

REGULAR/EXECUTIVE MEETING, July 21, 2008

The Regular Session of the Deadwood City Commission convened on July 21, 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, Joe Peterson, Lenny Schroeder, and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Schroeder moved, Peterson seconded, to approve the minutes of July 14, 2008. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the July 21, 2008 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	COPIES-MAINT./SHOP COPIER	23.90
ABC	RECEIPT BOOK	29.25
ALLEN, KEN	BRUSH PANTS AND SHIRT	270.75
ALLTEL	POLICE BAG PHONES	130.34
BLACK HILLS PIONEER	COMMUNITY AD/REC CENTER	275.00
BLACK HILLS PURE, INC.	1 HOT & COLD COOLER RENTAL	38.25
BLACK HILLS SPECIAL SERV	TROLLEY CLEANING	1,365.00
BLACK HILLS WEEKLY GROUP	1ST RUN NICKEL SLOT BIDS	571.39
BUTLER MACHINERY COMPANY	BRAKE KIT	38.97
CHRIS SUPPLY	AUDIO FEMALE CONN.-PHONE COND.	14.38
CLEARWATER CONSULTING	OUTDOOR CAMERA, SOFTWARE, HRD DR	2,230.00
COMMERCIAL LIGHTING CO	25 LONG LIFE LIGHT BULBS/PB	397.66
CULLIGAN	BOTTLED WATER/CITY SHOP	54.50
DEADWOOD ALIVE	3RD PAYMENT DEADWOOD ALIVE	22,500.00
FIRST MIDWEST BANK	AUG. COPIER PAYMENT/CITY SHOP	92.90
FORGEY CONSTRUCTION LLC	FINAL PMNT RETAINING WALL	12,000.00
GOLDEN WEST	ENGINEER LBR REG	467.00
HD SUPPLY WATERWORKS	MODERNIZATION KIT/HYDRANT	1,313.13
HYDRO FLOW PRODUCTS INC	3/4" NOZZLE INSERT	175.48
JACOBS PRECISION WELDING	20' PF 12" REBAR	71.93
KBS, INC	BLK & WHT , CLR METER	86.94
LANPHEAR, JANET	REIMBURSE 1/2 DEDUCTIBLE	750.00
LAQUA LOGICS INC	TV VARIOUS SEWER LINES IN TOWN	2,525.00
LEAD DEADWOOD MEDICAL	CLINTEST	25.00
M&M SANITATION	MONTHLY TOILET RENTAL/OAKRIDGE	307.50
MARSHALL, JESSICA LYNN	REIMB./CRAFTS FOR SUMMER CAMP	54.69
MAVERICK ENTERPRISES DBA	12 PK WATER	16.76
MONTANA DAKOTA UTILITIES	MONTANA DAKOTA UTILITIES	117.01
NELSON, ROBERT JR.	SAFETY REIMBURSEMENT/WATER	70.98
NEWMAN TRAFFIC SIGNS	NEWMAN TRAFFIC SIGNS	386.10
NORTHWEST PIPE FITTINGS	PRESSURE GUAGE	397.93
OCCUPATIONAL HEALTH	TEST	56.00
QWEST	BROADWAY RAMP PHONE	110.97
ROGERS, LAURIE	CYSTIC FIBROSIS DONATION	100.00
SD DEPARTMENT OF REVENUE	MLT BEV LICENSE TRANSFER BLOND	300.00
SERVALL	MATS, TOWELS, BAG	49.72
SPECIALTY VEHICLES	SWITCH, ENTRY DOOR GR LIGHTS	84.38
TRUGREEN CHEM-LAWN	WEED CONTROL/CHARLES ST.	1,057.00
TSP THREE, INC.	DESIGN/WALL-GRANDSTAND COLUMN	916.44
	TOTAL	\$ 49,472.25

ITEMS FROM CITIZENS ON AGENDA

Adams Museum - Serve Wine

Silvernail moved, Klamm seconded, to allow the Adams Museum to serve beer and wine at the Adams Museum for a wedding reception on August 11, 2008. Roll Call: Aye - All. Motion carried.

Raffle Request

High Plains Western Heritage Center requested permission to sell raffle tickets for a piece of carved artwork crafted by Tony Ramer on Main Street during the Kool Deadwood events and proceeds would go to the Western Heritage Center. No action taken.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Silvernail moved, Schroeder seconded, to approve the application license transfer for a Package (Off-Sale) Malt Beverage, (PB-1653) for Maverick Enterprises, LLC dba Blondie's IGA at 124 Sherman Street. Roll Call: Aye - All. Motion carried.

Public Hearing – Liquor/Malt Beverage License Transfer

Peterson moved, Silvernail seconded, to approve transfers for one (1) convention center retail (on-sale) liquor (CL-15404), one (1) retail (on-sale) wine (RW-6401), one (1) package (off-sale) liquor (PL-4522), and one (1) retail (on-off sale) malt beverage (RB-2609) license transfers from DGR Hospitality

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Corp. to Deadwood Gulch Resort, LLC, located at 304 Cliff Street, Contingent upon the Finance Office receiving the signed Affidavit of sale. Roll Call: Aye – All. Motion carried.

Public Hearing – Liquor/Malt Beverage License Transfer

Silvernail moved, Peterson seconded, to approve transfers for one (1) convention center retail (on-sale) liquor (CL-505), one (1) retail (on-sale) wine (RW-6415), one (1) package (off-sale) liquor (PL-4521), and two (2) retail (on-off sale) malt beverage (RB-2463 & RB-2831) license transfers from Four Aces Corp., to Four Aces Lodging Group, LLC, located at 531 Main Street. Roll Call: Aye – All. Motion carried.

Public Hearing-Coffee Concession/Resolution 2008-19 Intent to Lease to Private Party

Mayor Toscana announced these two items were removed from the agenda at the request of Bill Meehan.

Public Hearing - Fort Pierre Gun Auction (Continued 7/14/2008)

Mayor Toscana told the Commission that this public hearing was continued due to the request made by the Deadwood Chamber to sell malt beverage and wine during the gun auction for the Fort Pierre event on August 14-17, 2008 from 10:00 a.m. to 10:00 p.m. After speaking with the SD Department of Revenue, Special Tax Office, the State would allow this request. Silvernail moved, Peterson seconded, to approve said request. Roll Call: Aye - All. Motion carried.

FINANCE

Employee Resignation

Peterson moved, Silvernail seconded, to accept the resignation of Richard Nelin, parking ramp attendant, effective July 11, 2008. Roll Call: Aye - All. Motion carried.

Performance Bond Request-Parking Lot Repairs Bid (7/14/2008)

Peterson moved, Silvernail seconded, to approve the request made by the Finance Officer to add 1% to the bid of \$61,704.60 from Hills Materials for Parking Lot Repairs to cover the performance bond, required by State law; addition totals \$617.05, for total project cost of \$62,321.65. Roll Call: Aye - All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Waive Building Permit Request

Silvernail moved, Klamm seconded, to waive the portion of the building permit fee for the Deadwood Mountain Grand - Slime Plant Facade due to the project being paid by City dollars up to \$1.7 million, should the bid amount exceed \$1.7 million the developer is responsible for the additional amount. Roll Call: Aye - All. Motion carried.

Easement - 2 Dudley

Schroeder moved, Peterson seconded, to allow the Mayor to sign the 50-year conservation easement between the City of Deadwood and Richard G. Morgan (2 Dudley) entered under SDCL-1-19B-57 for preserving the Barn and Machine Shed at 2 Dudley Street. Roll Call: Aye - All. Motion carried.

Change Order #2 - 8 Burnham

Kevin Kuchenbecker told the Commission that Change Order #2 for 8 Burnham required American Technical Services, Inc. to inspect the soils below the bottom of the footing elevation and determined that additional excavation and 2" to 6" "sugar" rock be mechanically compacted into the soft sub grade to stabilize the soil in order to facilitate the construction of the retaining wall. Lehmen is requesting an additional 45 days to complete this project. Commission discussed the additional 45 days to complete this project and the other retaining wall projects Lehmen Construction is currently working on for property owners in Deadwood. Jim Raysor, Public Works Director, told the Commission that he is aware of the incompleteness of these projects. Raysor notified Lehmen Construction in writing to request that Mr. Lehmen contact the City with completion dates for all retaining wall projects. Silvernail moved, Klamm seconded, to approve change order #2 submitted by Lehmen Construction Company for the retaining wall project at 8 Burnham Avenue for \$2,233.80 and deny the 45 day extension for the retaining wall at 8 Burnham and request that Mr. Lehmen appear before the Commission with completion dates for said projects. Roll Call: Aye - All. Motion carried.

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STREETS/WATER

Travel Request

Schroeder moved, Silvernail seconded, to allow Keith Umenthum to attend International Code Conference in Minneapolis the week of September 14, 2008, at a cost of \$1,982, to be paid from the South Dakota Building Officials grant. Roll Call: Aye - All. Motion carried.

Training Request

Schroeder moved, Klamm seconded, to allow Keith Umenthum to attend ARC/GIS training on August 11-13, 2008 at SD School of Mines and Technology at a cost of \$450, plus use of City vehicle and lunch. Roll Call: Aye - All. Motion carried.

Travel Request

Schroeder moved, Klamm seconded, to allow Jim Raysor to attend South Dakota Municipal League Public Works Committee meeting on August 21, 2008 in Pierre, plus use of a City Vehicle. Roll Call: Aye - All. Motion carried.

POLICE/FIRE

Fire Department Roster

Klamm moved, Schroeder seconded, to add David Berosa to the Fire Department roster for workers compensation purposes, effective July 10, 2008. Roll Call: Aye - All. Motion carried.

Repair Request

Klamm moved, Schroeder seconded, to approve the request to repair the turbo in the brush truck at Integrity Ford at an approximate cost of \$2,000. Roll Call: Aye - All. Motion carried.

Payment Request

Klamm moved, Silvernail seconded, to approve the request to pay the volunteer firefighters during the Days of 76 parades, not to exceed \$1,050. Roll Call: Aye - All. Motion carried.

Resignation Request

Silvernail moved, Peterson seconded, to accept the resignations of Luke Mollman (Parks Dept) effective July 17 and Ryan Hudson (Park Dept) effective July 18, 2008. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Executive Session

Mayor Toscana requested an Executive Session following the Regular Session for contractual and union negotiations with no action to be taken.

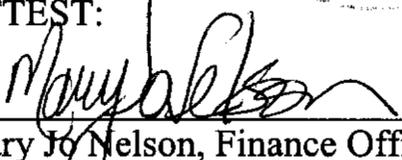
Phone Vote Results - July 22, 2008

The Finance Officer took a phone vote on July 22, 2008, to allow Deadwood Chamber of Commerce to sell beer and wine sales at event that same evening. Aye- Peterson, Silvernail, Toscana, and Peterson.

ADJOURNMENT

Peterson moved, Silvernail seconded, to adjourn the regular session at 5:25 p.m. and convene into executive session for contractual and union negotiations with no action follow meeting. The next regular meeting will be on Monday, July 28, 2008.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 7-28-08

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

