

## REGULAR MEETING, January 19, 2010

The Regular Session of the Deadwood City Commission convened on January 19, 2010 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, and Georgeann Silvernail. Commissioner Lenny Schroeder was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of January 11, 2010. Roll Call: Aye-All. Motion carried.

### CONDOLENCES

Mayor Toscana along with the City Commissioners and City employees expressed condolences to the Stoneberger family for the passing of Tod Stoneberger, a former trolley driver for the City.

### APPROVAL OF DISBURSEMENTS

Klamm moved, Silvernail seconded, to approve the January 19, 2010 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	COPIER	557.06
ABC	SUPPLIES	1,052.66
ADAMS MUSEUM	EXPENSES	2,683.66
ALBERTSON ENGINEERING	PROF SERV	290.00
API INC.	BASEMENT PRJ	2,015.17
BEST WESTERN	LODGING	560.00
BH PIONEER	PUBLICATIONS	65.00
BH POWER	UTILITIES	2,310.32
BH WEEKLY	SUBSCRIPTION	36.00
BH WINDOW CLEANING	CLEANING SERV	293.00
CITY OF LEAD	09 SHELTER EXP	1,384.66
CLAREYS SAFETY EQUIP	PARTS	11.81
CULLIGAN	RENTAL	134.00
DAKOTA GRAPHICS	SUPPLIES	60.00
DAKOTACARE	ASSESSMENTS	900.00
DEADWOOD CHAMBER	BILLS LIST	62,868.00
DEADWOOD ELECTRIC	BASEMENT PRJ	4,364.55
DEADWOOD HOME	PAINT GRANT	223.31
DEADWOOD LEAD ARTS COUNCIL	09 INSTALLMENT	1,862.50
EMMANUEL EPISCOPAL CHURCH	08 GRANT	2,333.72
ESRI INC.	MAINT-ARCVIEW	1,800.00
FASTENAL	SUPPLIES	325.85
FORGEY CONSTRUCTION	SNOW REMOVAL	2,870.00
GLOVER, WILLIAM	REIMBURSE	52.00
GOLDEN WEST	PROF SERV	3,039.63
GROLL, LARRY	REIMBURSE	52.00
HCW, INC.	BASEMENT PRJ	459.00
HILLS MATERIALS	SUPPLIES	310.63
INTERNATIONAL RADIANT	SWITCHES	513.70
JULIN, SUZANNE	HISTORIES PRJ	5,750.00
KEN HAWKI	REIMBURSE	294.80
KNOLOGY	PHONE CHG	350.19
LITTLE SPEARFISH CONSERV	08 GRANT	6,376.00
M&M SANITATION	RENTAL	205.00
MARIAH PRESS PROD	09 GRANT	125.00
MDU	UTILITIES	10.15
MORRIS TOWING	TOW IMPND	75.00
NATIONAL TRUST MAIN ST	MEMBERSHIP	115.00
NEVE'S	UNIFORMS	103.42
NORTHWEST PIPE	SUPPLIES	160.46
OCCUPATIONAL HEALTH	09-TESTING	102.50
RAPID CITY JOURNAL	PUBLICATIONS	1,360.51
RUNGE, MIKE	REIMBURSE	135.48
SD COMMISSION GAMING	CITY SLOTS	17,693.18
SD DEPT. OF CORRECTIONS	FIREWISE PRJ	5,189.03
SERVALL	SUPPLIES	502.49
SD REDBOOK FUND	REGISTRATION	45.00
SUMMIT SIGNS	SIGNS	81.00
TRIPLE K	REPAIRS	70.95
TROPHY AWARDS	SUPPLIES	129.49
TC HARDWARE	SUPPLIES	243.10
TWO WHEELER DEALER	REPAIRS	414.45
UNIVERSITY OF SD	SUPPLIES	5.79
WASTE CONNECTIONS	ROLL-OFF	279.82
WEST PAYMENT CENTER	DEC 09 PYMNT	159.76
WIERINGA, ANN	REIMBURSE	52.00
WOLFF'S	BASEMENT PRJ	9,643.60
	<b>TOTAL</b>	<b>\$ 143,101.40</b>

### ITEMS FROM CITIZENS ON AGENDA

#### Adams Museum/House Request

Silvernail moved, Peterson seconded, to allow the Adams House to serve a complimentary glass of champagne for the Adams House Valentine Tours on February 12, 13, and 14, 2010. Roll Call: Aye-All. Motion carried.

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### Robert Wright - Snow Removal Bill

Robert Wright, residing at 822 Main, appeared before the Commission to discuss the bill he received for snow removal services that took place on December 16, 2009. Wright protested the \$193.00 bill for the following reasons: he recently purchased this house, was out of town for two weeks, and during his absence had caretakers taking care of his place and they did not feel the sidewalk needed to be shoveled at that time. After much discussion regarding this matter and the City's snow shoveling and removal procedures Peterson moved, Silvernail seconded, to reduce the bill to \$121.50. Roll Call: Aye-All. Motion carried.

### Scot Munro - Snow Removal Bill

Scot Munro, owner of 45 Burnham, appeared before the Commission to discuss the bill he received for snow removal services that took place on December 17, 2009 for \$233.00. Munro said the house is a rental and is currently vacant. He added he was out of town during the snowstorm and had caretakers taking care of the property but the sidewalk was not shoveled. The City employees were sent out to shovel and maintain properties that were in violation of the City's snow shoveling ordinance. Munro told the Commission that he feels the fees are exorbitant for the size of the sidewalk. Commissioner Peterson noted that this is the third violation. Commissioner Silvernail added that it is the property owner's responsibility to make sure that the sidewalks are shoveled in a timely manner. Silvernail moved, Klamm seconded, not to forgive the snow removal bill for 45 Burnham. After discussing, Silvernail moved, Klamm seconded, to rescind the motion. Silvernail moved, to request property owner to pay the bill in full (\$233.00.) Roll Call: Aye-All. Motion carried.

## FINANCE

### Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$4,000.00 to CASA for the 2010 allocation, to be paid from professional services, a budgeted item. Roll Call: Aye-All. Motion carried.

### Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$2,063.00 to Black Hills Council of Local Governments for the 2010 dues, to be paid from Commission professional services, a budgeted item. Roll Call: Aye-All. Motion carried.

### Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$5,000.00 to Stop and Grow After School Program for the 2010 allocation, to be paid from Bed and Booze Fund, a budgeted item. Roll Call: Aye-All. Motion carried.

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

### Sponsorship Request

Toscana moved, Klamm seconded, to award the sponsorship of \$1,000.00 for the 2010 Dakota Conference at Augustana College to be held on April 23-24, 2010, to be paid from Advocacy line item. Roll Call: Aye-All. Motion carried.

### Sponsorship Request

Toscana moved, Klamm seconded, to award the sponsorship of \$1,000.00 to the South Dakota Historical Society Annual Conference on April 30-May 1, 2010, to be paid from Advocacy line item, budgeted. Roll Call: Aye-All. Motion carried.

## STREETS/WATER/LIBRARY

### Mickelson Trail - Snowmobile Signage

Mayor Toscana explained that due to a complaint made by Mike Randall (Claim Jumpers Trailer Court resident) this matter was discussed at the January 11, 2010 meeting. The Commission discussed options of limiting the hours on the trail (dawn to dusk) since this portion of the trail is in a residential area from the Deadwood Gulch to the Southside Station. Toscana said that the Commission would not have first reading of an ordinance as initially discussed due to possible modifications and concerns that have been expressed by residents and business owners on this matter. Business owners Pat Roberts (Best Western Hickok House), Pat Mollman (Southside Station), Steve Olson (Comfort Inn), and Tracy Island (Deadwood Gulch Gaming Resort) presented a letter to the Commission expressing their thoughts and concerns with the restriction of dusk to dawn. Ronda Mollman resides at 171 Charles

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and owner of Southside Station, told the Commission that her family enjoys snowmobiling as they live at the very end of Trail #7 and travel the trail after 6:00 p.m. Mollman said they pay to advertise in the snowmobile trail maps their South Station pay at the pump 24/7 operation. She added that the snowmobiling season runs from December 15 to March 15, and feels this is a short time frame and this is our industry and we rely on winter sports. Toscana added that a suggestion was made to use the City's noise ordinance to prevent snowmobiling from the hours of 10:00 p.m. to 7:00 a.m. with a speed limit of 5 mph, but added he does not know if that applies to this situation. Mike Randall agreed that the early morning snowmobile traffic is worse than evening and added that if the signs posted on the trail were larger with the speed limit and a warning of a residential area may make a difference, Toscana said that the Commission's intent is to work together and create a compromise for everyone whether it is the residents, business owners, or visitors in our recreational community. Toscana suggested continuing this matter to the February 3, 2010 meeting and thanked everyone for attending the meeting and expressing his or her input on this matter.

### Purchase Request

Silvernail moved, Klamm seconded, to approve the purchase of chains for the motor- graders chains for \$12,208.00 from NAPA. Roll Call: Aye-All. Motion carried.

### Payment Request

Silvernail moved, Peterson seconded, to approve the payment to Forgey Construction for additional snow removal required in December for \$2,870.00. Roll Call: Aye-All. Motion carried.

## POLICE/FIRE

### Purchase Request

Klamm moved, Peterson seconded, to approve the purchase of a 2010 Chevy Tahoe at \$28,523.00 from White's Queen City Motors using Lawrence County low bid, opened December 29, 2009. Roll Call: Aye-All. Motion carried.

### Mutual Aid - Agreement

Klamm moved, Silvernail seconded, to allow the Mayor to sign the Memorandum of Understanding for Mutual Aid Concerning Lawrence County Fire Protection and Emergency Services. Roll Call: Aye-All. Motion carried.

### Purchase Request

Klamm moved, Silvernail seconded, to approve the purchase of \$8,126.64 to update the software and printers from Integrated Parking Solutions, LLC. to be paid from the Parking and Transportation budget, as budgeted item. Roll Call: Aye-All. Motion carried.

## LEGAL BUSINESS

### Contract - Robert Kolbe

Silvernail moved, Klamm seconded, to allow the Mayor to sign the contract between the City of Deadwood and Robert Kolbe for a presentation on "Photographers of Dakota Territory" for \$200.00. Roll Call: Aye-All. Motion carried.

## MAYORS BUSINESS

### Travel Allowance Policy

Mayor Toscana explained this was discussed at the January 11, 2010 meeting due to a request from Archivist Mike Runge requesting to travel to a conference in Tucson, Arizona at a total cost of \$1,865.28. The City's current policy allows a maximum expenditure of \$1,500.00 every other year towards out of state travel. Runge agreed to pay the difference of \$365.28 in order for him to attend this conference. Commissioner Silvernail requested that the current policy amount be reviewed. Toscana said a few suggestions were brought forth for the Commission's consideration and they are: 1) to raise the out of state travel amount to \$2,000.00, 2) to keep the registration fees separate from the \$1,500.00 (for air travel, mileage, lodging and food reimbursements.) Commissioner Silvernail requested that the amount be raised to \$2,000.00. Commissioner Peterson added that some registration fees are costly. The Commission discussed various options to amend this policy. Commissioner Klamm said he would like to see the costs kept separate. Silvernail moved, Klamm seconded, to continue this item to the January 25, 2010 meeting to allow more time to research this matter.

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**ITEMS FROM MAYOR, COMMISSOINERS, DEPARTMENT HEADS NOT ON AGENDA**

**December 2009 Snow Storm**

Finance Officer Mary Jo Nelson informed the Commission that costs of the recent snowstorm totaled \$26,680.00, \$7,500.00 of that expense was for wages, and additional contractors' costs totaled \$19,180.00. No gasoline cost or vehicle use was not included.

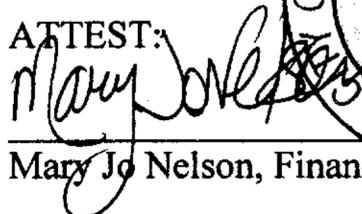
**Police Department Annual Banquet**

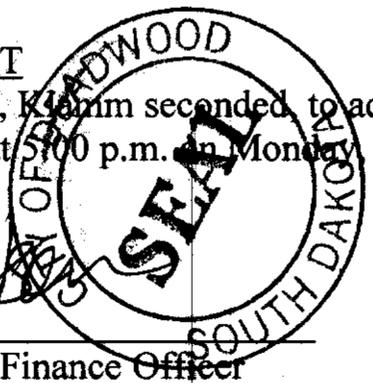
Chief Fuller announced at the Police Department's Awards Banquet held in January 17, 2010, Officer Dustin Schumacher was named Officer of the Year, Doug Bechen was named Reserve Officer of the Year, and Officer Zach Bell saved the life of a person in October and was awarded the Deadwood Police Department Life Saving Award.

**ADJOURNMENT**

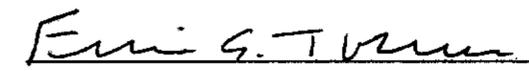
Silvernail moved, Klamm seconded, to adjourn the regular session at 6:00 p.m. The next regular meeting will be at 5:00 p.m. on Monday, January 25, 2010.

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: 1-25-10

BY:   
Francis A. Toscana, Mayor

For any public notice that is published one time:

Published once at the total approximate cost of \_\_\_\_\_.