REGULAR MEETING, January 28, 2008

The Regular Session of the Deadwood City Commission convened on January 28, 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 Nyla Griffith, Mike Klamm, Georgeann Silvernail and Mark Speirs. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Griffith moved, Klamm seconded, to approve the minutes of January 22, 2008. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Speirs seconded, to approve the January 28, 2008 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS EQUIPMENT	MAINTENANCE CONTRACT	380.70
ABC	2 BINDERS	21.00
ADAMS MUSEUM	ALLOCATED BUDGET	6,823.88
BEST WESTERN RAMKOTA INN	FIRE INSTRUCTOR CONF. PIERRE	462.00
BLACK HILLS POWER & LIGHT	ELECTRICITY-PUBLIC BUILDINGS	12,207.71
BLACK HILLS PURE, INC.	2 FIVE GALLON WATER	10.50
BLACK HILLS SPECIAL SERV	TROLLEY CLEANING	987.00
BUTLER	CUTTING EDGE-END EDGE-BOLT-NUT	1,290.87
CLEARWATER CONSULTING	INSTALLATION OF CAMERAS	1,710.07
COLORADO PRESERVATION INC	MEMBERSHIP DUES	60.00
CULLIGAN	BOTTLED WATER/RC	25.00
DEADWOOD CHAMBER	JANUARY 2008 BILL LIST	3,950.00
DRAGOO CABINETS	GLASS DISPLAY CASE	1,322.94
ELAN FINANCIAL SERVICES	TOURISM REGISTRATION	965.22
ESRI	ARC GIS HARDWARE KEY ASSEMBLY	2,047.51
FARMER BROTHERS CO	COFFEE/PARKS-WATER-STREETS	134.08
FORGEY CONSTRUCTION LLC	SELBIE STREET RETAINING WALL	72,652.12
FOX, TERESA	NEWSPAPER INDEXING - JAN. 1898	1,500.00
GALL'S INC.	CLOTHING ALLOWANCE	16.44
HEIMAN FIRE EQUIPMENT	LONG CUFF,SM,LRG,XLRG,2XLRG	658.35
HEWLETT-PACKARD COMPANY	NEW SERVER	7,552.00
INLAND TRUCK PARTS	THREAD/ROD-U-BOLT WASHERS-LEGS	110.48
INTERNATIONAL RADIANT INC	TITANIUM TUBES-CLAMPS/HEATER	1,374.00
JACOBS PRECISION WELDING	FLAT BAR-56" OF 1045	48.02
JOAN RASMUSSON	2007 DELL RAPIDS GRANT -FINAL	25,000.00
JULIN, SUZANNE	ORAL HISTORIES PROJECT	4,400.00
KEN HAWKI	FIRE INSTRUCTOR CONF. PIERRE	315.00
LAWSON PRODUCTS, INC.	25 PR OF FASTENERS	132.55
LIFE FITNESS	CABLE-PULLEY	80.43
MATHISON COMPANY	DOCUMENT SCANNING	6,020.92
MORRIS TOWING	MORRIS TOWING	125.00
NAPC	MEMBERSHIP DUES	130.00
PRAIRIE WAVE	MONTHLY CHARGES	927.24
RCS CONSTRUCTION	MCG HILL WATERLINE#2-2007	30,978.30
SERVALL	LINEN GR,BLK MATS,TOWELS,BAG	47.23
SOUTH DAKOTA PUBLIC HEALTH	COLIFORM TESTING	24.00
SUPER 8 MOTEL	MOTEL ROOM/JR-SDWWA CONF.	56.00
TIM CONRAD ELECTRIC	FIX STREET LIGHTS/FOREST AVE	183.68
TSP THREE, INC.	DAYS OF 76 GRANDSTANDS	9,270.34
US POST OFFICE	POSTAGE FOR UTILITY BILLING	167.02
WELLMARK BLUE CROSS	DEPARTMENT INSURANCE PREMIUMS	34,915.56
WESTERN COMMUNICATIONS	SHOP RADIO PROGRAMMING	100.00
WILLIAM GLOVER	FIRE INSTRUCTOR CONF. PIERRE	78.00
	TOTAL	**$229,961.16**

ITEMS FROM CITIZENS ON AGENDA

Years of Service Awards

Mayor Toscana presented Years of Service Awards to the following employees for their years of service to the City of Deadwood: Recipients are as follows: 5-Year Awards, Deanna Berglund, and Julie Evenson: 10-Year Awards, Bob Nelson, Jr., and Mary Jo Nelson. Mayor Toscana thanked the employees for their years of service and dedication to the City of Deadwood.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing – Mardi Gras/Mickelson Trail Marathon

Sarah Anderson, Event Coordinator for the Deadwood Chamber presented an overview of the Chamber's street closure and open container request for the Mardi Gras celebration. Anderson added that the Chamber hired additional security personnel for the event. No one spoke in opposition to the request, Silvernail moved, Griffith seconded, to approve the following street closures: Main Street closure from Lower Main Parking Lot to Masonic Temple for the Mardi Gras Parade on February 1 & 2, 2008, 6:00 p.m. to 8:00 p.m. Silvernail moved, Speirs seconded, to approve the relaxation of the open container ordinance as follows: February 1 & 2, 2008, from 5:00 p.m. to 10:00 p.m.

Silvernail moved, Speirs seconded, to allow the use of the Sherman Street Parking Lot on June 8, 2008 to be used as a finish line for the Deadwood Mickelson Trail Marathon. Roll Call: Aye - All. Motion carried.

Bid Opening
Kevin Kuchenbecker opened and read the only bid received for the compactor storage at the Homestake Adams Research Center, to be paid from bonded funds. Haldeman-Homme, Inc., $143,875.25, plus $3,150.00 for delivery. Kevin Kuchenbecker recommended accepting the bid from Haldeman-Homme, Inc. of Sioux Falls. Silvernail moved, Speirs seconded, to accept the bid of $143,875.25 plus delivery costs from Haldeman-Homme, Inc. for the compactor storage system. Roll Call: Aye - All. Motion carried.

FINANCE/HISTORIC PRESERVATION

Payment Request
Toscana moved, Silvernail seconded, to allow the Finance Office to pay the 2008 allocation to Teen Court in the amount of $8,500 ($4,500 from Commission professional services and $4,000 from the Police professional services), a budgeted item. Roll Call: Aye - All. Motion carried.

Payment Request
Toscana moved, Silvernail seconded, to allow the Finance Office to pay the 2008 allocation to Neighborhood Housing Services Campaign for Neighborhoods for $4,000 to be paid from the Bed and Booze fund, a budgeted item. Roll Call: Aye - All. Motion carried.

Property Tax Abatement
Silvernail moved, Speirs seconded, to allow the Mayor to sign the property tax abatement for David Swaney of 37 Lee Street: Parcel # 30025-08200-250-10 for owner occupied status. Roll Call: Aye - All. Motion carried.

Contract - Deadwood Granite & Marble Works
Silvernail moved, Speirs seconded, to allow the Mayor to sign a contract between the City of Deadwood and Deadwood Granite and Marble Works for the storage of the Dan Harnett stone (from the Mt. Moriah Cemetery) for up to six months, or until detailed preservation work can be completed. Roll Call: Aye - All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request
Speirs moved, Silvernail seconded, to approve the purchase of 27 tons of salt and 120 tons of fines at a cost of $3,219, to be paid from the Street Department budget. Roll Call: Aye-All. Motion carried.

2007 Annual Water Report
Commissioner Speirs informed the Commission that Bob Nelson Jr., a Water Department employee has completed the Annual Water Report for the City of Deadwood. Speirs stated that the City purchased nearly 141,000,000 gallons of water and sold nearly 128,000,000 gallons leaving the City with 13,236,875 gallons unaccountable or 9.4% of the total purchased. Speirs stated the reduction in water loss went from 11% in 2006 to 9.4% in 2007. According to Nelson's report, in comparing 2006 versus 2007 this is an improvement by 1.6%. Speirs reiterated the fact that the Water Department does not take into account street cleaning, sewer maintenance, or fire fighting into these calculations so it is difficult to put a "real" value on the lost water. In addition to the report, the Water Department made a much-needed improvement to the McGovern Hill water supply line. Jim Raysor explained this pipeline was very old and needed to be replaced. Raysor said that with these upgrades the pressure station for the downtown district has drastically improved the fire protection flows for this area. Toscana commended Bob Nelson Jr. and the Water Department for all their efforts to improve the City's water system as well as maintaining the system.

Change Order - McGovern Hill Watermain Project
Jim Raysor informed the Commission of the change order to adjust the quantities for the McGovern Hill Watermain project submitted by R.C.S. Construction, Inc. The original contact price was $114,481.30 plus Alternate #1 - $5,383.53, if needed. The actual contract price due to

the change order is a decrease of $7,740.58. Speirs moved, Griffith seconded, to approve the decrease of $7,740.58 for said change order. Roll Call: Aye – All. Motion carried.

Travel Request
Speirs moved, Silvernail seconded, to allow Jim Raysor to attend the South Dakota Water and Wastewater Association 2008 Annual Water Seminar on February 6 & 7 in Sioux Falls at a cost not to exceed $300, plus the use of a City vehicle. Roll Call: Aye – All. Motion carried.

POLICE/FIRE

Donation - Community Christmas Event
Klamm moved, Speirs seconded, to accept a donation to the Deadwood Police Department in the amount of $250.00 from the Community Christmas Celebration event. Roll Call: Aye – All. Motion carried.

Payment Request
Klamm moved, Griffith seconded, to approve the payment of $1,800 to State Radio Communications for six months of teletype service for 2008, a budgeted item. Roll Call: Aye – All. Motion carried.

LEGAL BUSINESS

Ordinance #1098 – Second Reading (Continued 1-14-2008)
City Attorney Jason Campbell explained that the seconded reading on Ordinance #1098 Amending Chapter 10.12-Stopping, Standing, and Parking was to change times that delivery vehicles can be on Main Street and amend times for the three (3) franchise tour buses. Campbell said the second reading was continued due to Mayor Toscana requesting that the Parking and Transportation committee contact the vendors and tour bus operators to inform them of these proposed time and dates changes and allow them an opportunity to address their concerns. Chief Fuller said he received a letter from the Deadwood Chamber addressing concerns made by vendors with the proposed changes. Chief Fuller and Bob Nelson, Sr. met with George Milos, Deadwood Chamber Director, to discuss and reach a compromise for everyone involved. Fuller said a compromise was reached and the suggested amendments to Ordinance #1098 are as follows: The delivery time for the section of Main Street from Deadwood Street to Lee Street would be from 4:00 a.m. to 10:00 a.m. during the time period of Memorial Day to Labor Day. Milos said he visited with vendors regarding the new proposed time change for the one block section of Main Street and they are in favor of this proposed change. Steve Willis a representative of Reinhart Food Service spoke in favor of the proposed change. Chief Fuller informed the Commission that he contacted the franchise bus tours and received their input as well. Fuller said Alkali Ike was agreeable to the proposed time of 9:00 a.m.; Boot Hill would prefer 8:30 a.m. and Original Deadwood would prefer 8:00 a.m. Griffith said in order to compromise between the three (3) bus tours; she suggested 8:30 a.m. versus the proposed time of 9:00 a.m. Griffith moved, Speirs seconded, to continue the second reading of Ordinance #1098 to allow the City Attorney to amend said ordinance with the revisions suggested. Roll Call: Aye - All. Motion carried.

Resolution 2008-04
Silvernail moved, Speirs seconded, to approve Resolution 2008-04 Designating Special Events Recognized by the City of Deadwood for 2008. Roll Call: Aye - All. Motion carried.

RESOLUTION NO. 2008-04
A RESOLUTION DESIGNATING SPECIAL EVENTS RECOGNIZED BY THE CITY OF DEADWOOD FOR PURPOSES OF ORDINANCE 2007-1082

BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective months of occurrence, are hereby recognized for the year 2008 as "special or civic event[s]" for purposes of Ordinance 2007-1082:

Special or Civic Event:	Date(s) of Event:
1. Mardi Gras	Jan. 31, Feb 1 & 2
2. St. Patrick's Day	March 16 & 17
3. Mickelson Trail Marathon	June 8
4. Wild Bill Hickok Days	June 13 - 15
5. Days of '76	July 22 - 27
6. Sturgis Bike Rally	August 2 - 10
7. Ft. Pierre to Deadwood Trail	August 15 & 16

8. Kool Deadwood Nites	August 21 - 24
9. Deadwood Jam	September 12 & 13
10. Oktoberfest	October 2 & 3
11. Deadweird	October 25
12. New Year's Eve	December 31

Dated this 28th day of January, 2008.

CITY OF DEADWOOD
/s/ Francis A. Toscana, Mayor

ATTEST:
/s/ Mary Jo Nelson, Finance Officer

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Resolution 2008-05

Silvernail moved, Speirs seconded, to approve Resolution-2008-05 Changing Certain Addresses to Correct Numbering and Extend Length of Seventy-Six Drive in the City of Deadwood. Roll Call: Aye - All. Motion carried.

RESOLUTION 2008-05
RESOLUTION TO CHANGE CERTAIN ADDRESSES TO CORRECT NUMBERING AND TO EXTEND LENGTH OF "SEVENTY-SIX DRIVE" IN THE CITY OF DEADWOOD

WHEREAS, the Deadwood City Commission is charged with protecting the health and safety of the citizens of the City of Deadwood, including all property situated therein; and

WHEREAS, the Deadwood City Commission has consulted with local GIS officials and emergency management officials concerning the threat posed by incorrect or non-existent addresses on various structures within the City of Deadwood; and

WHEREAS, the threat of having an incorrect or non-existent address in the City of Deadwood is such, so as to pose a significant danger to the health and safety of the citizens of the City of Deadwood, including property situated therein; and

WHEREAS, the Deadwood City Commission has deemed it necessary to change incorrect addresses and to extend a City street to be able to give addresses to currently unaddressed structures to eliminate the threat posed to the citizens and property of the City of Deadwood by incorrect or nonexistent addresses, now, therefore,

BE IT RESOLVED, that the Deadwood City Commission does hereby enact this resolution, effective immediately, and change or add the addresses as listed in the attached Exhibit "A," incorporated herein by this reference, in order to protect the public health and safety; and

IT IS FURTHER RESOLVED, that the current "Seventy-six Drive" be extended as depicted by the hatched line in the attached Exhibit "B," incorporated herein by this reference; and

IT IS FURTHER RESOLVED, that the owners of all such properties listed in Exhibit "A" shall be notified immediately so that proper post office and emergency management authorities may be subsequently notified

Date: January 28, 2008

City of Deadwood
/s/ Francis A. Toscana, Mayor

ATTEST:
/s/ Mary Jo Nelson, Finance Officer

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ADJOURNMENT

Silvernail moved, Speirs seconded, to adjourn the regular meeting at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, February 4, 2008.

ATTEST:
Lorda Morrison for Mary Jo Nelson
Mary Jo Nelson, Finance Officer

DATE: 2-4-08
BY: Francis A. Toscana
Francis A. Toscana, Mayor