

## 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, May 15, 2017 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rod Bradley, Rhea Crane, Tony Dargatz, Steve Keszler, David Martinson and Ronald Waterland. 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 voting yes to approve the agenda.

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

Motion by Dargatz, second by Crane to return to regular session at 6:31 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Announcements:

- The Ambulance Director, Shawn Fisher, went over the schedule for EMS Week, May 22-26. There will be 20 information booths, a free will spaghetti supper and a blood drive. May 24<sup>th</sup> will be CPR day, where 2500 people will be trained on CPR. May 25<sup>th</sup> will be the "Color Splash" 5K Run/Walk in Rapid City. They will be giving away children's car seats and bike helmets.
- The School/County/City surplus property auction will be held on May 16<sup>th</sup>.
- Arbor Day will be Wednesday, May 17. Trees will be planted in three locations in town.
- Special Olympic Torch Run will be Thursday, May 18<sup>th</sup>.
- Ride Your Bike to Work is Friday, May 19<sup>th</sup>.
- A dedication will be done for Highway Patrolman Orin Hindman at the State shop office on Friday, May 19<sup>th</sup>.
- A thanks from James and Donna Bares to the Parks Department and Supervisor Cody King for helping them out.
- The Sturgis high school boys/girls track teams won their conference.

### Informational Reports:

- Park Board – 2-15-17 and 3-29-17 Minutes
- Planning Commission – 5-2-17 Minutes
- Library Board – 4-26-17 Minutes
- Public Works Director Rick Bush and Ted Schultz AE2S Engineering, gave a presentation on the Wastewater Treatment Plant Project. This presentation will be on the City website.
- Public Works Director Rick Bush gave an update on the Stone Shelter project.
- Finance Officer Fay Bueno gave a first quarter Financial Investment update.

### City Manager Ainslie reported:

- Payroll Changes – within budget:
  1. Parks Dept – Seasonal – Jake Keffeler - \$9.65.
  2. Liquor Store – Manager – Travis Parker - \$1,923.08
  3. Seasonal: Public Works – Taylor Eby – Streets - \$8.65 until July 3<sup>rd</sup> pay period then \$9.65; Cain Fritz – Streets - \$9.65; Jace Fischer – Streets - \$8.65. Parks-

Jacob Berghorst - \$9.65; Blake Walker - \$8.65; Isaac Doten - \$8.80. Cemetery – Adrienne Shideler - \$9.65; Ivan Reicher - \$8.80

- Council Appointments: Legal and Finance – Mark Carstensen, Rod Bradley, David Martinson and Jason Anderson/Steve Keszler. Rally and Events – Ron Waterland, Rhea Crane, Mark Carstensen and Rod Bradley. IAC – Mike Bachand, Tony Dargatz, Ron Waterland and Jason Anderson. Library – David Martinson. Museum – Ron Waterland. SEDC – Ron Waterland. Chamber – David Martinson. Parks – Tony Dargatz. Forestry – Tony Dargatz. SMRi – Rod Bradley. Transportation – Steve Keszler. Charities – Rhea Crane. Planning and Permitting – Ron Waterland.

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

- a. Consideration to approve the minutes from the May 1, 2017 regular council meeting.
- b. Consideration to approve Resolution 2017-30 – Plat of 1940 Lazelle for Dollar General.

### **RESOLUTION 2017-30 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 Sturgis Point Reality (Dollar General Store):

PLAT OF LOTS 13 THROUGH 19 OF BLOCK 13/14 ASH'S EXTENSION TO THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA.

**WHEREAS**, said plat meets the requirements of the statutes in all things, now therefore,

**BE IT RESOLVED** by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 15<sup>th</sup> day of May 2017.

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- c. Consideration to approve Resolution 2017-31 – Re-plat of 2501 Fox Road.

### **RESOLUTION 2017-31 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 Matt Gottlob and Amanda Horn:

Plat of Lot 8-1R, Block 3 of Deadman Enterprises Subdivision. Formerly Lots 8, Block 3 of Deadman Enterprises Subdivision AND Lot 1R of Watson Subdivision Less the North 35 Feet. All located in the SW1/4 of the NW1/4 of the NE1/4 of Section 16 and the NW1/4 of the SW1/4 of the NE1/4 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 in all things, now therefore,

**BE IT RESOLVED** by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 15<sup>th</sup> day of May 2017.

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- d. Consideration to approve building a sidewalk on south side of 1<sup>st</sup> Ave to existing trailhead.
- e. Consideration to approve setting a public hearing for June 5, 2017 for a street closure for the 13<sup>th</sup> Annual Fulton St Bash on 8-5-2017.
- f. Consideration to approve setting a public hearing for June 5, 2017 for Resolution 2017-27 – Rally Street Closures.
- g. Consideration to approve setting a public hearing for June 5, 2017 for Resolution 2017-28 – Open Container and Street Closure for Music on Main.
- h. Consideration to approve setting a public hearing for June 5, 2017 for Special Events License for Music on Main.
- i. Consideration to approve setting a public hearing for June 5, 2017 for Resolution 2017-29 – Open Container and Street Closure for the Sturgis Camaro Rally.
- j. Consideration to approve setting a public hearing for June 5, 2017 for Malt Beverage License Transfer including a Location Change, Name Change and Renewal for Ganem Family Loving Trust dba Night Rider Jewelry to Jawbone Investments LLC dba Stinger Saloon from 1105 Main to 1102 Main.
- k. Consideration to approve setting a public hearing for June 5, 2017 for a Wine License for Jawbone Investments LLC dba Stinger Saloon at 1102 Main.
- l. Consideration to approve purchasing a vehicle for City Hall Administration through State Bid.

Motion by Martinson, second by Crane and carried with all members present voting yes to approve the following claims with the addition of \$6,750 to Advance Engineering & Environmental:

**WAGES** – Ambulance \$25,670.13; Attorney \$3534.38; Auditorium \$184.72; Buildings \$1111.72; Cemetery \$2687.69; City Manager \$4408.49; Community Center \$10,520.04; Finance Office \$8886.23; Fire Department \$320.33; Human Resource \$6371.17; Library \$8718.76; Liquor \$6215.57; Mayor and Council \$3661.11; Parks \$10,487.96; Planning & Permitting \$7480.94; Police \$35,679.60; Rally \$6877.09; Recreation \$3432.93; Sanitary Service \$13,705.91; Streets \$12,117.41; Wastewater \$8809.91; Water \$13,272.93; Federal Withholding \$19,066.34; FICA \$14,027.44.

**GENERAL** – A&B Business, \$304.93, sup; A&B Welding, (\$33.76), rep; A&J Surplus, \$331.91, rep; Amcon Distributing, \$392.61, resale; Avaya, \$25.55, util; Bear Butte Valley Water, \$92.35, util; Black Hills Chemical, \$4,350.00, sup; Black Hills Energy, \$65.09, util; Black Hills Occupational Medicine, \$90.00, prof fee; Butte Electric, \$492.63, util; Campbell Supply, \$680.13, sup; Caselle, \$1,479.00, prof fee; CBH, \$9,983.05, sup; Century Business Products,

\$139.61, sup; Chamber of Commerce, \$733.33, pub; City of Sturgis Water Dept, \$2,138.30, util; Coca Cola, \$489.25, resale; Jessi Combs, \$496.36, reimb; Culligan of the Black Hills, \$44.50, sup; Dakota Business Center, \$81.14, rep; Dakota Hardware, \$885.11, sup; Double Star Computing, \$1,755.00, sup; Ecolab Pest Eliminator, \$243.08, rep; Epic Outdoor Advertising, \$1,100.00, rent; First Interstate MasterCard, \$73, 346.05, sup; Freeman's Electric, \$170.32, rep; G&H Distributing, \$189.65, sup; Godfrey Brake Service, \$42.26, rep; Grocery Mart, \$63.04, other; Haggerty's Musicworks, \$288.00, rep; Hills Materials, \$752.15, sup; Hillyard, \$1,339.81, sup; Holiday Inn Express, \$370.97, travel; Homeslice Media Group, \$35,331.51, pub; Aric Hover, \$90.00, refund; Jim's Auto Salvage, \$10.00, rep; KT Connections, \$1,557.80, prof fee; Kone, \$151.11, rep; Robert Kusser, \$153.00, refund; Lynn's Dakotamart, \$511.30, wellness; Massa Berry Regional Medical Clinic, \$975.00, wellness; MCI A Verizon Company, \$12.28, util; Meade County Auditor, \$14,803.27, other; Meade County Times/Tribune, \$1,873.73, pub; Midco Business, \$42.60, util; Mobile Mini, \$88.54, rep; MDU, \$4,351.87, util; Motionsoft, \$450.00, prof fee; Nartec, \$227.75, sup; Nelson's Tents & Events, \$4,910.00, rent; Northern Hills Vet Clinic, \$714.70, prof fee; Online Solutions, \$13,500.00, prof fee; O'Reilly Auto Parts, \$376.14, rep; Owens Interstate Sales, \$645.67, rep; Pitney Bowes, \$517.09, rent; Powerplan, \$475.93, rep; Print Mark-et, \$1,164.52, pub; Rapid City Journal, \$247.00, pub; Rasmussen Mechanical Services, \$4,749.98, prof fee; Rushmore Office Supply, \$312.05, sup; SD Govt Finance Office Assn, \$150.00, travel; SD Parks & Recreation Assn, \$40.00, travel; Servall Towel & Linen, \$657.04, rep; Shopko Stores, \$185.83, sup; Speedy Lube, \$77.61, rep; Steam Cleaning Specialist, \$475.00, sup; Sturgis NAPA, \$749.32, rep; Town-n-Country Plumbing, \$263.28, sup; Universal Athletic, \$549.00, sup; VAST Business, \$249.98, util; West Payment Center, \$166.00, prof fee; West River International, \$32.45, sup; Xtreme Dakota Bicycles, \$111.00, sup.

**SPECIAL SALES TAX** – Black Hills Energy, \$263.04, util; MDU, \$15.95, util; Vast Business, \$320.50, util.

**CAPITAL IMPROVEMENT** – A&B Welding, \$43.75; Crouch Recreation, \$23,150.00; Fourfront Design, \$767.06; Greenscape, \$20,316.07; Pete Lien & Sons, \$9.44; Tru-Form Construction, \$13,564.80.

**BUSINESS IMPROVEMENT DISTRICT** – Chamber of Commerce, \$366.67, pub; First Interstate Bank MasterCard, \$50.00, sup.

**TIF #12 DOLAN CREEK** – First Interstate Bank, \$4,000.13, other.

**LIQUOR** – A&B Welding, \$10.23, sup; Amcon Distributing, \$1,496.39, resale; Arctic Glacier, \$164.94, resale; Black Hills Chemical, \$29.98, rep; Cask & Cork, \$1,164.70, resale; Century Business Products, \$2.59, sup; City of Sturgis Water Dept, \$277.87, util; Coca Cola, \$584.50, resale; Dakota Hardware, \$56.98, sup; Dakota's Best Distributing, \$205.47, resale; Double Star Computing, \$216.00, sup; Ecolab Pest Eliminator, \$114.62, rep; Fat Boys, \$111.00, resale; First Interstate Bank MasterCard, \$595.90, prof fee; Fisher Beverage, \$8,105.49, resale; Homeslice Media Group, \$7,845.31, pub; Johnson Western Wholesale, \$30,407.01, resale; KT Connections, \$98.44, prof fees; LPA Retail Systems, \$8,243.00, prof fee; Midco Business, \$175.00, util; Mobile Mini, \$457.22, resale; MDU, \$144.22, util; Okobojo Wines, \$182.43, resale; Pepsi Cola, \$126.15, resale; Print Mark-et, \$68.50, pub; Quality Brands of the Black Hills, \$16,496.59, resale; Rapid City Window & Glass, \$331.63, rep; Republic Beverage Company, \$23,558.26, resale; Republic Beverage, \$366.59, sup; Servall Towel & Linen, \$178.79, sup; Southern Glazer's of SD, \$778.00, resale.

**WATER** – Black Hills Truck & Trailer, \$130.94, rep; Buckle Tree, \$329.22, sup; Butte Electric, \$183.60, util; Campbell Supply, \$26.88, rep; CBH, \$346.42, sup; Century Business Products, \$39.62, sup; City of Sturgis Water Dept, \$108.89, util; Dakota Hardware, \$61.89, sup; Double Star Computing, \$276.95, sup; First Interstate Bank MasterCard, \$56.23, wellness; Hawkins, \$45.00, sup; HD Supply Waterworks, \$275.00, sup; KT Connections, \$98.44, prof fee; Massa Berry Regional Medical Clinic, \$75.00, wellness; Meade County Times Tribune, \$32.09, pub; Midcontinent Testing Lab, \$147.00, prof fee; Mobile Mini, \$44.27, sup; MDU, \$155.50, util; Online Solutions, \$1,500.00, prof fee; Print Mark-et, \$68.50, pub; SD Assn of Rural Water,

\$160.00, travel; SD One Call, \$106.40, prof fee; Servall Towel & Linen, \$23.72, rep; Shopko Stores, \$34.16, sup; Wells Fargo Corporate Trust, \$10,472.69; Weston Engineering, \$13,799.00, cap imp.

**WASTEWATER** – Advanced Engineering & Environmental, \$74,836.15, cap imp; American Engineering testing, \$1,404.00, cap imp; Campbell Supply, \$30.52, rep; CBH, \$59.44, sup; city of Belle Fourche, \$87.39, other; City of Sturgis Water Dept, \$20.86, util; Dakota Hardware, \$15.70, rep; Double Star Computing, \$27.00, sup; Heavy Constructors, \$217,968.71, cap imp; Jenner Equipment, \$205.87, sup; KT Connections, \$98.44, prof fee; Midcontinent Testing Lab, \$518.40, prof fee; Nold Excavating, \$8,870.42, cap imp; Online Solutions, \$1,500.00, prof fee; Owens Interstate Sales, \$6.48, rep; Pete Lien & Sons, \$804.00, cap imp; Print Mark-et, \$68.50, pub; Rushmore Office Supply, \$10.24, sup; Sturgis Napa, \$74.53, rep; Watertree, \$6,423.73, cap imp; Wells Fargo Corporate Trust, \$84,733.56, principal.

**SANITATION** – CBH, \$364.00, sup; Century Business Products, \$320.07, prof fee; City of Belle Fourche, \$19,484.90, other; Dakota Hardware, \$5.21, rep; Double Star Computing, \$27.00, sup; KT Connections, \$98.44, prof fee; Massa Berry Regional Medical Clinic, \$75.00, wellness; Owens Interstate Sales, \$569.61, sup; Powerplan, \$47.98, rep; Print Mark-et, \$68.50, pub; Rockingtree Floral, \$53.25, sup; Rushmore Office Supply, \$10.24, sup; Sturgis NAPA, \$463.08, rep.

**AMBULANCE** – A&B welding, \$220.38, sup; Arrow International, \$1,392.56, sup; Avera Education & Staffing Solutions, \$150.00, travel; Campbell Supply, \$75.03, sup; CBH, \$1,362.09, sup; City of Sturgis Water Dept, \$74.40, util; Coca Cola, \$56.83, sup; Dakota Hardware, \$24.01, sup; Double Star Computing, \$324.00, sup; First Interstate MasterCard, \$1,504.62, travel; Hersrud, \$227.77, sup; Holiday Inn, \$60.00, travel; KT Connections, \$98.44, prof fee; Lynn's Dakotamart, \$26.82, sup; Massa Berry regional Medical Clinic, \$75.00, wellness; MDU, \$101.63, util; Neve's Uniforms, \$392.65, sup; Physio-Control, \$192.00, sup; Tom Price, \$556.51, other; Print Mark-et, \$68.50, pub; Rushmore Office Supply, \$40.99, sup; Sturgis NAPA, \$128.49, sup; Summit Signs, \$525.00, sup.

Motion by Crane, second by Keszler and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve the following 2017-2018 Malt Beverage License renewals with the exception of tabling Charley's Sturgis Classic Bike Event – Charley's - 947 Main Street.

**Package (off-sale) Malt Beverage**

1. Big D Oil Co – Big D Oil #46 – 2800 Junction Ave.
2. CBH Cooperative – CBH Cooperative, 2030 Lazelle
3. Fresh Start Convenience Stores, Inc – Fresh Start Sturgis, 2620 Lazelle
4. Fresh Start Convenience Stores, Inc – Fresh Start Sturgis Conoco, 2350 Lazelle
5. Kan-Meyer Inc – Grocery Mart, 2216 Junction (This includes SD Farm Wine)
6. Rick & Brandy Jacobs – Jacobs Auto Repair – 1412 Junction Ave
7. Hullinger Cunny LLC. – Kwik Mart – 2217 Junction Ave (This includes SD Farm Wine)
8. Lynn's Discount Foods – Lynn's Dakotamart – 1111 Lazelle
9. Shopko #759 – Shopko Stores Operating Co., LLC, 2105 Lazelle (This includes SD Farm Wine)
10. Key City Enterprises – The Knuckle Saloon – 931 1<sup>st</sup> Street (This includes SD Farm Wine)

**Retail (on-off) Sale Malt Beverage**

1. 1337 Main LLC - 1337 Main St - regular
2. Jackson Winery and Vineyards LLC – Belle Joli Winery – 3951 Vanocker Canyon Rd (This includes SD Farm Wine) - regular
3. Glen and Suzanne Bailey, LLC – Big Bertha's Biker Bar - 1123 Main St - regular

4. Dvorak Convenience Stores, Inc. - BJ's Country Store - 2640 Lazelle St – regular
5. Main Street Grill, Inc. – Bob's Family Restaurant – 1039 Main St. - restaurant
6. Buffalo Bills Corp – Buffalo Bill's Casino - 1544 Lazelle - regular
7. Moyle Petroleum Co. – Common Cents Food Store – 2421 S. Junction Ave - regular
8. MG Oil – Corner Pantry - 990 Lazelle (This includes SD Farm Wine) - regular
9. Days End Campground Inc – Days End Campground - 2501 Avalanche Rd - regular
10. David Shearer – Dominos – 1057 Main St – restaurant
11. Jim Mason – Gold Pan Pizza - 1133 Main St - regular
12. Sheree D. Schriver – Jambonz Grill & Pub – 2214 Junction Ave. - restaurant
13. Sturgis Water Works Com LLC - JJ Davenport's – 1020 Junction Ave. - restaurant
14. Mako Enterprises Inc – Kickstart Travel Center – 12998 Hwy 34 – regular
15. Black Hills Pizza Hut of Sturgis – Pizza Hut of Sturgis - 2249 Lazelle - regular
16. Old West Enterprises, LLC – Pizza Ranch of Sturgis – 2711 Lazelle St. - regular
17. Poker Alice Casino LLC – Poker Alice Casino, LLC - 2640 Lazelle St - regular
18. Billy & Jason Fields – Rosco's - 976 Lazelle - regular
19. Dungeon Bar, Inc – Royal Flush Casino & Sport Bar - 1030 Main St - regular
20. Shanghai Garden Inc – Shanghai Garden – 1541 Lazelle St. - restaurant
21. Lybeck's Twenty-First Century Inc – Shenanigan's Casino - 935 Main St - regular
22. Shifter's Holdings LLC – Shifter's Café and Bar - 1025 Junction Ave - regular
23. MAJR, LLC – Sturgis Coffee Company - 2275 Lazelle Street - restaurant
24. Sturgis Events LLC – Sturgis Events - 1231 Lazelle - regular
25. Sturgis RV Park, LLC – Sturgis RV Park, LLC – 1175 W Woodland (includes SD Farm Wine) - regular
26. Sturgis Strikers LLC – Sturgis Strikers – 910 1st Street - regular
27. Sturgis Wine Company – Sturgis Wine Company – 1117 Main Street - regular
28. Total E'Clips Salon LLC – Total E'Clips Salon - 920 1<sup>st</sup> St – Spa/ Health & Beauty
29. Willie Nillie Inc. – Willie Nillie – 2715 Lazelle St. Suite D - regular

Motion by Martinson, second by Dargatz and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a special events license for the Knuckle Saloon at the Community Center on June 23, 2017 for Sturgis and Meade Co Historical Society Mixer.

Motion by Waterland, second by Anderson and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a special events license for the Loud American at the City Armory on September 9, 2017 for a wedding reception.

Motion by Bachand, second by Dargatz and carried with all members present voting yes to approve Resolution 2017-22 – Supermoto Street Closure.

**RESOLUTION 2017-22**  
**RESOLUTION TO AUTHORIZE STREET CLOSURE**  
**OF MAIN STREET CORRIDOR FOR FREE ADMISSION EVENT**  
**STURGIS SUPERMOTO RACE ENTERTAINMENT AND EVENTS**

WHEREAS, the Sturgis Supermoto Race will be held in the City of Sturgis, September 15, 2017 through September 16, 2017; and

WHEREAS, beginning on the afternoon of Friday, September 15 through all day Saturday the City of Sturgis Rally and Events Department has scheduled no-admission special events and racing to be presented on Main and other streets in Downtown Sturgis; and

WHEREAS, it is planned to construct the race track by city staff. Streets will be closed on Friday, September 15<sup>th</sup> at 2:00am; and

WHEREAS, it is in the public interest to provide a safe venue for this no-admission special events to host the many tourists that are expected to attend; and

WHEREAS, the public events that are held on this property enhance visitors' experience and lead to additional sales tax generated, sponsor and lease revenue; and

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting September 15, 2017 at 2:00 am; and

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, a street closure for the following area will take place on Main Street from the eastern curb of 1<sup>st</sup> Street to the eastern curb of 4<sup>th</sup> Street and 1<sup>st</sup> Street from the southern curb on Main Street to Lazelle Street, and Harley-Davidson Way from the northern most curb of the alley between Main and Sherman Streets to Lazelle Street and 3<sup>rd</sup> Street from northern curb of Sherman Street to the southern curb of the alley between Main and Lazelle Streets, beginning on Friday, September 15<sup>th</sup> at 2:00 am. The alleyways on 3<sup>rd</sup> Street would remain open for vehicular traffic. All areas would open by 12:00 midnight on Saturday, September 16<sup>th</sup>.

Dated this 15th day of May, 2017.

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Mayor Carstensen stepped out of meeting at 7:45 pm – stepped back in at 7:47 pm.

Motion by Waterland, second by Keszler and carried with all members present voting yes to approve Resolution 2017-25 – EMS Week Street Closure.

**RESOLUTION 2017 -25  
RESOLUTION TO AUTHORIZE STREET CLOSURE  
OF HARLEY DAVIDSON WAY FOR A SPECIAL EVENT TO TRAIN  
2500 PEOPLE ON CPR**

WHEREAS, the Sturgis Ambulance, for EMS week, will hold a special event to train 2500 people on CPR in the City of Sturgis, May 24, 2017; and

WHEREAS, on Wednesday May 24th from 9:00 a.m. to 9:00 p.m. Harley Davidson Way will be closed from Main Street to the alley contingent upon the Main Street construction schedule. Should construction prevent the closure of the street, the Ambulance Service requests use of the City sidewalks surrounding the Rally Point for their food vendors.

WHEREAS, it is planned to have an open air event space in the street,

WHEREAS, it is in the public interest to provide a safe venue for this no-admission special event to host the many participants that are expected to attend.

WHEREAS, public events that are held on this property enhances the participants experience and provides an educational benefit with a family atmosphere, and

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting Wednesday, May 24, 2017 at 2:00 am

NOW, THEREFORE, BE IT RESOLVED that to accommodate this special event, Harley Davidson Way from Main Street to the alley will be closed starting at 2:00 a.m. Wednesday, May 24, 2017 contingent upon the Main Street construction schedule for Harley Davidson Way. Should construction prevent the closure of the street, the Ambulance Service requests use of the City sidewalks surrounding the Rally Point for their food vendors. All areas would be open by 6:00 a.m. on Thursday, May 25, 2017.

Dated this 15<sup>th</sup> day of May, 2017

Published: 05-31-2017

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Motion by Anderson, second by Waterland and carried with Carstensen, Anderson, Bradley, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bachand voting no, to approve a request from Mark Beauvais for a zero (0) side setback variance for a carport at 1805 Fulton St.

Motion by Crane, second by Bachand and carried with all members present voting yes to approve the request from Mieke Bruch for a variance of 17.46' side setback and a 6.76' rear setback for an attached garage at 810 7<sup>th</sup> Street.

Motion by Waterland, second by Crane and carried with all members present voting yes to approve the request from Richard Marsh dba Key City Moonlite Drive-in for the following use on review/variances: 1500 foot rule for the screen to not be visible from the public right-of-way; for the viewing area to not be screened by a fence, wall, or hedge six (6) foot tall on all sides; for the outdoor speakers at the front of the screen for a lawn chair seating area for a drive-in theater at 3021 Avalanche Road. The Council also approved the recommendation from Planning and Zoning of having the applicant install at least 30 feet of gravel near the entrance/exit, as well as the other high-traffic areas. This would be reviewed on a yearly basis.

Motion by Dargatz, second by Keszler and carried with all members present voting yes to approve Resolution 2017-26 – Financing of Certain Wastewater Treatment Improvements.

## **RESOLUTION NO.2017-26**

**RESOLUTION RELATING TO FINANCING OF CERTAIN WASTEWATER TREATMENT SYSTEM IMPROVEMENTS TO BE UNDERTAKEN BY THE CITY; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STURGIS, SOUTH DAKOTA (THE "CITY"), AS FOLLOWS:**

**1. Recitals.**

(a) The City is has applied to the South Dakota Conservancy District for a loan from the Clean Water State Revolving Fund in the amount of \$16,647,000 to finance a portion of the cost of improvements to its wastewater treatment system (the "System"), including slip lining approximately 31,500 lineal feet of the System's remaining clay tile piping, replacement of the main 15-inch influent pipe with a 21-inch pipe, removal and disposal of biosolids that



accumulated in lagoon cell #1, a new liquid treatment system and biosolids treatment improvements (together, the “Improvements”).

(b) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(c) The Regulations generally require that the City make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued series of bonds within 60 days after payment of the expenditures, that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within the reimbursement period (as defined in the Regulations), and that the expenditures reimbursed be capital expenditures or costs of issuance of the bonds.

(d) The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

## 2. Official Intent Declaration.

(a) The City proposes to undertake the Improvements and to make original expenditures with respect thereto prior to the issuance of reimbursement bonds, and reasonably expects to issue reimbursement bonds for such project or projects in the maximum principal amount of \$16,647,000.

(b) Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f) (1) of the Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f) (2) of the Regulations, the City will not seek reimbursement for any original expenditures with respect to the foregoing projects paid more than 60 days prior to the date of adoption of this resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the reimbursement bonds.

## 3. Budgetary Matters.

As of the date hereof, there are no City funds reserved, pledged, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, pledged, allocated on a long term basis or otherwise set aside) to provide permanent financing for the original expenditures related to the Improvements, other than pursuant to the issuance of the reimbursement bonds. Consequently, it is not expected that the issuance of the reimbursement bonds will result in the creation of any replacement proceeds.

## 4. Reimbursement Allocations.

The City’s Finance Officer shall be responsible for making the “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the reimbursement bonds to reimburse the source of temporary financing used by the City to make payment of the original expenditures relating to the projects. Each reimbursement allocation shall be made within 30 days of the date of issuance of the reimbursement bonds, shall be evidenced by an entry on the official books and records of the City maintained for the reimbursement bonds and shall specifically identify the original expenditures being reimbursed.

Adopted: 05-15-2017

Published: 05-31-2017

Effective: 06-21-2017

The following bids were received for the 2017 Asphalt Surface Treatment project (chip and seal): Bituminous Paving Inc. - \$129,174.10; Hills Material Company - \$124,223.00. Motion by Waterland, second by Martinson and carried with all members present voting yes to approve the low bid from Hills Material Company for \$124,223.00 for Ballpark

Road/Sherman Street 2017 Asphalt Surface Treatment project and authorize the City Manager to sign all documents and contracts. This project can spend up to the \$140,000 that was budgeted for streets.

Motion by Bachand, second by Anderson and carried with all members present voting yes to approve first reading of Ordinance 2017-06 – Title 20 – Tax.

The following bids were received for the Fort Meade Trail Phase II: North Star Construction - \$192,890; Quinn Construction Inc. - \$234,248 ; RCS - \$277,104.35; Tru-Form Construction- \$289,900; Lind Exco - \$251,775.62; Ainsworth Benning - \$373,869.

Motion by Dargatz, second by Crane and carried with all members present voting yes to approve the low bid from North Star Construction for \$192,890 for Fort Meade Trail Phase II.

Any other business:

Jon Mattson, Craig Shavers, Dan Gifford and Jim Heinert spoke to the Council about Sly Hill and what the Council plans are if this road fails as this is the primary access route for land owners to the north. Other items discussed were the quality of the gravel used for maintenance, forming a committee to discuss a plan, EMS access, and federal grants and loans that would be available for repairs.

Motion by Keszler, second by Martinson and carried with all members present voting yes to go into executive session for personnel and contracts at 8:39 pm.

Motion by Waterland, second by Dargatz to return to regular session at 9:17 pm.

Motion by Dargatz, seconded by Crane and carried with all members present voting yes to adjourn the meeting at 9:18 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$509.06.