REGULAR MEETING, December 12, 2011

The Regular Session of the Deadwood City Commission convened on December 12, 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, Gary Todd, Georgeann Silvernail, 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 December 5, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the December 12, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	REFILL	9.61
AMERICAN TECHNICAL	RYAN RD	493.00
BH CHEMICAL	SUPPLIES	230.79
BH PIONEER	PUBLICATIONS	1,480.83
BH POWER	UTILITIES	1,866.64
BUTLER	MOTORGRADER	845.33
CAMPBELL, JASON	REIMBURSE	243.75
DAKOTA GRAPHICS	SUPPLIES	325.00
DEADWOOD ELECTRIC	REPAIRS/BACKUPS	4,489.84
DMI	REPAIRS	540.64
DOWER, CLIFF	REIMBURSE	104.90
FIRE ENGINEERING	SUBSCRIPTION	36.00
FOURFRONT DESIGN	COLD STORAGE	1,245.75
FRED PRYOR SEMINARS	SEMINAR	199.00
GEMINI SIGNS & LETTERS	REPAIR	124.13
GENES LOCK SHOP	SERVICE	120.00
GOLDEN WEST	PAGERS	703.60
HAWKINS INC	CHEMICALS	469.85
HILLSIDE DISPOSAL	DUMPSTERS	1,360.00
JACOBS PRECISION WELDING	PARTS	208.50
KIMBALL MIDWEST	SUPPLIES	414.45
NAPA	PARTS	1,693.11
NATIONAL FIRE CODES	RENEWAL	855.00
PUMPHOUSE COFFEE	EMPLOYEE PARTY	678.90
RACHETTO, TRENT	REIMBURSE	189.70
RAYSOR, JAMES	REIMBURSE	15.00
SD DEPT. OF REVENUE	MB TRNSFR-DWD DICKS	75.00
SD STATE TREASURER	SALES TAX	2,829.27
SD WATER-WASTEWATER ASSOC	MEMBERSHIP	30.00
SDN COMMUNICATIONS	COMM LINE	571.20
SERVALL	SUPPLIES	1,701.75
SOUTHSIDE OIL	FUEL	16,525.66
TEMPERATURE TECHNOLOGY	MAINTENANCE	1,125.00
THE LORD'S CUPBOARD	DONATION	2,000.00
WASTE CONNECTIONS	DUMPSTERS-GB SERV	7,691.87
WHISLER BEARING	REPAIRS	113.66
	TOTAL	**$ 51,606.73**

ITEMS FROM CITIZENS NOT ON AGENDA

Days of 76 Committee

Ted Thompson representing the Days of 76 Committee informed everyone the Days of 76 Rodeo were the recipients of the Medium Outdoor Rodeo of the Year for the eighth consecutive year. Prior to the formation of the medium outdoor category, the Days of 76, won four straight Small Outdoor Rodeo of the Year honors, totaling twelve Rodeo of the Year awards. The Days of 76 will host their 90th annual Days of 76 rodeos in July 2012. Mayor Toscana along with Commission congratulated and thanked the Days Committee for all their hard work and dedication. Thompson also thanked the City of Deadwood, Mayor Toscana, City Commission, and City departments for their dedication, hard work and financial support.

State Highway Project Discussion

Mayor Toscana informed everyone that the South Dakota Department of Transportation (SDDOT) sent letters to all residents and businesses that are impacted by the proposed State highway construction project from US 385 to Cemetery Street in Deadwood. Toscana informed concerned residents and business owners, present at meeting that The Commission could not take any action on this matter. Toscana said this issue needs to be placed on the agenda to allow the Commission to take action. If the Commission agrees to take action, a resolution would be prepared stating the direction of the Commission. The SDDOT stated in the letter that all on-street parking will be removed on this section of US 85 to allow for a center left turn lane providing safer turning movements, better traffic flow, and more efficient snow removal operations. Ron Island, Deadwood business owner, expressed concerns with the proposed turning lane and eliminating parking (Cliff, Charles and Sherman Streets) and added that parking is an on-going issue in Deadwood. Island said there are businesses significantly affected such as

Twin City Hardware, Super 8 and to lose the boulevards and residential parking would affect this community. Island believes the State is not listening even though public hearins have been held. Bruce Oberlander, Charles Street resident and Deadwood business owner, stated that after 22 years of meetings and public input the SDDOT has chosen to ignore them. Oberlander asked the Commission to protect the businesses and residents that are affected by this proposed project. Larry Shama, Charles Street property owner, said his biggest issue with the project is safety and a wider street increases the potential for speeding motorists. Commissioner Van Den Eykel said he has received comments and would like to meet with SDDOT to address these questions and the impact this will have on our businesses during the construction phase. Commissioner Silvernail agreed more discussions need to take place. After much discussion, Toscana reiterated the Commission cannot take any action and requested this item be placed on the December 19, 2011 agenda.

ITEMS FROM CITIZENS ON AGENDA

Swim Meet Request
Rec Center Manager John Tridle requested permission to hold First Annual Deadwood's New Year Swim Meet on January 7, 2012, closure of the Rec Center on January 7, and to set a public hearing to waive vending fee for non-profit organization to do concessions during swim meet. Silvernail moved, Van Den Eykel seconded, to approve said request. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening
Jim Raysor opened three bids received for the loader-mounted snow blower. The bids are as follows:

Loader Mounted Snow Blower
Bid Opening December 12, 2011 @ 5:05 p.m.

Bidder	$ Amount
Sanitation Products, Inc.	$118,965.00
Sanitation Products, Inc.	$100,092.00
Jack's Truck & Equipment	$104,271.00

Raysor requested that the bid opening be continued to the December 19, 2011 meeting to allow time to review bids. Silvernail moved, Van Den Eykel seconded, to continue bid opening to December 19, 2011 meeting. Roll Call: Aye-All. Motion carried.

Public Hearing – Mardi Gras 2012
Sarah Anderson, Deadwood Chamber, requested the relaxation of the open container ordinance, street closures, and waiver of the barricade fee for the Mardi Gras Events on February 10 and 11, 2012. Todd moved, Van Den Eykel seconded, to approve the relaxation of open container ordinance on Main Street from Four Aces to the Masonic Temple from 5:00 p.m. to 10:00 p.m. on February 10, 2012. Roll Call: Aye-All. Motion carried. Silvernail moved, Peterson seconded, to approve the relaxation of open container ordinance on Main Street from Four Aces to the Masonic Temple from 5:00 p.m. to 10:00 p.m. on February 11, 2012. Roll Call: Aye-All. Motion carried. Silvernail moved, Todd seconded, to approve the street closures from Four Aces to the Masonic Temple from 6:45 p.m. to 8:00 p.m. on February 10 and 11, 2012 (or until parade ends). Roll Call: Aye-All. Motion carried. Silvernail moved, Peterson seconded, to grant exception to the ordinance (12.24.150) and waive barricade fees for event. Roll Call: Aye-All. Motion carried.

Public Hearing
Silvernail moved, Van Den Eykel seconded, to hold public hearing for notice of transfer the from Mary C. Larson, Deadwood Dicks Saloon (RB-2449 for 2011-2012) to Kathleen McShane, dba Deadwood Dicks Saloon, 1.6' of Lot 17 & all lots 19, 21, 23, 25, 26 & pt. of 27, Block 30, Original Deadwood located at 51-53-55 Sherman Street. Roll Call: Aye-All. Motion carried. Moved, seconded, to hold public hearing for 2012 Retail (on-off sale) Wine License for Kathleen McShane dba Deadwood Dicks Saloon located at 51-53-55 Sherman Street, 1.6' of Lot 17 & all lots 19, 21, 23, 25, 26 & pt. of 27, Block 30, Original Deadwood. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, December 12, 2011

Set Public Hearing
Van Den Eykel moved, Todd seconded, to set a public hearing at 5:05 p.m. on December 27, 2011 for Deadwood's 1st Outhouse Races and Events on February 25, 2012. Roll Call: Aye-All. Motion carried.

FINANCE

Payment Request
Peterson moved, Silvernail seconded, to approve the payment of $1,255.42 for the 2012 South Dakota Municipal League dues, to be paid from the General Fund Commission line item. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Repair Request
Van Den Eykel moved, Silvernail seconded, to approve the repairs to the plow sander (belt drive sealers) at a cost of $1,196.00 from Sanitation Products. Roll Call: Aye-All. Motion carried.

Repair Request
Van Den Eykel moved, Todd seconded, to approve the request to refurbish the F-800 dump truck (clutch pack, transmission rebuild, and replace PTO pump on dump box) at a cost not to exceed $4,500.00, work not to be complete until 2012 from Triple K and Inland Truck. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Ordinance #1169 – First Reading
City Attorney requested first reading of Ordinance #1169 Creating Chapter 3.28 Fee Ordinance. Deadwood Historic Preservation Office and Deadwood Library have developed a standardized fee schedule for research, duplication of documents and photographs, and publications of historic materials. Finance Officer requested Section 3.28.030 Notarized Documents fee is removed prior to second reading. Silvernail moved, Todd seconded, to approve first reading of Ordinance #1169 with amendment. Roll Call: Aye-All. Motion carried.

Contract
Van Den Eykel moved, Silvernail seconded, to allow the Mayor to sign the contract between the City of Deadwood and Dr. Suzanne Julin to develop a proposal for the South Dakota State Historical Society Press, including sample chapter, for publication of her proposed book, ***"Voices from Deadwood: A Western Town Speaks for Itself,"*** for the City of Deadwood for $2,500. Roll Call: Aye-All. Motion carried.

Contract
Todd moved, Van Den Eykel seconded, to allow the Mayor to sign the contract between City of Deadwood and New Deal Tire for the removal and disposal of waste tires at the Tri City Rubble Site at a cost of $225.00 per ton (to be removed prior to January 31, 2012.) Roll Call: Aye-All. Motion carried.

Lease Agreement
Todd moved, Van Den Eykel seconded, to allow the Mayor to sign the lease agreement between the City of Deadwood and the Days of 76 Museum, Inc. for the leasing of City property. Roll Call: Aye-All. Motion carried.

ADJOURNMENT
Silvernail moved, Peterson seconded, to adjourn the regular session at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, December 19, 2011.

ATTEST: DATE: 12-19-11

Mary Jo Nelson, Finance Officer

BY: Francis A. Toscana, Mayor

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