

REGULAR MEETING, April 13, 2009

The Regular Session of the Deadwood City Commission convened on April 13, 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, and Lenny Schroeder. Commissioner Georgeann Silvernail was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Schroeder moved, Klamm seconded, to approve the minutes of April 6, 2009 with a motion correction. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the April 13, 2009 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	PROPYLENE	7.84
ABC	3-INK CARTRIDGES,1-COPY PAPER	327.49
ADAMS MUSEUM	OPERATING EXPENSES	6,970.97
AINSWORTH-BENNING	CONTRACT SERVICE	44,222.50
AMERICAN TECHNICAL	SLOPE ANALYSIS	340.00
BH COMMUNITY ECONOMIC	MEMBERSHIP	750.00
BH PIONEER	ADVERTISING	347.50
BH POWER	SIGN	39.47
BH PURE	RENTAL	47.75
BH WEEKLY GROUP	PUBLICATIONS	636.03
BUTLER	REPAIRS	2,438.00
CHRISTENSEN CONTRACTING	SNOW REMOVAL	2,983.50
CINDY RISCHE	REIMBURSE	66.00
CULLIGAN	WATER	179.00
DAKOTA GRAPHICS	FORMS	368.00
DAKOTA SUPPLY GROUP	METER	218.73
EMERY-PRATT	BOOKS	136.54
FIRST NATIONAL BANK	BOND PMT	18,812.50
FOOTHILLS SEED	BASE	116.94
FORGEY CONSTRUCTION	SNOW REMOVAL	10,510.00
FOX, TERESA	1 MO INDEXING	1,998.00
GOLDEN WEST	COMPUTER	1,173.50
GOLDRUSH BROADCASTING	BROADCASTING	100.00
GQ PROFESSIONAL SERVICES	SUBSCRIPTION	36.00
HILLSIDE DISPOSAL	COLLECTION/DUMP	660.00
KAZCO, INC	SCANNER	39.98
KOHLER, TAMMY	REIMBURSE	66.00
LC TREASURER	TAXES	638.61
M&S CONSTRUCTION	SNOW REMOVAL-EQUIPMENT	19,310.00
MAVERICK (BLONDIES)	SUPPLIES	9.54
MIDWEST TAPE	DVDS	232.90
MDU	UTILITIES	7,338.67
MS MAIL	MAILING	149.64
NAPA	SEALANT	4.49
NATIONAL GEOGRAPHIC	SUBSCRIPTION	34.00
NEVE'S	SUPPLIES	150.45
OCCUPATIONAL HEALTH NETWORK	TESTING	879.00
ONE CALL SYSTEMS	TICKETS	5.50
PBC	RENEWAL SUBSCRIPTION	42.97
PRESERVATION ACTION	DUES	55.00
RAPID DELIVERY	DELIVERY SERVICE/EDDIE'S TRUCK	16.65
SD COMMISSION ON GAMING	CITY NICKELS	2,744.31
SDN COMMUNICATIONS	COMM LINE	346.80
SERVALL	SUPPLIES	1,249.22
SD ANIMAL CONTROL	SEMINAR	200.00
SD FIRE CHIEF'S	DUES	50.00
SD HUMANITIES CO	FESTIVAL OF BOOK	10,000.00
SD MUNICIPAL LEAGUE	MTG	65.00
SD SECRETARY OF STATE	NOTARY APP	25.00
SD STATE HISTORICAL	REGISTRATION	85.00
SOUTH SIDE	OIL	9,382.50
SOUTHSIDE OIL	BATTERY	105.00
SUMMIT SIGNS	FLAGS	111.00
TDG COMMUNICATIONS	PRINTING	76.50
TRAFFIC SENSOR	SENSORS	102.09
TRIDLE, JOHN	REIMBURSE	331.65
TURBIVILLE INDUSTRIAL	REPAIRS	200.25
TWILIGHT	SUPPLIES	260.42
TWIN CITY HARDWARE	SUPPLIES	74.43
WASTE CONNECTIONS	DUMPSTERS	279.82
WOLFF'S PLUMBING	REPAIRS	456.00
	TOTAL	\$148,604.65

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Nyla Griffith, representing the Northern Hills Committee for the Black Hills Habitat for Humanity, requested the Commission prepare letter of intent to donate a vacant City lot located on Forest and Centennial (Lot 9, Block P, Except North part of triangular area 12,180.40 sq feet, plus or minus). Griffith this would allow Habitat for Humanity to proceed with their engineering studies and reports to

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determine if the lot is even feasible to build a single-family dwelling. There being no public comments received, Klamm moved, Schroeder seconded, to prepare a letter of intent to donate said parcel of City property. Schroeder added that this is a donated piece of property and there should be no expectations from the City beyond this point. Roll Call: Aye-All. Motion carried.

Set Bid Opening

Schroeder moved, Klamm seconded, to approve the advertising and to set a bid opening on April 27, 2009 at 5:20 p.m. for the hillside stabilization at 45 and 47 Forest Avenue, to be paid from Historic Preservation capital assets. Roll Call: Aye-All. Motion carried.

FINANCE

Payment Request

Peterson moved, Schroeder seconded, to approve the payment to First Western Insurance for the renewal of the public employee bond at a cost of \$1,574. Roll Call: Aye-All. Motion carried.

Payment Request

Peterson moved, Schroeder seconded, to approve the payment of \$6,990.90 to Prairie Hills Transit for Deadwood's portion of the shuttle bus match, a budgeted item. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDING/SAFETY

Access Easement

Larry and Linda Fritz, owners of Claim Jumpers appeared before the Commission requesting permission to obtain a 24' easement that extends across a portion of the Mickelson Trail, which is owned by the City. Bernie Williams, Planning and Zoning Administrator said that Planning and Zoning discussed this request and voted to deny the request due to the following: 1) the subject property already has public access to the parcels owned by the Fritz'. Granting the easement is a separate issue for an unconnected reason. Tenants and the public would still have access to the storage units if they were renting; however, the path just is not that convenient. 2) Allowing the easement would increase the liability of the City since the trail is a use that is open to the public. 3) Allowing the easement compromises the safety of pedestrians using the trail. Fritz' explained this is a very congested area as there are 34 mobile homes along with storage units with only one access route. Williams added that she and City Attorney Jason Campbell discussed this matter and he felt that an option would be to restrict the easement for emergency purposes only; therefore limiting the traffic that would cross the trail on a regular basis. The question was raised if the easement is granted who will be responsible for plowing and maintaining this section of the trail. Klamm asked the Fritz' if they would be willing to place stop signs and pave this section of the trail and they responded yes. After much discussion, Klamm moved, to vote against Planning and Zoning's recommendation and grant the easement request and require Fritz' to pay for the paving and place stop signs at this section for the purposes of access route out of Claim Jumpers. Motion died for lack of second. Schroeder moved, Peterson seconded, to accept the recommendation of the City Attorney and restrict the easement for emergency purposes only; therefore limiting the traffic across the City owned portion of the Mickelson Trail and direct City Attorney to prepare said easement. Roll Call: Aye - Peterson, Schroeder, Toscana. Nay-Klamm. Motion carried.

Payment Request

Kevin Kuchenbecker informed the Commission that three projects are planned during this training session; they include reuse of the Engine House, Fairmont, and the upper floor of the Lucky Nugget Casino. Peterson moved, Klamm seconded, to approve the payment of \$12,500 to the National Trust for Historic Preservation for the sponsorship of the Historic Preservation Leadership Training, to be held in Deadwood June 20-27, 2009. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Payment Request

Schroeder moved, Klamm seconded, to approve the payment of \$20,803 for the additional snow removal charges, bringing the total to \$32,803 for contractor services. Roll Call: Aye-All. Motion carried.

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Payment Request

Schroeder moved, Klamm seconded, to approve the expenditure of \$2,189.51 from the Street Department to Butler for equipment repairs also due to snow removal efforts. Roll Call: Aye-All. Motion carried.

Purchase Request

Schroeder moved, Klamm seconded, to approve the purchase of 5,500 gallons of premium-unleaded gasoline at \$1.74 per gallon from Southside. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Wage Increase

Klamm moved, Schroeder seconded, to approve the wage increase of police reserve officer Doug Bechen from \$10.00 to \$10.50 per hour, effective April 23, 2009, after completion of two years of service. Roll Call: Aye-All. Motion carried.

2008 Annual Report

Klamm moved, Schroeder seconded, to accept the 2008 Annual Report and Stats from the Police Department. Copies are on file in the Finance Office and on the City website at www.cityofdeadwood.com, under the section City Departments entitled Police.

PARKS/RECREATION/TROLLEY

Wage Increase

Toscana moved, Klamm seconded, to approve the wage increase of trolley driver Del Pidde from \$9.00 to \$10.00 per hour, effective April 25, 2009, after completion of three years of service. Roll Call: Aye-All. Motion carried.

Wage Increase

Toscana moved, Klamm seconded, to approve the wage increase of trolley driver Randi Coddington from \$9.00 to \$10.00 per hour, effective April 23, 2009, after completion of three years of service. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Parking Lease

Klamm moved, Schroeder seconded, to cancel the 36 month parking lease between the City of Deadwood and TDG Communications. Roll Call: Aye-All. Motion carried.

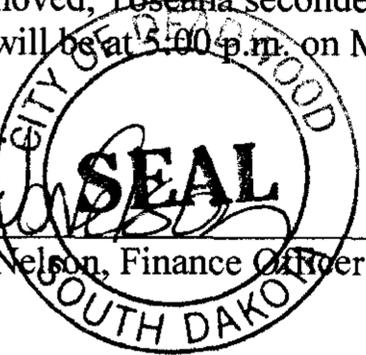
ITEMS FROM CITIZENS NOT ON AGENDA

ADJOURNMENT

Klamm moved, Toscana seconded, to adjourn the regular session at 5:40 p.m. The next regular meeting will be at 5:00 p.m. on Monday, April 20, 2009.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 4-23-09

BY: Francis A. Toscana
Francis A. Toscana, Mayor

