

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 21, 2020 at the Sturgis City Hall Council Meeting Room. Present: Mayor Mark Carstensen, Alderpersons Mike Bachand, Rhea Crane, Steve Keszler (arrived at 6:18 pm), Terry Keszler, David Martinson, Ronald Waterland and Beka Zerbst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Jason Anderson

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

Motion by Waterland, second by Bachand and carried with all members present unanimously voting yes to go into executive session for one legal case, four contracts and three personnel at 6:01 pm.

Motion by Crane, second by T. Keszler to return to regular session at 6:33 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Planning Commission minutes from December 8, 2020 – unapproved
- Library Board minutes from December 9, 2020 – unapproved
- Veronica Grosek, Executive Director gave an update of what is happening with the Sturgis Area Chamber of Commerce & Visitors Bureau.

Announcements:

- The City received a \$5000 grant from Black Hills Energy Grant for Fire/Ambulance Hall Lighting Project.
- The City employees raised \$615 for the Sturgis Optimist toy drive this year.
- Congratulations to the two employees of the year – Tammy Even and David Gilbert. Congratulations to the volunteer of the year Richelle Bruch.
- Due to the Holidays Public Works will be closing at 10:00 am on the next two Thursday and City Hall, Community Center and Library will be closing at noon on the next two Thursday. Garbage pickup for Friday will be done the following Monday.

City Manager Ainslie reported:

- a. Payroll Changes within Budget –
 1. Police: Pam Nash – Animal Control Officer - \$19.36 removing supervisory stipend.

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

- a. Consideration to approve minutes from December 7, 2020 regular City Council meeting.
- b. Consideration to approve Resolution 2020-82, a Plat of Lot 1H-1 and 1HRR of Hurley Subdivision for Kim O'Connor of 2152 Dolan Creek Road.

RESOLUTION 2020-82 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 Kim O'Connor:

Plat of
Lots 1H-1 and 1HRR of Hurley Subdivision.
Formerly Lot 1H Revised of Hurley Subdivision.
All Located in the W1/2 of the NW1/4 of the NW1/4 of Section 16,
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 21st day of December 2020.

Published: 12-29-2020

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- c. Consideration to approve the 2020 Utility Department write-offs.
- d. Consideration to approve write-off of the 2019 checks.
- e. Authorize Mayor to sign addendums to employment contracts for the Council direct reports.

Motion by Bachand, second by Zerbst and carried with all members present unanimously voting yes to approve the following claims: The bills were correct for the LEC bills.

WAGES – Ambulance \$25,593.30; Attorney \$7660.14; Auditorium \$197.36; Buildings \$1733.37; Cemetery \$2261.02; City Manager \$9077.50; Community Center \$10,295.84; Downtown BID \$1911.99; Finance Office \$3775.32; Fire Department \$403.96; Fleet \$6387.67; Human Resource \$8517.47; Library \$11,370.31; Liquor \$7918.35; Mayor and Council \$3913.78; Parks \$10,231.51; Planning & Permitting \$10,113.58; Police \$46,333.80; Rally \$9441.42; Recreation \$4273.62; Sanitary Service \$18,223.86; Streets \$13,222.29; Wastewater \$10,480.84; Water \$21,412.03; Federal Withholding \$24,355.57; FICA \$17,612.55.

COMBINED CASH FUND – Stecor Initiatives, \$29.50, refund.

GENERAL – Amick Sound, \$102.72, rep; Baker & Taylor, \$101.57, sup; Black Hills Chemical, \$1908.89, sup; Black Hills Energy, \$12522.43, util; Border States Electric, \$453.76, rep; Cash-Wa Distributing, \$676.70, sup; Central States Sanitation, \$100.00, rep; Double Star Computing, \$2777.00, sup; Tamera Even, \$48.77, reimb; Ryan Fitzpatrick, \$30.00, other; Dylan Goetsch, \$500.00, ins; Gotcha Covered, \$2942.56, other; Grocery Mart, \$134.52, sup; Ken Grosch, \$30.00, other; Grossenburg Implement, \$7.94, sup; Jerred Hegstrom, \$500.00, ins; J&J Asphalt, \$1206.00, sup; Knight Security, \$876.42, rep; Lynn's Dakotamart, \$72.15, sup; MasterCard, \$60847.85, sup; Match Marketing Corp, \$15628.30, prof fee; Meade County Auditor, \$18091.02, other; Michael Todd & Co, \$6414.36, sup; MDU, \$11456.54, util; Motionsoft, \$450.00, prof fee; Oberles Radiator & Repairs, \$1180.00, rep; Roger & Ellen O'Grady, 371.00, refund; Peter Lien & Sons, \$417.75, sup; Powerplan, \$163.78, rep; Purchase Power, \$500.00, sup; Rushmore Office Supply, \$2232.02, sup; Doyle Schaeffer, \$500.00, ins; Dylan Siscoe, \$500.00, ins; Danny Stacey, \$500.00, ins; Sturgis Motorsports, \$596.40, rep; Sturgis Strikers, \$1200.00, other; The Corner Station, \$18.66, sup; U Drive Technology, \$54.00, util; United Way,

\$2000.00, other; Doug Wagner, \$500.00, ins; Shelby Kay Weisz, \$500.00, ins; Xtreme Dakota Bicycles, \$568.97, sup.

SPECIAL SALES TAX – Black Hills Energy, \$52.86, util; Knostant & Klein Appraisals, \$3000.00, prof fee; MasterCard, \$453.29, util; MDU, \$88.46, util.

CAPITAL IMPROVEMENT – Helm & Associates, \$3979.02; Integrated Technology & Security, \$21027.03; Johner & Sons, \$51550.30.

BUSINESS IMPROVEMENT DISTRICT – Stella Anderson, \$171.71, sales; Lynn Birk, \$412.56, sales; Ellen Brown, \$226.80, sales; Rose Byars, \$138.24, sales; Corrine Chapinski, \$405.00, sales; Mark Chaplin, \$1543.32, sales; Camylea Cox, \$439.02, sales; Michelle Crane, \$300.24, sales; Tami DesJarlais, \$460.08, sales; Linda Dorosier, \$189.26, sales; Shawn Fischer, \$268.74, sales; Amanda Gottlob, \$394.20, sales; Grocery Mart, \$47.54, other; Kami Grubl, \$146.31, sales; Kayla Hale, \$286.20, sales; Pam Hartman, \$224.00, sales; Emily Herman, \$51.84, sales; Heather Hinricks-Silvestre, \$280.80, sales; Kimberly Horn, \$203.04, sales; Dusty Kirk, \$110.16, sales; Bruce or Cathy Kuenzel, \$480.06, sales; Sandra Lasse, \$140.40, sales; barb Koster Lenores, \$84.24, sales; Laura Linneman, \$145.80, sales; Marcus Presbyterian Church, \$156.80, sales; Gwen Martin, \$79.70, sales; MasterCard, \$960.48, supplies; Rhonda McPherson, \$342.90, sales; Meade County Senior Citizens, \$48.24, sales; Ashley Meiners, \$266.22, sales; Donna Norton, \$35.00, sales; Tanya Paradise, \$375.27, sales; Kim Peterson, \$645.76, sales; Amy Red Owl, \$127.44, sales; Rushmore Office Supply, \$512.89, other; Cathy Severin, \$97.20, sales; Christina Steele, \$358.56, sales; Tammy Stolle, \$551.88, sales; Richard Tunnissen, \$128.52, sales; Larry Vissia, \$81.00, sales; Lisa Werlinger, \$54.00, sales; Mikayla Wilson, \$389.61, sales.

HOTEL OCCUPANCY TAX DISTRICT – MasterCard, \$100.00, other.

TIF #14 SENIOR LIVING – Meade County Auditor, \$427.60, other; Meade School District, \$830.58, other.

TIF #17 SMITTY'S DEV PROJ – Affordably Creative Engineering Services, \$3187.50; Pedersen Excavating, \$15420.99.

LIQUOR – Black Hills Chemical, \$109.95, rep; Lisa Boyer, \$500.00, ins; Cash-Wa Distributing, \$1464.66, resale; Cask & Cork, \$2253.78, resale; Coca Cola, \$483.25, resale; Dakota's Best, \$120.00, resale; DesJarlais Farms, \$536.00, resale; Ryan Duprel, \$500.00, ins; First Interstate Bank, \$5000.00, ATM; Fisher Beverage, \$8467.23, resale; Johnson Western Wholesale, \$18466.93, resale; MasterCard, \$6168.62, sup; MDU, \$275.42, util Pepsi Cola, \$158.50, resale; Prairie Berry, \$429.00, resale; Quality Brands of the Black Hills, \$16055.39, sup; Republic Beverage, \$36563.71, resale; Rushmore Office Supply, \$850.79, sup; Southern Glazer's of SD, \$9998.63, resale; The Good Witch Cake Shop, \$180.00, resale; Voss Distributing, \$210.00, resale.

WATER – A&L Contractors, \$172738.67, cap imp; Black Hills Energy, \$2704.84, util; Core & Main, \$456.00, sup; Hawkins, \$1893.90, sup; MasterCard, \$6080.67, sup; MDU, \$411.32, util; Northwest Pipe Fittings, \$223.17, sup; Rushmore Office Supply, \$113.00, sup; South Dakota 811, \$53.76, prof fee.

WASTEWATER – Advanced Engineering & Environmental, \$46179.55, cap imp; MasterCard, \$990.26, prof fee; MDU, \$104.40, util; PKG Contracting, \$1510171.55, cap imp; Rushmore Office Supply, \$113.00, sup.

SANITATION – Black hills Energy, \$31.60, util City of Belle Fourche, \$24069.62, other; Lynn's Dakotamart, \$13.17, sup; MasterCard, \$2404.72, sup; Northern Truck Equipment, \$9216.00, sup; Rushmore Office Supply, \$113.00, sup.

AMBULANCE – Black Hills Occupational Medicine, \$270.00, prof fee; Grocery Mart, \$87.19, sup; Martha Haukaas, \$50.00, refund; Henry Schein, \$153.63, sup; Image Trend, \$294.00, prof fee; Lynn's Dakotamart, \$212.41, sup; MasterCard, \$13487.88, sup; Medical Waste Transport, \$158.05, other; MDU, \$179.82, util; Leon Stalder, \$30.00, refund.

Motion by Martinson, second by Crane and carried with Carstensen, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes and Bachand voting no to approve a wine license renewal for Dirty Dogs LLC, 1025 Junction.

Motion by Martinson second by Zerbst and carried with Carstensen, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes and Bachand voting no to approve a 3.3' variance to the 10' front setback to install a garage at 851 Dudley Street for Paul Neiger.

Motion by Crane, second by Zerbst and carried with Carstensen, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes and Bachand voting no to approve a 6' variance to the 10' side (west) setback, and a 14' variance to the 25' front yard setback variance to install a carport at 1001 McNenny Drive for Bryan Larive.

Motion by T. Keszler, second by Waterland and carried with all members present unanimously voting yes to approve signing the Intubation Contract for 2021 with Monument Health.

Motion by T. Keszler, second by Martinson and carried with all members present unanimously voting yes to approve signing the Medical Director Contract for 2021.

The following bids were received for the 5 year portable toilet contract: Central States Sanitation-1st- \$16.96, 2nd -\$12.51, 3rd - \$7.95; Superior Sanitaiton-1st - \$23.00, 2nd -\$15.00, 3rd - \$15.00; A Royal Flush Portables- 1st - \$20.80, 2nd -\$15.60, 3rd \$0.00; Hills Toilet Service- 1st - \$16.35, 2nd - \$9.85, 3rd - \$7.50; G & G Garbage – 1st - \$25.50; 2nd - \$20.10, 3rd - \$20.10.

Motion by Waterland, second by T. Keszler and carried with all members present unanimously voting yes to approve the low bid from Hills Toilet Service- 1st - \$16.35, 2nd - \$9.85, 3rd – \$7.50 and have the City Manager sign all documents.

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to approve Resolution 2020-70 Creation of Tax Incremental District 20.

**RESOLUTION 2020-70
CREATION OF TAX INCREMENTAL DISTRICT NUMBER TWENTY**

WHEREAS, the Common Council of the City of Sturgis deems it necessary to create a tax incremental district, pursuant to SDCL 11-9-5, to be designated as Tax Incremental District Number Twenty (TID #20) and includes the real property as more particularly described herein; and

WHEREAS, the Council has reviewed and considered the recommendation provided to the Council by the Sturgis Planning and Zoning Commission; and

WHEREAS, the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9-8 for a tax incremental district; and

WHEREAS the Council finds that not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and

WHEREAS, the Council finds that the use of tax increment financing to promote this development is authorized by the statutes of the State of South Dakota; and

WHEREAS, the Council finds improvement of the area is likely to significantly enhance the value substantially of all the other real property in the district.

NOW, THEREFORE, BE IT RESOLVED by the City of Sturgis that the real property legally described below and known as the Garden Grove Development shall constitute the final boundaries of Tax Incremental District Number Twenty (TID #20):

LOT 3 OF DAVENPORT RANCH ADDITION, LOCATED IN THE W ½ NW ¼ OF SECTION 22, T5N, R5E, B.H.M., CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA, AS SHOWN ON THE PLAT FILED IN PLAT BOOK 24 ON PAGES 119-120.

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.

(TO BE PLATTED AS BLOCK B OF DAVENPORT RANCH ADDITION)

A STRIP OF LAND 129.19 FEET IN WIDTH; LOCATED ON THE WEST EDGE OF LOT 2 REVISED OF DAVENPORT RANCH ADDITION AND ADJACENT TO THE EAST R.O.W. LINE OF DAVENOPT LOOP, LOCATED IN THE NW1/4NW1/4 OF SECTION 22, T5N, R5E, B.H.M., CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA. SAID LOT IS RECORDED IN PLAT BOOK 25, PAGE 64 AT THE MEADE COUNTY REGISTER OF DEEDS OFFICE AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF LOT 2-1 OF DAVENPORT RANCH ADDITION, RECORDED IN PLAT BOOK 25, PAGE 64, BEING THE POINT OF BEGINNING; THENCE S 88°23'33" E, 160.92 FEET ALONG THE SOUTHLINE OF SAID LOT 2-1; THENCE S 38°16'11" E, 160.01; THENCE ALONG A 1181.76 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 834.45 FEET; THENCE S 02°11'14" W, 428.63 FEET; THENCE ALONG A 192.81 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 218.35 FEET; THENCE S 34°57'27" W, 129.19 FEET; THENCE S 12°49'14" E, 13.93 FEET TO THE EASTERLY EDGE OF DAVENPORT LOOP R.O.W.; THENCE THROUGH THE FOLLOWING FIVE COURSES ALONG SAID DAVENPORT LOOP R.O.W.: 1) ALONG A 320.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 355.71 FEET; 2) THENCE N 02°11'14" E, 428.63 FEET; 3) THENCE ALONG A 1054.57 FOOT RADIUS CURVE TO THE LEFT, 744.64 FEET; 4) N 38°16'11" W, 211.28 FEET; 5) THENCE ALONG A 366.32 FOOT RADIUS CURVE TO THE RIGHT, 52.08 FEET TO THE POINT OF BEGINNING; CONTAINING 5.00 ACRES, MORE OR LESS.

(TO BE PLATTED AS BLOCK A OF DAVENPORT RANCH ADDITION)

BE IT FURTHER RESOLVED that said Tax Incremental District Number Twenty, City of Sturgis, described above shall upon passage and publication be forwarded to the State of South Dakota Department of Revenue to set the aggregate assessed value pursuant to SDCL 11-9-20.

Dated this 21st day of December 2020.

Published: 12-29-2020
Effective: 01-18-2021

Motion by Martinson, second by S. Keszler and carried with all members present unanimously voting yes to approve Resolution 2020-71 – Approving Project Plan for Tax Incremental District 20.

**RESOLUTION 2020-71
RESOLUTION APPROVING PROJECT PLAN
FOR
TAX INCREMENTAL DISTRICT NUMBER TWENTY**

BE IT RESOLVED by the Common Council of the City of Sturgis, as follows:

WHEREAS, the Common Council has established Sturgis Tax Incremental District Number Twenty by Resolution 2020-70 on December 21, 2020; and

WHEREAS, the Common Council deems it in the best interests of the City to promote the creation of affordable housing developments within the City; and

WHEREAS, the Project Plan approval helps make such affordable housing development feasible by assisting with various public works improvements including streets, bicycle path, utility connections and earthwork within the tax increment district; and

WHEREAS, the use of tax increment financing to promote this development is authorized by the statutes of the State of South Dakota; and

WHEREAS, the lack of available affordable housing hinders workforce development within the community and the growth in customer base which in turn hampers economic growth and sales tax revenue growth within the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF STURGIS that the Project Plan for Tax Incremental District Number Twenty be, and is hereby, approved as presented by the Sturgis Planning Commission.

Dated this 21st day of December 2020.

Published: 12-29-2020
Effective: 01-18-2021

Motion by T. Keszler, second by S. Keszler and carried with all members present unanimously voting yes to approve Resolution 2020-72 – Approving and Authorizing the signing of Contract for Private Development of Tax Incremental District 20.

**RESOLUTION 2020-72
RESOLUTION APPROVING AND
AUTHORIZING THE SIGNING OF CONTRACTS
FOR PRIVATE DEVELOPMENT OF TAX
INCREMENTAL DISTRICTS NUMBER TWENTY**

BE IT RESOLVED by the Common Council of the City of Sturgis, as follows:

WHEREAS, the Common Council has approved a project plan for Sturgis Tax Incremental District Number Twenty by Resolution 2020-71 on December 21, 2020; and

WHEREAS, the approved Project Plans will stimulate development and economic growth throughout the community; and

WHEREAS, the use of tax increment financing to promote these developments are authorized by the statutes of the State of South Dakota; and

WHEREAS, to fully implement each project plan a Contract for Private Development of Tax Incremental District is required and that each Project Plan’s associated Contract for Private Development was reviewed and available for public comment during the December 21, 2020 Council meeting.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF STURGIS that the associated Contract for Private Development of Tax Incremental District Number Twenty are hereby approved by the Sturgis Common Council and that City Manager Daniel Ainslie is hereby authorized to sign each contract.

Dated this 21st day of December 2020.

Published: 12-29-2020

Effective: 01-18-2021

Any other business:

- Councilor Zerbst thanked the City staff in every department for all their work this year and was grateful for a very successful year for our town.
- Councilor Waterland had a friend that commended the Council for having the Rally this year.
- Tammy DesJarlais thanked the Council and Staff, especially Tammy Even, for a very successful Christmas Market, there was good feedback and a great time was had in Sturgis.
- Bonnie Albert commended the Council for their decision on having the Rally. It was a hard decision but the right decision.
- City Manager Ainslie thanked Public Works and Rosemary Roth and her husband for all the decorations, it was truly uplifting. A thank you to SEDC, the Sturgis Chamber, Richelle Bruch, Lisa Katzenstein, Tammy Even and Christine Steele for all the work that was done for the Downtown Christmas activities.

Motion by T. Keszler, second by Zerbst and carried with all members present unanimously voting yes to go into executive session for personnel and contracts at 7:50 pm.

Motion by Bachand, second by Zerbst to return to regular session at ? pm.

Motion by Waterland, seconded by T. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 8:33 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$231.00.