

REGULAR MEETING, APRIL 16, 2018

The Regular Session of the Deadwood City Commission convened on Monday, April 16, 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 David Ruth Jr., Mark Speirs, Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Todd moved, Struble seconded to approve the minutes of April 2, 2018. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Struble moved, Ruth seconded to approve the April 16, 2018 disbursements. Roll Call: Aye-All. Motion carried.

10-8 VIDEO	CAMERA SYSTEM	2,075.45
A & B BUSINESS	COPIER	7,040.62
AFFORDABLY CREATIVE	PROJECT	1,900.00
AMANO MCGANN	PAY STATION	72,495.00
AMAZON	SERVICE	180.23
ARBOR DAY FOUNDATION	MEMBERSHIP	15.00
ATCO INTERNATIONAL	SUPPLIES	199.00
BH CHEMICAL	SUPPLIES	446.68
BH ENERGY	SERVICE	31,965.27
BH PIONEER	ADS	1,270.09
BH SECURITY	REPAIR	664.80
CAMPBELL SUPPLY	SUPPLIES	197.64
CARPET BUYERS OUTLET	PROJECT	266.99
CENTURY BUSINESS	CONTRACT	454.00
CHAINSAW CENTER	SUPPLIES	818.10
COCA COLA	SUPPLIES	174.00
CONOVER, MICHAEL	PROJECT	836.51
CULLIGAN	SUPPLIES	222.00
DAKOTA SEALANTS	SERVICE	1,200.00
DATA FLOW	CHECKS	225.13
DEADWOOD CHAMBER	BILL LIST	113,106.25
DEADWOOD-LEAD ECONOMIC	ALLOCATION	48,000.00
ECOLAB	SERVICE	94.05
EPCO ENVIRONMENTAL	SUPPLIES	8.04
FASTENAL	SUPPLIES	196.02
FIRST INTERSTATE BANK	TIF PAYMENT	3,752.26
FREEMAN'S ELECTRIC	SERVICE	4,100.00
GALLS	SUPPLIES	691.08
GENESEE VALLEY DAOIST	SERVICE	75.00
GOLDEN WEST	SERVICE	987.50
GOVERNMENT FINANCE OFFICER	RENEWAL	160.00
GRIMM'S PUMP	SUPPLIES	4,363.68
HAMPTON INN	MEETING	582.00
HOMETOWN TROLLEY	SUPPLIES	66.27
IWORQ	SETUP	4,250.00
JACK'S TRUCK	SERVICE	728.78
JOLLY LANE	BASKETS	2,160.00
JUSTICE FIRE	MAINTENANCE	200.00
KDSJ	ADS	160.00
KONE	MAINTENANCE	455.40
LEAD-DEADWOOD SANITARY	USAGE	27,489.92
LIBERTY NATIONAL BANK	TIF PAYMENTS	134,247.68
LIGHT AND SIREN	SUPPLIES	4,141.00
LYNN'S	SUPPLIES	35.88
M&M SANITATION	RENTAL	220.00
MACROVISION	VIDEOS	200.00
MERTENS, KENNETH	REIMBURSEMENT	74.21
MORRISON, RONDA	REIMBURSEMENT	83.99
NEIGHBORHOOD HOUSING	CONTRACT	3,307.50
NETWORK SERVICES	SUPPLIES	199.88
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
POWERPLAN	RIM	109.72
PUBLIC SAFETY SOURCE	CONSOLE	495.00
QUALITY SERVICES	MONITORING	110.40
QUIK SIGNS	DECALS	258.19
RAPID DELIVERY	DELIVERY	60.38
REGIONAL HEALTH	TESTING	54.00
RUNGE, MIKE	REIMBURSEMENT	110.13
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DEPT. OF CORRECTIONS	FIREWISE	4,870.30
SD DEPT. OF MOTOR VEHICLES	TITLE	21.20
SD DEPT. OF REVENUE	TAX	3,606.18
SD ONE CALL	SERVICE	22.40
SD POLICE CHIEFS	TESTS	205.00
SOUTHSIDE SERVICE	SERVICE	1,051.45
SPEARFISH HUSKY	SUPPLIES	312.00
STURDEVANT'S	SUPPLIES	1,019.70
TCF EQUIPMENT FINANCE	TROLLEYS	10,122.30
TDG COMMUNICATIONS	SERVICE	30.00
THE LORD'S CUPBOARD	RECYCLING	36.86
TOM'S T'S	TSHIRTS	353.70
TOMS, DON	PROJECT	1,000.00
TWILIGHT	SUPPLIES	196.49
VANWAY TROPHY	PLAQUE	59.70
VERMILLION CHAMBER	CONFERENCE	20.00

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VIEHAUSER ENTERPRISES
VIGILANT BUSINESS
WASTE CONNECTIONS

KEYS
SCREENING
SERVICE

68.98
353.00
7,616.09

TOTAL \$536,421.75

Mayor Turbiville presented Mark Speirs with a plaque for his service as commissioner and wished him well.

ITEMS FROM CITIZENS ON AGENDA

Proclamations

Joann Eastman requested Mayor Turbiville sign the Proclamation for Arbor Day. Joann invited everyone to the tree planting at the welcome sign on Upper Main Street at 9:00 a.m. on May 4.

Mayor read a proclamation declaring the month of May as Wildland Fire Awareness Month in Deadwood.

Requests

Lee Harstad on behalf of Buffalo Chip Campground requested Main Street closure from Deadwood Street to Pine Street from 9:00 p.m. to 10:30 p.m. on Thursday May 3. Speirs moved, Ruth seconded to allow street closure. Roll Call: Aye-All. Motion carried.

Lee Harstad, Deadwood Chamber, requested free parking at metered spaces for Kool Deadwood Nites registered cars during event. Harstad stated registered vehicles would display sign on the dash. Speirs moved, Struble seconded to approve request. Roll Call: Aye-All. Motion carried.

Kevin Kuchenbecker on behalf of Deadwood Alive requested consideration of license for operation of Deadwood Stagecoach from Memorial Day through Labor Day, Monday through Saturday from 1:00 p.m. to 6:00 p.m., except for major scheduled events, pending proof of insurance and other ordinance requirements. He explained the route and schedule. Speirs moved, Ruth seconded to approve request. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to set public hearing on April 25 at 4:45 p.m. for Elks Lodge Special Alcohol License in regard to Neighborworks event from 5:00 p.m. to 8:00 p.m. on Thursday, April 26, 2018 at Masonic Temple. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Purchase trailer from Chain Saw Center for Parks Department in the amount of \$5,970.00 (budgeted)
- B. Permission to pay Arleth Land Surveying \$2,870.00 from Planning and Zoning professional service budget to complete planning phase of Mickelson Trail platting
- C. Approve Special Alcohol License for Saloon #10 to serve liquor at Event Complex Thursday, June 7 through Saturday, June 9 for PBR Event. No public hearing necessary since license is on publicly owned property.
- D. Acknowledge interest payment of \$78,000.00 on 2009 Sales Tax Revenue Bond by ACH on May 31, 2018
- E. Remove Archives Intern Evangeline Tarway from payroll effective April 1, 2018
- F. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Yvonne Foreman and Robert J. and Barb Schallenkamp
- G. Accept quote and allow Mayor to sign proposal from Interstate Engineering to develop details for mitigation plan approved by FEMA on February 28, 2018 for cold storage building on Timm Lane at cost not to exceed \$2,500.00. Cost to be paid from Public Buildings budget.
- H. Permission to purchase two sets of chains for sander from Rud-Chain at cost of \$2,520.50 from Streets (budgeted)
- I. Approve purchase of cigarette ash urns from Victor Stanley at total cost of \$2,871.00 to be paid from HP capital Assets
- J. Renew and allow Mayor to sign contract with Macrovision, LLC to provide marketing and media management services at cost of \$50.00 per hour, to be paid from Historic Preservation
- K. Approve Request for Qualifications for Main Street Master plan with deadline for RFQ submission on May 23, 2018

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- L. Permission to apply for RTP Grant for the Whitewood Creek Boardwalk Reconstruction 2019-2020
- M. Permission to apply for DOT Access Grant for Crescent Street Reconstruction 2019-2020
- N. Permission to hire the following seasonal trolley employees pending pre-employment screening: Herb Cowart at \$12.06 per hour, Doug Magnuson and Linda Kottke at \$13.40 per hour
- O. Transfer Parking ramp employees Lyle Fritzmeier to part time trolley driver position at \$13.40 per hour and Karla Cameron to part time Finance Office position at \$11.61 per hour.
- P. Permission to hire Greg Nelson for seasonal position to assist with maintenance of historic properties at \$11.03 per hour effective May 7, 2018
- Q. Permission to hire Jacob Schlinkert for part time Rec Center front desk position at \$9.48 per hour, effective May 5, 2018, pending pre-employment drug screen

BID ITEMS

Report

Commissioners Ruth and Todd both confirmed the information received from meetings held with interested parties would not affect the future plans that may develop concerning the demolition of Pavilion and feel confident to move forward. Attorney Riggins explained state law concerning the bid process.

Bids (continued from April 2, 2018)

Ruth moved, Speirs seconded to accept low bid from RCS Construction in the amount of \$416,503.10 for Pavilion Demolition and Parking Lot Construction with substantial completion date of June 14, 2018. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Sunday Event Series

Public hearing was opened at 5:17 p.m. by Mayor Turbiville. Lee Harstad, Deadwood Chamber on behalf of BID 8, explained the event and asked to change open container to zone one instead of Deadwood Street for a three-week trial. After discussion among Mr. Harstad and Commission concerning open container, hearing closed. Since request was different than official public notice, Harstad was directed to return to next Commission meeting for his request.

Ruth moved, Struble seconded to approve street closure on Deadwood Street from Main Street to Pioneer Way from 2:00 p.m. to 6:00 p.m. on the following Sundays: June 17, June 24, July 1, July 8, July 15, July 22, July 29, August 19, September 2 and September 9, 2018. Roll Call: Aye-All. Motion carried.

Ruth moved, Struble seconded to allow open container on Deadwood Street between Main Street and Pioneer Way on Sunday June 17 from 2:00 p.m. to 6:00 p.m., with the request to set public hearing on May 7 for open container in zone one. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to allow open container on Deadwood Street between Main Street and Pioneer Way on Sunday June 24 from 2:00 p.m. to 6:00 p.m., with the request to set public hearing on May 7 for open container in zone one. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to allow open container on Deadwood Street between Main Street and Pioneer Way on Sunday June 17 from 2:00 p.m. to 6:00 p.m., with the request to set public hearing on May 7 for open container in zone one. Roll Call: Aye-All. Motion carried.

3 Wheeler Rally

Public hearing was opened at 5:26 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Speirs moved, Struble seconded to allow special full temporary liquor license for Cheyenne Crossing on Tuesday July 10 through Saturday July 14 from 2:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Northern Hills Community Band

Public hearing was opened at 5:27 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Speirs moved, Ruth seconded to approve the street closure on Main Street from Pine to Deadwood Street on Thursday July 26, 2018 from 6:15 p.m. to 7:45 p.m., and use of

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portico at History Interpretive Center Saturday July 28, 2018 beginning at 12:00 p.m. for the Northern Hills Community Band performance for the Days of 76 concerts. Roll Call: Aye-All. Motion carried.

PBR Pro Event

Public hearing was opened at 5:28 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed.

Speirs moved, Ruth seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Thursday, June 7, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Friday, June 8, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container ordinance at the Event Complex from noon to 10:00 p.m. on Saturday, June 9, 2018. Roll Call: Aye-All. Motion carried.

Mustang Rally

Public hearing was opened at 5:29 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed.

Struble moved, Ruth seconded to approve street closure on Main Street from Wall to Deadwood Street from 10:00 a.m. to 1:00 p.m. on Thursday, August 30, 2018. Roll Call: Aye-All. Motion carried.

Mustang Monday

Public hearing was opened at 5:30p.m. by Mayor Turbiville. Lee Harstad, Deadwood Chamber was available to answer questions. Hearing closed.

Todd moved, Struble seconded to approve the waiver of user fees for use of Event Complex on Monday, August 27 and Tuesday, August 28, 2018 and special full temporary liquor license for Deadwood Chamber on Monday, August 27. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container at the Event Complex on Monday, August 27, 2018. Roll Call: Aye-All. Motion carried.

Rope for the Gold

Public hearing was opened at 5:31p.m. by Mayor Turbiville. Lee Harstad, Deadwood Chamber, and Lynn Odland were available to answer questions. Hearing closed.

Todd moved, Speirs seconded to approve the waiver of user fees for use of Event Complex on Thursday, June 14 through Monday, June 18, 2018. Roll Call: Aye-All. Motion carried.

Wagon Train

Public hearing was opened at 5:37p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed.

Struble moved, Speirs seconded to approve the waiver of user fees for use of Event Complex on Saturday, August 18 and Sunday, August 19, 2018. Roll Call: Aye-All. Motion carried.

Shrine Circus

Public Hearing was opened at 5:38 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed.

Todd moved, Struble seconded to waive user and vending fees for Event Complex for the NAJA Shrine Circus event on Saturday, June 30, 2018. Roll Call: Aye-All. Motion carried.

Days of 76

Public hearing was opened at 5:39 p.m. by Mayor Turbiville. Members Chris and Pat Roberts were present to answer any questions. Hearing closed.

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Speirs moved, Ruth seconded to allow the relaxation of the open container at the Event Complex on Saturday, July 21, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container at the Event Complex on Sunday, July 22, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container at the Event Complex on Monday, July 23, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container at the Event Complex on Tuesday, July 24, 2018. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to allow the relaxation of the open container at the Event Complex on Wednesday, July 25, 2018. Roll Call: Aye-All. Motion carried.

Struble moved, Todd seconded to allow the relaxation of the open container at the Event Complex on Thursday, July 26, 2018. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Friday, July 27, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Saturday, July 28, 2018. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to approve the use of the Event Complex Wednesday, July 18 through Wednesday, August 1, street closure on Main Street from Masonic Temple to Tin Lizzies Gaming Resort and a portion of 14A from Tin Lizzies Gaming Resort to Event Complex from 1:00 p.m. until parade ends on Friday July 27, and from 9:30 a.m. until parade ends on Saturday, July 28, waiver of vending fee on Tuesday, July 24 through Saturday July 28, 2018, and special full temporary liquor license for Days of 76 on Tuesday, July 24 through Saturday, July 28, 2018. Roll Call: Aye-All. Motion carried.

Steer Roping

Public hearing was opened at 5:42 p.m. by Mayor Turbiville. Members Chris and Pat Roberts were present to answer any questions. Hearing closed.

Speirs moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Saturday, August 18, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to allow the relaxation of the open container at the Event Complex on Sunday, August 19, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Monday, August 20, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to allow the relaxation of the open container at the Event Complex on Tuesday, August 21, 2018. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to approve the use of the Event Complex, waiver of vending fee and special full temporary liquor license for Days of 76 on August 19 through August 21, 2018. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Ordinance #1272

Todd moved, Ruth seconded to approve second reading of Ordinance #1272 Creating Business Improvement District 8. Roll Call: Aye-All. Motion carried.

Billboard Sign

City Attorney Riggins informed Commission that Barefoot Resort has not returned contract, nor have they made monthly payments for billboard lease. He also wrote them a letter, and deadline for compliance has passed. After discussion, Speirs moved, Struble seconded to direct the Street Department to remove billboard from city property. Roll Call: Aye-All. Motion carried.

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Purchase

Speirs moved, Struble seconded to approve purchase of GeoEvent server from ESRI in the amount of \$19,000.00 and professional services of Ferber Engineering for development, training and technical services at cost not to exceed \$20,000.00. Cost will be allocated from Parking and Transportation Fund for \$25,000.00, Historic Preservation Fund for \$14,000.00. Historic Preservation Officer Kuchenbecker explained the purchase would create an on-line map for trolley service to better serve visitors. Roll Call: Aye-All. Motion carried.

Purchase

Ruth moved, Speirs seconded to approve purchase of barrier handler from Kenco Inc. in the amount of \$4,142.00 including freight for boom truck to set and remove crowd safety barriers, to be paid from Streets Dept. (unbudgeted). Roll Call: Aye-All. Motion carried.

Purchase

Ruth moved, Speirs seconded to approve purchase of 15 crowd control barriers not to exceed \$5,000.00 to be used during street closures, made from colored concrete and designed in such a manner for pedestrians to safely navigate around. Expenditure will be paid from Bed and Booze fund (unbudgeted). Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- Mayor Turbiville gave an update on speed reduction request to South Dakota Department of Transportation. He stated the public hearing will be held on May 24
- Earth Day Highway Cleanup on April 21, 2018 from 9:00 a.m. to noon. Interested volunteers should meet at the Event Center parking lot. City employee Betsy Carbo gave additional information and added that clean up area includes section of Hwy 85 and 14A to edge of town.

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

Department Heads thanked Commissioner Speirs for his time as a Commissioner.

Commissioner Speirs thanked the Commission and Department Heads, especially the Police and Fire Departments, adding their jobs are difficult with little or no recognition for their efforts.

ADJOURNMENT

Speirs moved, Todd seconded to adjourn the regular session at 6:07 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) with possible action. The next regular meeting will be on Monday, May 7, 2018.

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

ATTEST:

DATE: _____

Mary Jo Nelson, Finance Officer

BY: _____
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____