

EXECUTIVE SESSION/REGULAR MEETING, August 8, 2011

The Regular Session of the Deadwood City Commission convened on August 8, 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

Van Den Eykel moved, Peterson seconded, to approve the minutes of August 1, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the August 8, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A&B WELDING	PROPYLENE	74.60
ACTION MECHANICAL	REPAIR	1,324.40
ALCO	SUPPLIES	181.63
AMERICAN TECHNICAL SERVICE	SERVICE	1,900.00
BH CHEMICAL	SUPPLIES	762.48
BH NAILWORKS	STORAGE	400.00
BH PIONEER	ADVERTISING	1,391.83
BH POWER & LIGHT	ELECTRICITY	25.36
BUTLER MACHINERY	REPARIS	144.00
CLEARWATER SECURITY	CAMERA	1,785.00
COMPUTER SUPPORT	SERVICE	1,116.21
CULLIGAN	RENTAL	30.00
DAKOTA GRAPHICS	COPIES	64.40
DEADWOOD ELECTRIC	WIRING	277.70
DEADWOOD FIRE DEPARTMENT	STANDBY COVERAGE	857.04
DIAMOND VOGEL	PAINT	426.20
EDDIE'S TRUCK SALE	TROLLEY REPAIR	11,025.39
EMERY-PRATT	BOOKS	416.46
FREEMAN'S ELECTRIC	SERVICE	250.00
GOLDEN WEST	PAGER	67.40
GRENSTINER, ANTHONY	REFUND	25.00
HEWLETT-PACKARD	PRINTER	335.94
HILLS MATERIALS	MATERIALS	104.66
HILLSIDE DISPOSAL	DUMPSTERS	680.00
INTERSTATE	BATTERIES	72.00
KEN'S CAMPER	PROPANE	8.30
KNECHT	SUPPLIES	127.63
KNOLOGY	PHONE	224.69
L-D SANITARY	JULY USAGE	32,476.77
LEE, JAMES	REIMBSMT	134.30
LIEDER, JODY M.	ACCIDENT CLAIM	1,522.15
M & T FIRE	BULBS	114.98
MIDWEST TAPE	DVD'S	220.40
MDU	NATURAL GAS	1,645.67
NAPA	PAINT	1,699.99
NATIONAL ENVIRONMENTAL	DEGREASER	789.28
PACK HORSE	BATTERIES	15.23
PETTY CASH	CASH MACHINE	700.00
RAISCH, BRUCE A.	BOOKS	62.40
RAPID DELIVERY	DELIVERY	30.49
SCHMIDT, WILLIAM	REPAIR SIDEWALK	5,631.00
SD DEPT. OF HEALTH	SHOTS	90.00
SD DEPT. OF REVENUE	LICENSE TRSF	150.00
SD PUBLIC HEALTH LAB	TESTING	36.00
SD STATE TREASURER	SALES TAX	5,651.33
SERVALL	SUPPLIES	1,724.95
SOUTH SIDE SERVICE	REPAIR	866.99
SOUTHSIDE	GAS	18,555.90
	<b>TOTAL</b>	<b>\$107,592.23</b>

ITEMS FROM CITIZENS ON AGENDA

Trolley Service

Silvernail moved, Peterson seconded, to allow trolley to transport Tromp'n for Trash participants to Cheyenne Crossing and back on August 24, 2011 from 4:00 p.m. to 8:00 p.m. and to waive the fee. Roll Call: Aye-All. Motion carried.

Open Container

Silvernail moved, Peterson seconded, to allow the graduates of Deadwood High School Class of 1952 to have open container in Gordon Park from 5:00 p.m. to 7:00 p.m. on September 9, 2011. Other classes are invited to attend. Roll Call: Aye-All. Motion carried.

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**PUBLIC HEARINGS/BID OPENINGS**

**Bid Opening**

Finance Office Mary Jo Nelson opened the following bids for retaining walls:

<b>Vendor</b>	<b>Address</b>	<b>Bid Bond</b>	<b>Bid</b>
RCS Construction	91 Forest	X	\$530,000.00
Corr Construction	91 Forest	X	\$397,700.00
Forgey Construction	91 Forest	X	\$250,000.00

<b>Vendor</b>	<b>Address</b>	<b>Bid Bond</b>	<b>Bid</b>
RCS Construction	33 Taylor	X	\$ 80,500.00
Corr Construction	33 Taylor	X	\$131,200.00

Silvernail moved, Van Den Eykel seconded, to continue the decision until the August 15, 2011 Commission meeting. Roll Call: Aye-All. Motion carried.

**Public Hearings**

**'76 Museum Temporary Liquor License**

Jon Mattson appeared to request a special full temporary liquor license for the Days of '76/Badlands Circuit Finals event on September 3, 2011. Proceeds will go to Days of '76 Museum. Participants' trailers will be parked at Campground. The Safety Committee has recommended approval. Silvernail moved, Van Den Eykel seconded, to allow the request. Roll Call: Aye-Van Den Eykel, Silvernail, Todd, Toscana; Abstain-Peterson. Motion carried.

**Kool Deadwood Nites Events**

Public hearing was opened at 5:11 p.m. Sarah Anderson, Deadwood Chamber of Commerce, requested approval for the following events:

**Open Container**

**Thursday, August 25, 2011**

Main Street from Four Aces to Masonic Temple from 5:00 p.m. to 10:00 p.m. Silvernail moved, Peterson seconded, to grant the request. Roll Call: Aye-All. Motion carried.

Sock Hop Event from 5:00 p.m. to 10:00 p.m. at Interpretive Lot (Visitor's and Information Center). Silvernail moved, Van Den Eykel seconded, to approve the request. Roll Call: Aye-All. Motion carried.

**Friday, August 26, 2011**

Main Street from Four Aces to Masonic Temple, to include Broadway, from 2:00 p.m. to 10:00 p.m. Todd moved, Van Den Eykel seconded, to permit the request. Roll Call: Aye-All. Motion carried.

**Saturday, August 27, 2011**

Main Street from Four Aces to Masonic Temple, to include Broadway, from 2:00 p.m. to 10:00 p.m. Silvernail moved, Peterson seconded, to grant the request. Roll Call: Aye-All. Motion carried.

**Street Closures**

**Thursday, August 25, 2011**

Wall St. to Deadwood St. from noon until 2:00 a.m. Sunday, August 28, 2011. Silvernail moved, Peterson seconded, to approve the request. Roll Call: Aye-All. Motion carried.

Deadwood to Pine from 4:00 p.m. to 10:00 p.m. for overflow parking for Sockhop. if needed. Todd mentioned concerns that every time Main St. is closed it is an inconvenience to residents and to certain businesses, even though he is very much in favor of the special events. After discussion, Silvernail moved, Peterson seconded, to grant the closure. Roll Call: Aye-All. Motion carried.

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Friday, August 26, 2011 and Saturday, August 27, 2011

Due to Jumbo Tron placement near the Celebrity, Anderson requested traffic rerouting: From 2:00 p.m. to 11:15 p.m. --To enter Broadway Ramp, from Pioneer Way on Wall Street – **one way traffic** only to Broadway Ramp. To exit Broadway Ramp – traffic allowed on Main at Wall Street **intersection left hand turn only** down Main Street toward Four Aces – only used for cars leaving Broadway Parking Ramp. Security will assist. Public Works Director Jim Raysor stated he had heard from Four Aces and Tin Lizzie that both are adverse to allowing only Parking Ramp customers to go down Main Street, because no one can get to their businesses. Further discussion was held, with conclusion that the closure is only for a few hours, Silvernail moved, Peterson seconded, to allow the request. Roll Call: Aye-All. Motion carried.

Sunday, August 28, 2011

Main Street from 8:00 a.m. to 3:00 p.m. for Show & Shine Parade from Four Aces to Pine Street. Silvernail moved, Van Den Eykel seconded, to grant the request. Roll Call: Aye-All. Motion carried. Anderson informed that Deadwood Street will remain open with security directing traffic from 7:00 a.m. until after parade.

Waive Vending Fees

Anderson requested vending fees be waived for the Kool Nites events for Deadwood Chamber merchandise on Main Street, Interpretive Lot, and Rodeo Grounds. Also to waive vending fee for non-profit (Lead-Deadwood Baseball) at Rodeo Grounds on August 26, 2011 from 7:00 a.m. to 2:00 p.m. Todd moved, Silvernail seconded, to grant the request. Roll Call: Aye-All. Motion carried.

Free Use of Lot

Peterson moved, Van Den Eykel seconded, to approve the use of the Interpretive Lot at no charge from Thursday, August 25, 2011 at 2:00 a.m. to 2:00 p.m. Sunday, August 28, 2011. Roll Call: Aye-All. Motion carried.

Set Bid Opening

Silvernail moved, Van Den Eykel seconded, to set bid opening at 5:05 p.m. on August 22, 2011 for Peck Street and Ryan Road Water Main improvements. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Todd moved, Silvernail seconded, to set a public hearing at 5:10 p.m. on August 22, 2011 for the Days of '76 Steer Roping event on September 3, 2011, requesting waiver of vending and rodeoground user fees. Roll Call: Aye-All. Motion carried.

FINANCE

Resolution 2011-14 to Surplus Assets

Peterson moved, Todd seconded, to approve Resolution 2011-14. Roll Call: Aye-All. Motion carried.

**RESOLUTION NO. 2011-14  
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 and destroyed:

ACCESS	CARDIO SYSTEMS	ACUCORP	DESK JET 940C SERIES
ACCESS	CARDIO SYSTEMS 9100-2023	CANON	COLOR MONITOR QUICK SETUP
COMPAQ	UNIVERSAL PRICE SUPPLEMENTAL	COMPAQ	COLOR MONITOR E770S SETUP
COMPAQ	TAPE STORAGE MNGMT	COMPAQ	SMART ARRAY 3200 CONTROLLER
COMPAQ	MANAGEMENT	COMPAQ	CREATOR BUSINESS 10
COMPAQ	MICRSOFT WINDOWS 98 2ND ED	COMPAQ	OFFICE 2000 PUBLISHER, TOOLS, CLIP AI
COMPAQ	DATA PROTECTION BACKUP SOLUTION	COMPAQ	INSTALLATION CD ROMM V 1.00 97 WIN 9!
COMPAQ	MICRSOFT WINDOWS 95	DELL	LASER JET 2100/2100M/2100TN
CORNERSTONE	CM 200 CABLE MODEM	DELL	PUBLISHER V 2002
HP	JET DIRECT PRINT SERVERS	DELL	EVALUAION KIT 2000
HP	DATA PROTECTOR SOFTWARE	HP	BACKUP DELL INSTALLED PROGRAMS
HP	PROCURVE SWITCHES	HP	LASER JET P2030 SERIES
HP	RESTORE PLUS DEC 2004	HP	LASER JET 8000,8000N,8000DN
HP	DOCUMENTATION LIBRARY	HP	OFFICEJET PRO K5300/K5400
HP	LASERJET 2300 POLICE DEPT	HP	WINDOWS 98
HP	SCANJET 4570C/5500 SERIES	HP	EASY CD & DVD CREATOR DEC 2004

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HP	DESKJET 3600 SERIES	MICROSOFT	EASY CS CREATOR BASIC ED
HP	LASERJET P2030 SERIES	MICROSOFT	EXTEND 5 W/ ACUCOBOL-GT
HP	RESTORE PLUS CD WS XW4100	MICROSOFT	BJ SERIES JET PRINTERS
HP	FLAT MONITORS L1530/L1730	MICROSOFT	DIGITALMEDIA PLUS
HP	FLAT MONITORS LI530/L1730	MICROSOFT	DESKJET 5550 PRINTER SOFTWARE
HP	LASERJET 2300	MICROSOFT	WINDOWS 2000 PROF/ADVANCED SERVE
HP	LE1901W,1901WM,LE2201W LCD MON	MICROSOFT	UNIVERSAL TAPE DRIVE SUPPLEMENTA
MICROSOFT	WINDOWS 2000 SERVICE PACK 2	MICROSOFT	RESTORE CD
MICROSOFT	WINDOWS 2000 PROFESSIONAL	MICROSOFT	SMARTSTART FOR SERVERS
MICROSOFT	WINDOWS 2000 SERVICE PACK2	MICROSOFT	DESKPRO REFERENCE LIBRARY
MICROSOFT	WINDOWS 2000 SERVER	MICROSOFT	WINDOWS 2000 CS/DIAGNOSTIC
MICROSOFT	OFFICE XP PROFESSIONAL	MICROSOFT	SQL SERVER 2000
MICROSOFT	WINDOWS 2000 SERVER BUILT IN NT TECH	MICROSOFT	WINDOWS XP PRO DEC 2004
MICROSOFT	OFFICE 2000 SMALL BUSINESS	MICROSOFT	WINDOWS 95 & PLUS WITH USB SUPPOR
MICROSOFT	WINDOWS XP PRO SP1A	MICROSOFT	VIRTUAL MACHINE
MICROSOFT	OFFICES 2000 SMALL BUSINESS	ROXIO	WINDOWS XP PRO WITH PACK 1 2002
MICROSOFT	WINDOWS 2000 CUSTOMER SUPPORT	ROXIO	OFFICE 2003
SONIC WALL	SECURITY UPGRADE	ROXIO	OFFICE XP PRO V 2002
SYMANTEC	PC ANYWHERE 10.0	ROXIO	OFFICE XP
SYMANTEC	PC ANYWHERE 10.5	WINDOWS	OFFICE XP SMALL BUSINESS V 2002
WINDOWS	SERVER 2003 R1 SP1		
ESRI	ARCVIEW GIS	SONY VIO	SERIAL NUMBER 3004868
ESRI	ARCVIEW GIS 3.3 WINDOWS	HP COMPAQ	S#00045-426-221-439

**BE IT RESOLVED** by the Deadwood City Commission that the City of Deadwood approve the following vehicle to be declared surplus and accept sealed bids:

**2006 Dodge Charger – VIN#2B3KA43G06H398810**

Dated this 8th day of August, 2011.

CITY OF DEADWOOD

ATTEST:

BY: \_\_\_\_\_

Francis A. Toscana, Mayor

\_\_\_\_\_  
Mary Jo Nelson, Finance Officer

Approve Bill

Peterson moved, Silvernail seconded, to pay \$5013.26 to Active Data Systems to renew Scanfile system support from 9/1/11 to 8/31/12 from Historic Preservation and Finance budgets. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Permission to Hire

Toscana explained a request from Arleth and Associates to research, perform field work, set and flag corners as needed for Miller Street parking lot at cost of \$1,450.00 from Zoning budget. Silvernail moved, Van Den Eykel seconded to approve. Roll Call: Aye-All. Motion carried.

Sale of Property

Zoning Administrator Bob Nelson Jr. proposed sale of city-owned property on Blacktail Bench on Maitland Road, suitable for building a home, with City water and sewer close by. Todd questioned if there would be other property coming up for sale, so that all could be sold at one Public Auction. Nelson said there were no others available at this time. Toscana stated there are three ways to sell the property if Commission decides to sell: 1) Sealed bid 2) Auction 3) Hire local realtor. Silvernail moved, Van Den Eykel seconded, to surplus the property. Roll Call: Aye-All. Motion carried.

Silvernail questioned if they could set a minimum price if sold at auction or by sealed bid. Mary Jo Nelson explained that the City can reserve the right to reject any and all bids, and at past auctions have announced that the highest bid is still subject to Commission approval at the following Monday meeting. Peterson moved, Silvernail seconded, to hold Public Auction on Friday, September 30, 2011 at 1:00 p.m. at City Hall. Roll Call: Aye-All. Motion carried.

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STREETS/WATER/LIBRARY

Update - Burnham Hill Quotes (Continued from July 5, 11, and 25, 2011 and August 1, 2011)

Jim Raysor stated that he had sent a new request for proposals, but at this time has not received any additional quotes on the project, other than the original two received some time ago. Van Den Eykel suggested the matter be tabled until next week to see if any more proposals come in. Toscana stated decision should be made next Monday. Silvernail moved, Peterson seconded, to continue until next week. Roll Call: Aye-All. Motion carried.

Purchase Gasoline

Silvernail moved, Peterson seconded, to approve purchase of 5500 gallons of premium gasoline at cost of \$3.72 from Southside Oil. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Special Trolley Route

Todd moved, Silvernail seconded, to permit a special trolley route to transport the Rapid City Youth and Family Services Pre School on August 29, 2011. A fee will be charged. Roll Call: Aye-All. Motion carried.

Accept Resignations

Todd moved, Silvernail seconded, to accept the following resignations from Parks employees: Russell Prince, effective 8/5/11; Hunter Bradley, effective 8/19/11; and Tucker Loeffen, effective 8/12/11. Roll Call: Aye-All. Motion carried.

Request from Lodge

Todd moved, Van Den Eykel seconded, to allow the Lodge at Deadwood to transport 30 people to Midnight Star at 7:30 p.m. on August 29, 2011. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Executive Sessions

Mayor Toscana requested two Executive Sessions following the Regular Session :  
One for Contractual Matters per SDCL 1-25-2 (3) with no action to be taken. He requested Zoning Administrator Bob Nelson Jr. and Finance Officer Mary Jo Nelson attend.  
Second one for Executive Session for Personnel per SDCL 1-25-2 (1) with possible action to be taken. He requested Police Chief Kelly Fuller and Mary Jo Nelson attend.

ITEMS FROM CITIZENS NOT ON AGENDA

ADJOURNMENT

Silvernail moved, Van Den Eykel seconded, to adjourn the regular session at 5:45 p.m. and convene into Executive Session for Contractual Matters per SDCL 1-25-2 (3) and then for Personnel per SDCL 1-25-2 (1). Silvernail moved, Peterson seconded, to come out of Executive Session. Roll Call: Aye-All. Motion carried. The next regular meeting will be at 5:00 p.m. on Monday, August 15, 2011.

ATTEST:

The seal is circular with the text "CITY OF DEADWOOD" at the top and "SOUTH DAKOTA" at the bottom. In the center, it says "SEAL".  
*Mary Jo Nelson*  
Mary Jo Nelson, Finance Officer

DATE: 8-15-11  
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 \_\_\_\_\_.