EXECUTIVE SESSION/REGULAR MEETING, September 21, 2009

The Regular Session of the Deadwood City Commission convened on September 21, 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, and Georgeann Silvernail. Commissioner Lenny Schroeder was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of September 14, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Klamm seconded, to approve the September 21, 2009 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	105.61
ABC	SUPPLIES	148.59
ALEX HAMANN	REIMBS	645.00
ALLTEL	PHONES	130.56
AMERICAN LEGAL	SUPPLEMENT #4	1,042.09
ARMSTRONG EXTINGUISHER	TANKS	45.00
BERGLUND, DEANNA	REIMBS	18.00
BIRDSALL SAND	CONCRETE	103.00
BH SPECIAL SERV	TROLLEY CLEANING	1,449.00
BH WEEKLY GROUP	PUBLICATIONS	681.78
CINDY RISCHE	REIMBRS	87.50
CULLIGAN	RENTAL	41.00
DEADWOOD ECONOMIC DEV	RAMP CONTRACT PMT.	1,580.02
DEADWOOD HOME CENTER	SUPPLIES	55.14
FOOTHILLS SEED	GRASS SEED	270.00
FORGEY CONSTRUCTION	45 FOREST	33,045.65
GOLDEN WEST	COMPUTER SERV	1,135.25
HIDDEN GULCH EMBROIDERY	T-SHIRTS	70.00
HILLSIDE DISPOSAL	RES GARBAGE	5,071.00
HSBC BUSINESS SOLUTIONS	MOTOR	218.01
INTEGRATED PARKING SOLUTIONS	YRLY MAINT	3,974.00
JACOBS WELDING	LIFT	139.45
JOHNSON & SON TRUCKING	TRANSPORT DOZER	1,120.00
KOHLER, TAMMY	REIMBRS	26.00
LAKER CHEMICAL	PATCH	496.50
LEAD DEADWOOD REGIONAL HOSPITAL	TESTING	36.00
LEAD-DEADWOOD SCHOOL DISTRICT	PACKAGE	909.00
M & T FIRE	YRLY SERV	2,480.65
MAVERICK (BLONDIES)	SUPPLIES	9.20
NAPA	BRACKET	5.89
NELSON, MARY JO	REIMBRS	71.89
NEVE'S UNIFORMS, INC.	UNIFORMS	69.23
PFARR, RANDY	SAFETY REIMB	74.65
PITNEY BOWES	QTRLY RENTAL	315.00
PITNEY BOWES	POSTAGE	500.00
PRESSURE SERVICES	VALVE	423.13
PRO-STEAM	CLEAN CARPETS	418.00
QWEST	SERVICE	376.43
SERVALL	SUPPLIES	114.98
SD MUNICIPAL LEAGUE	ANNUAL CONF	200.00
TEMPERATURE TECHNOLOGY	MAINT. AGREEMENT	1,125.00
TRIPLE K TIRE & REPAIR	REPLACE 9 IGN COILS	108.50
TWIN CITY HARDWARE	SUPPLIES	215.17
WILLIAMS, BERNADETTE	REIMBS	18.00
ZOLL.US	SERVICE	110.00
	TOTAL	**$ 59,278.87**

ITEMS FROM CITIZENS ON AGENDA

Deadwood Jam

Matt Pike, Deadwood Jam Board Member, presented Jam t-shirts to the Commission and thanked everyone for their continued support with the 2009 Deadwood Jam. Pike added that the Jam had taken out an insurance policy due to the possibility of inclement weather and they will be collecting on this policy.

PUBLIC HEARINGS/BID OPENINGS

Postpone Public Hearing

Mayor Toscana announced that the public hearing to discuss the possible surplus and sale of the city-owned Engine House located at 180 Sherman Street has been postponed to October 5, 2009 at 5:10 p.m. Roll Call: Aye-All. Motion carried.

EXECUTIVE SESSION/REGULAR MEETING, September 21, 2009

Public Hearing
Silvernail moved, Peterson seconded, to approve the street closure from Deadwood to Wall Street from 11:00 a.m. to 6:00 p.m. on October 3, 2009 for the Octoberfest event. Roll Call: Aye-All. Motion carried.

Silvernail moved, Peterson seconded, to waive the open container ordinance on Main Street from the Four Aces to the Masonic Temple from noon to 6:00 p.m. on October 3, 2009 for Octoberfest event. Roll Call: Aye-All. Motion carried.

Klamm moved, Silvernail seconded, to grant exception to vending ordinance pursuant to City Code 5.28.060 to allow vending on sidewalk right of way by property owner in front of business on October 3, 2009 from 11:00 a.m. to 6:00 p.m., without obtaining a permit. Roll Call: Aye-All. Motion carried.

FINANCE

Resolution 2009-19
Peterson moved, Klamm seconded, to approve Resolution 2009-19 to Allocate all Interest Income to General Fund. Roll Call: Aye-All. Motion carried.

RESOLUTION NO. 2009-19
To Amend City of Deadwood Investment Policy, Resolution 2006-13 and Allocate All City of Deadwood Investment Income to General Fund

Whereas, The City of Deadwood has determined that pursuant to SDCL 4-5-9 and Attorney General Opinion 81-42, effective January 1, 2010, all Investment Income other than funds listed in next paragraph will be credited to the respective fund. At year-end, Investment Income will then be transferred to the General Fund as a cash transfer in, and a transfer out from respective fund.

This resolution does not apply to Debt Service Funds for the payment of revenue bonds (9-22-12), or Cemetery Perpetual Care Fund (9-32-18). The interest earned from investments made with funds from these accounts specifically excepted from this resolution shall be credited in accordance to the respective statutes.

Dated this 21st day of September, 2009.
ATTEST: /s/ Francis A. Toscana, Mayor
/s/ Mary Jo Nelson, Finance Officer

* * * * *

Travel Request
Peterson moved, Silvernail seconded, to allow Ronda Morrison and Mary Jo Nelson to attend Election Workshop on November 12, 2009 in Rapid City, requesting use of City vehicle. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Hire Request
Klamm moved, Silvernail seconded, to approve the hiring of Western State Fire Protection to modify and add sprinkler heads to City Hall basement for $1,030.00 and allow Mayor to sign contract prepared by City Attorney. Roll Call: Aye-All. Motion carried.

Hire Request
Peterson moved, Silvernail seconded, to approve the hiring of Golden West Technologies to install computer connections in City Hall for $1,467.78 and allow the Mayor to sign contact prepared by City Attorney. Roll Call: Aye-All. Motion carried.

Hire Request
Klamm moved, Peterson seconded, to approve the hiring of API Systems Integrators to install an alarm system, heat detectors, and smoke detectors in City Hall basement for $2,015.17 and allow the Mayor to sign contract prepared by City Attorney. Roll Call: Aye-All. Motion carried.

Change Order - 128 Williams Retaining Wall
Silvernail moved, Peterson seconded, to approve the change order request from RCS Construction for $900.00 to remove sidewalk and replace on south end of property located at 128 William retaining wall grant project. Roll Call: Aye-All. Motion carried.

EXECUTIVE SESSION/REGULAR MEETING, September 21, 2009

Change Order #1 - Forgey Construction
Kevin Kuchenbecker informed the Commission that as of September 19, 2009 this project has been completed. Silvernail moved, Klamm seconded, to approve the change order request from Forgey Construction for an additional $4,955.85 for the hillside stabilization project located at 45-47 Forest Avenue; total cost of project is $38,001.50. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Gary Schmaltz - Street Lights
Gary Schmaltz, Shirt Tail Stage Stop owner, requested permission for the City to place three (3) globe streetlights on his property located at 250 US Highway 14A. After discussing the location and maintenance of the lights, Peterson moved, Silvernail seconded, to allow the City to purchase of three (3) globe street lights at a cost of $4,500 and provide maintenance, and Schmaltz will pay for the installation and monthly utility charges. Roll Call: Aye-All. Motion carried.

Purchase Request
Silvernail moved, Klamm seconded, to approve the expenditure of $20,250.00 for 150 tons of salt and 600 tons of fines from Nebraska Salt, to be paid from the Street Department budget. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Fire Department Roster
Klamm moved, Silvernail seconded, to remove Catherine Iverson from the firefighters roster effective September 10, 2009. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Discussion- Shuttle Service to Lodge at Deadwood
City Commission discussed once again the possibilities of running a trolley or a shuttle service to the new convention center "The Lodge at Deadwood" located on Deadwood Hill. Trolley Manager, Bob Nelson Sr., researched the costs and provided the information for the Commission. After reviewing, Commissioner Silvernail commented on the proposed daily cost of the shuttle service of $226.46 and added that the regular trolley service route during the winter months makes on an average $50 per day. Nelson commented that the trolleys are not equipped (transmissions and braking systems) to transport passengers up the steep hill and the City would need to purchase a different type of trolley with a more efficient braking system and a diesel engine. Nelson also mentioned the left hand turn to go up Deadwood Hill and the safety issues with this request. George Milos Deadwood Chamber Director said that this facility is to open at the end of the year and to leave it without a connection to the City would hurt the convention center as well as the downtown businesses and Milos would not want to see that happen. Milos asked the Commission to find an alternative to resolve this issue. Nelson said he would be open to allowing for a special or one-time runs, but not a scheduled route. Mayor Toscana suggested forming a committee to discuss and consider various options. Milos will form a committee of Deadwood business owners and City officials to discuss and reach an agreement.

Use of Trolley
Silvernail moved, Peterson seconded, to allow the use of the trolley to transport Republican legislators through Spearfish Canyon on October 3, 2009. Roll Call: Aye-All. Motion carried.

Ordinance #1121 - First Reading
Silvernail moved, Klamm seconded, to approve first reading of Ordinance #1121 Adding Section 5.44.040 to Establish Trolley Rate Structure for Groups and Organizations. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Request Executive Session
Mayor Toscana requested an Executive Session following the Regular Session for personnel and legal matters with no action to be taken.

EXECUTIVE SESSION/REGULAR MEETING, September 21, 2009

EXECUTIVE SESSION/ADJOURNMENT

Klamm moved, Toscana seconded, to adjourn the regular session at 5:40 p.m. and convene into Executive Session for legal matters with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, September 28, 2009.

ATTEST: Mary Jo Nelson

Mary Jo Nelson, Finance Officer

DATE: 9-28-09

BY: Francis A. Toscana

Francis A. Toscana, Mayor

CITY OF DEADWOOD SEAL SOUTH DAKOTA

For any public notice that is published one time:

Published once at the total approximate cost of _____.