

REGULAR MEETING, August 4, 2008

The Regular Session of the Deadwood City Commission convened on August 4, 2008 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, Lenny Schroeder, and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Klamm moved, Peterson seconded, to approve the minutes of July 28, 2008. Roll Call: Aye-All. Motion carried.

JULY 2008, PAYROLL: COMMISSION, \$4,096.14; ATTORNEY, 7,765.38; FINANCE, \$20,630.76; PUBLIC BUILDINGS, \$2,770.13; POLICE, \$56,944.03; FIRE, \$6,063.93; OAKRIDGE, 0.00; BUILDING INSPECTION, 4,605.60 STREETS, \$33,020.34; PARKS, \$43,090.83; PLANNING & ZONING, \$6,230.76; LIBRARY, \$8,616.30; RECREATION CENTER, \$17,359.67; HISTORIC PRESERVATION, \$17,364.78; WATER, \$17,006.76; PARKING & TRANSPORTATION, \$38,376.66; PARKING RAMP, \$7,183.91; RUBBLE SITE, \$1,856.00; MT. MORIAH, \$8,674.28 PAYROLL TOTAL: \$301,656.26.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the August 4, 2008 disbursements. Roll Call: Aye-All. Motion carried.

ABC	SWIVEL OFFICE CHAIR	440.00
AIR SYSTEMS MECHANICAL	REPAIR AIR CONDITIONING/PW	146.95
AMANO MCGANN	MAGSTRIP TICKETS	3,510.04
ARMSTRONG EXTINGUISHER	FIRE SUPPRESSION MAINT.-LINKS	290.90
BLACK HILLS POWER	ELECTRICITY/PUBLIC BUILDINGS	3,313.85
BLACK HILLS PURE, INC.	5 GAL BOTTLED WATER	5.75
BLACK HILLS TRUCK-TRAILER	BUILD CYLINDER KIT EZ DUMPER	124.00
CHEMSEARCH	BERRY BLAST/PUBLIC BUILDINGS	1,639.80
COPY COUNTRY	BLUELINE COPIES-SHIPPING/RC EX	7,761.91
CULLIGAN	BOTTLED WATER/PUBLIC WORKS	51.50
DAKOTA WESLEYAN	WEB PAGE SPONSORSHIP	150.00
DEADWOOD DEVELOPMENT CO	UPS SERVICE/SIGN COMPUTER	12.43
DEADWOOD ECONOMIC DEVEL	TURBIVILLE SALARY	1,580.02
DEADWOOD ELECTRIC	BULBS TO PARKS FOR PUBLIC BLDG	355.98
DEADWOOD HOME CENTER	20 AMP BULB-BB FIELD RESTROOMS	828.59
DEADWOOD VOLUNTEER FIRE	VFD DAYS OF '76 WORK HOURS	675.24
ECOLAB PEST ELIMINATION	RODENT-PEST CONTROL/CITY HALL	305.50
ENVIRONMENTAL EQUIPMENT	(2) SETS OF 4 GUTTER BROOMS	210.00
FUNDAUN, JOEL	REIMBURSE 2ND POR OF CERT FEE	50.00
GALL'S INC.	UNDER ARMOUR HEAT GEAR SLEEVEL	106.95
GOLDEN WEST TECHNOLOGIES	TECH LABOR MIN	286.88
GREAT WESTERN TIRE	SERVICE-FLAT TIRE REPAIR/928F	299.95
HERCULES HARDWARE	GLASS CLEANER	132.03
HILLS MATERIALS COMPANY	ASPHALT/SAMPSON STREET	705.03
HILLSIDE DISPOSAL	JULY RESIDENTIAL GARBAGE	5,071.00
INTEGRITY FORD	CH SES LIGHT,REPLACE SENSOR	572.89
INTERSTATE BATTERIES	NIC VERTEX FNBV	352.18
INTOXIMETERS	SUPPLIES	257.50
KEN'S CAMPER	SUPPLIES	19.55
KNOLOGY	PHONE-INTERNET/FIRE DEPT.	233.84
LANCE ENGINEERING	ENGINEERING/CH ROOF REPLACEMEN	1,235.00
LEAD DEADWOOD SANITARY	LEAD DEADWOOD SANITARY DISTRIC	27,742.84
LEAD-DEADWOOD BASEBALL	MAYORS FUND	200.00
LESTER, ROB	RALLY SUPPLIES	225.81
MATTSON, JON	FACILITR FEES FOR MAY- JULY 08	1,520.00
MAVERICK ENTERPRISES DBA	DIXIE CUPS/REC CENTER	16.14
MONTANA DAKOTA UTILITIES	NATURAL GAS/GAYVILLE PRV	1,550.82
OVERHEAD DOOR CO.	REPAIR DOOR AT FIRE HALL	1,821.26
SERVALL	MATS,TOWELS, BAG	372.28
SOUTH DAKOTA GAMING COMM	SOUTH DAKOTA COMMISSION ON GAM	12,312.50
SD PUBLIC HEALTH	COLIFORM TESTING/REC CENTER	48.00
TWIN CITY HARDWARE	SUPPLIES	3,148.41
	TOTAL	\$ 79,683.32

PUBLIC HEARINGS/BID OPENINGS

Public Hearing - 58 Pleasant Abatement

City Attorney Jason Campbell informed the Commission that 58 Pleasant was deemed a nuisance, the property owner was given notice, and the property owner did not respond to the City's correspondence. The nuisance was abated previously and the property owner's items were removed, logged, and stored at the City's Cold Storage building. Mayor Toscana said he had visited with the property owner regarding the public hearing and also invited him to come before the Commission to discuss the issue. City Attorney Jason Campbell added the City has costs of \$4,000 invested into the removal of the items. After much discussion, Mayor Toscana directed the City Attorney to research this matter further and report to the Commission on August 11, 2008. Silvernail moved, Klamm seconded, to continue the public hearing for 58 Pleasant. Roll Call: Aye- All. Motion carried.

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Segway Tours Lease

No one spoke in opposition to the City's intent to lease a portion of the Engine House located at 180 Sherman Street (Sherman Street Parking Lot) for Segway Tours business. Silvernail moved, Peterson seconded, to enter into a lease with Darin Gourde, Segway Tours and the City of Deadwood, and direct City Attorney to prepare a contract. Roll Call: Aye- All. Motion carried.

**RESOLUTION NO. 2008-21
RESOLUTION OF INTENT
TO ENTER INTO A LEASE WITH A PRIVATE PERSON
FOR SEGWAY TOURS**

AT THE ENGINE HOUSE (SHERMAN STREET PARKING LOT)

WHEREAS, the City of Deadwood owns the Engine House located at 180 Sherman Street in the Sherman Street Parking Lot; and

WHEREAS, there is sufficient room in the Engine House (rear portion) to accommodate the Segway Tours business operated by Darin Gourde; and

WHEREAS, pursuant to SDCL 9-12-5.2, a hearing was held before the City Commission of the City of Deadwood, South Dakota, on Monday the 4th day of August, 2008 at 5:15 p.m., in the Commission Chambers located at 102 Sherman Street, Deadwood, South Dakota, to consider the adoption of this Resolution of Intent; now therefore,

BE IT RESOLVED by the City of Deadwood that the City hereby declares its intent to enter into a lease with a private person for the purpose of operating the Segway Tours business in the Engine House at 180 Sherman Street in the Sherman Street Parking Lot, Deadwood, South Dakota.

Dated this 4th day of August, 2008.

CITY OF DEADWOOD

ATTEST:

/s/ Francis Toscana, Mayor

/s/ Mary Jo Nelson, City Finance Officer

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Set Bid Opening

Silvernail moved, Klamm seconded, to set a bid opening on August 25 at 5:15 pm for the removal and reconstruction of concrete panels on Williams Street and removal and reconstruction of panels at Mt. Moriah, Jackson, Burnham, and Shine Street. Roll Call: Aye- All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing for a retail on-off sale malt beverage license for Paula Katon, Thunder Cover Inn at 311-351 Cliff Street on August 18 at 5:05 p.m. Roll Call: Aye- All. Motion carried.

Advertise for Bids

Peterson moved, Silvernail seconded, to allow the Public Works Department to advertise for bids to paint the exterior of the Engine House and Library and to set a bid opening on August 18, 2008 at 5:10 p.m. Roll Call: Aye- All. Motion carried.

STREETS/WATER

Hire Request

Schroeder moved, Silvernail seconded, to approve the hiring of L & L Insulation to insulate a water pipe at the bridge crossings at a cost of \$5,820.00, a budgeted item. Roll Call: Aye - All. Motion carried.

Rental Request

Schroeder moved, Peterson seconded, to approve the rental of an excavator for one month from Butler Machinery at a cost of \$5,200 (\$4,800 is for rental and \$400 is to deliver and pickup equipment) to enlarge the disposal area at the WASP Rubble site. Roll Call: Aye - All. Motion carried.

Travel Request

Schroeder moved, Silvernail seconded, to allow Jeanette Moodie-Chaney to attend the South Dakota Library Association Conference in Chamberlain at a cost of approximately \$500.00. Roll Call: Aye- All. Motion carried.

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POLICE/FIRE

Extend Vacation Hours

Klamm moved, Silvernail seconded, to allow Chief Kelly Fuller to extend 110 hours of vacation to October 31, 2008. Roll Call: Aye - All. Motion carried.

Fire Department Grant

Fire Chief Mohr explained the Fire Department received a grant to purchase new radios for all the fire trucks for a total of \$18,000. Klamm moved, Schroeder seconded, to approve the grant and purchase of radios for the fire trucks. Roll Call: Aye - All. Motion carried.

Hire Request

Fire Chief Mohr requested permission to hire Rob Mattox on a contract basis to complete the GIS programming for the Fire Department laptop at a cost of \$2,500. Due to questions regarding a time limit, an hourly cost breakdown, liability insurance, scope of work and lack of a contract for the Commission to review, Klamm moved, Schroeder seconded, to continue this item to the August 11, 2008 meeting. Roll Call: Aye - All. Motion carried.

Parking on Main Street Request

Klamm moved, Schroeder seconded, to allow the Saloon No. 10 to park one promotional motorcycle on Main Street on Tuesday, August 5 from 4:30 p.m. to 6:00 p.m. Roll Call: Aye - All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase

Silvernail moved, Peterson seconded, to approve the wage increase for lifeguard Joel Fundaun from \$7.00 to \$7.50 per hour effective July 31, 2008 after completion of one year of service. Roll Call: Aye - All. Motion carried.

Extend Vacation Hours

Silvernail moved, Schroeder seconded, to allow Trolley Manager Bob Nelson Sr. to extend 35 hours of vacation to September 4, 2008. Roll Call: Aye - All. Motion carried.

Hire Request

Silvernail moved, Peterson seconded, to approve the hiring of Frank's Tree Service to cut trees at the intersection of McKinley and Railroad Streets at a cost of \$900.00 from the Parks budget. Roll Call: Aye - All. Motion carried.

Repair Request

Silvernail moved, Peterson seconded, to approve the purchase of an engine from Butler Cat to repair the mule at a cost of \$5,100.00, to be funded from Oakridge, Mt. Moriah, and Park Department budgets. Roll Call: Aye - All. Motion carried.

Employee Resignation

Silvernail moved, Peterson seconded, to accept the resignation of Alana Kightlinger effective August 7, 2008. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Opposing Initiated Measure #10

Mayor Toscana informed the Commission that the South Dakota Municipal League has taken a position strongly opposing Initiated Measure #10, which among other things, would prohibit cities from paying dues to any association that lobbies. Toscana directed Mary Jo Nelson, Finance Officer to prepare this resolution for the August 11, 2008 meeting for the Commission's approval.

ITEMS FROM CITIZENS NOT ON AGENDA

Fire Department Request

Klamm moved, Silvernail seconded, to allow three (3) firefighters to operate the Fire Department for four (4) hours per day and during the remainder of the 2008 Motorcycle Rally, costs are not to exceed \$1,200. Roll Call: Aye - All. Motion carried.

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ADJOURNMENT

Silvernail moved, Schroeder seconded, to adjourn the regular session at 5:30 p.m. and convene into executive session for union negotiations with no action follow meeting. The next regular meeting will be on Monday, August 11, 2008.

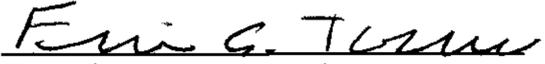
ATTEST:



Mary Jo Nelson, Finance Officer



DATE: 8-11-08

BY: 
Francis A. Toscana, Mayor