

## REGULAR MEETING, November 19, 2007

The Regular Session of the Deadwood City Commission convened on November 19, 2007, 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, Mark Speirs and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Silvernail moved, Speirs seconded, to approve the minutes of November 12, 2007 as presented.

Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Silvernail moved, Speirs seconded, to approve the November 19, 2007 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	CYLINDER AGREEMENT/CO2	20.00
ABC	OFFICE SUPPLIES	589.02
ADAMS MUSEUM DBA ADAMS HOUSE	PUBLIC EDUCATION	3,015.24
ADT SECURITY SERVICES	ADT SECURITY SERVICES	501.87
AMERICAN LIBRARY ASSOCIATION	AMERICAN LIBRARAY ASSOCIATION	220.00
ALCO STORES, INC.	LUNCH BGS,CRKERS,CHEESE, MISC	41.17
BADGER METER, INC.	RENEWAL/BADGER METER SER. AG.	920.00
BAMMER, DENNIS	BAMMER - 10 DENVER	7,044.64
BLACK HILLS ELEVATOR, LLP	BLACK HILLS ELEVATOR, LLP	91.84
BLACK HILLS NAILWORKS LLP	STORAGE OF SODA FOUNTAIN	500.00
BLACK HILLS PIONEER	BLACK HILLS PIONEER	15.00
BLACK HILLS POWER & LIGHT CO.	BLACK HILLS POWER & LIGHT CO.	10.00
BLACK HILLS PURE, INC.	HOT & COOLER RENTAL	29.50
BOB'S AUTO BODY	REPAIRS ON PARKS DODGE PICKUP	1,827.65
BONITA CALLSSTROM	REIMBURSE FOR PARKING TICKET	10.00
CAMPBELL SUPPLY	RATCHET TIE DOWN	15.99
CATERPILLAR FINANCIAL SERVICES CORP	938GII PAYMENT-1323-1324	39,498.70
CLEARWATER CONSULTING	CLEARWATER CONSULTING	145.00
CULLIGAN OF THE NORTHERN HILLS	5 GAL WATER BOTTLE	46.00
CUSTOM DECOR MASONRY	HAVERBERG- 44-48 SHERMAN	4,748.00
DAKOTA SUPPLY GROUP	LAMP	146.25
DAYS OF '76, INC.	INSURANCE FOR CARRIAGES	4,772.00
DEADWOOD GRANITE & MARBLE WORKS	CEMETERY HEADSTONE GRANT	1,800.00
DEADWOOD HOME CENTER	ARCHIVE SUPPLIES	79.77
DEADWOOD LEAD ARTS COUNCIL	THIRD QUARTER INSTALLMENT	2,000.00
DEADWOOD SOCIAL CLUB	DEADWOOD SOCIAL CLUB CATER	75.00
DMI	(3) TIPS/ R PACKER-CUP/DOZER	487.15
ELAN FINANCIAL SERVICES	BOOK	597.85
EMERY-PRATT COMPANY	BOOK	384.25
FAMILY FUN	FAMILY FUN MAGAZINE	24.95
FARMER BROTHERS CO	BREAKROOM - COFFEE	35.95
FIRST MIDWEST BANK	MAINTENANCE AGREEMENT/COPIER	92.90
FIRST WESTERN BANK	TIF PAYMENT	9,042.33
GAYLORD BROS.	ARCHIVE SUPPLIES	300.00
HAWKINS CHEMICAL INC.	CHEMICALS/REC CENTER	273.18
HCW, INC.	CONRAD-52 LINCOLN	9,684.77
THE JOURNAL OF LIGHT CONSTRUCTION	YEARLY SUBSCRIPTION	34.95
LAWSON PRODUCTS, INC.	NYLON CABLE TIES-KNIFE	260.72
LEAD-DEADWOOD SCHOOL DISTRICT	2007 OUTSIDE OF DW GRANT	30,000.00
LYNN'S DAKOTA MART	CENTURY AWARDS RECEPTION	48.70
M&M SANITATION	(2) TOILET RENTALS/BALL FIELDS	459.50
MIDWEST TAPE	DVD'S	375.83
MITCHELL CULVERTS	MITCHELL CULVERTS	450.93
MONTANA DAKOTA UTILITIES	MONTANA DAKOTA UTILITIES	122.32
NAPA AUTO PARTS	WIPE BLADE	10.50
NEW LIFE CARPET & FURNITURE CLEANING	OFFICE CLEANING	311.40
NICKELODEON MAGAZINE	NICKELODEON MAGAZINE	29.97
OFFICE DEPOT	ENVELOPES,DESK PAD	58.69
ONE CALL SYSTEMS, INC.	LOCATE REQUEST TICKETS	17.00
OYP GROUP	DIRECTORY LISTING/REC CENTER	399.95
PETERSON CONSTRUCTION	HAVERBERG 44-48 SHERMAN	27,366.83
PITNEY BOWES INC	RESERVE ACCOUNT	500.00
QWEST	QWEST	110.77
RAPID CITY JOURNAL	LEGALS	2,567.20
RAPID DELIVERY	DELIVERY TO ROBERT SHARP	9.60
DONOVAN RENNER	SAFETY REIMBURSEMENT/D RENNER	128.22
CINDY RISCHÉ	REIMBURSE FROM CLOTHING ALLOW	46.64
ROYAL ELECTRIC	BALLAST-LABOR/POOL LIGHTS	550.20
SERVALL UNIFORM AND LINEN	MOPS-MATS	200.19
SD DEPT OF ENVIRONMENT & NATURAL RESOURCES	OPER. CERT. RENEWAL/B NELSON	36.00
SOUTH SIDE SERVICE (SANITO OIL)	FUEL OIL/PARKS	918.05
STATELINE NO. 7 ARCHITECTS	HARC PROJECT	42,391.30
STRETCH'S GLASS & CUSTOM PARTS	FOUR TIRES/BILL'S PICKUP	527.80
THE WALL STREET JOURNAL	THE WALL STREET JOURNAL	312.00
THOMSON WEST	THOMSON WEST	144.90
TIME	TIME MAGAZINE	72.24
TRINITY UNITED METHODIST CHURCH	2005 OUTSIDE DW GRANT	8,678.43
TWILIGHT FIRST AID & SAFETY SUPPLY	FIRST AID SUPPLIES	116.40
TWIN CITY HARDWARE & LUMBER	PAINT GRANT - 26 ADAMS	752.51
WENTZ, TOMMY	WENTZ, TOMMY	338.93
WESTERN COMMUNICATIONS, INC.	CHECK & REPAIR PAGERS	240.60
WILEN MASONARY INC	FRONT STEP & TUCKPOINTING	5,655.11

**TOTAL**

**\$ 213,330.35**

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### ITEMS FROM CITIZENS ON AGENDA

#### Chamber – Request Free Holiday Parking

George Milos, Deadwood Chamber, requested free parking from Thanksgiving Day through Christmas Day. Silvernail moved, Speirs seconded, to approve free parking at all metered spaces and lots, excluding the parking ramp, from November 22 to December 26, 2007. Roll Call: Aye - All. Motion carried.

#### Neighborhood Housing – Christmas Lights

Michelle Eddy requested permission to use one of the trolleys for the Trolley Tour of Lights, to view holiday decorations in Deadwood, Central City, and Lead on December 17, 18, 19 and 20. The tours will start at 6:00 p.m. at the Deadwood Gulch Resort and interested parties may call Neighborhood Housing at 578-1401 for reservations. NHS is asking for a donation of two cans of food per person to be given to the Lord's Cupboard. Silvernail moved, Speirs seconded, to approve the Trolley Tour of Lights. Roll Call: Aye - All. Motion carried.

#### Christmas Lights – Block Clubs

Ms. Eddy requested permission for the Neighborhood Block Clubs to decorate the light poles in their neighborhoods on November 24, 2007, with removal on January 5, 2008. Griffith moved, Speirs seconded, to allow decorations for the block clubs. Roll Call: Aye - All. Motion carried.

### PUBLIC HEARINGS/BID OPENINGS

#### Accept/Reject Bid Opening for 2 Dudley Barn Restoration (10-22-2007)

Kevin Kuchenbecker requested the Commission reject all bids for the 2 Dudley Barn restoration project. Klamm moved, Silvernail seconded, to reject all bids for this project. Roll Call: Aye - All. Motion carried.

#### Design-Build Proposals - Mickelson Trail Lighting Project

Jim Raysor explained that the technical review committee reviewed three proposals for the Mickelson Trail Lighting project. This project was bid as a design-build. The City adopted Resolution 2004-14 that allows the City to select design-build firms to provide combined design and construction services for authorized projects. The process requires a technical committee to review the proposals and assign points to each proposal based on numerous technical aspects of this process. After compiling the total points, that number is divided into the proposed dollar amount, which results in the best value process amount, with a maximum rating of 100. The proposal amounts are as follows:

Contractor	Bid Bond	Proposal Cost	Rating	Best Value Cost
Muth Electric	Bid Bond	\$229,397.00	93	2466.63
Mick's Electric	Bid Bond	\$290,743.00	92	3160.25
Conrad's Big "C" Electric	Bid Bond	\$297,000.00	95	3126.31

Raysor said the best value cost proposal is Muth Electric and he requested that the Commission accept their proposal. Klamm moved, Speirs seconded, to award the Mickelson Trail lighting project to Muth Electric for \$229,397.00. Roll Call: Aye: Klamm, Griffith, Speirs, Toscana. Abstain: Silvernail. Motion carried.

### FINANCE/HISTORIC PRESERVATION

#### Discussion - Set Parking Ramp Reserve

Finance Officer Mary Jo Nelson provided for the Commission the Parking Ramp bond documents relating to the bond reserve for the Parking Ramp. Bruce Hintz State Auditor suggested that the City Commission determine and require an appropriate amount to remain in the Parking Ramp fund until this bond is paid. Nelson said since December 31, 2006, the account has increased from \$693,000 to \$726,149.53, due to interest income. By February of 2008, Nelson anticipates the balance to be \$764,000.00. Nelson said the Commission might choose one of the following options: 1) to leave the current amount in the reserve fund, and pass a resolution requiring the Finance Officer to add interest to the principal for both reserves. 2) Require a specific amount in the reserve and any interest will be then added to unrestricted cash. The current amount can be reduced, as long as at least \$403,000 remains as a security reserve, with an additional amount set by the Commission for the Replacement and Depreciation Account. Silvernail moved, Griffith

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seconded, to leave the current amount in the Parking Ramp Reserve account and adopt a resolution stating such request. Roll Call: Aye - All. Motion carried.

### Employee Travel

Toscana moved, Silvernail seconded, to allow Mary Jo Nelson and Ronda Morrison to attend the Election Workshop in Rapid City on December 7, 2007, plus \$30 for registration and use of a City vehicle. Roll Call: Aye - All. Motion carried.

### Ordinance #1094 - First Reading

Silvernail moved, Griffith seconded, to approve first reading of Ordinance #1094 BID District #7 Tax for 2008. Roll Call: Aye - All. Motion carried.

### Dissolve TIF #5 - BY Development

Silvernail moved, Griffith seconded, to approve the distribution of taxes per Resolution 2006-41 for the dissolving of the Tax Increment Financial District No. 5, Finance Office will distribute \$166,182.74 to the following entities: Lead-Deadwood School District - \$100,326.86; Lawrence County - \$28,822.86; City \$32,200.09; and Lead-Deadwood Sanitary District - \$4,832.92. Roll Call: Aye - All. Motion carried.

### Purchase Request

Silvernail moved, Speirs seconded, to approve the purchase of a display case made by Dragoo Cabinets for the Commission Chambers in the amount \$1,322.94, to be paid from Archives line item. Roll Call: Aye - All. Motion carried.

### Land Donation

Tom Blair appeared before the City Commission to inform them that he and his wife would like to donate pieces of equipment and land that were associated with the last gold mine near Deadwood. The Frerich's Mine and Mill a/k/a Ball Mill sits on both the Blair's property and BLM land. Blair said the mine was started in the 1920s. After several years of operation, and due to the encountering of excessive water the mine closed. In the late 1980, the owners at that time destroyed much of the history of this mine site. Blair said the large pieces of equipment, relics are too large to move, and he does not want to see them destroyed since this site is a part of Deadwood's history. BLM researched the area and discovered there are bats that live inside the mineshaft. Metal grates have been installed to the entrance of the adit to ensure safety and to allow the bats to remain in their own habitat. Blair said he would like to see this area marked with interpretive signs and information regarding this historical site. The Commission thanked Tom and Linda for their generous donation to the City of Deadwood. Griffith moved, Klamm seconded, to accept the donation of the Frerich's Mine and Mill Site. Roll Call: Aye - All. Motion carried.

## STREETS

### DOT Pedestrian Study Update

Jim Raysor Public Works Director informed the Commission that the SD Department of Transportation is requesting that the City of Deadwood pay 10% of the total cost of the previously proposed pedestrian study. Raysor said the SD Department of Transportation would be seeking bids for this project. A committee will be established and they will be required to review the proposals and evaluate the pedestrian/traffic issues in Deadwood. Speirs moved, Silvernail seconded, to approve the expenditure of \$6,500 for the pedestrian study. Roll Call: Aye - All. Motion carried.

## POLICE/FIRE

## PLANNING/ZONING/PUBLIC BUILDINGS/TROLLEY

### Purchase Request

Silvernail moved, Speirs seconded, to approve the purchase of a pump and electrical work for a well project not to exceed \$2,800 for the Trolley department. Roll Call: Aye - All. Motion carried.

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**PARKS/RECREATION**

**Install Christmas Lights**

Griffith moved, Speirs seconded, to approve the expenditure of up to \$20,000 for the installation of Christmas lights in Deadwood, to be paid from the Bed and Booze fund (budgeted item.) Roll Call: Aye - All. Motion carried.

**LEGAL BUSINESS**

**Contract - Hills Interiors**

Speirs moved, Silvernial seconded, to allow the Mayor to sign a contract between the City of Deadwood and Hills Interiors for flooring under the compactor storage in the Archive department for \$1,844.20. Roll Call: Aye - All. Motion carried.

**Acknowledgement of Charitable Contributions**

Speirs moved, Griffith seconded, to allow the Mayor to sign the acknowledge of charitable contributions for the Bade collection which recognizes the items that were intended as a donation to the City and for the purpose of satisfying the requirement of Section 170(f)(8) of the Internal Revenue Code. Roll Call: Aye - All. Motion carried.

**ADJOURNMENT**

Speirs moved, Toscana seconded, to adjourn the regular session at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, November 26, 2007.

ATTEST:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Mary Jo Nelson, Finance Officer

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