

REGULAR MEETING, March 25, 2013

The Regular Session of the Deadwood City Commission convened on March 25, 2013 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 Quentin L. Riggins 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, Todd seconded to approve the regular minutes and the Board of Equalization minutes on March 18, 2013. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the March 25, 2013 disbursements. Roll Call: Aye-All. Motion carried.

AINSWORTH-BENNING	PROJECT	15,638.92
ATCO INTERNATIONAL	SUPPLIES	166.00
CRARY HUFF	SERVICES	38.00
DAKOTACARE	INSURANCE	39,885.45
ENVIRONMENTAL EQUIPMENT	SWEEPER	958.18
FIRST INTERSTATE	TIF	2,969.04
GALLS	LIGHTHEAD	219.98
GENPRO	SERVICES	511.97
GRIMM'S	SUPPLIES	36.20
GUNDERSON, PALMER, NELSON	SERVICES	4,369.92
HEWLETT-PACKARD	EQUIPMENT	21,934.98
INTOXIMETERS	MOUTHPIECES	140.00
KELLY FULLER	REIMBURSEMENT	400.28
KEN'S CAMPER	SUPPLIES	11.21
LEXIS NEXIS	SERVICE	39.49
MED-TECH RESOURCE	BAGS	114.54
PINEVIEW GROUP	LOAN	232,459.33
PITNEY BOWES	LEASE	237.93
SD REDBOOK	SUPPLIES	336.56
STANGER, RICHARD	REIMBURSEMENT	20.00
SWIM LESSONS UNIVERSITY	CONFERENCE	255.00
TROPHY AWARDS	AWARDS	111.95
TSP THREE	SERVICES	8,724.76
TWILIGHT	SUPPLIES	358.80
ZEP	SUPPLIES	432.04
ZOGICS	SUPPLIES	719.40
	TOTAL	\$331,089.93

ITEMS FROM CITIZENS ON AGENDA

Permanent Structure

Brad Moreno, resident of Deadwood, asked the Commission to allow him to build a structure on Lot 33D, Subdivision of Lot 33. The Easement was conveyed to Doug Jacobson in exchange for city purchase of property in 2012, which states no permanent structure can be built. He stated his family would like to put a carport there, one that would compliment the home and not take away from the historic effect. Toscana questioned that if the house would sell years from now, would we have to do another easement with the new owner. Attorney Riggins replied that we would since it is on City property. After discussion Silvernail moved, Todd seconded to allow a carport contingent upon approval from Historic Preservation and Planning and Zoning and if property is sold, the new buyer must come before the Commission. Roll Call: Aye-All. Motion carried.

Trolley Service

Mary Kopco, Deadwood History Inc. asked the Commission for use of a special trolley to take people to Frawley Ranch on June 10, 2013 and pick up on June 12, 2013, on June 25, 2013 to take people from Days of '76 to Broken Boot, and on July 26, 2013 to take people from the Homestake Adams Research and Cultural Center to Days of '76 Museum. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening-Library

Public Works Director Jim Raysor opened one bid for the removal and replacement of a portion of the Library roof. Bid bond were included in the following bid submittal:

Lowe Roofing, Inc. - \$45,595.00

Raysor requested to accept the bid from Lowe Roofing. Silvernail moved, Van Den Eykel seconded to said request. Roll Call: Aye-All. Motion carried.

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Low Bid

Silvernail moved, Van Den Eykel seconded to accept the low bid and enter into contract with Lamb Painting, Inc. for \$6,000.00 to paint the City Hall exterior. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Silvernail seconded to set a public hearing at 5:05 p.m. on April 8, 2013 for waiver of vending fees for the Wolfpack Working Dogs Trail. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Van Den Eykel seconded to set a public hearing at 5:10 p.m. on April 8, 2013 for open container, street closure and waiver of vendor fees for Days of '76 Event. Roll Call: Aye-All. Motion carried.

FINANCE

Appraisal Report

Peterson moved, Silvernail seconded to accept the appraisal report from appointed committee regarding the 2006 trolley, which was valued at \$15,000.00. Roll Call: Aye-All. Motion carried.

Resolution 2013-06

Peterson moved, Silvernail seconded to approve Resolution 2013-06 to surplus property. Roll Call: Aye-All. Motion carried.

**RESOLUTION NO. 2013-06
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following property to be declared surplus and sold to Lead Chamber of Commerce:

2006 Trolley VIN # 1F6NF53S040A10731

BE IT FURTHER RESOLVED that Mayor Francis Toscana, Commissioner Joe Peterson, and Commissioner Gary Todd were appointed to appraise the value of the vehicle and have filed an attached report to value at \$15,000.00.

BE IT FURTHER RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following property be declared surplus and disposed of according to state statute, including disposal, sale or transfer to other government agency.

**1993 416B Caterpillar Backhoe Serial # 85G02110
2007 Dodge Durango VIN # 1D8HB38P97F549303**

Dated this 25th day of March, 2013

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

Bid Opening

Peterson moved, Todd seconded to set a bid opening at 5:05 p.m. on May 20, 2013 for surplus 2007 Dodge Durango. Roll Call: Aye-All. Motion carried.

Permission

Peterson moved, Silvernail seconded to sell surplus 2006 trolley to Lead Chamber of Commerce at a price of \$15,000.00. Roll Call: Aye-All. Motion carried.

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HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Plat

Silvernail moved, Peterson seconded to approve the plat of Visitor Center Lot of Block 26 and Adams Museum Lot of Block 27, Formerly a Portion of M.S. 263, Seiver Street, lot A and Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, and 23 of Block 26, Lots 20, 22, and 24 of Block 27, Original Town of Deadwood, all located in the SE1/4 of Section 22 and the Sw1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Approved by Planning and Zoning Commission on March 20, 2013. Roll Call: Aye-All. Motion carried.

Plat

Silvernail moved, Todd seconded to approve the plat of Lot 16, Block 2 of Palisades Tract of Deadwood Stage Run Addition, all located in the SW1/4 Section of 14, the SE1/4 of Section 15, the NE1/4 NE1/4 of Section 22 and the N1/2 NW1/4 of Section 23, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Approved by the Planning and Zoning Commission on March 20, 2013. Roll Call: Aye - Silvernail, Todd, Toscana, Van Den Eykel. Abstain - Peterson. Motion carried.

STREETS AND WATER/LIBRARY

Contract

Van Den Eykel moved, Todd seconded to enter into contract with Four Front design in the amount of \$9,974.00 for Broadway Alley repairs from Shine Street to Lee Street, budgeted item. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Parking

Silvernail moved, Todd seconded to follow the recommendation from Parking and Transportation to add a charter bus parking loading/unloading spot on Deadwood Street near the Adams Museum from May 1, 2013 through September 30, 2013, seven days a week from 8:00 a.m. to 5:00 p.m. for Boot Hill Tours. Roll Call: Aye-All. Motion carried.

Reassign

Silvernail moved, Peterson seconded to reassign Ken Mertens to Police Lieutenant effective April 1, 2013 at \$22.61 an hour. Roll Call: Aye-All. Motion carried.

Hire

Silvernail moved, Todd seconded to hire Greg Nelson as a part time temporary Patrol Officer on an as needed basis effective April 14, 2013 at \$18.23 an hour, 90% prevailing wage. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase

Todd moved, Van Den Eykel seconded to increase the wage of Trolley Driver, David Osborne, from \$10.35 to \$11.38 effective March 24, 2013 after three years of service. Roll Call: Aye-All. Motion carried.

Hire

Todd moved, Van Den Eykel seconded to hire Ken Allen for seasonal Parks Department position at \$8.00 an hour effective March 26, 2013 pending pre-employment screening. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Agreement

Silvernail moved, Peterson seconded to allow the Mayor to sign the agreement between the City of Deadwood and Lance Engineering for City hall HVAC project. Roll Call: Aye-All. Motion carried.

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Amendment Form

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign the Listing Change/Amendment Form to reduce the price of 124 Sherman Street property to \$799,000.00. Roll Call: Aye-All. Motion carried.

Agreement

Silvernail moved, Todd seconded to allow the Mayor to sign the agreement between the City of Deadwood and Arleth land Surveying LLC for property survey at 124 Sherman Street at a cost of \$1,740.00. Roll Call: Aye-All. Motion carried.

Agreement

Silvernail moved, Peterson seconded to allow the Mayor to sign the agreement between the City of Deadwood and South Dakota Commission on Gaming for the five parking spots located in the Miller Street Parking Lot. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

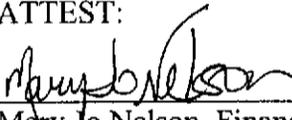
Executive Session

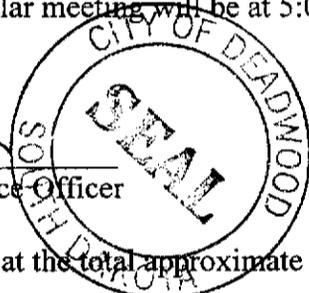
Mayor Toscana requested executive session for Personnel Matters per SDCL 1-25-2 (1) and Legal Matters per SDCL 1-25-2 (3) with no action.

ADJOURNMENT

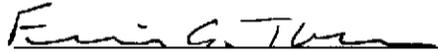
Silvernail moved, Peterson seconded to adjourn the regular session at 5:31 p.m. and convene into Executive Session for Personnel Matters per SDCL 1-25-2 (1) and Legal Matters per SDCL 1-25-2 (3). The next regular meeting will be at 5:00 p.m. on Monday April 1, 2013.

ATTEST:


Mary Jo Nelson, Finance Officer



DATE: 4-1-13

BY: 
Francis A. Toscana, Mayor

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