

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, February 19, 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 Bachand, second by Waterland and carried with all members present unanimously voting yes to approve the agenda.

Motion by Crane, second by Martinson and carried with all members present unanimously voting yes to go into executive session for one legal case, two contracts and four personnel at 6:02 pm.

Motion by Martinson, second by Anderson to return to regular session at 6:38 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Library Board minutes from January 30, 2019.
- Planning Commission minutes from February 5, 2019.

Announcements:

- Mayor Carstensen proclaimed the month of February Dode Lee Month.
- The Library will have limited hours, 8:00 –5:00 pm from February 25th to March 1st.
- There will be a ribbon cutting for the new ABC facility on February 21st at 5:00 pm.
- Petitions are due at 5:00 pm on February 22nd.
- There will be a chili feed at Indian Motorcycles on February 23rd with all proceeds to go to the Animal Shelter.

City Manager Ainslie reported:

- a. The sales tax update for General Sales Tax and Capital Improvement Tax for December collected in January was up 3% month over month and up 1.6% year over year. The Gross Receipts Tax (triple B) was up 1.1% month over month and up 4.1% year over year.
- b. The 2018 Budget update: General Fund – 93.9%; Water – 67%; Wastewater-59.7%; Sanitation – 96.0%.
- c. Finance Officer Bueno presented the 2018 4th Quarter Financials.
- d. Payroll Changes – within budget:
 1. Police Dept – Volunteer – Grace Baker, Tyla Bertolotto, Bailey Collins, Shane Hanson, Jordan Pederson, Ryan Pederson, Andrea Pitz, Elanor Sulcer, Teri Jo Bruch and Michelle Sukar – no wage.
 2. Ambulance Dept – EMT-B – Christopher Woods – half-time to part-time – no wage change.

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

- a. Consideration of minutes from the February 4, 2019 regular Council meeting.
- b. Consideration to set a public hearing for March 4, 2019 for a Special Events License for the Oasis Bar at the Sturgis Liquor Store on 3/15/19 for the St Patrick's Day Open House.

- c. Consideration of Resolution 2019-13 – Plat of Lot 6, Block 4 of Vernon Heights Estates II for Jim Allison.

**RESOLUTION 2019-13
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 Amie Allison, Christopher Allison, Doreen Allison Creed and Vernon James Allison, Jr:

Plat of
Lot 6, Block 4 of Vernon Heights Estates II Subdivision
Being a portion of Tract ‘A’ of Vernon Heights Estates II Subdivision,
Located in the SW ¼ of the NW ¼ of the NE ¼ of Section 15, 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 19th day of February 2019.

Published: 02-26-2019

Effective: 03-19-2019

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

WAGES – Ambulance \$25,369.20; Attorney \$4047.61; Auditorium \$193.67; Buildings \$1165.21; Cemetery \$2217.26; City Manager \$4580.33; Community Center \$11,350.26; Finance Office \$9416.94; Fire Department \$82.16; Human Resource \$6408.63; Library \$9503.79; Liquor \$5798.30; Mayor and Council \$4204.55; Parks \$11,026.52; Planning & Permitting \$8717.17; Police \$39,878.07; Rally \$8149.37; Recreation \$2787.81; Sanitary Service \$15,712.48; Streets \$12,570.68; Wastewater \$8928.10; Water \$13,199.73; Federal Withholding \$15,787.80; FICA \$14,852.24.

GENERAL – A&B Business, \$182.76, rep; A&B Welding, \$5.27, sup; A&J Surplus, \$230.70, sup; Laura Abernathy, \$500.00, ins; Baker & Taylor, \$309.23, sup; Belle Fourche Veterinary Clinic, \$178.83, prof fee; Bierschbach Equipment, \$145.50, rep; Black Hills Energy, \$23,160.01, util; Black Hills Occupational Medicine, \$90.00, prof fee; Black Hills Pioneer Weekly Pro, \$794.84, pub; Black Hills Urgent Care, \$50.00, other; Century Link, \$628.62, util; Culligan of the Black Hills, \$90.00, sup; Dakota Battery & Electric, \$274.79, rep; Dakota Extinguisher & Safety, \$48.00, rep; Trudy Draskovic, \$300.00, travel; Tamera Even, \$25.00, ins; Fedex, \$150.83, sup; Godfrey Bake Service, \$303.50, sup; Gotcha Covered, \$812.51, sup; Grocery Mart, \$77.27, sup; Ken Grosch, \$90.00, other; Integrity Heating & Sheet Metal, \$7,355.88, sup; Jacobs Auto Repair, \$448.09, rep; Jenner Equipment, \$64.24, rep; Knecht Home Center, \$420.40, rep; Kwik Mart, \$84.14, other; Legendary Electric, \$195.41, sup; Lynn’s Dakotamart, \$112.09, sup; Marco

Technologies, \$101.34, sup; Valerie Martin, \$25.00, ins; MasterCard, \$54,761.69, sup; Matfactor, \$127.35, sup; Meade County Auditor, \$16,345.97, other; Meade County Register of Deeds, \$90.00, other; Mid-American Research Chemical, \$1,133.94, sup; MDU, \$8,363.78, util; Motorola Solutions, \$2,538.46, equip; Nebraska Salt & Grain, \$5,880.20, sup; Northern Truck Equipment, \$237.00, rep; O'Reilly Auto Parts, \$24.76, rep; Park Avenue Car Wash, \$43.00, sup; Pete Lien & Sons, \$571.10, rep; Purchase Power, \$450.00, sup; Rapid Delivery, \$12.63, sup; Regional Health, \$80.00, ins; Roosevelt Park Ice Arena, \$264.00, rep; Billy Schlosser, \$90.00, other; Shopko Stores, \$57.39, sup; Speedy Lube, \$311.92, sup; Stop Stick, \$568.00, sup; Sturgis Motorcycle Museum, \$1,200.00, other; The Corner Station, \$46.18, sup; Tom's T's, \$618.86, sup; Town-n-country Plumbing, \$45.09, sup; Katie Walker, \$3,000.00, travel; West Payment Center, \$166.00, prof fee; Western Communications, \$179.00, equip.

SPECIAL SALES TAX – Black Hills Energy, \$582.70, util; MasterCard, \$6,922.91, promo; MDU, \$62.75, util.

CAPITAL IMPROVEMENT – Fennell Design, \$24,523.00; Integrated Process Solutions, \$864.00.

BUSINESS IMPROVEMENT DISTRICT – Black Hills Camaro Club, \$135.00, sup; Lynn's Dakotamart, \$20.69, sup; MasterCard, \$1,559.99, sup; Provim, \$175.50, pub; Tom's T's, \$204.40, sup.

HOTEL OCCUPANCY TAX DISTRICT – Scooper Basketball Club, \$1,250.00.

LIQUOR – Black Hills Energy, \$1,641.97, util; Black Hills Pioneer Weekly, \$243.00, pub; Cash-Wa Distributing, \$853.41, resale; Cask & Cork, \$399.59, resale; Coca Cola, \$486.25, resale; Dakota's Best Distributing, \$54.75, pub; Duhamel Broadcasting, \$1,880.00, pub; Fisher Beverage, \$5,441.93, resale; Johnson Western Wholesale, \$13,630.24, resale; MasterCard, \$4,422.38, sup; MDU, \$312.88, util; Okoboji Wines, \$334.00, resale; Pepsi Cola, \$83.50, resale; Quality Brands of the Black Hills, \$9,201.33, resale; Republic Beverage Co, \$13,209.61, resale; SD Licensed Beverage Dealers & Gaming, \$100.00, rep; Southern Glazer's of SD, \$3,921.65, resale.

WATER – Black Hills Energy, \$840.50, util; Black Hills Pioneer Weekly, \$181.00, pub; Core & Main, \$7,404.00, sup; Gotcha Covered, \$270.83, sup; Grocery Mart, \$14.08, sup; Hawkins, \$40.00, sup; MasterCard, \$1,765.35, sup; Midcontinent Testing, Lab, \$170.00, prof fee; MDU, \$409.47, util; SD One Call, \$44.87, prof fee; Sioux Valley Environment, \$285.00, sup; Speedy Lube, \$98.48, sup; Twilight First Aid & Safety, \$49.89, sup; Utility Service Co, \$44,035.62, prof fee.

WASTEWATER – Advanced Engineering, & Environmental, \$199,726.65, cap imp; G&H Distributing, \$51.27, sup; Gotcha Covered, \$270.83, sup; Legendary Electric, \$153.06, rep; Lynn's Dakotamart, \$5.75, sup; MasterCard, \$884.99, sup; MDU, \$54.16, util; Quality Services, \$3,190.00, cap imp; Vulcan Industries, \$358.00, rep.

SANITATION – Adams-ISC, \$937.80, rep; Black Hills Energy, \$14.01, util; Black Hills Truck & Trailer, \$63.86, rep; Butler Machinery, \$6.74, rep; City of Belle Fourche, \$20,213.89, other; Fastenal Co, \$58.41, rep; Gotcha Covered, \$270.83, sup; Lynn's Dakotamart, \$23.38, sup; MasterCard, \$3,518.66, sup; Midwest Underground Supply, \$1,210.24, rep; Northern Truck Equipment, \$137.00, rep; Rapid Delivery, \$12.65, rep; Sturgis ATV, \$29.00, rep; SWANA, \$190.00, prof fee.

AMBULANCE – A&B Welding, \$279.78, sup; Avera Education & Staffing Solutions, \$1,650.00, prof fee; Black Hills Windshield Repair, \$130.00, rep; Justin Boerboom, \$248.97, other; Henry Schein, \$2,439.44, sup; Michael E Hogue, \$500.00, prof fee; Lynn's Dakotamart, \$10.23, sup; MasterCard, \$7,728.96, travel; Adam Miles, \$165.98, other; MDU, \$303.44, util; Richter's Tire & Exhaust, \$18.00, rep; Speedy Lube, \$43.12, rep; Dr Natalie Tymkowych, \$416.67, prof fee.

Motion by Waterland, second by Martinson and carried with all members present unanimously voting yes to approve a claim for Integrity Heating & Sheet Metal, \$7211.65, Airport HVAC.

Motion by Bachand, second by Waterland and carried with Anderson, Bachand, S. Keszler, Martinson, Waterland and Zerbst voting yes, Carstensen, Crane and T. Keszler voting no, to approve the variance request from Tim Anderson to move the lot line between lots 47 and 52, with the change to thirty-two feet (32') south. This would allow a seventy-four feet (74') frontage for Lot 47 at 1727 Meadowlark Drive.

There will be no variance for hard surfacing requirements at this time.

Motion by Martinson, second by T. Keszler and carried with all members present unanimously voting yes to approve a Zoning Amendment for the City of Sturgis from Park Land to Open Space zoning. Location: Park Lots 1 and 2 in Block 1 of Hillview Subdivision.

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to approve the Memorandum of Understanding with the Sturgis Volunteer Fire Department on the payment on the Fire truck that was purchased with a loan from USDA Rural Development.

Discussion was held on Title 3 – Licensing & Regulation of Alcohol, Malt Beverage & Drinking Establishments. The following items were discussed: the number of on/off sale Malt Beverages licenses that will be allowed; a re-write of a Special Events license that recognizes a non-profit organization; outdoor areas and consumption of alcohol; open container and right-of-way language; Consumption permits needs to be looked at. There were several bar owners and citizens that spoke.

Recess was called at 8:35 pm. Back in session at 8:43 pm

Discussion on Title 7 – City Government. The following item was discussed: SDCL 11-6-2, which has 6 requirements for the Planning and Zoning Board. Of the 6, we are already doing requirement 1, but we do not have 2 thru 6 in our ordinance.

Discussion on Title 9 – Fire Prevention & Regulations. The following items were discussed: false alarms; fireworks within the City limits; fireworks sales of certain fireworks- i.e. collapsible lanterns. There were several citizens that spoke for and against banning fireworks in the City limits.

Discussion on Title 13 – Offenses & Regulations. The following items were discussed: open container and public right of way; noise regulations. There were citizens and bar owners that discussed the noise regulations.

The following bids were received for the City Hall remodel: Heavy Constructors dba Gustafson- base bid \$1,662,000 with alternates \$1,905,300; Journey Group dba Ainsworth Benning- base bid \$1,654,160 with alternates \$1,899,650; Dean Kurtz Construction – base bid \$1,716,000 with alternates \$1,953,200 and Scull Construction Services – base bid - \$1,584,000 with alternates \$1,828,900.

Motion by Martinson, second by Crane and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes, Bachand voting no, to approve the low bid from Scull Construction Services for \$1,584,000 and Alternate 2, 3 and 4 if the Library Board can raise the money for the Library/City Hall Remodel Project.

Motion by Bachand, second by T. Keszler and carried with Bachand, S. Keszler and T. Keszler voting yes, Carstensen, Anderson, Crane, Martinson, Waterland and Zerbst voting no, to deny the request to set a public hearing for March 4, 2019 for a Special Events License for the Iron Horse Saloon at 888 Junction for outdoor concerts during 4 days of rally between August 2-10, 2019.

Motion by Waterland, second by Crane and carried with Carstensen, Anderson, Crane, Martinson, Waterland and Zerbst voting yes, Carstensen, S. Keszler and T. Keszler voting no, to approve setting a public hearing for March 4, 2019 for a Special Events License for the Iron Horse Saloon at 888 Junction for outdoor concerts during 4 days of rally between August 2-10, 2019. This includes an open container.

Any other business:

Sean Natchke brought forward to the Council a problem that has happened at his home several time. Mr. Natchke lives at 807 Glover Street and there is an alley way that is behind Taco Johns that runs past his home. There are several commercial delivery trucks that travel this alley and try to go around the corner and have hit his fence, automobiles and the stop sign. He is looking at a solution for this problem. The Council suggested that he speak with some of the businesses that are getting these deliveries.

Motion by Waterland, seconded by T. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 10:49 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$