

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, June 5, 2017 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson (arrived at 6:15 pm), Mike Bachand, Rod Bradley, Tony Dargatz, David Martinson and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Rhea Crane and Steve Keszler.

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

Motion by Bachand, second by Martinson and carried with all members present voting yes to go into executive session for one legal case, three contracts and one personnel at 6:02 pm.

Motion by Waterland, second by Martinson to return to regular session at 6:30 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Martinson, second by Anderson and carried with all members present voting yes to approve the sponsorship agreement and lease agreement with Discovery Channel.

Dean Kinney, Chairperson of the Sturgis ® Motorcycle Rally™, Inc., gave a brief talk on the benefits of this non-profit organization and the process of negotiating the agreement with the City of Sturgis. He thanked all that was involved.

Motion by Martinson, second by Waterland and carried with all members present voting yes to approve the licensee agreement with Sturgis ® Motorcycle Rally™, Inc.

Motion by Anderson, second by Dargatz and carried with all members present voting yes to approve the employment contract with the City Attorney.

### Announcements:

- June 6, 2017 – Capital for a Day – There will be a presentation at Harley-Davidson Rally Point at 10:00 am with Governor Daugaard speaking.
- A letter from Tim Potts was received thanking the Police Department, P.A.L. organization, Meade County Sheriff's deputies and Game, Fish and Parks for organizing and participating in the Sturgis Steps Outside event that was held at Bear Butte Lake this past weekend.
- Bridger Gordon, Senior at Brown High School, ran for Governor at Boys State this past week and won. He is the first representative from West River, other than Rapid City, to win the title.
- The Council wishes Coach Keszler and the Girl's Golf team the best of luck at the State tournament.

### City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for April collected in May was down 3.2% month over month and was down 6.7% year over year. The Gross Receipts Tax (triple B) was down 2.5% month over month and is down 5.4% year over year.
- Payroll Changes – within budget:
  1. Ambulance Dept – EMT-B & Billing Coordinator – Keri Casteel, Sarah Gleason - \$1.50 stipend; EMT-B and Jail Coord. – Halli Schulz - \$1.50 stipend; Critical Care

- Paramedic – Alyssa Weaver - \$8.65 (\$18.05 after orientation); Cory Nelson - \$8.65 (\$17.00 after orientation) Paramedics and Critical Care Paramedics – Eligible Staff - \$50 stipend.
2. Rally Dept – Project Temp – Dakotah Cole - \$9.25; Summer Seasonal – Cynthia Scherer - \$9.50.
  3. Parks Dept – Seasonal – William Sedlak - \$8.80
  4. Sturgis Volunteer Fire Dept – Jarrod Vandewater – volunteer no wage – from the beginning of the year.
  5. Police Dept – Sergeant – Victor Leveque - \$22.90; Reserves - Nicolis Forbes, William Schlosser, Jerred Hegstrom, Richard Mendyka, David Kroeger – volunteer no wage.
  6. Liquor Store – Sales Clerk – Jerry Klusak - \$14.38 – half-time; Lisa Boyer, Nicole Main – status change to half-time, no wage change; Inventory Receiving Clerk – Trishelle Tammi – status change to half-time, no wage change.

Motion by Waterland, second by Martinson and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Consideration to approve the minutes from the May 15, 2017 regular council meeting.
- b. Consideration to approve setting a public hearing for June 19, 2017 for a Special Events License for the Knuckle Saloon at 1544 Lazelle (Samson’s Corner-VIP Village) on August 7 & 10, 2017.
- c. Consideration to approve setting a public hearing for June 19, 2017 for a Special Events License for the Knuckle Saloon at 1401 Lazelle (Community Center) on August 4-10, 2017.
- d. Consideration to approve setting a public hearing for June 19, 2017 for a Special Events License for the Loud American at 1337 Main on August 3-12, 2017.
- e. Consideration to approve setting a public hearing for June 19, 2017 for a Special Events License for Rosco’z Steakhouse at 999 Main (Motorcycle Museum) on August 4-12, 2017.
- f. Consideration to approve setting a public hearing for June 19, 2017 for a Special Events License for the Oasis Bar at Harley-Davidson Rally Point on August 4-12, 2017.
- g. Consideration to approve setting a public hearing for June 19, 2017 for a Use on Review to operate an accounting business for Carol Hicks at 1109 5<sup>th</sup> St
- h. Consideration to approve setting a public hearing for June 19, 2017 for a Use on Review to operate a machine shop business for Craig Lockwood at 1601 Joedy St.
- i. Consideration to approve setting a public hearing for June 19, 2017 for a Setback Variance request for a new garage for Bryan Vansickle at 3128 Vanocker Dr.

Motion by Waterland, second by Anderson and carried with all members present voting yes to approve the following claims with the exception of removing Spearfish Ambulance (this was paid by credit card):

**WAGES** – Ambulance \$25,859.00; Attorney \$3534.38; Auditorium \$189.47; Buildings \$1116.47; Cemetery \$2400.72; City Manager \$4387.81; Community Center \$10,286.23; Finance Office \$8834.72; Fire Department \$77.41; Human Resource \$6381.13; Library \$8836.48; Liquor \$5996.84; Mayor and Council \$3661.11; Parks \$10,840.17; Planning & Permitting \$7477.90; Police \$35,333.76; Rally \$6863.74; Recreation \$3260.73; Sanitary Service \$14,743.48; Streets \$13,596.23; Wastewater \$9072.52; Water \$13,551.16; Federal Withholding \$19,139-17; FICA \$14,185.39.

**COMBINED CASH FUND** – James Bradley, \$27.88, refund; Northgate Homes, \$22.38, refund; Chad Owens, \$60.36, refund; Annette Perfett, \$34.90, refund.

**GENERAL** – A&B Business, \$781.34, sup; Adams-ISC, \$93.00, rep; Amazon, \$411.61, sup; Amcon Distributing, \$352.89, resale; American Legal Services, \$57.92, prof fee; Avaya, \$25.55,

util.; Baker & Taylor, \$764.30, sup; Baseline Surveying, \$1,160.00, prof fee; Bear Butte valley Water, \$112.15, util.; Black Hills energy, \$29,221.31, util.; Roger Burnham, \$3,500.00, prof fee; Butte Electric, \$458.48, util.; Caselle, \$1,479.00, prof fee; CEASD, \$60.00, travel; Century Business Products, \$236.43, sup; Chain Saw Center, \$31.95, sup; Sturgis Water Dept, \$2,812.37, util.; Jerry Cole, \$774.61, travel; Dakota Extinguisher & Safety, \$160.25, sup; DEMCO, \$78.48, sup; Double Star Computing, \$748.69, prof fee; First Western Insurance, \$5,287.76, ins; G&H Distributing, \$101.87, sup; GOSCMA, \$100.00, prof fee; Hawkins, (\$92.00) rep; Hillyard, \$410.64, sup; J&L Services, \$580.00, rep; Jerrys Refrigeration, \$255.80, rep; KT Connections, \$1,605.80, prof fee; Kennedy's Window Cleaning, \$989.00, rep; Ketel Thorstenson, \$18,292.69, other; Knecht Home Center, \$165.36, rep; Aaron Lukesh, \$30.00, other; McLeod's Printing & Office Supply, \$238.57, sup; Meade County Auditor, \$31,092.71, other; Network Services Co, \$98.88, sup; Northern Hills Vet Clinic, \$632.93, prof fee; Petty Cash, \$141.20, other; Pheasantland Industries, \$437.34, rep; Print Mark-et, \$1,165.85, pub; Purchase Power, \$500.00, sup; Push-Pedal-Pull, \$360.00, prof fee; Quick Signs, \$220.31, sup; Ramaker & Associates, \$1,046.00, prof fee; Rasmussen Mechanical Services, \$972.37, rep; Regional Health Network, \$110.00, prof fee; Renatus Woodworking, \$2,000.00, other; Richter's Tire & Exhaust, \$87.98, sup; Rockingtree Floral, \$364.31, rep; Rosenbauer South Dakota, \$95.35, sup; Rushmore Office Supply, \$4,870.66, sup; S&C Cleaners, \$3,000.00, rep; Schwan's, \$25.13, resale; SD State Historical Society, \$32.00, sup; SimplexGrinnell, \$765.74, rep; Sturgis Ambulance, \$300.00, travel; Sturgis Police Reserves, \$680.00, other; Sturgis Sawmill, \$189.22, rep; TASC, \$1,571.01, ins; Universal Athletic, \$56.07, sup; VAST Business, \$1,236.99, util.; Verizon Wireless, \$2,389.22, util.; Katryn Wood, \$6.00, sup.

**SPECIAL SALES TAX** – Chamber of Commerce, \$9,166.67; Sturgis Water, \$50.59; Sturgis Economic Development, \$8,333.33.

**CAPITAL IMPROVEMENT** – Baseline Surveying, \$1,880.00; Fennell Design, \$3,750.00; Petty Cash, \$30.00; Rasmussen Mechanical Services, \$5,164.00; Real Estate Center of Sturgis, \$300.00; SD Overhead Doors, \$1,248.50; Sturgis Volunteer Fire Dept, \$20,832.00; Tru-Form Construction, \$24,821.47.

**BUSINESS IMPROVEMENT DISTRICT** – Mark Bruch, \$520.00, sup.

**EQUIPMENT REPLACEMENT FUND** – Beck Motors, \$25462.00; Deer & Company, \$27,733.86.

**TIF #9 PALISADES** – Meade County Auditor, \$1,108.18; Meade School District, \$2,317.09.

**TIF #12 DOLAN CREEK** – First Interstate Bank, \$1,212.63, other.

**LIQUOR** – Arctic Glacier USA, \$347.97, resale; Belle Joli Winery, \$189.00, resale; Black Hills Asphalt, \$382.65, rep; Black Hills Energy, \$1,879.31, util.; Black Hills Technologies, \$6,983.00, equip; Cask & Cork, \$245.00, resale; Century Business Products, \$3.39, sup; Sturgis Water Dept, \$277.87, util.; Coca Cola, \$469.00, resale; Dakota's Best Distributing, \$88.35, resale; Double Star Computing, \$340.00, prof fee; First Interstate Bank, \$5,000.00, ATM; Fisher Beverage, \$15,689.47, resale; Johnson Western Wholesale, \$9,748.60, resale; KT Connections, \$98.44, prof fee; LPA Retail Systems, \$1,350.00, prof fee; M&B Enterprises, \$305.80, resale; Nicole Main, \$500.00, ins; Pepsi Cola, \$164.45, resale; Prairie Berry, \$756.00, resale; Print Mark-et, \$68.58, pub; Quality Brands of the BH, \$26,280.30, resale; Republic Beverage, \$21,148.81, resale; Rushmore Office Supply, \$680.28, sup; SD Licensed Beverage Dealers, \$100.00, sup; Southern Glazer's of SD, \$2,022.85, resale; TASC, \$69.42, ins; VAST Business, \$288.47, util.

**WATER** – Black Hills Energy, \$13,354.18, util.; Butte Electric, \$967.59, util.; Century Business Products, \$61.86, sup; Sturgis Water Dept, \$113.93, util.; Credit Collections Bureau, \$74.08, prof fee; Double Star Computing, \$20.00, prof fee; Hawkins, \$906.50, sup; HD Supply Waterworks, \$6,952.74, sup; KT Connections, \$98.44, prof fee; Petty Cash, \$30.78, refund; Print Mark-et, \$68.58, pub; Rushmore Office Supply, \$98.53, sup; Sacrison Asphalt, \$242.40, rep; TASC, \$139.65, ins; VAST Business, \$312.50, util.; Verizon, \$214.11, util.

**WASTEWATER** – Adams-ISC, \$289.00, rep; Advanced Engineering & Environmental, \$45,718.10, cap imp; Bauer North America, \$438.70, rep; Black Hills Energy, \$2,348.50, util.;

Sturgis Water Dept, \$20.86, util.; Dakota RV, \$794.21, rep; Dale's Tire & Retreading, \$484.52, sup; Double Star Computing, \$800.00, prof fee; Flexible Pipe Tool Company, \$109.85, rep; Heavy Constructors, \$210,785.34, cap imp; KT Connections, \$98.44, prof fee; Knutson Irrigation Service, \$64.00; PKG Contracting, \$47,849.17, cap imp; Print Mark-et, \$68.58, pub; Richter's Tire & Exhaust, \$67.96, sup; Rushmore Office Supply, \$4.59, sup; Scott Peterson Motors, \$638.90, other; Severson Dirt Works, \$400.00, refund; TASC, \$87.18, ins; Verizon, \$139.45, util. **SANITATION** – Black Hills Energy, \$295.95, util.; Century Link, \$55.98, util.; Double Star Computing, \$800.00, prof fee; Fastenal Co, \$27.10, rep; KT Connections, \$98.44, prof fee; Key City Glass, \$200.00, rep; Northern Truck Equipment, \$9,993.60, sup; Print Mark-et, \$68.58, pub; Richter's Tire & Exhaust, \$9.24, rep; Rushmore Office Supply, \$183.00, sup; Tim Stumpf, \$500.00, ins; TASC, \$175.38, ins; Verizon, \$37.77, util.

**AMBULANCE** – Black Hills Energy, \$554.04, util.; Century Business Products, \$166.13, sup; Sturgis Water Dept, \$71.88, util.; Dakota Extinguisher & Safety, \$160.25, sup; Double Star Computing, \$115.00, prof fee; Henry Schein, \$627.20, sup; Hersrud Co., \$2,084.40, sup; Image Trend, \$2,666.00, travel; Jones & Bartlett Learning, \$3,722.36, sup; KT Connections, \$98.44, prof fee; Pizza Hut, \$178.84, sup; Print Mark-et, \$68.58, pub; Purchase Power, \$99.78, sup; Regional Health, \$535.00, prof fee; Rushmore Office Supply, \$174.24, sup; SD Board of Medical & osteopathic Exam, \$375.00, prof fee; TASC, \$244.86, ins; Tom's T's, \$105.61, sup; Vanway Trophy & Award, \$73.95, sup; VAST Business, \$166.07, util.; Verizon, \$2,492.09, sup.

Motion by Anderson, second by Dargatz and carried with all members present voting yes to approve Resolution 2017-34 - Street Closure for the 13<sup>th</sup> Annual Fulton St Bash on August 5, 2017.

**RESOLUTION 2017 -34  
RESOLUTION TO AUTHORIZE USE OF CITY PROPERTY AND STREET CLOSURE  
FOR THE 13<sup>TH</sup> ANNUAL FULTON STREET BASH**

WHEREAS, the 13<sup>th</sup> annual Fulton Street Bash will be held in the City of Sturgis, on Saturday, August 5<sup>th</sup>; and

WHEREAS, on August 5<sup>th</sup> the street closure will be for Dakota Street between Fulton Street and the alley to the East of Dakota Street from 2:00 pm -10 pm.; and

WHEREAS, the event has brought hot rods and motorcycles together on the first Saturday of the Motorcycle Rally; and

WHEREAS, it is in the public interest to provide a safe venue for this event; and

WHEREAS, the event that is held on this right-of-way enhances the activities going on during the week of the Rally; and

NOW, THEREFORE, BE IT RESOLVED that to accommodate this event the street closure will be for Dakota Street between Fulton Street and the alley to the East of Dakota Street from 2:00 pm -10 pm.

Dated this 5th day of June, 2017.

Published: 06-14-2017  
Effective: 07-05-2017

Motion by Waterland, second by Dargatz and carried with all members present voting yes to approve Resolution 2017-27 – Rally Street Closures.

**RESOLUTION 2017 -27**  
**RESOLUTION AUTHORIZING CLOSURE OF STREETS**  
**FOR ANNUAL STURGIS® MOTORCYCLE RALLY™**

WHEREAS the Sturgis® Motorcycle Rally™ will be held in the City of Sturgis, Friday, August 4, 2017 through Sunday, August 13, 2017; and

WHEREAS due to the large number of motorcyclists in Sturgis, South Dakota, during this time, it would be in the best interest for the City of Sturgis and its citizens that a portion of Main Street in the City of Sturgis be designated for motorcycle traffic only during this time and that parking restrictions be placed in effect adjacent to the Main Street area; and

NOW, THEREFORE, BE IT RESOLVED: That Main Street in the City of Sturgis, from its intersection with Middle Street to its intersection with Fourth Street shall be closed to all traffic with the exception of motorcycle traffic as specified in herein during a time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary by the Chief of Police of the City of Sturgis. The City Council of the City of Sturgis does hereby determine that it is necessary to close Main Street during the above time, in order to provide orderly traffic control and to ensure the safety of the citizens of the City of Sturgis and their guests during the 77<sup>th</sup> Sturgis® Motorcycle Rally™. Only motorcycles, including two-wheel and three-wheel motorcycles shall be allowed on Main Street during the above time period with the exception of maintenance vehicles, law enforcement vehicles, and fire protection vehicles. Bicycles, skateboards, scooters, roller blades, and other similar conveyances shall not be allowed to use that portion of Main Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades, and other similar conveyances present a safety hazard.

BE IT FURTHER RESOLVED Harley-Davidson Way from Sherman Street to the Lazelle Street will be open to vehicular traffic. Harley-Davidson Way from Sherman Street north to the alley will be open to vehicle and motorcycle parking. Harley-Davidson Way from the Sherman Street alley to the Lazelle Street will be open to motorcycle parking on the sides of the street only except for that portion of Harley-Davidson Way in front of Rally Point will not be open to any parking. The portion of Harley-Davidson Way from Sherman Street to the alley on the west side of the street will be designated "Handicapped Parking". Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Harley-Davidson Way described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard.

BE IT FURTHER RESOLVED a portion of First Street and Third Street from Sherman Street to the alley will be open to vehicular traffic. From the alley north to Main Street and from Main Street to Lazelle Street will be closed to all traffic with the exception of motorcycle traffic from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for motorcycle parking. **A 14-foot fire lane for emergency vehicles shall be maintained throughout the closed area.** Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Third Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard.

BE IT FURTHER RESOLVED that a portion of Fourth Street from Main Street north to the alley will remain open to through traffic. Parking will be restricted to motorcycles only in this area during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary. Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Fourth

Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard.

BE IT FURTHER RESOLVED that a portion of Main Street, between Fourth Street and Fifth Street shall be restricted to through vehicle and motorcycle traffic and allowing motorcycle only parking on the north and south side of the street during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED the portion of the west bound lane of Main Street exiting out onto Lazelle Street be open this year. Two way traffic on the portion of Main Street from 11<sup>th</sup> Street will stay open for traffic to enter the businesses along this portion of Main Street. Parking along this section of Main Street shall be restricted to Motorcycle only on the south side of Main Street which fronts the business property at 2130 Main Street. Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Main Street as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard.

BE IT FURTHER RESOLVED that a portion of Main Street, between Junction Ave. and Middle Street shall be restricted to motorcycle traffic and allowing motorcycle only parking during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary. There will not be designated parking in front of the residential property on this portion of Main Street.

BE IT FURTHER RESOLVED that portion of Main Street between Middle Street and the eastern property line of the Vets Club, except where fronted by residential property on both sides of the street be designated motorcycle parking only.

BE IT FURTHER RESOLVED a portion of Fifth Street from Lazelle Street to the Sturgis Community Center is closed to normal traffic for rally display purposes for the time period from 2 a.m. on Thursday, August 3, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary. **That a 14-foot fire lane for emergency vehicles shall be maintained throughout the closed area.**

BE IT FURTHER RESOLVED that Kinship Street and Williams Street will remain open to through traffic. Parking will be restricted to motorcycle only on the west side of Kinship and south side of Williams on the portion of street adjacent to the Community Center property during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary. Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard.

BE IT FURTHER RESOLVED that parking on the either side of Sherman Street from Junction Ave. Avenue to Fifth Street, shall be designated no trucks during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that a portion of Sherman Street from Third Street to Fourth Street and a portion of Middle Street from Sherman Street alley and Main Street shall be designated for public transit use only during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that parking on the North side of Sherman Street a portion between Fourth Street to Fifth Street (Meade County Courthouse) and on the South side of Sherman Street from Third Street to Fourth Street (Meade County Offices) shall be designated as 20 minute parking during the time period from 2 a.m. on Friday, August 4, 2017 to 2 a.m. on Sunday, August 13, 2017, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that while four-wheel vehicular traffic is allowed in the street alleys mentioned above, no parking is allowed in the alleyways except for strict adherence to loading and unloading vehicles as set forth in Ordinance 2001-24 Chapter 16.05.07 (12) of the Sturgis City Ordinances.

Dated this 5th day of June, 2017.

Published: 06-14-2017

Effective: 07-05-2017

Motion by Waterland, second by Martinson and carried with Carstensen, Anderson, Bachand, Dargatz, Martinson and Waterland voting yes, Bradley abstaining, to approve Resolution 2017-28 – Open Container, and Street Closure for Music on Main.

**RESOLUTION 2017-28  
RESOLUTION TO AUTHORIZE STREET CLOSURE  
OF HARLEY DAVIDSON WAY AND OPEN CONTAINER BOUNDARY  
FOR MUSIC ON MAIN EVENT**

WHEREAS, Music on Main will be held in the City of Sturgis, June 21st, 28th, July 5th, 12th, 19th, 26th, August 16th and 23rd, 2017; and

WHEREAS, beginning on each morning of said event dates the City of Sturgis Rally and Events Department will place signs and cones at 9:00 a.m., letting people know that there will be no parking on Harley-Davidson Way after 3:00 p.m. HD Way will be opened by 11:00 p.m.

The closure requested:

Second Street, from Lazelle (Hwy 34) Street south to the sidewalk on north side of Main Street. Leaving the alley next to the Senior Center open on the northwest side of Second Street, to turn and get out on to Third Street, but closed access to Second Street.

WHEREAS, an open container request for the street closure area listed above has also been requested for each date previously listed, from 5:00 p.m. - 10:00 p.m.

- a. On the west, by the eastern edge of the Right of Way of 4th Street, beginning at the intersection of 4th Street and Lazelle Street and continuing south to the intersection of 4th Street and Sherman Street, and
- b. On the south, by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and
- c. On the east, by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, except for an extension further East across the Middle Street Right of Way and along and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street, and
- d. On the north, by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Ave. Avenue and continuing to the intersection of that alley and the Right of Way for 1st Street, and further including the area within and between the Right of Way of 1st Street and 3rd Street that lies north

of Lazelle Street and south of Bear Butte Creek, then from a point at the intersection of the 3rd Street Right of Way and Bear Butte Creek, south along 3rd Street to the intersection with a line extending west from the alley Right of Way located between Lazelle Street and Dudley Street, then along that line further west across 3rd Street to the eastern edge of the Right of Way of Kinship Street, then south along Kinship Street to its intersection with Lazelle Street and 4th Street at the point of beginning.

e. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction Ave., Main Street and Middle Street, Lazelle Street and Junction Ave. Ave., 1st Street, Harley Davidson Way and 3rd Street as they cross Lazelle Street, and also including the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Ave. Avenue within these boundaries.

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting at 3:00 p.m. on each Music on Main event date.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, all streets closed would open by 11:00 p.m. each Wednesday evening and open container would go back into effect by 10:00 p.m.

Dated this 5<sup>th</sup> day of June, 2017.

Published: 06-14-2017

Effective: 07-05-2017

Motion by Martinson, second by Anderson and carried with Carstensen, Anderson, Bachand, Dargatz, Martinson and Waterland voting yes, Bradley abstaining, to approve Resolution 2017-29 – Open Container and Street Closure for the Sturgis Camaro Rally.

#### **RESOLUTION 2017-29**

#### **RESOLUTION TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY**

WHEREAS, the Sturgis Camaro Rally is an event that brings many tourists to the City of Sturgis and the surrounding area; and

WHEREAS, the City of Sturgis has supported the Sturgis Camaro Rally event past year; and

WHEREAS, the Sturgis Camaro Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis; and

WHEREAS, the request from the Sturgis Camaro Rally is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED, as set forth herein that the City of Sturgis shall hereby establish an open container area on June 24, 2017 from 10:00 am to 5:00 pm on that public property open to the public, within area bounded on the West by the east edge of the Right of Way of 4<sup>th</sup> Street, bounded on the East by the west edge of the Right of Way of Junction Ave. Avenue, bounded on the South by the north edge of the Right of Way of Sherman Street, and bounded on the north by the south edge of the Right of Way of Lazelle Street, and including within this boundary the street area of Third Street, Harley-Davidson Way, First Street



and Main Street. This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The open container area does not include the City Library, nor any City Property not open to the public, and does not include any private property within the open container area. The Police Department will be authorized to tow vehicles within the street closure area, starting June 24, 2017 at 4:00 a.m.

Dated this 5<sup>th</sup> day of June, 2017.

Published: 06-14-2017

Effective: 07-05-2017

Motion by Waterland, second by Dargatz and carried with Carstensen, Anderson, Bachand, Dargatz, Martinson and Waterland voting yes, Bradley abstaining, to approve Special Events Licenses for Music on Main at Harley-Davidson Rally Point.

1. The Knuckle Saloon – July 5 & 26, 2017
2. The Oasis Bar – July 12, 2017
3. Belle Joli Winery – June 21 & July 19, 2017
4. Loud American – June 28 & August 16, 2017

Motion by Anderson, second by Martinson and carried with Carstensen, Anderson, Bachand, Dargatz, Martinson and Waterland voting yes, Bradley abstaining, to approve a Malt Beverage License Transfer including a Location Change, Name Change and Renewal for Ganem Family Loving Trust dba Night Rider Jewelry to Jawbone Investments LLC dba Stinger Saloon from 1105 Main to 1102 Main.

Motion by Martinson, second by Waterland and carried with Carstensen, Anderson, Bachand, Dargatz, Martinson and Waterland voting yes, Bradley abstaining, to approve a Wine License Application for Jawbone Investments LLC dba Stinger Saloon at 1102 Main.

Motion by Martinson, second by Anderson and carried with all members present voting yes to approve the Malt Beverage License Renewal for Charley's Sturgis Classic Bike Event LLC dba Charley's at 947 Main.

Motion by Bradley, second by Waterland and carried with all members present voting yes to approve second reading of Ordinance 2017-06 – Title 20 – Tax.

**ORDINANCE 2017-06**  
**AN ORDINANCE AMENDING TITLE 20 – TAX**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 20 – Tax – Chapter 20.02 Municipal Sales and Service Tax and Use Tax be amended to read as follows:

**CHAPTER 20.02**  
**MUNICIPAL SALES AND SERVICE TAX AND USE TAX**

- 20.02.01: Effective Date and Enactment of Tax
- 20.02.02: Use Tax
- 20.02.03: Capital Improvement and Equipment Replacement Funds
- 20.02.04: Pledging of Sales Tax Revenue
- 20.02.05: Collection
- 20.02.06: Interpretation

20.02.03: CAPITAL IMPROVEMENT AND EQUIPMENT REPLACEMENT FUNDS

At least forty percent (40%) of the tax levied under this Title pursuant to Section 20.02.01 and 20.02.02, shall be used only for capital improvements, land acquisition, debt reduction, increase committed Fund Balance (reserve accumulation) and/or the purchase of machinery and equipment. This revenue shall be accounted for in separate funds as established in the annual budget.

Dated this 5th day of June, 2017.

First reading: 05-15-2017  
Second reading: 06-05-2017  
Adopted: 06-05-2017  
Published: 06-14-2017  
Effective: 07-05-2017

Motion by Waterland, second by Anderson and carried with all members present voting yes to approve the Sturgis Watershed Visitor Master Plan.

Motion by Anderson, second by Waterland and carried with all members present voting yes to approve a Memorandum of Understanding with the US Forest Service for the NEPA Study and have the City Manager sign all documents.

Motion by Bradley, second by Dargatz and carried with all members present voting yes to approve Resolution 2017-32 – Declaring Surplus Property.

**RESOLUTION 2017-32**  
**A RESOLUTION DECLARING PROPERTY SURPLUS**

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BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described below is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

Liquor:

1. Cannon Image Class D-1120 printer
2. Brother MFC 9560-CDW printer
3. Kenmore upright freezer
4. Non-brand chest freezer

Finance Office

1. 2006 Chevy Uplander – 1GNDX33LX6D197806

Dated this 5th day of June, 2017.

Published: 06-14-2017  
Effective: 07-05-2017

Motion by Waterland, second by Martinson and carried with Carstensen, Anderson, Bachand, Dargatz, Martinson and Waterland voting yes, Bradley abstaining, to approve first reading of Ordinance 2017-07 – Title 3 – Licensing & Regulations of Alcohol, Malt Beverages & Drinking Establishments.

Motion by Martinson, second by Dargatz and carried with all members present voting yes to approve the continuation of Public Works Campus Project and authorize the City Manager to apply for financing through USRDA.

Motion by Waterland, second by Martinson and carried with all members present voting yes to approve the AIA Document B101-2007 Design Service with Fennel Design Inc. for the Public Works Campus.

Motion by Dargatz, second by Martinson and carried with all members present voting yes to approve Resolution 2017-33 – Establishing a Wastewater Treatment Facility and Infrastructure Surcharge.

**RESOLUTION 2017-33**  
**RESOLUTION ESTABLISHING A WASTEWATER TREATMENT AND**  
**INFRASTRUCTURE SURCHARGE FOR THE CITY OF STURGIS**

WHEREAS, the City of Sturgis has adopted through Ordinance 11.04.04 and 11.05.31, which authorize the City of Sturgis to annually review the municipal garbage, sewer and water utility rates; and

WHEREAS, the City of Sturgis is in negotiations with the South Dakota Department of Environment and Natural Resources for a new waste water permit; and,

WHEREAS, the requirements of the permit under discussion will require substantial enhancements to the existing municipal wastewater treatment facility; and,

WHEREAS, the City Council has reviewed numerous potential options during public meetings and has chosen a system which will be the most affordable long term solution to meet the enhanced regulatory requirements and has the greatest capacity to expand in volume and additional treatment measures as needed; and

WHEREAS, the City is also seeking to replace and expand the existing central collection line which is at capacity and line existing cracked sewer mains and manholes throughout the community; and,

WHEREAS, the City of Sturgis has received grants and principal forgiveness of \$2,000,000 for the project and a 40-year low interest loan to finance the remaining portions of the project; and,

WHEREAS, delay in the project will only increase total project costs due to increasing financing rates, increasing construction costs and reduced grants; and,

WHEREAS, the State Revolving Loan Fund requires a separate utility surcharge to fund the debt service requirement; and,

WHEREAS, the State Revolving Loan Fund is willing to provide 12.5% in grant and principal forgiveness and finance the remaining project costs at rates and terms far more advantageous than any other financing source.

NOW, THEREFORE, the Common Council of the City of Sturgis does hereby adopt a Wastewater Treatment and Infrastructure Surcharge in the amount of \$17.63 per billed account

unit as of July 1, 2017. In addition, all wastewater charges and surcharges shall not be increased until at least January 1, 2021.

Adopted this 5<sup>th</sup> day of June, 2017.

Published: 06-14-2017

Effective: 07-05-2017

There was no representative from AT & T in attendance of the Council meeting, so the request will be considered withdrawn.

Any other business:

None

Motion by Waterland, seconded by Dargatz and carried with all members present voting yes to adjourn the meeting at 8:10 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$