

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, January 21, 2020 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson (arrived at 6:04pm), Mike Bachand, Rhea Crane, Steve Keszler, Terry Keszler, David Martinson, Ronald Waterland (arrived at 6:07pm) and Beka Zerbst. Also, present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

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

Motion by T. Keszler, second by S. Keszler and carried with all members present unanimously voting yes to go into executive session for two legal cases, two contracts and three personnel at 6:01 pm.

Motion by T. Keszler, second by Waterland to return to regular session at 6:36 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Planning Commission Minutes from November 5, 2019.
- Amanda Anglin, Executive Director of SEDC, gave a report on the accomplishments of SEDC for 2019.

Announcements: None

City Manager Ainslie reported:

- Mayor and Council Giving checks were on the claim listing.
- Payroll Changes – within budget:
  1. Community Center: Eryn Schlotte – lifeguard \$11.50.
  2. Ambulance: Dusty Barker – PT EMT-B \$12.00.
  3. Planning & Permitting: Elizabeth Wunderlich – PE-wage correction \$2722.22.

Motion by Bachand, second by Waterland and carried with all members present unanimously voting yes to approve the following items on the consent calendar with the exception of the removal of d through g:

- a. Consideration to approve minutes from the January 6, 2020 regular City Council meeting.
- b. Consideration to approve tax abatement for Meade County Tax Certificate #150063.
- c. Consideration to approve Resolution 2020-12 - Plat of Lot 19 in Block 4 of Vernon Heights Estates II Subdivision for Jim Allison.

**RESOLUTION 2020-12  
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 for the Allison Family:

Plat of  
Lot 19, Block 4 of Vernon Heights Estates II Subdivision.  
Being a portion of Tract ‘A’ of Vernon Heights Estates II Subdivision,  
Located in the NE1/4 of the SW1/4 of the NE1/4 Section 15, Township 5 North, Range 5 East,  
Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

**WHEREAS**, said plat meets the requirements of the statutes.

**WHEREAS**, that the municipality approves the plat, and that the written certification of the City’s approval will be affixed to the plat, by the Mayor.

**BE IT RESOLVED** by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved as provided herein.

Dated this 21<sup>st</sup> day of January 2020.

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- ~~d. Consideration to approve Resolution 2020-10 – Surplus the four Creekside Subdivision Homes.~~
- ~~e. Consideration to approve the annexation petition for Sturgis Hideaway, LLC.~~
- ~~f. Consideration to set a public hearing for February 3, 2020 regarding a Resolution of Intent to Annex Murray Properties.~~
- ~~g. Consideration to set a public hearing for February 3, 2020 regarding a Resolution of Intent to Annex the Jackpine Gypsies properties.~~
- h. Consideration to set a public hearing for February 3, 2020 for a Special Events License for the Loud American for the annual Lincoln Day Dinner.

Motion by T. Keszler, second by Crane and carried with all members present unanimously voting yes to approve Resolution 2020-10 – Surplus the four Creekside Subdivision Homes and the empty lot.

**RESOLUTION 2020-10  
A RESOLUTION DECLARING PROPERTY SURPLUS**

**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 6-13-1. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

The following 4 homes and one empty lot with the legal description: Lots 1, 2, 3, 4 and 5, Block 1 of Creekside Subdivision and Dedicated Public Right-of-Way for an Alley. Formerly an unplatted portion of the City of Sturgis property located along Woodland Drive. All located in the SW1/4 of the SE ¼ of Section 4, Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

- 1. 1475 Woodland Drive
- 2. 1455 Woodland Drive
- 3. 1435 Woodland Drive
- 4. 1415 Woodland Drive
- 5. Empty lot

Dated this 21<sup>st</sup> day of January 2020.

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Motion by Martinson, second by Waterland and carried with all members present unanimously voting yes to approve the annexation petition for Sturgis Hideaway, LLC.

Motion by Anderson, second by Zerbst and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler and Zerbst voting yes, Bachand, Martinson and Waterland voting no, to approve setting a public hearing for February 3, 2020 regarding a Resolution of Intent to Annex Murray Properties.

Motion by T. Keszler, second by Bachand and carried with all members present unanimously voting yes to approve setting a public hearing for February 3, 2020 regarding a Resolution of Intent to Annex the Jackpine Gypsies properties.

Motion by Bachand, second by S. Keszler and carried with all members present unanimously voting yes to approve the following claims:

**WAGES** – Ambulance \$20,916.37; Attorney \$4133.38; Auditorium \$197.38; Buildings \$1188.35; Cemetery \$2336.20; City Manager \$4676.76; Community Center \$8550.10; Finance Office \$8494.53; Fire Department \$40.93; Fleet \$6302.65; Human Resource \$5177.54; Library \$9273.52; Liquor \$5918.14; Mayor and Council \$3913.78; Parks \$10,719.19; Planning & Permitting \$9039.74; Police \$43,718.02; Rally \$8160.95; Recreation \$2948.33; Sanitary Service \$16,146.40; Streets \$12,245.08; Wastewater \$9002.43; Water \$11,642.77; Federal Withholding \$16,432.26; FICA \$14,682.18.

**COMBINED CASH FUND** – B&C Rentals, \$39.38, refund; First Interstate Bank, \$2,000.00, ATM; Marion Kruse, \$19.17, refund; Mutchler Properties, \$60.00, refund.

**GENERAL** – 211 Help Center, \$500.00, other; A&B Business, \$201.04, rep; A&J Surplus, \$296.75, rep; Action for the Betterment of Community, \$3,300.00, other; Active911, \$437.50, other; Daniel Ainslie, \$500.00, ins; Arrowwood Resort & Conference Center, \$183.90, travel; Axon Enterprises, \$2,475.00, sup; Baker & Taylor, \$37.34, sup; Baymont Inn & Suites, \$904.00, resale; Black Hills & Badlands Tourism, \$1,944.00, travel; Black Hills Chemical, \$1,713.03, sup; Black Hills Energy, \$13,346.42, util; Black Hills Pioneer, \$954.71, pub; Black Hills Urgent Care, \$110.00, prof fee; Buckle Tree, \$136.00, sup; Rick Bush, \$500.00, ins; Carlson Software, \$1,090.00, prof fee; Cengage Learning, \$387.44, sup; Chain Saw Center, \$55.50, rep; Comfort Inn & Suites, \$185.00, travel; Crisis Intervention Shelter, \$3,000.00, other; Culligan of the Black Hills, \$70.50, sup; Dakota Horizons, \$250.00, other; DNH Tools, \$600.00, sup; Double Star Computing, \$843.40, prof fee; Kathy Dykstra, \$500.00, ins; EBSCO Subscription Service, \$26.40, sup; Epic Outdoor Advertising, \$1,150.00, rent; ESRI, \$2,500.00, other; FBI National Academy, \$110.00, travel; Feeding South Dakota, \$2,500.00, other; Gall's, \$158.50, sup; Good Shepherd Clinic, \$500.00, other; Grocery Mart, \$929.45, other; Jerred Hegstrom, \$64.40, sup; Hillview Highrise Tennant Assn, \$500.00, other; Hillyard, \$367.71, sup; Holiday Inn, \$297.00, travel; Jenner Equipment, \$188.03, rep; Junction Avenue Floral, \$86.40, other; Michael Kautz, \$201.48, ins; Kone, \$521.77, rep; Legendary Electric, \$51.02, sup; Jamie Lehi, \$40.00, refund; Lighting Maintenance, \$802.01, rep; Love Inc. of the Black Hills, \$1,000.00, other; Jeff Lucas, \$500.00, ins; Lynn's Dakotamart, \$875.31, other; Marco Technologies, \$289.34, rep; MasterCard, \$52,632.21, sup; Matfactor, \$273.20, sup; Meade County Auditor, \$14,683.99, other; Meade County Housing & Redevelopment, \$500.00, other; Meade County Register of Deeds, \$90.00, other; Meade County Senior Citizens, \$2,500.00, other; Mid-States Organized Crime, \$150.00, other; MDU, \$9,258.16, util; Motionsoft, \$450.00, prof fee; Mountain Air Insurance, \$450.00, ins; Nebraska Salt & Grain, \$7,582.97, sup; Neighborhood Housing Services,

\$840.00, other; Northern Hills CASA, \$3,360.00, other; O'Reilly Auto Parts, \$13.05, rep; Park Avenue Car Wash, \$14.80, sup; Purchase Power, \$500.00, sup; Red Wing Store, \$149.99, sup; Regional Health, \$1,032.00, ins; Rushmore Office Supply, \$1,129.90, sup; Doyle Schaefer, \$500.00, ins; Chris Schmoker, \$515.46, sup; Society of St Vincent De Paul, \$500.00, other; Stop Stick, \$568.00, sup; Sturgis Alliance of Churches, \$2,500.00, other; Sturgis Center of the Arts, \$750.00, other; Sturgis Nutrition Site, \$2,000.00, other; Sturgis Volunteer Fire Dept, \$1,383.66, travel; Jameson Tebben, \$788.88, ins; The Corner Station, \$91.33, sup; Titan Machinery, \$104.25, rep; Tracker Software Corporation, \$2,475.99, prof fee; Twilight First Aid & Safety, \$115.45, sup; U Drive Technology, \$267.00, util; United Way, \$500.00, other; Vanway Trophy & Award, \$18.00, sup; Doug Wagner, \$299.04, ins; Katie Walker, \$4,000.00, rent; Warne Chemical, \$832.00, rep; Werlinger Auto Body repair, \$4,480.90, rep; West Payment Center, \$166.00, prof fee; Jacob Williamson, \$500.00, ins; Elizabeth Wunderlich, \$500.00, ins; Johnathan Zimmoind, \$201.48, ins.

**SPECIAL SALES TAX** – Black Hills Energy, \$79.87, util; MasterCard, \$444.54, util; MDU, \$63.99, util.

**CAPITAL IMPROVEMENT** – Fennell Design, \$1,797.00; Helms & Associates, \$4,366.54; SD DENR, \$100.00.

**BUSINESS IMPROVEMENT DISTRICT** – Black Hills Destinations, \$1,320.00, pub; Epic Outdoor Advertising, \$1,405.00, other; Lynn's Dakotamart, \$9.73, sup; MasterCard, \$131.36, other.

**HOTEL OCCUPANCY TAX DISTRICT** – Black Hills & Badlands Tourism Assn, \$3,211.50, other; Hermann Global, \$5,400.00, other; MasterCard, \$67.73, other.

**REVOLVING FUND LOAN** – A&A Sturgis Investments, \$100,000.00.

**LIQUOR** – Cash-Wa Distributing, \$870.10, resale; Cask & Cork, \$491.16, resale; Coca cola, \$259.00, resale; Dakota's Best Distributing, \$123.00, resale; Double Star Computing, \$45.32, prof fee; Fisher Beverage, \$7,779.52, resale; Johnson Western Wholesale, \$11,610.23, resale; Lynn's Dakotamart, \$103.24, sup; MasterCard, \$5,274.48, sup; MB Enterprises, \$149.40, resale; MDU, \$228.57, util; Pepsi Cola, \$207.50, resale; Quality Brands of the Black hills, \$11,963.68, resale; Republic Beverage, \$9,587.92, resale; Rushmore Office Supply, \$1,008.02, sup; Schade Vineyard, \$396.00, resale; Southern Glazer's of SD, \$4,210.16, resale.

**WATER** – Black Hills Energy, \$841.64, util; Black Hills Pioneer, \$26.33, pub; Buckle Tree, \$50.60, sup; Core & Main, \$8,029.42, sup; Double Star Computing, \$45.32, prof fee; Jenner Equipment, \$910.77, rep; MasterCard, \$3,401.35, rep; Midcontinent Testing, \$170.00, prof fee; MDU, \$268.42, util; SD One Call, \$58.24, prof fee; Tracker Software Corporation, \$825.33, prof fee.

**WASTEWATER** – Buckle Tree, \$18.41, sup; Chris Supply, \$168.80, sup; Core & Main, \$272.57, rep; Double Star Computing, \$45.32, prof fee; MasterCard, \$561.18, sup; MDU, \$57.46, util; SD DENR, \$100.00, prof fee; Tracker Software Corporation, \$825.34, prof fee.

**SANITATION** – Black Hills Energy, \$15.00, util; Buckle Tree, \$18.42, sup; City of Belle Fourche, \$22,756.13, other; Double Star Computing, \$45.32, prof fee; Floyd's Truck Center, \$279.54, rep; Lynn's Dakotamart, \$19.42, sup; MasterCard, \$1,414.18, sup; Pressure Services, \$214.91, rep; Rushmore Office Supply, \$32.65, sup; Tracker Software Corporation, \$825.34, prof fee; Transource Truck & Equipment, \$37.61, rep.

**AMBULANCE** – A&B Welding, \$696.52, sup; Active911, \$437.50, prof fee; Double Star Computing, \$240.32, prof fee; Leavitt Heartland Insurance, \$18,093.00, ins; MasterCard, \$1,953.55, prof fee; Medical Waste Transport, \$116.55, other; MDU, \$202.61, util; Regional Health, \$320.20, sup; Rushmore Office Supply, \$130.92, sup; SD Ambulance Assn, \$500.00, travel; Tom's T's, \$786.50, sup; Western Communications, \$3,632.35, sup.

Motion by Anderson, second by Martinson and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes, Bachand voting no, to approve purchasing a 2020 Jeep Grand Cherokee off the State bid for \$25,339 from Scott Peterson Motors for Planning & Permitting.

After much discussion a motion was made by Waterland, second by Crane and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler, Martinson and Waterland voting yes, Bachand and Zerbst voting no, to approve a contract with Khan Holdings LLC to purchase property along Junction Avenue.

After much discussion a motion was made by Zerbst, second by Crane and carried with all members present unanimously voting yes to approve Resolution 2020-11 – Temporary Closing of Alley between Lazelle & Dudley from Junction to 97’ west of Middle, Closing Dudley Street temporarily to parking and authorizing two-way traffic on Dudley from Junction to Middle Street with the removal of the 4<sup>th</sup> WHEREAS.

### **RESOLUTION 2020-11**

#### **A RESOLUTION TO AUTHORIZE THE TEMPORARY CLOSURE OF THE ALLEY BETWEEN LAZELLE AND DOUGLAS FROM JUNCTION TO MIDDLE, TEMPORARILY CLOSING DOUGLAS STREET FROM JUNCTION TO MIDDLE TO ON STREET PARKING AND OPENING DOUGLAS FROM JUNCTION TO MIDDLE TO TWO-WAY TRAFFIC**

WHEREAS, the City of Sturgis Motorcycle Rally is an event that brings hundreds of thousands of tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis has actively hosted, supported and promoted the City of Sturgis Motorcycle Rally event for 79 years, and

WHEREAS, the City continues to advertise and encourage entertainment venues and unique experiences during the City of Sturgis Motorcycle Rally in order to retain visitors in the Downtown core throughout the event, and

WHEREAS, Iron Horse will host a number of large outdoor concerts which will likely lead to visitors crossing the alley numerous times throughout the course of the night which would create a traffic hazard for any vehicular traffic in the alley, and

WHEREAS, the owners of Iron Horse have requested the closure of a public right of way to alleviate a potential pedestrian safety concern, and

NOW THEREFORE IT IS HEREBY RESOLVED that the City of Sturgis shall:

1. Authorize the alley between Lazelle and Dudley from Junction to 97’ west of Middle to be closed to public access from August 4 -16, 2020;
2. Authorize Iron Horse to have staff available at the alley to allow guests to enter the premises;
3. Place all garbage cans on the exterior of the property in spaces mutually agreed upon by the Public Works Director and the managers of Iron Horse. The cans shall not obstruct sight triangles;

- 4. Ensure that no structures (either temporary or permanent) shall be placed on the alley right of way;
- 5. Ensure that all private porta-pots shall be fully placed on private property.

Dated this 21<sup>st</sup> day of January 2020.

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Motion by Waterland, second by Anderson and carried with all members present unanimously voting yes to approve first reading of Ordinance 2020-01 – Title 37 – City Transit with the changes to 37-02-01, 37-03-02, the appeal process, 37-03-10 and 37-03-11 that were discussed.

A discussion was held on different ideas to raise funds for the Sturgis Rally Charities in the future. Several proposals were discussed including charging a fee for having a police escort for motorcycle groups during the Rally; a voluntary or involuntary charge on the vendor licensing process for the Charities; having non-profits work the photo towers and receiving the revenue from the towers; charging more for a parking fine and providing a food vendor during the Rally at Exit 30 lot at Liberty Motors.

Any other business:

None

Motion by Waterland, seconded by Zerbst and carried with all members present unanimously voting yes to adjourn the meeting at 10:31 pm.

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

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

Published once at the total approximate cost of \$