

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, April 15, 2019 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand (arrived at 8:25 pm), 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 Waterland, second by Martinson and carried with all members present unanimously voting yes to approve the agenda.

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

Motion by Waterland, second by S. Keszler to return to regular session at 6:36 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Park Board minutes – 11/7/2018
- Planning Commission minutes – 4/2/2019
- Library Board minutes – 2/27/2019, 3/14/2019 & 3/27/2019

Announcements:

- City Hall will be closed on Friday, April 19th for Good Friday.
- Sturgis Optimists will be having their Easter Egg Hunt on Saturday, April 20th at 10:00 am in the City Park.
- Mayor Carstensen proclaimed May 18, 2019 Kids to Parks Day.
- Mayor Carstensen proclaimed April as Sarcoidosis Awareness Month.
- Mayor Carstensen proclaimed April as Sexual Assault Awareness Month.

City Manager Ainslie reported:

- The budget numbers for the end of the 1st quarter are as follows: General Fund is at 25.1%; triple B sales tax 14.8%; Water 26%; Wastewater 34.8%; Sanitation 19.5%.
- The sales tax update for General Sales Tax and Capital Improvement Tax for February collected in March was up 4.5% month over month and up 2.3% year over year. The Gross Receipts Tax (triple B) was up .09% month over month and up .08% year over year.

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

- a. Consideration of minutes from the March 27, 2019 Special Meeting, April 1, 2019 regular Council Meeting and the April 5, 2019 Special Meeting.
- b. Consideration to set a public hearing for May 6, 2019 for a Special Events License for the Oasis Bar at the City Auditorium for History Day Social on June 14, 2019.
- c. Consideration to set a public hearing on May 6, 2019 for a Special Events License for the Loud American Roadhouse at the Community Center for the Annual Camaro Rally Banquet on June 29, 2019.
- d. Consideration to set a public hearing on May 6, 2019 for a Special Events License for the Loud American Roadhouse at the City Auditorium for a wedding reception on June 1, 2019.

- e. Consideration to set a public hearing on May 6, 2019 for Resolution 2019-XX – Street Closure, Open Container and Traffic Light Request for the Tatanka Mountain Bike Race on July 6, 2019.
- f. Consideration to set a public hearing on May 6, 2019 for a Special Events License for The Knuckle Saloon at H-D Way for the Mayor’s Social for the Off-Road Rally on May 25, 2019.
- g. Consideration to set a public hearing on May 6, 2019 for Resolution 2019-XX – Street Closure and Open Container for the After-Rally Community Picnic on August 21, 2019.
- h. Consideration to set a public hearing on May 6, 2019 for a Special Events License for the Knuckle Saloon at H-D Rally Point for the After-Rally Community Picnic on August 21, 2019.
- i. Consideration of Lawrence County Ambulance Service Contract.
- j. Consideration of Resolution 2019-23 – Plat of Lots 1-5, Drainage Lot in Block 1 of Creekside Subdivision for City of Sturgis.

**RESOLUTION 2019-23
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 the City of Sturgis:

Plat of
Lots 1, 2, 3, 4 and 5, Block 1 of Creekside Subdivision
AND Dedicated Public Right-of-Way for an Alley.
Formerly an Un-platted Portion of The City of Sturgis Property Located along Woodland Drive.
All Located in the SW ¼ of the SE ¼ of Section 4, 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 15th day of April 2019.

Published: 04-22-2019

Effective: 05-13-2019

- k. Consideration of Resolution 2019-24 – Plat of dedicated public right-of-way for West Woodland Drive for City of Sturgis.

**RESOLUTION 2019-24
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 the City of Sturgis:

Plat of
Dedicated Public Right-of-Way West Woodland Drive.
Formerly an Un-platted Portion of The City of Sturgis Property Located along Woodland Drive.
All Located in the SW ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 4,
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 15th day of April 2019.

Published: 04-22-2019

Effective: 05-13-2019

- I. Consideration of Resolution 2019-28 – Plat of Lot 1A-1 and Lot 1A-R of LPN Holdings Addition for LPN Holdings LLC.

**RESOLUTION 2019-28
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 LPN Holdings LLC:

Plat of
Lot 1A-1 and Lot 1A-R of LPN Holdings Addition to the City of Sturgis.
Formerly Lot 1A of LPN Holdings Addition to the City of Sturgis. Located in the S ½ of the S ½
of the SE ¼ and the S ½ of the S ½ of the SE ¼ of the SW ¼ of
Section 5 -AND- the N ½ of the NE ¼ and the N ½ of the
NE ¼ of the NW ¼ of Section 8, 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 15th day of April 2019.

Published: 04-22-2019

Effective: 05-13-2019

- m. Consideration of Resolution 2019-29 – Plat of Lot J6-1 and J6-2 in Block F of Glover's Second Addition for SEDC.

**RESOLUTION 2019-29
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 the Sturgis Economic Development Corp:

Plat of
Lot J6-1 and J6-2, Block F of Glover's 2nd Addition to the City of Sturgis.
Formerly Lot J6, Block F of Glover's Addition to the City of Sturgis.
All Located in the SW ¼ of the NW 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 15th day of April 2019.

Published: 04-22-2019

Effective: 05-13-2019

- n. Consideration to set a public hearing on May 6, 2019 for a variance request for SEDC and Chris Bergman of Scooptown Car Wash for front and rear setback at Glovers 2nd Add, Lot J6.
- o. Consideration of the 2018 Sturgis Ambulance Service Annual Report.
- p. Consideration to set a public hearing on May 6, 2019 for Resolution 2019-XX – Street Closure for the 3 on 3 Basketball Tournament on June 1, 2019.

- q. Consideration to authorize City Manager to sign US Forest Service Private Trail Special Use Permit for Non-motorized Trail System.

Motion by S. Keszler, second by Anderson and carried with all members present unanimously voting yes to approve the following claims with the addition of: Southern Glazer's of SD; liquor-\$1393.19

WAGES – Ambulance \$23,563.46; Attorney \$4040.96; Auditorium \$193.56; Buildings \$1165.10; Cemetery \$2177.11; City Manager \$4573.68; Community Center \$11,648.81; Finance Office \$9622.39; Fire Department \$19.87; Human Resource \$6434.19; Library \$9395.12; Liquor \$5742.55; Mayor and Council \$3837.04; Parks \$11,031.16; Planning & Permitting \$8697.95; Police \$36,977.83; Rally \$7963.63; Recreation \$2794.82; Sanitary Service \$15,671.75; Streets \$12,580.44; Wastewater \$8883.36; Water \$13,328.97; Federal Withholding \$15,798.24; FICA \$14,483.67.

GENERAL – A&B Business, \$182.76, rep; A&B Welding, \$4.76, sup; A&J Surplus, \$1,237.13, sup; Ainsworth Benning, \$606.51, util; Allied construction, \$99.00, refund; Susan Anders, \$160.13, other; Axon Enterprises, \$4,800.00, prof fee; Baker & Taylor, \$115.47, sup; Sharon Barton, \$160.13, other; Baymont Inn & Suites, \$754.00, resale; Bear Butte Trees, \$2,000.00; sup; Bear Butte Valley Water, \$127.00, util; Black Hills Energy, \$25,100.99, util; Black Hills Pioneer, \$551.87, pub; Blackhills.com, \$100.00, rep; Patricia Casteel, \$186.00, other; Century Link, \$288.82, util; Chain Saw Center, \$14.95, rep; Linda Chaplin, \$174.00, other; Susan Chaplin, \$162.75, other; City of Spearfish, \$2,000.00, other; City of Sturgis Water Dept, \$2,107.81, util; Crisis Intervention Shelter Service, \$75.00, other; Culligan of the Black Hills, \$90.00, sup; Sylvia DesJarlais, \$152.25, other; Tami K DesJarlais, \$152.25, other; Fence Crafters, \$1,887.00, other; Kathryn Flagstad, \$183.00, other; G&H Distributing, \$51.49, sup; Glover Investments, \$24,800.00, rent; Godfrey Brake Service, \$303.50, sup; Grocery Mart, \$31.50, sup; Ken Grosch, \$30.00, other; Joanne Harmon, \$160.13, other; Judy Hughes, \$183.00, other; Inland Truck Parts, \$94.08, rep; Innovative Office Solutions, \$724.20, sup; Tyler Kaitfors, \$25.00, ins; Darlyne Kopren, \$162.75, other; Legendary Electric, \$334.85, rep; Liberty Chevrolet, \$378.72, rep; Marco Technologies, \$167.98, sup; MasterCard, \$52,409.34, sup; Matfactor, \$200.55, sup; Meade County Auditor, \$15,878.04, other; Meade County Register of Deeds, \$540.00, other; Maguire Chemical Solutions, \$1,208.45, rep; Midcontinent Testing Lab, \$200.00, sup; MDU, \$6,403.20, util; Motionsoft, \$450.00, prof fee; Northern Truck Equipment, \$79.00, rep; O'Reilly Auto Parts, \$53.97, sup; Powerplan, \$57.01, rep; Ramkota Hotel, \$91.99, travel; Sharon Rank, \$160.13, other; SD Assn of Code Enforcement, \$50.00, travel; SD Dept of Transportation, \$109.71, prof fee; Speedy Lube, \$130.47, sup; Stop Stick, \$73.00, sup; Sturgis Area Chamber of Commerce, \$225.00, sup; Superior Sanitation, \$450.00, rep; Wayne Satter, \$200.00, rep; West Payment Center, \$166.00, prof fee.

SPECIAL SALES TAX – Black Hills Energy, \$44.22, util; MasterCard, \$6,363.50, promo; MDU, \$33.13, util.

CAPITAL IMPROVEMENT – Baseline Surveying, \$4,550.00; Scull Construction, \$38,143.80; SD Housing Development Authority, \$168,930.00.

BUSINESS IMPROVEMENT DISTRICT – MasterCard, \$454.95, sup.

HOTEL OCCUPANCY TAX DISTRICT – MasterCard, \$2.969.08, other.

LIQUOR – Black Hills Chemical, \$69.99, resale; Black Hills Energy, \$31.72, util; Black Hills Pioneer, \$144.00, pub; Cash-Wa Distributing, \$1,186.06, resale; Cask & Cork, \$788.16, resale; City of Sturgis Water Dept, \$305.79, util; Coca Cola, \$353.75, resale; Duhamel Broadcasting, \$3,075.00, pub; Fisher Beverage, \$3,287.66, resale; Johnson Western Wholesale, \$17,413.06, resale; MasterCard, \$2,951.26, sup; MDU, \$320.44, util; Okoboji Wines, \$387.00, resale; Pepsi Cola, \$49.50, resale; Quality Brands, \$8,060.36, resale; Republic Beverage, \$4,604.03, resale; Southern Glazer's of SD, \$27.44, resale.

WATER – Black Hills Energy, \$8,997.06, util; Black Hills Pioneer, \$59.14, pub; City of Sturgis Water Dept, \$133.29, util; Grocery Mart, \$52.74, sup; Hawkins, \$45.00, sup; MasterCard,

\$6,311.84, sup; Midcontinent Testing Lab, \$170.00, prof fee; MDU, \$307.27, util; SD One Call, \$64.96, prof fee.

WASTEWATER – Advanced Engineering & Environmental, \$88,527.10, cap imp; MasterCard, \$1,832.70, sup; Midcontinent Testing Lab, \$200.00, sup; MDU, \$53.34, util; O’Reilly Auto Parts, \$15.99, rep; Quality Services, \$3,628.83, cap imp.

SANITATION – A&J Surplus, \$11.48, rep; Century Link, \$58.41, util; City of Belle Fourche, \$19,872.64, other; MasterCard, \$4,431.06, sup; Midcontinent Testing Lab, \$200.00, sup; Powerplan, \$117.10, rep.

AMBULANCE – A&B Welding, \$486.00, sup; Ability, \$247.00, prof fee; Black Hills Energy, \$547.79, util; City of Sturgis Water Dept, \$87.46, util; Douglas Ferguson, \$138.03, refund; Henry Schein, \$1,173.86, sup; MasterCard, \$4,853.39, sup; Medica, \$49.98, refund; Medicare, \$1,023.05, refund; MDU, \$217.51, util; O’Reilly Auto Parts, \$54.70, rep; Speedy Lube, \$73.94, rep; Weimer’s Diner & Donuts, \$23.70, sup.

Motion by Waterland, second by T. Keszler and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler, Martinson and Waterland voting yes, Zerbst voting no, to approve a 90-day Use on Review for David Erfman at 1923 Arizona for an in-home business.

After the 90-days, the staff will approve this for a year if no other complaints are made. If there are complaints, it will go back to Planning and Zoning and then to the Council.

Motion by Crane, second by T. Keszler and carried with all members present unanimously voting yes to approve Resolution 2019-25 – Vacate the dead-end portion of S Baldwin St for SEDC.

RESOLUTION 2019-25
RESOLUTION TO VACATE A STREET R.O.W

WHEREAS, Sturgis Economic Development Corporation petitioned the City Council to vacate the dead-end portion of South Baldwin Street within the following legal description:

A portion of South Baldwin Street adjoining and abutting Block F and Block J of Glover’s Second Addition to the City of Sturgis. Located in the NE ¼ of the SW ¼ of the NW ¼ of Section 15, Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

NOW THEREFORE BE IT RESOLVED that we, the assembled members of the Common Council of the City of Sturgis, do hereby vacate the street located on certain real property with the legal description as described above.

Dated this 15th day of April 2019.

Published: 04-22-2019

Effective: 05-13-2019

Motion by Martinson, second by Zerbst and carried with all members present unanimously voting yes to approve Resolution 2019-26 – Street Closure for the Black Hills Black Top Tourney on June 22-23, 2019.

RESOLUTION 2019 -26
RESOLUTION TO AUTHORIZE STREET CLOSURE
FOR THE 2nd ANNUAL BLACK HILLS BLACK TOP TOURNEY FORMERLY KNOWN
AS SOCCER ON THE STREET EVENT

WHEREAS, the 2nd Annual Black Hills Black Top Tourney (formerly known as Soccer on the Street) will be held in the City of Sturgis, June 22 and 23. This event is in partnership with the Sturgis Soccer Association and is for the children of Sturgis and the surrounding communities; and

WHEREAS, beginning on Saturday, June 22nd from 8:00 am to 10:00 pm and June 23rd from 8:00 am to 6:00 pm, street closure will be on Main Street from 3rd Street to 4th Street; and

WHEREAS, it is in the public interest to provide a safe venue for this special event; and

WHEREAS, the public event to be held will enhance visitors' experience and lead to additional sales tax generated revenue, and

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting Saturday, June 22nd at 2:00 a.m.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, beginning on Saturday, June 22nd from 8:00 am to 10:00 pm and June 23rd from 8:00 am to 6:00 pm, street closure will be on Main Street from 3rd Street to 4th Street.

Dated this 15th day of April 2019.

Published: 04-22-2019

Effective: 05-13-2019

Motion by S. Keszler, second by Anderson and carried with all members present unanimously voting yes to approve Resolution 2019-27 – Street Closure for the 2018 DAM 5K on May 11, 2019 from 7am – 1 pm.

RESOLUTION 2019 -27
RESOLUTION TO AUTHORIZE STREET CLOSURE
FOR THE 2019 DAM 5K RUN

WHEREAS, the 2019 DAM 5K run will be held in the City of Sturgis, May 10 and 11, 2019; and

WHEREAS, beginning on Sunday, May 11 at 7:00 a.m. to 1:00 pm, 3rd Street from Main Street to Lazelle Street will be closed, the alleys to remain open.

WHEREAS, it is in the public interest to provide a safe venue for this special event.

WHEREAS, the public event to be held will enhance visitors' experience and lead to additional sales tax generated revenue, and

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting Sunday, May 11 at 2:00 a.m.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, beginning on Sunday, May 11 at 7:00 a.m. to 1:00 pm, 3rd Street from Main Street to Lazelle Street will be closed, the alleys to remain open.

Dated this 15th day of April 2019.

Published: 04-22-2019
 Effective: 05-13-2019

After much discussion with campground owners, a motion was made by Martinson, second by T. Keszler and carried with all members present unanimously voting yes to disapprove the Meade County Campground Ambulance Service proposal.

Councilor Bachand arrived at 8:25 pm.

After much discussion, a motion was made by Martinson, second by T. Keszler and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes, Bachand abstaining, to adjust the City of Sturgis Ambulance Service Response Area as stated on the map, to be effective on July 15, 2019 with proper notification to residences and the State of South Dakota.

The following bids were received for the 2019 Street Overlay Project: Sacrison Paving Inc.- \$47,806.50; Western Construction Inc.- \$69,244.00; Simon Contractors of SD - \$64,110.00. Motion by Anderson, second by Zerbst and carried with Carstensen, Anderson, Crane, S. Keszler, T. Keszler, Martinson, Waterland and Zerbst voting yes, Bachand abstaining to approve the low bid from Sacrison Paving for \$47,806.50 for the 2019 Street Overlay Project and authorize the City Manager to sign all contracts and documents for this project.

Dwight Griffee at 105 Jackson Street was present to discuss vacating a portion of Hope Street and placing a cul-de-sac at the end of Jackson Street. The Public Works Director will work with Mr. Griffee on this project. The City will look at budgeting for this project over the next few years.

The Council, sitting as the Board of Canvassers, reviewed the election results which include examining the Poll Book and Tally sheet for each Ward. The City Council signed the official canvass sheet and the Finance Officer certified their signatures. The Board of Canvassers therefore confirmed the results of the election as follows:

For First Ward Mayor- Three Year Term	Mark Carstensen	36
	Desaree' Dargatz	51
For First Ward Alderman – Three Year Term	No election	
For Second Ward Mayor- Three Year Term	Mark Carstensen	93
	Desaree' Dargatz	90
For Second Ward Alderman – Three Year Term	David Martinson	96
	Andy Wildberger	82
For Third Ward Mayor – Three Year Term	Mark Carstensen	152
	Desaree' Dargatz	85
For Third Ward Alderman – Three Year Term	Jason Anderson	129
	David Murtha	103
For Fourth Ward Mayor – Three Year Term	Mark Carstensen	114

For Fourth Ward Alderman – Three Year Term Desaree’ Dargatz 105
No Election

The results of the election of April 9, 2019 are hereby declared to be as follows:
Mark C. Carstensen received the majority of votes for Mayor, three-year term, and is hereby declared elected to that office.
Mike Bachand ran unopposed for First Ward Alderman, a three-year term.
David Martinson received the majority of votes for Second Ward Alderman, a three-year term, and is hereby declared elected to that office.
Jason Anderson received the majority of votes for Third Ward Alderman, a three-year term, and is hereby declared elected to that office.
Steve Keszler ran unopposed for Fourth Ward Alderman, three-year term,

Any other business:
None

Motion by T. Keszler, second by S. Keszler and carried with all members present unanimously voting yes to go into executive session for a contract at 10:01 pm (Bachand was not in Executive Session).

Motion by Waterland, second by T. Keszler to return to regular session at 11:38 pm.

Motion by S. Keszler, seconded by Crane and carried with all members present unanimously voting yes to adjourn the meeting at 11:39 pm.

ATTEST: _____ APPROVED _____
Fay Bueno, Finance Officer Mark Carstensen, Mayor

Published once at the total approximate cost of \$244.86.