

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, May 20, 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 Attorney Greg Barnier and Lisa Katzenstein. Absent: None.

Motion by Waterland, second by Crane and carried with all members present unanimously voting yes to approve the agenda.

Motion by Martinson, second by T. Keszler and carried with all members present unanimously voting yes to go into executive session for three legal cases, two contracts and one personnel at 6:00 pm.

Motion by Bachand, second by S. Keszler to return to regular session at 6:26 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Planning Commission – 5/7/19 minutes

Announcements:

- Mayor Carstensen proclaimed May 19-25, 2019 as National Public Works Week.
- It is EMS week with several events happening.
- The City Hall, Community Center and Library will be closed on Memorial Day. The Library will also close the Saturday before Memorial Day.
- The Chamber will be having a Beer and Wine tasting on May 31st at the Knuckle Saloon.
- Councilor Steve Kessler congratulated the High School class of 2019 on their graduation.
- The Sturgis Mustang Club had their show and shine event this past Sunday and wanted to thank the City for their help.

Lisa Katzenstein reported:

- a. The sales tax update for General Sales Tax and Capital Improvement Tax for March collected in April was up 6.8% month over month and up 4.0% year over year. The Gross Receipts Tax (triple B) was up .09% month over month and down .02% year over year.
- b. The following are the appointments for the Boards and Committee for 2019.
 - Library Board:** Kelly Magdanz, Dave Martinson-Council Rep., Bruce McFarland, Terry Hermann and Cathie Anderson.
 - Planning and Zoning:** Kyle Treloar, John Gerberding, Dustin Bostrom, Bill Phillips, Aaron Schoon, Cody Weber, Jon Olson, Steve Keszler-Council Rep.
 - MUB:** Ken Sabers, Shawn Mechling and Ron Waterland-Council Rep.
 - Downtown BID:** Robin Baldwin, Jeremy Vliem, Jessica Schmahl, Rosemary Roth, Mark Bruch.
 - Parks and Forestry:** Laura Linn, Lana Anderson, Angela Wilkerson, Shauna Sigman, and Terry Keszler – Council Rep.
 - Transportation Board:** Terry Keszler – Council Rep.
 - Legal and Finance:** Mayor, President, Vice President, and Councilor Crane.
 - Rally and Events:** Councilor Martinson, Zerbst, Waterland and T. Keszler.

Infrastructure Advisory Committee: Councilor Bachand, Anderson, T. Keszler and Mayor Carstensen.

SEDC: Councilor Waterland.

Chamber of Commerce: Councilor Martinson.

Senior Center: Councilor Crane.

Rally Charities: Councilor Zerbst.

Transportation: Councilor T. Keszler.

Library: Councilor Martinson

Motorcycle Museum: Councilor Crane

c. Payroll Changes – within budget:

1. Community Center Dept – Lifeguard – Brody Brink - \$10.50.
2. Recreation Dept – Concessions Attendant-Adult Softball – David Duprel - \$9.10.
3. Parks Dept – Seasonal – Brooklyn Janz, Sarah Urban - \$10.50.
4. Sanitation – PWD Seasonal – Shalley Mahaffy - \$10.50.
5. Wastewater – PWD Seasonal – Noah Warmsher - \$10.50.

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

- a. Consideration of minutes from the May 6, 2019 regular meeting.
- b. Consideration of Resolution 2019-36 – Plat of Lot 19 & 19A Revised of Murray Tract #1 for Kevin Bossman of 2007 Butte View Drive.

RESOLUTION 2019-36 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 Kevin D. Bossman and Donna M. Bossman:

Plat of Lot 19 Revised and Lot 19A Revised of Murray Tract #1. Formerly Lot 19 and Lot 19A of Murray Tract #1. Located in the NW ¼ of the SW ¼ of the SW 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 20th day of May 2019.

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- c. Consideration to set a public hearing on June 3, 2019 for Resolution 2019-35 – Closure of Streets for the Motorcycle Rally.
- d. Consideration to set a public hearing on June 3, 2019 for a special events license for the Knuckle Saloon at Lynn’s Dakota Mart Parking Lot on August 2-10, 2019 at Jack Daniels & Polaris-Indian display.
- e. Consideration to set a public hearing on June 3, 2019 for a special events license for the Knuckle Saloon at the Community Center front parking lot on August 2-10, 2019.
- f. Consideration to set a public hearing on June 3, 2019 for Resolution 2019-XX – Street Closure and Lifting Open Container for Rumble at H-D Rally Point (AAU Wrestling Tournament) on July 12, 2019.
- ~~g. Consideration of Resolution 2019-39 – Consideration for Planning Commission Application Review.~~

Motion by Crane, second by Martinson and carried with all members present unanimously voting yes to approve Resolution 2019-39 – Consideration for Planning Commission Application Review with the modification to the paragraph on comments.

**RESOLUTION 2019-39
RESOLUTION OF CONSIDERATION FOR PLANNING COMMISSION
APPLICATION REVIEW**

WHEREAS, the City of Sturgis has appointed seven members to act on the Sturgis City Planning Commission as set forth by South Dakota Law;

WHEREAS, the Sturgis City Planning Commission shall carry on its function in accordance with SDCL 11-6 and have all the powers, duties, and responsibilities as set forth in said Statutes;

WHEREAS, the Sturgis City Planning Commission shall consider all Ordinances when making decisions on all applications for Variances and Use on Review applications;

WHEREAS, the Sturgis City Planning Commission shall consider all internal City management plans when making decisions on all applications for Variances and Use on Review applications;

WHEREAS, The Sturgis City Planning Commission shall consider all area covenants when deciding on all applications for variances or Use on Review applications;

WHEREAS, The Sturgis City Planning Commission shall deny all Use On review applications when it does not meet the definition of a Use on Review as found in Article VII, Section 2 in Title 18.

WHEREAS, The Sturgis City Planning Commission shall deny all Variance applications when it does not meet the definition of a Variance as found in Article VII, Section 3 in Title 18.

WHEREAS, if a property is subject to restrictive covenants, the applicant shall provide said covenants at the time of application for a Use on Review or Variance;

WHEREAS, if a property is subject to restrictive covenants that do not allow conditions granted by the approval of a Use on Review or Variance, the application shall be denied;

WHEREAS, if a property is subject to restrictive covenants that permit the conditions as allowed within the approval of a Use on Review or Variance, the applicant shall meet the conditions to be met as defined in the covenants and provide proof at the time of application;

WHEREAS, if an applicant requests a change to an existing building footprint necessitating a variance, the applicant shall provide a site boundary plan with the proposed changes submitted by a state-certified land surveyor or engineer;

WHEREAS, at the time of considering a Variance application, if a property is considered non-conforming to its zoning district, the requested changes shall be the minimum improvements necessary;

WHEREAS, a variance application is justified only if special conditions exist on the lot that create a hardship. Such hardships include exceptional narrowness, shallowness, topography, or other extraordinary or exceptional situation, condition or circumstance not created by current or previous landowners, or if the literal enforcement of the code would result in an unnecessary hardship to the landowner. A variance application may be considered when the relaxation of a restriction of the code shall provide a quantifiable benefit to the City and the surrounding neighborhood of the parcel.

WHEREAS, such hardships shall be the burden of the applicant to prove at the time of the application. The applicant shall present valid reasons for the request and show that the request will not lessen property values or interfere with neighboring properties. Hardships shall not be based on economic hardship or personal preference, but on reasonable use of the land;

WHEREAS, the applicant would not be denied the same rights and privileges enjoyed by others within the vicinity if a Use on Review or Variance is denied;

WHEREAS, for a variance application to be considered, the property must differ substantially from others within the same vicinity;

WHEREAS, approval of a Use on Review or Variance does not afford the applicant special privileges;

WHEREAS, comments from neighboring landowners will be received by the Department of Planning and Permitting in the notification process and shared with the Sturgis City Planning Commission and Sturgis City Council and commenter name withheld from public meeting.

WHEREAS, landowners within the notification zone that are adjacent to the property in question shall have higher consideration if they indicate approval or disapproval of the application;

WHEREAS, a Use on Review or Variance application, when approved, will not alter the essential character of the locality;

WHEREAS, a proposed use requested by a Use on Review or Variance application will be in harmony with the general purposes and intent of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED the Common Council for the City of Sturgis hereby declares these criteria to be met by the Sturgis City Planning Commission at the time of considering applications for a Use on Review or Variance.

NOW, THEREFORE BE IT FURTHER RESOLVED that as a result of this Resolution, the Sturgis City Planning Commission shall follow these guidelines as set forth by the Sturgis City Council for the purpose of consistent development in the best interests for the City of Sturgis.

DATED this 20th day of May 2019.

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Motion by S. Keszler, second by Martinson and carried with all members present unanimously voting yes to approve the following claims with the addition of First Interstate Bank - \$48,371.30-TIF #12.

WAGES – Ambulance \$23,499.99; Attorney \$4027.94; Auditorium \$193.63; Buildings \$1165.17; Cemetery \$2215.01; City Manager \$4560.66; Community Center \$9486.55; Finance Office \$9419.24; Fire Department \$98.92; Human Resource \$6417.34; Library \$9222.83; Liquor \$5777.01; Mayor and Council \$3837.04; Parks \$11,023.46; Planning & Permitting \$8534.34; Police \$39,588.94; Rally \$7835.93; Recreation \$3024.00; Sanitary Service \$15,991.62; Streets \$12,595.54; Wastewater \$9258.84; Water \$13,556.50; Federal Withholding \$16,088.00; FICA \$14,563.94.

COMBINED CASH FUND – Signature Auto Sales, \$60.00, refund.

GENERAL – A&B Welding, \$5.27, sup; A&J Surplus, \$97.44, sup; Laura Abernathy, \$17.92, travel; Ainsworth Benning Construction, \$711.88, util; Baker & Taylor, \$265.69, sup; Baseline Surveying, \$782.50, prof fee; Bear Butte Trees, \$1,900.00, rep; Big Sky Mini Barns, \$2,995.00, sup; Black Hills Energy, \$12,148.83, util; Black Hills Pioneer, \$820.48, pub; CB&B Aviation, \$551.12, rep; Central States Sanitation, \$159.27, rep; Commtech, \$5,345.98, sup; Culligan of the Black Hills, \$12.00, sup; Double Star Computing, \$712.65, prof fee; First Western Insurance, \$7,212.92, ins; Foremost Equipment, \$183.80, sup; Godfrey Brake Service, \$219.98, sup; Grocery Mart, \$46.42, sup; Hillyard, \$450.68, sup; Jenner Equipment, \$277.84, rep; Ketel Thorstenson, \$22,331.50, prof fee; Knecht Home Center, \$368.61, sup; KONE, \$156.48, rep; Laclede Equipment, \$4,301.60, rep; Joe Leveque, \$27.26, sup; Liberty Chevrolet, \$168.02, rep; Lighting Maintenance, \$2,239.75, rep; Loud American, \$199.00, ins; Lynn's Dakotamart, \$128.51, sup; Valerie Martin, \$31.43, travel; MasterCard, \$54,045.70, sup; Matfactor, \$200.55, sup; Meade County Auditor, \$16,230.77, other; Meade County Register of Deeds, \$90.00, other; MDU, \$5,523.06, util; North Central Supply, \$222.50, sup; O'Reilly Auto Parts, \$108.01, rep; Scott Paramo, \$1,248.00, rep; Park Avenue Car Wash, \$19.40, sup; Pete Lien & Sons, \$2,392.76, sup; Petty Cash, \$30.00, other; Powerplan, \$116.29, rep; Purchase Power, \$500.00, sup; Ramkota Hotel, \$112.00, travel; Sacrison Asphalt, \$105.60, sup; SD Arborist Assn, \$35.00, travel; SD Municipal Attorney Assn, \$18.00, travel; SD Municipal League, \$50.00, travel; Shopko Stores, \$50.65, sup; Speedy Lube, \$234.43, sup; Taste of Home, \$18.00, sup; Tow Tec Towing, \$130.00, rep; Town-n-country Plumbing, \$81.69, sup; Uline, \$319.60, sup; West Payment Center, \$166.00, prof fee; Xtreme Dakota Bicycles, \$63.75, sup.

BUSINESS IMPROVEMENT DISTRICT – MasterCard, \$8,575.01, pub; Tom's T's, \$474.80, sup.

REVOLVING FUND LOAN – D&M Rentals, \$50,000.00, loan; Petty Cash, \$60.00, other.

EQUIPMENT REPLACEMENT FUND – Scott Peterson Motors, \$63,192.00.

TIF #11 SPM – Baseline Surveying, \$3,610.00.

TIF #12 DOLAN CREEK – First Interstate Bank, \$48,371.30, other; Scheels, \$2,099.99, other.

LIQUOR – Arctic Glacier USA, \$80.73, resale; Cask & Cork, \$1,528.49, resale; Coca Cola, \$552.25, resale; Dakota's Best Distributing, \$151.00, resale; Double Star Computing, \$20.47, prof fee; Fisher Beverage, \$8,614.30, resale; Johnson Western Wholesale, \$14,814.80, resale; MasterCard, \$2,670.43, prof fee; MDU, \$105.66, util; Pepsi Cola, \$65.00, resale; Prairie Berry, \$1,008.00, resale; Quality Brands of the Black Hills, \$11,671.58, resale; Republic Beverage, \$10,911.85, resale; Schade Vineyard, \$192.00, resale; Southern Glazer's of SD, \$1,302.57, resale.

WATER – Baymont Inn & Suites, \$71.99, rep; Black Hills Energy, \$595.51, util; Black Hills Pioneer, \$22.18, pub; Double Star Computing, \$20.47, prof fee; Hawkins, \$40.00, sup; Integra Chemical Co, \$593.75, rep; Mastercard, \$3,025.81, sup; Midcontinent Testing Lab, \$784.00, prof

fee; MDU, \$226.70, util; Petty Cash, \$20.19, travel; Ramkota Hotel, \$284.97, travel; Sacrison Paving, \$5,785.50, rep; SD Assn of Rural Water, \$425.00, prof fee; SD One Call, \$128.80, prof fee; Town-n-country Plumbing, \$170.01, rep.

WASTEWATER – Advanced Engineering & Environmental, \$71,020.85, cap imp; APWA, \$202.00, prof fee; Double Star Computing, \$20.47, prof fee; FGM Engineering, \$8,500.00, cap imp Lynn’s Dakotamart, \$49.50, sup; MasterCard, \$940.03, sup; MDU, \$52.31, util; Speedy Lube, \$40.49, sup; Vanway Trophy, \$23.75, sup.

SANITATION – A&J Surplus, \$69.99, rep; Black Hills Energy, \$15.00, util; City of Belle Fourche, \$24,830.27, other; Double Star Computing, \$20.47, prof fee; Inland Truck Parts, \$116.91, rep; Lynn’s Dakotamart, \$7.98, sup; MasterCard, \$3,640.85, sup; Safety Vision, \$160.45, rep.

AMBULANCE- A&B Welding, \$117.28, sup; Dale’s Tire & Retreading, \$624.06, sup; Double Star Computing, \$20.47, prof fee; Henry Schein, \$283.70, sup; Image Trend, \$201.00, prof fee; Lynn’s Dakotamart, \$61.21, sup; MasterCard, \$11,594.89, sup; McKesson Medical Surgical, \$170.59, sup; Medical Waste Transport, \$160.95, other; MDU, \$118.61, util; North Central Supply, \$222.50, sup; Shopko Stores, \$99.99, sup; Tom’s T’s, \$860.60, sup.

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 a Special Events License for the Loud American at 1337 Main on August 2-10, 2019 during the Motorcycle Rally.

Motion by Waterland, second by Anderson and carried with all members present unanimously voting yes to approve the 2019-2020 Malt Beverage License Renewals.

Retail (on-off sale) Malt Beverage and SD Farm Wine

1. Jackson Winery and Vineyards LLC – Belle Joli Winery – 3951 Vanocker Canyon Rd - regular
2. Glen and Suzanne Bailey, LLC – Big Bertha’s Biker Bar - 1123 Main St – regular
3. Big D Oil Co – Big D Oil #46 – 2800 Junction Ave.
4. Dvorak Convenience Stores, Inc. - BJ’s Country Store - 2640 Lazelle St – regular
5. Main Street Grill, Inc. – Bob’s Family Restaurant – 1039 Main St. – restaurant
6. CBH Cooperative – CBH Cooperative – 2030 Lazelle
7. Charley’s Sturgis Classic Bike Event LLC – Charley’s - 947 Main Street - regular
8. Moyle Petroleum Co. – Common Cents Food Store #120 – 2421 S. Junction Ave - regular
9. MG Oil CO – Corner Pantry #6 Sturgis - 990 Lazelle - regular
10. Days End Campground Inc – Days End Campground - 2501 Avalanche Rd – regular
11. Dolgen Midwest LLC – Dollar General Store #18409 – 1940 Lazelle
12. Big AL’s Pizza Inc – Domino’s Pizza – 1057 Main St – restaurant
13. Kenny Price - Fat Boys LLC – 1544 Lazelle – regular
14. Jim Mason – Gold Pan Pizza - 1133 Main St – regular
15. Kan-Meyer Inc – Grocery Mart – 2216 Junction
16. 1337 Main LLC – Hot Leathers – 1073 Main St – regular
17. Rick & Brandy Jacobs – Jacobs Auto Repair – 1412 Junction Ave
18. Sheree D. Schriver – Jambonz Grill & Pub – 2214 Junction Ave. - restaurant
19. Mako Enterprises Inc – Kickstart Travel Center – 12998 Hwy 34 – regular
20. Hullinger Cuny LLC. – Kwik Mart – 2217 Junction Ave
21. Lynn’s Discount Foods Inc – Lynn’s Dakotamart Sturgis – 1111 Lazelle
22. Black Hills Pizza Hut Inc – Pizza Hut of Sturgis - 2249 Lazelle - regular
23. Old West Enterprises, LLC – Pizza Ranch of Sturgis – 2711 Lazelle St. - regular
24. Dvorak Convenience Stores Inc – Poker Alice Casino - 2640 Lazelle St - regular
25. Billy & Jason Fields – Rosco’s Steakhouse - 976 Lazelle - regular

26. Dungeon Bar, Inc – Royal Flush Casino & Sport Bar - 1030 Main St - regular
27. Shanghai Garden Inc – Shanghai Garden – 1541 Lazelle St. - restaurant
28. Lybeck’s Twenty-First Century Inc – Shenanigan’s Casino - 935 Main St – regular
29. KSLB & D Inc – Steel Pony Campground – 12997 SD Hwy 34 - regular
30. Jawbone Investments LLC dba Stinger Saloon – 1102 Main St - regular
31. MAJR, LLC – Sturgis Coffee Company - 2275 Lazelle Street - restaurant
32. Sturgis Events LLC – Sturgis Events - 1231 Lazelle - regular
33. Sturgis RV Park, LLC – Sturgis RV Park, LLC – 1175 W Woodland - regular
34. Sturgis Strikers LLC – Sturgis Strikers – 910 1st Street - regular
35. Sturgis Wine Company LLC – Sturgis Wine Company – 1117 Main Street - regular
36. Key City Enterprises LLC – The Knuckle Saloon – 931 1st Street
37. Tamarack Inc – Total E’Clips Salon - 920 1st St – Spa/ Health & Beauty
38. Wicked Wandas Creations LLC – Wanda’s Kitchen – 1025 Junction Ave - regular
39. Willie Nillie Inc. – Willie Nillie – 2715 Lazelle St. Suite D – regular
40. BW Gas & Convenience Retail LLC – Yesway Store #1193 – 2350 Lazelle

Motion by Martinson, second by T. Keszler and carried with all members present unanimously voting yes to approve a Retail On-Off Sale Wine and Cider License and a Retail On-Off Sale Malt Beverage and SD Farm Wine License for Family Dollar Stores at 2415 Lazelle St. contingent that we receive the proper legal description.

Motion by Anderson, second by Bachand and carried with all members present unanimously voting yes to approve Resolution 2019-37 – Street Closure for the 15th Annual Fulton Street Bash on August 3, 2019.

RESOLUTION 2019 -37
RESOLUTION TO AUTHORIZE USE OF CITY PROPERTY AND STREET CLOSURE
FOR THE 15TH ANNUAL FULTON STREET BASH

WHEREAS, the 15th annual Fulton Street Bash will be held in the City of Sturgis, on Saturday, August 3rd; and

WHEREAS, on August 3rd the street closure will be for Dakota Street between Fulton Street and the alley to the East of Dakota Street from 2:00 pm -10 pm; and

WHEREAS, the event has brought hot rods and motorcycles together on the first Saturday of the Motorcycle Rally; and

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

WHEREAS, the event that is held on this right-of-way enhances the activities going on during the week of the Rally; and

NOW, THEREFORE, BE IT RESOLVED that to accommodate this event the street closure will be for Dakota Street between Fulton Street and the alley to the East of Dakota Street from 2:00 pm -10:00 pm.

Dated this 20th day of June 2019.

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Motion by Martinson, second by Anderson and carried with all members present unanimously voting yes to approve a Use on Review for year-round, drive thru coffee kiosk at 1102 Junction for Buddy Properties (Bob Bertolotto).

After much discussion with the landowners in this area of the zoning amendment a motion was made by Waterland, second by Martinson and carried with Carstensen, Anderson, Bachand, Crane, S. Keszler, T. Kesler, Martinson and Waterland voting yes, Zerbst voting no, to approve a Zoning Amendment for Park Land to Medium Density Residential Housing at Creekside Subdivision, Block 1, Lots 1-4. There will be no zoning change to Lot 5 at this time.

Motion by Waterland, second by Bachand and carried with all members present unanimously voting yes to approve a Variance Request of a 5' variance to a 10' side setback to build a garage at 1441 Main Street for Brent Taylor.

Motion by Crane, second by S. Keszler and carried with Carstensen, Anderson, Bachand, Crane, S. Keszler, Martinson and Waterland voting yes, T. Keszler and Zerbst abstaining, to approve Resolution 2019-38 - Amendment to TIFD #12 – Dolan Creek Estates.

RESOLUTION 2019-38
AMENDMENT OF TAX INCREMENTAL DISTRICT NUMBER TWELVE
(Dolan Creek Estates)

WHEREAS, the Common Council of the City of Sturgis created Tax Incremental District # 12 through the adoption of Resolution 2015-34 with the effective date of May 20, 2015;

WHEREAS, the Common Council also established the project plan for TID #12 which included total Tax Increment Financing of \$1,900,000; and,

WHEREAS, the Common Council of the City of Sturgis deems it necessary to amend the project plan for Tax Incremental District #12, as authorized by SDCL 11-9-18, to complete unanticipated but necessary stormwater infrastructure to complete the project; and,

WHEREAS, the Amended project plan for Tax Incremental District Number Twelve (TID #12) shall include the same property and tax base as originally established, more particularly described herein; and

WHEREAS, the Council has reviewed and considered the recommendation for an amended project plan provided to the Council by the Sturgis Planning and Zoning Commission; and

WHEREAS, the property within District #12 continues to meet the qualifications and criteria set forth in SDCL 11-9-8 for a tax incremental district; and

WHEREAS, the Council finds that not less than twenty-five percent, by area, of the real property within District #12 continues to be a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources and that the total amended project value is less than 35% of the original project value; and

WHEREAS, the Council finds that the use of tax increment financing to promote development is authorized by the statutes of the State of South Dakota; and

WHEREAS, the Council finds improvement of the area is likely to significantly enhance the value substantially of all the other real property in the district.

NOW THEREFORE BE IT RESOLVED, by the City of Sturgis that the project plan for Tax Incremental District Number Twelve (TID #12) shall be amended as presented to this Council to add the necessary stormwater infrastructure.

NOW, THEREFORE BE IT FURTHER RESOLVED that said project plan for Tax Incremental District Number Twelve, City of Sturgis, shall upon passage and publication be amended and be forwarded to the State of South Dakota Department of Revenue.

Dated this 20th day of May 2019.

Published: 05-28-2019

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Motion by Waterland, second by T. Keszler and carried with all members present unanimously voting yes to approve a contract with Dolan Creek LLC for development of Dolan Creek Park by the City and have the City Manager sign all documents related to this project.

Bill Cissell, Sturgis Chronicle, was present and asked the Council to reconsider their decision on making the Black Hills Pioneer their legal paper. He asked if his paper could be named a secondary legal newspaper. City Attorney Barnier will research this.

Motion by Bachand, second by Waterland and carried with Carstensen, Anderson, Bachand, Crane, S. Keszler, T. Keszler, Martinson and Waterland voting yes, Zerbst voting no, to approve first reading of Ordinance 2019-05 – Title 7 – City Government.

Any other business:

- Mark Norstegaard discussed some actions that were taken by the Council throughout the night.
- Bonnie Alberts discussed fixing up some of the run-down homes in town and if there is any funding for it.

Motion by T. Keszler, seconded by Bachand and carried with all members present unanimously voting yes to adjourn the meeting at 9:39 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$