

REGULAR MEETING, June 28, 2010

The Regular Session of the Deadwood City Commission convened on June 28, 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 21, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the June 28, 2010 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	TOSHIBA COPIER	4,745.82
AASLH MEMBERSHIP	VISITORS COUNT	1,750.00
ABC	SUPPLIES	193.64
ALBERTSON ENGINEERING	37 LEE	272.50
ALCO	FLOOR MATS	84.00
ALLEN, MEL	P&Z ATTENDANCE	150.00
ALLTEL	BAG PHONES	131.49
ARLETH	ZONING MAP	1,034.16
BH CHEMICAL	GARBAGE BAGS	1,643.95
BH POWER & LIGHT	SPEED SIGN	13,784.25
BH SPECIAL SERVIC	TROLLEY CLEANING	1,071.00
BROWN, PETER	SYMPOSIUM MILEAGE	222.00
CENTRAL-AIR	LOAN DISB	449.12
CULLIGAN	WATER	24.50
DAKOTA BUSINESS	COPIER MAINTENANCE	35.90
DAKOTA PLAINS	AUCTION ITEMS	9,184.00
DALSTROM, HARL	SYMPOSIUM MILEAGE	257.68
DARIN DEROSIER	HPC ATTENDANCE	350.00
DEADWOOD ALIVE	1ST INSTALLMENT 2010	22,500.00
DEADWOOD CHAMBER	BILL LIST	63,220.11
DEADWOOD ECONOMIC DEVELOPMENT	RAMP CONTRACT	1,580.02
DEADWOOD FIRE DEPARTMENT	WILD BILL DAYS	957.84
DEADWOOD GRANITE	HEADSTONE GRANT	450.00
DELAHOYDE'S	BODY WORK	224.51
ESTOCLET, ANDY	LOAN DISBURSE	3,000.00
FARRIER, MARIE	P&Z ATTENDANCE	125.00
FETERL, RONDA	HPC ATTENDANCE	275.00
GOLDEN WEST	TECH SUPPORT	509.00
GREEN, SHEREE	P&Z ATTENDANCE	150.00
HAWKI, KEN	REIMBS GAS	138.01
HCW, INC.	LOAN DISB	8,939.28
HILLS MATERIALS	SAND	139.35
IKON OFFICE	PLOTTER SUPPLIES	354.40
JACOBS WELDING	REPAIRS	920.62
JARDEE, NITA	CAMP SUPPLIES	44.94
KNOLOGY	PHONE SERVICE	1,451.85
LAWSON PRODUCTS	REPAIRS	179.65
L-D MEDICAL CLINIC	TESTING	288.00
M&S CONSTRUCTION	RETAINING WALL	2,867.48
MENARD'S	SAND	109.90
PIKE, MATTHEW	HPC ATTENDANCE	300.00
PITNEY BOWES	RENTAL	315.00
QWEST	PHONE SERVICE	123.08
RAMADA	LODGING	557.70
REIF, SCOTT	MEALS	9.00
RENNER, DONOVAN	MEALS	9.00
ROCKINGTREE	TREES	231.12
RUNGE, MIKE	BOOK	35.42
RYAN, LARRY	P&Z ATTENDANCE	150.00
SD CORRECTIONS DEPT.	FIREWISE	5,708.29
SHEDD, JIM	P&Z ATTENDANCE	125.00
SD PUBLIC HEALTH	COLIFORM TESTING	24.00
SOUTH SIDE SERVICE	SERVICE	217.30
STANLEY PLUMBING	LOAN DISB	1,690.00
STEINLICHT, WILLIE	HPC ATTENDANCE	350.00
SUBWAY	DARE	82.58
SUMMIT SIGNS	SIGNS	54.00
TRIDLE, JOHN	SUPPLIES	588.61
TRIPLE K	TIRES-LABOR	510.12
TRUGREEN	FERTILIZER	167.40
TTG ENTERPRISES	WATER METER	175.64
TURNBULL & SONS	FERGUSON FIELD	3,750.00
TWILIGHT FIRST AID	SUPPLIES	123.60
TWIN CITY HARDWARE	SUPPLIES	125.48
WESTERN COMMUNICATIONS	ANTENNAES	72.00
WOOD STOCK	LUMBER	84.13
	TOTAL	\$168,378.28

REGULAR MEETING, June 28, 2010

ITEMS FROM CITIZENS ON AGENDA

City Employee Service Awards

Mayor Toscana presented the following City Employees with years of service awards and thanked them for their service:

15 years: Donovan Renner, Water Department

20 years: Alex Hamman, Police Department; Keith Umenthum, Building Inspector; Greg Nelson, Police Department; Carol Hauck, Library

Department of Legislative Audit

Al Schaefer, State Auditor, appeared to request permission for the Mayor and Finance Officer to sign the engagement letter for the yearly audit. He requested that if anyone has any specific areas or concerns they would like looked at other than the normal audit to contact the auditors while they are here. He stated that their billable rate averages \$55.00 per hour. They will return with their report at the end of the audit. Silvernail moved, Schroeder seconded, to allow the engagement letter to be signed. Roll Call: Aye-All. Motion carried

PUBLIC HEARINGS/BID OPENINGS

Bid Opening - Surplus Vehicles

The following bids were opened by Mary Jo Nelson, Finance Officer:

1991 Honda Civic	\$116.00	from Chad Adams
1996 Subaru Legacy	\$116.00	from Chad Adams

Silvernail moved, Klamm seconded, to accept both bids. Roll Call: Aye-All. Motion carried
Nelson then asked permission to crush the remaining three vehicles. Silvernail moved, Klamm seconded, to allow the crushing. Roll Call: Aye-All. Motion carried

Public Hearings

Silvernail moved, Schroeder seconded, to set a public hearing for July 19, 2010 at 5:07 p.m. for a Special Full Temporary Liquor License for the Days of '76 events at the rodeo grounds July 27-31, 2010. Roll Call: Aye-All. Motion carried

Silvernail moved, Klamm seconded, to set a public hearing for July 12, 2010 at 5:05 p.m. for street closure on Main Street for motorcycle parking for the Legends Ride on August 9, 2010. Roll Call: Aye-All. Motion carried

Silvernail moved, Schroeder seconded, to set a public hearing on July 12, 2010 at 5:07 p.m. for Deadwood Jam 2010. Roll Call: Aye-All. Motion carried

Klamm moved, Schroeder seconded, to set a public hearing on July 12, 2010 at 5:10 p.m. for bike parking on Main Street during 2010 Rally from August 7-14, 2010. Roll Call: Aye-All. Motion carried.

FINANCE

Resolution 2010-15

Peterson moved, Silvernail seconded, to pass Resolution 2010-15 in Support of Application to Occupy Highway Right of Way during the Days of '76 parades on July 30 and 31, 2010. Roll Call: Aye-All. Motion carried.

RESOLUTION 2010-15

**RESOLUTION IN SUPPORT OF APPLICATION TO OCCUPY
S.D. DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT-OF-WAY
WITHIN DEADWOOD CORPORATE LIMITS**

WHEREAS, the City of Deadwood (CITY) will be home to the 87th Annual Days of '76 Celebration on July 27th through July 31st, 2010; and,

WHEREAS, the Days of '76 Parade is a time honored tradition during the Celebration; and,

WHEREAS, the size and popularity of the parade is such that CITY deems it necessary to block traffic along the parade route; and,

REGULAR MEETING, June 28, 2010

WHEREAS, State of South Dakota Highways 14A and 85 are located within the corporate limits of CITY and are affected by said closure; and,

WHEREAS, CITY herewith is submitting an application to the South Dakota Department of Transportation (SDDOT) for permit to occupy right-of-way for those portions of S.D. Highways 14A and 85 within the corporate limits of CITY on July 30, 2010, beginning at 1:15 p.m. until the end of the parade, and on July 31, 2010, beginning at 9:45 a.m. until the end of the parade; and,

WHEREAS, by submission of the application for permit to occupy right-of-way, CITY agrees to provide protection to highway traffic during occupancy by use of proper signs, barricades, flag persons, and lights as prescribed in the "Manual of Uniform Traffic Control Devices"; and,

WHEREAS, CITY further agrees to indemnify, hold and save harmless the State of South Dakota, its Department of Transportation, its Officers and Employees, from any and all suits, actions or claims of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of right-of-way designated in this Resolution;

NOW, THEREFORE, BE IT RESOLVED, that the City of Deadwood hereby supports the submission of the South Dakota Department of Transportation Application for Permit to Occupy Right-of-Way for the purpose described herein.

Dated this 28th day of June, 2010.

CITY OF DEADWOOD

ATTEST:

Francis A. Toscana, Mayor

Mary Jo Nelson, Finance Officer

Lease of property

Peterson moved, Silvernail seconded, to give permission for the Mayor to sign a Lease between the City and the Department of Transportation for property by the rodeo grounds during the Days of '76 event. Roll Call: Aye-All. Motion carried.

Wage Increase

Peterson moved, Schroeder seconded, to approve the wage increase of Linda Allen, Parking Attendant, from \$8.00 to \$8.50 per hour effective June 30, 2010 after one year of service. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING ZONING/PUBIC BUILDINGS/SAFETY

Discussion-Additional Costs-Water Street ramp

Finance Officer Nelson requested direction on how she should proceed with the loan request from USDA, if we now need to increase the amount to include the elevator and lighting. USDA advised that the loan application should be quickly revised if changes are to be made. Ron Wheeler, representing Tentexkota, stated that they would be willing to pay any additional costs due to the elevator, rather than have to reapply and delay the loan and the startup of the ramp. He also stated that they are continuing to pursue private financing so that they can pay for the ramp themselves. Mike Albertson, from Albertson Engineering, requested the City Commission's views on including the elevator in the ramp design. Wheeler then stated that the Tentexkota group recommends inclusion of the elevator to enhance the ramp facility. He again confirmed that they would pay the additional estimate of \$185,000.00. Klamm moved, Peterson seconded, to include the elevator in the design for the Water Street Parking Ramp, with costs to be paid by the Deadwood Mountain Grand Resort. Roll Call: Aye-All. Motion carried. Silvernail commented that she agrees the facility needs an elevator, but that she is still not in favor of the City loan to support it.

Discussion then followed on changing the lighting for the Ramp from HID fixtures, in the original

REGULAR MEETING, June 28, 2010

proposal, to LED light fixtures, which are more expensive originally but have a much longer life. It would cost \$80,000 up front to make the change. Parking & Transportation Board felt that LED would be more advantageous in the long run in energy and manpower savings. Albertson informed Commission that the main savings would be in electricity costs. Wheeler then stated that Tentekota would not be willing to pay the increase in fixture costs just to save operating costs for the City. Mayor Toscana verified with Albertson that the fixtures could be swapped out at a later time when the price of the LED fixtures may have reduced. Klamm moved, Schroeder seconded, to leave the original plan in place, using the HID lighting fixtures. Roll Call: Aye-All. Motion carried.

Information - Auction Purchases

Mayor Toscana acknowledged the following recent purchases by Historic Preservation Office from Dakota Plains Auction: 1890 photo of Deadwood with caption for \$950.00; beaded scout jacket of A.A. Coburn for \$7,250.00, plus commission of \$984.00. He requested HP Officer Kuchenbecker to bring the items to the next meeting for display.

Approve Change Orders

Klamm moved, Schroeder seconded, to approve Change Orders #2 through #8 for Deadwood Rec Center, adding \$138,276.00 to the cost of the project. Roll Call: Aye-All. Motion carried. PublicWorks Director Raysor informed that the change orders included security, sound system, new roof, Christmas lights, heated sidewalks. Silvernail wanted it noted that the movable squash wall will be paid for by a donation of \$8000 from Dr. Jose Alonzo and \$2800.00 from the City. Raysor also stated that the total change orders are below 5%, which is very good for a project of this size. He advised that the opening date is July 1, 2010, with a Grand Opening in August, when everything should be completed.

Not-for-Profit Grant

Following the recommendation of the Historic Preservation Commission, Schroeder moved, Peterson seconded, to approve the 50/50 match, not-for-profit grant up to \$25,000 to St. Ambrose Parish, for the re-roofing of the church and the rectory. Roll Call: Aye-Peterson, Schroeder, Klamm. Recused-Silvernail, Toscana. Motion carried.

Outside of Deadwood Grants

HP Officer Kuchenbecker listed the Outside of Deadwood Grants approved by the HP Commission totaling \$157,900.00 as follows:

- \$25,000.00 for exterior renovation of Lewis & Clark Theatre Company in Yankton
- \$25,000.00 for repair of windows and sashes at the Hermosa Arts/History Association
- \$15,000.00 for phase two work on the Historic Madison Ranch homestead house
- \$25,000.00 to the SD Heritage Fund for microfilming of original Deadwood newspapers
- \$ 1,900.00 to the Lead Presbyterian Church for installation of a stair lift
- \$25,000.00 to the Historic Homestake Opera House in Lead for window installation, painting, and roof repair
- \$20,000.00 to the Fall River County Historical Society for masonry and foundation repair at the Pioneer Museum in Hot Springs
- \$21,000.00 to the Verendrye Museum Inc. in Ft. Pierre for phase one of the Fort Pierre Railroad Depot

Silvernail moved, Peterson seconded, to approve all of the grants, for a total of \$157,900. Roll Call: Aye-All. Motion carried.

Approve sketch plat - Engine House

Schroeder questioned if the proposed 25' private access would match up with any future street, which Raysor said it does not, and if it is agreeable to the police department, which Chief Fuller said that it is. He then asked Attorney Campbell if there could be a problem if the DOT changed curbside access in the future, when the highway is redone. Campbell did not feel that should affect the sale of the property. Schroeder then moved, Klamm seconded, to approve the proposed sketch plat of the Engine House property as presented. Roll Call: Aye-All. Motion carried.

Chuck Turbiville, who will be the auctioneer for the sale, then requested two decisions from the Commission: 1) If they would agree, upon request, to remove the three signs and the bike rack that are blocking the delivery door in the back of the building. 2) If the City would consider leasing more parking spaces in the event that more than the five included spaces would be needed. Mayor Toscana agreed that both requests are possible, and a Public Hearing would be necessary to allow the additional lease. The auction will be held in the Commission Room on July 8, 2010 at 1:30 p.m.

REGULAR MEETING, June 28, 2010

POLICE/FIRE

Purchase Furniture

Klamm moved, Silvernail seconded, to approve the purchase of office furniture for the Police Dept. from ABC Business at a cost of \$3,300.00, as budgeted. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Resignation

Silvernail moved, Schroeder seconded, to accept the resignation of Erik Simonyak from the Rec Center effective June 22, 2010. Roll Call: Aye-All. Motion carried.

New Hire

Silvernail moved, Schroeder seconded, to hire Mike Olsen for the Deadwood Rec Center at \$9.63 per hour effective July 6, 2010. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Next Meeting

Toscana announced that since the July 4th holiday is on Sunday, the City Offices will be closed Monday, July 5, 2010 and the next City Commission meeting will be held on Tuesday, July 6, 2010.

Appraisal Committee report

Schroeder reported that the committee compared the property that is 712.5 sq. ft. of school lot 9, a 95 ft. by 15 ft. wedge of land owned by the City, with three other parcels the City has purchased and then averaged the price per square foot. They arrived at .14 per square foot, for a total of \$100.00.

Silvernail moved, Peterson seconded, to accept the appraisal report for the surplus property. Roll Call: Aye-All. Motion carried. The purchaser will pay for the survey and platting. Finance Officer Nelson said the property must be surplus before it can be sold, so Toscana requested that a resolution be on next week's agenda.

Amend Contract

Silvernail moved, Klamm seconded, to give permission for the Mayor to sign the amended contract with Muth Electric for the Mickelson Trail Lighting Project. Roll Call: Aye-All. Motion carried.

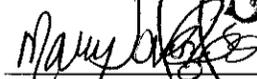
ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Commissioner Klamm announced that he had received a letter from California thanking Keith Wellard for his services in helping fight fires there last summer, and he wanted to publicly acknowledge Keith for his services.

ADJOURNMENT

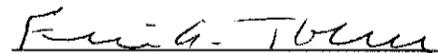
Schroeder moved, Silvernail seconded, to adjourn the regular session at 5:50 p.m. The next regular meeting will be at 5:00 p.m. on Tuesday, July 6, 2010.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 7-6-10

BY: 
Francis A. Toscana, Mayor

For any public notice that is published one time:

Published once at the total approximate cost of _____.