

## REGULAR MEETING, January 17, 2017

The Regular Session of the Deadwood City Commission convened on January 17, 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, and Gary Todd. Commissioner Jim Van Den Eykel was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Speirs moved, Ruth seconded to approve the minutes of January 3, 2017. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Ruth moved, Speirs seconded to approve the January 17, 2017 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	109.95
AINSWORTH-BENNING	PROJECT	42,820.00
ALBERTSON ENGINEERING	PROJECT	3,140.12
ALEX AIR APPARATUS	INSPECTION	1,449.90
AMAZON WEB	SERVICE	177.05
AMERICAN LEGAL	ORDINANCES	574.92
AMWALL	PROJECT	70.29
ARLETH LAND SURVEYING	SERVICE	1,666.25
ATCO INTERNATIONAL	SUPPLIES	112.00
BERG, DALE	MEETINGS	275.00
BH CHEMICAL	SUPPLIES	111.94
BH ENERGY	SERVICE	27,813.72
BH PIONEER	SUBSCRIPTION	588.56
BH STATE	SCHLORSHIP	500.00
BH URGENT CARE	TESTING	341.00
BLAIR, THOMAS	MEETINGS	300.00
BROWN & SAENGER	BOOK	420.00
BRUE - BATTERIES	BATTERY	44.95
BUTLER MACHINERY	SUPPLIES	52.92
CENTURY LINK	SERVICE	193.37
CHADAMS	TOWING	150.00
CHAINSAW CENTER	SUPPLIES	95.76
CITY OF LEAD	GRANT	3,600.00
COCA COLA	SUPPLIES	481.00
CULLIGAN	SUPPLIES	148.00
DEADWOOD CHAMBER	MARKETING	7,250.00
DEADWOOD ELECTRIC	SERVICE	234.12
E.T. SPORTS	SUPPLIES	204.48
EAGLE ENTERPRISES	SUPPLIES	2,870.76
EDDIE'S TRUCK	FILTER	104.34
FIRST BAPTIST CHURCH	LEASE	3,600.00
FLOYD, LAURA	MEETINGS	250.00
FORGEY CONSTRUCTION	SERVICE	1,530.00
FULLER, KELLY	REIMBURSEMENT	462.62
GEORGE B. GERMAN MUSIC	DIGITIZATION	379.75
GOLDEN WEST	SERVICE	1,002.40
GUNDERSON, PALMER, NELSON	SERVICE	3,600.94
HELMIN, MATT	MEETINGS	150.00
HILLS MATERIALS	ROADSTONE	234.56
HINZ, MARK	WINDOWS	2,675.00
INLAND TRUCK	SUPPLIES	765.68
INTERSTATE ALL BATTERY	CHARGER	81.35
JOHNSON, MICHAEL	MEETINGS	250.00
KLJ	SERVICE	2,132.17
KAHLER, DEBRA	WINDOWS	2,444.00
KDSJ	ADS	160.00
KONE	INSPECTIONS	280.14
LAWRENCE CO. REGISTER	RECORDING	90.00
LAWRENCE CO. TREASURER	RENEWALS	857.00
LEAD-DEADWOOD SANITARY	USAGE	25,897.16
LITTLE SPEARFISH	GRANT	9,812.00
LOUIS BERGER	EASEMENT	110.00
M&M SANITATION	RENTAL	220.00
MACROVISION	SERVICE	790.00
MERTENS, KENNETH	REIMBURSEMENT	359.00
MIDCONTINENT	SERVICE	65.00
MIDCONTINENT TESTING	TESTING	20.25
MIDWEST TAPE	DVDS	45.98
NAMMINGA, LYNN	MEETINGS	300.00
NATIONAL TRUST	MEMBERSHIP	250.00
NEIGHBORHOOD LENDING	SERVICE	5,712.50
NEVE'S	UNIFORMS	643.05
NORTHERN HILLS TECHNOLOGY	REPAIR	144.00
OFFICE DEPOT	SUPPLIES	26.84
PANNIER	PANELS	1,291.80
PASSPORT PARKING	METERS	14.50
PATRIOT PLUMBING	PROJECT	2,000.00
POWERPLAN	SUPPLIES	626.30
QUICK TROPHY	PLAQUE	106.69
QUIK SIGNS	CALENDARS	1,360.00
QUILL	SUPPLIES	132.77
RANGEL CONSTRUCTION	PROJECT	77,795.33
RAPID DELIVERY	DELIVERY	59.23
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DEPT. OF CORRECTIONS	FIREWISE	6,552.64

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SD DEPT. OF REVENUE	TAXES	3,104.26
SD PLANNERS ASSOC.	MEMBERSHIP	50.00
SECOND CENTURY DEVELOPMENT	GRANT	847.39
SOUTHSIDE SERVICE	SERVICE	369.15
STRETCH'S	SERVICE	356.44
STURDEVANT'S	SUPPLIES	1,473.39
THE LORD'S CUPBOARD	RECYCLING	67.50
TOEWS, LYMAN	MEETINGS	250.00
TOMS, DON	PROJECT	780.00
TWILIGHT	SUPPLIES	278.76
UPS	SHIPPING	230.14
UTILITY SERVICE	PROJECT	24,114.00
VICTIMS OF VIOLENCE	ALLOCATION	1,000.00
VICTOR STANLEY	SUPPLIES	1,037.50
WASTE CONNECTIONS	SERVICE	7,974.33
WILLIAMS, CHUCK	MEETINGS	275.00
WOODLAND CONSTRUCTION	PROJECT	4,590.00
	<b>TOTAL</b>	<b>\$325,422.09</b>

### ITEMS FROM CITIZENS ON AGENDA

#### Requests

Mike Rodman, on behalf of Deadwood Alive, asked the Commission for additional funding to extend season through September 23. Speirs moved, Ruth seconded to approve additional funding in amount of \$15,000.00 from Bed and Booze Fund. Mayor Turbiville stated this request was not budgeted and will require a budget supplement. Roll Call: Aye-All. Motion carried.

Josh Kangley asked the Commission to allow the transfer of taxicab license from Dakota Taxi to Grab-A-Cab. Ruth moved, Speirs seconded to approve the transfer. 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 Resolution 2017-03 to establish cash designations as of December 31, 2016 per SDCL 9.21-14.1.

### **Resolution 2017-03**

#### **A RESOLUTION TO ESTABLISH CASH DESIGNATIONS**

Be it resolved by the Deadwood City Commission that the City of Deadwood approved the establishment of cash reserves in the following funds for capital outlay purposes per SDCL 9-21-14.1 as of December 31, 2016:

**General Fund Designated for Fire Truck: \$ 213,509.00**

**Business Improvement District #7 Designated for Convention Center: \$ 324,666.30**

**Parking and Transportation Designation for Trolley Replacement: \$ 325,000.00**

Dated this 17th day of January, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

- B. Permission to terminate parking lease agreement for one spot in Miller Street parking lot with Brian Baczwaski
- C. Change status from half-time to three-quarter time for Karla Dower effective Wednesday January 18, 2017
- D. Permission to purchase one APX 650 digital mobile radio from Western Communications Inc. at cost of \$5,222.50. (to be paid from Drug Fund grant)
- E. Permission for Mayor to sign Assignment and Pledge Agreement for Cadillac Jack's Expansion, Tru Hotel by Hilton
- F. Permission for Mayor to sign agreement with Tallgrass Landscape Architecture concerning Whitewood Creek Improvements in the amount of \$12,880.00 plus reimbursables. (approved January 3, 2017)
- G. Permission to pay 2017 request from Northern Hills Area CASA in the amount of \$5,000.00 from Bed and Booze Fund (approved in the 2017 budget)

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- H. Designate Black Hills Pioneer as official newspaper for 2017 per SDCL 9-12-6
- I. Approve the following official depositories for the City of Deadwood per SDCL 9-22-6: Wells Fargo Bank, Deadwood, SD; First National Bank, Lead, SD; BankWest, Pierre, SD; First Interstate Bank, Deadwood, SD for the TIF #6 Escrow and Reserve Fund
- J. Permission to purchase 5500 gallons of diesel gasoline at \$2.09 per gallon from Southside
- K. Approve professional services for Wayfinding Project Phase III in the amount of \$2,500.00 for Berberich Design for vehicular signage from Cemetery Street to intersection of Highway 385/85 through Sherman and Charles corridor (budgeted)
- L. Renew maintenance for GIS software at cost of \$12,000.00 to be shared among various departments (budgeted)
- M. Approve quote from Optire to update City of Deadwood Terrestrial Lidar Scanning in the amount of \$3,500.00 and direct city attorney to prepare contract, to be paid from Historic Preservation GIS line item
- N. Approve committee's request to continue discussion on lease/sale of Pavilion until additional information is obtained (item was continued on January 3, 2017)

### BID ITEMS

Mayor Turbiville stated two bids were opened for Trolley at 2:00 p.m. on January 4 as advertised.

Double K dba Hometown Trolley - \$154,811.75  
Specialty Vehicles - \$148,506.00

Trolley Manager Nelson Sr. recommended Commission award to low bidder. Todd moved, Ruth seconded to approve the low bid from Specialty Vehicles in the amount of \$148,506.00 and direct city attorney to prepare contract. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

Speirs moved, Ruth seconded to set public hearing and hold special meeting on January 25 at 4:45 p.m. to consider special license and allow Deadwood Elks Lodge to serve alcohol at Masonic Temple on January 28, 2017 for private function. Roll Call: Aye-All. Motion carried.

### NEW BUSINESS

#### Surplus

Ruth moved, Speirs seconded to start surplus process of city owned parcel of land adjacent to 8 Dudley. Zoning Administrator Nelson Jr. recommended utilizing Deadwood Lead Economic Development to facilitate the transfer. Roll Call: Aye-All. Motion carried.

#### Approval

Todd moved, Ruth seconded to act as Board of Adjustment and approve final plat for Lots 107A and 107B of Block 71, Original Town of Deadwood Formerly the public Lots of Division Street and an Unnamed Public Alley, and Lot 107 O.T. Deadwood; All located in the City of Deadwood, Lawrence County, South Dakota. Zoning Administrator Nelson Jr. stated property is adjacent to hospital. Roll Call: Aye-All. Motion carried.

#### Resolution

Speirs moved, Ruth seconded to approve Resolution 2017-04 to make Interfund Cash Transfers for 2016. Finance Officer Nelson stated everything is routine in nature except for shortfall in Parking and Transportation Fund in the amount of \$110,000.00. Nelson recommended covering shortfall from Bed and Booze Fund, as stated in resolution. Roll Call: Aye-All. Motion carried.

### **RESOLUTION 2017-04**

#### **A RESOLUTION TO MAKE THE FOLLOWING INTERFUND CASH TRANSFERS FOR THE YEAR 2016**

Be it resolved by the Deadwood City Commission that the following interfund cash transfers be approved for the year 2016.

From Historic Preservation (Fund 0215) to Trolley Department (Fund 0610) \$25,000.00

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for trolley reserve and \$92,000.00 for support of trolley operational expenses. From Historic Preservation (Fund 0215) to General Fund (Fund 0101) for impact funds \$1,322,356.00. From Historic Preservation (Fund 0215) to Water Fund (Fund 0602) for impact funds \$160,814.00. From Historic Preservation Fund (0215) to St. Ambrose Capital Projects Fund (Fund 0544) for construction project \$400,000.00, from Historic Preservation to Lower Main Welcome Center Capital Project Fund (0564) \$3,000,000.00.

From General Fund (Fund 0101) to Library Fund (Fund 0206) \$42,010.00 in support of operational expenses. From General Fund (Fund 0101) to Lower Main Capital Project Fund (0564) \$3,000,000.00.

From Bed and Booze Fund (Fund 0209) to General Fund (Fund 0101) \$50,000.00 for partial reimbursement of utility costs. From Bed and Booze Fund (0209) to Parking and Transportation Fund (Fund 0610) \$110,000.00 in support of operational expenses resulting in cash shortfall.

Dated this 17th day of January, 2017

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Charles Turbiville, Mayor

### Permission

Speirs moved, Ruth seconded to allow Trent Mohr to attend International Code Council Training from March 6 through March 10, 2017 in Denver, CO. Travel expenses include registration fee of \$400.00, plus lodging and meal reimbursement. Fuel cost will be shared with Lawrence County. Roll Call: Aye-All. Motion carried.

### Proposal

Ruth moved, Speirs seconded to approve proposal from Arleth Land Surveying to survey and map St. Ambrose Cemetery in the amount of \$7,680.00, to be paid from St. Ambrose capital project fund. Roll Call: Aye-All. Motion carried.

### Readings

Rodd moved, Ruth seconded to approve first reading of Ordinance #1255 Amending Chapter 12.32, Mt. Moriah and St. Ambrose Cemeteries. Roll Call: Aye-All. Motion carried.

Ruth moved, Speirs seconded to approve first reading of Ordinance #1256 Amending Chapter 12.36, to remove reference to St. Ambrose from Oakridge Cemetery Ordinance. Roll Call: Aye-All. Motion carried.

### Update

At the recommendation of the Historic Preservation Commission, City Commission discussed an update of Deadwood's comprehensive plan in 2017. Mayor Turbiville questioned who would pay for services associated with the possible update. According to Commissioner Ruth, this was discussed at Historic Preservation meeting, and Historic Preservation Officer Kuchenbecker stated plan is an allowable expenditure from Historic Preservation. Zoning Administrator Nelson Jr. recommended utilizing Black Hills Council of Local Governments. If so directed, he will schedule a meeting to determine possible associated costs. Ruth moved, Speirs seconded to approve Historic Preservation Commission recommendation to update and create new comprehensive plan in 2017 utilizing Black Hills Council of Local Governments. Roll Call: Aye-All. Motion carried.

### Authorize

Speirs moved, Ruth seconded to authorize expenditure of funds not to exceed \$20,000.00 from Welcome Center budget to obtain various specimens from South Dakota Game Fish and Parks, apply for special permits required by United States Fish and Wildlife Service, garner suitable hides and sheds from reputable vendors, and engage regional taxidermists for services to incorporate into Welcome Center exhibits. Police Chief Fuller stated part of the programming for the Center involves a display of wildlife species. Roll Call: Aye-All. Motion carried.

## INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville read the following informational items:

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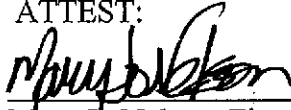
- Acknowledge and thank Deadwood Business Club for \$5,000.00 payment to cover obligation for naming rights for the next five years at Welcome Center
  - Acknowledge raffle permit received from Black hills Shootist Ltd. Tickets are sold from January 2017 through banquet night September 30, 2017 for various prizes
- Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) with possible action and union matters per SDCL 1-25-2(4) with no action.

**ADJOURNMENT**

Todd moved, Speirs seconded to adjourn the regular session at 5:20 p.m. and convene into Executive Session legal matters per SDCL 1-25-2(3) with possible action and union matters per SDCL 1-25-2(4) with no action. The next regular meeting will be on Monday February 6, 2017.

After coming out of executive session at 5:45 p.m., Speirs moved, Todd seconded to adjourn.

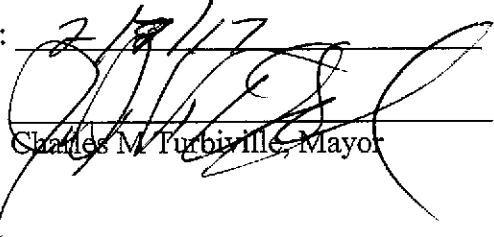
ATTEST:



Mary Jo Nelson, Finance Officer

DATE:

BY:



Charles M. Turbinville, Mayor

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