

EXECUTIVE SESSION/REGULAR MEETING, May 3, 2010

The Regular Session of the Deadwood City Commission convened on May 3, 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, Lenny Schroeder, and Georgeann Silvernail. Joe Peterson was absent. All motions passed unanimously unless otherwise stated.

SWEAR IN MAYOR

Judge Michelle Percy administered the Oath of Office to Mayor Francis Toscana.

APPOINT AND SWEAR IN CITY ATTORNEY

Mayor Toscano moved, Silvernail seconded, to appoint Jason Campbell as City Attorney. Roll Call: Aye-All. Motion carried. Judge Percy administered the Oath of Office to Campbell.

RECOGNITION OF TROLLEY DRIVERS

Mayor Toscana and Trolley Manager Robert Nelson Sr. recognized retiring trolley drivers Larry Ryan and Glen Longden, thanked them for their service since 1992, and presented them with certificates. Ryan and Longden each thanked Toscana and Nelson for the privilege of working for them and the City of Deadwood.

APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of April 26, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the May 3, 2010 disbursements, with the additional bill. Roll Call: Aye-All. Motion carried.

APRIL, 2010 PAYROLL: COMMISSION, \$2,730.76; ATTORNEY, \$1,371.24; FINANCE, \$13,909.15; PUBLIC BUILDINGS, \$1,932.11; POLICE, \$37,257.01; FIRE, \$4,234.70; BUILDING INSPECTION, \$3,316.56; STREETS, \$24,767.31; PARKS, \$13,354.22; PLANNING & ZONING, \$1,826.92; LIBRARY, \$4,930.80; RECREATION CENTER, \$5,374.57; HISTORIC PRESERVATION, \$13,319.08; WATER, \$13,431.36; PARKING METER, \$7,425.60; TROLLEY, \$11,938.62; PARKING RAMP, \$5,078.30; RUBBLE SITE, \$1,471.00 **PAYROLL TOTAL: \$167,669.31.**

APRIL, 2010 PAYROLL PAYMENTS:

Internal Revenue Service, \$38,890.69; S.D. Retirement System, \$18,625.16; Delta Dental, \$3,365.22.

A&J SUPPLY	LUMBER	232.72
ABC	SUPPLIES	690.57
ALCO	SUPPLIES	123.27
AMERICAN RED CROSS	FEES	10.00
ATCO	OAKRIDGE	270.00
BH MINING MUSEUM	GRANT	522.45
BH POWER & LIGHT	ELECTRICITY	7,043.47
BURLESON, BILL	REIMBURSE	74.07
BUTLER MACHINERY	MAINTENANCE	96.70
CETEC ENGINEERING	SERVICES	1,500.00
CHAINSAW CENTER	REPAIRS	240.04
CHAMBERLIN ARCHITECTS	DAYS OF 76	2,731.98
CITY OF LEAD	REIMBURSE	142.50
COMPANION LIFE	PREMIUMS	217.80
CREATIVE PRODUCT	DARE SUPPLIES	87.00
CULLIGAN	WATER	39.50
DAKOTA BUSINESS	COPIER MAINTENANCE	50.25
DAKOTA SUPPLY	SUPPLIES	365.26
DEADWOOD CHAMBER	APRIL BILL LIST	125,755.76
DEADWOOD ECONOMIC DEVELOPM	RAMP CONTRACT	1,580.02
DEADWOOD HOME CENTER	ARCHIVE SUPPLIES	27.70
E SAFETY	VESTS	216.50
FASTENAL	SANDER	150.69
FLEXIBLE PIPE	CLAW	332.65
GOLDEN WEST	SUPPORT	60.00
GREAT WESTERN TIRE	REPAIR	229.00
HCW	REPAIRS	4,107.18
HILLS MATERIALS	REPAIR	895.38
JACOBS WELDING	FLAT BAR	19.64
JENNINGS, CAROL	RESEARCH	180.00
KIMBALL	PAINT	479.28
KNOLOGY	PHONES	1,304.96
LAB SAFETY	STAMP SET	713.47
LAWRENCE CO.EQUALIZATION	GIS WORK	1,836.00
LAWRENCE CO.REG.OF DEEDS	FILING FEE	12.00
LAWSON PRODUCTS	GLASSES	337.25
LIGHTING PLASTICS	GLOBES	502.90
MITCHELL CULVERTS	CULVERT	141.00
MORA, RUBY	REIMBURSE	26.34
MS MAIL	SYMPOSIUM	699.93
NHS	CONTRACT	25,469.82
NORTHWEST PIPE	RINGS	2.48
PETE LIEN	FILL MIX	227.00

EXECUTIVE SESSION/REGULAR MEETING, May 3, 2010

POWERPLAN	ELBOW FITTING	58.00
SD PUBLIC HEALTH	TESTING/WATER	24.00
SD STATE ARCHIVE	MAPS	442.80
SPRING CITY ELECTRICAL	CROSS ARMS	9,882.00
SUNSHINE PRODUCTS	MELT	460.90
TEE'S PLUS	DARE SUPPLIES	29.25
NATIONAL ARBOR DAY	SUPPLIES	397.72
TOOLS UNLIMITED	WRENCHES	191.49
TRIPLE K	TIRE	30.00
TRUGREEN	FERTILIZER	167.40
TTG	TECH LABOR	336.60
TWILIGHT FIRST AID	SUPPLIES	420.89
TWIN CITY HARDWARE	SUPPLIES	2,757.86
WATER ENVIRONMENT	MEMBERSHIP	95.00
WEST PAYMENT CENTER	INFORMATION CHARGES	159.76
WESTERN COMMUNICATIONS	REPAIRS	85.00
	TOTAL	\$195,283.20

ITEMS FROM CITIZENS ON AGENDA

Arbor Day

JoAnn Eastman, from the Deadwood Tree Board, requested the signing of the Proclamation for Arbor Day on May 14, 2010 and invited all residents to the 9:00 a.m. ceremony at the Methodist Park. A tree will be planted in the memory of Mabel Cleveland, who was an original member of the Deadwood Tree Board.

Service Award

Mayor Toscana presented a 5 year pin award to Officer Tony Bradley, of the Deadwood Police Department, and thanked him for his years of service.

Waive Fee

Sarah Anderson, from the Deadwood Chamber of Commerce, requested the waiver of the banner fees for Dock Dog station during Wild Bill Days. Silvernail moved, Klamm seconded, to waive the fees. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening

Public Works Director Jim Raysor opened the following six bids for the lower Williams Street repair.

Vendor	Bid Bond	Acknowledged Addendum	Bid
Dennis Forgey Construction LLC	X	X	\$45,730.00
Corr Construction Services Inc.	X	X	\$49,471.90
Central America, Inc.	X	X	\$58,584.74
Sabo Construction Inc.	X	X	\$44,700.00
RCS Construction, Inc.	X	X	\$41,101.45
Hills Materials, Inc.	X	X	\$59,364.25

Silvernail moved, Klamm seconded, to follow Raysor's recommendation to accept the lowest bid of \$41,101.45 from RCS Construction. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing at 5:10 pm on June 1, 2010 for the 2010-2011 Malt Beverage License renewals. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Klamm seconded, to set a public hearing at 5:05 pm on May 24, 2010 for street closures, waive vending fees, and relaxation of open container ordinance for Kool Deadwood Nites events August 26-29, 2010. Roll Call: Aye-All. Motion carried.

EXECUTIVE SESSION/REGULAR MEETING, May 3, 2010

FINANCE

Resolution

Silvernail moved, Schroeder seconded, to approve Resolution 2010-12 to surplus 2003 trolley.
Roll Call: Aye-All. Motion carried.

RESOLUTION NO. 2010-12

A RESOLUTION TO DECLARE THE FOLLOWING SURPLUS PROPERTY

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following to be declared surplus:

2003, Ford Molly Trolley - VIN# 1FCMF53S320A06467

Dated this 3rd day of May, 2010.

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

Finance Officer School

Klamm moved, Silvernail seconded, to allow Mary Jo Nelson and Jan Peppmeier to attend the SD Finance Officer School in Mitchell June 16-18, 2010. Costs will be covered for registration, rooms, mileage or use of vehicle, and meals not covered at conference. Roll Call: Aye-All. Motion carried.

Human Resource School

Silvernail moved, Schroeder seconded, to allow Mary Jo Nelson and Ronda Morrison to attend the SD Human Resource School in Mitchell June 15-16, 2010. Costs will be covered for registration, rooms, mileage or use of vehicle, and meals not covered at conference. Roll Call: Aye-All. Motion carried.

Sponsorship

Silvernail moved, Klamm seconded, to pay NeighborWorks Dakota Home Resources \$4,000 for the Campaign for Home Ownership program from Bed and Booze fund (budgeted). Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Program Participation

Kuchenbecker explained the request to allow City Archives to participate in the American Association for State and Local History Program Performance Survey Program - cost not to exceed \$3500 (budgeted in Archives.) Staff will receive a report of the visitorship to Mt.Moriah Cemetery and Visitor Center to help plan future exhibits and program needs. Schroeder requested that the results of the study be reported to the Commission. Klamm moved, Silvernail seconded, to approve the request. Aye-All. Motion carried.

Approve Contract

City Attorney Campbell explained that the AIA Contract with Albertson Engineering and City of Deadwood for the Parking Ramp Design, and the addendum, are the standard form agreements required by USDA so that the City may move forward with the loan application for the Water Street Parking Ramp. Commissioner Silvernail asked if Bid 7 should also be responsible in the event Tenntexkota ceases to exist. Mayor Toscana replied that the agreement with Bid 7 will commence once the structure is built, and believes it would be premature to have an agreement with Bid 7 at this time. Campbell also stated that Ron Wheeler guaranteed that Tenntexkota would be responsible for the costs of this loan, should the loan not go forward. If loan does go forward, costs would be rolled into loan. Klamm moved, Schroeder seconded, to approve the contract. Roll Call: Aye-All. Motion carried.

Purchase phones/computers

Silvernail moved, Schroeder seconded, to purchase phones and computers from Golden West for the Deadwood Rec Center at a cost of \$5,284.23 from the Public Buildings budget. Roll Call: Aye-All. Motion carried.

EXECUTIVE SESSION/REGULAR MEETING, May 3, 2010

Heated Sidewalk

Raysor stated that the entrance to the Deadwood Rec Center has been moved to make it a safer traffic environment, but that the new location will have a greater probability of ice and snow accumulation. He recommended the installation of a heated sidewalk to prevent slips and falls. Silvernail moved, Klamm seconded, to install the heated sidewalk at a cost of \$19,800 from the Public Buildings budget. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/LIBRARY

Hire Request

Schroeder moved, Silvernail seconded, to give permission to hire Desirae Stratton for Library Assistant effective May 4, 2010 at \$7.50 per hour for ten hours per week, pending pre-employment drug test. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Payment Request

Silvernail moved, Schroeder seconded, to give permission to pay Deadwood Granite and Marble Works \$2,000 to repair and reset the vandalized headstones, from the Mt.Moriah fund. Roll Call: Aye-All. Motion carried. Toscana instructed Raysor to check if there might be court ordered restitution funds available.

Donation

Silvernail moved, Klamm seconded, to approve the donation of \$350 from the family of Ella Oberlander to the Deadwood Rec Center, to purchase water aerobics equipment in her memory. Roll Call: Aye-All. Motion carried.

Resignations

Toscana moved, Klamm seconded, to accept with deep regret and appreciation for time and dedication, the resignations of trolley drivers Glen Longden and Larry Ryan. Roll Call: Aye-All. Motion carried.

Hire Request

Toscana moved, Schroeder seconded, to hire following Summer Camp staff effective May 17, 2010: Nita Jardee, \$9.50/hour; Kaitlan Middlemas, \$8.00/hour; Nick Silvernail, \$8.00/hour. Roll Call: Aye-Schroeder, Klamm, Toscana. Recused- Silvernail. Motion carried.

Hire Request

Silvernail moved, Schroeder seconded, to give permission to hire the following seasonal Parks employees: Jim Kirby, \$7.50/hour effective 5/4/10; James Gustafson, \$7.50/hour and Roy Buchanan, \$9.50/hour effective 5/10/10; Trevor Tridle, \$9.50/hour and Derek Makley, \$7.50/hour effective 5/17/10; Russell Prince, \$8.00/hour effective 5/18/10; Zach Steinlicht, \$7.50/hour effective 5/24/10; Hilary Havlik, \$9.00/hour effective 6/10/10; Bo Burleson, \$9.50/hour effective 6/17/10. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Schroeder seconded, to hire Richard Olson as seasonal trolley driver effective May 3, 2010 at \$8.00/hour, pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Schroeder seconded, to hire Debra Dauer as a seasonal trolley driver effective May 5, 2010 at \$8.00/hour, pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Legal Services Agreement

City Attorney Campbell requested permission for Mayor to sign Legal Services Agreement on the required form as part of the USDA loan application for the Water Street Parking Ramp. Klamm moved, Schroeder seconded to grant permission. Roll Call: Aye-Schroeder, Klamm, Toscana. Nay-Silvernail. Motion carried.

EXECUTIVE SESSION/REGULAR MEETING, May 3, 2010

Contract-Turnbull

Silvernail moved, Schroeder seconded, to give permission for Mayor to sign contract with Turnbull and Sons for the retaining wall repairs at 308 Williams, which was approved at the April 26, 2010 Commission meeting. Roll Call: Aye-All. Motion carried.

Contract - Albertson Engineering

Schroeder moved, Klamm seconded, to give permission for Mayor to sign contract with Albertson Engineering, as continued from April 26, 2010 meeting, for retaining wall design over the next year. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Appoint and Swear In Department Heads

Silvernail moved, Klamm seconded to approve the following appointments by Mayor Toscana: Mary Jo Nelson - Finance Officer; Kelly Fuller - Chief of Police and Chairman of Parking and Transportation Committee; Jim Raysor - Public Works Director, City Planner, Cemetery Sexton; Robert Nelson Jr. - Zoning Administrator; Kevin Kuchenbecker - Historic Preservation Officer; Robert Nelson Sr. - Transportation Director and Risk Services Director; Jeanette Cheney-Moodie - Librarian; Trent Mohr - Fire Chief. Roll Call: Aye-All. Motion carried
Attorney Campbell then jointly administered the Oath of Office to all the Department Heads.

Commission Appointments

Mayor Toscana moved, Silvernail seconded the following Commission Departmental Appointments: Silvernail - Commission President, Parks/Recreation/Trolley, City Representative to Chamber of Commerce; Klamm - Police, Fire; Peterson - Finance, Black Hills Council of Local Governments; Schroeder - Public Works, Library Representative, NeighborWorks Representative; Toscana - Historic Preservation, Planning and Zoning, Public Buildings, Safety. Roll Call: Aye-All. Motion carried

Mayor Toscana thanked his fellow Commissioners, City Staff, and people of Deadwood for having trust in him to continue his position for three more years and expressed hope that he will continue to properly carry out his duties during that time.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Mayor requested Raysor to instruct Scott Reiff that he passed the Class I Water Distribution exam and congratulate him. He also announced that the City of Deadwood Water Department has recently been honored by the Dept.of Environment and Natural Resources for 2009 for meeting SD regulations for providing safe drinking water to the public.

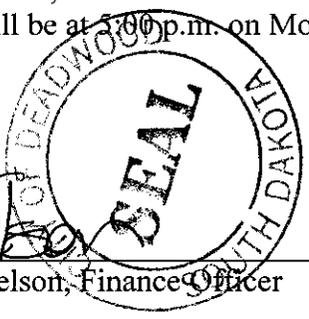
ADJOURNMENT

Klamm moved, Schroeder seconded, to adjourn the regular session at 5:40 p.m. The next regular meeting will be at 7:00 p.m. on Monday, May 10, 2010.

ATTEST:



Mary Jo Nelson, Finance Officer



DATE: 5/10/10

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

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