REGULAR MEETING, July 6, 2009

The Regular Session of the Deadwood City Commission convened on July 6, 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, Lenny Schroeder and Georgeann Silvernail. Commissioner Joe Peterson was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Schroeder seconded, to approve the minutes of June 29, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Klamm moved, Schroeder seconded, to approve the July 6, 2009 disbursements. Roll Call: Aye-All. Motion carried.

ABC	RECEIPT BOOK/DUMP	34.98
B H POWER	ELECTRICITY	2,920.96
BURNHAM, ALFRED	CDL TEST	84.80
CLEARWATER CONSULTING	NEW CAMERA SYSTEM/RAMP	8,298.66
CONRADS BIG "C" ELECTRIC	PHOTO EYE	1,107.20
CONTRACTOR'S SUPPLY	TUBE	189.00
CULLIGAN	SALT	27.50
DEADWOOD ELECTRIC	BALLASTS	304.10
DEADWOOD FIRE DEPARTMENT	COMMISSION MTGS	350.00
DEADWOOD HOME CENTER	SUPPLIES	821.11
ENVIRONMENTAL PRODUCTS	FILTERS	266.10
ESRI	MAINT.FEES	1,800.00
FRANK'S TREE SERVICE	CLEARED POWER LINE	330.00
GOLDEN WEST TECHNOLOGIES,	PAGER	2,390.05
GOVERNMENT FINANCE OFFICER	NEWSLETTER	50.00
GREAT WESTERN TIRE	REPAIR TIRE	301.90
HILLS MATERIALS	ASPHALT	963.42
HILLS PRODUCTS	YELLOW PINE	360.96
JACOBS WELDING	DOZER	13.84
KNOLOGY	PHONE SERVICE	267.79
LADNER, CARRIE	REIMBS.CAMP FEE	95.00
LEAD-DWD HOSPITAL	TESTING	735.00
LEAD-DWD SANITARY	JUNE CHGS	26,747.60
MDU	NATURAL GAS	865.28
NEWMAN SIGNS	SIGNS	66.33
PETE LIEN	CONCRETE	321.56
PITNEY BOWES	POSTAGE	500.00
SD DEPT OF AGRICULTURE	SIGNS	73.00
SERVALL	MATS/TOWELS	100.04
SD TRANSPORTATION DEPT	PEDESTRIAN STUDY	6,497.69
SOUTHSIDE OIL	BRAKES/ROTORS	493.48
STRETCH'S	MIRROR	261.47
TRIPLE K	PIPE	3.00
TRUGREEN	FERTILIZER	42.40
TWILIGHT	FIRST AID SUPPLIES	43.20
TWIN CITY HARDWARE	SOCKET,RATCHET	1,963.60
WESTERN COMMUNICATIONS	CONNECTORS	19.00
	TOTAL	**$59,710.02**

ITEMS FROM CITIZENS ON AGENDA

Willie Steinlicht, on behalf of Naja Shriners' Circus and Paul Holtsclaw, thanked the City Commission and all the departments for another successful circus. He stated that the owner likes Deadwood so much that the contract has remained the same for the last three years, and will stay the same for next year's celebration on June 25th -- their 75th anniversary.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing - Petition to Vacate – Elmer Avenue,Hopkins Avenue, Kennedy Avenue, St. Charles Street, Four (4) alley ways, and a portion of Wabash Avenue

Planning and Zoning Administrator Bernie Williams explained the area of the Petition toVacate requested by Ron Robley. Silvernail requested verification that no residents would be cut off from their property with the vacate, which was verified by City Attorney Campbell. Silvernail moved, Klamm seconded, to give permission for the Mayor to accept and sign the Petition and set a public hearing for the street vacation on August 3rd at 5:05 p.m. Roll Call: Aye-All. Motion carried.

Public Hearing - Malt Beverage License

Silvernail moved, Klamm seconded, to approve the new on-off sale malt beverage license for Gary Schmaltz dba Shirt Tail Gulch Stage Stop. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, July 6, 2009

FINANCE

Selection of Employee Health Plan
Mayor Toscana announced that Wellmark, the current insurance carrier, increased their premium by 16% or $69,000 per year. After receiving an additional quote, Dakota Care offers nearly the same plan, with a $47,000 per year increase over the current premium. According to Finance Officer Mary Jo Nelson, Wellmark does not allow Spearfish Regional Hospital to be in their network at this time. Klamm moved, Silvernail seconded to transfer the City's health care plan from Wellmark to DakotaCare, with the $1000 deductible plan. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Findings of Fact for Mark Bergstein – 3 John Street
In agreement with the Planning and Zoning Commission approval, Silvernail moved, Klamm seconded, to allow a 6'variance from front yard setback requirement for garage at:
Lot 3A, Block 12, Highland Park Addition, formerly known as Lots 3, 4 and the Easterly part of Lot 7, Block 12, Highland Park Addition, All located in Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota
Parcel No's: 30500-01200-070-10 -
Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Pave Water Street
Public Works Director J R Raysor explained that a 12' trench had been cut in Water Street by Deadwood Grand Mountain Resort to install water and sewer lines. Schroeder moved, Silvernail seconded, to approve paving of that area at a maximum price of $4000, which will be billed back to Tentexkota Corp. Raysor verified that Tim Conrad, a Tentexkota partner, has been notified of this action, as the street must be repaired. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Request for Four-Way-Stop
In response to a request by a resident/business owner, Police Chief Fuller requested discussion of a temporary stop sign at Main and Wall Streets. According to Fuller, it would lessen congestion from vehicles coming from the parking ramp, and it would alleviate pedestrian safety issues. A temporary sign could be installed on a trial basis. Klamm moved, Silvernail seconded, to install a temporary sign for the rest of the summer, until the Safety Committee feels it can be removed. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase
Silvernail moved, Klamm seconded, to increase the wage of trolley driver Robert Hegr from $9.00 to $10.00 per hour after completion of three years of service, effective July 7, 1009. Roll Call: Aye-All. Motion carried

LEGAL BUSINESS

Agreement – Cetec Engineering
Silvernail moved, Schroeder seconded, to give permission for the Mayor to sign agreement with Cetec Engineering for engineering the Lower Williams Street repair. Roll Call: Aye-All. Motion carried.

Resolution 2009-15
Silvernail moved, Schroeder seconded, to approve Resolution 2009-15 To Enter into Joint Powers Agreement with the State of South Dakota, Dept. of Corrections for Firewise Work. Roll Call: Aye-All. Motion carried.

RESOLUTION NO. 2009-15
RESOLUTION
TO ENTER INTO JOINT POWERS AGREEMENT WITH THE STATE OF SOUTH DAKOTA, DEPARTMENT OF CORRECTIONS FOR FIREWISE WORK

WHEREAS, the City of Deadwood has an interest in keeping the lands within its borders as safe from forest fire as possible; and

WHEREAS, the procedure known as "firewise" is know by the City of Deadwood to be one of the most effective methods to prevent and control forest fires; and

WHEREAS, the City of Deadwood does not have the capability to perform such work, but the State of South Dakota, Department of Corrections, does perform such firewise work; now therefore,

BE IT RESOLVED by the City of Deadwood that the City hereby declares it is necessary, prudent and in the best interest of the citizens of the City of Deadwood to enter into a Joint Powers Agreement with the State of South Dakota for the purpose of "firewising" needed forest land within the city limits of Deadwood, South Dakota; and

BE IT FURTHER RESOLVED that the Joint Powers Agreement of June, 2009, is hereby ratified and in full force and effect.

Dated this 6th day of July, 2009.

CITY OF DEADWOOD

_____
Francis Toscana, Mayor

ATTEST:

_____
Mary Jo Nelson
City Finance Officer

Contract – RHS Inc.
Schroeder moved, Silvernail seconded, to give permission for the Mayor to sign contract with RHS Inc. to stripe crosswalks on the brick streets. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Appointment - Library Board
Silvernail moved, Schroeder seconded, to follow the recommendation of the Library Board to appoint Kathy Eide to fill the seat vacated by Mike Runge. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, July 6, 2009

ADJOURNMENT/EXECUTIVE SESSION

Silvernail moved, Klamm seconded, to adjourn the regular session at 5:25 p.m. and convene into Executive Session for Union Negotiations, with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, July 13, 2009.

ATTEST:

Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD SEAL SOUTH DAKOTA

DATE: 7-13-09

BY: Francis A. Toscana

Francis A. Toscana, Mayor

For any public notice that is published one time:

Published once at the total approximate cost of _____.