

EXECUTIVE SESSION/REGULAR MEETING, June 14, 2010

The Regular Session of the Deadwood City Commission convened on June 14, 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

Klamm moved, Schroeder seconded, to approve the minutes of June 7, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Klamm seconded, to approve the June 14, 2010 disbursements. Roll Call: Aye-All. Motion carried.

ABC	FURNITURE	9,722.50
ADAMS MUSEUM	OPERATING EXP	39,873.80
AMANO MCGANN	REPAIRS	95.00
BH PIONEER	ADS	202.50
BH POWER	UTILITIES	30.47
BH STATE UNIVERSITY	SCHOLARSHIP	1,000.00
BLACKHILLS.COM	DOMAIN	250.00
BLUE MOUNTAIN LEATHER	RECOVER	130.00
BROWN, PETER MARK	SYMPOSIUM	500.00
CHAMBERLIN ARCHITECTS	DAYS PRJ	3,264.00
COMPANION LIFE	LIFE INS	227.70
CULLIGAN	SUPPLIES	112.00
DAKOTA GRAPHICS	BROCHURES	3,544.25
DALSTROM, HARL A.	SYMPOSIUM	500.00
DWD CHAMBER	BILL LIST	30,000.00
DWD HOME	PAINT	214.18
DOI/BLM	GUIDES	37.16
FASTENAL	BATTERIES	172.98
GAYLORD BROS.	SUPPLIES	471.54
GOLDEN WEST	SERVICE	556.50
HALDEMAN HOMME	BASEMENT PRJ	43,076.38
HIGBEE, PAUL S.	SYMPOSIUM	500.00
HILLS MATERIALS	CITY HALL PRJ	96.69
INTERSTATE BATTERY	BATTERIES	351.90
JARDEE, NITA	REIMBURSE	93.07
JULIN, SUZANNE	HISTORY PRJ	2,300.00
KNOLOGY	SERVICE	439.52
LC REG OF DEEDS	FEE	88.00
LYNN'S	SUPPLIES	97.96
MACROVISION	ARCHIVES	832.50
NAPA	BULBS	30.74
NEVE'S	UNIFORMS	372.72
NEWELL MUSEUM	GRANT	1,250.00
NORTHWEST PIPE	HOSE	130.72
OCCUPATIONAL HEALTH	TESTING	1,232.90
ONE CALL SYSTEMS	TICKETS	15.82
ORIENTAL TRADING	SUPPLIES-REC	75.42
PONTIUS, JERRY	REIMBURSE	85.39
RAHN, PERRY H.	SYMPOSIUM	500.00
RC JOURNAL	PUBLICATIONS	1,149.21
SD STATE TREASURER	SALES TAX	2,906.84
SUMMIT SIGNS	SIGNS	102.00
TOMS, DON	LC LEDGERS	630.00
TRIDLE, JOHN	REIMBURSE	201.50
TRIPLE K	REPAIRS	34.45
WOLFF, DAVID	SYMPOSIUM	500.00
	TOTAL	\$ 147,998.31

ITEMS FROM CITIZENS ON AGENDA

Mike Klamm - Sidewalk Inspection

Mayor Toscana requested this item be continued due to the absence of the Public Works Director. Klamm moved, Schroeder seconded, to continue the sidewalk inspection item to the June 21, 2010 meeting.

PUBLIC HEARINGS/BID OPENINGS

Days of 76 Museum - Bid Results

Historic Preservation Officer Kevin Kuchenbecker informed the Commission of the bid opening that was held on June 14 at 2:00 p.m. for the Days of 76 Museum. Kuchenbecker provided the Commission with the bid tabulation from eight respective bidders. He added the low bidder was J. Scull Construction with a base bid of \$3,344,000.00. Kuchenbecker said the engineer's estimate was between \$2.9 and \$3.1 million for this project. Days of 76 committee will be reviewing the bids. The results are as follows:

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BIDDERS	Ainsworth Benning	R.C.S. Construction	Seco Construction	Dean Kurtz Construction	J. Scull Construction	Gustafson Builders	Sampson Construction Co.	MBA Construction
Bid Security	x	x	x	x	x	x	x	x
Addendums Received	1, 2, 3, 4, 5	1, 2, 3, 4, 5	1, 2, 3, 4, 5	1, 2, 3, 4, 5	1, 2, 3, 4, 5	1, 2, 3, 4, 5	1, 2, 3, 4, 5	1, 2, 3, 4, 5
SD DOT Disadvantaged Business Enterprise (DBE) Assurance and Intended DBE Participation Form	x	x	x	x	x	x	x	x
SD DOT Contractor's Affidavit/Declaration	x	x	x	x	x	x	x	x
SD DOT Certificate Regarding Lobbying (no signature line, but needs to be signed per addendum #5)	x	x	x	x	x	x	x	x
Base Bid	\$3,737,600.00	\$3,430,000.00	\$3,876,000.00	\$3,645,000.00	\$3,344,000.00	\$3,689,500.00	\$4,174,000.00	\$3,459,000.00
Alternate No: 1	(\$130,040.00)	(\$48,000.00)	(\$47,600.00)	(\$35,000.00)	(\$91,500.00)	(\$57,000.00)	(\$57,000.00)	(\$65,000.00)
Alternate No: 2	(\$39,500.00)	(\$39,500.00)	(\$29,500.00)	(\$31,000.00)	(\$31,200.00)	(\$32,000.00)	(\$30,000.00)	(\$39,500.00)
Alternate No: 3	\$18,310.00	\$11,800.00	\$14,300.00	\$12,000.00	(\$77,500.00)	(\$4,800.00)	\$0.00	\$11,000.00
Alternate No: 4	\$55,600.00	\$10,600.00	\$31,000.00	\$18,000.00	\$13,200.00	\$7,500.00	\$65,000.00	\$22,500.00
TOTALS:	\$3,641,970.00	\$3,364,900.00	\$3,844,200.00	\$3,609,000.00	\$3,157,000.00	\$3,603,200.00	\$4,152,000.00	\$3,388,000.00

Public Hearing

Silvernail moved, Schroeder seconded, to approve the street closure on Main Street from the Four Aces to the Masonic Temple on July 4th for parade from 2:00 p.m. until the parade ends. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Klamm seconded, to approve the request for a retail (on-off sale) wine license for Schade Vineyard Inc. dba Schade Winery at 250 E. Hwy 14A, contingent upon property taxes being paid. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Schroeder seconded, to set a public hearing at 5:07 p.m. on June 21, 2010 for the Northern Hills Community Band Performance for the Days of 76 Concert on Thursday, July 29, 2010 from 6:15 to 7:45 p.m. Roll Call: Aye-All. Motion carried.

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FINANCE

Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$3,500 to the Northern Hills Shrine Circus from the Bed and Booze Fund, a budgeted item. Roll Call: Aye-All. Motion carried.

Dakotacare Renewal

Peterson moved, Silvernail seconded, to allow the Finance Officer to renew health care coverage with Dakotacare at an increase of 6.9%. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING ZONING/PUBLIC BUILDINGS/SAFETY

Accept Donation

Klamm moved, Silvernail seconded, to accept the donation of a SC600 graphic tech scanner and Cannon W8400 printer from the Lawrence County Register of Deeds office for the Archive Department, donated value of \$17,397 after depreciation. Roll Call: Aye-All. Motion carried.

Change Order #7 - Deadwood Mountain Grand

Silvernail moved, Peterson seconded, to approve change order #7 for the Deadwood Mountain Grand (Slime Plant) project for \$4,777.00 for the installation of an exterior deck and stairs (above old Assay office) with wood to be fire treated cedar. Roll Call: Aye-All. Motion carried.

Authority and Purchase Request

Peterson moved, Schroeder seconded, to allow the Historic Preservation Officer or designee to participate in the Wild Bill Days Auction and to purchase certain artifacts, not to exceed \$10,000.00. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Purchase/Repair Request

Schroeder moved, Klamm seconded, to allow the Street department to purchase from JD Precast a drop inlet box, grate, and precast box to correct Cemetery Street drainage issues, not to exceed \$1,450.00, to be paid from Street Department budget. Roll Call: Aye-All. Motion carried.

Purchase Request

Schroeder moved, Klamm seconded, to approve the payment of \$3,134.95 to Sacrison Asphalt for hot mix to make street repairs at various locations in the City of Deadwood. Roll Call: Aye-All. Motion carried.

Land Parcel - Homestake/Barrick

Schroeder moved, Silvernail seconded, to allow the Mayor to sign an agreement and accept a parcel of land located at the Rubble Site from Homestake/Barrick at no cost to the City of Deadwood. Legal Description: Government Lot 3 and Government Lot 13, located in the NW 1/4 Section 14, T4N, R3E, BHM, Lawrence County, South Dakota, and aggregating 2.10 acres, more or less ("Property"). Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Donation - Lawrence County

Klamm moved, Silvernail seconded, to allow the Police Department to donate the Police Chief's office furniture to the Lawrence County States Attorney's office. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Hire Request

Silvernail moved, Peterson seconded, to approve the hiring of the following lifeguards effective June 15, 2010: Elijah Kruse, Kayla Rommen, Taylor Hickson, Clay Bedford, Greg Stagner, and Ellise Nichols at \$7.50 per hour, and Chance Burleson at \$10.75 per hour. Pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

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Rec Center - Transfer Position

Silvernail moved, Peterson seconded, to approve the transfer for Monica Job from lifeguard position to the Assistant Manager position, effective July 1, 2010 at \$9.00 per hour. Roll Call: Aye-All. Motion carried.

Use of Trolley

Silvernail moved, Peterson seconded, to allow the trolley to transport the Preschool Headstart children on August 16 (approximately 30-minute trip) at no cost. Roll Call: Aye-All. Motion carried.

Trolley Grant Update

Bob Nelson Trolley Manager informed the Commission he has received notification from the State of South Dakota that the Trolley Department has been awarded the bid on a new trolley and the preliminary cost is \$160,250.00. City's cost share is 20% and the trolley is scheduled to arrive in December.

Payment Request - Lead-Deadwood Regional

Silvernail moved, Peterson seconded, to approve the recommendations made by the Safety Committee to pay Lead-Deadwood Regional Hospital \$900 for additional ambulance and paramedic service coverage during the Wild Bill Days events, to be paid from Bed and Booze Fund. Roll Call: Aye-All. Motion carried. Safety Director Bob Nelson Sr. added that for future special events these additional costs would be split between the City and Deadwood Chamber. Commissioner Schroeder added he would like to see more detail on additional charges. Toscana said he would request more detail for future bills.

LEGAL BUSINESS

Ordinance #1130 - Second Reading

City Attorney requested seconded reading for Ordinance #1130 to amend Chapter 5.04 Alcohol Beverages for the Temporary Full Liquor License and Fees. Toscana added that the Commission agreed to amend the fees to \$50.00 for the first day and \$20.00 for each additional day. Silvernail moved, Peterson seconded, to approve second reading for Ordinance #1130 to approve the amendments to Chapter 5.04 Alcohol Beverages for Full Temporary License and the increased fee amounts. Roll Call: Aye-All. Motion carried.

Contract - NJS Engineering

Klamm moved, Silvernail seconded, to allow the Mayor to sign an agreement between the City of Deadwood and NJS Engineering to prepare the plans and specs for the repairs for a retaining wall at 422 Williams Street for \$2,300.00. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Public Hearing - SD Department of Transportation

Mayor Toscana informed the Commission of the notice received from the South Dakota Department of Transportation that a public hearing is scheduled on June 24, 2010 at 9:05 a.m., in the Commission Room, Becker Hansen Building, 700 East Broadway in Pierre. They will be meeting to consider the City's request to reduce the speed limit on Highway 14A to 45 miles per hour (section located on Deadwood Hill - The Lodge at Deadwood.)

Engine House Auction - Parking Spaces Clarification

City Attorney Jason Campbell provided the Commission with a revised warranty deed. Mayor Toscana said that the Commission needs to make a decision as to the location and number of parking spaces as part of the surplus auction for the Engine House property. Commission discussed the option of placing a minimum bid amount on the property. Finance Officer Mary Jo Nelson added that the bid notice has already published once without a minimum bid amount. Toscana reiterated the fact that the City has the right to reject any and all bids. Schroeder asked if there is a current plat on this property and added that the large double doors need to be addressed prior to sale. Bob Nelson Jr. Zoning Administrator said that Arleth would do a preliminary plat on the property and the five additional parking spaces immediately adjacent on the southeast side of the building at no cost to the City. Nelson added that the successful buyer would be responsible for the final plat at their expense. Silvernail moved, Peterson seconded, to approve and allow a preliminary plat be completed by Arleth at no cost to the City on the Engine House property prior to the surplus auction. Roll Call: Aye-All. Motion carried.

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Executive Session

Mayor Toscana requested an Executive Session following Regular Session for personnel matters with no action and legal matters with possible action to be taken.

ITEMS FROM CITIZENS NOT ON AGENDA

Main Street - AG Trucano/Bus Tours

Mike Trucano expressed concerns with the unloading of chartered buses and tour bus parking on Main Street and added that his employees do not have sufficient room to park in front of Bourbon Street. After discussing the issue, Chief Fuller said the unloading zone for chartered buses would be moved down Main Street closer to the crosswalk on Lee Street to help remedy this issue.

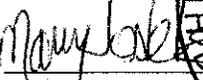
ADJOURNMENT

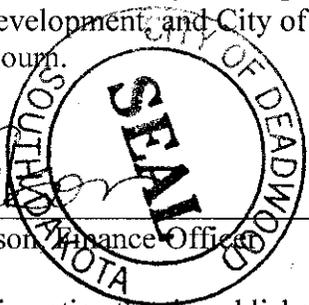
Klamm moved, Schroeder seconded, to adjourn the regular session at 5:40 p.m. and convene into executive session for personnel and legal matters with action to be taken on legal matters. The next regular meeting will be at 5:00 p.m. on Monday, June 21, 2010.

EXECUTIVE SESSION

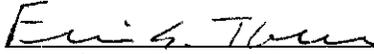
Silvernail moved, Schroeder seconded, to come out of executive session. Schroeder moved, Silvernail seconded, to allow the Mayor to sign Settlement Statement between Larry's IGA, Lead Deadwood Economic Development, and City of Deadwood, terms of which are confidential. Aye-All. Silvernail moved to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 6/21/10

BY: 
Francis A. Toscana, Mayor

For any public notice that is published one time:
Published once at the total approximate cost of _____.