

## 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, March 20, 2017 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rod Bradley, Rhea Crane, Tony Dargatz, Steve Keszler, David Martinson and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by Waterland to approve the agenda. Waterland rescinded motion.

Motion by Bradley, second by Bachand and carried with all members present voting yes to approve the agenda with the removal of consent calendar items c, d and f and tabling item 11 b until the April 17<sup>th</sup> meeting..

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

Motion by Crane, second by Keszler to return to regular session at 6:31 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Announcements:

- Councilor Waterland offers a sincere condolence to the Bill Barff family. The City appreciates his years of service as a Police Officer.
- Bob Looby will be retiring from the Community Center on March 31st and a retirement party will be held from 1-3 on that day.

### Informational Reports:

- Library 2016 Annual Report – this report is on the City website.
- Water Superintendent Dale Olson gave a PowerPoint presentation of the 2016 Annual Water Report. This presentation and report will be on the City website.
- Sturgis-Meade County Ambulance 2016 Annual Report – this report will be on the City website
- Planning Commission – 3/7/17 minutes

### City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for January collected in February was down 8.8% compared to last January. January of 2016 was much higher than any other January in the past. The Gross Receipts Tax (triple B) was up 36% compared to January of 2016.
- Payroll Changes – within budget:
  1. Community Center Dept – Front Desk Attendant part-time – Cynthia Wildberger - \$8.65
  2. Recreation Dept – Referee seasonal – Devon Crowe - \$20 per game
- City Manager Ainslie appointed Lana Anderson to Parks Board.

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

- a. Consideration to approve the minutes from the March 6, 2017 regular council meeting and the March 15, 2017 special meeting

- b. Consideration to approve a Special Events Consumption Only Permit for Black Hills Trails at the Sturgis Armory on April 15, 2017 for a fundraiser/social
- ~~e. Consideration to approve use of the Fairgrounds for a Youth Rodeo Clinic/Jackpot for various dates in May-August~~
- ~~d. Consideration to approve use of the Fairgrounds for the SW Regional High School Rodeo on June 9-11, 2017~~
- e. Consideration to approve the Airport Management Contract with Roger Burnham/CB&B Aviation
- ~~f. Consideration to approve use of the Fairgrounds for the 2<sup>nd</sup> Annual Demolition Derby on 9/30/17.~~
- g. Consideration to approve Resolution 2017-15 – Plat of former Francis Case School site.

**RESOLUTION 2017-15  
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 PS-1 and PS-2, Block 10 of Potter's Second Addition to the City of Sturgis. Formerly Lots 13-19 Inclusive, Block 10 of Potter's Second Addition to the City of Sturgis AND Formerly Lots 1-12 Inclusive, Lots 20-24 Inclusive, Lot 1A, Lot 24A, the Vacated Alley Abutting and Adjoining Lots 1-24, Block 10 and Lot 6A, Lot 7A and ROW Lot 13, Block 9, of Potter's Second Addition to the City of Sturgis.

All located in the NE1/4 of the NW1/4 of the SW1/4 of Section 10, 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 in all things except Landowner Certification.

**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 upon final completion of the landowner's certification.

**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 March, 2017.

Published: 03-29-2017

Effective: 04-19-2017

Motion by Bachand, second by Waterland and carried with all members present voting yes to approve use of the Fairgrounds for a Youth Rodeo Clinic/Jackpot for various dates in May-August and to waive the usage and electricity fee. They do need to pay the \$1000 deposit.

Motion by Bradley, second by Bachand and carried with all members present voting yes to approve use of the Fairgrounds for the SW Regional High School Rodeo on June 9-11, 2017 and

to waive the usage fee. They are required to pay the ambulance fee of \$300 a day and the \$1000 deposit.

Motion by Waterland, second by Martinson and carried with all members present voting yes to approve use of the Fairgrounds for the 2<sup>nd</sup> Annual Demolition Derby on September 30, 2017. They will be allowed to reduce their bond from \$5000 to \$1000. The ambulance fee will be waived as long as the donation money goes back to the Fire Department. The \$1000 deposit will be required.

Motion by Crane, second by Anderson and carried with all members present voting yes to approve the following claims with the addition of PWV Media-\$2300.00, Ambulance:  
**WAGES** – Ambulance \$28,036.26; Attorney \$3534.38; Auditorium \$184.93; Buildings \$1111.93; Cemetery \$2395.83; City Manager \$4200.04; Community Center \$11,043.04; Finance Office \$8837.79; Fire Department \$434.96; Human Resource \$6392.53; Library \$8711.94; Liquor \$6789.77; Mayor and Council \$3661.11; Parks \$8014.06; Planning & Permitting \$7488.34; Police \$41,395.60; Rally \$6817.24; Recreation \$3935.61; Sanitary Service \$13,308.55; Streets \$12,178.37; Wastewater \$8792.83; Water \$13,391.64; Federal Withholding \$20,043.23; FICA \$14,567.13.

**COMBINED CASH FUND** – Wade Linafelter, \$39.64, util refund; Mary Jane Lutz, \$9.21, util refund; Derek Williams, \$94.70, util refund.

**GENERAL** – A&B Welding, \$4.96, repair; Mark Alley, \$32.27, travel; Americinn Lodge, \$183.98, travel; BH Chemical, \$1965.12, sup; BH Door Systems, \$343.50, repair; BH Energy, \$14,297.07, util; Campbell Supply, \$634.23, repair; Cass County Heating, \$7149.60, repair; CBH Coop, \$7899.55, sup; Civicplus, \$1542.07, prof fee; Coca Cola, \$932.75, merch for resale; Dakota Hardware, \$394.97, sup; Double Star Computing, \$1284.25, prof fee; Ecolab Pest, \$168.08, maint; Epic Outdoor Advertising, \$1100.00, rental-rally; First Interstate Bank, \$8486.14, sup/travel; G&G Enterprises, \$129.00, merch for resale; Ken Grosch, \$60.00, transport; Heiman Fire Equipment, \$118.76, sup; Hills materials, \$625.32, sup; Hillyard, \$687.54, sup; Holiday Inn Express, \$79.99, travel; Homeslice Media Group, \$3540.00, publ-rally; Gabriel Hydrick, \$633.60, other; Aaron Lukesh, \$30.00, transport; Lynn’s Dakotamart, \$30.21, sup; Marco, \$1.03, maint; Meade Co Auditor, \$4428.36, util; Meade Co Times, \$241.46, publ; Christopher Meland, \$250.00, refund; Midco Business, \$42.52, util; MDU, \$8746.60, util; Annette Moore, \$500.00, grp insur; Motionsoft, \$450.00, prof fee; Nebraska Salt, \$2263.18, sup; Newman Traffic Signs, \$153.49, sup; Northern Hills Vet Clinic, \$633.11, prof fee; O’Reilly Auto Parts, \$49.98, repair; Owens Interstate Sales, \$441.04, repair; Park Ave Car Wash, \$24.20, sup; Pitney Bowes, \$106.17, rent; Potomac Aviation Tech, \$250.00, repair; Jeff Potter, \$250.00, refund; Push-Pedal-Pull, \$108.18, maint; Rapid City Journal, \$111.50, publ; Rushmore Office, \$818.08, sup; Sanitation Products, \$454.47, repair; Schwans, \$53.00, merch for resale; Scottsdale Insurance, \$16,485.68, insur; SD Municipal League, \$231.00, travel; Servall, \$508.31, maint; Shopko, \$236.17, sup; Dave Smith, \$1000.00, grp insur; Sturgis Napa, \$683.65, repair; Superior Sanitation, \$450.00, repair; TASC-Client Invoices, \$1723.56, grp insur; Taser International, \$3859.12, equip; Jameson Tebben, \$250.00, travel; Time Equipment, \$1170.00, equip; Vast Business, \$2194.40, util; Wells Plumbing, \$70.80, repair; West Payment Center, \$166.00, prof fee.

**SPECIAL SALES TAX** – BH Energy, \$241.33, util; MDU, \$18.15, util; Vast Business, \$320.50, util.

**CAPITAL IMPROVEMENT** – Meade Co Times, \$61.59, notice; Pioneer Bank, \$5042.52, interest.

**EQUIPMENT REPLACEMENT FUND** – Rushmore Communication, \$747.00, equip.

**LIQUOR** – A&B Welding, \$10.23, sup; Artic Glacier, \$97.10, ice; Badlands Distillery, \$627.50, liquor; BH Chemical, \$119.93, repair; Cask & Cork, \$1403.75, liquor; Coca Cola, \$-341.00, pop; Dakota’s Best Distributing, \$73.50, snacks; Double Star Computing, \$311.50, sup; Ecolab Pest,

\$114.62, maint; First Interstate Bank, \$379.90, prof fee; Fisher Beverage, \$6286.75, beer; Homeslice Media Group, \$4130.00, publ; Johnson Western Wholesale, \$8448.31, liquor; Midco Business, \$85.00, util; MDU, \$325.41, util; Pepsi Cola, \$55.00, pop; Prairie Berry, \$783.00, liquor; Quality Brand of the BH, \$8144.70, liquor; Republic Beverage, \$11,501.50, liquor; Rushmore Office, \$389.41, sup; Servall, \$185.63, sup; Shopko, \$31.25, repair; Southern Glazer's of SD, \$1116.53, liquor; Tasc-Client Invoices, \$86.37, grp insur; True Brands, \$267.74, snacks; Vast Business, \$289.97, util.

**WATER** – BH Energy, \$8541.10, util; CBH Coop, \$412.53, sup; Dakota Hardware, \$26.48, sup; Double Star Computing, \$12.50, prof fee; Menards, \$33.80, sup; Midcontinent Testing Lab, \$147.00, prof fee; MDU, \$409.24, util; Nohava's Custom Construction, \$2800.00, repair; Owens Interstate Sales, \$87.35, repair; Rushmore Office, \$23.90, sup; SD One Call, \$39.20, prof fee; Servall, \$11.86, repair; Shopko, \$31.96, sup; Sturgis Napa, \$51.59, repair; Tasc-Client Invoices, \$156.60, grp insur; Vast Business, \$140.32, util.

**WASTEWATER** – Dakota Hardware, \$54.85, sup; Double Star Computing, \$12.50, prof fee; Lynn's Dakotamart, \$7.98, sup; Owens Interstate Sales, \$70.97, sup; Rushmore Office, \$23.90, sup; Sturgis Napa, \$91.75, repair; Tasc-Client Invoices, \$87.18.

**SANITARY SERVICE** – BH Energy, \$12.00, util; Campbell Supply, \$77.95, sup; CBH Coop, \$1356.00, sup; City of Belle Fourche, \$17,248.22, other; Dakota Hardware, \$17.99, sup; Double Star Computing, \$12.50, prof fee; First Interstate Bank, \$25.73, other; Owens Interstate Sales, \$552.70, sup; Rushmore Office, \$23.90, sup; Sturgis Napa, \$375.31, repair; Tasc-Client Invoices, \$192.33, grp insur.

**AMBULANCE** – A&B Welding, \$296.90, sup; BH Chemical, \$550.97, sup; BH Energy, \$1174.56, util; Campbell Supply, \$96.33, sup; CBH Coop, \$1253.03, sup; Coca Cola, \$37.29, sup; Dakota Hardware, \$19.34, sup; Double Star Computing, \$12.50, prof fee; Ecolab Pest, \$79.12, repair; Express Toll, \$3.58, travel; First Interstate Bank, \$2074.39, sup/travel; Image Trend, \$345.00, sup; MDU, \$275.77, util; PWW Media, \$5960.00, sup/travel; Rapid City Regional Hospital, \$245.85, repair; Rushmore Office, \$112.74, sup; Shopko, \$17.43, sup; Sturgis Napa, \$184.67, sup; Tasc-Client Invoices, \$244.86, grp insur.

Motion by Bradley, second by Keszler and carried with Carstensen, Anderson, Bradley, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bachand voting no, to approve a Zoning Variance for an 8.5 foot rear setback for Sturgis Point Realty LLC (Mark Abeln with Abeln and Associates) at 1940 Lazelle Street for Dollar General Retail store. The remaining alley will be signed "No Truck Traffic".

A Variance request for a side setback at 941 Lazelle Street for KSLB&D LLC dba Iron Horse Saloon is tabled until the April 17, 2017 meeting.

Motion by Martinson, second by Anderson and carried with all members present voting yes to approve Resolution 2017-12 – Resolution Extending the Boundaries of the City of Sturgis – Glover Property.

**RESOLUTION 2017 - 12**  
**RESOLUTION DECLARING ANNEXATION OF CONTIGUOUS TERRITORY**  
**BY THE CITY OF STURGIS**

**WHEREAS**, the Common Council of the City of Sturgis has conducted a study pursuant to SDCL 9-4-4.1 to determine the need for annexing contiguous territory and to identify the resources necessary to extend the municipal boundaries to the area described in a document entitled "2014 Annexation Study". A map of the area subject to this Resolution is attached as Exhibit A and attached and incorporated herein by this reference. A copy of the Annexation Study is also available for public review at the City Finance Office at City Hall; and,

**WHEREAS**, the “2014 Annexation Study” (hereinafter referred to as the “Annexation Study”) recommends that certain contiguous territory described or identified therein, and legally described in this resolution, be annexed to and included within the boundaries of the City to provide for the orderly growth and development of the City; and

**WHEREAS**, the Common Council of the City of Sturgis approved and adopted a RESOLUTION OF INTENT TO EXTEND THE BOUNDARIES OF THE CITY OF STURGIS BY ANNEXATION OF CONTIGUOUS TERRITORY on February 6, 2017; and

**WHEREAS**, following the adoption of the Resolution of Intent to Annex the property owners and the City of Sturgis have completed and signed a Voluntary Annexation and Development Agreement for the property subject to the Resolution of Intent to Annex,

**NOW, THEREFORE, BE IT RESOLVED** the Common Council for the City of Sturgis hereby declares its intent to annex the following described territory and has made the following determinations:

1. The territory considered in this annexation contains less than ten (10) acres platted, non-agricultural territory as defined at SDCL 9-4-5 and 10-6-31, and includes the following parcel:

- Legal Description:

Lot 2 of Block 1 of Glover’s Third Addition, formerly the Remainder of Lot 4, located in the NE ¼ NW ¼, Section 15, Township 5 North, Range 5 East of the Black Hills Meridian, Meade County, South Dakota

A map depicting the location of the lot subject to the proposed annexation is included within the “2014 Annexation Study” that is available to the public at the Sturgis City Finance Office.

2. That ample and suitable resources exist to accommodate the orderly growth and development of the described contiguous territory as evidenced by the City's current provision of many of the City services to the area and as described in the Annexation Study.
3. That the approximate cost of the extended services to the residents and to the City in the contiguous territory are described in the Annexation Study subject to the City’s reasonable policies, ordinances, regulations, terms and conditions in accordance with South Dakota Codified Law.
4. That exclusions or irregularities in boundary lines are not the result of arbitrariness but are based upon existing city boundaries, existing geographical features, physical barriers, existing property boundaries, and existing occupancies and uses.
5. That there is reasonable present and demonstrable future need for annexing said contiguous territory in accordance with the Annexation Study.
6. That population and census data indicate that the City has and may experience growth or development beyond its present boundaries.
7. That there exists a community of interest between the contiguous territory and the City of Sturgis.

**NOW, THEREFORE BE IT FURTHER RESOLVED** that as a result of the completion of the executed Voluntary Annexation and Development Agreement by the parties, the corporate limits of the City of Sturgis shall be and are hereby extended to include the above described property;

**NOW, THEREFORE BE IT FURTHER RESOLVED** that this resolution of annexation shall be recorded at length in the minutes of the meeting at which said resolution is passed along with the statement of the number of votes for and against the same and then published in full as part of the minutes;

**BE IT FURTHER RESOLVED**, that on the twentieth day after publication of this Resolution, a copy certified by the City Finance Officer, and a map showing the property subject to this annexation, shall be recorded in the office of the Meade County Register of Deeds and thereupon such territory shall become and be a part of the City of Sturgis, South Dakota.

**DATED** this 20th day of March, 2017.

Published: 03/29/17  
Effective: 04/19/17

The following bids were received for the Fort Meade Trail Phase 1: Complete Contracting - \$46,906; Tru-Form Construction- \$49,815; Scull Construction-\$51,570; Ainsworth Benning/Journey Group-\$51,779; RCS Construction-\$66,006.72 and JV Bailey - \$71,172.25.

Motion by Dargatz, second by Waterland and carried with all members present voting yes to approve the low bid from Complete Contracting for \$46,906 for the Fort Meade Trail Phase 1 project.

Any other business:  
None

Motion by Keszler, second by Crane and carried with all members present voting yes to go into executive session for personnel and contracts at 7:24 pm.

Motion by Waterland, second by Martinson to return to regular session at 7:54 pm.

Motion by Waterland, seconded by Dargatz and carried with all members present voting yes to adjourn the meeting at 7:55 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$