

REGULAR MEETING, JUNE 6, 2016

The Regular Session of the Deadwood City Commission convened on June 6, 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, Todd seconded to approve the minutes of May 16, 2016. Roll Call: Aye-All. Motion carried.

MAY, 2016 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$17,181.46; PUBLIC BUILDINGS, \$3,299.77; POLICE, \$49,626.96; FIRE, \$4,958.28; BUILDING INSPECTION, \$3,598.51; STREETS, \$28,410.55; PARKS, \$16,384.50; PLANNING & ZONING, \$4,769.66; LIBRARY, \$6,344.74; RECREATION CENTER, \$12,407.63; HISTORIC PRESERVATION, \$15,903.51; WATER, \$14,556.87; MT. MORIAH, \$2,621.40; PARKING METER, \$7,864.54 TROLLEY, \$16,300.92; PARKING RAMP, \$5,368.23 **PAYROLL TOTAL: \$212,328.29**

MAY, 2016 PAYROLL PAYMENTS:

Internal Revenue Service, \$52,117.22; S.D. Retirement System, \$23,463.54; Delta Dental, \$3,821.64.

APPROVAL OF DISBURSEMENTS

Speirs moved, Ruth seconded to approve the June 6, 2016 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	CONTRACT	313.69
ABSOLUTE LOG HOMES	DOWELS	191.39
ACE HARDWARE	SUPPLIES	323.00
ADVANCED ENGINEERING	PROJECT	4,472.00
AINSWORTH-BENNING	PROJECT	343,539.00
ALSCO	SUPPLIES	180.90
AMANO MCGANN	TICKETS	2,768.20
ANDERSON, VICKI	PROJECT	1,030.00
ARLETH LAND SURVEYING	MAP	2,150.00
ARMSTRONG EXTINGUISHER	BRACKETS	60.00
AVENET	SERVICE	450.00
BIERSCHBACH EQUIPMENT	SUPPLIES	385.00
BH BUILDERS	PROJECT	10,421.65
BH CHEMICAL	SUPPLIES	1,215.53
BH ENERGY	SERVICE	25,218.91
BH LIBRARY	FEES	75.00
BH PHYSICAL THERAPY	PRESENTATION	250.00
BH PIONEER	SUBSCRIPTION	226.41
BH SECURITY	MONITOR	89.85
BH SPECIAL SERVICES	CLEANING	1,485.00
BH TITLE COMPANY	REPORT	150.00
BH URGENT CARE	SERVICE	30.00
CENTURY LINK	SERVICE	180.99
CHAMBERLIN ARCHITECTS	PROJECT	176.31
CUSTOM DECOR MASONRY	RESTORE	19,696.67
DAKOTA BUSINESS	CONTRACT	155.88
DEADWOOD CHAMBER	SNOWCROSS	520.00
DEADWOOD ELECTRIC	SERVICE	4,524.04
DEMCO	CASES	160.92
DENVER LIBRARY	PHOTO	13.00
EAGLE ENTERPRISES	SUPPLIES	651.30
EB COMMUNICATIONS	REPAIR	111.50
ECOLAB	SERVICE	520.00
EDDIE'S TRUCK CENTER	AIRSPRING	102.69
EMERY-PRATT	BOOKS	148.36
FARMER BROTHERS	SUPPLIES	238.75
FASTENAL COMPANY	SUPPLIES	376.09
FIRST NATIONAL	CARDS	3,350.60
FLOYD, LAURA	REPLACEMENT	275.00
FMG ENGINEERING	PROJECT	2,324.80
FREEMAN'S ELECTRIC	SERVICE	14,575.00
FULLER, KELLY	REIMBURSEMENT	462.62
GALLS	SUPPLIES	100.83
GENERAL TRAFFIC CONTROLS	SIGNS	1,555.00
GODFREY BRAKE SERVICE	SUPPLIES	223.50
GOLDEN WEST	SERVICE	7,169.95
GOVERNMENT FINANCE OFFICER	MEMBERSHIP	160.00
GUNDERSON, PALMER, NELSON	SERVICE	4,708.56
HANSEN WHEEL	WAGON	13,793.52
HAWKINS	SUPPLIES	1,601.30
HEADSETS	LIGHTS	59.90
HEAVENLY REPAIRS	TRANSPORT	635.50
HI-VIZ SAFETY WEAR	TSHIRTS	2,849.80
HILLS MATERIALS	ROADSTONE	1,755.34
INTERSTATE BATTERY	SUPPLIES	21.60
KETEL THORSTENSON	PORTFOLIO	4,350.00
KNIGHT SECURITY	SERVICE	804.88
LAWRENCE CO. REGISTER	FEES	180.00
LESTER, ROB	REIMBURSEMENT	2,130.00
LOUIS BERGER	EASEMENT	946.00

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MAINLINE CONTRACTING	REPAIR	7,570.00
MCGRATH, RHONDA	REIMBURSEMENT	33.05
MCKEON, BRAXTON	REIMBURSEMENT	20.00
MERTENS, KENNETH	REIMBURSEMENT	293.72
MICHAEL TODD & COMPANY	LIGHTBAR	513.06
MIDWEST TAPE	DVDS	232.75
MDU	GAS	4,299.70
MUTUAL OF OMAHA	INSURANCE	234.26
NETWORK SERVICES	SUPPLIES	346.41
NEVE'S	UNIFORMS	945.26
NORTHERN HILLS SOD FARM	SUPPLIES	175.00
NORTHWEST PIPE FITTINGS	BOX	84.97
NUGGET SALOON	AQUISITION	13,500.00
OFFICE DEPOT	SUPPLIES	278.55
OLD WEST HEATING	PROJECT	778.18
PARTSMASTER	SUPPLIES	180.31
PASSPORT PARKING	METERS	41.25
PEPPMEIER, JANICE	REIMBURSEMENT	556.81
PETTY CASH	LIBRARY	47.00
PETTY CASH	MT. MORIAH	250.00
QUIK SIGNS	BANNERS	201.47
QUILL	SUPPLIES	360.85
RAMKOTA HOTEL	CONFERENCE	201.98
RASMUSSEN MECHANICAL	PROJECT	1,399.43
RCS CONSTRUCTION	PROJECT	43,065.00
RECREATION SUPPLY	BLOWER	555.72
RENNER, DONOVAN	REIMBURSEMENT	254.71
ROCKY MOUNTAIN COLLEGE	SCHOLARSHIP	1,000.00
S&C CLEANERS	CLEANING	3,378.25
SD DEPT. OF CORRECTIONS	FIREWISE	4,378.94
SD DEPT. OF ENVIRONMENT	SERVICE	650.00
SD MUNICIPAL LEAGUE	TRAINING	50.00
SD PUBLIC ASSURANCE	PREMIUM	582.00
SD PUBLIC HEALTH LAB	TESTING	30.00
SD STATE ARCHIVES	MICROFILM	28.80
SERVALL	SUPPLIES	1,637.26
SHERIDAN COLLEGE	SCHOLARSHIP	1,000.00
SOCIETY FOR HUMAN RESOURCE	MEMBERSHIP	190.00
SPECIALTY VEHICLES	CABLE	113.47
STREICHER'S	BOOTS	134.99
STRETCH'S	PROJECT	4,147.89
STURGIS AUTO PARTS	SUPPLIES	59.67
TALLGRASS	PROJECT	832.50
TEAM LABORATORY CHEMICAL	SERVICE	1,081.00
TEMPERATURE TECHNOLOGY	REPAIR	1,008.97
TOMS, DON	RECORDS	338.00
TRIPLE K	SERVICE	4,196.88
TSP	PROJECT	6,011.91
TWILIGHT	SUPPLIES	437.14
TWIN CITY HARDWARE	SUPPLIES	5,501.12
TYLER TECHNOLOGIES	SERVICE	758.52
UMENTHUM, KEITH	PROJECT	1,180.95
UPSTART	SUPPLIES	119.41
VAST	SERVICE	2,809.97
VERIZON	METERS	40.01
VISIONS HOME IMPROVEMENTS	PROJECT	2,124.01
WELLMARK	INSURANCE	41,025.52
WHITE'S CANYON MOTORS	LINK	60.04
ZEP SALES	SUPPLIES	371.64
	TOTAL	\$648,336.23

ITEMS FROM CITIZENS ON AGENDA

Requests

John Tridle on behalf of Deadwood Elks Lodge asked the Commission to allow the use of portico at History and Information Center for Flag Day Ceremony on June 12, 2016. Todd moved, Ruth seconded said request. Roll Call: Aye-All. Motion carried.

Charlie Struble with Saloon #10 asked the Commission to allow bike parking for photo shoot on one side of Main Street from Saloon #10 to Lee Street from 5:00 p.m. to 7:00 p.m. on June 12, 2016. Speirs moved, Van Den Eykel seconded request. Roll Call: Aye-All. Motion carried.

Recommendation

Pat Roberts, Business Improvement District 1-6, recommended the City move toward automation at the Broadway Parking Structure in the near future. Mayor Turbiville stated the Commission will discuss this recommendation during budget meetings. Roll Call: Aye-All. Motion carried.

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CONSENT

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

- A. Allow Finance Officer to write annual check from Bid #7 Fund to Tennetxkota after June 20, 2016 payments have been received. Amount owed to date is \$479,552.40. Check amount will be added to bill list presented to Commission on July 5, 2016
- B. Remove HP Intern Cady Harrington from payroll effective March 3, 2016
- C. Permission for Mayor to sign Wellmark employee health insurance renewal from August 1, 2016 to July 31, 2017, a 4.6% increase and no change in coverage
- D. Permission to hire Ardath Waisanen as back up temporary employee at Mt. Moriah at \$8.67 an hour effective June 7, 2016, pending pre-employment screening
- E. Allow Mayor to sign contract with Black Hills Asphalt LLC to seal coat Mickelson Trail from Trailhead to Walnut Street (approved May 16, 2016)
- F. Permission to hire Max Nelson as part time Archives intern at \$8.67 an hour effective June 7, 2016, pending pre-employment screening.
- G. Permission to hire Roberta Odson as trolley driver at \$9.69 an hour effective June 7, 2016, pending pre-employment screening
- H. Permission to purchase 5500 gallons of gasoline from Southside Oil at cost of \$1.69 per gallon
- I. Approve invoice from Black Hills Energy to move line at Lower Main Visitor Center at cost of \$2,907.67
- J. Permission for Mayor to sign permanent easement and temporary construction easement for 3 Shine Street
- K. Accept Historic Preservation Commission recommendation for Not-for-profit grant requests to: Broken Boot Gold Mine \$9,953.00, St. Ambrose parish for \$13,510.00, and St. John's Episcopal Church for \$28,500.00.
- L. Permission for Mayor to sign agreement with Coca-Cola Bottling Company High Country for Armada Coffee Products at sports arena
- M. Permission to hire Colt Mauity and Breyleigh Geggelman as swim instructors effective June 8, 2016 at \$10.40 per hour pending pre-employment screening

BID ITEMS

Retaining Wall

Speirs moved, Van Den Eykel seconded to approve the low bid for 77 Stewart Street Retaining Wall from Prairie Plains Construction LLC in the amount of \$24,867.39 and allow Mayor to sign contract. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Ruth moved, Speirs seconded to set public hearing on June 20 for July 4th parade. Roll Call: Aye-All. Motion carried.

Speirs moved, Ruth seconded to set public hearing on June 20 for Mickelson Trail Trek. Roll Call: Aye-All. Motion carried.

Speirs moved, Todd seconded to set public hearing on June 20 for Retail (on-off sale) Malt Beverage and Retail (on-off sale) Wine Licenses for Spaghetti Western at 65 Sherman Street. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

Appoint

Speirs moved, Ruth seconded to appoint Mary Jo Nelson to Deadwood History Inc. board until term expires May 31, 2017. Roll Call: Aye-All. Motion carried.

First Reading

Speirs moved, Van Den Eykel seconded to approve first reading of Supplemental Budget Ordinance #1245. Finance Officer Nelson explained that supplements were necessary in both BID 7 and Bed and Booze Funds for Chamber activities. Roll Call: Aye-All. Motion carried.

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Change Orders

Speirs moved, Ruth seconded to approve change order #3 at Lower Main Visitor Center in the amount of \$21,762.00, bringing total contract to \$6,467,432.80. Public Works Director Green stated change order is for continuation of removal of unsuitable material from site. Roll Call: Aye-All. Motion carried.

Speirs moved, Van Den Eykel seconded to approve change order #1 for Mt. Moriah drainage project in the amount of \$2,840.00, bringing total contract to \$34,970.00. Green stated change order is for additional steps not identified in original plans. Roll Call: Aye-All. Motion carried.

Approve

Ruth moved, Speirs seconded to approve current production costs not to exceed \$10,000.00 in conjunction with PBS broadcasting documentary regarding Deadwood unidentified remains. Historic Preservation Officer Kuchenbecker stated the Historic Preservation is also working with public broadcasting companies in Texas, Colorado, Georgia and California. Roll Call: Aye-All. Motion carried.

Permission

Speirs moved, Todd seconded to allow Eddies Truck Center to repair Trolley #150 at cost not to exceed \$24,000.00. Roll Call: Aye-All. Motion carried.

Renegotiate

Van Den Eykel moved, Speirs seconded to allow Attorney Riggins to send letters to renegotiate expired contracts with Deadwood Gaming Association and Weapon Concepts, LLC. Roll Call: Aye-All. Motion carried.

Permission

Speirs moved, Ruth seconded to enter into contract with Rogers Construction in an amount not to exceed \$15,000.00 for repairs at Deadwood Event Complex to be paid from Historic Preservation Capital Assets. Commissioner Todd asked why project did not go out for quotes. Planning and Zoning Administrator Nelson Jr. stated several contractors were contacted but only one was available for work during the time frame. Roll Call: Aye-All. Motion carried.

Van Den Eykel moved, Speirs seconded to hire Rogers Construction in an amount not to exceed \$20,000 on time and materials basis to begin clean up on Whitewood Creek to be paid from General Fund Parks budget (budgeted in CIP project). Nelson Jr. stated a grant is available for Whitewood Creek Rehab and he will ask permission to apply for the grant at a later time. Roll Call: Aye-All. Motion carried.

Assessment

Discussion was held concerning the assessment of 2016 parking revenue at Broadway Parking Structure. Mayor Turbiville stated in December the City passed Resolution 2015-21 stating rates are free first hour, \$2.00 second hour, \$4.00 third hour, \$6.00 fourth hour to 24 hours with understanding of revisiting for adjustment if needed. He also stated the revenue is down compared to 2015 revenue and suggested the rates be \$3.00 first hour, \$5.00 second hour, \$10.00 for three hours to 24 hours. Commissioner Ruth expressed concern about changing this resolution without having input other than department heads and Commission, with understanding that the rates may not be agreed upon but would give the opportunity to have input from other parties. Pat Roberts, Bid 1-6, agreed with Commission Ruth. Commissioner Todd stated that Commission followed the recommendation of Deadwood Gaming Association and Business Improvement District earlier, but action should be taken.

After much discussion Speirs moved, Todd seconded to approve Resolution 2016-10 to change rates to \$2.00 first hour to second hour, \$4.00 second hour to fourth hour, \$10.00 fourth hour to 24 hours and \$10.00 lost ticket. Roll Call: Aye-Speirs. Nay-Ruth, Todd, Van Den Eykel, Turbiville. Motion failed.

Van Den Eykel moved, Speirs seconded to approve Resolution 2016-10 to change rates to \$3.00 first hour, \$5.00 second hour, \$10.00 third hour to 24 hours, and \$10.00 lost ticket. Roll Call: Aye-Todd, Van Den Eykel, Turbiville. Nay-Ruth, Speirs. Motion carried.

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INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Mayor Turbiville read the following informational item:

- Raffle permit application received from Saloon #10, proceeds to benefit Relay for Life/American Cancer Society. Drawing to be held on August 10, 2016 for custom motorcycle. No action approves per SDCL 22-25-25.

Asst. Chief Glover thanked the Police Officers for assistance with safety calls.

Commissioner Speirs thanked Police Officers Andrew Larive, Cory Shafer; Fire Fighters Bill Glover, Jeff Millard, Anne Wieringa, Bob Nelson Sr and City employee Tom Kruzel for Saturday evening call at the Adams House.

Speirs also thanked the Police and Fire Department for the response to Deadwood Gulch Saloon.

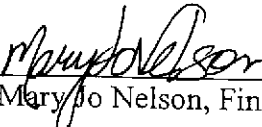
Attorney Riggins requested Executive Session for legal matters per SDCL 1-25- 2(3) and personnel matters per SDCL 1-25-2 (1) with possible action.

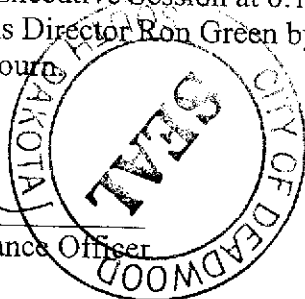
ADJOURNMENT

Speirs moved, Todd seconded to adjourn the regular session at 5:47 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2 (3) and personnel matters per SDCL 1-25-2 (1) with possible action. The next regular meeting will be on Monday June 20, 2016.

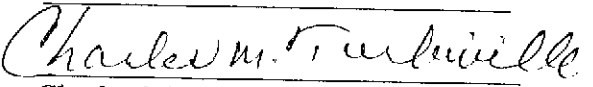
After coming out of Executive Session at 6:15 p.m., Ruth moved, Speirs seconded to increase wage of Public Works Director Ron Green by \$2,510.00 effective June 3, 2016. Speirs moved, Ruth seconded to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 6-21-16

BY: 
Charles M Turbiville, Mayor

Published once at the total approximate cost of _____