REGULAR MEETING, July 11, 2011

The Regular Session of the Deadwood City Commission convened on July 11, 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 July 5, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the July 11, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A&B WELDING	PROPYLENE	9.61
ABC	BULBS	850.37
ALCO	SUPPLIES	176.39
BH CHEMICAL	SUPPLIES	507.10
BH PIONEER	AD	1,146.54
BH POWER	ELECTRICITY	25.59
CULLIGAN	BOTTLED WATER	199.75
DSI	LOCK	66.50
EMERY-PRATT	BOOKS	121.95
FAMILY FUN	SUBSCRIPTION	21.95
FASTENAL	BLADE	88.55
GOLDEN WEST	REPAIRS	74.40
HAWKINS	CHEMICALS	940.50
HEWLETT-PACKARD	CABLE	1,420.00
JACOBS WELDING	ROD	212.16
L-D SANITARY DIST	USAGE	27,614.80
MIDWEST TAPE	DVD	11.99
MDU	NATURAL GAS	2,496.41
NAPA	REPAIRS	2,618.56
OCCUPATIONAL HEALTH	TESTING	190.00
ONE WAY SERVICE	CLEAN SYSTEM	2,245.00
OTIS ELEVATOR	CONTRACT	105.00
PETTY CASH	POSTAGE	67.29
ROCKINGTREE	FLOWERS/PARKS	500.00
SD MUNICIPAL LEAGUE	WORKSHOP	20.00
SD PUBLIC HEALTH LAB	TESTING/REC	48.00
SD STATE ARCHIVES	MICROFILM	28.80
SD STATE TREASURER	SALES TAX	5,185.32
SDN COMMUNICATIONS	TWO WAY LINE	571.20
SERVALL	CLEANING SUPPLIES	1,719.47
SOUTHSIDE OIL	GAS	16,773.42
STRETCH'S	PROTECTOR	481.63
TWILIGHT	FIRST AID SUPPLIES	327.63
WALL STREET JOURNAL	SUBSCRIPTION	673.28
WASTE CONNECTIONS	GARBAGE SERVICES	8,658.37
	TOTAL	**$76,197.53**

ITEMS FROM CITIZENS ON AGENDA

Request from Hospital

Silvernail moved, Peterson seconded, to approve the request by Lead-Deadwood Regional Hospital to decorate lampposts on Main Street for the "Tough Enough to Wear Pink" Fundraiser July 29-July 31, 2011. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening

After stating that the engineer's estimate for the retaining wall at 350 Williams is $320,131.25, Historic Preservation Officer Kevin Kuchenbecker opened the following bids:

Vendor	Addendum One	Bid Bond	Bid
Corr Construction	X	X	$321,200.00
RCS Construction	X	X	$352,000.00

Kuchenbecker stated that the wall is in immediate need of attention and recommended that the bid be awarded to Corr Construction for $321,200.00. Silvernail moved, Peterson seconded to follow his recommendation. Roll Call: Aye-All. Motion carried. Kuchenbecker clarified that

Addendum One added a requirement that the contractor must start within thirty days of the bid award..

Public Hearing – Soda Fountain
Mayor Toscana reopened the public hearing continued from July 5th regarding the lease to a private individual for the City owned soda fountain . Kuchenbecker reported that he had met with the interested persons from Sweet Revenge Candies and they want to proceed with the lease. As there were no objections heard, Silvernail moved, Peterson seconded, to direct staff to prepare a contract for consideration. Roll Call: Aye-All. Motion carried.

FINANCE

Permission to hire
Peterson moved, Van Den Eykel seconded, to approve the hire of Misty Trewhella at $8.12 per hour to clean the Parking Ramp elevator, effective July 6, 2011. Roll Call: Aye-All. Motion carried.

Approve payments
Peterson moved, Silvernail seconded, to approve payment of $2,880.00 for annual renewal of offsite backups and $1,920.00 for renewal of firewall protection to Golden West. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Information only
Toscana announced that the Historic Preservation budget meetings will begin on Tuesday, July 12th at 7:00 a.m. in the Century Room and if necessary, will meet again on July 14th.

Bid Results – Retaining Walls
Kuchenbecker recommended continuing bid award for 334 Williams to July 18, 2011. He recommended awarding the following to low bidder, Sabo Construction: 340 Williams $30,900.00; 66 Taylor $14,200.00; and 5 Jackson $46,200.00. Silvernail moved, Todd seconded, to follow his recommendations. Roll Call: Aye-All. Motion carried.

First Reading
Silvernail moved, Peterson seconded, to approve first reading of Ordinance #1160 amending Ordinance #17.68.020 so ordinance complies with changes in state law, which changed July 1. Roll Call: Aye-All. Motion carried.

Approve payment
Mary Kopco from the Adams House appeared to explain that the invoice from Temperature Technology for $1,892.64 covered emergency replacement of an air compressor at the Adams House Museum. Todd moved, Van Den Eykel seconded, to approve payment. Roll Call: Aye-All. Motion carried.

Insurance Renewal
Finance Officer Mary Jo Nelson informed Commission that rates from current carrier Dakotacare have increased 7.5% over the previous year and although other quotes were requested, none could meet the renewal price. Silvernail moved, Peterson seconded, to approve renewal of the current plan. Roll Call: Aye-All. Motion carried.

Approve Plat
Zoning Administrator Bob Nelson Jr. recommended transfer of ownership to Palisades, LLC of the following property: Plat of Lot 12, Block 2 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23 T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Silvernail moved, Van Den Eykel seconded, to approve the plat. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana; Abstain-Peterson. Motion carried.

STREETS/WATER/LIBRARY

Miller Street Quotes (Continued 6/27/2011 and 7/5/11)
Two quotes were received for the sidewalk replacement on Miller Street: Sabo Construction

for $1590.00 and Schmidt Construction for $1564.00. Van Den Eykel moved, Silvernail seconded, to award the bid to Schmidt Construction for $1564.00. Roll Call: Aye-All. Motion carried.

Burnham Repair Quotes (Continued from 7/5/11)
Two quotes were received to repair Burnham Street panels, but due to quantity differences in concrete from contractors,VanDenEykel moved, Silvernail seconded, to continue the quotes for two weeks to discuss further. Roll Call: Aye-All. Motion carried.

Training Seminar
Van Den Eykel moved, Silvernail seconded, to allow Jimmy Mattson to attend a one-day seminar for solid waste management on July 13, 2011 in Sturgis. Cost is $35.00 registration plus lunch and mileage. Roll Call: Aye-All. Motion carried.

Approve Contract
Van Den Eykel moved, Silvernail seconded, to continue approval of the quote from Hills Material for $21,145.05 to resurface Water Street. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Hire Request
Todd moved, Van Den Eykel seconded, to hire Leona Schroeder at $7.61 per hour and Connie Olsen at $9.81 per hour for Mt. Moriah effective July 14, 2011. Roll Call: Aye-All. Motion carried.

Trolley Transport
Todd moved, Silvernail seconded, to allow the trolley to transport 25 Summer Campers to Mt. Roosevelt on July 19, 2011 and to waive the fee. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Permission to sign
City Attorney Jason Campbell requested permission for the Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Nancy Holmquest, Larry Mason, Harlan Gustafson and Arlene Gustafson. Silvernail moved, Todd seconded, to grant permission. Roll Call: Aye-All. Motion carried.

Silvernail moved, Todd seconded, to grant permission for the Mayor to sign Retaining Wall Contract for 66 Taylor between City of Deadwood, Michael Hall, and Sabo Construction. Roll Call: Aye-All. Motion carried.

Silvernail moved, Peterson seconded, to grant permission for the Mayor to sign Retaining Wall Contract for 340 Williams between City of Deadwood, Charles Williamson, and Sabo Construction. Roll Call: Aye-All. Motion carried.

Van Den Eykel moved, Todd seconded, to grant permission for the Mayor to sign Retaining Wall Contract for 5 Jackson between City of Deadwood, Shama Property LLP, Alcina Brick Miller, and Sabo Construction. Roll Call: Aye-All. Motion carried.

ITEMS FROM CITIZENS NOT ON AGENDA

Water Street
Water street residents Robert Stroup and Donna Karotko appeared to express safety concerns they have for the Water Street area due to recent construction:

1) Five mile per hour speed limit not being followed – suggested speed bumps or valley
2) "Do Not Enter" sign for one way traffic being ignored, especially by construction workers
3) Blind spot created by building, so people don't see other vehicles coming
4) Safety issue for pedestrians, who jump into resident's driveway to get out of way of vehicles.
5) Construction workers very noisy during early morning hours with four wheelers

Toscana thanked the residents for their comments and reassured them that all residents would be involved before any major changes will be made in the Water Street area. He directed

Kevin Kuchenbecker to inform the contractor of concerns at weekly construction meeting, He also asked Police Chief Fuller to bring their enforcement concerns before the Parking & Transportation Committee. Silvernail also expressed concerns that the construction workers were occupying many more parking spaces than they have leased from the City.

Retaining Wall

Brad Baucom, 334 Williams Street. appeared to request assistance with a retaining wall that has been pushing on his house for years. He said he has been through the bid process in the past, but no work has yet been done. He is concerned for the infrastructure of the City, not just his house, as the wall on Forest is pushing on a gas meter and two meters. Toscana verified with Kuchenbecker that the City should have a recommendation by next week's commission meeting.

ADJOURNMENT

Silvernail 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, July 18, 2011.

ATTEST:

CITY OF DEADWOOD SEAL SOUTH DAKOTA

Mary Jo Nelson, Finance Officer

DATE: 7-18-11

BY: Francis A. Toscana

Francis A. Toscana, Mayor