

**REGULAR MEETING, August 20, 2007**

The Regular Session of the Deadwood City Commission convened on August 20, 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**

Silvernail moved, Speirs seconded, to approve the minutes of August 13, 2007. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Griffith moved, Silvernail seconded, to approve the August 20, 2007 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE CONTRACT/COPIES	21.73
ALCO STORES, INC.	TOWELS-SHAMPOO/RALLY SHOWERS	73.24
AMERICAN LEGAL	SUPPLEMENTAL PAGES ORDINANCES	941.55
BLACK HILLS POWER	ELECTRICITY/MCGOVERN HILL TANK	32.80
BLACK HILLS PURE, INC.	5 GALLONS WATER	35.75
BLACK HILLS SPECIAL SERV	TROLLEY CLEANING JULY	1,806.00
BLACK HILLS WEEKLY GROUP	MOTORCYCLE PARKING HEARING	503.04
CHELSIE HART	REIMBURSE 2ND 1/2 CERTIFICATIO	50.00
CITY OF RAPID CITY	3/8" SCREENED YW/RC LANDFILL	147.28
CULLIGAN	HOT/COLD COOLER RENTAL/PARKS	21.50
DEADWOOD VOLUNTEER FIRE	2007 STURGIS RALLY	1,913.18
FASTENAL COMPANY	(1000) 15" CBLE TIES/DUCT TAPE	192.60
FIRST MIDWEST BANK	PUBLIC WORKS COPIER	92.90
HILLS MATERIALS	ROUGH PONDEROSA PINE/BRIDGE	1,072.32
INTEGRITY FORD	COMPRESSOR ASY	306.13
INTERSTATE BATTERIES	INTERSTATE BATTERIES	142.90
JACOBS PRECISION WELDING	HANDRAIL FOR TROLLEY	109.95
JUNEKS SERVICE	REPAIRS/ANTI-LOCK BRAKE CONTRO	286.22
KODET ARCHITECTURAL	ARCH SERVICES JULY 1 -31, 2007	10,405.73
LAWSON PRODUCTS, INC.	FASTENER-ZINC AEROSOL SPRAY	220.18
LYNN'S DAKOTA MART	GROCERY FOR RALLY	35.17
M&M SANITATION	MONTHLY TOILET RENTALS	277.50
NEVE'S UNIFORMS, INC.	BULBS, STINGERS, BATTERY	598.47
NORTHWEST PIPE	2 GALV STEEL CPLG/ THREAD PROT	66.50
QWEST	RAMP CHARGES JULY/AUG	137.98
RAY O'HERRON CO INC	BADGES	19.05
SDLA - CONFERENCE	SDLA ANNUAL CONF. OCT. 17-19	195.00
SERVALL	SERVALL UNIFORM AND LINEN	1,206.48
THOMSON WEST	SD MUNICIPAL LAW ADVISOR	93.48
TOM'S T'S, INC.	SHIRTS	201.00
TRAF-O-TERIA SYSTEM	ENVELOPES	198.33
TRIPLE K TIRE & REPAIR	REFRIGERANT, SHOP SUPPLIES	169.13
WHISTLER GULCH CAMPGROUND	SITES/WORK CAMPERS-AUGUST	3,000.00
	<b>TOTAL</b>	<b>\$ 24,573.09</b>

**PUBLIC HEARINGS/BID OPENINGS**

**Public Hearing Kool Deadwood Nites**

George Milos, Deadwood Chamber, outlined their requests for street closures and relaxation of open container regulations and the use of the Interpretive Lot and former Decker's parking lot during Kool Deadwood Nites on August 24-26, 2007. Silvernail moved, Speirs seconded, to allow open container ordinance on Friday and Saturday, August 25 & 26 during events and concerts – 2:00 p.m. to 10 p.m. each day from the Masonic Temple to Four Aces. Roll Call: Aye - All. Motion carried.

Silvernail moved, Speirs seconded to allow street closures for Friday and Saturday, August 24 & 25. Kool Deadwood Nites concert street closure - Main Street closed from Deadwood to Wall Streets for concerts and set up. Traffic allowed down Main Street from Parking Ramp to Four Aces. From 5 am August 24 through 11 pm August 26. Sunday, August 26 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 for Kool Deadwood Nites Parade from 8:45am until parade ends. Sunday August 26, for Kool Deadwood Nites Show and Shine - All of Main from the Masonic Temple to Four Aces for Kool Nites Show and Shine. Parking will be allowed on both sides of the street from Pine Street to Four Aces. Traffic is allowed ONLY down Main from Wall for access to parking ramp. Emergency lanes will left open from Wall to Pine Street from 8am to 3pm. Roll Call: Aye - All. Motion carried.

Silvernail moved, Speirs seconded, to waive the temporary vending fee for the Deadwood Kool Nites events. Roll Call: Aye - All. Motion carried.

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Silvernail moved, Speirs seconded, to allow the use of the Interpretive Lot at no charge and allow Kool Deadwood Nites registrants that display a permit in the window of their vehicle to park at meter spaces at no charge, from Friday, August 24 at 8:00am to 2:00pm Sunday, August 26. Roll Call: Aye - All. Motion carried.

Silvernail moved, Speirs seconded, to allow the use of the former Decker's parking lot for overflow parking for the Deadwood Kool Nites event. Roll Call: Aye - All. Motion carried.

### **Public Hearing Deadwood Jam**

Joe Hamm, Deadwood Jam Committee, outlined their requests for street closures, special malt beverage license, and waiver of temporary vending fee, sound permit fee and the use of the Interpretive Lot on September 14-15, 2007. Roll Call: Aye - All. Motion carried.

Speirs moved, Silvernail seconded, to allow the street closures on Siever Street from 8:00 am Friday, September 14 to 12:00 Midnight on Saturday, September 15, 2007, and Deadwood Street from 5:00 am to 10:00 pm Friday, September 14, and 11:00am to 12:00 Midnight on September 15, 2007. Use of Interpretive Lot requested from 2:00 am on September 13, 2007, to 2:00 a.m. on September 16, 2007. Roll Call: Aye - All. Motion carried.

Griffith moved, Speirs seconded, to allow a special malt beverage license for the Interpretive Parking lot September 14 and 15, 2007. Roll Call: Aye - All. Motion carried.

After much discussion regarding the waiving of vending fees and insurance requirements for the City and vendors, Speirs moved, Griffith seconded, to waive the temporary vending fee for Deadwood Jam vendors in the Interpretive Lot on September 14 and 15, 2007. Roll Call: Aye – Speirs, Silvernail, Klamm, Griffith. Nay – Toscana. Motion carried.

Griffith moved, Speirs seconded, to waive the sound permit fee for Deadwood Jam. Roll Call: Aye - All. Motion carried.

### **Set Public Hearing Liquor License Transfers (Continued 8-13-07)**

Silvernail moved, Speirs seconded, to set the public hearing for liquor, malt beverage and wine license transfers from Full House to Gold Dust Inc. on August 27, 2007 at 5:10 p.m. Roll Call: Aye – All. Motion carried.

## **FINANCE/HISTORIC PRESERVATION**

### **Ordinance #1085 - Second Reading**

There being no comments or changes, Silvernail moved, Speirs seconded, to approve Supplemental Budget Ordinance #1085. Roll Call: Aye - All. Motion carried.

### **Payment Request**

Speirs moved, Griffith seconded, to approve the annual payment of \$206,355.44 to the South Dakota Public Assurance Alliance for property and liability insurance. Roll Call: Aye - All. Motion carried.

### **Combined Surplus Auction**

Silvernail moved, Speirs seconded, to allow the City of Deadwood to join with Lawrence County for a combined surplus auction on Saturday, September 22, 2007 at 10:00 a.m. Roll Call: Aye - All. Motion carried.

### **2007 Contribution**

Silvernail moved, Speirs seconded, to allow the Finance Office to make the 2007 contribution of \$5,000 from the General Fund to the Rubble Site Fund per the Tri-City Rubble agreement. Roll Call: Aye - All. Motion carried.

### **Parking Ramp**

Silvernail moved, Speirs seconded, to allow Arlys Janke (currently a Mt. Moriah employee) to work part time at the Parking Ramp at a rate of \$8.00 per hour effective August 21, 2007. Roll Call: Aye - All. Motion carried.

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### STREETS/WATER

#### Discussion - Selby Street Maintenance

Jim Raysor, Public Works Director, informed the Commission of the unsafe conditions on Selby Street. He explained the street is narrow with blind spots and the inability to place guardrails along the side of the street, which puts City employees at risk when maintaining this street. Raysor said this street allows access to two garages. He requested permission to post Selby Street as a "Travel at your own risk street", and discontinue winter maintenance. Mayor Toscana asked Mr. Raysor if the two residents have been notified of his proposal and Mr. Raysor replied no. After discussing emergency routes, and the safety and well-being of the City employees, Toscana directed Mr. Raysor to contact these residents to discuss this matter.

### POLICE/FIRE

#### Portable Speed Trailer Request

Klamm moved, Griffith seconded, to allow the Police Department to loan the portable speed trailer to Central City for two weeks and request the City Attorney to prepare a contract. Roll Call: Aye - All. Motion carried.

#### Employee Vacation Extension

Klamm moved, Speirs seconded, to allow Kelly Fuller to extend 90 hours of vacation to the end of the year. Roll Call: Aye - All. Motion carried.

### PLANNING & ZONING/PUBLIC BUILDINGS/TROLLEY

#### Set Public Hearing

Silvernail moved, Speirs seconded, to set a public hearing on September 24, 2007 at 5:10 p.m. for a petition to vacate a public right-of-way by Lukas Hoch. Roll Call: Aye - All. Motion carried.

#### Plats - 23 Emery and 3 John Street

Bernie Williams, Planning, and Zoning Director informed the Commission there were discrepancies with lot lines for 23 Emery and 3 John Streets. The plat was redrawn to show the driveway easement on the plat and depicted the correct location of the access. Williams said the Planning and Zoning Commission approved the final plat at their August 15, 2007 meeting. Plat of Lots 3A and 5A Block 12, Highland Park Addition, formerly Lots 3, 4, 5, 6, and a portion of Lot 7, Block 12, Highland Park Addition and portion of M.S. 283, located in the NW ¼ of section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Silvernail moved, Speirs seconded, to approve plat for 23 Emery and 3 John Streets. Roll Call: Aye - All. Motion carried.

### PARKS/RECREATION

#### Employee Resignations

Griffith moved, Klamm seconded, to accept the resignations of the following summer employees: Karmen Barrett, August 16, 2007, Riley Norton and Richard Norton, August 17, 2007 and Evan Reif and Alana Kightlinger, August 24, 2007. Roll Call: Aye - All. Motion carried.

### LEGAL BUSINESS

#### Agreement with Deadwood Economic Development

City Attorney Jason Campbell said both parties reviewed the agreement and minor changes were made. Speirs moved, Silvernail seconded, to allow the Mayor to sign an agreement between the City of Deadwood and Economic Development Corporation for the ownership, manage and supervise the real and personal property and ongoing operations and use of the Grocery Store located at 124 Sherman Street. Roll Call: Aye - All. Motion carried.

#### Agreement with Schmidt Construction

Griffith moved, Speirs seconded, to allow the Mayor to sign an agreement between the City of Deadwood and Schmidt Construction for the construction of a concrete wall on Carney Street, adjacent to the HARC building in the amount of \$5,100. Roll Call: Aye - All. Motion carried.

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**ADJOURNMENT**

Speirs moved, Toscana seconded, to adjourn the regular session at 5:55 p.m. The next regular meeting will be at 5:00 p.m. on Monday, August 27, 2007.

ATTEST:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Mary Jo Nelson, Finance Officer

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