

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, July 31, 2017 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rod Bradley, Rhea Crane, Steve Keszler, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: David Martinson.

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

Motion by Keszler, second by Crane 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 Waterland, second by Crane to return to regular session at 6:26 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Library Board – 6/28/17 minutes
- Park Board – 6/28/17 minutes
- Planning Commission – 7/18/17 minutes

Announcements:

- The City will be taking applications for the Ward 2 Council seat. The application will be posted on the website and will close on August 16, 2017.
- Main Street will be closed at 2:00 am on Friday the 4th for the Rally.
- A thanks goes out to the Department of Transportation for getting the temporary traffic light set up at 11th and Lazelle Street.

City Manager Ainslie reported:

- Finance Officer Bueno gave the 2nd Quarter Financial Update.
- The sales tax update for General Sales Tax and Capital Improvement Tax for June collected in July was up 31.4% month over month and was up 8.8% year over year. The Gross Receipts Tax (triple B) was up 36.2% month over month and is up 8.3% year over year.
- Payroll Changes – within budget:
 1. Ambulance Dept – Paramedic – Cory Nelson - \$8.65 (\$17 after orientation); Taryn Urbanick - \$8.65 (\$12 after orientation).
 2. Rally & Events Dept – Survey Facilitator – Beka Zerbst - \$12.00; Location Manager – Dakotah Cole, Jenn Greenwaldt - \$12.00; Office Coordinator – Autumn Lyons - \$2 stipend during rally; Events Coordinator – Jennessa Scholl - \$2 stipend during rally; Volunteer – Shawn Flack – no wage.
 3. Wastewater/Sanitation Dept – PWD seasonal – Matthew Eby - \$8.65; All existing seasonal staff – increase wage \$2.00/hr during rally.
 4. Liquor Store Dept – Inventory Receiving Clerk – Trishelle Tammi – change to full-time, no wage change; Sales Clerk – Lisa Boyer, Nichole Main – change to full-time, no wage change; Stocker/Parking Lot Attendant – Nicholas Main - \$8.65, \$10 during rally.

Rally Liquor Annex – Sales Clerk - Daniele Jones, Barb Sherman, Harold “Joe” Fox, Megan Moravec - \$15.00; Jennifer Mertz, Josie Berglund - \$12.00; Jenny Vansickel - \$11.00.

Motion by Anderson, second by Keszler 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 July 17, 2017 regular council meeting.
- b. Consideration to approve Resolution 2017-39 – Approve Changing West Main from Lazelle to 11th St to One Way East Bound Traffic Only (rally).

RESOLUTION 2017-39
RESOLUTION TO APPROVE CHANGING WEST MAIN STREET FROM LAZELLE
TO 11TH STREET TO ONE WAY EAST BOUND TRAFFIC ONLY

WHEREAS, the Sturgis® Motorcycle Rally™ will be held in the City of Sturgis, August 4, 2017 through August 13, 2017; and

WHEREAS, the anticipated increase of pedestrian and vehicular traffic in this area through the years with the expansion of the Sturgis Indian Campus creates a higher level of safety concern; and

WHEREAS, this is an area where historically several accidents have occurred at the intersection of Main and Lazelle and where the number of accidents in 2015 and 2016 were reduced due to the installation of a temporary signal at 11th and Main and limited access was enforced at the intersection of Main and Lazelle; and,

WHEREAS, the Chief of Police and the Public Works Director have expressed a concern about the narrow street in this area.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Sturgis approves changing West Main Street from Lazelle to 11th Street to one way for east bound traffic only from 6 am Friday, August 4 through 6 am Sunday, August 13th, 2017.

BE IT FURTHER RESOLVED that this Resolution shall become effective August 1, 2017 pursuant to S.D.C.L. 9-19-13.

Dated this 31st day of July, 2017.

Published: 08/16/2017
Effective: Immediately

- c. Consideration to approve Resolution 2017-40 – Plat of Lot 16, Bk 4 of Vernon Heights Estates II.

RESOLUTION 2017-40
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 Amie, Christopher, Doreen and Vernon James Allison:

Plat of Lot 16, Block 4 of Vernon Heights Estates II Subdivision Being a portion of Tract 'A' of Vernon Heights Estates II Subdivision, Located in the W ½ of the NE ¼ of Section 15, 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 31st day of July 2017.

Published: 08/16/2017

Effective: 09/06/2017

- d. Consideration to approve Resolution 2017-42 – Supermoto Open Container Boundary.

RESOLUTION 2017-42
RESOLUTION TO AUTHORIZE OPEN
CONTAINER BOUNDARY FOR SUPERMOTO EVENT

WHEREAS, Sturgis Supermoto will be held in the City of Sturgis, September 15th and 16th, 2017.

WHEREAS, an open container request for following areas listed below has been requested for September 15th from 4:00 pm to 10:00 pm and on September 16th from 10:00 am to 10:00 pm.

a. on the west, by the eastern edge of the Right of Way of 4th Street, beginning at the intersection of 4th Street and Lazelle Street and continuing south to the intersection of 4th Street and Sherman Street, and

b. on the south, by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and

c. on the east, by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and continuing north to the intersection of Middle Street and East across the Middle Street Right of Way and along and including the entire Main Street Right of Way to a point two hundred eighty (280) feet East of the intersection of Main Street and Middle Street, and

d. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction, Main Street and Middle Street, Lazelle Street and Junction, 1st Street, Harley Davidson Way and 3rd Street as they cross Lazelle Street, and also including the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Avenue within these boundaries.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, all open container would go back into effect by 10:00 pm.

Dated this 31st day of July, 2017.

Published: 08/16/2017
Effective: 09/06/2017

- e. Consideration to approve Resolution 2017-43 – Surplus Property.

RESOLUTION 2017-43
A RESOLUTION DECLARING PROPERTY SURPLUS

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described below is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

Police:

1. Glock 21 SF Gen 4 (Serial number: YBX810)

Dated this 31st day of July 2017.

Published: 08/16/2017
Effective: 09/06/2017

- f. Consideration to approve setting a public hearing for 8/21/17 for a Special Events License for the Homeslice Management Group for Music on Main/Community Picnic on 8/23/17.

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

WAGES – Ambulance \$50,606.66; Attorney \$7,068.76; Auditorium \$369.62; Buildings \$2,223.62; Cemetery \$7,278.05; City Manager \$8,541.21; Community Center \$21,471.54; Finance Office \$18,029.42; Fire Department \$1,443.81; Human Resource \$12,717.96; Library \$17,615.00; Liquor \$12,217.33; Mayor and Council \$7,322.22; Parks \$28,632.26; Planning & Permitting \$14,988.10; Police \$77,300.59; Rally \$15601.84; Recreation \$9,554.80; Sanitary Service \$29,571.77; Streets \$25,468.07; Wastewater \$18,854.70; Water \$26,697.71; Federal Withholding \$40,343.70; FICA \$30,004.90.

COMBINED CASH FUND – Northgate Homes, \$43.84, refund.

GENERAL – A&B Business, \$341.86, sup; A&B Welding, \$253.35, sup; A&J Surplus, \$567.32, sup; Advanced Educational Products, \$2577.30, sup; Amazon, \$42.20, sup; Amcon Distributing, \$630.34, merch for resale; American Legal Services, \$50.68, prof fee; Baker & Taylor, \$92.39, sup; Christa Barakat, \$64.80, refund; Elton Barden, \$175.00, prof fee; Elvira Bender, \$113.42, travel; BH Energy, \$44.51, util; Bonnier Active Media, \$65,500.00, publ-rally; Brosz Engineering, \$540.00, prof fee; Buckle Tree, \$1396.06, sup; Roger Burnham, \$3500.00, prof fee; CBH Coop, \$519.48, sup; Century Business Products, \$145.41, repair; Chain Saw Center, \$212.40, equip; Change Banks, \$1000.00, sup; City of Sturgis Water Dept, \$6499.23, util; Coca Cola, \$411.00, sup; Construction Industry Center, \$375.00, prof fee; Dakota Extinguisher & Safety, \$597.00, repair; Dakota Hardware, \$383.54, sup; Demco, \$348.39, sup; Ecolab Pest, \$243.08, maint; Eddies Truck, \$220.16, repair; Epic Outdoor Advertising, \$1309.80, sup; Faith Independent, \$39.00, sup; Fastenal, \$180.99, sup; First Interstate Bank, \$5767.53, travel; G&G Enterprises, \$172.00, merch for resale; Harvey's Lock Shop, \$58.80, sup; Hillyard, \$696.94, sup; J&L Services, \$1845.00, repair; Jacks Uniforms, \$499.00, sup; Lacal Equipment, \$772.19, repair; Chris Ludens, \$100.00, prof fee; Aaron Lukesh, \$60.00, other; Lynn's

Dakotamart, \$167.30, sup; Marco Inc, \$163.84, sup; Meade Co Auditor, \$5636.80, other; Randall Miller, \$75.00, prof fee; Nathen Stern, \$300.00, other; O'Reilly Auto Parts, \$630.54, repair; Outer Vibe, \$1500.00, city promo; Owens Interstate Sales, \$275.64, repair; Perfect Wave Productions, \$2000.00, city promo; Petty Cash, \$350.00, sup; Pizza Hut, \$90.75, other; Print Mark-et, \$1165.86, publ; Public Safety Equipment, \$201.50, sup; Push-Pedal-Pull, \$255.22, repair; Radar Shop, \$668.00, repair; Regional Health, \$210.00, prof fee; Rushmore Office, \$51.91, sup; S&C Cleaners, \$3000.00, repair; Sacrison Asphalt, \$421.20, sup; Schwans, \$249.88, merch for resale, SD Dept of Transportation, \$593.02, prof fee; SD Wildlife Federation, \$20.00, sup; Servall Towel, \$617.77, sup; Sherwin-Williams, \$3711.66, sup; Shopko, \$91.40, sup; Signs Now, \$1935.52, sup; Connie Smith, \$25.00, refund; Sturgis ATV, \$98.00, repair; Sturgis Center for the Arts, \$75.00, refund; Sturgis Harley-Davidson, \$12.00, other; Sturgis Motorcycle Museum, \$700.00, sup; Summit Signs, \$150.00, sup; Tom's T's, \$668.09, sup; Traffic Control, \$678.00, sup; Trugreen, \$1105.00, sup; Twilight First Aid, \$29.58, sup; Vast Business, \$348.21, util; Verizon, \$3423.53, util; Weimer's Diner, \$43.20, other; West payment Center, \$427.00, sup; Susan Writer, \$210.00.

SPECIAL SALES TAX – Chamber of Commerce, \$9166.67, monthly paymt; City of Sturgis Water dept, \$445.24, util; Sturgis Economic Dev, \$8333.33, monthly pymt; Vast, \$207.00, util.

CAPITOL IMPROVEMENT – A&J Surplus, \$395.13, cap imp; Dakota Hardware, \$21.42, cap imp; Fastenal, \$150.83, other; Fennell Design, \$52,660.00, imp; First Interstate Bank, \$1293.00, cap imp; Knecht Home Center, \$1018.14, other; Meints Residential Concrete, \$1770.74, other; North Star Construction, \$14,002.20, imp; SD Dept of Transportation, \$352,662.65, imp.

BUSINESS IMPROVEMENT DISTRICT – DRT Racing, \$8000.00, sup; First Interstate Bank, \$299.04, sup; Hi Torque Publications, \$500.00, publ; Lynn's Dakotamart, \$33.82, sup.

EQUIPMENT REPLACEMENT FUND – Dakota Hardware, \$73.48, equip; Owens Interstate Sales, \$62.29, equip.

LIQUOR – A&B Welding, \$19.47, sup; Amcon, \$836.17, liquor; Arctic Glacier, \$483.86, sup; Belle Joli Winery, \$189.00, liquor; Cask & Cork, \$107.50, liquor; City of Sturgis Water Dept, \$277.87, util; Coca Cola, \$2858.50, pop; Dakota's Best Distributing, \$294.00, liquor; First Interstate Bank, \$297.41, sup; Fisher Beverage, \$11,444.96, liquor; Johnson Western Wholesale, \$5105.17, liquor; LPA Retail Systems, \$48.75, prof fee; Pepsi Cola, \$539.60, pop; Print Mark-et, \$68.58, publ; Quality Brands, \$8677.57, liquor; Republic Beverage, \$19,956.47, liquor; Schade Vineyard, \$396.00, liquor; Servall Towel, \$171.90, sup; Southern Glazers of SD, \$1064.60, liquor.

WATER – City of Sturgis Water Dept, \$108.89, util; Dakota Hardware, \$27.56, repair; Ecolab Pest, \$380.00, repair; HD Supply Waterworks, \$7739.86, sup; Petty Cash, \$9.28, sup; Print Mark-et, \$68.58, publ; Servall Towel, \$11.86, repair; Shopko, \$55.44, sup; Site Work Specialists, \$4100.58, repair; TW Enterprises, \$272.50, repair; Verizon, \$214.19, util.

WASTEWATER – Advanced Engineering, \$41,908.30, cap imp; City of Sturgis Water Dept, \$20.86, util; Dakota Hardware, \$11.29, repair; First Interstate Bank, \$589.76, travel; Heavy Constructors, \$356,215.98, cap imp; Owens Interstate Sales, \$45.10, repair; Print Mark-et, \$68.58, publ; Verizon, \$234.50, util.

SANITARY SERVICE – A&J Surplus, \$176.58, repair; Allstate Peterbilt, \$201.72, repair; Eddies Truck, \$823.14, repair; New Deal Tire, \$2455.20, other; Owens Interstate Sales, \$313.77, repair; Print Mark-et, \$68.58, publ; Safety Vision, \$371.37, repair; Verizon, \$37.77, util.

AMBULANCE – A&B Welding, \$297.38, sup; CBH Coop, \$1934.64, sup; City of Sturgis Water Dept, \$308.17, util; Coca Cola, \$61.58, sup; Dakota Hardware, \$56.04, sup; Ecolab Pest, \$158.24, repair; First Interstate Bank, \$3145.98, sup; First Western Insurance, \$256.69, insurance; Henry Schein, \$1835.32, sup; Image Trend, \$3739.00, prof fee; Nellie Isaacs, \$265.30, travel; Lynn's Dakotamart, \$92.38, sup; O'Reilly Auto Parts, \$87.62, repair; Print Mark-et, \$68.58, publ; Summit Signs, \$202.50, sup; Verizon, \$535.28, util.

Motion by Crane, second by Waterland and carried with all members present voting yes to make a recommendation to the Meade County Commissioners to approve LPN Holdings LLC request to vacate street and alley right of-ways-Blocks 3,4, and 5 of Schnell's Addition. Mr. Leveque (LPN Holdings) agreed that this property will be used for future economic development.

Motion by Waterland, second by Crane and carried with all members present voting yes to make a recommendation to Meade County Commissioners to approve the request from LPN Holdings LLC to vacate a section line-Blocks 3, 4, and 5 of Schnell's Addition. Mr. Leveque (LPN Holdings) agreed that this property will be platted and there will be a voluntary annex into the City.

Motion by Bachand, second by Keszler and carried with all members present voting yes to approve first reading of Ordinance 2017-08 – Supplemental Appropriations.

City Manager Ainslie presented to the Council the preliminary 2018 City of Sturgis budget. First reading will be on August 21st. The 2018 budget will be on the City website.

Motion by Waterland, second by Crane and carried with all members present voting yes to approve the Wildflowers Townhome Apartments Planned Unit Development Agreement and Resolution 2017-41 – Surplus and Convey Real Property to SEDC (Francis Case Property).

RESOLUTION 2017 – 41
A RESOLUTION TO SURPLUS AND CONVEY REAL PROPERTY TO
STURGIS ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, the City of Sturgis is the owner of certain real property which is no longer necessary, useful or suitable for municipal purposes; and

WHEREAS, it is deemed advisable and in the best interest of the City of Sturgis to surplus and transfer the following described real property:

Lot PS-2, Block 10 of Potter's Second Addition to the City of Sturgis, formerly Lots 1-12 Inclusive, Lots 20-24 Inclusive, Lot 1A, Lot 24A, the Vacated Alley Abutting and Adjoining Lots 1-24, Block 10 and Lot 6A, Lot 7A, and ROW Lot 13, Block 9, of Potter's Second Addition to the City of Sturgis, all located in the NE ¼ of the NW ¼ of the SW ¼ of Section 10, T5N., R5E., B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, SEDC (Sturgis Economic Development Corporation, a not for profit organization) has made a request to the City of Sturgis to convey said property to SEDC pursuant to SDCL 9-27-36 for expansion of the Community Economic base; and

WHEREAS, pursuant to the above referred to statute the City has the power to convey real property to a non-profit local economic development corporation for authorized economic development purposes.

NOW THEREFORE, as set forth herein it is hereby resolved that the Mayor of the City of Sturgis, Mark Carstensen, is hereby authorized to sign the guarantee document and execute a deed to SEDC consistent with the terms of this Resolution to convey from the City of Sturgis to the Sturgis Economic Development Corporation the real property above described and authorized to convey by deed the above described property as provided for in this resolution.

Dated this 31st day of July, 2017.

Published: 08/16/2017

Effective: 09/06/2017

Motion by Anderson, second by Keszler and carried with Carstensen, Anderson, Bachand, Bradley, Crane, Keszler and Martinson voting yes, Waterland abstaining, to approve the Annexation and Development Agreement with the Matthew family. Mr. Matthew had no objection to the Development Agreement.

Any other business:

Former Councilor Tony Dargatz informed the Council that he received an email from a gentleman that stated the City of Sturgis is working hard to be a part of the mountain bike world and he was very pleased.

Councilor Waterland reminded everyone about the Half-Mile races at the Fairgrounds on Friday the 4th and Saturday the 5th.

Music on Main Mountain Bike race last Wednesday had 6 riders from France.

Connie Meyer of C and D Sales stated her concerns on having to pay for a temporary vendor permit.

Motion by Waterland, seconded by Anderson and carried with all members present voting yes to adjourn the meeting at 7:46 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$