

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 Tuesday, September 8, 2020 at the Sturgis City Hall Council Meeting Room. Present: Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Mayor Mark Carstensen and Steve Keszler.

Motion by T. Keszler, second by Anderson and carried with all members present unanimously voting yes to approve the agenda with removal of b. *Consideration to approve purchase of a van for the Liquor Store* from Reports.

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to go into executive session for two legal cases, one contract and two personnel at 6:02 pm.

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

President of the Council Martinson led everyone in the Pledge of Allegiance.

Announcements:

- Councilor Anderson commended the Mustang Rally group and City staff for a great job this weekend.
- Bonnie Alberts thanked the Police for their help this past weekend.

City Manager Ainslie reported:

- If anyone is interested on sitting on the Committee for the Outdoor Aquatics Facility (splash park and outside pool), please contact City Hall for an application. Appointments will be made at the next Council meeting.

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

- a. Consideration to approve minutes from August 24, 2020 Regular City Council meeting.
- b. Consideration to set a public hearing on September 21, 2020 to approve Resolution 2020-46 – Open Container and Street Closure request for Oktoberfest and Fall Festival on September 26, 2020.
- c. Consideration to approve an abatement of property taxes for Chad Owens at 2314 Hillside Drive.
- d. Consideration to approve an abatement of property taxes for Janice Weimer at 1120 Main Street.
- e. Consideration to set a public hearing on September 21, 2020 to approve a SEL for The Knuckle Saloon at Rally Point for the Fall Festival on September 26, 2020.
- f. Consideration to approve the agreement for the T-Hanger project with the DOT for reimbursement to the City through the CARES Act.
- g. Consideration to set a public hearing on September 21, 2002 to approve the renewal of the Malt Beverage license for La Risa Mexican Restaurant for 2020-2021.

Motion by Crane, second by T. Keszler and carried with Anderson, Crane, T. Keszler, Martinson, Waterland and Zerst voting yes and Bachand voting no to approve the following claims:

WAGES– Ambulance \$36,472.07; Attorney \$4501.26; Auditorium \$273.00; Buildings \$1263.97; Cemetery \$2707.91; City Manager \$5044.64; Community Center \$14,736.65; Finance Office \$10,886.86; Fire Department \$9181.65; Fleet \$7074.49; Human Resource \$6208.94; Library \$8922.18; Liquor \$14,060.31; Mayor and Council \$3913.78; Parks \$12,602.16; Planning & Permitting \$10,145.05; Police \$297,615.90; Rally \$12,142.34; Recreation \$3221.23; Sanitary Service \$17,707.00; Streets \$14,912.09; Wastewater \$10,107.28; Water \$13,074.36; Federal Withholding \$53,905.92; FICA \$38,477.99.

COMBINED CASH FUND – Petty Cash, \$200.00; Pat Urbaniak, \$8.05, refund.

GENERAL – A&B Business, \$622.15, sup; Amick Sound, \$34.24, rep; Arctic Glacier, \$42.90, sup; Baker & Taylor, \$245.48, sup; Bear Butte Valley Water, \$151.75, util; Black Hills Energy, \$20,795.68, util; Roger Burnham, \$3,713.17, prof fee; Mark Carstensen, \$75.00, other; Central States Sanitation, \$880.00, rep; Century Link, \$327.42, util; Chain Saw Center, \$2,011.65, prof fee; City of Sturgis Water Dept, \$13,422.83, util; Double Star Computing, \$562.36, prof fee; Judy Duprel, \$246.62, refund; EAR, \$1,318.40, sup; Bruce Eide, \$1,000.00, refund; Tamera Even, \$500.00, ins; Grafix Shoppe, \$479.07, rep; Grossenburg Implement, \$311.23, rep; Hebron Brick, \$21.80, sup; Jim’s Auto Salvage, \$125.00, rep; Charles Kaiser, \$30.00, other; KC’s Auto Repair, \$796.13, rep; Key City Glass, \$215.00, rep; KNKL Radio, \$1500.00, sup; Legends Sales & Marketing, \$25,727.65, prof fee; Kathryn Lemmel, \$865.00, other; Sandra Lemmel, \$765.00, other; Liberty Chevrolet, \$313.71, rep; Marco Technologies, \$394.44, sup; Meade County Auditor, \$16,482.60, other; One Eyed Jacks Saloon, \$205.00, refund; Overhead Door Co. of Rapid City, \$344.70, rep; Park Avenue Car Wash, \$39.60, sup; Petty Cash, \$693.24, sup; Pool & Spa Center, \$160.80, sup; Precision Carpet Contractors, \$650.00, prof fee; Public Safety Equipment Co, \$191.17, sup; Purchase Power, \$500.00, sup; Richter’s Tire & Exhaust, \$143.98, sup; Rushmore Office Supply, \$835.96, sup; S&C Cleaners, \$6500.00, prof fee; Billy Schlosser, \$30.00, other; Schwans, \$124.88, sup; SD Dept of Health, \$125.00, prof fee; Dave Smith, \$107.00, refund; SMRI, \$26000.00, prof fee; St Francis Altar Society, \$13950.00, other; Sturgis Rally Charities Foundation, \$1760.00; Summit Signs, & Supply, \$5.00, sup; T&M Studio, \$182.00, other; Timeless Wedding & Event Rental, \$2085.46, rent; Whitewood Plaza, \$150.00, rep; Johnathan Zimmiond, \$500.00, ins.

SPECIAL SALES TAX – Black Hills Energy, \$33.84, util; Sturgis Area Chamber of Commerce, \$9166.67, SEDC, \$6666.67.

CAPITAL IMPROVEMENT – Brosz Engineering, \$630.00; Legendary Electric, \$1122.45.

BUSINESS IMPROVEMENT DISTRICT – Central States Sanitation, \$200.00, sup; Gary Renner, \$600.00, prof fee.

LIQUOR – Arctic Glacier, \$633.87, resale; Badlands Distillery, \$627.66, resale; Black Hills Energy, \$2261.79, util; Black Hills Rally & Gold, \$303.00, resale; Cash-Wa Distributing, \$3633.46, resale; Cask & Cork, \$1033.65, resale; City of Sturgis Water Dept, \$317.24, util; coca cola, \$595.75, resale; Dakota’s Best Distributing, \$313.50, resale; DesJarlis Farms, \$596.00, resale; Double Star Computing, \$42.50, prof fee; First Interstate Bank, \$5000.00, ATM; Fisher Beverage, \$8689.70, resale; Johnson Western Wholesale, \$18249.20, resale; Lok & Fixit, \$60.00, sup; MB Enterprises, \$176.85, resale; Okoboji Wines, \$101.00, resale; Prairie Berry, \$1440.00, resale; Quality Brands of the Black Hills, \$15301.10, resale; Republic Beverage, \$20077.55, resale; Rushmore Office Supply, \$2075.50, sup; Schade Vineyard, \$324.00, resale; Southern Glazer’s of SD, \$14524.86, resale; Strawbale Winery, \$158.59, resale.

WATER – Black Hills Energy, \$8938.75, util; City of Sturgis Water Dept, \$635.49, util; Core & Main, \$245.31, sup; Double Star Computing, \$42.50, prof fee; Wyatt Hix, \$500.00, ins; Key City Glass, \$200.00, rep; Petty Cash, \$3.10, sup; West River Lawn & Snow, \$1475.00, rep.

WASTEWATER – Black Hills Energy, \$5463.75, util; City of Sturgis Water Dept, \$559.34, util; Double Star Computing, \$42.50, prof fee; Flexible Pipe Tool Co, \$200.60, sup; J&D Precast, \$420.00, rep; PKG Contracting, \$420437.10, cap imp; Sturgis Tire Pros, \$81.19, rep.

SANITATION – Andrew Barff, \$500.00, ins; Black Hills Energy, \$224.74, util; Century Link, \$67.12, util; Double Star Computing, \$42.50, prof fee; Holtz Industries, \$722.00, rep; Levi Littler, \$500.00, ins; New Deal Tire, \$2739.00, other; Dan Tammi, \$500.00, ins.

AMBULANCE – Black Hills Energy, \$879.52, util; City of Sturgis Water Dept, \$485.77, util; Double Star Computing, \$42.50, prof fee; Henry Schein, \$2178.69, sup; Dr Joy Mueller, \$500.00, prof fee; Richter’s Tire & Exhaust, \$153.33, rep; Rushmore Office Supply, \$35.99, sup; Teleflex, \$2660.00, sup.

Motion by T. Keszler, second by Crane and carried with all members present unanimously voting yes to approve a land transfer to SEDC for Lot 5 in Block 1 of Creekside Subdivision.

Motion by Zerbst, second by Bachand and carried with all members present unanimously voting yes to approve Resolution 2020-47 – Open Container Request for September 12, 2020 and Street Closure Request for September 11-13, 2020 for the Sturgis Off Road Rally.

RESOLUTION 2020-47

A RESOLUTION TO CLOSE STREETS TO CREATE AN SHOW AND SHINE AREA, AND TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY FOR THE OFF-ROAD RALLY

WHEREAS, the Off-Road Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, this will be the third year for this event and the City of Sturgis supports the Off-Road Rally that is an ATV/UTV rally, the dates for the Rally are September 11-13, 2020, and

WHEREAS, the Off-Road 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 Off-Road Rally is permitted under the authority of state law;

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall close certain streets to the public for a limited period of time to establish a Show and Shine event area on September 12, 2020 from 2:00 pm until 10:00 pm, on the public street as follows:

- a. Harley-Davidson Way, closed from Lazelle Street south to Main Street, with the alley way to remain open, and

IT IS HEREBY FURTHER RESOLVED that the Sturgis Police Department will be authorized to ticket and tow illegally parked vehicles within that street closure area starting September 12 at 12:00 pm through 10:00 p.m. and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall establish an alcoholic beverage open container area on September 12th from 1:00 pm to 9:00 pm, 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 designated cup that is available for purchase from any 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,

b. On the south, by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and on

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.

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.

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.

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, any City Property not open to the public, and does not include any private property within the open container area.

Dated this 8th day of September 2020.

Published: September 15, 2020

Effective: October 5, 2020

Motion by Waterland, second by T. Keszler and carried with all members present unanimously voting yes to approve second reading of Ordinance 2020-02 - 2021 Budget. (The complete ordinance is on file at the Finance Office at City Hall.)

Motion by Waterland , second by Crane and carried with all members present unanimously voting yes to approve Resolution 2020-51 – Adopt 2021 Utility Rates.

RESOLUTION 2020-51
RESOLUTION REGARDING THE MUNICIPAL UTILITY RATES
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

1	16.36	32.72	49.08	49.08	98.16	147.24	196.32	245.40
2	32.72	65.44	98.16	98.16	196.32	294.48	392.64	490.80
3	49.08	98.16	147.24	147.24	294.48	441.72	588.96	736.20
4	65.44	130.88	196.32	196.32	392.64	588.96	785.28	981.60
5	81.80	163.60	245.40	245.40	490.80	736.20	981.60	1227.00
6	98.16	196.32	294.48	294.48	588.96	883.44	1177.92	1227.00
7	114.52	229.04	343.56	343.56	687.12	1030.68	1227.00	1227.00

WHEREAS, the following chart shows the 2021 fees for Water and Sewer:

WATER USAGE: Base Rate – no change

Gallons of Water (no change): Residential - \$2.52/1,000 gal; Commercial - \$2.83/1,000 gal.

RESIDENTIAL SEWER - 3% increase over 2020 - \$28.85

**COMMERCIAL SEWER (chart below) - 3% increase over 2020 –
\$34.20 allows 9,000-gal, .62/1000 gal over 9,000 gal.**

WASTEWATER FACILITY SURCHARGE - \$17.63 (no change)

MURRAY ADDITION WASTEWATER SURCHARGE - \$25.00 (no change)

Line Size	# of Units	Wtr Base 2020	Wtr Base 2021 (No change)	Wtr Surcharge (No Change)	Sewer 2020	Sewer 2021 3% increase
5/8" – 1"	1	12.27	12.27	9.18	33.20	34.20
1 ¼"	2	24.54	24.54	18.36	66.40	68.40
1 ½"	3	36.81	36.81	27.54	99.60	102.60
2"	4	49.08	49.08	36.72	132.80	136.80
3"	6	73.62	73.62	55.08	199.20	205.20
4"	8	98.16	98.16	73.44	265.60	273.60

WHEREAS, the following chart shows the 2021 Availability Fees for Sewer and Water:

Availability Fees – (no change)

# of UNITS	1	2	3	4	6	8
Meter Size	<=1"	1 ¼"	1 ½"	2"	3"	4"
Water Avail	\$17	\$34	\$51	\$68	\$102	\$136

Sewer Avail	\$18	\$36	\$54	\$72	\$108	\$144
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NOW, THEREFORE, the Common Council of the City of Sturgis does hereby adopt the foregoing charges starting January 1, 2021.

Adopted this 8th day of September 2020.

Published: September 15, 2020

Effective: October 5, 2020

Jerry Petersen was present to speak to the Council on the half-mile track and that a group had been formed named "The Sturgis Road Captains". Mr. Petersen said they are ready to help the City towards the future of the half-mile track by restoring it to its glory. They are planning on setting up goals for restoring the half-mile track. The Council will take Mr. Petersen's suggestions under consideration.

Any other business:

Jordan Etherton spoke to the Council on how important historical items and wants to see the half-mile track saved. Ms. Etherton's daughter, Olivea Tallmage and friend Peyton Witcraft presented a bouquet of flowers to Councilor Crane and Zerbst and Finance Officer Bueno.

Brent Bachand also spoke about watching kids race at the half-mile track and that he wants to see the track saved.

Janeen Robinson spoke about our community, Ft. Meade and the Vets Club.

Motion by T. Keszler, second by Anderson and carried with all members present unanimously voting yes to go into executive session for personnel and contracts at 7:29 pm.

Motion by Waterland, second by Crane to return to regular session at 8:10 pm.

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

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
David Martinson – President of the Council

Published once at the total approximate cost of \$