

EXECUTIVE SESSION/REGULAR MEETING, August 15, 2011

The Regular Session of the Deadwood City Commission convened on August 15, 2011 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, 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 August 8, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the August 15, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	110.30
ACTIVE DATA SYSTEMS	RENEWAL-SCANFILE	5,013.26
ARLETH & ASSOCIATES	SURVEY/OAKRIDGE	2,368.02
DAKOTA GRAPHICS	SUPPLIES	35.00
DAKOTA SECURITY	MO MONITORING	720.00
DAKOTA WESLEYAN UNIVERSITY	SPONSORSHIP	150.00
DATA FLOW	CHECKS	208.51
DEADWOOD ELECTRIC	INSTALLATION	1,181.88
ECOLAB	SERVICE	322.00
EMERGENCY SERVICES	SUBSCRIPTION	650.00
FITNESS DIRECT	BIKE	1,450.00
FOOTHILLS SEED	GRASS	420.00
FOURFRONT DESIGN	DESIGN-PHASE 1	2,500.00
J.P. COOKE COMPANY	TAGS	79.26
KIMBALL MIDWEST	PARTS	324.69
KNOLOGY	SERVICE	133.65
LEAD-DEADWOOD MEDICAL CLINIC	TESTING	54.00
LESTER, ROB	REIMBURSE	674.81
M&M SANITATION	RENTAL	307.50
NEVE'S	UNIFORMS	206.48
OCCUPATIONAL HEALTH NETWORK	TESTING	60.00
PETE LIEN	CONCRETE	280.19
SCHMIDT, WILLIAM	REPAIRS	1,050.00
SCOTT PETERSON MOTORS	REPAIRS	146.22
SD DEPT. OF CORRECTIONS	FIREWISE PRJ	2,826.53
SD DEPT. OF MOTOR VEHICLES	REASSIGNMENT	10.00
SD ONE CALL	FEES	37.41
SDN COMMUNICATIONS	COMM LINE	571.20
SPALDING FLY PREDATORS	SERVICE	190.60
TEMPERATURE TECHNOLOGY	MAINT	1,125.00
USA BLUEBOOK	SUPPLIES	102.07
WEST RIVER INTERNATIONAL	PART	7.37
	TOTAL	\$ 23,315.95

PUBLIC HEARINGS/BID OPENINGS

Sarah Anderson, Deadwood Chamber, requested the following for the 2011 Deadwood Jam events.

Street Closures – Siever Street

Requested street closure will commence on Siever Street from 8:00 am Thursday, September 15 to 12:00 Midnight on Saturday, September 17, 2011. Commission discussed the Siever street closure and due to the availability, status, and agreement the City has with Deadwood Mountain Grand/VFW, Commissioner Todd will research this matter and report to Commission at the August 22, 2011 meeting.

Silvernail moved, Van Den Eykel seconded, to close Deadwood Street from 5:00 am to 10:00 pm Friday, September 16, and 11:00 am to 12:00 Midnight on Saturday, September 17, 2011. Roll Call: Aye-All. Motion carried.

Use of Interpretive Lot

Silvernail moved, Todd seconded, to allow the use of the Interpretive Lot as requested from 2:00 am on Thursday, September 15, 2011, to 2:00 a.m. on Sunday, September 18, 2011. Roll Call: Aye-All. Motion carried.

Special Malt Beverage License and Waive Open Container Ordinance:

Silvernail moved, Todd seconded, to allow Deadwood Jam Committee to sell beer for the Deadwood Jam on Friday, September 16 from noon to 10:00 p.m. and on Saturday, September 17 from noon to 10:00 p.m. in the Interpretive Center Parking Lot. Roll Call: Aye-All. Motion carried.

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Silvernail moved, Peterson seconded, to waive the open container ordinance and serve beer on Friday, September 16 from noon to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Silvernail moved, Peterson seconded, to waive the open container ordinance and serve beer on Saturday, September 17 from noon to 10:00 p.m. Roll Call: Aye-All. Motion carried.

Permission to Waive Temporary Vending Fee

Todd moved, Van Den Eykel seconded, to waive the vending fee for Deadwood Jam vendors in the Interpretive Lot on September 16 and 17, 2011. Roll Call: Aye-All. Motion carried.

Permission to Waive Sound Permit Fee

Silvernail moved, Peterson seconded, to waive sound permit fee for Deadwood Jam event. Roll Call: Aye-All. Motion carried.

Van Den Eykel moved, Silvernail seconded, to continue the public hearing for the 2011 Deadwood Jam Event to the August 22, 2011 meeting. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded, to approve the application of transfer for retail (on-sale) liquor license (RL-5542) and retail (on-off sale) malt beverage license (RB-2445) for Bullock Hospitality dba Bullock Hotel at 633 Main Street. Roll Call: Aye-All. Motion carried.

Bid Opening – 91 Forest & 33 Taylor (Continued from August 8, 2011)

Kevin Kuchenbecker requested more time to review funding and bids. Silvernail moved, Van Den Eykel seconded, to continue bid opening to the August 22, 2011 meeting. Roll Call: Aye-All. Motion carried.

FINANCE

Raffle Request

The Commission received a raffle request from Northern Hills Alliance for Children. Tickets will be sold with the drawing to be held on October 31, 2011. No action was taken per SDCL 22-25-25.

STREETS/WATER/LIBRARY

Update - Burnham Hill Quotes (Continued from July 5, 11, and 25, 2011)

Commissioner Van Den Eykel informed the Commission one quote was received for the repairs for Burnham Hill. Sole quote was from Forgey Construction LLC's for \$14,532.50. Van Den Eykel moved, Todd seconded, to approve the hiring of Forgey Construction LLC and direct City Attorney to prepare a contract. Roll Call: Aye-All. Motion carried.

Contract - Hills Materials (Chip Seal Upper Main) (Continued from July 25, 2011)

Commissioner Van Den Eykel requested permission to hire Hills Materials Company to proceed with the overlay project on Upper Main Street at a cost of \$39,124.00. Van Den Eykel moved, Silvernail seconded, to hire Hills Materials for overlay project. Van Den Eykel directed Raysor to discuss the possibility of reducing the mobilization costs due to them doing work on State Highway 14A. Van Den Eykel moved, Todd seconded, to enter into an agreement between the City of Deadwood and Hills Materials Company for the overlay project for \$39,124.00 and direct City Attorney to prepare a formal contract for the August 22, 2011 meeting. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Employee Resignation

Todd moved, Silvernail seconded, to accept the resignation of Rec Center employees Ellise Nichols effective August 8, 2011; Joel Fundaun effective July 17, 2011 and Parks employees MaKayla Morrison effective August 19, 2011 and Trevor Tridle effective August 23, 2011. Roll Call: Aye-All. Motion carried.

Hire Request

Todd moved, Silvernail seconded, to approve the hiring of Sabrina Brossart effective August 16, 2011 and Nicole Diedrich effective September 6, 2011 as lifeguards at \$7.61 per hour pending pre-employment drug and alcohol testing. Roll Call: Aye-All. Motion carried.

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MAYORS BUSINESS

Resignation

Silvernail moved, Van Den Eykel seconded, to accept letter of resignation from Larry Ryan from the Planning and Zoning Commission. Roll Call: Aye-All. Motion carried.

Appointment

Toscana moved, Peterson seconded, to approve the appointment of Mark Speirs to the Planning and Zoning Commission. Roll Call: Aye-All. Motion carried.

Executive Session

Mayor Toscana requested an Executive Session following the Regular Session for Personnel matters per SDCL 1-25-2(1) with possible action to be taken.

ITEMS FROM CITIZENS NOT ON AGENDA

Traffic Light – Shine & Main

Jim Raysor informed the Commission the antiquated traffic light located on Main and Shine Street needs to be repaired or replaced. Raysor said the City of Spearfish replaced their antiquated lights and could possibly have spare parts to make the needed repairs. Raysor will research this issue and report to Commission.

BH Nailworks – Soda Fountain Storage

Commissioner Todd said he visited with Larry Shama regarding the agreement between the City of Deadwood and him for storage of the city-owned soda fountain. Shama had requested to increase the monthly rental from \$50 to \$60 in October of 2010 and asked that it be retroactive. Commission voted to approve the increase of \$60, but did not approve the retroactive payment as requested. Toscana said the Commission would discuss this matter and reach a decision on the soda fountain (storing versus moving.)

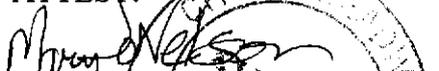
Banner Ordinance

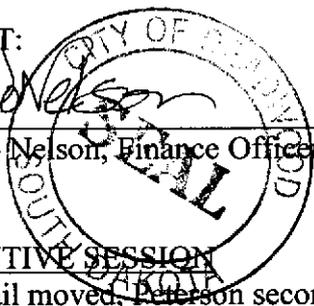
Todd said he was approached by a concerned resident regarding the City's banner/sign ordinance and referenced the numerous banners at the Deadwood Mountain Grand. Toscana directed Raysor to look into this matter.

ADJOURNMENT

Van Den Eykel moved, Todd seconded, to adjourn the regular session at 5:30 p.m. and convene into Executive Session for Personnel matters per SDCL 1-25-2(1) with possible action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, August 22, 2011.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 8-22-11
BY: Francis A. Toscana
Francis A. Toscana, Mayor

EXECUTIVE SESSION

Silvernail moved, Peterson seconded, to come out of executive session. Roll Call: Aye- All.
Silvernail moved, Peterson seconded, to follow recommendation to terminate Zachariah Bell effective immediately and direct Attorney Campbell to prepare a written report of hearing. Roll Call: Aye-All.

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