

REGULAR MEETING, June 29, 2009

The Regular Session of the Deadwood City Commission convened on June 29, 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 June 22, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the June 29, 2009 disbursements with the additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	120.08
A & B WELDING	OXYGEN	31.55
ABC	SUPPLIES	160.29
AINSWORTH-BENNING	REC CENTER	122,767.31
ALLEN, MEL	2009 P&Z	225.00
ALLIED 100	SUPPLIES	354.00
ALLTEL	CELL PHONES	70.20
ALPINE IMPRESSIONS	SHIRTS	112.50
ARNOLD, DANNY	REIMBURSE	9.00
BARCO PRODUCTS CO	SIGNS	409.50
CAMPBELL SUPPLY	STAKES	181.80
CHRIS SUPPLY CO	SUPPLIES	25.35
CITY OF LEAD	DONATION-4TH JULY	5,000.00
COW COUNTRY	CHUTES-REPAIR	8,316.00
CULLIGAN	WATER	13.00
CURRENT WORLD ARCHAEOLOGY	SUBSCRIPTION	24.95
D.C. BOOTH	2009 GRANT	8,904.75
DAKOTA BUSINESS	CONTRACT	53.94
DAKOTA SPRAY EQUIP	PAINT MACHINE	59.98
DAKOTA SUPPLY GROUP	SUPPLIES	28.54
DARIN DEROSIER	2009 HP	325.00
DEADWOOD CHAMBER	2009 ANNUAL MTG	157,406.40
DEADWOOD ECONOMIC DEV	MO CONTRACT	1,580.02
DEADWOOD GRANITE & MARBLE	HEADSTONE GRANT	800.00
EVENSON, JULIE	TRVL	115.00
FASTENAL COMPANY	BATTERIES	67.10
FERRELL, MERRI M.	EXPENSES SYMPOSIUM	1,166.41
GROLL, LARRY	SPECIAL EVENT HRS	82.50
HCW, INC.	REPAIRS/RODEO GROUNDS	520.20
HERMOSA ARTS & HISTORY ASS	2009 GRANT	25,000.00
HILLS MATERIALS	ARCH CAMP	101.25
HILLSIDE DISPOSAL	RESIDENTIAL GARBAGE	5,071.00
HYDRO FLOW PRODUCTS	NOZZLE	507.89
IVERSON, FRANCIS	SPECIAL EVENT HRS	110.00
JACOBS PRECISION WELDING	GATE LATCHES-RODEO	255.82
JARDEE, NITA	FILM/RC SUMMER CAMP	16.29
JIM SHEDD	2009 P&Z	225.00
KNOLOGY	PNONE SERVICE	1,688.13
LARRY RYAN	2009 P&Z	225.00
LEAD-DWD REGIONAL HOSPITAL	FEES-TESTING	70.00
LEHMEN CONSTRUCTION CO.	RETAIN-WALL	11,895.00
MARIE FARRIER	2009 P&Z	200.00
MAVERICK ENTERPRISES DBA B	ARCH CAMP SUPPLIES	101.12
MCDIRT EXCAVATION	REPARS	30,028.55
MORRISON, RONDA	TRVL ADV-FUEL	355.00
MULTI SERVICE CORP	MOUNTS-TVS	1,407.75
NATIONAL TRUST MAIN STREET	BINDER	55.00
NEVE'S	SWITCH ASSEMBLY	22.50
NHS OF THE BH	CAMPAIGN	4,000.00
NORTHWEST	DRAINAGE-FOREST	57.09
OBERLANDER, MARY ANN	2009 HP	325.00
OLSEN, MIKE	2009 HP	275.00
PIKE, MATTHEW	2009 HP	275.00
PONTIUS, JERRY	REIMBS-SUPPLIES	80.41
QUALIFICATION TARGETS	SILHOUETTES	68.71
RAPID CITY JOURNAL	SUBSCRIPTION	180.00
RONDA FETERL	2009 HP	300.00
SD COMMISSION ON GAMING	JUNE 09 CITY NICKELS	2,744.31
SHEREE GREEN	2009 P&Z	225.00
SD STATE HISTORY	GRANT-SD HERITAGE	25,000.00
SD PUBLIC HEALTH	TESTING	24.00
SPEARFISH HUSKY	SUPPLIES	248.00
STEVE OLSON	2009 HP	300.00
TRIPLE K	REPAIRS	1,015.92
TRUGREEN CHEM-LAWN	ROUNDUP APP	362.40
TWILIGHT FIRST AID	SUPPLIES	80.50
TWIN CITY HARDWARE	SUPPLIES	948.09
USPS	POSTAGE-WATER BILLS	179.10
VERENDRYE MUSEUM INC.	GRANT	13,785.00
WESTERN MECHANICAL	REPAIRS-PAVILION	60,433.14
WIERINGA, ANN	SPECIAL EVENTS HRS	82.50
WILLIE STEINLICHT	2009 HP	325.00
	TOTAL	\$497,579.84

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ITEMS FROM CITIZENS ON AGENDA

Silvernail moved, Peterson seconded, to allow the Adams Museum to serve wine at a private reception for the Deadwood Class of 1952 on September 13, 2009 from 2:00 to 4:00 p.m. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing - July 4th

Silvernail moved, Peterson seconded, to approve the street closure from the Lower Main Parking Lot up Main Street to Highway 14A on July 4 from 2:00 p.m. until parade ends. Roll Call: Aye-All. Motion carried.

Public Hearing - Legends Ride

Silvernail moved, Schroeder seconded, to approve the street closure on Main Street from Pine to Deadwood from 9:00 a.m. to 3:00 p.m. for Legends Ride participants to register at the Silverado/Franklin Hotel. Roll Call: Aye-All. Motion carried.

Silvernail moved, Schroeder seconded, to approve the motorcycle parking request on Main Street in front of Deadwood Tobacco Company (west side) only from 9:00 a.m. to 3:00 p.m. for the Legends Ride on August 3, 2009. Roll Call: Aye-All. Motion carried.

Public Hearing - Kool Deadwood Nites

Sarah Anderson, Deadwood Chamber, outlined their requests for street closures, relaxation of open container regulations, and the use of the Interpretative Lot during the Kool Deadwood Nites events on August 20, 21, 22 & 23, 2009.

Silvernail moved, Klamm seconded, to allow street closures for Friday, August 21 and Saturday, August 22 for Kool Deadwood Nites concert closure - Main Street closed from Wall to Pine for concert set up. Traffic allowed down Main Street from the four-lane (Pioneer Way) to access the Broadway Parking Ramp from 4:00 a.m., August 20 through 2:00 a.m., August 23 for closures. Sunday, August 23 for Kool Deadwood Nites parade - all of Main Street from the Masonic Temple to Four Aces and Hwy 14A from the Rodeo Grounds to Main Street from 8:45 a.m. until parade ends. Sunday, August 23 for Kool Deadwood Nites Show and Shine - all of Main Street from the Masonic Temple to Four Aces, both side of Main for parking from Pine Street to Four Aces. Traffic allowed ONLY down Main from Wall for access to Broadway Parking Ramp. Emergency lanes left open from Wall to Pine Street from 8:45 a.m. to 2:00 p.m. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to waive the temporary vending fee for the Deadwood Kool Nites events for Chamber merchandise on Main Street, Information Center, and Rodeo Grounds. Waive vending fee for non-profit (American Legion) to sell food during Sock Hop event at the Visitor's Center. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, allows the Deadwood Chamber to use the Interpretative Lot at no charge from Thursday, August 20 through Sunday, August 23, 2009. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to allow relaxation of open container ordinance on Thursday, August 20 for Sock Hop Event, 5:00 p.m. to 10:00 p.m. (Interpretative Lot/Visitor's Center.) Roll Call: Aye-All. Motion.

Silvernail moved, Klamm seconded, to allow relaxation of open container ordinance on Friday, August 21, 2009 for events and concerts from 2:00 p.m. to 10:00 p.m. from the Masonic Temple to Four Aces. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to allow relaxation of open container ordinance on Saturday, August 22 for events and concerts from 2:00 p.m. to 10:00 p.m. from the Masonic Temple to Four Aces. Roll Call: Aye-All. Motion carried.

Public Hearing - Rally 2009

Silvernail moved, Klamm seconded, to allow motorcycle parking on Main Street starting August 1 through August 8, 2009 from the Franklin Hotel to Four Aces, in the northwest side only from 10:00 a.m. to 2:00 a.m. daily. Roll Call: Aye-All. Motion carried. Trolley Manager requested permission monitor the Deadwood to Pine Street and end motorcycle parking in that area if necessary due to this

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area being a trolley stop. Chief Fuller said the meters located between the Mineral Palace and Four Aces will be bagged during this time. Chief Fuller added that the City has offered free motorcycle parking in the Interpretative Parking Lot in the past. Silvernail moved, Klamm seconded, to approve the free motorcycle parking in the Interpretative Lot from July 30 through August 8, 2009. Roll Call: Aye-All. Motion carried.

Set Public Hearing - Days of '76

Silvernail moved, Schroeder seconded, to set a public hearing for the Days of '76 Events on July 13, 2009 at 5:05 p.m. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Schroeder seconded, to set a public hearing for a retail on-off sale malt beverage license for the Deadwood Chamber, located at 767 Main Street on July 13 at 5:10 p.m. Roll Call: Aye-All. Motion carried.

FINANCE

Raffle Ticket Request

The South Dakota Literacy Council, Inc. request permission to sell raffle tickets for a framed watercolor print, which was donated by South Dakota artist, John Green. Raffle tickets will be sold for \$5.00 per ticket or six for \$25.00 with the drawing to be held on October 3, 2009. No action taken, which approves raffle.

Hire Request

Peterson moved, Silvernail seconded, to approve the hiring of Linda Allen as a parking ramp attendant effective June 30, 2009 at \$8.00 per hour. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

St. Ambrose Cemetery Ordinance (Continued from 6-22-2009)

Jim Raysor provided the Commission with a scope-of-work and list of detailed charges submitted by Ferber Engineering for the survey project at the St. Ambrose Cemetery. Raysor added the cost of this project is \$2,760. Silvernail moved, Klamm seconded, to hire Ferber Engineering to plat and survey the 20' x 40' section in the St. Ambrose Cemetery for \$2,760.00. Roll Call: Aye-All. Motion carried.

St. Ambrose Cemetery Ordinance #1119 - First Reading

Silvernail moved, Klamm seconded, approve first reading of Ordinance #1119 St. Ambrose Cemetery with suggested revisions to be made by the City Attorney prior to second reading on July 13, 2009. . Roll Call: Aye-All. Motion carried.

Repair Request

Silvernail moved, Schroeder seconded, to approve the expenditure of \$4,021.47 (boiler unit \$1,603.29 and compressor \$2,418.18) to Wolff's Plumbing to repair the heating system at the History and Information Center, to be paid from Historic Preservation capital asset line item. Roll Call: Aye-All. Motion carried.

Additional Archeology Service

Mayor Toscana requested this be continued to the July 6, 2009 meeting, to allow time for more information to be provided by Kevin Kuchenbecker on the additional services required. Peterson moved, Schroeder seconded, to continue this item as requested by the Mayor. Roll Call: Aye-All. Motion carried.

Hire Contractor - Rec Center

Silvernail moved, Klamm seconded, to approve the hiring of American Technical Services to perform soils, concrete, and asphalt quality testing and inspection for Phase 1 (only) of the Deadwood Rec Center Renovation project at a cost of \$7,150, a budgeted item. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Lease-Purchase Request

Jim Raysor Public Works Director explained that the lease for the two front-end loaders expires in November. This was a five-year lease/purchase option with a \$60,000 buy out at the end. Raysor added he would like to keep the fleet up to date, however with the economic times the City may want to take

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advantage of this purchase provision. Raysor proposed that the City explore the option that they used on the motor graders and consider auctioning or offering for bids on the motor graders. He provided the Commission with a list of current auctions and prices. Raysor requested permission to shop around to determine the best approach of either bidding or auctioning the front-end loaders. Schroeder moved, Klamm seconded, to approve said request. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Payment Request

Klamm moved, Silvernail seconded, to allow the Fire Department to pay ESRI for their portion of GIS Arc View maintenance at a cost of \$1,800, a budgeted item. Roll Call: Aye-All. Motion carried.

Repair Request

Klamm moved, Schroeder seconded, to allow the Fire Department to install a variable frequency drive for the air compressor at a cost of \$2,321.50 from D & D Electric, a budgeted item. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Use of Trolley

Silvernail moved, Klamm seconded, to allow the trolley to travel to the Spearfish Water Park on July 21, 2009 for the Summer Camp program. Roll Call: Aye-All. Motion carried.

Use of Trolley

Silvernail moved, Peterson seconded, to allow the trolley to travel to Strawberry Hill for fishing on July 14, 2009 for the Summer Camp program. Roll Call: Aye-All. Motion carried.

Wage Increase

Silvernail moved, Peterson seconded, to approve the wage increase for trolley driver James Sternhagen from \$8.00 to \$9.00 per hour, effective June 26, 2009, after completion of 18 months service. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Employment Status

Klamm moved, Silvernail seconded, to approve the reduction in employment status of Jason Campbell to 1/4 time with no benefits effective August 10, 2009 to September 30, 2010, due to active duty status. Roll Call: Aye-All. Motion carried.

Joint Agreement - Firewise

Silvernail moved, Peterson seconded, to allow the Mayor to sign the Joint Powers Agreement between the City of Deadwood and the South Dakota Department of Corrections (DOC) for the Firewise Program. City to reimburse DOC for nine (9) inmates at \$3.15 per inmate labor hour plus applicable costs. Areas to be cleared are presented in the Exhibit A which will be forthcoming. Roll Call: Aye-All. Motion carried.

Ordinance #1118 - Second Reading

There being no comment on Ordinance #1118 Amending Chapter 10.12 Stopping, Standing, and Parking with the added sections 10.12.031 through 10.12.045 regarding procedures for residential parking areas. Klamm moved, Schroeder seconded, to approve second reading of Ordinance #1118 Amending Chapter 10.12 Stopping, Standing, and Parking, Residential Parking. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Holiday Closure

Mayor Toscana announced Friday, July 3, 2009, would be the official 4th of July holiday for City Employees, due to the holiday falling on Saturday. City Hall will be closed on Friday, July 3, 2009.

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ITEMS FROM CITIZENS NOT ON AGENDA

Burnham Residence

Commissioner Silvernail said she has received complaints regarding a residence on Burnham Street that is under construction and is concerned for pedestrian safety. Mayor Toscana directed Public Works Director Jim Raysor to look into this matter.

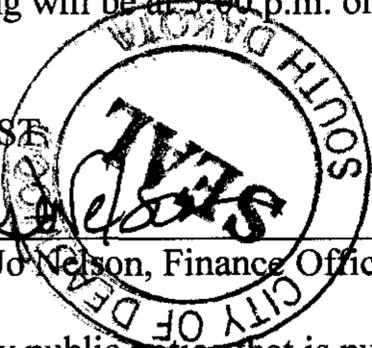
ADJOURNMENT/EXECUTIVE SESSION

Silvernail moved, Toscana seconded, to adjourn the regular session at 5:55 p.m. The next regular meeting will be at 5:00 p.m. on Monday, July 6, 2009.

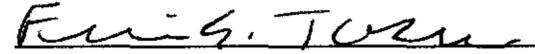
ATTEST



Mary Jo Nelson, Finance Officer



DATE: 7-6-09

BY: 

Francis A. Toscana, Mayor

For any public notice that is published one time:

Published once at the total approximate cost of _____.

