## REGULAR MEETING, May 23, 2011

The Regular Session of the Deadwood City Commission convened on May 23, 2011 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, Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Silvernail moved, Van Den Eykel seconded, to approve the minutes of May 16, 2011. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the May 23, 2011 disbursements. Roll Call: Aye-All. Motion carried.

| | | |
|---|---|---|
| ALCO | SUPPLIES | 16.97 |
| AMERICAN WATER WORKS | MEMBERSHIP | 68.00 |
| ARLETH & ASSOCIATES | SERVICES | 4,000.00 |
| BH CHEMICAL | SUPPLIES | 455.90 |
| BH PHYSICAL THERAPY | TRAINING | 125.00 |
| BH POWER | UTILITIES | 13,540.45 |
| BORDER STATES | EQUIPMENT | 334.10 |
| CHAINSAW CENTERN | ROLLER | 190.00 |
| DAKOTACARE | PREMIUMS | 44,933.38 |
| DEADWOOD ELECTRIC | SERVICE | 51.02 |
| DEADWOOD FIRE DEPT | DUES | 45.00 |
| DOWER, CLIFF | REIMBURSE | 84.79 |
| FARMER BROTHERS | SUPPLIES | 621.32 |
| GOLDEN WEST | PHONE SYSTEM | 21,652.88 |
| HILLS MATERIALS | SAND | 53.85 |
| INTERSTATE BATTERY | BATTERY | 39.95 |
| INTUIT INC. | PROGRAM | 983.92 |
| KMART | VACUUM | 189.99 |
| KNOLOGY | SERVICE | 44.31 |
| KUSTOM SIGNALS | CAMERA | 92.00 |
| M.R. GUSTAFSON | TIF-2011#1 | 39,452.28 |
| MARSHALL, JOHN | REIMBURSE | 39.99 |
| NEVE'S | UNIFORM | 121.67 |
| PISCIOTTA, JANET | REIMBURSE | 84.80 |
| RAPID CITY JOURNAL | SUBSCRIPTION | 192.00 |
| RAYSOR, JAMES | REIMBURSE | 178.07 |
| SD DEPT. OF REVENUE | TRANSFER-KLK | 75.00 |
| SD FEDERAL PROPERTY AGENCY | TOOLS | 85.00 |
| SD GOV. FINANCE OFFICERS | REGISTRATION | 150.00 |
| SD GOV. HUMAN RESOURCE | REGISTRATION | 50.00 |
| TWILIGHT | SUPPLIES | 230.05 |
| UPBEAT, INC. | SUPPLES | 640.28 |
| ZEP | SUPPLIES | 169.62 |
| | **TOTAL** | **$ 128,991.59** |

### ITEMS FROM CITIZENS ON AGENDA

#### Liquor License – Deadwood Mountain Grand

Ron Wheeler, Deadwood Mountain Grand, requested permission for their facility to start the process of obtaining their convention center liquor license. Wheeler said the initial payment of $50,000 was paid to the City at the time they obtained the building permit. Wheeler explained that the hotel rooms would not be completed at the time of the grand opening of the event center and casino. He spoke with the SD Special Taxes Office regarding their liquor license and was informed that the State requires the establishment to be issued the certificate of occupancy prior to the license being issued. However, the State defers the option of granting a liquor license to the City. Wheeler said the hotel rooms would not be completed until late September-October 1, 2011. Finance Officer Mary Jo Nelson said prior to setting the public hearing the Commission needs to determine whether TenTexKota, LLC can open without the hotel rooms being complete. Also, according to the City's Resolution 2000-7, the Planning and Zoning, Historic Preservation, and Building Official need to sign off on the Convention Center Liquor License application. Nelson said the other issue would be the certificate of occupancy which is issued by the Building Inspector. Silvernail moved, Van Den Eykel seconded, that, if all applicable conditions are met, the Commission is comfortable holding the public hearing and entertaining their application even though the rooms are not yet completed, as the overall project includes enough rooms to qualify and plans and progress leave the Commission confident the rooms will be complete by the end of the year. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS/BID OPENINGS

#### Public Hearing – Kool Deadwood Nites

Sarah Anderson, Deadwood Chamber, appeared to request the following fee waivers, street closures, and open container allowances for Wild Bills Days:

**REGULAR MEETING, May 23, 2011**

Street Closures
Silvernail moved, Todd seconded, to allow street closure on Main Street from Pine to Deadwood Street starting at 10:00 a.m. on Thursday, June 16 and will remain closed through Sunday, June 19 until 2:00 a.m. Roll Call: Aye-All. Motion carried.

Todd moved, Silvernail seconded, to allow street closure on Main Street from Wall to Deadwood Street starting on Friday, June 17 at 4:00 a.m., and will remain closed through Sunday, June 19, 2011 at 2:00 a.m. (Note: traffic would be allowed on Lee Street up Main Street only until concerts begin each day.) Roll Call: Aye-All. Motion carried.

Chief Fuller commented on the Lee Street Closure and issues with delivery trucks making deliveries on Friday. Anderson said the Deadwood Chamber would notify business requesting their deliveries be made on Thursday not Friday.

Open Container
Silvernail moved, Todd seconded, to allow relaxation of open container ordinance on Friday, June 17, 2011 from 5:00 to 10:00 p.m. from the Masonic Temple to Four Aces.

Silvernail moved, Van Den Eykel seconded, to allow relaxation of open container ordinance on Saturday, June 18, 2011 from noon to 10:00 p.m. from the Masonic Temple to Four Aces. Roll Call: Aye-All. Motion carried.

Waive Vendor Fee
Todd moved, Peterson seconded, to waive the vendor fee for the Deadwood Chamber Merchandise tent on Main Street on Friday and Saturday, June 17 & 18, 2011. Roll Call: Aye-All. Motion carried.

Set Public Hearing
Silvernail moved, Peterson seconded, to set a public hearing at 5:05 p.m. on June 6, 2011 for McGovern Hill Trail Race on August 14, 2011 requesting the use of the Sherman Parking Lot. Roll Call: Aye-All. Motion carried.

Set Public Hearing
Silvernail moved, Peterson seconded, to set a public hearing at 5:12 p.m. on May 31, 2011 for NAJA Shrine Parade on June 11, 2011, requesting street closure. Roll Call: Aye-All. Motion carried.

FINANCE

Hire Request
Peterson moved, Silvernail seconded, to approve the hiring of Misty Trewhella to work part time in the Finance Office beginning May 25, 2011 at $7.61 per hour. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Utility Easement – Super G
Silvernail moved, Peterson seconded, to allow the Mayor to sign the Permanent Utility Easement between the City of Deadwood and Super G Investments Corp. for purpose of accessing an electrical box located: Lot A, Block 20 in the original town of Deadwood, Lawrence, SD. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request
Van Den Eykel moved, Todd seconded, to approve the purchase of a truck tarp from Northern Trucking at a cost of $3,638, a budgeted item. Roll Call: Aye-All. Motion carried.

Purchase Request
Van Den Eykel moved, Silvernail seconded, to approve the purchase of a cooler blower motor from Mack-Sheehan for the Bo-Mag at a cost of $1,657.43. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Sherman Street Parking Lot Proposal
Silvernail moved, Peterson seconded, to approve the purchase of meters for the Sherman Street Parking lot at a cost of $19.169.00. Roll Call: Aye-All. Motion carried. Chief Fuller informed the

Commission that the Parking and Transportation Committee is recommending the installation of parking meters in a prime portion of the Sherman Street Parking Lot (located directly behind the Homestake Adams Research and Cultural Center.) Currently there are a total of 300 free spaces and the proposal is to meter approximately 82 spaces. Fuller said due to the completion of Deadwood Mountain Grand this lot will be severely impacted with an increased demand for parking for visitors and employees. By installing meters at this location, it would be expected employees would utilize the free spaces in other parts of the Sherman Lot. A steady revenue flow could generate monies for maintenance and enhancement projects proposed for the area. Commissioner Van Den Eykel questioned if the tour bus operators would still be allowed to park in the Sherman lot and Fuller replied yes however, due to the increased demand for parking the Parking and Transportation Committee is looking for an alternate site for all buses. Commissioner Todd requested the City take more time to review and allow for input. Commissioner Silvernail agreed and added that parking in Deadwood is a premium for residents, employees, and visitors and would like to accommodate as many people as possible. Mark Speirs spoke in opposition of metering the Sherman Parking lot, added he is not a fan of parking meters, and does not like to see our visitors having to pay for parking. He said residents utilize this lot especially during winter months when residential streets are being cleaned and added once the Deadwood Mountain Grand is completed additional tour buses will utilize this lot. Mary Kopco, Adams House, Museum, and HARC told the Commission that visitors like to take advantage of the free parking in the Sherman lot. Kopco said she would like to see the Sherman Parking lot re-striped and make it more user friendly. Van Den Eykel added if visitors have to leave an establishment to go plug the meter this could potentially affect the City's revenue. Mayor Toscana added the City has generated a significant amount of revenue from parking meters, which allows the City to maintain and make needed improvements. Silvernail moved, Todd seconded, to rescind this motion. Roll Call: Aye-All. Motion carried. Silvernail moved, Todd seconded, to continue this matter to the June 13, 2011 meeting, to allow more time to review this matter. Roll Call: Aye-All. Motion carried.

PARKS/RECRATION/TROLLEY

Repair Request
Commission discussed the repair costs and questioned the quote for $9,500 from Lighting Maintenance Co. for the drilling of the hole for the installation of the new Musco light pole. Commissioner Todd said the existing pole was not damaged however; a new pole will be installed due to new regulations. Commissioner Silvernail added that the City could be charge an additional $220.00 per hour if the initial excavation exceeds 4 hours and needs to be cased. Mayor Toscana directed Public Works Director to research the possibility of reducing the drilling cost. Todd moved, Silvernail seconded, to approve the expenditure from the trolley budget for $36,647.41 to repair trolley and light pole as result of an accident, which occurred in April 2011. Roll Call: Aye-All. Motion carried.

Employee Resignation
Todd moved, Silvernail seconded, to accept the resignation of Rec Center employee Melissa Bourdon, effective May 16, 2011. Roll Call: Aye-All. Motion carried.

Wage Increase
Todd moved, Silvernail seconded, to increase the wage for Dian DeRosier, Rec Center and Mt. Moriah employee, from $7.61 to $8.12 per hour effective May 18, 2011, after one year of service.

Employee Resignation
Todd moved, Silvernail seconded, to accept the resignation of Rec Center lifeguard Ana Bode effective May 14, 2011. Roll Call: Aye-All. Motion carried.

Terminate Employment
Todd moved, Silvernail seconded, to terminate the employment of Mt. Moriah employee Connie Olsen effective May 16, 2011. Roll Call: Aye-All. Motion carried.

Hire Request
Todd moved, Silvernail seconded, to hire Earla Karels for Mt. Moriah at $7.61 per hour effective May 27, 2011, pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

Terminate Employment
Todd moved, Silvernail seconded, to terminate the employment of Justin Wermers and Leif Halverson from the Parks Department effective May 16, 2011. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, May 23, 2011**

Hire Request
Todd moved, Silvernail seconded, to hire Russell Prince at $8.62 per hour and Hunter Bradley at $7.61 per hour, effective May 31, 2011 for the Parks Department, pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

MAYOR BUSINESS

Meeting Date Change
Mayor Toscana announces the next meeting would be at 5:00 p.m. on Tuesday, May 31, 2011 due to the Memorial Day Holiday.

ADJOURNMENT
Silvernail moved, Van Den Eykel seconded, to adjourn the regular session at 5:50 p.m. The next regular meeting will be at 5:00 p.m. on Tuesday, May 31, 2011.

ATTEST: _____
Mary Jo Nelson, Finance Officer

DATE: 5-31-11

BY: _____
Francis A. Toscana, Mayor

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