

REGULAR MEETING, February 2, 2009

The Regular Session of the Deadwood City Commission convened on February 2, 2009 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, Georgeann Silvernail, and Lenny Schroeder. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Schroeder seconded, to approve the minutes of January 26, 2009. Roll Call: Aye-All. Motion carried.

JANUARY 2009 PAYROLL: COMMISSION, \$4,096.14; ATTORNEY, \$8,076.93; FINANCE, \$21,001.22; PUBLIC BUILDINGS, \$2,323.82; POLICE, \$69,779.05; FIRE, \$6,352.71; BUILDING INSPECTION, \$4,845.60; STREETS, \$36,124.83; PARKS, \$19,904.25; PLANNING & ZONING, \$6,461.55; LIBRARY, \$9,342.79; RECREATION CENTER, \$9,952.87; HISTORIC PRESERVATION, \$16,694.12; WATER, \$19,772.53; PARKING METER, \$10,502.90; TROLLEY, \$20,509.49 PARKING RAMP, \$8,305.24; RUBBLE SITE, \$1,674.00. **PAYROLL TOTAL: \$275,720.04**

JANUARY 2009 PAYROLL PAYMENTS:

Internal Revenue Service, \$68,539.57; S.D. Retirement System, \$31,022.34; Delta Dental, \$3,174.50.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Klamm seconded, to approve the February 2, 2009 disbursements with the additional bill. Roll Call: Aye-All. Motion carried.

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|---------------------------|---------------------------------|----------------------|
| 670 MAIN LLC | REFUND OVERPAYMENT | 32.00 |
| ABC | SUPPLIES | 193.14 |
| ADAMS MUSEUM | MUSEUM OPERATING EXPENSES | 7,608.74 |
| ALLTEL | CELL PHONES - JAN 09 | 150.34 |
| ARBOR DAY FOUNDATION | ARBOR DAY FOUND. MEMBERSHIP | 30.00 |
| BH COUNCIL OF LOCAL GOV | 2009 MEMBERSHIP DUES | 2,062.80 |
| BH POWER | ELECTRICITY/PUB BLDGS | 5,761.64 |
| BH PURE | WATER | 5.75 |
| CHAINSAW CENTER | SAW-DIAMOND WHEEL | 172.70 |
| CONRADS BIG "C" ELECTRIC | REPLACE PHOTO EYE/LIGHT-385 | 143.75 |
| CULLIGAN | WATER-SALT | 68.50 |
| DAKOTA BUSINESS CENTER | COPIER CONTRACT/COPIES-JAN09 | 90.68 |
| DAKOTA LUMBER CO | LN DISB-KIRCHHEVEL | 1,269.21 |
| DAKOTA SUPPLY GROUP | (2) 6' COUPLINGS | 459.36 |
| DEADWOOD CHAMBER | FEBRUARY BILL LIST | 31,255.00 |
| DEADWOOD ELECTRIC | WIRE PUMP MOTOR/DENVER | 133.04 |
| ENERGY ELECTRIC COMPANY | GALVANIZED BASE W/ SET SCREWS | 294.07 |
| FASTENAL COMPANY | BATTERIES-TAPE | 220.67 |
| FOOTHILLS SEED, INC. | GREY IRON BASE | 204.17 |
| GERVING CONSTRUCTION | LN DISB-316 WILLIAMS-KIRCHHEVEL | 28,042.38 |
| GOLDEN WEST | SERV PD COMPUTER | 191.26 |
| GRANT THORNTON LLP | ARBITRAGE REBATE SERVICES | 4,500.00 |
| HD SUPPLY WATERWORKS | SUPPLIES CAP GASKETS | 94.80 |
| HEWLETT-PACKARD COMPANY | MEMORY-LAPTOP | 79.00 |
| HILLS MATERIALS CO | BASE COURSE/WATER LEAK-HW 85 | 307.86 |
| HOLIDAY INN EXPRESS | CONFERENCE- KUCHENBECK | 519.80 |
| JACOBS PRECISION WELDING | ALUMINUM PLATE | 25.00 |
| KNOLOGY | PHONE SERVICE | 1,647.73 |
| LEHMEN CONSTRUCTION CO. | RW GRANT-THOMPSON-45-47 FOREST | 74,800.50 |
| LIGHT AND SIREN | BARRICADE LIGHTS | 156.60 |
| MATT PARROTT & SONS | LASER UTILITY BILLS | 887.22 |
| MCDIRT EXCAVATION | REPAIRS WATER LEAK/HWY 14A-2008 | 841.84 |
| MDU | UTILITIES | 8,725.13 |
| NEVE'S | UNIFORMS | 106.67 |
| O.C. CLEANERS INC. | CLEAN CITY HALL-1-13 - 1-30-09 | 780.00 |
| PONTIUS, JERRY | REIMBSMT SUPPLIES | 27.43 |
| QWEST | BRDWY RAMP | 110.31 |
| RECREATION SUPPLY COMPANY | ANTI-ENTRAPMENT COVER/RC | 1,237.70 |
| ROSELLES SIGN & GRAPHICS | SIGNS | 300.00 |
| SERVALL | MATS & TOWELS | 86.65 |
| SD DEPARTMENT TOURISM | CONFERENCE | 175.00 |
| SD PUBLIC HEALTH | COLIFORM TESTING | 72.00 |
| STRETCH'S GLASS | CONVEX GLASS | 261.47 |
| TEEN COURT | 09 CONTRIBUTION | 8,500.00 |
| TOMS, DON | LEDGERS | 576.00 |
| TOOLS UNLIMITED | GRINDER | 179.68 |
| TURBIVILLE INDUSTRIAL | REPAIRS | 685.36 |
| TWILIGHT FIRST AID | SUPPLIES | 43.65 |
| TWIN CITY ANIMAL SHELTER | R&N RECYCLING PROCEEDS | 52.00 |
| TWIN CITY HARDWARE | SUPPLIES | 217.79 |
| USPS-DEADWOOD | POSTAGE WATER BILLS | 169.40 |
| | TOTAL | \$ 184,555.79 |

ITEMS FROM CITIZENS ON AGENDA

150 Sherman Street Lease

Mary Kopco, Director of the Adams Museum, informed the Commission that she in the process of applying for a 15-year U.S.D.A. rural development loan of \$85,000 to purchase equipment and furniture for the Homestake Adams Research Center (HARC) and an additional \$15,000 grant. Kopco stated that the lease for the HARC building is a on a yearly basis and is up in April. She said this

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affects the possibility of obtaining the loan and is requesting that the lease be amended to change the term. City Attorney Jason Campbell researched this issue and the Commission may set the term of the lease however, a public hearing must be held to amend the lease. Silvernail moved, Klamm seconded, to set a public hearing on February 23, 2009 at 5:10 p.m. to amend the lease. Roll Call: Aye-All. Motion carried.

PUBLIC HEARING/BID OPENINGS

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing on February 9, 2009 at 5:15 p.m. for Chinese New Year street closures. Roll Call: Aye-All. Motion carried.

FINANCE

Payment Request

Peterson moved, Silvernail seconded, to allow the Finance Office to write a check to Stop and Grow program for \$5,000 from the Bed & Booze fund, a budgeted item. Roll Call: Aye-All. Motion carried.

Approve Job Description

Peterson moved, Silvernail seconded, to approve the job description for the City Attorney. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDING/SAFETY

Engage TDG Communications

Peterson moved, Toscana seconded, to approve the entering into an agreement with TDG Communications to write award nominations for the 20th Anniversary Celebration of Gaming for state and national recognition, costs not to exceed \$1,860. Roll Call: Aye - All. Motion carried.

Information - Design Guidelines

Kevin Kuchenbecker announced that there would be a community workshop meeting on February 4, 2009 at 5:30-7:30 p.m. for the Preservation Design Guidelines for the City of Deadwood at the Masonic Temple. Commissioner Silvernail expressed her concerns with lack of information and communication with the Deadwood residents regarding these meetings and the moving of the meeting at the last minute. Kuchenbecker said he had sent out notification of the meeting however, he would send out revised press releases with new location via the Deadwood Chamber, KDSJ, and place the City Design Guidelines Draft on the City website.

Right-of-Way Permit - Black Hills Power

Klamm moved, Schroeder seconded, to allow the Mayor to sign the right-of-way permit between the City of Deadwood and Black Hills Power to place the utilities underground in the Visitors Center. Lot 1, Block 26 of the Original Town site of Deadwood, according to P.L. Rogers Map. Roll Call: Aye - All. Motion carried.

STREETS/WATER/LIBRARY

Temporary Easement - SD Department of Transportation

Schroeder moved, Klamm seconded, to allow the Mayor to sign the temporary easement with the South Dakota Department of Transportation and receive compensation of \$300; a portion of the Burlington Northern Railroad Company right-of-way is located in M.S. 107, City of Deadwood, Lawrence County, S.D. for storm sewer outlet repairs. Roll Call: Aye - All. Motion carried.

POLICE/FIRE

Hire Request

Klamm moved, Silvernail seconded, to approve the hiring of Aaron Eller as a part time employee for the Police Department in conjunction with the Lead-Deadwood High School internship program, starting wage \$7.00 per hour, effective February 2, 2009. Roll Call: Aye - All. Motion carried.

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Travel Request

Klamm moved, Schroeder seconded, to allow Greg Nelson to travel to Greeley, CO on March 9, 2009 for Taser Instructor Recertification, requesting registration, meals, lodging, and use of City vehicle, costs not to exceed \$261. Roll Call: Aye - All. Motion carried.

Purchase Request

Klamm moved, Schroeder seconded, to approve the purchase of two cameras from Kustom Signals for the new patrol car, total cost \$9,112, 80% paid by grant for a net cost to the City of \$1,822.40. Roll Call: Aye - All. Motion carried.

LEGAL BUSINESS

Ordinance #1113 - First Reading

City Attorney Jason Campbell prepared Ordinance #1113 amending Chapter 5.04 Alcoholic Beverages section 5.05.070 to set fees for Special Event Malt Beverage and Wine License fees. The proposed fee for the initial temporary license is \$35.00 with additional days at \$10.00 per day up to 15 days. Silvernail moved, Klamm seconded, to approve first reading of Ordinance #1113 Amending Chapter 5.04 Alcoholic Beverages regarding fees. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Police Department

Mayor Toscana commended Officer Kip Mau for his quick action that he took during an altercation at the Lead-Deadwood High School Basketball game on January 31, 2009.

Finance Department

Mayor Toscana announced and commended City Finance Officer Mary Jo Nelson, as she is the State of South Dakota's Finance Officer of the Year and will be honored at Municipal Government Day in Pierre on February 4, 2009.

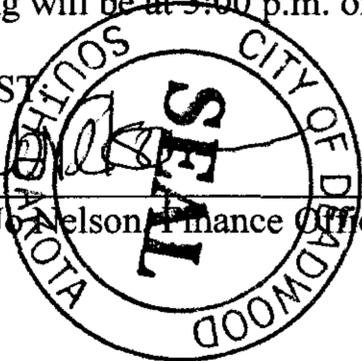
ADJOURNMENT

Silvernail moved, Toscana seconded, to adjourn the regular session at 5:30 p.m. The next regular meeting will be at 5:00 p.m. on Monday, February 9, 2009.

ATTEST



Mary Jo Nelson, Finance Officer



DATE: 2/9/09

BY: 
Francis A. Toscana, Mayor

