

REGULAR MEETING, November 1, 2010

The Regular Session of the Deadwood City Commission convened on November 1, 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, Bruce Oberlander, Joe Peterson, Lenny Schroeder, and Georgeann Silvernail passed unanimously unless otherwise stated.

CONDOLENCES

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

APPROVAL OF MINUTES

Silvernail moved, Schroeder seconded, to approve the minutes of October 25, 2010. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Schroeder seconded, to approve the November 1, 2010 disbursements with additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINT	189.94
A TO Z SHREDDING	SHREDDING PRJ	489.40
ABC	OFFICE CHAIR	692.56
ADAMS MUSEUM	PUBLIC ED	907.45
ALCO	SUPPLIES	29.99
ALLEN, JESSE	LOAN DIS	437.60
BH CHEMICAL	SUPPLIES	748.19
BH NAILWORKS	STORAGE	450.00
BH POWER	UTILITIES	3,435.59
CETEC ENG SERV	STREET PRJ	750.00
CHAMBERLIN ARCHITECTS	DAYS 76 PRJ	402.00
CITY OF LEAD	09 GRANT	5,200.00
COMMUNITY ARCHIVES	10 GRANT	1,164.15
CULLIGAN	SUPPLIES	83.00
DAKOTA SPRAY EQUIP	SUPPLIES	34.15
DAKOTA SUPPLY GROUP	PARTS	895.28
DEADWOOD CHAMBER	BILL LIST	60,623.87
DEADWOOD ELECTRIC	BULBS	359.04
DEADWOOD GRANITE	HEADSTONE	450.00
DEADWOOD HOME	SUPPLIES	554.52
GAYLORD BROS.	SUPPLIES	268.89
GOLDEN WEST	TECH SERV	1,106.88
GRIMM'S PUMP	PUMP	2,454.00
HILLS MATERIALS	FINES	313.72
KNOLOGY	SERVICE	1,011.27
KUCHENBECKER, KEVIN	REIMBURSE	20.01
LC REGISTER DEEDS	FEE	132.00
LAWRENCE TITLE CO	TITLE	75.00
LAWSON PRODUCTS	SUPPLIES	539.98
LIGHTING PLASTICS	GLOBES	176.40
MACROVISION	TRANSFER PRJ	205.00
MIDWEST ART CONSERVATION	2010 SYMPOSIUM	1,200.00
MULTI SERVICE CORP	SUPPLIES	441.67
OFFICE DEPOT	SUPPLIES	103.95
PAPER DIRECT	SUPPLIES	104.89
PONTIUS, JERRY	REIMBURSE	26.98
QUILL CORP	SUPPLIES	449.71
R & B SUPPLY	CHARGER W/ADAP	148.98
RACHETTO, TRENT	REIMBURSE	198.96
RCS CONSTRUCTION	R WALL PRJ	29,647.42
RECREATION SUPPLY	SUPPLIES	93.45
ROCKINGTREE	TREES	971.45
RUNGE, MIKE	REIMBURSE	268.35
SABO CONSTRUCTION	CONTRACT WRK	19,350.00
SD DEPT HEALTH	TESTS	40.00
SERVALL	SUPPLIES	103.87
SIOUX CITY FOUNDRY	PACAL BLADES	969.50
SD PUBLIC HEALTH	TESTING	84.00
SD STATE HISTORICAL	10 FUNDING	51,500.00
ST AMBROSE	10 GRANT	18,783.30
STURDEVANT'S	ALTERNATOR	165.29
SUMMIT SIGNS	SIGN	450.00
TALAS	SUPPLIES	28.17
TOMS, DON	LC CIVIL PRJ	1,152.00
TC HARDWARE	LOAN DIS.	6,141.64
USPS-DWD	H2O BILLS	178.12
WESTERN COMMUNICATIONS	UNITS	681.90
WESTERN STAR, INC.	SERVICE	338.00
	TOTAL	\$ 217,821.48

ITEMS FROM CITIZENS ON AGENDA

Service Awards

Mayor Toscana presented a five year pin and service award to Jim Raysor, Public Works Director. Toscana thanked Jim for his years of service and dedication to the City of Deadwood.

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Dog Nuisance

Gail Engler, Terrace Street resident, told the Commission that the residents of Terrace and Stewart Streets have been dealing with an ongoing dog problem since April. Engler said that these two dogs are very dangerous and the residents are concerned for their safety. Engler visited with the Ordinance Officers and Officers on numerous occasions regarding this matter and asked what the City's ordinance states pertaining to this particular nuisance. Gerald Pokorney, Terrace resident, said that these dogs run throughout the neighborhood and spoke of a situation where his wife Phyllis Pokorney was in their fenced yard, and one of the dogs came charging at her and added that the fence saved her from being attacked. Engler feels the City needs to take a more aggressive action before someone gets seriously hurt. Chief Fuller agreed that this has been ongoing problem and since February, the Police Department has received 13 calls on this situation. Police Department issued nine citations for dogs at large/barking dogs; an animal nuisance citation was served on the owners in September with the dogs continuing to be at large. The dogs were removed from the property and placed in the animal shelter for a week. The City Attorney met with the owners and reached an agreement, which required the owners to place a secure fence in their yard with the stipulation that the Ordinance Officer must inspect the fence prior to the dogs being returned, and one more stipulation was for the owners to have the pit bull neutered. The owners received the dogs back and one week later, the Police Department has received three more complaints and issued three citations for barking dogs and dogs at large. According to Fuller, the owner said that due to all the problems with the dogs they would be looking at getting rid of the dogs. Mayor Toscana directed the Chief to look into this matter to see what the status is on these dogs and to inform these residents of his findings.

PUBLIC HEARINGS/BID OPENINGS

Set Public Hearing

Silvernail moved, Schroeder seconded, to set a public hearing for the Silverado/Franklin New Year's Eve Ball drop street closure at 5:05 p.m. on November 15, 2010. Roll Call: Aye-All. Motion carried.

FINANCE

Results - Gilmore Auction

Commissioner Peterson informed the Commission of the Gilmore Auction that was held on Friday, October 29, 2010 at 2:00 p.m. and the high bidder was Josh Keehn from Deadwood at \$265,000.00. Silvernail moved, Schroeder seconded, to accept the high bid. Roll Call: Aye-All. Motion carried.

Purchase Request

After much discussion regarding the status of the server room, Peterson moved, Silvernail seconded, to approve the purchase of a Tripp Lite Console for the server room from Golden West at a cost of \$1,589.00, to be paid from Data Processing line item. Roll Call: Aye-All. Motion carried.

Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$1,000.00 to the Twin City Senior Citizen Center, a budgeted item and to be paid from the General Fund. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING/ZONING/PUBLIC BUILDINGS/SAFETY

Costs - Revised Cable Project (Continued from 10-25-2010)

Silvernail moved, Schroeder seconded, to continue to the November 8, 2010 meeting. Roll Call: Aye-All. Motion carried.

2010 Not-For- Profit Grant

Silvernail moved, Schroeder seconded, to approve the Not-For-Profit grant for the Masonic Center for an additional \$18,950.00 for the tuck pointing project. Roll Call: Aye-All. Motion carried. Previously approved \$2,190.00 on September 27, 2010.

Change Order #10 - Rec Center

Schroeder moved, Silvernail seconded, to approve Change Order #10 submitted by Ainsworth Benning for the Rec Center renovation project for contract adjustments and final pay application for \$386,254.45, bringing the final contract price for the Rec Center project to \$7,166,067.45. Roll Call: Aye-All. Motion carried.

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Hire Request

Silvernail moved, Oberlander seconded, approve the hiring of Flat Earth Sign Company to construct signage to the History/Information Center and Library for \$7,115.00, to be paid from Historic Preservation Capital Asset line item. Roll Call: Aye-All. Motion carried

LEGAL BUSINESS

Parking Lease

Schroeder moved, Silvernail seconded, to allow the Mayor to sign the Parking Lease between the City of Deadwood and the South Dakota Gaming Commission for 14 parking spaces in the Broadway Parking Ramp for January 1, 2011 through December 31, 2011 for \$1,400.00 (to be paid on the first day of every month). Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Christmas Party Request

Silvernail moved, Schroeder seconded, to approve the expenditure for a Christmas party for all part time and full time City employees. Roll Call: Aye-All. Motion carried. Date and costs to be determined.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA, Items will be considered but cannot be voted on at this time.

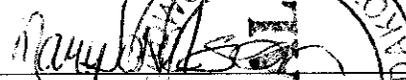
SD DOT Highway Project

Commissioner Oberlander discussed and expressed concerns with the email he received from the SD Department of Transportation regarding State Project #NHY0085(20)26 PCN0555, Lawrence County US85 Fr US 385 to Cemetery Street in Deadwood. Oberlander provided for the Commission a copy of the email, which detailed changes the State is proposing for Charles Street (US85). Oberlander expressed his concerns with possible speeding and variations of stripping due to the roadway improvements. After discussing, Jim Raysor said that he has been in contact with the State and added that there is a public meeting scheduled after Thanksgiving. Mayor Toscana directed Raysor to find out the definite date of this meeting.

ADJOURNMENT

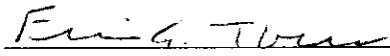
Silvernail moved, Schroeder seconded, to adjourn the regular session at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, November 8, 2010.

ATTEST:



Mary Jo Nelson, Finance Officer

DATE: 11-8-10

BY: 

Francis A. Toscana, Mayor

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