

AVON, SOUTH DAKOTA – November 5, 2001

The regular meeting of the Avon City Council was held on the above date at the Avon Public Library at 7:00 p.m. Roll Call: Mayor Frey, Finance Officer Berndt, and Alderman: Tjeerdsma, Tolsma, Kuhlman, and Mensch. Absent Alderman: DenOuden and Cameron. Also present Orval Elliott.

Meeting called to order by Mayor Frey at 7:00.

Mayor Frey read the resignation of councilman John DenOuden to the council.

Motion by Tjeerdsma and seconded by Tolsma to approve the agenda with the change of pay loader discussion at the end. All voted "aye". Motion carried.

Motion by Kuhlman and seconded by Tjeerdsma to approve the minutes of the September 4, 2001 meeting. All voted "aye". Motion carried.

Police Chief Luke, Duane Stimpson and Jack Brodeen arrived at 7:10 p.m.

The following claims were presented for payment:

GENERAL FUND:

Avon Postmaster	\$ 68.00
Avon Clarion—Publication	\$ 210.33
Blue Cross of SD—health insurance	\$ 1,393.30
Cahoy's Gas and Service	\$ 20.75
Coast to Coast—misc. supplies	\$ 97.62
Community Bank—ss & wh	\$ 1,780.14
Cover to Cover—library books	\$ 70.87
Check Charge	\$ 4.00
D & L Oil	\$ 62.70
Elliott's	\$ 22.75
Golden West Co.—telephone	\$ 140.48
Myers Dray—garbage collection	\$ 2,792.00
Northwestern Public Service—elec	\$ 1,008.26
One Call System	\$ 8.76
Slectro - welding	\$ 36.24
Schultz Building Center—window	\$ 300.00
State Radio Communications	\$ 1,651.50
SD Retirement—retirement	\$ 464.14
State Treasurer—sales tax	\$ 301.82
SD Unemployment Ins Div	\$ 56.32
United State Treasury 941 contribution	\$ 30.50
Wal-Mart-supplies	\$ 30.74
Salaries—office	\$ 726.36
Salaries—police	\$ 1,809.06
Salaries—library	\$ 543.01
Salaries—streets/sanitation	\$ 1,230.72

WATER AND SEWER FUND

B-Y Water—water	\$ 2,762.00
Dakota Supply Company	\$ 737.37
GMAC – Lagoon Loan	\$ 4,080.00
Golden West Co.—telephone	\$ 42.57
Revenue & Reserve-transfer	\$ 374.17
Dept. of Revenue - water samples	\$ 246.00

AMBULANCE FUND:

D & L Oil	\$ 16.50
Golden West Co.—telephone	\$ 68.24
Verizon Wireless	\$
Ambulance Crew	

Motion by Tolsma and seconded by Mensch to accept the foregoing claims. All voted “aye”. Motion carried.

Motion by Kuhlman and seconded by Mensch to make regular payment, plus an extra principal payment on the GMAC note, provided that there are no penalties or other complications, leaving a total of \$5,000.00 in the Revenue and Reserve Fund. All voted “aye”. Motion carried.

The following receipts were presented for approval:

RECEIPTS FOR October 2001

City of Avon—water	\$ 5,581.75
City of Avon –late fee	\$ 926.36
City of Avon—sewer	\$ 2,552.00
City of Avon—garbage	\$ 3,593.00
City of Avon—tax	\$ 145.36
Revenue & Reserve—transfer	\$ 374.17
Dept. of Revenue—sales tax 1 st Penny	\$ 3,442.76
2 nd Penny	\$ 2,743.19
Williams Septic	\$ 50.00
State of South Dakota – Liquor Tax Reversion	\$ 643.94
State Hwy and Bridge	\$ 1,678.23
Rocky Rucktashcel – Water Deposit	\$ 25.00
Dog Tags	\$ 25.00
Berkley Risk Admin. – Workman’s Comp. - Refund	\$ 873.00
BRAC – Workman’s Comp. – Ambulance	\$ 527.00
State of SD – Ambulance – O’Connor	\$ 76.55
Unified Judicial – Fines	\$ 102.05
Bon Homme County Treasurer – general	\$ 3,160.21
Penalties	\$ 9.99
Motor Vehicle	\$ 261.51

Motion by Tjeerdsma and seconded by Kuhlman to accept the foregoing receipts. All voted "aye". Motion carried.

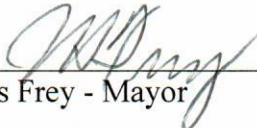
As advertised the public hearing for Liquor Licenses were held. Motion by Tolsma and seconded by Mensch for approve applications for Jim Martin, dba Martin's Bar, located on Lot 14, Block 3, Original Townsite, Avon SD for package (off-sale) liquor and retail (on-sale) liquor license, and Greg and Maureen Whiteley, dba Avon Corner Bar, located on Lot E1/2 16, Block 3, Original Townsite, A Avon SD for package (off-sale) liquor and retail (on-sale) liquor license. Roll Call: Tolsma, Tjeerdsma, Kuhlman, Mensch all voted "aye". Motion carried.

Alderman Kuhlman introduced the following resolution and moved its adoption,

RESOLUTION PROVING FOR TRANSFER OF FUNDS
FROM CONTINGENCY FUND TO ELECTIONS


BE IT RESOLVED that the moneys in the Contingency Fund established to supplement the General Budget, be transferred to the following funds in the General Fund of the City of Avon, Bon Homme County, South Dakota, to supplement those accounts necessary to conduct the indispensable function of government of the City of Avon: General Building: Repairs - \$1,700.00, Supplies - \$674.00; Insurance \$3,326.00; and Library Salary - \$400.00

Passed and approved this 5th day of November 2001.



James Frey - Mayor

ATTEST:



Carol Berndt - City Finance Officer
(SEAL)

Motion to adopt the foregoing resolution was seconded by Tolsma. Roll Call: Tolsma, Tjeerdsma, Kuhlman, Mensch all voted "aye". Motion carried.

Motion by Tjeerdsma and seconded by Tolsma to accept the appointment of Alice Johnson to the Library Board. All voted "aye". Motion carried.

Police Chief Luke gave the police report; he also said the city received full reimbursement for the new police radio. Several citizen concerns were brought to Chief Luke's attention. Luke left at 7:30 p.m.

Finance Officer Berndt presented the council with the Initiative Petition filed which reads as follows:

BE IT HEREBY RESOLVED the Mayor for the City of Avon, South Dakota, shall and is hereby authorized and directed to determine the repairs necessary to make the payloader owned by the City of Avon, South Dakota, functional and fit for the purpose intended and the City Council in and for the City of Avon, South Dakota, shall expend the funds necessary for said repairs from its sources legally available for such purpose.

It was explained they had some options at this time: they could hold a Special Election soon to decide the issue or they could hold the election in April 2002 with the city election. It was discussed at length. It was decided that we would check into prices on what it would cost to ship the machine to Sioux Falls and have it inspected to determine the cost of fixing the machine. The council will meet in a special meeting to review the cost to repair the machine. This petition in essence stops the council from disposing of the old pay loader by trade-in or through declaring it surplus until the petition is voted on.

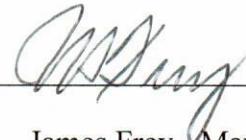
Alderman Kuhlman suggested that we thank John DenOuden for his service on the City Council. The other members agreed.

Motion by Mensch and seconded by Tolsma to hire Jack Williams at a rate of \$9.00 an hour for snow removal if needed. All voted "aye". Motion carried.

Finance Officer Berndt left at 8:00 p.m.

Alderman Cameron arrived at 8:15 p.m.

Motion by Tolsma and seconded by Tjeerdsma to adjourn at 8:20 p.m. All voted "aye". Motion carried.



James Frey - Mayor

ATTEST:



Carol Berndt
City Finance Officer
(SEAL)