REGULAR MEETING, April 18, 2011

The Regular Session of the Deadwood City Commission convened on April 18, 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, Bruce Oberlander, Lenny Schroeder, and Georgeann Silvernail. Commissioner Joe Peterson was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Schroeder moved, Silvernail seconded, to approve the minutes of April 11, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the April 18, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	110.30
A TO Z SHREDDING	SERVICE	40.00
ABC BUSINESS	SUPPLIES	182.00
ACE INDUSTRIAL SUPPLY	SUPPLIES	395.00
ADAMS MUSEUM U	OP EXP	93,398.78
ALCO	SUPPLIES	32.52
ARLENE GUSTAFSON	ELECTION	153.00
ATCO INTERNATIONAL	SUPPLIES	77.00
BH MINING MUSEUM	GRANT	2,473.65
BH PIONEER	PUBLICATIONS	844.00
BH POWER	UTILTIES	11,748.35
BH WINDOW CLEANING	SERVICES	395.00
CULLIGAN	SUPPLIES	175.50
DAKOTA GRAPHICS	PRINTING	1,155.00
DAKOTA LUMBER CO	COUNTERTOP	416.00
DAYS OF '76 MUSEUM	DAYS FUNDING	32,710.04
DEADWOOD CHAMBER	BILLS	45,000.00
DEADWOOD ELECTRIC	COMPRESSOR	591.54
DEADWOOD FIRE DEPT	CLASS	321.27
DEADWOOD HOME	CART	49.10
DEMCO, INC.	SUPPLIES	820.13
DIVERSIFIED INSPECTIONS	SUPPLIES	1,336.94
ELAINE ROBIDOU	ELECTION	178.00
EMERGENCY SERV MARKETING	CHARGES	19.12
EMERY-PRATT	BOOKS	303.99
ENVIRONMENTAL EQUIPMENT	SUPPLIES	261.20
FIRE ENGINEERING	SUBSCRIPTION	21.00
FIREHOUSE MAGAZINE	SUBSCRIPTION	49.95
FLAT EARTH SIGN CO	SIGNAGE	9,260.00
FRAWLEY RANCHES	GRANT	6,735.90
GOLDEN WEST	SERVICES	877.50
GQ PROFESSIONAL SERV	SUBSCRIPTION	39.00
GRACE BULLOCK MEMORIAL	BOOK	19.99
HAWKI, KEN	REIMBURSE	14.84
HAWKINS INC	CHEMICALS	104.46
HEWLETT-PACKARD CO	COMPUTER	1,106.00
INTERNATIONAL CODE	CERTIFICATION	75.00
INTERSTATE ALL BATTERY	BATTERIES	256.80
J. SCULL CONSTRUCTION	DAYS 76 PRJ	164,271.74
JACOBS WELDING	SUPPLIES	49.30
JULIN, SUZANNE	HISTORY PRJ	1,725.00
KEYSTONE AREA HISTORICAL	GRANT	15,000.00
KNOLOGY	HOOKUP	137.51
KNOX CO	BOX	240.00
KONE INC.	KONE INC.	34,407.00
KUSTOM SIGNALS	LED	24.95
LC REG DEEDS	GRANT	2,084.00
LAWSON PRODUCTS	PATCH	287.74
LEAD-DWD GIRLS SOFTBALL	DONATION	100.00
LEAD-DEADWOOD BOWLING	DONATION	100.00
MIDWEST TAPE	DVDS	754.63
MDU	UTILITIES	461.50
NATIONAL FIRE PROTECTION	MEMERSHIP	150.00
NEIGHBORHOOD LENDING	LOAN DISB	748.86
NELSON, MARY JO	REIMBURSE	31.74
NEVE'S	UNIFORMS	289.79
NORTHWEST PIPE	VALVE	12.32
OCCUPATIONAL HEALTH NETWORK	TESTING	540.00
OTIS ELEVATOR CO	SERVICE	105.00
OVERHEAD DOOR CO.	DOOR	1,100.00
PETE LIEN	CONCRETE	221.38
PETTY CASH	FINANCE	127.05
QWEST	RAMP	154.00
RADIOSHACK	BATTERIES	237.44
SANDIDGE, VERNA	ELECTION	153.00
SANITATION PRODUCTS	SWEEPER	521.00
SD ANIMAL CONTROL ASSOC	REGISTRATION	200.00
SD COMMISSION GAMING	PYMT	17,693.18
SD DEPT. CORRECTIONS	FIREWISE	1,010.06
SD DEPT. LABOR	CLAIM	205.00
SD HERITAGE FUND	GRANT	11,562.50
SD ONE CALL	FEES	8.88
SD STATE ARCHIVES	MICROFILM	57.60
SD STATE HISTORICAL SOCIETY	MEMBERSHIP	45.00
SOCIETY BH PIONEER	PUBLICATION	2,000.00
SOUTH SIDE SERVICE	BATTERY	125.00
SOUTHSIDE OIL	FUEL	18,247.79

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SPECIALTY VEHICLES	TROLLEY PYMT	33,000.00
SQUYER, LORNA	REIMBURSE	347.80
THE JOURNAL OF LIGHT CONST	SUBSCRIPTION	64.95
THIS WEEK FROM INDIAN COUNTRY	ISSUES	19.97
TC HARDWARE	SHELFS	79.98
VERENDRYE MUSEUM INC.	GRANT	673.82
WESTERN COMMUNICATIONS	RADIOS	4,068.00
WESTERN STATES FIRE PROTECT	SPRINKLER	597.80
	TOTAL	**$525,790.15**

ITEMS FORM CITIZENS ON AGENDA

Service Awards
Mayor Toscana presented Jim Lee with a 20 Year Service Award. Toscana thanked Jim for his years of service and dedication to the City of Deadwood.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing
Silvernail moved, Schroeder seconded, to approve the street closure request on Main Street from Pine to Deadwood Street on July 28, 2011 from 6:15 p.m. to 7:45 p.m. for the Northern Hills Community Band performance for the Days of 76 concert. Roll Call: Aye-All. Motion carried.

Set Public Hearing
Silvernail moved, Schroeder seconded, to set a public hearing on April 25, 2011 at 5:15 p.m. to waive the vending fee and allow vending on public property for book sales during Preservation Thursdays at Deadwood City Hall April 28, May 26, September 8, and November 3, 2011. Roll Call: Aye-All. Motion carried.

Set Bid Opening
Silvernail moved, Oberlander seconded, to set a bid opening on May 2 at 5:15 p.m. for Lower Main Street Parking Rehabilitation. Roll Call: Aye-All. Motion carried.

FINANCE

Wire Transfer Request
Schroeder moved, Silvenail seconded, to approve the wire transfer request of $5,860.00 made on April 11, 2011 to National Lift Equipment for the scissor lift. Roll Call: Aye-All. Motion carried.

BID #7 Recommendation
Schroeder moved, Silvernail seconded, to accept the recommendation from Business Improvement District #7 (BID #7): Brad Hemmah request to be removed as President, appointed Ken Gienger to fill term and appoint Tracy Island as Vice President until term expires on July 31, 2011. Roll Call: Aye-All. Motion carried.

Canvass Results - April 12, 2011, Election
Schroeder moved, Silvernail seconded, to approve the official canvass results from the April 12, 2011, municipal election for (2) three-year Commission seats and one (1) one-year Commission seat as follows:

One (1) One-Year Term for Commission	# of votes
Gary Todd	140
Bruce Oberlander	74
James H. Phillips	42

Two (2) Three-Year Term for Commission	# of votes
Jim Van Den Eykel	174
Jan S. Van Tassel	80
Joe B. Peterson	150

Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Discussion - Blacktail Bench Property
Bob Nelson Jr., Zoning Administrator, provided a detailed report on the City owned Blacktail Bench property located near Central City. Staff recommends that the City surplus this parcel and is requesting permission from the Commission. The property is approximately a two (2) acre parcel and legal description is: Tract A-1 of Placer Claim 120, Blacktail Lode, and 66' dedicated public right-of-way formerly tracts A and B of Placer Claim 120, Blacktail Lode, located in the NW 1/4 of Section 28,

T5N, R3E, B.H.M. Lawrence County, South Dakota. After discussing various options, Toscana directed City Attorney to prepare a resolution to surplus.

Wage Increase
Silvernail moved, Schroeder seconded, to approve the wage increase of parking ramp attendant Judy Fidler from $9.13 to $9.64, effective April 15, 2011, after completion of two years of service. Roll Call: Aye-All. Motion carried.

Payment Request
Silvernail moved, Oberlander seconded, to approve the 2011 allocation of $1,000 to the South Dakota State Historical Society Annual Conference, to be paid from the Historic Preservation Advocacy budget. Roll Call: Aye-All. Motion carried.

Payment Request
Silvernail moved, Schroeder seconded, to approve the funding not to exceed $3,000 from Historic Preservation Public Education for the 2011 Archeology Camp. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request
Schroeder moved, Silvernail seconded, to approve the purchase of 5,500 gallons of diesel fuel at $3.55 per gallon from Southside Oil. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Fire Department Roster
Oberlander moved, Schroeder seconded, to accept Courtne Rakow to the Junior Firefighter roster and Matt Helmin to the Firefighter roster for workers compensation purposes, effective April 14, 2011. Roll Call: Aye-All. Motion carried.

Sherman Street Parking Lot - Gustafson Builders
Oberlander moved, Schroeder seconded, to accept Parking and Transportation's recommendation to enter into a lease with Gustafson Builders for leasing twelve spaces in the Sherman Street Parking Lot from May 1 - October 31, 2011, at $500 per month plus tax, and direct City Attorney to prepare lease agreement. Roll Call: Aye-All. Motion carried.

Vehicle for Hire
Oberlander moved, Silvernail seconded, to accept Parking and Transportation's recommendation to grant a Vehicle for Hire License to Stan Willmschen dba Polka Dot Taxi Service, pending proof of insurance, sales tax license, and payment of $75 license to the City of Deadwood. Roll Call: Aye-All. Motion carried. Commission asked how many taxicab services were licensed in Deadwood and Fuller replied five (five) currently. Commissioner Silvernail requested Chief Fuller to provide a list of the number of cabs that are currently servicing the City.

PARKS/RECRATION/TROLLEY

Purchase Request
Silvernail moved, Schroeder seconded, to approve the purchase of Quick Books point of sale software for the Deadwood Rec Center at a cost of $1,183.90. Roll Call: Aye-All. Motion carried.

Wage Increase
Silvernail moved, Schroeder seconded, to approve the wage increase of Parks Department employee Bill Binder from $14.36 to $15.16 per hour, effective April 13, 2011 after completion of one year of service (95% of prevailing wage.) Roll Call: Aye-All. Motion carried.

Wage Increase
Silvernail moved, Schroeder seconded, to approve the wage increase of Rec Center employee Lorna Squyer from $10.15 to $10.65 per hour, effective April 7, 2011, after completion of one year of service. Roll Call: Aye-All. Motion carried.

Payment Request
Silvernail moved, Schroeder seconded, to approve the expenditure of $1,665.00 to Flat Earth Sign for painting signs for the new trolley. Roll Call: Aye-All. Motion carried.

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LEGAL BUSINESS

Resolution 2011-07
Schroeder moved, Silvernail seconded, to approve Resolution 2011-07 to Exchange City Land with Private Owner. Roll Call: Aye-All. Motion carried.

RESOLUTION 2011-07
RESOLUTION TO EXCHANGE CITY LAND WITH PRIVATE OWNER

WHEREAS, the Deadwood City Commission desires to exchange land in the Sherman Street Parking Lot with a private owner, Tim Conrad, pursuant to SDCL 6-5-4, and

WHEREAS, the public interest will be better served by exchanging the lands in question to help square up the City's land ownership in the Sherman Street Parking Lot area, and

WHEREAS, the land to be exchanged will be of the same square footage and approximate value; now, therefore,

IT IS HEREBY RESOLVED, pursuant to SDCL 6-5-4, that the public interest will be better served by the proposed exchanging of land between the City of Deadwood and Tim Conrad in the Sherman Street Parking Lot area.

IT IS FURTHER RESOLVED that the Deadwood City Commission shall further follow all mandates of SDCL 6-5-4, as statutorily provided.

Date: April 18, 2011

ATTEST: City of Deadwood
/s/ Mary Jo Nelson, Finance Officer /s/ Francis A. Toscana, Mayor

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Ordinance #1159 - First Reading
City Attorney Jason Campbell explained Parking and Transportation made recommendations for amending Chapter 5.40 Tourist Conveyances regarding tour buses in Deadwood. The amendment states that Bus operators must provide the Police Department with a tour schedule, and operator must arrive and depart according to their schedule to ensure proper flow of traffic. The tour bus may utilize a five (5) minute grace period for those schedule times (departing or arriving), and any changes to their schedules must be submitted to the Deadwood Police Department seven (7) days prior to the change taking effect. Violations of this subsection shall subject each tour bus or conveyance to suspension or revocation of its license under section 5.40.060. Silvernail moved, Oberlander seconded, to approve the first reading of Ordinance #1159 for Amending Tourist Conveyances. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Water Street Corridor Rehabilitation Plan
Mayor Toscana said a proposal has been submitted to the City of Deadwood from FourFront Design, Inc., from Rapid City to perform a Corridor Rehabilitation Plan and Proposal. Kevin Kuchenbecker explained that due to the anticipated increased vehicle and pedestrian traffic, the Parking and Transportation committee, and City staff contacted an architectural engineering firm to compile preliminary data for the project area which includes: Water, Cemetery, Center, and Sherman Street Parking lot all located west of Sherman Street and south of the new Deadwood Mountain Grand Parking Structure. Also included is the Miller Street Parking Lot east of Sherman Street. The data will identify and isolate specific areas for the Master Plan and prepare a preliminary boundary and right-of-way field survey map. A review of existing documentation and gather project materials, including public and private parcels impacted, railroad and highway right-of-ways and easements of record, GIS data, City plans, and pedestrian/vehicle traffic projections, and modeling based on parking lot capacities only, not event attendance or through-traffic counts. Kuchenbecker added the cost of this Preliminary Data Gathering and Master Plan Phases project is $36,000 with a completion date of June 17, 2011. Silvernail moved, Schroeder seconded, to hire and enter into an agreement with FourFront Design, Inc. for the Water Street Corridor Rehabilitation Plan and Proposal project. Roll Call: Aye-All. Motion carried.

ADJOURNMENT
Silvernail moved, Schroeder seconded, to adjourn the regular session at 5:30 p.m. The next regular meeting will be at 5:00 p.m. on Monday, April 25, 2011.

ATTEST: DATE: 4-25-11

SEAL

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 _____.