

## REGULAR MEETING, MARCH 19, 2018

The Regular Session of the Deadwood City Commission convened on Monday, March 19, 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 Katelyn Cook, and Commissioners David Ruth Jr., Mark Speirs, Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Struble moved, Todd seconded to approve the minutes of March 5, 2018. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to approve the Board of Equalization minutes of March 19, 2018. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

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

|                            |               |           |
|----------------------------|---------------|-----------|
| A & B WELDING              | SERVICE       | 25.00     |
| A - Z SHREDDING            | SERVICE       | 56.20     |
| ACE HARDWARE               | SUPPLIES      | 37.96     |
| ACE INDUSTRIAL SUPPLY      | SUPPLIES      | 2,381.28  |
| AFFORDABLY CREATIVE        | PROJECT       | 6,300.00  |
| AMAZON                     | SERVICE       | 165.43    |
| ARLETH LAND SURVEYING      | PROJECT       | 870.00    |
| BALCO UNIFORM              | UNIFORMS      | 319.74    |
| BH AREA FINANCE            | DUES          | 10.00     |
| BH CHEMICAL                | SUPPLIES      | 814.26    |
| BH PIONEER                 | ADS           | 881.23    |
| BUTLER MACHINERY           | SUPPLIES      | 402.93    |
| CENTURY BUSINESS           | CONTRACT      | 393.33    |
| COCA COLA                  | SUPPLIES      | 1,055.00  |
| CODE WORKS                 | SERVICE       | 291.68    |
| COMPETITIVE MASONRY        | PROJECT       | 6,300.00  |
| COMPUTER SUPPORT           | SERVICE       | 376.99    |
| CONVERGINT TECHNOLOGIES    | REPAIR        | 63.78     |
| CULLIGAN                   | SUPPLIES      | 138.50    |
| CUSTOM MICRO INTERACTIVE   | LICENSE       | 3,150.00  |
| DEADWOOD ELECTRIC          | SERVICE       | 603.20    |
| DMC WEAR PARTS             | BLADE         | 1,089.60  |
| EDDIE'S TRUCK CENTER       | SERVICE       | 248.84    |
| EPCO ENVIRONMENTAL         | FILTERS       | 507.47    |
| FASTENAL                   | SUPPLIES      | 251.12    |
| FOUR WINDS INTERACTIVE     | MAINTENANCE   | 1,536.42  |
| FULLER, KELLY              | REIMBURSEMENT | 24.59     |
| GLOBAL EQUIPMENT           | SUPPLIES      | 411.67    |
| GOFIT                      | BANDS         | 164.95    |
| GOLDEN WEST                | SERVICE       | 1,093.76  |
| GUNDERSON, PALMER, NELSON  | SERVICE       | 3,644.25  |
| HAWKI, KEN                 | REIMBURSEMENT | 135.21    |
| HI-VIZ SAFETY WEAR         | TSHIRTS       | 848.28    |
| HILLYARD                   | SUPPLIES      | 120.68    |
| INTEGRATED PARKING         | MAINTENANCE   | 210.00    |
| INTERSTATE BATTERY         | SUPPLIES      | 94.00     |
| JACOBS WELDING             | SERVICE       | 35.00     |
| KARL'S TV                  | SUPPLIES      | 998.99    |
| KDSJ                       | ADS           | 430.00    |
| KONE                       | MAINTENANCE   | 455.40    |
| L&L INSULATION             | PROJECT       | 12,810.00 |
| LAWRENCE CO. REGISTER      | FEE           | 30.00     |
| LAWSON PRODUCTS            | SUPPLIES      | 72.18     |
| LEAD-DEADWOOD SANITARY     | USAGE         | 25,461.75 |
| M&M SANITATION             | RENTAL        | 220.00    |
| MARCO                      | CONTRACT      | 365.22    |
| MED-TECH RESOURCE          | SUPPLIES      | 173.52    |
| MIDCONTINENT TESTING       | TESTING       | 20.50     |
| NEIGHBORHOOD HOUSING       | CONTRACT      | 3,622.50  |
| NETWORK SERVICES           | SUPPLIES      | 248.64    |
| NORTHERN HILLS TECHNOLOGY  | SERVICE       | 32.50     |
| OWENS INTERSTATE           | STROBES       | 222.16    |
| PITNEY BOWES               | LEASE         | 250.05    |
| QUIK SIGNS                 | SIGNS         | 40.65     |
| RAPID DELIVERY             | SERVICE       | 43.42     |
| RASMUSSEN MECHANICAL       | PROJECT       | 11,180.23 |
| RB CONSTRUCTION            | PROJECT       | 971.86    |
| REGIONAL HEALTH            | TESTING       | 72.00     |
| RUSHMORE CHINESE SCHOOL    | VIDEO         | 150.00    |
| SANDIDGE, LANCE            | REIMBURSEMENT | 20.00     |
| SANITATION PRODUCTS        | SUPPLIES      | 320.22    |
| SD ARCHAEOLOGICAL RESEARCH | PROJECT       | 2,686.44  |
| SD COMMISSION ON GAMING    | CITY SLOTS    | 27,443.18 |
| SD DEPT. OF CORRECTIONS    | FIREWISE      | 7,472.54  |
| SD DEPT. OF MOTOR VEHICLES | PLATE         | 6.20      |
| SD DEPT. OF REVENUE        | TAX           | 3,110.33  |
| SD MUNICIPAL LEAGUE        | REGISTRATION  | 297.00    |
| SD ONE CALL                | SERVICE       | 31.36     |
| SOUTHSIDE SERVICE          | SERVICE       | 109.65    |
| STRETCH'S                  | SERVICE       | 499.99    |
| STURDEVANT'S               | SUPPLIES      | 1,597.69  |

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|                            |           |          |
|----------------------------|-----------|----------|
| TCF EQUIPMENT FINANCE      | LEASE     | 3,419.79 |
| THE LORD'S CUPBOARD        | RECYCLING | 50.75    |
| TITAN MACHINERY            | SUPPLIES  | 1,698.01 |
| TOMS, DON                  | PROJECT   | 500.00   |
| TRIPLE K                   | SERVICE   | 717.40   |
| TSP                        | PROJECT   | 2,200.00 |
| TWILIGHT                   | SUPPLIES  | 17.95    |
| TWIN CITY HARDWARE         | GRANTS    | 8,070.71 |
| VIEHAUSER ENTERPRISES      | SERVICE   | 954.92   |
| VIGILANT BUSINESS SOLUTION | SCREENING | 105.00   |
| WASTE CONNECTIONS          | SERVICE   | 7,593.59 |

TOTAL \$161,846.64

### ITEMS FROM CITIZENS ON AGENDA

#### Mt. Moriah

After Commissioner Speirs stated he had a conflict of interest on the matter, Mike Kitzmiller withdrew his request to rescind fee increase for Mt. Moriah.

Mayor Turbiville requested Kitzmiller appear before Parking and Transportation concerning Kitzmiller's request to move tour bus location to Welcome Center.

#### 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 Aspen Ridge Lawn and Landscaping for Whitewood Creek Restoration project in the amount of \$26,074.76. (bid awarded February 20, 2018)
- B. Pay City of Lead \$3,515.73 for 50% of 2017 Twin City Animal Shelter expenses
- C. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Robert L. Sjomeling, Mary E. Sjomeling and Christin M. Sjomeling
- D. Permission to hire Riley Lundquist as a full-time Parks Technician at \$17.15 per hr. effective March 26, 2018 and Elizabeth Carbo as a seasonal landscaper at \$17.15 per hr. effective April 2, 2018 pending pre-employment screening.
- E. Permission for Mayor to sign and renew parking lease with SD Commission on Gaming for five parking spots at Miller Lot at total of \$250.00 per month plus tax
- F. Permission to contract with Todd David Fossen Floors to refinish floors in Adams House parlor in amount not to exceed \$3,000.00 to be paid from HP Capital Assets.
- G. Approve expenditure of \$3,019.30 from EB Communications to purchase and install phones and upgrade system for Police Department office.
- H. Acknowledge receipt of 2017 Police Department Annual Report.
- I. Approve Tom Riley and Dale Marlow for Trolley weekend manager positions effective March 20, 2018 at additional \$2.00 per hour per policy manual.
- J. Allow Mary Jo Nelson to attend NLC RISC Trustee Conference in Santa Fe, NM from May 8-11, 2018 at no cost to city.
- K. Permission for Mayor to sign Addendum to Waste Connections contract to increase cardboard recycling container pickup from once to twice a week, bringing total cost from \$497.50 per month to \$520.00 per month
- L. Accept resignation from trolley driver Richards Brooks effective March 1, 2018
- M. Pass Resolution 2018-14 to Surplus Assets as follows:

### **RESOLUTION NO. 2018-14 TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approved the following be declared surplus and sold or donated to the following non-profit agencies, allowable under SDCL 6-5-2.

**2008 Ford Trolley - VIN#1F6N53Y670A05767 (Sell to Aberdeen Elks Lodge for \$5,000.00)**

**24 Abandon Bicycles (Donate to Boys and Girls Club, Lead.)**

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approve the following to be declared surplus and destroyed:



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Eight (8) unusable totes of Garland and Christmas Lights

Yellow Light Responder II DX S# R2DXMC

Charging Station Ticket Writer S# MM3JM2

Symbol Ticket Writer S# SA01013228

Duncan Ticket Writer S# M1H90C49F

Charger Doc S# S99A433251

Symbol Charger S# 4809577

O'Neil Printer THA0047

2 Printer Carrier Cases

9 Boxes of Drug Training Slides Old

Old Apollo Projector S# 4042716

Access Cardio System S# 67983

Red Plug-in Light

Kustoms Radar System S# 8965

Lexmark Ink Tape

Bill Reader S# 103100421

Bill Collector

Change Machine and Components S#033111G19596

Duncan Meter Reader or Ticket Writer and Cables 3

S# P-4040-5210 4MO

S# 4000013377

S# P-4010-N723 1MO

Stylus 850 SW Digital - Serial #E99515885 Stylus 850 SW Digital - Serial #G33562499

Stylus 790 SW Digital - Serial #D98516600

Symbol Ticket Writer S# M1490C48W

Symbol Ticket Writer S# SA010321W

O'Neil Ticket Printer S# THR0044

Symbol Charger S#4809482

O'Neil Printer TA00882

Parts and Charger Cords

Large Brown Cabinet

Pannar Vue Lighted Slide Viewer

Box of old VHS Training Tapes

Kustoms Radar S# CC26758 S# E2773

White Hand Held Vacuum

Kustoms Radar System S# K15027

Change Machine Parts

Bill Reader S# 170302352

Dated this 19th day of March, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- N. Acknowledge receipt of 2017 Annual Financial Report and authorize Finance Officer to submit to South Dakota Legislative Audit per SDCL 9-22-21 (document on file in Finance Office)
- O. Approve Finance Office recommendation that current year cash reserves have met policy requirements for Resolution 2017-11
- P. Approve 2018 allocation of \$2,500.00 to Twin City Clothing from Bed and Booze Fund
- Q. Clarify minutes of February 5, 2018 to show that Alex Hamann retired effective March 2, 2018
- R. Contract with Gardner Construction to repair damaged knee walls at Broadway Parking Garage in the amount of \$6,400.00. Also, approve purchase of 24 flexible road markers to be supplied by city for installation by Gardner not to exceed \$1,000.00. (two quotes received)
- S. Accept letters from Silverado/Franklin and BY Development Inc. to exercise option to extend city slot machine lease agreement for additional three years as allowed by contract
- T. Permission for Mayor to sign Loan Agreement for Use of City Property and allow loan of Poker Alice Hat and case to Ft. Meade Museum
- U. Contract with Hilt Construction to construct guard rail upgrades near Welcome Center at cost of \$5,900.00 per SD DOT
- V. Renew software maintenance with ESRI for \$11,000.00 and allow Mayor to sign. Cost will be shared between departments using the software.
- W. Permission for Fire Department to purchase copier from A and B Business at cost of \$7,040.63. (budgeted)
- X. Approve revised contract with Siouxland Heritage Museum to provide pull up panels focusing on history of Wild Bill in the amount of \$6,500.00 and allow Mayor to sign.

## PUBLIC HEARINGS

### Mickelson Trail Marathon

Public hearing was opened at 5:04 p.m. by Mayor Turbiville. Emily Wheeler was available to answer questions.

Speirs moved, Struble seconded to approve the use of the Sherman Street Parking Lot on Saturday, June 2 and Sunday, June 3, use of Lower Main Parking Lot if needed on June 3, and use of the Event Complex parking area from 5:00 a.m. to 3:00 p.m. on June 3, 2018. Roll Call: Aye-All. Motion carried.

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### Beer Fest

Public hearing was opened at 5:06 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber, was available to answer questions.

Todd 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, April 20, 2018. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to allow the relaxation of the open container ordinance for same area as approved on April 20, from noon to 10:00 p.m. on Saturday, April 21, 2018. Roll Call: Aye-All. Motion carried.

### Kool Deadwood Nites

Public hearing was opened at 5:07 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce, was present to answer questions.

Speirs moved, Todd seconded to allow the relaxation of the open container ordinance on Main Street from the 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 12:00 p.m. to 10:00 p.m. on Thursday, August 23, 2018. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to allow the relaxation of the open container ordinance for same area as approved on August 23, from 12:00 p.m. to 10:00 p.m. on Friday, August 24, 2018. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to allow the relaxation of the open container ordinance for same area as approved on August 23, from 12:00 p.m. to 10:00 p.m. on Saturday, August 25, 2018. Roll Call: Aye-All. Motion carried.

Struble moved, Ruth seconded to allow the relaxation of the open container ordinance for same area as approved on August 23, from 12:00 p.m. to 3:00 p.m. on Sunday, August 26, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to approve waiver of vendor fees for Deadwood Chamber merchandise on Main Street, Interpretive Lot on Thursday, August 23 through Saturday, August 25; waiver of vending fee for non-profit (American Legion) at Interpretive Lot on Thursday, August 23, from 4:00 p.m. to 10:00 p.m.; waiver of vending fee for Napa at Lower Main Lot on Thursday, August 23 through Saturday, August 25, use of Interpretive Lot Thursday August 23 at 2:00 a.m. to 2:00 p.m. Sunday, August 26; use of Lower Main Lot for registration and registered cars only Thursday, August 23 at 8:00 a.m. through 10:00 p.m. Saturday, August 25; use of Event Complex on Saturday, August 25 from 6:00 a.m. to 2:00 p.m. for car judging and Sunday, August 26 at 6:00 a.m. for parade lineup and waiver of banner fees Thursday, August 23 through Sunday, August 26, 2018. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to approve street closure on Main Street from Wall to Deadwood Street on Wednesday, August 22 from 2:00 p.m. to 2:00 a.m. on Sunday, August 26; Siever Street on Thursday August 23 from 5:00 p.m. to 10:00 p.m.; Main Street from Deadwood Street to Pine Street on Thursday, August 23, from 3:00 p.m. to 10:00 p.m.; Main Street from Deadwood Street to Pine Street on Friday, August 24, and Saturday August 25 from 3:00 p.m. to 10:00 p.m.; Main Street from Tin Lizzies Gaming Resort to Pine Street on Sunday, August 26, 2018 from 8:00 a.m. to 3:00 p.m. Roll Call: Aye-All. Motion carried.

Sarah Anderson thanked the City staff for assistance with St. Patrick's Day Events.



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### NEW BUSINESS

#### Plat

Ruth moved, Struble seconded to act as Board of Adjustment and approve plat at general location of 225 Cliff Street. Planning and Zoning approved request to create new boundary lines and divide property on March 7, 2018. Legal Description: Tracts 3A and 4A of Deadwood Gulch Addition H; Consisting of Deadwood Gulch's of Fun Tract 1, Lot AB1 and Lot AB10, All located in the E1/2 of Section 27, T5N, R3E, B.H.M., City of Deadwood. Roll Call: Aye-All. Motion carried.

#### Approval

Todd moved, Ruth seconded to approve expenditure of \$10,668.00 and allow Dakota Tree Spraying to spray for mountain pine beetle at St. Ambrose and Mt. Moriah, to be paid from Historic Cemeteries Fund. Roll Call: Aye-All. Motion carried.

#### Purchase

Speirs moved, Todd seconded to purchase kiosk pay and display meter system from Amano McGann in the amount of \$15,633.00 plus spare bill and coin vaults costing \$675.00, paid from Parking and Transportation Fund. Roll Call: Aye-All. Motion carried.

#### Contract

Ruth moved, Speirs seconded to allow Mayor to sign 2018 Albertson Engineering contract for design of retaining wall replacements or repairs in an amount not to exceed \$70,000.00. Roll Call: Aye-All. Motion carried.

#### Proposal

Speirs moved, Ruth seconded to allow Mayor to sign proposal for services with Tallgrass for \$21,084.00 for third phase of Whitewood Creek cleanup efforts, to be paid from Parks CIP budget. Roll Call: Aye-All. Motion carried.

#### Amendment

Speirs moved, Ruth seconded to allow Mayor to submit a proposed amendment to the South Dakota Department of Transportation Lawrence County Speed Rule and attend the SD DOT Public Hearing in Pierre on March 29 to represent the City of Deadwood. Mayor Turbiville stated the City is requesting a reduction of the speed limit on US Highway 85/14A in Deadwood from 35 mph to 25 mph. Roll Call: Aye-All. Motion carried.

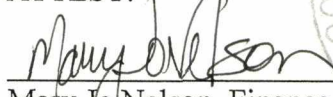
#### Contract

Speirs moved, Ruth seconded to utilize NASPRO Value Point contract with State of South Dakota and purchase playground equipment for Gordon Park from Dakota Playground/Landscape Structures at cost of \$126,420.00. (budgeted in Parks CIP). Roll Call: Aye-All. Motion carried.

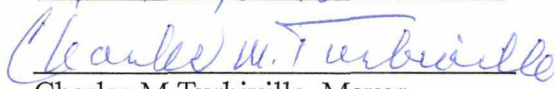
### ADJOURNMENT

Speirs moved, Ruth seconded to adjourn the regular session at 5:25 p.m. The next regular meeting will be on Monday, April 2, 2018.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: April 2, 2018

BY:   
Charles M Turbiville, Mayor

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