

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, September 17, 2018 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Steve Keszler, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerbst. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by T. Keszler, second by Martinson and carried with all members present unanimously voting yes to approve the agenda.

Motion by Zerbst, second by Anderson and carried with all members present unanimously voting yes to go into executive session for two legal cases, one contract and one personnel at 6:00 pm.

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

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Planning Commission – 9/5/18 minutes

Announcements:

- Mayor Carstensen proclaimed September 17-23 as Constitution Week.
- Congratulations to Gary Matthews for receiving the Tom Brokaw award.
- Congratulations to Coach Steve Kessler for the induction into the Coaches Hall of Fame.

City Manager Ainslie reported:

- City Manager Ainslie reported that the final assessed valuation was received from the County. The mill levy for property taxes for 2018 payable in 2019 will drop by .6%. Last year the mill levy dropped by .7% for a reduction of .13% in two years.
- The sales tax update for General Sales Tax and Capital Improvement Tax for July collected in August was up 6.2% month over month and up 0.7% year over year. The Gross Receipts Tax (triple B) was up 7.8% month over month and up 10.5% year over year.
- Payroll Changes – within budget:
 1. Ambulance Dept – EMT-B – Kerri Casteel – no wage change, \$1.50 stipend when billing; Paramedic – Rachel Sirignano - \$17.00.
 2. Liquor Store Dept – Sales Clerk – Isabella Moelter - \$10.00.
 3. Community Center Dept – Front Desk – TBD - \$8.85.
 4. Recreation Dept - Referee – Mike Abell, Michael Snyder - \$20 per game K-2nd grade, \$25 per game 3rd-6th grade; Morning Yoga Instructor – Megan Jones - \$8.85.

Motion by Bachand, second by Waterland and carried with all members present unanimously voting yes to approve the following items on the consent calendar with the exception of the removal of f:

- a. Consideration of minutes from the September 4, 2018 regular council meeting.
- b. Consideration of setting a public hearing on October 1, 2018 for a Special Events License for the Loud American at the Armory on October 13, 2018 for a wedding reception.

- c. Consideration of setting a public hearing on October 1, 2018 for a Special Events License for the Loud American at Harley-Davidson Rally Point on November 29, 2018 for the Tree Lighting Ceremony.
- d. Consideration of setting a public hearing on October 1, 2018 for a Special Events License for the Loud American at the Community Center on October 12, 2018 for the Kiwanis Club's Governor's Visit.
- e. Consideration of authorizing use of a City vehicle as a courtesy vehicle for visiting pilots.
- ~~f. Consideration of Resolution 2018-58 – Plat of Lot 17R, Block 29 of Original Town for Dale Punt.~~
- g. Consideration to approve Resolution 2018-57 - Apply for a SDDOT Transportation Alternative Grant for a bike path to connect the existing Deadman Trail to the proposed Sturgis non-motorized trails south of town.

RESOLUTION 2018-57

APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM ASSISTANCE IN BUILDING VANOCKER CANYON BIKE PATH

WHEREAS, the City of Sturgis desires to construct a Vanocker Canyon Bike Path for the citizens of Sturgis and their families; and,

WHEREAS, the Vanocker Canyon Bike Path will connect to existing bike paths for safer access to area businesses and activities; and,

WHEREAS, the Vanocker Canyon Bike Path will provide a safe alternative for pedestrians, seniors, and mobility challenged to safely access schools, stores and the clinic/ hospital; and,

WHEREAS, the Vanocker Canyon Bike Path will connect to existing mountain bike trails on the United States Forest Service property; and,

WHEREAS, in order to construct the desired Vanocker Canyon Bike Path an Application for Transportation Alternative Assistance must be submitted.

NOW THEREFORE BE IT RESOLVED, that the City Manager is authorized to sign the above stated application on behalf of the City of Sturgis, South Dakota.

Dated this 17th day of September 2018.

Published: 09/26/2018

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- h. Consideration of Use of City Property for the PAL 2018 Youth Mt Bike Race Series.
- i. Consideration of 2018 Homecoming Parade Route on September 28, 2018.
- j. Consideration to authorize the Mayor to sign all contracts and documents for the Airport Fuel system.

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to approve Resolution 2018-58 – Plat of Lot 17R, Block 29 of Original Town for Dale Punt.

RESOLUTION 2018-58 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 Dale A Punt and Nancy A Punt:

Plat of Lot 17 R, Block 29 of Original Town of Sturgis and Dedicated Public Right-Of-Way for Dudley Street. Formerly Lot 17, Lot 18 and Lot 19R, Block 29 of Original Town of Sturgis. All Located in the NE ¼ of the NE ¼ of the NE ¼ of Section 9, 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 17th day of September, 2018.

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Motion by Zerbst, second by S. Keszler and carried with all members present unanimously voting yes to approve the following claims:

WAGES – Ambulance \$27,418.15; Attorney \$5304.06; Auditorium \$189.76; Buildings \$1885.19; Cemetery \$1974.81; City Manager \$7650.01; Community Center \$10,944.40; Finance Office \$11,146.71; Fire Department \$166.54; Human Resource \$8316.60; Library \$9191.76; Liquor \$5931.19; Mayor and Council \$3761.77; Parks \$12,714.53; Planning & Permitting \$10,154.44; Police \$40,552.27; Rally \$11,821.26; Recreation \$2923.71; Sanitary Service \$17,609.60; Special Sales Tax \$1923.08; Streets \$13,625.87; Wastewater \$11,079.81; Water \$13,084.37; Federal Withholding \$21,097.41; FICA \$16,686.77.

GENERAL – A&B Business, \$182.76, rep; A&B Welding, \$111.66, sup; A&J Surplus, \$97.64, sup; Aramark Educational Services, \$816.00, sup; Arctic Glacier USA, \$476.00, sup; Baymont Inn & Suites, \$700.00, rent; Bergers & Bergers, \$400.00, rent; Bierschbach Equipment, \$289.25, other; Black Hills Energy, \$16,376.19, util; Black Hills Rally & Gold, \$36.00, sup; Nathan Borg, \$57.25, sup; Bridger Construction, \$2,602.04, other; Brosz Engineering, \$515.00, prof fee; Cash-Wa Distributing, \$145.45, resale; Jerry Cole, \$41.78, sup; Culligan of the Black Hills, \$47.00, sup; Dakota Extinguisher & Safety, \$24.00, rep; Meghan Eakins, \$75.00, sup; Foothills Seed, \$300.00, sup; Nicolis Forbes, \$30.00, other; Grafix Shoppe, \$249.42, equip; Grocery Mart, \$104.25, sup; Haggerty's Musicworks, \$153.06, rep; Hillyard, \$141.55, sup; KNKL Radio, \$1,500.00, pub; Aaron Lukesh, \$30.00, other; Lynn's Dakotamart, \$1,313.19, sup; Marco Technologies, \$204.34, rep; Valerie Martin, \$402.21, travel; MasterCard, \$73,244.83, sup; MB Tree & Landscape, \$450.00, other; Meade County Auditor, \$24,318.68, other; Meade County Register of Deeds, \$360.00, other; Mid-American Research, \$92.43, sup; MDU, \$3,106.19, util; Northern Hills Vet Clinic, \$2,285.53, prof fee; O'Reilly Auto Parts, \$13.68, rep; Brian Owen, \$30.00, other; Park Avenue Car Wash, \$35.00, sup; Petty Cash, \$9.30, sup; Postmaster, \$150.00, sup; Precision Carpet Contractors, \$600.00, rep; Quick Signs, \$345.44, sup; Halli Schulz, \$81.79, sup; SD Municipal League, \$460.00, travel; SD Planners Assn, \$180.00, travel; Shooters Images,

\$1,000.00, sup; Shopko Stores, \$71.99, sup; Speedy Lube, \$169.09, sup; Sterling West, \$1,743.00, sup; Sturgis Photo & Gifts, \$199.98, TASC, \$1,628.22, ins; TBS Electronics, \$295.00, sup; The Knuckle Saloon & Steak House, \$740.00, sup; Tom's T's, \$248.65, sup; Town-n-country Plumbing, \$95.61, sup; Twilight First Aid, \$144.54, sup; Uline, \$722.40, sup; Warne Chemical, \$27.50, other; Wolff's Plumbing & Heating, \$316.20, rep; Zylstra Towing, \$240.00, other.

SPECIAL SALES TAX – Black Hills Energy, \$439.62, util; MasterCard, \$12,169.80, promo; MDU, \$81.08, util.

CAPITAL IMPROVEMENTS – A&L contractors, \$38,679.44; Ainsworth Benning, \$195,259.11; Border States Electric, \$316.51; Brosz Engineering, \$4,724.81; Fennell Design, \$5,398.44; MasterCard, \$676.60; Pete Lien & Sons, \$586.75; Rockingtree Landscape, \$6,063.50.

BUSINESS IMPROVEMENT DISTRICT – Bureau of Land Management, \$4,954.00, sup; DRT Racing, \$16,000.00, sup; Lynn's Dakotamart, \$9.38, sup; MasterCard, \$2,605.85, sup; Nohava's Customer construction, \$7,600.00, sup; Pro Q Motorsports, \$802.04, pub; Gary Renner, \$500.00 prof fee.

HOTEL OCCUPANCY TAX DISTRICT – MasterCard, \$47.27, other.

LIQUOR – Arctic Glacier USA, \$171.40, resale; Belle Joli Winery, \$157.50, resale; Black Hills Energy, \$2,344.36, util; Cash-Wa Distributing, \$873.54, resale; Cask & Cork, \$277.25, resale; Coca Cola, \$464.00, resale; Dakota's Best Distributing, \$329.90, resale; Duhamel Broadcasting, \$2,991.00, pub; Fat Boys, \$111.00, resale; Fisher Beverage, \$9,167.95, resale; Johnson Western Wholesale, \$16,752.81, resale; Lynn's Dakotamart, \$33.92, sup; MasterCard, \$4,551.05, sup; MDU, \$20.40, util; Pepsi Cola, \$86.50, resale; Quality Brands of the Black Hills, \$12,385.30, resale; Republic Beverage, \$26,473.42, resale; Southern Glazer's of SD, \$964.53, resale, TASC, \$88.62, ins.

WATER – Black Hills Energy, \$14,851.22, util; Border States Electric, \$2,500.00, refund; Core & Main, \$825.76, sup; Grocery Mart, \$29.18, rep; Lock & Fixit, \$190.00, rep; MasterCard, \$3,883.54, sup; MDU, \$144.97, util; Spirit of Sturgis, \$2,500.00, refund; TASC, \$160.80, ins; Town-n-Country Plumbing, \$138.99, rep; West River Lawn & Snow, \$988.75, rep.

WASTEWATER – Adams-ISC, \$1,758.72, rep; Black Hills energy, \$2,516.64, utl; MasterCard, \$2,180.86, rep; MDU, \$52.94, util; SD Municipal League, \$65.00, travel; TASC, \$106.92, ins.

SANITATION – Black Hills Energy, \$12.00, util; Lynn's Dakotamart, \$7.98, sup; MasterCard, \$8,459.08, sup; Petty Cash, \$10.00, sup; SDSWMA, \$400.00, prof fee; TASC, \$179.88, ins.

AMBULANCE – A&B Welding, \$498.28, sup; A&J Surplus, \$17.29, sup; Black Hills Energy, \$762.74, util; Nellie Isaacs, \$304.85, sup; Lynn's Dakotamart, \$20.10, sup; MasterCard, \$5,129.20, sup; MDU, \$39.57, util; Halli Schulz, \$81.79, sup; Shopko Stores, \$569.90, sup; TASC, \$216.36, ins.

Motion by Martinson, second by Waterland and carried with all members present unanimously voting yes to approve Resolution 2018-59 - Street Closure for the Off-Road Rally on September 21-23, 2018.

RESOLUTION 2018 - 59

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

WHEREAS, this will be the second year for this event and the City of Sturgis supports the Off-Road Rally, and

WHEREAS, the Off Road 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 Off Road Rally is permitted under the authority of state law;

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 22, 2018, from 2:00 pm until 10:00 pm, on the public street as follows:

- a. Harley-Davidson Way, closed from Lazelle Street south to Sherman Street, with the alley way to remain open, 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 22, 2018 at 2:00 a.m. through 10:00 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 22, 2018 from 1:00 pm to 9:00 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 17th day of September, 2018.

Published: 09-26-2018
Effective: Immediately

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to approve a special events license for the Knuckle Saloon at H-D Rally Point on September 22, 2018 for the Octoberfest/Off-Road Rally.

Motion by S. Keszler, second by Martinson and carried with all members present unanimously voting yes to approve an 8' variance to the 18' side yard setback for a corner lot and to the minimum requirement for lot size at 1015 Nellie for Sam Mudlin for a new garage/apartment.

Motion by Waterland, second by Anderson and carried with all members present unanimously voting yes to approve a 2' variance to allow a 6' fence height within the front 25' of the house at 1221 Howard for Tyler and Sandra Chamberlain.

Motion by Crane, second by Martinson and carried with all members present unanimously voting yes to approve a contract for after hour's intubation services by Sturgis Ambulance for Sturgis Regional Hospital.

Motion by Waterland, second by Zerbst and carried with all members present unanimously voting yes to approve first reading of Ordinance 2018-13 – Title 18 – Zoning - Chapter 18.05.09 – GC1- General Commercial District with the correction of the typo.

Motion by T. Keszler, second by Martinson and carried with all members present unanimously voting yes to approve the 2018 Bike Path Plan.

Any other business:

Bonnie Alberts thanked the Mayor/Council/Staff for all the events that have happened in Sturgis this summer. She also thanked the community for coming together for the Fisher Family in their time of tragedy.

Motion by Waterland, seconded by T. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 7:39 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$