

## REGULAR MEETING, JULY 16, 2018

The Regular Session of the Deadwood City Commission convened on Monday, July 16, 2018 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 Matthew Naasz, and Commissioners Sharon Martinisko, David Ruth Jr., Charlie Struble, and Gary Todd. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Ruth moved, Martinisko seconded to approve the minutes of July 2, 2018. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Todd moved, Struble seconded to approve the July 16, 2018 disbursements. Roll Call: Aye-All. Motion carried.

ACE INDUSTRIAL SUPPLY	SUPPLIES	884.20
AFFORDABLY CREATIVE	TESTING	2,121.90
ALBERTSON ENGINEERING	PROJECT	4,183.87
ALSCO	SUPPLIES	40.27
ASPEN RIDGE LAWN	PROJECT	23,992.68
B Y DEVELOPMENT	BID 8	1,730.63
BERBERICH DESIGNS	PROJECT	8,102.48
BERG, DALE	MEETINGS	200.00
BH CHEMICAL	SUPPLIES	1,899.26
BH ENERGY	SERVICE	30,038.33
BH PIONEER	SERVICE	616.34
BH SPECIAL SERVICES	CLEANING	6,685.00
BH WINDOW CLEANING	CLEANING	1,264.00
BLAIR, THOMAS	MEETINGS	325.00
BUTLER MACHINERY	SUPPLIES	116.12
CAMPBELL SUPPLY	SUPPLIES	140.25
CARMODY, ROBIN	MEETINGS	50.00
CENTURY BUSINESS	CONTRACT	379.98
CERTIFIED LABORATORIES	SUPPLIES	178.29
COCA COLA	SUPPLIES	30.00
COMPETITIVE MASONRY	PROJECT	7,600.00
CULLIGAN	SUPPLIES	258.00
DEADWOOD ALIVE	JULY	20,000.00
DEADWOOD CHAMBER	BID 8	16,547.30
DEADWOOD ELECTRIC	REPAIR	195.28
DEADWOOD GAMING	BID 8	10,000.00
EMERY-PRATT	BOOKS	43.30
FASTENAL	SUPPLIES	21.71
FERBER ENGINEERING	TRACKER	2,564.06
FRONTIER GLASS	WINDSHIELD	719.37
GALLS	UNIFORMS	107.41
GOLDEN WEST	SERVICE	2,960.63
GOVERNMENT FINANCE OFFICER	NEWSLETTER	50.00
GUNDERSON, PALMER, NELSON	SERVICE	2,975.00
HARRY & JOE'S	REIMBURSEMENT	350.00
JOHNSON, MICHAEL	MEETINGS	350.00
KDSJ	SERVICE	160.00
KLAMM, MIKE	REIMBURSEMENT	77.49
KONE	MAINTENANCE	455.40
LAWRENCE CO. REGISTER	FEE	90.00
LEAD-DEADWOOD SANITARY	CONSUMPTION	32,398.50
M&M SANITATION	RENTAL	455.00
MAAG CONSTRUCTION	PROJECT	375.00
MIDWEST TAPE	DVDS	127.45
MDU	SERVICE	16.97
MS MAIL	SERVICE	959.66
NAMMINGA, LYNN	MEETINGS	300.00
NATIONAL GEOGRAPHIC	SUBSCRIPTION	34.00
NEIGHBORHOOD HOUSING	SERVICE	3,870.00
NETWORK SERVICES	SUPPLIES	191.16
NORTHERN HILLS TECHNOLOGY	SERVICE	32.50
OCHSE, ANN	MEETINGS	350.00
PASSPORT LABS	METERS	218.75
POSEY, BEVERLY	MEETINGS	375.00
QUIK SIGNS	SIGNS	325.65
REDBOOK	SUBSCRIPTION	24.97
REGIONAL HEALTH	TESTING	405.00
ROCKY MOUNTAIN TREE	SERVICE	650.00
RUSHMORE OFFICE	SUPPLIES	60.36
RUSSELL, JERAMY	REIMBURSEMENT	53.23
SANITATION PRODUCTS	SUPPLIES	485.41
SCHMIDT, WILLIAM	PROJECT	1,890.00
SCOTT PETERSON MOTORS	SUPPLIES	62.38
SD COMMISSION ON GAMING	CITY SLOTS	109,375.00
SD DEPT. OF CORRECTIONS	FIREWISE	4,762.07
SD DEPT. OF ENVIRONMENT	FEE	50.00
SD DEPT. OF REVENUE	LICENSE	150.00
SD DEPT. OF REVENUE	TAX	5,183.94
SHAMA, LARRY AND MARCI	PROJECT	7,573.50
SIMON MATERIALS	SUPPLIES	236.14
SOUTHSIDE SERVICE	REPAIR	286.10
SPORTS ILLUSTRATED	SUBSCRIPTION	89.04
STRETCH'S	WINDSHIELD	1,584.43
STURDEVANT'S	SUPPLIES	617.37
SUMMIT SIGNS	SIGNS	60.00

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TALLGRASS	PROJECT	2,485.45
TEAM LABORATORY	SUPPLIES	791.00
THE EMBLEM AUTHORITY	PATCHES	1,250.00
THE UPS STORE	SHIPPING	351.35
TOEWS, LYMAN	MEETINGS	350.00
TOMS, DON	PROJECT	500.00
TOWN OF CENTRAL CITY	GRANT	4,289.95
TRIPLE K	REPAIR	56.49
TRUGREEN	SERVICE	249.69
TWILIGHT	SUPPLIES	160.56
VERIZON WIRELESS	METERS	40.01
VICTOR STANLEY	URNS	2,871.00
VIEHAUSER ENTERPRISES	SERVICE	365.96
VIGILANT BUSINESS	CHECKS	141.00
WARREN WINDOW	PROJECT	615.59
WASTE CONNECTIONS	SERVICE	7,619.95
ZEP SALES	SUPPLIES	542.43

TOTAL \$345,442.56

**ITEMS FROM CITIZENS ON AGENDA**

**Engagement**

Bruce Hintz, Department of Legislative Audit, appeared to request permission for the Mayor and Finance Officer to sign the engagement letter for the 2017 audit. Hintz invited the Commissioners to visit with Legislative Audit regarding any concerns. Struble moved, Ruth seconded said request. Roll Call: Aye-All. Motion carried.

**Request**

Todd moved, Struble seconded to allow extension for parking garage contract with Holiday Inn to end of August. Previous letter indicated last day to be July 15. Amber Diers was available to answer questions. Roll Call: Aye-All. Motion carried.

**Proclamation**

The Mayor read a proclamation declaring July 23 as International J-1 Student Workers Day in Deadwood.

**CONSENT**

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

- A. Permission for Police Department to enter into five year lease with Axon for battery packs, extended warranties and cartridges at cost of \$5,000.00 in year one and \$2,193.12 for following four years (budgeted item)
- B. Accept resignation from Custodian Annette Pierce effective July 5, 2018
- C. Contract with Warne Chemical and Equipment to perform weed spraying services on Whitewood Creek at cost of \$5,300.00 to be paid from Parks Dept. Whitewood Creek CIP line item
- D. Permission for Mayor to sign contract with Sacrison Paving for certain areas throughout Deadwood at cost of \$14,946.50 (approved on July 2)
- E. At Robb Campbell's request, rescind contract approved by Commission on February 20, 2018 for ten oral histories at cost of \$675.00 each
- F. Permission for Mayor to sign contract with Lead-Deadwood Regional Hospital for use of swimming pool from November 1, 2018 to October 31, 2019. (no changes from previous year)
- G. Permission for Historic Preservation to purchase 10,000 Wild Bill brochures and 10,000 Calamity Jan brochures at cost of \$2,700.00 to be paid from Public Education
- H. Accept quote from Wheeler to replace Days of '76 Museum fence in an amount not to exceed \$4,000.00 from Historic Preservation Capital Asset General Maintenance lint item
- I. Allow Archives to enter into contract with DocuTek to microfilm and PDF nineteen (10) historic Lawrence County tax ledgers on file in the Case Library at BHSU at cost not to exceed \$8,300.00
- J. Permission to purchase 5,500 gallons of fuel from Southside Services at \$2.66 per gallon
- K. Recommendation of Parking and Transportation to allow relocation of Alkali Ike Tours from Welcome Center to Main Street (trail basis approved April 2)

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### BID ITEMS

#### Results

Mayor Turbiville stated three bids were opened for retaining wall at 55 Taylor at 2:00 p.m. on July 12 as advertised. Bid bonds were included in the following bid submittals:

RCS Construction - \$79,000.00, Alternate #1 - \$1,500.00, Alternate #2 - \$800.00  
Complete Contracting - \$169,400.00, Alternate #1 - \$1,500.00, Alternate #2 - \$800.00  
Northern Hills Technologies - incomplete bid

Historic Preservation Officer Kuchenbecker recommended Commission award bid to low bidder. Ruth moved, Martinisko seconded to award to low bidder, RCS Construction in the amount of \$79,000.00, Alternate #1 \$1,500.00, Alternate #2 \$800.00. Roll Call: Aye-All. Motion carried.

#### Results

Mayor Turbiville stated four bids were opened for Upper Main Archway Project at 2:00 a.m. on July 12 as advertised. Bid bonds were included in the following bid submittals:

Mac Construction - \$102,500.00  
Journey Construction - \$104,000.00  
Complete Contracting - \$108,000.00  
Northern Hills Technologies - incomplete bid

Historic Preservation Officer Kuchenbecker recommended Commission continue for review until next meeting. Todd moved, Struble seconded to continue. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS

#### License

Public hearing was opened at 5:10 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Todd moved, Struble seconded to approve Retail (on-off sale) Malt Beverage License for Justin Fuller, Deadwood Beer and Wine LLC, dba Harry's and Joes, and transfer Retail (on-off sale) Wine License (RW-23145) from Harry's Spaghetti to Deadwood Beer and Wine LLC, dba Harry's and Joes at 65 Sherman St. Roll Call: Aye-All. Motion carried.

#### License

Public hearing was opened at 5:11 p.m. by Mayor Turbiville. No one spoke in favor or against, hearing closed. Ruth moved, Martinisko seconded to approve Retail (on-off sale) Malt Beverage and Retail (on-off sale) Wine Licenses for Scott Jacobs, dba Jacobs Gallery at 670 Main Street. Roll Call: Aye-All. Motion carried.

#### Motorcycle Parking

Public hearing was opened at 5:12 p.m. by Mayor Turbiville. Lee Harstad, Deadwood Chamber of Commerce, was present to answer any questions. Hearing closed.

Martinisko moved, Struble seconded to allow the use of the Interpretive Lot for motorcycle parking Thursday, August 2 through Sunday, August 12, and allow motorcycle parking on Main Street from Franklin Hotel to Tin Lizzie Gaming Resort, northwest side only Sunday, July 29 through Sunday, August 12, 2018 from 10:00 a.m. to 2:00 a.m. daily. Roll Call: Aye-All. Motion carried.

#### Soda Fountain

Public hearing was opened at 5:15 p.m. by Mayor Turbiville. Historic Preservation Officer, Kuchenbecker stated Big Dipper expressed interest. Hearing closed. Ruth moved, Martinisko seconded to direct City Attorney to prepare lease for soda fountain with Big Dipper. Kuchenbecker recommended a 5-year lease with option to renew. Roll Call: Aye-All. Motion carried.

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NEW BUSINESS

Agreement

Discussion was held concerning the agreement between Super G Investments and City of Deadwood to pursue land exchange. Commissioner Ruth recused himself but reserved the right to speak as a resident. Attorney Naasz stated the agreement should contain language requiring Super G to honor school district lease. Ruth stated a replat would be needed, which would change the legal description in the agreement, and for the transfer not to take place until October 1 due to reservations at Motor Lodge. Commissioner Martinisko stated the agreement should also state matchings funds other than additional city funds instead of private funds. Louie LaLonde, on behalf of Main Street Initiative Committee, believes there should be no time limit to raise funds. After further discussion, Martinisko moved, Struble seconded to continue agreement with Super G Investments for additions and corrections. Roll Call: Aye-All. Motion carried.

Ordinance

Ruth moved, Martinisko seconded to approve second reading of Ordinance #1277 to Create 2018 Budget for Business Improvement District #8. Roll Call: Aye-All. Motion carried.

Agreement

Todd moved, Ruth seconded to allow Mayor to sign Joint Powers Maintenance and Encroachment Agreement between Department of Transportation and City of Deadwood for project located on US 14A from Railroad Avenue to east of junction of US 85. Roll Call: Aye-All. Motion carried.

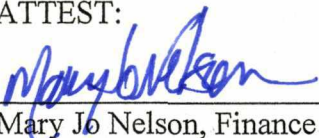
Authorization

Martinisko moved, Struble seconded to move forward with roof repairs that will be covered by insurance. Roll Call: Aye-All. Motion carried.

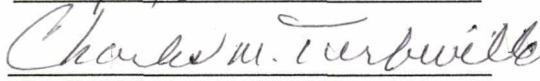
ADJOURNMENT

Martinisko moved, Struble seconded to adjourn the regular session at 5:43 p.m. The next regular meeting will be on Monday, August 6, 2018.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: Aug. 7, 2018

BY:   
Charles M Turbiville, Mayor

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