

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, December 2, 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 Waterland, second by Zerbst and carried with all members present unanimously voting yes to approve the agenda.

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

Motion by Martinson, 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:

- Sturgis Public Library Minutes from November 13, 2019
- Municipal Utility Board Minutes from October 22, 2019

Announcements:

- The Christmas Tree lighting will be held on Thursday December 5th at 6:00 pm at the Rally Point.
- The Parade of Lights will be held on December 6th at 6:00 pm.
- The Community Christmas concert will be Sunday the 8th at 2:00 pm.
- The Chamber mixer at the Sturgis Motorcycle Museum will be December 3rd.

City Manager Ainslie reported:

- Payroll Changes within Budget-
 1. Police- Julie Goetsch, Animal Shelter Technician \$13.05; Madison Pankratz, Animal Shelter Support Staff \$10.50; Alora Murray, Animal Shelter Support Staff \$10.50; Aryann Hoffer, Animal Shelter Support Staff \$10.50.

Motion by Bachand, second by Crane and carried with all members present unanimously voting yes to approve the following items on the consent calendar with the exception of the removal of g:

- a. Consideration to approve minutes from the November 18, 2019 regular council meeting.
- b. Consideration to approve an abatement of city property taxes for Linda and Alvin Span at 1308 Nellie Street-revised by Meade County Equalization Office.
- c. Consideration to approve the 2020 Charitable contribution recommendations.
- d. Consideration to set a public hearing for a special events license for the Loud American on January 11, 2020 for Miss Rodeo South Dakota Coronation Ceremony.
- e. Consideration to approve signing the 2020 professional services contract with Sturgis Rally Charities Foundation.
- f. Consideration to approve signing the 2020 professional services contract with Sturgis Chamber of Commerce.
- ~~g. Consideration to affirm the signature of proposal to survey and design an emergency replacement structure for 7th Street crossing~~

Motion by T. Keszler, second by Bachand and carried with all members present unanimously voting yes to affirm the signature of a proposal to survey and design an emergency replacement structure for the 7th Street crossing.

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

WAGES – Ambulance \$21,544.69; Attorney \$4027.42; Auditorium \$193.70; Buildings \$1165.24; Cemetery \$2213.40; City Manager \$4560.14; Community Center \$9866.56; Finance Office \$7996.67; Fire Department \$110.63; Human Resource \$4969.97; Library \$8746.85; Liquor \$10,115.40; Mayor and Council \$3837.04; Parks \$10,837.79; Planning & Permitting \$8810.33; Police \$37,281.86; Rally \$7595.30; Recreation \$3114.89; Sanitary Service \$15,828.86; Streets \$12,806.61; Wastewater \$9228.41; Water \$10,776.12; Federal Withholding \$16,121.89; FICA \$14,174.23.

COMBINED CASH FUND – Scott & Jackie Hansen, \$40.00, refund; Troy Keffeler, \$68.39, util.

GENERAL – A&B Welding, (\$42.43), sup; Amick Sound, \$34.24, rep; Armscor Cartridge, \$4,385.00, sup; Axon Enterprises, \$1,258.00, equip; Baker & Taylor, \$34.75, sup; Black Hills Energy, \$13,681.49, util; Roger Burnham, \$3,605.00, prof fee; Butler Machinery, \$16.40, rep; Cash-Wa Distributing, \$126.15, resale; Central States Sanitation, \$100.00, rep; Chain Saw Center, \$32.37, rep; Chris Supply, \$14.78, sup; City of Sturgis Water Dept, \$2,939.62, util; Dakota Extinguisher & Safety, \$348.00, rep; Double Star Computing, \$1,483.29, prof fee; Judy Duprel, \$500.00, ins; Ebsco Subscription Service, \$3,124.10, sup; Tamera Even, \$625.21, ins; Fence Crafters, \$2,455.14, rep; Ryan Fitzpatrick, \$30.00, other; Ken Grosch, \$60.00, other; Harvey's Lock Shop, \$17.50, sup; Knecht Home Center, \$119.70, rep; Lakota Contracting, \$1,909.35, sup; Motionsoft, \$450.00, prof fee; Office of Fire Marshall, \$240.00, rep; Julie Peterson, \$1,000.00, ins; Petty Cash, \$11.00, sup; Ramkota Hotel, \$576.00, travel; S&C Cleaners, \$6,500.00, prof fee; Sacrison Asphalt, \$363.00, sup; Billy Schlosser, \$60.00, other; Chris Schmoker, \$33.66, sup; Wray Shouldis, \$40.00, refund; Sturgis Photo & Gifts, \$154.99, sup; Sturgis Police Reserves, \$1,143.36, util benefit; Jameson Tebben, \$50.00, sup; the Corner Station, \$26.13, sup; traffic Control Corporation, \$198.00, rep; Twilight First Aid & Safety, \$191.17, sup; U Drive Technology, \$414.00, util.

SPECIAL SALES TAX – Sturgis Area Chamber of Commerce, \$10,833.37; Sturgis Economic Development, \$8,500.00.

CAPITAL IMPROVEMENT – C Eagle Construction, \$38,236.08.

BUSINESS IMPROVEMENT DISTRICT – Haggerty's Musicworks, \$26.15, sup; Swank Motion Pictures, \$1,012.00, sup.

HOTEL OCCUPANCY TAX DISTRICT – Weimer's Diner & Donuts, \$100.00, other.

TIF #12 DOLAN CREEK – First Interstate Bank, \$54,244.12; Superior International Industrial, \$61,387.25.

LIQUOR – Badlands Distillery, \$254.22, resale; Black Hills energy, \$1,654.23, util; Boulder Canyon Country Club, \$1,000.00, pub; Cash-Wa Distributing, \$505.80, resale; Cask * Cork, \$1,137.00, resale; City of Sturgis Water Dept, \$305.79, util; Coca Cola, \$478.75, resale; Double Star Computing, \$77.48, prof fee; Fisher Beverage, \$8,299.76, resale; Johnson Western Wholesale, \$8,438.96, resale; Travis Parker, \$500.00, ins; Pepsi Cola, \$99.00, resale; Prairie Berry, \$1,011.00, resale; Quality Brands of the Black Hills, \$7,539.40, resale; Republic Beverage, \$12,358.92, resale; Southern Glazer's of SD, \$1,755.89, resale; Weimer's Diner & Donuts, \$180.00, resale.

WATER – Amick Sound, \$40.00, sup; Black Hills Energy, \$970.05, util; City of Sturgis Water Dept, \$249.45, util; Double Star Computing, \$107.48, prof fee.

WASTEWATER – Black Hills Energy, \$3,046.16, util; Double Star Computing, \$77.48, prof fee; Meade County Weed & Pest Mgmt., \$1,357.93, other; Watertree, \$1,524.19, prof fee.

SANITATION – Black Hills Energy, \$345.10, util; City of Belle Fourche, \$24,563.86, other; Double Star Computing, \$77.48, prof fee; Floyd’s Truck Center, \$125.92, rep; Holtz Industries, \$151.00, rep; Inland Truck Parts, \$83.18, rep; Northern Truck Equipment, \$105.15, rep; Tim Stumpf, \$500.00, ins.

AMBULANCE – A&B Welding, \$285.16, sup; Anthem BC, \$430.82, refund; City of Sturgis Water Dept, \$83.10, util; Double Star Computing, \$167.64, prof fee; Michael E Hogue, MD, \$500.00, prof fee; Image Trend, \$360.00, prof fee; Regional Health, \$17.00, sup; Stryker Sales Corp, \$752.49, sup.

Motion by Martinson, second by Anderson and carried with all members present unanimously voting yes to approve a Special Events License for December 2, 2019 for the Oasis Bar & Fireside Lounge for the Historical Society Taste of Sturgis event on January 10, 2020.

Motion by Waterland, second by Zerbst and carried with all members present unanimously voting yes to approve second reading of Ordinance 2019-13 – Title 11 - Health & Sanitation.

ORDINANCE 2019-13

AN ORDINANCE AMENDING TITLE 11 – HEALTH AND SANITATION

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 11 – Health and Sanitation – Chapter 11.03 Rubble Site and Dumping – Section 11.03.07 -Rates for Use of Rubble Site; Chapter 11.04 Collection and Disposal of Garbage and Rubbish – Section 11.04.12: Special Event Sanitation Fee; Chapter 11.05 – Sewers - Section 11.05.16: Fee for Sewer Tap Permit; Section 11.05.31 - Sewer Use Charges to be amended to read as follows:

TITLE 11 HEALTH AND SANITATION

Chapters:

- 11.01: General Provisions
- 11.02: Health Officer
- 11.03: Rubble Site and Dumping
- 11.04: Collection and Disposal of Garbage and Rubbish
- 11.05: Sewers
- 11.06: Regulation of Tattoo Parlors
- 11.07: Disposal of Waste Materials Generated by Vendors

Sections:

- 11.03.01: Creation of Rubble Site
- 11.03.02: Duties and Powers of Rubble Site Supervisor
- 11.03.03: Unlawful to Dump Certain Materials
- 11.03.04: Removal Restrictions
- 11.03.05: Fires at Rubble Site
- 11.03.06: Prohibited Dumping
- 11.03.07: Rates for Use of Rubble Site
- 11.03.08: Disposal of Syringes or Medical Waste Prohibited
- 11.03.09: Disposal of Tires

11.03.07: RATES FOR USE OF RUBBLE SITE

Any City resident or water account holder who has paid all current rates for the hauling of rubbish from within the City as set forth in this Chapter, shall upon presentation of a copy of the utility bill and proof of identity, be entitled to access to the Rubble Site for the purpose of depositing rubble originating from a residence or a commercial unit within the City, so long as the quantity of the rubble being hauled to the Rubble Site is a pickup load or a smaller trailer containing no more than 5 yards.

The fees for dumping material at the Rubble Site shall be a base rate of \$15.00 per yard, and the rate for containers shall be as follows:

\$15.00 per yard for general rubble, white goods and asphalt shingles.

Should the Rubble Site be able to charge by mass, the charge shall be \$25 per ton for general rubble, \$10 per piece for White Goods and \$40 per ton for asphalt shingles.

Starting January 1, 2014, the Rubble Site fees shall be reviewed annually by the City Council during the budget ordinance approval process. After the Council has passed the annual budget ordinance, it shall also adopt a resolution establishing the changes, if any, in the foregoing Rubble Site rates necessary to meet the revenue projections for that annual budget ordinance.

The fees set forth above are based on container size, not by the amount of rubbish in said container. If the size of the container is not listed above, the size of the container shall be rounded up to the larger size as determined by City Public Works staff and the appropriate fee shall be paid on that size.

Mobile Home disposal may be permitted subject to inspection and acceptance by Public Works Director or his designee. No Mobile Home or similar prefabricated unit will be accepted for disposal if it contains household goods, clothing, trash, garbage or other hazardous or toxic items. The rate for disposal shall be \$20.00 per linear foot, including hitch length, tires will be charged separately in accordance with Section 11.03.09.

For convenience, punch cards shall be sold by the City, which shall allow the owner thereof to dump in quantities equal to the value of the categories hereinbefore set forth at said Rubble Site.

For the purpose of this Section, rubble and waste material originates at the place where it first becomes rubble or waste material.

It shall be unlawful to dump any rubble or waste material at the Rubble Site without paying the required fee as set forth herein.

The Rubble Site may be unlocked on Sundays or holidays provided the person requesting this service in writing shall pay to the City a fee to reimburse the City for its costs, in an amount to be determined by the Public Works Director.

SECTION:

11.04.01: Council May adopt System for Collection and Disposal

11.04.02: City Collection System

11.04.03: Rates

11.04.04: Council Authority Over Rates

- 11.04.05: Billing and Failure to Pay
- 11.04.06: Container Regulations
- 11.04.07: Illegal Disposal of Waste
- 11.04.08: Placement of Garbage Cans and Rubbish
- 11.04.09: Accumulation of Garbage and Rubbish
- 11.04.10: Compulsory and Universal System
- 11.04.11: Hazardous or Toxic Waste Not to be Placed in Any Container for Collection
- 11.04.12: Special Event Sanitation Fee
- 11.04.13: Billing and Failure to Pay
- 11.04.14: Appeal Process

11.04.12: SPECIAL EVENT SANITATION FEE

A sanitation fee in the amount of Two Hundred Seventy-Five Dollars and seventy-five cents (\$275.75) shall be imposed and collected for additional garbage and public collection disposal and for the provision of the temporary sanitation services to all temporary vendors within the City during any special event of over four (4) days in duration, unless specifically exempted from payment under the language of the Temporary Vendor License requirements set out in Subsection 31.02.03.5 (D) and (E), Sturgis City Ordinances. With exception of any vendor who holds a malt beverage, liquor or wine license, whose primary income or point of sales is from malt beverage, liquor or wine sales to be included herein to the following Special Event Sanitation Fee guidelines.

The fee of \$275.75 shall be imposed for access up to five (5) refuse “totes”. An additional fee of \$55.15 shall be imposed for each additional refuse tote beyond five (5) provided to the account holder at that property. If any of the provided refuse totes require an additional dump, it will have an additional charge of \$11.26 per tote, per day, per extra dump. A fee of \$113.75 per day per dump will be charged for a 15-yard roll-off container.

Residents who request an additional tote or pickup at their home will be subject to an additional fee of \$11.26 per tote, per day, per extra dump.

The number of additional refuse totes or extra dumps required for each property during a special event shall be determined by the Public Works Director or his/her designee. A property owner may dispute the determination and request a review of that determination by the Public Works Director within 72 hours of delivery of the additional totes to the property by providing a written objection and any supporting documentation to the City Finance Office. The City Manager will review the complaint and provide a written decision to the property owner within 5 days. If the property owner still disputes the fee for the additional refuse totes, the remedy for the property owner is to submit a formal appeal as provided for at Section 11.04.23 herein.

Material permitted to be disposed of in these totes does not include disposal of any tires, inner tubes or similar items. Vendors that have paid the Special Sanitation Fee set forth above can request disposal of used tires at the time the Vendor permit and Special Sanitation Fee is paid by paying for 1/2 of the total expected tire disposal cost, calculated at the following rate per tire:

Type 1 - \$4.00 each – Bicycle tires.

Type 2 - \$5.00 each – Vehicle and motorcycle tires for rim size 17 inches or smaller.

Type 3 - \$11.00 each – Tires larger than 17 inches inside diameter and up to 20 inches inside diameter.

Type 4 - \$22.00 each-- Tires larger than 20 inches inside diameter and up to 22.5 inches inside diameter.

Type 5 - \$42.00 each– Tires larger than 22.5 inches inside diameter and up to 24 inches

inside diameter.

No tires larger than 24 inches inside diameter shall be accepted. Tires must be sorted, paid for at the listed fee, and placed in the proper pile according to the directions of the Public Works director or his designee.

Billing for said tire pick up shall be sent to both the Vendor and the property owner. Any tire disposal so arranged but not paid in full within 45 days after the end of the annual motorcycle rally shall be assessed to the property owner's resident's monthly sanitation/utility bill sent by the Sturgis Water Department and subject to collection by the City of Sturgis by any means authorized by city Ordinance or state law.

Tires which are left on private property and not removed within 7 days of the end of the annual motorcycle rally, or for which full payment for removal as set forth above has not been received, shall be removed by City personnel and the following fees assessed to the property owner for such removal:

Type 1 - \$5.00 each – Bicycle tires.

Type 2 - \$7.00 each – Vehicle and motorcycle tires for rim size 17 inches or smaller.

Type 3 - \$12.00 each – Tires larger than 17 inches inside diameter and up to 20 inches inside diameter.

Type 4 - \$25.00 each-- Tires larger than 20 inches inside diameter and up to 22.5 inches inside diameter.

Type 5- \$45.00 each– Tires larger than 22.5 inches inside diameter and up to 24 inches inside diameter.

For any tire larger than 24" left on public or private property and picked up by public Works or other authorized City personnel to avoid the existence of a trash nuisance, the handling and disposal fee shall be \$150.00 or the actual disposal cost to the City, whichever is greater. Billing for all tires picked up by City employees shall be assessed at these rates on the property owner's resident's monthly sanitation/utility bill sent by the Sturgis Water Department.

In addition to being required to pay the Special Sanitation Fee provided for herein, trash piled upon or next to a refuse tote may constitute a nuisance in violation of Title 12 of Sturgis ordinances, and the property owner may be subject to prosecution for any such violation under Ordinance Title 12, or under the Administrative Code Violation provisions of Ordinance Title 36.

The owner of each establishment set forth below shall pay the sanitation fee prescribed above for the sanitation provided by the City during any special event of over four (4) days duration. Said fee shall be added to the next utility billing following the special event as shown by the records of the Sturgis Water Department. The fee prescribed is for a maximum twelve (12) day period. Said fee shall be imposed and collected from the following establishments, unless specifically exempted from payment by the language of ordinance Title 31:

- A. Food service establishment licensed under the statutes and regulations of the South Dakota State Department of Health with a seating capacity of thirty (30) persons or less. (License Type 150)
- B. Food service establishment licensed under the statutes and regulations of the South Dakota State Department of Health with a seating capacity of thirty-one (31) persons or more. (License Type 150)
- C. Food service establishment which is not required to be licensed under the statutes and regulations of the South Dakota State Department of Health. (License Type 150)
- D. Establishments licensed pursuant to SDCL 35-4-2 (16) or SDCL 34-4-11, selling On-Sale Malt Beverages. (License Type 150)

- E. Establishments licensed pursuant to SDCL 35-4-2(17) selling Off-Sale or packaged Malt Beverages. (License Type 150)
- F. On-Sale Liquor establishment licensed pursuant to SDCL 35-4-2(4). (License Type 150)
- G. Off-Sale Liquor establishment licensed pursuant to SDCL 35-4-2(3). (License Type 150)
- H. Temporary campground licensed by the State of South Dakota. (License Type 150)
- I. Business establishment not required to purchase a transient merchant's license required under The Sturgis City Ordinances where property has been modified and goods or services are provided in addition to or different from what is normally sold from property (food service establishment will be regulated under Section 1, 2, and 3). Fee is for each separate sales or service activity. (License Type 150)
- J. Any non-profit organization which sells raffle tickets or lottery tickets except those non-profit organizations established for religious, charitable or benevolent purposes as set forth in Section 501 of the Internal Revenue Code. An exception shall only apply to those non-profit organizations that can prove qualifications under Section 501, compliance with the notice provisions of SDCL 22-25-25(6), and which are identified as exempt from this fee by the language of Title 31, Temporary Vendor License.

This Special Sanitation fee shall be imposed for any other activity including, but not limited to, musical shows, demonstrations, or productions with two or more showings or sessions held during any event of over four (4) days in duration and not provided for above.

The sanitation rates set forth above shall be imposed regardless of whether the business is operated on a "not for profit" basis or otherwise.

Starting January 1, 2015, the Special Sanitation fee shall be reviewed annually by the City Council during the budget ordinance approval process. After the Council has passed the annual budget ordinance, it shall also adopt a resolution establishing the changes, if any, in the foregoing Special Sanitation rates necessary to meet the revenue projections for that annual budget ordinance.

SECTION:

- 11.05.01: Unsanitary Deposit Prohibited
- 11.05.02: Discharge of Wastewater in Natural Outlet Prohibited
- 11.05.03: Prohibited Construction and Maintenance
- 11.05.04: Required Installation and Connection
- 11.05.05: Required Capping of Lines
- 11.05.06: On-Site Wastewater Disposal
- 11.05.07: On-Site Wastewater Disposal Permit Required
- 11.05.08: Application for On-Site Wastewater Disposal Permit
- 11.05.09: Fee for On-Site Wastewater Disposal Permit
- 11.05.10: Approval and Inspection of On-Site Wastewater Facility Required
- 11.05.11: Required Compliance
- 11.05.12: Public Connection Required When Available
- 11.05.13: Sanitary Maintenance Required
- 11.05.14: Sewer Tap Permit Required
- 11.05.15: Application for Sewer Tap Permit
- 11.05.16: Fee for Sewer Tap Permit
- 11.05.17: Costs and Expenses Incidental to Connection
- 11.05.18: Separate Sewer Required for Each Building
- 11.05.19: Required Building Sewer Specifications
- 11.05.20: Inspection and Connection

- 11.05.21: Groundwater Drainage Prohibited
- 11.05.22: Unpolluted Water Drainage
- 11.05.23: Discharge of Prohibited Materials
- 11.05.24: Discharge Allowed with Limitation
- 11.05.25: Grease, Oil, and Sand Interceptors
- 11.05.26: Maintenance of Pretreatment Facilities
- 11.05.27: Structure Required for Industrial Waste
- 11.05.28: Adoption of Standard Methods for the Examination of Water and Wastewater
- 11.05.29: Agreements for Special Circumstances
- 11.05.30: Powers and Authority of Public Works Director
- 11.05.31: Sewer Use Charges
- 11.05.32: Billing and Delinquent Accounts
- 11.05.33: Protection from Damage
- 11.05.34: Sump Pump Usage
- 11.05.35: Appeal Process

11.05.16: FEE FOR SEWER TAP PERMIT

Upon making application for either class of sewer tap permit, any applicant shall pay a fee of Four Hundred Dollars (\$400.00). Starting January 1, 2020, the Sewer Tap fee shall be reviewed annually by the City Council during the budget approval process. After the Council has passed the annual budget ordinance, it shall also adopt a resolution establishing the changes, if any, in the foregoing Sewer Tap fees necessary to meet the revenue projections for that annual budget ordinance.

11.05.31: SEWER USE CHARGES

Starting January 1, 2020, the Sewer Use charges shall be reviewed annually by the City Council during the budget ordinance approval process. After the Council has passed the annual budget ordinance, it shall also adopt a resolution establishing the changes, if any, in the foregoing Sewer Use rates necessary to meet the revenue projections for that annual budget ordinance.

If water service to a property is shut off, the monthly availability fee will still be charged to that account. This fee shall not be charged to accounts that are used solely for irrigation purposes. The Council may adjust the fee during the yearly budgeting process by resolution. The Commercial availability fee shall be determined based on the water line size that feeds the property.

The sewer charge for commercial and institutional units shall be billed to the owner or operator of the commercial or institutional property based upon the size of domestic water lines.

In addition, each commercial or institutional account shall be assessed a usage fee based upon water usage.

In addition to the required tap fees described in Section 11.05 within this chapter, a supplemental development sewer tap fee shall be required for all accounts established within the following described areas located within Section 22, the Davenport Ranch.

The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, And SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ in Section 22, TWP, Range 5 North, Twp 5 East Black Hills Meridian, in Meade County.

The applicant for the building permit shall be responsible to pay an additional \$3,000 tap fee per sewer account. That Supplemental development sewer tap fee shall be paid to the City before the building permit may be issued by the Building Official.

Whenever the BOD concentration exceeds 200 mg/l or the suspended solids concentration exceeds 250 mg/l based on a twenty-four (24) hour sampling period, flow-proportioned composite sample the sewage use fee shall be increased. The incremental charge shall be calculated based on the incremental cost incurred by the City.

The institutional users shall include but are not limited to schools, City, County and State buildings. Sewage use charges shall be increased as set forth above, and consistent with EPA and DENR regulations.

Adopted this 2nd day of December 2019.

First reading: 11-18-2019
Second reading: 12-02-2019
Adopted: 12-02-2019
Published: 12-10-2019
Effective: 12-31-2019

Motion by T. Keszler, second by Zerbst and carried with all members present unanimously voting yes to approve second reading of Ordinance 2019-14 – Title 18 – Zoning to rezone Lazelle Street from.

ORDINANCE 2019-14

AN ORDINANCE AMENDING TITLE 18 – ZONING

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 18 – Zoning – Title 18.05.11 GC-3 – Single Family Residential/Office Commercial District to be amended to read as follows:

TITLE 18.05.11 GC-3 – SINGLE FAMILY RESIDENTIAL/OFFICE COMMERCIAL DISTRICT

(A) DEFINITION:

This commercial district is intended to provide a place for those types of institutional and commercial activities that are low profile and service oriented in nature and are surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of this district are intended to make the following uses desirable either in a central business location or a suburban location near or integrated with a residential neighborhood.

No outdoor sales or services may be provided at any time. No temporary or transient merchants will be permitted in any case.

No temporary structures in association with temporary merchants may be permitted in this district.

(B) PERMITTED USES:

1. Art galleries or business's similar in nature

2. Assembly halls for non-profit corporations but not including the serving or dispensing of alcoholic beverages
3. Hospitals, sanitariums, medical offices, not including veterinary establishments, with pharmacies allowed as accessory use to permitted medical facilities
4. Laboratories for medical research and testing
5. Libraries
6. Museums
7. Office buildings in which no activity is carried on catering to retail trade with the general public and no stock or goods are maintained for sale to customers. These shall include, but not necessarily be limited to doctors, dentist, lawyers, architects, chiropractors, engineers, real estate office, insurance, appraisers, accountants, single chair barber shops or similar uses.
8. Financial institutions.
9. Single family on site, detached conventionally built homes. (Manufactured homes which are mobile in nature will not be permitted.)
10. No multi-family or attached single family dwellings will be permitted in this district.
11. Auto repair/maintenance
12. Restaurant
13. Flower shop
14. Photography Studio
15. Apparel store and manufacturing

Adopted this 2nd day of December 2019.

First reading: 11-18-2019
 Second reading: 12-02-2019
 Adopted: 12-02-2019
 Published: 12-10-2019
 Effective: 12-31-2019

Motion by Martinson, second by Crane and carried with all members present unanimously voting yes to approve first reading of Ordinance 2019-12 – Supplemental Appropriations Ordinance for 2019 Budget.

Any other business:

Scyller Borglum introduced herself to the Council as a candidate running for the US Senate in 2020 and thanked the Council and staff for their service to the community.

Motion by Crane, second by S. Keszler and carried with all members present unanimously voting yes to go into executive session for personnel and contracts at 7:30 pm.

Motion by Bachand, second by Waterland to return to regular session at 8:24 pm.

Motion by S. Keszler, seconded by T. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 8:25 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$