

REGULAR MEETING, JULY 18, 2016

The Regular Session of the Deadwood City Commission convened on July 18, 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

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

APPROVAL OF DISBURSEMENTS

Speirs moved, Todd seconded to approve the July 18, 2016 disbursements. Roll Call: Aye-All. Motion carried.

A&B BUSINESS	CONTRACT	42.34
A&L CONTRACTORS	PROJECT	38,716.32
ABC BUSINESS	SUPPLIES	53.32
ABSOLUTE LOG HOMES	SUPPLIES	93.71
ACE HARDWARE	SUPPLIES	208.14
ALBERTSON ENGINEERING	PROJECT	24,201.57
ALL NET CONNECTIONS	SERVICE	30.50
AMAZON WEB	SERVICE	310.07
B.S. REMODELING	PROJECT	4,257.50
BACHAND, JULIE	PARADE	150.00
BARCO PRODUCTS	SUPPLIES	763.22
BH BUILDERS	PROJECT	2,334.75
BH CHEMICAL	SUPPLIES	655.46
BH PIONEER	ADS	567.30
BH URGENT CARE	TESTING	270.00
BLOOMERS FLOWERS	SERVICE	313.00
BOMGAARS	SUPPLIES	135.92
BUTTE CO. HISTORICAL	GRANT	2,600.00
CABLE COMMUNICATION	SURVEYING	2,158.95
CAMPBELL SUPPLY	SUPPLIES	98.20
CENTURY BUSINESS	CONTRACT	490.89
CENTURY LINK	SERVICE	184.91
CHEMSEARCH	SUPPLIES	168.94
CHRIS SUPPLY	SUPPLIES	482.43
COCA COLA	SUPPLIES	100.00
CONVERGINT TECHNOLOGIES	SERVICE	4,372.51
CULLIGAN	SUPPLIES	360.75
DAVE STAFFORD ARCHITECTURE	PROJECT	9,304.15
DEADWOOD ALIVE	JULY	20,000.00
DEADWOOD DEVELOPMENT	FREIGHT	50.86
DEADWOOD ELECTRIC	PROJECT	15,590.28
DEADWOOD HISTORY	SERVICE	122.50
DHARMA TREE CARE	SERVICE	1,750.00
ECOLAB	SERVICE	290.00
EDDIE'S TRUCK CENTER	ASSEMBLY	1,516.97
EMERY-PRATT	BOOKS	65.32
ENVIRONMENTAL EQUIPMENT	SUPPLIES	251.32
FIRST INTERSTATE BANK	PAYMENT	3,835.51
FIRST NATIONAL CREDIT CARD	SUPPLIES	1,295.09
GOLDEN WEST	SERVICE	3,820.80
GREAT WESTERN TIRE	REPAIR	119.50
GUNDERSON, PALMER, NELSON	SERVICE	5,370.84
HEAVENLY REPAIRS	TOWING	751.50
HI-VIZ SAFETY WEAR	SUPPLIES	723.20
HILLS MATERIALS	ASPHALT	4,212.49
JACOBS WELDING	SERVICE	174.95
JUNEKS SERVICE	REPAIR	1,294.76
KADRMAS LEE & JACKSON	PROJECT	24,650.00
KDSJ	ADS	160.00
KNIGHT SECURITY	REPAIR	250.00
LAWRENCE CO. EQUALIZATION	PICTOMETRY	6,755.83
LAWRENCE CO. REGISTER	FEES	210.00
LEAD CHAMBER	JUBILEE	6,000.00
LEAD-DEADWOOD SANITARY	USAGE	32,965.40
LUMASTROBE	SUPPLIES	797.15
LYNN'S	SUPPLIES	30.00
M&M SANITATION	RENTAL	539.50
MACROVISION	SERVICE	750.00
MARKERTEK VIDEO	PROJECT	1,466.92
MERTENS, KENNETH	REIMBURSEMENT	293.72
MIDCONTINENT	SERVICE	65.00
MIDCONTINENT TESTING	TESTING	20.25
MIDWEST TAPE	DVD	115.35
MOHR, TRENT	REIMBURSEMENT	55.00
MDU	SERVICE	45.05
MS MAIL	SERVICE	1,421.10
NAJA SHRINERS	CIRCUS	3,500.00
NATIONAL GEOGRAPHIC KIDS	SUBSCRIPTION	34.00
NELSON, MARY JO	REIMBURSEMENT	34.44
NETWORK SERVICES	SUPPLIES	116.80
NEVE'S UNIFORMS	KITS	81.21
NORTHWEST PIPE FITTINGS	SUPPLIES	437.77
OSBORN, JANET	REIMBURSEMENT	465.25
PANNIER	PANELS	929.20
PARTSMASTER	SUPPLIES	172.44
PASSPORT PARKING	METERS	101.25
PETTY CASH	HP	112.91

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PHIL'S ELECTRIC	PROJECT	8,265.32
PITNEY BOWES	LEASE	237.93
PLASTIC WORKS	SUPPLIES	6,183.00
PONTIUS, JAMES	PROJECT	1,271.61
PUMPHOUSE	CATERING	194.10
QUICK TROPHY	PLATES	33.79
QUICK SIGNS	SIGNS	353.90
RAPID DELIVERY	FEE	40.84
RASMUSSEN MECHANICAL	REPAIR	2,930.29
REGIONAL HEALTH	TESTING	250.00
ROGERS CONSTRUCTION	CLEANUP	45,000.00
SANITATION PRODUCTS	SUPPLIES	351.00
SCHMIDT, WILLIAM	PROJECT	1,697.00
SD COMMISSION ON GAMING	CITY SLOTS	99,625.00
SD DEPT. OF CORRECTIONS	FIREWISE	8,248.27
SD DEPT. OF LABOR	UNEMPLOYMENT	1,305.00
SD DEPT. OF REVENUE	LICENSE	262.50
SD FEDERAL PROPERTY AGENCY	SUPPLIES	39.50
SD MAGAZINE	RENEWAL	46.00
SD ONE CALL	FEES	45.92
SD STATE HISTORICAL	HPO	55,500.00
SERVALL	SUPPLIES	661.57
SOUTHSIDE OIL	FUEL	12,707.31
SOUTHSIDE SERVICE	REPAIR	597.90
SPECIALTY VEHICLES	MODULE	119.83
STRETCH'S	SUPPLIES	6,887.00
STURDEVANT'S	SUPPLIES	1,509.07
SUMMIT SIGNS	SIGNS	135.50
TALLGRASS	PROJECT	4,717.50
TEMPERATURE TECHNOLOGY	REPAIR	292.60
THE LORD'S CUPBOARD	RECYCLING	2,547.94
TOMS, DON	PROJECT	780.00
TRAFFIC SERVICES	TRAFFIC SIGNALS	3,000.00
TRIPLE K	SERVICE	2,118.40
TRUGREEN	PROJECT	133.50
TSP	PROJECT	4,106.56
TWILIGHT	SUPPLIES	888.51
VECCHI, GREG	PROJECT	560.00
VISIONS HOME IMPROVEMENTS	PROJECT	970.29
WASTE CONNECTIONS	DUMPSITER	8,236.40
WHEELER LUMBER	SUPPLIES	3,173.23
WWHA	MEMBERSHIP	60.00
TOTAL		\$523,320.36

ITEMS FROM CITIZENS ON AGENDA

Update

Mark Schmidt, President of Lead-Deadwood Regional Hospital, updated the Commission on various new programs and programs being created at both the Hospital and Clinic. Commission thanked him for his time, and appreciated his efforts to keep citizens informed.

Requests

Rick Goeringer and Tom Adams, American Legion Post 31, asked the Commission for permission to use public space at the Interpretive Center during Kool Deadwood Nites. They thanked the Commission for their years of support. Speirs moved, Van Den Eykel seconded to allow Lead-Deadwood American Legion to use public space in Interpretive Center in conjunction with Kool Deadwood Nites, from Wednesday, August 24 through Sunday, August 28. Permission was received for Thursday, August 25 at April 18 meeting. Roll Call: Aye-All. Motion carried.

George Milos, Deadwood Mountain Grand, asked the Commission for permission to close Siever Street for the Dolly Parton concert on July 23. Ruth moved, Speirs seconded to allow Deadwood Mountain Grand to close Siever Street from 5:00 a.m. July 23 to 5:00 a.m. July 24 to accommodate concert. Roll Call: Aye-All. Motion carried.

Amber Diers, Holiday Inn Express, asked the Commission for additional cards or a reduction of validation fees for July through August, to accommodate motorcycles. Mayor Turbiville stated the business currently leases 120 spaces, but cyclists can park about three bikes in one spot, making additional passes necessary. After discussion Todd moved, Ruth seconded allowance of an additional 20 passes under current contract for July-August, 2016 only. Roll Call: Aye-All. Motion carried.

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Update

Tracy Island, Deadwood Comfort Inn, asked the Commission for an update of directional sign that was removed at intersection of Pine St. and Pioneer Way. Island stated she has been working with Planning and Zoning Administrator Nelson Jr. to reinstall or replace the sign. Commissioner Van Den Eykel requested a recommendation from South Dakota Department of Transportation before he can support said sign. Commissioner Todd stated that DOT requested the sign be removed, and also expressed concerns that too much signage detracts from current wayfinding, which was suggested by consultant Roger Brooks. Mayor Turbiville stated Nelson Jr. is willing to continue to work with the businesses on this project. Commission thanked Island for attending.

Concern

Diane DesLauriers, speaking for residents of Shirttail Gulch, read a statement reminding Commission they are not in favor of gun range location.

CONSENT

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

- A. Pay Lord's Cupboard 2016 allocation of \$2,500.00 and Twin City Animal Shelter \$3,000.00 from spay/neuter from Bed and Booze Fund. (budgeted)
- B. Permission to allow Optimist Club to serve beer at the History Interpretive Center on Thursday, August 25 from 4:00 p.m. to 10:00 p.m. during Kool Deadwood Nites
- C. Accept resignation from Rec Center employee Norma Cooper effective July 6, 2016
- D. Permission to increase wage of Police Reserve Sally Sprigler from \$11.83 hr. to \$12.38 hr. effective July 8, 2016 after two years of service
- E. Remove Parks Laborer Andrew Fessler from payroll effective June 27, 2016
- F. Permission to pay Rasmussen Mechanical Services for boiler work done at Adams Museum in the amount of \$2,692.00
- G. Permission for Mayor to sign agreement between Deadwood Gaming Association and City of Deadwood for lease of office space at 3 Siever Street at \$3,000.00 per year
- H. Permission to hire Cory Shafer for Patrol Officer position at \$21.71 per hour effective July 19, 2016
- I. Request to issue a Request for Proposal for exterior painting at the library
- J. Request to issue a Request for Proposal for exterior painting at the Adams House Museum

BID ITEMS

Mayor Turbiville stated two bids were opened for 3 Shine Street retaining wall at 2:00 p.m. on July 14, 2016 as advertised. Bid bonds were included in the following bid submittals:

Rogers Construction – Base Bid - \$102,701.00, Bid Alt. #1 - \$3,600.00, Bid Alt. #2 - \$2,920.00, Bid Alt. #3 - \$3,024.00

RCS Construction – Base Bid - \$108,000.00, Bid Alt. #1 - \$3,000.00, Bid Alt. #2 - \$2,000.00, Bid Alt. #3 - \$800.00

Historic Preservation Officer Kuchenbecker recommended Commission reject bid from Rogers Construction due to omission of acknowledgement of addendum one, and accept the low bid from RCS Construction.

After discussion, Van Den Eykel moved, Todd seconded to rebid project. Roll Call: Nay-All. Motion failed.

Todd moved, Speirs seconded to award bid to RCS Construction in the amount of \$113,800.00. Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS

Public hearing was opened at 5:40 p.m. by Mayor Turbiville. Robert Keller was available to answer questions. There being no public comment, hearing closed. Speirs moved, Ruth seconded to approve Retail (on-off sale) Malt Beverage License for The Midway at 3 US Hwy 385. Roll Call: Aye-All. Motion carried.

Public hearing was opened at 5:41 p.m. by Mayor Turbiville. There being no public comment, hearing closed. Speirs moved, Ruth seconded to approve Package (off-sale) Malt Beverage & SD Farm Wine for Canyon View Amish Furniture and Gift at 250 US Hwy 14A. Roll Call: Aye-All. Motion carried.

OLD BUSINESS

Discussion was held concerning the variance agreement with Greg Vecchi, Weapons Concepts, LLC. Vecchi presented history of credentials, overview of business, and events that have taken place since variance was granted. Vecchi asked Commission to consider two proposals: keep range at current location and make changes to agreement, or move to alternate location, provided the move is at city expense. Kyle Weiss, Vecchi's Attorney, spoke about the legal considerations, and believed that proper notice was not given of intent to revoke variance. City Attorney Riggins disagreed, and indicated that Mr. Vecchi requested this date to discuss, and notice was given prior to required 30 days as specified. The entire presentation is on file in the Finance Office and included in official minutes as of matter of record. After further discussion among Commission, residents of Shirttail Gulch and Vecchi, Todd moved to pursue the Rubble Site location, continue the variance until November 1st at current location and revisit. Motion failed for lack of second.

Van Den Eykel moved to revoke variance per agreement as of November 1, 2016. Motion failed for lack of second.

Ruth moved, Speirs seconded to revoke variance as of November 2, 2016, direct staff to continue to find an alternative location and require Vecchi notify residents of Shirttail Gulch of any shootings prior to November 2. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Pavilion

Commissioner Van Den Eykel reminded Commission that when construction began on the Lower Main Visitor Center, a resolution to surplus pavilion was passed on January 19, 2016. Since the project will be nearing completion in May of 2017, the city has a responsibility to the taxpayers, and the building should be listed and sold.

Lori Frederick, Deadwood-Lead Economic Development, gave an update on efforts to bring several companies to the community, and requested that selling be postponed until March 1, 2017 to provide for an opportunity to bring a business into Deadwood. Discussion continued concerning ongoing expenses of that property.

Van Den Eykel moved to proceed with the surplus in selling and request proposals from Deadwood realtors. Motion failed for lack of second.

Amendment

Van Den Eykel moved, Ruth seconded to approve requested amendment #2 from TSP for Phase 3 of CA/CO services for Pluma to Gateway, as part of Highway 85/385 project. Additional cost is not to exceed \$38,000.00, bringing total contract to \$99,373.00. Roll Call: Aye-All. Motion carried.

Recommendation

Ruth moved, Turbiville seconded to approve the recommendation from Historic Preservation Commission to enter into a contract with Rosenbaum Signs for the building and installation of the new trestle sign not to exceed \$40,000.00. Discussion was held concerning cost, and final design. Kuchenbecker stated the City of Lead was awarded an Outside of Deadwood grant for their cost, which is in addition to contract with Rosenbaum. Roll Call: Aye-Ruth, Todd, Van Den Eykel. Nay-Speirs. Motion carried.

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Contracts

Ruth moved, Todd seconded to enter into contract with Quality Services, Inc. to write a final report and perform the curation of artifacts discovered at 105 Sherman Street for a total cost not to exceed \$65,000.00, to be paid from the 2016 and 2017 HP Archaeology Budget. Discussion was held concerning cost and storage of artifacts, which will be used to display Deadwood's history. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to allow the Mayor to sign contract with Cheyenne Crossing Store, LLC to provide concession services at the Deadwood Event Complex during the Days of 76 special event. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville read the following informational item:

- Raffle permit application received from Lawrence County Teen Court, for drawing to be held September 9, 2016. No action approves per SDCL 22-25-25.
- 3:00 p.m. Gold Nugget Theme Park Presentation/Public Meeting at Spring Hill Suites. A quorum may be present.
- 4:00 p.m. meeting with Utility Service Group regarding water tank mixing has been cancelled and rescheduled for July 25, 2016 at 4:00 pm.

Commissioner Todd requested adding a grace period of fifteen minutes for vehicles entering and exiting the ramp before expiration of the first hour.

Commissioner Ruth thanked the City for their support for the Shine Circus.

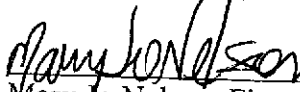
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25- 2(3) and union matters per SDCL 1-25-2 (4) with possible action.

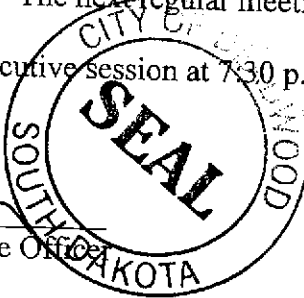
ADJOURMENT

Speirs moved, Todd seconded to adjourn the regular session at 7:00 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2 (3) and union matters per SDCL 1-25-2 (4) with possible action. The next regular meeting will be on Monday, August 1, 2016.

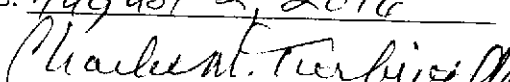
After coming out of executive session at 7:30 p.m., Todd moved, Speirs seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: August 2, 2016

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____