

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, October 17, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Rod Bradley, Tony Dargatz and Steve Keszler. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: David Martinson and Ronald Waterland.

Motion by Keszler, second by Anderson and carried with all members present voting yes to approve the agenda with the exception of the removal of 11b-1st reading of Title 2.

Motion by Dargatz, second by Crane and carried with all members present voting yes to go into executive session for one legal case, two contracts and one personnel at 6:02 pm.

Motion by Bachand, second by Dargatz to return to regular session at 6:31 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

- At the South Dakota Municipal League conference, seven City employees were honored for achieving 20+ years of municipal government service: Kevin Aga (21 years), Fay Bueno (20 years), Drew Grotti (22 years), Rod Heikes (20 years), Bob Looby (21 years), Mike Plaggemeyer (20 years), and Bob Walker (34 years).
- A thank you goes out to the Fire Department for their quick response to the wastewater lagoon fire.
- There will be a ground breaking October 26th at 2:00 pm for the new addition to the Hospital.
- A site visit to the watershed dams took place today with several agencies attending.
- Councilor Bachand had a phone call from Heritage Acres thanking the City for having the Homecoming Parade come by their apartment complex.

Informational Reports:

- Library Board – 9/28/16 minutes
- Planning Commission – 10/04/16 minutes

City Manager Ainslie reported:

- The budget numbers for the end of the 3rd quarter are as follows: General Fund is at 74%; Capital Improvement 86%; Water 63%; Wastewater 50%; Sanitation 64% and Ambulance 73%. Total budget is at 71%.
- Payroll Changes – within budget:
 1. Water Dept – Water Operator – Russ Abernathy - \$17.61; Kyle Stumpf - \$17.28.
 2. Volunteer Fire Dept – Volunteer Firefighters – Cody Harwood, Michael Hagman, Shawn Walker – no wage.

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

- a. Consideration to approve the minutes from the October 3, 2016 regular council.
- b. Consideration to approve setting a public hearing on November 7, 2016 for a Malt Beverage License and a Wine License transfer from Lori & Tracy Konst dba Total E'Clips Salon to Luke and Rebecca Ortiz, Tamarack Inc dba Total E'Clips Salon at 920 1st St.

- c. Consideration to approve setting a public hearing on November 7, 2016 for a transfer of location of an Off-Sale Liquor License for the City of Sturgis.
- d. Consideration to approve setting a public hearing on November 7, 2016 for Liquor License and Wine License Renewals for 2017.
- e. Consideration to approve the ESGR Statement of Support 2016.
- f. Consideration to approve Resolution 2016-53 – Re-Plat of Lot 2R for Regional Health Network.

**RESOLUTION 2016-53
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 Regional Health Network:

PLAT OF LOT 2R, HOSPITAL SUBDIVISION (formerly Lots 27-30 and vacated alley laying adjacent in Block 4 of McMillan's Southern Addition to Sturgis, and Lot 2 of Hospital Subdivision) LOCATED IN THE SW1/4 OF SW1/4, SECTION 10, T5N, R5E, BHM, 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 17th day of October, 2016.

Published: 10/26/2016
Effective: 11/16/2016

- g. Consideration to approve Resolution 2016-54 – Plat of Lot 2B-1 & 2F-1 of Industrial Park Subdivision for SEDC.

**RESOLUTION 2016-54
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 JBB Ventures, LLC and Sturgis Economic Development Corp.:

Plat of Lot 2B-1 and Lot 2F-1 of Sturgis Industrial Park Subdivision. Formerly lot 2B Revised and Lot 2F Revised of Sturgis Industrial Park Subdivision, Located in the South ½ of Section 6, 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 17th day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- h.** Consideration to approve Resolution 2016-55 – Re-Plat of Lots 26-33, Bk 6, Fort Meade Addition, Sturgis Motorcycle Museum.

**RESOLUTION 2016-55
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 Motorcycle Museum:

Plat of Lot SMM in Block 6 of Fort Meade Addition Formerly Lots 26 thru 33 in Block 6 of Fort Meade Addition, Located in the NW1/4NW1/4, Section 10, T.5.N., R.5.E., 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 17th day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- i.** Consideration to approve Resolution 2016-56 – Meade Co Hazard Mitigation Plan.

**RESOLUTION 2016-56
RESOLUTION IN SUPPORT OF AND ADOPTING THE HAZARD MITIGATION PLAN
FOR MEADE COUNTY DATED OCTOBER 19, 2016**

WHEREAS, the Sturgis City Council supports the contents of the Hazard Mitigation Plan for Meade County; and

WHEREAS, the Hazard Mitigation Plan for Meade County will be utilized as a guide for planning related to FEMA Hazard Mitigation and other purposed as deemed appropriate by the City of Sturgis.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council hereby adopts, supports and will facilitate the Hazard Mitigation Plan for Meade County’s implementation.

Dated this 17th day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- j. Consideration to approve Resolution 2016-57 – Sturgis Emergency Operations Plan.

RESOLUTION 2016-57

**RESOLUTION IN SUPPORT OF AND ADOPTING THE STURGIS
EMERGENCY OPERATIONS PLAN**

WHEREAS, the Sturgis City Council supports the contents of the Emergency Operations Plan;
and

WHEREAS, the Emergency Operations Plan will be utilized as a guide for planning related to
FEMA Mitigation and other purposed as deemed appropriate by the City of Sturgis.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council hereby adopts,
supports and will facilitate the Emergency Operations Plan implementation.

Dated this 17TH day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- k. Consideration to approve Resolution 2016-58 – Sturgis Emergency Response Plan for
Drinking & Wastewater Systems.

RESOLUTION 2016-58

**RESOLUTION IN SUPPORT OF AND ADOPTING THE EMERGENCY RESPONSE
PLAN FOR DRINKING AND WASTEWATER SYSTEMS**

WHEREAS, the Sturgis City Council supports the contents of the Emergency Response Plan for
Drinking and Wastewater Systems; and

WHEREAS, the Emergency Response Plan for Drinking and Wastewater Systems will be utilized
as a guide for planning related to FEMA Mitigation and other purposed as deemed appropriate by
the City of Sturgis.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council hereby adopts,
supports and will facilitate the Emergency Response Plan for Drinking and Wastewater Systems
implementation.

Dated this 17TH day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- l. Consideration to approve Resolution 2016-59 – Airport Emergency Response Plan.

RESOLUTION 2016-59

**RESOLUTION IN SUPPORT OF AND ADOPTING
THE AIRPORT EMERGENCY RESPONSE PLAN**

WHEREAS, the Sturgis City Council supports the contents of the Airport Emergency Response Plan; and

WHEREAS, the Airport Emergency Response Plan will be utilized as a guide for planning related to FEMA Hazard Mitigation and other purposed as deemed appropriate by the City of Sturgis.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council hereby adopts, supports and will facilitate the Airport Emergency Response Plan implementation.

Dated this 17TH day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- m. Consideration to approve Resolution 2016-60 – Sturgis Disaster Recovery Plan.

RESOLUTION 2016-60

**RESOLUTION IN SUPPORT OF AND ADOPTING THE STURGIS
DISASTER RECOVERY PLAN**

WHEREAS, the Sturgis City Council supports the contents of the Disaster Recovery Plan; and

WHEREAS, the Disaster Recovery Plan will be utilized as a guide for planning related to FEMA mitigation and other purposed as deemed appropriate by the City of Sturgis.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council hereby adopts, supports and will facilitate the Disaster Recovery Plan implementation.

Dated this 17TH day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

- n. Consideration to approve Resolution 2016-61 – Assistance from GF & P to study and manage the Sturgis Watershed Fisheries.

RESOLUTION 2016 - 61

**A RESOLUTION OF THE CITY OF STURGIS COMMON COUNCIL REQUESTING
ASSISTANCE FROM STATE OF SOUTH DAKOTA GAME FISH AND PARKS TO
STUDY AND MANAGE THE STURGIS WATERSHED FISHERIES**

WHEREAS, on January 19, 2016, the Common Council of the City of Sturgis unanimously passed Resolution 2016-13; and,

WHEREAS, Resolution 2016-13 sought to responsibly increase access and use by the public of the Sturgis Watershed in the near future; and,

WHEREAS, the South Dakota Game, Fish and Parks' vision statement is "The South Dakota Game, Fish and Parks will conserve our state's outdoor heritage to enhance the quality of life for current and future generations."; and,

WHEREAS, the South Dakota Game, Fish and Parks' mission statement is "The South Dakota Game, Fish and Parks provides sustainable outdoor recreational opportunities through

responsible management of our state's parks, fisheries and wildlife by fostering partnerships, cultivating stewardship and safely connecting people with the outdoors.”; and,

WHEREAS, among the most unique outdoor recreational and environmental assets of the Sturgis Watershed property are several fisheries; and,

WHEREAS, the proper development and maintenance of these fisheries is one of greatest needs which must be met in order to increase the public’s access and sustainable use of the Sturgis Watershed.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Sturgis seeks to work in coordination with the State of South Dakota Game Fish and Parks to study and develop a plan for the management of the Sturgis Watershed fisheries. The Common Council further authorizes the City Manager to complete negotiations and all necessary documents in order to effectuate this Resolution.

Dated this 17th day of October, 2016.

Published: 10/26/2016

Effective: 11/16/2016

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

Wages – Ambulance \$26,732.51; Attorney \$3475.02; Auditorium \$179.36; Buildings \$1079.36; Cemetery \$3640.62; City Manager \$4652.45; Community Center \$10,439.16; Finance Office \$8656.70; Fire Department \$270.41; Human Resource \$2646.48; Library \$8431.34; Liquor \$6635.53; Mayor and Council \$3554.50; Parks \$8435.87; Planning & Permitting \$7065.71; Police \$36,917.01; Rally \$6873.05; Recreation \$3265.68; Sanitary Service \$14,008.19; Streets \$11,720.18; Wastewater \$8079.77; Water \$12,804.05; Federal Withholding \$18,428.23; FICA \$13,713.01.

GENERAL – A&B Business, \$241.93, sup; A&J Surplus, \$29.52, rep; Allegiant Emergency Services, \$362.76, rep; Amcon, \$211.92, resale; Avaya, \$25.55, util; BH Chemical, \$1,891.52, sup; BH Energy, \$15,612.69, util; BH Garage Doors, \$250.00, sup; BH Urgent Care, \$599.79, prof fee; Troy Burns, \$457.96, rep; Butte Electric, \$547.42, util; Campbell Supply, \$674.13, sup; Caselle, \$1,479.00, prof fee; CBH, \$10,547.38, sup; City of Sturgis Water Dept, \$9,911.56, util; Coca cola, \$492.00, sup; Culligan of the BH, \$12.00, sup; Culligan of the Northern Hills, \$45.50, util; Dakota Business Center, \$61.50, rep; Dakota Hardware, \$447.69, sup; Dana’s Plumbing, \$305.45, rep; EB Communications, \$108.00, prof fee; Ecolab Pest Eliminator, \$370.67, rep; Eddies Truck Sales, \$12.49, rep; Epic Outdoor Advertising, \$1,100.00, pub; First Interstate MasterCard, \$71,189.64, sup; Freeman’s Electric, \$250.00, rep; General Traffic controls, \$583.97, rep; Godfrey Brake Service, \$273.75, rep; Grimm’s Pump & Industrial, \$560.58, sup; Grocery Mart, \$745.82, sup; Ken Grosch, \$60.00, other; Marcella Hale, \$225.00, sell back; Harvey’s Lock Shop, \$108.28, sup; Hillyard, \$46.55, sup; Cody Hullinger, \$450.00, pub; KT Connections, \$952.28, prof fee; Ketel Thorstenson, \$1,000.00, prof fee; Knight Security, \$207.99, rep; Leaning Door Enterprises, \$186.16, rep; Lynn’s Dakotamart, \$256.87, sup; MB Tree & Landscape, \$1,500.00, other; Meade County Auditor, \$54,332.57, other; Meade County Times Tribune, \$929.79, pub; Menard’s, \$24.97, sup; Midco Business, \$41.98, util; MDU, \$2,782.53, util; Motionsoft, \$450.00, prof fee; Neve’s Uniforms, \$127.85, sup; Newkirk’s Ace Hardware, \$53.97, sup; Northern Hills Vet Clinic, \$1,151.59, prof fee; Oreilly auto Parts, \$42.07, rep; Richard Otten, \$305.00, refund; Owens Interstate Sales, \$697.14, sup; Park Avenue Car Wash, \$25.60, sup; Petty Cash, \$63.40, other; Pitney Bowes, \$345.48, rent; Print Mark-et, \$1,159.48, pub; Public Risk Management, \$385.00, prof fee; Public Safety Equipment, \$747.00,

equip; Purchase Power, \$400.00, sup; Rapid Delivery, \$12.08, rep; Rapid Fire Protection, \$100.00, sup; Rasmussen Mechanical Services, \$12,215.68, rep; Robert Sharp & Associates, \$836.00, pub; Rushmore Office Supply, \$1,178.82, sup; Lance Scherer, \$2,134.53, travel; Schwans, \$54.35, resale; Servall Towel & Linen, \$701.27, rep; Shooters Images, \$1,000.00, sup; Shopko Stores, \$43.66, sup; Sinks N More, \$254.55, sup; Speedy Lube, \$39.77, rep; Sturgis NAPA, \$641.93, rep; Sturgis Volunteer Fire Dept, \$95.00, refund; Town-N-Country Plumbing, \$139.44, sup; Twilight First Aid & Safety, \$132.30, sup; VAST Business, \$2,030.56, util; Verizon Wireless, \$144.17, util; Veteran's Club, \$75.00, refund; West Payment Center, \$160.32, prof fee; West River Electric Assn, \$479.16, util.

CAPITAL IMPROVEMENT – First Interstate MasterCard, \$1,400.00; Fourfront Design, \$1,452.37; Heavy Constructors, \$147,091.80; Lumichron, \$5,246.15.

BUSINESS IMPROVEMENT DISTRICT – BH Energy, \$267.44, util; BH Pioneer/Weekly Pro, \$331.80, pub; Campbell Supply, \$4.78, sup; Chamber of Commerce, \$1,301.35, other; Duhamel Broadcasting, \$756.00, pub; First Interstate MasterCard, \$53.44, pub; Kieffer Sanitation, \$68.00, sup; Lynn's Dakotamart, \$12.90, sup; MDU, \$30.68, util; Rapid City Journal, \$80.32, pub; Rapid Digital Solutions, \$2,330.84, other; Rushmore Office Supply, \$10.50, sup; Stec's Advertising, \$1,262.25, sup; Sturgis Transit, \$402.50, sup; The Homeslice Group, \$1,525.11, pub; VAST, \$312.30, util.

TIF #11 SPM – Petty Cash, \$30.00, other.

LIQUOR – A&B Welding, \$10.23, sup; Amcon Distributing, \$696.78, resale; Arctic Glacier USA, \$396.24, resale; BH Urgent Care, \$83.96, prof fee; City of Sturgis Water Dept, \$277.41, util; Coca Cola, \$580.90, resale; Ecolab Pets Eliminator, \$110.75, rep; Fat Boys, \$264.50, resale; First Interstate MasterCard, \$1,357.22, resale; Fisher Beverage, \$7,782.50, resale; Johnson Western Wholesale, \$22,274.38, resale; KT Connections, \$67.93, prof fee; LPA Retail Systems, \$1,350.00, prof fee; Mobile Mini, \$125.95, sup; MDU, \$14.54, util; Pepsi Cola, \$229.60, resale; Prairie Berry, \$996.00, resale; Print Mark-et, \$68.21, pub; Quality Brands of the BH, \$7,917.39, resale; Republic, \$38,012.48, resale; Rushmore Office Supply, \$238.72, sup; Servall Towel & Linen, \$178.73, sup; Southern Glazers's of SD, \$1,405.20, resale; The Homeslice Group, \$5,680.00, pub; Valiant Vineyard, \$132.00, resale; VAST, \$288.00, util.

WATER – Affordably Creative Engineering Services, \$3,305.00, cap imp; BH Energy, \$9,587.98, util; BH Urgent Care, \$137.97, prof fee; Butte Electric, \$927.96, util; City of Sturgis Water, \$118.25, util; MDU, \$133.88, util; Einer Mortenson, \$2,500.00, refund; Petty Cash, \$3.42, sup; Print Mark-et, \$68.21, pub; Short Construction, \$2,500.00, refund; VAST, \$140.32, util.

WASTEWATER – A&J Surplus, \$46.00, rep; American Engineering Testing, \$8,400.00, imp; BH Urgent Care, \$83.96, prof fee; Campbell Supply, \$91.65, rep; City of Sturgis Water, \$21.48, util; Dakota Hardware, \$21.33, rep; KT Connections, \$67.93, prof fee; Midcontinent Testing Lab, \$518.40, prof fee; O'Reilly Auto Parts, \$4.16, rep; Owens Interstate Sales, \$31.62, rep; PKG Contracting, \$83,790.05, cap imp; Print Mark-et, \$68.21, pub; Sturgis NAPA, \$283.05, rep; Verizon, \$46.92, util.

SANITATION – BH Energy, \$12.00, util; BH Urgent Care, \$53.96, prof fee; Campbell Supply, \$53.97, rep; CBH, \$1,835.19, sup; Century Business Products, \$271.33, prof fee; Century Link, \$54.38, util; City of Belle Fourche, \$21,476.08, other; Fastenal, \$74.44, rep; Inland Truck Parts, \$58.05, rep; KT connections, \$67.93, prof fee; Kieffer Sanitation, \$41,082.60, sup; Lynn's Dakotamart, \$29.95, sup; Richard Otten, \$255.00, refund; Print Mark-et, \$68.21, pub; Rushmore Office Supply, \$212.90, sup; Sturgis NAPA, \$242.63, rep.

AMBULANCE - A&B Welding, \$186.30, sup; BH Energy, \$599.74, util; Campbell Supply, \$10.89, sup; CBH, \$1,441.19, sup; City of Sturgis Water, \$365.72, util; Coca Cola, \$34.04, sup; Dakota Hardware, \$47.83, rep; Dale's Tire & Retreading, \$669.12, sup; First Interstate MasterCard, \$660.54, sup; Fourthought Life Insurance, \$141.46, refund; Grocery Mart, \$372.52, sup; Hersrud Co., \$572.78, rep; KT Connections, \$67.93, prof fee; Kreislers, \$4,561.50, sup; Gloria Larson, \$107.68, refund; Lynn's Dakotamart, \$316.24, sup; Medicare part B, \$554.56, refund; MDU, \$26.05, util; O'Reilly Auto Parts, \$23.17, sup; Print Mark-et, \$68.21, pub;

Rushmore Office Supply, \$216.69, sup; Shopko Stores, \$9.99, sup; Sturgis NAPA, \$173.79, sup; Sturgis Volunteer Fire Dept, \$300.00, reimb; VAST, \$143.52, util; Verizon, \$16.18, uti.

Motion by Bachand, second by Keszler and carried with all members present voting yes to approve for Gustafson Development Company, LP a Zoning Amendment from Low Density Residential to PUD (Planned Unit Development) for parcels bounded by Moose Drive, Dolan Creek Road and Ferguson Drive; best described as Lots 7 – 11 and Remainder A2 of the Hurley Subdivision. This will be a Senior Living Development.

Motion by Anderson, second by Dargatz and carried with all members present voting yes to approve an 8’ variance for the side setback on the west side of the property located at 1407 Main in the General Commercial Zone for Larry and Connie Plaggemeyer to build a permanent structure (carport) to within 2’ of the property line. This structure cannot be a fully constructed garage it must be a carport.

Several citizens stated their approval and concerns on this request to have an in-home business. There was a search of FFL’s and there are 18 in the Sturgis area. The Council was in agreement that they must address the in-home ordinance and make some changes. Motion by Anderson, second by Crane and carried with Carstensen, Anderson, Crane, Dargatz and Keszler voting yes, Bachand and Bradley voting no, to approve a Use on Review for Jeramiah Cano for an in-home firearm sales at 3390 Canyon View with the stipulation that there be no visible advertising on property or off property and that the sales tax information be submitted to the Finance Office quarterly. This is a traditional 1-year use on review.

Motion by Bachand, second by Crane and carried with Carstensen, Anderson, Bachand, Crane, Dargatz and Keszler voting yes, Bradley abstaining, to approve a Transfer of Malt Beverage license from Five Rocks LLC to 1337 Main LLC.

The following bid schedule was received from Weston Engineering: Group #1-\$9,875; Group #2 - \$6,540; Group #3-\$49,985; Group #4 - \$47,325; Group #5-\$2,675; Group #6-\$15,740; Group #7- \$29,907; Group #8 - \$2,945 for a total of \$164,992. Only one bid was received. Motion by Bachand, second by Dargatz and carried with all members present voting yes to approve the bid of \$164,992 from Weston Engineering for Well #7 Modifications and to have the City Manager to sign all needed documents.

Any other business:
None

Motion by Dargatz, second by Keszler and carried with all members present voting yes to go into executive session for personnel and contract matter at 7:36 pm.

Motion by Anderson, second by Crane and carried with all members present voting yes to return to regular session at 9:55 pm.

Motion by Dargatz, seconded by Crane and carried with all members present voting yes to adjourn the meeting at 9:57 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor