

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, November 16, 2015 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, Rod Bradley, Tony Dargatz, David Hersrud, Adam Martin, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

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

Motion by Bestgen, second by Waterland and carried with all members present voting yes to go into executive session for two legal cases, two personnel and one contract at 6:00 pm.

Motion by Bestgen, second by Martin and carried with all members present voting yes to return to regular session at 6:34 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

- Mayor Carstensen proclaimed November 1, 2015– “Extra Mile Day”.
- Festival of the Trees at First Interstate Bank will be November 20th.
- The Parade of Lights will be December 4th.
- The lighting of the Christmas tree at Harley Davidson Rally Point will be on December 5th.
- Councilor Martin asked that everyone keep Paris in their thoughts and prayers and keep in mind all the liberties and freedoms that we have.

Informational Reports:

- Planning Commission – 11/3/2015

City Manager Ainslie reported:

- The budget numbers for the end of October 2015 are as follows: General Fund is at 83.7%; SST 96 %; Liquor 92.9%; Water 93.6%; Wastewater 86.9 %; Sanitation 92.1% and Ambulance 79.8%.
- Payroll Changes – within budget: Fire Dept – Volunteer Firefighter – Jarrod VanDewater – no wage. Recreation Dept – Referee – Samantha Bartels, Jace Fischer, Cody Heupel - \$20/game.

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

1. Consideration to approve the minutes from the November 2, 2015 regular council meeting and the minutes from November 9, 2015 special council meeting.
2. Consideration to approve Resolution 2015-65 – Replat of Sturgis RV Park

**RESOLUTION 2015-65
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 Sturgis RV Park:

Plat of Tract A of SRVP Subdivision. Formerly Lot 4E of Parks Subdivision;
Lot F of Northwest Addition; -AND- Lots 11-16, Block 2 of Northwest Addition.
All Located in the SW 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section
4, 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 16th day of November, 2015.

Published: 11/25/2015

Effective: 12/16/2015

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

Wages – Ambulance \$29,841.61; Attorney \$3544.40; Auditorium \$167.95; Buildings \$1020.08;
Cemetery \$1271.68; City Manager \$4731.27; Community Center \$9162.53; Finance Office
\$8245.62; Fire Department \$504.62; Human Resource \$2740.78; Library \$8163.90; Liquor
\$4743.55; Mayor and Council \$3450.94; Parks \$10,418.84; Planning & Permitting \$4427.68;
Police \$34,496.05; Rally \$4245.47; Recreation \$3787.85; Sanitary Service \$14,659.67; Streets
\$11,397.95; Wastewater \$7921.05; Water \$11,750.74; Federal Withholding \$16,938.71; FICA
\$13,113.89.

General- A&B Business, \$420.64, sup; A&B Welding, \$16.99, rep; A&J Surplus, \$220.71, rep;
Argus Leader, \$761.96, pub; Ramkota Inn, \$255.00, travel; BH Chemical, \$2,406.77, sup; BHP,
\$14,567.95, utilities; BH Rally & Gold, \$146.50, resale; Blackstrap, \$2,056.56, sup; Nathan
Borg, \$78.52, sup; Sean Briscoe, \$500.00, ins; Browns Engine Repair, \$103.93, rep; Butte
Electric, \$546.13, utilities; Campbell Supply, \$939.14, sup; Caselle, \$1,479.00, prof fee; CBH,
\$8,914.03, sup; Century Business Products, \$100.64, sup; Chain Saw Center, \$19.90, rep;
Civicplus, \$400.00, prof fee; Coca Cola, \$222.40, resale; Crescent Electric Supply, \$34.42, sup;
Judd Crowser, \$500.00, ins; Diamond Ammo, \$242.00, sup; Dakota Hardware, \$407.56, sup;
Dale's Tire & Retreading, \$1,026.08, rep; Degrata Tactical, \$214.75, sup; Judy Duprel,
\$1,000.00, ins; Ecolab Pest Eliminator, \$193.76, rep; Fastenal Company, \$38.60, sup; FEDEX,
\$106.53, sup; First Interstate Bank MasterCard, \$3,357.91, sup; Freeman's Electric, \$2,200.00,
utilities; Godfrey Brake, \$477.13, rep; Great Western Tire, \$2,303.33, rep; Heiman Fire
Equipment, \$630.40, rep; Hills Materials, \$993.03, rep; Hillyard, \$55.44, sup; International Code
Council, \$30.00, sup; Jay Grubl Excavating, \$250.00, rent; KT Connections, \$1,189.28, prof fee;
Key City Glass, \$16.00, rep; Lecal Equipment, \$106.19, rep; Ron Ledford, \$30.00, other;
Legends Sales & Marketing, \$40,345.37, prof fee; Lynn's Dakotamart, \$209.31, other; Meade
County Auditor, \$7,539.87, other; Christopher Meland, \$216.62, refund; Menard's, \$39.92, sup;
Midcontinent Communications, \$41.65, utilities; MDU, \$3,933.87, utilities; Motionsoft, \$450.00,
prof fee; Tanya Neuschwander, \$500.00, ins; Northern Hills Vet Clinic, \$249.26, prof fee;

Northwest Pipe Fittings, \$131.77, sup; Office Depot, \$219.89, sup; O'Reilly Auto Parts, \$353.58, rep; Owen's Interstate Sales, \$712.33, rep; Pennington County Sheriff, \$400.00, prof fee; Powerplan, \$649.92, rep; Print Mark-et, \$1,167.32, pub; Purchase Power, \$500.00, sup; Push-Pedal-Pull, \$1,202.66, rep; Rapid City Journal, \$103.80, pub; Rapid Fire Protection, \$348.98, rep; Rasmussen Mechanical, \$450.99, rep; Richter's Tire & Exhaust, \$88.00, rep; Rockingtree Floral, \$84.00, sup; Rushmore Communications, \$422.00, rep; Rushmore Office Supply, \$2,060.45, sup; S&C Cleaners, \$3,100.00, rep; SD Public Assurance Alliance, \$1,043.93, ins; Serval Towel & Linen, \$493.52, rep; Shopko, \$127.32, sup; Jeanie Shyne, \$500.00, ins; Sturgis Meat Service, \$67.60, sup; Sturgis NAPA, \$709.32, rep; Summit Signs & Supply, \$268.25, sup; Laura Swanson, \$156.05, ins; The Denver Post, \$1,267.12, pub; Tom's T's, \$1,927.20, resale; Brenda Vasknetz, \$11,550.00, prof fee; VAST Business, \$101.19, utilities; Weimer's Diner & Donuts, \$15.60, sup; West River Electric Assn., \$501.05, utilities; Wimactel, \$60.00, utilities.

Capital Improvement – Affordably Creative Engineering Services, \$2,430.00; Designworks, \$600.00; LPN Holdings, \$4,437.90; Pete Lien & Sons, \$89.25; Sacrison Paving, \$47,691.66.

Business Improvement District – BHP, \$195.30, utilities; Chamber of Commerce, \$340.00, sup; First Interstate Bank MasterCard, \$8,340.75, sup; MDU, \$15.38, utilities.

Liquor – A&B Welding, \$9.90, sup; Arctic Glacier, \$197.67, resale; BH Chemical, \$96.93, rep; Cask & Cork, \$665.50, resale; Century Business Products, \$1.78, sup; Coca Cola, \$381.30, resale; Eagle Sales of the BH, \$8,976.99, resale; Ecolab Pest Eliminator, \$107.00, rep; Epic Outdoor Advertising, \$141.41, resale; First Interstate Bank MasterCard, \$370.32, rep; Fisher Beverage, \$4,874.05, resale; Freeman's Electric, \$150.00, rep; Johnson Western Wholesale, \$12,573.55, resale; KT Connections, \$67.93, prof fee; MDU, \$17.88, utilities; North Country Business, \$125.00, sup; Owen's Interstate Sales, (\$66.81), rep; Pepsi, \$304.45, resale; Prairie Berry, \$744.00, resale; Print Mark-et, \$68.67, pub; Republic Beverage, \$33,430.13, resale; Rushmore Office Supply, \$290.05, sup; Serval Towel & Linen, \$153.04, sup; Sturgis NAPA, \$51.92, rep; The Homelice Group, \$5,670.00, pub.

Water – BHP, \$6,927.50, utilities; Butte Electric, \$913.21, utilities; Campbell Supply, \$19.56, sup; Century Business Products, \$42.78, sup; First Interstate Bank MasterCard, \$279.66, sup; MDU, \$89.57, utilities; Michael or Mary Pollock, \$13.36, refund; Print Mark-et, \$68.67, pub; Laura Swanson, \$125.00, ins; VAST Business, \$31.36, utilities.

Wastewater – Eddies Truck Sales, \$154.15, rep; Flexible Pipe Tool Company, \$16,295.00, rep; Great Western Tire, \$1,364.40, sup; KT Connections, \$67.93, prof fee; Midcontinent Testing Lab, \$485.00, prof fee; Owen's Interstate Sales, \$10.18, sup; Powerplan, \$110.70, sup; Prairie Wind BH, \$38.95, sup; Print Mark-et, \$68.67, pub; Speedy Lube, \$41.39, rep; Sturgis NAPA, \$234.66, rep; Laura Swanson, \$125.00, ins.

Sanitation – A&B Welding, \$224.39, rep; BHP, \$41.29, utilities; Campbell Supply, \$22.99, sup; CBH, \$220.30, sup; Century Business Leasing, \$193.58, prof fee; Century Business Products, \$127.42, prof fee; Century Link, \$6.45, utilities; Great Western Tire, \$410.28, sup; KT Connections, \$67.93, prof fee; Light & Siren, \$348.00, sup; Owen's Interstate Sales, \$407.75, sup; Print Mark-et, \$68.67, pub; Sturgis NAPA, \$141.19, rep; SWANA, \$212.00, prof fee; Laura Swanson, \$125.00, ins.

Ambulance – A&B Business, \$28.88, sup; BHP, \$617.27, utilities; CBH, \$2,300.20, sup; Crescent Electric Supply, \$34.42, sup; Dakota Hardware, \$16.28, sup; Dataform, \$186.20, sup; Ecolab Pest Eliminator, \$36.58, sup; First Interstate Bank MasterCard, \$2,022.83, travel; Foothills Home Medical, \$252.00, sup; KT Connections, \$67.93, prof fee; Leavitt Heartland Insurance, \$673.00, ins; Lynn's Dakotamart, \$90.42, sup; Massa Berry Clinic, \$463.50, sup; MDU, \$25.76, utilities; Print Mark-et, \$68.67, pub; Purchase Power, \$34.54, sup; Rushmore Office Supply, \$261.50, sup; SDEMSA, \$2,096.50, travel; Shopko, \$44.81, sup; Sturgis NAPA, \$185.81, sup.

Motion by Martin to approve a 5' variance (zero setback) to the side yard setback for a covered car port without a building permit for Brad and Kim Ware at 1617 Elk Ct. Dies for lack of second.

Motion by Bachand, second by Bestgen and carried with Carstensen, Anderson, Bachand, Bestgen, Bradley, Dargatz, Hersrud and Waterland voting yes, Martin voting no, to deny the 5' variance (zero setback) to the side yard setback for a covered car port without a building permit. for Brad and Kim Ware at 1617 Elk Ct.

Motion by Bradley, second by Bachand and carried with all members present voting yes to approve Resolution 2015-66 – Plat of Maverik Addition – a vacation of an alleyway located in Blocks C and BC, Glover's First Addition. The petition to vacate is made by Steve DeRouchy.

**RESOLUTION 2015-66
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 Maverick Addition:

PLAT OF TRACT A OF MAVERIK ADDITION FORMERLY LOTS 27-35 OF
BLOCK BC; LOTS 3-5 OF BLOCK C OF GLOVER'S 1ST ADDITION AND
THE PREVIOUSLY VACATED ALLEYWAY ADJACENT TO LOTS 27-35
AND LOTS 3-5 ALL THE ABOVE IS LOCATED IN THE NW ¼ OF
SECTION 15, TOWNSHIP 5 NORTH, RANGE 4 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 16th day of November, 2015.

Published: 11/25/2015

Effective: 12/16/2015

Motion by Bestgen, second by Waterland and carried with all members present voting yes to approve a name change on the Malt Beverage License from Country Stores Inc.- BJ's Country Store Sturgis to Dvorak Convenience Stores Inc.- BJ's Country Store.

Motion by Waterland, second by Martin and carried with Carstensen, Anderson, Bachand, Bestgen, Dargatz, Hersrud, Martin and Waterland voting yes, Bradley abstaining, to approve renewal of the Wine/Liquor licenses for 2016.

Package (off-sale) Liquor

1. City of Sturgis - dba Sturgis Liquor – 1075 Lazelle
2. City of Sturgis - dba Sturgis Liquor Annex – 12998 Highway 34

Retail (on-sale w/Sunday Sales) Liquor

- a. PSI Enterprises, LLC - dba Oasis Bar & Lounge – 1145 Main St
- b. KSLB & D – dba EasyRiders Steakhouse – 888 Junction Ave.
- c. Homeslice Management, LLC - dba Loud American Roadhouse – 1305 Main St
- d. One Eyed Jacks Saloon of Sturgis Inc - dba One Eyed Jack’s Saloon – 1304 Main St
- e. American Legion Mead Post 33/ VFW Paha Sapa Post 2730 – 868 Main St.
- f. Schmid Investments – dba Sidehack Saloon – 1027 Lazelle Street
- g. Key City Enterprises - dba The Knuckle Saloon – 931 1st Street
- h. Phil-Town Inn Inc. - dba Phil Town Inn – 2431 S. Junction
- i. Low Country Oysters of Sturgis, LLC – dba The Beaver Bar –12976 Highway 34

Wine (on-off sale) License

- a. Billy & Jason Fields - dba Rosco’z – 976 Lazelle
- b. Fresh Start Convenience Store, Inc. – 2620 Lazelle St.
- c. Dungeon Bar - dba Royal Flush Casino and Sports Bar – 1030 Main Street
- d. Sturgis Wine Company LLC - dba Sturgis Wine Company – 1117 Main Street
- e. Willie Nillie Inc. - dba Willie Nillie – 2715 Lazelle Street
- f. MAJR, LLC - dba Sturgis Coffee Company – 2275 Lazelle Street
- g. Sturgis Water Works Com LLC - dba JJ Davenport’s Restaurant
- h. Sheree D Schriver – dba Jambonz Grill & Pub – 2214 Junction Ave.
- i. Lynn’s Discount Foods, Inc. – dba Lynn’s Dakota Mart – 1111 Lazelle St.
- j. Key City Enterprises - dba The Knuckle Saloon – 931 1st Street
- k. Shopko Stores Operating Co. LLC – 2105 Lazelle Street
- l. Days Inn Campground – 2501 Avalanche Rd
- m. CBH Cooperative – Cenex-C-Store – 2030 Lazelle Street

Motion by Bradley, second by Hersrud and carried with all members present voting yes to approve second reading of Ordinance 2015-16 – Supplement to the 2015 Appropriations.

ORDINANCE 2015-16

**AN ORDINANCE AMENDING ORDINANCE NO. 2014-13
ANNUAL APPROPRIATIONS FOR THE YEAR 2015
OF THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota, that ordinance 2014-13 is amended so that the following amounts are hereby appropriated to meet the obligation of the municipality for the year 2015.

General Fund	101	
Mayor & Council		
4111-4220 Prof. Fees		\$10,700
4111-4423 Publishing		\$ 3,500
4111-4260 Supplies		\$ 700
4111-4270 Travel		\$ 550
4111-4280 Utilities		\$3,000
4111-4290 Other		<u>\$4,550</u>
Total for Mayor & Council		\$23,000

Attorney

4141-4110 – Wages	\$2,000
4141-4111 – Overtime	\$850
4141-4260- Supplies	<u>\$2,150</u>
Total for Attorney	\$5,000

Finance

4142-4110 – Wages	\$2,500
4142-4111-Overtime	\$4,000
4142-4260-Supplies	\$1,625
4142-4340-Equipment	<u>\$875</u>
Total for Finance	\$9,000

Human Resources

4143-4110 – Wages	\$2,000
4143-4111-Overtime	\$500
4143-4220- Prof. Fees	\$500
4143-4290 – Other –Advertising & hosting fees for Candidates	<u>\$5500</u>
Total for Human Resources	\$8,500

Planning & Permitting

4196-4110 – Wages	\$1,000
4196-4111 – Overtime	<u>\$1,500</u>
Total for Planning & Permitting	\$2,500

Sponsorship

4198-42200 – Prof. Fees	\$115,000
4198-42900- Other	<u>\$ 70,000</u>
Total for Sponsorship	\$185,000

Rally

4199 - 4111 – Overtime	\$5,500
4199- 4230 – Publishing	\$40,000
4199-4260 – Supplies	\$14,500
4199-4521 – E-Commerce	<u>\$40,000</u>
Total for Rally	\$100,000

Total for General Fund**\$333,000**

Source of Funding: Additional new revenue from new initiatives

Special Sales Tax - 211

9000-4651 – Industrial Development (SEDC)	\$18,000
9000-46540 – City Promotion	<u>\$3,500</u>
Total for Special Sales Tax	\$21,500

Source of Funding: Unappropriated cash balance

Capital Improvements - 212

9000-43300 – Improvements	\$445,000
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Source of Funding: Unappropriated cash balance and additional new revenue

Business Improvement District-213

4195-4230 – Publishing	\$25,000
4195-4654 – Promotion	<u>\$ 5,000</u>
Total for Business Improvement District	\$30,000

Source of Funding: Additional new revenue from new initiative

TIF #9 – Palisades – 327

9000-42900 – Other **\$40,000**
Source of Funding: Additional TIF monies

TIF #10 – Industrial Park – 328

9000-42900 – Other **\$112,000**
Source of Funding: TIF monies

TIF #11 – SPM – 329

9000-42900 – Other \$195,000
9000-4654 – Economic Dev \$550,000
Total for TIF #11 – SPM **\$745,000**
Source of Funding – TIF monies

TIF #13 – Canyon View – 331

9000-42900 – Other **\$498,000**
Source of Funding – TIF monies

Adopted this 16th day of November, 2015.

First reading: 11-02-15
Second reading: 11-16-15
Adopted: 11-16-15
Published: 11-25-15
Effective: 12-16-15

Any other business:
None

Motion by Martin, second by Waterland and carried with all members present voting yes to go into executive session for legal, personnel and contracts at 7:20 pm.

Motion by Waterland, second by Bestgen and carried with all members present voting yes to return to regular session at 9:11 pm.

Motion by Bradley, second by Martin and carried with all members present voting yes to approve entering into a land lease with Sturgis Events, Fat Boys LLC and Related Entity.

Councilor Martin announced that he will have to step down from the Rally and Event committee, as his job is not allowing him to commit time to this committee. The Mayor and City Manager will decide which Council person will be appointed to this committee.

Motion by Bestgen, seconded by Waterland and carried with all members present voting yes to adjourn the meeting at 9:15 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$