

## 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, May 2, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand (arrives at 6:08 pm), Rod Bradley, Tony Dargatz, David Hersrud, Steve Keszler and Adam Martin. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Ronald Waterland.

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

Motion by Dargatz, second by Martin and carried with all members present voting yes to go into executive session for two legal cases, one contract and one personnel issue at 6:03 pm.

Motion by Martin, second by Dargatz and carried with all members present voting yes to return to regular session at 6:32 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Announcements:

- Mayor Carstensen proclaimed May 15-22- 2016 as Emergency Medical Services Week.
- Mayor Carstensen proclaimed May 5, 2016 as Arbor Day.
- Mayor Carstensen proclaimed May of 2016 as Wildfire Awareness Month.
- DENR recognized the City of Sturgis Water Department for the Drinking Water Compliance Award. We have received this award for the past 11<sup>th</sup> year.
- The Library's "Green Thumb Gala" is May 2 -6 with an annual decorated pots and plant silent auction fundraiser.
- A thank you goes out to John Swan, Davit Kuno and the wood working class at the High School for building the raised beds for the new Community Garden on Ball Park Road.
- Mayor Carstensen introduced Dave Romney and Jeff Holtz from Bonnier Corporation. They will be producing the Sturgis Rally Magazine. They thanked Sturgis for partnering up with them to produce the magazine.
- Roger Scheiman reported that former long-time resident of Sturgis Al Colton passed away.
- Councilor Keszler congratulated the High School Culinary Arts class for winning the State title. They will now move on to competition in Texas.
- Councilor Bradley announced there will be ground breaking tomorrow at 10:00 am for the new Day Care facility.
- Clean up is this week.

### Informational Reports:

- Library Board – minutes 3/23/16

### City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for March collected in April was up 51.8% for the month to date and up 16% year to date and the Gross Receipts Tax (triple B) was up 85.7% for the month to date and up 23% year to date.
- Payroll Changes – within budget: Parks Dept – Seasonal – Isaac Doten, Ivan Reicher, and William Sedlak - \$8.55. Police Dept – Animal Shelter Volunteers – Charlie

Brooks, Ana Dower, Cody Hayford, Sarissa Kelii, Sonya Kelii, Debbie Luger, Ty Ott, Nancy Smidt, Casey Taul, Patti Tesky – no wage.  
Patrol Officer – Part-time – Dylan Goetsch, Marty Goetsch - \$19.59. Liquor Store – Sales Clerk full-time – Lisa Boyer - \$12.09. Ambulance Dept – EMT-B – Halli Schulz – to half-time no wage change \$12.25. Street Dept – seasonal – Cain Fritz - \$8.75, \$10.75 rally – James Karrels - \$8.55, \$10.55 rally.

- Myron “Mick” Hurlburt will replace Dean Rathmussen on the Forestry Committee.

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

- Consideration to approve the minutes from the April 18, 2016 regular council meeting.
- Consideration to approve setting a public hearing for May 16, 2016 for a transfer of an Off-Sale Malt Beverage license from Nash Enterprises Inc dba Kwik- Mart to Hullinger Cuny LLC dba Kwik-Mart
- Consideration to approve setting a public hearing for May 16, 2016 for the 2015-2016 On-Off Sale & Off-Sale Malt Beverage and SD Farm Wine Renewals.
- Consideration to approve setting a public hearing for May 16, 2016 for Use of City Property, Street Closure and Resolution 2016-28 - Permit Open Container for the 6<sup>th</sup> Annual Camaro Rally on June 23-26, 2016.
- Consideration to approve setting a public hearing for May 16, 2016 for Use of City Property and Street closure for the 4th Annual Metzler Supermoto Race on July 1-2, 2016.
- ~~Consideration to approve Resolution 2016-26 – Surplus Property.~~

Motion by Dargatz, second by Bachand and carried with all members present voting yes to approve Resolution 2016-26 – Surplus Property.

**RESOLUTION 2016-26  
A RESOLUTION DECLARING PROPERTY SURPLUS**

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BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described above is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

Police:

- 2 phones
- 2 keyboards
- 1 tower
- 1 printer
- 1 monitor
- 9 car seats
- 7 booster seats
- 1992 White Dodge V25 van. VIN# 2B7HB21Y9NK171560.

Community Center:

- Cardio Glide
- Nordic Track 9600E Elliptical Trainer
- Toshiba Copier/Printer

Parks:

- HP Officejet Pro 8600 Premium Printer/Fax/Scanner/Copier - Serial number: CN3AAEXGT1

2. HP Copier CB821A -Serial number: M4855241CF
3. Misc. Steel
4. 1949 CAT Bulldozer
5. 1985 Chevy ¾ T Pickup truck VIN 1GCGD34JFF377423
6. 1982 Dodge Ram Pickup truck VIN JB7FP2479CY703983
7. 1986 John Deere 935 Mower VIN CH3029D009199
8. 1999 Cub Cadet Mower HDS3205 VIN 1C059620106
9. Snapper snow blower- Model Number: 103035 SN: 25012070
10. Swenson Spreader Sander-
11. Northern Hill 2 cy sander-
12. Monroe Side plow
13. Centura PH 2000E Tecumseh Auger 5 HP motor SN: HC673580
14. Auger bits- 8", 10", and 12"
15. Toddler sized dome play structure
16. 4 light bars- 3 yellow and 1 red
17. Grinder
18. power poles- 46
19. wooden fence post- approx.191
20. misc. brown metal steel roofing
21. concrete reinforcement wire- 4 rolls
22. culverts
23. concrete blocks- approx. 300
24. 10' tandem disc
25. 8' chisel

Finance:

1. 2 monitors and 2 keyboards – (broken)

Ambulance:

1. 2000 Ford Expedition – VIN 1FMPU16L5YLA90827

Dated this 2nd day of May 2016.

Published: 05/11/2016

Effective: 06/01/2016

Motion by Bradley, second by Martin and carried with all members present voting yes to approve the following claims but removing the claim to Meade Co Treasurer for the Sundstrom property:

**WAGES** – Ambulance \$29,517.22; Attorney \$3714.99; Auditorium \$179.47; Buildings \$1079.47; Cemetery \$1871.92; City Manager \$4862.07; Community Center \$8869.80; Finance Office \$8796.78; Fire Department \$230.66; Human Resource \$2886.45; Library \$8778.90; Liquor \$5978.77; Mayor and Council \$3554.50; Parks \$9808.22; Planning & Permitting \$4588.66; Police \$36,939.40; Rally \$6067.39; Recreation \$3465.68; Sanitary Service \$13,976.69; Streets \$12,392.58; Wastewater \$8044.50; Water \$12,869.10; Federal Withholding \$17,600.32; FICA \$13,587.78.

**GENERAL** - A&B Business, \$150.57, sup; American Legal Services, \$36.20, prof fee; Architectural Specialties, \$3,491.56, rep; Argus Leader, \$307.86, sup; Associated Supply, \$2,755.60, sup; Baker & Taylor, \$517.21, sup; BH Energy, \$15,818.80, util; Brosz Engineering, \$5,825.00, prof fee; Budget Signs, \$129.00, rep; Roger Burnham, \$3,500.00, prof fee; Campbell Supply, \$11.97, sup; Century Business Products, \$142.26, rep; Chain Saw center, \$29.80, sup; Chamber of Commerce, \$210.00, other; Clark Printing, \$226.80, sup; Coca Cola, \$12.00, rent; Nickie Cole, \$75.00, refund; Dakota Business Center, \$39.42, sup; Double Star Computing, \$1,634.00, sup; Fedex, \$19.87, sup; Great Western Tire Co, \$92.00, rep; J&L Services, \$100.00, rep; Jake's Collision Repair, \$235.35, rep; Junek's Service, \$47.85, rep; Knecht Home Center,

\$139.55, sup; Lawson Products, \$95.03, rep; Ron Ledford, \$30.00, other; Locks by Bernie, \$36.00, rep; Loud American, \$699.00, travel; Mack Brothers, \$200.00, rep; Meade County Register of Deeds, \$120.00, other; Meade County Times Tribune, \$611.47, pub; Gary Meyer, \$20.00, rep; MidAmerica Books, \$100.75, sup; Mobile Mini, \$961.58, other; Newman Traffic Signs, \$267.24, sup; Northern Hills Sod Farm, \$143.00, rep; Northern Hills Vet Clinic, \$865.98, prof fee; Park Avenue Car Wash, \$32.40, sup; Pitney Bowes, \$65.44, sup; Pizza Hut, \$88.00, other; Pool & Spa Center, \$135.00, rep; Postmaster, \$2,500.00, sup; Public Safety Equipment, \$21.98, sup; Push-Pedal-Pull, \$587.83, rep; Quill corporation, \$55.98, sup; Robert Sharp & Associates, \$1,242.25, pub; S&C Cleaners, \$3,100.00, rep; Sacrison Asphalt, \$611.40, sup; Scott Peterson Motors, \$56.13, rep; SD Assn of Code Enforcement, \$50.00, travel; SD Federal Property Agency, \$5,505.00, equip; SD Magazine, \$51.00, sup; Sinks N More, \$249.82, sup; Stop Stick, \$547.00, sup; Sturgis Photo & Frames, \$1,528.12, sup; Sturgis Regional Hospital, \$2,432.92, prof fee; Sturgis Sawmill, \$498.00, rep; Sturgis Tile Co, \$216.00, sup; Teri L. Farland, ACP, \$417.14, prof fee; The Spyglass Group, \$3,270.27, other; VAST, \$952.06, util; Verizon Wireless, \$2,133.76, util; WAI continuum, \$2,261.05, prof fee.

**SPECIAL SALES TAX** – Chamber of Commerce, \$24,666.67; SEDC, \$9,833.33.

**CAPITAL IMPROVEMENT** – Baseline Surveying, \$1,545.00; Iverson Construction, \$14,245.00; Miracle Recreation Equipment, \$15,000.00; Rubber-Deck, \$24,125.00.

**BUSINESS IMPROVEMENT DISTRICT** – Robert Sharp & Associate, \$1,296.25.

**REVOLVING FUND LOAN** – SEDC, \$1,000.00.

**EQUIPMENT REPLACEMENT FUND** – Scott Peterson Motors, \$28,053.00.

**TIF #11 SPM** – North Star Construction, \$53,203.59, other.

**LIQUOR** – Amcon Distributing, \$1,500.18, resale; BH Energy, \$1,893.04, util; Double Star Computing, \$202.50, prof fee; Eagle Sales, \$9,861.45, resale; Fisher Beverage, \$5,127.75, resale; Johnson Western Wholesale, \$12,636.92, resale; Licensed Beverage Dealer, \$100.00, resale; M&B Enterprises, \$142.90, resale; Prairie Berry, \$1,104.50, resale; Republic Beverage, \$39,700.75, resale; Schade Vineyard, \$396.00, resale; Southern Wine & Spirits of SD, \$798.18, resale; VAST, \$168.40, resale.

**WATER** – BH Energy, \$7,359.83, util; Campbell Supply, \$2.99, sup; CBH, \$394.75, sup; Credit Collections Bureau, \$34.81, sup; Dakota Hardware, \$38.95, sup; Double Star Computing, \$12.50, prof fee; Ecolab Pest Eliminator, \$62.10, prof fee; G&H Distributing, \$137.92, sup; Hach Co, \$234.26, sup; Hawkins, \$504.50, sup; HD Supply Waterworks, \$13,800.00, sup; Interstate All Batteries Center, \$147.98, sup; Meade County Times Tribune, \$173.35, pub; Midcontinent Testing Lab, \$147.00, prof fee; Mobile Mini, \$41.98, sup; Northwest Pipe Fittings, \$432.52, sup; Rushmore Office Supply, \$253.78, sup; SD Assn of Rural Water, \$150.00, prof fee; SD One Call, \$82.88, prof fee; Servall, \$11.95, sup; Sturgis NAPA, \$45.52, sup; Town-N-Country Plumbing, \$6.00, sup; VAST, \$170.14, util; Verizon, \$230.54, util.

**WASTEWATER** – A-1 Sewer & Drain, \$29,503.48, cap imp; Advanced Engineering & Improvement, \$6,100.00, cap imp; BH Energy, \$3,359.48, util; Double Star computing, \$12.50, prof fee; Lawson Products, Inc., \$95.02, rep; Verizon, \$155.86, util;

**SANITATION** – BH Energy, \$333.82, util; Chain Saw Center, \$122.18, rep; Double Star Computing, \$12.50, prof fee; Hilton Garden Inn, \$163.16, travel; Lawson Products, \$95.02, rep; Sanitation Products, \$856.72, rep; SDSWMA, \$300.00, travel; Sheehan Mack Sales & Equipment, \$132.54, rep; Verizon, \$54.12, util.

**AMBULANCE** – BH Energy, \$552.44, util; Double Star Computing, \$125.00, prof fee; Kreiser's, \$357.15, sup; Moore Medical, \$101.61, sup; Regional Health, \$146.59, sup; Rockingtree Floral, \$56.95, sup; Stryker Sales, \$12.27, sup; United Health Care, \$110.09, refund; Verizon, \$294.46, util.

Motion by Bradley, second by Anderson and carried with all members present voting yes to approve a Zoning Amendment for Silas Grinstead IV – Days End Campground, 2501 Avalanche Road. The old zoning is Highway Service and it will be changed to Campground zoned.

Motion by Bachand, second by Keszler and carried with all members present voting yes to approve a new Wine License for Kan-Meyer Inc. dba Grocery Mart, 2216 Junction Avenue.

Motion by Bachand, second by Bradley and carried with Carstensen, Anderson, Bachand, Bradley, Hersrud, Keszler and Martin voting yes, Dargatz abstaining, to approve second reading of Ordinance 2016-01 – Title 3 – Licensing & Regulation of Alcohol, Malt Beverage and Drinking Establishment amending 34-15 to 36-15.

### **ORDINANCE 2016-01**

#### **AN ORDINANCE AMENDING TITLE 3– LICENSING & REGULATION OF ALCOHOL, MALT BEVERAGE AND DRINKING ESTABLISHMENTS**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 3 –Licensing & Regulation of Alcohol, Malt Beverage and Drinking Establishments – Chapter 3.03 – Full-Service on sale Restaurant and Malt Beverage Special Provision Licenses; Section 03.03.02 Definitions Applicable to this Chapter and Section 03.03.12 – Spa and/or Health and Beauty Retail on/off sale Malt Beverage Licenses be amended to read as follows:

#### **CHAPTER 3.03 FULL-SERVICE ON SALE RESTAURANT AND MALT BEVERAGESPECIAL PROVISION LICENSES**

##### **SECTIONS**

- 3.03.01: Scope and Purpose
- 3.03.02: Definitions Applicable to this Chapter
- 3.03.03: Annual Reports
- 3.03.04: License Renewals
- 3.03.05: Only Retail, On-Sale Service Permitted
- 3.03.06: Full-Service Restaurant License Fees
- 3.03.07: Registry of Full-Service Restaurant On-sale Licensees
- 3.03.08: Issuance of new Full-Service Restaurant Licenses restricted
- 3.03.09: Requirements for Restaurant Malt Beverage License
- 3.03.10: Scope of Restaurant Malt Beverage License
- 3.03.11: Status of Existing Restaurant Holding On-Sale License
- 3.03.12: Spa and/or Health and Beauty Retail on/off sale Malt Beverage Licenses

##### **3.03.01: LICENSE APPLICATION REQUIREMENTS.**

An applicant for a full-service restaurant on-sale license shall provide sufficient documentation to the municipality with an application form provided by the municipality to prove that the primary source of revenue from the operation of the restaurant will be derived from the sale of prepared food and non-alcoholic beverages and not from the sale of alcoholic beverages. The supporting documentation concerning the primary source of revenue submitted pursuant to this section is confidential.

##### **3.03.02: DEFINITIONS APPLICABLE TO THIS CHAPTER.**

For purposes of application of this Chapter only, the following terms as used within this Chapter shall have the following meanings.

**BAR:** Any permanently installed counter within the restaurant area from which alcoholic beverages are regularly served to customers by a person who is tending bar or drawing or mixing alcoholic beverages;

**FULL-SERVICE RESTAURANT:** Any restaurant at which a waiter or waitress delivers food and drink offered from a printed food menu to patrons at tables, booths, or the bar. Any restaurant that only serves fry orders or food such as sandwiches, hamburgers, or salads is not a full-service restaurant;

**SPA AND/OR HEALTH AND BEAUTY ESTABLISHMENT:** Any establishment licensed under SDCL 36-15 such as a nail or hair business.

**3.03.12: SPA AND/OR HEALTH AND BEAUTY RETAIL ON/OFF SALE MALT BEVERAGE LICENSES.**

Spa and/or Health and Beauty establishments licensed under SDCL 36-15 and in good standing with the State may apply for a Retail on/off sale malt beverage license. This shall be subject to the Temporary Use process as described in Title 18 Article V Section 10.

Dated this 2<sup>nd</sup> day of May, 2016.

First reading: 04-18-2016  
Second reading: 05-02-2016  
Adopted: 05-02-2016  
Published: 05-11-2016  
Effective: 06-01-2016

Motion by Bachand, second by Keszler and carried with Carstensen, Anderson, Bachand, Bradley, Hersrud, Keszler and Martin voting yes, Dargatz abstaining, to approve second reading of Ordinance 2016-02 – Title 18 – Zoning amending the last paragraph.

**ORDINANCE 2016-02  
AN ORDINANCE AMENDING TITLE 18– ZONING ORDINANCE**

**TITLE 18  
CITY OF STURGIS ZONING ORDINANCE**

**ARTICLE IV  
DISTRICT REGULATIONS  
ARTICLE IV – DISTRICT REGULATIONS**

- |          |   |
|----------|---|
| 18.05.01 | AG-1 - Agricultural Zoning District (AG)                  |
| 18.05.02 | Park Land Zoning  |
| 18.05.03 | Public Land Zoning District                               |
| 18.05.04 | Medium Density Residential Housing                        |
| 18.05.05 | Low Density Residential Housing                           |
| 18.05.06 | R-3 Multi-Family Dwellings, High Density District         |
| 18.05.07 | MH-1 Manufactured Single Family – Homes, Moderate Density |
| 18.05.08 | MH-2 Manufactured Single Family – Homes, High Density     |

18.05.09	GC-1 General Commercial District
18.05.10	GC-2 Retail Commercial District
18.05.11	GC-3 Single Family Residential/Office Commercial District
18.05.12	HS-1 Highway Service
18.05.13	GI-1 General Industrial
18.05.14	OS-1 Open Space or Flood Plain District
18.05.15	NU Transitional District
18.05.16	FAIR-Fairgrounds District
18.05.17	RV-RV, Campground and Recreational Vehicle Park District

**TITLE 18.05.10**  
**GC-2 - RETAIL COMMERCIAL DISTRICT**

**(A) DEFINITION:**

This commercial district is intended to provide an area for retail sales and similar activities year round where there in general are no activities or sales conducted outside of the structure. This area should be ascetically pleasing and unless otherwise approved by the planning commission and city council, there are to be no items stored, displayed or sold out side of the structure. Adequate parking and visibility for the business located on the property shall be provided in all cases.

There will be no temporary structures permitted in this district. (Exception: seasonal green houses or similar garden type structures, which ma y be an accessory to the existing business)

Transient/temporary merchants may be permitted in this district but, they shall operate entirely within an enclosed permanent structure. In no case shall a transient/temporary merchant be permitted to operate on the exterior of the structure. In no case shall this district have businesses such as lumber sales, new & used car sales, service & repair stations or similar uses.

**(B) PERMITTED USES:**

1. Retail sales establishments, including manufacturing of Goods for retail sales on the premises, providing there are fewer than five employees engaged in the manufacturing of the product and in no case more than 10% or the building area is utilized for manufacturing.
2. Financial institutions.
3. Drinking & dining establishments.
4. Convenience stores
5. Personal service establishment.

**(C) USES PERMITTED ON REVIEW:**

1. Private clubs or lodges.
2. Hotels & motels.
3. Churches.
4. Office buildings
5. Gas stations, which are an accessory use to the primary business.

**ARTICLE V – SUPPLEMENTARY REGULATIONS APLYING TO A SPECIFIC, TO SEVERAL OR TO ALL DISTRICTS**

**SECTION 1 – DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW**

- A. Planned Unit Development
- B. Churches, School, Libraries and Medical Facilities
- C. Mobile Home Parks
- D. Other Uses Permitted on Review
  - 1. Cemeteries
  - 2. Drive-in Theater
  - 3. Public and Private Utilities and Service
  - 4. Private Day Nurseries and Kindergartens
  - 5. Automobile Wrecking and Junk Yards
  - 6. Recreation Fads
  - 7. On-lot Sewage Disposal System

SECTION 2 – ACCESSORY USES

SECTION 3 – HEIGHT

SECTION 4 – YARD, BUILDING SETBACK AND OPEN SPACE EXCEPTIONS

SECTION 5 – MINIMUM OFF-STREET PARKING REQUIREMENTS

- A. Off-street parking requirements general
  - Table of Parking spaces required
- B. Off-street parking lot layout, construction and maintenance

SECTION 6 – STORAGE AND PARKING OF TRAILERS AND COMMERCIAL VEHICLES

SECTION 7 – OFF-STREET LOADING AND UNLOADING REQUIREMENTS

SECTION 8 – GASOLINE SERVICE STATIONS

SECTION 9 – CUSTOMARY HOME OCCUPATION

SECTION 10 – TEMPORARY USES

SECTION 11 – TENTS

SECTION 12 – SWIMMING POOLS

SECTION 13 – LIGHTING

SECTION 14 – DOWNTOWN OVERLAY DISTRICT

**ARTICLE V**

**SECTION 10 - TEMPORARY USES**

The regulations contained in this section are necessary to govern the operation of certain transitory or seasonal uses, non-permanent in nature.

- A. Application for a Temporary Use Permit shall be made to the Building Inspector and shall contain the following information:
  - 1. A survey or legal description of the property to be used, rented or leased for a temporary use, including all information necessary to accurately portray the property.
  - 2. A description of the proposed use.

3. Sufficient information to determine the yard requirements, setbacks sanitary facilities and availability of parking space to service the proposed use.
- B. The following uses are deemed to be temporary uses and shall also be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:
1. Carnival or Circus - In any non-residential district, a Temporary Use Permit may be issued for a carnival or circus, but such permit shall be issued for a period of no longer than fifteen (15) days. Such a use shall set back from all Residential Districts a distance of one hundred (100) feet or more.
  2. Temporary Buildings - In any district, a Temporary Use Permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such office or shed shall not contain sleeping or cooking accommodations. Such permit shall be valid for not more than one (1) year but may be renewed a maximum of two one-year extensions. However, such office or shed shall be removed upon completion of the construction project or upon expiration of the Temporary Use Permit, whichever occurs sooner.
  3. Real Estate Sales Office - In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any approved new subdivision. Such office shall contain no sleeping or cooking accommodations. Such permit shall be valid for not more than one (1) year, but may be renewed a maximum of three (3) one-year extensions. Such office shall be removed or converted to a conforming use upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.
  4. Spa Malt Beverage on/off-sale License – Any premises licensed under SDCL 36-15 may apply for this temporary use during the period from July 30 - August 17- by following the process set forth above. An application under this subdivision shall include an acknowledgement by the applicant that under the inspection provisions of SDCL 35.2.2.1 any temporary use approved the Council shall not include any use from July 31 thru August 16, when the licensee shall be closed for inspection. The application shall also contain a specific statement of the portions of the IBC governing the bar and restaurant class of occupancy which applicant requests be waived. The hours of serving a Malt Beverage must not be greater than the hours that the establishment provides its principal services (Spa and Health and/or Beauty treatments) every day it is operational.

Dated this 2nd day of May, 2016.

First reading: 04-18-2016

Second reading: 05-02-2016

Adopted: 05-02-2016

Published: 05-11-2016

Effective: 06-01-2016

Mayor Carstensen declared a sine die, final adjournment of the 2015-2016 Council Session at 7:06 pm.

Motion by Anderson, second by Dargatz and carried with all members present voting yes to recess at 7:06 pm for 10-15 minutes.

Mayor Carstensen called the meeting back to order at 7:22 pm

City Attorney Barnier gave the Oath of Office to Mayor Mark Carstensen and Councilor's Jason Anderson, Mike Bachand, Steve Keszler and David Martinson.

Moved by Bachand to nominate Rod Bradley for President of the Council. Second by Martin. Nominations ceased. Bradley was declared President of the Council.

Motion by Bachand to nominate Ron Waterland for Vice President of Council. Second by Dargatz. Nominations ceased. Waterland was declared Vice President of the Council.

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

- a. Authorize Bank Depositories – First Interstate Bank, Wells Fargo Bank, First National Bank, Pioneer Bank & SD Public Fund Investment Trust.
- b. Authorize Signatories on Bank Accounts – Daniel Ainslie, Mark Carstensen, Rod Bradley, Fay Bueno, Jeanie Shyne and Ann Bertolotto.
- c. Designate Legal Newspaper as Meade County Times.
- d. Consideration to approve Resolution 2016-27 – Voluntary Annexation – EJ Cole dba Vanocker Campground.

#### **RESOLUTION 2016-27**

#### **RESOLUTION ON ANNEXATION OF LAND OWNED BY ELWYN J. COLE**

WHEREAS, Elwyn J. Cole 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

WHEREAS, the current land use is North: Low density residential and mobile home; East: PUD/residential; South: US Forest Service; West: Low density residential.

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

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

Lot two of Wheeler Subdivision, Black Hills Meridian, Meade County, South Dakota., as shown by the plat recorded in Plat Book 14 on Page 40.

Dated this 2nd day of May, 2016

Published: 05-11-16

Effective: Immediately after filing with County

Coe Meyer, of the White Plat Racing Association, presented two pictures of riders from the Half Mile race to the Rally and Event Department. Mr. Meyer would like to see the City and the Racing Association working together to promote the Half Mile race, the Super Moto Race and also the new event that will be introduced by Bruce Eide. This will be the 3<sup>rd</sup> year that the Half Mile has been put on by the White Plat folks. The White Plat Racing Association wants to grow the Half Mile race and will need help with the prize money. The Council asked that the association come to a Rally and Events meeting to discuss exactly what they are asking for from the City. Myrick Robbins, Director of the Sturgis Motorcycle Museum, said that the Museum is in support of the Half Mile Race.

Bruce Eide was present to introduce a new special event that would happen on August 26, 27 and 28. It will be called The Spirit of Sturgis Vintage Bike Event which will include a show and shine, an organized ride and races. Mr. Eide also introduced Brittney Olson a professional racer of vintage bikes that will help to plan this event. There will be a request for closure of streets coming to the Council at a later date. They will be using the Harley Davidson Rally Point for some of the events.

The following bids were received: Kieffer Sanitation – Average 1<sup>st</sup> - \$17.96; 2<sup>nd</sup> - \$13.51; 3<sup>rd</sup> - \$7.95. Central States Sanitation – Average 1<sup>st</sup> - \$20.00; 2<sup>nd</sup> - \$13.00; 3<sup>rd</sup> - \$0. Superior Sanitation – 1<sup>st</sup> - \$32.00; 2<sup>nd</sup> - \$17.00; 3<sup>rd</sup> - \$17.00.

Motion by Martin, second by Dargatz and carried with all members present voting yes to approve the low bid from Kieffer Sanitation for 2016-2020 Rental & Servicing of Portable Toilets.

Any other business:

Bob Bertolotto asked about the overhead banners that were proposed for Junction Avenue. There was not enough interest in doing it.

Motion by Bachand, second by Keszler and carried with all members present voting yes to go into executive session for personnel and contracts at 8:11 pm.

Motion by Keszler, second by Martin and carried with all members present voting yes to return to regular session at 8:47 pm.

Motion by Bachand, seconded by Dargatz and carried with all members present voting yes to adjourn the meeting at 8:47 pm.

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

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

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