

REGULAR MEETING, SEPTEMBER 19, 2016

The Regular Session of the Deadwood City Commission convened on September 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

Van Den Eykel moved, Speirs seconded to approve the minutes of September 6, 2016. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

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

A & J SUPPLY	SUPPLIES	38.40
ACE HARDWARE	SUPPLIES	30.89
ACTION MECHANICAL	HUMIDIFIER	16,856.00
AINSWORTH-BENNING	PROJECT	152,700.00
ALBERTSON ENGINEERING	PROJECT	5,994.74
ALLEN, MEL	MEETINGS	125.00
ALSCO	SUPPLIES	114.05
AMAZON	SERVICE	209.08
ANFINSON, BONNY	REIMBURSEMENT	284.00
BERG, DALE	MEETINGS	250.00
BIESIOT, TONY	MEETINGS	75.00
BH CHEMICAL	SUPPLIES	413.14
BH PIONEER	ADS	636.37
BLAIR, THOMAS	MEETINGS	300.00
BUREAU OF LAND MANAGEMENT	APPLICATION	100.00
CAI CONSTRUCTION	PROJECT	27,459.00
CENTURY BUSINESS	CONTRACT	325.99
CHAINSAW CENTER	SUPPLIES	409.41
CULLIGAN	SUPPLIES	173.00
DAKOTA BUSINESS	CONTRACT	160.90
DEADWOOD ALIVE	SERVICE	1,500.00
DEADWOOD CHAMBER	SERVICE	16,786.02
DVFD	SERVICE	1,991.84
DEADWOOD HISTORY	REIMBURSEMENT	122.50
DEADWOOD-LEAD ECONOMIC	SERVICE	75.00
ECOLAB	SERVICE	150.00
FARMER BROTHERS	SUPPLIES	35.45
FARRIER, MARIE	MEETINGS	125.00
FLACK TRUCKING	SERVICE	385.00
FLOYD, LAURA	MEETINGS	225.00
GALLS	UNIFORMS	219.95
GENE'S LOCK SHOP	SERVICE	826.74
GOLDEN WEST	SERVICE	2,686.03
INTERSTATE ENGINEERING	PROJECT	1,500.00
JACOBS WELDING	SUPPLIES	64.00
JOHNSON, MICHAEL	MEETINGS	250.00
KEEHN, LENESEA	REIMBURSEMENT	85.37
KONE	INSPECTION	280.14
LAWRENCE CO. REGISTER	FEES	270.00
LEAD-DEADWOOD SANITARY	USAGE	33,991.02
LEWIS, TRACY	PROJECT	3,428.53
LOTUS LLC	PROJECT	8,428.99
LYNN'S	SUPPLIES	46.45
M&M SANITATION	RENTAL	230.00
MIDCONTINENT	SERVICE	65.00
NAMMINGA, LYNN	MEETINGS	300.00
NEIGHBORHOOD LENDING	SERVICE	750.00
NEVE'S	UNIFORMS	124.85
NORTHERN HILLS TECHNOLOGY	SERVICE	175.00
NORTHWEST PIPE FITTINGS	SUPPLIES	187.94
OFFICE DEPOT	SUPPLIES	357.93
OFTEDAL CONSTRUCTION	PROJECT	40,320.60
OLSON, STEVE	REIMBURSEMENT	990.00
PANNIER	PROJECT	4,109.00
PARTSMASTER	SUPPLIES	433.82
PASSPORT PARKING	METERS	106.75
PETE LIEN & SONS	CONCRETE	425.00
PETTY CASH	HP	134.86
PITNEY BOWES	LEASE	237.93
POSEY, JIM AND BEVERLY	GRANT	8,800.00
REGIONAL HEALTH	IMMUNIZATIONS	122.00
ROSENBAUM'S SIGNS	PROJECT	44,252.00
RUNGE, BRETT	MEETINGS	125.00
SAFELITE AUTOGLASS	FOCUS	226.85
SANITATION PRODUCTS	SUPPLIES	726.00
SD COMMISSION ON GAMING	CITY SLOTS	27,443.18
SD DEPT. OF CORRECTIONS	FIREWISE	3,336.69
SD DEPT. OF REVENUE	TAXES	7,217.80
SD MUNICIPAL LEAGUE	CONFERENCE	215.00
SD ONE CALL	SERVICE	64.96
SD PUBLIC ASSURANCE ALLIAN	INSURANCE	224,036.59
SD STATE ARCHIVES	MICROFILM	3,772.80
SD STATE HIST.SOCIETY/ARCH	PROJECT	4,941.62
SHEDD, JIM	MEETINGS	125.00
SOUTHSIDE OIL	SERVICE	1,960.00

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SOUTHSIDE SERVICE	SERVICE	264.65
SPEARFISH AUTO SUPPLY	SUPPLIES	3.96
STATE OF SOUTH DAKOTA	FEMA	2,865.63
STURDEVANT'S	SUPPLIES	1,491.42
SUMMIT SIGNS	SIGNS	151.00
TOEWS, LYMAN	MEETING	300.00
TOMS, DON	RECORDS	780.00
TRIPLE K	SERVICE	4,006.97
TRUGREEN	SERVICE	160.00
TUSHA, DEONNE	REIMBURSEMENT	42.95
TWILIGHT	SUPPLIES	146.50
TWIN CITY HARDWARE	PROJECT	2,364.52
UMENTHUM, KEITH	PROJECT	550.00
WASTE CONNECTIONS	SERVICE	8,500.40
WESTERN COMMUNICATIONS	SUPPLIES	6.00
WILLIAMS, CHUCK	MEETINGS	300.00
WOODLAND CONSTRUCTION	PROJECT	14,602.32
	TOTAL	\$692,978.49

ITEMS FROM CITIZENS ON AGENDA

Letter

Bruce Hintz, Department of Legislative Audit, appeared to request permission for the Mayor and Finance Officer to sign the engagement letter for the 2015 audit. Hintz invited the Commissioners to visit with Legislative Audit regarding any concerns and questions. Todd moved, Speirs seconded said request. Roll Call: Aye-All. Motion carried.

Request

Tony Sieber, General Manager at Gold Dust, asked the Commission to reconsider the validations rates for businesses at the Broadway Parking Ramp. Sieber talked about the rate structure and asked that the rate revert to \$6.00 instead of \$10.00. Mayor Turbiville read parts of the minutes from previous meetings concerning discussion on rates. No motion was made to adjust. Mayor thanked Sieber for his time. Roll Call: Aye-All. Motion carried.

CONSENT

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

- A. Permission to advertise in house for Water Superintendent position and advertise in local newspaper and other means if necessary. If position is filled by existing employee, permission to post remaining vacant city position in same manner
- B. Accept resignation from Fire Dept. Administrative Assistant, Lynette Quaschnick, effective September 20, 2016: and grant permission to advertise for a replacement in-house for five days and if needed in local newspaper and other means
- C. Permission for Mayor to sign contract with Lead-Deadwood Regional Hospital for use of swimming pool from November 1, 2016 to October 31, 2017 (no changes from previous year)
- D. Approve Request for Proposal for Event Center Concessionaire with proposal deadline of October 11, 2016 at 2:00 p.m. mountain time
- E. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Bernard Schuchmann and Jesus Joseph Antuna
- F. Permission to hire Dale Marlow as Trolley Driver at \$9.69 hr. effective September 20, 2016, pending pre-employment drug screening
- G. Permission to remove the following employees from payroll effective September 1, 2016: Trolley Driver, Roberta Odson; and seasonal Parks employees, Colt Bradley, Colt Radensleben and Kate Goin
- H. Permission for Librarian, Jeanette Moodie, to attend the 2016 S.D. Library Association Conference September 28 – October 1, 2016 in Watertown, S.D.; Registration in the amount of \$260.00 plus motel and travel expenses
- I. Permission for trolley to transport individuals to Mt. Moriah on September 29, 2016 for the reinternment of the skeletal remains found behind the retaining wall at Jackson and Taylor, and to waive fees.

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PUBLIC HEARINGS

Ruth moved, Speirs seconded to waive 45-day requirement for Special Event Application and set public hearing on October 3 for open container on October 12 and 15 for Wild West Songwriters Festival. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to waive 45-day requirement for Special Event Application and set public hearing on October 3 for street closure on October 7 for Homecoming Parade. Roll Call: Aye-All. Motion carried.

Public hearing was opened at 5:09 p.m. by Mayor Turbiville to consider lease agreement between City and Deadwood Chamber of Commerce for Welcome Center at 501 Main St. During discussion, Commissioner Speirs requested additional information regarding other parties who are currently leasing property from the City. Van Den Eykel moved, Speirs seconded to approve draft agreement and direct Attorney to forward onto Board of Directors of the Chamber for comments and suggestions. Ruth said approval is preliminary since draft is not in final form, and would rather approve the intent to lease and allow time to negotiate with a team, which would consist of the Chamber and other entities or people appointed from City Commission. Hearing closed. After discussion Van Den Eykel moved, Speirs seconded to amend the motion to continue the public hearing and direct Attorney to send copies of the draft agreement to the Chamber. Commissioner Speirs requested copies of lease agreements between the City and Deadwood History Inc. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Discussion

Discussion was held concerning proposed surcharge on tickets sold at Event Center. Mayor Turbiville stated a meeting was held on September 13 with event stakeholders, city representatives, and the Chamber. He stated it was a lengthy discussion about the reasoning behind the surcharge, which includes; city staff time invested into the events, maintenance to the facility, upgrades, and questions arose as how to determine which events pay and which do not. Commissioner Van Den Eykel supported surcharge and requested a list of expenses for all events in Deadwood, including those in addition to event center. Commissioner Speirs stated this is an opportunity to try to investigate what benefits are derived from these events as well, and requested a cost benefit analysis associated with the events like the Days of '76 or Deadwood Snocross. Commissioner Todd stated that would be great information but would not agree to a surcharge for the Chamber sponsored events. Commissioner Ruth agreed with Todd and would like time to determine what events should be surcharged as well as a cost benefit analysis. Ruth moved, Speirs seconded to continue discussion to gather more information. Roll Call: Aye-All. Motion carried.

Ordinance #1246

Van Den Eykel moved, Ruth seconded to approve second reading of 2017 Budget Appropriation Ordinance #1246. Roll Call: Aye-All. Motion carried.

Permission

Speirs moved, Van Den Eykel seconded to upgrade to LED lighting at Broadway Parking Garage at cost of \$27,000.00, less incentive of \$11,250.00, and savings of \$1150.00 per month thereafter. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to replace Cummins after treatment device on Trolley #155 from Eddie's Truck at cost not to exceed \$8,500.00. Roll Call: Aye-All. Motion carried.

Contracts

Speirs moved, Ruth seconded to allow the Mayor to sign contracts for two McGovern Hill water tank-mixing systems from Utility Services Group. Annual fees of \$24,114.00 per tank for four years, and \$8,442.00 in year five. Roll Call: Aye-All. Motion carried.

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Change Orders

Van Den Eykel moved, Speirs seconded to approve Change Order #7 for Highway 85/285 project in the amount of \$354,979.44 for cost of decorative light poles and luminaires. Per agreement, City will reimburse Dept. of Transportation. Discussion was held regarding funding source but no action was taken. \$266,000.00 has been obligated from Historic Preservation Fund. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to approve Change Order #1 for Shared Use Path on North side of Highway 85, connecting to existing Mickelson Trail. Total amount of change order is \$19,122.80 for extra work to remove rails and ties, additional undercut performed for footing of the building, and Davis Bacon wage rate, which will be adjusted after work is complete. City to reimburse Dept. of Transportation. Roll Call: Aye-All. Motion carried.

Quote

Ruth moved, Speirs seconded to accept low quote from Forgey Construction, LLC for sidewalk repair at Methodist Park in the amount of \$5,500.00 and allow Attorney to prepare contract. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to accept low quote from Bill Schmidt for street panel repair on Pleasant Street in the amount of \$13,500.00 and allow Attorney to prepare contract. Roll Call: Aye-All. Motion carried.

Change Order

Ruth moved, Speirs seconded to approve Change Order #2 for the Retaining Wall at 84 Van Buren in the amount of \$7,638.00, bringing total cost to \$257,047.34. Roll Call: Aye-All. Motion carried.

Petition

Ruth moved, Van Den Eykel seconded the Petition for Vacation of a Portion of Street Right-Of-Way of Williams Street, and set Public Hearing on October 17, 2016. Roll Call: Aye-All. Motion carried.

Payment

Speirs moved, Ruth seconded to approve payment to Rogers Construction in the amount of \$7,744.93 for rehabilitation work at Keene Park. Invoice will be paid from Capital Improvement Parks Budget. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Williams Street Resident, John Hopkins, spoke to Commission concerning a need for a turnaround area on Williams Street.

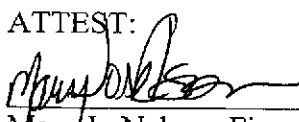
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25- 2(3) with possible action.

ADJOURNMENT

Todd moved, Van Den Eykel seconded to adjourn the regular session at 5:41 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 Monday October 3, 2016.

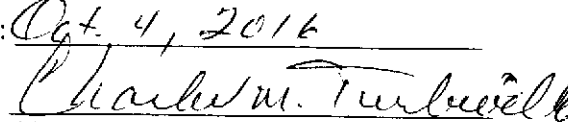
After coming out of executive session at 5:50 p.m. Speirs moved, Todd seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: Oct. 4, 2016

BY:


Charles M Turbiville, Mayor

Published once at the total approximate cost of _____