

REGULAR MEETING, April 19, 2010

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

Mayor Toscana expressed condolences from the City Commissioners and the entire City to Fireman Jeff Millard on the recent loss of his father.

APPROVAL OF MINUTES

Silvernail moved, Klamm seconded, to approve the minutes of April 12, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

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

A & B	MAINTENANCE	1,004.75
AASLH	MEMBERSHIP	100.00
ABC	SUPPLIES	172.81
ADAMS MUSEUM	OPERATING	4,874.43
ADT SECURITY	SECURITY	314.39
AMANO MCGANN	TICKET DISPENSERS	11,332.00
BH MINING MUSEUM	GRANT	1,534.44
BH POWER & LIGHT	ELECTRICITY/	2,045.68
BH SPECIAL SERVICES	TROLLEY CLEANING	924.00
CHAMBERLIN ARCHITECTS	DAYS PROJECT	9,776.00
CREATIVE PRODUCT	DARE SUPPLIES	615.35
CULLIGAN	WATER	45.50
DAKOTA SUPPLY	SERVICE SADDLE	105.80
DATA FLOW	CHECKS C	195.81
DEADWOOD CHAMBER	BILL LIST	60,485.00
DEADWOOD ELECTRIC	ARCHIVES PROJECT	450.00
DEADWOOD HOME CENTER	SUPPLIES	70.48
ENVIRONMENTAL PRODUCTS	FILTERS	224.37
FALL RIVER COUNTY	GRANT	577.70
FASTENAL	BATTERIES	140.33
FIRST NATIONAL BANK	FEE	103,818.75
FIRST WESTERN INSURANCE	BOND	1,541.00
FORGEY CONSTRUCTION	RW DISB	3,763.00
G NEIL	APPLICATIONS	163.49
G&H DISTRIBUTING	ARCHIVES PROJECT	1,149.90
GOLDEN HILLS RESORT	PUBLIC ED	46.50
GOLDEN WEST	COMPUTER ISSUES	517.75
HOMESTAKE OPERA HOUSE	GRANT	22,225.12
JACOBS WELDING	MT. MORIAH	42.39
LAWRENCE COUNTY REG/DEEDS	FILING FEE	22.00
LAWRENCE TITLE COMPANY	TITLE SEARCH	145.00
L-D HOSPITAL	TESTING	36.00
MARIAH PRESS	GRANT	300.00
NATIONAL FIRE PROTECTION	MEMBERSHIP	150.00
NATIONAL TRUST	MEMBERSHIP	260.00
NEWMAN SIGNS	SIGNS	74.00
NORTHWEST PIPE	PIPE	822.15
O.M.J.C.	LENSES	289.54
OLD HOUSE JOURNAL	RENEWAL	35.70
OLSON, STEVE	LOAN DISB	1,900.00
PITNEY BOWES	POSTAGE	500.00
PRESERVATION ACTION	DUES	100.00
QWEST	PHONE	131.40
RUNGE, MIKE	TRAVEL	1,240.06
SABO CONSTRUCTION	RETAINING WALL	7,150.00
SCHAEFFER MANUFACTURING	GREASE	368.20
SD REVENUE DEPT.	LICENCE	300.00
SD STATE ARCHIVE	MAP	622.80
SD STATE HISTORICAL	CONFERENCE	145.00
SD STATE RAILROAD	GRANT	5,000.00
SPEARFISH VALLEY	GRANT	1,343.86
TURNBULL	REPAIRS	250.00
TWIN CITY HARDWARE	FLAGS	176.29
WEST	INFORMATION	159.76
WESTERN STAR	SERVICE	146.07
WINTER	DESIGN	3,183.00
	TOTAL	\$253,107.57

ITEMS FROM CITIZENS ON AGENDA

Waiver Request

Carol Edwards, representing the American Legion and Auxiliary, requested a waiver of the temporary vending fee of \$750 for their food stand during Kool Deadwood Nights, from Thursday through Sunday. Silvernail moved, Schroeder seconded, to grant the waiver request. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, April 19, 2010

Bill Reduction Request

Paul Rothenberger of Main Street Realty in Spearfish requested reduction of charges for water billings and snow removal fees at 21 Lincoln. He explained that the former owner no longer owns the property, that it now belongs to Fannie Mae for whom he is the representative, and that they just recently learned of all the outstanding charges. Silvernail stated that the bills had accumulated over a period of time and that the property owner had been absent and not handled his responsibility. Toscana confirmed that the City has ordinances that the previous owner ignored and the fees should not be waived so someone else can profit from the sale. Klamm moved, Silvernail seconded, to deny the request. Roll Call: Aye-All. Motion carried. Silvernail added that it would not be fair to our residents who pay their bill year around to reduce this bill.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Sarah Anderson from the Deadwood Chamber of Commerce appeared to request the following fee waivers, street closures, and open container allowances for Wild Bill Days:

Waive Vendor and User Fees

Schroeder moved, Klamm seconded, to waive the vendor fees on Friday & Saturday, June 18 & 19, 2010, for the Optimist Club Fundraiser at the Fast Draw competition at the Rodeo Grounds. Roll Call: Aye-Schroeder, Klamm, Silvernail, Peterson. Recused: Toscana. Motion carried.

Schroeder moved, Klamm seconded, to waive the user fees on Friday & Saturday, June 18 & 19, 2010, for the Optimist Club Fundraiser at the Fast Draw competition at the Rodeo Grounds. Roll Call: Aye-Schroeder, Klamm, Silvernail, Peterson. Recused: Toscana. Motion carried.

Klamm moved, Schroeder seconded, to waive the vendor fee for the Deadwood Chamber Merchandise Tent on Main Street on Friday & Saturday, June 18 & 19, 2010. Roll Call: Aye-All. Motion carried.

Street Closures

Schroeder moved, Klamm seconded, to allow street closure on Main Street from Pine to Deadwood Street from noon on Thursday, June 17 through midnight on Saturday, June 19, 2010 for Dock Dogs event. Roll Call: Aye-All. Motion carried.

Silvernail moved, Schroeder seconded, to allow street closure on Main Street from Wall to Deadwood from 4:00 a.m. Friday, June 18 until Sunday, June 20, 2010 at 2:00 a.m. to allow for Wild Bill Days concerts and set up. Traffic will be allowed on Lee Street up Main Street only until concerts begin each day. Roll Call: Aye-All. Motion carried

Silvernail moved, Schroeder seconded to allow street closure of Lee Street to Main Street on Saturday, June 19, 2010, from 11:00 a.m. to 4:00 p.m. for Pole Vaulting Event. Roll Call: Aye-All. Motion carried

Open Container

Klamm moved, Schroeder seconded, to grant the Optimist Club request for open container on Friday, June 18, 2010 from noon to 10:00 p.m. at the Fast Draw competition at the Rodeo Grounds. Roll Call: Aye-Schroeder, Klamm, Silvernail, Peterson. Recused: Toscana. Motion carried.

Klamm moved, Schroeder seconded, to grant the Optimist Club request for open container on Saturday, June 19, 2010 from noon to 10:00 p.m. at the Fast Draw competition at the Rodeo Grounds. Roll Call: Aye-Schroeder, Klamm, Silvernail, Peterson. Recused: Toscana. Motion carried.

Peterson moved, Schroeder seconded, to allow open container from noon to 10:00 p.m. on Friday, June 18, 2010, from the Masonic Temple to Four Aces for concerts during Wild Bill Days. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, April 19, 2010

Peterson moved, Schroeder seconded, to allow open container from noon to 10:00 p.m. on Saturday, June 19, 2010, from the Masonic Temple to Four Aces for concerts during Wild Bill Days.
Roll Call: Aye-All. Motion carried.

Public Hearing

Shannon Percy requested the waiver of Trolley Fees (City Code 5.44.040) for use of the trolley to transport participants for the annual Mickelson Trail Trek on Sunday, September 19, 2010.
Silvernail moved, Klamm seconded, to waive the fees. Roll Call: Aye-All. Motion carried.

Silvernail moved, Klamm seconded, to allow the use of the Sherman Street Parking Lot as the finish line for the Annual Mickelson Trail Trek on September 19, 2010. Roll Call: Aye-All.
Motion carried.

Public Hearing

Silvernail moved, Schroeder seconded, to allow the Lead-Deadwood Girls' Softball Association to use the Keene Field for a tournament on June 12 & 13, 2010 from 6:00 a.m. to 10:00 p.m. each day.
Roll Call: Aye-All. Motion carried

Cancel Bid Opening

Silvernail moved, Klamm seconded to cancel the bid opening for the Days of '76 Museum scheduled for April 26, 2010. Toscano explained that their funding sources require more approvals and therefore need to delay the bid opening. Roll Call: Aye-All. Motion carried

FINANCE

Wage Increase

Peterson moved, Silvernail seconded, to increase the wage for Judy Fidler from \$8.00 to \$8.50 per hour effective April 15, 2010 after completing one year of service at the parking ramp. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Sponsorship

Silvernail moved, Klamm seconded, to approve the recommendation of the Historic Preservation Commission to sponsor, in the amount of \$5000 from the Public Education line item, the Mountain Plains Museum Association Annual Conference in Rapid City from September 13-17, 2010.
Roll Call: Aye-All. Motion carried.

Training

Klamm moved, Schroeder seconded, to allow Virginia Peterson, Kevin Kuchenbecker, and Bob Nelson Jr. to attend GIS training at SD School of Mines on May 6-7, 2010, plus Virginia Peterson to attend an additional training on May 3-5, 2010. Cost will be \$1770 plus meals and use of vehicle, from the GIS line item. Roll Call: Aye-All. Motion carried.

Conference

Silvernail moved, Schroeder seconded, to allow meals, lodging, registration fee, and transportation, not to exceed \$400, for Mike Runge to attend Dakota Conference in Sioux Falls from April 22-24, 2010. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Schroeder seconded, to authorize a contract with M&S Construction in the amount of \$6,987 to install sidewalk at the rear of City Hall. Jim Raysor, Public Works Director, stated two reasons: safer pedestrian traffic and elimination of water leaking into the basement. Five quotes had been acquired, with M&S being the lowest quote. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Hire Request

Silvernail moved, Schroeder seconded, to continue to a later date permission to hire a person through Experience Works. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, April 19, 2010

Surplus Trolley

Silvernail moved, Schroeder seconded, to surplus the 2003 Trolley (#150). Roll Call: Aye-All. Motion carried.

Sell Trolley

Silvernail moved, Schroeder seconded, to give permission to sell the 2003 Trolley to Watertown, SD for \$18,000. Roll Call: Aye-All. Motion carried

Trolley Use

Silvernail moved, Peterson seconded, to give permission for the trolley to travel to Lead on July 14, 2010 for a group of children from Youth and Family Services from Rapid City. Fees will be paid. Roll Call: Aye-All. Motion carried

LEGAL BUSINESS

Contract

Following City Attorney Jason Campbell's request, Silvernail moved, Klamm seconded, to allow a continuance for the contract with Albertson Engineering for the retaining wall design. Roll Call: Aye-All. Motion carried

Loan Agreement

Silvernail moved, Schroeder seconded, to allow the Mayor to sign the loan agreement with Historic Deadwood/Lead Arts Council for the Wild Bill Hickok Exhibit. Roll Call: Aye-All. Motion carried.

Loan Agreement

Silvernail moved, Schroeder seconded, to allow the Mayor to sign the loan agreement with Grand River Museum for the Wild Bill Hickok Exhibit. Roll Call: Aye-All. Motion carried.

Grant Agreement

Silvernail moved, Schroeder seconded, to allow the Mayor to sign the DOT agreement for the Days of '76 Museum Grant in the amount of \$250,000. Roll Call: Aye-All. Motion carried.

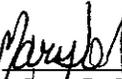
ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Public Works Director Raysor announced that City Wide Cleanup will be held the week of May 17-22, 2010.

ADJOURNMENT

Silvernail moved, Klamm seconded, to adjourn the regular session at 5:37 p.m. The next regular meeting will be at 5:00 p.m. on Monday, April 26, 2010.

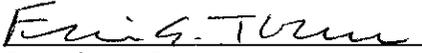
ATTEST:



Mary Jo Nelson, Finance Officer



DATE: 4-26-10

BY: 
Francis A. Toscana, Mayor

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