

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:02 p.m. on Tuesday, January 16, 2018 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rod Bradley, Rhea Crane, Steve Keszler, David Martinson, Scott Peterson and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

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

Motion by Crane, second by Keszler and carried with all members present unanimously voting yes to go into executive session for 1 legal cases, 1 contract and 1 personnel at 6:03 pm.

Motion by Bachand, second by Martinson to return to regular session at 6:32 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Park Board – 12/20/17 minutes
- Planning Commission – 1/3/18 minutes
- Library Board – 11/29/17 & 1/8/18 minutes

Announcements:

- The South Dakota Tourism conference is in Pierre this week, so staff and some Councilors will be attending.
- There will be an open house at the Liquor Store on January 26th.
- Taste of Sturgis will be held on January 26th at the Holiday Inn Express.
- Drop-off for all recycling materials will be located at Exit 32 starting March 1, 2018.

City Manager Ainslie reported:

- a.** Payroll Changes – within budget:
 1. Community Center – Lifeguard – Olivia Schuster - \$9.25; Tyler Kaitfors - \$19.56.
 2. Fire/Ambulance – Mechanic – Scott Lensegrav – wage split 50% Fire, 50% Ambulance.
 3. Sturgis Liquor Store – Stocker/Sales Clerk – part-time – Nicholas Main - \$8.90.
 4. Streets – Kevin Aga - \$22.86.
 5. Animal Shelter – Katryn Wood - \$13.59.
- b.** Appointment of Cody Weber and John Olson to the Planning and Zoning Board. Their first meeting will be February 6, 2018.

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

- a.** Consideration of minutes from the January 2, 2018 regular council meeting.
- b.** Consideration of Resolution 2018-10 – Replat of portion of Tract 37 Sturgis Brown High School for Meade School District and National Guard.

**RESOLUTION 2018-10
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 Meade School District:

Plat of Lot 1 and Lot 2 of Meade 46-1, Sturgis Brown High School, East Campus Subdivision. Formerly a Portion of Tract 37 of the Dependent Resurvey and Survey of Township 5 North, Range 5 East of Black Hills Meridian, South Dakota. All Located in Section 1, Section 2, Section 11, Section 12, Section 13 and Section 14 of Township 5 North, Range 5 East, Black Hills Meridian, a Portion of the 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 16th day of January 2018.

Published: 01-24-18

Effective: 02-14-18

- c. Consideration of Resolution 2018-11 – Plat- a portion of right-of-way on the west side of 2300 block of Junction Avenue for the City of Sturgis.

**RESOLUTION 2018-11
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 the City of Sturgis:

Plat of Lot JA-1, Lot JA-2 and Lot JA-3 of the NW ¼ of the NW ¼ of Section 15 and the NE ¼ of the NE ¼ of Section 16. Dedicated Public Right-of-Way for Highway 79/Junction Avenue. All Located in 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 16th day of January 2018.

Published: 01-24-18

Effective: 02-14-18

Motion by Anderson, second by Crane and carried with all members present unanimously voting yes to approve the following claims with the addition of SD Municipal League – \$175.00:

WAGES– Ambulance \$23,779.84; Attorney \$3,849.65; Auditorium \$184.82; Buildings \$1,111.82; Cemetery \$2,411.08; City Manager \$4,237.23; Community Center \$10,898.68; Finance Office \$8,922.30; Human Resource \$6,633.47; Library \$8,611.24; Liquor \$5,592.09; Mayor and Council \$3,661.11; Parks \$10,240.92; Planning & Permitting \$8,361.63; Police \$34,148.89; Rally \$6,804.34; Recreation \$2,509.46; Sanitary Service \$14,043.46; Special Sales Tax \$1,923.08; Streets \$12,036.28; Wastewater \$8,161.03; Water \$13,184.74; Federal Withholding \$20,181.48; FICA \$14,584.16.

GENERAL – A&B Business, \$166.14, rep; A&B Welding, \$96.34, sup; A&J Surplus, \$1,041.10, rep; Active911, \$344.60, sup; Affordable Tire & Alignment, \$126.50, rep; Kevin Aga, \$393.00, ins; Daniel Ainslie, \$510.28, ins; AMA, \$250.00, sup; Avaya, \$25.55, util; Avtech, \$180.00, util; Paula Basker, \$309.58, ins; Bear Butte Valley Water, \$122.87, util; Black Hills & Badlands Tourism, \$1,915.00, travel; BH Chemical, \$1,508.10, sup; BH Energy, \$16,616.21, util; Nathan Borg, \$345.26, ins; Butte Electric, \$601.69, util; Campbell Supply, \$655.37, sup; Caselle, \$1,212.78, prof fee; CBH, \$14,376.50, sup; Century Business Products, \$224.92, sup; City of Sturgis Water Dept., \$1,624.78, util; Coca Cola, \$613.02, resale; Jerry Cole, \$448.50, ins; Culligan of the BH, \$77.00, sup; Dakota Hardware, \$296.29, sup; Daktronics, \$3,885.00, equip; Dale's Tire & Retreading, \$551.20, sup; Decatur Electronics, \$4,860.00, equip; Ecolab Pest Eliminator, \$94.62, rep; Eddies Truck Sales, \$69.56, sup; Joyce Ehlers, \$315.49, ins; Epic Outdoor Advertising, \$1,100.00, rent; Fat Boys Investments, \$160,000.00, rent; FBI National Academy Associates, \$105.00, other; FEDEX, \$300.02, sup; First Interstate Bank MasterCard, \$4,909.23, sup; G&H Distributing, \$63.73, sup; Godfrey Brake, \$78.10, rep; Dylan Goetsch, \$284.44, ins; Great Western Tire, \$523.48, sup; Grocery Mart, \$17.71, sup; Hersrud, \$51.01, rep; Homeslice Media Group, \$18,101.03, pub; Lori Jeffery-Kirk, \$209.25, sup; Jenner Equipment, \$815.15, rep; KT Connections, \$3,107.80, rep; KEP Investments, \$40,000.00, rent; Cody King, \$452.62, ins; Laconia Motorcycle Week, \$6,325.00, travel; Jeff Lucas, \$476.12, ins; Lynn's Dakotamart, \$426.67, sup; Autumn Lyons, \$494.62, ins; Marco Technologies, \$108.98, rep; Valerie Martin, \$298.19, ins; Meade County Auditor, \$14,852.47, other; Meade County Register of Deeds, \$180.00, plat fees; Menard's, \$85.19, rep; Mid-States Organized Crime, \$150.00, travel; MDU, \$9,421.33, util; Motionsoft, \$900.00, prof fee; Mountain Air Insurance, \$2,177.00, ins; Andrew Nelson, \$268.00, refund; Northern Hills Vet Clinic, \$1,899.18, prof fee; Northwest Pipe Fittings, \$18.90, sup; O'Reilly Auto Parts, \$80.72, sup; Owens Interstate Sales, \$784.58, sup; Petty Cash, \$11.58, sup; Powerplan, \$25.80, rep; PSECO, \$12.99, sup; Purchase Power, \$500.00, sup; Rapid City Journal, \$554.35, pub; Rushmore Office Supply, \$762.52, sup; Doyle Schaefer, \$367.00, ins; Angie Scherer, \$309.58, ins; Janessa Scholl, \$500.00, ins; SD Municipal League, \$175.00, travel; SD Public Assurance Alliance, \$145,037.09, ins; Servall, \$779.52, sup; Shopko Stores, \$55.88, sup; Signs Now, \$1,754.04, sup; Carter Smith, \$500.00, ins; Danny Stacy, \$500.00, ins; Sturgis NAPA, \$480.82, rep; Sturgis Rally Charities, \$1.00, other; Sturgis Volunteer Fire Dept., \$7,168.40, contract; Summit Signs & Supply, \$52.50, sup; Town-n-country Plumbing, \$15.95, sup; Tracker Software, \$2,270.50, sup; Transource Truck & Equipment, \$189.72, rep; Sheldon Tveidt, \$61.25, ins; Verizon, \$144.25, util; Doug Wagner, \$323.52, ins; Tony Werlinger, \$230.87, ins; West Payment Center, \$166.00, prof fee; West River Electric, \$664.82, util; Jacob Williamson, \$500.00, ins; Elizabeth Wunderlich, \$991.38, ins.

SPECIAL SALES TAX – Black Hills Energy, \$800.64, util; MDU, \$46.69, util; Alexis Nasser, \$187.15, ins.

CAPITAL IMPROVEMENT – Fennell Design, \$4,998.00.

BUSINESS IMPROVEMENT DISTRICT – Days Inn, \$1,443.86, sup; Pro Q Motorsports, \$2,465.00, pub; Timeless Wedding & Event Rental, \$146.30, sup.

EQUIPMENT REPLACEMENT FUND – Road Runner, \$16,256.00; Sturgis Motorsports, \$46,332.00.

LIQUOR – Black Hills Chemical, \$152.26, sup; Black Hills Energy, \$1,744.32, util; Lisa Boyer, \$409.58, ins; Cask & Cork, \$637.33, resale; CBH, \$12.84, sup; Century Business products, \$3.11, sup; City of Sturgis Water Dept, \$295.50, util; Coca Cola, \$489.00, payable; Duhamel Broadcasting, \$3,168.00, pub; Ecolab Pest Eliminator, \$114.62, rep; First Interstate Bank MasterCard, \$348.25, sup; Fisher Beverage, \$7,035.16, resale; Johnson Western Wholesale, \$15,788.14, resale; KT Connections, \$98.44, prof fee; LPA Retail Systems, \$1,250.00, prof fee; Lynn’s Dakotamart, \$239.28, sup; Midco Business, \$85.00, util; MDU, \$339.69, util; Travis Parker, \$400.08, ins; Pepsi, \$176.20, resale; Prairie Berry, \$864.00, resale; Quality Brands, \$13,941.49, resale; Republic Beverage, \$34,917.85, resale; Rushmore Office Supply, \$638.78, sup; SD Public Assurance Alliance, \$27,950.23, ins; Servall, \$169.91, sup; Shopko Stores, \$27.51, sup; Southern Glazer’s of SD, \$1,607.38, resale; True Brands, \$554.02, resale.

WATER – Black Hills Energy, \$8,756.00, util; Butte Electric, \$183.60, util; Caselle, \$266.22, prof fee; CBH, \$459.10, sup; Century Business Products, \$47.81, sup; City of Sturgis Water Dept, \$126.52, util; D&T Ventures, \$10.08, refund; Dakota Hardware, \$3.17, rep; Hawkins, \$45.00, sup; KT Connections, \$98.44, prof fee; Midcontinent Testing Lab, \$147.00, prof fee; MDU, \$410.47, util; Dale Olson, \$210.00, ins; Rapid City Journal, \$82.56, pub; Rushmore Office Supply, \$164.00, sup; SD Public Assurance Alliance, \$21,354.76, ins; Servall, \$11.86, rep; Sturgis Napa, \$131.40, sup; Tracker Software Corp, \$756.83, sup; Tony Werlinger, \$113.71, ins.

WASTEWATER – Campbell Supply, \$30.47, sup; Dan Cass, \$392.05, ins; CBH, \$92.25, rep; City of Sturgis Water Dept, \$20.86, util; Dakota Hardware, \$11.99, rep; First Interstate Bank MasterCard, \$50.08, sup; Freeman’s Electric, \$127.55, rep; KT Connections, \$98.44, prof fee; Kieffer Sanitation, \$90.00, sup; MDU, \$111.45, util; Owens Interstate Sales, \$50.38, sup; Powerplan, \$45.49, sup; SD DENR, \$5,500.00, prof fee; SD Public Assurance Alliance, \$15,826.64, ins; Sturgis NAPA, \$17.79, sup; Tracker Software, \$756.84, sup; Verizon, \$47.02, util.

SANITATION – Black Hills Energy, \$384.38, util; Campbell Supply, \$70.17, sup; Dan Cass, \$392.05, ins; CBH, \$460.00, sup; Century Business Products, \$322.00, prof fee; Century Link, \$56.53, util; City of Belle Fourche, \$17,184.02, other; Great Western Tire Co, \$1,089.22, sup; KT Connections, \$98.44, pro fee; Lynn’s Dakotamart, \$14.36, sup; Owens Interstate Sales, \$242.16, sup; Powerplan, \$78.02, rep; SD Public Assurance Alliance, \$24,530.80, ins; Sturgis NAPA, \$203.81, rep; Summit Signs & Supply, \$455.00, sup; Tracker Software, \$756.83, rep.

AMBULANCE – A&B Welding, \$565.44, sup; Active 911, \$344.60, sup; Black Hills Energy, \$530.80, util; Campbell Supply, \$43.67, sup; Keri Casteel, \$282.48, ins; CBH, \$1,720.11, sup; Century Business products, \$146.89, sup; City of Sturgis Water Dept, \$81.95, util; Coca Cola, \$23.52, sup; Dakota Hardware, \$42.96, sup; Ecolab Pest Eliminator, \$39.56, rep; First Interstate Bank MasterCard, \$547.25, sup; KT Connections, \$98.44, prof fee; Lynn’s Dakotamart, \$220.53, sup; MDU, \$365.48, util; Purchase Power, \$288.15, sup; Rushmore Office Supply, \$23.74, sup; SD Ambulance Association, \$480.00, travel; SD Public Assurance Alliance, \$1,097.78, ins; SDEMSA, \$75.00, travel; Shopko Pharmacy, \$13.95, sup; Shopko Stores, \$47.31, sup; Speedy Lube, \$59.99, rep; Lee Stroschine, \$500.00, ins; Sturgis NAPA, \$629.48, rep; Verizon, \$62.03, util.

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve tabling the zoning variance for Danny Lopez at 1304 Nellie.

Motion by Bachand, second by Waterland and carried with all members present unanimously voting yes to approve the following Resolution 2018-09 - Vacation of the North half of the section line for LPN Holdings.

RESOLUTION 2018-09
RESOLUTION TO VACATE A SECTION LINE RIGHT-OF-WAY LOCATED ON
PROPERTY OWNED BY LPN HOLDINGS

WHEREAS, LPN Holdings LLC, owner of the referenced property below has petitioned to request that the Sturgis City Council vacate the portion of the public right-of-way adjacent to the herein referenced property:

A portion of the section line common to Section 8 and Section 5, T5N, R5E, BHM., Meade County, South Dakota. Said portion of section line lying north and within Lot 1 of the S1/2S1/2 of Section 5, T5N, R5E, BHM., Meade County, South Dakota -AND- lying east to west between Lot ML-8 of Schnell's Addition (PB.25, PG 55) and Tract A of the NW1/4NW1/4 of Section 8 and Tract A of the SW1/4SW1/4 of Section 5 all located in T5N, R5E, BHM., Meade County, South Dakota.

NOW THEREFORE BE IT RESOLVED that we, the assembled members of the Common Council of the City of Sturgis, do hereby approve the request to vacate the right of way described herein.

Adopted this 16th day of January, 2018.

Published: 01-24-18
Effective Date: 02-14-18

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve the Voluntary Development and Annexation agreement with DTR Enterprises, Inc.

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to approve Resolution 2018-12 – Annexation of property owned by DTR Enterprises contingent that the Development Agreement is signed by the City Manager.

RESOLUTION 2018-12
RESOLUTION OF ANNEXATION OF OLD STONE ROAD PROPERTY

WHEREAS, DTR Enterprises as owner of the subject property herein has signed and submitted a Voluntary Development and Annexation Agreement to the City of Sturgis in January of 2018, 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 the growth of the City can be accommodated to provide for the orderly

growth and development of the City; and

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

NOW, THEREFORE, BE IT RESOLVED the Common Council for the City of Sturgis hereby declares the annexation of the following territory:

1. The territory subject to this Resolution of Annexation consists of platted non-agricultural territory as defined at SDCL 9-4-5 and 10-6-31, described as follows:

Legal Description:

Lots 2D, 2E, 2F, 2G of Lot 2 of the Northeast Quarter (NE ¼) of Section 15, Township 5 North, Range 5 East of the Black Hills Meridian, Meade County, South Dakota.

2. That ample and suitable resources exist to accommodate the orderly growth and development of the described contiguous territory as evidenced by the City's current provision of many of the City services to the area and consistent with the previous Annexation Study.
3. That there is reasonable present and demonstrable future need for annexing said contiguous territory in accordance with the Annexation Study.
4. That population and census data indicate that the City has and may experience growth or development beyond its present boundaries.
5. That exclusions or irregularities in municipal boundary lines are not the result of arbitrariness but are based upon existing geographical features, physical barriers, existing property boundaries, existing occupancies and uses, and existing city boundaries
6. That there exists a community of interest between the contiguous territory and the City of Sturgis.

NOW, THEREFORE BE IT RESOLVED that as a result of this Resolution and the completion of the executed Voluntary Annexation and Development Agreement by the parties, the corporate limits of the City of Sturgis shall be and are hereby extended to include the above described property;

DATED this 16th day of January, 2018.

Published: 01-24-18

Effective: 02-14-18

Any other business:

Councilor Bradley gave an update on the proposed Ambulance/Fire District and asked if anyone outside of the City limits that lives in these districts would seek out someone with a petition and sign it. All petitions need to be to the County by January 25th.

Motion by Martinson, seconded by Waterland and carried with all members present unanimously voting yes to adjourn the meeting at 7:12 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost