REGULAR MEETING, May 29, 2012

The Regular Session of the Deadwood City Commission convened on May 29, 2012 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commissioner Georgeann Silvernail called the meeting to order with the following members present: Department Heads and Commissioners, Joe Peterson, Gary Todd, and Jim Van Den Eykel. Mayor Toscana was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Todd moved, Van Den Eykel seconded to approve the minutes of May 21, 2012. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Peterson moved, Todd seconded to approve the May 29, 2012 disbursements. Roll Call: Aye-All. Motion carried.

ABC BUSINESS	LIGHTS	177.31
ADLER INDUSTRIES	PROJECT	143.67
ALL NET	REPAIRS	697.36
ARLETH & ASSOCIATES	PLATTING	2,430.00
ATCO INTERNATIONAL	SUPPLIES	105.00
BH CHEMICAL	SUPPLIES	414.25
BH POWER	ELECTRICITY	2,735.39
BH SPECIAL SERVICES	CLEANING	1,144.50
BRANDON INDUSTRIES	SIGNAGE	4,789.00
CAMPBELL SUPPLY	ROUNDUP	85.06
CENTURY BUSINESS	MAINTENANCE	239.80
CHAINSAW CENTER	SUPPLIES	134.97
CNA SURETY	NOTARY RENEWAL	50.00
CORR CONSTRUCTION	RETAING WALL	64,397.05
CRARY, HUFF, RINGGENBERG,	RETAINER	1,500.00
CULLIGAN	SUPPLIES	77.50
DAKOTA BUSINESS	MAINTENANCE	121.71
DAKOTA SUPPLY	SADDLE	244.10
DEADWOOD ELECTRIC	WIRE	1,996.94
DRAGOO CABINETS	BAGGAGE ROOM	236.54
EMMANUEL EPISCOPAL CHURCH	GRANT	20,000.00
FASTENAL COMPANY	SCREWS	14.96
FOURFRONT DESIGN,	ENGINEERING	1,223.46
FREEMAN'S ELECTRIC	REPAIR	282.00
GOLDEN WEST	MAINTENANCE	6,480.00
GRIMM'S PUMP	REPAIR	336.95
GROLL, LARRY	TRAVEL	55.00
HAWKI, KEN	TRAVEL	148.41
HOMESTAKE ADAMS RESEARCH	GRANT	2,500.00
HOMESTEAD NURSERY	FLOWERS	955.04
KNOLOGY	SERVICE	1,719.08
KOLBE, ROBERT	COLLECTION	335.00
L.L. BEAN	FEES	275.00
LAKER CHEMICAL	TERMINATOR	208.50
LAWRENCE CO. EQUALIZATION	PROJECT	6,072.94
LAWRENCE TITLE COMPANY	CLOSING COST	120.00
LYNN'S	SUPPLIES	24.58
M&M SANITATION	RENTAL	542.81
MIDDLEMAS, KAITLAN	REIMBURSEMENT	26.48
NHS OF THE BH	CONTRACT	21,725.00
NORTHERN HILLS SOD FARM	PALLET	300.00
NORTHWEST PIPE FITTINGS	BOWL	121.41
OLD FORT MEADE MUSEUM	GRANT	5,915.98
P & T PRODUCTS	FREIGHT	1,588.00
PANNIER	PROJECT	674.30
PETTY CASH/HISTORIC PRESER	REIMBURSMENT	157.49
ROGERS CONSTRUCTION, INC.	PROJECT	51,958.35
SD DEPT. OF ENVIRONMENT	SYSTEM FEE	650.00
SHRINE CIRCUS FUND	ALLOCATION	3,500.00
SPEIRS, MARK	PAINTING	160.00
STANLEY STEEMER	CLEANING	2,663.37
TDG COMMUNICATIONS	MARKET	90.00
TRIPLE K	TIRES	818.00
TRU-FORM CONSTRUCTION	PAY APP	57,347.96
TWILIGHT	SUPPLIES	157.07
VANWAY TROPHY	AWARDS	58.85
WAUPACA NORTHWOODS	BARK	314.60
WELLARD, KEITH	TRAVEL	55.00
ZEP SALES	SUPPLIES	206.52
	TOTAL	**$** 271,502.26

ITEMS FROM CITIZENS ON AGENDA

Years of Service Awards

Commissioner Silvernail presented Asst. Finance Officer Ronda Morrison with a certificate and jacket for 25 years of service with the City of Deadwood.

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PUBLIC HEARINGS/BID OPENINGS

Bid Opening Pedestrian Stairway
Public Works Director Jim Raysor opened four bids for the Pedestrian Stairway Rehabilitation and Replacement Project. Bids are as followed:

	J.V. Bailey Cont.	RCS Const	Ainsworth Benning	CAI Const.
Total Bid	$ 175,000.00	$ 177,196.13	$ 208,260.00	$ 190,000.00
Bid Bond	Yes	Yes	Yes	Yes
Site 1	$ 62,000.00	$ 49,728.55	$ 63,460.00	$ 59,000.00
Site 2	$ 15,000.00	$ 7,613.63	$ 12,000.00	$ 10,000.00
Site 3	$ 33,000.00	$ 40,000.93	$ 43,700.00	$ 39,000.00
Site 4	$ 43,000.00	$ 56,897.44	$ 60,100.00	$ 57,000.00
Site 5	$ 22,000.00	$ 22,955.58	$ 29,000.00	$ 25,000.00

Jim Raysor requested to continue the bid opening to review and forward to South Dakota Department of Transportation since project involves grant funds. Todd moved, Van Den Eykel seconded to continue. Roll Call: Aye-All. Motion carried

Public Hearing Days of 76
Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance at the Rodeo Grounds on July 24, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried

Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance at the Rodeo Grounds on July 25, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried

Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance at the Rodeo Grounds on July 26, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried

Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance at the Rodeo Grounds on July 27, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried

Todd moved, Van Den Eykel seconded to allow the relaxation of the open container ordinance at the Rodeo Grounds on July 28, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried

Van Den Eykel moved, Todd seconded to approve the street closure on Main Street from Masonic Temple to Four Aces and a portion of 14A from Four Aces to Rodeo Grounds from 1:00 p.m. until parade ends on July 27, 2012 and from 9:30 a.m. until parade ends on July 28, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried.

Van Den Eykel Todd seconded to waive the vending fee and allow vending for Days of 76 Events on July 24 – July 28, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried.

Van Den Eykel moved, Todd seconded to allow special full temporary liquor license for the Days of 76 Events on July 24 – July 28, 2012. Peterson Abstained. Roll Call: Aye-All. Motion carried.

Public Hearing Bear Butte Day Camp
Todd moved, Peterson seconded to allow the exception to User Fee Ordinance at the Rodeo Grounds on June 9, 2012 for the Bear Butte District Day Camp. Roll Call: Aye-All. Motion carried.

FINANCE

Permission to Sign
Todd moved, Van Den Eykel seconded to allow Mayor to sign the Financial Status Report and release grant number EECBGLG023 commitment to state for Energy grant at property formerly known as Blondies. . Roll Call: Aye-All. Motion carried.

REGULAR MEETING, May 29, 2012

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Change Order
Van Den Eykel moved, Todd seconded to approve the Change Order #10 in the amount of $20,175.59 at Days of 76 Museum Building, bringing total cost of contract with Scull Construction to $3,476,479.22. Roll Call: Aye – All. Motion carried.

Change Order
Van Den Eykel moved, Peterson seconded to approve the Change Order #2 for retaining wall at 334 Williams Street in the amount of $1,825.00, bringing total cost of contract with RCS Construction to $301,942.35. Roll Call: Aye – All. Motion carried.

Permission to Sign
Todd moved, Peterson seconded to allow Mayor to sign Certificate of Substantial Completion for Days of 76 Museum. Roll Call: Aye – All. Motion carried.

Contract
Peterson moved, Van Den Eykel seconded to enter into contract with Arleth and Associates to survey property line at St. Ambrose Cemetery in the amount of $2,350.00 and direct City Attorney to prepare said contract. Roll Call: Aye – All. Motion carried.

Approve Expenditure
Van Den Eykel moved, Todd seconded to approve the expenditure of $4,000.00 to develop written narrative of baseball history and allow Mayor to sign contract with David Kemp, to be paid from Archives budget. Roll Call: Aye – All. Motion carried.

STREETS AND WATER/LIBRARY

Contract
Van Den Eykel moved, Todd seconded to enter into contract with Ainsworth Benning to repair settled storm inlet at cost of $1,783.96 and direct City Attorney to prepare said contract. Roll Call: Aye – All. Motion carried.

POLICE/FIRE

Resignation
Silvernail moved, Van Den Eykel seconded with regret the resignation of Reserve Police Officer, Alexandra Lux effective June 4, 2012. Roll Call: Aye – All. Motion carried.

Approve Purchase
Silvernail moved, Todd seconded to purchase foam from Spearfish Canyon Fire at a cost of $1,534.50. Roll Call: Aye – All. Motion carried.

Hire
Silvernail moved, Todd seconded to hire David Riley, as Ordinance Officer effective June 12, 2012 at $14.77 an hour, (90% of prevailing wage). Roll Call: Aye – All. Motion carried.

PARKS/RECREATION/TROLLEY

Lead Deadwood School Program
Commissioner Todd thanked the Lead Deadwood Elementary School and Mr. Kosters for the Summer Lunch program, providing lunch for children through the age of 18. This program runs from May 29 through August 3, 2012 at the Lead Deadwood Elementary School Lunch Room.

Wage Increase
Todd moved, Van Den Eykel seconded to increase the wage of Trolley Driver, Art Reato from $11.38 an hour to $12.14 an hour effective May 25, 1012 after four years of service. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, May 29, 2012

LEGAL BUSINESS

Contract
Todd moved, Van Den Eykel seconded to allow Mayor to sign contract with Sue Konstant, from Pace Strategic Development for Capital Improvement Plan Coordination. Roll Call: Aye-All. Motion carried.

Surplus Grocery Store
Van Den Eykel moved, Todd seconded to surplus the grocery store and agreed to boundaries of property as presented in diagram provided to Commission. The boundary as presented insures ingress and egress from Water Street. Roll Call: Aye-All. Motion carried.

Hire
Todd moved, Van Den Eykel seconded to hire Ray Klein, Certified General Appraiser, to appraise grocery store at a cost of $3,500.00. Roll Call: Aye-All. Motion carried.

ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

City Attorney Jason Campbell has been reviewing his opinion on conflict of interest. According to Campbell, the case law he reviewed does not conform to Van Den Eykel's definition of conflict. Campbell requested a written opinion from Commissioner Van Den Eykel.

Public Works Director Jim Raysor asked that the Memorial Day Flowers at the cemetery be off gravesites by the week of June 18, 2012.

Commissioner Van Den Eykel read two letters from the Library Board thanking the City of Deadwood for contribution of 2 six-month passes to Deadwood Rec Center for Bookmark Contest.

Commissioner Todd thanked the Parks Department for the appearance of the Cemetery for Memorial Day.

Commissioner Silvernail congratulated Kip Mau as being named South Dakota School Resource Officer of the Year.

ADJOURNMENT
Van Den Eykel moved, Silvernail seconded to adjourn the regular session at 5:30 p.m. The next regular meeting will be at 5:00 p.m. on Monday June 4, 2012.

CITY OF DEADWOOD SEAL SOUTH DAKOTA

ATTEST: DATE: 6-4-12

Mary Jo Nelson, Finance Officer

BY: Francis A. Toscana, Mayor

Published once at the total approximate cost of _____.