

The Mayor and City Council met in regular session on Monday, November 2, 2009 at 7:00 P.M. at the Pierce Fire Hall. Present: Mayor Shannon Stuchlik, Tom Maas, Rick Ronspies, and Lee Acklie. Absent: Bob Bates. Also Present: City Clerk Mary Jean Rogers, City Administrator Chad Anderson, City Attorney Verlyn Luebbe, Cody Wickham, Tom Meyer, and several interested citizens.

Advance notice of the meeting was published in the Pierce County Leader. Advance notice of the meeting was also given to the Mayor and all members of the City Council. The Mayor and the City Council members have signed an Acknowledgment Of Receipt Of Notice Of Meeting dated November 12, 2009. Availability of the agenda was communicated in the advance notice in the Pierce County Leader and in the notice to the Mayor and City Council. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The audience was notified that a copy of the Open Meetings Act is posted inside the west entrance of the Pierce Fire Hall on the north wall.

Motion by Maas and seconded by Ronspies to approve the minutes of the October 5, 2009 City Council Meeting. Voting Aye: Maas, Ronspies, and Acklie. Nay: None. Absent: Bates. Motion carried.

Motion by Ronspies and seconded by Acklie to approve the City Of Pierce October 31, 2009 Financial Report listing Cash And Investments in the amount of \$1,914,065.84 and Bonded Indebtedness in the amount of \$1,385,000.00. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Motion by Ronspies and seconded by Maas to approve the City Of Pierce Claims in the amount of \$130,485.50 and the Pierce Utilities Claims in the amount of \$115,178.89 for a total of \$254,664.39. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

The Board Of Equalization hearing was held for Street Improvement District Nos. 2008-02, 2008-03, 2008-04, 2008-05, 2008-06, 2008-07, 2008-08, 2008-09, 2008-10, and 2008-11. Several comments concerning the levying of assessments and the condition of streets were heard from the audience. It was announced that Sta-Bilt Construction would be contacted and any additional work in Street Improvement District Nos. 2008-02, 2008-03, 2008-04, 2008-05, 2008-06, 2008-07, 2008-08, 2008-09, 2008-10, and 2008-11 would be the responsibility of the city.

Motion by Ronspies and seconded by Acklie to approve the Resolution making assessments of Street Improvement District Nos. 2008-02, 2008-03, 2008-04, 2008-05, 2008-06, 2008-07, 2008-08, 2008-09, 2008-10, and 2008-11. Voting Aye: Acklie, Maas, and Ronspies. Nay: None. Absent: Bates. Motion carried.

Motion by Ronspies and seconded by Maas to approve the Resolution to reimburse the City Of Pierce for certain expenditures, including the city's temporary advance of funds on hand to meet the timely contractual payment obligation of principal and interest on the city's \$195,000 Bond Anticipation Notes, Series 2008. Voting Aye: Acklie, Maas, and Ronspies. Nay: None. Absent: Bates. Motion carried.

Motion by Acklie and Ronspies to approve the Resolution ratifying and confirming all prior actions of the City Of Pierce relative to the acceptance of work in Street Improvement District Nos. 2008-02, 2008-03, 2008-04, 2008-05, 2008-06, 2008-07, 2008-08, 2008-09, 2008-10, and 2008-11. Voting Aye: Maas, Ronspies, and Acklie. Nay: None. Absent: Bates. Motion carried.

Motion by Maas and seconded by Acklie to approve the Resolution calling a portion of the city's General Obligation Various Purpose Bonds Series 2001 for redemption in the principal amount of \$130,000. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Motion by Ronspies and seconded by Maas to approve the Resolution calling a portion of the city's General Obligation Various Purpose Bonds Series 2003 in the principal amount of \$670,000. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Ordinance #643, to authorize the issuance of Various Purpose Bonds Series 2009 of the City Of Pierce in the principal amount of \$975,000 was introduced by City Council Member Lee Acklie.

Motion by Acklie and seconded by Maas to waive the three readings of Ordinance #643. Voting Aye: Acklie, Maas, and Ronspies. Nay: None. Absent: Bates. Motion carried.

Motion by Acklie and seconded by Maas to approve Ordinance #643, to authorize the issuance of Various Purpose Bonds Series 2009 in the principal amount of \$975,000 to refund and retire \$130,000 General Obligation Various Purpose Bonds Series 2001, to refund and retire \$670,000 General Obligation Various Purpose Bonds Series 2003, to pay a portion of the cost in Street Improvement District Nos. 2008-02, 2008-03, 2008-04, 2008-05, 2008-06, 2008-07, 2008-08, 2008-09, 2008-10, and 2008-11, (including the intersections and the areas formed by the crossing of streets, avenues, and alleys), prescribing the form of said bonds, providing for the levy of taxes to pay the same, and providing for the publication of the ordinance in pamphlet form. Voting Aye: Maas, Ronspies, and Acklie. Nay: None. Absent: Bates. Motion carried.

Bids were received with various options for roof repair for the park shelterhouse, swimming pool bathhouse, Devers shelter, park restrooms, park concession stand, and baseball storage shed were received from S & B Construction, Warrior Roofing And Siding, Adam Bolling, G And R Construction, and A.B.G. Contracting.

Motion by Ronspies and seconded by Maas to approve the bid of Adam Bolling in the amount of \$18,611.70 for roof repair for the park shelterhouse, swimming pool bathhouse, Devers shelter, park restrooms, park concession stand, and baseball storage shed. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Motion by Ronspies and seconded by Acklie to approve the Resolution to adopt the Lower Elkhorn Natural Resources District Multi-jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Motion by Maas and seconded by Ronspies to approve the Resolution to designate Chad E. Anderson as Responsible Charge (RC) for pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA Guidelines Manual for Federal-aid Projects, and all Federal, State, and local laws, rules, regulations, policies, and guidelines for the following Federal-aid transportation project:

NDOR Project Number SRTS-70 (20)
NDOR Control Number 32076
Pierce Community Safe Routes To School Project

Voting Aye: Acklie, Maas, and Ronspies. Nay: None. Absent: Bates. Motion carried.

It was announced that Mayor Shannon Stuchlik and City Council Member Rick Ronspies would serve on the Consultant Selection Committee in conjunction with the Safe Routes To School Project.

City Administrator Chad Anderson presented information on the Request For Proposal For Preliminary Engineering Consultant for the Safe Routes To School Project.

Ordinance #644, to amend the customer charges and electrical rates for Pierce utility customers who are general service customers outside the city was introduced by City Council Member Tom Maas.

Motion by Maas and seconded by Ronspies to waive the three readings of Ordinance #644. Voting Aye: Maas, Ronspies, and Acklie. Nay: None. Absent: Bates. Motion carried.

Motion by Maas and seconded by Ronspies to approve Ordinance #644, to amend the customer charges and electrical rates for Pierce utility customers who are general service customers outside the city. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Motion by Acklie and seconded by Maas to approve the Resolution for the lot split for the South Seventy-One Feet (South Unit) Of The East Twenty-Six Feet of Lot Seven And Lot Eight, Block Thirty-Seven, Original Town Of Pierce And The North Fifty-Three Feet (North Unit) Of The East Twenty-Six Feet Of Lot Seven And Lot Eight, Block Thirty-Seven, Original Town Of Pierce. Voting Aye: Ronspies, Acklie, and Maas. Nay: None. Absent: Bates. Motion carried.

Motion by Ronspies and seconded by Acklie to approve Will Douglass as a member of Pierce Rescue. Voting Aye: Acklie, Maas, and Ronspies. Nay: None. Absent: Bates. Motion carried.

Motion by Acklie and seconded by Ronspies to adjourn. Motion carried.

Mary Jean Rogers
City Clerk

Shannon Stuchlik
Mayor