

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:01 p.m. on Monday, August 20, 2018 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Steve Keszler.

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

Motion by Waterland, second by T. Keszler and carried with all members present unanimously voting yes to go into executive session for two legal cases and one contract at 6:02 pm.

Motion by Martinson, second by Waterland to return to regular session at 6:29 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Informational Reports:

- Library Board – 6/27/18 minutes (corrected)

### Announcements:

- The next Council meeting will be held on Tuesday, September 4, 2018 due to Labor Day.
- The Community picnic will be held on August 22<sup>nd</sup>.
- The Mustang Rally will be August 29<sup>th</sup> – September 3<sup>rd</sup>.

### City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for June collected in July was down 8% month over month and down 1.4% year over year. The Gross Receipts Tax (triple B) was up 4.2% month over month and up 11.7% year over year.
- Payroll Changes – within budget:
  1. Rally and Events Dept – Rally Info Booth – Jeanie Shyne - \$10.00; Rally Surveyor – Jordan Ross - \$13.00.

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

- a. Consideration of minutes from the July 30, 2018 regular council meeting.
- b. Consideration of an abatement of property taxes for Darrell Larson.
- c. Consideration of setting a public hearing on September 4, 2018 for a request for street closure for the Motorcycle Cannonball on Sept 16, 2018.

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

**WAGES** – Ambulance \$33,579.56; Attorney \$4106.41; Auditorium \$234.56; Buildings \$1187.05; Cemetery \$2858.29; City Manager \$4628.68; Community Center \$13,333.68; Finance Office \$10,461.89; Fire Department \$3512.11; Human Resource \$8093.33; Library \$9028.63; Liquor \$9597.46; Mayor and Council \$3761.77; Parks \$13,225.41; Planning and Permitting \$10,578.32; Police \$57,967.83; Rally \$13,956.83; Recreation \$3236.94; Sanitary Service

\$16,212.63; Special Sales Tax \$1923.08; Streets \$14,935.48; Wastewater \$11,856.83; Water \$12,906.01; Federal Withholding \$21,439.44; FICA \$19,092.17.

**GENERAL** – 3E Electrical Engineering, \$80.00, rep; A&B Business, \$346.49, rep; A&B Welding, \$134.98, sup; AandJ Surplus, \$122.32, sup; Avaya, \$25.55, util; Axon Enterprises, \$4,400.00, equip; Elton Lane Barden, \$325.00, prof fee; Bear Butte Valley Water, \$102.25, util; Bentz Equipment, \$459.36, rep; Black Hills Energy, \$30,707.19, util; Black Hills Library Consortium, \$4,939.59, rep; Black Hills Occupational Medicine, \$185.00, prof fee; Black Hills Pioneer Weekly Pro, \$816.07, pub; Buckle Tree, \$1,000.80, other; Cadillac Jacks, \$55.00, sup; Jeannie Cammack, \$10.00, refund; Cash-Wa Distributing, \$456.77, resale; Chain Saw Center, \$273.77, rep; City of Sturgis Water Dept, \$10,702.38, util; Clubhouse Hotel and Suites, \$302.00, travel; Construction Industry Center, \$375.00, prof fee; Culligan of the Black Hills, \$77.00, sup; Dale’s Tire and Retreading, \$1,724.80, sup; Deere Credit, \$57,403.46, cap imp; EB Communications, \$110.00, prof fee; Wayne Edwards, \$212.00, refund; Fastenal Co, \$229.25, sup; Nicolis Forbes, \$60.00, other; Goldmine International, \$672.00, other; Grace Lutheran Church, \$5,048.00, sup; David Alan Graham, \$2,000.00, prof fee; Grocery Mart, \$648.46, sup; Richard Hardy, \$287.00, refund; Ethan Harris, \$30.00, other; Tim and Peggy Heuston, \$90.00, refund; Hillyard, \$589.75, sup; Jerry’s Refrigeration, \$1,548.60, sup; Laughing Water Restaurant, \$2,440.00, sup; Lynn’s Dakotamart, \$356.79, sup; Marco Technologies, \$117.98, rep; Joe Martin, \$325.00, prof fee; MasterCard, \$84,283.75, sup; McGas Propane, \$35.00, sup; McLeod’s Printing and Office Supply, \$333.83, sup; Meade County Auditor, \$15,409.64, other; Meade County Register of Deeds, \$90.00, other; Montana Dakota Utilities, \$3,304.89, util; National Arbor Day Foundation, \$25.00, prof fee; Northern Hills Vet Clinic, \$925.99, prof fee; O’Reilly Auto Parts, \$162.58, rep; Park Avenue Car Wash, \$19.00, sup; Pheasantland Industries, \$639.63, sup; Purchase Power, \$10.00, sup; Push-Pedal-Pull, \$73.44, rep; Ramkota Hotel, \$103.00, travel; Rapid Fire Protection, \$355.00, rep; Sacrison Asphalt, \$396.60, sup; Sam Erion construction, \$280.50, sup; Billy Schlosser, \$30.00, other; SD Municipal Attorney Assn, \$18.00, travel; SD Municipal League, \$75.00, travel; SD State Treasurer, \$1,232.23, sales tax; Shopko Stores, \$536.28, sup; Signs Now, \$1,362.20, sup; Simon North Region SD, \$448.56, rep; Speedy Lube, \$235.47, sup; Sturgis Motorcycle Museum, \$75.00, other; TBS Electronics, \$2,900.00, sup; Jameson Tebben, \$101.86, sup; time Equipment Rental and Sales, \$2,120.70, rent; Tom’s T’s, \$4,919.50, sup; Town-n-Country Plumbing, \$227.52, sup; Traffic Control Corporation, \$975.00, sup; Twilight First Aid and Safety, \$245.77, sup; United Way, \$425.00, other; Universal Athletic, \$207.80, sup; VanDiest Supply co, \$3,710.00, sup; Vanway Trophy and Award, \$1,198.05, sup; Kristie Wagner, \$2,500.00, sup; Werlinger Auto Body Repair, \$2,500.00, equip; West Payment Center, \$166.00, prof fee; Western Communications, \$149.00, rep.

**BUSINESS IMPROVEMENT DISTRICT** – Todd Christensen, \$1,000.00, prof fee; Conrad Big “C” Signs, \$3,314.29, sup; Day’s Inn, \$2,028.00, sup; Lynn’s Dakotamart, \$67.85, sup; MasterCard, \$6,106.57, sup; Shopko Stores, \$69.92, sup; Larry Stauffacher, \$78.00, refund.

**TIF #15 WOODLAND DEV PROJECT**– A&L Contractors, \$22,856.80, cap imp.

**LIQUOR** – Arctic Glacier, \$1,581.61, resale; Black Hills Dakota Distillery, \$249.60, resale; Black Hills Energy, \$2,491.60, util; Cash-Wa Distributing, \$6,342.34, resale; Cask and Cork, \$582.96, resale; City of Sturgis Water Dept, \$303.06, util; Coca Cola, \$1,805.50, resale; Dakota’s Best Distributing, \$817.50, resale; Duhamel Broadcasting, \$2,507.00, pub; Fat Boys, \$168.00, resale; Fisher Beverage, \$23,022.47, resale; Johnson Western Wholesale, \$54,932.05, resale; MasterCard, \$3,376.58, sup; MB Enterprises, \$718.95, resale; Montana Dakota Utilities, \$18.70, util; Pepsi Cola, \$728.00, resale; Prairie Berry, \$2,952.00, resale; Quality Brands, of the Black Hills, \$30,031.31, resale; Republic Beverage, \$118,501.43, resale; Schade Vineyard, \$618.00, resale; Southern Glazer’s of SD, \$19,700.35, resale; Valiant Vineyard, \$528.00, resale; World of Coffee, \$836.14, resale.

**WATER** - A&L contractors, \$2,500.00, refund; Black Hills Energy, \$13,959.69, util; Black Hills Pioneer Weekly Pro, \$22.18, pub; City of Sturgis Water Dept, \$126.52, util; EJ Cole, \$12.14, refund; Core and Main, \$2,082.47, rep; G&H Distributing, \$282.89, rep; Grocery Mart,

\$41.16, rep; Hawkins, \$40.00, sup; MasterCard, \$3,686.54, sup; Montana Dakota Utilities, \$166.12, util; Pete Lien and Sons, \$124.00, rep; Sacrison Paving, \$2,428.58, rep; SD One Call, \$129.92, prof fee.

**WASTEWATER** – Black Hills Energy, \$2,615.60, util; EJ Cole, \$12.86, refund; G&H Distributing, \$91.94, sup; MasterCard, \$404.51, rep; Midcontinent Testing Lab, \$503.20, prof fee; Montana Dakota Utilities, \$61.17, util.

**SANITATION** – Black Hills Occupational Medicine, \$35.00, prof fee; City of Belle Fourche, \$28,969.59, other; Dale’s Tire and Retreading, \$1,468.00, sup; Wayne Edwards, \$273.00, refund; Richard Hardy, \$273.00, refund; Lynn’s Dakotamart, \$14.00, sup; MasterCard, \$4,942.85, sup; Safety Vision, \$131.45, sup; Sanitation Products, \$379.24, rep.

**AMBULANCE** - 3E Electrical Engineering, \$80.00, rep; A&B Welding, \$440.40, sup; Black Hills Energy, \$610.99, utl; Butte County Auditor, \$286.06, refund; City of Sturgis Water, \$468.24, uti; Custer Ambulance Service, \$450.00, travel; Heiman Fire Equipment, \$4,556.60, sup; Henry Schein, \$976.80, sup; Image Trend, \$408.00, prof fee; MasterCard, \$7,242.37, sup; Medical Waste Transport, \$138.75, other; Montana Dakota Utilities, \$36.16, utl; Physio-Control, \$4,569.45, rep; Shopko Stores, \$50.36, sup; tom’s T’s, \$1,185.65, sup; Wires R Us, \$1,021.84, rep.

Motion by Bachand, second by Waterland and carried with all members present unanimously voting yes to approve Resolution 2018-54 - Street Closure, Open Container and Use of City Property on 9-1-18 for the Mustang Rally.

**RESOLUTION 2018 - 54**

**A RESOLUTION TO CLOSE STREETS TO CREATE AN SHOW AND SHINE AREA, AND TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY**

WHEREAS, the Sturgis Mustang Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis has supported the Sturgis Mustang Rally event in past years, and

WHEREAS, the Sturgis Mustang Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis, and

WHEREAS, the request from the Sturgis Mustang Rally is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED that any banner to be installed by Sturgis Pubic Works staff shall be delivered in to the Public Works Department on Dudley Street by Friday, August 24th in condition suitable for installation on Monday, August 27th, and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall close certain streets to the public for a limited period of time to establish a Show and Shine event area on September 1, 2018, from 2:00 am until 8:00 pm, on the public streets as follows:

- a. On Main Street, beginning at the east edge of the Right of Way of 4<sup>th</sup> Street, and continuing east to intersection of Main Street and Junction Avenue, and resuming on the East side of Junction Avenue and continuing to the intersection of Main street and Middle street, and
- b. On First Street, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and

- c. On Harley-Davidson Way, between its intersection with Lazelle Street and south to its intersection with Sherman Street, and
- d. On Third Street, between its intersection with the alley south of Lazelle Street and then south to its intersection with Sherman Street, and

IT IS HEREBY FURTHER RESOLVED that the Sturgis Police Department will be authorized to ticket and tow illegally parked vehicles within that street closure area starting September 1, 2018 at 2:00 a.m. through 8:00 p.m. and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall establish an alcoholic beverage open container area on September 1, 2018 from 10:00 am to 7:00 pm, as authorized by Section 3.02.20(C) of Sturgis City Ordinance and SDCL 35-1-5.5, for those persons legally possessing an alcoholic beverage in the designated cup that is available for purchase from any on-sale licensees, on that public property open to the public, within area bounded as follows:

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,

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

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 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, continuing west from Middle Street to Fourth Street on the south side of Lazelle Street.

d. On the north, continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, and by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for 1st Street and along the south edge of Lazelle from Middle Street to Fourth Street.

e. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction Avenue, Main Street and Middle Street, Lazelle Street and Junction Avenue, 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. This also includes the Harley Davidson Rally Point.

This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The open container area does not include the City Library, any City Property not open to the public, and does not include any private property within the open container area.

Dated this 20th day of August, 2018.

Published: 8-27-2018  
Effective: Immediately

Motion by Martinson, second by Zerbst and carried with all members present unanimously voting yes to approve a Special Events License for the Loud American at the Sturgis Armory on 9-27-18 for the Ag Banquet.

Discussion and consideration of the City Hall Remodel was held. Roger Scheiman, Bernadette Usera and Bonnie Alberts asked questions about the project. Motion by Waterland, second by T. Keszler and carried with all members present unanimously voting yes to proceed with the design for the City Hall remodel using the schematics that were presented excluding the 2<sup>nd</sup> floor alternate that frames out the balcony.

Motion by Bachand, second by Zerbst and carried with all members present unanimously voting yes to deny a vendor fine refund for Pinar Recel owner of Biker Clothing Company.

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to approve first reading of Ordinance 2018-12 – Appropriation Budget for 2019.

Motion by T. Keszler, second by Bachand and carried with all members present unanimously voting yes to approve the 2018 Generational Capital Improvement Plan.

The following bids were received for the 9<sup>th</sup> Street Structure Replacement: Heavy Constructors, Inc. - \$1,210,913; Grangaard Construction, Inc.-\$1,036,974.45; AFC Civil, Journey Group - \$1,423,471.28.

Motion by Anderson, second by Waterland and carried with all members present unanimously voting yes to approve the low bid from Grangaard Construction of \$1,036,974.45 for the 9<sup>th</sup> Street Structure Replacement and authorize the City Manager to sign all paperwork associated with this project.

Motion by Crane, second by Martinson and carried with all members present unanimously voting yes to approve first reading of Ordinance 2018-08 – Title 6 – Cemetery.

For second reading, more language needs to be added on who will be hiring the contractor to do the digging of the grave. It will be up to the Funeral Director and Contractor if there will be weekend or holiday burials.

Any other business:

Councilor Waterland thanked City staff for a well-organized Rally and all the events were very good.

Bonnie Alberts stated that the law enforcement from out of town were very pleasant during the Rally. She also asked about the surplus motorcycles and the survey that was given out to the citizens.

Motion by Waterland, seconded by T. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 9:01 pm.

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

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

Published once at the total approximate cost of \$