

REGULAR MEETING, MAY 15, 2017

The Regular Session of the Deadwood City Commission convened on May 1, 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

Speirs moved, Struble seconded to approve the minutes of May 1, 2017. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Todd moved, Ruth seconded to approve the May 15, 2017 disbursement plus additional bill. Roll Call: Aye-All. Motion carried.

A & J SUPPLY	SUPPLIES	33.99
ADAMS SALVAGE	SERVICE	23.92
ALBERTSON ENGINEERING	PROJECT	4,408.22
AMAZON	SERVICE	183.54
ANTIQUE EMPORIUM	KEY	28.76
ATCO INTERNATIONAL	SUPPLIES	859.92
AVENET	GOV OFFICE	500.00
B&B AUTO SALVAGE	REPAIR	1,000.00
B.S. REMODELING	PROJECT	1,632.00
BH CHEMICAL	SUPPLIES	59.72
BH PIONEER	ADS	1,218.00
BH URGENT CARE	TESTING	120.00
BH WINDOW CLEANING	CLEANING	374.00
CAI CONSTRUCTION	PROJECT	27,808.02
CHAINS AW CENTER	SUPPLIES	207.29
COCA COLA	SUPPLIES	134.00
CULLIGAN	SUPPLIES	310.50
CZECH HERITAGE PRESERVATION	GRANT	5,500.00
DAK GENERATOR	SUPPLIES	15.74
DALES TIRE	SUPPLIES	204.00
DEADWOOD ELECTRIC	SERVICE	955.47
DVFD	REIMBURSEMENT	225.00
EAGLE ENTERPRISES	SUPPLIES	1,713.80
EASTMAN, JOANN	ARBOR DAY	493.99
ECOLAB	SERVICE	90.00
EDDIE'S TRUCK CENTER	REPAIR	10,439.83
EMERY-PRATT	BOOKS	197.29
FARRIER, MARIE	MEETINGS	75.00
FASTENAL	SUPPLIES	13.98
FIRST INTERSTATE BANK	TIF	245,000.32
GOLDEN WEST	SERVICE	3,769.30
GOVERNMENT FINANCE OFFICER	MEMBERSHIP	160.00
GRIMM'S PUMP	SUPPLIES	195.96
GUNDERSON, PALMER, NELSON	SERVICE	6,361.68
HAMANN, ALEX	REIMBURSEMENT	14.02
HAWKINS	SUPPLIES	504.20
HILLS MATERIALS	SUPPLIES	147.62
INTERSTATE BATTERY	BATTERIES	19.00
INTERSTATE ENGINEERING	SURVEY	5,731.40
JENNER EQUIPMENT	SUPPLIES	342.30
KLJ	PROJECT	2,956.00
KDSJ	ADS	260.00
KIMBALL MIDWEST	SUPPLIES	295.60
KOKINOS CONSTRUCTION	PROJECT	21,446.16
KONE	MAINTENANCE	290.08
KUBOTA TRACTOR	RTV	17,321.16
LAWRENCE CO. REGISTER	GIS	6,989.17
LAWSON PRODUCTS	SUPPLIES	696.73
LEAD-DEADWOOD SANITARY	USAGE	27,176.23
LIBERTY NATIONAL BANK	TIF	68,548.55
LIFE SONG	MEMORIAL	375.00
LYNN'S	SUPPLIES	56.38
M&M SANITATION	RENTAL	220.00
MCGRATH, RHONDA	REIMBURSEMENT	74.99
MID-AMERICAN RESEARCH	SUPPLIES	322.29
MIDCONTINENT	SERVICE	65.00
MIDWEST TAPE	DVDS	204.91
MITZI'S BOOKS	BOOKS	82.34
MS MAIL	SERVICE	966.89
NORTHERN HILLS TECHNOLOGY	SERVICE	604.00
NORTHWEST PIPE FITTINGS	SUPPLIES	534.88
OWENS INTERSTATE SALES	SUPPLIES	489.30
PARTSMASTER	SUPPLIES	211.75
PASSPORT PARKING	METERS	73.25
PETTY CASH	FINANCE	133.44
REUPPEL CONSULTING	PROJECT	650.00
ROCKINGTREE LANDSCAPES	TREE	209.00
SCHMIDT, CHRIS	PROJECT	2,026.00
SD ASSN. OF RURAL WATER	EXPO	80.00
SD COMMISSION ON GAMING	CITY SLOTS	27,443.20
SD DEPT. OF CORRECTIONS	FIREWISE	2,145.20
SD DEPT. OF REVENUE	RENEWALS	6,912.50
SD ONE CALL	SERVICE	36.96
SD STATE HISTORICAL	MEMBERSHIP	90.00
SHAMA, LARRY AND MARCI	REIMBURSEMENT	8,939.34
SIRCHIE	BAGS	293.85
SOCIETY FOR HUMAN RESOURCE	RENEWAL	199.00

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SOUTHSIDE OIL	DIESEL	10,340.00
STURDEVANT'S	SUPPLIES	801.69
TALLGRASS	PROJECT	550.00
TEMPERATURE TECHNOLOGY	SUPPLIES	489.48
THE LORD'S CUPBOARD	RECYCLING	50.05
TIFFIN METAL PRODUCTS	LOCKERS	3,778.00
TREWHELLA, MISTY	REIMBURSEMENT	82.31
TURBIVILLE, CHARLES	MILEAGE	52.92
TWILIGHT	SUPPLIES	257.49
VAST	SERVICE	172.62
VERIZON WIRELESS	METERS	40.01
VIEHAUSER ENTERPRISES	SERVICE	54.98
WASTE CONNECTIONS	DUMPSTER	5,576.14

TOTAL \$542,736.62

ITEMS FROM CITIZENS ON AGENDA

Award (Informational Item)

Mayor Turbiville stated SD Dept. of Environment and Natural Resources awards City of Deadwood with Secretary's Award for Drinking Water Excellence. He presented awards to Ken Allen, Randy Pfarr and Lance Sandidge.

Award

Fire Chief Rakow presented certificate to Ken Hawki for 45 years of service as volunteer firefighter. Commission thanked him for his years of service.

Engagement

Al Schaefer, Department of Legislative Audit, appeared to request permission for the Mayor and Finance Officer to sign the engagement letter for the 2016 audit. Schaefer invited the Commissioners to visit with Legislative Audit regarding any concerns. Speirs moved, Ruth seconded said request. Roll Call: Aye-All. Motion carried.

Trolley

Shantel Pettit, Deadwood History Inc., requested permission to use trolley and waive group fee on July 20 for Camp Chief Eagle. Ruth moved, Speirs seconded to approve the request. Roll Call: Aye-All. Motion carried.

Meters

Sharon Martinisko requested the Commission consider eliminating seven parking spots and meters by Deadwood Arch on Lower Main Street due to safety and visibility concerns. Martinisko believes these parking spots are betraying Rogers Brooks idea of welcoming people to Deadwood. She suggested the Rec Center use the meters, providing the members a pass for the meter. Commissioner Todd questioned why other citizens have not addressed this issue as well. Commissioner Ruth stated the City needs to be concerned about public safety, not only the narrowness of the road but also an increase in the number of visitors taking pictures. After discussion concerning revenue, safety and opening of Welcome Center, Todd moved, Speirs seconded to continue this issue until July 3. Roll Call: Aye-All. Motion carried.

Trolley

Mike Rodman, requested permission to use trolley and waive group fee on June 7, 2017 for installation ceremony of Masonic Celestial Lodge marker and interpretive panel at Mt. Moriah. Todd moved, Struble seconded to approve the request. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Acknowledge ACH interest payment and paying agent fee on Sales Tax Bond in the amount of \$84,300.00 on May 31, 2017
- B. Permission to hire the following seasonal parks department employees effective May 22, 2017: Riley Lundquist at \$9.20 hr., Caleb Percy at \$8.93 hr., Colt Radensleben at \$9.42 hr., McKayla Norton at \$8.93 hr., Kadden Dillman at \$8.93 hr., Jacob Beyer at \$8.93 hr., and Kristi LaQua at \$8.93 hr. Permission to hire Loretta Klein for Mt. Moriah at \$8.93 hr. effective May 16, 2017, Zak Mau at \$8.93 hr., and remove Mt. Moriah employee Lori Allen
- C. Renew annual managed IT services with Golden West at total cost of \$6,420.00 for servers and routers. Budgeted and no cost increase from prior year

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- D. Approve the following revised job descriptions: for Trolley manager to add Facilities Manager duties, job descriptions for Trolley Department Assistant, Trolley Department Weekend Assistant position and Public Buildings Maintenance Technician
- E. Advertise Public Building Maintenance Technician position in house for five days, then advertise to outside sources if necessary
- F. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Devon Schumacher, Dustin Schumacher, Kristy Schumacher, Kamryn Schumacher, Lee Ann Paananen, Wayne Paananen and Peggy Bailey
- G. Increase wage of Trolley Driver Tom Riley from \$11.08 hr. to \$12.18 hr. effective May 24, 2017 after two years of service and terminate employment of Trolley Driver Art Reato effective May 9, 2017
- H. Acknowledge receipt of Department of Justice Equitable Sharing proceeds in the amount of \$3,198.94. Proceeds to be used for law enforcement purchases per Agreement signed April 21, 2014

BID ITEMS

Retaining Wall

Mayor Turbiville stated five bids were opened for retaining wall at 53 Taylor at 2:00 p.m. on May 11 as advertised. Bid bonds and acknowledge of Addendum 1 were included in the following bid submittals:

CAI2 Construction - \$148,500.00
Complete Contracting Solutions - \$81,500.00
RCS Construction - \$115,780.00
Tru-Form Construction - \$114,000.00
Rogers Construction - \$112,580.00

Historic Preservation Officer Kuchenbecker recommended Commission award bid to low bidder. Ruth moved, Speirs seconded to award to low bidder, Complete Contracting Solutions in the amount of \$81,500.00. Roll Call: Aye-All. Motion carried.

Grandstands Repair

Mayor Turbiville stated two bids were opened for Days of 76 Grandstand repairs at 2:00 p.m. on May 15 as advertised. Bid bonds were included in the following bid submittals:

Albright Construction – Base Amount \$54,500.00, Alternate \$110,000.00
Rogers Construction - Base Amount \$148,500.00

Public Works Director Green stated the alternate was replacement of the ramp access. Green recommended Commission award base bid to low bidder. Todd moved, Struble seconded to award to low base bidder, Albright Construction in the amount of \$54,500.00 and allow Mayor to sign contract after attorney has prepared. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Legends Ride

Public hearing was opened at 5:31 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber, was available to answer questions. Hearing closed.

Speirs moved, Ruth seconded to allow street closure on Main Street from Pine to Deadwood Street from 9:00 a.m. to 3:30 p.m. for Legends Ride, and waiver of banner fees for directional signage on Monday August 7, 2017. Roll Call: Aye-All. Motion carried.

Jan Van Tassel voiced concerns concerning hospitality within the City of Deadwood.

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Motorcycle Parking

Public hearing was opened at 5:34 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber of Commerce, was present to answer any questions. Hearing closed.

Ruth moved Speirs seconded to allow the use of the Interpretive Lot for motorcycle parking Sunday, August 6 through Sunday, August 13 from 10:00 a.m. to 2:00 a.m. daily, and allow motorcycle parking on Main Street from Franklin Hotel to Tin Lizzie Gaming Resort, northwest side only Sunday, July 30 through Sunday, August 13, 2017 from 10:00 a.m. to 2:00 a.m. daily. Roll Call: Aye-All. Motion carried.

Steer Roping

Public hearing was opened at 5:35 p.m. by Mayor Turbiville. Pat Roberts was present to answer any questions. Hearing closed.

Speirs moved, Ruth seconded to allow the relaxation of the open container and special full temporary liquor license at the Event Complex on Friday, August 18, 2017. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container and special full temporary liquor license at the Event Complex on Saturday August 19, 2017. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to allow the relaxation of the open container and special full temporary liquor license at the Event Complex on Sunday August 20, 2017. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the relaxation of the open container and special full temporary liquor license at the Event Complex on Monday, August 21, 2017. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to approve the use of the Event Complex and waiver of vending fee August 18 through August 21, 2017. Roll Call: Aye-All. Motion carried.

July 4 Parade

Public hearing was opened at 5:37 p.m. by Mayor Turbiville. There being no public comment, hearing closed. Speirs moved, Ruth seconded to approve the street closure request for the July 4th parade on Main Street from Tin Lizzie Gaming Resort to the Masonic Temple from 3:00 p.m. until the parade ends on Tuesday, July 4, 2017. Roll Call: Aye-All. Motion carried.

Deadwood Jam

Public hearing was opened at 5:38 p.m. by Mayor Turbiville. Sarah Anderson, Deadwood Chamber, was present to answer any questions. Hearing closed.

Speirs moved, Struble seconded to waive the open container ordinance in Interpretive Center only from 4:00 p.m. to 10:00 p.m. on Friday, September 15, 2017. Roll Call: Aye-All. Motion carried.

Speirs moved, Struble seconded to waive the open container ordinance in Interpretive Center only from noon to 10:00 p.m. on Saturday, September 16, 2017. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to approve street closures on Siever Street and Deadwood Street at noon on Thursday September 14 through 12:00 a.m. on Sunday September 17, waiver of vending and banner fees on Friday September 15 and Saturday September 16, and allow use of the Interpretive Lot at 10:00 a.m. on Thursday September 14 through 3:00 p.m. on Sunday September 17, 2017. Roll Call: Aye-All. Motion carried.

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NEWBUSINESS

Renewals

Ruth moved, Speirs seconded to renew 2017-2018 Malt Beverage Licenses pending payment of property tax and BID taxes. Roll Call: Aye-All. Motion carried.

PACKAGE (OFF-SALE) MALT BEVERAGE

Big D Oil Co., Bid D., 402 Main St., PB-1621

RETAIL (ON-OFF SALE) MALT BEVERAGE

Vaughn Mary Boyd, Deadwood Tobacco Co. & Cigar Bar, 628 Main St., RB-2108
Gold Dust Lodging Group, LLC, Holiday inn Express Hotel & Suites 22 Lee St., RB-2391
Mustang Sally's Inc., Mustang Sally's, 634 Main St., RB-2405
DGS LLC, Deadwood Gulch Saloon, 560 Main St., RB-2416
Black Diamond Capital LLC, Gold Dust, 688 Main St., RB-2418,
Bullock Hospitality LLC, Bullock Hotel, 633 Main St., RB-2445
BRI, Inc., Best Western Hickok House, 137 Charles St., RB-2447
Mary Larson, Deadwood Dicks Restaurant, 51 Sherman St., RB-2449
Princeton Inc., Deadwood Super 8 / Lucky 8 Gaming, 196 Cliff St., RB-2450
Willys Wild West, Deadwood Station, 68 Main St., RB-2453
Midnight Star Enterprises, LP, Midnight Star I & II, 677 Main St., RB-2454
Blue Sky Gaming, Inc., Tin Lizzie Gaming Resort, 555 Main St., RB-2463
Old Style Saloon #10, Inc., Saloon #10, 657 Main St., RB-2466
Super G Investment Corporation, Silverado, 709 Main St., RB-2512
WWW LLC, Gold Country Inn, 801 Main St., RB-2521
TJ Gear, Madame Peacock's Accessory Lounge, 638 Main St., RB-2527
Midwest Motels of Deadwood II, Buffalo Bodega, 658 Main St., RB-2576
First Gold, Inc., First Gold Hotel, 270 Main St., RB-2584
GR Deadwood LLC, Mineral Palace Hotel & Gaming, 607 Main St., RB-2593
Fairmont Hotel Corporation, Fairmont Hotel, 628 Main St., RB-2597
Deadwood Hospitality Resort LLC, Deadwood Gulch Resort, 304 Cliff St., RB-2609
Blue Sky Gaming Inc., Tin Lizzie Gaming Resort, 555 Main St., RB-2644
Hotel Franklin Inc., Historic Franklin Hotel, 700 Main St., RB-2659
Blue Sky Gaming, Inc., Tin Lizzie Gaming Resort, 555 Main St., RB-2831
Gulches LLC, Comfort Inn Gulches of Fun, 225 Cliff St., RB-3536,
Rolling Hills Farm Investment LLC, Celebrity Hotel, 629 Main St., RB-3722
B.Y. Development, Inc., Cadillac Jack's Gaming Resort, 360 Main St., RB-3894
Deadwood Resort, LLC, The Lodge at Deadwood, 100 Pine Crest Lane, RB-19227
Deadwood History Inc., Adams Museum & House Inc., 150 Sherman St., RB-19328
Deadwood History Inc., Days of '76 Museum, 1876 Drive, RB-20301
Dakota Gunslingers LLC, Dakota Gunslingers, 669 Main St., RB-21255
Tentexkota, LLC, Deadwood Mountain Grand, 1906 Deadwood Mountain Drive, RB-21329
Broken Arrow Trading Company, Deadwood Winery, 696 Main St, RB-21478
NMD Venture LLC, Hickok's Hotel & Casino, 685 Main St, RB-21688
Apex 1996 LLC, Apex 1996 LLC, 612 Main St, RB-21693
Pandora's Box, Pam's Purple Door, 637 Main St, RB-21725
Jackson Winery & Vineyards, Belle Joli Winery, 594 Main St, RB-21771
Richard & Marguerite Olesen, Wild Bill Old West Trading Post, 624 Main St, RB-21772
Kodiaks Inc., Kodiaks Arcade Shooting Gallery, 83 Sherman St, RB-21853
Apple Teaching Resources for Effective Education, Harry's Spaghetti Western,
65 Sherman St, RB-23146

RETAIL (ON-OFF SALE) MALT BEVERAGE AND SD FARM WINE

Deadwood Land Holding, LLC, Tatanka, Story of the Bison, 100 Tatanka Drive, BW-20586
Apple Teaching Resources for Effective Education, Pump House at Mind Blown Studio,
73 Sherman St., BW-20797
Boondocks LLC, Happy Days, 639 Main St., BW-21880

PACKAGE (OFF SALE) MALT BEVERAGE AND SD FARM WINE

Optima LLC, SpringHill Suites by Marriott, 360 Main St., PF-20925
Virginia Tice-Poseley, Dakota Sky Stone, 671 Main St., PF-21118
Shirttail Gulch Stage Stop, Canyon View Amish Furniture & Gift, 250 US
Highway 14A, RB-23169

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Resolution 2017-12

Speirs moved, Ruth seconded to continue Resolution 2017-12 to Adopt Conflict of Interest for Elected and Appointed Officials until next meeting. Roll Call: Aye-All. Motion carried.

Bids

Todd moved, Struble seconded to set bid opening at 2:00 p.m. on June 15 for Sherman Street parking lot repairs, with results to City Commission on June 19. Repairs to be paid from Parking and Transportation Fund. Roll Call: Aye-All. Motion carried.

Bids

Ruth moved, Speirs seconded to set bid opening at 2:00 p.m. on June 15 for Raymond Street Improvements, with results to City Commission on June 19. Project to be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

Request

Struble moved, Ruth seconded to approve the recommendation from Engineering Services Proposal Committee to negotiate professional services contract with Affordable Creative Engineering Services Inc. for Highway 14A Utilities and Corridor Improvements Project. Public Works Director Green stated this project will be a joint project with South Dakota Department of Transportation. Roll Call: Aye-All. Motion carried.

Purchase

Speirs moved, Struble seconded to purchase janitorial equipment for Welcome Center in an amount not to exceed \$7,000.00. Expenditure will be paid from Capital Project Fund. Roll Call: Aye-All. Motion carried.

Proposal

Ruth moved, Speirs seconded to accept proposal from S and C Cleaners for janitorial service at Deadwood Welcome Center at \$1,740.00 per month and direct City Attorney to prepare contract. Commissioner Todd questioned window cleaning. Transportation and Facilities Director Kruzel replied Black Hills Window Cleaning will be providing a quote. Roll Call: Aye-All. Motion carried.

Pavilion

Speirs moved, Struble seconded to allow Automotive Events to use Deadwood Pavilion from July 5th to July 15 and waive fees. Mayor Turbiville stated Automotive Events would use the building to store 25 vehicles, to allow the vehicles to be detailed and unveiling. Roll Call: Aye-All. Motion carried.

Increase

Speirs moved, Ruth seconded to approve cost increase of \$7,324.28 for extending bathroom and mechanical room walls to ceiling at the Pluma Gateway project. Roll Call: Aye-All. Motion carried.

Surplus

Speirs moved, Todd seconded to declare two parcels of land as surplus property. Lot 107A of Block 71 is currently being used as driveway for 31 Charles and is .125 acres, and Lot 107B of Block 71 is located in rear of vacant lot adjacent to 31 Charles and is .139 acres. Roll Call: Aye-All. Motion carried.

Appoint

Speirs moved, Ruth seconded to appoint Tom Kruzel, Lori Frederick, and Lyman Toews to Capital Improvement Leadership Committee prior to committee budget meetings. Roll Call: Aye-All. Motion carried.

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INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Resident Mr. Schmitz thanked the City of Deadwood staff for making the city a great place to live.

Mayor Turbiville read the following informational items:

- Engineering selection committee recommends that Commission continue utilizing services of Albertson Engineering. No further action needed since contract has been signed in an amount not to exceed \$60,000.00 for 2017.

- Lead, Deadwood and Central City Clean Up Week scheduled on May 15-May 20, 2017

Mayor Turbiville mentioned two seats on the Historic Preservation Committee are open and anyone interested please send a letter to the city

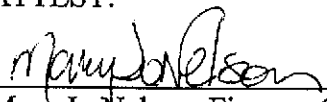
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2(1) with possible action.

ADJOURNMENT

Todd moved, Speirs seconded to adjourn the regular session at 6:05 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday June 5, 2017.

After coming out of executive session at 7:00 p.m., Struble moved, Todd second to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 

BY: 6-5-17
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____

