

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, November 16, 2020 at the Sturgis City Hall Council Meeting Room. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Steve Keszler, Terry Keszler, Ronald Waterland and Beka Zerbst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: David Martinson.

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

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

Motion by Waterland second by T. Keszler to return to regular session at 6:29 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Doug Weasel, Brosz Engineering, gave the Annual Bridge Inspection report.
- Library Board minutes from October 28, 2020 (unapproved).
- Planning Commission minutes from November 3, 2020 (unapproved).

Announcements:

- The Christmas tree lighting will be December 3rd and the Parade of Lights will be on December 4th.
- The week of Thanksgiving garbage for Thursday will be picked up on Wednesday and Friday's garbage will be picked up on Monday.
- The first Christmas activity, the Santa Stroll, will be on November 28th and each Friday there will be another activity until Christmas. The Hometown Christmas Market will be starting on November 28th through December 19 on Friday, Saturday and Sunday.
- Thanks to the Fire Department for their help this past weekend.

City Manager Ainslie reported:

- a. Payroll Changes within Budget-
 1. Police: William Berkeley - Patrol Officer \$20.12.
 2. Ambulance: Heidi Schulz and Casey Baker – Paramedic \$15.00 orientation - \$17.00 off orientation.
 3. Recreation: Reese Ludwick - \$20.00 per game or \$25 per game with 3rd-6th grade.
 4. City Manager: Terry Maxwell and Laurel Hansen-Niesen – Hometown Christmas Market Cashier - \$11.00. Ed Bueno – Hometown Christmas Market – building oversight - \$11.00.

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

- a. Consideration to approve minutes from November 2, 2020 Regular City Council meeting and the minutes from the Special meeting held on November 10, 2020.
- b. Consideration to approve Resolution 2020-78 – Plat of Lot 6R-1 in Block 5 of Pine Acres Subdivision from Todd and Valerie Meints of 1218 Maple Drive.

**RESOLUTION 2020-78
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 Todd Meints:

Plat of
Lot 6R-1 in Block 5 of Pine Acres Subdivision,
Formerly Lot 6 Revised and Lot 8 in Block 5 of Pine Acres Subdivision
Located in the SE1/4 of Section 16, T.5N., R.5E., B.H.M.,
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 16th day of November 2020.

Published: 11-21-2020

Effective: 12-12-2020

- c. Consideration to approve Resolution 2020-79 – Plat of Lot 8B Revised of Rodebank's Second Addition from SSD Properties 1 LTD (Noel Larson) of 1506 W Farley St.

**RESOLUTION 2020-79
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 SSD Properties – Noel Larson:

Plat of
Lot 8B Revised of Rodebank's Second Addition.
Formerly Lot 8B Less (The North 50' and Lot H1) AND Lot 8C1, All of Rodebank's Second Addition
All Located in the SW1/4 of the SW 1/4 of the NE1/4 of Section 9, 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 16th day of November 2020.

Published: 11-21-2020

Effective: 12-12-2020

- d. Consideration to approve Resolution 2020-80 – Plat of Lot 14A and Lot 14B in Block 2 of Potters Second Addition from Wayne and Linda Lensegrav of 710 Deadwood St and Jerry and Dixie Wilson of 1817 Baldwin Street.

**RESOLUTION 2020-80
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 Jerry Wilson, Dixie Wilson, Wayne Lensegrav and Linda Lensegrav:

Plat of
Lot 14A and Lot 14B in Block 2 of Potters Second Addition,
Formerly Lots 14 thru 18, Block 2 of Potters Second Addition.
All Located in the SE1/4 of the NW1/4 of the SW ¼ of Section 10,
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 16th day of November 2020.

Published: 11-21-2020

Effective: 12-12-2020

- e. Consideration to set a public hearing for December 7, 2020 for a Special Events License for the Oasis Bar for the Christmas activities at the Harley Davidson Way.

Motion by Waterland second by Crane and carried with all members present unanimously voting yes to approve the following claims with the addition of Petty Cash for \$1600:

WAGES – Ambulance \$22,503.92; Attorney \$4145.20; Auditorium \$221.30; Buildings \$1212.27; Cemetery \$2448.85; City Manager \$4688.58; Community Center \$9570.87; Finance Office \$1691.98; Fire Department \$557.02; Fleet \$6370.00; Human Resource \$5048.42; Library \$8969.05; Liquor \$6286.08; Mayor and Council \$3913.78; Parks \$10,915.00; Planning & Permitting \$6721.09; Police \$37,053.18; Rally \$8045.84; Recreation \$2789.41; Sanitary Service \$15,201.36; Streets \$12,400.24; Wastewater \$8589.22; Water \$18,485.50; Federal Withholding \$18,094.68; FICA \$15,118.91.

COMBINED CASH FUND – D&T Ventures, \$8.52, refund; Jenter Properties, \$26.69, refund.

GENERAL – A&B Business, \$221.14, rep; Baker & Taylor, \$478.30, rep; Baseline Surveying, \$312.50, prof fee; Bear Butte Valley Water, \$146.80, util; Black Hills Chemical, \$1709.35, sup; Black Hills Energy, \$25118.51, util; CB&B Aviation, \$1050.00, rep; City Service Valcon, \$15593.58, sup; Jerry Cole, \$1000.00, ins; Culligan of the Black Hills, \$70.50, sup; Double Star Computing, \$6563.97, prof fee; Epic Outdoor Advertising, \$1200.00, rent; Ryan Fitzpatrick, \$120.00, other; Grocery Mart, \$128.68, sup; Holiday Inn, \$300.00, travel; Knight Security, \$169.95, rep; Lynn’s Dakotamart, \$134.41, sup; Autumn Lyons, \$500.00, ins; Mastercard, \$46236.51, sup; Match Marketing, \$25000.00, prof fee; Meade County Auditor, \$9833.28, other; Meade County Register of Deeds, \$360.00, other; Nebraska Salt & Grain, \$4737.01, sup; Oberles Radiator & Repairs, \$1200.00, rep; Brad Olson, \$500.00, ins; Overhead Door Co, \$267.09, rep; Scott Paramo, \$1585.00, rep; Travis Parker, \$140.00, other; Petty Cash, \$1633.66, other; Quick Signs, \$64.00, other; Race Wheels Consulting, \$600.00, other; Rapid Diesel Service, \$1055.45, rep; Rushmore Office Supply, \$274.03, sup; SD Dept of Transportation, \$512.64, prof fees; SD Wildlife Federation, \$30.00, sup; Speedy Lube, \$76.48, sup; Sturgis Motorsports, \$911.18, rep; Tendaire Industries, \$42.67, rep; U Drive Technology, \$329.01, util; Werlinger Auto Body Repair, \$3281.60, rep.

SPECIAL SALES TAX – American Engineering Testing, \$3700.00, prof fee; Black Hills Energy, \$41.65, util; King Appraisals, \$10000.00, prof fee; Mastercard, \$453.29, util.

CAPITAL IMPROVEMENT – Brosz Engineering, \$210.00; Helms & Associates, \$16539.72; Integrated Technology & Security, \$25359.59; Johner & Sons, \$217699.17; Mastercard, \$4000.00; Sacrison Paving, \$36940.36.

BUSINESS IMPROVEMENT DISTRICT – Bureau of Land Management, \$2788.80, sup; Mastercard, \$129.76, sup; Renegade Classics, \$300.00, other.

HOTEL OCCUPANCY TAX DISTRICT – Mastercard, \$778.40, other.

TIF #17 SMITTY’S DEV PROJ – Pedersen Excavating, \$33891.51.

LIQUOR – Black Hills Energy, \$1638.02, util; Cash-Wa Distributing, \$1083.55, resale; Cask & Cork, \$715.68, resale; Coca Cola, \$458.25, resale; Days End Campground, \$85.16, refund; DesJarlais Farms, \$368.00, resale; Double Star Computing, \$147.72, prof fee; First Interstate Bank, \$5000.00, ATM; Fisher Beverage, \$6084.57, resale; Johnson Western Wholesale, \$22903.39, resale; Lynn’s Dakotamart, \$67.71, sup; Mastercard, \$5781.45, sup; Pepsi Cola, \$88.00, resale; Prairie Berry, \$303.00, resale; Quality Brands of the Black Hills, \$12607.49, resale; Republic Beverage, \$35782.02, resale; Roscoz, \$54.29, refund; Rushmore Office Supply, \$905.93, sup; Southern Glazer’s of SD, \$8987.55, resale; Stinger Saloon, \$55.02, refund.

WATER – Affordably Creative Engineering Services, \$343.75, rep; black Hills Energy, \$8006.69, util; Double Star Computing, \$400.85, prof fee; Hach Co, \$116.79, sup; Mastercard, \$1847.49, sup; Pedersen Excavating, \$3050.00, rep; SD 811, \$105.28, prof fee; Town-n-country Plumbing, \$5.63, rep.

WASTEWATER – Affordably Creative Engineering Services, \$343.75, rep; Black Hills Energy, \$5603.08, util; Double Star Computing, \$400.85, sup; Mastercard, \$4097.63, sup; Pedersen Excavating, \$3050.00, rep.

SANITATION – Black Hills Energy, \$15.00, util; City of Belle Fourche, \$23603.38, other; Double Star Computing, \$400.85, prof fees; Lynn’s Dakotamart, \$11.97, sup; Mastercard, \$3779.39, sup; Rushmore Office Supply, \$550.00, sup; Wells Plumbing, \$242.71, rep.

AMBULANCE – Black Hills Energy, \$549.77, util; Double Star Computing, \$147.72, prof fee; Interstate All Batteries Center, \$605.00, sup; Lynn’s Dakotamart, \$19.14, sup; Mastercard, \$3820.09, sup.

Motion by Bachand second by T. Keszler and carried with all members present unanimously voting yes to approve the Liquor and Wine License renewals for 2021 with the corrections and removal of the wine license for Dirty Dog Roadhouse.

Package (off-sale) Liquor

1. City of Sturgis, dba Sturgis Liquor – 1075 Lazelle
2. City of Sturgis, dba Sturgis Liquor Annex – 985 Harley-Davidson Way

Retail (on-sale w/Sunday Sales) Liquor

- a. American Legion Meade Post 33/ VFW Paha Sapa Post 2730 – 868 Main St
- b. Willie Nillie Inc dba Baymont-Sturgis – 2721 Lazelle
- b. Low Country Oysters of Sturgis, LLC dba The Beaver Bar – 12976 Highway 34
- c. KSLB & D, Inc dba Iron Horse Saloon & Steakhouse – 888 Junction Ave.
- d. Homeslice Management, LLC dba Loud American Roadhouse – 1305 Main St
- e. PSI Enterprises, LLC dba Oasis Bar & Lounge – 1145 Main St
- f. One Eyed Jacks Saloon of Sturgis Inc dba One Eyed Jack's Saloon – 1304 Main St
- g. Schmid Investments dba Sidehack Saloon – 1027 Lazelle Street
- h. Key City Enterprises Dba The Knuckle Saloon – 931 1st Street

Wine (on-off sale) License

- a. Willie Nillie Inc. dba Baymont-Sturgis – 2715 Lazelle Street
- b. CBH Cooperative – Cenex-C-Store – 2030 Lazelle Street
- c. Moyle Petroleum dba Common Cents – 2421 Junction Ave
- d. Days End Campground – 2501 Avalanche Rd
- e. Dolgen Midwest LLC dba Dollar General Store #18409 – 1940 Lazelle
- f. Family Dollar Store #7146 – 2415 Lazelle
- g. Kan-Meyer Inc dba Grocery Mart – 2216 Junction Ave
- h. Lisa Cress dba LaRisa Mexican Cuisine – 748 Lazelle
- i. Lynn's Discount Foods, Inc. dba Lynn's Dakota Mart – 1111 Lazelle St
- j. Sheree D Schriver dba Red's Grill & Pub – 2214 Junction Ave.
- k. Dungeon Bar dba Royal Flush Casino and Sports Bar – 1030 Main Street
- l. Jawbone Investments dba Stinger Saloon – 1102 Main
- m. MAJR, LLC dba Sturgis Coffee Company – 2275 Lazelle Street
- n. Sturgis Wine Company LLC dba Sturgis Wine Company – 1117 Main Street
- o. Key City Enterprises Dba The Knuckle Saloon – 931 1st Street
- p. Baylee White / Morgan LLC dba Total E'Clips Salon – 920 1st St
- q. David Stewart dba Uncle Louie's Diner – 1039 Main
- s. BW Gas & Convenience LLC dba Yesway Store 1194 – 2620 Lazelle

Motion by Waterland second by Zerbst and carried with all members present unanimously voting yes to approve a 10' front setback variance to install a carport at 443 Nathan Ct for Don and Sharon Peck.

Motion by Zerbst second by Waterland and carried with all members present unanimously voting yes to approve second reading of Ordinance 2020-03 – Supplement to the 2020 Appropriations Budget.

ORDINANCE 2020-03

**AN ORDINANCE AMENDING ORDINANCE NO. 2019-10
ANNUAL APPROPRIATIONS FOR THE YEAR 2020
OF THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota, that Ordinance 2019-10 is amended so that the following amounts are hereby appropriated to meet the obligation of the municipality for the year 2020.

General Fund 101**City Manager**

| | |
|-------------------------|------------|
| 4144-42601 – Good Deeds | \$ 30,000 |
| 4144-42602 – Covid-19 | \$ 200,000 |

Finance

| | |
|------------------------------|----------|
| 4142-4290 – Other - Election | \$ 4,000 |
|------------------------------|----------|

Streets

| | |
|------------------------------------|-----------|
| 4311-42500 – Repairs & Maintenance | \$ 10,000 |
| 4311-42501 – FEMA Repairs | \$ 75,000 |

Airport

| | |
|-----------------------------------|-----------|
| 4350-4250 – Repairs & Maintenance | \$ 15,000 |
| 4350-4340 – Machinery & Equipment | \$ 30,000 |

Auditorium

| | |
|-----------------------------------|-----------|
| 4560-4250 – Repairs & Maintenance | \$ 10,000 |
| 4560-4340 – Machinery & Equipment | \$ 55,000 |

Total for General Fund**\$ 429,000**

Source of Funding: Unappropriated cash, FEMA & CARES money

Capital Improvement Fund 212

| | |
|----------------------------------------------------------|--------------|
| 4192-42500 – Buildings Repairs | \$ 2,500 |
| 4311-42500 – Repairs – Streets | \$ 25,000 |
| 4511-42500 – Repairs – CC | \$ 5,000 |
| 4511-43400 – Equipment -CC | \$ 17,000 |
| 4520-42500 – Repairs – Park | \$ 4,000 |
| 9000-43200 – Buildings-City Hall | \$ 53,000 |
| 9000-43300 – Improvements – Ellen St & Airport T-hangers | \$ 2,750,000 |
| 9000-43301 – Improvements – State Bike Path | \$ 10,000 |

Total for Capital Improvements**\$ 2,866,500**

Source of Funding: Grant Money (airport) and Unappropriated cash

TIF #12 – Dolan Creek 330

| | |
|--------------------|------------|
| 9000-42900 – Other | \$ 100,000 |
|--------------------|------------|

Source of Funding: Property Tax

TIF #17 – Smitty's -334

| | |
|--------------------------|-----------|
| 900-42900 – Improvements | \$110,000 |
|--------------------------|-----------|

Adopted this 16th day of November 2020.

First reading: 11-02-2020

Second reading: 11-16-2020

Adopted: 11-16-2020

Published: 11-21-2020

Effective: 12-12-2020

Motion by Crane second by S. Keszler and carried with all members present unanimously voting yes to approve Resolution 2020-77 – Voluntary Annexation of Davenport Family Real Estate.

RESOLUTION 2020-77**RESOLUTION ON ANNEXATION OF THE DAVENPORT ADDITION**

WHEREAS, the Davenport Family Real Estate, LLC has filed a Petition for Annexation with the City of Sturgis; and

WHEREAS, said Petition states Davenport Family Real Estate, LLC owns 100% of the total value of the property, and that there are no registered voters residing within the boundaries of the property requested to be annexed; and

WHEREAS, said real property set forth in the Petition is contiguous to the City of Sturgis; and

WHEREAS, the current land to be annexed is being describe by metes and bounds; and

WHEREAS, the proposed land use will be for 57 single family residences.

NOW THEREFORE BE IT RESOLVED that upon such approval that the following described real property shall be annexed to the City of Sturgis:

A parcel of un-platted land located in SW1/4NW1/4NW1/4 and the NW1/4SW1/4NW1/4 of Section 22, T5N, R5E, B.H.M., Meade County, South Dakota; more particularly described as follows:

Commencing at the West ¼ corner of section 22, T5N, R5E; Thence N 03°13'20" E, 506.08' feet to the SW corner of said parcel, being the point of beginning; Thence N 03°13'20" E, 899.79 feet; Thence S74°19'46" E, 480.78' to the west Right-of-Way limit of Davenport Loop; Thence through the following two courses along said limit: 1) Thence S 02°11'14" W, 249.93 feet; 2) Along a 380.00 foot radius curve to the left, an arc distance of 259.73 feet; Thence S 64°34'46" E, 642.27 feet to the point of beginning; containing 8.010 Acres, more or less.

Dated this 16th day of November 2020.

Published: 11-21-2020
Effective: 12-12-2020

Any other business:

- Councilor T. Keszler thanked the City for the Good Deeds program, it is a very good program.
- Councilor Bachand commented that Dr. Ismay had contacted him and that he had problems with dog that was not on a leash on the bike path that ran his horses into a fence.

Motion by Waterland second by Anderson and carried with all members present unanimously voting yes to go into executive session for contracts at 7:39 pm.

Motion by T. Keszler second by Crane to return to regular session at 7:57 pm.

Motion by Waterland seconded by Anderson and carried with all members present unanimously voting yes to adjourn the meeting at 7:58 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$213.91.