

EXECUTIVE SESSSION/REGULAR MEETING, May 21, 2007

The Regular Session of the Deadwood City Commission convened on May 21, 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

Speirs moved, Griffith seconded, to approve the minutes of May 14, 2007. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Speirs moved, Griffith seconded, to approve the May 21, 2007 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS EQUIPMENT	MAINTENANCE CONT.-COPIES/PW	21.73
ADVANCE IMAGE	PANANSONIC KXP1090	40.47
ALCO STORES, INC.	WEED AND FEED	204.79
ALLTEL	ALLTEL	182.54
ARMSTRONG EXTINGUISHER	SER LINKS-TRIP-FIRE SUPPRESSION	133.67
BILL BURLESON	SAFETY REIMBURSEMENT/BB	116.55
BLACK HILLS TRUCK & TRAILER	REAR LATCH-LATCH/WATER DEPT.	159.31
CHAINSAW CENTER/DAKOTA	RENSAW/PARKS EQUIPMENT	273.92
CHANEY, JEANETTE	REIMBURSEMENT SPRING FORUM REG.	70.00
COBURN INSURANCE	PUBLIC EMPLOYEE BLANKET BOND	1,557.00
COW COUNTRY	PANELS-PANEL TRAILER-GATE	7,081.70
CULLIGAN OF THE NORTHERN	HBOTTLED WATER	15.00
DAKOTA GRAPHICS	BUSINESS CARDS-PUNCH CARDS/RC	40.00
FARMER BROTHERS CO	FARMER BROTHERS CO	46.35
FIRST MIDWEST BANK	COPIER AGREEMENT/PUBLIC WORKS	92.90
FIRST WESTERN BANK	TIF-HILLS LIMITED & FOUR ACES	9,042.23
HILLS MATERIALS COMPANY	BASE COURSE	279.77
JACOBS PRECISION WELDING	REPAIR LIGHT POLE	169.75
JAMES MCLAIRD	SYMPOSIUM HONORARIUM & MILEAGE	1,201.60
JESSE HARDIN	SYMPOSIUM HONORARIUM	1,000.00
JUNEKS SERVICE	LABOR ON 2004 DURANGO	37.50
LEAD-DEADWOOD CLASS OF 2010	DONATION 8TH GRADE GRADUATION	100.00
LEHMEN CONSTRUCTION CO.	PANEL REPLACEMENT/FINAL BILL	22,946.10
M&M SANITATION	MONTHLY TOILET RENTAL/BB FIELD	195.00
NORTHERN STATE UNIVERSITY	M. BULLARD INSTITUTE REGISTRAR	308.20
NORTHWEST PIPE FITTINGS,	IREPLACEMENT STRAINER/RC	292.19
OFFICE DEPOT	OFFICE SUPPLIES	35.16
QUILL COPORTATION	OFFICE SUPPLIES	129.85
QWEST	PARKING RAMP PHONE	137.87
SD DEPARTMENT OF REVENUE	2007-2008 MALT BEV LICENSE REN	5,525.00
SERVALL UNIFORM AND LINEN	MOPS-BAG-TOWELS/FIRE HALL	15.00
SOUTH DAKOTA MUNICIPAL LEA	07 GOV. FINANCE OFFICER SCHOOL	244.00
SPEARFISH HUSKY	CS MIX OIL	32.00
TRENT RACHETTO	SAFETY REIMBURSEMENT/TR	175.31
TRIPLE K TIRE & REPAIR	LUG SIMULATOR RETURN FREIGHT	35.19
TRUGREEN CHEM-LAWN	LAWN CARE/20 CRESCENT	926.25
TWILIGHT FIRST AID & SAFET	FIRST AID KIT REFILL	79.65
WELLS FARGO BANK	FOR PERIOD 5/26/07-5/25/08	500.00

TOTAL \$ 53,443.55

ITEMS FROM CITIZENS ON AGENDA

Archivist Update

Mike Runge, City Archivist informed everyone he received an update from Doug Munson with Chicago Albumen Works regarding the preservation of thirteen panoramic glass plate photographs. This restoration project is anticipated to be completed by August 2007.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

There being no objections, Silvernail moved, Griffith seconded, and to approve the 2006-2007 Malt Beverage Application for the Penny Motel located 818 Main Street. Mayor Toscana directed the Finance Officer Mary Jo Nelson to confirm the address and legal description for the malt beverage license. Roll Call: Aye - All. Motion carried.

Public Hearing

There being no objections, Silvernail moved, Speirs seconded, to approve the 2007-2008 Malt Beverage License Application renewals as follows:

PACKAGE (OFF-SALE) MALT BEVERAGE

Decker's Food Center of Gillette, Inc., for Decker's, 124 Sherman Street, Lots 9, 11, 13, 15, 17, 19, 21, 23, 25 & 27, Block 38, Original Town Deadwood;

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Big D Oil Co., 402 Main Street, Lots 6, 7, 8, 9 and the South 1/2 of Lot 10, Block 3, Fountain City Addition;

RETAIL (ON-OFF SALE) MALT BEVERAGE

A.G. Trucano, Son & Grandsons, Inc., for Bourbon Street Casino, 669 Main Street, Lot B & Lot 2, Block 18, Original Town Deadwood;

Black Hills Pizza Hut, Inc., for Pizza Hut of Deadwood, 11 Charles Street, Lots 6 - 14, Block 69, City of Deadwood;

Blue Sky Gaming Inc. for Tin Lizzie, 555 Main Street, Lot Pt. 8, Pt. 10, Block 12, Martindale Tract;

BRI, Inc., for Best Western Hickok House, 137 Charles St., Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, & 19, Block 77, Original Town Deadwood;

Bullock Properties LLC, 633-635-637 Main Street, Lots 31 & 32, Block 16, Original Town Deadwood;

Bullock Properties LLC, for Treber Lot Beer Garden, 9-37 Sherman Street, N 10-1/2' of Lot 32, pt. Lots 33, 34 & 35, and Lots 48, 49, 50 & 51, Block 30, Original Town Deadwood;

B.Y. Development, Inc., for Cadillac Jack's Gaming Resort, 360 Main Street, Bradsky Tract located in the NW1/4 of Sec. 23, T5N, R3E, BHM, City of Deadwood;

Deadwood Development Co., Inc., for Lee Street Station, Wooden Nickel & Martin Mason, 5 & 9 Lee Street, Lots 1 through 7, incl., and a portion of the N½ of Lots 8, 9 & 10, Block 28, Tract A, Original Town, Deadwood;

Deadwood Development Co., Inc., for McKenna's Gold, 470 Main Street, Lots 1-13, Block 1 of Fargo and Geis Addition, Original Town Deadwood;

Deadwood Development Co., Inc., for The Gallows, 12 Lee Street, Tract A Block 29, Original Town, Deadwood;

Deadwood Thymes Café Inc., 87 Sherman Street, Lots 13 and 15, Block 24, Original Town Deadwood;
Deadwood Tobacco Co. & Cigar Bar, 628 Main Street (Basement), Block 15 Lot 2, Original Town Deadwood.

Deals Publications, Inc. for Celebrity Hotel, 629 Main Street, Lots E & F (aka Lots 1 & 3) Block 14, Original Town Deadwood;

Deals Publications, Inc., for Mint, 638 Main Street, Lot 24, Block 17, Original Town Deadwood;

DGR Hospitality Corp., for Deadwood Gulch Resort, Hwy 85 South, Deadwood Gulch Addition II except campground (Plat #98-2319) and further excepting Gulches of Fun (Plat #99-4799);

Mary C. Dunne for Deadwood Dicks Saloon, 51 Sherman Street, 1.6' of Lot 17 & all lots 19, 21, 23, 25, 26 & part 27, Block 30, Original Town Deadwood;

Dwd., Inc. & Gamblers Gulch, Inc., for Deadwood Gulch Saloon, 558-560 Main Street, Lots 1, 3, & 5, Block 13, and Lot 69, Block 15, Original Town Deadwood;

Emerald Corp., for BB Cody's Gaming Saloon, 681 Main Street, Tract B and Lots 8, 9 and 10 and a portion of Lots 6 and 7, Block 18, and a portion of M.S. #72, Original Town Deadwood.;

Fairmont Hotel Corporation, for Fairmont Hotel, 628 Main Street, Lots 2 & 4, Block 15, Lots C,D,E,F,G & H, Block H, Original Town Deadwood;

First Gold, Inc., for First Gold Hotel, 270 Main Street, M.S. 840 Lots A-1, Jessie L. Con P.C. & PT 840 (Thomas Property) M.S. 242, Lots A-1, M.S. 1054, Lot D & Lot X;

Four Aces Hotel Corp. for Four Aces, 531 Main Street, Tracts 1 and 2, Block 12, Lots 21, 23, 25, 27, 29, 31, 33, Block 13, Original Town Deadwood;

Four Aces Corp. for Four Aces Beer Garden, Lots 1, 2, 3, 4, 5, Block 11, Lots 13, 14, 15, & Northerly 70" of Lot 19, Block 13, Original Town Deadwood;

Full House, Inc., for Gold Dust 777, 661-663-665 Main Street, Achtien Lot, Block 16 & Lot 5B, Original Town Deadwood;

Full House, Inc., for Gold Dust, 678-692 Main Street, Lot 4 and the NS x 6' of Lot 5, N1/2 of Lot 6 and all of Lot 5 and Lot 7, 8, 9, 10. Lot 11 and all except 5' of Lot 12 of Block 12, Original Town Deadwood;

GNI, Inc., for Gold Country Inn, 801 Main Street, HS 97 Lots 1 & 2 and X & Y, formerly a portion of Lot H-1 of Lot F of Wagner Subdivision, HS 97, Lot 3, Except Lot 3;

GR Deadwood LLC, for Mineral Palace Hotel & Gaming, 607 Main Street, Lots 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39 & TRA-1 (Formerly lots 41, 43, 45 & PT47) of Block 14, Original Town Deadwood;

GR Deadwood LLC, Union Palace, 424 Main Street, Lots Six (6) and Seven (7), Block C, Fargo Addition to the City of Deadwood, according to P.L. Roger's map;

Hickok's, Inc., for Hickok's, 685 Main Street, Lot 10, Block 18, Original Town Deadwood;

Hickok's Hotel & Casino Inc., Iron Horse Inn, 27 Deadwood Street, S. 100' of Lots 8 through 12, incl., Block 28, Original Town Deadwood;

Hotel Franklin Inc., 700 Main Street, Lots 1, 3, 5, 7, 9, 11 & part of lot 8, 10 & alley section of Lots 8 through 14, Block 23, Original Town Deadwood;

Kenneth Lau & Constance Andrews, for Miss Kitty's, 649 Main Street, Lots 17, 19, 21, 23, Block 16, Original Town Deadwood;

L & L Investments LLC for The Penny Motel, 818 Main Street, Sunnyside S/D Deadwood E Part Lot 10 & all Lot 11 Block B & vacated William Street.

Midnight Star Enterprises, LP, for Midnight Star I & II, 677 Main Street, Lots 6 & 7, Block 18, Original Town Deadwood;

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Midwest Motels of Deadwood II, Buffalo Bodega, 658 Main Street, Lots 2, 4, 6, 8, 10, 12 & 14, Block 19, Original Town Deadwood;

Midwest Motels of Deadwood L.L.C., for Comfort Inn Gulches of Fun, Highway 85 South, Deadwood Gulches of Fun Tracts 1 and 2, being a portion of Deadwood Gulch Addition II;

Miss Kitty Enterprises LLC, for 76 Motel & Restaurant, 68 Main Street, Tracts A,C, & D.I., being a portion of the Carpenter Placer M.S. 687 in the City of Deadwood, and Tract 0113 within Lot 9 of Section 14, T5N, R3E of the BHM;

Mustang Sally's Inc., for Mustang Sally's, 634 Main Street, Lots 26 & 28, Block 17M, Original Town Deadwood;

Old Style Saloon #10, Inc., for Saloon #10, 657 Main Street, Lots 5A, 7 & 9, Block 16, Original Town Deadwood;

Princeton Inc., for Deadwood Super 8 / Lucky 8 Gaming, Hwy 85 South, Tract A, a portion of Probate Lot 82 and 420, and a part of School Lot 19;

Ridgeview Corp. for Goldberg's, 670 Main Street, Lots 1 and 2, Block 21, Original Town Deadwood;

Super G Investment Corporation for Silverado, 709 Main Street, Lots 5, 6, 7A, 7B, 8, 9A, 12A, 9' of Lot 12, H6' of Lot 13, SE 19' of Lot 13, Lots 14, 16 and , Block 20, Original Town Deadwood;

Wild West Winners Inc. for Wild West Casino, 608-624 Main Street, Lots 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 & 26A, Block 15, Original Town Deadwood;

Public Hearing

Silvernail moved, Speirs seconded, to waive the vending fee and grant the use of the Sherman Parking Lot for the Mickelson Trail Marathon on June 2, 2007. Roll Call: Aye - All. Motion carried.

Set Public Hearing

Speirs moved, Silvernail seconded, to continue the setting of a public hearing for a 2007-2008 Malt Beverage License for Allan Rosenfeld dba Jackrabbit Flats, Highway 14A to the May 29, 2007 meeting. Mayor Toscana requested City Attorney to research this matter. Roll Call: Aye - All. Motion carried.

FINANCE/HISTORIC PRESERVATION

Payment Request

Speirs moved, Silvernail seconded, to allow the Finance Office to pay \$5,000 to the Lead Chamber for the 2007 Gold Camp Jubilee fireworks display, to be expended from Commission professional services. Roll Call: Aye - All. Motion carried.

Information

Finance Officer Mary Jo Nelson provided for the Commission the individual amounts for the Employee Blanket Bond Coverage for public employees. The amount of \$1,557.00 was approved at the May 14, 2007 meeting.

Mileage Rate

Silvernail moved, Speirs seconded, to approve the new State rate for mileage at \$0.37 per mile effective July 1, 2007. Roll Call: Aye - All. Motion carried.

Payment Request

Speirs moved, Griffith seconded, to approve the payment of \$1,083.76 to Claims Associates for 15% of legal expenses incurred, which were incurred on a claim in 2006. Roll Call: Aye - All. Motion carried.

Advertise for Recording Secretary

Speirs moved, Silvernail seconded, to allow Historic Preservation department to advertise for a recording secretary to record minutes for the HPC meetings. Roll Call: Aye - All. Motion carried.

POLICE/FIRE

Fire Department Roster

Klamm moved, Griffith seconded, to add Christopher Patterson to the Fire Department roster for workers compensation purposes effective May 10, 2007. Roll Call: Aye - All. Motion carried.

Mutual Aid Agreement

Klamm moved, Griffith seconded, to allow the Mayor to sign the mutual aid agreement for emergency services serving Meade County. Roll Call: Aye - All. Motion carried.

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Employee Resignation

Klamm moved, Griffith seconded, to accept the resignation of the Tom Derby effective May 18, 2007. Roll Call: Aye - All. Motion carried.

Advertise for Police Officer

Klamm moved, Silvernail seconded, to allow the Police Department to advertise in-house for a police officer. Roll Call: Aye - All. Motion carried.

PARKS/RECREATION

Wage Increase

Griffith moved, Klamm seconded, to approve the wage increase for Scott Reif from \$12.25 to \$12.93 after completion of one year's service (95% of prevailing wage) effective May 15, 2007. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Meeting Date Change – Memorial Day Holiday

Mayor Toscana announced the next regular meeting would be at 5:00 p.m. on Tuesday, May 29, 2007, due to the Memorial Day Holiday.

Hire Request

Toscana requested permission to hire Jim Doolittle at \$400 per meeting to conduct the 2008 union negotiations. Toscana moved, Silvernail seconded, to hire Mr. Doolittle to conduct the union negotiations for the City of Deadwood. Roll Call: Aye – All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONERS, DEPT HEADS NOT ON AGENDA

Railroad Parking Lot

Commissioner Griffith expressed concerns regarding the Railroad Parking Lot and the recent sloughing and erosion problems. Public Works Director added the Street Department placed barricades in the lot to ensure the public's safety and this matter would be addressed with the Lead-Deadwood Sanitary District.

Grandstand Incident

Fire Chief Mohr informed the Commission of an incident that happened last weekend during the horse sale. A cigarette butt fell between seats and started a small fire. They were able to extinguish the fire with a bucket of water. Mohr added the fire hydrant was not accessible due to vehicles parked in front of the hydrant. Mohr suggested the Fire Department meet with Safety Committee to discuss various issues such as marking the fire lanes and possibly banning smoking in the grandstand area.

ADJOURNMENT

Toscana moved, Griffith seconded, to adjourn the regular session at 5:30 p.m. The next regular meeting will be at 5:00 p.m. on Tuesday, May 29, 2007.

ATTEST:

DATE: _____

Mary Jo Nelson, Finance Officer

BY: _____
Francis A. Toscana, Mayor