

EXECUTIVE SESSION/REGULAR MEETING, July 19, 2010

The Regular Session of the Deadwood City Commission convened on July 19, 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

Silvernail moved, Schroeder seconded, to approve the minutes of July 12, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the July 19, 2010 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	702.44
ABC	SUPPLIES	3,413.21
ADAMS MUSEUM	OP EXPENSES	12,596.37
ALCO	SUPPLIES	80.61
BH CHEMICAL	SUPPLIES	1,937.20
BUTLER	FILTERS	78.56
CULLIGAN	RENTAL	97.50
DAKOTA BUSINESS	LEASE	37.94
DAYS OF '76	PROJECT	50,000.00
DEADWOOD ALIVE	2 QTR PMNT	22,500.00
DEADWOOD CHAMBER	BILL LIST	97,900.00
DEADWOOD ELECTRIC	REPAIRS	207.43
DEADWOOD GRANITE	HEADSTONE	450.00
DEADWOOD LEAD ARTS COUNCIL	EXHIBIT	950.00
EMMANUEL EPISCOPAL CHURCH	GRANT	477.08
FARMER BROS	SUPPLIES	51.08
FIRST PRESBYTERIAN CHURCH	GRANT	1,900.00
FLOYD, DUSTIN	LOAN DISB	946.50
GENES	PROJECT	29.00
GOLDEN WEST	COMPUTER ISSUE	366.85
GORDER, ROBIN	LOAN DISB	600.00
GUERN, JEANNINE	TOUR-CLUB	125.00
HCW, INC.	LOAN DISB	9,308.90
HIDDEN GULCH EMBROIDERY	SUPPLIES	244.96
HOLIDAY INN EXPRESS	SYMPOSIUM	409.35
INTERSTATE	BATTERIES	479.40
KMART	SUPPLIES	359.98
M&S CONSTRUCTION	RUBBLE	500.00
MENARD'S	SUPPLIES	276.41
MDU	UTILITIES	4.01
MULTI SERVICE CORP	PROJECTOR	759.41
MULTIMEDIA SALES	AD	106.00
NORTHWEST PIPE	SUPPLIES	35.91
ONE CALL SYSTEMS	TICKETS	20.34
PENGRA, CARL	MILLWORK	130.00
QWEST	SERVICE	159.02
RAPID DELIVERY	FEE	19.80
SD COMMISSION ON GAMING	PYMT 1	64,875.00
SD DEPT.CORRECTIONS	FIREWISE	5,191.64
SD SECRETARY OF STATE	RENEWAL	125.00
SOUTH SIDE	FUEL	13,952.23
SOUTHSIDE OIL	FUEL	695.56
SPECIALTY VEHICLES	PROCESSING UNIT	823.18
SQUYER, LORNA	REIMBURSE	28.12
STANLEY PLUMBING	LOAN DISB	5,974.00
TDG COMMUNICATIONS	BOOKLETS	6,500.00
TEMPERATURE TECHNOLOGY	SERVICES	98.10
TENNANT SALES	REPAIRS	577.00
TRIPLE K	REPAIRS	112.74
TURBIVILLE, CHARLES	LOAN DISB	3,000.00
TURNBULL & SONS	FERGUSON FIELD	3,750.00
TWILIGHT	SUPPLIES	155.30
TC HARDWARE	PAINT GRANT	673.11
WEST PAYMENT CENTER	CHRGs	159.76
	TOTAL	\$ 314,951.00

ITEMS FROM CITIZENS ON AGENDA

Years of Service Awards

Mayor Toscana presented Years of Service Awards to the following employees for their years of service to the City of Deadwood. Recipients are 20-Year Award, Sarah Solano, and 15-Year Award, Rob Lester. Mayor Toscana thanked them for their years of service and dedication of the City of Deadwood.

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Gordon Park - Class of 1960

Silvernail moved, Peterson seconded, to allow the Class of 1960 to consume beer at Gordon Park on July 24, 2010 from 11:00 a.m. to 3:00 p.m. for a class reunion. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening

Jim Raysor opened and read the two bids received for the painting of the interior and exterior of the Visitor and Information Center. The bids are as follows:

**Visitor & Information Center Interior/Exterior Painting Projects
Bid Opening - July 19, 2010 at 5:05 p.m.
at Deadwood City Hall
Bid Tabulation**

Contractor	Bid Security	Exterior	Interior
Lamb Painting, LLC	Bid Bond	\$12,265.00 (Includes Excise Tax)	\$11,549.00 (Includes Excise Tax)
Forcoli & Sons Enterprises	Cashier's Checks	\$7,275.52 (Includes Excise Tax)	\$6,938.78 (Includes Excise Tax)

Raysor requested more time to review the bids. Silvernail moved, Klamm seconded, to continue the bid opening to the July 26, 2010 meeting. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Schroeder seconded, to approve the Special Full Temporary Liquor license for the Days of 76 events at the rodeo grounds on July 27, 2010 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Schroeder, Klamm, Toscana. Abstain: Peterson. Motion carried.

Silvernail moved, Schroeder seconded, to approve the Special Full Temporary Liquor license for the Days of 76 events at the rodeo grounds on July 28, 2010 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Schroeder, Klamm, Toscana. Abstain: Peterson. Motion carried.

Silvernail moved, Schroeder seconded, to approve the Special Full Temporary Liquor license for the Days of 76 events at the rodeo grounds on July 29, 2010 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Schroeder, Klamm, Toscana. Abstain: Peterson. Motion carried.

Silvernail moved, Schroeder seconded, to approve the Special Full Temporary Liquor license for the Days of 76 events at the rodeo grounds on July 30, 2010 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Schroeder, Klamm, Toscana. Abstain: Peterson. Motion carried.

Silvernail moved, Schroeder seconded, to approve the Special Full Temporary Liquor license for the Days of 76 events at the rodeo grounds on July 31, 2010 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Schroeder, Klamm, Toscana. Abstain: Peterson. Motion carried.

Public Hearing

Silvernail moved, Schroeder seconded, to approve the street closure on Main Street from Deadwood to Wall Street from 8:00 - 10:00 p.m. on August 25, 2010, reserving both sides of the street for the National Impala Association event. Traffic will be allowed one way from Wall Street to Four Aces. Roll Call: Aye-All. Motion carried.

FINANCE

Payment Request

Peterson moved, Silvernail seconded, to approve the payment to Golden West for \$1,920.00 for the renewal of the Firewall Protection service to June 30, 2011, to be paid from Data Processing, budgeted item. Roll Call: Aye-All. Motion carried.

Payment Request

Peterson moved, Silvernail seconded, to approve the payment to Golden West for \$2,880.00 (paid from Data Processing) per year with an additional \$404.00 per month to be paid from Historic Preservation

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budget for the renewal of off-site backup storage service to June 30, 2011, budgeted item. Roll Call: Aye-All. Motion carried.

Property Tax Abatement

Peterson moved, Silvernail seconded, to allow the Mayor to sign the abatement for the 2010 taxes on property deeded to the City of Deadwood from Lawrence County through a tax deed. Parcel # 30025-07100-000-20. Roll Call: Aye-All. Motion carried.

Raffle Ticket Request

The North Dakota Community Foundation requested permission to sell raffle tickets for the Curtis Stern Memorial Scholarship fundraiser on June 21, 2011 at The Lodge at Deadwood event. No action taken, raffle approved.

HISTORIC PRESERVATION/PLANNING ZONING/PUBLIC BUILDINGS/SAFETY

Rescind Resolution 2010-16

Silvernail moved, Schroeder seconded, to rescind the recently approved Resolution 2010-16 for the sale of 712.5 square feet of property to James Wild due to surveyor's findings of an error on the P.L. Rogers map (City of Deadwood does not own said property.) Roll Call: Aye-All. Motion carried.

Payment Request

Schroeder moved, Klamm seconded, to approve the payment for Deadwood Granite and Marble Works, the amount is not to exceed \$5,000 to repair the Harnett monument, to be paid from the Historic Preservation Cemetery/Loan fund. Roll Call: Aye-All. Motion carried.

Conservation Easement - Slime Plant Facade

Klamm moved, Silvernail seconded, to allow the Mayor to sign the Slime Plant Facade Easement between Tentexkota, LLC and the City of Deadwood for Parcel 1: Tract "S" of Block 1 of Fair View Addition No. 1; and that portion of Lawrence County Courthouse Lot as shown on the attached Exhibit I as Lot A, all located in the Original Townsite, City of Deadwood, in the SE 1/4, Section 22 and the SW 1/4 of Section 23, T5N, R3E, B.H.M., Lawrence County, SD. Roll Call: Aye-All. Motion carried.

Mt. Moriah Cemetery - Unknown Burial

Mayor Toscana informed the Commission of a burial ceremony, which will take place at the Mt. Moriah Cemetery on July 28 to inter the remains of a possible Native American or Chinese descent pioneer. The remains were discovered during a retaining wall project on Taylor Avenue. Representatives from both the Native American and Chinese descent will attend the burial.

Change Order #9 - Deadwood Mountain Grand

Schroeder moved, Klamm seconded, to approve the Change Order #9 for the Deadwood Mountain Grand for the canopy support for \$3,834.00, to be paid by Tentexkota per agreement. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Purchase Request - Cost Share (City of Lead)

Klamm moved, Silvernail seconded, to approve the payment of \$4,200 (not to exceed) for Police Department to cost share with the City of Lead for the radio repeater replacement, to be paid from Police Department budget. Roll Call: Aye-All. Motion carried.

Payment Request

Klamm moved, Silvernail seconded, to approve the payment for the Deadwood Volunteer Fire Department not to exceed \$1,000.00 to staff the Fire Hall during the Days of 76 parades July 30-31, 2010, a budgeted item. Roll Call: Aye-All. Motion carried.

Payment Request

Klamm moved, Schroeder seconded, to approve the payment of \$2,174.00 to ABC Business for office furniture for the Police Department, a budgeted item. Roll Call: Aye-All. Motion carried.

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Contract - 111 Williams-Retaining Wall

Klamm moved, Silvernail seconded, to allow the Mayor the sign the retaining wall agreement between the City of Deadwood, Lynette Kirkeby, and Dennis Forgey Construction for the retaining wall at 111 Williams Street. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Discussion - Policy Manual

Mayor Toscana informed the Commission that there has been some misinterpretation of the policy regarding the use of the Rec Center and who is eligible for free memberships. Toscana recused himself from the discussion. Commissioner Silvernail opened the discussion regarding this matter. Commissioner Schroeder expressed concerns with this policy and said that he is in support of the employees, police officers and firefighters receiving a membership at no cost however, he does not feel that their families should receive a free membership. Commissioner Klamm added that the firefighters are volunteers and do not receive compensation for their time and feel that they along with their immediate family should be eligible for a free membership to the Rec Center. Silvernail questioned the number of firefighters and their families who utilize the Rec Center. After discussing, Silvernail moved, Peterson seconded, to amend the policy manual to state that all full time City of Deadwood employees receive the benefit of using the Recreation Center and its facility during normal operation hours at no charge. Roll Call: Aye-All. Motion carried. Klamm moved, Peterson seconded, to allow all active volunteer firefighters, spouse, and their dependent children to use the Recreation Center and its facility during normal operation hours at no charge. Roll Call: Aye-All. Motion carried.

Fassbender Photo Collection

Mayor Toscana informed the Commission that the Mayors of Lead, Deadwood, Spearfish, and Belle Fourche have discussed the offer made for the Fassbender Photographic Collection. These municipalities are discussing the opportunity to acquire and preserve this legendary collection. The collection consists of approximately 800,000 negatives, prints, slides, transparencies, and film from the Fassbender collection along with other photographic collections. No action was taken.

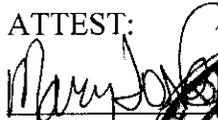
Executive Session

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

ADJOURNMENT

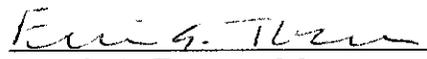
Klamm moved, Schroeder seconded, to adjourn the regular session at 5:55 p.m. and convene into executive session for personnel with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, July 26, 2010.

ATTEST:



Mary Jo Nelson, Finance Officer

DATE: 7-26-10

BY: 

Francis A. Toscana, Mayor

For any public notice that is published one time:
Published once at the total approximate cost of _____.

