

## REGULAR MEETING, December 19, 2016

The Regular Session of the Deadwood City Commission convened on December 19, 2016 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

Todd moved, Speirs seconded to approve the minutes of December 5, 2016. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Ruth moved, Speirs seconded to approve the December 19, 2016 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	109.95
ACE HARDWARE	SUPPLIES	35.96
ACE INDUSTRIAL	SUPPLIES	488.50
AINSWORTH-BENNING	PROJECTS	33,165.00
ALBERTSON ENGINEERING	PROJECT	7,908.98
AMAZON	SERVICE	203.27
AMERICAN ENGINEERING	TESTING	1,798.30
ANFINSON, BONNY	REIMBURSEMENT	142.00
ARLETH LAND SURVEYING	SERVICE	357.50
ATCO INTERNATIONAL	SUPPLIES	305.00
BERBERICH DESIGNS	PROJECT	8,600.38
BICKLE TRUCK	REPAIR	3,175.02
BH CHEMICAL	SUPPLIES	103.90
BH PIONEER	ADS	1,122.93
BH STATE	PROJECT	9,849.00
BH URGENT CARE	TESTING	60.00
BH WINDOW CLEANING	CLEANING	937.00
BRANDON INDUSTRIES	SUPPLIES	2,165.00
BUTLER MACHINERY	SUPPLIES	1,027.62
CAI CONSTRUCTION	PROJECT	45,363.10
CALIFORNIA CONTRACTORS	SUPPLIES	149.00
CARQUEST	SUPPLIES	541.13
CENTURY BUSINESS	CONTRACT	499.26
CENTURY LINK	SERVICE	186.37
CHAMBERLIN ARCHITECTS	PROJECT	6,415.73
COCA COLA	SUPPLIES	173.00
COMPUTER SUPPORT	REPAIR	329.27
CREATIVE PRODUCT	T-SHIRTS	392.94
CULLIGAN	SUPPLIES	235.00
DAK GENERATOR	SERVICE	633.08
DAKOTA BUSINESS	CONTRACT	160.90
DAKOTA PLAINS	SURVEY	2,500.00
DAKOTA PLAYGROUND	SYSTEM	980.00
DATA FLOW	FORMS	286.58
DEADWOOD CHAMBER	BILL LIST	116,513.36
DEADWOOD ELECTRIC	PROJECT	844.13
DEADWOOD HISTORY	EDUCATION	10,237.58
EAGLE ENTERPRISES	SUPPLIES	1,032.73
EAN HOLDINGS	REFUND	59.00
ECOLAB	SERVICE	290.00
EDDIE'S	SERVICE	3,370.86
EMERY-PRATT	BOOKS	210.63
FASTENAL	CONNECTORS	61.68
FIRST INTERSTATE	TIF	3,907.72
FIRST NATIONAL	FEE	5,904.00
FULLER, KELLY	REIMBURSEMENT	693.93
GAYLORD BROS	SUPPLIES	728.31
GOLDEN WEST	SERVICE	1,017.40
GREAT WESTERN TIRE	SERVICE	1,680.88
GREEN INK DESIGNS	SERVICE	100.00
GRIMM'S PUMP	SUPPLIES	514.79
GUNDERSON, PALMER, NELSON	SERVICE	6,114.75
HAWKINS	SUPPLIES	1,026.80
HOME PRO	PROJECT	5,395.47
IMAGE UP CREATIVE	SERVICE	2,100.00
J. PATTERSON PARK	CONSERVATION	3,925.00
JACOBS WELDING	SERVICE	159.73
KLJ	PROJECT	4,500.00
KDSJ	ADS	200.00
KIRKEBY, LYNETTE	OVERPAYMENT	112.50
KONE	MAINTENANCE	280.14
KRAMBECK, JERITY	REIMBURSEMENT	98.28
LEAD-DEADWOOD SANITARY	USAGE	24,250.36
LIBBY PRODUCTIONS	REFUND	1,100.00
LIBERTY NATIONAL	TIF	54.19
LYNN'S	SUPPLIES	13.27
M&M SANITATION	RENTAL	230.00
MCNARY, TOM	SUPPLIES	233.27
METERING & TECHNOLOGY	METER	174.19
MIDCONTINENT	SERVICE	65.00
MIDWEST TAPE	DVDS	366.84
MDU	SERVICE	232.23
MS MAIL	SERVICE	1,054.30
NATIONAL MAIN STREET	MEMBERSHIP	350.00
NEIGHBORHOOD LENDING	CONTRACT	4,847.50

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NEVE'S	UNIFORMS	561.08
OFFICE DEPOT	SUPPLIES	109.53
OWENS INTERSTATE	SUPPLIES	308.00
PARTSMASTER	SUPPLIES	59.08
PASSPORT PARKING	METERS	38.75
PITNEY BOWES	LEASE	237.93
PYLE HOUSE	GRANT	16,755.00
QUILL	SUPPLIES	29.99
RAPID DELIVERY	DELIVERY	70.15
RASMUSSEN MECHANICAL	SUPPLIES	646.65
RCS CONSTRUCTION	PROJECT	61,937.37
REGIONAL HEALTH	TESTING	50.00
REHBERG, KENNETH	REIMBURSEMENT	121.80
REUPPEL CONSULTING	PROJECT	1,200.00
ROSENBAUM'S	PROJECT	6,632.67
RUD-CHAIN	CHAINS	1,170.85
SD ARCHAEOLOGICAL RESEARCH	SERVICE	195.00
SD ASSN. OF RURAL WATER	MEMBERSHIP	550.00
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DENR	SERVICE	36.00
SD DEPT. OF AGRICULTURE	SERVICE	123.07
SD DEPT. OF CORRECTIONS	FIREWISE	5,320.75
SD DEPT. OF REVENUE	TITLE	5.00
SD DEPT. OF REVENUE	TAX	3,185.91
SD ONE CALL	SERVICE	14.56
SD STATE ARCHIVES	PROJECT	8,063.40
SDSM&T	WORKSHOP	550.00
SMITHSONIAN	RENEWAL	11.00
SOUTHSIDE OIL	GAS	10,450.00
SOUTHSIDE SERVICE	REPAIR	56.99
SPEARFISH AUTO	SUPPLIES	31.98
SPLIT ROCK STUDIOS	PROJECT	28,420.00
ST. JOHN'S EPISCOPAL	GRANT	1,020.41
STURDEVANT'S	SUPPLIES	1,312.82
SUMMIT SIGNS	SIGN	105.00
TALLGRASS	PROJECT	400.00
THORPE, DEB	REIMBURSEMENT	44.09
TOMLIN, VALERIE	REIMBURSEMENT	846.76
TRAF-O-TERIA	ENVELOPES	591.32
TRAFFIC GUARD DIRECT	SUPPLIES	250.00
TRIPLE K	SERVICE	717.12
TWIN CITY HARDWARE	PROJECT	24,100.93
UMENTHUM, KEITH	PROJECT	470.00
VICTOR STANLEY	SUPPLIES	12,495.00
VIEHAUSER ENTERPRISES	SUPPLIES	959.78
WASTE CONNECTIONS	SERVICE	7,965.80
WESTERN STAR	RAIL	119.95
WESTERN STATES FIRE	INSPECTION	1,635.00
WHISLER BEARING	SUPPLIES	19.29
WOODLAND CONSTRUCTION	PROJECT	2,805.00

TOTAL \$564,695.45

## ITEMS FROM CITIZENS ON AGENDA

### Presentation

Katie Ceroll, Shannon Percy and Matt Snyder on behalf of SD Game, Fish and Parks, gave a presentation on Spearfish Canyon Proposed State Park. Katie spoke about the land trade, timeline, master plan and additional meetings of the proposed State Park. Shannon spoke about the improvements Game, Fish and Parks have done throughout the canyon. Questions from the Commission were addressed concerning individuals, including the Federal Government, who are opposed to the proposed park and the fees. Mayor Turbiville invited Katie to come back before the Commission with proposal of fees and then Commission would consider signing a letter of support. Commission thanked them for their time.

### Request

Lyle Fritzemeier, Deadwood Resident, asked the commission to consider waiver of age requirement for a free trolley pass. After discussion, Speirs moved, Van Den Eykel seconded to deny waiver of age requirement. Roll Call: Aye-All. Motion carried.

### CONSENT

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

- A. Permission to purchase Durango Special Service Police vehicle from Wegner Auto in the amount of \$30,090.00 off state bid list, contract #16998. Delivery, payment and invoicing to occur in 2017. (Budgeted 2017)
- B. Permission for Finance Office to purchase copier from A & B Business in the amount of \$7,547.00. Delivery, payment and invoicing to occur in 2017. (budgeted 2017)

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- C. Permission to purchase Global Search document management system from A & B Business in the amount of \$5,556.00, which replaces existing system, with current cost of \$6,074.54. Delivery, payment and invoicing to occur in 2017 (budgeted 2017)
- D. Permission for Finance Office to pay SD Department of Legislative Audit \$14,297.30 for audit of fiscal affairs for period ending December 31, 2016 2015.
- E. Remove seasonal employees from payroll effective November 30, 2016: Broc Hanson, Connor Kuhl and Greg Nelson.
- F. Act as Board of Adjustment to approve Findings of Fact and Conclusions to deny variance from Neighborhood Housing Services at 10, 12, 14 and 16 Calamity Lane. Planning and Zoning Commission denied the variance on December 7, 2016.
- G. Allow Mayor to sign Authorization for Right of Entry form to allow South Dakota Department of Transportation to enter city property and remove abandoned Abraham Lincoln profile along Highway 14A
- H. Permission for Mayor to sign renewal agreement with Barefoot Resort for billboard lease from January 1, 2017 to December 31, 2017 at rate of \$55.00 per month ( no change from prior year)
- I. Renew agreement with Deadwood Historic Preservation and Neighborworks for administrative services in connection with HPC Revolving Loan Funds from January 1, 2017 to December 31, 2017, not to exceed \$75,000.00 (budgeted)
- J. Permission to hire Sarah Wortman for front desk position at Deadwood Rec Center at \$8.67 per hour effective December 21, 2016, pending pre-employment screening
- K. Permission to hire Erik Jandt at \$21.71 per hour effective January 1, 2017 as full time police officer

### BID ITEMS

Mayor Turbiville stated five bids were opened for TIF 10 Public Work on December 15th at 3:15 p.m. as advertised. Bid bonds and acknowledge of addendums were included in the following bid submittals:

RCS Construction - \$2,790,827.34  
Lind-Exco - \$2,959,776.03  
Scull Construction - \$3,718,981.54  
Dietzler Construction - \$3,878,006.00  
Jr Civil - \$5,694,964.51

Van Den Eykel moved, Ruth seconded to approve the recommendation from Advanced Engineering to award the low bid to RCS Construction in the amount of \$2,790,827. The city commitment on the project is \$2,000,000.00 from property tax revenue in the district. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

Speirs moved, Todd seconded to set public hearing on January 3 for St. Patrick's Day Events. Roll Call: Aye-All. Motion carried.

Ruth moved, Todd seconded to set public hearing on January 3 for Cowboy Fast Draw National Event in conjunction with Wild Bill Days. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on January 3 for Goldwing Road Riders Event. Roll Call: Aye-All. Motion carried.

### NEW BUSINESS

#### Renewal

Todd moved, Ruth seconded to renew agreement with Deadwood Chamber of Commerce to manage Event Center at cost of \$22,425.00 for 2017 and direct City Attorney to prepare contract. Lee Harstad, Deadwood Chamber, gave an update on the Event Center. Roll Call: Aye-All. Motion carried.

#### Recommendation

Van Den Eykel moved, Speirs seconded to approve Parking and Transportations recommendation to allow free trolley rides for Pastport participants from 8:00 a.m. to 6:30 p.m. Currently, participants pay \$1.00 for transportation to all museum properties. Roll Call: Aye-All. Motion carried.

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**Resolution**

Todd moved, Speirs seconded to approve Resolution 2016-24 to set fees for 2017. Roll Call:  
Aye-All. Motion carried.

**CITY OF DEADWOOD  
RESOLUTION 2016-24  
A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE  
CITY OF DEADWOOD**

WHEREAS, City Ordinances require certain license fees, charges for services, and other designations to be established by resolution;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective for the 2017 year:

Accident Report .....	\$2.00
Animal License:	
Dog or cat, spayed or neutered .....	\$5.00
Dog or cat, unsprayed or neutered .....	\$10.00
Banner Fee .....	\$100.00
Burial Fees-Oakridge:	
Space, excluding recording fee.....	\$125.00
For perpetual care(mandatory) .....	\$75.00
City Hall Office:	
NSF charges .....	maximum allowed by SDCL 57A-3-421
Contractors License-new .....	\$75.00
Contractors License-renewal .....	\$50.00
Horse Drawn Vehicles-limited to two .....	\$75.00
Inspection Fee .....	two times building permit
Mt. Moriah:	
Admission over 12.....	\$2.00
12 and under .....	free
Nuisance/Labor Charge	
Weed Removal .....	\$71.50/hour
Snow Removal .....	\$71.50/hour
Repair for damage to city property.....	\$71.50/hour
Parking:	
Broadway hourly:	
First hour .....	\$3.00
Second hour.....	\$5.00
Third hour to Twenty-four hours .....	\$10.00
Lost Ticket.....	\$10.00
Broadway leases:	
Employee lease .....	\$50.00/month
Annual lease:	
1-25 spaces .....	\$100.00/month
26-50 spaces .....	\$85.00/month
50-119 spaces .....	\$75.00/month
120+ spaces .....	\$60.00/month
Meters-Lower Main Street and Pioneer Way/Armory.....	\$1.00/hour
All other meters .....	\$.50/hour
Parking meter violation.....	\$10.00

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Other offenses:

Within 72 hrs.	After 72 hrs.	
Blocking driveway	\$ 25.00	\$ 34.00
No parking area	25.00	34.00
Yellow marked area	25.00	34.00
Dead storage over 24 hrs.	25.00	34.00
Snow removal area	25.00	34.00
Parking in unloading zone	35.00	44.00
Too near fire hydrant	25.00	34.00
Parked against traffic	25.00	34.00
Handicapped parking only	100.00	109.00
Red marked area	75.00	84.00
Unauthorized residential parking	25.00	34.00

Tow and Storage Fee for Abandoned  
Vehicles.....

\$125.00/+\$25.00/day

Pawn Broker.....

\$100.00/annual

Recreation Center

Family Pass (parents and legal guardians and all children grade twelve (12) and under).

Daily - \$7.00

One (1) month - \$30.00

Three (3) month - \$82.00

Six (6) month - \$150.00

Single Adult (19-54)

Daily - \$4.00

One (1) month - \$23.00

Three (3) month - \$55.00

Six (6) month - \$85.00

Child/Senior (0-12 and 55+)

Daily - \$2.00

One (1) month - \$12.00

Three (3) month - \$30.00

Six (6) month - \$50.00

High School Student (13-18).

Daily - \$2.00

One (1) month - \$15.00

Three (3) month - \$32.00

Six (6) month - \$55.00

Corporate Family

One (1) month (family) - \$25.00

Three (3) month (family) - \$70.00

Six (6) month (family) - \$140.00

Corporate Single

One (1) month - \$17.00

Three (3) month - \$44.00

Six (6) month - \$70.00

Key Cards

Key - \$3.00

Locker Rental. Monthly - \$5.00 half locker; \$10.00 full locker.

Sign Permit Fee.....\$60.00

Special Alcohol License .....\$50.00/day

Staging fee-construction:

Parking Space ..... \$125.00/month

Use of City Property ..... \$500.00/month

Taxi License, Limit five, maximum twenty vehicles .....\$75.00 first/\$25.00  
each additional (annual)

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### Trolley:

Fare ..... \$1.00/ride  
All day pass ..... \$5.00/pass  
Punch card pass for 12 rides ..... \$10.00/pass

### Group Rates:

0 - 25 members ..... \$50.00  
26 - 50 members ..... \$100.00  
51 - 75 members ..... \$150.00  
76 - 100 members ..... \$200.00  
Each 25 additional ..... \$50.00

By showing a name tag of the registered group, rides would be unlimited, providing the event does not last longer than two (2) consecutive days

### Utilities:

#### Water:

Residential minimum demand charge ..... \$23.65 Monthly  
for all accounts, whether on or off, regardless of water usage; water usage charged as follows:

Water Usage	Water Rate
0 - 4,999 gallons	\$1.73/1,000 gallons
5,000 - 9,999 gallons	\$2.10/1,000 gallons
10,000 - 19,999 gallons	\$2.62/1,000 gallons
20,000 - 49,999 gallons	\$3.15/1,000 gallons
50,000 and over gallons	\$4.20/1,000 gallons

Commercial accounts: Monthly minimum (demand) charge for all accounts, whether on or off, based upon meter size, per meter, as follows:

Meter Size	Cost
1 inch or less	\$ 34.50
1.5 inch	\$ 46.20
2 inch	\$ 69.30
3 inch	\$103.95
4 inch	\$138.60
6 inch	\$207.90

with commercial water usage rates as follows:

Water Usage	Water Rate
0 - 9,999 gallons	\$3.15/1,000 gallons
10,000 - 49,999 gallons	\$3.68/1,000 gallons
50,000 and over gallons	\$4.20/1,000 gallons

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### Waste water:

Residential .....	\$2.00 per month
Commercial one (1) inch or less meter .....	\$5.00 per month
Commercial meter greater than one (1) inch .....	\$10.00 per month

### Garbage:

Residential and small commercial accounts (defined as in-home apartments on the same site as the primary residential account); will be charged at the current contract rate that the city must pay to a private contractor, which includes service and applicable tax, per month for all accounts, whether on or off.

Commercial accounts: Responsible for own garbage removal.

### Vending (temporary) 60 day notice required:

Outside .....	\$750/14 days
Inside .....	\$250/14 days
Convention Center .....	\$1500/January-December

### Zoning Fees:

Change of Zoning .....	\$150.00
Conditional Use Permit .....	\$150.00
Selling unrecorded plat .....	\$100.00
Subdivision approval first lot, then thereafter .....	\$100.00/\$30.00
Variance .....	\$150.00

### Readings

Ruth moved, Speirs seconded to approve first reading of Ordinance #1253 to Amend Zoning Map. Zoning Administrator Nelson Jr. stated the zoning classification changes from R1-Residential District to CH - Commercial Highway District. Roll Call: Aye-All. Motion carried.

Van Den Eykel moved, Speirs seconded to approve second reading of Ordinance #1254, Supplemental Budget Appropriation. Roll Call: Aye-All. Motion carried.

### Appoint

Todd moved, Speirs seconded to appoint John Martinisko to Planning and Zoning Commission position vacated by Mel Allen, with term expiring December 31, 2021. Commission thanked Mel Allen for his years of service. Roll Call: Aye-All. Motion carried.

### Reappoint

Ruth moved, Speirs seconded to reappoint Brett Runge to Planning and Zoning Commission with term to expire December 31, 2021. Roll Call: Aye-All. Motion carried.

### Purchase

Speirs moved, Ruth seconded to purchase Clover Station point of sale equipment with one printer for kitchen in the amount of \$4,895.00 from First Data, which will allow Event Center concessionaire to process credit cards. Concessionaire will be responsible for monthly usage fees, and equipment expenditure will be paid from Public Buildings. Roll Call: Aye-All. Motion carried.

## INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville read the following informational items:

- Next Commission meeting will be held on Tuesday, January 3, due to city hall closure on Monday, January 2. City hall will also be closed on Monday, December 26 for Christmas holiday.
- Garbage pick-up scheduled for December 30 will be December 31, and service scheduled for January 6 will be postponed until January 7.

Jerry Apa spoke regarding the presentation from Game, Fish, and Parks. He said he served 8 years on the Senate Appropriation Committee. He read a portion of the Spearfish Canyon Corridor Management Plan which stated "no additional trails would be built in the bottom of the Canyon, or from rim to rim."

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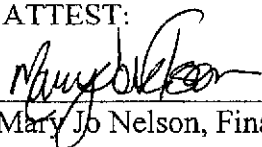
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25- 2(3) with possible action.

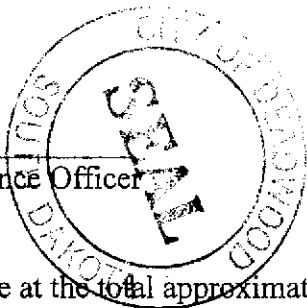
**ADJOURNMENT**

Todd moved, Speirs seconded to adjourn the regular session at 5:54 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2 (3) with possible action. The next regular meeting will be on Tuesday January 3, 2017.

After coming out of executive session at 6:10 p.m., Ruth moved, Van Den Eykel seconded to adjourn.

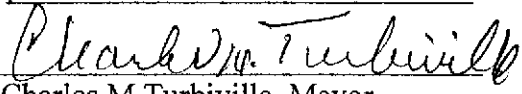
ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: 12-3-17

BY:

  
Charles M Turbiville, Mayor

Published once at the total approximate cost of \_\_\_\_\_