

## MINUTES

The Brandon City Council met in regular session at 6:00 p.m. on December 2, 2024 in the Council Chambers at 308 S. Main Avenue, Brandon, South Dakota. Present were Barb Fish, Bruce Johnson, David Kull, Kevin Lawrence, Randy Marso, Colin Steen and Mayor Harry Buck. Others present were: City Administrator, Bryan Read; Finance Officer, Christina Smith; City Attorney, Lisa Marso; City Engineer, Tami Jansma; Park Superintendent, Devin Coughlin; Golf Course Manager, Andrew Bauer; Public Works Director, Rollie Hoeke and Development Director, Patrick Andrews.

Alderman Johnson moved Alderman Steen seconded to approve the agenda as amended. Motion carried.

Alderman Lawrence moved Alderman Marso seconded to approve the minutes of the November 14, 2024 briefing meeting and the November 18, 2024 regular meeting. Motion carried.

Alderman Steen moved Alderman Johnson seconded to approve the following claims.

<b><u>VENDOR</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
AE2S	Improvements	29,579.13
Alliance	Utilities	2,880.30
Amazon	Supplies	1,199.00
Austin Peterson	Reimbursement	36.11
Baycom	Supplies	301.00
Border States	Improvements	11,744.47
BV School District	Lighting Upgrade	6,638.11
Carlson & Stewart	Repairs	1,072.50
Core & Main	Repairs	475.96
Corson Village	Reimbursement	955.59
Delta Dental	Insurance	3,801.60
DGR Engineering	Improvements	90,202.31
Direct Technologies	Improvements	4,038.92
DLT Solutions	Software	7,372.16
Dust-Tex	Supplies	129.40
Fastenal	Supplies	200.46
Geotek	Improvements	3,362.50
Girton Adams	Supplies	27.00
Graham	Hired Repairs	1,767.28
Grainger	Supplies	334.68
Hawkins	Chemicals	2,010.26
Incode/Tyler Tech	Software	725.00
Infrastructure Design Group	Improvements	30,029.85
Interstate Power	Repairs	235.80
Jack's Uniform	Clothing Supplies	229.89
Johnstone Supply	Repairs	39.00
KC Life Insurance	Insurance	605.94

Kyle Zigan	Reimbursement	50.98
Lacey Rentals	Rentals	135.00
Larry Bixby	Reimbursement	329.61
Med-Star	Monthly Contract	4,166.63
Modern Woodman	Insurance	2,267.01
Newman Traffic Signs	Supplies	12,772.30
Northwest Tire	Hired Repairs	158.39
Oakridge	Maintenance	477.37
Olson's Pest	Monthly Contract	205.00
Palisades	Fuel	1,722.44
Paul & Tammy VanDeBerg	Reimbursement	250.00
Pitney Bowes	Quarterly Lease	181.23
Runnings	Clothing Supplies	601.93
Safe N Secure	Repairs	110.00
SD Dept of Health	2025 Dues	275.00
SD State Plumbing	2025 Dues	275.00
SF Utilities	Utilities	116,142.01
Sirchi Finger Prints	Supplies	86.80
Sonnel Tech	Equipment	1,777.80
Splitrock Landscaping	Hired Repairs	114,280.00
Streicher's	Safety Supplies	78.97
Sunset Law	Supplies	3,855.50
SV Energy	Utilities	42,652.42
SV Energy	Utilities	2,347.25
Tessier's	Hired Repairs	844.57
Titan	Repairs	3,177.06
Transwest Truck	Hired Repairs	1,970.16
USA Blue Book	Supplies	249.98
VFW Brandon	4th Quarter	1,500.00
Wellmark BC/BS	Insurance	80,389.95
Xcel	Utilities	4,261.73
Zach Kieffer	Reimbursement	25.49
City Administration	November 21, 2024 Payroll	4,340.20
Finance Officer	November 21, 2024 Payroll	6,513.69
Government Buildings	November 21, 2024 Payroll	135.28
Engineer	November 21, 2024 Payroll	4,239.50
Police	November 21, 2024 Payroll	33,597.66
Building Inspections	November 21, 2024 Payroll	4,316.94
Street Department	November 21, 2024 Payroll	6,881.64
Park Department	November 21, 2024 Payroll	5,095.23
Economic Development	November 21, 2024 Payroll	2,370.27
Water Department	November 21, 2024 Payroll	10,578.34
Sewer Department	November 21, 2024 Payroll	5,470.67
Golf Course Grounds	November 21, 2024 Payroll	4,631.14
Golf Course Lounge	November 21, 2024 Payroll	2,489.43
Golf Course Pro Shop	November 21, 2024 Payroll	4,000.81
941 Payroll Taxes	November 21, 2024 Payroll	29,687.45
SD Retirement Supplemental	November 21, 2024 Payroll	1,527.50

SD Retirement Supplemental	November Payroll	34,319.16
TASC Flex Plan	November 7, 2024 Payroll	1,175.43
Accounts Management	November 7, 2024 Payroll	75.00
Direct Pay	November 18, 2024	933.17

A public hearing was held, as advertised, to consider an appeal of the November 7, 2024 decision of the Planning & Zoning Commission to approve a Conditional Use Permit for 217 E. Honeysuckle Street for a medical cannabis establishment. Alderwoman Fish moved Alderman Kull seconded to uphold the decision of the Planning & Zoning Commission to approve the Conditional Use Permit. Motion carried.

ORDINANCE #718

A public hearing was held, as advertised, to consider Ordinance #718 making changes to the Zoning Ordinance as it pertains to the sign regulations for the City of Brandon. Alderman Steen moved Alderman Lawrence seconded to give first reading to Ordinance #718: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY AMENDING CHAPTER 15-15-5(H)(8)(a), ADDITIONAL USE REGULATIONS, SIGN REGULATIONS. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #719

A public hearing was held, as advertised, to consider Ordinance #719 making changes to the Zoning Ordinance as it pertains to drive-through service facilities for the City of Brandon. Alderman Lawrence moved Alderman Marso seconded to give first reading to Ordinance #719: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY ADDING REGULATIONS FOR DRIVE-THROUGH SERVICE FACILITIES BY AMENDING CHAPTER 15-9-3, NB: NEIGHBORHOOD BUSINESS DISTRICT; ADDING A CONDITIONAL USE TO CHAPTER 15-8-3, CB: CENTRAL BUSINESS DISTRICT, CONDITIONAL USES, CHAPTER 15-9-3, NB: NEIGHBORHOOD BUSINESS DISTRICT, CONDITIONAL USES, CHAPTER 15-10-3, GB: GENERAL BUSINESS DISTRICT, CONDITIONAL USES; CHAPTER 15-11-3, LI: LIGHT INDUSTRIAL DISTRICT, CONDITIONAL USES; AND CHAPTER 15-12-3, HI: HEAVY INDUSTRIAL DISTRICT, CONDITIONAL USES; ADDING CHAPTER 15-15-18, ADDITIONAL USE REGULATIONS, DRIVE-THROUGH SERVICE FACILITIES; AND AMENDING CHAPTER 15-23-2, DEFINITIONS, DEFINITIONS. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #720

A public hearing was held, as advertised, to consider Ordinance #720 making changes to the Zoning Ordinance as it pertains to fence regulations for the City of Brandon. Alderman Steen moved Alderman Kull seconded to give first reading to Ordinance #720: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SD, AMENDING THE BRANDON ZONING ORDINANCE BY AMENDING CHAPTER 15-15-6, ADDITIONAL USE REGULATIONS, FENCE REGULATIONS. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen

aye. Motion carried.

ORDINANCE #716

Alderman Kull moved Alderman Johnson seconded to give second reading to Ordinance #716: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA, PROVIDING THAT THE REVISED ZONING ORDINANCE NUMBER 531 AND THE OFFICIAL ZONING MAP OF THE CITY OF BRANDON SOUTH DAKOTA BE AMENDED TO PROVIDE FOR THE RE-ZONING OF THE FOLLOWING DESCRIBED PROPERTY. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

ORDINANCE #717

Alderman Fish moved Alderman Lawrence seconded to give second reading to Ordinance #717: TITLE: AN ORDINANCE OF THE CITY OF BRANDON, SOUTH DAKOTA PROVIDING THAT THE REVISED ZONING ORDINANCE NUMBER 531 AND THE OFFICIAL ZONING MAP OF THE CITY OF BRANDON SOUTH DAKOTA BE AMENDED TO PROVIDE FOR THE RE-ZONING OF THE FOLLOWING DESCRIBED PROPERTY. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

MCHARDY TOWER REPAIR QUOTE

The Golf Course Committee and Parks & Recreation Committee reports were heard. The City of Brandon had ISG Engineers perform an inspection of the McHardy Tower and they found some maintenance work that is needed. Alderman Marso moved Alderman Lawrence seconded to approve Oakland Homes to add diagonal lateral bracing on all four sides of the structure and replace all treads that are in poor condition in an amount of \$24,800.00. Motion carried.

2025 CONTRACT WITH SIOUX FALLS HUMANE SOCIETY

The Public Safety Committee report was heard. Alderman Steen moved Alderman Marso seconded to approve the bill by call contract with the Sioux Falls Humane Society for the 2025 budget year. Motion carried.

RESOLUTION #34-24

The Administration committee report was heard. Alderman Kull moved Alderman Marso seconded to approve Resolution #34-24 with the removal of the paragraph that states “In addition to the above-listed holidays, the City of Brandon shall observe all holidays or administrative leave declared by the Governor or the President of the United States as paid holidays. A roll call vote showed Johnson, Kull, Lawrence, Marso, Steen aye; Fish nay. Motion carried.

**RESOLUTION #34-24**

**RESOLUTION AMENDING SECTION 5.2 HOLIDAYS TO THE CITY OF BRANDON  
EMPLOYMENT POLICY MANUAL**

**BE IT RESOLVED** by the City Council of Brandon, South Dakota that the following sections

are amended to the Brandon Employment Policy Manual:

## 5.2 Holidays

The City recognizes and observes the following as paid holidays for full-time eligible employees:

- New Years Day, January 1
- Martin Luther King Jr Day, 3<sup>rd</sup> Monday in January
- Presidents' Day, 3<sup>rd</sup> Monday in February
- Memorial Day, Last Monday in May
- Juneteenth, June 19
- Independence Day, July 4
- Labor Day, 1<sup>st</sup> Monday in September
- Native Americans' Day, 2<sup>nd</sup> Monday in October
- Veterans' Day, November 11<sup>th</sup>
- Thanksgiving Day, 4<sup>th</sup> Thursday in November
- Christmas Day, December 25

When a holiday falls on a Saturday, the preceding Friday is observed as the paid holiday for eligible City employees. If a holiday falls on a Sunday, it is observed on the following Monday. Holidays, when not actually worked, will not be counted as work time to determine overtime. When working on a holiday, employees will receive eight (8) hours of holiday time plus time-and-a-half for the hours actually worked

Adopted this 2<sup>nd</sup> day of December, 2024

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Harry Buck  
Mayor

(SEAL)

ATTEST:

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Christina Smith  
Finance Officer

### RESOLUTION #35-24

Alderman Steen moved Alderman Lawrence seconded to approve Resolution #35-24. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

**RESOLUTION #35-24**

**WHEREAS**, Chapter 16-2 of the Brandon Municipal Code establishes a subdivision plans approval process. Paragraph 16-2-3 allows Brandon City Council to set fees.

**THEREFORE BE IT RESOLVED**, that the City of Brandon sets the fee for subdivision plan review and plats effective immediately:

Subdivision Plan Review Fee:

- Preliminary and Plan Review..... \$ 100.00
- Development Engineering Plan Review..... \$ 300.00 plus \$10.00 per lot

Plat Filing Fee:

- New Plat..... \$ 80.00 for first 2 lots + \$10.00 each additional lot
- Replat..... \$110.00 for first 2 lots + \$10.00 each additional lot

Dated this 2<sup>nd</sup> day of December, 2024.

ATTEST:

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Harry Buck  
Mayor

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Christina Smith  
Municipal Finance Officer

(SEAL)

RESOLUTION #36-24

Alderman Marso moved Alderman Johnson seconded to approve Resolution #36-24. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

**RESOLUTION #36-24**

**WHEREAS**, Chapter 10-3 of the Brandon Municipal Code establishes a permit for excavations in public areas. Paragraph 10-3-8 allows Brandon City Council to set fees for these permits; and

**WHEREAS**, an excavation includes each open cut, trench or hole dug and will include up to 300 feet of underground boring.

**THEREFORE BE IT RESOLVED**, that the City of Brandon sets the fee for excavation permits as follows:

Permit fee..... \$ 50.00

Dated this 2<sup>nd</sup> day of December, 2024.

ATTEST:

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Harry Buck  
Mayor

\_\_\_\_\_  
Christina Smith  
Municipal Finance Officer

(SEAL)

RESOLUTION #37-24

Alderman Marso moved Alderman Lawrence seconded to approve Resolution #37-24. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

**RESOLUTION #37-24  
SETTING WATER RATES**

**WHEREAS**, Brandon Municipal Ordinance 14-4-2 authorizes the Brandon City Council to establish rates and charges for utility services provided by the city; and

**WHEREAS**, rates need to be considered on a regular basis to keep increases to a minimum yet providing enough revenue to ensure that the Water Fund is operating in the black.

**NOW THEREFORE BE IT RESOLVED** by the City Council of Brandon, South Dakota that the following user classifications and rates are hereby adopted:

### **Monthly Surcharge Rate**

The monthly surcharge rates will be charged regardless of the amount of water used. The surcharge shall be added to each account for debt service payments on the water treatment plant bond. The following monthly surcharge rate is hereby set for the various meter sizes listed:

<u>Meter Size</u>	<u>Monthly Base Rate</u>
1" and smaller	\$ 27.00
1 ½"	\$ 54.00
2"	\$ 108.00
3"	\$ 243.00
4"	\$ 432.00
6"	\$ 972.00

### **Monthly Base Rate**

The monthly base rate will be charged regardless of the amount of water used. The following monthly base rate is hereby set for the various meter sizes listed:

<u>Meter Size</u>	<u>Monthly Base Rate</u>
1" and smaller	\$ 10.11
1 ½"	\$ 20.27
2"	\$ 40.53
3"	\$ 91.18
4"	\$ 162.04
6"	\$ 364.61

### **User Classifications and Volumetric Charges**

All Single-Family Residential accounts with four units or less shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 12,000 gallons shall pay \$5.26 per 1,000 gallons
- Tier 2: 12,001 – 24,000 gallons shall pay \$6.78 per 1,000 gallons
- Tier 3: 24,001 – 36,000 gallons shall pay \$8.89 per 1,000 gallons
- Tier 4: 36,001 gallons and above shall pay \$13.27 per 1,000 gallons

All Residential accounts with more than four units shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 20,000 gallons shall pay \$5.26 per 1,000 gallons
- Tier 2: 20,001 – 60,000 gallons shall pay \$6.78 per 1,000 gallons
- Tier 3: 60,001 – 80,000 gallons shall pay \$8.65 per 1,000 gallons
- Tier 4: 80,001 gallons and above shall pay \$13.04 per 1,000 gallons

All Non-Residential accounts shall be charged the following rates based upon the amount of water used as registered on the water meter:

- Tier 1: 0 – 20,000 gallons shall pay \$5.26 per 1,000 gallons
- Tier 2: 20,001 – 60,000 gallons shall pay \$6.27 per 1,000 gallons



Tier 3: 60,001 – 80,000 gallons shall pay \$7.41 per 1,000 gallons  
Tier 4: 80,001 gallons and above shall pay \$9.83 per 1,000 gallons

All Non-Residential accounts that have a winter average consumption that is equal to or greater than 80,000 gallons shall be charged the following rate based upon the amount of water used as registered on the water meter:  
\$6.27 per 1,000 gallons

All Sprinkler Only accounts shall be charged the following rates based upon the amount of water used as registered on the water meter:

Tier 1: 0 – 24,000 gallons shall pay \$7.11 per 1,000 gallons  
Tier 2: 24,001 – 36,000 gallons shall pay \$9.06 per 1,000 gallons  
Tier 3: 36,001 gallons and above shall pay \$13.27 per 1,000 gallons

**BE IT FURTHER RESOLVED** that the above rates will be effective beginning with the January 2025 utility bill.

Adopted this 2<sup>nd</sup> day of December, 2024.

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Harry Buck  
Mayor

ATTEST:

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Christina Smith  
Municipal Finance Officer

(SEAL)

RESOLUTION #38-24

Alderman Steen moved Alderman Lawrence seconded to approve Resolution #38-24. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

**RESOLUTION #38-24**

**WHEREAS**, Brandon Municipal Ordinance #14-4-2 states: “The rates and charges for the

consumption of utility services furnished by the city, as well as the charges and fees for connections thereto, shall be as determined by the city council from time to time and on file in the office the municipal finance officer.” and:

**WHEREAS**, Resolution #08-17 established the a fee schedule for connection to the municipal water system in 2017.

**NOW THEREFORE BE IT RESOLVED**, by the Brandon City Council that Resolution #08-17 is repealed and the following fees for connection to the municipal water system is hereby established:

Base connection fee \$1,000.00  
1" water meter 1 times the base fee  
1 ½" water meter 2 times the base fee  
2" water meter 4 times the base fee  
3" water meter 9 times the base fee  
4" water meter 16 times the base fee  
6" water meter 36 times the base fee  
8" water meter 64 times the base fee

Dated this 2<sup>nd</sup> day of December, 2024.

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Harry Buck  
Mayor

ATTEST:

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Christina Smith  
Municipal Finance Officer

(SEAL)

**RESOLUTION #39-24**

Alderman Kull moved Alderman Marso seconded to approve Resolution #39-24. A roll call vote showed Fish, Johnson, Kull, Lawrence, Marso, Steen aye. Motion carried.

**RESOLUTION #39-24  
ESTABLISHING RATES FOR WASTEWATER SERVICE CHARGES**

**WHEREAS**, Ordinance #14-5-7 states that the charge for each billing period shall be established and may be amended by resolution of the City Council.

**BE IT FURTHER RESOLVED** that the following rates are hereby established and become effective for residential, commercial and industrial users of the Brandon Wastewater System:

Beginning with the January 2025 utility bill;  
Minimum monthly base charge of \$10.59

Volume charge of \$13.78 per one thousand gallons or fraction thereof of water usage as shown on the water meter

Surcharge of \$4.20 per month shall be added to each account for debt service payments on the State Revolving Loan for the Big Sioux Lift Station

**BE IT FURTHER RESOLVED**, that the monthly usage for billing shall be determined by averaging the usage from the months of November and December of the preceding year. This average shall be used to compute the monthly wastewater service charges until a new average is determined the following year. New accounts that have not established an average shall be billed the lesser of 100 gallons per person per day in the household or actual usage as shown on the water meter.

**BE IT FURTHER RESOLVED**, that rates need to be considered on a regular basis to keep increases to a minimum yet providing enough revenue to ensure that the Wastewater Fund is operating in the black.

Dated this 2<sup>nd</sup> day of December, 2024.

\_\_\_\_\_  
Harry Buck  
Mayor

ATTEST:

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Christina Smith  
Municipal Finance Officer

(SEAL)

RESOLUTION #40-24

Alderman Steen moved Alderman Johnson seconded to approve Resolution #40-24. A roll call vote showed Johnson, Kull, Lawrence, Marso, Steen aye; Fish nay. Motion carried.

**RESOLUTION #40-24**

**WHEREAS**, Brandon Municipal Ordinance #14-4-2 states: “The rates and charges for the consumption of utility services furnished by the city, as well as the charges and fees for connections thereto, shall be as determined by the city council from time to time and on file in the office the municipal finance officer.” and:

**WHEREAS**, Brandon City Council established a fee schedule for connection to the municipal wastewater system in 2009:

**NOW THEREFORE BE IT RESOLVED**, by the Brandon City Council that the fee schedule for connection to the municipal wastewater system is hereby replaced with the following fee schedule:

Base connection fee \$750.00  
1" water meter 1 times the base fee  
1 ½" water meter 2 times the base fee  
2" water meter 4 times the base fee  
3" water meter 9 times the base fee  
4" water meter 16 times the base fee  
6" water meter 36 times the base fee  
8" water meter 64 times the base fee

Dated this 2<sup>nd</sup> day of December, 2024.

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Harry Buck  
Mayor

ATTEST:

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Christina Smith  
Municipal Finance Officer

(SEAL)

2025 GARBAGE HAULERS LICENSE RENEWALS

Alderman Marso moved Alderman Kull seconded to approve the following Garbage Haulers License renewals for 2025. Motion carried.

BOLTE'S SUNRISE SANITARY SERVICE  
P.O. Box 7 - 47026 Boondocks Court  
Worthing, SD 57077  
605-361-7936

MARV'S SANITARY SERVICE  
P.O. Box 733 - 816 E. Redwood Blvd.  
Brandon, SD 57005  
605-582-6766

NOVAK SANITARY SERVICE  
5000 W. 8<sup>TH</sup> Str.  
Sioux Falls, SD 57107  
605-338-7126

RBS SANITATION, INC.  
46914 Austin Street  
Tea, SD 57064  
605-213-3021

WASTE MANAGEMENT  
2221 E. Rice Street  
Sioux Falls, SD 57103  
605-339-4970

2025 SEWER CLEANING LICENSE RENEWALS

Alderman Kull moved Alderman Steen seconded to approve the following Sewer Cleaning License renewals for 2025. Motion carried.

The Comfort Heroes  
900 E. Benson Road  
Sioux Falls, SD 57104  
605-202-2020

Hander Plumbing & Heating  
2407 W. 5<sup>th</sup> Street  
Sioux Falls, SD 57104  
605-339-9633

Mr. Rooter of Sioux Falls  
515 N. Garfield Circle  
Sioux Falls, SD 57104  
605-338-5517

Roto-Rooter  
901 East 52nd Street North  
P.O. Box 623 (57101)  
Sioux Falls, SD 57104  
605-336-8505

EMPLOYEE RESIGNATION

The Streets Committee report was heard. Alderman Johnson moved Alderman Steen seconded to approve the resignation from Seth Goembel, effective December 13, 2024. Motion carried.

DRAINAGE AREAS MAINTENANCE PROJECTS CHANGE ORDER

The Water & Sewer Committee report was heard. Alderman Lawrence moved Alderman Steen seconded to approve change order #1 to Splitrock Landscaping in the amount of \$7,400.00 for the drainage areas maintenance projects. Motion carried.

DRAINAGE AREAS MAINTENANCE PROJECTS CHANGE ORDER

Alderman Marso moved Alderman Johnson seconded to approve pay application #1 and final to Splitrock Landscaping in the amount of \$114,280.00 for the drainage areas maintenance projects. Motion carried.

SIOUX FALLS DUAL FORCEMAIN PROJECT UPDATE

Alderman Fish moved Alderman Steen seconded to approve the additional cost of \$47,154.60 for the City of Brandon dual forcemain project with the City of Sioux Falls and to make payment to the contractor. Motion carried.

At 6:48 p.m. on a motion by Alderman Marso seconded by Alderman Johnson the meeting was adjourned. Motion carried.

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Melissa Labahn  
Municipal Recording Clerk

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Harry Buck  
Mayor