

REGULAR MEETING, February 6, 2012

The Regular Session of the Deadwood City Commission convened on February 6, 2012 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, 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 January 30, 2012. Roll Call: Aye-All. Motion carried.

JANUARY, 2012 PAYROLL: COMMISSION, \$2,730.76; ATTORNEY, \$5,656.16; FINANCE, \$13,935.53; PUBLIC BUILDINGS, \$2,084.28; POLICE, \$46,171.69; FIRE, \$4,580.10; BUILDING INSPECTION, \$3,422.16; STREETS, \$24,648.82; PARKS, \$14,716.82; PLANNING & ZONING, \$3,766.16; LIBRARY, \$5,524.04; RECREATION CENTER, \$10,929.39; HISTORIC PRESERVATION, \$14,109.39; WATER, \$13,056.94; PARKING METER, \$7,296.00; TROLLEY, \$16,406.85; PARKING RAMP, \$6,142.17; RUBBLE SITE, \$840.00. **PAYROLL TOTAL: \$196,017.26.**

JANUARY, 2012 PAYROLL PAYMENTS:

Internal Revenue Service, \$43,971.52; S.D. Retirement System, \$21,135.54; Delta Dental, \$3,423.36.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the February 6, 2012 disbursements. Roll Call: Aye-All. Motion carried.

| | | |
|------------------------|-----------------|---------------------|
| A & B BUSINESS | MAINT CNTRCT | 128.23 |
| ALCO | SUPPLIES | 58.40 |
| BH PIONEER | AD | 10.00 |
| BH POWER | UTILITIES | 43.01 |
| BUTLER | LEVER | 249.80 |
| COMPANION LIFE | PREMIUM | 225.96 |
| COSMOPOLITAN | SUBSCRIPTION | 29.97 |
| DAKOTA BUSINESS | MAINT.CNTRCT | 99.20 |
| DAKOTA SUPPLY GROUP | VALVE | 631.73 |
| DORSEY & WHITNEY | SERVICES | 500.00 |
| DRAGOO CABINETS | DISPLAY | 634.59 |
| EMERY-PRATT COMPANY | BOOKS | 681.75 |
| FRED PRYOR SEMINARS | SEMINAR | 128.00 |
| GALLS | GLOVES | 39.89 |
| GENES LOCK SHOP | CYLINDER | 178.98 |
| GLAMOUR | SUBSCRIPTION | 24.00 |
| GOLDEN WEST | PAGER | 186.15 |
| KNOLOGY | SERVICE | 345.40 |
| KUSTOM SIGNALS | WARRANTY | 300.00 |
| LAKER CHEMICAL | FERTILIZER | 566.00 |
| LEAD-DWD SANITARY DIST | USAGE | 25,041.03 |
| M & T FIRE | SUSPENDERS | 271.73 |
| MIDWEST TAPE | DVD'S | 112.95 |
| MDU | UTILITIES | 10,661.83 |
| NAPA | PARTS | 1,689.10 |
| NEVE'S | UNIFORM | 70.97 |
| NH ALLIANCE | 2012 ALLOCATION | 2,500.00 |
| NOVUS | REPAIRS | 50.00 |
| RAPID DELIVERY | SERVICE | 19.56 |
| SABO CONSTRUCTION | LOAN DISB | 2,590.00 |
| SDN COMMUNICATIONS | COMM LINE | 571.20 |
| SOUTH SIDE SERVICE | SERVICE | 85.95 |
| SOUTHSIDE OIL | FUEL | 14,580.78 |
| SUMMIT SIGNS | SIGN | 65.00 |
| TEEN COURT | 2012 ALLOCATION | 8,500.00 |
| USA BLUEBOOK | SUPPLIES | 264.33 |
| | TOTAL | \$ 72,135.49 |

ITEMS FROM CITIZENS ON AGENDA

Deadwood Chamber

Deadwood Chamber Board Members Louie LaLonde, George Milos, and Pat Roberts appeared before the Commission requesting that the City review and modify the City's ordinance 5.44.010 pertaining to City trolleys, and designated routes. Roberts added after a recent Chamber Board meeting they feel Deadwood has outgrown the existing trolley ordinance. Since the ordinance was adopted, the following establishments did not exist: Cadillac Jacks, Deadwood Mountain Grand and The Lodge at Deadwood. He said with the addition of the Deadwood Mountain Grand Event Center hosting numerous events the board feels the ordinance needs to be updated to allow for more flexibility for the Deadwood businesses. The ordinance states that private transportation services may be allowed to operate from the owner's private hotel, parking lot or other businesses, but are not allowed to pick up any persons except at their business location. Mayor Toscana agreed that the ordinance may need to be amended and is willing to work with the Deadwood Chamber Board to come up with some solutions. Toscana said he does not want to see private transportation services interfering and competing with the City trolley system.

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The trolley system operates as an Enterprise Fund and does not cash flow. He added that Historic Preservation Fund supplements the trolley by \$110,000 per year. Toscana said that due to the increase in fuel costs additional assistance from Business Improvement District might have to subsidize the trolley system as well. Van Den Eykel agreed with Toscana to review and make recommendations to amend the ordinance. Toscana suggested the possibility of hiring an outside expert to review the existing transportation system and needs. Roberts asked the Commission to consider the possibility of running a North and South trolley to speed up the process of delivering customers to the downtown area. LaLonde added that by working together they should be able to reach some solutions and provide customer service to our visitors. Toscana suggested Commissioner Todd and Bob Nelson, Sr., Trolley Manager discuss trolley needs and potential changes to the ordinance. Van Den Eykel requested that a member of the Deadwood Chamber board be included and Toscana added Pat Roberts.

Business Improvement Districts #1-6 (BID 1-6) Parking Ramp Request

Pat Roberts, President, Business Improvement District 1-6, recommended to the Commission that the first hour be free in the Broadway Parking Ramp from Sunday at 7:00 a.m. through Thursday at Midnight through March 31, 2012, starting immediately upon approval. Toscana reiterated the fact that if the Commission approves this request the City ordinance would need to be amended and due to required stipulations, it could take up to over a month before the new ordinance would go into effect. The proposed changes are November 1 through March 31, Monday through Thursday, 1st hour free, 2nd hour \$4.00, 3rd hour \$1.00. Current fees are 1st hour \$2.00, additional \$2 to \$4 for 2nd hour, after 2 hours additional \$1 or \$5.00 per day. Toscana said he does not have a problem with possible changes to the parking ramp fees, as the Business Improvement District is responsible for any shortfall. Roberts clarified BID would pay any shortfall for the ramp. Pat Roberts and Chuck Turbiville, Broadway Ramp Manager, will research and discuss the possibility of amending fees.

BID #1-6 Request – Free Parking Main Street

Business Improvement District 1-6, requested free parking on Main Street from Monday, noon to Thursday, at Midnight through March 31, 2012. Toscana said that once again this requires an ordinance change. Terry Houk, General Manager Buffalo-Bodega, told the Commission that he understands the process for amending the ordinance and hoped that changes could be made to the ordinance by November. Toscana and Todd have had comments from residents against free parking on Main Street. Todd added he has concerns with this request due to crucial signage and striping of parking spaces. Toscana said parking studies have indicated that parking fees closer to the ramp be more expensive rather than less. Toscana said this would affect the revenue for Broadway Ramp. Silvernail added she has received comments and questions as to why would the City consider going backwards especially with our showcase Main Street including wider sidewalks and no parking. Silvernail said she does not understand why we need free parking on Main Street if we are going to allow free parking in the Broadway Parking Ramp. Van Den Eykel disagreed and added he would like to see the City try the change as he feels it is a benefit to the community. Matt Pike, Vice Chair, Historic Preservation Commission, agreed with Silvernail and added that community has worked long and hard to have a showcase downtown area. Pike asked that the Commission consider the involved process of an ordinance change, signage, painting spaces on brick Main Street before they make a final decision. Terry Houk said he has looked into signage and the businesses agreed to purchase eight signs at a cost of \$21.50 per sign so the cost is minimal. Toscana clarified Pike's statement and said it is not the cost as it is the visual pollution on our Main Street.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Change Order #9 – Days 76 Museum

Kevin Kuchenbecker requested permission for the Commission to approve Change Order #9 for the Days of 76 Museum: disconnects (\$4,151.78), roof exhaust fan (\$3,131.91), pine trim (-\$471.92); sealing wood floor (\$436.63); downspout extensions (\$628.05); electrical demo door (\$880.69), guardrail (\$906.85), insulation artifact storage (-\$1,314.43); freight elevator resize owner request (\$1,390.00) totaling \$11,525.91. Silvernail moved, Peterson seconded, to approve Change Order #9 for Days of 76 Museum, bringing total cost of contract to \$3,456,103.63. Roll Call: Aye-All. Motion carried. Days of 76, Museum Inc. agreed to pay the additional charges.

Change Order - Adams House

Kevin Kuchenbecker requested permission for the Commission to approve the following change orders for the Adams House Security System replacement: glass break sensor for 1st floor restroom (\$180.10); keypad/zone expander for Gift Shop (\$647.48) totaling \$827.58. Silvernail

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moved, Todd seconded, to approve change orders for the Adams House security system. Roll Call: Aye-All. Motion carried.

Rescind Approval/Terminate Contract

Jim Raysor requested that the Commission rescind the approval and terminate the contract with Freeman Electric for \$11,544.00 for the recess lighting project in the Rec Center. Raysor added Freeman said it is not possible to do the lighting project that was initially approved. The cost of a different style of lighting is \$15,100.00. Additional quotes will be obtained prior to making a decision on this project. Silvernail moved, Todd seconded, to rescind approval and terminate contract with Freeman Electric. Roll Call: Aye-All. Motion carried.

Repair Request

Jim Raysor requested permission to repair the Adams House boiler at a cost of \$8,800.00 and enter into a contract with Wolf's Plumbing and Heating, to be paid from Historic Preservation Capital Assets. Raysor explained this is a two boiler system and to replace one boiler is \$11,100.00 and to replace the entire system is \$23,000.00. Van Den Eykel questioned why the City would spend \$8,800.00 for repairs versus the possibility of replacing the whole system. Van Den Eykel requested that two more quotes be obtained and to continue this item. Van Den Eykel moved, Silvernail seconded, to continue until two more quotes are obtained. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded, to allow the Mayor to sign the contract between the City of Deadwood and Albertson Engineering Inc. for 2012 retaining wall design, not to exceed \$45,000.00. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Wage Increase

Silvernail moved, Peterson seconded, to approve the wage increase for Dusty Barker from \$14.77 to \$15.59 per hour effective February 1, 2012, after completing one year of service as an Ordinance Officer, (95% of prevailing wage.) Roll Call: Aye-All. Motion carried.

LEGAL

Purchase Agreement

City Attorney Jason Campbell told the Commission this was approved previously and requested permission for the Mayor sign the purchase agreement between the City of Deadwood and the Days of 76 Museum Inc. Todd moved, Van Den Eykel seconded, to allow the Mayor to sign the real estate purchase agreement with the Days of 76 Museum, Inc. for the purchasing of a building for \$400,000, and the following tract of property: Lot 3 of the Days of 76 Tract as shown on the Plat of Lots 1, 2, and 3 of the Days of 76 Tract formerly the Days of 76 Tract being a portion of M.S. 569, all located in the NE ¼ of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

Contract

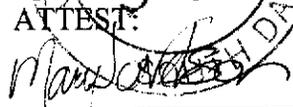
Todd moved, Van Den Eykel seconded, to allow the Mayor to sign the contract between the City of Deadwood and Stanley Steamer for \$900.00 to clean the ductwork at the Adams House. Roll Call: Aye-All. Motion carried.

Executive Session

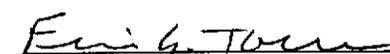
City Attorney Jason Campbell requested an Executive Session for Legal matters per SDCL 1-25-2 (3) with no action to follow meeting.

ADJOURNMENT

Todd moved, Van Den Eykel seconded, to adjourn the regular session at 5:50 p.m. The next regular meeting will be at 5:00 p.m. on Monday, February 13, 2012.

ATTEST:


Mary Jo Nelson, Finance Officer

DATE: 2-13-12
BY: 

Francis A. Toscana, Mayor

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

