

REGULAR MEETING, May 11, 2009

The Regular Session of the Deadwood City Commission convened on May 11, 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, Lenny Schroeder, and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of May 4, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the May 11, 2009 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	SUPPLIES	8.68
ABC	SUPPLIES	26.50
ALCO STORES, INC.	INK CARTRIDGE-ERASERS-COPY PPR	45.97
AMERICAN WATER WORKS ASSOC	MEMBERSHIP	71.00
BH CHEMICAL	SUPPLIES	1,266.09
BH PIONEER	PUBLICATIONS	1,731.00
BH POWER	UTILITIES	38.31
BURLESON, BILL	REIMB	84.79
BUTLER	SUPPLIES	1.19
CIVIL AIR PATROL	PUBLICATION	195.00
CULLIGAN	SUPPLIES	108.50
DAKOTA GRAPHICS	ENVELOPES	150.00
DAKOTA SUPPLY GROUP	KITS	497.72
DEADWOOD ELECTRIC	BULBS	479.52
DOI/BLM	GUIDE	38.29
ECOLAB	PEST CONTROL	296.50
EDDIE'S TRUCK SALES	REPAIRS	2,147.50
ENVIRONMENTAL PRODUCTS	LABOR-PARTS	666.37
GOLDEN WEST	PAGERS	436.20
GOLDRUSH BROADCASTING	ADVERTISING	80.00
GRIMM'S PUMP	FLTRS-LABOR	208.12
HILLSIDE DISPOSAL	ROLLOFFS	990.00
JACOBS WELDING	SUPPLIES	251.76
KNOLOGY	PHONE SERV	232.86
LAKER CHEMICAL	SUPPLIES	3,109.00
LEAD DWD SANITARY	EQR-USAGE CHGS	26,990.28
M&M SANITATION	MO RENTAL	512.50
MAVERICK (BLONDIES)	SUPPLIES	12.72
MDU	UTILITIES	10.15
NAPA	PARTS	2,918.00
NEVE'S UNIFORMS	UNIFORMS	275.62
NORTHWEST PIPE	CULVERT	212.60
OCCUPATIONAL HEALTH NETWORK	PRE-EMPLOY TESTING	56.00
OFFICE MAX	COMPUTER	754.97
ONE CALL SYSTEMS, INC.	TICKETS	22.00
PETTY CASH-MT. MORIAH	BOOTH	200.00
PITNEY BOWES INC	POSTAGE	500.00
PONTIUS, JERRY	REIMBURSE	10.45
RAPID DELIVERY	DEL SERV	140.00
SD COMMISSION ON GAMING	CITY NICKEL PYMNT	2,744.31
SDN COMMUNICATIONS	COMM LINE	346.80
SERVALL	SUPPLIES	1,699.77
SD BUILDING OFFICIAL	REGISTRATION FEE	90.00
SD FEDERAL PROPERTY	TOOLS	53.50
SD MUNICIPAL LEAGUE	CLERK PROGRAM	458.00
SD STATE TREASURER	SALES TAX 04-09	3,455.13
SYMBOL ARTS	BADGE	82.50
TRIPLE K TIRE & REPAIR	REPAIRS	50.00
TURFWERKS	FREIGHT	7.39
TWIN CITY HARDWARE	SUPPLIES	107.16
WASTE CONNECTIONS	ROLLOFFS	354.82
WELLMARK BLUE CROSS	HEALTH INS 06-9	37,574.46
	TOTAL	\$92,800.00

ITEMS FROM CITIZENS ON AGENDA

DENR Achievement Award

Mayor Toscana announced that the City of Deadwood's Water Department has received the Achievement Award presented by the South Dakota Department of Environment and Natural Resources. Toscana added that the City of Deadwood's public water system has met the requirements of the Safe Drinking Water Act and the state of South Dakota's regulations for supplying safe drinking water to the public. On behalf of the Commission, he commended the certified water operators Donovan Renner, Bob Nelson, Jr., and Randy Pfarr.

Sanford Lab Update

Dr. Jose Alonso, Director of the Sanford Lab, appeared before the Commission to give an update on the Sanford Lab. The current water level is 4848.75 and expecting to reach the 4050 level by May 15.

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Once this level is reached, they will continue to pump water 50 feet below this level before personnel start inspections of this level. The rehabilitation of the Yates Shaft is progressing. Alonso said he expects the construction phase of the 4850 level to commence in July and this phase will involve excavation, utilities, and construction of a large cavern that will house the experiment area. The Lab will host Neutrino Day on July 11, 2009 with surface tours, presentations and mobile science unit. July 6, 2009 will kick off their Summer Student Program, which consists of ten (10) students from South Dakota, which will spend a week at the Sanford Lab, a week in Italy, and three weeks at Princeton for advanced physics and presentations. Alonso added they currently employ seventy (70) full time employees.

City of Lead Invitation

Lea Mathis representing the Lead Comprehensive Planning Commission invited everyone to attend the "Glimpse of Lead's Future" gathering on May 13, 2009 at 6:00 p.m. at the Lead-Deadwood High School Library.

Four Aces - Parking Lease Increase

Michelle Fischer, General Manager of Hampton Inn-Four Aces, appeared before the Commission to ask that they reconsider the increased rate per leased space in the Lower Main Lot. Fischer explained they currently lease 34 spaces in the Lower Main Lot at a cost of \$25,500 per year and with the increase this amount would go to \$51,000 per year. Fischer said she understands an increase may be in order, but requested an increase of 5 to 10% for a one-year period for these spaces. Fischer added that Lamont Companies owners of the Four Aces and the Holiday Inn Express pay \$95,700 for 112-leased spaces per year for the Broadway Ramp and Lower Main Lot. Mayor Toscana added that the purpose of the increase is to make all leases more equitable. After much discussion, Peterson moved, Silvernail seconded, to approve the amount of \$70 per space per month for a total of thirty-four (34) spaces for the Lower Main Lot for a one-year lease from June 1, 2009 through May 31, 2010. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Silvernail moved, Peterson seconded, to approve the street closure on June 27, 2009 for the Shrine Circus Parade starting at 9:30 to 11:00 a.m. or until parades ends. Roll Call: Aye-All. Motion carried. Silvernail moved, Peterson seconded, to waive the vending fee for the activities at the rodeo grounds on June 27, 2009 for this event. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Klamm moved, Silvernail seconded, to set a public hearing at 5:10 p.m. on May 26 for street closure and relaxation of open container ordinance for the Deadwood Poker Run. Roll Call: Aye-All. Motion carried.

Decision - Retaining Wall Bids (Opened 5-4-2009)

Kevin Kuchenbecker, Historic Preservation Officer, recommended to the Commission to accept the low bid for the retaining wall at 316 Williams Street from Corr Construction for \$55,355 (Engineer's Estimate - \$70,686.) Peterson moved, Silvernail seconded, to accept the low bid. Roll Call: Aye-All. Motion carried.

Kuchenbecker recommended to the Commission to accept the low bid for the retaining wall at 58 Pleasant from Ainsworth Benning for \$31,840 (Engineer's Estimate - \$42,627.75.) Schroeder moved, Silvernail seconded, to accept the low bid. Roll Call: Aye-All. Motion carried.

FINANCE

Deadwood Chamber Request

Peterson moved, Schroeder seconded, to approve the selling of beer and wine as requested by the Deadwood Chamber at the Deadwood Pavilion for the Firearms and Old West Auction Show on June 17-21, 2009. Roll Call: Aye-All. Motion carried.

Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$6,420 to Golden West for the I-Witness server monitoring and management, a budgeted item, to be paid from the Data Processing fund. Roll Call: Aye-All. Motion carried.

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Payment Request

Peterson moved, Silvernail seconded to approve the payment of \$2,815 for the Sonicwall license renewal, a budgeted item, to be paid from the Data Processing fund. Roll Call: Aye-All. Motion carried.

Wage Scale - Part Time, Seasonal Employees

Commissioner Peterson explained that due to the minimum wage increase the City of Deadwood currently updated the wage scale for all part time and seasonal employees, effective May 11, 2009. Peterson moved, Silvernail seconded, to approve the updated wage scale. Roll Call: Aye-All. Motion carried.

Department	Starting Wage	After 1 Year of Service	After 2 Years of Service	After 3 Years of Service	After 4 Years of Service	Top Wage for Position
Janitorial	\$8.00	\$8.50	\$9.00			\$9.67
Seasonal Parks	\$7.50	\$8.00	\$8.50	\$9.00	\$9.50	\$9.67
Parking Ramp	\$8.00	\$8.50	\$9.00			\$9.67
WASP Site	\$8.00	\$8.50	\$9.00			\$9.67
Lifeguards	\$7.50	\$8.00	\$8.50	\$9.00		\$9.13
Rec Center Mgrs.	\$9.00	\$9.50	\$10.00			\$10.74
Mt. Moriah	\$7.50	\$8.00	\$8.50	\$9.00	\$9.50	\$9.67
Office Assistants	\$7.50	\$8.00	\$8.50	\$9.00		\$9.67
Library	\$7.50	\$8.00	\$8.50	\$9.00		\$9.67
Police Reserves	\$10.00		\$10.50	\$11.00		\$11.82
Trolley	Starting Wage \$8.00, \$9.00 after 18-months, \$10.00 after 3 years, Top Wage \$10.74					

Payment Acknowledgement

Peterson moved, Silvernail seconded, to approve the payment for debt service interest for Certificates of Participation Series 1999, 2000, 2003, 2004, 2005, and 2006 totaling \$990,246.25. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDING/SAFETY

Finding of Fact - Richard Granberg

Toscana moved, Silvernail seconded, to approve the Findings of Fact for the denial of the Change of Zoning from R1-Residential District to C1-Commercial District for Richard Granberg at 822 Main Street, Lot 9 Block B excepting: the southwesterly 10' adjacent to Lot 8, Sunnyside Addition, all located in Deadwood, Lawrence County, SD. Commissioner Peterson recused himself from this matter. Roll Call: Aye-Schroeder, Silvernail, Klamm, Toscana. Motion carried.

Purchase Request

Silvernail moved, Klamm seconded, to approve the request for the Broadway Parking Ramp to upgrade the camera equipment and monitor at a cost of \$8,496.58, to be paid from the Parking Ramp fund. Roll Call: Aye-All. Motion carried.

Change Order #2 - 24 Raymond

Silvernail moved, Klamm seconded, to approve Change Order #2 for Lehmen Construction for \$1,020 for 24 Raymond retaining wall project. Roll Call: Aye- Silvernail, Klamm, Toscana. Abstain: Peterson, Schroeder. Motion carried.

STREETS/WATER/LIBRARY

Travel Request

Schroeder moved, Klamm seconded, to allow Jim Raysor to travel to Oacoma to attend South Dakota Water and Wastewater Association meeting May 15 and use of a City vehicle. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Hire Request

Klamm moved, Silvernail seconded, to approve the hiring of up to ten (10) rally officers at \$14.00 per hour for the 2009 Sturgis Rally event. Roll Call: Aye-All. Motion carried.

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Employee Resignation

Klamm moved, Schroeder seconded, to accept the resignation of Ashlee Finnesand, reserve officer, effective April 22, 2009. Roll Call: Aye-All. Motion carried.

Extend Vacation Hours

Klamm moved, Schroeder seconded, to allow Kip Mau to extend 14.75 hours of vacation to June 30, 2009. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Hire Request

Silvernail moved, Peterson seconded, to approve the hiring of Anita Jardee as Summer Camp Supervisor at \$9.00 per hour, effective May 12, 2009. Roll Call: Aye-All. Motion carried.

Hire Request - Parks /Streets Department

Silvernail moved, Peterson seconded, to approve the hiring of summer employees as follows: Hilary Havlik at \$8.50 per hour, Garret Amman at \$8.50 per hour, Roy Buchanan at \$9.00 per hour, Larry Lesmeister at \$7.50 per hour, William Binder at \$7.50 per hour. All effective May 18 except William Binder, Larry Lesmeister, Effective May 12, 2009. Roll Call: Aye-All. Motion carried.

Hire Request - Mt. Moriah

Silvernail moved, Peterson seconded, to approve the hiring of Mt. Moriah staff as follows: Juanita James, Ardeth Waisenen, and Connie Olsen at \$9.67 per hour, Peggy MacDonald at \$9.00 per hour, Linda Allen at \$7.50 per hour, Kari Nordstrom at \$7.50 per hour. All effective May 13, except Connie Olsen and Peggy MacDonald, effective June 1, 2009. Roll Call: Aye-All. Motion carried.

LEGAL

Contract - Forgey Construction

Klamm moved, Silvernail seconded, to allow the Mayor to sign the contract with Forgey Construction for the retaining wall in the Sherman Street Parking Lot for \$8,500. Roll Call: Aye-All. Motion carried.

MAYOR'S BUSINESS

Hire Request

Silvernail moved, Peterson seconded, to hire Jim Doolittle to conduct the police unit union negotiations at \$400 per session. Roll Call: Aye - All. Motion carried.

Department Head Appointment

City Attorney, Jason Campbell, administered the Oath of Office to Kevin Kuchenbecker, Historic Preservation Officer.

ITEMS FROM MAYOR, COMMISSIONERS, DEPT. HEADS NOT ON AGENDA

Community Appreciation Event

Toscana announced that the Community Appreciation event would be held at the Deadwood Pavilion on Saturday, May 16, 2009 starting at 6:00 p.m. with awards at 7:00 p.m.

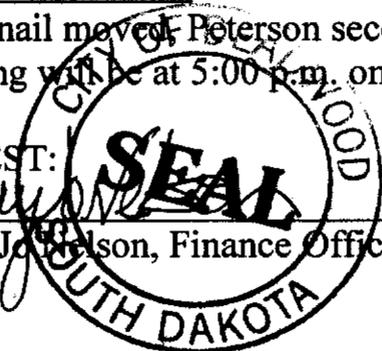
Use of Trolley

Silvernail moved, Peterson seconded, to allow the trolley to travel to Belle Fourche on May 14, 2009 for CDL third party testing. Roll Call: Aye - All. Motion carried.

ADJOURNMENT

Silvernail moved, Peterson seconded, to adjourn the regular session at 5:50 p.m. The next regular meeting will be at 5:00 p.m. on Monday, May 18, 2009.

ATTEST:


Mary Johnson, Finance Officer

DATE: 5/18/09

BY: Francis A. Toscana

Francis A. Toscana, Mayor