seconded to accept recommendation of Library Board and appoint Vicky Buss to fill position vacated by Ashley Marske for three-year term ending December, 2021 and reappoint Linda Frederick for three year term ending December, 2021. Roll Call: Aye-All. Motion carried.

### Contract

Todd moved, Martinisko seconded to contract with Sacrison Paving to repair parts of Dunlop Avenue around the Street shop in the amount of \$14,946.50 (based on quantities) and direct attorney to prepare contract. Public Works Director Green stated he obtained three quotes. Roll Call: Aye-All. Motion carried.

### Property

Martinisko moved, Struble seconded to surplus property adjacent to Carolyn White property/Shine Street and utilize Deadwood Economic Development to facilitate the transfer of property. Legal Description: Lot 2C of Block 23, Formerly the North Half and South Half of the Southwesterly 20 feet of Lot 2 and the Northeasterly Five Feet of lot 2, Block 23, Original Town of Deadwood; City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

### Notice


Todd moved, Ruth seconded to accept 30 day written notice provided on June 15, 2018 from Lamont Companies to terminate Broadway Parking Structure Lease Agreement. Ruth reminded Commission about necessary parking requirements per zoning ordinance. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, JUNE 18, 2018**

**ADJOURNMENT**

Martinisko moved, Struble seconded to adjourn the regular session at 5:38 p.m. The next regular meeting will be on Monday, July 2, 2018.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: July 3, 2018  
BY: Charles M. Turbiville  
Charles M Turbiville, Mayor

Published once at the total approximate cost of \_\_\_\_\_

