

REGULAR MEETING, February 16, 2010

The Regular Session of the Deadwood City Commission convened on February 16, 2010 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, Klamm seconded, to approve the minutes of February 8, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the February 16, 2010 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	612.28
A & B WELDING	PARTS	51.00
ABC	SUPPLIES	96.30
ADAMS MUSEUM	EDUCATION	2,599.76
AINSWORTH-BENNING	PAY APP REC	512,642.00
AMERICINN	LODGING	389.18
AUGUSTANA COLLEGE	ANNUAL CONF	1,000.00
BADGER METER	SVC AGRMNT	450.00
BH POWER	UTILITIES	55.55
BRODERSON BROS	REV LOAN	9,390.00
BUTLER	REPAIRS	111.72
CHRIS SUPPLY	PARTS	34.78
CLEARWATER SECURITY	PARTS	285.00
CULLIGAN	RENTAL	48.00
D & D ELECTRIC	UPGRADES	864.00
D'ANIELLO, SUSAN	REIMBURSE	71.50
DAKOTA GRAPHICS	SUPPLIES	161.00
DEADWOOD HOME	PAINT GRANT	97.96
EHNES, KIM D.	CLAIM-VEH	446.71
EMERGENCY SERVICES	PHONE CHGS	8.90
EMMANUEL EPISCOPAL CHURCH	09 GRANT	675.25
FASTENAL	SUPPLIES	711.48
FRAWLEY RANCHES	09 GRANT	25,000.00
GOLDEN WEST	BACKUP	861.75
IKON	SUPPLIES	323.00
INTERNATIONAL CODE	MEMBERSHIP	100.00
LYNN'S	SUPPLIES	21.63
M&M SANITATION	RENTAL	205.00
MARIAH PRESS/PRODUCTIONS	09 GRANT	275.00
NOVUS	REPAIRS	100.00
OFFICE-FIRE MARSHAL	INSPECTION	60.00
QUILL	SUPPLIES	470.10
RC JOURNAL	PUBLICATIONS	1,003.17
SD COMMISSION-GAMING	NOV PYMTS	17,693.18
SD DEPT CORRECTIONS	FIREWISE	1,118.38
SDN COMMUNICATIONS	LINE	346.80
SERVALL	SUPPLIES	91.95
SOUTH SIDE SERVICE	REPAIRS	142.15
STATE INDUSTRIAL PRODUCTS	SUPPLIES	70.04
TEEN COURT	2010 FUNDS	8,500.00
TEMPERATURE TECHNOLOGY	PARTS	422.95
MIGHTY HOPEFULS	DONATION	50.00
TRIPLE K	REPAIRS	31.95
ULTRAMAX	AMMUNITION	2,390.00
	TOTAL	\$590,079.42

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Silvernail moved, Klamm seconded, to approve the special malt beverage and wine license for the Deadwood Volunteer Fire Department Banquet to be held at the Masonic Temple on February 20, 2010 from 5:00 to 8:00 p.m. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing on March 1, 2010 at 5:07 p.m. for waiver of vending fee and special malt beverage and wine license for the Historic Preservation Symposium on May 14-16, 2010 at the Masonic Temple. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Schroeder seconded, to set a public hearing on March 1, 2010 at 5:05 p.m. for retail (on-off-sale) malt beverage license transfer for Historic Deadwood Convention Facility, LLC dba Wooden Nickel, Iron Horse Inn, and Martin Mason Hotel. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, February 16, 2010

Reject Bids

Fire Chief Trent Mohr requested that the Commission reject the fire truck bids received on January 25, 2010, as the bids did not meet bid specifications. Silvernail moved, Klamm seconded, to reject all fire truck bids received on January 25, 2010. Roll Call: Aye-All. Motion carried. Mohr requested that the Commission allow the Fire Department to re-advertise after they amended the bid specifications. According to Mohr, bid specs were too detailed for a used truck and requested permission to amend specs and rebid. Mayor Toscana said that unless the bids come in significantly lower he feels the Fire Department should not move forward with this bidding process. Currently the City has \$227,000.00 in a fire truck replacement fund. Commissioner Schroeder agreed with Toscana and said he obtained some information on 100-foot versus 70-75 foot ladder trucks. Schroeder asked why they are requesting a 100-foot ladder truck, as they are hard to maneuver and on narrower streets, it is next to impossible to navigate. According to Schroeder, the 70-75 foot trucks are more user friendly and most are capable of hauling water. He requested that the fire truck committee meet and discuss the option of a 70-75 foot ladder truck. Bill Glover, Fire Department representative, added that they would utilize the 100-foot truck for rescue purposes. Commissioner Silvernail added that we already have an older ladder truck. After discussing the various truck sizes and options, Commissioners Peterson and Silvernail said they would not support borrowing money for a fire truck. Toscana said that by 2011 the truck fund would have approximately \$350,000.00 available for the purchase of a truck. Klamm moved, to re-advertise for bids on a used fire truck and the motion dies for lack of a second. Toscana requested that the fire truck committee to go back to the drawing board and consider Commissioner Schroeder's comments on a smaller truck.

FINANCE

Payment Request

Peterson moved, Silvernail seconded, to allow the Finance Office to pay Prairie Hills Transit the 2010-budgeted allocation of \$7,000.00, to be paid from Commission Professional Service line item. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Grant Request - "Outside of Deadwood"

Kevin Kuchenbecker informed the Commission that the Historic Preservation Commission approved thirteen (13) grants for the first half of 2010. The approved grants are: Friends of Whitewood Cemetery - Headstones, \$7,500.00, Newell Museum - Electrical/Wiring, \$1,250.00, City of Lead - South Lead Cemetery, \$7,500.00, City of Fort Pierre - Cemetery Survey, \$7,500.00, LC Register of Deeds - Scanning Project, \$11,562.50, SD Heritage Fund - Photo Digitization, \$11,562.50, BH Mining Museum - Professional Archiving System, \$11,562.50, SD State Railroad Museum Ltd. - Time Line, Displays & Monitors, \$5,000.00, Buffalo Gap Community Center - Roof, \$5,000.00, Community Archive Coalition - Archival Development, \$11,562.50, Mitchell Historical Society - Windows, \$7,500.00, LC Historical Society - Fassbender Collection, \$12,500.00, Keystone Historical Society - Victorian School House, \$15,000.00. Silvernail moved, Peterson seconded, to accept the recommendations for the "Outside of Deadwood" grant allocations for a total of \$115,000.00 for the first half of 2010. Roll Call: Aye-All. Motion carried.

Contract Request

Silvernail moved, Peterson seconded, to allow the Archives Department to enter into a contract with Macrovision, LLC for digitization of 87 VHS tapes from City Archives for \$6,860.00, a budgeted item. Roll Call: Aye-All. Motion carried.

Change Order #1 - Rec Center

Public Works Director Jim Raysor explained that Change Order #1 for the Rec Center Renovation Project is \$135,777.00 of that amount \$45,777.00 would be deducted from the City's \$300,000.00 contingency fund, and the additional \$90,000.00 would be deducted from bonded funds, previously approve by Historic Preservation. Schroeder moved, Klamm seconded, to approve Change Order #1 for the Rec Center Renovation Project as requested. Roll Call: Aye-All. Motion carried.

Additional Bonded Funds Request - Rec Center

Silvernail moved, Schroeder seconded, to approve additional bonded funds of \$286,000.00 to be allocated for costs associated with existing building at Rec Center. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, February 16, 2010

Information - 111 Williams-Retaining Wall

Kevin Kuchenbecker explained that High Grade Excavation is reconsidering the previously submitted change order for 111 Williams Retaining Wall project and no additional information has been received. No action is required at this time.

STREETS/WATER/LIBRARY

Purchase Request

Jim Raysor explained that the meter, which measures the water entering the Deadwood system, needs to be replaced. The replacement cost is \$3,208.32. After discussing with the Lead-Deadwood Sanitary District, they have agreed to pay half of the total cost. Schroeder moved, Klamm seconded, to approve the expenditure to Dakota Supply Group for \$1,604.16. Roll Call: Aye-All. Motion carried.

Purchase Request

Schroeder moved, Klamm seconded, to approve the purchase of 5,500 gallons of No. 2 diesel at a cost of \$2.11 per gallon from South Side Oil. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Discussion - Snow Removal Policy

Chief Kelly Fuller requested clarification from the Commission on the City's snow removal policy. He asked what specifically constitutes a violation concerning the conditions of sidewalks in the Deadwood community. Fuller added that in previous discussions the terms were discussed for example "reasonable effort" and "attempt to remove snow" from sidewalks with a shovel width down the middle of the sidewalk. Fuller questioned if this is considered adequate snow removal. Fuller expressed his concerns that when residents shovel a shovel width this leaves remaining snow on the sidewalk, which melts during the day and freezes over night causing very icy conditions. He added the existing ordinance states that the property owner shall clear or arrange to clear the snow and ice from the sidewalk in front of their property to the width of the sidewalk within twenty-four hours after snow or ice has fallen. Mayor Toscana agreed the Police and Ordinance Officers need direction from the Commission in performing their job. Commissioner Silvernail agreed that the sidewalks must be shoveled the width of the sidewalk as the ordinance states. Jim Raysor said they shovel the same residents' sidewalks repeatedly. He added that the majority of the residents understand the importance of shoveled and well maintain sidewalks. Ordinance Officer asked the Commission for their definition of "how clean is clean" and gave an example if the residents are allowed to leave an inch or two of snow on the sidewalk and with the thawing from the day causing the sidewalk to freeze over at night causing icy conditions. After much discussion, Rische would like direction from the Commission on the definition of what "a reasonable effort", how long should the sidewalk be left with snow, and ice on it every time snows which causes a build up of ice. Commissioner Schroeder requested that this matter be continued to allow Commissioner Schroeder, Chief Fuller, Jim Raysor, and Cindy Rische to review the existing ordinance, charges, notifications, and timeframes. Rische added that contacting some of the residents that are in violation is a very difficult and can be time consuming as they do not live here full time. Chief Fuller said a great deal of time was spent working on the existing ordinance, it is to ensure the safety of the public, and we need to hold firm and enforce the existing ordinance. He does not agree with continuing this matter. Schroeder suggested seventy-two (72) hours after a snowfall. Rische said she does not agree with the seventy-two hour request this is too much time and we can receive a few snowfalls during that time causing snow and ice to build up and cause unsafe and icy conditions. Silvernail moved, Klamm seconded, to continue this matter to the February 22, 2010 meeting. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Funding Request - Rec Center

Jim Raysor informed the Commission that the Parks and Recreation Board would like to sell engraved bricks for the sidewalk entrance to the new Deadwood Recreation Center. The cost of engraved bricks is \$30.00 each and P & R Board would sell 1,000 bricks at a cost of \$45.00 per brick. The money from the sale would be used to furnish the common area, senior and teen areas of the Rec Center. Items to be purchased are card tables, coffee pots, pool tables, and air hockey.

REGULAR MEETING, February 16, 2010

ADJOURNMENT

Silvernail moved, Schroeder seconded, to adjourn the regular session at 6:10 p.m. The next regular meeting will be at 5:00 p.m. on Monday, February 22, 2010.

ATTEST:

DATE: 2/22/10



Mary Jo Nelson, Finance Officer

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 _____.

