

REGULAR MEETING, April 7, 2008

The Regular Session of the Deadwood City Commission convened on April 7, 2008 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 and Georgeann Silvernail. Commissioners Nyla Griffith Mark Speirs were absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of March 31, 2008. Roll Call: Aye-All. Motion carried.

MARCH 2008, PAYROLL: COMMISSION, \$2,730.76; ATTORNEY, 5,000.00; FINANCE, \$13,073.87; PUBLIC BUILDINGS, \$1,738.95; POLICE, \$35,040.59; FIRE, \$4,003.94; OAKRIDGE, 0.00; BUILDING INSPECTION, 3,070.41 STREETS, \$23,019.70; PARKS, \$13,990.78; PLANNING & ZONING, \$3,894.22; LIBRARY, \$5,819.65; RECREATION CENTER, \$5,853.52; HISTORIC PRESERVATION, \$13,304.16; WATER, \$11,628.58; PARKING & TRANSPORTATION, \$18,086.87; PARKING RAMP, \$5,314.22; RUBBLE SITE, \$872.50; MT. MORIAH, \$0.00 PAYROLL TOTAL: \$167,042.71.

APPROVAL OF DISBURSEMENTS

Klamm moved, Silvernail seconded, to approve the April 7, 2008 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	CREDIT/OVERPAYMENT	100.28
ABC	STAPLES, ENVELOPES, PAINT	67.71
BLACK HILLS CHEMICAL	WHITE TOWELS-BLEACH	3,806.38
BLACK HILLS COMMUNITY	TICKETS FOR BANQUET	750.00
BLACK HILLS POWER	ELECTRICITY/PUBLIC BUILDINGS	3,619.37
BLONDIE'S IGA	DIXIE CUPS/REC CENTER	31.61
CINDY RISCHÉ	DIFFICULT PEOPLE CLASS LUNCH	9.00
CULLIGAN	50 # BAG SALT	84.50
DEADWOOD HOME CENTER	OAKBOARD	39.93
EDDIE'S TRUCK SALES, INC.	PARTS-REPAIR CLUTCH/DUMP TRUCK	2,818.38
ELAN FINANCIAL SERVICES	18 HEAVY DTY MATTRESS COVERS	235.05
ESRI	ANNUAL UPGRADE FEE	1,400.00
GOLDEN WEST	DISPLAY PAGER AIR TIME	137.00
HILLSIDE DISPOSAL	ROLL-OFF DUMPSTERS/DUMP	954.00
JACOBS PRECISION WELDING	20 FT OF 3/16" 2" FLAT BAR	49.50
KBS, INC	BLK & WHT & CLR METER	47.96
LAMB MOTORS	2008 WHITE FORD PICKUP/PARKS	20,793.00
LAWSON PRODUCTS, INC.	TERMINAL ASSY-PIG SEAL-DRAWERS	349.35
LEAD DEADWOOD SANITARY	UTILITY PAYMENT FOR CITY BLDGS	21,090.96
LEAD RIFLE & PISTOL CLUB	RIFLE RANGE DUES FOR 9 OFFICER	315.00
LEE, JAMES	SAFETY REIMBURSEMENT/JIM LEE	128.37
M&M SANITATION	MONTHLY TOILET RENTAL/MARCH	210.00
MOLLY CORPORATION	ON/ OFF SWITCH	97.10
MDU	NATURAL GAS/GAYVILLE PRV	8,154.23
NAPA AUTO PARTS	CHAIN-LINKS/LITTLE SANDER	2,311.63
NORTHWEST PIPE	VAL 4" COVER	235.32
NOVUS	INSTALL PASSENGER MIRROR#3270	34.00
SERVALL	MATS, MOPS, TOWELS	344.71
SOUTH DAKOTA MUNICIPAL	WORKERS COMP	8,244.00
SOUTH DAKOTA STATE TREAS	SALES TAX DUE FOR MARCH	3,168.89
STRETCH'S GLASS	CLEAR GLASS	7.65
STURDEVANT'S AUTO PARTS	MIG WIRE/STREETS	49.94
TWILIGHT FIRST AID	REFURNISH SAFETY SUPPLIES	84.65
TWIN CITY ANIMAL SHELTER	RECYCLING FUND	312.99
TWIN CITY HARDWARE	MULTI PUR CLNR, GLS WIPES, PROWI	14.97
WESTERN COMMUNICATIONS	REPAIR DYNOS TWO-WAY RADIO	94.00
	TOTAL	\$ 80,191.43

ITEMS FROM CITIZENS ON AGENDA

Youthwise Request

Trish Davis with Youthwise requested permission to allow a National Guard helicopter to land in the Sherman Street Parking lot on April 22, 2008 for the Lead-Deadwood kindergarten class graduation. Safety Manager, Bob Nelson Sr., Police, and Fire Departments will barricade and post the parking lot and the Fire Department will be available during the event to ensure everyone's safety. Ms. Davis added that the event would last approximately 30 minutes. Bob Nelson Sr. requested that a hold harmless agreement be signed by the City of Deadwood and the Lead-Deadwood School District. Silvernail moved, Klamm seconded, to approve said request. Roll Call: Aye-All. Motion carried.

Arts Council Update

Karen Everett with the Deadwood Lead Arts Council updated everyone on the upcoming events sponsored by the Arts Council. She announced there would be a musical featuring "Fiddler on the Roof" at the Opera House the first and second weekend in May, times to be announced later. "Turn on your art lamp" project and the lamps will be auctioned at the Gold Camp Jubilee celebration. Everett added the very popular Lego contest would be held the first weekend in May and an art display by Dick Fort featuring the Chicago nightlife can be seen at 422 Main Street. The Deadwood Lead Arts Council will also be hosting the Artist of the Black Hills summer show and anyone requiring more information on these events may contact Karen Everett at the Deadwood Lead Arts Council.

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Use of Trolley

Rose Speirs with the Adams Museum requested the use of a trolley for a Trail Ride fundraiser on June 28, 2008 from 10:30 a.m. to 1:30 p.m. Speirs added the route for the trolley has not been determined and Safety Manager, Bob Nelson Sr. replied he would review and select an appropriate route. Silvernail moved, Klamm seconded, to approve the use of a trolley for the Homestake Adams Research Center fundraiser.

Black Hills Power-Pressure Reduction Station

Lee DeLange, Northern Hills Business Manager with Black Hills Power explained that due to an error on behalf of Black Hills Power the City has not been billed for a pressure reduction station located at 255 Main Street. DeLange said the meter was not in their system and consequently the City did not receive a bill from June 2005 to March 2008. DeLange provided detailed information on the calculation of the electric bill. He added the City would not be required to pay any late fees or penalties and apologized for the oversight. Mayor Toscana directed Public Works Director Jim Raysor and the Finance Officer Mary Jo Nelson to review the invoice and add to the bill's list for the April 14th meeting.

PUBLIC HEARING/BID OPENINGS

Public Hearing

Finance Officer Mary Jo Nelson said the Deadwood Men's Softball organization would be required to provide a Liquor Liability insurance policy and naming the City of Deadwood as additional insured. Silvernail moved, Klamm seconded, to approve the special retail (on-off sale) malt beverage license for the 2008 Deadwood Men's Softball Tournaments on May 23-24, 2008, July 11-13, 2008, and August 30-31, 2008. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing at 5:20 p.m. on April 14, 2008 for the street closure for the Naja Shriners Parade on April 19, 2008. Roll Call: Aye-All. Motion carried.

Retaining Wall Bids - (Continued from 3/10/2008)

Kevin Kuchenbecker, Historic Preservation Officer told the Commission that all property owners have been contacted and have signed agreements with the Historic Preservation office to proceed with the retaining wall project with the exception of 53 Forest Avenue and 36 Water Street which were rejected. Silvernail moved, Klamm seconded, to accept eight low bids, which were continued from the March 10, 2008 meeting and they are as follows:

Location		45 & 47 Forest Ave.	65 Forest Ave.	20 Denver Ave.	120 Denver Ave.	8 Burnham Ave.	23 Burnham Ave.	334 Williams St.	834 Main St.
Engineer's Estimate	Bid Bond	\$118,161.55	\$5,460.00	\$39,282.85	\$10,092.50	\$111,436.88	\$22,665.50	\$163,488.00	\$22,330.13
Contractor									
Lehman Construction	X	\$114,400	\$4,100	\$29,800	\$8,860	\$79,950	\$22,816	\$138,900	\$16,609

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The two bids rejected are as follows:

Location		53 Forest Ave.	36 Water St.
Engineer's Estimate	Bid Bond	\$20,856.00	\$12,759.25
Contractor			
Ainsworth Benning	X		\$38,600
Lehman Construction	X	\$28,700	\$12,600
RCS Construction	X	\$18,400	\$15,900

FINANCE/HISTORIC PRESERVATION

Accept 2007 Annual Financial Report - Continued

Mayor Toscana along with Commissioners Silvernail and Klamm thanked Finance Officer Mary Jo Nelson for all her hard work preparing the City of Deadwood's 2007 Annual Financial Report. Silvernail moved, Toscana seconded, to accept. Roll Call: Aye - All. Motion carried.

Payment Request

Silvernail moved, Klamm seconded, to allow the Finance Office to pay First Western Insurance \$1,557 for employee bond, to be paid from the Commission insurance line item. Roll Call: Aye - All. Motion carried.

April 8, 2008, Election

Mayor Toscana reminded the public that the polls would be open from 7:00 a.m. to 7:00 p.m. in City Hall for the April 8, 2008, municipal and school board election, some voters will vote on the Lead Fire Protection District as well.

STREETS/WATER/LIBRARY

Purchase Request

Toscana moved, Silvernail seconded, to approve the purchase of laptop computer and Past Perfect software in the amount of \$4,506 for the Library. Roll Call: Aye - All. Motion carried.

POLICE/FIRE

Donation - Western Dakota Technical Institute

Klamm moved, Silvernail seconded, to approve the donation of the 1971 Ford fire truck to Western Dakota Technical Institute (previously surplused on Resolution 2008-03.) Roll Call: Aye - All. Motion carried.

PLANNING AND ZONING/PUBLIC BUILDINGS/TROLLEY

Findings of Fact - Smith

Silvernail moved, Klamm seconded, to approve the recommendation of the Planning and Zoning Board on the findings of fact for the application of Variances from Front Yard Setbacks (Section 17.28.040.B) for Russ and Donna Smith located at 1 Meverden Street, Lots 8 and 9, Meverden Addition and Tract M-L of M.S. 81, located in the City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye - All. Motion carried.

PARKS/RECREATION

Travel Request

Silvernail moved Klamm seconded, to allow one Parks Department employee to travel to Onida to pick up a new City vehicle. Roll Call: Aye - All. Motion carried.

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LEGAL

Agreements - Towing Services Policy

Silvernail moved, Klamm seconded, to allow the Mayor to sign two Indemnification Agreements between the City of Deadwood, and Morris BP, and JP Service for towing services for the City of Deadwood. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Continue - Executive Session

Mayor Toscana requested that the Executive Session for personnel matters be continued to the April 14, 2008 meeting.

ITEMS FROM MAYOR/COMMISSIONERS/DEPARTMENT HEADS NOT ON AGENDA
ADJOURNMENT/EXECUTIVE SESSION

Historic Preservation Symposium

Commissioner Silvernail and Mayor Toscana thanked Mike Runge and Kevin Kuchenbecker for all their hard work on the Sixth Annual Deadwood Historic Preservation Symposium. Mayor Toscana attended the symposium and commented it was very educational and well attended.

Travel Request

Klamm moved, Silvernail seconded, to allow Officer James Lehto to attend a Criminal Interdiction training session in Pierre on April 22-25, 2008, requesting use of a City vehicle only. Roll Call: Aye - All. Motion carried.

City of Deadwood Receives Award

Bob Nelson, Trolley Manager, announced the City of Deadwood received the Community Partner Award presented by the Black Hills Special Services.

ADJOURNMENT

Silvernail moved, Klamm seconded, to adjourn the regular session at 5:35 p.m. The next regular meeting will be at 5:00 p.m. on Monday, April 14, 2008.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 4/14/08

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