

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 5, 2012 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Joe DesJarlais, David Hersrud, Marcia Johnston, Tim Potts, Dane Sundstrom and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Jamie McVay and Kelly Vasknetz.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Potts, second by Johnston and carried with all members present voting yes to approve the agenda.

Announcements:

- The Mayor congratulated the Ambulance crew for being chosen as “Ambulance Service of the Year”.
- The Mayor reminded everyone that if there is 4” or more snow predicted by the National Weather Service, cars must be removed from the snow route.
- The Library will be doing “Food for Fines” once again this year starting next week through December 20th. They are also accepting pet food for the animal shelter.
- Pawn Stars and American Pickers will highlight the 2012 Rally on their TV show that airs tonight.

Informational Reports:

Daniel Ainslie, City Manager, gave an update on items that the Council has been working on:

- Updating Ordinances
- We have a balanced budget for 2013 without using any reserves.
- There was a reorganization of two different departments which saved the City money.
- There will be several residential development projects being looked at.
- Negotiations on the two union contracts have been finalized and will be brought to the Council in the next two meetings.

Fay Bueno, Finance Officer, gave an update of activities within the Finance Office:

- The office has been busy scanning items to the Info-router software. In 2013, the Minutes, Audit Reports and Budgets will become public.
- There was a total of 5,617 minute documents scanned in which will all be searchable.
- We are in the process of scanning in vault files.
- The Asset Management software will be utilized for the 2012 Audit. This software makes it possible to keep track of the City’s fixed assets and the depreciation associated with these assets.

City Manager Ainslie reported:

- Sales Tax for the General Fund and Capital Improvements fund is up 2.7% over last year, but the budget reflected a 7.5% increase. The Special Sales Tax Fund (triple B) is up 8.9% over last year.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve the consent calendar.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve the following claims with the exception of: Cetec, \$39,488.25, cap imp; Site Work Specialists, \$33,891.10, cap imp.; Hersrud, \$1349.66, repair.

Wages – Ambulance \$12,200.53; Attorney \$2,884.62; Auditorium \$257.20; Buildings \$831.15; Cemetery \$1,033.79; City Manager \$4,717.39; Community Center \$12,506.70; Community Development \$4,927.03; Finance Office \$8,559.33; Fire Department \$1,422.84; Human Resource \$2,121.81; Library \$8,546.84; Liquor \$4,653.09; Mayor and Council \$3,333.27; Parks \$10,000.53; Police \$36,322.05; Rally \$3,255.33; Sanitary Service \$8,196.30; Streets \$7,843.16; Wastewater \$8,587.14; Water \$13,817.32; Federal Withholding \$14,814.39; FICA \$11,443.35.

General – A&B Business, \$221.01, supp; A&J Surplus, \$203.00, supp; Daniel Ainslie, \$500.00, grp insur; Amazon, \$444.57, supp; Amcon Distributing, \$404.81, merch for resale; Avaya, \$36.39, util; Baker & Taylor, \$796.47, supp; Dusty Barker, \$60.00, other; Black Hills Chemical, \$41.00, supp; BH Harley Davidson, \$11.55, repair; BH Occupational, \$60.00, prof fee; BH Power, \$3603.68, util; BH Windshield Repair, \$45.00, repair; Border States, \$166.80, repair; Randy Brennick, \$30.00, other; Buckle Tree, \$20.00, other; Jerry Burnham, \$2490.92, prof fee; Butte Electric, \$524.41, util; Caselle, \$527.99, prof fee; CBH Cooperative, \$233.36, supp; City of Sturgis Police-Petty Cash, \$15.00, animal shelter don; Corbon Law Enforcement, \$138.86, supp; Degrata Tactical, \$300.00, travel; Demco, \$130.63, supp; Door Security Products, \$84.84, repair; Double Star Computing, \$633.35, prof fee; EB Communications, \$84.00, repair; Fastenal Company, \$35.82, supp; Foothills Seed, \$162.50, supp; Forestry Diagnostic Lab, \$175.00, other; Frontier Precisions, \$3285.00, supp; G&G Enterprises, \$140.00, merch for resale; G&H Distributing, \$40.32, supp; Gaylord Brothers, \$198.37, supp; Hauff Mid-America Sports, \$429.35, cc prog exp; Hillyard, \$83.88, supp; Ben Holstlaw, \$30.00, other; J&L Services, \$240.00, other; Jim’s Auto Salvage, \$45.00, repair; Knology, \$2415.47, util; Locks by Bernie, \$60.00, repair; LPN Holdings, \$1639.84, supp; Meade Co Auditor, \$3047.76, other; Midcontinent Communications, \$41.75, util; MDU, \$2293.60, util; Candy Morrell, \$3311.09, maint; Motoring USA, \$6091.50, prof fee; Ben Mumm, \$45.00, equip; Park Avenue Car Wash, \$60.80, supp; Pitney Bowes, \$120.56, rent; Pizza Hut, \$24.00, other; Purchase Power, \$200.00, supp; Purchase Power, \$253.95, supp; Pureforge, \$207.40, supp; Reliance Telephone, \$2.95, util; Robert Sharp & Assoc, \$141.05, publ-rally; Rockingtree Landscape, \$207.50, supp; Rushmore Office, \$345.49, supp; SD Library Network, \$3872.25, repair; SD Municipal League, \$60.00, travel; Simpsons Printing, \$126.00, supp; Sturgis Motorsports, \$22.99, repair; TASC-Client Invoices, \$141.58, grp insur; Tom’s T’s, \$22.23, supp; Pat Urbaniak, \$60.00, other; Ketura Veal, \$60.00, other; Matt Veal, \$60.00, other; Verizon, \$1881.28, util; Weimer’s Diner, \$13.20, other.

Special Sales Tax – Chamber of Commerce, \$10,666.67, chamber; SEDC, \$8,333.33, ind dev.

Capital Improvement – Double Star Computing, \$5730.00, cap imp; Rasmussen Mechanical, \$1306.41, cap imp; Truenorth Steel, \$38,028.60, cap imp.

Library – Gaylord Brothers, \$757.95, lib furnish.

Liquor – Cask & Cork, \$235.00, off sale liquor; Double Star Computing, \$34.33, prof fee; Knology, \$149.92, util; Harriet Lolley, \$21.00, merch for resale; One Way Service Pros, \$1409.17, repair; Rockingtree Floral, \$381.72, cap imp; Schade Vineyard, \$120.00, off sale liquor; TASC-Client Invoices, \$6.74, grp insur; The Homeslice Group, \$5332.00, publ; Verizon, \$53.50, util.

Water – BH Power, \$12,172.83, util; Butte Electric, \$397.68, util; Caselle, \$382.34, prof fee; Double Star Computing, \$439.33, prof fee; Beverly Johnson, \$500.00, grp insur; Knology, \$149.56, util; MDU, \$10.71, util; Candy Morrell, \$362.55, maint; TASC-Client Invoices, \$15.73, grp insur; Verizon, \$183.58, util.

Wastewater – AT&T Mobility, \$114.00, util; BH Power, \$1966.08, util; Century Business Products, \$60.43, prof fee; City of Belle Fourche, \$22.54, other; Dakota Battery, \$142.05, repair; Double Star Computing, \$34.33, prof fee; G&H Distributing, \$317.48, repair; Candy Morrell, \$238.18, maint; TASC-Client Invoices, \$8.99, grp insur; Verizon, \$145.56, util.

Sanitary Service – BH Occupational, \$150.00, prof fee; BH Power, \$207.23, util; Century Link, \$60.14, util; City of Belle Fourche, \$15,255.31, other; Double Star Computing, \$34.33, pro fee; Hersrud, \$43.91, repair; Candy Morrell, \$238.18, maint; Northern Truck Equip, \$316.75, repair;

Rapid City Journal, \$210.60, publ; Swana, \$200.00, prof fee; TASC-Client Invoices, \$13.48, grp insur; Verizon, \$28.27, util.

Ambulance – BH Power, \$586.73, util; Century Business Products, \$34.95, supp; DB Billing, \$1815.05, prof fee; Double Star Computing, \$34.33, prof fee; Eric Haivala, \$112.25, travel; Hampton Inn, \$1515.00, travel; Hersrud, \$340.60, repair; Knology, \$102.74, util; Moore Medical, \$448.33, supp; SD EMTA Conference, \$540.00, travel; Nicole Skouge, \$54.65, travel; TASC-Client Invoices, \$13.48, grp insur; Verizon, \$20.16, util; Western Communications, \$172.40, repair.

2002 Sewer Bond Fund – Wells Fargo Brokerage, \$28,677.80, prin,int.

Combined Cash Fund – First Interstate Bank, \$3000.00, ATM-Comm Ctr; First Interstate Bank, \$3000.00, ATM-Mun Bldg.

Motion by Waterland, second by Sundstrom and carried with Carstensen, DesJarlais, Johnston, Sundstrom and Waterland voting yes and Hersrud and Potts abstaining to approve the following claims: Cetec, \$39,488.25, cap imp; Site Work Specialists, \$33,891.10, cap imp.; Hersrud, \$1349.66, repair.

Motion by DesJarlais, second by Johnston and carried with all members present voting yes to approve the following payroll changes: Library – Volunteer-Ariel Johnson, Shaela Jensen, Nicole Cook; Police – Volunteer – Animal Shelter – Justin Eaves; Community Center – Custodian – Rudy Moravec - \$7.25; Front Desk – Tyler Jensen - \$7.25; Referees for Girls and Boys Youth Basketball League – Ron Anderson, Allie Alverson, Reece Beck, Clay Bedford, Gunner Berglund, Eli Bueno, Laban Clement, Luke Clement, Jeremy Eckhart, Joe Guitterez, Bart Haivala, Ashley Johnson, Zac Lasnetske, Alexis Lemmel, Sheryl Martin, Kahlie Peterson, Lyndsey Prosser, Jason Schneider, Erin Short, Tyler Woods, Lee Makor, Tanner Urbaniak, Chase Williamson- \$15 or \$20 per hour; Ambulance – EMT-B- Karen Berger - \$8.00.

Motion by Johnston, second by Sundstrom and carried with all members present voting yes to approve second reading of Ordinance 2012-16 – Title 7 – General Government.

ORDINANCE 2012-16

AN ORDINANCE AMENDING TITLE 7– CITY GOVERNMENT

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 7–Chapters 7:03, 7:04, 7:05, 7:06, 7:07 and 7:08 - City Government is amended to read as follows:

Chapter 7.03

MAYOR, CITY COUNCIL AND CITY MANAGER

SECTIONS:

- 7.03.01: Form of Government
- 7.03.02: Regular Meetings
- 7.03.03: Special Meetings
- 7.03.04: President and Vice President
- 7.03.05: Council Procedure
- 7.03.06: Office of City Manager
- 7.03.07: Powers and Duties of the City Manager
- 7.03.08: Powers and Duties of the Mayor
- 7.03.09: Appointment of Designee By City Manager
- 7.03.10: Appointment of Designee By City Council

7.03.01: FORM OF GOVERNMENT

The City shall be a municipality under the mayor/aldermanic form of government employing a City Manager. The Mayor and Council shall be elected and shall perform such duties as prescribed by the laws of the State of South Dakota, and such specific duties as are provided in this Title.

(A) The Council shall consist of the Mayor, elected at large, and two (2) Council members elected from each of the four (4) wards within the City.

(B) Beginning with the term of office that shall commence with the election in April, 2012, the term of office for the Mayor and Council members shall be three (3) years or until their successors are elected and qualified.

(C) For the transition period, the Mayor and Council members whose two (2) year term of office shall commence with the election of April, 2011, the term of office they shall serve shall remain a two year term. Thereafter the term of office for the Mayor and all Council members shall be three (3) years.

7.03.02: REGULAR MEETINGS

Regular meetings of the governing body shall be held on the first and the third Monday of each month at 6:30 o'clock P.M. except when a Monday is a holiday, and in that case, the meeting shall be held at 6:30 o'clock P.M. the following day. Any regular meeting may be adjourned from day to day.

7.03.03: SPECIAL MEETINGS

Special meetings of the Council may be called at any time, subject to the requirements of state law by the Mayor, the President of the Council and any three aldermen, or by any four aldermen, to consider those matters stated to be the purpose in the notice for such meeting. The written notice stating the time, place and the matters to be considered at such meeting shall be issued by the Finance Officer or designated Deputy Finance Officer. A copy of the notice shall be delivered with a copy of the agenda for the special meeting to all Council members in the manner designated in writing by the Council member in the record maintained for such purpose by the Finance Office. In the alternative, notice can be given by hand delivery to the council member. Hand delivery to a council member means delivery in person to a council member of the Notice of Meeting at the City Finance Office during business hours, or such delivery at the Council member's place of employment, place of business, or place of residence, by a city employee having authorization to do so from the City Manager, at least twenty-four (24) hour(s) before the time specified in the Notice for such meeting.

7.03.04: PRESIDENT AND VICE PRESIDENT

At the first meeting of the Council in May of each year, and after the qualification of the newly elected Council Members, the Council shall elect from among its own members, a President and Vice President of the Council, whose duties are prescribed by the laws of the state of South Dakota.

7.03.05: COUNCIL PROCEDURE

"Robert's Rules of Order" 11th edition shall be the standard for procedure by which all regular meetings of the Council shall be governed. Any suspension of the procedure of a Council meeting shall be as provided for in those Rules.

7.03.06: OFFICE OF CITY MANAGER

The office of City Manager is hereby created. The City Manager shall be employed by the City Council and the City Council shall determine the compensation of the City Manager. The City Manager shall be appointed for an indefinite term but may be removed as prescribed by the laws of the State.

7.03.07: POWERS AND DUTIES OF THE CITY MANAGER

The powers and duties of the City Manager shall be such as are prescribed by the laws of the State, by section 7.04.02 and other provisions of this City of Sturgis Code of Ordinances, and such further duties as are incident to the office and provided for in an employment agreement.

7.03.08: POWERS AND DUTIES OF THE MAYOR

The powers and duties of the Mayor shall be such as are prescribed by the laws of the State, and other provisions of the City of Sturgis Code of Ordinances, and such further duties as are incident to the office.

7.03.09: APPOINTMENT OF DESIGNEE BY CITY MANAGER

The City Manager by the 10th of January of each year shall delegate for the following year, if the City has not employed an Assistant City Manager, and in the event of the absence or disability of the City Manager which leaves him/her unable to perform all of the tasks required to discharge the necessary management tasks and responsibilities of that position, to a designated department head whom shall discharge said responsibilities. Such designation shall be reported to the Council, shall be effective for 12 months and shall continue, unless sooner rescinded by the City Manager, until the successor appointee is so designated. Said appointment shall be made in a letter of designation. The designation letter shall identify the responsibilities delegated to individual, and shall be for a specified period of time. The designation letter shall be maintained in the official record kept by the Finance Office, and a copy shall also be provided to or delivered to the Mayor and Council President before the period of such designated responsibility commences. No additional compensation shall be required for any designee unless approved by action of the Council.

7.03.10: APPOINTMENT OF DESIGNEE BY CITY COUNCIL

In the event of the disability or absence of the City manager resulting in a period of time when he/she is unable to perform all of the tasks required to discharge the responsibilities of that position, and the City has not employed an Assistant City Manager, or during a period of suspension as provided for in SDCL 9-10-11 when there is no Assistant City Manager employed by the City and the City Manager has not provided the designation by letter referred to in 7.03.09, the Mayor, with the approval of the Council, may designate one or more department head(s) to perform all of the tasks required to discharge the primary responsibilities of the City Manager. Upon approving such designation by the Mayor, the Council may also consider adjusting the compensation paid to reflect the additional, temporary responsibilities assigned to that individual as a result of such designation.

**Chapter 7.04
APPOINTED OFFICIALS**

SECTIONS:

- 7.04.01: Officers Appointed by Council
- 7.04.02: Officers Appointed by the City Manager
- 7.04.03: Duties
- 7.04.04: Special Duty of City Attorney
- 7.04.05: Oath and Undertaking Required

7.04.01: OFFICERS AND TRUSTEES APPOINTED BY COUNCIL

There shall be appointed by the City Council a Finance Officer, City Attorney, and a Library Board of Trustees. The Library Board of Trustees shall consist of five members appointed by the Council for three year terms, and in addition a sitting member of the Council shall be appointed to that Board for the duration of their Council term. The method of appointment by the Council shall be as provided for in SDCL Chapter 14-2 and shall occur each January as needed.

The Finance Officer and City Attorney shall be appointed by a City contract consistent with the duties and requirements of Section 7.04.03 herein. They shall hold office and serve until their successors shall be appointed and qualified, unless their employment shall be terminated as provided for by contract.

7.04.02 BOARDS AND COMMISSIONS APPOINTED BY THE CITY MANAGER

All other officers, including all members of City Boards and Commissions, shall be appointed by the City Manager and may be removed by the City Manager, except as otherwise provided by state law in the case of Municipal Utility Board members.

7.04.03: DUTIES OF COUNCIL APPOINTEES

Each officer appointed by the governing body shall perform all of the duties as prescribed by this Title, the statutes of the state of South Dakota. The City Attorney and Finance Officer shall perform their duties as prescribed by the City Council through the means of an employment contract.

7.04.04: SPECIAL DUTY OF CITY ATTORNEY

The City Attorney, in addition to those duties prescribed for him by State law, shall have the special duty to make or cause to be made proper designations for any ordinance or amendments thereto, and he/she shall see that the organization and numbering of all ordinances is kept as uniform as possible and in keeping with the organization of this Ordinance in revision. In order to carry out this duty, the City Attorney shall have the power to change any of the numbering designations of any of the City Ordinances without having to pass an amendment therefore, provided that in so doing, the substance of any City Ordinance shall not be changed.

7.04.05: OATH AND UNDERTAKING REQUIRED

Each appointed officer, before entering upon the discharge of his or her duties shall take and subscribe an oath or affirmation of office in the form required by the Constitution of the State. Each appointed officer shall furnish an undertaking to the City in the sum of Two Thousand Five Hundred Dollars (\$2,500.00) with the exception of the Finance Officer and City Manager who shall furnish an undertaking to the City in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00). Said bond shall be conditioned for the faithful performance of the duties of their respective officers and to account for, pay over and deliver all money coming into their hands by virtue of the office, according to law. Bonds for deputies shall be determined by the appointing officer.

Chapter 7.05 SALARIES AND WAGES

SECTIONS:

7.05.01: Council to Determine Salary or Wages of Department Heads and Supervisory Personnel

7.05.02: Council to adopt Personnel Policy

7.05.01: COUNCIL TO DETERMINE SALARY OR WAGES OF DEPARTMENT HEADS AND SUPERVISORY PERSONNEL

The salaries and/or wages of the Mayor and alderman shall be determined by the Council by resolution to be published as required annually in the Council minutes in January of each year. The salaries and/or wages of all Department Heads and supervisory personnel shall be approved by Council after recommendation from the City Manager. The salary and/or wages of the City Manager shall be determined by the Council. If the City Attorney is appointed as an employee of the City, then consistent with the duties required by SDCL 9-14-22 the salary may include representing the City in Court actions, bond proceedings, enforcement of City Ordinances, furnishing an opinion on matters related to the municipality or the duties of its officers, and such other professional services incident to the office as required by ordinance or directed by the governing body. The specific activities expected to fulfill these general duties will be contained in the employment contract and job description for the position. Each officer or other employee, shall, except where special conditions exist, be paid according to the applicable Personnel Policy or collective bargaining agreement. The Council and the City Manager shall, after having prepared the budget for the ensuing year, meet to determine salaries for all appointed officers, department heads and supervisory personnel of the City by approving the annual budget in the manner required by law. The Council and the City Manager may at any other time of the year, meet to consider salary changes for employees not subject to the terms of a Negotiated Agreement or at the time of his or her employment with the City.

7.05.02: COUNCIL TO ADOPT PERSONNEL POLICY

The Council shall adopt a personnel policy which shall govern the conduct of the City employees and officials. A copy of said personnel policy shall be given to each employee or appointed officer at the time of his or her employment with the City.

Chapter 7.06 BUDGET

SECTIONS:

7.06.01: Budget Required

7.06.02: Duties of Officials

7.06.03: Preparation

7.06.04: Public Hearing

7.06.05: Adoption

7.06.06: May spend More or Less than Provided for Each Item in Budget

7.06.07: Responsibility of City Officials

7.06.01: BUDGET REQUIRED

An annual budget, for the calendar year, shall be prepared and adopted in the manner hereinafter provided. Said budget shall state in detail the proposed expenditures of the City for the following calendar year. This budget shall not only specify the expenditures required for each department, but shall specify the items for which expenditures are to be made from the total amount stated for each department.

7.06.02: DUTIES OF OFFICIALS

The City Manager shall be considered the Budget Director, and it shall be his or her duty to cause said budget to be prepared in the manner hereinafter provided. The Finance Officer shall assist the City Manager in the preparation of the budget. All Department Heads shall cooperate with the City Manager in preparation of the budget and shall provide a detailed and itemized estimate of the expenses which each Department Head believes will accrue for his or her respective department during the following year and said estimates shall be submitted at the request of the City Manager. The City Manager shall prepare and submit to the Council an annual budget not later than September 1st of each year. The Chairmen of all other Boards or Committees for which

expenditures will occur during the following year shall also submit to the City Manager upon his or her request a detailed and itemized estimate of anticipated expenses. All other City officials shall be required to assist in the preparation of the budget at the call of the City Manager.

7.06.03: PREPARATION

It shall be the duty of the City Manager, with the assistance of the Finance Officer and such other persons as the City Manager may request, to prepare a proposed budget for the following year no later than September 1st. To successfully perform this endeavor, the City Manager shall have the duty and power to make all necessary inquiries and investigations in regards to the submitted estimates, and to require the cooperation of all City officials and other citizens to the extent that they may be of some help in the preparation of the Budget, and to hold or call all necessary meetings with supervisors, other officials or citizens, and to request a special meeting of the Council, if such action is deemed necessary. The City Manager shall present the proposed budget to the Council no later than September 1st of each year.

7.06.04: PUBLIC HEARING

After the proposed budget has been presented to the Council, the Council shall then establish a time and a place for a public hearing to be held for the purpose of allowing any interested citizen or City official to be heard on said budget. A notice of said hearing shall be published once at least four days before said day of hearing.

7.06.05: ADOPTION

After said hearing has been held, the Council may adopt the proposed budget as proposed or as amended. The appropriation Ordinance shall then be adopted as required by State law and in conformance with the adopted budget.

7.06.06: MAY SPEND MORE OR LESS THAN PROVIDED FOR EACH ITEM IN BUDGET

More or less than the amount stated in the adopted budget for a specific line item may be spent so long as the amount authorized by the Appropriation Ordinance or any supplement thereto is not exceeded.

7.06.07: RESPONSIBILITY OF CITY OFFICIALS

It shall be the responsibility and duty of all City officials to make reasonable efforts to keep within the expenditures specified in the City budget.

**Chapter 7.07
POLICE DEPARTMENT**

SECTIONS:

7.07.01: Members

7.07.02: Appointment

7.07.03: Council Adopts Uniform

7.07.04: Require Aid

7.07.01: MEMBERS

The police force in this City shall consist of the Chief of Police, and as many more individuals as the Council, after recommendation from the City Manager shall, from time to time, approve for employment for the proper protection of the City.

7.07.02: APPOINTMENT

The Chief of Police shall be hired by the City Manager with the consent of the Council. The Chief of Police shall recommend for hire all other personnel required to fulfill the functions of the Police Department, subject at all times to the approval of the City Manager and the approval of the City Council.

7.07.03: COUNCIL ADOPTS UNIFORM

The Council shall adopt a uniform for the dress of the police officers and said officers shall wear said uniform at all times while on duty unless pressed into service under such circumstances that obtaining the uniform would be impractical.

7.07.04: REQUIRE AID

In the execution of the duties of any police officer in arresting any person accused or suspected of any crime or any suppression of any riot or unlawful assembly, or in the prevention of any offense against the City or State, said officer shall have the power, when necessary, to require the aid of any citizen; and it shall be unlawful for any person to refuse or willfully neglect to obey the summons of any police officer in such cases.

**Chapter 7.08
PLANNING COMMISSION ESTABLISHED**

SECTIONS:

7.08.01: Official Name

7.08.02: Establishment and Composition

7.08.03: Powers and Duties

7.08.01: OFFICIAL NAME

That the official name of the Planning Commission created hereunder shall be known as "Sturgis City Planning Commission" hereafter referred to as "commission".

7.08.02: ESTABLISHMENT AND COMPOSITION

The Sturgis City Planning Commission shall consist of seven (7) members appointed and to hold office as set forth by South Dakota Law. One member shall be chosen from the membership by the members as Chairman and in addition one member of the Sturgis City Council shall sit as an ex-officio and non-voting member of the Commission.

7.08.03: POWERS AND DUTIES

The Sturgis City Planning Commission shall carry on its functions in accordance with SDCL 11-6 and shall have all the powers, duties and responsibilities as set forth in said Statutes.

Dated this 5th day of November, 2012.

First reading: 10-01-2012

Second reading: 11-05-2012

Adopted: 11-05-2012

Published: 11-14-2012

Effective: 12-05-2012

Motion by DesJarlais, second by Waterland and carried with all members present voting yes to table second reading of Ordinance 2012-19 – Title 11 – Health and Sanitation until the November 19, 2012 meeting.

Discussion was held on the Cudmore sewer extension project. The City gave the Cudmores the option to upgrade the 4” sewer line to an 8” main with the City paying for the upgrade. If this project goes forward, a development agreement will be drawn up with the developer explaining what will be the responsibility of the developer and the City.

Two bids were received for a skid-steer loader: Jenner Equipment-\$22,572.00 and Hersrud Company - \$30,750.00.

Motion by DesJarlais, second by Potts and carried with all members present voting yes to award the low bid for the skid-steer loader to Jenner Equipment.

Waterland introduced the following written resolution and moved its adoption:

**RESOLUTION 2012-44
A RESOLUTION DECLARING PROPERTY SURPLUS**

1. Norfield Magnum Door Machine with 250M Strike Router

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 sell such personal property.

Dated this 5th day of November, 2012

Published: 11-14-2012

Effective: 12-05-2012

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

Any other business:

None

Motion by Waterland, second by Johnson and carried with all members present voting yes to go into executive session for personnel and contracts at 7:27 pm.

Motion by Potts, second by Johnston and carried with all members present voting yes to return to regular session at 9:48 pm.

Mayor Carstensen adjourned the meeting at 9:48 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$298.84.