

REGULAR MEETING, June 13, 2011
EXECUTIVE SESSION, June 14, 2011

The Regular Session of the Deadwood City Commission convened on June 13, 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, Peterson seconded, to approve the minutes of June 6, 2011 and the Executive Session from June 9, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Peterson moved, Todd seconded, to approve the June 13, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	LEASE	110.30
A & B WELDING	PROPYLENE	9.30
ABC BUSINESS	SUPPLIES	538.92
ADAMS MUSEUM	OP EXPENSES	7,064.73
ALCO	SUPPLIES	63.33
AMANO MCGANN	TICKETS	2,402.54
BH MINING MUSEUM	GRANT	92.54
BH PIONEER	PUBLICATIONS	766.90
BH POWER	UTILITIES	39.54
BH STATE UNIVERSITY	HP SCHOLARSHIP	1,000.00
BLACKHILLS.COM	DOMAIN	250.00
BLOOMERS	FLOWERS	45.00
BOOM CONCRETE	RESTROOMS-M. TRAIL	19,900.00
CULLIGAN	SUPPLIES	205.00
DAKOTA GRAPHICS	SUPPLIES	765.00
DAKOTA SECURITY SYSTEMS	SERVICE	16.58
DAKOTA SUPPLY	REPAIRS	406.54
DEADWOOD ALIVE	2ND PAYMENT	20,000.00
DEADWOOD CHAMBER	BILLS	156,730.80
DEADWOOD HOME	GRANT	534.86
FARMER	SUPPLIES	106.14
FASTENAL	SUPPLIES	433.61
FORGEY CONSTRUCTION	WALL-PRJ	6,000.00
GOLDEN WEST	CABLING	991.91
HILLSIDE DISPOSAL	DUMPSTERS	1,360.00
J. SCULL CONSTRUCTION	MUSEUM PRJ	157,455.31
KNECHTS	PINE	12.57
KNOLGY	SERVICE	132.90
KUCHENBECKER, KEVIN	REIMBURSE	58.00
LYNN'S	SUPPLIES	31.20
M&M SANITATION	RENTAL	430.00
MADISON RANCH	GRANT	15,000.00
MCDONALD, RHONDA	BOOK	50.00
MENARD'S	FAUCET	99.99
MOLLY CORP	MOTOR	198.77
NAMMINGA, LYNN	RESTORATION PRJ	215.72
NAPA	SUPPLIES	2,789.17
NJS ENGINEERS	ANALYSIS STORAGE PRJ	2,613.50
NORTHWEST PIPE	PIPE	1,170.75
O.M.J.C. SIGNAL INC.	RELAY	49.99
OCCUPATIONAL HEALTH NETWORK	TESTING	1,643.20
OLSON, STEVE	REIMBURSE	38.00
PETTY CASH-FINANCE	REIMBURSE	95.00
PETTY CASH/HP	REIMBURSE	91.81
PITNEY BOWES INC	POSTAGE	500.00
QUILL	SUPPLIES	137.89
RAPID DELIVERY	DELIVERY	9.78
SD DEPT. OF REVENUE	MALT BEV APP	150.00
SD STATE TREASURER	SALES TAX-MAY	3,755.59
SDN COMMUNICATIONS	COMM LINE	571.20
SERVALL	SUPPLIES	1,815.45
SKRUKRUD, DORI	SYMPOSIUM	500.00
ST. JOHN'S EPISCOPAL CHURCH	GRANT	4,223.36
TOMS, DON	LEDGER PRJ	1,728.00
TRIPLE K	FILTERS	110.05
TURBIVILLE, CHARLES	REIMBURSE	43.48
TURNBULL & SONS	REPAIRS GRAVE	646.00
TWILIGHT	SUPPLIES	187.10
TC HARDWARE	PARTS	100.66
WALDEN INC., J.	SYMPOSIUM	1,000.00
WASTE CONNECTIONS	MO GB SERV	7,433.37
	TOTAL	\$ 424,921.35

ITEMS FROM CITIZENS ON AGENDA

Parking Spaces - Grand Opening

Mary Kopco, representing the Homestake Adams Research and Cultural Center, requested permission to reserve 82 parking spaces in the Sherman Street Parking Lot for their Grand Opening on Thursday, June 16 (morning only.) Silvernail moved, Peterson seconded, to approve the request and direct City departments to post signs and rope off spaces. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, June 13, 2011
EXECUTIVE SESSION, June 14, 2011

Pineview Update – Lee Street Request

Tony Sieber, General Manager of Holiday Inn Express, appeared before the Commission to request that the City re-open Lee Street during the Wild Bill Days events. Sieber explained loading and unloading of their guests presents a problem since Main Street is closed. The Pineview stabilization project is on-going and the City Building Official addressed three detailed matters regarding the following: structure's exterior walls must be shored and/or braced per engineers plans and specifications, stabilization work on the roof, and barrier must be constructed and approved by building inspector. Once the structural engineer inspects and approves the issues and notifies the City in writing the City will then consider re-opening Lee Street. Sieber said if this does not happen prior to Thursday, June 16 by noon he would like to have an alternative parking plan for Friday and Saturday and suggested bagging the 4-5 meters on north side of Lee Street in front of the Gallows to be used for their loading/unloading zone. After much discussion, Silvernail moved, Todd seconded, to approve the re-opening of Lee Street contingent upon the City receiving documentation from the structural engineer if not the alternative parking plan on Lee Street would be used and the placement of a barrier for safety purposes. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Peterson moved, Silvernail seconded, to approve the waiver of the banner fee for the Dock Dogs event to be held on Friday & Saturday, June 17 & 18, 2011 from 10:00 a.m. to 5:30 p.m. on Main Street during Wild Bill Days events. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded, to approve the request for a retail (on-off sale) malt beverage license for Paul and Amy Vande Velde, dba Pump House Coffee/Deli at 73 Sherman Street, Tract 1 Lot 133, Block 30 part of Miller Street, SD ¼ Sec. 23 T5N, R3E, Deadwood, Lawrence County, SD. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Silvernail seconded, to approve the convention center liquor license for TenTexKota, LLC, dba Deadwood Mountain Grand, 1906 Deadwood Mountain Drive, Tract S of Block 1 of Fairview Addition No 1, Deadwood, Lawrence, County, SD. Roll Call: Aye-All. Motion carried.

Set Bid Opening

Silvernail moved, Peterson seconded, to set a bid opening 5:05 p.m. on July 11, 2011 for retaining wall at 350 Williams Street, to be paid from Historic Preservation Retaining Wall Grant/Loan program. Roll Call: Aye-All. Motion carried.

FINANCE

Raffle Request

The Commission received a request from the Days of 76 Museum, Inc. – proceeds for "Days of 76 Capital Campaign. Tickets will be sold for a raffle starting June 17, 2011 with the drawing to be held on December 9, 2011. No action was taken per SDCL 22-27

Payment Request

Peterson moved, Silvernail seconded, to approve the payment of \$3,465 to Golden West to renew two year Sonic Wall license for computers and servers, to be paid from Data Processing line item. Roll Call: Aye-All. Motion carried.

Travel Request

Peterson moved, Silvernail seconded, to allow Mary Jo Nelson, Ronda Morrison, Jim Raysor and Bob Nelson Sr. to attend workshop in Rapid City on June 22 or June 23, cost \$50 each and use of City vehicle. Roll Call: Aye-All. Motion carried.

Payment Request

Peterson moved, Silvernail seconded, to allow the Finance Officer to pay budgeted allocation of \$3,500 to the Northern Hills Shrine Circus, to be paid from Bed and Booze Fund. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, June 13, 2011

EXECUTIVE SESSION, June 14, 2011

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Plat Request

Silvernail moved, Peterson seconded, to allow the Mayor to sign the Plat of Tract A-1 of Placer Claim 120, Blacktail Lode, and 66' Dedicated Public Right-of-Way, formerly Tracts A and B of Placer Claim 120, Blacktail Lode, located in the NW ¼ of Section 28, T5N, R3E, B.H.M., Lawrence, County, SD. Roll Call: Aye-All. Motion carried.

Contract – Turnbull & Son Masonry

Commissioner Silvernail asked if bumpers would be installed in the Qwest Lot to eliminate damage to the retaining wall. Commissioner Todd questioned the additional expense and necessity of placing limestone veneer on this wall and added there are other retaining walls in Deadwood that do not have a limestone veneer on them. Todd asked if the City would be responsible for the entire bill or if it would be split with the day care. Due to the veneer, being placed on the City the day care will not be asked to cost share this expense. Kevin Kuchenbecker said the wall is on City property and he feels it is necessary for the City to follow the guidelines and lead by example. Commissioner Van Den Eykel agreed with Todd. Silvernail moved, Toscana seconded, to contract with Turnbull and Son Masonry to lay limestone veneer on concrete wall in the Qwest Lot at a cost of \$8,505, to be paid from Historic Preservation Capital Asset line item. Roll Call: Aye-All. Motion carried.

Payment Request

Silvernail moved, Van Den Eykel seconded, to approve the payment of \$2,750 to Amano McGann for a new ticket reader at the Broadway Parking Ramp, due to failure of current reader, to be paid from Broadway Ramp Fund. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Todd seconded, to enter into a contract with Flat Earth Sign Design to create six display panels to be used in the Baggage Room at the Deadwood History and Information Center, cost not to exceed \$5,400, to be paid from Historic Preservation Public Education budget. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Van Den Eykel seconded, to hire HCW, Inc. to install Methodist Church bell in Methodist Memorial Park at a cost not to exceed \$2,408.17, including excise tax. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Peterson seconded, to approve the hiring of intern Mark Mayfield at \$7.61 per hour, effective June 20, 2011, pending pre-employment drug screen. Roll Call: Aye-All. Motion carried.

STREETS/WATER/LIBRARY - Item not on Agenda

Wild Bill Days Events

Commissioner Todd said he was contacted by a vendor and questioned street closures for delivery trucks making deliveries on Friday, June 17, 2011. Chief Fuller gave a detailed route and reassured the Commission they will address and issues that may arise.

POLICE/FIRE

Purchase Request – Meters Sherman Street Lot (Tabled 5-31-2011)

Commissioner Silvernail said she received three residents opposed and five in favor of metering Sherman Lot. Silvernail said that after visiting with the residents they did not realize that the parking meter revenue subsidizes the City trolley shortfall. Commissioner Todd said he has visited with residents and none of them is in favor of metering this lot. Todd questioned the expenditure at this time and mentioned the fact that the City has contacted FourFront Design to assist in the development of comprehensive pedestrian and vehicular enhancements. Todd suggested waiting on this matter until FourFront Design completes their final proposal. Van Den Eykel agreed with Todd and suggested tabling this matter until City receives the FourFront Design proposal. Toscana said he does not have a problem with purchasing the meters however, he does not want to install them to see them being taken out for more repairs. Kuchenbecker said the final proposal from FourFront Design would be completed within the next two weeks. Mayor Toscana added that the Commission is bringing up a lot of good points and should be addressed. After much discussion, Mayor Toscana suggested continuing to a further date for the final proposal from FourFront and until the City determines if they hire

REGULAR MEETING, June 13, 2011
EXECUTIVE SESSION, June 14, 2011

FourFront Design. Silvernail moved, Peterson seconded, to continue this matter until the City receives the final proposal from FourFront Design. Roll Call: Aye-All. Motion carried.

Hire Request

Silvernail moved, Todd seconded, to approve the hiring of the following temporary officers at \$14.50 per hour for the 2011 motorcycle rally: Megan Jansma, Mark Norris, Darrin Sinner, Steve Brink, Lanny Klinkhammer, Jeff Grendle, Andy Peterson, and Justine Hilmoe. Roll Call: Aye-All. Motion carried.

Wage Increase

Silvernail moved, Peterson seconded, to approve the wage increase for Alexandra Lindemann-Johnson to \$14.49 per hour, effective June 2, 2011, 90% of prevailing wage for ordinance officer. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Use of Trolley

Todd moved, Silvernail seconded, to allow the trolley to participate in the July 4 parades in Belle Fourche and Lead. Roll Call: Aye-All. Motion carried.

MAYOR BUSINESS

Correction – Planning and Zoning Commission

Silvernail moved, Van Den Eykel seconded, to change term for recently appointed Planning and Zoning Commission from three year to five-year terms for Mel Allen and Sheree Green. Roll Call: Aye-All. Motion carried.

Resolution 2011-12

Silvernail moved, Todd seconded, to approve Resolution 2011-12 Support of Application to Occupy S.D. Department of Transportation Highway Right-of-Way for the Days of 76 Parade. Roll Call: Aye-All. Motion carried.

RESOLUTION 2011-12
RESOLUTION IN SUPPORT OF APPLICATION TO OCCUPY
S.D. DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT-OF-WAY
WITHIN DEADWOOD CORPORATE LIMITS

WHEREAS, the City of Deadwood (CITY) will be home to the 88th Annual Days of '76 Celebration on July 26th through July 30th, 2011; and,

WHEREAS, the Days of '76 Parade is a time honored tradition during the Celebration; and,

WHEREAS, the size and popularity of the parade is such that CITY deems it necessary to block traffic along the parade route; and,

WHEREAS, State of South Dakota Highways 14A and 85 are located within the corporate limits of CITY and are affected by said closure; and,

WHEREAS, CITY herewith is submitting an application to the South Dakota Department of Transportation (SDDOT) for permit to occupy right-of-way for those portions of S.D. Highways 14A and 85 within the corporate limits of CITY on July 29, 2011, beginning at 1:15 p.m. until the end of the parade, and on July 30, 2011, beginning at 9:45 a.m. until the end of the parade; and,

WHEREAS, by submission of the application for permit to occupy right-of-way, CITY agrees to provide protection to highway traffic during occupancy by use of proper signs, barricades, flag persons, and lights as prescribed in the "Manual of Uniform Traffic Control Devices"; and,

WHEREAS, CITY further agrees to indemnify, hold and save harmless the State of South Dakota, its Department of Transportation, its Officers and Employees, from any and all suits, actions or claims of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of right-of-way designated in this Resolution;

NOW, THEREFORE, BE IT RESOLVED, that the City of Deadwood hereby supports the submission of the South Dakota Department of Transportation Application for Permit to Occupy Right-of-Way for the purpose described herein.

Dated this 13th day of June, 2011.

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

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REGULAR MEETING, June 13, 2011
EXECUTIVE SESSION, June 14, 2011

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

Special Session Request

City Attorney Jason Campbell requested Special Session on Tuesday, June 14, 2011 at 6:00 p.m. with potential to go into Executive Session for Legal Matters per SDCL 1-25-2- (3) with no action to be taken.

ADJOURNMENT

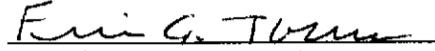
Silvernail moved, Peterson seconded, to adjourn the regular session at 5:50 p.m. The next regular meeting will be at 5:00 p.m. on Monday, June 13, 2011.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 6-20-11

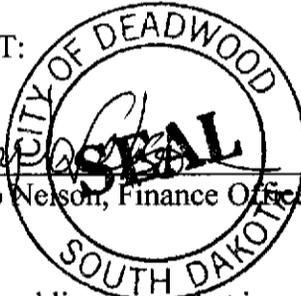
BY: 
Francis A. Toscana, Mayor

Executive Session – Tuesday, June 14, 2011

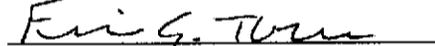
Toscana called meeting to order at 6:00 p.m. Silvernail moved, Van Den Eykel seconded, to go into Executive Session for Legal Matters per SDCL 1-25-2- (3). Silvernail moved, Peterson seconded to come out of Executive Session. No action taken. Silvernail moved to adjourn at 6:30 p.m.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 6-20-11

BY: 
Francis A. Toscana, Mayor

For any public notice, that is published one time:

Published once at the total approximate cost of _____.