

REGULAR MEETING, December 3, 2007

The Regular Session of the Deadwood City Commission convened on December 3, 2007, 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 Nyla Griffith, Mike Klamm, Mark Speirs and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Speirs seconded, to approve the minutes of November 26, 2007 as presented. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Griffith moved, Klamm seconded, to approve the December 3, 2007 disbursements. Roll Call: Aye-All. Motion carried.

NOVEMBER 2007, PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$12,348.07; PUBLIC BUILDINGS, \$1,689.90; POLICE, \$35,423.68; STREETS, \$20,054.41; PARKS, \$14,535.08; FIRE, \$3,665.02; PLANNING & ZONING, \$6,895.94; ATTORNEY \$5,000.00; LIBRARY, \$4,537.16; RECREATION CENTER, \$5,755.25; WATER, \$10,495.30; PARKING & TRANSPORTATION, \$18,081.89; HISTORIC PRESERVATION, \$11,728.92; PARKING RAMP, \$5,151.81; RUBBLE SITE, \$0.00; MT. MORIAH, \$0.00 PAYROLL TOTAL: \$158,093.19.

A & B BUSINESS EQUIPMENT	MAINTENANCE AGREEMENT	488.33
ALCO STORES, INC.	EXTENSION CORDS/XMAS DEC.	80.69
ALLTEL	DONOVAN PHONE	407.49
ARLETH & ASSOCIATES, INC.	REC CENTER BOND	4,500.00
BILL BURLESON	SAFETY REIMBURSEMENT/B BURLESO	51.70
BLACK HILLS POWER & LIGHT CO.	ELECTRICITY/PUBLIC BUILDINGS	11,726.10
CITRIX SUBSCRIPTION ADVANTAGE	CITRIX SUBSCRIPTION ADVANTAGE	2,730.00
CITY OF DEADWOOD	INTREP/LWER MAIN COIN CHANGER	586.00
CLAIMS ASSOCIATES	CLAIMS ASSOCIATES	156.77
CULLIGAN OF THE NORTHERN HILLS	BOTTLED WATER/REC CENTER	41.00
DAKOTA SUPPLY GROUP	DAKOTA SUPPLY GROUP	343.27
DANIEL BRIDENSTINE	SAFETY REIMB./D BRIDENSTINE	45.27
DEADWOOD CHAMBER & VISITORS BUREAU	NOVEMBER BILL LIST	13,441.07
DEADWOOD ECONOMIC DEVELOPMENT	TURBIVILLE SALARY	1,580.02
DEADWOOD HOME CENTER	APWA WHITE MARKING PAINT	551.20
DONALD KRYGER	SAFETY REIMBURSEMENT/A KRYGER	200.00
DONOVAN RENNEN	SAFETY REIMBURSEMENT/D RENNEN	71.78
ELAN FINANCIAL SERVICES	PORCELAIN CONSULTATION	15.00
FARMER BROTHERS CO	FARMER BROTHERS CO	77.35
FASTENAL COMPANY	ALKALINE BATTERIES-SPRING	96.98
FEDERAL EXPRESS CORP.	FEDERAL EXPRESS CORP.	6.36
FIRST NATIONAL BANK	2007 BOND TRUSTEE FEES	18,476.00
GAYLORD BROS.	ARCHIVE SUPPLIES	361.59
GOLDEN WEST TECHNOLOGIES, INC.	MEMORY CARD	202.95
GREAT WESTERN TIRE, INC.	SERV. CALL/TIRE REPAIR/DUMP LD	276.00
HCW, INC.	CONRAD - 52 LINCOLN	263.12
HERSRUDS OF STURGIS	POST HOLE DIGGER/PARKS SHOP	2,600.00
HILLS MATERIALS COMPANY	FOR HOLE AT TROLLEY BARN	111.52
HILLSIDE DISPOSAL	TRASH PICK-UP CONTRACT	5,071.00
HOLIDAY INN MITCHELL	SAFETY MEETINGS	349.75
INFORMATION DISPLAY COMPANY	LED SPEED SIGN	4,344.00
J & D PRECAST	CONCRETE BLKS/FB FIELD SAFETY	750.00
JACOBS PRECISION WELDING	JACOBS PRECISION WELDING	246.75
JOB'S DAUGHTERS	WREATHS-GARLAND/XMAS DEC.	796.00
KMART	GARLAND-SCARFING/XMAS DEC.	606.97
LAWRENCE COUNTY REGISTER OF DEEDS	78 WILLIAMS - JOHNSON	60.00
LAWRENCE COUNTY TREASURER	TX DUE ON GROCERY PRKING ARE	300.67
LEAD DEADWOOD SANITARY DISTRICT	LEAD DEADWOOD SANITARY DISTRIC	21,068.70
LIZ BINTLIFF	REIMBURSE PARKING TICKET	20.00
M&S CONSTRUCTION	ADAMS MUSEUM WORK	11,992.06
MARIAH PRESS	2007 OUTSIDE OF DEADWOOD GRANT	1,500.00
MIKE RUNGE	WEB DOMAIN REIMBURSTMENT	116.16
MONTANA DAKOTA UTILITIES	NATURAL GAS/GAYVILLE PRV	2,899.11
NEVE'S UNIFORMS, INC.	CLOTHING ALLOWANCE	22.95
NEWKIRK'S ACE HARDWARE	628 MAIN STREET - BOYD	2,040.00
PARTIN, BRANTLEY	REIMBURSEMENT/GARLAND-AH	126.43
PETTY CASH-FINANCE OFFFICE	PETTY CASH-FINANCE OFFFICE	116.78
POWER HAWK TECHNOLOGIES INC	POWER HAWK TECHNOLOGIES INC	829.77
PRAIRIE WAVE	PHONE SERVICE/PARKS SHOP	1,816.78
RCS CONSTRUCTION	DRILL HOLE FOR CMP	1,500.00
SD DEPARTMENT OF HEALTH	FLU SHOTS - SAFETY	1,044.00
SOUTH DAKOTA ASSOCIATION OF RURAL WATER SYSTEMS	CLASS B MEMBER/ANNUAL DUES	410.00
SOUTH DAKOTA PUBLIC HEALTH LAB	COLIFORM TESTING	267.00
SOUTH SIDE SERVICE (SANITO OIL)	PREMIUM GAS/ALL DEPARTMENTS	29,289.81
THOMSON WEST	SD CODIFIED LAWS	29.15
TOMS, DON	TRANSCRIPTION OF LEDGERS	576.00
TOTAL IMMERSION	SWIMMING LESSON DVD'S	180.90
TWIN CITY HARDWARE & LUMBER	EYE BOLTS-COIL CHAIN/FFB SAFET	5,911.95
UNIVERSITY PRODUCTS	ARCHIVE SUPPLIES	566.80
	TOTAL	\$ 154,337.05

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ITEMS FROM CITIZENS ON AGENDA

Use of Trolley

Pastor Steve Agan and Henry Cordes with the First Presbyterian Church and Saddle Mountain Ministries requested the use a trolley on December 23 from 4:00 p.m. to 6:00 p.m. to deliver holiday packages to families in need. Silvernail moved, Speirs seconded, to approve this request. Roll Call: Aye-All. Motion carried.

New Year's Eve Ball Drop

John Rystrom representing the Franklin Hotel/Silverado requested street closures for the New Year's Eve Ball Drop event. The street closures would include Deadwood to Shine and Main Street in front of the Franklin/Silverado from 11:00 p.m. to 12:15 a.m. Mr. Rystrom said they have hired additional security personnel for this event. Speirs moved, Griffith seconded, to approve the street closures for the event and ask that the Franklin/Silverado provide the City Finance Office with a copy of the liability insurance certificate naming the City as additional insured prior to the event. Roll Call: Aye - All. Motion carried.

Housing Market Analysis

Joy McCracken, Neighborhood Housing Services Executive Director, provided documentation and presented an overview of a Northern Black Hills Area Communities Housing Market Analysis that was completed by Hanna:Keelan Associates, P.C., a professional Community Planning and Research Consulting Firm, located in Lincoln, Nebraska. Ms. McCracken said NHS received a \$25,000 grant from City Group of South Dakota to pay for this study. The purpose of the study was to: 1) analyze recent past and present housing situations in Lawrence County and surrounding communities; 2) identify growth and housing development potentials throughout the communities; 3) project future permanent housing demands and needs; and 4) provide a bench mark for energizing the leadership of Lawrence County and each Community to take a more active role in improving and creating new, modern and safe market rate and affordable permanent housing. McCracken said they surveyed 500 Deadwood employees and 166 surveys were sent back. The survey questions pertained to: range of income, how many currently own their own home or do not own their own home but desire to be a homeowner in the future, do they reside or wish to reside in Deadwood. McCracken said the population projection is anticipated to increase by 21% between now and 2012. McCracken discussed current statistical data regarding homeowner occupied versus renter occupied, household size and income trends, and projections. McCracken said this Housing Market Analysis is available on their website at www.nhsblackhills.org.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening

Kevin Kuchenbecker opened and read the following bids received for the Homestake Adams Research Center, Phase 1 Project. Toscana added the engineer's base bid estimate is \$270,355, Alternate #1- \$142,437, Alternate #1A - \$153,392, Alternate #2 - 34,828 for a total of \$458,575. The bids are as follows:

Tabulation of Bids for the Homestake Adams Research Center - Phase 1 Project

Bidder	Addendum #1	Addendum #2	10% Bid Bond or 5% Cert Check	Base Bid	Alt. #1	Alt #1A	Alt #2
RCS Construction	X	X	Bid Bond	\$270,810	\$167,900	\$173,200	\$37,000
Ainsworth-Benning Construction	X	X	Bid Bond	\$217,800	\$167,800	\$181,000	\$29,000
MAC Construction Co., Inc.	X	X	Bid Bond	\$240,000	\$174,000	\$13,500	\$27,200
Scull Construction Service, Inc.	X	X	Bid Bond	\$203,900	\$169,900	\$183,300	\$26,200
Donovan Construction	X	X	Bid Bond	\$251,490	\$176,170	\$14,050	\$29,585
SECO Construction, Inc.	X	X	Bid Bond	\$240,600	\$175,000	\$13,000	\$24,000
Corner Construction Corporation	X	X	Bid Bond	\$262,300	\$174,000	\$13,900	\$27,700
Inversion Construction, Inc.	X	X	Bid Bond	\$224,327	\$168,956	\$13,336	\$23,510
Lehman Construction, Inc.	X	X	Bid Bond	\$218,812	\$158,516	\$170,633	\$30,831
Tooz Construction, Inc.	X	X	Bid Bond	\$276,000	\$170,380	\$180,000	\$28,200

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Kuchenbecker requested more time to review the bids. Silvernail moved, Speirs seconded, to continue the bid opening to December 10, 2007. Roll Call: Aye - All. Motion carried.

FINANCE/HISTORIC PRESERVATION

Ordinance #1095 - Second Reading

Finance Officer Mary Jo Nelson said she made one revision to Ordinance No. 1095, which reflects the General Fund for the Fire Department for \$22,100 for the fire tender grant. Griffith moved, Klamm seconded, to approve second reading of Ordinance #1095 to Supplement the 2007 Budget with the addition. Roll Call: Aye – All. Motion carried.

Payment Request

Silvernail moved, Speirs seconded, to allow the Finance Office to pay Gunderson, Palmer, Goodsell and Nelson \$2,934, to be paid from Attorney line item. Roll Call: Aye - All. Motion carried.

Combined Voting Agreement

Silvernail moved, Speirs seconded, to allow the Mayor to sign the Combined Voting Agreement for April 8, 2008 Election and to adopt the County rate of pay for election workers. Roll Call: Aye - All. Motion carried.

Aerial Photograph

Silvernail moved, Griffith seconded, to allow Historic Preservation to update the aerial photograph of Deadwood in the Commission Chambers at a cost of \$1,900, to be paid from the GIS line item. Roll Call: Aye – All. Motion carried.

Payment Request

Griffith moved, Klamm seconded, to approve the hiring of Mathisons Display and Graphics to scan 8,500 35mm slides at a cost not to exceed \$5,700, to be paid from Historic Preservation Public Education line item. Roll Call: Aye - All. Motion carried.

Purchase Request

Speirs moved, Griffith seconded, to approve the purchase of Pastperfect 4.0 Museum Collection Management software, to be paid from Historic Preservation Archives line item not to exceed \$2,500. Roll Call: Aye-All. Motion carried.

STREETS

Request - Yuletide Ball

Speirs moved, Silvernail seconded, to allow the Deadwood Library to serve wine on December 8 from 5:00 p.m. to 9:00 p.m. for the Yuletide Ball. Roll Call: Aye-All. Motion carried.

Employee Resignation

Speirs moved, Silvernail seconded, to accept with regret the resignation of Mary Bullard from the Deadwood Library effective December 10, 2007. Roll Call: Aye - All. Motion carried.

Advertise Position

Speirs moved, Silvernail seconded, to approve of the advertising for the vacant part time position at the Deadwood Library at a rate of \$8.10 per hour (90% of prevailing wage.) Roll Call: Aye-All. Motion carried.

Employee Resignation

Speirs moved, Silvernail seconded, to accept the resignation of Bo Burlison from the Rubble Site effective December 14, 2007. Roll Call: Aye-All. Motion carried.

Employee Resignation

Speirs moved, Silvernail seconded, to accept the resignation of Patrick Coffield from the Rubble Site effective November 23, 2007. Roll Call: Aye-All. Motion carried.

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PLANNING/ZONING/PUBLIC BUILDINGS/TROLLEY

Discussion - Safety Committee

Bob Nelson Sr., representing the Safety Committee, informed the Commission that they have received complaints of residents feeding deer in city limits, which causes concern of the possibility of predators following the deer into town and public safety. Toscana said there is already an ordinance in place prohibiting the feeding of deer on public property and the discussion would be to address the feeding of deer on private property. Toscana added he has received requests over the years to do this. Toscana said many residents would want to come and express their concerns and opinions on this issue. Commissioner Griffith said Deadwood is surrounded by forested land it is going to be hard to keep the deer out of the City whether they are feeding them or not. Griffith and Silvernail both suggested holding a public hearing to hear the thoughts and concerns of residents. Toscana added this issue will be controversial and perhaps an emotional subject and suggested this issue be placed on the agenda the first Monday in January. Silvernail moved, Speirs seconded, to hold a public hearing on this matter on January 7, 2008 and request the City Attorney and Mr. Nelson to contact and review other community ordinances pertaining to deer feeding.

PLANNING/ZONING/PUBLIC BUILDINGS/TROLLEY

Acknowledgement of Charitable Contribution

Silvernail moved, Speirs seconded, to allow the Mayor to sign the Acknowledgement of Charitable Contribution with Tom and Linda Blair for the land and equipment of the Frerich's Mine and Mill a/k/a Ball Mill. Roll Call: Aye-All. Motion carried.

Executive Session

Jason Campbell requested an Executive Session for legal matters with no action to be taken.

Parking Lease

Silvernail moved, Speirs seconded, to allow the Mayor to sign the annual Broadway Parking Ramp lease with the South Dakota Gaming Commission for 2008. Roll Call: Aye-All. Motion carried.

Contract - TSP Inc.

Speirs moved, Silvernail seconded, to allow the Mayor to sign the contract between the City of Deadwood and TSP Inc. for the Rodeo Grandstand improvement project for \$28,900. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Christmas Eve - New Year's Eve Meeting Schedule & Office Hours

Mayor Toscana informed everyone due to Christmas Eve on Monday the City Commission Meeting will be held on Wednesday, December 26 at 5:00 p.m. and the New Year's Eve meeting will be held Monday, December 31 at noon. Silvernail moved, Speirs seconded, to approve the closing of City Hall at noon on Christmas Eve Day. The remainder of Christmas Eve Day will be considered a holiday for payroll purposes. Roll Call: Aye-All. Motion carried.

Sogge Collection Agreement

Griffith moved, Klamm seconded, to approve the renewal of a previous agreement with the Adams Museum for the loan of the Sogge Collection for one additional year. Roll Call: Aye-All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONER, DEPARTMENT HEADS NOT ON AGENDA

Christmas Lighting Project

Commissioners along with the Mayor thanked the Parks, Streets, and Water departments for all their hard work in making the City of Deadwood look very festive for the holiday season.

ADJOURNMENT

Speirs moved, Silvernail seconded, to adjourn the regular session at 5:55 p.m. and convene into executive session for legal matters with no action to follow meeting. The next regular meeting will be at 5:00 p.m. on Monday, December 10, 2007.

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ATTEST:

DATE: _____

Mary Jo Nelson, Finance Officer

BY: _____
Francis A. Toscana, Mayor