REGULAR MEETING, August 9, 2010

The Regular Session of the Deadwood City Commission convened on August 9, 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 August 2, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the August 9, 2010 disbursements. Roll Call: Aye-All. Motion carried.

ABC	SUPPLIES	269.75
ACE INDUSTRIAL	SUPPLIES	136.75
ADAMS MUSEUM	BILLS	1,460.41
ALCO	SUPPLIES	114.24
AMERICAN LEGAL	SUPPLEMENT	32.30
AMERICAN RED CROSS	TRAINING	10.00
BH CHEMICAL	SUPPLIES	1,561.74
BH HISTORIC PRES	GRANT	7,500.00
BH PIONEER	AD	10.00
BH POWER	UTILITIES	5.84
BREIT LAW	GARNISHMENT	271.59
BUTLER	PARTS	709.98
CHAINSAW CENTER	PARTS	138.72
CHRIS SUPPLY	PARTS	105.28
CITY OF LEAD	SHELTER	1,761.66
CLEARWATER SECURITY	MONITOR,CAMERA	535.00
CONRADS BIG "C"	REPAIRS	50.00
CULLIGAN	RENTAL	51.50
DAKOTA SECURITY	MONITORING	712.50
DAKOTA SPRAY EQUIP	PARTS	12.55
DEADWOOD ALIVE	PAYMENT#3	22,500.00
DEADWOOD ELECTRIC	REPAIRS	1,094.03
DEADWOOD FIRE DEPT	DAYS '76 EVENT	618.28
DEADWOOD GRANITE	REPAIRS-RESET	1,425.00
ECOLAB	SERVICE	306.00
EMERY-PRATT	BOOKS	138.49
FISCHER FURNITURE	FURNITURE-REC	5,155.87
FOUR ACES	HP EVENT	602.88
FOX, TERESA	CREDIT	3,729.41
GOLDEN WEST	PAGERS	734.76
GOLDRUSH BROADCASTING	DAYS'76 AD	160.00
HOLIDAY INN	LODGING	372.00
JACOBS WELDING	BAR	25.43
LEAD-DWD SANITARY DIST	EQR-USAGE	30,799.70
LEE, JAMES	REIMBURSE	134.30
LYNN'S	SUPPLIES	30.24
MIDWEST TAPE	DVD'S	155.93
MOHR, TRENT	REIMBURSE	10.74
MDU	UTILITIES	1,229.96
NAPA	PARTS	1,607.65
NEWMAN	SIGNS	143.23
NORTHWEST PIPE	VALVE	274.38
OCCUPATIONAL HEALTH NETWORK	TESTING	120.00
OTIS ELEVATOR	SERV CNT	584.49
QUILL	SUPPLIES	250.34
RAPID DELIVERY	SERVICE	34.10
SDN COMMUNICATIONS	COMM LINE	571.20
SERVALL	SUPPLIES	1,112.57
SIMPLEXGRINNELL	ALARM	469.32
SD PUBLIC HEALTH	TESTING	24.00
SD STATE ARCHIVE	MICROFILM	172.80
SD STATE TREASURER	SALES TAX	6,342.99
SPALDING FLY PREDATORS	SUPPLIES	227.40
SUMMIT SIGNS	SIGNS	59.00
TIME	SUBSCRIPTION	35.00
TRAFFIC CONTROL CORP	PARTS	180.00
TRI AIR TESTING	ANALYSIS	314.00
TRIPLE K	REPAIR	50.00
TWILIGHT SUPPLIES	SUPPLIES	66.29
WASTE CONNECTIONS	GARBAGE SERV	8,662.11
WATER GEAR, INC.	SWIM CAPS	346.97
	TOTAL	**$106,320.67**

ITEMS FROM CITIZENS ON AGENDA

Days of 76

Ted Thompson, representing the Days of 76 committee, appeared before the Commission to express their gratitude to the City Commission, Historic Preservation Commission, and all the City departments and employees who assisted with the Days of 76 events along with the City financial

support. Thompson said this years' rodeo was a great success and the fundraiser with the Lead-Deadwood Regional Hospital entitled "Tough Enough to Wear Pink" in recognition of breast cancer, awareness raised over $20,000.00, which assists residents in the community. Mayor Toscana thanked the Days of 76 committee and everyone involved with this event.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening
Mary Jo Nelson, Finance Officer, opened and read the following bids for the demolition and reconstruction of retaining walls located at 3 Rodenhaus, 1 Forest, 396 and 334 Williams Street.

Bid Tab for Retaining Walls
(1 Forest, 3 Rodenhaus, 334 & 396 Williams)
(August 9, 2010 at 5:05 p.m.)

Retaining Wall Locations	Bid Bond	Ainsworth Benning	Bid Bond	R.C.S. Construction	Bid Bond	Sabo Construction
1 Forest - Base Bid	X	$17,390.00			X	$9,850.00
3 Rodenhaus - Base Bid	X	$177,720.00			X	$68,200.00
334 Williams - Base Bid			X	$280,000.00		
396 Williams - Base Bid	X	$27,350.00	X	$34,000.00	X	$17,840.00

Mayor Toscana requested the bid opening be continued to allow more time to review bids. Silvernail moved, Klamm seconded, to continue retaining wall bids. Roll Call: Aye-All. Motion carried.

Public Hearing
Silvernail moved, Schroeder seconded, to approve the Special Full Temporary Liquor license for the Steer Roping event at the rodeo grounds on September 4, 2010 from 4:00 to 10:00 p.m. and to waive the restriction for vending on public property. Roll Call: Aye-All. Motion carried.

Public Hearing
Silvernail moved, Peterson seconded, to approve the Special Full Temporary Liquor license for the Optimist Club to sell and waive the vending fees for the Black Hills Veterans March event on September 25, 2010 from 4:00 to 10:00 p.m. and to waive the restriction for vending on public property. Roll Call: Aye- Silvernail, Peterson, Schroeder, Klamm. Abstain - Toscana. Motion carried.

Set Public Hearing
Peterson moved, Silvernail seconded, to set a public hearing at 5:05 p.m. on August 23, 2010 for package (off sale) SD Farm Wine license application for Chubby Chipmunk at 420 Cliff Street. Roll Call: Aye-All. Motion carried.

FINANCE

Acknowledge Pledge
Peterson moved, Schroeder seconded, to acknowledge receipt of a check for $8,000.00 to satisfy the pledge of support from Jose Alonso for the squash court in the Rec Center. Roll Call: Aye-All. Motion carried. Mayor Toscana publicly thanked Dr. Alonso for his generous contribution to the Rec Center renovation project.

Revised Lease Agreement
Peterson moved, Schroeder seconded, to allow the Mayor to sign the revised property lease agreement from the South Dakota Department of Transportation for the use of the sand stockpile during the Days of 76 events. Roll Call: Aye-All. Motion carried.

Information - 2011 Budget Meetings
Commissioner Peterson announced that the 2011 Budget Meetings are scheduled for August 10, 11, and 12 at 7:00 a.m.

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Payment Request
Peterson moved, Silvernail seconded, to approve the payment of $4,631.26 to Active Data Systems for Software Support from September 1, 2010 to August 31, 2011, to be paid from Finance and Historic Preservation budgets. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING/ZONING/PUBLIC BUILDINGS

Ordinance #1132 - First Reading
Silvernail moved, Schroeder seconded, to approve first reading of Ordinance #1132 Amending Chapter 17.60 Special Uses, 17.60.110 Principal buildings on a single lot. Roll Call: Aye-All. Motion carried.

Change Order #9 - Rec Center
Silvernail moved, Schroeder seconded, to approve the Change Order #9 from Ainsworth Benning for Deadwood Rec Center an additional cost of $6,934.00. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Purchase Request
Silvernail moved, Peterson seconded, to approve the purchase and installation of four overhead doors at the Trolley barn at a cost of $8,204.00, half of cost to be paid from Trolley budget and remaining half from Public Buildings. Roll Call: Aye-All. Motion carried.

Hire Request
Silvernail moved, Peterson seconded, to approve the hiring of Arleth and Associates to survey the Oakridge Cemetery at a cost of $8,000.00, to be paid from Oakridge Cemetery budget. Roll Call: Aye-All. Motion carried. Raysor said once the survey has been completed it will be filed with the Lawrence County Register of Deeds office. Raysor said with the survey additional plots could be added at a later date.

Hire Request
Silvernail moved, Peterson seconded, to approve the hiring of Leslie Aldinger effective August 10, 2010 and Ana Bode effective August 24, 2010 for Rec Center lifeguards at $7.50 per hour, pending pre-employment screening. Roll Call: Aye-All. Motion carried.

Outside Deadwood Grant
Silvernail moved, Peterson seconded, to approve the "Outside of Deadwood" Grant for the Pyle House, Huron, South Dakota for $6,300.00 for brick and motor repairs to basement, to be paid from Historic Preservation budget. Roll Call: Aye-All. Motion carried.

Not-for-Profit Grant
Silvernail moved, Schroeder seconded, to approve the "Not-for-Profit" Grant from the Deadwood Elks for $12,227.50 for roof repairs, to be paid from Historic Preservation budget. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Terminate Contract - Albertson Engineering
Silvernail moved, Schroeder seconded, to terminate the contract between the City of Deadwood and Albertson Engineering regarding the proposed Water Street Parking Ramp at the developer's request. Roll Call: Aye-All. Motion carried.

Resolution 2010-18
Silvernail moved, Klamm seconded, to approve Resolution 2010-18 to Withdraw Application for Rural Development Loan for Public Improvement Project.

RESOLUTION 2010-18 TO
WITHDRAW APPLICATION FOR RURAL DEVELOPMENT LOAN FOR PUBLIC IMPROVEMENT PROJECT

WHEREAS, the City of Deadwood has previously approved application for a rural development loan for the construction of a public parking ramp proposed to be built between what is known as the Slime Plant and the VFW in Deadwood, South Dakota, at the behest of Deadwood Mountain Grand; and

WHEREAS, Deadwood Mountain Grand has now requested the City of Deadwood withdraw such application and abandon its involvement in said construction; now, therefore,

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BE IT RESOLVED by the City of Deadwood that the rural development application for loan monies be withdrawn from the proper authorities as soon as is practicable and all proper authority is granted to the Finance Officer, Mary Jo Nelson, to effect such withdrawal.

Dated this 9th day of August, 2010.

ATTEST:
/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD
/s/ Francis Toscana, Mayor

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Contract - Forcoli & Sons
Silvernail moved, Klamm seconded, to allow the Mayor to sign an agreement with Forcoli and Sons for the exterior and interior painting of the History and Interpretive Center for $14,214.30. Roll Call: Aye-All. Motion carried.

Contract - Mark Speirs
Klamm moved, Silvernail seconded, to allow the Mayor to sign an agreement with Mark Speirs for the refurbishing of the doors at the History and Interpretive Center for $2,347.00. Roll Call: Aye-All. Motion carried.

Contract - M & S Construction
Klamm moved, Schroeder seconded, to allow the Mayor to sign an agreement with M & S Construction for the sidewalk construction project in the Rec Center Parking Lot for $16,516.00. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Information - Public Information Meeting/Open House
Mayor Toscana announced there would be an Information Meeting /Open House on August 24, 2010 from 6:30 to 7:30 p.m. at The Lodge of Deadwood to discuss the South Dakota Department of Transportation reconstruction project on US Highway 85 (Cliff, Charles, and Sherman Streets) to Cemetery Street in Deadwood.

Donation Request
After much discussion regarding their annual donation to CASA, Silvernail moved, Schroeder seconded, to approve the donation of one, 6-month (individual) Rec Center pass for CASA for their fundraiser auction. Roll Call: Aye-All. Motion carried.

ADJOURNMENT
Klamm moved, Schroeder seconded, to adjourn the regular session at 5:30 p.m. The next regular meeting will be at 5:00 p.m. on Monday, August 16, 2010.

ATTEST:
Mary Jo Nelson
Mary Jo Nelson, Finance Officer

DATE: 8-16-10

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

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