

## REGULAR MEETING, April 1, 2009

The Regular Session of the Deadwood City Commission convened on April 1, 2009 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota.

Commissioner Silvernail called the meeting to order with the following members present: Department Heads and Commissioners, Mike Klamm, Joe Peterson, and Lenny Schroeder. Mayor Toscana was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Klamm moved, Schroeder seconded, to approve the minutes of March 16, 2009. Roll Call: Aye-All.

Motion carried.

### APPROVAL OF DISBURSEMENTS

Schroeder moved, Klamm seconded, to approve the March 23 and March 30, 2009 disbursements.

Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	792.92
ABC	SUPPLIES	321.78
ALLTEL	PD PHONES	417.35
AMERICAN LEGAL PUBLISHING	SUPPLEMENT	245.20
BH CENTRAL RESERVATIONS	1Q 2009	12,500.00
BH POWER	UTILITIES/PUB BLDG	12,720.31
BH PURE	WATER	11.50
BH SPECIAL SERVICE	TROLLEY CLEANING	819.00
BULLOCK HOTEL	09 CHINESE NEW YR	4,000.00
CALIFORNIA CONTRACTORS	BLADE	109.90
CENTER FOR WESTERN STUDIES	DAKOTA CONF	1,000.00
CENTRAL PARTS	SUPPLIES	377.99
CHAINSAW CENTER	SCRENCH LONG BARREL	6.95
CULLIGAN	RENTAL	43.10
DAKOTA SUPPLY GROUP	SUPPLIES	316.90
DASH MEDICAL GLOVES	SUPPLIES	59.90
DAYS OF '76, INC.	CARRIAGE COLLECTION	5,930.00
DEADWOOD CHAMBER	MARCH BILL LIST	104,811.06
DEADWOOD ECONOMIC DEVELOPMENT	MAR'09 RAMP CONTRACT PAYMENT	1,580.02
DEADWOOD ELECTRIC	REPAIRS SPEED SIGN	290.15
DEADWOOD HOME CENTER	BIT	51.05
EDDIE'S TRUCK SALES	PART	2.56
ENVIRONMENTAL PRODUCTS	SUPPLIES	332.80
FARMER BROTHERS	OFFICE SUPPLIES	144.00
FASTENAL	BATTERIES	115.34
FIRST WESTERN BANK	LOAN DISB-ARSAGA-128 WILLIAMS	1,244.00
G NEIL DIRECT	APPS	214.53
GOLDEN WEST	PHONE SERVICE	220.00
GUSTAFSON BUILDERS	SLIME PLANT FACADE	278,089.00
HAWKINS INC	CHEMICALS	533.75
HD SUPPLY WATERWORKS	BOXES	307.80
HILLS MATERIALS CO	BASE COURSE/POTHOLES-WATER ST.	282.96
HILLSIDE DISPOSAL	GARBAGE-MAR 09	5,071.00
INTERSTATE BATTERY	TESTER	60.29
JACOBS PRECISION WELDING	TUBING	313.20
KNECHT HOME CENTER	POST	100.68
KNOLOGY	PHONE SERVICE/HISTORY CENTER	1,348.77
LC TREASURER	TAX	921.88
LAWSON PRODUCTS	CABLE TIES	286.66
LIGHT AND SIREN	BARRICADE LIGHTS	108.53
LIGHTING MAINTENANCE CO	REPAIR	380.52
MAVERICK (BLONDIES)	SUPPLIES	19.35
MOTOROLA	RADIO	1,504.00
MS MAIL & MARKETING	SYMPOSIUM	425.95
NELSON, ROBERT JR.	REIMB	39.22
NEWMAN TRAFFIC SIGNS	SIGNS	398.84
NHS OF THE BLACK HILLS	1ST QTR CONTRACT	21,725.00
PITNEY BOWES	QTRLY	315.00
PONTIUS, JERRY	INK	333.04
PRESSURE SERVICES, INC.	WASHER	67.50
QUILL COPORTATION	SUPPLIES	179.71
QWEST	PHONE	117.35
RADIO ENGINEERING INDUSTRY	CAMERA SYSTEM	1,987.73
ROSELLES SIGN & GRAPHICS	TRAFFIC CONTROL/WATER LEAK	300.00
SABERS, JEREMY	REPAIR	946.80
SERVALL	MATS	85.50
SD PUBLIC HEALTH	TESTING	72.00
SD STATE HISTORICAL	REGISTRATION	85.00
SPEARFISH HUSKY	ADAPTOR	8.00
SPECIALTY VEHICLES	MIRROR	593.04
STATE RADIO COMMUNICATIONS	TELETYPE	1,800.00
STREICHER'S	BOOTS	119.99
STRETCH'S GLASS & CUSTOM P	SEAL	16.99
SUMMIT SIGNS & SUPPLY, INC	SIGNS	88.00
TDG COMMUNICATIONS	PUBLIC RELATIONS	320.00
TEMPERATURE TECHNOLOGY, IN	QUARTERLY MAINT. AGREEMENT	1,295.46
THE HARTFORD STEAM BOILER	CERTIFICATE	30.00
TOMS, DON	LEDGER PROJECT	576.00
TWIN CITY HARDWARE	WATER	46.25
WEST RIVER INTERNATIONAL	REPAIRS	1,575.78
	<b>TOTAL</b>	<b>\$471,554.85</b>

## REGULAR MEETING, April 1, 2009

### ITEMS FROM CITIZENS ON AGENDA

#### Frontier Club Request

Tom Morning, Scull Construction requested permission to place a crane on Main Street in front of the Frontier Club for approximately two hours the morning of Thursday, April 2 and Thursday, April 9, 2009, at 7:00 a.m. Scull will provide flaggers on both ends of Main Street to insure public safety. Klamm moved, Schroeder seconded, to approve request. Roll Call: Aye-All. Motion carried.

#### Power Line Easement (Continued from 3-16-09)

City Attorney Jason Campbell reviewed the easement to place a power line across the Mickelson Trail requested by Homestake Mining Company and recommended approval. Peterson moved, Schroeder seconded, to approve the power line easement with Homestake Mining Company. Roll Call: Aye-All. Motion carried.

#### Cell Tower - McGovern Hill

Scott Gobel appeared, representing ISWS, LLC, a consortium of nine independent South Dakota regional telephone companies interested in bringing additional cell service to area. Company requested leasing 15' x 20' of ground space on McGovern Hill adjacent to the City water tanks to place a stealth/antenna tower. Gobel provided site surveys and lease exhibits for their review. The proposal is to lease the ground for thirty (30) years at \$800.00 per month lease, with the rent increasing at 15% at the beginning of every five (5) years with the cost of inflation. City Attorney Jason Campbell informed the Commission that State law requires that a public hearing to lease to a private party must be set to provide public notice prior to discussing a lease agreement. Klamm moved, Schroeder seconded, to set a public hearing on April 20, 2009 at 5:10 p.m. for said request. Roll Call: Aye-All. Motion carried.

#### Adams Museum and House Request

Peterson moved, Schroeder seconded, to allow the Adams House to redo the floors at a cost of \$1,600 to be paid from Historic Preservation Capital Asset Line item. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS/BID OPENINGS

#### Reschedule - Public Hearing

Klamm moved, Schroeder seconded, to reschedule the public hearing from March 23 at 5:15 to April 13 at 5:15 p.m. for the donation of a City lot located on Forest and Centennial (Lot 9, Block P, Except North part of triangular area 12,180.40 sq. feet, plus or minus) to Habitat for Humanity, a charitable home building project. Roll Call: Aye-All. Motion carried.

### FINANCE

#### Payment Request

Peterson moved, Schroeder seconded, to allow the Finance Office to pay South Dakota Humanities Council \$10,000 from Bed and Booze funds for upcoming Book Festival, a budgeted item. Roll Call: Aye-All. Motion carried.

#### Payment Request

Peterson moved, Klamm seconded, to allow the Finance Office to pay the Twin City Animal Shelter \$3,000 for the spay/neuter program, a budgeted item and to be paid from the Animal Control line item. Roll Call: Aye-All. Motion carried.

#### Phone Vote - March 23, 2009

A phone vote was taken March 23, 2009 to allow the Deadwood Chamber to sell beer and wine at the Pavilion for a Community Appreciation Event on March 28, 2009, which has been postponed to May 16, 2009. Aye-All.

#### Phone Vote - March 23, 2009

A phone vote was taken March 23, 2009 to hire Virginia Peterson as Administrative Assistant effective March 30, 2009 at \$14.04 per hour, 90% of prevailing wage. Aye-All.

#### 2008 Annual Financial Report

Peterson moved, Klamm seconded, to accept the 2008 City of Deadwood Annual Financial Report, and file report with the SD Department of Legislative Audit. Roll Call: Aye-All. Motion carried.

## REGULAR MEETING, April 1, 2009

City Attorney will review the State statutes regarding competition with private business. Peterson moved, Schroeder seconded, to continue this item to April 6, 2009. Roll Call: Aye-All. Motion carried.

### POLICE/FIRE

#### 2008 Annual Report - Fire Department

Klamm moved, Peterson seconded, to accept and approve the 2008 Annual Report submitted by the Fire Department; report on file at the City Finance Office. Roll Call: Aye-All. Motion carried.

#### Travel Request

Klamm moved, Schroeder seconded, to allow Cindy Rische and Tammy Kohler to attend the South Dakota Animal Control Association Annual Conference in Sioux Falls April 14-17, 2009, requesting use of City vehicle, and \$516.50 for recertification, hotel, and meals. Roll Call: Aye-All. Motion carried.

### PARKS/RECREATION/TROLLEY

#### Advertise - Seasonal Personnel

Silvernail moved, Klamm seconded, to approve the advertising request for seasonal personnel at Mt. Moriah/Parks Department. Roll Call: Aye-All. Motion carried.

#### Advertise - Summer Camp Personnel

Silvernail moved, Klamm seconded, to approve the advertising and hiring request for Rec Center Summer Camp personnel. Roll Call: Aye-All. Motion carried.

### LEGAL BUSINESS

#### Ordinance #1116 - First Reading

City Attorney Jason Campbell explained that in the Codified Ordinances, Title 16 was reserved regarding subdivisions and needs to be added. Klamm moved, Schroeder seconded, to approve first reading of Ordinance #1116 Amending Title 16-Subdivisions. Roll Call: Aye-All. Motion carried.

#### Past Perfect Software Contract

Peterson moved, Schroeder seconded, to allow the Mayor to sign the contract between the City of Deadwood and Past Perfect Software for the data file conversion project for \$1,035.00. Roll Call: Aye-All. Motion carried.

### MAYORS BUSINESS

#### Discuss - Appointment of Appeals Board

City Attorney Jason Campbell explained that when the City building inspector makes a recommendation or an order for a resident on a safety matter using the City's previously adopted International Property Maintenance Code, the resident has the right to appeal the decision. The City needs to appoint an Appeals Board, which consists of three (3) people, plus two (2) alternates. Campbell asked the Commission to discuss and review possible candidates with experience in property management to sit on the Appeals Board. Peterson moved, Schroeder seconded, to continue this item to April 6, 2009. Roll Call: Aye-All. Motion carried.

### ITEMS FROM CITIZENS NOT ON AGENDA

#### Resident - 80 Williams (Gott Street)

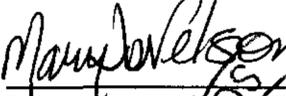
David Thompson appeared before the Commission to discuss various issues with his property on Gott Street and requested better snow removal on that street. Neil Sorenson also discussed issues with the snow removal at his residence. Both also requested better street identification, after an incident earlier this week when ambulance service was unable to arrive at Mr. Thompson's residence in a timely manner. Police Chief Fuller and Fire Chief Mohr will work with the ambulance service to improve dispatch directions for calls on Gott Street, since the homeowners on that street actually have Williams St. addresses. After much discussion with various issues regarding Gott/Williams Street Klamm moved, Schroeder seconded, to continue this item to the April 6, 2009 meeting. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, April 1, 2009**

**ADJOURNMENT**

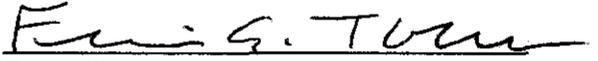
Klamm moved, Schroeder seconded, to adjourn the regular session at 6:25 p.m. The next regular meeting will be at 5:00 p.m. on Monday, April 6, 2009.

ATTEST:

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



DATE: 4-6-09

BY:   
\_\_\_\_\_  
Francis A. Toscana, Mayor