

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 5:59 p.m. on Monday, February 21, 2017 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Rod Bradley, 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, second by Crane and carried with all members present voting yes to approve the agenda.

Motion by Martinson, second by Dargatz and carried with all members present voting yes to go into executive session for one legal case, two contracts and four personnel at 6:00 pm.

Motion by Crane, second by Waterland to return to regular session at 6:27 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

Mayor Carstensen announced that Staff had heard from both parties on the Rachel Snow use on review public hearing and they are unable to be at the meeting due to illness.

Motion by Bradley, second by Waterland and carried with Anderson, Carstensen, Crane, Bradley, Dargatz, Keszler, Martinson and Waterland voting yes and Bachand voting no to amend the agenda by removing 8b, the public hearing for the Use on Review for a day care facility for Rachel Snow.

City Manager Ainslie reported:

- Payroll Changes – within budget:
 1. Ambulance – Paramedic – James Hale – \$17.00. While on orientation \$8.65.

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

- ~~a. Consideration to approve the minutes from the February 6, 2017 regular council meeting.~~
- b. Consideration to approve the Professional Services Contract with EvoGov, LLC (redesign of City Website).
- ~~c. Consideration to remand the Variance request for a side setback at 941 Lazelle Street for KSLB&D LLC dba Iron Horse Saloon to the Planning & Zoning Commission.~~
- d. Consideration to write-off Meade County Jail ambulance expenses for 2015 and 2016.

Motion by Bachand, second by Dargatz and carried with all members present voting yes to approve amending the minutes from the last meeting by adding the total dollars for claims plus applicable wages to the agenda. The claims from 02-06-17 was \$688,209.70 and the wages and taxes were \$240,696.46.

Motion by Bradley, second by Waterland and carried with Carstensen, Anderson, Bradley, Crane, Keszler, Martinson, and Waterland voting yes, Bachand and Dargatz voting no, to remand the variance request for a side setback at 941 Lazelle Street for KSLB&D LLC dba Iron Horse Saloon back to the Planning and Zoning Commission.

Motion by Bachand, second by Bradley and carried with all members present voting yes to approve the following claims in the amount of \$321,619.71 and the applicable payroll and taxes in the amount of \$230,981.48:

WAGES – Ambulance \$25,363.18; Attorney \$3534.38; Auditorium \$184.96; Buildings \$1111.96; Cemetery \$2617.84; City Manager \$4353.71; Community Center \$10,677.84; Finance Office \$8876.31; Fire Department \$552.57; Human Resource \$6359.72; Library \$8813.27; Liquor \$6095.07; Mayor and Council \$3661.11; Parks \$7998.21; Planning & Permitting \$7481.80; Police \$40,491.32; Rally \$6860.19; Recreation \$3702.43; Sanitary Service \$14,498.21; Streets \$12,196.02; Wastewater \$8771.25; Water \$13,136.76; Federal Withholding \$19,402.25; FICA \$14,241.12.

COMBINED CASH FUND – J2 Properties, LLC, \$41.89, refund; Debbie Jensen, \$50.00, refund.

GENERAL – A&B Welding, \$275.95, rep; A&J Surplus, \$760.49, rep; Adams-ISC, \$380.28, rep; Mark Alley, \$22.00, travel; Amcon Distributing, \$152.20, resale; Americinn Lodge & Suites, \$183.98, travel; Greg Barnier, \$192.07, travel; BH Chemical, \$2,020.69, sup; BH Energy, \$14,334.27, util; BH Urgent Care, \$30.00, prof fee; Blackhills.com, \$149.95, rep; Campbell Supply, \$534.65, sup; CBH Coop, \$15,119.73, sup; Central Parts Warehouse, \$139.93, rep; Chamber of Commerce, \$300.00, other; Coca Cola, \$530.00, resale; Culligan of the BH, \$38.00, sup; Dakota Business Center, \$87.89, rep; Dakota Hardware, \$269.12, sup; Diesel Machinery, \$23.82, rep; EB Communications, \$310.00, sup; Ecolab Pest Eliminator, \$456.72, rep; Epic Outdoor Advertising, \$1,100.00, pub; Equipment Management, \$1,298.00, sup; ESRI, \$1,038.36, sup; FEDEX, \$609.77, sup; First Interstate Bank MasterCard, \$69,776.46, sup; Godfrey Brake Service, \$282.95, rep; Ken Grosch, \$30.00, other; Helen Hall, \$50.00, refund; Heiman Fire Equipment, \$3,691.05, sup; Hersrud Co, \$188.99, rep; Homeslice Media Group, \$3,840.41, prof fee; Illinois Dept of Revenue, \$35.88, sales tax; Jenner Equipment, \$598.56, rep; KT Connections, \$775.00, sup; Ketel Thorstenson, \$1,750.00, other; Kone, Inc, \$151.11, rep; Kully Supply, \$185.84, rep; Laclede Equipment, \$167.16, rep; Lawson Products, \$115.32, rep; Adam Lewis, \$56.44, sup; Light & Siren, \$3,565.55, equip; Aaron Lukesh, \$60.00, other; Lynn's DakotaMart, \$119.71, sup; Meade County Auditor, \$18,836.17, other; Meade County Times Tribune, \$867.76, pub; MG Oil Co, \$240.07, rep; Midco Business, \$42.56, util; Mobile Mini, \$101.82, rep; MDU, \$7,564.93, util; Motionsoft, \$450.00, prof fee; Motorola Solutions, \$2,694.84, equip; Nebraska Salt & Grain, \$2,225.78, sup; Neve's Uniforms, \$2,652.90, sup; Northern Hills Vet Clinic, \$992.73, prof fee; Optimist Club, \$75.00, prof fee; O'Reilly Auto Parts, \$259.24, rep; Owens Interstate Sales, \$703.73, sup; Nancy Plotz, \$50.00, sup; Powerplan, \$197.88, rep; Push-Pedal-Pull, \$584.71, rep; Ramkota Hotel, \$2,200.83, travel; Rasmussen Mechanical Services, \$5,560.92, rep; Regional Health, \$25.00, other; Rhomar Industries, \$2,140.75, sup; Rushmore Office Supply, \$2,335.11, sup; Schwans, \$31.47, resale; SD City Management Assn, \$150.00, travel; SD Redbook Fund, \$531.00, travel; Servall Towel & Linen, \$495.11, rep; Shopko Stores, \$135.04, sup; Speedy Lube, \$153.58, rep; Stanley Steemer, \$900.00, sup; Sturgis NAPA, \$619.39, rep; Time Equipment Rental & Sales, \$275.00, rep; Tom's T's, \$555.80, sup; Town-N-Country Plumbing, \$127.85, sup; Twilight First Aid & Safety, \$445.33, sup; Vast Business, \$2,055.89, util; West Payment Center, \$166.00, prof fee; Western communications, \$65.00, equip; Western SD Hydrology Conference, \$70.00, travel.

SPECIAL SALES TAX – BH Energy, \$296.26, util; MDU, \$15.40, util; Vast Business, \$320.50, util.

CAPITAL IMPROVEMENT – Dept of Veterans Affairs, \$10.00; ESRI, \$1,500.00; Fourfront Design, \$895.77.

BUSINESS IMPROVEMENT DISTRICT – First Interstate Bank, \$16.16, pub.

LIQUOR – A&B Welding, \$10.23, sup; Amcon, \$860.59, resale; BH Chemical, \$34.98, rep; Coca Cola, \$380.00, resale; Dakota's Best Distributing, \$190.39, resale; EB Communications, \$195.00, sup; Ecolab Pest Eliminator, \$114.62, rep; First Interstate Bank, \$5,162.60, ATM; Fisher Beverage, \$5,104.39, resale; Homeslice Media Group, \$11,494.00, pub; Johnson Western

Wholesale, \$14,923.84, resale; LPA Retail Systems, \$463.50, prof fee; M&B Enterprises, \$296.40, resale; Midco Business, \$85.00, util; Mobile Mini, \$218.40, sup; MDU, \$283.35, util; Pepsi, \$84.90, resale; Prairie Berry, \$1,383.00, resale; Quality Brands of the BH, \$15,635.34, resale; Republic Beverage, \$16,400.87, resale; Rushmore Office Supply, \$335.52, sup; Schade Vineyard, \$396.00, resale; Servall Towel & Linen, \$181.38, rep; Southern Glazer's of SD, \$434.40, resale; Vast Business, \$290.97, util.

WATER – BH Energy, \$9,185.80, util; Campbell Supply, \$210.26, sup; CBH Coop, \$695.53, sup; Dakota Hardware, \$28.96, sup; Ecolab Pest Eliminator, \$64.27, prof fee; First Interstate Bank MasterCard, \$278.95, travel; Freeman's Electric, \$48.45, rep; Hawkins, \$45.00, sup; HD Supply Waterworks, \$1,804.05, sup; Heavy constructors, \$69,638.53, cap imp; Menard's, \$58.24, sup; Midcontinent Testing Lab, \$147.00, prof fee; Mobile Mini, \$50.91, sup; MDU, \$205.97, util; Rushmore Office Supply, \$97.96, sup; SD One Call, \$14.56, prof fee; Servall Towel & Linen, \$17.79, rep; Shopko Stores, \$52.40, sup; Vast Business, \$140.32, util.

WASTEWATER – Advanced Engineering & Environmental, \$2,250.00, cap imp; Campbell Supply, \$110.68, rep; City of Belle Fourche, \$80.88, other.

SANITATION – BH Energy, \$396.76, util; Campbell Supply, \$34.51, rep; CBH Coop, \$2,942.46, sup; Century Business Products, \$311.59, prof fee; City of Belle Fourche, \$19,212.95, other; Dakota Battery & Electric, \$516.87, rep; Eddies Truck Sales, \$190.43, rep; Fastenal, \$73.68, rep; Great Western Tire Co, \$280.00, sup; MG oil Co, \$808.50, sup; Owens Interstate Sales, \$627.48, sup; Sheehan Mack Sales & Equipment, \$264.15, rep; Sturgis NAPA, \$130.36, rep.

AMBULANCE – A&B Welding, \$318.30, sup; Avera Education & Staffing Solutions, \$300.00, prof fee; BH Energy, \$647.36, util; CBH Coop, \$1,483.46, sup; Century Business Products, \$454.28, sup; Coca cola, \$47.04, sup; Dakota Hardware, \$29.98, sup; First Interstate Bank MasterCard, \$1,509.96, sup; Freeman's Electric, \$1.02, rep; Hersrud Co, \$1,362.45, rep; Image Trend, \$423.00, sup; Lynn's Dakotamart, \$95.67, sup; MDU, \$329.26, util; Purchase Power, \$35.98, sup; Richter's Tire & Exhaust, \$866.55, sup; Rushmore Office Supply, \$39.62, sup; SD Ambulance Assn, \$75.00, prof fee; Spearfish Ambulance Service, \$5.00, prof fee; Speedy Lube, \$258.41, sup; Sturgis NAPA, \$74.67, sup; Vast Business, \$167.45, util; Zylstra Towing, \$140.00, rep.

Kaleb Karls was present to ask the Council to consider amending Resolution 2017-10, street closure for the Xtreme Dakota Bike event. Due to the lack of snow, the event will be set up as an urban forest setting instead of a snow setting for the event. They would request that Harley-Davidson Way be closed from Lazelle Street to Main Street.

Motion by Bachand to approve Resolution 2017-09 and 2017-10 – Open Container and Closure of Street for Xtreme Dakota Bicycles Fat Tire Festival. Bachand withdrew his motion.

Motion by Crane, second by Martinson and carried with Anderson, Bachand, Carstensen, Crane, Dargatz, Keszler, Martinson and Waterland voting yes and Bradley abstaining to amend Resolution 2017-10 to close Harley-Davidson Way from Lazelle Street to Main Street and the alley on the south side of the Knuckle Saloon on March 4th if the event uses an urban forest setting instead of snow setting for their track.

Motion by Waterland, second by Crane and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve Resolutions 2017-09 and the amended Resolution 2017-10.

RESOLUTION 2017-09

**RESOLUTION TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY
AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY**

WHEREAS, Xtreme Dakota Bikes is an event that will bring tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis supports this first time event, and

WHEREAS, the Xtreme Dakota Bikes organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis, and

WHEREAS, the request from the Xtreme Dakota Bike is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED, as set forth herein that the City of Sturgis shall hereby establish an open container area on March 4, 2017 from noon to 8:00 pm on that public property open to the public, within area bounded on Harley Davidson Way from the alley way to Main Street and at the Harley Davidson Rally Point. This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The Police Department will be authorized to tow vehicles within the street closure area, starting March 1, 2017. Event cups will be used.

Dated this 21st day of February, 2017.

Published: 03/01/2017

Effective: Immediately

RESOLUTION 2017 -10

**RESOLUTION TO AUTHORIZE STREET CLOSURE
OF HARLEY DAVIDSON WAY FOR XTREME DAKOTA BIKE EVENT**

WHEREAS, Xtreme Dakota Bike Event will be held in the City of Sturgis, March 4 through March 5, 2017; and

WHEREAS, if the event uses a snow setting, beginning on Wednesday, March 1 at 2:00 a.m. through Monday March 6, 2017 12:00 pm Harley-Davidson Way from the alley way to Main Street will be closed. If the event uses an urban forest setting they will close Harley-Davidson Way from Lazelle Street to Main Street and the alley on the south side of the Knuckle Saloon on March 4th.

WHEREAS, it is planned to have an open air event space in the street and Harley Davidson Rally Point,

WHEREAS, it is in the public interest to provide a safe venue for this no-admission special event.

WHEREAS, the public event that are held on this property enhance visitors' experience and lead to additional sales tax generated revenue, and

WHEREAS, the use of public right-a-way and the Harley Davidson Rally Point.

WHEREAS, The Police Department will be authorized to tow vehicles within the street closure area, starting Wednesday, March 1 at 2:00 a.m. through Monday March 6, 2017 12:00 pm.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of providing this special event, if the event uses a snow setting, beginning on Wednesday, March 1 at 2:00 a.m. through Monday March 6, 2017 12:00 pm Harley-Davidson Way from the alley way to Main Street will be closed. If the event uses an urban forest setting they will close Harley-Davidson Way from Lazelle Street to Main Street and the alley on the south side of the Knuckle Saloon on March 4th.

Dated this 21st day of February, 2017.

Published: 03/01/2017
Effective: Immediately

Motion by Bradley, second by Bachand and carried with all members present voting yes to table the Use on Review for an adult residential care facility at 1681 Joedy Street for Mountain View Care/Tammy Halverson and have the Planning Department meet with the applicant and discuss what needs to be done to bring the facility into compliance.

Motion by Bachand, second by Dargatz and carried with all members present voting yes to approve a Variance for front yard setback of 1.65' and rear yard setback of 19.10' for Lot 4-Revised and a rear yard setback of 13' for the Lot 9-revised at 2030 Hill St for Dale Sherman to expand his garage.

Motion by Dargatz, second by Anderson and carried with all members present voting yes to deny a Variance to allow RV Camping at 1805 Hill Street for Gary Baldwin.

Motion by Waterland, second by Crane and carried with all members present voting yes to approve a Variance for the front yard setback of 7.37' and a rear setback of 8.89' at 824 1st St for Sturgis Chiropractic to add on to their building. This is subject to approval from the utilities for the encroachment into the utility easement.

Motion by Bachand, second by Anderson and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a Special Events License for The Knuckle Saloon at Harley-Davidson Rally Point Plaza on March 4, 2017 for Xtreme Dakota Bicycles Fat Tire Festival.

Public Works Director Rick Bush presented to the Council a Professional Service contract for maintenance on the north water tank.

Motion by Waterland, second by Dargatz and carried with all members present voting yes to approve the north water tank maintenance contact with Utility Service Group dba SUEZ Water Advanced Solutions and authorize the City Manager to sign the contract.

Motion by Bachand, second by Keszler and carried with all members present voting yes to approve first reading of Ordinance 2017-01 – Title 32 – Hobby Beekeeping.

Any other business:

Jack Hoel asked the Council when the 2016 Rally financial report will be available to the public. City Manager Ainslie said that he would be presenting the report to the Rally and Event committee at their next meeting.

Myrick Robbins, Director of the Sturgis Motorcycle Museum, thanked the City for their support during their last fund raising event.

Motion by Crane, second by Martinson and carried with all members present voting yes to go into executive session for personnel and contracts at 8:12 pm.

Motion by Waterland, second by Bachand to return to regular session at 9:01 pm.

Motion by Keszler, seconded by Bachand and carried with all members present voting yes to adjourn the meeting at 9:02 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$