

REGULAR MEETING, October 29, 2012

The Regular Session of the Deadwood City Commission convened on October 29, 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, Todd seconded to approve the minutes of October 22, 2012. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded to approve the October 29, 2012 disbursements and additional bill. Roll Call: Aye-All. Motion carried.

ABC BUSINESS SUPPLY	NOTEBOOK	1,873.67
ADDINGTON, ROGER	REIMBURSEMENT	200.00
AINSWORTH-BENNING	SERVICE	60.00
ALBERTSON ENGINEERING	SERVICE	4,887.55
ALCO	SUPPLIES	18.23
BH CHEMICAL	SUPPLIES	986.02
BH POWER	ELECTRICITY	2,389.18
CAMPBELL SUPPLY	SUPPLIES	44.95
CENTURY BUSINESS	MAINTENANCE	254.10
CHAINSAW CENTER	CHAIN SAW	639.95
CULLIGAN	SUPPLIES	64.75
CUSTOM DECOR MASONRY	REPAIRS	3,665.00
DAKOTA BUSINESS	MAINTENANCE	145.20
DAKOTA GRAPHICS	PRINTING	1,101.00
DAKOTACARE	INSURANCE	43,799.42
DEADWOOD CHAMBER	BILL LIST	38,745.40
DEADWOOD ECONOMIC DEVELOPM	CONTRACT	1,580.02
DELAHOYDE'S PAINT & BODY	SERVICE	815.14
DELL RAPIDS SOCIETY	GRANT	24,000.00
E.T. SPORTS	REPLACEMENT	247.40
EPLANTERS	URN	300.74
FALL RIVER COUNTY HISTORIC	CONFERENCE	250.00
FASTENAL COMPANY	SUPPLIES	435.48
GALLS	BAGS	42.98
GENE'S LOCK SHOP	KEY	4.00
GLOBAL CAULKING MASONRY	SEALANT	1,836.00
GOLDEN WEST	SERVICE	685.72
GREAT PLAINS CHEMICAL WEST	TREATMENT	180.00
HAWKINS INC	CHEMICALS	1,029.65
HEIMAN FIRE	ADAPTORS	95.60
HILLS MATERIALS	OVERLAY	39,488.83
INTERSTATE ALL BATTERY	BATTERIES	69.80
KNOLOGY	SERVICE	1,711.72
LAKER CHEMICAL	WINTERIZING	264.75
LAWRENCE CO. REGISTER OF	FILING	30.00
LAWRENCE TITLE COMPANY	SEARCH	53.00
LEVEL BUILDERS	LOAN	6,449.00
LYNN'S	SUPPLIES	86.94
MCLEODS	TICKETS	1,266.69
NEVE'S UNIFORMS	SUPPLIES	391.22
PETE LIEN & SONS	SERVICE	3,182.50
QUIK SIGNS	SIGNS	97.54
RASMUSSEN MECHANICAL	SERVICE	792.00
REGGIE'S	REPAIR	1,274.00
RENNER, DONOVAN	REIMBURSEMENT	67.81
S&C CLEANERS	CLEANING	1,120.00
SAFETY BENEFITS	REGISTRATION	325.00
SD COMMISSION ON GAMING	CITY SLOTS	18,852.27
SD DEPT. OF CORRECTIONS	FIREWISE	206.55
SD DEPT. OF REVENUE	TRANSFER	75.00
SD PLANNERS ASSOCIATION	REGISTRATION	280.00
SOUTHSIDE OIL	DIESEL	19,640.54
SUMMIT SIGNS	SERVICE	56.50
TEMPERATURE TECHNOLOGY	REPLACEMENT	13.10
TOMS, DON	PROJECT	576.00
TRIPLE K	REPLACEMENT	1,139.14
TRUGREEN	FERTILIZER	40.75
TWILIGHT	SUPPLIES	323.95
ULTRAMAX	AMMUNITION	107.00
UTILITY SERVICES	SURVEY	350.00
	TOTAL	\$228,688.75

ITEMS FROM CITIZENS ON AGENDA

Presentation

Lenessa Keehn with the Lead-Deadwood School District presented Chief of Police, Kelly Fuller and the Deadwood Police Department the award of merit on behalf of the Business Marketing Information Technology Division of the South Dakota Association of Career and Technical Educators. She stated Fuller and the Police Department have been 100% supportive of our students and programs throughout the school district.

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Pineview Building

Building Inspector, Keith Umenthum gave an update to the Commission regarding construction at the Pineview Building. He informed the Commission that he delivered a letter stating the City suggested moving the fence back to the curb by November 1, 2012. Due to the removal of the floor on second and third floor, the building inspector questioned the structural integrity of the building and recommended that the fence remain in place until a report is received from Lance Redinger, engineer hired by Umenthum on behalf of the City. Toscana asked what are the options and if there are other problems. Keith said the first thing to do is wait for the report from Lance, which should be received later this week. After much discussion, Toscana asked Keith to keep the Commission informed when the report from engineer is received.

Free Parking Request

Michael Trucano with the Deadwood Business Club asked that the City refrain from issuing tickets on November 10, 2012 for the Veterans & Military Appreciation Event. Silvernail moved, Peterson seconded said request. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing – License Transfer

Public hearing was opened at 5:05 p.m. by Mayor Toscana. Lisa Modrick introduced herself as owner of All Seasons dba Gold Country Inn. There being no public comment in opposition, Silvernail moved, Van Den Eykel seconded to approve the Retail (on-off sale) Malt Beverage License (RB-2521) from Gold Country Inn to All Seasons Inn at 801 Main Street. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Todd seconded to set a public hearing on November 12, 2012 at 5:10 p.m. for a Malt Beverage License Transfer from the 76 Motel & restaurant to Willy's Wild West at 86 Main Street. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Silvernail moved, Todd seconded to set a public hearing on November 5, 2012 at 5:10 p.m. for Veterans & Military Appreciation Weekend on November 10 and 11, 2012 requesting street closure, waiver of vending and banner fees. Roll Call: Aye-All. Motion carried.

FINANCE

Workers Compensation Fund

Peterson moved, Silvernail seconded to pay SDML Workers Compensation Fund premium of \$61,545.00 for 2013 coverage. Finance Officer Mary Jo Nelson stated the experience modifier has been reduced to 1.17. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Bid

Silvernail moved, Peterson seconded to allow R.C.S. Construction to withdraw the bid on 95 Stewart retaining wall. The bids were opened on October 22, 2012 and bid from R.C.S. contained a math error. R.C.S. requested the withdrawal in writing. Roll Call: Aye-All. Motion carried.

Vacation of Plat

Silvernail moved, Todd seconded to vacate a portion of Miller Street due to an error on the plat. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/LIBRARY

Extend Vacation

Van Den Eykel moved, Silvernail seconded to allow Jim Raysor to extend 48 hours of vacation to December 31, 2012. Roll Call: Aye-All. Motion carried.

Dot Research Meeting

Van Den Eykel moved, Todd seconded to allow Jim Raysor to attend the DOT Research Meeting in Pierre on November 8, 2012 and requested a meal and the use of a vehicle. Roll Call: Aye-All. Motion carried.

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POLICE/FIRE

Hire

Silvernail moved, Todd seconded to hire Mark Heltzel as a part time Police Officer effective October 30, 2012 at \$17.70 per hour, 90% prevailing wage. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase

Todd moved, Silvernail seconded to increase the wage of Trolley Driver Mike Kitzmiller from \$11.38 to \$12.14 effective October 27, 2012 after four years of service. Roll Call: Aye-All. Motion carried.

Travel Request

Todd moved, Silvernail seconded to allow the following Safety Committee members to attend the Safety Conference in Pierre on November 14 and 15, 2012: Robert Radenslaben, Bill Burleson, Jim Raysor, Bob Nelson Sr. and Ken Hawki, requesting lodging, registration cost of \$65.00 each plus use of City vehicle. Roll Call: Aye-All. Motion carried.

Resignation

Todd moved, Silvernail seconded to accept resignation from Rec Center Special Projects Coordinator, Kelly Elletson effective October 19, 2012. Roll Call: Aye-All. Motion carried.

Hire

Todd moved, Silvernail seconded to hire the following at the Rec Center: Jim Phillips as the Special Project Coordinator at \$10.00 an hour and Susan Stadler at \$7.76 an hour as Front Desk Receptionist effective October 30, 2012 pending pre-employment drug screening. Roll Call: Aye-All. Motion carried.

Purchase

Todd moved, Silvernail seconded to purchase a F350 pickup from Boyer Trucks off state bid list per contract #16414 at a cost of \$23,143.00 less \$625.00 for the truck bed and increase \$176 for delivery charge, a budgeted item. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Oakridge Cemetery Certificate

Peterson moved, Silvernail seconded to allow Mayor to sign the Oakridge Cemetery Certificate of Purchase and Warranty Deed for Janice M. Hardy, Gerald T. Hardy and Cliff Dower. Roll Call: Aye-All. Motion carried.

Second Reading

There being no further discussion or questions since first reading, Todd moved, Silvernail seconded to approve the second reading of Ordinance #1182, Creating Chapter 12.50 for Staging Areas. City Attorney stated the only change since first reading was the \$125.00 per parking space per month instead of per day. Roll Call: Aye-All. Motion carried.

Second Reading

There being no further discussion or questions since first reading, Todd moved, Van Den Eykel seconded to approve the second reading of Ordinance #1183, Amending Chapter 12.24 for Parades and Assemblies. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Peterson seconded to allow the Mayor to sign the contract with Rasmussen Mechanical for boiler repair at the Pavilion. Roll Call: Aye-All. Motion carried.

Contract

Silvernail moved, Todd seconded to allow the Mayor to sign the contract with Donovan Landscaping and Deadwood Chamber for holiday lighting on public buildings with removal date of January 31, 2013. Roll Call: Aye-All. Motion carried.

Contract

Todd moved, Van Den Eykel seconded to allow the Mayor to sign the contract with Mark Speirs for repairs at the Adams House. Roll Call: Aye-All. Motion carried.

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Agreement

Silvernail moved, Peterson seconded to allow the Mayor to sign the real estate purchase agreement with Silverado-Franklin Historic Hotel Gaming Complex for property previously valued at less than \$500.00 by Board of Appraisers. Roll Call: Aye-All. Motion carried.

Agreement

Todd moved, Van Den Eykel seconded to allow the Mayor to sign the agreement with Custom Décor Masonry for the work done at Mickelson Trailhead Monument and the urn bases. Roll Call: Aye-All. Motion carried.

Executive Session

City Attorney requested executive session for Contractual Matters per SDCL 1-25-2 (3).

MAYORS BUISNESS

Agreement

Van Den Eykel moved, Todd seconded to allow the Mayor to sign the listing change agreement for 124 Sherman Street property and change the price to \$899,000.00. Roll Call: Aye-All. Motion carried.

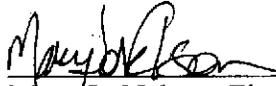
ITEMS FROM MAYOR, COMMISSIONERS, DEPARTMENT HEADS NOT ON AGENDA

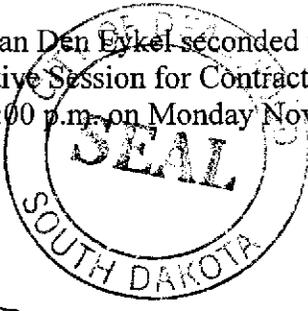
Mayor, Commissioners and Department Heads thanked Jason Campbell for his service and wished him well.

ADJOURNMENT

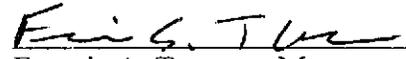
Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 5:38 p.m. and convene into Executive Session for Contractual Matters per SDCL 1-25-2 (3). The next regular meeting will be at 5:00 p.m. on Monday November 5, 2012.

ATTEST:


Mary Jo Nelson, Finance Officer



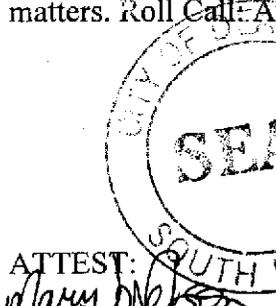
DATE: 11-5-12

BY: 
Francis A. Toscana, Mayor

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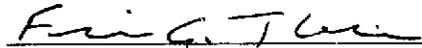
An executive session special meeting convened on November 1, 2012 at 3:00 p.m. at 102 Sherman Street, Deadwood, South Dakota. Mayor Toscana called the meeting to order with the following Commission members present: Joe Peterson, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel.

Silvernail moved, Van Den Eykel seconded to move into executive session for contractual matters. Roll Call: Aye-All.


Mary Jo Nelson, Finance Officer



DATE: 11-5-12

BY: 
Francis A. Toscana, Mayor