

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, November 5, 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 Zerbst, second by Waterland and carried with all members present unanimously voting yes to approve the agenda.

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

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

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- MUB Board – 9/25/18 minutes
- Planning Commission – 10/16/18 minutes
- Library Board – 10/3/18 minutes
- Pat Kurtenbach and Amanda Anglin gave the SEDC 2018 Report to Council. Pat Kurtenbach will be retiring on January 4, 2019. Amanda Anglin will be the new Executive Director for SEDC.

Announcements:

- Mayor Carstensen declared November 1, 2018 as Extra Mile Day.
- Get out and vote tomorrow.

City Manager Ainslie reported:

- Motion by T. Keszler, second by Waterland and carried with all members present unanimously voting yes to approve the appointment of Kelly Magdanz to the Library Board until May 2019 which will finish out the term.
- Payroll Changes – within budget:
 1. Community Center Dept – Front Desk Attendant – Paige Jensen, Dawson Schieffer - \$8.85.
 2. Recreation Dept – Referee – Ashley Abel - \$20/game K-2 grade, \$25/game 3-6 grade, \$20/day as Building Supervisor; Devon Crowe, Vicki Even, Olivia Jolley, Kyle Hencke, Caleb Walker, Nick Whealey - \$20/gam K-2 grade, \$25/game 3-6 grade.
 3. Water Dept – Water Operator – Wyatt Hix - \$15.19.

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

- a. Consideration of minutes from the October 15, 2018 regular council meeting.
- b. Consideration of setting a public hearing on November 19, 2018 for the 2019 Retail on-sale Liquor and Retail on-off sale Wine License Renewals.

- c. Consideration of setting a public hearing on November 19, 2018 for a Use of City Property, Lifting of Open Container Law for the Winter Frostival at Rally Point on November 29, 2018 and Street Closure for the Parade of Lights on November 30, 2018.
- d. Consideration of setting a public hearing on November 19, 2018 for a 2.5' Variance to install a porch at 1135 Boulevard Street for Doug Van Steenwyck.
- e. Consideration of setting a public hearing on November 19, 2018 for a Voluntary Development Agreement for Gloria Peterson and Cheryl Goodall at Lot 1, Block 1 of Glover's 3rd Addition.
- f. Consideration of Resolution 2018-69 – Plat of Lots 1-2, Barry Subdivision for Timothy and Debbie Patmore at 3009 Vanocker Canyon Road.

**RESOLUTION 2018-69
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 Timothy F. Patmore and Debbie E. Patmore:

Plat of Lot 1 and Lot 2 of Barry Subdivision. Formerly the North 111.25' of the Remainder of Lot C and the South 55' of Lot C of the NE ¼ of the SE ¼ of Section 16. 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 5th day of November, 2018.

Published: 11-13-2018

Effective: 12-04-2018

- g. Consideration of Resolution 2018-68 – Plat of Lots AR & BR of Tract 1-R of Pine Glen Subdivision for Timothy Wiederrich and Jan Masden of 2535 & 2541 Pine Glenn Dr.

**RESOLUTION 2018-68
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 Timothy L. Wiederrich and Jan Masden:

Plat of Lot AR and Lot BR of Tract 1-R of Pine Glen Subdivision. Formerly Lot A and Lot B of Tract 1-R of Pine Glen Subdivision. All Located in the SE ¼ of the NE ¼ of the NE ¼ and the SE 1/4 of the NE ¼ of Section 17, Township 5 North, Range 5 East, Black Hills Meridian, 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.

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- h.** Consideration of SEDC Professional Services Contract.
- i.** Consideration of setting a public hearing on November 19, 2018 for Resolution 2018-70 - Intent for Annexation for Old Stone Road.

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

WAGES – Ambulance \$24,014.83; Attorney \$3949.87; Auditorium \$189.76; Buildings \$1142.25; Cemetery \$1899.73; City Manager \$4472.14; Community Center \$10,232.61; Finance Office \$9159.26; Fire Department \$129.17; Human Resource \$6200.78; Library \$9378.98; Liquor \$6418.63; Mayor and Council \$3761.77; Parks \$10,386.06; Planning & Permitting \$8270.62; Police \$37,511.25; Rally \$7388.62; Recreation \$2881.55; Sanitary Service \$15,008.72; Special Sales Tax \$1923.08; Streets \$11,738.96; Wastewater \$8456.08; Water \$12,581.62; Federal Withholding \$15,507.84; FICA \$14,222.90.

COMBINED CASH FUND – First Interstate Bank, \$2,000.00, ATM; Connie Ruebel, \$32.12, refund; Samson, Inc., \$472.14, refund.

GENERAL – A&B Business, \$591.33, sup; Laura Abernathy, \$500.00, ins; Active 911, \$337.50, prof fee; Armscor Cartridge, \$3,700.00, sup; Bar-Sto Precision Machine, \$26.63, rep; Bear Butte Valley Water, \$176.50, util; Bierschbach Equipment, \$113.40, other; Black Hills Door Systems, \$498.00, rep; Black Hills Energy, \$6,702.57, util; Black Hills Harley Davidson, \$111.12, sup; Fay Bueno, \$500.00, ins; Roger Burnham, \$3,500.00, prof fee; Cash-Wa Distributing, \$297.59, resale; Central States Sanitation, \$240.00, rep; Chain Saw Center, \$1,223.84, equip; City of Sturgis Water Dept, \$4,792.21, util; Dakota Battery & Electric, \$189.56, rep; Dakota Extinguisher & Safety, \$256.00, rep; Dakota Hardware, \$159.56, rep; Double Star Computing, \$3,925.68, prof fee; Equipment Blades, \$1,100.00, rep; Fence Crafters, \$121.00, rep; Orville Fisher, \$262.73, sup; GOSCMA, \$100.00, other; Ken Grosch, \$60.00, other; Jake's Collision Repair, \$573.50, rep; Jim's Auto Salvage, \$40.00, rep; Junction Avenue Floral & Gifts, \$32.00, other; Lacial Equipment, \$250.12, rep; Mark Larive, \$1,009.75, rep; Lawson Products, \$154.23, sup; Autumn Lyons, \$22.97, reimb; Marco Technologies, \$80.93, rep; Dan Mayer, \$258.00, reimb; MB Tree & Landscape, \$4,000.00, other; McGas Propane, \$8.00, rep; Meade County Auditor, \$10,830.94, other; Meade County Register of Deeds, \$90.00, plat fee; MotionSoft, Inc.,

\$450.00, prof fee; Motorola Solutions, \$3,561.08, equip; Otis Elevator, \$656.25, rep; Richard Otten, \$560.00, refund; Brian Owen, \$30.00, other; Park Avenue Car Wash, \$15.60, sup; Pete Lien & Sons, \$428.19, sup; Postmaster, \$2,500.00, sup; Purchase Power, \$420.21, sup; Race Wheels consulting, \$650.00, other; S&C Cleaners, \$3,000.00, rep; SD Office of Attorney General, \$2,142.30, refund; Setcom Corporation, \$7,891.78, equip; Simon North Region SD, \$3,065.27, sup; Sturgis Ambulance, \$1,226.00, ins; Sturgis Motorsports, \$109.99, rep; Subway, \$79.98, sup; Summit Signs & Supply, \$140.00, sup; Traffic Control Corporation, \$7,920.00, rep; Turbiville Industrial Electric, \$983.29, sup; Ultramax, \$562.44, sup; Weimer's Diner & Donuts, \$22.20, sup; Western Communications, \$100.00, equip; Xtreme Dakota Bicycles, \$369.95, sup; Z&S Dust Control System, \$4,898.50, rep.

SPECIAL SALES TAX – Sturgis Area Chamber of Commerce, \$3,775.33; Sturgis Economic Development Corp, \$8,500.00.

CAPITAL IMPROVEMENT – Acterra Group, \$80,542.85; Ainsworth Benning Const, \$736,220.14; American Engineering Testing, \$1,240.00; Brosz Engineering, \$1,637.74; Fence Crafters, \$242.00; Fennell Design, \$28,421.89; Johnson Controls, \$208.20; Kadmas, Lee & Jackson, \$12,353.48; Nice Rink, \$5,233.46.

BUSINESS IMPROVEMENT DISTRICT – Central States Sanitation, \$880.00, sup; Park Avenue Car Wash, \$14.75, sup; The Knuckle Saloon & Steak House, \$442.00, sup.

EQUIPMENT REPLACEMENT FUND – Stepp Mfg, \$22,809.00.

LIQUOR – Arctic Glacier, \$97.44, resale; Badlands Distillery, \$246.33, resale; Black Hills Energy, \$779.78, util; Cash-Wa Distributing, \$718.13, resale; Cask & Cork, \$518.25, resale; City of Sturgis Water Dept, \$576.29, util; Coca cola, \$906.00, resale; Dakota Hardware, \$18.98, sup; Dakota's Best Distributing, \$176.00, resale; Double Star Computing, \$107.66, prof fee; Fat Boys, \$225.00, resale; Fisher Beverage, \$10,344.15, resale; Johnson Western Wholesale, \$29,487.55, resale; Pepsi Cola, \$148.50, resale; Prairie Berry, \$771.00, resale; Quality Brands of the BH, \$14,418.92, resale; Republic Beverage, \$53,423.86, resale; Southern Glazer's of SD, \$1,382.42, resale; Valiant Vineyard, \$144.00, resale.

WATER – APWA, \$196.00, prof fee; Black Hills Energy, \$5,209.63, util; City of Sturgis Water Dept, \$134.08, util; Credit Collections Bureau, \$108.08, prof fee; Dakota Hardware, \$38.42, rep; Dakota Pump & Control, \$1,653.06, rep; Double Star Computing, \$152.66, prof fee; Hawkins, \$179.89, sup; SD One Call, \$79.52, prof fee; West River Lawn & Snow, \$52.50, rep.

WASTEWATER – Advanced Engineering & Environmental, \$1,254.25, cap imp; Black Hills Energy, \$3,045.15, util; Dakota Hardware, \$7.68, rep; Double Star Computing, \$152.66, prof fee; Flexible Pipe Tool Co, \$2,064.30.

SANITATION – Allstate Peterbilt of Rapid City, \$51.17, sup; Black Hills Energy, \$15.08, util; Century Link, \$60.76, util; City of Belle Fourche, \$21,449.86, other; Double Star Computing, \$152.66, prof fee; Johner & Sons, \$5,220.00, refund; Laclede Equipment, \$340.16, rep; Levi Littler, \$420.84, ins; Midwest Auto Chemical, \$215.40, sup; Transource Truck & Equip, \$127.01, rep.

AMBULANCE – Active911, Inc., \$337.50, prof fee; Black Hills Energy, \$270.92, util; City of Sturgis Water Dept, \$312.34, util; Dakota Hardware, \$28.52, sup; Double Star Computing, \$122.66, prof fee; Fence Crafters, \$121.00, rep; Henry Schein, \$748.21, sup; Image Trend, \$456.00, prof fee; Mark Larive, \$1,009.74, rep; Medica, \$43.69, refund; Medical Waste Transport, \$277.50, other; Ramkota Hotel, \$899.91, travel; Regional Health, \$182.00, sup; Western Communications, \$872.00, sup.

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve a variance to the 10' side setback at 600 Anna Street for Sturgis Brewing Company.

Motion by Waterland, second by Zerbst and carried with all members present unanimously voting yes to approve Resolution 2018-67 – Supplemental Appropriations.

**RESOLUTION 2018-67
SUPPLEMENTAL APPROPRIATIONS
CONTINGENCY TRANSFERS
INSURANCE AND GRANT SUPPLEMENTS
2018 FISCAL BUDGET**

WHEREAS, it appears that there will be insufficient funds in the 2018 Budget, to carry out the indispensable functions of government. It is proposed that the following Supplemental Contingency Transfer Appropriations and Grants supplements be adopted. This will become effective immediately upon passage.

CONTINGENCY:

FROM: 101-41100-42910 Contingency – \$15,000

TO: Streets – 101-4311-42500 – Repairs and Maintenance - \$15,000

GRANTS: Police: 101-4211-43400 Machinery and Equipment - \$37,888

INSURANCE: Street Lighting – 101-4316-42500 – Repairs & Maintenance - \$13,945

Dated this 5th day of November 2018.

Published: 11-13-2018

Effective: 12-04-2018

The following conditions will be met by the developer (Mike Strain) prior to filing the Palisades plat that was approved on July 30, 2018:

1. The following note will be added to the plat, “The cost of maintaining the water lines from the master curb stop to the 4-plex townhomes will be the responsibility of the home owners.”
2. Proof of an addendum to be placed on all sales agreements which reads, “The cost of maintaining the water lines from the master curb stop to the 4-plex townhomes will be the responsibility of the home owners.”
3. The following note will be added to the covenants, “It is specifically acknowledged that the water maintenance and/or repair on any lot that is serviced by a master curb stop providing a separate water service to that lot is responsibility of the lot owners, and adjoining landowner access for those purposes is granted, and it shall be reflected on the plat.

Any other business:

None

Motion by S. Keszler, seconded by Waterland and carried with all members present unanimously voting yes to adjourn the meeting at 7:04 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$150.61.