

## REGULAR MEETING, November 5, 2012

An Executive Session convened on November 5, 2012 at 4:00 p.m. at 102 Sherman Street, Deadwood, South Dakota. Mayor Toscana called the meeting to order with the following Commission members present: Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel.

Silvernail moved, Van Den Eykel seconded to move into executive session for contractual matters per SDCL 1-25-2 (3). Roll Call: Aye-All. Silvernail moved, Van Den Eykel seconded to come out of Executive Session with no action taken.

The Regular Session of the Deadwood City Commission convened on November 5, 2012 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 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 October 29, 2012. Roll Call: Aye-All. Motion carried.

OCTOBER, 2012 PAYROLL: COMMISSION, \$2,730.76; ATTORNEY, \$5,656.16; FINANCE, \$13,625.53; PUBLIC BUILDINGS, \$1,313.05; POLICE, \$40,657.76; FIRE, \$4,446.40; BUILDING INSPECTION, \$3,422.16; STREETS, \$24,083.57; PARKS, \$20,273.80; PLANNING & ZONING, \$3,777.70; LIBRARY, \$5,453.12; RECREATION CENTER, \$11,024.66; HISTORIC PRESERVATION, \$13,885.03; WATER, \$12,921.02; MT. MORIAH, \$2,938.36; PARKING METER, \$8,899.92 TROLLEY, \$16,400.07; PARKING RAMP, \$5,760.90; RUBBLE SITE, \$1,874.00. **PAYROLL TOTAL: \$199,143.97**

### OCTOBER 2012 PAYROLL PAYMENTS:

Internal Revenue Service, \$44,510.61; S.D. Retirement System, \$20,452.96; Delta Dental, \$3,743.92

### APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded to approve the November 5, 2012 disbursements and additional bill. Roll Call: Aye-All. Motion carried.

A & B WELDING	OXYGEN	109.57
A-TECH SEWER	MAINTENACNE	4,875.00
AMERICAN LIBRARY	MEMBERSHIP	240.00
BH POWER	ELECTRICITY	6,176.21
BLACKSTRAP	SALT	3,671.25
BLOOMERS	FLOWERS	50.00
BUTLER MACHINERY	SUPPLIES	68.52
CENTURION TECHNOLOGIES	MAINTENANCE	50.00
DEADWOOD ELECTRIC	SERVICE	1,158.88
DEADWOOD FIRE DEPARTMENT	AWARDS	300.00
EDDIE'S TRUCK SALES	SERVICE	715.63
EMERY-PRATT	BOOKS	149.38
ENVIRONMENTAL PRODUCTS	CREDIT	399.62
FOREMOST PROMOTIONS	SUPPLIES	1,054.69
JACOBS WELDING	TELE	293.00
KNECHTS	SUPPLIES	1,208.54
KNOLOGY	SERVICE	268.39
L-D SANITARY DISTRICT	FEAGE	23,309.55
LEE, JAMES	REIMBURSEMENT	52.99
MENARD'S	SUPPLIES	426.09
MIDWEST TAPE	DVD'S	479.04
MDU	GAS	3,665.88
NEWSWEEK	SUBSCRIPTION	35.00
ORIENTAL TRADING	SUPPLIES	228.91
PITNEY BOWES	POSTAGE	500.00
PLATINUM CHEMICALS	SUPPLIES	858.12
POSITIVE PROGRAMS	SUPPLIES	611.07
RADIOSHACK	SCREEN	259.98
RC JOURNAL	SUBSCRIPTION	210.60
RAPID TIRE	ALIGNMENT	123.60
RASMUSSEN MECHANICAL	SERVICE	341.30
S&C CLEANERS	CLEANING	1,206.00
SCHAEFFER MANUFACTURING	SEALANT	626.34
SD PUBLIC HEALTH LAB	TESTING	39.00
SD STATE ARCHIVES	MICROFILM	57.60
TWIN CITY HARDWARE	FASTENERS	2,681.76
TYCO INTEGRATED SECURITY	SERVICE	655.91
WESTERN COMMUNICATIONS	UNIT	494.00
	<b>TOTAL</b>	<b>\$59,645.42</b>

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### ITEMS FROM CITIZENS ON AGENDA

#### Pineview Building

Building Inspector, Keith Umenthum gave an update to the Commission regarding construction at the Pineview Building. He informed the Commission that Lance Redinger, with Lance Engineering and himself inspected the building. Lance gave the City a report, which indicates some concerns and recommendations, particularly with the front wall of the building. Lance recommends obtaining written confirmation from the engineer of record, Dwayne Boise, stating the building is ok or what needs to be corrected as far as temporarily stabilizing the walls.

#### Mt Moriah Tour Bus Renewals

Todd moved, Van Den Eykel seconded to approve the Mt. Moriah Tour Bus Licenses for Alkali Ike, Boot Hill, and Original Deadwood Tours for 2013. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS/BID OPENINGS

#### Public Hearing - BID 1-6

Public hearing was opened at 5:05 p.m. by Mayor Toscana, there being no one present to speak in opposition, Silvernail moved, Todd seconded to approve the Notice of Intent to Levy 2013 Taxes for Business Improvement District 1-6 per Resolution 2012-24 passed on September 24, 2012. Roll Call: Aye-All. Motion carried.

#### Public Hearing - BID 7

Public hearing was opened at 5:07 p.m. by Mayor Toscana, there being no one present to speak in opposition, Silvernail moved, Todd seconded to approve the Notice of Intent to Levy 2013 Taxes for Business Improvement District 7 per Resolution 2012-26 passed on September 24, 2012. Roll Call: Aye-All. Motion carried.

#### Public Hearing – Veterans & Military Event

Public hearing was opened at 5:05 p.m. by Mayor Toscana. Michael Trucano requested approval for the following event:

#### Street Closure and Banner Fees

Silvernail moved, Todd seconded to approve the street closure for the Veterans & Military Appreciation Parade on Main Street from the Four Aces to Masonic Temple and Pine Street to Sherman Street on Saturday, November 10, 2013 from 1:30 p.m. to 2:30 p.m. or until the parade ends and waive banner fees. No one spoke in opposition. Roll Call: Aye-All. Motion carried.

#### Set Public Hearing

Todd moved, Van Den Eykel seconded to set a public hearing at 5:05 p.m. on November 19, 2012 for the Deadwood's Winter Wonderland Events, requesting street closures, relaxation of open container, waiver of banner fees and horse and buggy rides. Roll Call: Aye-All. Motion carried.

### FINANCE

#### First Reading

Peterson moved, Silvernail seconded to approve the first reading of Ordinance #1180, Continuing Bid District 1-6 for 2013 and set public hearing on December 17, 2012 thirty days after publication of assessment levy. Roll Call: Aye-All. Motion carried.

#### First Reading

Peterson moved, Silvernail seconded to approve the first reading of Ordinance #1181, Continuing Bid District 7 for 2013 and set public hearing on December 17, 2012 thirty days after publication of assessment levy. Roll Call: Aye-All. Motion carried.

#### Legislative Audit

Peterson moved, Todd seconded to allow the Finance Officer to write a check to Department of Legislative Audit in the amount of \$14,007.60. Roll Call: Aye-All. Motion carried.

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### First Reading

Finance Officer Mary Jo Nelson provided the Commission with detailed documentation regarding the various funds that require a budget supplement for 2012. Peterson moved, Silvernail seconded to approve first reading of Supplemental Budget Ordinance #1184. Roll Call: Aye-All. Motion carried.

### Engagement Letter

Peterson moved, Silvernail seconded to allow the Mayor and Finance Officer to sign the engagement letter with Grant Thornton to perform an arbitrage calculation on Series 2003-2004 Certificates of Participation and pay \$3,000.00 from Historic Preservation Fund. Finance Officer Mary Jo Nelson said an arbitrage calculation is required every five years or when a bond is paid off. Roll Call: Aye-All. Motion carried.

### Payment

Peterson moved, Silvernail seconded to allow the payment to bondholders in the amount of \$484,837.50 in interest and \$1,660,000.00 in principal for Historic Preservation Certificates of Participation. Roll Call: Aye-All. Motion carried.

## POLICE/FIRE

### Hire

Silvernail moved, Peterson seconded to hire Andrew Larive as a Police Reserve effective November 6, 2012 at \$11.38 an hour pending pre employment screening. Roll Call: Aye-All. Motion carried.

## PARKS/RECREATION/TROLLEY

### Wage Increase

Todd moved, Silvernail seconded to increase the wage of Trolley Driver Janet Pisciotta from \$9.31 to \$10.35 an hour effective November 3, 2012 after 18 months of service. Roll Call: Aye-All. Motion carried.

### Resignation

Todd moved, Van Den Eykel seconded to accept resignation from Trolley Drivers Linda Kottke and Del Pidde effective November 1, 2012 with permission to rehire at the same rate on May 24, 2013. Roll Call: Aye-All. Motion carried.

### Hire

Todd moved, Silvernail seconded to hire Jessica Johnson as a trainer at the Rec Center effective November 6, 2012 pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

## MAYORS BUISNESS

### Agreement

Silvernail moved, Todd seconded to allow the Mayor to sign the Facility Rental Agreement for the use of Days of 76 Museum on Thursday December 20, 2012 from 11:30 a.m. to 1:30 p.m. Roll Call: Aye-All. Motion carried.

### Engagement Letter

Silvernail moved, Van Den Eykel seconded to enter into contract with Gunderson, Palmer, Nelson and Ashmore and allow the Mayor to sign the engagement letter for legal services. The Mayor said the City will be working with Quentin Riggins and Terri Williams and other attorneys within that firm as needed. Quentin thanked the Commission for giving them the opportunity and looks forward to serving. Roll Call: Aye-All. Motion carried.

## ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

The winter hours for the Rubble Site will start the week of November 18, 2012. The winter hours will be Thursday through Saturday 8:00 a.m. to 4:00 p.m.

## ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:25 p.m. The next regular meeting will be at 5:00 p.m. on Monday November 12, 2012.

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ATTEST:

DATE: 11-12-13

*Ronda Morrison, Acting Town*  
Mary Jo Nelson, Finance Officer *Officer*

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

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