

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, December 7, 2020 at the Sturgis City Hall Council Meeting Room. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Steve Keszler, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerbst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

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

Motion by Martinson, second by Anderson 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 S. Keszler, second by Waterland to return to regular session at 6:31 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Municipal Utilities Board minutes from September 22, 2020 and October 27, 2020.

Announcements:

- Mayor Carstensen proclaimed December 7, 2020 Joanne Jaeger Day.
- Mayor Carstensen thanked the City Staff for their work on making last Thursday, Friday and Saturday very special time which included the Christmas tree lighting, Parade of Lights, the Christmas Market Place, the Christmas projects for kids and the Christmas movies at the theater.

City Manager Ainslie reported:

- Payroll Changes within Budget -
 1. Community Center: Olivia Jolley - Front Desk Attendant/Concessions Attendant \$9.50.
 2. Downtown BID: Kat Mayberry - Christmas Market Attendant \$11.00.
 3. The sales tax update for General Sales Tax and Capital Improvement Tax for October collected in November was up 16.6% month over month and up 8.9% year over year. The Gross Receipts Tax (triple B) was up 7.6% month over month and up 0.8% year over year.
 4. We want to extend our appreciation and gratitude to the Police Department for catching the vandals that destroyed some of the decorations at Harley Davidson Point, we did receive restitution for the items that were destroyed.
 5. The City would like to recognize and extend our appreciation to Rochelle Bruch, SEDC, the Sturgis Chamber, Rosemary Roth and Mark Bruch for their work on the downtown Christmas decorations.

Motion by T. Keszler, second by Bachand 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 16, 2020 Regular City Council meeting, November 23, 2020 Special Council meeting and November 30, 2020 Special Council meeting.
- b. Consideration to approve purchase from the State Bid Contract of a budgeted vehicle for the Police Department for \$31,179.

- c. Consideration to approve the Lawrence County Ambulance Service Contract.
- d. Consideration to approve purchase from the State Bid Contract of a 2021 budgeted vehicle for Planning and Permitting for \$26,751.
- e. Consideration to approve purchase of a 2021 budgeted purchase tandem axle truck with sander and plow for Public Works. The following bids were received: North Central International of Sioux Falls- \$170,285-no cashier's check; Floyd's Truck Center/Northern Truck Equipment - \$170,794; Floyd's Truck Center/Sanitation Products- \$182,648. The bid from Floyd's Truck Center/Northern Truck Equipment of \$170,794 was approved.
- f. Consideration to set a public hearing for December 21, 2020 for a wine license renewal for Dirty Dogs Roadhouse LLC, 1025 Junction.
- g. Consideration to set a public hearing for December 21, 2020 for a variance to the front setback to build a new attached garage at 851 Dudley Street for Paul Neiger.
- h. Consideration to set a public hearing for December 21, 2020 for a variance to the front and side yard setback for a new carport at 1001 McNenny Drive for Bryan Larive,

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

WAGES – Ambulance \$48,740.33; Attorney \$11,212.40; Auditorium \$394.72; Buildings \$3149.62; Cemetery \$4517.55; City Manager \$12,722.99; Community Center \$18,705.71; Finance Office \$3451.65; Fire Department \$623.61; Fleet \$12,329.77; Human Resource \$12,446.41; Library \$18,267.73; Liquor \$12,350.05; Mayor and Council \$7827.56; Parks \$21,743.34; Planning & Permitting \$15,415.80; Police \$78,555.00; Rally \$20,145.88; Recreation \$8063.43; Sanitary Service \$33,457.96; Streets \$24,867.30; Wastewater \$19,059.77; Water \$40,294.05; Federal Withholding \$38,579.89; FICA \$30,847.19.

COMBINED CASH FUND – Joann & Robert Constantine, \$90.65, utility over pymnt; Ricky Peck, \$30.37, utility over pymnt.

GENERAL – A & B Business, \$622.15, supp; Laura Abernathy, \$500.00, grp insur; Amazon, \$222.15, supp; Animal Control & Care Academy, \$1725.00, travel; Baker & Taylor, \$728.97, supp; Greg Barnier, \$500.00, grp insur; Bear Butte Valley Water, \$146.80, util; Best Western Plus Lakeview, \$150.00, travel; Black Hills Energy, \$15,379.75, util; Black Hills Family Practice, \$240.00, prof fee; Black Hills Library Consortium, \$729.74, supp; Black Hills Rally & Gold, \$749.25, supp; Border States Electric, \$848.30, repair; Brite, \$336.00, supp; Sally Brucks, \$165.00, refund; Roger Burnham, \$3877.68, prof fee; Century Link, \$328.93, util; Chemical King Products, \$326.10, supp; City of Sturgis Water Dept, \$2102.67, util; William Coshow, \$100.00, other; Double Star Computing, \$1883.57, prof fee; Kathy Dykstra, \$500.00, grp insur; Epic Outdoor Advertising, \$1200.00, rent; Ryan Fitzpatrick, \$110.00, other; Sierra Frazier-Riggs, \$500.00, grp insur; Dylan Goetsch, \$215.65, supp; Ken Grosch, \$30.00, other; Grossenburg Implement, \$3632.20, prof fee; Husker Power Products, \$471.21, repair; Interstate Engineering, \$11,073.10, FEMA repair; Jade Equipment, \$123.63, repair; Michael Kautz, \$500.00, grp insur; Kone Inc, \$166.92, repair; Legendary Electric, \$1074.27, repair; Light & Siren, \$729.99, equip; Marco Technologies, \$105.55, maint; Motionsoft, \$450.00, prof fee; Nebraska Salt & Grain, \$2399.24, suppl Travis Parker, \$90.00, other; Petty Cash, \$56.00, other; Marty Plaggemeyer, \$500.00, grp insur; Public Safety Equipment, \$181.96, supp; Purchase Power, \$500.00, supp; Rockingtree Floral, \$37.60, repair; S&C Cleaners, \$6500.00, prof fee; Shauna Sigman, \$50.00, refund; Sturgis Motorcycle Museum, \$870.58, other; Tom's T's, \$2685.70, supp.

SPECIAL SALES TAX – Sturgis Area Chamber of Commerce, \$9166.63, monthly alloc; Sturgis Economic Development Corp, \$9666.64, monthly alloc, promo.

CAPITAL IMPROVEMENT – Baseline Surveying, \$625.00, improv; Brosz Engineering, \$650.00, improv; Complete Concrete, \$30,874.97, improv; Integrated Technology & Security, \$3722.28, improv.

BUSINESS IMPROVEMENT DISTRICT – City of Sturgis Water Dept, \$38.21, util; Sand Creek Printing, \$175.50, other; Tom’s T’s, \$1271.00, supp.

LIQUOR – Arctic Glacier USA, \$72.20, liquor; Badlands Distillery, \$492.66, liquor; Black Hills Energy, \$1720.04, util; Cash-Wa Distributing, \$3529.35, liquor; Cask & Cork, \$1188.90, liquor; City of Sturgis Water Dept, \$314.41, util; Coca Cola, \$967.25, pop; Dakota’s Best, \$264.00, liquor; Desjarlais Farms, \$339.00, liquor; Double Star Computing, \$20.63, prof fee; Fisher Beverage, \$17,820.12, liquor; Johnson Western Wholesale, \$32,646.94, liquor; MB Enterprises, \$73.20, liquor; Okoboji Wines, \$483.00, liquor; Overhead Door Co, \$457.98, repair; Pepsi Cola, \$291.00, pop; Quality Brands of the Black Hills, \$23,637.51, liquor; Republic Beverage Co, \$37,098.68, liquor; Royal Flush Casino, \$929.28, refund malt bev fee; Schade Vineyard, \$396.00, liquor; Southern Glaziers, \$9516.20, liquor; True Brands, \$86.15, liquor.

WATER – AAA Collections, \$25.27, prof fee; Black Hills Energy, \$2298.78, util; City of Sturgis Water Dept, \$290.23, util; Core & Main, \$89.00, supp; Dakota Pump, \$33,163.00, prof fee; Double Star Computing, \$59.07, \$prof fee; Petty Cash, \$6.92, supp; SD Water & Wastewater Assn, \$10.00, prof fee.

WASTEWATER – Black Hills Energy, \$3104.08 utilities; Double Star Computing, \$59.07, prof fee; Harley Jacobs, \$500.00, grp insur; Meade Co Weed & Pest, \$1320.79; SD Water & Wastewater Assn, \$30.00, prof fee.

SANITARY SERVICE – Black Hills Energy, \$326.56, util; Century Link, \$69.79, util; Double Star Computing, \$59.07, prof fee; Meade Co Weed & Pest, \$1320.79; SD Solid Waste Management, \$400.00, prof fee; Sturgis Tire Pros, \$31.90, supp; Twilight First Aid, \$97.73, supp.

AMBULANCE – Black Hills Energy, \$536.93, util; City of Sturgis Water Dept, \$89.26, util; Double Star Computing, \$20.63, prof fee; Shawn Fischer, \$615.54, prof fee; Ft Meade VA Hospital, \$11,600.00, refunds; Henry Schein, \$217.89, supp; Medical Waste Transport, \$179.85, other; Dr Joy Mueller, \$500.00, prof fee; Lee Stroschine, \$500.00, grp insur.

Motion by Anderson, second by Zerbst and carried with Carstensen, Anderson, Bachand, Crane, S. Keszler, T. Keszler, Martinson and Zerbst voting yes, Waterland voting no to approve a Special Events License for the Oasis Bar for the Christmas Variety Show at Rally Point on December 12, 2020.

Motion by S. Keszler, second by Crane and carried with Carstensen, Anderson, Bachand, Crane, S. Keszler, T. Keszler, Martinson and Zerbst voting yes, Waterland voting no, to approve a Special Events Licenses for the Oasis Bar for the Snowman Build-Off at Rally Point on December 26, 2020.

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve having the City Manager sign the Annexation and Development Agreement and approve the following Resolution of Annexation of the property owned by Thomas and Linda Burnham.

**RESOLUTION 2020- 81
RESOLUTION OF ANNEXATION OF BURNHAM PROPERTY**

WHEREAS, Thomas H. Burnham and Linda M. Burnham as owners of the subject property identified below have signed and submitted a voluntary Development and Annexation Agreement for consideration, approval and signature by the City of Sturgis, accompanied by a completed and fully executed Petition for Annexation into the City of Sturgis; and

WHEREAS, the Common council of the City of Sturgis has statutory authority, pursuant to SDCL 9-4-1.1, to enter into an agreement for voluntary Development and Annexation; and

WHEREAS, the agreement for Voluntary Development and Annexation between the parties is for property contiguous to a portion of the present boundary of the City of Sturgis and within the area where growth of the City can be accommodated to provide for orderly growth and development of the City; and

WHEREAS, ample and suitable resources exist to accommodate the orderly growth and development of the contiguous property described in detail below as evidenced by the City's current provision of some City services to the area and consistent with the language of the most recent Annexation Study; and

WHEREAS, there is both a reasonable present and demonstrable future need for annexing the subject contiguous property in accordance with the that Annexation Study; and

WHEREAS, the population and relevant census data indicate that the City has and may experience growth and development beyond its present boundaries; and

WHEREAS, any exclusions or irregularities in municipal boundaries would result from completion of this Development and Annexation Agreement are not a result of arbitrariness but are a result of or are based upon existing geographical features, physical barriers, existing property boundaries existing occupancies and uses, and existing municipal boundaries; and

WHEREAS, there exists a community of interest between the property as described in the subject Development and Annexation Agreement and Petition for Annexation and existing Sturgis municipal boundaries; and

WHEREAS, a map of the area subject to this Resolution is Attached as Exhibit A and incorporated herein by reference.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council for the City of Sturgis that upon approval and authorization for signature of the Burnham Development and Annexation Agreement together with approval of the companion Petition for Annexation of the subject property described as follows:

- SW1/2 SW1/2 NW1/4; N1/2 N1/2 N1/2 SW1/4 lying East of HWY and Lot 8-D of NW1/4 SE1/4, consisting of 31.28 acres, more or less, and identified by Meade County Office of Equalization as Parcel 11.09.242,

the subject property shall be annexed; and

BE IT FURTHER RESOLVED that this Resolution of Annexation shall be recorded at length in the minutes of the meeting at which said Resolution is passed, together with a statement of the number of votes for and against the same, and then published in full as a part of the minutes of that meeting; and

BE IT FURTHER RESOLVED that on the twentieth day after publication of this Resolution a copy of it, certified by the City Finance Officer, and a map showing the property subject to this Resolution of Annexation, shall be recorded in the office of Meade County Register of Deeds and thereupon such territory shall become and be a part of the City of Sturgis, South Dakota.

Dated this 7th day of December 2020.

Published: 2/14/2020
Effective: 01/04/2021

Any other business:

There will be a meeting on the Marcotte property on December 9, 2020 at the Community Center theater at 6:00 pm.

Motion by T. Keszler, second by Bachand and carried with all members present unanimously voting yes to go into executive session for personnel and contracts at 6:58 pm.

Motion by Bachand, second by T. Keszler to return to regular session at 8:21 pm.

Motion by Waterland, seconded by Crane and carried with all members present unanimously voting yes to adjourn the meeting at 8:22 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$145.99.