

REGULAR MEETING, MARCH 6, 2017

The Regular Session of the Deadwood City Commission convened on March 6, 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, Gary Todd, and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Ruth moved, Speirs seconded to approve the minutes of February 21, 2017. Roll Call: Aye-All. Motion carried.

FEBRUARY, 2017 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$17,941.96; PUBLIC BUILDINGS, \$4,846.04; POLICE, \$56,162.77; FIRE, \$5,036.41; BUILDING INSPECTION, \$3,884.56; STREETS, \$29,779.67; PARKS, \$17,403.47; PLANNING & ZONING, \$4,912.40; LIBRARY, \$6,454.56; RECREATION CENTER, \$13,836.65; HISTORIC PRESERVATION, \$17,055.06; WATER, \$14,761.51; PARKING METER, \$9,093.56; TROLLEY, \$17,211.28; PARKING RAMP, \$5,334.26 **PAYROLL TOTAL: \$226,444.92**

FEBRUARY, 2017 PAYROLL PAYMENTS:

Internal Revenue Service, \$56,586.05; S.D. Retirement System, \$25,132.60; Delta Dental, \$3,987.52.

APPROVAL OF DISBURSEMENTS

Todd moved, Van Den Eykel seconded to approve the March 6, 2017 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	283.23
A & B WELDING	ACETYLENE	101.24
A & I DISTRIBUTORS	SUPPLIES	140.90
A - Z SHREDDING	SERVICE	29.41
ACE INDUSTRIAL SUPPLY	SUPPLIES	1,229.00
AINSWORTH-BENNING	PROJECT	336,511.00
ALKALI COMMUNITY CLUB	GRANT	1,612.77
ALSCO	SUPPLIES	280.76
AMERICAN ENGINEERING	PROJECT	1,476.15
ASSOCIATED SUPPLY	SUPPLIES	1,004.41
ATCO INTERNATIONAL	SUPPLIES	319.00
BH CHEMICAL	SUPPLIES	35.94
BH ENERGY	SERVICE	32,782.31
BH PIONEER	SUBSCRIPTION	103.77
BH SECURITY	MONITORING	89.85
CARQUEST	SUPPLIES	203.31
CASE LIBRARY SYMPOSIUM	CONTRIBUTION	750.00
CENTURY BUSINESS	CONTRACT	340.90
CHAINSAW CENTER	SUPPLIES	712.13
CLEMENT COMMUNICATIONS	PROGRAM	176.41
COCA COLA	SUPPLIES	67.00
CONVERGINT TECHNOLOGIES	SERVICE	455.11
DEADWOOD CHAMBER	MARKETING	20,795.00
DEADWOOD ELECTRIC	SERVICE	197.36
DEADWOOD HISTORY	EXHIBIT	161.29
EMERY-PRATT	BOOKS	282.21
FIRST NATIONAL CREDIT CARD	SUPPLIES	2,155.38
FLAT EARTH SIGN	SIGNAGE	995.00
GENERAL TRAFFIC CONTROLS	EQUIPMENT	322.22
GOLDEN WEST	SERVICE	3,170.75
GOOD SHEPHERD CLINIC	ALLOCATION	1,000.00
GRANT THORNTON	SERVICE	4,000.00
GREAT WESTERN TIRE	REPAIR	2,623.90
HAWKI, KEN	REIMBURSEMENT	90.00
HAWKINS	SUPPLIES	952.31
IMAGE UP CREATIVE	PROJECT	249.60
JERRY'S AUTOMOTIVE	TRUCK	30,518.00
KAHLER, DEBRA	WINDOWS	445.82
LAWRENCE CO. REGISTER	RECORDING	90.00
MAYNARD, DESTINY AND BRADY	WINDOWS	3,000.00
MEHLBERG CONSTRUCTION	PROJECT	599.10
MIDCONTINENT	SERVICE	65.00
MIDWEST ART CONSERVATION	MEMBERSHIP	50.00
MIDWEST TAPE	DVDS	648.79
MDU	SERVICE	10,770.20
MOTOROLA	RADIO	2,442.50
MS MAIL	SERVICE	1,335.93
MUTUAL OF OMAHA	INSURANCE	240.70
NEVE'S	CARRIER	667.90
NEW PIG	SUPPLIES	135.00
NORTHERN HILLS ALLIANCE	ALLOCATION	5,000.00
NORTHERN SAFETY	SUPPLIES	1,557.30
OFFICE DEPOT	SUPPLIES	675.72
PARTSMASTER	SUPPLIES	173.75
PERFORMANCE ONE	BATTERY	150.00
PETTY CASH	LIBRARY	49.00
PETTY CASH	FINANCE	95.98
PIERRE/FT. PIERRE HIST. PRES	SPONSORSHIP	500.00
PITNEY BOWES	POSTAGE	500.00

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POOL & SPA CENTER	SUPPLIES	42.00
PUMP HOUSE	WORKSHOP	209.63
QUALITY INN	LODGING	1,019.90
QUICK TROPHY	SIGNAGE	46.83
QUILL	SUPPLIES	458.26
RASMUSSEN MECHANICAL	REPAIR	424.48
REGGIE'S AUTO BODY	REPAIR	1,663.47
RUSO, RON	GRANT	4,505.00
S AND C CLEANERS	CLEANING	1,000.00
SD DEPT. OF CORRECTIONS	FIREWISE	3,921.37
SD DEPT. OF REVENUE	STICKER	6.20
SD FIRE CHIEF'S	MEMBERSHIP	100.00
SD MAGAZINE	RENEWAL	25.00
SD PLANNERS	SPONSORSHIP	1,000.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,645.46
SOUTHSIDE OIL	SERVICE	847.00
SPRING HILL PRESS	MAP	2,000.00
THE LORD'S CUPBOARD	RECYCLING	67.90
TOMS, DON	PROJECT	780.00
TRIPLE K	SERVICE	811.98
TWIN CITY CLOTHING CENTER	ALLOCATION	2,500.00
TWIN CITY HARDWARE	SUPPLIES	5,814.19
TWIN CITY HARDWARE	GRANT	428.62
TYLER TECHNOLOGIES	MAINTENANCE	1,820.23
UMENTHUM, KEITH	PROJECT	1,750.00
US POSTAL SERVICE	PERMIT	225.00
VAST	SERVICE	3,219.73
VERIZON	SERVICE	40.01
VIEHAUSER ENTERPRISES	SERVICE	361.94
WEGNER AUTO	TRUCK	30,090.00
WELLMARK	INSURANCE	43,987.25
WESTERN COMMUNICATIONS	RADIO	250.00
WESTERN STAR	SUPPLIES	84.00
WINTER CONSTRUCTION	PROJECT	1,449.76
TOTAL		\$588,035.52

ITEMS FROM CITIZENS ON AGENDA

Award

Mayor Turbiville presented an Appreciation Award to Mel Allen, former Planning and Zoning Commission member. Commission thanked Allen for his service.

Request

Lori Frederick, Executive Director, asked Commission to consider a Memorandum of Understanding regarding the use of pavilion. Frederick stated Deadwood Lead Economic Development is requesting City of Deadwood retain ownership and provide maintenance and utilities for the pavilion for a period of six months from date agreement was signed, to have an opportunity to pursue a Business and Workforce Development Center. Commissioner Van Den Eykel asked who would be responsible for the building if plans were successful. Frederick replied that DLED would assume responsibility for all costs. After much discussion concerning inclusion in comprehensive plan, ongoing expenses to retain building, and recent interest from realtors and local businesses to purchase the property, Speirs moved, Ruth seconded to allow Mayor to sign the Memorandum of Understanding with Deadwood Lead Economic Development. Roll Call: Aye-Ruth, Speirs, Turbiville. Nay-Todd, Van Den Eykel. Motion carried.

CONSENT

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

- A. Appoint the following residents to serve on election board for April 11, 2017; Arlene Gustafson as superintendent at \$168.00, Marilyn Harrison and Ardath Waisanen as clerks at \$143.00, with additional \$10.00 each for attending election school.
- B. Permission to pay Custom Micro Interactive \$3,150.00 for annual license from Police Department (budgeted)
- C. Set Local Equalization Review Board Meeting for March 20, 2017 at 9:00 a.m. and request permission to publish notice in official newspaper.
- D. Permission to increase wage of part-time police officers from \$19.53 hr. to \$20.12 hr. effective February 21, 2017, which is 90% of prevailing wage: Kenneth Batka, Mark Heltzel, Greg Nelson, Samuel Otto and Matthew Symonds
- E. Permission to increase wage of Trolley Driver David Semingson from \$12.18 hr. to \$13.01 hr. effective March 4, 2017 after three years of service
- F. Accept resignation from Parking Ramp Attendant Karol Flueckinger effective February 24, 2017

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- G. Acknowledge receipt of 2016 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)
- H. Permission to purchase evidence locker system from Tiffin Metal Products in the amount of \$3,778.00. To be paid from Police Department Equitable Sharing Funds
- I. Allow use of public property on July 22, 2017 for Jensen Reunion 5K Run/Walk. Race leaves Sherman Street parking lot at 9:00 a.m. to Mickelson Trail
- J. Permission for Mayor to renew and sign Adaptive Swim Class Contract with Lead-Deadwood School District for Rec Center pool use at fee of \$2,340.00 for 117 hours at \$20.00 per hour from March 22, 2017 to March 22, 2018
- K. Permission for Mayor to renew and sign Contract with Lead-Deadwood School District for use of Rec Center swimming pool for elementary school at cost of \$1,500.00 from March 7, 2017 to May 19, 2017
- L. Resolution 2017-10 In Support of Application to occupy SD Department of Transportation Highway Right of Way for Days of '76 parade July 28 and 29, 2017

PUBLIC HEARINGS

Public hearing was opened at 5:25 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Speirs moved, Ruth seconded to lease office space at City Hall to Deadwood Lead Economic Development at no cost. Roll Call: Aye-All. Motion carried.

Set Hearings

Speirs moved, Ruth seconded to public hearing on March 20 for Special Alcohol License request from Deadwood Elks Lodge. Roll Call: Aye-All. Motion carried.

Todd moved, Van Den Eykel seconded to set public hearing on March 20 for Cinco De Mayo activities. Roll Call: Aye-All. Motion carried.

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

Speirs moved, Ruth seconded to set public hearing on March 20 for McLaughlin Midget Reunion. Roll Call: Aye-All. Motion carried.

Todd moved, Van Den Eykel seconded to set public hearing on March 20 for Deadwood Craft Beer Fest. Roll Call: Aye-All. Motion carried.

Todd moved, Van Den Eykel seconded to set public hearing on March 20 for 3 Wheeler Event. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to set public hearing on March 20 for Days of '76 Events. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on March 20 for Deadwood Mickelson Trail Marathon. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Second Reading

Speirs moved, Ruth seconded to approve second reading of Ordinance #1258 Amending Section 17.04.120 Financial Guarantees and 17.04.120.2 Certificate of Occupancy. Roll Call: Aye-All. Motion carried.

BID 7

Speirs moved, Ruth seconded to approve BID 7 recommendation to spend \$28,000.00 in unencumbered cash for Kool Deadwood Nites. Expenditure is unbudgeted and supplement will be required. Roll Call: Aye-All. Motion carried.

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Policy

Van Den Eykel moved, Ruth seconded to adopt policy in reference to Main Street closures as recommended by Safety Committee. Police Chief Fuller explained the proposed policy as follows: 25 or less vehicles would be limited to Deadwood Street, 25 to 50 vehicles would be allowed to park on the north side of Main Street, and 50 plus vehicles would require a entire street closure with professional security hired by applicant. Fuller also stated Deadwood Chamber is responsible to notify tour bus companies two weeks in advance of any closure, and the Special Event Checklist will be amended to include a waiver, which must be signed by the organization requesting the closure. Commissioner Todd thanked Fuller for taking time to create policy. Roll Call: Aye-All. Motion carried.

Retirement

Speirs moved, Ruth seconded with regret to accept the resignation/retirement from Bob Nelson, Sr. effective May 15, 2017; last day of work will be April 28, 2017. Roll Call: Aye-All. Motion carried.

Proposals

Ruth moved, Todd seconded to approve proposal from Black Hills Council of Local Government in the amount of \$40,000.00, \$20,000.00 from Historic Preservation professional service line items, and \$20,000.00 from Commission or Zoning line item in General Fund. General Fund portion is unbudgeted, and a supplement will be required. Commissioner Van Den Eykel questioned the need for the plan at this time, how this plan coincides with the Capital Improvement Plan, and concerns regarding lack of budget for the project. Commissioners Ruth and Todd spoke in support, stating that the plan allows residents to be involved. Mayor Turbiville stated that Bob Nelson Jr., City Planner, was designated as project coordinator and asked that parties interested in being on the committee submit a letter of interest. Roll Call: Aye-Ruth, Speirs, Todd, Turbiville. Nay-Van Den Eykel. Motion carried.

Speirs moved, Ruth seconded to approve proposal from Opportunities Unlimited to design development of new visitor experiences and customer service/experience training in June 2017, in the amount of \$35,000.00: \$25,000.00 from Historic Preservation Fund and \$10,000.00 from Deadwood Chamber of Commerce, and allow City Attorney to prepare contract. Historic Preservation Officer Kuchenbecker explained the proposal from Opportunities Unlimited. Commission questioned the additional amount for travel expenses. Roll Call: Aye-All. Motion carried.

Review

Historic Preservation Officer Kuchenbecker provided a list of current projects in various stages of design with Albertson Engineering and requested permission to issue a Request for Proposals for future engineering contract projects. Commissioner Ruth thanked Kuchenbecker and staff for the informative response to Commission's request. Ruth moved, Speirs seconded to authorize Request for Proposals to qualified firms to provide structural engineering and related services on as needed basis, not to exceed \$60,000.00. Roll Call: Aye-All. Motion carried.

Easement

Speirs moved, Van Den Eykel seconded to allow Mayor to sign Easement Agreement with DGS LLC, dba Deadwood Gulch Saloon, 560 Main St., for approximately seventeen (17) feet of balcony overhang encroaching on city property. Roll Call: Aye-All. Motion carried.

Quote

Todd moved, Speirs seconded to accept quote from Dakota Tree for pine beetle tree spraying at Mt. Moriah and St. Ambrose cemeteries in the amount of \$10,668.00. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Fire Chief Rakow presented the Commission with the annual report.

Commission expressed appreciation to the fire fighters.

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


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ADJOURNMENT

Speirs moved, Ruth seconded to adjourn the regular session at 5:57 p.m. and convene into Executive Session legal matters per SDCL 1-25-2(3) with possible action. The next regular meeting will be on Monday March 20, 2017.

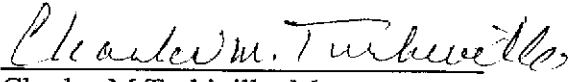
After coming out of executive session at 7:00 p.m., Ruth moved, Van Den Eykel seconded to recognize closure between properties at 681 Main (Deadwood Harley Davidson) and 685 Main (Hickok's) as temporary and allow wall to be removed. Aye: All.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 3-21-17

BY:


Charles M Turbiville, Mayor

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