

**REGULAR MEETING, March 2, 2009**

The Regular Session of the Deadwood City Commission convened on March 2, 2009 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor Toscana called the meeting to order with the following members present: Department Heads and Commissioners, Mike Klamm, Joe Peterson, Georgeann Silvernail, and Lenny Schroeder. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Silvernail moved, Klamm seconded, to approve the minutes of February 23, 2009. Roll Call: Aye-All. Motion carried.

**CONDOLENCES**

On behalf of the Commission and City of Deadwood, Mayor Toscana extended condolences to Mary Jo Nelson and family for the passing of her brother Tom Nelson.

**FEBRUARY 2009 PAYROLL:** COMMISSION, \$2,730.76; ATTORNEY, \$5,384.62; FINANCE, \$13,635.33; PUBLIC BUILDINGS, \$1,202.88; POLICE, \$41,027.23; FIRE, \$4,157.78; BUILDING INSPECTION, \$3,230.40; STREETS, \$23,256.66; PARKS, \$13,978.54; PLANNING & ZONING, \$4,307.70; LIBRARY, \$6,077.84; RECREATION CENTER, \$6,582.13; HISTORIC PRESERVATION, \$10,814.32; WATER, \$12,222.69; PARKING METER, \$6,941.31; TROLLEY, \$12,508.29 PARKING RAMP, \$5,464.08; RUBBLE SITE, \$1,028.50. **PAYROLL TOTAL: \$174,551.06**

**FEBRUARY 2009 PAYROLL PAYMENTS:**

Internal Revenue Service, \$42,328.32; S.D. Retirement System, \$19,510.76; Delta Dental, \$3,123.76.

**APPROVAL OF DISBURSEMENTS**

Silvernail moved, Schroeder seconded, to approve the March 2, 2009 disbursements with additional bills. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MO MAINTENANCE	626.39
ABC	ENVELOPES, FRAME	793.72
ADAMS MUSEUM	OPERATING EXPENSES	5,641.52
ALLTEL	CELL PHONES	142.94
AMANO MCGANN	SUPPLIES	30.42
BH CHEMICAL	SUPPLIES	43.74
BH POWER	ELECTRICITY	4,355.99
BH PURE	SUPPLIES	9.50
BH SPECIAL SERVICE	TROLLEY CLEANING	966.00
BURLESON, BILL	SAFETY REIMB	96.30
CULLIGAN	SUPPLIES	21.00
DEADWOOD CHAMBER	FEB. BILL LIST	69,926.17
DEADWOOD HOME CENTER	SUPPLIES	291.55
FARMER BROTHERS CO	SUPPLIES	109.86
FOOTHILLS SEED, INC.	PARTS	109.86
GARY GOULD	CONTRIBUTE SDSR	602.78
GERVING CONSTRUCTION	LOAN DISB	15,232.38
GOLDEN WEST	SERVICE CALLS	1,048.13
HEWLETT-PACKARD CO	HPO LAPTOP	3,196.00
HILLSIDE DISPOSAL	MO RESIDENT GARBAGE	5,071.00
JACOBS WELDING	SUPPLIES	363.53
KEN HAWKI	REIMBURSE	26.45
KIRCHHEVEL, AMY	LOAN DISB	2,496.53
KNOLOGY	PHONE SERV	1,355.39
LC REGISTER OF DEEDS	FILING FEES	44.00
LAWSON PRODUCTS	GLO SAFETY TRACK	197.49
MAVERICK ENT (BLONDIES)	SUPPLIES	29.94
MCDIRT EXCAVATION	REPAIR-WATER MAIN	1,122.45
NAPA	SUPPLIES	40.78
NELSON, GREG	REIMBURSE	121.89
NEVE'S	UNIFORMS-PD	487.85
NEWLAND, BOB	DAYS OF 76 RODEO BOOK	149.00
NEWMAN SIGNS	SIGNS	204.02
NHS	FILING FEES	22.00
NORTHEAST WISCONSIN TECH	GREG NELSON-TRAINING	125.00
NORTHWEST PIPE	SUPPLIES	80.52
O.C. CLEANERS	CLEANING SERV	248.00
OVERHEAD DOOR	12' DRAWBAR-ELECTRIC OPERATOR	781.54
PENNINGTON COUNTY FIREFIGHTERS	REG.FEES	30.00
PETTY CASH	REIMBS	99.62
PUBLIC SAFETY CENTER	SPELL KITS	79.99
SERVALL	SUPPLIES	98.82
SD DEPARTMENT OF TOURISM	REGISTRATION	15.00
SD PUBLIC HEALTH	TESTING	24.00
SD STATE HISTORICAL SOCIETY	SPONSORSHIP-AUGUSTANA	750.00
SOUTH SIDE	FUEL	9,371.48
SUBWAY	HP MEETING	11.97
TDG COMMUNICATIONS	GOVERNOR'S AWARD	1,620.00
TEMPERATURE TECHNOLOGY	SUPPLIES	143.34
TOMS, DON	LC LEDGER BOOKS	1,728.00
TRIPLE K TIRE	REPAIRS	294.92
TWIN CITY HARDWARE	CREDIT/RETURNED CHUCK KEY	1,065.48
TYMCO INC	SECOND PAYMENT/SWEEPER	40,061.50
WAGNER AUTO CO.INC.	2009 DODGE DURANGO SX-BLACK	22,222.00
	<b>TOTAL</b>	<b>\$193,827.75</b>

## REGULAR MEETING, March 2, 2009

### ITEMS FROM CITIZENS ON AGENDA

#### Habitat for Humanity Donation Request

Nyla Griffith representing the Northern Hills Committee for Black Hills Habitat for Humanity explained that they would like to build a Habitat home in Deadwood for a local family in need of housing. Griffith said a vacant lot has been located on Forest and Centennial (Lot 9, Block P, Except North part of triangular area 12,180.40 sq. feet, plus or minus), which is owned by the City of Deadwood. Griffith said there are City services to the lot however, due to the location on a hillside, an engineer from the S.D. School of Mines has been contacted, and he is willing to help engineer the foundation of the home. Griffith asked the Commission to write a letter of intent stating they are willing to donate the lot and this would allow them to proceed with their due diligence report. Mayor Toscana added that due to Deadwood's historic preservation regulations they would need to be followed. City Attorney Jason Campbell said after reviewing this request, there are state guidelines that the City must follow in donating property to other organizations. The City is permitted to donate land to an authorized public corporation in South Dakota and for authorized public purposes. Mayor Toscana said at this point that a public hearing must be set to allow the public to comment on this request and directed Campbell to review the state guidelines further prior to the public hearing. Silvernail moved, Klamm seconded, to set a public hearing at 5:15 p.m. March 23, 2009 regarding this donation request. Roll Call: Aye-All. Motion carried.

#### Deadwood Jam - Funding Request

Matt Pike, representing the Deadwood Jam Committee, appeared before the Commission to request financial assistance for their shortfall of \$15,000. The Deadwood Jam usually makes money from ticket and beer sales however, the shortfall is due to inclement weather, and beer sales were down. Pike said that the Deadwood Jam and Homestake Opera House held a concert fundraiser, which raised \$4,000 and added other fundraisers are planned along with some budget cuts. Jim McDermott, Deadwood Jam Treasurer, informed the Commission that the 2008 event posted a net loss of \$19,000. A \$15,000 "rain-out" insurance claim was denied because there was not enough rain during a specified interval to qualify. He said this would be a requirement for future events. Chamber Director, George Milos, said the Deadwood Chamber has doubled their sponsorships and are working to secure additional corporate sponsorships for the Jam. Mayor Toscana told everyone that the Deadwood Jam is an excellent event for Deadwood and added that the City contributes very generously to the event by allowing City personnel to setup/cleanup, and giving up one of the prime parking lots for three days to hold the event. Toscana said the City has contributed in the past however; he is not in favor of contributing at this time due to the Rec Center renovation project. Toscana said the Deadwood residents have spoken and would like to see this project move forward. The City has hired Ainsworth-Benning to oversee the project to expand and upgrade this facility. Toscana said the Rec Center takes priority right now and the City cannot support giving any more money out of the Bed & Booze fund until we take care of the Rec Center. Commissioners Klamm and Silvernail agreed with the Mayor and added that the City spends a considerable amount of time setting up, policing and clean up for the Deadwood Jam event. Milos added that the Bed and Booze fund exists due to the revenue that these special events generate and would like to see this event remain. Pike asked the Commission to consider a possible loan for this request. Toscana directed the City Attorney Jason Campbell to look into the possibilities and its legality. The Commission took no action, request was denied.

### FINANCE

#### Equalization Board Meeting

Peterson moved, Silvernail seconded, to set an Equalization Board Meeting on March 19, 2009 at 1:00 p.m. and to remind Deadwood residents protesting their property tax assessments to notify the City Finance Office and make an appointment no later than March 12, 2009 by 5:00 p.m. Roll Call: Aye-All. Motion carried.

#### Business Improvement District (BID) Request

Peterson moved, Klamm seconded, to approve the request of the Business Improvement District #7 to allocate \$50,000 in quarterly installments for Black Hills Central Reservation, and \$175,000 to the Deadwood Chamber of Commerce, payable after July 2009 and approve first reading of Ordinance #1115 Supplemental Budget #1 for 2009. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, March 2, 2009

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDING/SAFETY

Training Request

Silvernail moved, Klamm seconded, to allow Kevin Kuchenbecker to attend two GIS training sessions (March 12-13 and May 4-6, 2009) at S.D. School of Mines & Technology at a cost of \$900 plus meals and use of City vehicle. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Payment Request

Klamm moved, Silvernail seconded, to approve the payment of \$3,150 to Custom Micro for the Police Department's annual license for software and maintenance. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Adams Museum and House Lease Agreement

Silvernail moved, Klamm seconded, to allow the Mayor to sign the lease agreement between the City of Deadwood and the Adams Museum and House for the Homestake Adams Research Center to lease 150 Sherman Street a/k/a/ F.L. Thorpe building. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Proclamation

Mayor Toscana read a proclamation declaring March 8, 2009, as "Change Your Clock, Change Your Smoke Detector Battery Day" in Deadwood.

Firefighter of the Year

Mayor Toscana announced and congratulated Alex Hamann who was named "Firefighter of the Year" at their annual banquet on February 28, 2009.

2008 Fire Department Report

Mayor Toscana summarized the Annual Deadwood Volunteer Fire Department report for 2008. Toscana noted that the volunteers, who give freely of their time to help the community, saved the City and taxpayers a total of \$118,891.91. Toscana expressed to all the volunteers a heartfelt thank you for their hard work and dedication.

ITEMS FROM CITIZENS NOT ON AGENDA

Annual Pancake Feed

Commissioner Klamm announced that the Fire Department would be hosting their annual pancake feed on March 8, 2009 starting at 9:00 a.m. to 1:00 p.m. and encouraged the residents to attend this event.

Election Notice

Ronda Morrison, Assistant Finance Officer, announced that the Finance Office received three petitions for two (2) Commission Seats, 3-year terms. The election will be held on April 14, 2009.

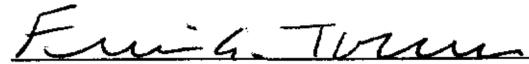
ADJOURNMENT

Silvernail moved, Peterson seconded, to adjourn the regular session at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, March 9, 2009.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: 3/9/09

BY:   
Francis A. Toscana, Mayor

