

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, June 19, 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 Bradley, second by Martinson and carried with all members present voting yes to approve the agenda with the removal of g and i from the Consent Agenda.

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

Motion by Bachand, second by Martinson to return to regular session at 6:30 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Planning Commission – 6/6/17 minutes.
- Park Board – 5/10/17 minutes.

Announcements:

- The Council meetings in July will be held on the 3rd, 17th and 31st. In August it will be on the 21st.
- The Camaro Rally will be held on June 22-25.
- Main Street Music will start on June 21st and run through August 23rd at Harley Davidson Point.
- Third annual History Day will be held on June 23 and 24 at the Community Center.
- Mayor Carstensen read a letter from Governor Dugaard thanking the City staff for the hospitality during Capital for a Day in Sturgis.
- Councilor Crane said the display case for Paige McPherson is at the Community Center. It is a wonderful display filled with many items.

City Manager Ainslie reported:

- Payroll Changes – within budget:
 1. Parks Dept – Parks Maintenance Tech 2 – Jacob Williamson - \$14.78.
 2. Community Center – Lifeguard part-time – John Paul - \$9.50.
 3. Police Dept – Sergeant – Victor Leveque - \$23.24; Patrol Officer – Dylan Goetsch - \$20.18.
 4. Ambulance Dept – Paramedic – Charles Hinton - \$17.00 (\$8.65 during orientation), Lexi Manolovits - \$17.00 (\$8.54 during orientation), Rachel Sirignano - \$17.00 (\$15.46 during orientation); Halli Schulz - \$17.00 plus \$1.50 billing stipend; Critical Care Paramedic – TJ Nicolai - \$17.50 (\$8.65 during orientation), Tanner Walz - \$18.05, Kristene Bintliff - \$17.50; Ambulance Supervisor – Thomas Price - \$2.00 supervisory stipend.
 5. Rally Dept – Volunteer – Shawn Dempsey – No wage.

Motion by Bachand, second by Martinson and carried with all members present voting yes to approve the following items on the consent calendar with the exception of the removal of d and e for further discussion:

- a. Consideration to approve the minutes from the June 5, 2017 regular council meeting.
- b. Consideration to approve setting a public hearing for July 3, 2017 for a Special Events License for Rosco's at the Sturgis Fairgrounds for the Pappy Hoel Speed Classic on August 3-5, 2017.
- c. Consideration to approve setting a public hearing for July 3, 2017 for a Special Events License for The Knuckle at Lynn's Dakotamart Parking Lot on August 4-12, 2017.
- ~~d. Consideration to approve a Request for Use of City Property – 2nd Annual Spirit of Sturgis Vintage Motorcycle Festival on August 7-10, 2017.~~
- ~~e. Consideration to approve a Request for Use of City Property – Pappy Hoel Classic Half Mile on August 3-5, 2017.~~
- f. Consideration to approve setting a public hearing for July 17, 2017 for revision of the malt beverage and wine licenses for Grocery Mart.
- ~~g. Consideration to approve setting a public hearing for July 17, 2017 for revision of the malt beverage and wine licenses for Kickstart.~~
- h. Consideration to approve setting a public hearing for July 17, 2017 for a transfer location for the City of Sturgis Annex off-sale Liquor License from public works to Grocery Mart.
- ~~i. Consideration to approve setting a public hearing for July 17, 2017 for a Special Events License for the City of Sturgis off-sale Liquor License at Kickstart.~~
- j. Consideration to approve rescheduling the hearing to the July 17, 2017 meeting for a Setback Variance request for a new garage for Bryan Vansickle at 3128 Vanocker Dr.

Motion by Bachand, second by Crane and carried with all members present voting yes to approve a Request for Use of City Property – 2nd Annual Spirit of Sturgis Vintage Motorcycle Festival on August 7-10, 2017 and for Use of City Property – Pappy Hoel Classic Half Mile on August 3-5, 2017. No fees will be waived.

Motion by Bachand, second by Crane and carried with all members present voting yes to approve the following claims:

WAGES– Ambulance \$27,012.00; Attorney \$3534.38; Auditorium \$184.79; Buildings \$1111.79; Cemetery \$2992.61; City Manager \$4294.09; Community Center \$10,626.58; Finance Office \$8987.35; Fire Department \$116.42; Human Resource \$6362.00; Library \$8687.92; Liquor \$6887.45; Mayor and Council \$3661.11; Parks \$11,447.18; Planning & Permitting \$7479.64; Police \$37,404.16; Rally \$6881.64; Recreation \$3175.01; Sanitary Service \$13,042.49; Streets \$11,904.24; Wastewater \$8334.39; Water \$13,109.74; Federal Withholding \$14,265.57; FICA \$19,280.90.

GENERAL – A&B Business, \$166.14, repair; A&B Welding, \$185.50, sup; A&J Surplus, \$173.43, Allegiant Emergency Services, \$197.04, sup; Mark Alley, \$128.33, travel; Amcon, \$190.45, merch for resale; Axon Enterprises, \$1719.74, equip; Elton Barden, \$300.00, prof fee; Bierschbach Equip, \$1025.43, repair; BH Chemical, \$2138.17, sup; BH Energy, \$15,164.27, util; BH Occupational, \$180.00, prof fee; Border States Electric, \$708.89, repair; Buckle Tree, \$266.45, sup; Campbell Supply, \$746.74, repair; CBH, \$8886.61, sup; Chain Saw Center, \$567.20, other; Coca Cola, \$565.00, merch for resale; Curt Corey, \$150.00, prof fee; Culligan of the BH, \$38.00, sup; Dakota Hardware, \$481.94, sup; Double Star Computing, \$1142.50, prof fee; Ear/Insta-mold, \$747.96, sup; Ecolab Pest, \$556.72, repair; Fastenal Co, \$136.11, sup; Fedex, \$12.78, sup; First Interstate Bank, \$10,268.26, minor equip, travel, sup; Freeman's Electric, \$119.42, repair; G&G Enterprises, \$172.00, merch for resale; Grocery mart, \$21.64, other; Hebron Brick, \$954.80, sup; Hills Materials, \$390.94, repair; Hills Septic Service, \$310.00, repair; Holiday Inn Express, \$133.50, travel; Homeslice Media Group, \$18,510.98, publ; IACP, \$700.00, travel; Ketel Thorstenson, \$3000.00, prof fee; Knecht Home center, \$94.00, sup; Chris Ludens, \$200.00, prof fee; Lynn's Dakotamart, \$213.67, sup; Marls, \$160.00, prof fee; Meade Co Auditor, \$4094.87, Meade Co Times, \$2013.93, publ; Menards, \$125.00, repair; Midco Business,

\$42.60, util; Mobile Mini, \$88.54, sup; MDU, \$4151.62, util; Motionsoft, \$450.00, prof fee; Neve's Uniforms, \$83.85, sup; NFPA International, \$175.00, other; Northern Hills Vet Clinic, \$140.37, prof fee; Northwest Pipe, \$103.35, sup; O'Reilly Auto Parts, \$99.82, repair; Owens Interstate, \$566.81, repair; Park Avenue Car Wash, \$10.80, sup; Petty Cash, \$42.58, sup; Pitney Bowes, \$106.17, rent; Powerplan, \$1122.66, repair; Rapid City Journal, \$209.25, publ; Rasmussen Mechanical, \$362.79, repair; Regional Health, \$260.00, prof fee; Sanitation Products, \$200.00, repair; Schwans, \$53.00, merch for resale; Scott Peterson Motors, \$10.58, sup; Scottsdale Insurance, \$1014.32, insur; SD Dept of Corrections, \$139.64, other; SD Red Book Fund, \$207.00, travel; Servall Towel, \$539.76, repair; Sherwin-Williams, \$3069.09, sup; Shopko, \$182.71, sup; Sturgis ATV, \$14.16, repair; Sturgis Napa, \$738.82, sup; The Broken Bean, \$256.25, sup; Town-N-Country Plumbing, \$150.51, sup; Vast Business, \$2051.75, util; Werlinger Auto Body Repair, \$250.00, repair; West Payment Center, \$186.00, prof fee; West River Electric, \$448.65, util; West River International, \$39.64, repair.

SPECIAL SALES TAX – BH Energy, \$300.43, util; GJM, LLC, \$9489.00, city promo; MDU, \$26.73, util; Vast Business, \$320.50, util.

CAPITAL IMPROVEMENT – Bierschbach Equip, \$4158.00, impr; Campbell Supply, \$26.90, impr; Dakota Barricade, \$12,473.57, imp; Fence Crafters, \$1683.00, impr; HD Supply, \$170.83, impr; Meade Co Times, \$61.59, impr; Pete Lien & Sons, \$591.75, impr; Rockingtree Landscapes, \$568.00, impr; Tru-Form Construction, \$16,748.01, imp.

EQUIPMENT REPLACEMENT FUND – Northern Truck Equipment, \$15,727.00, equip.

LIQUOR – A&B Welding, \$14.70, sup; Amcon Distributing, \$2337.71, merch for resale; Arctic Glacier, \$281.89, merch for resale; Belle Joli Winery, \$189.00, liquor; BH Chemical, \$199.94, repair; BH Occupational, \$30.00, prof fee; Cask & Cork, \$166.50, liquor; Coca Cola, \$390.00, merch for resale; Double Star Computing, \$12.50, prof fee; Ecolab Pest, \$114.62, repair; First Interstate Bank, \$277.96, prof fee; Fisher Beverage, \$7438.60, liquor; Homeslice Media Group, \$5279.76, publ; Johnson Western Wholesale, \$17,805.44, liquor; LPA Retail Systems, \$146.25, prof fee; Midco Business, \$85.00, util; MDU, \$46.54, util; Pepsi Cola, \$43.25, pop; Quality Brands of the BH, \$13,637.78, liquor; Regional Health, \$25.00, prof fee; Republic Beverage, \$17,609.08, liquor; Servall Towel, \$252.14, sup; Southern Glazer's of SD, \$496.95, liquor; Vast Business, \$293.44, util.

WATER – BH Energy, \$10,767.71, util; BH Lawn Care, \$300.00, repair; BH Occupational, \$30.00, prof fee; Campbell Supply, \$61.37, sup; CBH, \$647.78, sup; Dakota Hardware, \$4.95, repair; Double Star Computing, \$12.50, prof fee; Ecolab Pest, \$64.27, repair; First Interstate Bank, \$284.32, sup; Meade Co Times, \$33.39, publ; Midcontinent Testing Lab, \$161.00, prof fee; Mobile Mini, \$44.27, sup; MDU, \$251.54, util; Pete Lien & Sons, \$33.70, repair; Regional health, \$25.00, prof fee; Sacrison Asphalt, \$370.80, repair; SD One call, \$103.04, prof fee; Servall Towel, \$17.88, repair; Town-N-Country Plumbing, \$5.52, sup; Utility Vendor Refund, \$332.22, refund deposits; Vast Business, \$140.32, util.

WASTEWATER – Advanced Engineering, \$33,049.98, cap impr; American Engineering Testing, \$3191.20, prof fee; BH Occupational, \$15.00, prof fee; Albert Bruch, \$434.17, other; Campbell Supply, \$134.23, repair; CBH Cooperative, \$18.00, repair; City of Belle Fourche, \$43.42, other; Double Star Computing, \$66.70, prof fee; Leatrice Edwards, \$900.00, other; First Interstate Bank, \$49.23, sup; Freeman's Electric, \$112.49, cap impr; Jay Grubl, \$900.00, other; Indian Motorcycle, \$600.00, other; Kieffer Sanitation, \$180.00, sup; McPherson, \$49.00, sup; Midcontinent Testing Lab, \$518.40, prof fee; Northwest Pipe Fittings, \$7.69, sup; Owens Interstate, \$20.97, repair; Regional Health, \$12.50, prof fee; Sturgis laundry, \$565.83, other; Sturgis Napa, \$87.08, repair; Jodie Taylor, \$710.00, other.

SANITARY SERVICE – A&J Surplus, \$12.45, sup; American Engineering Testing, \$1659.40, prof fee; BH Occupational, \$45.00, prof fee; Campbell Supply, \$123.64, repair; CBH Cooperative, \$903.52, sup; Century Business Products, \$267.34, prof fee; City of Belle Fourche, \$25,350.63, other; Dakota Hardware, \$12.27, repair; Double Star Computing, \$66.71, prof fee; First Interstate Bank, \$137.63, repair; Great Western Tire, \$924.30, sup; Holtz Industries,

\$826.70, repair; Jenner Equip, \$99.00, repair; Kieffer Sanitation, \$3032.40, other; Owens Interstate, \$308.85, sup; Regional Health, \$91.50, prof fee; Sturgis Napa, \$120.62, repair. **AMBULANCE** – A&B Welding, \$276.60, sup; BH Energy, \$517.36, util; CBH Cooperative, \$1340.95, sup; Coca Cola, \$39.00, sup; Dakota Hardware, \$36.99, sup; Double Star Computing, \$12.50, prof fee; First Interstate Bank, \$1202.69, sup; travel; Grocery Mart, \$45.86, sup; Lynn's Dakotamart, \$530.90, sup; MDU, \$46.35, util; Shopko Pharmacy, \$5.99, sup; Shopko, \$44.26, sup; Sturgis Napa, \$7.43, sup; Tom's T's, \$2821.88, sup; Vast Business, \$173.66, util.

Motion by Waterland, second by Anderson and carried with all members present voting yes to approve second reading of Ordinance 2017-07 – Title 3 – Licensing & Regulations of Alcohol, Malt Beverages & Drinking Establishments as presented by the City Attorney.

ORDINANCE 2017-07

AN ORDINANCE AMENDING TITLE 3 – LICENSING AND REGULATION OF ALCOHOL, MALT BEVERAGES AND DRINKING ESTABLISHMENTS.

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 3 – Licensing and Regulation of Alcohol, Malt Beverages and Drinking Establishments – Chapter 3.02 – Licensing and Sales of Alcohol and Malt Beverages – Sections 3.02.08, 3.02.09 and 3.02.11 be amended to read as follows:

CHAPTER 3.02 LICENSING AND SALES OF ALCOHOL AND MALT BEVERAGES

SECTIONS:

- 3.02.08: Classification and Fees required for Alcoholic Beverage, Malt Beverage, Wine Licenses and Renewals
- 3.02.09: Special Event License Requirements
- 3.02.10: Consumption Only Permit
- 3.02.11: Hours of Operation

3.02.08: CLASSIFICATION AND FEES REQUIRED FOR ALCOHOLIC BEVERAGE, MALT BEVERAGE AND WINE LICENSES AND RENEWALS

Special Event Licenses	Initial Fee	Renewal Fee
9. Special malt beverage or on- sale wine license (non-profit, civic, charitable or fraternal organizations only). The daily fee for such license issued shall be \$50.00.	\$50.00 per day per type of license up to 15 consecutive days	N/A
10. Special off-sale wine dealers license (Fair Board, public, civic, charitable, educational or fraternal organizations) in conjunction with special event within city, selling licensed South Dakota wines only. The daily fee for such license issued shall be \$50.00	\$50.00 per day per type of license up to 15 consecutive days	N/A
11. Special malt beverage retailer and/or on-sale wine retailer license (community playhouse for non-profit organization in conjunction with a theatrical production only). The daily fee for such license issued shall be	\$50.00 per day per type of license up to 15 consecutive days	N/A

\$50.00.		
12. Special on-sale liquor dealer license. (Public, civic, charitable, educational or fraternal organization in conjunction with special event within city, selling licensed on-sale liquor.) The daily fee for such license issued shall be \$100.00.	\$100.00 per day per type of license up to 15 consecutive days	N/A
13. Special Event off-sale liquor license. (Limit of three for any single event period)	\$100.00 per day for a period not to exceed 15 consecutive days, and a marketing surcharge of ten per cent (10 %) of wholesale cost of all product purchased and not returned during the license period, reduced by the application fee paid for the license, and also reduced by the payment to the qualified non-profit licensee ...”, to be paid not later than 30 days after the expiration of the special event license period.	N/A

3.02.09: SPECIAL EVENT LICENSE REQUIREMENTS:

F. The daily fee for each special event malt beverage retailer’s license, special event on-sale wine retailer’s license, or special event off-sale package wine dealer’s license that is issued the daily fee shall be \$50.00 or as approved by the Common Council. The daily fee for each special event on-sale liquor license that is issued shall be \$100.00 or as approved by the Common Council.

G. The daily license fee for each special event off-sale liquor license shall be \$100.00 per day for a period of up to 15 consecutive days to be paid at the time of application, and a marketing surcharge of ten per cent (10 %) of wholesale cost of all product purchased and not returned during the license period, reduced by the application fee paid for the license, and also reduced by the payment to the qualified non-profit licensee ...”, to be paid not later than 30 days after the expiration of the special event license period.

3.02.11: HOURS OF OPERATION:

The following table establishes the hours during which alcoholic beverages may be sold and the holidays when alcoholic beverages may not be sold for each class of license:

Type of License	Hours	Days	Holidays
3. Off-sale dealer	7:00 a.m. to 2:00 a.m.	Sunday through Saturday	No Christmas Day sales.

Dated this 19th day of June, 2017.

First reading: 06-05-2017

Second reading: 06-19-2017

Adopted: 06-19-2017

Published: 06-28-2017

Effective: 07-19-2017

Motion by Crane, second by Martinson 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 1544 Lazelle (Samson's Corner-VIP Village) on August 7 and 10, 2017.

Motion by Waterland, second by Keszler and carried with Carstensen, Anderson, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bachand voting no, Bradley abstaining, to approve a Special Events License for the Knuckle Saloon at 1401 Lazelle (Community Center) on August 4-10, 2017.

Motion by Martinson, second by Crane and carried with Carstensen, Anderson, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bachand voting no, Bradley abstaining, to approve a Special Events License for the Loud American at 1337 Main on August 3-12, 2017.

Motion by Crane, second by Waterland and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a Special Events License for Rosco's Steakhouse at 999 Main (Motorcycle Museum) on August 4-12, 2017 with the necessary documents.

Motion by Anderson, second by Crane and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a Special Events License for the Oasis Bar at Harley-Davidson Rally Point on August 4-12, 2017.

Motion by Waterland, second by Bachand and carried with all members present voting yes to approve a Use on Review to operate an accounting business for Carol Hicks at 1109 5th St subject to commercial rates for utilities.

Motion by Dargatz, second by Keszler and carried with all members present voting yes to approve a Use on Review to operate a machine shop business for Craig Lockwood at 1601 Joedy Street. Mr. Lockwood was reminded that this business will be reviewed yearly and that sound cannot become an issue.

Any other business:

Garry Hembree, business owner, stated his concerns of requiring businesses that stay open at least 5 months of the year to purchase a temporary vendor license. It is an unfair burden to the businesses owners that invest in Sturgis.

Motion by Keszler, second by Martinson and carried with all members present voting yes to go into executive session for personnel at 7:32 pm.

Motion by Waterland, second by Crane to return to regular session at 8:15 pm.

Motion by Anderson, seconded by Martinson and carried with all members present voting yes to adjourn the meeting at 8:16 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$