

## REGULAR MEETING, October 19, 2009

The Regular Session of the Deadwood City Commission convened on October 19, 2009 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota.

Commissioner Klamm called the meeting to order with the following members present: Department Heads and Commissioners, Joe Peterson, and Lenny Schroeder. Mayor Toscana and Georgeann Silvernail were absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Schroeder moved, Peterson seconded, to approve the minutes of October 13, 2009. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Schroeder moved, Peterson seconded, to approve the October 19, 2009 disbursements. Roll Call: Aye-All. Motion carried.

|                              |                    |                      |
|------------------------------|--------------------|----------------------|
| A & B BUSINESS               | LEASE              | 677.24               |
| AASLH MEMBERSHIP SERVICES    | MEMBERSHIP         | 100.00               |
| ABC                          | SUPPLIES           | 156.55               |
| ACE INDUSTRIAL SUPPLY        | SUPPLIES           | 318.55               |
| ADAMS MUSEUM                 | OPERATING EXPENSES | 3,326.55             |
| BEST WESTERN RAMKOTA         | LODGING            | 175.44               |
| BH POWER                     | UTILITY            | 2,001.17             |
| BH PURE, INC.                | RENTAL             | 21.00                |
| CAMPBELL SUPPLY              | SUPPLIES           | 76.60                |
| CITY OF LEAD                 | GRANT              | 6,500.00             |
| CIVILIAN CONSERVATION CORP   | GRANT              | 1,326.12             |
| CONRADS BIG "C"              | REPAIRS            | 713.27               |
| CORR CONSTRUCTION            | RETAIN WALL-GRANT  | 55,355.00            |
| CULLIGAN                     | WATER              | 6.50                 |
| DAKOTA GRAPHICS              | ARCHIVE BROCHURE   | 266.25               |
| DEADWOOD ALIVE               | FINAL 09           | 22,000.00            |
| DEADWOOD ECONOMIC DEVELOP    | RAMP OP EXP        | 1,580.02             |
| DEADWOOD ELECTRIC            | REPAIRS            | 471.40               |
| DEADWOOD HOME                | PAINT              | 628.53               |
| DEADWOOD LEAD ARTS COUNCIL   | INSTALLMENT-3      | 1,862.50             |
| EMERGENCY SERVICES MARKETING | 1-YEAR SUBSCRPT    | 850.00               |
| EMPIRE PLASTICS INC.         | SUPPLIES           | 583.57               |
| FASTENAL COMPANY             | BATTERIES          | 190.57               |
| FOOTHILLS SEED, INC.         | SUPPLIES           | 384.45               |
| GEORGEANN SILVERNAIL         | REIMBURSE          | 101.28               |
| GERVING CONSTRUCTION         | LOAN DISB          | 1,343.41             |
| GOLDEN WEST                  | SERVER             | 307.50               |
| GOLDRUSH BROADCASTING        | AD                 | 100.00               |
| GUSTAFSON BUILDERS           | SLIME PLANT FACADE | 37,404.77            |
| HILLS MATERIALS              | FINES-SANDING      | 22,072.22            |
| HILLSIDE DISPOSAL            | ROLL-OFFS          | 1,020.00             |
| LC REGISTER DEEDS            | FILING FEES        | 44.00                |
| LAWSON PRODUCTS              | TEFGEL             | 21.87                |
| M&M SANITATION               | RENTAL             | 307.50               |
| MATTHEW BENDER               | SD COURT RULES     | 57.47                |
| MAVERICK (BLONDIES)          | SUPPLIES           | 37.96                |
| NEBRASKA SALT                | SALT               | 11,949.13            |
| ODD JOB CONSTRUCTION         | LOAN DISB          | 3,203.24             |
| ONE CALL SYSTEMS             | TICKETS            | 26.40                |
| PAPER DIRECT                 | SUPPLIES           | 165.04               |
| PONTIUS, JERRY               | REIMBS             | 264.99               |
| QUEEN CITY MOTORS            | LOCK ASSEMBLY      | 129.78               |
| QWEST                        | PHONE SERVICE      | 273.28               |
| RAPID CITY JOURNAL           | YEARLY RENEWAL     | 180.00               |
| ROSELLES SIGN & GRAPHICS     | BRICK/SHERMAN-PINE | 23,097.50            |
| RUNGE, MIKE                  | REIMBURSE          | 58.75                |
| SD COMMISSION ON GAMING      | CITY SLOTS         | 17,693.18            |
| SD STATE HISTORICAL          | ANNUAL FUNDING     | 51,500.00            |
| STATE INDUSTRIAL PRODUCTS    | SUPPLIES           | 286.96               |
| TOMS, DON                    | LC LEDGERS         | 576.00               |
| TRIPLE K                     | TIRES              | 575.40               |
| TC HARDWARE                  | PAINT              | 707.63               |
| VERENDRYE MUSEUM INC.        | GRANT              | 1,195.24             |
| WEATHERCRAFT                 | REFUND-BLDG PERMIT | 47.00                |
| WEST PAYMENT CENTER          | MNTHLY LAW CHGS    | 159.76               |
| WESTERN MECHANICAL SERVICE   | REPAIRS            | 20,368.50            |
|                              | <b>TOTAL</b>       | <b>\$ 294,847.04</b> |

### ITEMS FROM CITIZENS ON AGENDA

#### Deadwood Economic Development – IGA Grocery Store Lease

Chuck Turbiville Deadwood Economic Development Director appeared before the Commission to discuss the proposed lease for Blondie's IGA Grocery Store. Turbiville said the Commission met in an executive session on October 13 to discuss the lease. The City purchased the building in 2007 and Deadwood Economic Development lease the building to Larry and Marilyn Woolston for two years with the current lease expiring on November 1, 2009. The proposal for renewal of the lease will be for a period of one (1) year dated November 1, 2009 through October 31, 2010 with payments of \$1,100 per month (current monthly payments are \$2,500.00.) In the event there is an increase in the current property taxes which are \$12,053.82 per year, that increased amount will be added to the monthly lease

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payments. Then there will be a two (2) year term from November 1, 2010 through October 31, 2012 with lease payments of \$2,500.00 per month. In the event there is an increase in the current property taxes, that increased amount will be added to the monthly lease payments. There are provisions for three (3) additional five (5) year lease options with the lease payments remaining at \$2,500.00 per month with property tax increases being added to the lease payment. All other terms and conditions of the previous lease not affected by the above changes remain the same. Schroeder moved, Peterson seconded, to approve the amendments to the lease as presented by Deadwood Economic Development for Blondie's IGA Grocery Store. Roll Call: Aye-All. Motion carried.

### Kidweird

Erin Sabers with NeighborWorks informed the Commission that they would host the annual Kidweird event on Friday, October 30, 2009 at the Deadwood Pavilion from 4:00 to 8:00 p.m. Peterson moved, Schroeder seconded, to approve the expenditure of \$700 from the Bed and Booze Fund for this event. Roll Call: Aye-All. Motion carried.

### Christmas Lights – Block Clubs

Erin Sabers with NeighborWorks requested permission for the Neighborhood Block Clubs to decorate the light poles in their neighborhood on November 28-29, 2009. Schroeder moved, Peterson seconded, to approve request. Roll Call: Aye-All. Motion carried.

### Bob Christman, 3 Amelia – Water Bill

Schroeder moved, Peterson seconded, to continue this item to the October 26, 2009 meeting. Roll Call: Aye-All. Motion carried.

## PUBLIC HEARINGS/BID OPENINGS

### Results from Bid Opening on October 16, 2009 (Continued from 10-19-2009)

Public Works Director Jim Raysor informed the Commission of the bid opening held on October 16 for the cities of Deadwood and Lead for the three-year garbage collection contract. Raysor said they received two bids and requested more time to review the bids due to this being a joint contract with the city of Lead. Schroeder moved, Peterson seconded, to continue this item to the October 26, 2009 meeting. Roll Call: Aye-All. Motion carried.

### Public Hearing

Peterson moved, Schroeder seconded, to allow the relaxation of the open container ordinance for the Deadweird event on October 31, 2009 for Main Street from the Four Aces to the Masonic Temple from 5:00 to 10:00 p.m. Roll Call: Aye-All. Motion carried.

### Set Public Hearing

Schroeder moved, Peterson seconded, to set a public hearing for 5:05 p.m. on November 2, 2009 for the application of transfer for one retail (on-off sale) wine license and one retail (on-off sale) malt beverage license for Hickok's Iron Horse Inn to Iron Horse Inn at 27 Deadwood Street. Roll Call: Aye-All. Motion carried.

## HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

### Accept Bid – Wolff's Plumbing and Heating

Peterson moved, Schroeder seconded, to accept the bid from Wolff's Heating and Plumbing for \$8,455.00 for the HVAC system for the City Hall basement remodel project and allow the Mayor to sign the contract. To be paid from bonded funds. Roll Call: Aye-All. Motion carried.

### Payment Request

Schroeder moved, Peterson seconded, to approve the payment of \$2,000.00 for the annual publication of the Society of Black Hills Pioneers, a budgeted item under the Historic Preservation Public Education/Advocacy line item. Roll Call: Aye-All. Motion carried.

### Chamberlin Architects Proposal

Historic Preservation Officer Kevin Kuchenbecker provided the Commission with a detailed scope of services prepared by Chamberlin Architects. They will provide As-Needed Owner's Representative services for the remodel of existing storage building, demolition of existing museum, and the construction of the new museum. Kuchenbecker said the cost for these services would be taken out of the \$3,000,000 bonded funds set aside for the Days of 76 Museum construction. The proposal should not exceed \$40,000.00 as set forth in the proposal. Schroeder moved, Klamm seconded, to accept the

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proposal for \$40,000 from Chamberlin Architects for the Days of 76 Museum project. To be paid from bonded funds. Roll Call: Aye-Schroeder, Klamm. Abstain: Peterson. Motion carried.

19 Centennial Retaining Wall – Easement

Schroeder moved, Peterson seconded, to allow the Mayor to sign the easement for 19 Centennial and repair the retaining wall, costs not to exceed \$750.00. Repair costs of \$750.00 to be paid from retaining wall budget of the Historic Preservation capital projects line item (retaining walls.) Roll Call: Aye-All. Motion carried.

Payment Request

Klamm moved, Schroeder seconded, to approve the payment to Mathison's Express Press Graphics for \$6,840.20 for the digitization of the City Archives oversized maps, aerial maps, and 35mm slides from the Hunter Collection ( to be paid from rollover monies from 2008 Archival Budget) a budgeted item. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request

Schroeder moved, Peterson seconded, to approve the purchase of 5,500 gallons of premium-unleaded fuel at a cost of \$2.16 per gallon from Southside. Roll Call: Aye-All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

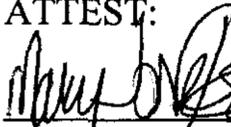
20th Anniversary of Gaming

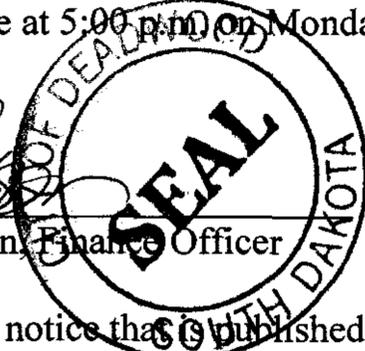
Kevin Kuchenbecker informed everyone of the Historic Preservation Schedule of Events for the celebration of the 20th Anniversary of Gaming, events would take place November 1-7, 2009.

ADJOURNMENT

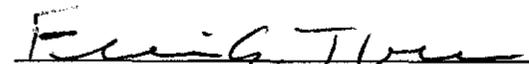
Peterson moved, Schroeder seconded, to adjourn the regular session at 5:30 p.m. The next regular meeting will be at 5:00 p.m. on Monday, October 26, 2009.

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: 10-26-09

BY:   
Francis A. Toscana, Mayor

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