

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, August 24, 2020 at the Sturgis City Hall Council Meeting Room. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerbst. Also present: City Manager Daniel Ainslie. Absent: Steve Keszler.

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

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

Motion by Waterland, second by Bachand to return to regular session at 6:28 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Sturgis Public Library minutes from July 15, 2020 (prelim).
- Finance Officer Bueno presented the 2nd Quarter Financial Report to the Council.

Announcements:

- Police Chief Vandewater and Mayor Carstensen presented the Lifesaving award to Ashley Bear, Kaylee Eixenberger and Abby Wise for their bravery on July 4, 2020 when they were passing by a home and saw a fire burning in the garage. Quickly they called 911 and went into the home and got the family and pets out.
- Bernadette Usera read an Executive Proclamation that proclaimed August 26, 2020 Women's Equality Day and the 100th Anniversary of the 19th Amendment. Mayor Carstensen signed and sealed the proclamation.

City Manager Ainslie reported:

- Payroll Changes within Budget-
 1. Liquor: Dylan Gillespie-Rally Stocker \$10.00; Bailey Smith-Rally Salesclerk \$11.00
 2. Police: Dylan Siscoe (Rally Day Shift Sergeant): \$25.89 (*Due to retirement of Admin Sgt Briscoe*)
 3. Community Center: Brooklyn Johnson- Lifeguard - \$10.50
- Bike Path/Sidewalk Construction Policy
- Public access policies for the Community Center, Armory and City Hall
- Update on potential Event Center
- 2nd Quarter Budget Update

Motion by Anderson, second by T. Keszler and carried with all members present unanimously voting yes to approve the following items on the consent calendar except c.:

- a. Consideration to approve minutes from July 27, 2020 Regular City Council meeting and August 6, 2020 Special Meeting of City Council.
- b. Consideration of abatement for 718 Howard Street.
- e. ~~Consideration to approve Resolution 2020-50—Plat of Lot 2 of Davenport Addition from Baseline Surveying.~~

- d. Consideration to approve Resolution 2020-49 - Plat of Lots 1-3 of Lot B in Wheeler Heights Estates.

**RESOLUTION 2020-49
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 Smitty LLC-Shannon Vasknetz:

Plat of
Lot 1, Lot 2 and Lot 3 of Lot B of Wheeler Heights Estates.
Formerly Lot B of Wheeler Heights Estates.
All located in the N1/2 of the NW1/2 of the NW1/4 of the NE1/4 of Section 21.
Township 5 North, Range 5 East, Black Hills Meridian, 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 24th day of August 2020.

Published: 09/01/2020

Effective: 09/21/2020

Motion by Crane, second by Zerbst and carried with Anderson, Carstensen, Crane, T. Keszler, Martinson, and Zerbst voting yes and Bachand and Waterland voting no to approve Resolution 2020-50 subject to changing the language in the agreement (#7) to hold the landowner accountable in keeping this agreement enforced.

Motion by Crane, second by Zerbst and carried with all members present unanimously voting yes to approve an amendment to the previous motion that the City Attorney needs to review and approve the agreement.

**RESOLUTION 2020-50
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 Katherine E. Martel and Martha J. Ward:

Plat of
Lots 2 of Davenport Addition.
Formerly a Portion of the Un-Platted NW1/4 of the SW1/4 of Section 22.
All Located in the W1/2 of the NW1/4 of the SW1/4 of Section 22.
Township 5 North, Range 5 East. Black Hills Meridian, 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 24th day of August 2020.

Published: 09-01-2020

Effective: 09-21-2020

Motion by Martinson, second by Waterland and carried with all members present unanimously voting yes to approve the following claims:

WAGES – Ambulance \$21,585.22; Attorney \$4136.67; Auditorium \$197.36; Buildings \$1188.33; Cemetery \$3118.93; City Manager \$4680.05; Community Center \$9657.32; Finance Office \$8127.54; Fire Department \$397.44; Fleet \$3946.70; Human Resource \$5101.48; Library \$9061.22; Liquor \$6282.26; Mayor and Council \$3913.78; Parks \$13,760.62; Planning & Permitting \$9359.28; Police \$33,954.76; Rally \$8074.79; Recreation \$3652.85; Sanitary Service \$15,985.80; Streets \$11,503.57; Wastewater \$8281.56; Water \$11,593.70; Federal Withholding \$15,268.17; FICA \$14,058.48.

COMBINED CASH FUND – Joe Hopson, \$34.47, water ovrpymt refund; James Twichell, \$85.00 water ovrpymnt refund; Carl Wahl Estate, \$34.55, water ovrpymnt refund.

GENERAL – A&B Business, \$221.14, repair; Kevin Aga, \$500.00, insur; Allied Healthcare Products, \$107.00, vendor refund; Alpha Dog, \$315.00, vendor refund; America's Soup Kitchen, \$9.00, vendor refund; Amick Sound, \$34.24, repair; Baker & Taylor, \$676.99, supp; Elton Barden, \$200.00, prof fee; Bear Butte Valley Water, \$141.85, util; Bierschbach Equipment, \$1450.00, other; Black Hills Chemical, \$4387.29, supp; Black Hills Energy, \$24,093.47, util; Black Hills Harley Davidson, \$71.22, supp; Black Hills Occupational Medicine, \$30.00, prof fee; Black Hills Rally & Gold, \$84.00, merch for resale; Border States Electric, \$116.09, supp; Borns Group, \$246.00, supp; Boston Scientific, \$775.00, vendor refund; Bunker & Broomstick, \$215.00, vendor refund; Katelyn Bush, \$117.00, other; Zabree Bush, \$95.07, other; Patricia Casteel, \$210.00, other; Central States Sanitation, \$440.00, repair; Century Link, \$317.09 util; Chain Saw Center, \$71.79, supp; Linda Chaplin, \$168.00, other; City of Sturgis Water Dept, \$14,101.58, util; City Service Valcon, \$22,770.09, supp; Deer Credit, \$57,403.46, cap imp; Double Star Computing, \$1267.58, prof ser; Dustbusters Enterprises, \$2963.34, repair; Epic Outdoor Advertising, \$8671.18, supp; Equipment Service Professionals, \$856.15, covid-19 supp; Event Source Partners, \$775.00, vendor refund; F.A.I.T.H. Riders Motorcycle Ministry, \$719.00, vendor refund; Faith Independent, \$39.00, supp; Fastnel Co, \$76.27, repair; Ryan Fitzpatrick, \$60.00, other; Kathryn Flagstad, \$202.50, other; G&H Distributing, \$239.46, supp; Preston Geving, \$547.70, vendor refund; Good Sports Sturgis, \$36.00, vendor refund; Grocery Mart, \$994.33, supp; Ken Grosch, \$30.00, other; Grossenburg Implement, \$687.04, repair; Hauff Mid-America Sports, \$851.90, other; Emylee Hencey, \$200.00, prof fee; Carol Imhoff, \$162.00, other; Interstate Engineering, \$1317.50, FEMA repairs; J&J Asphalt, \$4330.68, supp; Lori Jeffery-Kirk,

\$131.25, other; Johnson Controls, \$475.00, other; KC's Auto Repair, \$3706.11, repair; Ketel Thorstenson, \$532.78, prof fee; Key City Glass, \$60.00, repair; Legendary Electric, \$1168.94, repair; Light & Siren, \$923.00, repair; Lighting Maintenance, \$3099.28, repair; Loud American, \$250.00, merch for resale; Lynn's Dakotamart, \$31,020.49, supp; Mahaffy Concrete, \$3423.00, other; Marco Technologies, \$108.61, repair; Mastercard, \$60,537.23, supp, travel, util; Mcleod's Printing, \$149.66, other; Meade County Auditor, \$9768.87, other; Meade County Register of Deeds, \$180.00, other; Mobius Borkers, \$480.00, vendor refund; Montana Dakota Utilities, \$1949.18, util; Motionsoft, \$450.00, prof fee; Overhead Door, \$844.30, repair; Travis Parker, \$30.00, other; Patriotic Productions, \$6000.00, prof fee; Petty Cash, \$510.55, supp; Postmaster, \$3740.00, supp, other; Powerplan, \$267.07, repair; Public Safety Equip, \$30.95, supp; Rapid City Journal, \$544.99, supp; Richter's Tire, \$207.99, repair; Roger Frye's Paint & Supply, \$47.99, supp; Rossman Trucking, \$4700.00, supp; Rushmore Office, \$1912.20, supp; Sacrison Asphalt, \$60.60, supp; Robert Sanchez, \$190.00, vendor refund; Sand Creek Printing, \$303.15, supp; Billy Schlosser, \$30.00, other; Jeanie Shyne, \$168.00, other; Speedy Lube, \$40.49, repair; State Game Lodge, \$2956.10, supp; Sturgis ATV, \$13.99, repair; Sturgis Harley Davidson, \$14.00, other; Sturgis Motorsports, \$38.97, supp; Sturgis Tire Pros, \$35.80, supp; Sturgis Veterinary Hospital, \$1022.89, prof fee; Sturgis Volunteer Fire Dept, \$70.87, supp; Summit Signs, \$99.00, supp; TBS Electronics, \$2900.00, other; Jameson Tebben, \$28.72, supp; The Knuckle Saloon, \$250.00, merch for resale; Tom's T's, \$9526.93, supp; Town-N-Country Plumbing, \$315.94, supp; Traffic Control, \$739.50, supp; U Drive Technology, \$650.01, publ; Bernadette Usera, \$162.00, other; VanDiest Supply, \$2618.00, supp; Vicky Mon's Concession, \$775.00, vendor refund; Warne Chemical, \$5.00, supp; Cheryl Wolf, \$388.80, mayor's ride refund; WTP Service, \$2840.00, prof fee; Kris York, \$60.00, other.

SPECIAL SALES TAX – Black Hills Energy, \$36.53, util; Mastercard, \$453.29, util; Montana Dakota Utilities, \$38.46, util.

CAPITAL IMPROVEMENT – BH Custom Concrete, \$46,315.50, improv; Brosz Engineering, \$340.00, bldg.; Helms & Assoc, \$8746.58, improv; Johner & Sons, \$96,087.33, improv; Mastercard, 1714.76, improv.

BUSINESS IMPROVEMENT DISTRICT – Central States Sanitation, \$200.00, supp; Mastercard, \$173.43, supp.

LIQUOR - Arctic Glacier, \$2359.50, liquor; Badlands Distillery, \$762.66, liquor; Black Hills Energy, \$2130.57, util; Black Hills Rally & Gold, \$781.00, liquor; Cash-Wa Distributing, \$8467.61, liquor; Cask & Cork, \$2419.66, liquor; City of Sturgis Water Dept, \$314.41, util; Coca Cola, \$5345.25, liquor; Dakota's Best Distributing, \$1299.00, liquor; DesJarlis Farms, \$1716.00, liquor; Double Star Computing, \$254.38, prof fee; Fat Boys, \$153.60, liquor; Fisher Beverage, \$32,758.37, liquor; Image Seller, \$7350.40, liquor; Johnson Western Wholesale, \$94,392.99, liquor; Mastercard, \$4732.77, supp, prof fee, util; Montana Dakota Utilities, \$15.82, util; Okoboji Wines, \$401.00, liquor; Pepsi Cola, \$1112.50, liquor; Prairie Berry, \$3345.00, liquor; Quality Brands, \$55,748.27, liquor; Republic Beverage Co, \$218,781.63, liquor; Rushmore Office, \$854.69, supp; Southern Glazer's of SD, \$33,941.96, liquor; True Brands, \$855.23, liquor; World of Coffee, \$712.10, liquor.

WATER – AAA Collections, \$30.91, prof fee; Black Hills Energy, \$11,933.26, util; City of Sturgis Water Dept, \$414.75, util; Core & Main, \$2082.47, supp; Double Star Computing, \$152.50, prof fee; Hach Company, \$265.87, supp; Hawkins, \$1040.35, supp; Mastercard, \$4637.68, prof fee, util, supp; Montana Dakota Utilities, \$135.87, util; Petty Cash, \$3.72, supp; SD One Call, \$108.64, prof fee; Speedy Lube, \$50.49, supp.

WASTEWATER – Advanced Engineering, \$81,777.25, cap improv; Black Hills Energy, \$4371.89, util; Justin Boerboom, \$300.00, grp insur; Double Star Computing, \$37.50, prof fee; Environmental Resource Assoc, \$172.17, supp; Lynn's Dakotamart, \$16.72, supp; Mastercard, \$1271.08, supp, publ; Montana Dakota Utilities, \$48.38, util; Neil Murray, \$500.00, grp insur; PKG Contracting, \$546,029.20, cap improv.

SANITARY SERVICE - Black Hills Energy, \$33.20, util; Century Link, \$63.70, util; City of Belle Fourche, \$33,279.28, other; Double Star Computing, \$12.50, prof fee; Preston Geving, \$272.30, vendor refund; Lynn’s Dakotamart, \$34.96, supp; Mastercard, \$2945.85, supp; Rapid Delivery, \$14.38, repair.

AMBULANCE - Allied Healthcare Products, \$891.34, prof fee; Black Hills Energy, \$598.75, util; City of Sturgis Water Dept, \$394.48, util; County Drug, \$34.58, supp; Dataform, \$451.00, supp; Door Security Products, \$145.41, repair; Double Star Computing, \$37.50, prof fee; Henry Schein, \$1514.67, supp; Knecht Home Center, \$3.91, supp; Mastercard, \$3933.45, supp, travel, util; Medical Waste Transport, \$114.45, other; Montana Dakota Utilities, \$28.46, util; Olson Towing, \$190.00, other; Overhead Door, \$844.31, repair; Richter’s Tire, \$1827.39, repair; Rushmore Office, \$38.00, supp.

Motion by Martinson, second by Crane and carried with all members present unanimously voting yes to approve Resolution 2020-48 - Street closure and Lifting of Open Container Law on September 16, 2020 for the After-Rally Community Picnic.

RESOLUTION 2020-48

RESOLUTION TO CLOSE DESIGNATED STREETS AND PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY FOR THE COMMUNITY AFTER RALLY PICNIC

WHEREAS, the annual Community After Rally Picnic will be held in the City of Sturgis, September 16, 2020, and

WHEREAS, the City of Sturgis Rally and Events Department will close of Harley Davidson Way from Main Street to Lazelle Street from 12:00 pm until 8:00 pm; and

WHEREAS, the Police Department will be authorized to tow vehicles within the street closure area, starting September 16, 2020 after 2:00 pm.

WHEREAS, an open container area has been requested within a portion of the public property of the City of Sturgis from 5:00 pm to 8:00 pm on September 16, 2020, and as authorized by Section 3.02.20(C) of Sturgis City Ordinance and SDCL 35-1-5.5, for those persons legally possessing an alcoholic beverage in the authorized non-glass container, bearing A logo and available for purchase from designated on-sale licensees, on that public property open to the public, within area bounded as follows:

- 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 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, continuing west from Middle Street to Fourth Street on the south side of Lazelle Street, and

- d. On the north, continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, and 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 Avenue and continuing to the intersection of that alley and the Right of Way for 1st Street and along the south edge of Lazelle from Middle Street to Fourth Street, and
- e. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction Avenue, Main Street and Middle Street, Lazelle Street and Junction Avenue, 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 Avenue within these boundaries. This also includes the Harley Davidson Rally Point.

NOW THEREFORE IT IS HEREBY RESOLVED, as set forth herein that the City of Sturgis shall hereby close the City street to vehicular traffic and unauthorized parking between 12:00 pm until 8:00 pm September 16, 2020, and establish an open container area on September 16, 2020 from 5:00 pm to 8:00 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 4th Street, bounded on the East by the west edge of the Right of Way of Junction 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 Dudley Street from Middle Street to First 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.

Dated this 24th of August 2020.

Published: 09/01/2020

Effective: 09/21/2020

Motion by Zerbst, second by T. Keszler and carried with Carstensen, Anderson, Crane, T. Keszler, Martinson, Waterland and Zerbst voting yes, Bachand voting no, to approve a variance request to allow accessory structures within the front setback of the property at 533 7th St for Adam Kuntz.

Motion by T. Keszler, second by Zerbst and carried with all members present unanimously voting yes to approve hosting the First Responders Parade on August 27, 2020 at 5:30 pm.

Motion by Martinson, second by T. Keszler and carried with all members present unanimously voting yes to approve a vendor refund request for \$775.00 to Boston Scientific.

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to approve a vendor refund request for \$775.00 to Vicky Mon's Concession.

Motion by T. Keszler, second by Martinson and carried with all members present unanimously voting yes to approve a vendor refund request for \$315.00 to Alpha Dog.

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to approve a vendor refund request for \$215.00 to Bunker & Broomstick.

Motion by Waterland, second by Zerbst and carried with all members present unanimously voting yes to approve a vendor refund request for \$775.00 to Event Source Partner.

Motion by Martinson, second by Zerbst and carried with all members present unanimously voting yes to approve first reading of Ordinance 2020-02 – 2021 Budget Appropriations.

Any other business:

Dave Smith announced that there will be an open house at the Airport on Friday the 28th from noon to 4:00 pm.

Bonnie Alberts approved how the Council handled the Vendor refunds and the shed variance.

Councilor Zerbst thanked all the staff for their hard work during the Rally this year.

Councilor Bachand said this was one of the calmest Rallies he has ever seen.

Motion by Martinson, seconded by Anderson and carried with all members present unanimously voting yes to adjourn the meeting at 8:11 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$