REGULAR MEETING, November 23, 2009

The Regular Session of the Deadwood City Commission convened on November 23, 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, Lenny Schroeder, and Georgeann Silvernail. Commissioner Joe Peterson was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of November 16, 2009. Roll Call: Aye-All. Motion carried.

ADDITION TO AGENDA

Mayor Toscana requested that an addition be made to the agenda under Public Buildings adding item 7C to discuss a repair request for Blondie's Grocery Store. Toscana added that the Executive Session is cancelled. Klamm moved, Silvernail seconded, to approve the amendments as requested. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Silvernail seconded, to approve the November 23, 2009 disbursements. Roll Call: Aye-All. Motion carried.

ABC	SUPPLIES	10.70
ADT SECURITY	ANNUAL CHRG	445.82
AINSWORTH-BENNING	PAY APP/REC CNTR	460,395.00
ALCO	SUPPLIES	74.98
BH POWER	UTILITIES	8,623.68
BH WEEKLY GROUP	PUBLICATIONS	1,440.00
CULLIGAN	WATER	6.50
DEADWOOD ECONOMIC DEV	RAMP PMT	1,580.02
DEADWOOD ELECTRIC	REPAIRS	1,502.09
DEADWOOD FIRE DEPT	REIMBURSE	286.00
DEADWOOD HOME CENTER	SUPPLIES	41.51
ENVIRONMENTAL PRODUCTS	FILTERS	10.77
HILLSIDE DISPOSAL	NOV 09 RES GBG	5,731.00
KIMBALL MIDWEST	SUPPLIES	73.16
MAC CONSTRUCTION	ADAMS MUSEUM	2,681.00
MENARD'S	DECORATIONS	661.14
NEVE'S	UNIFORMS	288.82
QWEST	PHONE CHGS	130.35
RADIO ENGINEERING	HARD DRIVE	253.19
SD DEPT-LEGISLATIVE AUDIT	2008 AUDIT	15,020.50
SD MUNIC. STREET MAINT	MEMBERSHIP	35.00
SD MUNICIPAL ATTORNEYS' ASSOC	MEMBERSHIP	20.00
SEWARD & ODENBACH, P.C.	LEGAL SERV	367.50
SD BUILDING OFFICIALS	MEMBERSHIP	50.00
TC HARDWARE	SUPPLIES	319.50
WEST PAYMENT CENTER	SD CODIFIED LAWS	30.50
ZEP	SUPPLIES	223.91
	TOTAL	**$ 500,302.64**

ITEMS FROM CITIZENS ON AGENDA

Days of 76 - Award Recipient

Ted Thompson representing the Days of 76 Committee informed everyone that the Days of 76 Rodeo were the recipient of the Badlands Circuit Rodeo of the Year Award. Thompson said that the City of Deadwood and Days of 76 also received a plaque for their dedication to the Single Steer Roping event presented by the PRCA in Guthrie, Oklahoma. The Days of 76 Rodeo has been nominated once again for the Professional Rodeo Cowboy Association Midsize Rodeo of the Year Award. Thompson added that the Badlands Circuit committee would like to hold the finals for the Badlands Circuit Single Steer Roping event in September 2010. Mayor Toscana along with the Commission congratulated and thanked Mr. Thompson for all their hard work and dedication.

FINANCE

Ordinance #1123 - Second Reading

Silvernail moved, Klamm seconded, to approve second reading of Ordinance #1123 to Continue Business Improvement Districts 1-6 and Establish Assessments for 2010. Roll Call: Aye-All. Motion carried.

Ordinance #1124 - Second Reading

Silvernail moved, Klamm seconded, to approve second reading of Ordinance #1124 to Continue Business Improvement District 7 for 2010. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, November 23, 2009

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

HCW Construction - Basement Project
Silvernail moved, Klamm seconded, to approve the payment of $3,229.78 to HCW Construction for the installation of countertops in the evidence and archive areas for the City Hall Basement remodel project, to be paid from bonded funds and asked City Attorney to prepare contract. Roll Call: Aye-All. Motion carried.

Proposed Sign Ordinance Change
Monte Hartl, General Manger of The Lodge at Deadwood, requested that the Planning and Zoning Commission make a recommendation to the City Commission to make a change in the sign ordinance. The proposed change in the ordinance would allow signs made up of individual opaque or solid letters to the be lit from behind the letters to be permitted outside of Deadwood's National Historic Landmark District as found in section 15.32.310 of the sign ordinance. Previously, backlit signage was reviewed and denied by Historic Preservation Commission on the belief that this type of signage would proliferate. On November 8, 2009, the Planning and Zoning Commission approved the change to section 15.32.040 which applies the sign chapter citywide to allow for internal illumination signage for areas outside the core district of downtown. Mr. Hartl provided pictures for the Commission showing various signs with this type of lighting method. Hartl added that the proposed lighting is a softer light and more environmentally friendly especially for surrounding neighbors. Mayor Toscana directed Deanna Berglund, Jim Raysor, Keith Umenthum, and Jason Campbell to modify the existing sign ordinance by the first meeting in December. Silvernail moved, Klamm seconded, to approve the appointed individuals and modify the existing ordinance. Roll Call: Aye-All. Motion carried.

Repair Request - Blondie's
Chuck Turbiville Deadwood Economic Development Director appeared before the Commission to discuss the repairs to the furnace at Blondie's Grocery Store. Turbiville explained that the two furnaces are no longer functioning and are in need of repair. Turbiville said that it would be in the best interest of the City to make these repairs. He has obtained two bids they are as follows: 1) Tessier's Inc. - $6,529.00, and 2) One Way Service Pros - $8,933.52. He added that the doors would need to be replaced later. After discussing, Schroeder moved, Klamm seconded, to hire and accept the low bid from Tessier's Inc. for $6,529.00, to be paid from the grocery store reserve account. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request
Schroeder moved, Silvernail seconded, to approve the purchase of two valves for the water service at Pluma at a cost of $3,099.00 from Dakota Supply Group. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Parks Department Employees
Silvernail moved, Klamm seconded, to terminate the seasonal employment of Bill Binder and Larry Lesmeister at the Parks Department effective November 27, 2009 (Larry Lesmeister will continue to work at the WASP Rubble Site on a part time basis.) Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Statewide Drug and Alcohol Policy
City Attorney Jason Campbell requested that the Commission adopt the South Dakota Statewide Drug ad Alcohol Policy from South Dakota Department of Transportation. Silvernail moved, Schroeder seconded, to adopt the South Dakota Statewide Drug and Alcohol Policy from the South Dakota Department of Transportation for all CDL holders that are employed by the City. Roll Call: Aye-All. Motion carried. Classes will be held for all supervisors and employees.

Deadwood Event Center/Tentexkota Agreement
City Attorney Jason Campbell requested that the Mayor sign the agreement for the Deadwood Event Center/Tentexkota to extend the deadline to July 1, 2013. Campbell explained that Tentexkota's original completion date was 2010. Commissioner Silvernail expressed her concerns with this request due to the outstanding bills for the paving of Water Street, which Tentexkota has not paid. Silvernail would like to see these outstanding bills taken care of before approving this extension. The subject of payment for change orders at the project was discussed as well. Commissioner Schroeder added he

would like Tentexkota to appear before the Commission to discuss their position with this matter. Silvernail moved, Klamm seconded, to continue this request until Tentexkota appears before the Commission to discuss this matter. Roll Call: Aye-All. Motion carried.

Marketing/Promotion Agreement
Silvernail moved, Klamm seconded, to continue this request for the signing of the Marketing and Promotion Agreement between the City of Deadwood, Tentexkota, and Business Improvement District #7 to extend the deadline and cap the cash commitment to $550,000.00 until certificate of occupancy is issued. Roll Call: Aye-All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Happy Thanksgiving
Mayor Toscana extended a Happy Thanksgiving to everyone.

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

ATTEST: DATE: 11-30-09

Mary Jo Nelson, Finance Officer BY: Francis A. Toscana, Mayor

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