

REGULAR MEETING, FEBRUARY 5, 2018

The Regular Session of the Deadwood City Commission convened on Monday, February 5, 2018 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commission President Gary Todd called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners David Ruth Jr., Mark Speirs, and Charles Struble, Mayor Charles Turbiville via conference call. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Turbiville moved, Struble seconded to approve the minutes of January 16, 2018. Roll Call: Aye-All. Motion carried.

JANUARY, 2018 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$19,399.83; PUBLIC BUILDINGS, \$4,789.99; POLICE, \$66,491.61; FIRE, \$5,599.48; BUILDING INSPECTION, \$3,999.76; STREETS, \$30,472.46; PARKS, \$17,031.73; PLANNING & ZONING, \$5,059.44; LIBRARY, \$6,959.93; RECREATION CENTER, \$13,881.88; HISTORIC PRESERVATION, \$16,329.61; WATER, \$16,165.99; PARKING METER, \$8,757.83; TROLLEY, \$17,728.78; PARKING RAMP, \$4,105.97. **PAYROLL TOTAL: \$239,505.05**

JANUARY, 2018 PAYROLL PAYMENTS:

Internal Revenue Service, \$61,657.61; S.D. Retirement System, \$27,235.58; Delta Dental, \$4,112.40.

APPROVAL OF DISBURSEMENTS

Struble moved, Speirs seconded to approve the February 5, 2018 disbursements. Roll Call: Aye-All. Motion carried.

| | | |
|----------------------------|---------------|-----------|
| A & B BUSINESS | CONTRACT | 295.27 |
| A - Z SHREDDING | SHREDDING | 445.40 |
| ACE HARDWARE | SUPPLIES | 19.98 |
| ACE INDUSTRIAL SUPPLY | SUPPLIES | 1,019.90 |
| ADVANCE ELECTRIC | REPAIR | 1,322.03 |
| ALBERTSON ENGINEERING | PROJECT | 4,239.87 |
| ALSCO | SUPPLIES | 511.65 |
| AMERICAN LEGAL | ORDINANCES | 1,474.00 |
| AMERICAN PUBLIC WORKS | MEMBERSHIP | 330.00 |
| ANFINSON, BONNY | CONFERENCE | 55.00 |
| APWA | MEMBERSHIP | 20.00 |
| ASSOCIATED SUPPLY | SUPPLIES | 519.16 |
| ATCO INTERNATIONAL | SUPPLIES | 542.00 |
| BALCO UNIFORM | UNIFORMS | 93.60 |
| BARRON'S | SUBSCRIPTION | 104.00 |
| BAXTER, SEAN | CONFERENCE | 55.00 |
| BH CENTRAL RESERV | TICKETING | 10,000.00 |
| BH CHEMICAL | SUPPLIES | 956.01 |
| BH ENERGY | SERVICE | 33,015.41 |
| BH SPECIAL SERVICES | CLEANING | 1,120.00 |
| BOYS & GIRLS CLUB | ALLOCATION | 5,000.00 |
| BRANDON INDUSTRIES | SUPPLIES | 5,435.00 |
| BUTLER MACHINERY | REPAIR | 1,807.19 |
| CENTURION TECHNOLOGIES | RENEWAL | 50.00 |
| CENTURY BUSINESS PRODUCTS | CONTRACT | 336.19 |
| COMPETITIVE MASONRY | PROJECT | 2,700.00 |
| COMPUTER SUPPORT | SERVICE | 93.75 |
| DEADWOOD CHAMBER | SERVICE | 16,625.00 |
| DESTINATION DEVELOPMENT | MEMBERSHIP | 395.00 |
| EAGLE ENTERPRISES | SUPPLIES | 3,816.51 |
| ECOLAB | SERVICE | 160.68 |
| EDDIE'S TRUCK CENTER | REPAIR | 2,877.86 |
| EMERY-PRATT | BOOKS | 27.94 |
| FASTENAL | SUPPLIES | 9.01 |
| FIRST NATIONAL CREDIT CARD | SUPPLIES | 2,461.28 |
| G & R CONTROLS | SUPPLIES | 922.14 |
| GALLS | UNIFORMS | 1,148.85 |
| GLOVER, WILLIAM | REIMBURSEMENT | 64.00 |
| GODFREY BRAKE SERVICE | SERVICE | 119.18 |
| GOLDEN WEST | SERVICE | 417.38 |
| GOOD SHEPHERD CLINIC | ALLOCATION | 1,000.00 |
| HAWKI, KEN | REIMBURSEMENT | 204.00 |
| HILLS MATERIALS | SUPPLIES | 264.80 |
| HILLYARD | SUPPLIES | 70.73 |
| HOLIDAY INN EXPRESS | CONFERENCE | 186.00 |
| JACOBS WELDING | SERVICE | 78.60 |
| JOHNSON, MICHAEL | CONFERENCE | 55.00 |
| KNECHT | SUPPLIES | 518.48 |
| KUCHENBECKER, KEVIN | CONFERENCE | 179.50 |
| LARIVE, ANDREW | REIMBURSEMENT | 97.02 |
| LAWRENCE CO. SHERIFF'S | REIMBURSEMENT | 269.22 |
| LAWSON PRODUCTS | SUPPLIES | 233.43 |
| LIGHT AND SIREN | SUPPLIES | 576.00 |
| MASONIC CENTER ASSOCIATION | GRANT | 2,500.00 |
| MIDWEST TAPE | DVDS | 352.45 |
| MDU | SERVICE | 15,777.17 |
| MOSHER, ANDREW | CONFERENCE | 216.28 |
| MUTUAL OF OMAHA | INSURANCE | 240.70 |
| NETWORK SERVICES | SUPPLIES | 539.00 |

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| | | |
|----------------------------|---------------|--------------|
| NFPA | MEMBERSHIP | 1,520.50 |
| OLSON, JAMES | REIMBURSEMENT | 43.77 |
| ONSOLVE | CODE RED | 1,500.00 |
| OWENS INTERSTATE | SUPPLIES | 95.22 |
| PARTSMASTER | SUPPLIES | 88.56 |
| PEARSON, TRAVIS | CONFERENCE | 55.00 |
| PITNEY BOWES | POSTAGE | 500.00 |
| POLICEONE.COM | COURSE | 225.00 |
| QUICK TROPHY | SIGN | 37.36 |
| QUIK SIGNS | SIGN | 74.96 |
| QUILL | SUPPLIES | 311.02 |
| RECREATION SUPPLY | SUPPLIES | 88.93 |
| REDWOOD TOXICOLOGY | TESTING | 57.00 |
| REGIONAL HEALTH | TESTING | 72.00 |
| S AND C CLEANERS | CLEANING | 2,740.00 |
| SANFORD, TY | CONFERENCE | 55.00 |
| SD DEPT. OF CORRECTIONS | FIREWISE | 535.50 |
| SD DEPT. OF MOTOR VEHICLES | TITLE | 42.40 |
| SD DEPT. OF PUBLIC SAFETY | SERVICE | 2,340.00 |
| SD FEDERAL PROPERTY AGENCY | SUPPLIES | 58.00 |
| SD ONE CALL | SERVICE | 4.48 |
| SD PUBLIC ASSURANCE ALLIAN | INSURANCE | 562.26 |
| SERVALL | SUPPLIES | 1,852.62 |
| SIERKS, JENA | CONFERENCE | 55.00 |
| SPECIALTY VEHICLES | TROLLEY | 143,831.75 |
| STRETCH'S | SERVICE | 382.89 |
| TEMPERATURE TECHNOLOGY | REPAIR | 250.99 |
| TITAN MACHINERY | SUPPLIES | 197.76 |
| TRIPLE K | SERVICE | 2,088.44 |
| TROPHY AWARDS | AWARD | 203.20 |
| TSP | PROJECT | 988.62 |
| TWIN CITY HARDWARE | SUPPLIES | 5,307.54 |
| TWIN CITY HARDWARE | WINDOWS | 1,614.02 |
| USA BLUEBOOK | SUPPLIES | 1,764.74 |
| VAST | SERVICE | 3,201.55 |
| VERIZON WIRELESS | METERS | 40.01 |
| VICTIMS OF VIOLENCE | ALLOCATION | 2,000.00 |
| WELLMARK | INSURANCE | 45,079.74 |
| WILD ROSE PRODUCTIONS | SPONSOR | 5,700.00 |
| ZEP SALES | SUPPLIES | 241.41 |
| TOTAL | | \$349,770.86 |

ITEMS FROM CITIZENS ON AGENDA

BID #8

Mike Rodman, Deadwood Gaming Association, presented a handout and explained the intent to create Business Improvement District #8, and the potential projects if created. Ruth moved, Struble seconded to accepted petition and pass Resolution 2018-06 to Establish Boundaries for BID District and Appoint Board Members. Roll Call: Aye-All. Motion carried.

RESOLUTION 2018-06

DESIGNATING BUSINESS IMPROVEMENT DISTRICT NO. 8 BOUNDARIES AND APPOINTING BUSINESS IMPROVEMENT DISTRICT NO. 8 BOARD MEMBERS

WHEREAS, the City of Deadwood has been requested to designate the boundaries of Business Improvement District No. 8 for the City of Deadwood pursuant to SDCL 9-55-5; and

WHEREAS, SDCL 9-55-5 requires the appointment of a Business Improvement District's Board by the Mayor, with the approval of the governing body; and

WHEREAS, Hotel/Motel Business Improvement District members have recommended the following individuals for appointment as board members;

NOW THEREFORE, BE IT RESOLVED by the City Commission for the City of Deadwood that the boundaries for the Deadwood Business Improvement District No. 8 shall be established as follows:

The following lodging establishments as set forth in Exhibit A as listed below and any lodging establishments not listed which may request by petition to become a member of the district shall be included within such boundaries:

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| <u>NAME</u> | <u>BUSINESS ADDRESS</u> |
|--|--------------------------------|
| Cadillac Jack's/Doubletree By Hilton | 360 Main Street |
| Deadwood Mountain Grand/ Holiday Inn Resort | 1906 Deadwood Mountain Drive |
| Deadwood Station | 68 Main Street |
| First Gold Hotel | 270 Main Street |
| Gold Country Inn | 801 Main Street |
| Holiday Inn Express | 22 Lee Street |
| Hotel by Gold Dust | 23 Lee Street |
| The Lodge at Deadwood | 100 Pine Crest Lane |
| Silverado Franklin | 709 Main Street |
| SpringHill Suites by Marriott | 322 Main Street |
| Tru Hotel by Hilton | 372 Main Street |
| Tin Lizzie's Hampton Inn | 555 Main Street |
| Travelodge Inn and Suites | 250 Main Street |

BE IT FURTHER RESOLVED by the City of Deadwood, by its Mayor and with the approval of the City Commission, having first established the above boundaries and as set forth by Exhibit A, that the following members are appointed to the Business Improvement District Board District No. 8 for terms to be set forth in by-laws:

Paul J. Bradsky
Marc Wayne Oswald
Lonny Strong
Michael Gustafson
Jeff Lamont
Anthony Galbraith
Tom Rensch
Donnie Patton

Dated this 5th day of February, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Contract

Lee Harstad, Deadwood Chamber, gave the Commission a summary of the Deadwood.com stats, door counts at Welcome Center and Interpretive Lot and 2017 Summary for Event Complex. Harstad requested renewal to Event Specialist/Facilities Coordinator agreement for 2018 and 2019. Turbiville moved, Ruth seconded to renew agreement. Roll Call: Aye-All. Motion carried.

Request

Speirs moved, Ruth seconded to approve BID 7 funds for the following: \$25,000.00 to Deadwood Chamber for Kool Deadwood Nites, \$5,000.00 to Deadwood Jam, and \$1,000.00 for marketing assistance with Wild Bill Motorcycle Classic. Lee Harstad was present to answer questions. Roll Call: Aye-All. Motion carried.

Petition

Speirs moved, Struble seconded to accept amended petition for Annexation from Frawley Ranches, to include total assessment value of real property. Roll Call: Aye-All. Motion carried.

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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 Black Hills National Forest Northern Hills Ranger District for the Deadwood Fuels program.
- B. Purchase office furniture from National Business Furniture from Public Buildings in the amount of \$9,253.22 (budgeted)
- C. Permission for the Street Department to purchase a 2018 Ford F-150 from White's Canyon Ford in the amount of \$31,566.16 (budgeted)
- D. Pass Resolution 2018-04 to Surplus Assets: two trolleys and sell to Yelduz Shrine Center, Aberdeen, South Dakota, a non-profit agency, at \$5,000.00 per trolley. Donate Stage Curtains in Pavilion to Homestake Opera House.

RESOLUTION NO. 2018-04 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.

2011 Freightliner Trolley - VIN# 4UZADEDU7BCAZ7474

2013 Freightliner Trolley - VIN# 4UZADEDU4DCBZ9303

(Sell to Yelduz Shrine Center, Aberdeen, SD for \$5,000.00 each)

Stage Curtains at Deadwood Pavilion

(Donate to Homestake Opera House, Lead, SD. Opera House will be responsible for removal)

Dated this 5th day of February, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- E. Purchase flooring for Police Department office space from Carpets Buyer's Outlet at cost not to exceed \$4,500.00. (budgeted-Public Buildings)
- F. Permission to purchase pressure washer from Grimm's Pump at cost not to exceed \$3,900.00 to be paid from Public Building and Trolley Department budgets
- G. Permission to advertise for part-time/seasonal trolley drivers
- H. Permission to advertise for part-time/seasonal janitorial positions in Public Buildings
- I. Allow Mayor to sign lease agreement with TCF Equipment Finance for second and third trolley leases. Bid was awarded on September 20, 2017. Also, allow Finance Office to make monthly payment by ACH and note payment on bill list.
- J. Resolution 2018-03 Extending Workers Compensation to Specific Individuals

RESOLUTION 2018-03

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO SPECIFIC INDIVIDUALS FOR THE YEAR 2018

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood extend the South Dakota Municipal League Workers' Compensation benefit for coverage on the following individuals who are not automatically covered because they are appointed or elected to their positions:

City Commission: Charles M. Turbiville, David Ruth Jr., Mark Speirs, Charlie Struble, and Gary Todd;

Historic Preservation Commission: Dale Berg, Tom Blair, Mike Johnson, Lynn Namminga, Ann Ochse, Beverly Posey, and Lyman Toews;

Historic Preservation Volunteers: Judy Farris and Susan Zepkin;

Library Board: Dawn Burns, Linda Fredrick, Raul Ponce De Leon, Ashley Marske, and Charlene Miller;

Planning & Zoning Commission: Tony Biesiot, John Martinisko, Bill Rich, Brett Runge, and Jim Shedd;

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Police Department Reserve Officers: Kenneth Batka, Deam Carollo, Mark Heltzel, Jason Huber, Casey Nelson, Jhamel Smith, Sally Sprigler, Matthew Symonds, Wylie Walno, and Martin Yost;

Deadwood Volunteer Fire Department: Randy Addington, Phil Arellano, Pat Eastman, Toby Edstrom, Sandy Glover, Bill Glover, Larry Groll, Alex Hamann, Ken Hawki, Mathew Helmin, Francis Iverson, Mike Klamm, Jerity Krambeck, Jeff Millard, Trent Mohr, Robert Nelson Sr., Jerry Pontius, Cody Rakow, Courtne Rakow, Jason Rakow, Rylan Rakow, Mike Runge, Mason Sherrad, Richard Stanger, Paul Thomson, Anne Wieringa, and Lei'Ani Wieringa.

The Finance Office will be notified of any personnel changes to the above-mentioned committees and commissioners.

Dated this 5th day of February, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- K. Make the following 2018 allocations from Bed and Booze Fund: \$10,000.00 to Boys and Girls Club, \$10,000.00 to Northern Hills Alliance for Children, \$5,720.00 to CASA.
- L. Accept letter of resignation from Alex Hamann from Deadwood Police Department effective March 2, 2018
- M. Request permission to advertise in house for five days for Patrol Officer position
- N. Permission to hire Annette Pierce for part-time janitorial position in Public Buildings at \$9.20 per hour effective February 6, 2018 pending pre-employment screening
- O. Permission to contract with Rasmussen Mechanical to install dry steam humidifiers in Adams House at cost of \$4,375.00.
- P. Pass Resolution 2018-07 to Surplus 4000 Nautilus Weight machine and appoint/approve committee to determine value.

**RESOLUTION NO. 2018-07
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following be declared surplus and appoint Board of Appraisers to value:

Nautilus 4000 Weight Machine

Dated this 5th day of February, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

PUBLIC HEARINGS

Set

Ruth moved, Speirs seconded to set public hearing on February 20 for Wild Bill Days Event. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on February 20 for 3 Wheeler Event. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to set public hearing on February 20 for Forks Corks Kegs Event. Roll Call: Aye-All. Motion carried.

Struble moved, Ruth seconded to set public hearing on February 20 for Retail (on-off sale) Wine (RW-6466), and Retail (on-off sale) Malt Beverage (RB-2447) license transfers from BRI, Inc. to FIB Properties, LLC dba Best Western Hickok House at 137 Charles Street. Roll Call: Aye-All. Motion carried.

Ruth moved, Struble seconded to set public hearing on February 20 for Retail (on-off sale) Wine (RW-6466), and Retail (on-off sale) Malt Beverage (RB-2447) license transfers from FIB Properties, LLC to MPLS Hotel, MGMT Ltd. dba Best Western Hickok House at 137 Charles Street. Roll Call: Aye-All. Motion carried.

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NEW BUSINESS

Resolution 2018-05

Speirs moved, Ruth seconded to approve Resolution 2018-05 to assess \$1.00 facility use fee/ticket surcharge at Event Complex as allowed by Ordinance 12.18.030, Fee for use. Commissioner Ruth stated Commission still has opportunity to waive fees for certain entities. Roll Call: Aye-All. Motion carried.

**CITY OF DEADWOOD
RESOLUTION 2018-05
A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE
CITY OF DEADWOOD**

WHEREAS, City Ordinances require certain use fees, charges for services and other designations to be established by resolution;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective March 1, 2018:

Deadwood Event Complex Events with Tickets:

Facility Use Fee / Ticket Surcharge:

Applied to sold tickets (Reserved Seating, General Admission)\$1.00/Per Ticket

Dated this 5th day of February, 2018

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Manual

Speirs moved, Struble seconded to approve addition to Policy Manual to include retirement recognition and formalize length of service awards. Police Chief Fuller explained the retirement recognition. Roll Call: Aye-All. Motion carried.

Request

Speirs moved, Struble seconded to act as Board of Adjustment and approve request from Robert and Claramae Ruth to define and realign property lines at general location of 11494 U.S. Highway 14A. Request was approved by Planning and Zoning Commission on January 17, 2018. Roll Call: Aye-Struble, Ruth, Todd, Turbiville. Abstain -Ruth. Motion carried.

Purchase

Speirs moved, Ruth seconded to purchase additional pay station, bill changer and Arrow signs for Broadway Parking Garage from Amano McGann at cost of \$75,429.00. (budgeted) Roll Call: Aye-All. Motion carried.

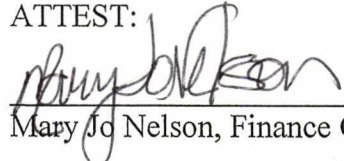
INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

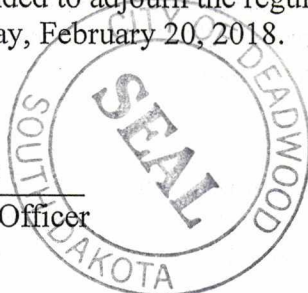
- Take no action on Raffle Permit for Black Hills Shootist, Ltd. to conduct ticket sales for fund raising event on September 29, 2018.
- update/assessment from interstate Engineering regarding options, estimate of cost and recommendations on flood proofing Cold Storage Building on Timm Lane
- Acknowledge receipt of \$1,500.00 grant from MDU Resources Foundation for Whitewood Creek restoration.

ADJOURNMENT

Ruth moved, Speirs seconded to adjourn the regular session at 5:33 p.m. The next regular meeting will be on Tuesday, February 20, 2018.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 2/20/18

BY: Charles M Turbiville

Charles M Turbiville, Mayor