

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, September 19, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rod Bradley, Tony Dargatz, Steve Keszler, David Martinson and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Rhea Crane.

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

Motion by Waterland, second by Keszler and carried with all members present voting yes to go into executive session for one legal case, one contract and one personnel at 6:01 pm.

Motion by Waterland, second by Dargatz and carried with all members present voting yes to return to regular session at 6:30 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Waterland, second by Dargatz and carried with all members present voting yes to amend the agenda and remove Agenda #11d under reports – first reading of Title 2 – Contractor Licensing and Construction Regulations.

Announcements:

- Fire Chief Trigg and Mayor Carstensen awarded the Sturgis Metal of Honor to Scott Lensgrav and Clint Walker for their response to a house fire where they removed a resident out of the burning home. They saved the resident's life.
- The City thanked Grace Lutheran Church for honoring Sturgis PD and Sturgis EMS on September 11th for the work their departments do to keep our community safe.
- The City wanted to thank all that participated in the United Way Day of Caring.
- The 3rd annual Oktoberfest will be held on September 23 and 24 at Harley Davidson Rally Point.
- Paige McPherson will be holding an Olympic meet and greet on September 23 from 5-7 at the Loud American Roadhouse.
- Fall clean-up will be October 3-7.

Informational Reports:

- Planning Commission – minutes 9/7/2016
- Park Board – minutes 7/7/16
- Chamber of Commerce – overview of 2016

City Manager Ainslie reported:

- Payroll Changes – within budget:
 1. Streets Dept – Heavy Equipment Operator – Justin Barden - \$12.09 (\$13.49 with CDL)
 2. Cemetery Dept – Maintenance Tech 2 – John Rasch – no wage change.

Motion by Waterland, second by Bachand and carried with Carstensen, Anderson, Bachand, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve the following items on the consent calendar:

- a. Consideration to approve the minutes from the September 6, 2016 regular council.

- b. Consideration to approve setting a public hearing on September 28, 2016 for a Special Events License for the Oasis Bar & Fireside Lounge at Harley-Davidson Rally Point on September 29, 2015 from 4-8 pm for the Neighbors Feed Neighbors Fundraiser.

Motion by Bradley, second by Anderson and carried with all members present voting yes to approve the following claims: There are claims that show up under First Interstate Bank and also individually on this claim listing. It appears that these claims being paid twice, this is not the case as they are only being paid under First Interstate Bank credit card and Finance will have this issue corrected for the next set of claims.

WAGES – Ambulance \$25,889.00; Attorney \$3461.16; Auditorium \$192.91; Buildings \$1092.91; Cemetery \$2039.52; City Manager \$4604.46; Community Center \$10,488.55; Finance Office \$8698.22; Fire Department \$213.88; Human Resource \$2632.62; Library \$8430.16; Liquor \$7059.29; Mayor and Council \$3554.50; Parks \$12,735.73; Planning & Permitting \$7023.99; Police \$36,417.02; Rally \$7360.42; Recreation \$3047.78; Sanitary Service \$14,000.10; Streets \$11,967.93; Wastewater \$8070.91; Water \$12,370.68; Federal Withholding \$18,221.05; FICA \$13,853.50.

GENERAL – A&B Business, \$138.94, sup; A&B Welding, \$266.02, repair; A&J Surplus, \$267.00, repair; Arctic Glacier, \$1101.03, sup; Bierschbach Equipment, \$494.00, other; Billion Auto, \$25,176.00, equip; BH Chemical, \$1915.89, sup; BH Door Systems, \$881.00, repair; BH Energy, \$16,308.75, util; Campbell Supply, \$2027.01, sup; CBH Cooperative, \$13,765.65, sup; Chain Saw Center, \$49.87, repair; City of Sturgis Water Dept, \$13,396.29, util; Coca Cola, \$-737.50, merch for resale; Culligan of BH, \$12.00, sup; Dakota Ammo, \$194.18, sup; Dale's Tire, \$32.06, sup; Ecolab Pest, \$202.48, maint; Eddies Truck Sales, \$263.97, repair; Epic Outdoor Advertising, \$2200.00, rental-rally; Fastenal, \$42.54, sup; First Interstate Bank, \$2626.26, travel, sup; Freeman's Electric, \$1641.36, sup; G&H Distributing, \$8.53, repair; GOSCMA, \$100.00, prof fee; Great Western Tire, \$97.00, sup; Grimm's Pump, \$39.82, repair; Grocery Mart, \$1270.15, supp; Ken Grosch, \$30.00 other; Hillyard, \$645.36, sup; Hookit.com, \$10,000.00, prof fee; Interstate Engineering, \$11,126.78, prof fee; Jenner Equipment, \$110.89, repair; Leaning Door Enterprises, \$53.75, repair; Ron Ledford, \$30.00, other; Aaron Lukesh, \$30.00, other; Lynn's Dakotamart, \$1105.90, sup; Meade Co Auditor, \$19,289.78, other; Meade Co Times, \$281.58, publ; Medtech Wristbands, \$187.25, sup; Midco Business, \$41.97, util; Mobile Mini, \$172.51, repair; Montana Dakota Utilities, \$2408.66, util; Muscular Dystrophy Assn, \$75.00, refund; Neve's Uniforms, \$96.89, sup; Northern Hills Vet Clinic, \$4250.60, prof fee; O'Reilly Auto Parts, \$307.51, repair; Owens Interstate Sales, \$600.14, repair; Pool & Spa Center, \$33.05, sup; Powerplan, \$387.86, repair; Purchase Power, \$500.00, sup; Robert Sharp & Assoc, \$836.00, publ-rally; Rushmore Communications, \$514.00, sup; Rushmore Office, \$625.37, sup; Servall Towel, \$534.99, sup; Shopko, \$367.62, sup; Speedy Lube, \$75.70, repair; Stan Houston Equipment, \$69.95, other; Sturgis Napa, \$797.37, repair; Sturgis Youth Rodeo, \$431.65, refund; Taser International, \$525.00, equip; The Knuckle Saloon, \$648.60, sup; Tom's T's, \$2247.85, sup; Town-N-Country Plumbing, \$174.79, repair; Twilight First Aid, \$519.74, sup; United Way, \$160.00, other; Vast Business, \$2026.83, util; West Payment Center, \$160.32, prof fee; Zylstra Towing, \$250.00, repair.

SPECIAL SALES TAX – Chamber of Commerce, \$3500.00, city promo.

CAPITAL IMPROVEMENT – Fourfront Design, \$14,810.65, improve; Tom Hildebrand LTA, \$3154.00, improve.

BUSINESS IMPROVEMENT DISTRICT – BH Energy, \$293.27, util; Montana Dakota Utilities, \$21.13, util; Vast Business, \$312.30, util.

LIQUOR – A&B Welding, \$30.36, sup; Amcon Distributing, \$1703.94, cigarettes for resale; Arctic Glacier, \$1691.15, merch for resale; BH Chemical, \$4028.55, merch for resale; Cask & Cork, \$317.00, off sale liquor; City of Sturgis Water Dept, \$279.86, util; Coca Cola, \$2766.95, pop for resale, Ecolab Pest, \$110.75, maint; First Interstate Bank, \$1822.09, rep; Fisher Beverage, \$7628.30, off sale beer; Grocery Mart, \$36.19, sup; Johnson Western Wholesale, \$19,413.92, off

sale liquor; Lynn's Dakotamart, \$310.60, sup; Midco Business, \$90.00, util; Montana Dakota Utilities, \$18.15, util; Owens Interstate, \$32.75, repair; Pepsi Cola, \$1464.20, pop for resale; Prairie Berry, \$825.00, off sale liquor; Quality Brands of the BH, \$10,237.52, off sale beer; Republic Beverage, \$15,144.39, off sale liquor; Rushmore Office, \$945.23, sup; Servall Towel, \$184.96, sup; Southern Wine & Spirits, \$3806.01, off sale liquor; The Homeslice Group, \$6759.00, publ; Vast Business, \$291.39, util.

WATER – Affordably Creative Engineering, \$2325.00, cap improve; BH Energy, \$4349.90, util; City of Sturgis Water Dept, \$110.90, util; First Interstate Bank, \$931.32, sup; Mobile Mini, \$86.25, sup; Montana Dakota Utilities, \$154.74, util; Vast Business, \$140.32.

WASTEWATER – Campbell Supply, \$2.49, repair; CBH Cooperative, \$319.55, sup; City of Belle Fourche, \$54.80, other; City of Sturgis Water Dept, \$20.52, util; First Interstate Bank, \$1071.50, travel; Jenner Equip, \$1313.41, repair; Lynn's Dakotamart, \$8.66, repair; Midcontinent Testing Lab, \$510.20; Powerplan, \$49.62, repair; Sturgis Napa, \$148.34, repair; Twilight First Aid, \$62.05, sup.

SANITARY SERVICE – A&B Welding, \$41.42, repair; A&J Surplus, \$36.93, repair; BH Energy, \$12.00, util; Campbell Supply, \$235.68, repair; Century Business, \$248.53, prof fee; City of Belle Fourche, \$39,823.59, other; Eddie's Truck Sales, \$495.81, repair; Great Western Tire, \$864.14, sup; Kieffer Sanitation, \$4359.40, other; Owens Interstate, \$866.67, sup; Rushmore Office, \$20.61, repair; SD Solid Waste Management Assn, \$400.00, prof fee; Sturgis Napa, \$276.47, repair; Twilight First Aid, \$62.05, supp.

AMBULANCE – A&B Welding, \$233.96, sup; Arrow International, \$50.00, sup; BH Urgent Care, \$30.00, prof fee; Century Business, \$467.26, sup; City of Sturgis Water Dept, \$413.50, util; Coca Cola, \$126.08, sup; Crowder College, \$541.20, prof fee; Ecolab Pest, \$38.22, sup; First Interstate Bank, \$456.20, sup; Great Western Tire, \$237.70, repair; Grocery Mart, \$911.00, sup; Image Trend, \$288.00, prof fee; Nellie Isaacs, \$47.93, sup; Ike Isenhower, \$647.13, prof fee; Jones & Bartlett Learning, \$9743.76, sup; Lynn's Dakotamart, \$15.38, sup; Montana Dakota Utilities, \$40.43, util; Moore Medical, \$130.71, sup; Physio-Control, \$1263.80, sup; PWW Media, \$300.00, prof fee; Rushmore Office, \$491.01, sup; Sturgis Napa, \$171.00, repair; Vast Business, \$139.87, util.

Motion by Bradley, second by Anderson and carried with all members present voting yes to deny a Use on Review to construct a 30'x48' garage on property located at 198 Old Stone Road for Cambridge Investments LLC.

Motion by Waterland, second by Martinson and carried with all members present voting yes to approve a request for a variance of up to 2 feet for a 2nd story eave on 3rd Street for the building located at 1305 Main Street, the Loud American Roadhouse.

Motion by Bradley to deny a home daycare for Brandy Nikkila. Bradley withdrew the motion.

Motion by Bradley to send it back to planning and zoning. Died for lack of second.

After discussion and testimony from citizens that were for and against the daycare, a motion was made by Bachand, second by Waterland and carried with all members present voting yes to approve a home daycare for Brandy Nikkila at 2020 Park Avenue with the stipulation that a review be done by Planning and Zoning in 90 days with a recommendation to the Council stating if the daycare can continue. The motion was amended to include the property at 2030 Park Avenue that is insured by the daycare in the request for approval on this use on review.

Motion by Bachand, second by Dargatz and carried with Carstensen, Anderson, Bachand, Dargatz, Kesler, Martinson and Waterland voting yes, Bradley abstaining, to approve

Resolution 2016-46 - Use of City Property, Street Closure and Open Container for 3rd Annual Oktoberfest on Sept 23-24, 2016.

RESOLUTION 2016-46

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

WHEREAS, the Sturgis Oktoberfest is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS, the City of Sturgis has supported the Sturgis Oktoberfest event in past years, and

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

WHEREAS, the request from the Sturgis Oktoberfest is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED, as set forth herein that the City of Sturgis shall close Harley-Davidson Way between Main Street and the alley located between Main Street and Lazelle on Saturday, September 24, 2016 from 2:00 a.m. to 8:00 p.m.

IT IS HEREBY FURTHER RESOLVED that the Sturgis Police Department will be authorized to ticket and tow illegally parked vehicles within that street closure area starting September 24, 2016 at 2:00 a.m. through 8:00 p.m. and

IT IS HEREBY FURTHER RESOLVED as set forth herein that the City of Sturgis shall establish an alcoholic beverage open container area on September 23, 2016 from 4:00 p.m. to 11:59 p.m. and on September 24, 2016 from 11:00 a.m. to 11:59 p.m., as authorized by Section 3.02.20(C) of Sturgis City Ordinance and SDCL 35-1-5.5, for those persons legally possessing an alcoholic beverage in the authorized non-glass container, bearing the logo of the Sturgis Chamber of Commerce and available for purchase from designated on-sale licensees, on that public property open to the public, within area bounded as follows:

1. On the west, bounded by the eastern edge of the Right of Way of 4th Street, beginning at the intersection of 4th Street and Lazelle Street and continuing south to the intersection of 4th Street and Sherman Street, and
2. On the south, bounded by the north edge of the Sherman Street Right of Way between 4th Street and Middle Street, and
3. On the east, bounded by the western edge of the Middle Street Right of Way beginning at the intersection of Sherman Street and Middle Street and continuing north to the intersection of Middle Street and the alley located between Lazelle Street and Dudley Street, except for an extension further east across the Middle Street Right of Way and along and including the entire Main Street Right of Way to a point two hundred eighty (280) feet east of the intersection of Main Street and Middle Street, and
4. On the north, bounded by the alley Right of Way located between Lazelle Street and Dudley Street and extending from the intersection of that alley and Middle Street across Junction Avenue and continuing to the intersection of that alley and the Right of Way for

1st Street, and further including the area within and between the Right of Way of 1st Street and 3rd Street that lies north of Lazelle Street and south of Bear Butte Creek, then from a point at the intersection of the 3rd Street Right of Way and Bear Butte Creek, south along 3rd Street to the intersection with a line extending west from the alley Right of Way located between Lazelle Street and Dudley Street, then along that line further west across 3rd Street to the eastern edge of the Right of Way of Kinship Street, then south along Kinship Street to its intersection with Lazelle Street and 4th Street at the point of beginning.

5. Included in this Open Container area are the designated cross walks at the intersections of Main Street and Junction, Middle Street, 1st Street, Harley Davidson Way and 3rd Street, and also included is the Right of Way area of Third Street, Harley Davidson Way, First Street, Main Street and Junction Avenue within these boundaries.

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 open container area does not include the City Library, any City Property not open to the public, State Highway Right of Way and does not include any private property within the open container area.

Dated this 19th day of September, 2016.

Published: 09/28/2016

Effective: Immediately

Motion by Waterland, second by Bachand and carried with Carstensen, Anderson, Bachand, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a Special Events License for the Downtown Sturgis Foundation for Octoberfest.

Robert Symonds was present to talk with the Council about his concerns on the bright lights that are on the Fire Department building on Ballpark Road. Recently new LED lights were put on the building without bonnets. The City will see if they could use softer LED lights or if bonnets could be fabricated. The staff will also be more mindful to turn off their headlights when coming to work.

Coe Meyer was present to talk with the Council on the half-mile track at the fairgrounds. He thanked Rick Bush, Gene Stock and the Public Works Department for their help on setting up the event. The half-mile this year was successful with several professional racers being present. Mr. Meyer would like to have the City consider growing the half-mile race and making improvements to the race track at the fairgrounds. It was also asked by Mr. Meyer that the City refund \$3,500 to the White Plate Flat Trackers for monies owed to them by John Oaks from the use of the track during his event at the 2015 Rally.

The following two bids were received from Eddies Truck Center: 2017 Freightliner 108SD - \$137,526.00 and 2017 Western Star 4700 - \$139,926.00.

Motion by Dargatz, second by Keszler and carried with all members present voting yes to approve the low bid of \$137,526.00 for a 2017 Freightliner 108SD sander and plow from Eddies Truck Center and to authorize the City Manager to sign all documents for this purchase.

Any other business:

None

Motion by Dargatz, seconded by Keszler and carried with all members present voting yes to adjourn the meeting at 8:23 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$