**REGULAR MEETING, August 10, 2009**

The Regular Session of the Deadwood City Commission convened on August 10, 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, Lenny Schroeder, and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Klamm moved, Schroeder seconded, to approve the minutes of August 3, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Schroeder moved, Silvernail seconded, to approve the August 10, 2009 disbursements. Roll Call: Aye-All. Motion carried.

| | | |
|---|---|---|
| A & B WELDING | CYLINDERS | 80.82 |
| ABC | SUPPLIES | 36.83 |
| ABRAHAMSON, CHAD | REF TICKET | 10.00 |
| ALCO STORES, INC. | SUPPLIES | 10.68 |
| BH CENTRAL RESERVATIONS | ALLOCATION | 12,500.00 |
| BH CHEMICAL | SUPPLIES | 1,251.08 |
| BH PIONEER | PUBLICATIONS | 142.00 |
| CALIFORNIA CONTRACTORS | BLADES | 141.70 |
| CAMPBELL SUPPLY | WIRE | 119.34 |
| CHAINSAW CENTER | PULLEY | 87.83 |
| CITY OF LEAD | SHELTER EXP | 1,422.41 |
| CONRADS BIG "C" | REPAIRS | 764.96 |
| CULLIGAN | RENTAL | 112.00 |
| DAKOTA SUPPLY | BATTERY | 349.25 |
| DEADWOOD ELECTRIC | REPAIRS | 1,407.69 |
| DEADWOOD HOME | SUPPLIES | 261.47 |
| FARMER BROTHERS | SUPPLIES | 231.00 |
| FIRST NATIONAL BANK | FINAL FEE | 1,033.00 |
| FOOTHILLS SEED | SEED | 700.00 |
| GENES LOCK SHOP | KEYS | 30.00 |
| GENPRO POWER | INSPECTION | 455.19 |
| GOLDEN WEST | TECH/SERVER | 643.13 |
| GREAT WESTERN TIRE | REPAIRS | 730.80 |
| HILLS MATERIALS | ROAD BASE | 743.26 |
| HILLSIDE DISPOSAL | ROLL OFFS | 1,020.00 |
| HOLIDAY INN EXPRESS | FIN OFC TRNING | 186.00 |
| IMAGO NORTH AMERICA | MESSAGE BOARDS | 153.82 |
| JACOBS WELDING | TUBING | 21.49 |
| JARDEE, NITA | REIMBRS | 23.67 |
| JENNER EQUIPMENT | TOOLS | 477.68 |
| JOHNSON, ARCHIE | REFD TICKET | 5.00 |
| KNOLOGY | PHONE SERV | 229.50 |
| LAWSON PRODUCTS | VALVES | 301.76 |
| LEAD DEADWOOD SANITARY | USAGE CHRGS | 30,176.42 |
| LIGHT AND SIREN | DOME-SHIPPING | 125.00 |
| MDU | UTILITIES | 266.40 |
| NAPA | FILTERS | 1,877.23 |
| NORTHWEST PIPE | BOX LID-PLUG | 35.76 |
| OCCUPATIONAL HEALTH | TESTING | 28.00 |
| ONE WAY SERVICE PROS | SERV CALL | 206.24 |
| PETE LIEN | LANDSCAPE BLOCK | 5,200.00 |
| QUILL COPORTATION | PRINTER SUPPLIES | 493.11 |
| RAPID DELIVERY | DEL SERV | 17.60 |
| REGIONAL HOME MEDICAL | TIRES | 59.00 |
| SABO CONSTRUCTION | SELBIE ST REPAIRS | 3,069.80 |
| SD COMMISSION ON GAMING | CITY NICKELS | 17,693.18 |
| SDN COMMUNICATIONS | COMM LINE | 346.80 |
| SERVALL | RUGS | 593.29 |
| SD STATE TREASURER | SALES TAX-JUL 09 | 6,264.63 |
| SOUTH SIDE SERVICE | SERVICE-PD | 162.67 |
| SPALDING FLY PREDATORS | SUPPLIES | 208.90 |
| STATE INDUSTRIAL PRODUCTS | CONNECTORS | 173.77 |
| SUMMIT SIGNS | DELINEATOR | 45.30 |
| TENNANT SALES | PARTS/SWEEPER | 577.00 |
| TRIPLE K | REPAIRS | 838.18 |
| TWIN CITY HARDWARE | SUPPLIES | 1,369.68 |
| WASTE CONNECTIONS | DUMPSTERS | 1,334.82 |
| | **TOTAL** | **$ 96,846.14** |

ITEMS FROM CITIZENS ON AGENDA

Gordon Park - Class of 1959

Peterson moved, Silvernail seconded, to allow the Class of 1959 to consume beer at Gordon Park on September 4, 2009 from 5:30 to 9:00 p.m. for a class reunion. Roll Call: Aye-All. Motion carried.

Sanford Lab Update

Jeret Heise, Science Liason Director, appeared before the Commission to give a monthly update on the Sanford Lab. Heise discussed in detail the various science groups and projects that are being conducted on the various levels of the mine as well as future experiments that will be taking place.

Heise added they are making great progress with the Davis Chamber Campus, which will be the site of the two great physics experiments know as the Lux and Myrona and will be fully functional underground by the fall of 2010. They will be hosting some on-site meetings in October with the National Science Foundation.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing
Silvernail moved, Peterson seconded, to approve the Retail (On-Off) Sale Wine license application for John, Patricia & Matthew Jackson dba Belle Joli Winery at 594 Main Street. Roll Call: Aye-All. Motion carried.

Public Hearing
Peterson moved, Schroeder seconded, to approve the Retail (On-Off) Sale Malt Beverage license application for Patrick Kirwan dba Pam's Purple Door at 637 Main Street. Roll Call: Aye-All. Motion carried.

Public Hearing
Mayor Toscana explained the purpose of this public hearing is to discuss the possibility of the City building a second parking ramp below the Deadwood Mountain Grand (Slime Plant) project. The developers of the Deadwood Mountain Grand would like the City to assist with this project so they would have adequate parking for their establishment as well as the downtown area. Mayor Toscana announced that before they take public comments to discuss the possibility of City-Owned Parking Ramp on Water Street, Toscana asked Cam Lund, Lund & Associates and Mike Albertson, Albertson Engineering to present the slide presentation on the various schematics of the proposed ramp. Lund presented the various options of adding a third level or partial third level to the existing plans which were discussed at the July 27 meeting. Lund explained that Water Street either could remain in the same location or rerouted up and over the parking ramp. By moving Water Street up and over the ramp this allows the first and second level to be quite lower which the height of the ramp to be level with the VFW structure. After much discussion on the materials, facades, height restrictions, various level schematics and number of car/motorcycle spaces along with costs associated with this project, Toscana opened the public hearing to questions. A questioned was asked if the Deadwood Mountain Grand would compete or compliment the City's special events and George Mitchell replied they would compliment all special events in Deadwood. Mitchell reiterated the fact parking is limited currently and that he would like to see a third level added to the structure. Toscana asked if any Federal Funds would finance Deadwood Mountain Grand and Mitchell replied more than likely not. Toscana explained that Tentexkota might receive property tax credits through the State of South Dakota and income tax credits through Department of Interior if the project is built according to certain specifications. Toscana said if the City moves forward with the proposed parking ramp structure project it will be financed through Federal Government loan program and therefore the City will have certain restrictions. Toscana opened the public hearing up to public comments and no one spoke. Finance Officer Mary Jo Nelson provided the Commission with a detailed Calculation of Constitutional Debt Limit as of August 10, 2009. Nelson and City Attorney Jason Campbell have been researching whether this project would go against the City's Debt Limit. Campbell stated there are four special categories that do not count against constitutional debt limit: 1) Special Assessment Bonds 2) Lease Subject to Annual Appropriation 3) Lease with a Funding out Clause 4) Economic Development Bonds. Toscana said based on valuation of $170,809,951, the City has $3.6 million available for Debt and the cost of this project is at $3.6 million for the second level structure, which leaves no cushion and by adding a third, level only increases the cost of the project. No one spoke in opposition and Shawn Rost spoke in favor and suggested that the City officials, SD Rural Development, bond counsel to meet and discuss this matter in detail. City Commission expressed concerns with the possibility of this going against the City's debt and they do not want that to happen. Toscana stated, "That my biggest concern is that if this wipes out all of our debt limit, he could not support it." Toscana said that no action would be taken at this time and directed City Finance Officer Mary Jo Nelson, to call regional bond counsel for advice regarding this issue.

Set Public Hearing
Silvernail moved, Peterson seconded, to set a public hearing on August 24 at 5:10 p.m. for Deadwood Jam Events. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, August 10, 2009**

FINANCE

Information - Budget Meetings
Commissioner Joe Peterson announced there would be budget meetings on August 11, 12, and 13 starting each day at 3:40 p.m. in the Century Room.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Terminate Employment
Toscana moved, Silvernail seconded, to terminate the employment of Historic Preservation Intern Shayna Monnens effective April 6, 2009. Roll Call: Aye - All. Motion carried.

Hire Request
Silvernail moved, Schroeder seconded, to approve the hiring of Horsley Specialties Inc. at a cost of $3,120 at the Rec Center to test, remove, and dispose of mold, to be paid from Capital projects line item. Roll Call: Aye - All. Motion carried.

STREETS/WATER/LIBRARY

POLICE/FIRE

Fire Department Request
Klamm moved, Silvernail seconded, to approve the request to staff the Fire Hall during the Kool Deadwood Nites events; costs are not to exceed $1,200.00, a budgeted item. Roll Call: Aye-All. Motion carried.

Certification Request
Clam moved, Silvernail seconded, to allow Officer Zacharia Bell to enroll in the Law Enforcement Certification Course from August 31 through November 20, 2009. Roll Call: Aye-All. Motion carried.

Employee Resignation
Klamm moved, Silvernail seconded, accept the resignation of reserve officer Jeffery Rutz, effective August 5, 2009. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Extended Warranty - Discussion
Public Works Director Jim Raysor explained that the scoreboards at the Deadwood Sports Complex have reached the end of their purchase warranty. Daktronics offers one-year extension for $850.00, which includes one (1) on-site inspection, parts, labor, and technical support. Silvernail moved, Schroeder seconded, to approve the expenditure of $850 for the extended warranty, not a budgeted item. Roll Call: Aye-All. Motion carried.

Employee Resignation
Silvernail moved, Peterson seconded, to accept the resignation of Parks employees Hilary Havlik and Chance Havlik, effective August 14, 2009. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Ordinance #1119 - First Reading
Silvernail moved, Klamm seconded, to approve the first reading of Ordinance #1119 Amending Chapter 12.36 Oakridge Cemetery to adopt rules for St. Ambrose Cemetery. Roll Call: Aye-All. Motion carried.

ITEMS FROM CITIZENS NOT ON AGENDA

2009 Rally Stats
Chief Fuller provided for the Commission with a summary of the 2009 Rally Stats. Fuller thanked all the full time officers, reserves and part time personnel that assisted with the Rally event everyone did an excellent job.

**REGULAR MEETING, August 10, 2009**

ADJOURNMENT

Silvernail moved, Klamm seconded, to adjourn the regular session at 5:20 p.m. The next regular meeting will be at 5:00 p.m. on Monday, August 17, 2009.

ATTEST: DATE: 8-17-09

Mary Jo Nelson, Finance Officer

BY: 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 _____.