

REGULAR MEETING, September 24, 2007

The Regular Session of the Deadwood City Commission convened on September 24, 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 September 17, 2007 as presented. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Griffith moved, Silvernail seconded, to approve the September 24, 2007 disbursements. Roll Call: Aye-All. Motion carried.

ACE STEEL & RECYCLING, INCSHEET CR 18GA; SHEAR/BRAKE LAB	85.67
ALLTEL ALLTEL	278.73
BLACK HILLS PURE, INC. COOLER RENTAL	14.75
BLACK HILLS SPECIAL SERVICE/TROLLEY CLEANING	1,575.00
CULLIGAN OF THE NORTHERN HSALT - 50 POUND BAG	8.00
DAKOTA GRAPHICS DRIVER LOGS, TROLLEY TIME SHEE	735.00
DELAHOYDE'S PAINT & BODY 2005 DODGE DURANGO -WINDSHIELD	390.19
ELAN FINANCIAL SERVICES AMAZON-BOOKS FOR ARCHIVES	60.83
JAMES RAYSOR SDWNA CONFERENCE TRAVEL	509.90
KEN MERTENS REIMBURSEMENT FUEL	40.01
LAWSON PRODUCTS, INC. GLOSS BLACK MAINT PAINT; AEROS	59.06
MOBILE ELECTRONIC SERVICE POWER SWITCH, MIC JACK, MODE S	462.05
NAPA AUTO PARTS OIL CAP, WASHER FLUID	1,437.04
POSITIVE PROMOTIONS, INC GN07: CRAYON NON-TOXIC 4PC	53.45
QWEST RAMP PHONE AUG - SEPT.	99.21
S.V.I INC. BRASS, STANCHION POLISHED, RIV	148.09
SOUTH DAKOTA MUNICIPAL LEA2007 SDML ANNUAL CONFERENCE	150.00
TRIPLE K TIRE & REPAIR LUG NUT COVERS	49.00
UNDERWRITERS LABORATORIES INSPECTION SERVICE	591.80
TOTAL	\$ 6,747.78

PUBLIC HEARINGS/BID OPENINGS

Hold Public Hearing

Zoning Administrator Bernie Williams explained this involves the vacation of a stairway right-of-way. This stairway was replaced by the existing stairway from Taylor Avenue to Miller Street Municipal Parking lot. Lot 64 in Block 35 in the Original Town, City of Deadwood, Lawrence County, South Dakota, as platted by P.L. Rogers Map; EXCEPTING a strip six (6) feet wide along the northerly line of said premises which has been conveyed to the City of Deadwood for street purposes. Silvernail moved, Speirs seconded, to approve said petition to vacate right-of-way for Lucas Hoch at 44 Taylor Avenue. Roll Call: Aye - All. Motion carried.

Public Hearing

Speirs moved, Silvernail seconded, to approve the malt beverage (#2306) and wine (#6428) license site transfers from Emerald Corporation to GG & E, LLC dba BB Cody's at 681 Main Street. Roll Call: Aye - All. Motion carried.

Bid Opening - Abandoned Vehicles

According to Finance Officer Mary Jo Nelson, no bids were received for the abandoned vehicles. Silvernail moved, Speirs seconded, to allow the Public Works department to dispose of the abandoned vehicles. Roll Call: Aye - All. Motion carried.

Public Hearing - (Continued 9-17-2007)

City Attorney Jason Campbell reviewed the petition and requests for the vacated portions of Charles Street and informed the Commission that all adjoining landowners are required to sign off on the petition. Larry Fritz, property owner, explained the map is too vague and does not show any detail. Therefore, they have not signed the petition. Campbell confirmed that the portion of Charles Street that is to be vacated adjoins Fritz's property and suggested that the landowners get together to discuss this matter. Campbell suggested this item be continued for two weeks to allow the Fritz's time to meet the landowners and surveyor to discuss this matter. Campbell added this matter is not legally sufficient for this body to act on it at this point. Silvernail moved, Griffith seconded, to continue this item to the October 15, 2007 meeting. Roll Call: Aye - All. Motion carried.

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Set Bid Opening

Speirs moved, Griffith seconded, to set a bid opening for sidewalk repairs on October 15, 2007 at 5:05 p.m. Roll Call: Aye - All. Motion carried.

FINANCE/HISTORIC PRESERVATION

Property Coverage - 124 Sherman (Continued 9-17-2007)

City Attorney Jason Campbell confirmed the Lessee of 124 Sherman has commercial property coverage and would provide copies to the City Finance Office and the City will cancel their coverage on this property.

Finance Office Position

Speirs moved, Silvernail seconded, to approve the transferring of Deborah Maynard to the Deputy Finance Officer position starting at \$12.42 per hour, 90% of prevailing wage effective September 24, 2007. Roll Call: Aye - All. Motion carried.

STREETS/WATER

Ordinance #1087 – Second Reading

There being no changes or comments subsequent to first reading, Speirs moved, Silvernail seconded, to approve second reading of Ordinance #1090 to Amend Chapter 13.12 Water Meter Regulations to Increase Turn On/Off Fees. Roll Call: Aye – All. Motion carried.

Purchase Request

Speirs moved, Silvernail seconded, to allow the Street Department to purchase 25 tons of de-icer at \$93 per ton (\$2,325) and 25 tons of salt at \$67 per ton (\$1,675.) Roll Call: Aye - All. Motion carried.

Serve Wine - Library

Speirs moved, Silvernail seconded, to approve the request to serve wine at 435 Williams, a city-owned building, during author's reception at the Festival of the Book on Thursday, September 27, 2007 from 7:00 to 9:00 p.m. Roll Call: Aye – All. Motion carried.

Resolution 2007-16

Speirs moved, Silvernail seconded, to approve of Resolution 2007-16 to enter into a Design/Build contract for the lighting of the Mickelson Trail project.

**RESOLUTION 2007-16
TO ENTER INTO A DESIGN/BUILD CONTRACT
FOR THE
LIGHTING OF THE MICKELSON TRAIL**

WHEREAS, the city of Deadwood by and through its city commission and pursuant to SDCL 5-18-26, has determined that it is in the best interest of the public to enter into a design/build contract to complete the lighting of the Mickelson trail; and that the city requires that the project be completed by the spring of 2008 in order to provide safety and security to the residents and visitors using the trail; and that the traditional open bid procedure established under SDCL 5-18 is not sufficient or suitable to meet the city's objectives in completing this project in a timely manner; now therefore

BE IT RESOLVED that the Public Works Director for the City of Deadwood is to proceed to pre-qualify a minimum of three (3) design/build electrical firms to review and submit bids on a request for proposals for the design and installation of the lighting for the Mickelson Trail within the City of Deadwood.

Dated this 24th day of September, 2007

CITY OF DEADWOOD
/s/ Francis Toscana, Mayor

ATTEST
/s/ Mary Jo Nelson, Finance Officer

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POLICE/FIRE

Ordinance #1089 – Second Reading

There being no changes or comments subsequent to first reading, Klamm moved, Griffith seconded, to approve second reading of Ordinance #1089 Amending Section 10.12 Standing, Stopping, or Parking. Roll Call: Aye - All. Motion carried.

Fire Department Roster

Klamm moved, Silvernail seconded, to remove Evan Reif effective September 18 and add Larry Groll effective September 13, 2007 on the Fire Department roster. Roll Call: Aye – All. Motion carried.

PLANNING/ZONING/PUBLIC BUILDINGS/TROLLEY

Surplus Trolley

Silvernail moved, Griffith seconded, to approve the selling of the surplus 2000 Ford F53 Molly Trolley (VIN#1FCMF53S3Y0A10589) to the City of Custer for \$14,900.00. Roll Call: Aye - All. Motion carried.

PARKS/RECREATION

Purchase Request

Griffith moved, Klamm seconded, to approve the purchase of a post hole digger from Hersruds of Sturgis at a cost of \$2,600.00, to be paid from the Parks Department budget. Roll Call: Aye - All. Motion carried.

LEGAL BUSINESS

Ordinance #1088 - First Reading

City Attorney Jason Campbell said this ordinance was prepared to amend and properly designate the title and chapter to which such Ordinance should be added to the City of Deadwood Code of Ordinances along with fee schedules for residential and commercial building permits, mechanical permits, excavation permits and grading permits. Silvernail moved, Speirs seconded, to approve first reading of Ordinance #1088 Amending Ordinance 1060 for Adoption of the International Building Code. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Proclamation

Mayor Toscana read a proclamation proclaiming October, 2007 Physical Therapy month in the City of Deadwood.

ITEMS FROM CITIZENS NOT ON AGENDA

ADJOURNMENT

Speirs moved, Silvernail seconded, to adjourn the regular session at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, October 1, 2007.

ATTEST:

DATE: _____

Mary Jo Nelson, Finance Officer

BY: _____

Francis A. Toscana, Mayor