

REGULAR MEETING, April 1, 2013

The Regular Session of the Deadwood City Commission convened on April 1, 2013 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, City Attorney Terri Williams and Commissioners Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Van Den Eykel seconded to approve the minutes of March 25, 2013. Roll Call: Aye-All. Motion carried.

MARCH, 2013 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$14,054.87; PUBLIC BUILDINGS, \$1,920.21; POLICE, \$43,177.55; FIRE, \$3,816.02; BUILDING INSPECTION, \$3,522.96; STREETS, \$24,933.49; PARKS, \$14,879.53; PLANNING & ZONING, \$3,890.68; LIBRARY, \$5,657.68; RECREATION CENTER, \$10,864.58; HISTORIC PRESERVATION, \$14,660.07; WATER, \$13,084.74; PARKING METER, \$6,712.07; TROLLEY, \$15,422.00; PARKING RAMP, \$5,773.42; RUBBLE SITE, \$1,188.00. **PAYROLL TOTAL: \$186,288.63.**

MARCH 2013 PAYROLL PAYMENTS:

Internal Revenue Service, \$45,694.53; S.D. Retirement System, \$20,341.04; Delta Dental, \$3,743.94.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the April 1, 2013 disbursements and additional bill. Roll Call: Aye-All. Motion carried.

A & B WELDING	PROPYLENE	229.64
AASLH MEMBERSHIP	MEMBERSHIP	184.00
ABC BUSINESS	SUPPLIES	6,139.28
ARLETH & ASSOCIATES	PLATTING	2,835.00
BH OCCUPATIONAL	CONSULTATION	337.00
CHAMBERLIN ARCHITECTS	PROJECT	1,200.00
CLEMENT COMMUNICATIONS	POSTERS	168.22
COCA COLA	SUPPLIES	198.00
CULLIGAN	SUPPLIES	39.00
DEADWOOD CHAMBER	BILL LIST	6,903.89
DEADWOOD ELECTRIC	SERVICE	1,328.09
FARMER BROTHERS	SUPPLIES	168.20
FASTENAL	SUPPLIES	606.59
GOLDEN WEST	SERVICE	873.61
HAUFF MID-AMERICA	SLEEVES	315.50
HAWKINS	CHEMICALS	981.33
HILL CITY ARTS COUNCIL	WORKSHOP	1,000.00
INTERSTATE ALL BATTERY	BATTERIES	268.80
INTERSTATE ENGINEERING	PROJECT	915.77
KIMBALL MIDWEST	SUPPLIES	251.15
KNOLOGY	SERVICE	1,927.29
LAKER CHEMICAL	SUPPLIES	1,627.50
LAWRENCE CO. EQUALIZATION	PROJECT	6,072.94
LAWSON PRODUCTS	CONCRETE	396.00
LIGHT AND SIREN	LIGHTBAR	601.09
MDU	UTILITIES	7,317.06
NELSON, GREG	REIMBURSEMENT	575.94
PONDEROSA LAND SURVEYS	PROJECT	2,500.00
RASMUSSEN	MAINTENANCE	983.58
RELIABLE OFFICE SUPPLIES	CARTRIDGE	141.47
RUNGE, MIKE	REIMBURSEMENT	151.06
SABO CONSTRUCTION	PROJECT	14,640.00
SD BUILDING OFFICIALS	REGISTRATION	75.00
SD MUNICIPAL LEAGUE	REGISTRATION	200.00
SOUTHSIDE OIL	DIESEL	18,102.37
STREICHER'S	SERVICE	168.97
STRETCH'S	SERVICE	124.45
ARCHAEOLOGICAL CONSERV	DUES	25.00
TOMS, DON	JOURNAL	630.00
TOSCANA, FRANCIS	REIMBURSEMENT	59.01
TRIDLE, JOHN	REIMBURSEMENT	236.44
TWIN CITY HARDWARE	SUPPLIES	3,201.84
WOOD & WOOD	SUPPLIES	884.27
	TOTAL	\$ 85,584.35

ITEMS FROM CITIZENS ON AGENDA

Meeting Room

Roger Tellinghuisen representing Franklin Hotel requested an exception to Resolution 2000-7, to be able to move the convention meeting room to the second floor and reduce the square footage of the meeting room space to 632 square feet. He added that ADA compliant restrooms will be added. After discussion Van Den Eykel moved, Peterson seconded to allow for variance of the square footage. Roll Call: Aye-All. Motion carried.

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Pine Beetle

Bill Coburn and Dave Heck gave an update on the pine beetle infestation. Coburn stated that the areas in Lawrence County are accelerating rapidly. South Dakota allocated two million dollars to the counties to use on federal land; \$955,000.00 to Lawrence County, which requires a fifty-cent match for every dollar donated. Heck stated that this year they are looking at going south of Grizzly Gulch Dam and tying in with Strawberry Hill. Toscana asked what the dollar amount was for last year's efforts to which Heck replied almost 2.3 million dollars was spent either through donations or through County dollars. Jon Mattson spoke in favor, thanked the City for previous contribution and commended Coburn and Heck for their efforts. After much discussion Silvernail moved, Todd seconded to provide \$100,000.00 for the 2013 treatment. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing-Days of '76 Museum

Public hearing was opened at 5:05 p.m. by Mayor Toscana. Silvernail moved, Van Den Eykel seconded to approve the special full temporary liquor license request for the Days of '76 Museum Event on May 25, 2013 from noon to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Silvernail seconded to set a public hearing at 5:05 p.m. on April 15, 2013 for open container, street closure and waiver of vending fees for Cinco De Mayo Events. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Van Den Eykel seconded to set a public hearing at 5:07 p.m. on April 15, 2013 for a Retail (on-off sale) Malt Beverage and South Dakota Farm Wine License for Deadwood Land Holding LLC. dba Tatanka, Story of the Bison. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Grant

Van Den Eykel moved, Silvernail seconded to approve the non-profit grant to Masonic Temple for the replacement of the sound system in the third floor theater at a cost of \$3,926.24, to be paid from Historic Preservation. Roll Call: Aye-All. Motion carried.

Advertise

Silvernail moved, Todd seconded to advertise for bids to repair the Pavilion roof and set the bid opening on June 10, 2013 at 5:05 p.m. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded to enter into contract with Mark Speirs to repair areas of History and Info Center at a cost of \$2,400.00. Roll Call: Aye-All. Motion carried.

Agreement

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign the loan agreement with the Journey Museum for use of City property, which include artifacts from Chinese dig and items from Hickok Collection until July 31, 2013. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/LIBRARY

Agreement

Van Den Eykel moved, Silvernail seconded to allow the Mayor to sign the agreement with FourFront Design for Broadway Alley drainage improvements at a cost of \$9,964.00. Roll Call: Aye-All. Motion carried.

Purchase

Van Den Eykel moved, Todd seconded to approve the purchase of 5500 gallons of premium gasoline at a cost of \$3.42 per gallon. Roll Call: Aye-All. Motion carried.

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POLICE/FIRE

Memorandum of Understanding

Silvernail moved, Peterson seconded to allow the Mayor to sign the Memorandum of Understanding between the City of Lead, City of Deadwood and Lead-Deadwood School District for School Resource Officer. Roll Call: Aye-All. Motion carried.

Hire

Silvernail moved, Todd seconded to hire Andrew Larive for the vacant patrol officer position at \$18.23 an hour effective April 15, 2013, 90% of prevailing wage. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Resignation

Todd moved, Silvernail seconded to accept the resignation of Roger Addington effective March 18, 2013. Roll Call: Aye-All. Motion carried.

Advertise

Todd moved, Silvernail seconded to advertise in house for the Parks Department position vacated by Roger Addington. Roll Call: Aye-All. Motion carried.

Repair

Todd moved, Van Den Eykel seconded to allow ET Sports to repair the Kawasaki mule at a cost of \$3,000.00. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Contract

Silvernail moved, Todd seconded to allow the Mayor to sign the Elementary Swimming Pool Contract with Lead-Deadwood School District from March 18 to May 19, 2013. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded to allow the Mayor to sign the Adaptive Swim Contract with Lead-Deadwood School District. Roll Call: Aye-All. Motion carried.

Ordinance #1187

Silvernail moved, Peterson seconded to approve the first reading of Ordinance #1187, Adopting 2012 Building Code Chapter 15, Enforcement Agency, Board of Appeals, Fee Schedules and Severance. Attorney Williams stated this Ordinance modifies the existing 2003 Building Code and certain provisions of the code. Roll Call: Aye-All. Motion carried.

Repeal

Silvernail moved, Van Den Eykel seconded to repeal Chapter 5.16 of Codified Ordinance – Electricians. According to Williams, this will be incorporated into 2012 Building Code. Roll Call: Aye-All. Motion carried.

Repeal

Silvernail moved, Todd seconded to repeal Chapter 15.12 – Electrical Code. According to Williams, this is also incorporated into 2012 Building Code. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Executive Session

Mayor Toscana requested executive session for Legal Matters per SDCL 1-25-2 (3) with possible action.

Proclamation – “Janet Lanphear Day”

The Mayor read a proclamation declaring April 5, 2013, as “Janet Lanphear Day” in Deadwood.

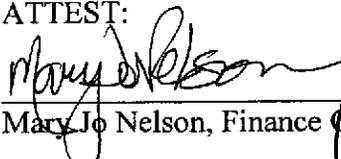
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ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:42 p.m. and convene into Executive Session for Legal Matters per SDCL 1-25-2 (3). The next regular meeting will be at 5:00 p.m. on Monday April 8, 2013.

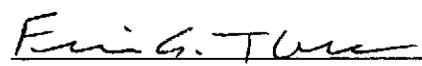
Silvernail moved, Van Den Eykel second to come out of executive session. Peterson moved, Silvernail second to authorize Mayor to sign amended purchase agreement with Excell LLC, closing date no later than July 31, 2013. Silvernail moved, Todd second to adjourn.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 4-8-13

BY: 
Francis A. Toscana, Mayor

Published once at the total approximate cost of _____