

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 pm on Monday, January 22, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Joe DesJarlais, David Hersrud, Marcia Johnston, Jamie McVay, Tim Potts, Dane Sundstrom, Kelly Vasknetz and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: none

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

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

Announcements:

- Councilor DesJarlais gave an update on ABC (Action for Betterment of the Community). This group commits to making our community a better place to live through several programs and services they provide.
- Election petitions can be taken out on January 25, 2013 and must be returned by February 22, 2013 at 5:00 pm. The City election will be held on April 9, 2013.
- Congratulations to Dale Lamphere for receiving an artistic achievement award from the Governor's Office.
- There will be a fund raiser for the "Up Close Program" at the Knuckle Saloon on January 26th. The Up Close Program provides the opportunity for High School students to go to Washington D.C.
- Councilor Johnston reported that her niece Paige McPherson competed in Colorado Springs and won her spot on the National Tai Kwan Do team 6 to 1.

Informational Reports:

Rick Bush, Public Works Director gave an update on his Departments:

- Finalized the gravel to asphalt street campaign, these were the last streets to be asphalted.
- Paved the Woodle Field parking lot.
- Moose Drive was re-constructed with money from STP.
- Sly Street culverts were installed and the street will be finished this spring.
- The Recycling program is going well and will be expanded in the future.
- The lagoons are at an all time low due to the lack of moisture.

Tom Ferguson, Liquor Store manager gave an update on the Liquor Store:

- Liquor sales increased 3.4% over last year.
- In a few weeks, a report will be given on zip code locations of customers that are buying product at the Liquor Store.
- Having the billboard at Exit 32 has showed an increase in sales at the store. This billboard will be changed out about every 60 days.
- The Liquor Store has a Facebook page now.

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

Motion by Potts, second by McVay and carried with all members present voting yes to approve the following claims: RCS Construction, \$256,391.14, cap imp; Site Work Specialists, \$44,892.49, cap imp; Johnston Hardware, \$.68, repair.

2013

Wages – Ambulance \$13,854.73; Attorney \$2,884.62; Auditorium \$197.92; Buildings \$688.07; Cemetery \$2,136.28; City Manager \$4,698.57; Community Center \$9,667.63; Finance Office \$8,716.12; Fire Department \$1,533.58; Human Resource \$2,196.81; Library \$8,771.91; Liquor \$4,371.12; Mayor and Council \$3,333.27; Parks \$10,181.81; Planning & Permitting \$3,150.12; Police \$36,494.41; Rally \$3,278.12; Recreation \$2,667.32; Sanitary Service \$10,835.72; Streets \$9,130.42; Wastewater \$8,366.51; Water \$14,362.58; Federal Withholding \$15,222.96; FICA \$11,770.14.

2012

General – A&B Business, \$310.44, supp; Aker Woods Co, \$1434.16, other; Amazon, \$550.14, supp; Gary Anderson, \$335.00, grp ins; Associated Supply, \$56.60, supp; Baker & Taylor, \$88.73, supp; Greg Barnier, \$375.84, grp insur; Paula Basker, \$80.00, grp insur; Black Hills Chemical, \$107.96, supp; Black Hills Power, \$23,810.76, util; Black Hills Truck & Trailer, \$115.56, repair; Campbell Supply, \$277.15, supp; CBH Cooperative, \$2897.96, supp; Century Business Leasing, \$195.76, prof fee; Coca Cola, \$79.00, supp; Community Center Petty Cash, \$11.35, supp; Dakota Backup, \$1543.04, prof fee; Fastenal Company, \$193.24, repair; First Interstate Bank, \$2333.90, supp; Golden West Technologies, \$185.00, repair; Darrel Hatzenbuhler, \$231.09, grp insur; Nichole Hodge, \$93.25, supp; J&L Services, \$40.00, repair; Knology, \$304.84, util; Locks by Bernie, \$24.00, repair; Lynn's Dakotamart, \$108.61, other; Autumn Lyons, \$298.00, grp insur; M&T Fire & Safety, \$532.34, repair; Marco Inc, \$20.66, maint; Meade Co Auditor, \$40,221.73, other; Meade Co Times, \$1469.03, publ; Meade Co Title, \$175.00, prof fee; Miracle Recreation Equipment, \$332.24, repair; MDU, \$9759.53, util; Annette Moore, \$499.00, grp insur; Motoring USA, \$6465.60, prof fee; Ben Mumm, \$731.61, grp insur; Northern Hills Vet Clinic, \$129.56, prof fee; Mike O'Bryan, \$229.20, grp insur; Owens Interstate, \$404.77, supp; Julie Peterson, \$46.00, grp insur; Print Mark-et, \$844.20, publ; Purchase Power, \$248.91, supp; Rapid City Journal, \$37.80, publ; Robert Sharp & Assoc, \$793.35, publ-rally; SD Dept of Revenue, \$170.00, other; SD Law Review, \$33.02, supp; Shopko Hometown, \$168.39, supp; Christina Steele, \$500.00, grp insur; Street Dept Petty Cash, \$2.25, maint; Sturgis Napa, \$1404.90, repair; The Sharpening Shop, \$28.00, repair; Geody Vandewater, \$500.00, grp insur; Vanway Trophy, \$6.00, supp; Brenda Vasknetz, \$68.00, grp insur; Wellmark Blue Cross, \$85.52, grp insur; West Payment Center, \$99.10, prof fee; Zylstra Body, \$116.00, repair.

Capital Improvement – Jenner Equipment, \$22,572.00, cap imp.

Liquor – Melissa Abrahamson, \$500.00, grp insur; Black Hills Power, \$1454.09, util; Coca Cola, \$419.60, pop for resale; Tom Ferguson, \$1000.00, grp insur; Harriet Lolley, \$403.60, grp insur; Lynn's Dakotamart, \$9.09, repair; MDU, \$570.74, util; Pepsi Cola, \$237.60, pop for resale; Print Mark-et, \$56.31, publ; Wellmark Blue Cross, \$4.80, grp insur.

Water – Gary Anderson, \$165.00, grp insur; Black Hills Power, \$8464.42, util; Dakota Backup, \$203.37, prof fee; First Interstate Bank, \$81.58, supp; Knology, \$34.55, util; MDU, \$116.78, util; Print Mark-et, \$56.28, publ; Wellmark Blue Cross, \$20.80, grp insur.

Wastewater – A&B Welding, \$87.18, repair; City of Belle Fourche, \$32.70, other; First Interstate Bank, \$100.00, travel; Bob Moser, \$500.00, grp insur; Owens Interstate, \$33.61, repair; Print Mark-et, \$56.28, publ.

Sanitary Service – Black Hills Power, \$11.00, util; Century Business, \$73.10, prof fee; City of Belle Fourche, \$13,593.02, other; Dakota Backup, \$87.95, prof fee; Fastenal Co, \$94.05, repair; First Interstate Bank, \$116.49, repair; Great Western Tire, \$23.00, repair; Jay Johnson, \$353.62, grp insur; Steve Kindsfater, \$53.20, grp insur; Northwest Peterbilt, \$69.21, repair; Owens Interstate, \$21.23, supp; Print Mark-et, \$56.28, publ; Sturgis Napa, \$523.00, repair.

Ambulance – Black Hills Power, \$627.78, util; CBH Cooperative, \$1926.38, supp; Coca Cola, \$13.40, supp; Dakota Backup, \$51.64, supp; DB Billing, \$856.88, prof fee; First Interstate Bank, \$34.78, supp; Grocery Mart, \$15.07, supp; Lynn's Dakotamart, \$8.37, supp; MDU, \$363.77, util; Owens Interstate, \$48.50, repair; Print Mark-et, \$56.28, publ; Regional Health Physician, \$69.00,

prof fee; Regional Home Medical Equipment, \$407.00, supp; Sturgis Napa, \$94.46, supp; Vidacare, \$659.08, supp; Wellmark Blue Cross, \$8.88, grp insur.

2013

Combined Cash Fund – First Interstate Bank, \$3000.00, ATM cash.

General – A&B Business, \$6695.00, equip; ABC, \$944.00, other; Amcon, \$151.90, merch for resale; Baker & Taylor, \$36.89, supp; Twyla Barden, \$180.00, travel; BH Community Economic Develop, \$1000.00, other; BH Council of Local Government, \$1722.50, other; BH Tent & Awning, \$30.00, repair; BHSU RSVP, \$125.00, other; Bierschbach Equipment, \$133.80, supp; Blackhills.com, \$96.00, supp; Bart Bower, \$3.08, refund; CASA Program, \$1000.00, other; Chamber of Commerce, \$2500.00, other; Civicplus, \$4167.60, prof fee; Community Center, \$15.00, other; Corbon Law Enforcement, \$170.95, supp; Crisis Intervention Shelter, \$2250.00, other; Crum Electric, \$708.84, supp; FSH Communications, \$60.00, util; Glover Investments, \$1200.00, rental-rally; Good Shepherd Clinic, \$500.00, other; Carolyn Harkins, \$55.00, prof fee; Impact Youth Mission, \$500.00, other; Jenner Equipment, \$237.58, repair; Karl Jungclaus, \$5.38, refund; Key City Glass, \$55.00, repair; Knight Security, \$744.00, repair; MB Tree & Landscape, \$120.00, other; Meade Co Senior Citizens, \$2000.00, other; Menards, \$125.64, repair; Mid-States Organized Crime, \$150.00, other; Neighborhood Housing, \$2250.00, other; Neve's Uniforms, \$793.35, supp; Northern Hills Drug & Alcohol, \$2625.00, other; Northern Safety, \$170.32, supp; Pitney Bowes, \$322.06, rent; Postmaster, \$180.00, supp; Power House, \$80.22, repair; Mick Quaal, \$4.60, refund; Rapid City Journal, \$36.00, publ; Rasmussen Mechanical Services, \$153.77, repair; Robert Sharp & Assoc, \$8000.00, publ-rally; Darrel Sauder, \$6.14, refund; SD 211, \$250.00, other; SD Federal Property Agency, \$29.00, supp; SD Public Assurance Alliance, \$63.30, insur; SEDC, \$2500.00, other; Sturgis Area Transportation, \$3500.00, other; Sturgis Center for the Arts, \$1750.00, other; Twilight First Aid, \$168.10, supp; Vanway Trophy, \$46.70, supp.

Special Sales Tax – Chamber of Commerce, \$500.00, chamber; Sturgis Area Arts Council, \$1250.00, city promo; Sturgis Motorcycle Museum, \$1250.00, city promo.

Capital Improvement – Black Hills Chemical, \$3000.00, cap imp.

Revolving Fund Loan – Rocky Mountain Cabinet, \$1000.00, other.

Liquor – Amcon Distributing, \$3217.57, cig for resale; Sand Creek Printing, \$292.16, supp; The Homeslice Group, \$6312.00, publ.

Wastewater – Northern Safety, \$170.32, supp; Tracker Software Corp, \$1386.00, maint; USA Blue Book, \$34.41, supp.

Sanitary Service – Northern Safety, \$212.90, supp; Tracker Software Corp, \$1386.00, maint.

Ambulance – Crum Electric, \$708.84, supp.

Motion by DesJarlais, second by Hersrud and carried with Carstensen, DesJarlais, Hersrud, McVay, Sundstrom, Vasknetz and Waterland voting yes and Johnston and Potts abstaining to approve the following claims: RCS Construction, \$256,391.14, cap imp; Site Work Specialists, \$44,892.49, cap imp; Johnston Hardware, \$.68, repair.

Motion by McVay, second by DesJarlais and carried with all members present voting yes to approve a transfer of ownership of retail on/off sale malt beverage from Clayettna Inc., Susan Caldwell, Pizza Ranch to Old West Enterprises, LLC, Willie Whelchel, Pizza Ranch.

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve the following payroll changes within budget: Police: promotion to Sergeant – William Barff - \$21.52; Katie Meirose - Animal Tech Aide, approved on 12-17-12; Parks: Parks Maintenance Tech – Justin Speed - \$11.85; Winter & West Nile Seasonal – Jared Schmit - \$10.00; Water: Correction to payroll Resolution 2013-01 – Water Supervisor -Brad Deutsch - \$23.21. Temporary Office Management help- Bev Johnson - \$18.72; Community Center:

Referee – Tanner Shoup and Allison Alverson - \$20 per game. Ambulance: Correction- Medic - Koree Zagala - \$12.00

Harkins Backhoe Services made a written request to discuss with the Council some digging and billing issues he had with the Water Department. Dale Olson, Water Superintendent gave the Council background information on the issue and how his department handled the situation. Mr. Olson had tried to contact Mr. Harkins several times asking him to come to the MUB meeting. Mr. Harkins had concerns about the renewal of this Contractor's license in Sturgis. The Council recommended to Mr. Harkins that he take his request to the Water Board as this is the proper procedure and then if he is still not happy with the outcome he can come before the City Council.

Maynard Rude made a written request to discuss with the Council the uses of a vacant lot at his residence. The lot has had various use-on-reviews and various owners over the past years. All of the use-on-reviews have expired upon the sale of the parcel to Mr. Rude. There was a courtesy notice given to Mr. Rude from Code Enforcement stating that they need to remove all inoperable vehicles and junk from the property. They were to have this cleaned up by January 25th. There was no citation given only the courtesy notice. There is a process in Title 12 that allows the property owner to contest a citation, but at this time no citation has been given to the property owner. Mr. Rude was not present at the meeting.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve request for use of city property from the Sturgis Area Chamber of Commerce for the Northern Hills Ag Fest and Home Show on February 16, 2013.

Waterland introduced the following written resolution and moved its adoption:

RESOLUTION 2013 - 03
A RESOLUTION OPPOSING ELIMINTING OR LIMITING THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM MUNICIPAL BONDS

WHEREAS, municipal bonds are the means by which state and local governments finance much of the critical infrastructure of our nation, including roads, bridges, hospitals, schools, and utility systems; and

WHEREAS, under current law the owners of municipal bonds are not required to pay federal income tax on the interest income they receive from the bonds; and

WHEREAS, this tax exemption is part of a more than century long system of reciprocal immunity under which owners of federal bonds are, in turn, not required to pay state and local income tax on the interest they receive from federal bonds; and

WHEREAS, the federal tax exempt status of state and local governments and school district provides a substantial savings on the cost of interest payments; and

WHEREAS, the benefit of lower capital costs attributable to tax exempt financing are passed on to property tax payers through reduced rates, greater local investments, or both; and

WHEREAS, the federal government continues to seek solutions to resolve its propensity to spend beyond its means; and,

WHEREAS, from time to time Congress and the President have proposed legislation to tax or alter the federal tax exemption of interest on municipal bonds; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Sturgis opposes any efforts by any Congress and this, or any future, President to transfer its fiscal problems to states, counties municipalities and school districts by eliminating or limiting the federal tax exemption on interest earned from municipal bonds.

Dated this 22nd day of January, 2013.

Published: 01-30-2013

Effective: 02-20-2013

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

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-04
TO APPROVE OR DENY A PUBLIC LOTTERY**

WHEREAS, the City of Sturgis has by Ordinances enacted by the City Council limited the use of public lotteries within the city to public purposes intended to provide for the benefit and safety of the members of the community, balanced with the purpose to encourage commerce and the development of a healthy and robust business and community atmosphere, and

WHEREAS, the Relay for Life Team (Tops Trotters) has submitted a application to conduct a public raffle within the City of Sturgis beginning on February 08, 2013 and continuing until July 19, 2013 at which time the lottery prize will be awarded at by a drawing at 10:00 pm at Sturgis Park on July 19, 2013, and

WHEREAS, the Relay for Life Team (Tops Trotters) presented its application to conduct this lottery to the City Finance Office on January 8, 2013 seeks to commence and seeks to begin to sell such raffle tickets on February 8, 2013, and

WHEREAS, the request of the Relay for Life Team (Tops Trotters) to have approval to conduct this lottery has met all the requirements of City Ordinance, all the requirements of state law and has met all the administrative requirements of the City Finance Office in submitting its application,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Sturgis City Council that the application of the Relay for Life Team (Tops Trotters) to conduct a public lottery/raffle in the City of Sturgis is hereby

 X Approved, with lottery ticket sales to be conducted at the stated times forth above and as stated in the terms of the lottery application, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are present.

 Denied, with no lottery sales to be permitted as requested, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are not present.

RESOLVED, this 22nd of January, 2013.

Published: 01-30-2013

Effective: 02-20-2013

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

With the recommendation of the Planning and Zoning Board, Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-05
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 LOT 12A REVISED AND LOT 12B REVISED IN BLOCK 4 OF PINE ACRES SUBDIVISION Formerly Lot 12A and Lot 12B in Block 4 of Pine Acres Subdivision, Located in the SE1/4 of Section 16, T5N, R5E, B.H.M., City of Sturgis, 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 22nd day of January, 2013.

Published: 01-30-2013
Effective: 02-20-2013

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

Motion by DesJarlais, second by Waterland and carried with all members present voting yes to table second reading of Ordinance 2013-01 – Title 10 – Franchises until February 4, 2013.

The following comments were made on Ordinance 2013-02: Mike Bachand-concerns on the 501 c 3 and the Chamber; not enough money raised by the tax; he would like to have multiple districts.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-02 – Title 26 - Downtown Business Improvement District.

The following comments and questions were made on Ordinance 2013-03-Dave Wilson-concerns – limit space on canopies for advertising; nothing in ordinance on off premise signing; limit advertising on windows; building, electrical and plumbing inspections on buildings, inspections every two years, what codes are being used, demolition permit. Bob Davis concerns – paragraph

on inspections every two year be re-written, what codes need to be followed. Mark Norstegaard – vendors outside compared to vendors that are in a building.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-03 – Title 18, Article 5, Section 15 -Downtown Overlay District.

Hersrud introduced the following written resolution and moved its adoption:

RESOLUTION 2013 – 07
A RESOLUTION DESIGNATING BOUNDARY OF PROPOSED DOWNTOWN
BUSINESS DISTRICT PURSUANT TO SDCL 9-55-5

WHEREAS, the Common Council of the City of Sturgis has been requested to designate the boundaries of a Downtown Business Improvement District as required in SDCL §9-55-5 in order to permit the City Manager to appoint a Business Improvement Board to provide recommendations to the Mayor and Council regarding a Downtown Business Improvement District;

BE IT RESOLVED, by the Common Council of the City of Sturgis as follows:

The boundary for the proposed Downtown Business Improvement District shall include property located north of Sherman Street to and including properties fronting Lazelle, on the east properties fronting Middle Street and to the west, properties fronting 4th Street.

A map showing the exterior boundaries of the Downtown Business Improvement District with the exceptions has been prepared and filed in the City Finance Officer Office, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

Dated this 22nd day of January 2013.

Published: 01/30/2013

Effective: 02/20/2013

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

The following comments and questions were made on Ordinance 2013-04: Jack Hoel-how much will this benefit the City in 2014; what is the increase over 2012 and will we gain this increase if everything stays the same as 2012. Councilor David Hersrud – will this include the vendors that just display; having two twelve day licenses; how will it affect corporate vendors; landowners should insist that Vendors pay sales tax in the proper manner. Mike Bachand- as a property owner does not want to have to pay the vendor fee as he already pays real estate taxes. Robin Baldwin – pays vendor fees for several small properties and thinks it is fair for the large property owner to pay vendor license. Dave Wilson – does not approve of this ordinance. Need more vendors, need a vision. Lonnie Isam – need more entertainment; likes the per square footage concept; he is for the little guy; his vendors did good last year. Bob Davis – overly complicated concept, problems with enforcement and disputes; losing vendors.

Motion by McVay, second by DesJarlais and carried with Carstensen, DesJarlais, Johnston, McVay, Potts, Sundstrom, Vasknetz, and Waterland voting yes, Hersrud voting nay, to approve first reading of Ordinance 2013-04 – Title 31 – Licensing of Temporary Businesses – 31.02.03.2 – Application; 31.02.03.3- Fee and Duration of License.

Motion by McVay, second by Vasknetz and carried with all members present voting yes to approve authorizing the City Manager to sign a preventive maintenance agreement with Rasmussen Mechanical for City Buildings.

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-06
CITY OF STURGIS
SURFACE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)
ADDITION OF PROJECTS**

WHEREAS, the City of Sturgis has been designated by the State of South Dakota Department of Transportation (SDDOT) as an urban area eligible for Federal Aid and SDDOT funds; and

WHEREAS, the City has developed a long range plan for maintenance and expansion of its existing street system; and

WHEREAS, the City of Sturgis Common Council, in compliance with the SDDOT guidelines relative to the development of Federal Aid and SDDOT standards, previously submitted a priority list for its urban system street projects; and

WHEREAS, the City of Sturgis desires to update and modify its priority list to reflect necessary changes in the City's needs; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Sturgis Common Council proposes the construction of the following projects:

Main Street from Middle Street to Fourth Street: Reconstruction of Main Street from Middle Street west to Fourth Street. This project will consist of approximately 2,400 feet of road reconstruction which includes grading, storm sewer, curb & gutter concrete sidewalk and AC surfacing for construction beginning in 2016.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City of Sturgis Common Council request the SDDOT to place this listing of projects on the SDDOT 5-year Statewide Transportation Improvement Program (STIP), and that the Sturgis Common Council further request the SDDOT to solicit all available funding sources and appropriate said available funds to the City of Sturgis for funding of the projects herein listed.

Dated this 22nd day of January 2013.

Published: 01/30/2013
Effective: 02/20/2013

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

Any other business:

Mark Norstegaard has concerns about the 900 block of Main Street and why the photo tower cannot be placed in the 900 block during the Rally. Public Works Director Bush explained that the tower cannot be placed there because of the height of the tower and the wires that hang over the street.

Jack Hoel asked that the Council not give any sponsorship money to the Jack Pine Gypsies as they do not plan on having a Half Mile during the 2013 Rally and are not allowing anyone else to do this.

Mike Bachand asked that the Governing Board of Sturgis notify him of all public and special meetings, allow him to come to committee meetings and that he be appointed to the BID Board with Bob Davis, Dave Wilson and Donnie Feist also be included on the Board.

There has been a concern from citizens on the shooting range that is out of City limit, but within the 3 mile zone. City Attorney Barnier explained that the 3 mile jurisdiction is just for plating, not law enforcement. The Council asked Barnier to see if any platting was done prior to the shooting range becoming a business.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to go into executive session for personnel and contracts at 9:32 pm.

Motion by McVay, second by Waterland and carried with all members present voting yes to return to regular session at 10:14 pm.

Mayor Carstensen adjourned the meeting at 10:14 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$