

REGULAR MEETING, DECEMBER 4, 2017

The Regular Session of the Deadwood City Commission convened on December 4, 2017 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

Struble moved, Todd seconded to approve the minutes of November 20, 2017. Roll Call: Aye-All. Motion carried.

NOVEMBER, 2017 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$18,395.28; PUBLIC BUILDINGS, \$4,995.58; POLICE, \$59,155.48; FIRE, \$5,036.12; BUILDING INSPECTION, \$3,884.56; STREETS, \$28,647.49; PARKS, \$19,447.58; PLANNING & ZONING, \$4,912.40; LIBRARY, \$6,832.54; RECREATION CENTER, \$13,587.68; HISTORIC PRESERVATION, \$16,165.25; WATER, \$14,466.08; PARKING METER, \$8,736.82; TROLLEY, \$16,168.41; PARKING RAMP, \$3,519.29. **PAYROLL TOTAL: \$226,681.32.**

NOVEMBER, 2017 PAYROLL PAYMENTS:

Internal Revenue Service, \$56,677.33; S.D. Retirement System, \$24,867.78; Delta Dental, \$4,008.96.

APPROVAL OF DISBURSEMENTS

Speirs moved, Ruth seconded to approve the December 4, 2017 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	328.63
ACE HARDWARE	SUPPLIES	218.91
ADAMS MUSEUM	OPERATING	123,000.00
ADAMS SALVAGE	INSURANCE	3,383.46
ALEX AIR APPARATUS	INSPECTION	1,902.20
ALSCO	SUPPLIES	132.00
ARLETH LAND SURVEYING	RESEARCH	1,260.00
BIALAS, KURT AND DAWN	GRANT	9,716.96
BIG RED CONSTRUCTION	WAYFINDING	35,678.64
BH SECURITY	REPAIR	448.98
BLACKBURN BASEMENT SYSTEMS	GRANT	10,000.00
BOMGAARS	SUPPLIES	93.98
BSN SPORTS	SUPPLIES	420.00
CAMPBELL, ROBERT	PROJECT	2,025.00
CENTURY BUSINESS PRODUCTS	SERVICE	566.21
CITY OF LEAD	SIGN	17,258.70
COCA COLA	SUPPLIES	800.20
CONOVER, MICHAEL	GRANT	8,655.62
DATA FLOW	FORMS	130.55
DEADWOOD CHAMBER	MARKETING	17,473.35
DEADWOOD ELECTRIC	SERVICE	387.05
EB COMMUNICATIONS	INSTALLATION	665.00
ECOLAB	SERVICE	245.25
EMERY-PRATT	BOOKS	27.98
FASTENAL	SUPPLIES	270.90
FIRST NATIONAL CREDIT CARD	SUPPLIES	911.20
GENERAL TRAFFIC CONTROLS	SUPPLIES	80.80
HAWKINS	SUPPLIES	1,016.17
HISTORIC HOMESTAKE OPERA	TREE	125.00
JACOBS WELDING	SERVICE	40.80
KNECHT	SUPPLIES	353.68
LAWRENCE CO. REGISTER	FEES	270.00
LEAD DEADWOOD ARTS CENTER	SERVICE	130.00
MACK'S AUTO BODY	REPAIR	1,169.50
MARCO	SUPPLIES	30.00
MEHLBERG CONSTRUCTION	PROJECT	510.70
MENARD'S	SUPPLIES	288.96
MIDCONTINENT	SERVICE	65.00
MIDWEST TAPE	DVDS	45.98
MDU	SERVICE	9,023.02
NELSON, ROBERT JR.	REIMBURSEMENT	22.00
NETWORK SERVICES	SUPPLIES	500.93
NORTHWEST PIPE FITTINGS	SUPPLIES	70.58
O'CONNOR COMPANY	SUPPLIES	761.00
OSBORN, JANET	REIMBURSEMENT	38.63
PASSPORT PARKING	METERS	72.75
PONTIUS, JAMES	GRANT	1,054.35
PROMAXIMA MANUFACTURING	EQUIPMENT	3,085.00
QUIK SIGNS	SIGNS	805.10
QUILL & SCROLL WRITING	SERVICE	400.00
RAKOW, JASON	REIMBURSEMENT	250.00
RCS CONSTRUCTION	PROJECT	81,891.24
REGIONAL HEALTH	TESTING	18.00
ROBLEY, GREG	STAINING	1,600.00
RUNGE, MIKE	REIMBURSEMENT	258.84
RUSHMORE OFFICE	SUPPLIES	194.75
S AND C CLEANERS	CLEANING	4,473.00
SCHMITZ, JOE	IMPROVEMENT	921.14
SD FIREFIGHTERS	MEMBERSHIP	675.00
SD PUBLIC HEALTH LAB	TESTING	30.00

REGULAR MEETING, DECEMBER 4, 2017

SERVALL	SUPPLIES	1,323.35
TEMPERATURE TECHNOLOGY	SERVICE	29,070.00
THE LORD'S CUPBOARD	RECYCLING	43.66
TRINITY UNITED METHODIST	WREATHS	1,618.00
TRIPLE K	TIRES	320.98
TSP	PROJECT	1,436.75
TWILIGHT	SUPPLIES	48.75
TWIN CITY HARDWARE	SUPPLIES	3,738.52
TWIN CITY HARDWARE	GRANT	184.22
UMENTHUM, KEITH	BOX	35.00
USA BLUEBOOK	SUPPLIES	54.68
VAST	SERVICE	2,988.65
VERIZON WIRELESS	METERS	40.01
VIEHAUSER ENTERPRISES	KEYS	44.25
WARREN WINDOW	GRANT	3,829.27
WASTE CONNECTIONS	DUMPSTER	7,593.59
WELLMARK	INSURANCE	42,044.34
WESTERN COMMUNICATIONS	SUPPLIES	82.05
TOTAL		\$440,768.76

ITEMS FROM CITIZENS ON AGENDA

Proposal

Jeanna Dewey, Black Hills Vacations, presented a proposal to become the Event Center ticket agent and requested city assistance to purchase equipment. Dewey spoke about the key features of the software and equipment. After discussion, Speirs moved, Ruth seconded to allow Black Hills Vacations to become the ticket agent for Event Center with option to renew annually, and assist with the purchase of equipment for \$10,000.00 from the Bed and Booze Fund in FY2018. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Approve abatement request from Rocky Waters 3 LP on Parcel 30900-00735-010-20. New construction took place on the lot and assessed value was attached to wrong parcel.
- B. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Mary Ann Biggs.
- C. Permission for Mayor to sign the 2018 Combined Voting Agreement between the Lead-Deadwood School District, City of Central City, City of Deadwood, City of Lead, City of Whitewood, Lead-Deadwood Sanitary District and the Lead Fire Protection District.
- D. Pay annual trustee fees to First National Bank-Sioux Falls for Series 2012 and 2015 Certificates of Participation in the amount of \$5,762.50 from Historic Preservation
- E. Request use of public property and waiver of parking lot fees for Lead-Deadwood Girls Softball Tournament June 22 through June 24, 2018
- F. Permission to hire Katie Tieman and Hannah Campbell as front desk receptionists at the Rec Center at \$8.93 per hr. effective December 6, 2017 pending pre-employment drug screening.
- G. Correct pay rate for uncertified officer Sonya Papousek from \$19.53 to \$20.12, per pay scale, effective July 20, 2017.
- H. Accept technical assistance and enter into Community Planning Assistance for Wildfire program. Allow Mike Runge and Bob Nelson Jr. to travel to Boulder, CO for training on January 24 and 25, 2018, at no cost to city.
- I. Approve request from Deadwood History to purchase Adams Museum sign and participate in 50% of the cost, not to exceed \$3,997.50.
- J. Purchase Gaylord Brothers Delphi Triton Exhibit case from Archives budget at cost not to exceed \$7,300.00.

BID ITEMS

Crane Truck

Transportation and Facilities Director Kruzel stated the truck met all bid specifications and an outside entity would inspect the truck. Ruth moved, Speirs seconded to accept bid from Equipment Repair Solutions for knuckle boom truck in the amount of \$49,000.00 plus \$1.50 per mile to Deadwood. Commissioner Todd expressed concerns that truck was not a budgeted item, and felt city should consider less expensive options. Commissioners Speirs and Ruth agreed with Todd regarding budget, but were in favor of purchase due to safety issues for both employees and visitors. Roll Call: Aye-Ruth, Speirs, Struble, Turbiville. Nay-Todd. Motion carried.

REGULAR MEETING, DECEMBER 4, 2017

PUBLIC HEARINGS

Speirs moved, Ruth seconded to set public hearing on December 18 for open container in zones 1 and 2 on February 9 and 10, 2018, street closure for parade and waiver of banner fees for floats on February 10, 2018 for Mardi Gras event. Roll Call: Aye-All. Motion carried.

OLD BUSINESS

Pavilion

Mayor Turbiville reviewed options as stated at the November 20 Commission meeting, and at the request of Silverado Gaming, added possible land trade of Franklin Motor Lodge for Pavilion to the list. Resident Lyman Toews presented results of a survey he conducted with people living within 300 feet of the Pavilion. The survey indicated residents saw a need for parking in the neighborhood. Lead-Deadwood School District board member Orson Ward stated parking is the number one concern as they move forward with facility improvements at the Elementary School. Mr. Ward added they currently have 75 employees and own zero parking spaces. He was interested in pursuing ownership of property for school parking, but added further action would have to go through school board approval process.

Jason Keller gave a presentation of proposed Gold Rush Deadwood Lanes. He stated the building would feature a 16-lane bowling alley, state of the art equipment, arcade and sports lounge restaurant, 5-7 full time employees, and possibly up to 15 part time employees. Mr. Keller discussed possibility of hosting various tournaments, which could bring additional revenue to local hotels and restaurants. Discussion also took place on potential parking issues.

Business owner Tom Rensch spoke to the possible land trade between City and Silverado for Franklin Motor Lodge property, and added that he would only offer the property for trade if the city would agree to construction of Main Street Square. Business owner Ron Island said this lot is key to revitalization, and without the Franklin Motor Lodge property, revitalization will not happen. Sharon Martinisko, Ron Russo, Louie Lalonde, and Mike Trucano also spoke in support. Marlene Todd suggested using the Interpretive Lot for the square and keeping Pavilion lot for parking, which would be a less costly alternative. Georgeann Silvernail agreed, and reminded commission should consider operational costs of the square as well. Commissioner Todd added that if land trade was approved, the city will be making a \$5 million dollar commitment, and would like to see private investment in the project as well.

After discussion, Struble moved, Ruth seconded to include parking as option for discussion and possible action on December 18: either city owned, school owned, or as result of land trade. Roll Call: Aye-All. Motion carried. Todd moved, Speirs seconded to approve pursuing Gold Rush Deadwood Lanes as a possible alternative option. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Ordinances

Ruth moved, Speirs seconded to approve second reading of Ordinance #1267, to Amend Chapter 17, Change of Zoning. Roll Call: Aye-All. Motion carried.

After explanation from Finance Officer, Speirs moved, Struble seconded to approve first reading of Ordinance #1268, Supplemental Budget Ordinance #3 for 2017. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to approve first reading of Ordinance #1269, to Amend Chapter 6.08, Dogs and Cats, and set impound and license fees by resolution. Roll Call: Aye-All. Motion carried.

Ordinances

Todd moved, Struble seconded to approve first reading of Ordinance #1270, to Amend Chapter 15.00 Building Construction Fees. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to approve first reading of Ordinance #1271, to Amend Chapter 17.04.090, Conformance Required. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, DECEMBER 4, 2017

Resolution 2017-27

After discussion on various fees included in resolution, Todd moved, Struble seconded to approve Resolution 2017-27 Establishing City Fees for 2018. Roll Call: Aye-All. Motion carried.

CITY OF DEADWOOD RESOLUTION 2017-27 A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE CITY OF DEADWOOD

WHEREAS, City Ordinances require certain license 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 for the 2018 year:

Accident Report\$2.00

Animal Impound Fees:

First Impoundment.....\$25.00

Second Impoundment.....\$50.00

Third and Subsequent Impoundment..... \$100.00

Animal License:

Dog or cat, spayed or neutered\$5.00

Dog or cat, unsprayed or neutered\$10.00

Banner Fee~~\$100.00~~**\$150.00**

Burial Fees-Oakridge:

Space, excluding recording fee.....\$125.00

For perpetual care(mandatory)\$75.00

City Hall Office:

NSF chargesmaximum allowed by SDCL 57A-3-421

Contractors License-new\$75.00

Contractors License-renewal\$50.00

Horse Drawn Vehicles-limited to two vehicles\$75.00

Grading Fee

0 to 10 cubic yards.....no charge

11 to 50 cubic yards.....\$50.00

Over 50 cubic yards.....\$100.00

Inspection Fee two times building permit

Mt. Moriah including licensed tour buses:

Admission over 12.....\$2.00

12 and under free

Nuisance/Labor Charge

Weed Removal \$71.50/hour

Snow Removal \$71.50/hour

Repair for damage to city property..... \$71.50/hour

Parking:

Broadway hourly:

First hour\$3.00

Second hour.....\$5.00

Third hour to Twenty-four hours\$10.00

Lost Ticket.....\$10.00

Broadway leases:

Employee month to month lease\$50.00/month plus tax

Annual lease:

1-25 spaces\$100.00/month plus tax

26-50 spaces\$85.00/month plus tax

REGULAR MEETING, DECEMBER 4, 2017

50-119 spaces\$75.00/month plus tax
120+ spaces\$60.00/month plus tax

Meters-Lower Main Street and Pioneer Way/Armory..... \$1.00/hour
All other meters \$.50/hour
Parking meter violation.....\$10.00

Other offenses:

Within 72 hrs.	After 72 hrs.	
Blocking driveway	\$ 25.00	\$ 34.00
No parking area	25.00	34.00
Yellow marked area	25.00	34.00
Dead storage over 24 hrs.	25.00	34.00
Snow removal area	25.00	34.00
Parking in unloading zone	35.00	44.00
Too near fire hydrant	25.00	34.00
Parked against traffic	25.00	34.00
Handicapped parking only	100.00	109.00
Red marked area	75.00	84.00
Unauthorized residential parking	25.00	34.00

Tow and Storage Fee for Abandoned
Vehicles..... \$125.00/+\$25.00/day

Pawn Broker.....\$100.00/annual

Recreation Center

Family Pass (parents and legal guardians and all children grade twelve (12) and under).

Daily - \$7.00
One (1) month - \$30.00
Three (3) month - \$82.00
Six (6) month - \$150.00

Single Adult (19-54)
Daily - \$4.00
One (1) month - \$23.00
Three (3) month - \$55.00
Six (6) month - \$85.00

Child/Senior (0-12 and 55+)
Daily - \$2.00
One (1) month - \$12.00
Three (3) month - \$30.00
Six (6) month - \$50.00

High School Student (13-18).
Daily - \$2.00
One (1) month - \$15.00
Three (3) month - \$32.00
Six (6) month - \$55.00

Corporate Family
One (1) month (family) - \$25.00
Three (3) month (family) - \$70.00
Six (6) month (family) - \$140.00

Corporate Single
One (1) month - \$17.00
Three (3) month - \$44.00
Six (6) month - \$70.00

Key Cards
Key - \$3.00
Locker Rental. Monthly - \$5.00 half locker; \$10.00 full locker.

REGULAR MEETING, DECEMBER 4, 2017

Sign Permit Fee.....\$60.00-\$100.00

Special Alcohol License\$50.00/day

Staging fee-construction:

Parking Space \$125.00/month

Use of City Property \$500.00/month

Taxi License, Limit five, maximum twenty vehicles \$75.00 first/\$25.00 each additional (annual)

TENT RENTAL WITH APPROVED SPECIAL EVENT:

10' by 10' Set up and taken down by City Staff \$100.00

20' by 30' Set up and taken down by City Staff.....\$200.00

Trolley:

Fare \$1.00/ride

All day pass\$5.00/pass

Punch card pass for 12 rides\$10.00/pass

Group Rates:

0 – 25 members\$50.00

26 – 50 members\$100.00

51 – 75 members\$150.00

76 – 100 members\$200.00

Each 25 additional\$50.00

By showing a name tag of the registered group, rides would be unlimited, providing the event does not last longer than two (2) consecutive days

Utilities:

Water:

Residential minimum demand charge\$23.65 \$24.85 Monthly
for all accounts, whether on or off, regardless of water usage; water usage charged as follows:

Water Usage	Water Rate
0 - 4,999 gallons	\$1.73–\$1.82/1,000 gallons
5,000 - 9,999 gallons	\$2.10–\$2.21/1,000 gallons
10,000 - 19,999 gallons	\$2.62–\$2.75/1,000 gallons
20,000 - 49,999 gallons	\$3.15–\$3.31/1,000 gallons
50,000 and over gallons	\$4.20–\$4.41/1,000 gallons

Commercial accounts: Monthly minimum (demand) charge for all accounts, whether on or off, based upon meter size, per meter, as follows:

Meter Size	Cost
1 inch or less	\$36.23 \$34.50
1.5 inch	\$48.51 \$46.20

REGULAR MEETING, DECEMBER 4, 2017

2 inch	\$72.77 \$69.30
3 inch	\$109.15 \$103.95
4 inch	\$145.53 \$138.60
6 inch	\$218.30 \$207.90

with commercial water usage rates as follows:

Water Usage	Water Rate
0 - 9,999 gallons	\$3.15 \$3.31/1,000 gallons
10,000 - 49,999 gallons	\$3.68 \$3.86/1,000 gallons
50,000 and over gallons	\$4.20 \$4.41/1,000 gallons

Waste water:

Residential \$2.00 \$4.00 per month
Commercial one (1) inch or less meter \$5.00-\$10.00 per month
Commercial meter greater than one (1) inch..... \$10.00-\$20.00 per month

Garbage:

Residential and small commercial accounts (defined as in-home apartments on the same site as the primary residential account): will be charged at the current contract rate that the city must pay to a private contractor, which is currently \$12.55, and applicable tax per month for all accounts, whether on or off.

Commercial accounts are responsible for own garbage removal.

Vending (temporary) 60 day notice required:

Outside..... \$750/14 days
Inside \$250/14 days
Convention Center..... \$1500/January-December

Zoning Fees:

Change of Zoning\$150.00
Conditional Use Permit\$150.00
Selling unrecorded plat.....\$100.00
Subdivision approval first lot, then thereafter \$100.00/\$30.00
Variance\$150.00

Dated this 4th day of December, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Resolution 2017-28

Speirs moved, Todd seconded to approve Resolution 2017-28, Designating Special Events Recognized by the City of Deadwood for purposes of Ordinances Section 15.32.100 and 15.32.140 for 2018. Zoning Administrator Nelson informed Commission rally was not included due to banner compliance issues in previous years. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, DECEMBER 4, 2017

RESOLUTION 2017-28

A RESOLUTION DESIGNATING SPECIAL EVENTS RECOGNIZED BY THE CITY OF DEADWOOD FOR PURPOSES OF ORDINANCES 15.32.100 AND 15.32.140
BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective months of occurrence, are hereby recognized for the year 2018 as "special or civic event(s)" for purposes of Ordinances 15.32.100 and 15.32.140:

<u>Special or Civic Event:</u>	<u>Date(s) of Event:</u>
1. ISOC Deadwood Snocross Shootout	January 19-20, 2018
2. Mardi Gras	February 9-10, 2018
3. St. Patrick's Day	March 16-17, 2018
4. Wild Bill Hickok Days	June 15-16, 2018
5. 3 Wheeler Rally	July 10-15, 2018
6. Days of '76	July 24-27, 2018
7. Kool Deadwood Nites	August 23-26, 2018
8. Oktoberfest	October 4-6, 2018
9. Wild West Songwriter's Festival	October 11-13, 2018

Dated this 4th day of December, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Agreement

Attorney Quentin explained the agreement with Blake and Melanie Haverberg to extend loan term and reduce payments. Todd moved, Ruth seconded to allow Mayor to sign Second Amended Lease Agreement with Option to Purchase with Blake D. Haverberg and Melanie D. Haverberg, Martin Mason Restoration LLC Etc. for Martin Mason Property, extend the term of the loan by 3 years and reduce payment to \$9,972.44 at 4%, with balloon payment due on December 31, 2022. Roll Call: Aye-All. Motion carried.

Addendum

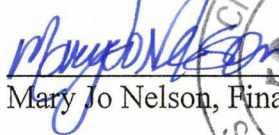
Ruth moved, Struble seconded to allow Mayor to sign Addendum to Second Amended Settlement Agreement with Haverberg Entities dated June 20, 2014. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

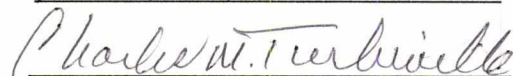
ADJOURNMENT

Speirs moved, Struble seconded to adjourn the regular session at 7:08 p.m. The next regular meeting will be on Monday December 18, 2017.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 12-19-17

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____