

EXECUTIVE SESSION/REGULAR MEETING, June 20, 2011

The Regular Session of the Deadwood City Commission convened on June 20, 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 June 13, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the June 20, 2011 disbursements. Roll Call: Aye-All. Motion carried.

ADT SECURITY	SERVICES	668.96
AMERICAN RED CROSS	KIT	199.95
ARMSTRONG EXTINGUISHER	MAINT	735.72
BH CHEMICAL	SUPPLIES	1,586.65
BH POWER	UTILITY	17,615.43
BH SPECIAL SERVICES	CLEANING	966.00
BH WINDOW CLEANING	SERVICES	642.00
CAMPBELL SUPPLY	SUPPLIES	438.30
CHAINSAW CENTER	SPRING	127.77
CHRIS SUPPLY	PARTS	26.70
CRESCENT ELECTRIC	BULBS	268.96
D & F TRUCK-AUTO	REPAIRS	52.95
DAKOTA FENCE	SCOREBOARD	2,850.00
DAKOTA STATE UNIVERSITY	CONTRIBUTION	15,000.00
DAKOTACARE	PREMIUMS	42,505.18
DEADWOOD ECONOMIC DEV	CONTRACT	1,580.02
DEADWOOD HOME CENTER	PARTS	724.93
E.T. SPORTS	LAWNMOWER	13,270.55
ENERGY ELECTRIC	MONITOR	639.61
ENVIRONMENTAL EQUIPMENT	PARTS	13.95
FASTENAL	GLOVES	74.16
FOOTHILLS SEED	SOIL	140.00
FOURFRONT DESIGN	CORRIDOR PRJ	25,661.72
GAYLORD BROS.	SUPPLIES	207.97
GLOVER, SANDY	WRITING PADS	11.58
GOLDEN WEST	SERVICE	752.25
GOVERNMENT FINANCE OFFICER	NEWSLETTER	50.00
GRIMM'S PUMP	REPAIRS	247.60
HILLS MATERIALS	SIEVER PRJ	61.17
KT CONNECTIONS, INC.	BACK UPS	98.00
LEAD-DWD MEDICAL CLINIC	TESTING	72.00
MENARD'S	PARTS	99.99
NELSON, GREG	REIMBURSE	154.83
NEVE'S	UNIFORMS	178.80
PRESSURE SERVICES	REPAIRS	115.90
QWEST	SERVICE	278.10
RELIABLE OFFICE SUPPLIES	SUPPLES	127.53
SD DEPT-CORRECTIONS	FIREWISE	764.43
SD ONE CALL	SERVICE	33.30
SHRINE CIRCUS FUND	2011 FUNDING	3,500.00
SIG SAUER INC.	RIFLES	4,996.00
SPECIALTY VEHICLES	MODULES	804.25
STRETCH'S	REPAIRS	518.30
TRUGREEN CHEM-LAWN	SERVICE	1,011.00
TWILIGHT	SUPPLIES	60.75
ZIEGLERS	SUPPLIES	39.90
	TOTAL	\$ 139,973.16

ITEMS FROM CITIZENS ON AGENDA

Service Awards

Mayor Toscana presented Historic Preservation Officer Kevin Kuchenbecker and Water Department employee Scott Reif with 5-Year Service Awards, and Librarian Jeanette Moodie-Chaney with a 10-Year Service Award. Toscana thanked them for their years of service to the City of Deadwood.

Department of Legislative Audit

Al Schaefer, State Auditor, appeared to request permission for the Mayor and Finance Officer to sign the engagement letter for the 2010 audit. Silvernail moved, Peterson seconded, to allow the Mayor and Finance Officer to sign the engagement letter. Roll Call: Aye-All. Motion carried.

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PUBLIC HEARINGS/BID OPENINGS

Public Hearing

Silvernail moved, Peterson seconded, to approve the street closure request for the July 4th parade on Main Street from Four Aces to the Masonic Temple from 2:00 p.m. until the parade ends.

Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Peterson seconded, to approve the street closure request for the Grand Day in Deadwood parade on Main Street (to include side streets) on July 8, 2011 from Four Aces to the Masonic Temple from noon to 2:00 p.m. or until parade ends. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Todd seconded, to approve the request for a special full temporary liquor license at the rodeo grounds (Mineral Survey 60) for the Days of 76 events from July 24 through July 30, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Open Container/Special Malt Beverage

Silvernail moved, Van Den Eykel seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 24, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Silvernail moved, Van Den Eykel seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 25, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Silvernail moved, Todd seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 26, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Silvernail moved, Van Den Eykel seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 27, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Silvernail moved, Todd seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 28, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Silvernail moved, Van Den Eykel seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 29, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Silvernail moved, Todd seconded, to approve the request for special malt beverage license and waive open container Ordinance at the rodeo grounds (Mineral Survey 60) for the Days of 76 events on July 30, 2011 from 7:00 a.m. to 10:00 p.m. Roll Call: Aye-Silvernail, Todd, Van Den Eykel, Toscana. Abstain-Peterson. Motion carried.

Street Closures

Silvernail moved, Van Den Eykel seconded, to close Main Street from the Masonic Temple to Four Aces and a portion of Highway 14A from Four Aces to rodeo grounds, from 1:00 p.m. until parade ends on July 29 and from 9:30 a.m. until parade ends on July 30, 2011. Roll Call: Aye-All. Motion carried.

Waive Vendor Ordinance

Silvernail moved, Van Den Eykel seconded, to grant exception to the vending ordinance and allow vending on public property pursuant to City Code 5.28.060 for the Days of '76 event at the Days of '76 rodeo grounds on July 24-30, 2011. Roll Call: Aye-All. Motion carried.

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Sound Amplification

Silvernail moved, Van Den Eykel seconded, to allow sound amplification for music one (1) hour prior to rodeo starting. Roll Call: Aye-All. Motion carried.

Resolution 2011-13 – Set Public Hearing

Silvernail moved, Peterson seconded, to approve Resolution 2011-13, Notice of Intent to Lease to Private Party-Soda Fountain and set a public hearing at 5:10 p.m. on July 5, 2011. Roll Call: Aye-All. Motion carried.

**RESOLUTION
2011-13**

**RESOLUTION OF INTENT TO AUTHORIZE A LEASE OF MUNICIPAL PROPERTY TO
PRIVATE INDIVIDUAL AND
HOLD PUBLIC HEARING**

WHEREAS, the City of Deadwood by and through the Deadwood City Commission has determined and wishes to lease city owned historic soda fountain.

WHEREAS, the lease would be for a term exceeding 120 days and for an amount exceeding \$500 in annual value and pursuant to SDCL 9-12-5.2, the City of Deadwood must hold a public hearing on the adoption of the resolution; now therefore,

BE IT RESOLVED by the Deadwood City Commission that a public hearing be scheduled to consider said lease on the date and time set forth below.

NOTICE OF HEARING

The time and place for a public hearing on the above Resolution of Intent To Lease is as follows:

Hearing: 5:10 p.m. on July 5, 2011
Place of Hearing: Deadwood City Hall
102 Sherman Street
Deadwood, SD 57732

CITY OF DEADWOOD

/s/ Mary Jo Nelson, Finance Officer

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Lease Agreement

Silvernail moved, Van Den Eykel seconded, to allow the Mayor to sign the revised property lease agreement from the SD Department of Transportation for the use of the sand stockpile during the 2011 Days of 76 events. Roll Call: Aye-Silvernail, Van Den Eykel, Todd, Toscana. Abstain-Peterson. Motion carried.

FINANCE

Payment Request

Peterson moved, Silvernail seconded, to allow the Finance Officer to pay the 2011-budgeted allocation of \$5,000 to the Lead-Deadwood Gold Camp Jubilee from the Bed and Booze Fund. Roll Call: Aye-All. Motion carried.

Official Depository

Peterson moved, Van Den Eykel seconded, to allow the Finance Officer to utilize the serves of Great Western Bank, Spearfish, SD and Pioneer Bank and Trust, Spearfish, SD and add them to the official depository list for the City of Deadwood. Roll Call: Aye-All. Motion carried.

Finance Request

Peterson moved, Silvernail seconded, to allow Finance Officer to open a checking account at First National Bank, Lead, SD. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Payment Request

Peterson moved, Silvernail seconded, to hire One Way Service Pros to clean a portion of the tube heating system in the Public Works office at a cost of \$2,245, including tax, paid from Public Building line item. Roll Call: Aye-All. Motion carried.

Final Plat – Deadwood-Lead Economic Development

Silvernail moved, Peterson seconded, to approve and allow the Mayor to sign the final plat for Deadwood-Lead Economic Development: Final plat of Tract A and 25' Public Access and Utility Easement has been submitted to facilitate the transfer of land. Property is located between Sherman Street and Water Street and is under ownership of Deadwood-Lead Economic Development. Tract A and 25' Public Access and Utility Easement, formerly Lots 25, and 27 of Block 38, Except Westerly 28 feet, and the Westerly half of vacated Carney Street, Original

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Town of Deadwood, located in the NW ¼ of Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

FourFront Design – Sherman Street Parking Layout

Kevin Kuchenbecker informed the Commission that FourFront Design submitted a proposal for design documents and is requesting \$3,000 (not to exceed) to complete the construction documents for the Sherman Street Parking Lot project. According to Kuchenbecker Phase 1 of the project is to restripe the Sherman Lot. Kuchenbecker said once the construction documents are complete there are numerous parking spaces (266-Sherman Lot, and 41 on Carney Street) to be gained, and eight potential tour/charter bus spaces. After much discussion regarding an alternative site for tour/charter bus parking and parking spaces, the Commission decided to address and discuss these issues with Parking and Transportation Committee prior to approving this expenditure. Silvernail moved, Van Den Eykel seconded, to continue to June 27, 2011, to allow more time to research and find resolution on issues discussed. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Employee Resignation

Silvernail moved, Peterson seconded, to accept the resignation of Dawn Allen, reserve officer, effective June 9, 2011. Roll Call: Aye-All. Motion carried.

Wage Increase

Silvernail moved, Peterson seconded, to approve the wage increase of summer intern Justin Lux from \$7.50 to \$7.61 per hour, effective June 1, 2011. Roll Call: Aye-All. Motion carried.

Siever Street Parking Lot

Silvernail moved, Peterson seconded, to approve the quantity changes to the bid price from Hills Materials on the Siever Street Parking Lot Project, add \$2,742.86 to contract for a total contract amount of \$40,194.86. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase

Todd moved, Van Den Eykel seconded, to approve the wage increase of lifeguard Greg Stagner from \$7.61 and \$8.12 per hour, effective June 15, 2011, after completion of one year of service. Roll Call: Aye-All. Motion carried.

Hire Request

Todd moved, Van Den Eykel seconded, to approve the hiring of Barbara Hughes as trolley driver at \$9.13 per hour, effective June 21, 2011, pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

Transport Request

Todd moved, Van Den Eykel seconded, to allow The Lodge at Deadwood and First Gold to transport passengers between the 2 establishments on June 27 & 28, 2011. Roll Call: Aye-All. Motion carried.

MAYOR BUSINESS

Appoint Appraisal Board

On April 11, 2011, Tim Conrad proposed a land trade with the City of Deadwood. The City is required to obtain appraisals of the land involved in the proposed trade. The exchange of property may take place after the City has an appraisal performed by a board of three disinterested appraisers who are freeholders within the municipality per State statute. Mayor Toscana appointed the following: Mark Speirs, Vicki Johnson, and Donald (Sonny) Sorenson. Silvernail moved, Peterson seconded, to approve the said appraisal board. Roll Call: Aye-All. Motion carried.

Executive Session

Mayor Toscana requested an Executive Session following the Regular Session for Personnel matters per SDCL 1-25-2-(1) with no action to be taken.

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ADJOURNMENT

Silvermail moved, Peterson seconded, to adjourn the regular session at 5:45 p.m. and convene into Executive Session for personnel matters per SDCL 1-25-2-(1) with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, June 27, 2011.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 6-27-11

BY: Francis A. Toscana
Francis A. Toscana, Mayor

