

REGULAR MEETING, January 12, 2009

The Regular Session of the Deadwood City Commission convened on January 12, 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, 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 5, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Klamm moved, Silvernail seconded, to approve the January 12, 2009 disbursements. Roll Call: Aye-All. Motion carried.

ABC	SUPPLIES	132.68
ALCO	TOTES	38.97
ALPINE IMPRESSIONS	12/08 - EMBLEMS	63.60
BH CHEMICAL	08-SUPPLIES	2,256.84
BH PIONEER	SPORTS ADS-2008	140.86
BH POWER	UTILITIES/FIRE DEPT	31.93
BH SPECIAL SERVICE	TROLLEY CLEANING - DEC 2008	934.50
BLACK HILLS WEEKLY GROUP	12/08 - 12/15/08 MINUTES	1,098.64
BRIDENSTINE, DANIEL	SAFETY REIMB-2009	95.39
CHAINSAW CENTER	CREDIT ON HEADS-2008	2,536.20
CROTTY, GREG	REIMBS-DENTAL	63.03
CULLIGAN	WATER/PW-2009	21.50
DAKOTA BUSINESS CENTER	COPIER MAINT	49.56
DAKOTA GRAPHICS	ENVELOPES, PARKNG CARDS	252.50
DEADWOOD ECONOMIC DEVEL	2009 ALLOCATION	21,000.00
DEADWOOD FIRE DEPT	13 COMM MTGS @ \$25/MTG	325.00
ENVIRONMENTAL EQUIPMENT	FILTERS/PUB BLD-2008	632.17
FIRST BAPTIST CHURCH	PARKING SPACES	3,600.00
GOLDEN WEST	12/08-LABOR	273.98
HAWKINS CHEMICAL INC.	CHEMICALS/REC CENTER-20	333.00
HEIMAN FIRE EQUIPMENT	THROTTLE ENGINE	438.60
HILLSIDE DISPOSAL	ROLL OFF DUMPSTERS/DUMP-2008	660.00
KLINE, LINDSAY	REIMBS DENTL/VISION	95.49
KNOLOGY	PHONE SERVICE/FIRE DEPT.-2008	255.99
MERTENS, KENNETH	REIMBURSE 2008 INS DEDUCTIBLE	750.00
MDU	NATURAL GAS/ENGINE HOUSE-2008	134.11
NAPA	TRANS-TUNE-DODGE	5,207.25
NELSON, MARY JO	REIMBS SUPPLIES	14.47
OCCUPATIONAL HEALTH NETWORK	12/08 - TESTING	56.00
ONE CALL SYSTEMS	TICKETS-2008	7.00
PITNEY BOWES INC	POSTAGE	500.00
RAPID DELIVERY	DELIVERY-2008	9.60
SD MUNIC. STREET MAINT	MEMBERSHIP DUES	35.00
SD SOLID WASTE MANAGEMENT	LANDFILL TRAINING	25.00
SDN COMMUNICATIONS	TWO WAY COMM LINE	346.80
SERVALL	SUPPLIES	1,151.02
SOLANO, SARAH	REIMBURSE RETIREMENT	50.99
SD WATER & WASTE	MEMBERSHIP-SDWWA-2009	20.00
SD GOVERNMENTAL	FINANCE MEMBERSHIPS - 2009	50.00
SD GOVERNMENTAL	FINANCE DUES-2009	130.00
SD MUNICIPAL LEAGUE	MEMBER DUES	1,127.74
SD POLICE CHIEF'	MEMBERSHIP-2009	96.93
SD STATE TREASURER	DEC 2008 SALES TAX	3,213.30
SOUTH SIDE SERVICE	UNLEADED GAS/ALL DEPTS	5,837.26
TEMPERATURE TECHNOLOGY	KLKR2-2008	220.99
TRIPLE K TIRE	REPAIRS	117.76
WASTE CONNECTIONS	DUMPSTER/PARKS SHOP-2009	279.82
WELLS FARGO BANK	DEBT SERVICE PYMT	349,630.00
	TOTAL	\$ 404,341.47

ITEMS FROM CITIZENS ON AGENDA

Sanford Lab Update

Ron Wheeler appeared before the Commission to give a monthly update on the Sanford Lab. Wheeler said they are ahead of schedule with the de-watering process and have reached the 4689 level. At the end of January, they will be attending the National Science Foundation Review in Berkeley, California to seek additional funding for the preliminary design report for the lab. They have held very successful education outreach lectures locally as well as in eastern South Dakota to educate the residents on the potential and progress of the Sanford Lab. The lab currently employs 67 full time and 24 part time employees with a payroll of \$3.8 million. Wheeler added the lab has a significant impact on the economy. The lab has worked with 314 suppliers of those 190 suppliers are located in South Dakota with 157 suppliers from the Lead-Deadwood area along with 34 contractors of those 12 contractors are from the Lead-Deadwood area. The lab is expected to spend \$26 million this year with \$10 million on operations and \$16 million on capital improvements.

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Street Closure Request

Holiday Inn Express requested a street closure on January 13, 2009 (approximately 2 hours in the a.m.) to park a crane on Lee Street to replace compressor on the top of the building. Silvernail moved, Klamm seconded, to approve the street closure for the Holiday Inn Express. Roll Call: Aye-All. Motion carried.

PUBLIC HEARING/BID OPENINGS

Bid Opening - Pavilion Boiler

Jim Raysor opened and read the bids received for the Deadwood Pavilion Boiler Replacement project located at 767 Main Street. The bids are as follows:

**Deadwood Pavilion Boiler Project Bid Tabulation
Engineers Estimate \$150,000
(Bid Opening - January 12, 2009)**

Contractor	Bid Amount	Bid Bond
Western Mechanical Services, Inc.	\$164,486	X
Action Mechanical, Inc.	\$215,300	X
Heil Mechanical Inc.	\$300,000	X
Wolff's Plumbing & Heating, Inc.	\$230,700	X
Plumbing Design & Installation, Inc.	\$193,100	X

Jim Raysor requested more time to review the bids. Silvernail moved, Klamm seconded, to continue this bid opening to the January 20, 2009 meeting. Roll Call: Aye - All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing on Tuesday, January 20, 2009 at 5:05 p.m. for Mardi Gras requesting open container and street closure for this event. Roll Call: Aye-All. Motion carried.

FINANCE

Payment Request

Peterson moved, Silvernail seconded, to allow the Finance Office to pay year 5 of a 5-year commitment of \$10,000 to Black Hills Vision Campaign for 2009 from the Bed and Booze fund, a budgeted item. Roll Call: Aye - All. Motion carried.

Resolution 2009-02

Mary Jo Nelson provided detailed information for the Commission clarifying the resolution to establish the cash designation balance as of December 31, 2008. Nelson explained that any of the fund designations may be changed at any time with Commission's approval. Peterson moved, Silvernail seconded, to approve Resolution 2009-02 to Designate Capital Outlay Accumulations for 2008. Roll Call: Aye - All. Motion carried.

Resolution 2009-02

A RESOLUTION TO SUPERCEDE Resolution 2003-28, 2004-37, 2006-07, 2006-47, and 2008-02 ESTABLISHING CASH DESIGNATIONS

Be it resolved by the Deadwood City Commission that the City of Deadwood approved the establishment of cash reserves in the following funds for capital outlay purposes per SDCL 9-21-14.1 as of December 31, 2008:

BID Fund Designated for Parking: \$363,000.00

General Fund Designated for Rec Center Capital Improvements \$415,090.00

General Fund Designated for Fire Truck \$152,000.00

Bed and Booze Fund Designated for Rec Center Capital Improvements: \$275,000.00

Parking and Transportation Designation for Trolley Replacement: \$225,000.00.

Dated this 12th day of January, 2009.

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

City of Deadwood

/s/ Francis Toscana, Mayor

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Payment Request

Peterson moved, Silvernail seconded, to approve the payment for \$15,950.00 to the S.D. Department of Legislative Audit for the 2007 audit. Roll Call: Aye - All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDING/SAFETY

Cleaning Contract

Silvernail moved, Klamm seconded, to allow the Mayor to approve entering into a contract with OC Cleaners for temporary cleaning services at City Hall. Roll Call: Aye - All. Motion carried.

Set Pubic Hearing

Toscana moved, Silvernail seconded, to set a public hearing on January 26, 2009 at 5:10 p.m. to waive the vendor and bond fees for the 7th Annual Historic Preservation Symposium to be held on May 1-3, 2009 at the Masonic Temple. Roll Call: Aye - All. Motion carried.

Travel Request

Toscana moved, Klamm seconded, to allow Kevin Kuchenbecker to attend the South Dakota Tourism Conference and Preserve South Dakota meeting on January 21-22, 2009, requesting registration fee of \$175.00, lodging, meals, and use of City vehicle. Roll Call: Aye - All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request

Silvernail moved, Klamm seconded, to approve the purchase of 5,500 gallons of unleaded regular at cost of \$1.22 per gallon from Southside. Roll Call: Aye - All. Motion carried.

Repair Request

Silvernail moved, Klamm seconded, to allow the Water Department to rebuild the Denver Street water pumps at Turbiville Industrial Electric Works at a cost not to exceed \$10,000, a budgeted item. Roll Call: Aye - All. Motion carried.

Travel Request

Silvernail moved, Klamm seconded, to allow Jim Mattson to attend the Restricted Use Site Disaster Training class on January 15, 2009 in Ft. Pierre at a cost of \$25 plus use of vehicle and lunch. Roll Call: Aye - All. Motion carried.

Wage Increase

Silvernail moved, Klamm seconded, to approve the wage increase for Karen Savoie, part time library assistant, from \$8.10 to \$8.55 per hour after completion of one year of service (95% of prevailing wage), effective January 10, 2009. Roll Call: Aye - All. Motion carried.

POLICE/FIRE

Parking Spaces - Tom Adams

Klamm moved, Silvernail seconded, to approve the cancelling of three of five parking spaces in the Siever/Miller Street Parking lots for The Law Offices, effective immediately. Roll Call: Aye - All. Motion carried.

Hire Request

Klamm moved, Silvernail seconded, to approve the hiring of Daniel Szarkowski for the police officer position effective January 28, 2009 at \$16.92 per hour (90% prevailing wage.) Roll Call: Aye - All. Motion carried.

Fire Department Roster

Klamm moved, Silvernail seconded, to add Cory VanVlack to the Fire Department roster effective January 8, 2009. Roll Call: Aye - All. Motion carried.

LEGAL BUSINESS

Resolution 2009-03

Silvernail moved, Klamm seconded, to approve Resolution 2009-03 Designating Special Events Recognized by the City of Deadwood for 2009 for purposes of Ordinances 15.32.100 and 15.32.140. Roll Call: Aye - All. Motion carried.

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**RESOLUTION NO. 2009-03
A RESOLUTION DESIGNATING SPECIAL EVENTS
RECOGNIZED BY THE CITY OF DEADWOOD
FOR PURPOSES OF ORDINANCES 15.32.100 and 15.32.140**

BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective months of occurrence, are hereby recognized for the year 2009 as "special or civic event[s]" for purposes of Ordinances 15.32.100 and 15.32.140:

<u>Special or Civic Event:</u>	<u>Date(s) of Event:</u>
1. Mardi Gras	Feb 19 - 21
2. St. Patrick's Day	March 14 & 17
3. Mickelson Trail Marathon	June 7
4. Wild Bill Hickok Days	June 19 - 21
5. Fourth of July	July 4
6. Days of '76	July 21 - 25
7. Sturgis Bike Rally	August 3 - 9
8. Kool Deadwood Nites	August 20 - 23
9. Deadwood Jam	September 11 & 12
10. Oktoberfest	October 2 & 3
11. Deadweird	October 31
12. New Year's Eve	December 31

Dated this 12th day of January, 2009.

CITY OF DEADWOOD
/s/ Francis A. Toscana, Mayor

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

MAYORS BUSINESS

Martin Luther King Holiday Schedule

Mayor Toscana announced that due to the Martin Luther King Holiday on January 19, 2009, the next City Commission meeting would be at 5:00 p.m. on Tuesday, January 20, 2009.

ITEMS FROM CITIZENS NOT ON AGENDA

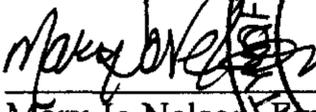
Rec Center Employees Commended

Chelsie Hart and Erik Simonyak were commended Monday evening for their quick response with an incident that occurred at the Rec Center. The Commission and Jim Raysor expressed gratitude for their immediate reaction to the incident.

ADJOURNMENT

Silvernail moved, Klamm seconded, to adjourn the regular session at 5:35 p.m. The next regular meeting will be at 5:00 p.m. on Tuesday, January 20, 2009.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 1-20-09

BY: 
Francis A. Toscana, Mayor

