

REGULAR MEETING, February 21, 2017

The Regular Session of the Deadwood City Commission convened on February 21, 2017 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commissioner David Ruth Jr. called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins and Commissioners Mark Speirs, and Gary Todd. Mayor Turbiville and Commissioner Jim Van Den Eykel were absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Speirs moved, Todd seconded to approve the minutes of February 6, 2017. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Speirs moved, Todd seconded to approve the February 21, 2017 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	67.61
A & B WELDING	SUPPLIES	138.39
ADVANCED ENGINEERING	PROJECT	3,369.50
ALBERTSON ENGINEERING	PROJECT	809.28
AMAZON WEB	STORAGE	177.22
AMERICAN PUBLIC WORKS	RENEWAL	20.00
AMERICAN PUBLIC WORKS	RENEWAL	320.00
ARCHER SEATING	SEATING	18,300.00
AUGUSTANA COLLEGE	CONFERENCE	1,000.00
BH CHEMICAL	SUPPLIES	149.72
BH COUNCIL	ASSESSMENT	1,565.00
BH PIONEER	ADS	555.25
BH SECURITY	SERVICE	45.00
BH URGENT CARE	TESTING	30.00
BH WINDOW CLEANING	CLEANING	274.00
BOYS & GIRLS CLUB	ALLOCATION	5,000.00
CHAINSAW CENTER	SUPPLIES	105.73
CHAMBERLIN ARCHITECTS	SERVICE	6,337.70
COCA COLA	SUPPLIES	706.80
CONRAD'S SIGNS	PROJECT	9,004.31
CONVERGENT TECHNOLOGIES	SUPPLIES	340.24
CULLIGAN	SUPPLIES	339.25
DAKOTA BUSINESS	MAINTENANCE	169.90
DAYS OF '76	REIMBURSEMENT	306.80
DRIVERS LICENSE GUIDE	GUIDE	100.75
EAGLE ENTERPRISES	SERVICE	377.72
EB COMMUNICATIONS	SERVICE	110.00
EMERY-PRATT	BOOKS	106.71
ESRI	MAINTENANCE	12,000.00
FALL RIVER COUNTY REGISTER	RESEARCH	15.00
FASSBENDER COLLECTION	OPERATIONS	20,000.00
FASTENAL	SUPPLIES	9.16
GALLS	UNIFORMS	154.98
GUNDERSON, PALMER, NELSON	SERVICE	3,751.44
HAWKI, KEN	REIMBURSEMENT	99.00
HOLLINGER METAL EDGE	ENVELOPES	111.35
INTEGRATED PARKING	MAINTENANCE	210.00
JACOBS WELDING	PROJECT	112.36
JENNER EQUIPMENT	SERVICE	300.00
KAHLER, DEBRA	WINDOWS	2,868.17
KONE	MAINTENANCE	290.08
LAWRENCE CO. REGISTER	FEES	210.00
LEAD-DEADWOOD SANITARY	USAGE	28,570.47
LITTLE SPEARFISH	GRANT	9,812.00
LUX, JUSTIN	REIMBURSEMENT	81.96
M & T FIRE	SUPPLIES	1,466.00
M&M SANITATION	RENTAL	220.00
MAYNARD, DESTINY	WINDOWS	9,675.38
MCCLELLAND'S CATERING	CONFERENCE	1,725.00
MED-TECH RESOURCE	GLOVES	86.30
MIDWEST TAPE	DVDS	254.89
MS MAIL	SERVICE	45.00
NEIGHBORHOOD LENDING	CONTRACT	5,468.75
NETWORK SERVICES	SUPPLIES	362.10
NORTHERN HILLS TECHNOLOGY	SERVICE	55.00
PASSPORT PARKING	METERS	46.25
RAMKOTA HOTEL	LODGING	1,661.88
RAPID DELIVERY	DELIVERY	12.65
RASMUSSEN MECHANICAL	SERVICE	1,205.45
SANITATION PRODUCTS	SUPPLIES	1,905.16
SCOTT PETERSON MOTORS	REPAIR	3,528.80
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DEPT. OF CORRECTIONS	FIREWISE	3,158.31
SD DEPT. OF REVENUE	TAX	3,213.52
SD DEPT. OF TOURISM	REGISTRATION	1,125.00
SD FEDERAL PROPERTY AGENCY	SUPPLIES	181.00
SD ONE CALL	SERVICE	6.72
SD PUBLIC ASSURANCE	COVERAGE	107.16
SD SHERIFFS' ASSOCIATION	REGISTRATION	170.00
SOUTHSIDE OIL	GASOLINE	12,379.50
SOUTHSIDE SERVICE	SERVICE	617.54
SPLIT ROCK STUDIOS	PROJECT	30,420.00
STURDEVANT'S	SUPPLIES	1,133.57
SUNSHINE TOWING	TOWING	85.00
TALLGRASS	PROJECT	6,400.00

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TASER INTERNATIONAL	HOLSTER	70.00
TDG COMMUNICATIONS	WEBSITE	30.00
THE LORD'S CUPBOARD	RECYCLING	42.24
TOMS, DON	PROJECT	780.00
TROPHY AWARDS	AWARDS	201.89
TWILIGHT FIRST	SUPPLIES	274.80
TWIN CITY HARDWARE	SUPPLIES	2,441.39
TWIN CITY HARDWARE	WINDOWS	8,523.25
UMENTHUM, KEITH	PROJECT	406.00
VAST	SERVICE	658.61
WASTE CONNECTIONS	SERVICE	8,007.64
WIERINGA, ANNA	REIMBURSEMENT	49.00
WL CONSTRUCTION	SUPPLIES	719.99
TOTAL		\$264,786.77

ITEMS FROM CITIZENS ON AGENDA

Requests

Thad Fuller, Northern Hills Recreation Association, requested 2016 allocation in the amount of \$10,000.00 for Northern Hills Recreation Association. Commissioner Todd informed Mr. Fuller the budget has lapsed for 2016 and therefore a budget supplement would be necessary. Commissioner Speirs provided Fuller with a copy of the notification letter that was mailed in September 2015. After discussion, Todd moved, Spiro seconded to continue until Mr. Fuller provides updated financials and information. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Authorize payment of \$4,000.00 to Grant Thornton for five year arbitrage calculation on 2012 Series Certificates of Participation
- B. Permission for Mayor to sign Application for Permit to occupy Right of Way for bicycle shared sidewalk signage at Intersection of Pine and Sherman
- C. Permission for Mayor to sign Application for Permit to Occupy Right of Way for bicycle shared sidewalk signage at Intersection of Lee and Highway 14/85
- D. Approve repair to fire truck in the amount of \$5,474.40, paid to Mack's Auto Body from Fire Department
- E. Permission for Historic Preservation to hire Elizabeth Millay as part time Collections Intern effective February 22, 2017 at \$8.93 per hour pending pre-employment screening
- F. Permission for Mayor to sign Joint Powers Agreement with South Dakota Department of Transportation to formalize participation in countywide signing project. State will install reflective signage on state highways in city limits and city accepts responsibility to maintain.
- G. Permission to increase wage of Rec Center employee, Conor Aldridge, from \$9.72 hr. to \$9.98 hr. effective February 25, 2017 after one year of service
- H. Permission to purchase two handheld ticket writers from Integrated Parking Solutions at cost of \$5,719.28
- I. Permission to hire Stanley Steemer for duct work cleaning at the Deadwood Information Center in the amount of \$2,900.00
- J. Permission for Mayor to sign agreement with Albright Construction, Inc. for Days of '76 Grandstand Roofing Replacement (approved February 6, 2017)
- K. Approve the following 2017 allocations from Bed and Booze Fund: Twin City Clothing Center for \$2,500.00, Alliance for Children for \$5,000.00, and Boys and Girls Club for \$5,000.00. (budgeted)
- L. Accept proposal from Overhead Doors to repair door at Fire Hall at cost of \$3,313.35
- M. Permission to hire Philip Lovell as trolley driver at \$9.98 hr. effective February 22, 2017 pending pre-employment screening
- N. Approve Addendum to Labor Agreement between City of Deadwood and International Union of Operating Engineers after conclusion of union negotiations
- O. Permission for Mayor to sign contract with Lead-Deadwood School District for Use and Maintenance of Ferguson Field. School will reimburse city \$1,200.00 for months of September, October and November.

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PUBLIC HEARINGS

Transfer

Public hearing was opened at 5:07 p.m. by Commissioner Ruth. No one spoke in favor or against, hearing closed. Todd moved, Speirs seconded to approve the transfer for Retail (on-off sale) Wine License (RW-20691) from Savour Your Soul to Angel's Attic at 732 Main Street. Roll Call: Aye-All. Motion carried.

Event

Public hearing was opened at 5:08 p.m. by Commissioner Ruth. Sarah Anderson requested approval for the following:

Speirs moved, Todd seconded to allow the relaxation of the open container ordinance on Main Street from Tin Lizzies Gaming Resort to Masonic Temple, Broadway Street from Wall to Shine, Sherman Street from Pioneer Way to the south side of Pine Street, Deadwood Street from Pioneer Way to Sherman Street, Siever Street, Pine Street from Main Street to Sherman Street and Lee Street from Pioneer Way to 83 Sherman Street on Friday April 7, 2017 from 5:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to allow the relaxation of the open container ordinance on Saturday April 8, 2017 for same area as approved on April 7, 2017 from 11:00 a.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Todd moved, Speirs seconded to set public hearing on March 6 for Resolution 2017-09 of intent to lease to Deadwood Lead Economic Development for office space at City Hall. Roll Call: Aye-All. Motion carried.

RESOLUTION NO. 2017-09

RESOLUTION OF INTENT

TO ENTER INTO A LEASE WITH DEADWOOD LEAD ECONOMIC DEVELOPMENT, FOR OFFICE SPACE AT CITY HALL

WHEREAS, the City of Deadwood owns the City Hall located at 102 Sherman Street;
and

WHEREAS, Deadwood Lead Economic Development proposes to lease space to conduct business,

WHEREAS, pursuant to SDCL 9-12-5.2, a hearing will be held before the City Commission of the City of Deadwood, South Dakota, on Monday the 6th day of March, 2017 at 5:00 p.m., or soon thereafter, in the Commission Chambers located at 102 Sherman Street, Deadwood, South Dakota, to consider the adoption of this Resolution of Intent; now therefore,

BE IT RESOLVED by the City of Deadwood that the City hereby declares its intent to enter into an Agreement with a private party for the purpose of leasing office space.

Dated this 21st day of February, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

NEW BUSINESS

Resolutions/Ordinances

Speirs moved, Todd seconded to approve Resolution 2017-07 Establishing Community Standards for use of Banners and first reading of Ordinance #1257 Regarding Banners, Chapter 15.32.150 Allowed Signs Subject to Permit and 15.32.180 Enforcement. Discussion was held concerning enforcement responsibility, currently Building Inspector or designee. Police Chief Fuller stated most of the problems are during the rally and it is not a priority for his department due to numerous other responsibilities during that time. Roll Call: Aye-None. Nay-Ruth, Speirs, Todd. Motion failed.

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Speirs moved, Todd seconded to approve Resolution 2017-08 Establishing Financial Guarantees when Obtaining a Commercial Building Permit and first reading of Ordinance #1258 Amending Section 17.04.120 Financial Guarantees and 17.04.120.2 Certificate of Occupancy. Attorney Riggins stated ordinance change deals with building permit requirements for commercial buildings and requires a bond for all commercial projects over \$100,000.00. Roll Call: Aye-All. Motion carried.

RESOLUTION 2017-08

A RESOLUTION ESTABLISHING FINANCIAL GUARANTEES WHEN OBTAINING A COMMERCIAL BUILDING PERMIT

WHEREAS, City Ordinances require a financial guarantee when obtaining a commercial building permit or Certificate of Occupancy;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes financial guarantees to be complied with in regards to commercial building permits and Certificates of Occupancy as governed by City of Deadwood Codified Ordinance 17.04.120:

Dated this 21st day of February, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

Albertson

Contract with Albertson Engineering was discussed. Historic Preservation Officer Kuchenbecker stated city has utilized their services for retaining walls as well as other projects within the city, and is a budgeted item. Commissioner Todd suggested offering this contract to other firms in order to get the most competitive quote. Commissioner Speirs stated he is concerned about depleting cash reserves in Historic Preservation Fund and is not comfortable approving this contract until he knows what projects will be forthcoming. Speirs added that in the past two years, \$712,766.00 has been spent on walls in his neighborhood. Kuchenbecker stated switching firms would be a challenge considering various projects currently in the pipeline. Todd moved, Speirs seconded to contract with Albertson Engineering for existing projects in an amount not to exceed \$60,000.00 with understanding that no new projects will be awarded under this contract until RFP's are issued and reviewed. Roll Call: Aye-All. Motion carried.

TSP Grandstand Proposal

Regarding proposal for grandstand repairs, Commissioner Todd questioned necessity to hire an engineering firm to repair and replace deck boards. Historic Preservation Officer Kuchenbecker replied other services provided include substructure analysis and compliance with ADA standards. Commissioner Speirs stated concerns that this project will balloon into an additional expenditure and would feel more comfortable postponing until 2018. After discussion, Todd moved, Speirs seconded to approve proposal from TSP to provide design review and construction documents for Days of 76 grandstand repair in the amount of \$9,600.00 plus reimbursable expenses and allow Mayor to sign contract, paid from Historic Preservation Capital Asset line. Roll Call: Aye-All. Motion carried.

Discussion

Commissioner Todd requested to continue discussion concerning Trolley manager position. Todd moved, Speirs seconded to continue. Roll Call: Aye-All. Motion carried.

Change Order

Speirs moved, Todd seconded to approve Change Order #8 for Lower Main Welcome Center and add \$3,632.00, bringing total to \$6,490,309.00. Roll Call: Aye-All. Motion carried.

Purchase

Speirs moved, Todd seconded to approve the purchase of pool heating unit from Doheny's Pool Supplies in the amount of \$10,385.99. Bruce and Mary Ann Oberlander wrote a letter of support, Commissioner Ruth requested it be made part of the record. Roll Call: Aye-All. Motion carried.

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INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Commissioner Ruth read the following informational items:

- Finance Office will draw names for election ballot placement at 8:30 a.m. on February 27, 2017. Petitions are due in Finance Office by 5:00 p.m. on February 24, 2017.

Mike Percevic, Real Estate Center, questioned how to move forward with an offer on the Pavilion. Commissioners discussed plans for future of building, including sale or inclusion in comprehensive plan. Commissioner Ruth suggested this item be on the agenda for discussion with all interested parties.

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

ADJOURNMENT

Speirs moved, Todd seconded to adjourn the regular session at 6:03 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 6, 2017.

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

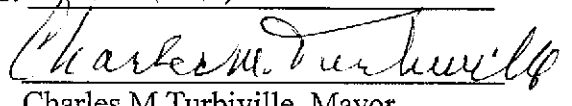
ATTEST:


Mary Jo Nelson, Finance Officer

DATE:

3-6-17

BY:


Charles M Turbiville, Mayor

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