

REGULAR MEETING, January 17, 2012

These minutes are unofficial until approved at the next regular City Commission meeting.

The Regular Session of the Deadwood City Commission convened on January 17, 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 and Commissioners, Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel. City Attorney Jason Campbell was absent. All motions passed unanimously unless otherwise stated.

CONDOLENCES

On behalf of the Commission, Mayor Toscana extended condolences to the family of former Governor Bill Janklow. Mayor Toscana expressed deepest sympathies to his family.

APPROVAL OF MINUTES

Van Den Eykel moved, Todd seconded, to approve the minutes of January 9, 2012. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded, to approve the January 17, 2012 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	110.30
ABC BUSINESS	SUPPLIES	1,063.93
ACTIVE DATA	GIS	717.84
ALCO	SUPPLIES	51.96
ALLO NET CONNECTIONS	PROJECT	783.00
BH PIONEER	PUBLICATIONS	1,082.27
BH POWER	UTILITIES	11,421.97
CENTURY BUSINESS PRODUCTS	MAINT	125.57
CITY FORT PIERRE	GRANT	7,500.00
CONRADS BIG "C"	LAMPS	342.83
CULLIGAN	SUPPLIES	89.50
DAKOTA GRAPHICS	PRINTING	190.00
DEADWOOD CHAMBER	BILL LIST	320,387.84
DEADWOOD ELECTRIC	BULBS	627.42
FASTENAL	SUPPLIES	510.54
FERBER ENGINEERING	MT. MORIAH	1,612.50
FIRST NATIONAL BANK	PK RAMP BOND PYMT	350,930.63
FLETCHER, JAMES	LOAN DISB	3,000.00
GAYLORD BROS.	SUPPLIES	64.82
GERVING CONSTRUCTION	LOAN DISB	8,150.80
GOLDEN WEST	HP COPIER	507.00
HILLSIDE DISPOSAL	ROLL-OFF	680.00
JACOBS PRECISION WELDING	ARCHIVE PRJ	50.22
KADRMAS LEE & JACKSON, INC	ST. AMBROSE PRJ	3,543.60
KARL'S TV & APPLIANCE, INC	SUPPLIES	829.00
KNOLGY	SERVICE	36.27
KT CONNECTIONS, INC.	VISITOR CNTR	7,587.88
LC REGISTER DEEDS	GRANT	4,373.76
LAWRENCE TITLE	TITLE	25.00
MACROVISION	HP MINUTES	765.00
MENARD'S	TOTES	65.82
MOBILE ELECTRONIC SERVICE	PARTS	159.95
NATIONAL TRUST MAIN STREET	MEMBERSHIP	115.00
NEVE'S	UNIFORMS	92.83
NHS OF BH	ALLOCATION	4,000.00
OCCUPATIONAL HEALTH NETWORK	TESTING	1,114.40
PASTPERFECT SOFTWARE	TRAINING	79.00
PITNEY BOWES INC	POSTAGE	500.00
PL CARPENTRY ASSOC	MT. MORIAH PRJ	963.95
SABO CONSTRUCTION	LOAN DISB	9,430.00
SANITATION PRODUCTS	PARTS	1,329.00
SD ONE CALL	FEES	7.77
SD STATE ARCHIVES	MICROFILM/SCAN	4,922.16
SDN COMMUNICATIONS	COMM LINE	571.20
SOUTH SIDE SERVICE	KEROSENE	996.35
TEMPERATURE TECHNOLOGY	REPAIRS	776.48
TOMS, DON	LC LEDGERS	630.00
TRIPLE K	REPAIRS	1,176.81
TTG ENTERPRISES	SCADA	230.01
TWILIGHT FIRST AID	SUPPLIES	557.64
TC HARDWARE	LOAN DISB	1,643.00
WEST RIVER INTERNATIONAL	EXTENSION	342.56
WESTERN STATES FIRE	5 YR CNT	833.00
WYSS ASSOCIATES	USS MAINE	2,250.00
	TOTAL	\$ 759,948.38

ITEMS FROM CITIZENS ON AGENDA

Mardi Gras Request

Silvernail moved, Todd seconded, to allow the St. John's Episcopal Women to sell beads for a fundraiser prior to the Mardi Gras parades on February 10 and 11, 2012. Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Sarah Anderson, Deadwood Chamber, requested the following for Deadwood's 1st Tailgate Party event on February 5, 2012.

Peterson moved, Todd seconded, to allow open container on Main Street from Pine Street to Four Aces from noon to 10:00 p.m. on Sunday, February 5, 2012. Roll Call: Aye-All. Motion carried.

Silvernail moved, Peterson seconded, to approve street closure on Main Street from Wall to Deadwood Street from 11:00 a.m. to 10:00 p.m. on Sunday, February 5, 2012. Roll Call: Aye-All. Motion carried.

Silvernail moved, Van Den Eykel seconded, to grant exception to the ordinance (12.24.150) and waive barricade fees for event. Roll Call: Aye-All. Motion carried.

Silvernail moved, Peterson seconded, to grant exception to vending ordinance pursuant to City Code 5.28.080 and allow vending on public property on Sunday, February 5, 2012. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded, to approve the request to waive banner fees for Deadwood's 1st annual Tailgate party Event on February 5, 2012. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Todd seconded, to set a public hearing at 5:05 p.m. on January 30, 2012 for a special full temporary liquor license application for the Deadwood Volunteer Fire Department event on February 18, 2012. Roll Call: Aye-All. Motion carried.

Bid Opening – Loader Mounted Snow Blower (Continued from 1/09/2012)

Jim Raysor recommended that the Commission accept the low bid of \$102,071.00 with additional purchase of chute extender and muffler system at a cost of \$2,339.00 from Tenco. Van Den Eykel requested this item be continued to the January 23, 2012 meeting.

FINANCE

Official Depository

Peterson moved, Silvernail seconded, to approve the following official depositories for City of Deadwood: Pioneer Bank and Trust Spearfish, SD, Great Western Bank Spearfish, SD, Wells Fargo Bank Deadwood, SD, First National Bank Deadwood, SD, and First Interstate Bank Deadwood, SD. Roll Call: Aye-All. Motion carried.

Resolution 2012-03

Peterson moved, Van Den Eykel seconded, to approve Resolution 2012-03 Extending Workers' Compensation Coverage to Specific Individuals for the year 2012. Roll Call: Aye-All. Motion carried.

RESOLUTION 2012-03

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO SPECIFIC INDIVIDUALS FOR THE YEAR 2012

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood extend the South Dakota Municipal League Workers' Compensation benefit for coverage on the following individuals who are not automatically covered because they are appointed or elected to their positions:
City Commission: Francis A. Toscana, Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel;

Historic Preservation Commission: Ronda Feterl, Laura Floyd, George Milos, Matthew Pike, Mike Olsen, Steve Olson, and Willie Steinlicht;

Planning & Zoning Commission: Mel Allen, Marie Farrier, Sheree Green, Mark Speirs, and Jim Shedd;

Library Board: Shirley Bergen, Mike Olsen, Jaci Conrad Pearson, Jim Van Den Eykel and Karin Wood;

Parks & Recreation Board: Ken Gienger;

Police Department Reserve Officers: Kenneth Batka, Doug Bechen, Sonya Bertalot, Sarah Canida, Tavis Little, Gerald Niemi, Kristy Schumacher, and Matthew Symonds;

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Deadwood Volunteer Fire Department: Randy Addington, Ken Allen, Danny Arnold, Anthony Biesoit, John Bigney, Pat Eastman, Verne Edstrom, Thomas Enright, Sandy Glover, Bill Glover, Gary Gould, Larry Groll, Mathew Helmin, Francis Iverson, Mike Klamm, Seth Martens, Jeff Millard, Trent Mohr, Jerry Pontius, Courtne Rakow, Jason Rakow, Rylan Rakow, Richard Stanger, Allen Sternhagen, Paul Thomson, Kathy Toscana, Greg Wagner, Ben Weiss, Keith Wellard, Anne Wieringa, and Lei'Ani Wieringa.

Deadwood Fire Department Oversight Committee: Georgeann Silvernail and Robert Sjomeling. The Finance Office will be notified of any personnel changes to the above-mentioned committees and commissioners.

Dated this 17th day of January, 2012.

ATTEST:

/s/ Mary Jo Nelson, Finance Office

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

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Resolution 2012-04

Peterson moved, Van Den Eykel seconded, to approve Resolution 2012-04 to Make Interfund Cash Transfers for 2011. Roll Call: Aye-All. Motion carried.

RESOLUTION 2012-04

A RESOLUTION TO MAKE THE FOLLOWING INTERFUND CASH TRANSFERS FOR THE YEAR 2011

Be it resolved by the Deadwood City Commission that the City of Deadwood approve the following interfund cash transfers for the year 2011.

From Historic Preservation (Fund 0215) to Trolley Department (Fund 0610) \$25,000.00 for trolley reserve and \$92,000.00 for support of trolley operational expenses. From Historic Preservation (Fund 0215) to General Fund (Fund 0101) for impact funds \$1,322,356.00. From Historic Preservation (Fund 0215) to Water Fund (Fund 0602) for impact funds \$160,814.00.

From Historic Preservation (Fund 0215) Cash from Bond Series 2003-2004 Construction Fund to the following Capital Projects Funds Cash in the following amounts: Slime Plant Project (Fund 0505) \$35,979.06 Days of 76 Museum (Fund 0563) \$2,581,370.49, and St. Ambrose (Fund 0544) \$5,958.68 for construction project expenses.

From General Fund (0101) to Rubble Site Fund (0701) \$5,000.00 for Deadwood's share of operational expenses at the site.

From General Fund (0101) to Library Fund (Fund 0206) \$29,000.00 in support of operational expenses.

Dated this 17th day of January 2012.

ATTEST

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

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HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Repair Request

Silvernail moved, Van Den Eykel seconded, to approve the request to clean ductwork at the Adams House at a cost of \$900.00 and direct City Attorney to prepare a contract for Stanley Steemer. Roll Call: Aye-All. Motion carried.

Archive Request

Silvernail moved, Todd seconded, to approve the digitization of Lawrence County Ledgers with the South Dakota State Historical Society Microfilm Unit at a cost not to exceed \$5,000.00, to be paid from Archive budget. Roll Call: Aye-All. Motion carried.

Retaining Wall Program Request

Silvernail moved, Peterson seconded, to approve entering into a contract with Albertson Engineering to provide professional engineering services for the retaining wall program at a cost not to exceed \$45,000.00 and direct City Attorney to prepare a contract. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY

Wage Increase

Van Den Eykel moved, Silvernail seconded, to approve the wage increase of Library Assistant, Jan Osborn, from \$7.76 per hour to \$8.28 per hour effective January 11, 2012, after one year of service. Roll Call: Aye-All. Motion carried.

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Street Shop Request

Jim Raysor provided a detailed memo for the Commission requesting permission to install an indoor concrete wash bay and grease pit in the Street Shop. Two quotes were received McDirt - \$19,030.00 and Ainsworth-Benning - \$18,790.00. Raysor recommended accepting the low quote from Ainsworth-Benning. Van Den Eykel moved, Todd seconded, to continue this item to the January 23, 2012 meeting. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Purchase Request

Silvernail moved, Peterson seconded, to approve the purchase of six sets of body armor for Police Department from Neve's at a cost of \$3,960.00, a budgeted item. Roll Call: Aye-All. Motion carried.

Travel Request

Silvernail moved, Todd seconded, to allow Alex Hamann to attend 24 hour EMT Renewal Course in Rapid City on February 3-5, 2012, requesting use of City vehicle and lunch. Roll Call: Aye-All. Motion carried.

Extend Vacation

Silvernail moved, Todd seconded, to allow Alex Hamann to extend 30 hours of vacation 30 days, to March 12, 2012. Roll Call: Aye-All. Motion carried.

LEGAL

Contract

Silvernail moved, Van Den Eykel seconded, to allow the Mayor to sign the contract between the City of Deadwood and the South Dakota State Historical Society Microfilm Unit for the digitization of Lawrence County Ledgers for \$5,000.00. Roll Call: Aye-All. Motion carried.

Resolution 2012-05

Silvernail moved, Todd seconded, to approve Resolution 2012-05 to Designate Special Events for 2012. Roll Call: Aye-All. Motion carried.

RESOLUTION 2012-05

A RESOLUTION DESIGNATING SPECIAL EVENTS RECOGNIZED BY THE CITY OF DEADWOOD FOR PURPOSES OF ORDINANCES 15.32.100 AND 15.32.140

BE IT RESOLVED by the Deadwood City Commission that the following events, with their respective months of occurrence, are hereby recognized for the year 2012 as "special or civic event(s)" for purposes of Ordinances 15.32.100 and 15.32.140:

- | <u>Special or Civic Event:</u> | <u>Date(s) of Event:</u> |
|---------------------------------------|---------------------------------|
| 1. Superbowl Tailgate Party | February 5, 2012 |
| 2. Mardi Gras | February 10-11, 2012 |
| 3. Outhouse Races | February 25, 2012 |
| 4. St. Patrick's Day | March 16-17, 2012 |
| 5. Mickelson Trail Marathon | June 7, 2012 |
| 6. Wild Bill Hickok Days | June 15-16, 2012 |
| 7. Fourth of July | July 4, 2012 |
| 8. Days of '76 | July 24-28, 2012 |
| 9. Sturgis Bike Rally | August 4-14, 2012 |
| 10. Kool Deadwood Nites | August 23-26, 2012 |
| 11. Labor Day Event | September 1-2, 2012 |
| 12. Deadwood Jam | September 14-15, 2012 |
| 13. Oktoberfest | October 5-6, 2012 |
| 14. Deadweird | October 27, 2012 |
| 15. New Year's Eve | December 31, 2012 |

Dated this 17th day of January, 2012.

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

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Contract

Silvernail moved, Van Den Eykel seconded, to allow the Mayor to sign the contract between the City of Deadwood and Tru-Form Construction for the construction of a cold storage facility at Timm Lane for \$158,949.00. Roll Call: Aye-All. Motion carried.

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Contract

Todd moved, Van Den Eykel seconded, to allow the Mayor to sign the contract between the City of Deadwood and Arleth and Associates for the platting of City of Deadwood property in the Miller Street Parking Lot, Recreation Center and Gordon Park areas, not to exceed \$2,730.00. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

Capital Improvement Committee

Mayor Toscana announced that a meeting of the Capital Improvement Committee is going to be held on January 24, 2012 at 4:00 p.m.

Executive Session

Mayor Toscana requested an Executive Session for Legal matters per SDCL 1-25-2 (3) with no action to be taken.

ITEMS FROM MAYOR/COMMISSIONERS/DEPARTMENT HEADS NOT ON AGENDA

Police Department Annual Banquet

Mayor Toscana congratulated Officer Jim Olson for receiving "Officer of the Year" and Matt Symonds for receiving "Reserve Officer of the Year" awards.

ADJOURNMENT

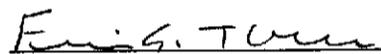
Silvernail moved, Van Den Eykel seconded, to adjourn the regular session at 5:25 p.m. and convene into Executive Session for Legal Matters per SDCL 1-25-2 (3) with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, January 23, 2012.

ATTEST:



Mary Jo Nelson, Finance Officer

DATE: 1-23-12

BY: 

Francis A. Toscana, Mayor

For any public notice that is published one time:

Published once at the total approximate cost of _____.

