

## EXECUTIVE SESSION/REGULAR MEETING, November 7, 2011

The Regular Session of the Deadwood City Commission convened on November 7, 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, Gary Todd, Georgeann Silvernail, 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 31, 2011. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Silvernail moved, Todd seconded, to approve the November 7, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B WELDING	PARTS	14.59
ADT SECURITY	LIBRARY	621.72
ALCO	SUPPLIES	17.93
AMERICAN LIBRARY	MEMBERSHIP	235.00
BARCO PRODUCTS	SUPPLIES	709.50
BH PIONEER	PUBLICATIONS	442.00
BH POWER	UTILITIES	28.63
CAMPBELL, JASON	REIMBURSE	243.75
COMPANION LIFE	PREMIUM	230.91
DAKOTA SUPPLY	PARTS	1,058.60
DEADWOOD CHAMBER	BILLS	160,000.00
DEMCO, INC.	LABELS	119.92
EMERY-PRATT	BOOKS	143.73
FIRST WESTERN INSURANCE	INSURANCE	4,756.00
GOLDEN WEST	PAGER	163.03
HD SUPPLY WATERWORKS	PARTS	136.54
JACOBS WELDING	BASES	716.00
KNOLOGY	SERVICE	266.28
LEAD-DWD SANITARY DIST	USAGE	26,400.37
MCDIRT EXCAVATION	PAY APP #3/RYAN-PECK WTRMN	72,892.17
MIDWEST TAPE	DVDS	87.96
MDU	UTILITIES	4,773.35
NAPA	SUPPLIES	1,423.17
OCCUPATIONAL HEALTH NETWORK	TESTING	90.00
OTIS ELEVATOR	SERVICE	105.00
PACK HORSE LIQUOR	BATTERIES	15.23
PARTSMASTER	BITS	254.84
R & B SUPPLY CO., INC.	DEMOLITION BLADES	368.45
RAPID CITY JOURNAL	SUBSCRIPTION	192.00
RENNER, DONOVAN	REIMBURSE	113.40
ROLLING STONE	SUBSCRIPTION	29.95
SCHMIDT, WILLIAM	PAD PRJ	2,628.00
SD MUNICIPAL LEAGUE	REGISTRATION	40.00
SD STATE TREASURER	SALES TAX	3,524.89
SERVALL	SUPPLIES	1,580.11
STURDEVANT'S	PART	5.31
TRIDLE, JOHN	REIMBURSE	39.18
TWILIGHT FIRST AID	GLOVES	25.90
TC HARDWARE	SUPPLIES	1,525.56
WASTE CONNECTIONS	GB SERV/DUMPSTERS	8,181.87
	<b>TOTAL</b>	<b>\$ 294,200.84</b>

### ITEMS FROM CITIZENS ON AGENDA

#### Wild West Winterland Purchase Request/Update

Mary Kopco updated the Commission for the Wild West Winterland events and various expenditures for decorations. Kopco requested permission to pay the Lions Club \$250.00 for the decorating of the lampposts on Main Street from Four Aces to the Masonic Temple. Silvernail moved, Peterson seconded, to approve expenditure. Roll Call: Aye-All. Motion carried.

#### Hire Request

After much discussion, Van Den Eykel moved, Todd seconded, to approve the request from Wild West Winter Wonderland Committee to hire Mark Speirs and Paul Vandeveld to decorate Gordon Park at a cost of \$1,200.00. Roll Call: Aye-Van Den Eykel, Todd, Peterson, Toscana. Nay-Silvernail. Motion carried.

#### Contract

Todd moved, Van Den Eykel seconded, to allow the Mayor to sign the contract between the City of Deadwood, Mark Speirs, and Paul Vandeveld (SV) for the installation of Christmas lights at Gordon Park (utilizing lights owned by the City.) at a cost of \$1,200.00. Roll Call: Aye-All. Motion carried. SV to provide insurance certificate to the City.

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### Deadwood Chamber Request

Silvernail moved, Peterson seconded, to set a public hearing on November 14, 2011 at 5:05 p.m. to temporarily close the Interpretive Parking Lot to the public from 3:00 to 11:00 p.m. for filming of Great American Country Christmas show on November 22, 2011. Roll Call: Aye-All. Motion carried.

## PUBLIC HEARINGS/BID OPENINGS

### Public Hearing - BID 1-6

No one was present to speak in opposition for the Intent to Continue Business Improvement Districts, and to establish the Levy of Business Occupation Tax, and Establish rates for 2012 for Districts 1, 2, 3, 4, 5, and 6 per Resolution 2011-18 passed on September 19, 2011. Silvernail moved, Van Den Eykel seconded, to close public hearing. Roll Call: Aye-All. Motion carried.

### Public Hearing - BID #7

No one was present to speak in opposition for the Intent to Continue Business Improvement District No. 7 for 2012 per Resolution 2011-17 passed on September 19, 2011. Silvernail moved, Todd seconded, to close public hearing. Roll Call: Aye-All. Motion carried.

### Set Public Hearing

Silvernail moved, Van Den Eykel seconded, to set a public hearing at 5:07 p.m. on November 21, 2011 for the Cowboy Christmas Event. Roll Call: Aye-All. Motion carried.

## FINANCE

### Ordinance #1165 – First Reading

Peterson moved, Todd seconded, to approve first reading of Ordinance #1165 to Continue Business Improvement Districts 1-6 and Establish Assessments for 2012. Roll Call: Aye-All. Motion carried.

### Ordinance #1166 - First Reading

Peterson moved, Silvernail seconded, to approve first reading of Ordinance #1166 to Continue Business Improvement District #7 for 2012. Roll Call: Aye-All. Motion carried.

## HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

### Purchase Request

Silvernail moved, Peterson seconded, to approve the purchase of a new copier from Century Business Product Inc. at a cost not to exceed \$12,110.00, to be paid from Historic Preservation and Planning and Zoning. Roll Call: Aye-All. Motion carried.

### Findings of Fact

Silvernail moved, Peterson seconded, to approve the Findings of Fact for the Massage Therapy Office at 802 Main Street for Connie Atkinson and Keri Hopkins as recommended by the Planning and Zoning Commission and Board of Adjustment. Roll Call: Aye-All. Motion carried.

## STREETS/WATER/LIBRARY

### Information – DENR Letter

Public Works Director Jim Raysor provided the Commission with a copy of a letter received by DENR regarding the results of the samples taken at the slag pile site, which sloughed off into Whitewood Creek in October. Results indicated no water quality concerns. Raysor added that SD DOT would visit this site to assess any potential damage to the box culvert or potential flooding issues. After DOT has reviewed, they will report to their findings to the City.

### Purchase Request

Van Den Eykel moved, Silvernail seconded, to allow Public Works to purchase a concrete ICS saw from Stan Houston at a cost of \$2,089.00 and apply for a safety grant from SDML Worker's Compensation Fund, with 50% reimbursement by Workers Compensation. Roll Call: Aye-All. Motion carried.

EXECUTIVE SESSION/REGULAR MEETING, November 7, 2011

Agreement -- Leak Detection

Van Den Eykel moved, Silvernail seconded, to enter into a contract with Utility Services Associates for the 2012 Leak Detection Program at a cost of \$2,465.00, a budgeted item. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Donation -- Rec Pass

Todd moved, Van Den Eykel seconded, to approve the donation of a six-month (single adult) Rec Center pass for Galbraith fundraiser. Roll Call: Aye-All. Motion carried.

Wage Increase

Todd moved, Van Den Eykel seconded, to approve the wage increase for Debra Dauer, trolley driver, from \$9.13 per hour to \$10.15 per hour effective November 7, 2011, after 18 months years of service. Roll Call: Aye-All. Motion carried.

Employee Resignation

Todd moved, Silvernail seconded, to accept the resignation from Red Center Lifeguard, Clay Bedford effective September 1, 2011. Roll Call: Aye-All. Motion carried.

LEGAL

Permission to Sign

City Attorney Jason Campbell requested permission for the Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deed for Janet L. Merritt. Silvernail moved, Todd seconded, to allow the Mayor to sign said certificate and deed. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded, to approve and allow the Mayor to sign the contract between City of Deadwood and Wyss Associates, Inc. for the schematic plan and construction documents for the USS Maine Memorial at a cost not to exceed \$3,000.00. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded, to allow the Mayor to sign the contract between City of Deadwood and FourFront Design, Inc. to provide design services for the City's Cold Storage facility project at a cost not to exceed \$6,000.00. Roll Call: Aye-All. Motion carried.

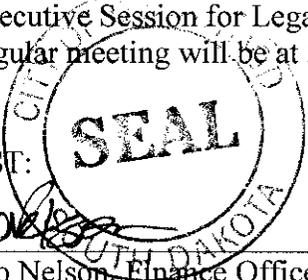
Request Executive Session

Jason Campbell requested an Executive Session following the Regular Session for Legal Matters per SDCL 1-25-2 (3) with no action to be taken.

ADJOURNMENT

Van Den Eykel moved, Todd seconded, to adjourn the regular session at 5:30 p.m. and convene into Executive Session for Legal Matters per SDCL 1-25-2 (3) with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, November 14, 2011.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: 11-14-11

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

For any public notice, that is published one time:

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