

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 22, 2019 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 Bachand and carried with all members present unanimously voting yes to approve the agenda with the following move (d.) from the Consent Calendar to the City Manager's Report.

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

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

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Planning Commission – 1/8/19 minutes

Announcements:

- Starting Friday, January 25th petitions can be taken out for Mayor and Council positions that are open.
- Friday, January 25th is Classic Movie Night at the Community Center Theater. On Golden Pond is showing.
- The Christmas tree drop offs will be closed this week.

City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for November collected in December was up 13.7% month over month and up 1.5% year over year. The Gross Receipts Tax (triple B) was up 14.5% month over month and up 4.2% year over year.
- Payroll Changes – within budget:
 1. Community Center Dept – Front Desk Attendant – Taylor Eby - \$9.10; Lifeguard – Jocelyn Zook – \$10.50.
 2. Rally and Events Dept – Intern – Holly Martyniuk - \$10.00.
 3. Library Dept - Adult Outreach and Programming Librarian – Lee Stroschine - \$13.05.
 4. Ambulance Dept – Part-time EMT-Basic – Jarrod VanDewater, James Twichell, Dusty Barker, Alexis Iverson, Amethyst Milburn, Casey Baker, Katy Thompson - \$9.10 (\$12 after orientation); Advanced EMT – Josh Williams - \$9.10 (\$15 after orientation); Paramedics – Derek Swain - \$9.10 (\$17 after orientation).
 5. Liquor Store – Part-time clerk – Ryan Duprel - \$10.00.

Motion by Waterland, second by Bachand 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 7, 2019 regular council meeting.
- b. Consideration of setting a public hearing for February 4, 2019 for a street closure on February 16, 2019 for the Sturgis Frostathlon (winter triathlon).

- c. Consideration of Resolution 2019-11 – Plat of Revised Lots A-E of Sturgis Townhouse Subdivision #1 at 1211-1227 Nellie Street for the Landowner Group

**RESOLUTION 2019-11
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 Janet C. Friedel, Dale R. Hansen, Shirley Aileen Jenks and Bonnie Lange:

Plat of
Lot A Revised, Lot B Revised, Lot C Revised, Lot D Revised
and Lot E Revised of Sturgis Townhouse Subdivision No. 1.
Formerly Lots A, B, C, D and E of Sturgis Townhouse Subdivision No. 1,
All located in 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 22nd day of January 2019.

Published: 01-30-19

Effective: 02-20-19

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

WAGES – Ambulance \$20,314.53; Attorney \$4034.99; Auditorium \$193.74; Buildings \$1165.28; Cemetery \$2218.34; City Manager \$4567.71; Community Center \$10,008.37; Finance Office \$9779.88; Fire Department \$17.20; Human Resource \$6782.94; Library \$9937.60; Liquor \$5523.52; Mayor and Council \$3837.04; Parks \$11,032.88; Planning and Permitting \$8899.69; Police \$42,803.45; Rally \$8407.84; Recreation \$2966.35; Sanitary Service \$15,883.52; Streets \$12,952.20; Wastewater \$9148.07; Water \$13,473.92; Federal Withholding \$16,155.11; FICA \$14,712.98.

COMBINED CASH FUND – Legacy Kitchen & Bath, \$31.21, refund; Margarete Mutchler, \$39.60, refund.

GENERAL – Active 911, Inc., \$70.90, prof fee; Altec Industries, \$62.55, rep; Amazon, \$31.09, sup; Baker & Taylor, \$113.27, sup; Elvira Bender, \$1,000.00, ins; Black Hills Energy, \$13,749.59, util; Black Hills Occupational Medicine, \$30.00, prof fee; Black Hills Pioneer/Weekly Pro, \$434.73, pub; Nathan Borg, \$409.90, ins; Brosz Engineering, \$855.00, prof fee; Century Link, \$335.27, util; Children's Home Society, \$150.00, prof fee; City of Sturgis Water Dept, \$2,014.47, util; Judd Crowser, \$500.00, ins; Culligan of the Black Hills, \$51.00, sup; Dakota Extinguisher & Safety, \$24.00, rep; Tony Dargatz, \$343.90, ins; Tamera Even, \$23.78, sup; Fat Boys Investments, \$360,000.00, rent; FBI National Academy Associates, \$105.00,

travel; Grocery Mart, \$38.52, sup; Ken Grosch, \$30.00, other; Rod Heikes, \$79.00, ins; Jacobs Precision Welding, \$320.00, sup; Junction Avenue Floral & Gifts, \$24.95, sup; Ketel Thorstenson, \$531.61, prof fee; Key City Glass, \$75.00, rep; Legendary Electric, \$637.76, sup; Liberty Chevrolet, \$120.75, rep; Lighting Maintenance, \$7,786.84, rep; Lynn's Dakotamart, \$117.51, sup; Marco Technologies, \$79.81, rep; Valerie Martin, \$500.00, ins; MasterCard, \$32,786.61, sup; MatFactor, \$87.65, rep; Meade County Auditor, \$14,865.06, other; MG Oil Co, \$33,899.00, sup; MDU, \$8,200.46, util; Motorola Solutions, \$2,538.46, sup; North Central International, \$2,494.10, rep; O'Reilly Auto Parts, \$168.13, rep; Julie Peterson, \$131.57, ins; Marty Plaggemeyer, \$500.00, ins; Purchase Power, \$500.00, sup; Rapid delivery, \$13.23, sup; S&C Cleaners, \$3,000.00, rep; Billy Schlosser, \$30.00, other; Shopko Stores, \$424.52, other; Speedy Lube, \$362.92, sup; Danny Stacy, \$500.00, ins; Stan Houston Equipment, \$19.99, sup; Sturgis Volunteer Fire Dept, \$764.43, travel; TASC, \$2,038.35, ins; The Corner Station, \$56.94, sup; Town-n-Country Plumbing, \$69.80, rep; Tracker Software Corp, \$2,403.99, prof fee; Twilight First Aid & Safety, \$185.19, sup; Ultra-Light Original, \$3,839.80, sup; Vanway Trophy & Award, \$37.85, other; Doug Wagner, \$379.78, ins; Weimer's Diner & Donuts, \$36.80, sup; West Payment Center, \$215.98, prof fee; Katryn Wood, \$1,000.00, ins.

SPECIAL SALES TAX – Black Hills Energy, \$808.55, util; Black Hills Trails, \$300.00, promo; MasterCard, \$3,378.26, promo; MDU, \$65.30, util.

CAPITAL IMPROVEMENT – American Engineering Testing, \$908.75; Fennell Design, \$22,127.00; MasterCard, \$1,050.00.

BUSINESS IMPROVEMENT DISTRICT – MasterCard, \$2,952.00.

REVOLVING FUND LOAN – Little Promises University, \$20,000.00.

LIQUOR – Arctic Glacier USA, \$50.25, resale; Lisa Boyer, \$500.00, ins; Cash-Wa Distributing, \$1,214.43, resale; Cask & Cork, \$718.14, resale; City of Sturgis Water Dept, \$292.98, util; Coca Cola, \$366.00, resale; Dakota's Best Distributing, \$175.70, resale; Fisher Beverage, \$6,151.75, resale; Johnson Western Wholesale, \$5,986.90, resale; Lynn's Dakotamart, \$98.53, sup; MasterCard, \$3,416.18, sup; MB Enterprises, \$164.00, resale; MDU, \$259.46, util; Pepsi Cola, \$58.00, resale; Quality Brands of the Black Hills, \$13,249.66, resale; Republic Beverage Co, \$8,989.18, resale; Shopko Stores, \$45.76, sup; Southern Glazer's of SD, \$553.69, resale; Sturgis Coffee Co, \$100.00, sup; TASC, \$143.63, ins.

WATER – Russell Abernathy, \$500.00, ins; Advanced Asset Alliance, \$53.46, prof fee; Black Hills APWA, \$20.00, prof fee; Black Hills Energy, \$844.71, util; Black Hills Pioneer Weekly Pro, \$66.99, pub; City of Sturgis Water Dept, \$126.52, util; Grocery Mart, \$9.28, rep; Jay Grubl, \$811.26, refund; Hawkins, \$40.00, sup; Wyatt Hix, \$103.42, ins; MasterCard, \$2,597.82, sup; Midcontinent Testing Lab, \$161.00, prof fee; MDU, \$371.67, util; Dale Olson, \$1,000.00, ins; Powerplan, \$155.00, rep; Speedy Lube, \$68.98, sup; TASC, \$184.19, ins; Tracker Software, \$801.33, prof fee.

WASTEWATER – Dakota Redi-Mix, \$330,994.95, cap imp; MasterCard, \$1,662.34, rep; MDU, \$54.23, util; SD DENR, \$6,500.00, prof fee; TASC, \$143.63, ins; Tracker Software, \$801.34, prof fee.

SANITATION – A&J Surplus, \$65.37, rep; Black Hills Energy, \$12.97, util; City of Belle Fourche, \$17,449.54, other; Bill Coacher, \$500.00, ins; Lynn's Dakotamart, \$7.98, sup; MasterCard, \$2,106.05, sup; TASC, \$279.53, ins; Tracker Software, \$801.34, prof fee.

AMBULANCE – Active911, \$70.90, prof fee; Justin Boerboom, \$200.00, travel; City of Sturgis Water Dept, \$84.76, util; Image Trend, \$441.00, prof fee; Ronnie Long, \$69.78, refund; Lynn's Dakotamart, (\$30.08), sup; Lexi Manolovits, \$170.00, travel; MasterCard, \$3,793.43, sup; Medicare Part B, \$215.66, refund; Adam Miles, \$200.00, travel; MDU, \$306.13, util; Motorola Solutions, \$44,022.62, sup; PWW Media, \$3,075.00, travel; SD Ambulance Assn, \$435.00, travel; TASC, \$98.33, ins; Hannah Updike, \$200.00, travel; Western Communications, \$1,235.00, sup.

Motion by Bachand, second by T. Keszler and carried with Bachand, Carstensen, S. Keszler, T. Keszler, Martinson, and Waterland voting yes and Anderson, Crane and Zerbst voting no to deny a variance of a 17’ side setback, and a 7’ rear setback and variance to the minimum size requirements for hard surfaced, off-street parking for Danny Lopez at 1304 Nellie St. Mr. Lopez will still be eligible to apply for an Encroachment Permit.

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to approve a Retail on/off sale Wine license for BW Gas and Convenience Retail, LLC (Yesway #1193) at 2350 Lazelle Street.

Motion by Waterland, second by Crane and carried with Anderson, Carstensen, Crane, S. Keszler, Martinson, Waterland and Zerbst voting yes and Bachand and T. Keszler voting no to approve first reading of Ordinance 2019-03 – Title 18 – Zoning – Downtown Overlay District with the following changes: 2. D – strike the words “or county” in the second sentence; 5. K – remove this sentence, 5. L – add the words “during non-operating hours and remove the last sentence”; 10. F- adding “screening as defined in 10 C”

Motion by Martinson, second by Waterland and carried with all members present unanimously voting yes to approve first reading of Ordinance 2019-04 – Title 32 – Animals with the following change to 32.03.07-Kennel License Requirement, it will be defined as it is in the Kennel definition and not give a number of animals that a person can possess with a commercial kennel.

Any other business:

Discussion was held by Mayor and Council about variances and the process of deciding how to handle them.

Motion by Crane, second by S. Keszler and carried with all members present unanimously voting yes to go into executive session for personnel at 8:19 pm.

Motion by Zerbst, second by S. Keszler to return to regular session at 9:18 pm.

Motion by Waterland, seconded by Crane and carried with all members present unanimously voting yes to adjourn the meeting at 9:19 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

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