

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 5:50 p.m. on Monday, March 21, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson (arrived at 6:02 pm), Mike Bachand, Rod Bradley, Tony Dargatz, David Hersrud (arrived at 5:52 pm), Steve Keszler, Adam Martin (arrived at 5:54 pm), and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

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

Motion by Dargatz, second by Keszler and carried with all members present voting yes to go into executive session for two legal cases and two contracts at 5:51 pm.

Motion by Martin, second by Waterland and carried with all members present voting yes to return to regular session at 6:29 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

- Thank you to Black Hills Energy for their prompt assistance in relocating the emergency siren.

Informational Reports:

- Planning Commission Minutes – 3/8/2016
- Library Board Minutes – 2/24/2016

City Manager Ainslie reported:

- The budget numbers for the end of February 2016 are as follows: General Fund is at 17.2%; SST 12%; Capital Improvement 10%; Liquor 6%; Water 14%; Wastewater 5%; Sanitation 17% and Ambulance 17%. Total budget is at 13.4%.
- Payroll Changes – within budget: Ambulance Dept – EMT-B – Anthony Hudson - \$12.00 (\$10 during orientation)

Motion by Hersrud, second by Martin and carried with all members present voting yes to approve the following items on the consent calendar with the exception of b, e and f:

- a. Consideration to approve the minutes from the March 7, 2016 regular council meeting.
- ~~b. Consideration to approve a contract with Zambelli for the Annual Fireworks Display.~~
- c. Consideration to approve a lease with the Meade School District for Joint Use and Cost Sharing of Woodle Field and Little League Fields
- d. Consideration to approve setting a public hearing for April 4, 2016 for Shannah Grenz-Williams – Use on Review for a Day Care Facility at 198 Old Stone Road.
- ~~e. Consideration to approve the Professional Services Contract with Sturgis Rally Charities Foundation.~~
- ~~f. Consideration to approve the Professional Services Agreement and the Harley-Davidson Rally Point Lease Agreement with the Sturgis Chamber of Commerce.~~

After discussion, motion by Waterland, second by Anderson and carried with all members present voting yes to approve a contract with Zambelli for the Annual Fireworks Display on July 2, 2016.

After discussion, motion by Martin, second by Bachand and carried with all members present voting yes to approve the Professional Services Contract with Sturgis Rally Charities Foundation.

After discussion, motion by Martin, second by Hersrud and carried with all members present voting yes to approve the Professional Services Agreement and the Harley-Davidson Rally Point Lease Agreement with the Sturgis Chamber of Commerce.

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

WAGES – Ambulance \$27,607.43; Attorney \$3696.17; Auditorium \$179.46; Buildings \$1079.46; Cemetery \$1847.87; City Manager \$4843.26; Community Center \$9844.40; Finance Office \$8568.44; Fire Department \$211.82; Human Resource \$2867.63; Library \$8461.13; Liquor \$5523.42; Mayor and Council \$3554.50; Parks \$11,509.62; Planning & Permitting \$4565.06; Police \$37,746.40; Rally \$6846.56; Recreation \$4201.71; Sanitary Service \$13,981.72; Streets \$12,017.34; Wastewater \$8059.73; Water \$12,622.92; Federal Withholding \$17,323.96; FICA \$13,692.45.

COMBINED CASH FUND – Meade County Treasurer, \$650.00.

GENERAL – A&B Business, \$150.57, sup; A&J Surplus, \$107.69, sup; A_Z Shredding, \$149.25, prof fee; BH Energy, \$13,489.08, util; Border States Electric, \$54.30, rep; Brown & Saenger, \$680.00, sup; Buyshade.com, \$5,232.00, equip; Campbell Supply, \$816.58, sup; CBH, \$4,386.15, sup; Coca Cola, \$943.50, resale; Dakota Extinguisher & Safety, \$235.75, sup; Dakota Hardware, \$731.59, sup; Diamond Vogel Paints, \$23.02, sup; Ecolab Pest Eliminator, \$202.48, rep; Epic Outdoor Advertising, \$1,100.00, rent; Tamera Even, \$358.69, travel; FEDEX, \$65.89, sup; First Interstate Bank MasterCard, \$9,347.15, sup; Five Rocks, \$62,500.00, rent; Foothills Seed, \$149.25, sup; Freeman’s Electric, \$200.00, rep; Godfrey Brake Service, \$48.65, rep; Jenner Equipment, \$242.94, rep; Key City Glass, \$15.00, rep; Kone, \$146.07, rep; Lawson Products, \$53.33, rep; Ron Ledford, \$30.00, other; Lynn’s Dakotamart, \$23.06, sup; Meade County Times Tribune, \$476.89, pub; Menard’s, \$24.97, sup; Midco Business, \$41.78, util; MDU, \$6,752.01, util; Northern Hills Vet Clinic, \$871.61, prof fee; ODB Company, \$664.60, rep; O’Reilly Auto Parts, \$560.08, sup; Owen’s Interstate Sales, \$202.87, sup; Petty Cash, \$72.45, other; River Lodge, \$122.00, travel; Robert Sharp & Associates, \$2,228.71, pub; Rushmore Fencing, \$11.22, sup; Rushmore Office Supply, \$1,153.52, sup; Scott Peterson Motors, \$440.23, rep; SD Municipal League, \$130.00, travel; SD Public Assurance Alliance, \$410.93, ins; Servall, \$487.50, sup; Sheehan Mack Sales & Equipment, \$24.28, rep; Shopko, \$144.04, sup; Sturgis NAPA, \$390.13, rep; Sturgis Volunteer Fire Dept, \$331.48, sup; The Public Safety Store, \$173.48, sup; Tom’s T’s, \$3,662.00, resale; Town-n-Country Plumbing, \$478.47, sup; Twilight First Aid & Safety, \$87.60, sup; Universal Athletic, \$225.00, sup; VAST Business, \$2,320.60, util; Warne Chemical, \$162.00, rep; West Payment Center, \$133.60, prof fee; Wimactel, \$60.00, util.

CAPITAL IMPROVEMENT – Affordably Creative Engineering Services, \$3,920.00; Baseline Surveying, \$2,055.00; Universal Athletic, \$3,700.00.

BUSINESS IMPROVEMENT DISTRICT – Black Hills Energy, \$289.11, util; MDU, \$11.44, util; VAST Business, \$312.30, util.

LIQUOR – Amcon Distributing, \$2,020.41, resale; Arctic Glacier, \$136.18, resale; Cask & Cork, \$626.50, resale; Coca Cola, \$608.05, resale; Eagle Sales, \$16,412.79, resale; Ecolab Pest Eliminator, \$110.75, rep; First Interstate Bank MasterCard, \$831.43, travel; Fisher Beverage, \$9,271.95, resale; Johnson Western Wholesale, \$20,977.59, resale; M&B Enterprises, \$374.90, resale; MDU, \$174.41, util; North Country Business Product, \$969.03, prof fee; Okoboji Wines, \$164.00, resale; Larry Parsons, \$1,125.00, rep; Pepsi Cola, \$236.30, resale; Republic Beverage, \$15,405.94, resale; Rushmore Office Supply, \$212.00, sup; Schade Vineyard, \$396.00, resale; Servall Towel & Linen, \$161.48, sup; The Homeslice Group, \$6,881.00, pub; VAST Business, \$165.66, util.

WATER – Black Hills Energy, \$8,360.03, util; MDU, \$256.59, util; Dale Olson, \$500.00, ins; VAST Business, \$138.78, util.

WASTEWATER – Advanced Engineering & Environmental, \$377.25, cap imp; City of Belle Fourche, \$69.41, other; First Interstate Bank MasterCard, \$43.26, ins; G&H Distributing, \$91.94, sup; Lawson Products, \$53.34, rep; Rushmore Office Supply, \$32.34, sup; Sturgis NAPA, \$27.84, rep.

SANITATION – Black Hills Energy, \$335.95, util; Black Hills Truck & Trailer, \$4,549.05, rep; Campbell Supply, \$36.00, sup; CBH, \$1,152.54, sup; Century Business Products, \$281.44, prof fee; City of Belle Fourche, \$17,569.94, other; Eddies Truck Sales, \$112.39, rep; First Interstate Bank MasterCard, \$28.88, ins; Kieffer Sanitation, \$171.00, other; Lawson Products, \$53.33, rep; Richter’s Tire & Exhaust, \$27.00, sup; Rushmore Office Supply, \$32.33, sup; Sturgis NAPA, \$238.29, rep; Town-n-Country Plumbing, \$32.95, rep.

AMBULANCE – American Lodge & Suites, \$655.92, travel; Black Hills Energy, \$546.19, util; CBH, \$887.28, sup; Coca Cola, \$48.58, sup; Dakota Extinguisher & Safety, \$211.75, sup; Dakota Hardware, \$404.90, sup; Ecolab Pest Eliminator, \$38.22, sup; Emergency Medical Products, \$2,056.10, sup; First Interstate Bank MasterCard, \$1,120.37, travel; Foothills Home Medical Equipment, \$72.00, sup; Image Trend, \$390.00, prof fee; Kreiser’s, \$119.64, sup; Lynn’s Dakotamart, \$351.61, sup; Medicare Part B, \$415.23, refund; MDU, \$222.88, util; Physio-Control, \$300.00, sup; Regional Health, \$198.50, sup; Richter’s Tire & Exhaust, \$627.57, rep; Rushmore Office Supply, \$1,286.55, sup; Shopko, \$147.97, sup; Nicole Skouge, \$284.18, travel; Spearfish Ambulance Service, \$160.00, prof fee; Sturgis NAPA, \$700.32, sup, VAST Business, \$145.86, util.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to approve the Rally Sponsorship Agreement with Brown Foreman/Jack Daniels.

Motion by Bachand, second by Martin and carried with all members present voting yes to approve the Rally Sponsorship Agreement with Russ Brown.

Motion by Hersrud, second by Anderson and carried with all members present voting yes to approve Resolution 2016-19 – Re-plat and a variance from Eric Laabs/Northgate Community Homes at 2123 and 2109 Cooper Loop for a parcel containing less than the required 6,000 square feet.

**RESOLUTION 2016-19
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 Northgate Community Homes:

Plat of Lot 2R and Lot 15R, Block 6 of Hillview Subdivision. Formerly Lot 2 and Lot 15, Block 6 of Hillview Subdivision. All Located in the SW 1/4 of the SE 1/4 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 in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 21st day of March, 2016.

Published: 03/30/2016

Effective: 04/20/2016

Discussion was held on the request for a variance at 410 7th Street. Several residences and representatives from the BH Area Habitat for Humanity were present to discuss this issue. The following motions were made.

Motion by Martin to approve a variance from BH Area Habitat for Humanity at 410 7th St for less than required frontage for each lot. Motion rescinded by Martin.

Motion by Anderson, second by Hersrud and failed with Carstensen, Anderson, Hersrud and Keszler voting yes, Bachand, Bradley, Dargatz, Martin and Waterland voting no, to approve a 16.4' frontage variance for each new proposed lots at 410 7th Street from Black Hills Area Habitat for Humanity.

Motion by Waterland, second by Martin and carried with all members present voting yes to approve Resolution 2016-20 – Voluntary Annexation – JBI Real Estate, LLC.

**RESOLUTION 2015-20
RESOLUTION ON ANNEXATION OF LAND OWNED
BY JBI REAL ESTATE LLC, JOHN AND BONNIE ISMAY**

WHEREAS, JBI Real Estate LLC, John and Bonnie Ismay has filed a Petition for Annexation with the City of Sturgis; and

WHEREAS, said Petition has been executed by more than $\frac{3}{4}$ of the registered voters and more than $\frac{3}{4}$ of the owners of the value of the territory sought to be annexed to the City of Sturgis; and

WHEREAS, said real property set forth in the Petition is contiguous to the City of Sturgis; and

NOW THEREFORE BE IT RESOLVED, that this Resolution of Annexation shall become effective upon the filing of this resolution and a map of the annexed area with the Meade County Register of Deed pursuant to S.D.C.L. 9-4-11; and 20 days after publication, and

BE IT FURTHER RESOLVED that upon such approval that the following described real property shall be annexed to the City of Sturgis:

Lot E-5 of South Sturgis Addition, Located in the NE1/4 of the NE1/4 of Section 16, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota.

Dated this 21st day of March, 2016

Published: 03/30/2016

Effective: 04/20/2016

Hersrud steps out of meeting.

Motion by Waterland, second by Keszler and carried with all members present voting yes to approve Resolution 2016-21 – Plat for SEDC – Industrial Park.

**RESOLUTION 2016-21
RESOLUTION APPROVING PLAT**

WHEREAS, the statues 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 Sturgis Industrial Park Subdivision:

Plat of Lot C2-D and Lot C2-E of Sturgis Industrial Park Subdivision Formerly the Remainder of Lot C2 of the Sturgis Industrial Park Subdivision, Located in the S1/2 of Section 6, T5N, R5E, B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 21st day of March 2016.

Published: 03/30/2016

Effective: 04/20/2016

Hersrud re-enters meeting.

Motion by Bachand, second by Hersrud and carried with all members present voting yes to approve Resolution 2016-22 – Plat for Krysti Schulz/Kenneth McIlravy – Moose Drive.

**RESOLUTION 2016-22
RESOLUTION APPROVING PLAT**

WHEREAS, the statues 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 Vista Estates Subdivision:

PLAT OF LOTS 19R, 20R, 21A AND 21B OF VISTA ESTATES
SUBDIVISION Formerly Lots 19, 20 and 21 of Vista Estates Subdivision,
Located in the E1/2 of Section 16, T.5N., R.5E., B.H.M., City of Sturgis, Meade
County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 21st day of March, 2016.

Published: 03/30/2016

Effective: 04/20/2016

Motion by Waterland, second by Dargatz and carried with all members present voting yes to approve purchasing the POS System for the Liquor Store from LPA Retail Systems for \$37,717.

Motion by Hersrud, second by Bradley and carried with all members present voting yes to approve the Mayor to sign the Department of Transportation’s Main Street Project Contract and have the City Manager sign any other documents associated with this project.

Any other business:

None

Motion by Martin, second by Dargatz and carried with all members present voting yes to go into executive session for contracts at 9:04 pm.

Motion by Hersrud, second by Bradley and carried with all members present voting yes to return to regular session at 9:58 pm

Motion by Waterland, seconded by Martin and carried with all members present voting yes to adjourn the meeting at 9:58 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$