

REGULAR MEETING/EXECUTIVE SESSION, August 25, 2008

The Regular Session of the Deadwood City Commission convened on August 25, 2008 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 August 18, 2008. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the August 25, 2008 disbursements. Roll Call: Aye-All. Motion carried.

ABC	PAPER/REC CENTER	26.15
ALCO STORES, INC.	SUPPLIES-SUMMER CAMP/RC	44.78
ALLTEL	POLICE BAG PHONES	422.84
BLACK HILLS POWER & LIGHT	ELECTRICITY/PUBLIC BUILDINGS	2,399.85
BLACK HILLS WEEKLY GROUP	CLASSIFIED-LEGAL ADS	1,126.53
BRADLEY, ANTHONY	REIMBURSE DEDUCTIBLE / COLT	750.00
CITY OF LEAD	50/50 SPLIT T C ANIMAL SHELTER	1,704.09
CULLIGAN OF THE NORTHERN H	BOTTLED WATER/PW SHOP	68.00
DEADWOOD DEVELOPMENT CO	DEADWOOD DEVELOPMENT CO	144.92
DEADWOOD ECONOMIC DEVELOPM	TURBIVILLE SALARY	1,580.02
DEADWOOD FIRE DEPARTMENT	(4) RALLY HOURS	52.96
DEBORAH MAYNARD	REIMBURSE FOR DENTAL PREMIUM	21.01
DOOLITTLE, JAMES	NEGOTIATIONS SESSION	400.00
FASTENAL COMPANY	FLAP DISCS	54.94
GARY GOULD	REIMBURSE DEDUCTIBLE 2008	750.00
GOLDEN WEST TECHNOLOGIES,	ANNUAL i-WITNESS CHARGES	2,880.00
HILLSIDE DISPOSAL	MONTHLY RESIDENTIAL GARBAGE	5,071.00
KEN'S CAMPER	PROPANE/WEED BURNER	7.10
KNOLGY	PHONE-INTERNET SERVICE/FINANCE	1,025.04
KRYGER, DONALD	SAFETY REIMBURSEMENT/A KRYGER	200.00
LAWSON PRODUCTS, INC.	ADHESIVE-WELD HELMET	299.49
LYNN'S DAKOTA MART	SUMMER CAMP SUPPLIES/REC	25.63
MARSHALL, JESSICA LYNN	PIZZA/SUMMER CAMP	77.04
MAVERICK ENTERPRISES DBA B	MAGIC WIPE CLEANERS/RC	18.56
NEWMAN TRAFFIC SIGNS	CANTILVER ARM SPRT,2 CLR FILM	418.75
REIF, SCOTT D.	REIMBURSE 1/2 DEDUCTIBLE JEANN	750.00
SD COMMISSION ON GAMING	JULY 2008 CITY NICKELS	2,744.31
SERVALL UNIFORM AND LINEN	MATS, TOWELS, BAG	359.95
TDG COMMUNICATIONS	ARTWORK-PRINTING/RC BANNER	183.15
TOMFORD, TERESA	REIMBURSE DEDUCTIBLE	325.91
US POST OFFICE	AUGUST WATER BILLS	171.09
WELLMARK BLUE CROSS AND BL	CITY OF DWD - SEPT 08 PREMIUMS	35,273.05
WILLIAMS, BERNADETTE	RMBRSE DEDC 2008 CHUCK BERNIE	1,500.00
	TOTAL	\$ 60,876.16

ITEMS FROM CITIZENS ON AGENDA

Street Closure Request-Holiday Inn Express

Leah Glover with the Holiday Inn Express requested a street closure from 8:00 a.m. to noon on August 26 to park a crane on Lee Street to replace rooftop chiller. Silvernail moved, Klamm seconded, to approve the street closure and the Street department will barricade Lee Street during the requested times. Roll Call: Aye-All. Motion carried.

Resolution 2008-26

Peterson moved, Silvernail seconded, to approve Resolution 2208-26 to Appoint Business Improvement District 1-6 Board Members from August 1, 2008-July 31, 2009. Roll Call: Aye-All. Motion carried.

**RESOLUTION 2008-26
APPOINTING BUSINESS IMPROVEMENT DISTRICTS #1-6
BOARD MEMBERS**

WHEREAS, the City of Deadwood has by previous resolution, ordinances and action established and designated the boundaries of Business Improvement Districts 1, 2, 3, 5 and 6 for the City of Deadwood; and

WHEREAS, SDCL 9-55-5 requires the appointment of a Business Improvement Districts Board by the mayor, with the approval of the governing body; and

WHEREAS, the Business Improvement Districts members and taxpayers have decided to continue the establishment of the Business Improvement Districts 1, 2, 3, 5 and 6 within the City of Deadwood for Business Improvement Districts purposes and activities and levying assessments for the 2009 calendar year;

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and

WHEREAS, the Business Improvement Districts members have recommended the following for appointment as board members for a term of one (1) year;

NOW THEREFORE, BE IT RESOLVED by the City of Deadwood that the following members are appointed to the Business Improvement Board for Districts 1, 2, 3, 5 and 6 for the period from

August 1, 2008, to July 31, 2009.

- | | |
|---------------|-----------------|
| Ron Island | Ron Russo |
| Pat Roberts | Tom Rensch |
| Brad Hemmah | Matt Ramsey |
| Tom Nelson | Mary Dunne |
| Donnie Patton | Mike Trucano |
| Ken Gienger | Rich Turbiville |
| Craig Murdock | Paul Bradsky |
| Steve Olsen | |

Dated this 25th day of August 2008.

CITY OF DEADWOOD
/s/ Francis A. Toscana, Mayor

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

Resolution 2008-27

Silvernail moved, Schroeder seconded, to approve Resolution 2008-27 Designating Business Improvement District No. 7 Boundaries Appointing Business Improvement District No. 7 Board Members. Roll Call: Aye-All. Motion carried.

RESOLUTION 2008-27

**DESIGNATING BUSINESS IMPROVEMENT DISTRICT NO. 7 BOUNDARIES
AND
APPOINTING BUSINESS IMPROVEMENT DISTRICT NO. 7 BOARD MEMBERS**

WHEREAS, the City of Deadwood has by previous resolution, ordinances, and action established and designated the boundaries of Business Improvement District No. 7 for the City of Deadwood pursuant to SDCL 9-55-5; and

WHEREAS, SDCL 9-55-5 requires the appointment of a Business Improvement District's Board by the Mayor, with the approval of the governing body; and

WHEREAS, the Hotel/Motel Business Improvement District members have recommended the following individuals for appointment as board members for a term of one (1) year from August 1, 2008 through July 31, 2009;

BE IT FURTHER RESOLVED by the City of Deadwood, by its Mayor and with the approval of the City Commission, having first established the above boundaries, that the following members are appointed to the Business Improvement District Board District No. 7 for a term of one (1) year from August 1, 2008 through July 31, 2009:

- Rich Turbiville-Mineral Palace
- Gary Todd-Gold Country Inn
- Pat Roberts-Best Western Hickok House
- Richard Granberry-Penny's Motel
- Robert Williams-Bullock Properties
- Joe Henning-BH Inn and Suites
- Paul Bradsky-Cadillac Jack's
- Gordon Mack-Cedarwood Inn
- Brad Hemmah-First Gold
- Ken Gienger-Celebrity/The Mint
- Steve Olsen-Comfort Inn
- Dave Larson-Deadwood Dick's
- Tracy Island-Deadwood Gulch Resort

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Craig Murdock-Hickok Hotel, Iron Horse Inn
Ron Island-Super 8
Tom Nelson-Holiday Inn Express, Hampton Inn Four Aces
Tom Rensch-Franklin Hotel
Dennis Katon-Thundercove
Dexter Koehne-Butch Cassidy
Blake Haverberg-Martin Mason

Dated this 25th day of August, 2008.

ATTEST: CITY OF DEADWOOD
/s/ Mary Jo Nelson, Finance Officer /s/ Francis A. Toscana, Mayor

PUBLIC HEARINGS/BID OPENINGS

Bid Opening

Jim Raysor opened and read the bids received for the Williams Street Panel Replacement project. The bids are as follows:

Williams Street Panel Bids

Contractor	Bid Security	Bid Amount
Simon Contractors of South Dakota, Inc	Bid Bond	\$45,279.00
CAI - Central America Inc. Construction	Bid Bond	\$38,939.80
Dennis Forgey Construction	Cashier's Check	\$37,669.00

Raysor recommended to the Commission to accept the low bid for the Williams Street project from Forgey Construction. Schroeder moved, Klamm seconded, to accept the low bid from Forgey Construction for \$37,669.00. Roll Call: Aye- All. Motion carried.

Jim Raysor opened and read the bids received for the Mt. Moriah-Jackson-Burnham-Shine Street Panel Replacement project. The bids are as follows:

Mt. Moriah-Jackson-Burnham-Shine Street Panel Bids

Contractor	Bid Security	Bid Amount
Ainsworth Benning	Bid Bond	\$24,197.40
CAI - Central America Inc. Construction	Bid Bond	\$38,609.86
Dennis Forgey Construction	Cashier's Check	\$44,225.00

Raysor recommended to the Commission to accept the low bid for the Mt. Moriah-Jackson-Burnham-Shine Street Panel project from Ainsworth Benning. Schroeder moved, Klamm seconded, to accept the low bid from Ainsworth Benning for \$24,297.40. Roll Call: Aye- All. Motion carried.

Set Public Hearing - Deadwood Jam

Silvernail moved, Klamm seconded, to set a public hearing on September 8 at 5:15 p.m. for the Deadwood Jam Event. Roll Call: Aye- All. Motion carried.

Set Public Hearing - Octoberfest

Silvernail moved, Klamm seconded, to set a public hearing on September 15 at 5:10 p.m. for the Octoberfest Events. Roll Call: Aye- All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing on September 8 at 5:10 p.m. for a Retail (on-off) Sale Wine License for Maverick Enterprises LLC dba Blondie's IGA. Roll Call: Aye- All. Motion carried.

FINANCE

Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$4,288.20 to Active Data Systems for annual scanner support for August 2008 through August 2009, to be paid from Finance and Historic Preservation budgets, a budgeted item. Roll Call: Aye- All. Motion carried.

Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$8,765 to Tyler Technologies for annual software maintenance, to be paid from Finance budget. Roll Call: Aye- All. Motion carried.

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Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$199,508.02 for annual property and casualty insurance to the South Dakota Public Assurance Alliance for the 2008-2009 coverage, to be paid from the Commission fund. Roll Call: Aye- All. Motion carried.

Wage Increase

Peterson moved, Silvernail seconded, to approve the wage increase for Arlys Janke, parking ramp attendant, from \$8.00 to \$8.50 per hour, effective August 21 after completion of one year of service. Roll Call: Aye- All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Board of Adjustment

Bernie Williams, Planning, and Zoning Director provided information for the Commission explaining that the purpose of the plat is to clear titles and set the boundaries to three (3) properties. Two properties were located on platted Charles Street. Charles Street has since been vacated and new lot lines have been drawn. The plat will provide correct legal descriptions for the properties involved and clear their titles. Silvernail moved, Schroeder seconded, to approve the plat for Bob and Barb Blue, Jerry Mohr and Sharon Schaefer, Jerry and Linda Bryant for 64, 66, and 74 Cliff Street to clear up boundary titles. Plats of Lots X, Y and Z of Riverside Addition, City of Deadwood, located in portion of Railroad R.O.W. (A.K.A. Mickelson Trail), Probate Lots 82 and 420, vacated Charles Street and including Lots 1, 2, 3, 4 and 5A of Riverside Addition, City of Deadwood, All in the NE 1/4 of Section 27, T5N, R3E, BHM, Lawrence County, SD. Roll Call: Aye- All. Motion carried.

Board of Adjustment

Bernie Williams, Planning, and Zoning Director provided information for the Commission explaining that this plat is for transfer purposes only. John Williams (24 Raymond Street) garage sets on a portion of property owned by Raul and Catherine Ponce de Leon (10 Denver Street); therefore, Ponce de Leon's have agreed to sell Mr. Williams approximately 0.09 acres to clear up any property discrepancies in the future. Silvernail moved, Schroeder seconded, to approve the plat transfer for said parties: Plat of Lot 3A, Block O, Being a part of the remainder of Lot A of Block N, and al of Lot 3, Block O, O.T., located in the SE 1/4 of Section 22, T5N, R3E, BHM, Lawrence County, SD. Roll Call: Aye- All. Motion carried.

Check Presentation-Travel

Silvernail moved, Schroeder seconded, to allow Kevin Kuchenbecker to travel to Belle Fourche on September 4 to present a check to the Tri-State Museum, which is one of the "Outside of Deadwood" grant recipients. Roll Call: Aye- All. Motion carried.

Travel Request

Silvernail moved, Schroeder seconded, to allow Kevin Kuchenbecker to travel to Pierre on September 5 for the South Dakota State Historical Society Board of Trustees meeting. Roll Call: Aye- All. Motion carried.

STREETS/WATER

Maintenance Request

Schroeder moved, Silvernail seconded, to approve the hiring of Deadwood Electric to upgrade to the electrical system at the Upper Main Street underground PRV station at a cost of \$1,479.62, a budgeted item. Roll Call: Aye- All. Motion carried.

Hire Request

Schroeder moved, Klamm seconded, to approve the hiring of HD Supply Waterworks to conduct the annual water leak detection survey at a cost of \$2,307.00, to be paid from Water Fund, a budgeted item. Roll Call: Aye- All. Motion carried.

Hire Request

Schroeder moved, Silvernail seconded, to approve the hiring of Infratech Technologies to line the sewer line on Taylor Street at a cost not to exceed \$23,100, to be paid from Water Fund. Roll Call: Aye- All. Motion carried.

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POLICE/FIRE

Miller Lot Request

Klamm moved, Silvernail seconded, to approve the recommendation made by the Parking & Transportation Committee to lease one (1) additional space to John Frederickson in the Miller Street Parking Lot at a cost of \$50 plus tax. Roll Call: Aye- All. Motion carried.

Travel Request

The Fire Department requested permission for Ken Hawki to attend the FEMA training in Huron. However, the Commission decided due to lack of information, Klamm moved, Schroeder seconded, to continue to this item to the September 2 meeting until more information is provided. Roll Call: Aye- All. Motion carried.

Information

The Police Department will escort the Mustang Rally Parade through Deadwood on August 30 at approximately 6:00 p.m.

PARKS/RECREATION/TROLLEY

Employee Resignation

Silvernail moved, Peterson seconded, to accept the resignation of Roy Buchanan, Seasonal Parks employee, effective August 29, 2008. Roll Call: Aye- All. Motion carried.

Purchase Request

Silvernail moved, Peterson seconded, to approve the purchase of 400 feet of crowd control barrier panels from Inline Barricade and Metal Products, Inc. at a cost of \$5,760.00. Roll Call: Aye- All. Motion carried.

LEGAL BUSINESS

Lamb Painting LLC Contracts

Klamm moved, Silvernail seconded, to allow the Mayor to sign the contracts between the City of Deadwood and Lamb Painting LLC for the exterior painting of the Engine House and Library projects. Roll Call: Aye- All. Motion carried.

MAYORS BUSINESS

Meeting Date Change

Mayor Toscana announced that the next Commission meeting would be held on Tuesday, September 2, 2008 at 5:00 p.m. in observance of Labor Day.

Executive Session

Mayor Toscana requested a brief Executive Session for personnel matters with no action to be taken following the regular meeting.

ITEMS FROM CITIZENS NOT ON AGENDA

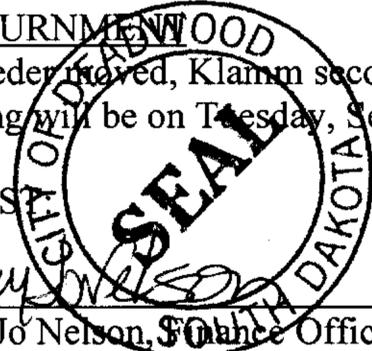
Purchase Request

Schroeder moved, Klamm seconded, to allow the Rec Center to purchase a desk from ABC Supply at a cost of \$1,389.00, a budgeted item. Roll Call: Aye- All. Motion carried.

ADJOURNMENT

Schroeder moved, Klamm seconded, to adjourn the regular session at 5:30 p.m. The next regular meeting will be on Tuesday, September 2, 2008.

ATTEST


Mary Jo Nelson, Finance Officer

DATE: 9-2-08

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

