

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, November, 7, 2011 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Clint Brengle, Joe DesJarlais, David Hersrud., Marcia Johnston, Jamie McVay, Tim Potts, and Kelly Vasknetz. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Dane Sundstrom.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

Mayor Carstensen reported that the 2010 Audit report has been accepted by the Department of Legislative Audit.

Councilor Johnston reported that there will be a flagpole dedication ceremony on November 10, 2011 at 2:00 pm at the Sturgis Community Center honoring Captain Christopher Soelzer, a Sturgis Brown High School graduate, who was killed in action in Iraq.

Councilor Brengle read a statement from the Action for the Betterment of the Community (ABC) reporting that their Halloween Fun Night had 240 kids participating and over 500 people attending. A thank you goes out to the 46 volunteers who helped to make this successful.

Motion by Brengle, second by Potts and carried with all members voting yes to approve the agenda as written.

Motion by Johnston, second by DesJarlais and carried with all members voting yes to approve the minutes from the meeting held on October 17, 2011.

Motion by Potts, second by Brengle and carried with all members voting yes to approve the following claims with the exception – Mainline Contracting, \$151,679.38, cap imp.

Wages – Ambulance \$11,347.70; Attorney \$2,741.19; Auditorium \$120.30; Buildings \$1,966.54; Cemetery \$979.43; City Manager \$1,406.04; Community Center \$11,968.74; Community Development \$4,029.44; Finance Office \$8,854.58; Fire Department \$2,367.46; Human Resource \$2,521.54; Library \$8,504.91; Liquor \$4,176.58; Mayor and Council \$3,333.27; Parks \$13,050.03; Police \$33,902.36; Rally \$3,135.77; Sanitary Service \$9,983.65; Streets \$8,262.40; Wastewater \$8,737.54; Water \$13,256.03; Federal Withholding \$14,969.58; FICA \$11,514.75.

General – 3E Electrical Engineering, \$1446.57, repair; A&B Business, \$73.78, repair; A&B Welding, \$14.40, supp; Daniel Ainslie, \$160.59, comm ctr refund; Carissa Alan, \$30.00, comm ctr refund; Amazon, \$255.86, supp; Amcon, \$397.62, merch for resale; Assoc Supply Co, \$512.40, repair; Avaya, \$36.39, util; Baker & Taylor, \$451.77, supp; Bentz Equip, \$163.13, repair; BH Power, \$11,955.47, util; Brosz Engineering, \$450.00, econ dev; Teri Brown, \$30.00, comm ctr refund; Jerry Burnham, \$2418.36, prof fee; Butte Electric, \$486.83, util; CBH Coop, \$11,467.32, supp; Century Business Products, \$3040.05, supp; Cetec, \$1263.37, econ dev; Chain Saw Center, \$60.00, repair; Chamber of Commerce, \$416.67, other; City of Sturgis Rally Petty Cash, \$31.68, supp; City of Sturgis Water Dept, \$9649.21, util; Laben Clement, \$60.00, cc prog exp; Dakota Radiator, \$50.00, repair; Dakota Spray Equip, \$42.36, repair; Dave's Heating, \$90.00, repair; Demco, \$48.54, supp; Dish Network, \$79.95, util; Double Star Computing, \$1248.00, supp; Ecolab Pest, \$169.00, maint; Energy Lab, \$55.65, maint; Hugo Estes, \$25.00, cc prog exp; Executive Business Comm, \$84.00, maint; Fedex, \$95.91, supp; Freeman Electric, \$1421.02, supp; Fry Communications, \$92,595.35, publ-rally; Gaylord Brothers, \$182.01, supp; Graphics Plus, \$1490.00 supp; Great Western Tire, \$1814.80, repair; Hills Materials, \$2266.98, repair; Hillyard, \$16.85, supp; Holiday Inn Express, \$163.98, travel; Ikon Office, \$193.00, prof fee; Integrity Sheet Metal, \$2834.54, repair; Knight Security, \$300.00, repair; Knology, \$2459.41, util; Alexis Lemmel, \$40.00, cc

prog exp; Locks by Bernie, \$60.00, supp; Long Rider Books, \$345.32, supp; Lynn's Dakotamart, \$270.05, supp; MB Services, \$162.00, other; Matthew Bender & Co, \$62.91, supp; McGas Propane, \$94.80, supp; Meade Co Auditor, \$3135.07, util; Daniel Meirose, \$30.00, cc prog exp; Menards, \$39.94, supp; MDU, \$1784.77, util; Candy Morrell, \$3311.09, maint; Motoring USA, \$6900.00, prof fee; Newman Traffic Signs, \$278.32, supp; Charlene Nonhof, \$17.76, supp; Northern Hills Vet Clinic, \$315.00, prof fee; Oberle's Radiators, \$375.00, repair; Office of Fire Marshall, \$60.00, repair; Performance Automatics, \$14.39, repair; Pete Lien & Sons, \$316.75, supp; Julie Peterson, \$53.28, supp; Kahlie Peterson, \$60.00, cc prog exp; Pitney Bowes, \$201.50, rental; Powerplan, \$13.78, repair; Print Mark-et, \$837.25, publ; Lynsey Prosser, \$40.00, cc prog exp; Purchase Power, \$504.00, supp; Rapid Delivery, \$39.12, repair; Rushmore Comm, \$5753.26, equip; Rushmore Office, \$1580.04, supp; Sacrison Asphalt, \$1414.00, supp; Safety Benefits, \$65.00, travel; SD Dept of Health, \$3125.00, prof fee; SD Library Network, \$3558.00, repair; SD Municipal League, \$60.00, travel; SD Wildlife Federation, \$20.00, supp; Dalton Sherman, \$15.00, cc prog exp; Errin Short, \$40.00, cc prog exp; Dave Smith, \$111.00, travel; Christina Steele, \$40.00, travel; Sturgis Law ENF Reserve Assn, \$1200.00, util benefit; Sturgis Photo & Frames, \$1989.00, merch for resale; Tom's T's, \$1270.80, cc prog exp; Tanner Urbaniak, \$40.00, cc prog exp; Katura Veal, \$30.00, other; Matt Veal, \$30.00, other; Verizon, \$2229.22, util; Wellmark BlueCross, \$72.62, other; West Payment Center, \$93.49, prof fee; West River Electric, \$472.98, util; West River International, \$2639.59, repair; Ziegler Building Center, \$74.68, repair.

Brick Project – Chamber of Commerce, \$40.00, publ; Diamond Yard Bricks, \$2991.00, merch for resale; Sam Erion Construction, \$153.00, supp; Philip Tuzynski, \$80.00, brick refund.

Ambulance – Boundtree Medical, \$551.52, supp; Century Business Products, \$138.12, prof fee; City of Sturgis Water Dept, \$318.77, util; DB Billing, \$3635.34, prof fee; Heds, \$33.00, supp; Knology, \$103.49, util; Shawn Peterson, \$500.00, grp insur; Print Mark-et, \$59.80, publ; Purchase Power, \$103.99, supp; Regional Home Medical Equip, \$736.31, supp; Rushmore Communication, \$818.80, equip; SD EMTA Conference, \$405.00, travel; United Healthcare, \$575.00, ambul chrg; Verizon, \$68.38, util; Wellmark BlueCross, \$7.70, other.

Special Sales Tax – Chamber of Commerce, \$10,416.67, chamber; SEDC, \$10,416.67, ind dev.

Capital Improvement – Baseline Surveying, \$2940.00, cap imp; Brosz Engineering, \$6089.41, cap imp.

Liquor – Amcon, \$1903.62, cig for resale; BH Power, \$1415.52, util; Cask & Cork, \$117.00, off sale liquor; Century Business Products, \$70.74, prof fee; City of Sturgis Water Dept, \$283.18, util; Ecolab Pest, \$96.00, maint; Knology, \$163.82, util; One Way Service Pros, \$263.52, repair; Print Mark-et, \$59.81, publ; Roscoz, \$45.53, malt bev refund; Sand Creek Printing, \$410.71, supp; Tour Ice, \$238.80, merch for resale; Verizon, \$53.68, util.

Water – BH Power, \$492.25, util; Butte Electric, \$183.60, util; Century Business Products, \$70.00, prof fee; City of Sturgis Water Dept, \$152.00, util; Beverly Johnson, \$14.80, other water; Knology, \$189.44, util; Candy Morrell, \$362.55, maint; Print Mark-et, \$59.81, publ; Verizon, \$371.36, util; Wellmark BlueCross, \$6.88, other; Wells Fargo Corp Trust, \$18,738.64, prin,int.

Wastewater – A&A Auto Salvage, \$45.00, repair; AT&T Mobility, \$140.60, util; BH Power, \$3436.90, util; Century Business Products, \$116.55, prof fee; City of Sturgis Water Dept, \$23.01, util; Energy Lab, \$431.00, prof fee; Fastenal Co, \$249.22, repair; Foothills Seed, \$177.75, repair; G&H Distributing, \$120.04, supp; Leaning Door Enterprises, \$150.00, repair; Candy Morrell, \$238.18, maint; Northern Truck Equip, \$92.00, repair; Pete Lien & Sons, \$3148.15, repair; Print Mark-et, \$59.81, publ; Rushmore Office, \$13.00, supp; Safety Benefits, \$130.00, travel; Street Dept Petty Cash, \$.90, supp; Robert Telkamp, \$372.00, repair; USA Blue Book, \$817.69, supp; Verizon, \$157.92, util; Wells Fargo Corp Trust, \$151,612.61, prin, int.

Sanitary Service – BH Power, \$210.28, util; CBH Coop, \$5974.21, supp; Century Business Products, \$265.76, prof fee; Century Link, \$53.23, util; Contractor's Supply, \$245.10, supp; Fastenal Company, \$91.93, repair; Leaning Door Enterprises, \$75.00, repair; McGas Propane, \$119.57, supp; Candy Morrell, \$238.18, maint; Print Mark-et, \$59.81, publ; Rapid City Journal, \$192.00, publ; Rushmore Office, \$13.00, supp; Verizon, \$44.62, util.

2002 Sewer Bond – Wells Fargo Brokerage, \$29,823.55, prin,int.

Community Center Children's Fund – Community Center, \$75.00, other.

Motion by Brengle, second by Vasknetz and carried with Brengle, Carstensen, DesJarlais, Hersrud, Johnston, McVay and Vasknetz voting yes Potts abstaining to approve the claim to Mainline Contracting, \$151,679.38, cap imp.

Committee Report:

Councilor Johnston reported that the library currently has 7,907 registered patrons, with 5,476 having used the library in the past year. Since November 7, 2010, 48,166 items have been checked out; 6,009 have been renewed and 735 items have been placed on hold. Over 135 patrons are now using the Overdrive downloads; over 740 items have been downloaded since last March.

The library is once again collecting "Food for Fines".

The "Santa's Recycling Station II" will be selling used Christmas items in the Sturgis Armory on Saturday, November 12 from 9:00-3:30.

City Manager Report:

Motion by Brengle, second by McVay and carried with all members voting yes to approve the following new hire: Community Center- Front Desk-part-time-Mike Bierle-\$7.25.

City Manager Ainslie reported that general sales tax was down 1% from last year and the Gross receipts sales tax is down 6% from last year.

Community Development director Rick Bush reported that his department is currently working on updating the Title 18 ordinance to reflect what was done in the Comprehensive Plan. This should be done within the next 6 months.

The City is working with the County to implement a new GIS software program which will replace Beacon. This should be done around the first of the year.

The Staff continues to work with DOT on the Lazelle Street project.

The Staff continues to work with G F & P on acquisition of the Marcotte property.

Work continues on Exit 32 and Vanocker corridor in looking for retailers for these sites.

The staff is working on providing infrastructure to the Vanocker corridor.

DesJarlais introduced the following written resolution and moved its adoption:

RESOLUTION 2011-15

A RESOLUTION ADOPTING A COMPREHENSIVE PLAN FOR THE CITY OF STURGIS, AS PROVIDED FOR IN SDCL 11-6.

WHEREAS, Chapter 11-6-14 of South Dakota Codified Law has empowered the Planning Commission and City Council of Sturgis, South Dakota to prepare a Comprehensive Plan for the development of the City and Surrounding area; and

WHEREAS, the Sturgis Planning Commission has developed a Comprehensive Plan for the years 2011-2030 which shows the recommendations for the physical development of the City including extraterritorial platting jurisdiction boundaries, transportation, land use, utilities, parks, recreation public facilities, housing, goals, objectives, policies and implementation; and

WHEREAS, the Sturgis Planning Commission has held the required Public Hearings, and has made recommendation for adoption of the Plan to the City Council; and

WHEREAS, the Sturgis City Council has received the recommendation of the Sturgis Planning Commission and has held the required Public Hearing; and

WHEREAS, the adoption of the Comprehensive Plan would enhance the responsible development of the City of Sturgis and the surrounding area.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Sturgis City Council that the Comprehensive Plan for the City of Sturgis for the years 2011-2030 be hereby adopted and effective upon 20 days after publication of this resolution.

RESOLVED, this 7th of November, 2011.

Published: November 16, 2011

Effective: December 7, 2011

Johnston seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

DesJarlais introduced the following written resolution and moved its adoption:

RESOLUTION 2011--32
RESOLUTION APPROVING PLAT

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property:

A plat of 60' Wide Dedicated Public Right-Of-Way Across the NW 1/4 NE 1/4 & SW 1/4 NE 1/4 of Section 17, T.5N., R.5E., B.H.M., Meade County, South Dakota

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 7th day of November 2011.

Published: November 16, 2011

Effective: December 7, 2011

Johnston seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

Motion by Brengle, second by McVay and carried with all members voting yes to set a public hearing date of December 5, 2011 for a variance for a front-yard setback for a carport at 1942 Arizona Ave. for Roucal Bratland.

Brengle introduced the following written resolution and moved its adoption:

RESOLUTION 2011-33
A RESOLUTION DECLARING CERTAIN PONDEROSA PINE TREES TO BE SURPLUS

The City of Sturgis having acquired real property adjacent to the City rubble site, said property identified as Tract 1 of the Hakuna Matata Subdivision, in Meade County, South Dakota. The City has now determined that the following Ponderosa Pine trees located on that Tract to be surplus, to be removed by power spade, described as follows:

- Not more than 75 such trees having a diameter of 4 inches or less as measured no more than eight (8) inches above the adjacent soil.
- Not more than 75 such trees having a diameter of more than four (4) inches but less than eight (8) inches as measured no more than eight (8) inches above the adjacent soil.
- Not more than 75 such trees having a diameter of more than eight (8) inches but less than twelve (12) inches, as measured no more than eight (8) inches above adjacent soil.

If the City Council should determine that the property thus described is surplus, it is the intent of the City in the future to offer said surplus property for sale to the highest bidder under those terms and conditions to be agreed to by the City and the highest bidder.

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described above is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It being advisable and in the best interest of the City to sell such personal property.

Dated this 7th day of November, 2011.

Published: November 16, 2011

Effective: December 7, 2011

McVay seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

DesJarlais introduced the following written resolution and moved its adoption:

RESOLUTION 2011-34
A RESOLUTION DECLARING PROPERTY SURPLUS

Parks: Firewood: Pine – approximately 8 cords
Cottonwood- approximately 1 cord

Rally: Broken desk chair
Broken paper shredder
Brothers Intelli Fax –model 2820

Library: RCA Television
2 RCA VHS Video recorders
Audio-Visual Cart
3 hard drives (no good)
Bell & Howell 16 MM projectors
Sectional Couch/Ottoman (bad shape)
2 Mesh Computer Chairs

3 colored computer chairs (minus arms and other parts)
2 upholstered computer chairs

Police The following Bicycles:

SERVICEABLE

Schwinn Stingray, black
Giant Acapulco
Shimano Roadmaster Mt. Sport, silver & blue
Hurricane Ridge Mountain, grey
NEXT All Terrain Shock, red
NEXT Chaos freestyle, green
Shimano specialized Mt. Bike, dark grey
Mongoose 21 speed Mt Bike
NEXT 18 speed Mt Bike Power Climber
Hyper HRP 26 Mt Bike, green
NEXT 24" Mt Bike, green
Rockstar Energy, black
Huffy Freestyle, black

UNSERVICEABLE

Fouring 10 speed Mt Bike, green
Roadmaster Mt. Bike, pink
Schwinn RTD, red
Magna Vaporizer, red
Huffy Storm 10 speed, purple
Beach Puppie, blue
NEXT Power X, blue
Mt. Fury Roadmaster, red
GT Bicycle, blue w/ white seat
Rand Bicycle, black & orange
Pacifica Quicksilver, indigo

Airport Crouse-Hinds P.C. Board Assembly-old lighting system

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described above is hereby declared no longer necessary, useful or suitable for municipal purposes. It being advisable and in the best interest of the City to trade, sell or display such personal property.

Dated this 7th day of November, 2011.

Published: November 16, 2011

Effective: December 7, 2011

Potts seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

Hersrud introduced the following written resolution and moved its adoption:

RESOLUTION 2011-35

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF STURGIS AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WATER FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the City of Sturgis (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

THREE MILLION TWO HUNDRED THOUSAND AND XX/100 DOLLARS (\$3,200,000.00) pursuant to the provisions of _____ ; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such

undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement" and Form RD 400-1, "Equal Opportunity Agreement", including an "Equal Opportunity Clause", which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for

the facility financed by USDA. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without it request, and to forward to the Government such additional information and reports as it may from time to time require.

13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.

14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.

17. To accept a grant in an amount not to exceed Two hundred sixty thousand and XX/100 Dollars (\$260,000.00) under the terms offered by the Government; that the City Manager or the Mayor of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such installment, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof there provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas 7 Nays 0 Abstained 1 Absent 1

IN WITNESS WHEREOF, the governing body of the City of Sturgis has duly adopted this resolution and caused it to be executed by the officers below in duplicate on this 7th day of November, 2011.

Published: November 16, 2011

Effective: December 7, 2011

Brengle seconded the motion for the adoption of the foregoing resolution with Brengle, Carstensen, DesJarlais, Hersrud, Johnston McVay and Vasknetz voting yes and Potts abstaining and the resolution was declared passed and adopted.

At this time, Community Development Director Rick Bush gave a power point presentation on the process of redistricting the wards for the 2010 Census.

Bernadette Usera asked the Council if they had seen the 3 options that had been prepared and the Council had seen the three options. She also asked that the 3 options be place on the City web site.

Motion by Hersrud, second by Johnston and carried with all members voting yes to approve first reading of Ordinance 2011-08 – Title 7 – City Government – Chapter 7.02- Wards – Section 7.02.01- Ward Boundaries, Voting Precincts.

Motion by Hersrud, second by McVay and carried with all members voting yes to approve the first reading of Ordinance 2011-09 – Title 9 – Fire Prevention and Regulation-Chapter 9.03 – Fire Department.

Motion by DesJarlais, second by Brengle and carried with all members voting yes to set a public hearing date of November 21, 2011 for a request from the Chamber of Commerce for use of City Property for the Parade of Lights for December 2, 2011.

The following bids were received for a 2011 skid steer loader:

Bentz Equipment - \$43,607	Jenner Equipment-\$38,853
Titan Machinery - \$43,930	Bierschbach Equipment - \$39,400
RDO Equipment - \$47,906	Jenner Equipment – alternate bid - \$41,085
Butler Machinery – No bid	

Motion by McVay, second by Brengle and carried with all members voting yes to award the bid to Jenner Equipment for \$38,853.

City Manager Ainslie explained that item h. on the agenda is an information only item and is clarifying a policy that was put in place a few months back. The policy is a guide on how the City will sell the non-proprietary vendor list. The policy sets a strict line between what is public information and what is proprietary information.

Jack Hoel stated his opinion that he did not approve of the \$600 fee for the vendor list and had contacted the Attorney General's office in Pierre about this fee.

City Manager Ainslie informed the citizens that the vendor list fee will be \$20 and if mailed will be \$23.

Any Other Business:

Kara Graveman, project director of ABC, thanked Mayor Carstensen for being the keynote speaker at the Red Ribbon event.

Motion by Brengle, second by Vasknetz and carried with all members voting yes to go into executive session at 7:08 p.m. for legal and contracts.

Motion by Vasknetz, second by McVay and carried with all members voting yes to come out of executive session at 7:19 p.m.

The Mayor adjourned the meeting at 7:19 p.m.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED: _____
Mark Carstensen-Mayor

Publish once at the total approximate cost

November 7, 2011

