

**EXECUTIVE SESSION/REGULAR MEETING, March 14, 2011**

The Regular Session of the Deadwood City Commission convened on March 14, 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, Joe Peterson, Lenny Schroeder, and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Silvernail moved, Schroeder seconded, to approve the minutes of March 7, 2011. Roll Call: Aye-All. Motion carried.

**Approve Agreement - Turnbull and Sons**

Oberlander moved, Schroeder seconded, to allow the Mayor to sign the contract between the City of Deadwood and Turnbull and Sons Contracting for the retaining wall repairs on Wall Street and Broadway Avenue for \$32,500.00. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Silvernail moved, Schroeder seconded, to approve the March 14, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	COPIER	110.30
ABC BUSINESS	SIGNAGE	60.16
ADAMS MUSEUM	OP EXPENSES	7,537.40
ALCO	SUPPLIES	22.92
ARLETH & ASSOC	SURVEYING	1,161.25
BCI	SCREEN	257.00
BH CHEMICAL	SUPPLIES	466.87
BH PIONEER	PUBLICATIONS	481.13
BH POWER	UTILITIES	54.28
CONRADS BIG "C"	PHOTOCELLS	317.58
CULLIGAN	RENTAL	69.50
CUSTOM CAGE, INC.	CAGE	615.00
DAKOTA GRAPHICS	TICKET BKS	362.75
DAKOTA SECURITY	DEVICE	331.63
DAKOTA SUPPLY	COUPLINGS	52.98
DEADWOOD CHAMBER	BILL LIST	120,167.88
DEADWOOD GULCH	EMP DINNER	531.64
DEADWOOD HOME	SUPPLIES	56.84
DUNCAN PARKING	ADAPTOR	574.50
EDDIE'S TRUCK SALES	PARTS	42.78
ESRI INC.	GIS RENEW/MAINT	12,000.00
FARMER BROS	SUPPLIES	49.28
FASTENAL	SUPPLIES	560.96
GOLDEN WEST	EXTERNAL DRIVE	829.00
HAWKI, KEN	REIMBURSE	111.90
HILLSIDE DISPOSAL	DUMPSTERS	680.00
HOLIDAY INN	LODGING	134.99
HOMESTAKE ADAMS RESEARCH	GRANT	2,727.34
J. SCULL CONSTRUCTION	DAYS 76 PRJ	170,965.24
LC REGISTER DEEDS	GRANT	1,307.00
LAWSON PRODUCTS	SUPPLIES	386.48
LEAD-DWD MEDICAL CLINIC	TESTING	54.00
MARKETING & TECHNICAL	GIS SUPPLIES	433.78
NAPA	SUPPLIES	27.53
NELSON, MARY JO	REIMBURSE	66.75
NHS OF BH	1ST QTR PYMNT	21,725.00
OCCUPATIONAL HEALTH	TESTING	520.30
ROYAL ELECTRIC	AC/SERVER RM	1,450.76
RUNGE, MIKE	REIMBURSE	80.97
SD COMM GAMING	PMT 9	10,375.00
SIOUX CITY FOUNDRY	PARTS	1,120.00
SD BUILDING OFFICIALS	REGISTRATION	50.00
SD ONE CALL	FEES	9.99
SQUYER, LORNA	REIMBURSE	106.00
STURDEVANT'S	PARTS	91.67
TOMS, DON	LC LEDGERS	576.00
TRIPLE K	REPAIRS	503.00
TURNBULL & SONS	1ST PYMNT	2,500.00
TWILIGHT	SUPPLIES	148.93
TC HARDWARE	SUPPLIES	3,409.61
USPS-DWD	HP MAILING	588.85
USA BLUEBOOK	DISP TBLTS	91.61
VECCHI, GREG	LOANN DISB	3,000.00
WATER ENVIRONMENT FED	MEMBERSHIP	98.00
WHITE'S QUEEN CITY MOTORS	2011 TAHOE	29,437.00
	<b>TOTAL</b>	<b>\$399,491.33</b>

**ITEMS FORM CITIZENS ON AGENDA**

**Sanford Lab Update**

Greg King, Sanford Lab representative, appeared before the Commission to give an update on the lab. According to King, they have reached the 5440 level with the dewatering process. In 2010, they discharged 800 million gallons of water. King said they have completed three major operations projects they are: Majorana Temporary Clean Room, Transition cavern within the Davis Campus measuring 135'L x 50'W x 17'H, and the Davis Chamber. The Majorana Temporary Clean Room is

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where they will make ultra pure copper. They are in the process of bid letting for the Davis Chamber project. The National Science Foundation has funding set aside through October, and then the U.S. Department of Energy has allocated \$15 million to maintain and operate the Lab through the next fiscal year.

### Gary Schmaltz - Trolley and Courtesy Car Issues

Gary Schmaltz, Shirt Tail Gulch Stage Stop, and Julie Larson, Schade Winery, appeared before the Commission to request trolley service during the weekends and summer months to their establishment located at 250 US Highway 14A. After discussing this request, Trolley Manager Bob Nelson Sr., said he would complete a time study to determine if this request is feasible.

## PUBLIC HEARINGS/BID OPENINGS

### FINANCE

#### 2010 Annual Financial Report

Mayor Toscana thanked Finance Officer Mary Jo Nelson for her dedication and hard work preparing the City's Annual Financial Report. Peterson moved, Silvernail seconded, to approve the City of Deadwood's 2010 Annual Financial Report and file report with the SD Department of Legislative Audit. Roll Call: Aye-All. Motion carried.

## HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

### Payment Request

Silvernail moved, Schroeder seconded, to approve the payment for \$1,325.00 to American Technical Service for the subsurface exploration-subsurface wall on Wall and Broadway Street, to be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

### Travel Request

Silvernail moved, Oberlander seconded, to allow one Historic Preservation Commissioner to attend the American Association for State and Local History in Nashville, TN on April 14 at a cost not to exceed \$1,000.00, to be paid from Historic Preservation travel line item. Roll Call: Aye-All. Motion carried.

### Loan Agreement

Silvernail moved, Peterson seconded, to allow the Mayor to sign the Loan Agreement with Custer County Courthouse Museum to display the seven (7)-panel James Butler Hickok traveling exhibit from May 9 through October 15, 2011. Roll Call: Aye-All. Motion carried.

### Contract

Silvernail moved, Oberlander seconded, to enter into a contract between the City of Deadwood and Delfina Diem to transcribe 85 documents pertaining to the Deadwood Cannon at a cost not to exceed \$2,500.00, to be paid from the Archives Budget. Roll Call: Aye-All. Motion carried.

## STREETS/WATER/LIBRARY

### Discussion Williams Street - Continued from 3/7/2011

Mayor Toscana said he had received some feedback from residents regarding the proposed one-way traffic portion on Williams Street and added one resident was strongly opposed. Resident Jim Phillips said he had reviewed the proposed change and made suggestions for the Commission to review. Chief Fuller reiterated the fact that the proposed change starting the one-way traffic at Guy Street was due to the narrowness of the street. Phillips added that there is plenty of room further down Williams Street to turn around by using a private driveway or eliminating 2 to 3 parking spaces to allow people to turn around. In discussing, these parking spaces are located on private property and Fuller added that parking is at a premium in Deadwood and does not want to see any parking spaces eliminated. Commissioners Silvernail and Oberlander agreed and added that the City does not want people using private driveways to turn around. Commissioner Schroeder requested that a detailed map be prepared and Silvernail added an on-site tour would be helpful. Oberlander moved, Schroeder seconded, to continue this matter to the March 28, 2011 meeting. Roll Call: Aye-All. Motion carried.

### Travel Request

Schroeder moved, Silvernail seconded, to allow Bill Burluson and Robert Radenslaben to attend the Street Maintenance Conference in Oacoma April 13-14, 2011, requesting \$80 registration fee, \$160 for lodging, meals not covered by conference, and use of City vehicle. Roll Call: Aye-All. Motion carried.

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### POLICE/FIRE

#### Hire Request

Oberlander moved, Silvernail seconded, to approve the hiring of Sarah Reed for the Ordinance Officer position effective March 16, 2011 at \$14.49 per hour (90% of prevailing wage), pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

#### Purchase Request

Oberlander moved, Schroeder seconded, to approve the purchase of a light bar module and controller from Light and Siren at a cost of \$1,885.00 plus shipping. Roll Call: Aye-All. Motion carried.

#### Travel Request

Oberlander moved, Silvernail seconded, to allow Greg Nelson to travel to Austin, TX for the National SART Training Conference, total cost of \$1,348.62, with a 100% grant reimbursement. Roll Call: Aye-All. Motion carried.

#### Fire Department Roster

Oberlander moved, Silvernail seconded, to remove Wesley Cofield and Bob Nelson Jr. from the Firefighters Roster for workers compensation purposes. Roll Call: Aye-All. Motion carried.

#### 2010 Annual Report

Chief Kelly Fuller provided copies for the Commission of the 2010 Annual Report and Stats from the Police Department. A copy is on file with the Finance Office and located on the City website. Roll Call: Aye-All. Motion carried.

### PARKS/RECREATION/TROLLEY

#### Purchase Request

Silvernail moved, Peterson seconded, to approve the purchase of two mowers and brush cutter from the Chainsaw Center at a cost of \$2,696.15. Roll Call: Aye-All. Motion carried.

### LEGAL BUSINESS

#### Ordinances #1142 - #1158 - First Reading

Silvernail moved, Oberlander seconded, to approve the first reading of the following Ordinances #1142 through #1158 to assess fines for violations by each chapter. Roll Call: Aye-All. Motion carried.

- 1142 Ordinance amending Chapter 1.12 General Penalty--Continuing Violations
- 1143 Ordinance amending Chapter 3.08 Sales and Service Tax and Use Tax
- 1144 Ordinance amending Chapter 3.12 Sales Tax for City Enhancements
- 1145 Ordinance amending Chapter 3.16 Business Occupation Tax
- 1146 Ordinance amending Chapter 3.20 Occupancy Tax
- 1147 Ordinance amending Chapter 5.04 Alcohol Beverages
- 1148 Ordinance amending Chapter 5.08 Bingo
- 1149 Ordinance amending Chapter 5.12 Contractors, Violation--Penalty
- 1150 Ordinance amending Chapter 5.16 Electricians--Violations of Chapter
- 1151 Ordinance amending Chapter 5.20 Horse-Drawn Vehicles Permit--Cancellation and violations
- 1152 Ordinance amending Chapter 5.24 Pawnbrokers and Secondhanded Dealers License-Suspension/Revocation
- 1153 Ordinance amending Chapter 5.32 Plumbers and Plumbing Contractors Violation of Chapter
- 1154 Ordinance amending Chapter 5.36 Selling from Vehicles Violation--Penalty
- 1155 Ordinance amending Chapter 5.40 Tourist Conveyances Violation--Penalty
- 1156 Ordinance amending Chapter 5.44 Trolleys Violation--Penalty
- 1157 Ordinance amending Chapter 5.48 Vehicles for Hire Violation--Penalty
- 1158 Ordinance amending Chapter 5.52 Miscellaneous Business Licenses and Regulations Violation--Penalty

### MAYORS BUSINESS

#### Request Executive Session

Mayor Toscana requested an Executive Session following the Regular Session for contractual matters per SDCL 1-25-2 (3), and legal matters per SDCL 1-25-2 (3), with no action to follow.

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ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA. Items will be considered but no action will be taken at this time.

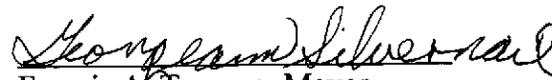
**ADJOURNMENT**

Silvernail moved, Schroeder seconded, to adjourn the regular session at 5:40 p.m. and convene into Executive Session for contractual matters per SDCL 1-25-2 (3), and legal matters per SDCL 1-25-2 (3) with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, March 21, 2011.

ATTEST:

  
\_\_\_\_\_  
Mary Jo Nelson, Finance Officer

DATE: \_\_\_\_\_

BY:   
Francis A. Toscana, Mayor

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

