

**EXECUTIVE SESSION/REGULAR MEETING, May 24, 2010**

The Regular Session of the Deadwood City Commission convened on May 24, 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, Silvernail seconded, to approve the minutes of May 17, 2010. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Silvernail moved, Schroeder seconded, to approve the May 24, 2010 disbursements. Roll Call: Aye-All. Motion carried.

ABC	SUPPLIES	366.26
AK ATHLETIC EQUIPMENT	MAT	238.00
ALLTEL	PHONES	131.49
AMANO MCGANN	TICKETS	23,101.00
BH POWER	UTILITIES	13,932.03
CONRADS BIG "C"	REPAIRS	504.93
COPPER COTTAGE	SUPPLIES	1,990.00
CULLIGAN	SUPPLIES	20.00
DAKOTACARE	INSURANCE	39,120.97
DEADWOOD CHAMBER	BILLS	30,000.00
DEADWOOD ECONOMIC DEV	RAMP CONTRACT	1,580.02
DEADWOOD GRANITE	REPAIRS	950.00
FARMER BROS	SUPPLIES	165.93
GOLDEN WEST	MONITORING	6,420.00
GREEN PROVENCE	CONVERTER	485.01
HAWKINS INC	CLASS	225.00
KNOLOGY	PHONE	44.81
LEAD DWD HOSPITAL	TESTING	36.00
LYNN'S	SUPPLIES	5.72
ONE CALL SYSTEMS	TICKETS	30.51
QWEST	PHONE	140.08
RAMADA	LODGING	162.76
RC JOURNAL	SUBSCRIPTION	192.00
ROCKINGTREE	TREES	274.90
SCHALLENKAMP, DEAN	REIMBURSE	123.83
SD PUBLIC HEALTH	TESTING	24.00
STURDEVANT'S	BATTERIES	180.00
STURGIS YAMAHA	ASSEMBLY	139.28
TRIDLE, JOHN	REIMBURSE	227.74
TRIPLE K	REPAIRS	152.85
TWILIGHT	SUPPLIES	293.33
TC HARDWARE	SUPPLIES	150.27
VALDEZ, LIONEL	CLAIM	825.16
WELLS FARGO BANK	ADMIN FEES	500.00
WEST PAYMENT CENTER	PMT	159.76
WOLFF'S PLUMBING	REPAIRS	894.13
ZEP	ZEP	454.46
	<b>TOTAL</b>	<b>\$ 124,242.23</b>

**PUBLIC HEARINGS/BID OPENINGS**

**Public Hearing**

Sarah Anderson, Deadwood Chamber, requested permission for street closures, waive vendor fees, relaxation of open container ordinance, and use of the Interpretive Lot during the Kool Deadwood Nites events on August 26-29, 2010.

Silvernail moved, Klamm seconded, to allow relaxation of open container ordinance on Thursday, August 26 for Sock Hop event, 5:00 p.m. to 10:00 p.m. (Interpretive Lot/Visitor's Center.) Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to allow relaxation of open container ordinance on Friday, August 27, 2010 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 28, 2010 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 street closures for Thursday, August 26 for Sock Hop and People's Choice Awards from Wall to Lee Street from 4:00 p.m. to 10:00 p.m. (one-way traffic only.) Roll Call: Aye-All. Motion carried.

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Silvernail moved, Klamm seconded, to allow street closures for Friday, August 27 and Saturday, August 28 for Kool Deadwood Nites concerts - Main Street closed from Wall to Pine Streets 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 27 through 2:00 a.m. August 28 for closures. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to allow street closures for Sunday, August 29 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 8:00 a.m. until parade ends. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to allow street closures for Sunday, August 29 for Kool Deadwood Nites Show and Shine. All of Main Street from the Masonic Temple to Four Aces, both sides of street for parking from Pine Street to Four Aces. Traffic allowed ONLY down Main from Wall for access to 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 Kool Deadwood Nites events for Deadwood Chamber merchandise on Main Street, Information Center, and Rodeo Grounds. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to waive the vending fee for the American Legion during the Sock Hop event at the Interpretive Lot on August 26 from 4:00 p.m. to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Peterson moved, Schroeder seconded, to waive the vending fee for the Optimist Club at the Rodeo Grounds on August 27 from 7:00 a.m. to 2:00 p.m. Roll Call: Aye-Peterson, Schroeder, Klamm, Silvernail. Recused: Toscana. Motion carried.

Peterson moved, Silvernail seconded, to allow the use of the Interpretive Lot at no charge from Thursday, August 26 at 2:00 a.m. to 2:00 p.m. on August 29, 2010. Roll Call: Aye-All. Motion carried.

### Chamber Request

Silvernail moved, Peterson seconded, to approve the request for the Deadwood Chamber to add New Year's Eve, December 31, 2010 and the Wagon Trail Ride, September 4, 2010 to the list of Designated Special Events. Roll Call: Aye-All. Motion carried.

### Set Public Hearing

Silvernail moved, Schroeder seconded, to set a public hearing on June 21, 2010 at 5:05 p.m. for the 2010-2011 Malt Beverage License Renewals for Pam's Purple Door, 637 Main Street, and Deadwood Chamber, 767 Main Street. Roll Call: Aye-All. Motion carried.

## FINANCE

### Official Depository List

Peterson moved, Silvernail seconded, to approve the addition to the Official Depository List for the City of Deadwood: First National Bank, Lead, SD and Dakota Territory Federal Credit Union, Deadwood, SD. Roll Call: Aye-All. Motion carried.

### Travel Request

Peterson moved, Silvernail seconded, to allow Ronda Morrison and Julie Evenson to travel to Vermillion to attend the final year of South Dakota Municipal Clerk Program from July 12-16, 2010, registration \$209.00, use of vehicle, meals not covered during seminar and lodging, a budgeted item. Roll Call: Aye-All. Motion carried.

### Property Tax Abatement

Peterson moved, Silvernail seconded, to allow the Mayor to sign the request for property tax abatement on Parcel #30023-07100-000-20 for Thomas F. and Kathleen K. Harper, an irregular strip of land in front of West 57' of Lot 2 Block 72 and the rear of the westerly part of Block 71 of the City of Deadwood, according to Roger's Map, Lawrence County, South Dakota. Parcel was received from Lawrence County due to back taxes not being paid. Roll Call: Aye-All. Motion carried.

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PARKS/RECREATION/TROLLEY

Purchase Request

Silvernail moved, Peterson seconded, to approve the purchase of a tent (20' x 30') for special events from Economy Tent International for \$2,695 includes repair kit and shipping. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Peterson seconded, to approve the hiring of Jacqueline Eide for a part time seasonal trolley driver, effective May 24, 2010, pending pre-employment drug screening at \$8.00 per hour. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Contract - Muth Electric

Klamm moved, Silvernail seconded, to allow the Mayor to sign the contract between the City of Deadwood and Muth Electric, Inc. for the construction of the Mickelson Trail lighting project in Deadwood for \$320,912. (SD DOT Grant Project #POENH (157) PCN 00C3.) Roll Call: Aye-All. Motion carried.

Resolution 2010-13

Silvernail moved, Peterson seconded, to approve Resolution 2010-13 to temporarily allow Private Transportation Services in the City of Deadwood. Roll Call: Aye-All. Motion carried.

**RESOLUTION 2010-13**

**RESOLUTION TO TEMPORARILY ALLOW PRIVATE TRANSPORTATION SERVICES IN THE CITY OF DEADWOOD**

**WHEREAS**, the City of Deadwood has an ordinance covering the use of trolleys and private transportation services in Chapter 5.44 in its Code of Ordinances; and  
**WHEREAS**, the City of Deadwood does not currently have trolley service to the location of the Lodge at Deadwood on U.S. Highway 85, but intends to have such trolley service to such location in the future; and  
**WHEREAS**, the Lodge at Deadwood, pursuant to the regulations found in Chapter 5.44 of the City of Deadwood Code of Ordinances, would not be able to provide private transportation services to other businesses in the City of Deadwood; and  
**WHEREAS**, the Deadwood City Commission has deemed it unfair to not allow the Lodge at Deadwood to provide private transportation services while there is no trolley service to its location, now, therefore,  
**BE IT RESOLVED**, that the Deadwood City Commission does hereby enact this resolution, effective immediately, and grant a limited exception to Chapter 5.44 of the City of Deadwood Code of Ordinances for the business known as the Lodge at Deadwood to provide private transportation services until such time as the City of Deadwood establishes trolley service to such location; and  
**IT IS FURTHER RESOLVED**, that the Lodge at Deadwood may provide such services to following locations only: 1) the Interpretive Lot parking lot, 2) the Lower Main parking lot, and 3) the City of Deadwood parking ramp; and  
**IT IS FURTHER RESOLVED**, that other businesses that have motel and hotel operations in the City of Deadwood are allowed to, or have the option of, transporting guests from their motel/hotel business to the Lodge at Deadwood, and only the Lodge at Deadwood, using their own courtesy shuttles, vans, and/or vehicles; and  
**IT IS FURTHER RESOLVED**, that as soon as the City of Deadwood establishes a trolley route to the Lodge at Deadwood location, this Resolution becomes null and void, and the Lodge at Deadwood will once again be subject to Chapter 5.44 of the City of Deadwood Code of Ordinances.

Date: May 24, 2010

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

City of Deadwood

/s/ Francis A. Toscana, Mayor

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Ordinance #1129 - Second Reading

Silvernail moved, Peterson seconded, to approve second reading of Ordinance #1129 Amending 5.44 Trolleys, section 5.44.010 One Operator. Roll Call: Aye-All. Motion carried.

Agreement - Deadwood Gulch Resort

Klamm moved, Silvernail seconded, to allow the Mayor to sign the agreement between the City of Deadwood and Deadwood Gulch Resort regarding employee parking on City property (Timm Lane) from August 5-15 and August 26-29, 2010. Roll Call: Aye-All. Motion carried.

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MAYORS BUSINESS

Meeting Date Change

Mayor Toscana announces the next meeting would be at 5:00 p.m. on Tuesday, June 1, 2010 due to the Memorial Day Holiday.

Hire Request

Toscana moved, Silvernail seconded, to approve the hiring of Jim Doolittle for union negotiations at \$400.00 per meeting. Roll Call: Aye-All. Motion carried.

Appoint - Parking and Transportation

Toscana moved, Silvernail seconded, to follow the recommendation of the Mayor to appoint Bob Nelson Jr. to the Parking and Transportation Committee. Roll Call: Aye-All. Motion carried.

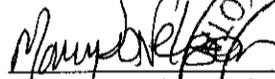
Executive Session

Mayor Toscana requested an Executive Session following Regular Session for union negotiations with no action to be taken.

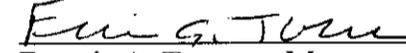
ADJOURNMENT

Klamm moved, Schroeder seconded, to adjourn the regular session at 5:30 p.m. and convene into executive session for union negotiations. The next regular meeting will be at 5:00 p.m. on Tuesday, June 1, 2010.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: 6-1-10

BY:   
Francis A. Toscana, Mayor

For any public notice that is published one time:  
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