

## REGULAR MEETING, JULY 3, 2017

The Regular Session of the Deadwood City Commission convened on July 3, 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. Commissioner Gary Todd was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Speirs moved, Ruth seconded to approve the minutes of June 19, 2017. Roll Call: Aye-All. Motion carried.

JUNE, 2017 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$19,936.88; PUBLIC BUILDINGS, \$2,166.10; POLICE, \$59,457.02; FIRE, \$5,027.48; BUILDING INSPECTION, \$5,833.75; STREETS, \$30,812.78; PARKS, \$32,024.06; PLANNING & ZONING, \$4,912.40; LIBRARY, \$6,574.18; RECREATION CENTER, \$13,866.88; HISTORIC PRESERVATION, \$16,280.22; WATER, \$14,814.59; MT. MORIAH, \$4,551.45; PARKING METER, \$10,887.79; TROLLEY, \$20,018.64; PARKING RAMP, \$5,150.82 **PAYROLL TOTAL: \$255,045.80**

### JUNE, 2017 PAYROLL PAYMENTS:

Internal Revenue Service, \$64,351.20; S.D. Retirement System, \$25,414.90; Delta Dental, \$3,946.52.

### APPROVAL OF DISBURSEMENTS

Speirs moved, Struble seconded to approve the July 3, 2017 disbursement plus additional check to Tentexkota in the amount of \$521,027.50 per agreement. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	344.48
A & I DISTRIBUTORS	SUPPLIES	180.38
ADVANCED ENGINEERING	SERVICE	291.00
ALBERTSON ENGINEERING	PROJECT	16,146.47
ALBRIGHT CONSTRUCTION	PROJECT	31,410.00
ALSCO	SUPPLIES	261.64
ASSOCIATED BAG	SUPPLIES	231.68
ATCO	SUPPLIES	717.00
BICKLE TRUCK	REPAIR	1,173.40
BH CHEMICAL	SUPPLIES	1,364.28
BH ENERGY	ELECTRIC	27,624.16
BH SECURITY	SERVICE	344.55
BH SPECIAL SERVICES	CLEANING	2,730.00
BROCK WHITE	SUPPLIES	340.90
BUTLER MACHINERY	SERVICE	1,375.88
CAI CONSTRUCTION	PROJECT	60,127.42
CHAINSAW CENTER	SUPPLIES	510.15
CODDINGTON, RANDI	GRANT	6,117.61
CONRAD'S SIGNS	PROJECT	2,193.99
CULLIGAN	SUPPLIES	15.00
DAK GENERATOR	INSPECTION	1,692.68
DEADWOOD CHAMBER	PASTPORT	1,500.00
DVFD	REIMBURSEMENT	686.85
DHARMA TREE CARE	GRANT	3,750.00
EMERY-PRATT	BOOKS	465.95
FENTON, KRIS & MELANIE	REIMBURSEMENT	239.97
FIRST NATIONAL CREDIT CARD	SUPPLIES	1,412.89
FIRST NATIONS SCULPTURE	GRANT	10,000.00
FLAT EARTH SIGN	PROJECT	3,075.00
FMG ENGINEERING	PROJECT	684.20
FOUNDANT TECHNOLOGIES	SOFTWARE	12,000.00
FREEMAN'S ELECTRIC	SERVICE	5,121.00
GLOBAL EQUIPMENT	SUPPLIES	274.17
GLOVER, SANDY	REIMBURSEMENT	31.06
GOVERNMENT FINANCE OFFICER	NEWSLETTER	50.00
HAWKINS	SUPPLIES	993.50
IAFC	MEMBERSHIP	209.00
IDENTICARD	SEARCH	950.00
INTERSTATE BATTERY	SUPPLIES	499.00
INTERSTATE ENGINEERING	SERVICE	881.75
JACOBS WELDING	SERVICE	657.96
KOKINOS CONSTRUCTION	PROJECT	5,553.00
KONE	MAINTENANCE	290.08
LAWRENCE CO. REGISTER	FEE	90.00
LAWSON PRODUCTS	SUPPLIES	182.88
LEAD DEADWOOD ARTS CENTER	SERVICE	100.00
LIGHTING PLASTICS	REPAIR	1,175.55
LYNN'S	TROLLEY	157.27
MAU, KIP	REIMBURSEMENT	50.00
MED-TECH RESOURCE	SUPPLIES	137.74
METERING & TECHNOLOGY	METER	2,412.08
MIDWEST TAPE	DVDS	318.84
MIKLA, JAMES & CHRISTINE	GRANT	4,164.27
MDU	SERVICE	3,274.99
MS MAIL	BROCHURE	2,000.00
MUTUAL OF OMAHA	INSURANCE	240.70
NAJA SHRINERS	ALLOCATION	3,500.00
NEVE'S UNIFORMS	UNIFORMS	233.80
OCHSE, ANN	GRANT	260.00

## REGULAR MEETING, JULY 3, 2017

OFFICE DEPOT	SUPPLIES	569.99
OTIS ELEVATOR	CONTRACT	129.30
PANNIER	PANEL	1,293.00
PRAIRIE HILLS TRANSIT	ALLOCATION	2,500.00
QUILL	SUPPLIES	288.37
RAMKOTA HOTEL	LODGING	587.94
ROCKINGTREE LANDSCAPES	TREE	330.00
ROGERS CONSTRUCTION	PROJECT	3,500.00
S AND C CLEANERS	CLEANING	2,687.50
SACRISON ASPHALT	MIX	375.60
SD DEPT. OF ENVIRONMENT	FEE	650.00
SD DEPT. OF REVENUE	APPLICATION	155.00
SD FEDERAL PROPERTY AGENCY	SUPPLIES	124.00
SD MAGAZINE	MAGAZINE	23.00
SD MUNICIPAL LEAGUE	WORKSHOP	75.00
SD PUBLIC HEALTH LAB	TESTING	45.00
SD STATE HISTORICAL SOCIETY	FUNDING	57,500.00
SERVALL	SUPPLIES	990.97
SLIPER, ROBERT	REIMBURSEMENT	162.40
SOUTHSIDE	GASOLINE	10,670.00
SPEARFISH HUSKY	SUPPLIES	300.00
STEAMBOAT PUBS	BOOKS	30.00
TEMPERATURE TECHNOLOGY	REPAIR	178.70
TENTEXKOTA	AGREEMENT	521,027.50
TRUGREEN	SERVICE	305.40
TWILIGHT	SUPPLIES	316.75
TWIN CITY ANIMAL SHELTER	SERVICE	3,250.00
TWIN CITY HARDWARE	SUPPLIES	10,705.11
TWIN CITY HARDWARE	GRANT	10,489.88
UMENTHUM, KEITH	WINDOWS	340.00
VAST	SERVICE	2,740.22
VERIZON	SERVICE	40.01
VIEHAUSER ENTERPRISES	SERVICE	379.93
VISIONS HOME IMPROVEMENTS	WINDOWS	3,913.71
WELLMARK	INSURANCE	42,044.06
WESTBROOK, LESTER & LITA	GRANT	1,985.86

TOTAL \$903,520.37

## ITEMS FROM CITIZENS ON AGENDA

### Meters (continued from May 15)

Discussion continued concerning removal of seven parking spots and meters by Deadwood Arch on Lower Main Street. John Martinisko spoke in favor and stated Deadwood Revitalization/Main Street Initiative Committees are in support of removal due to safety issues. Britton Siemonsma, Tin Lizzie General Manager, requested that city keep parking spots in order to insure adequate parking. Police Chief Fuller stated that in 22 years that he has been employed with the City, no incidents or accidents have happened at that location due to parking. Mayor Turbiville recommended keeping the parking spaces and meters, moving the speed limit sign to the beginning of the spots near intersection of Volin Street and posting as compact cars only. After discussion, Speirs moved, Struble seconded to deny request to eliminate seven parking spots and meters, move the speed limit sign near intersection of Volin Street, and limit to compact cars only. Roll Call: Aye-All. Motion carried.

### Closure

Speirs moved, Ruth seconded to allow Automotive Events to close Main Street temporarily between Wall and Deadwood from 9:00 a.m. to 11:00 a.m. on July 11 and 13, 2017. Roll Call: Aye-All. Motion carried.

### CONSENT

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

- A. Renew annual lease with Deadwood Gaming Association to use portion of History and Info Center at cost of \$250.00 monthly
- B. Northern Hills Recreation Association requesting use of public property for Mile High Bicycle Challenge on Saturday, July 15, 2017
- C. Lead-Deadwood Post Prom Committee requesting use of public property beginning at South Gateway and finishing at Deadwood Parks Department for My School Color Run on Sunday, October 15, 2017
- D. Permission to pay Maintenance Technician, Don Clyne, \$23.08 per pay period for cell phone allowance
- E. Permission to increase wage of Ordinance Officer Jeramy Russell from \$16.81 hr. to \$17.74 hr. effective July 3, 2017 after one year of service, which is 95% of prevailing wage; and permission to increase wage of Police Reserve Sally Sprigler from \$12.75 hr. to \$13.30 hr. effective July 8, 2017 after three years of service

## REGULAR MEETING, JULY 3, 2017

- F. Permission for Streets Dept. to purchase paint sprayer with gravity flow hopper from Diamond Vogel in the amount of \$8,134.72 (budgeted item)
- G. Permission for Police Department to hire up to 8 temporary part time police officers during Rally at rate of \$19.54
- H. Accept resignation of Police Officer Heather Monson effective July 13, 2017, advertise for position in house for five days, then outside sources if necessary
- I. Permission for Mayor to sign agreement with Black Hills Asphalt to repair Sherman Street parking lot
- J. Accept resignation of seasonal employee Jacob Beyer effective June 29, 2017
- K. Approve Historic Preservation Commission recommendation to print 20,000 Walking Tour Brochures from MS Mail at cost of \$5,000.00
- L. Approve Historic Preservation Commission recommendation to enter into contract with Don Toms to index eight criminal record dockets from 1950-1979 as part of the Ledger Indexing project at cost not to exceed \$8,000.00 to be paid from Archives line item
- M. Permission to contract with Archeological Research Center for monitoring and report preparation at 53 Taylor Street during wall demolition and reconstruction. Cost range is between \$306.80 and \$8,524.60. Expenditure to be paid from Historic Preservation Archeology line item.
- N. Permission to contract with RCI Construction to relay brick pavers at History and Information Center at cost not to exceed \$8,250.00. Expenditure to be paid from Historic Preservation Capital Assets.

### BID ITEMS

#### Raymond St

Mayor Turbiville stated one bid was opened for Raymond Street retaining wall at 2:00 p.m. on June 29 as advertised. Bid bond was included.

RCS Construction - \$508,000.00, Alternate #1 - Reduction of \$219,000.00

Ruth moved, Speirs seconded to approve staff recommendation to reject sole bid. Roll Call: Aye-All. Motion carried.

#### Street Sweeper

Mayor Turbiville stated one bid was opened for Street Sweeper exchange at 2:00 p.m. on June 29 as advertised.

Environmental Equipment and Services - Exchange of 2008 7.3 Cu. Yd. volumetric street sweeper for 2017 2.4 Cu. Yd. volumetric street sweeper. No cash exchange.

Speirs moved, Struble seconded to approve the exchange with Environmental Equipment Services. Roll Call: Aye-All. Motion carried

### PUBLIC HEARINGS

#### Set

Ruth moved, Speirs seconded to set public hearing on July 17 for My School Run. Roll Call: Aye-All. Motion carried

### NEW BUSINESS

#### Agreement

Speirs moved, Struble seconded to allow Mayor to sign agreement with South Dakota Dept. of Transportation to install pedestrian activated signal crossing on Highway 85/14A in alignment with proposed pedestrian bridge over Whitewood Creek. Roll Call: Aye-All. Motion carried

#### Easement

Ruth moved, Speirs seconded to allow Mayor to sign Permanent Easement with Jeremy Walton to construct, maintain and repair a six-foot tall wood back yard fence along property by Mickelson Trail adjacent to Claim Jumpers. Zoning Administrator Nelson Jr. stated the requested easement is due to noise from snowmobiles. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, JULY 3, 2017

### Purchase

Speirs moved, Struble seconded to purchase a 50" x 88" Message Board Sign from National Signal Incorporated for \$10,880.00 plus shipping (estimated \$1,600.00.) Item is budgeted. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to purchase ten replacement LED light fixtures at cost of \$1,150.00 each for total of \$11,500.00 from Eagle Enterprises. Purchase will replace high-pressure sodium fixtures along Pioneer Way. Replacement fixtures are eligible for rebate and will result in cost savings, to be paid from Streets Department. Roll Call: Aye-All. Motion carried.

### Funding

Speirs moved, Ruth seconded to approve funding request from Days of 76 Parade Committee for Native American Indian participation in Days of 76 Parade and rodeo for \$4,000.00 from Historic Preservation Public Education. Roll Call: Aye-All. Motion carried.

### Grants

Ruth moved, Speirs seconded to approve Outside of Deadwood grants totaling \$125,000.00 for the second half of 2017. The approved grants are: DC Booth Fish Hatchery-Booth House-\$13,200.00; Frawley Ranches-Elkhorn Ridge Development-\$3,500.00; Ft. Pierre Historic Preservation Commission-Chouteau-\$10,000.00; Ft. Pierre American Legion-Museum-\$12,675.00; Lawrence County History Society-History of LC Book-\$11,200.00; Lead/Deadwood Economic Development-Grant Program-\$15,000.00; Mt. Roosevelt Friendship Tower-\$6,875.00; Fall River County - Pioneer Museum-\$2,550.00; S.D. Game Fish & Parks - Hydro 2 - \$20,000.00; Sioux Falls Stock Yards -\$10,000.00; Sully County Courthouse-\$7,500.00; and Verendrye Museum Assoc.-Several Structures - \$12,500.00; Roll Call: Aye-All. Motion carried.

### Resolution

Speirs moved, Struble seconded to approve Resolution 2017-13 Establishing Community Standards for Drone Operation within Deadwood. Police Chief Fuller stated drones are becoming more common and if left unregulated, they can pose certain safety risks to the community. Therefore, ordinance establishes a no fly zone over the Historic Main Street core and Event Center. He also stated individuals can get permission to fly drones from Commission, Police Chief, Fire Department or Public Works. Roll Call: Aye-All. Motion carried.

## RESOLUTION 2017-13

### **A RESOLUTION ESTABLISHING COMMUNITY STANDARDS FOR DRONE OPERATION WITHIN DEADWOOD**

WHEREAS, City Ordinances authorize limited drone operation in city airspace for hobby and recreational purposes only;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes community standards to be complied with in regards to drone operations as governed by City of Deadwood Codified Ordinance 8.21.

Dated this 3rd day of July, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

### Ordinance

Speirs moved, Ruth seconded to approve first reading of Ordinance #1260 regarding Aviation-Drone Operation within Deadwood. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, JULY 3, 2017

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville read the following informational items:

- Fundraising raffle tickets will be during Deadwood 3 Wheeler Rally with drawing to be held on July 15, 2017. All proceeds will benefit American Legion Riders Post 71. Value of prize is \$4,000.00.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) and Union Matters per SDCL 1-25-3 (4) with possible action.

Commissioner Ruth thanked the City for their support for the Shrine Circus.

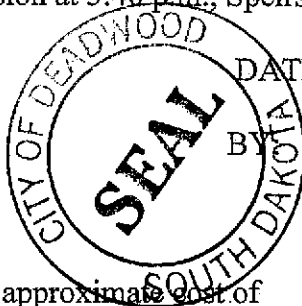
ADJOURNMENT

Speirs moved, Ruth seconded to adjourn the regular session at 5:19 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and union matters per SDCL 1-25-2 (4) with possible action. The next regular meeting will be on Monday July 17, 2017.

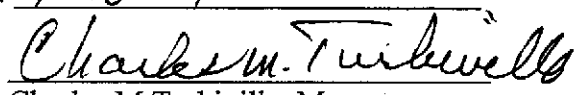
After coming out of executive session at 5:40 p.m., Speirs moved, Struble seconded to adjourn.

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: 7-18-17

  
Charles M Turbiville, Mayor

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