

REGULAR MEETING, May 18, 2009

The Regular Session of the Deadwood City Commission convened on May 18, 2009 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

Silvernail moved, Klamm seconded, to approve the minutes of May 11, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the May 18, 2009 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	COPIES	108.41
ABC	SUPPLIES	225.50
ADAMS MUSEUM	PUBLIC ED	43,381.77
ALBERTSON ENGINEERING	RETAIN WALL	750.00
ALCO	SUPPLIES	59.97
AVENET	WEB MAINT	396.00
BH POWER	UTILITIES	1,858.15
BH PURE	RENTAL	47.75
BH SPECIAL SERVICES	CLEANING	882.00
BH WEEKLY GROUP	PUBLICATIONS	2,410.82
CULLIGAN	WATER	21.50
DAKOTA GRAPHICS	BROCHURES	170.00
DAKOTA SUPPLY GROUP	MODULES	425.00
DEADWOOD CHAMBER	BILL LIST	98,235.43
DEADWOOD ECONOMIC DEVELOPMENT	BILL LIST	3,193.09
FARMER BROTHERS	SUPPLIES	108.00
FASTENAL COMPANY	SUPPLIES	35.00
FORGEY CONSTRUCTION LLC	REPAIRS	3,000.00
GENES LOCK SHOP	KEYS	6.00
GERVING CONSTRUCTION	LOAN DISB	1,710.74
GOLDEN WEST	SERV/REPAIRS	6,562.50
GOVERNMENT FINANCE OFFICER	MEMBERSHIP	160.00
GRIMM'S PUMP	SUPPLIES	66.20
HIDDEN GULCH EMBROIDERY	HPC SHIRTS	228.03
JACOBS PRECISION	PLATES	111.51
KNOLOGY	PHONE SERV	363.71
LC AUDITOR	BALLOTS	209.45
LC REGISTER OF DEEDS	FILING FEES	44.00
LAWSON PRODUCTS	TOOLS	275.45
LEAD-DWD GIRL'S SOFTBALL	DONATION	400.00
LOEFFEN, RITA, 2009 CLASS	DONATION	100.00
MACROVISION	TRANSFER FILM	170.00
MAVERICK, BLONDIES	SUPPLIES	10.99
MILLER, JOHN E.	SYMPOSIUM SPEAKER	793.41
MILLS, RICK	SYMPOSIUM SPEAKER	548.10
MORRIS TOWING	TOWING CHG	75.00
NAPA	SUPPLIES	102.33
NH SOD FARM	SOD	423.40
NORTHWEST PIPE	SUPPLIES	453.65
ON TIME DIGITAL	CAMERAS	599.00
PRESERVE SOUTH DAKOTA	MEMBERSHIP	50.00
QWEST	PHONE SERV	114.63
RAPID DELIVERY	DEL CHRG	8.00
SCHWANTES, CARLOS A.	SYMPOSIUM SPEAKER	1,083.37
SILVERADO	SYMPOSIUM FEES	1,981.50
SD STATE HIST SOC	REGISTR	95.00
SOUTH SIDE SERV	REPAIRS	167.25
SPEARFISH HUSKY	BATTERY	50.00
THE NATIONAL ARBOR DAY FOUND	SUPPLIES	464.10
THE PUMP HOUSE	SYMPOSIUM	75.58
TOMS, DON	LC LEDGER PROJ	576.00
TRIDLE, JOHN	REIMB	99.52
TRUGREEN CHEM-LAWN	FERTILZER	169.80
TWILIGHT FIRST AID	SUPPLIES	123.51
TWIN CITY HARDWARE	PAINT	68.08
WELLS FARGO BANK	ADMIN CHRG	500.00
WENDT, LONIS	SYMPOSIUM SPEAKER	665.76
WEST PAYMENT CENTER	CHRG	152.15
WEST RIVER HISTORY CONFERENCE	ANNUAL CHRG	500.00
WINTER & COMPANY	FINAL DRFT GUIDELINES	4,230.00
	TOTAL	\$179,896.11

ITEMS FROM CITIZENS ON AGENDA

Public Hearing-Wild Bill Days

Sarah Anderson with the Deadwood Chamber was present to provide an overview of street closures, open container and waive vendor fee at Rodeo Grounds and Main Street. Anderson explained that due the possibility of a large crowd size on Saturday, June 20 they may need to close Deadwood to Pine Street and reassured the Commission they would have adequate security to direct traffic at this intersection.

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Street Closure Requests:

Silvernail moved, Klamm seconded, to approve the following street closures with the option as discussed for Wild Bill Days. Roll Call: Aye-All. Motion carried.

Friday and Saturday, June 19 & 20, 2009, Wild Bill Days - Main Street closed from Wall to Deadwood Street starting on Friday, June 19 at 4:00 a.m. to remain closed through Saturday, June 20, 2009 at 2:00 a.m. (Note: traffic will be allowed on Lee Street up Main Street only until concerts begin each day.)

Open Container Requests:

Silvernail moved, Klamm seconded, to approve relaxation of open container ordinance for the following:

Friday, June 19, 2009, Wild Bill Days - 2:00 p.m. to 10:00 p.m. for concerts, and allow open container from the Masonic Temple to Four Aces

Saturday, June 20, 2009, Wild Bill Days - 2:00 p.m. to 10:00 p.m. for concerts, and allow open container from the Masonic Temple to Four Aces

Friday & Saturday, June 19 & 20, 2009, Kansas City Barbecue - noon to 10:00 p.m. at Rodeo Grounds (Optimist Club Fundraiser)

Roll Call: Aye-All. Motion carried.

Request to Waive Vendor Fee at Rodeo Grounds and Main Street:

Schroeder moved, Klamm seconded, to allow the vendor fee to be waived for the following:

Friday, Saturday & Sunday, June 19, 20 & 21, 2009, Kansas City Barbecue at Rodeo Grounds - (Optimist Club Fundraiser)

Friday & Saturday, June 19 & 20, 2009, Deadwood Chamber Merchandise Tent on Main Street

Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Klamm seconded, to allow the street closure on Main Street from Pine to Deadwood Street (in front of Franklin) for the Northern Hills Community Band performance from 6:15 to 7:45 p.m. on July 23, 2009. Roll Call: Aye-All. Motion carried.

FINANCE

Police Department-Cell Phone Allowances

Peterson moved, Silvernail seconded, to approve the addition of the Police Department supervisors Rob Lester and Ken Mertens to the list of employees receiving the cell phone allowance of \$50 per month. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDING/SAFETY

Hire Request

Toscana moved, Silvernail seconded, to approve the hiring of Tambi Jo Lewis and Matthew Hodson as summer inters for the Archives Department at \$7.50 per hour, effective June 1, 2009. Roll Call: Aye-All. Motion carried.

Travel Request

Toscana moved, Silvernail seconded, to allow Mike Runge to travel to Pierre to attend the South Dakota State Historical Records Advisory Board meeting May 18-19, 2009, plus meals, lodging, and mileage, not to exceed \$270. Roll Call: Aye-All. Motion carried.

Change Order #4 - Deadwood Mountain Grand

Silvernail moved, Peterson seconded, to approve Change Order #4 for Deadwood Mountain Grand to upgrade the ice/water shield underlayment to "high temperature" grade for \$3,731. Roll Call: Aye-All. Motion carried. Mayor Toscana inquired about the status of the City's portion as well as the overall project. Kuchenbecker stated they hold bi-weekly construction meetings with the contractors, architects, and TenTexkota and added that the project is on schedule and that the substantial completion date is expected to be July, 2010. Commissioner Silvernail expressed her concerns with the dreadful conditions of Water Street and wanted to know when this street is to be repaired. Toscana added this street need to be repaired as soon as possible. Raysor added that Tim Conrad is to provide him with a schedule for the parking ramp construction.

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Hire Request

Commissioner Silvernail asked if the existing Historic Preservation staff could monitor this project to reduce costs to the City. Silvernail expressed her concerns with the costs and added she would like a list of detailed costs from Quality Services, as well as a not to exceed amount. Toscana thought the cost may be higher if the City were to attach a "not to exceed" amount in the contract. Kuchenbecker responded that he is not a qualified archeologist and does not meet the criteria to monitor this project. Peterson moved, Toscana seconded, to approve the hiring of Quality Services Inc. to perform archeological monitoring at the Deadwood Rec Center and request City Attorney to prepare contract, to be paid from Rec Center Capital project fund. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Forgey Construction-Rodenhouse Street

Jim Raysor explained that the flood control structure in Hospital Gulch installed in 2002 is cracked and needs to be repaired. Schroeder moved, Klamm seconded, to approve the hiring of Forgey Construction to remove and replace concrete wall on Rodenhouse Street at a cost of \$3,800.00. Roll Call: Aye-All. Motion carried.

Wage Increase

Schroeder moved, Klamm seconded, to approve the wage increase of Pat Coffield, WASP Site employee, from \$8.50 to \$9.00 per hour, effective May 12, 2009, after completion of two year of service. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Travel Request

Klamm moved, Schroeder seconded, to allow four (4) firefighters to attend State Fire School in Rapid City June 11-14, requesting \$50 registration each plus meals and mileage. Roll Call: Aye-All. Motion carried.

Purchase Request

Klamm moved, Silvernail seconded, to approve the purchasing of 200 rolls of ticket stock from Integrated Parking Solutions at a cost of \$1,052.00 from the Parking and Transportation fund. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase

Silvernail moved, Peterson seconded, to approve the wage increase of Jessica Marshall, Rec Center employee, from \$7.50 to \$8.50 per hour, effective May 14, 2009, after completion of two years of service. Roll Call: Aye-All. Motion carried.

Purchase Request

Silvernail moved, Schroeder seconded, to approve the purchase of a wacker packer from the low quote, Chainsaw Center, at a cost of \$1,965.00, to be paid from the Parks Department Budget. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Schroeder seconded, to approve the hiring Parks Department employees Alana Kightlinger at \$9.00 per hour and Randy Cyr at \$7.50 per hour effective May 18, Chance Havlik and Russell Prince at \$7.50 per hour, effective June 1, 2009. Roll Call: Aye-All. Motion carried.

Parks Department Request

Silvernail moved, Peterson seconded, to allow the Parks Department to organize the "Spruce up the Trail Day" on Saturday, May 30, 2009 at 9:00 a.m. Roll Call: Aye-All. Motion carried. A trolley will be used to transport people to the trail and the Deadwood Chamber will provide refreshments.

Wage Correction

Silvernail moved, Peterson seconded, to approve the correction for Peggy MacDonald's starting wage at \$8.50 per hour not \$9.00, as approved on May 11, 2009. Roll Call: Aye-All. Motion carried.

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Hire Request

Peterson moved, Schroeder seconded, to approve the hiring of Kaitlin Middlemas and Nick Silvernail for the Rec Center Summer Camp program at \$7.50 per hour, effective May 20, 2009. Roll Call: Aye-Peterson, Schroeder, Toscana, Klamm. Abstain: Silvernail. Motion carried.

LEGAL

Contract - Four Aces

Schroeder moved, Silvernail seconded, to allow the Mayor to sign the contract with Four Aces for thirty-four (34) leased parking spaces at a cost of \$70 per space in the Lower Main Parking lot for June 1, 2009 through May 31, 2010 pending correction to state twelve (12) months as approved on May 11, 2009. Roll Call: Aye-All. Motion carried.

Contract - Clearwater Consulting

Silvernail moved, Peterson seconded, to allow the Mayor to sign the contract with Clearwater Consulting for installing and maintaining camera equipment at the Broadway Parking Ramp at a cost of \$8,496.58. Roll Call: Aye-All. Motion carried.

Contract - Forgey Construction

Silvernail moved, Schroeder seconded, to allow the Mayor to sign the contract with Forgey Construction for concrete wall project on Rodenhouse Street for \$3,800.00. Roll Call: Aye-All. Motion carried.

Amended Contract - Frederickson Law

Silvernail moved, Peterson seconded, to allow the Mayor to sign the amended contract with Frederickson Law Office from two to three spaces at a cost of 50.00 per space plus tax from June 1, 2009 to May 31, 2012. Roll Call: Aye-All. Motion carried.

MAYOR'S BUSINESS

Meeting Date Change

Mayor Toscana announced the next meeting would be at 5:00 p.m. on Tuesday, May 26, 2009, due to the Memorial Day.

ITEMS FROM MAYOR, COMMISSIONERS, DEPT. HEADS NOT ON AGENDA

Employee of the Year

Mayor Toscana announced and congratulated Police Department's Officer Kip Mau for his recognition of "Employee of the Year Award" at the Community Appreciation Event held May 16.

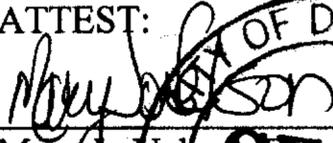
Deadwood Frontier Club Request

Silvernail moved, Peterson seconded, to allow Deadwood Frontier Club to place scaffolding on Main Street until May 21, 2009. Roll Call: Aye-All. Motion carried.

ADJOURNMENT

Klamm moved, Schroeder seconded, to adjourn the regular session at 5:35 p.m. The next regular meeting will be at 5:00 p.m. on Tuesday, May 26, 2009.

ATTEST:


Mary Jo Nelson, Finance Officer


DATE: 5/26/09

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