

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Tuesday, July 6, 2010 at the Sturgis Community Center. Present: Alderpersons Clint Brengle, Mark Carstensen, Joe DesJarlais, David Hersrud, Tim Potts, Bernadette Usera and Kelly Vasknetz. City Manager Dave Boone and City Attorney Greg Barnier were present. Absent: Mayor Maury LaRue and Jamie McVay.

President of the Council, Clint Brengle led everyone in the Pledge of Allegiance.

Announcements:

Councilor DesJarlais reported that:

- The City presented a great Fireworks show on the 4th of July.
- A thanks goes out to the Parks Department and Streets Department for the clean up after the fireworks.
- The Hands on Arts Festival was a success and thanks to everyone that helped with this event.

Councilor Potts announced that:

- That he attended the Black Hills Council of Local Governments quarterly meeting where they honored Sherry Scudder with a plaque for her years of service on their board and service as President. They also discussed the Statewide Transportation Improvement Plan for 2011-2015. For 2011, Meade County is anticipating getting \$20,000,000 for projects (some of the funding for these road projects does extend into Lawrence, Butte & Perkins County). There will be a public meeting held on July 15, 2010 at 7:00 p.m. at the Ramkota in Rapid City to discuss these projects.

Motion by Usera, second by Potts and carried with all members voting yes to approve the agenda as written.

Motion by Hersrud, second by Vasknetz and carried with all members voting yes to approve the minutes from the regular council meeting on June 21, 2010.

Motion by Hersrud, second by Usera and carried with all members voting yes to approve the following claims:

Wages – Mayor and Council \$3,236.18; Attorney \$2500.00; Finance Office \$8,043.45; Human Resource \$2000.00; City Manager \$4,938.39; Buildings \$1,475.01; Community Development \$4,776.94; Rally \$3,939.82; Police \$32,243.55; Fire Department \$2,436.60; Streets \$6,646.36; Street Cleaning \$926.12; Cemetery \$3,163.62; Community Center \$19,123.62; Library \$8,504.41; Auditorium \$249.07; Parks \$15,763.47; Ambulance \$10,545.38; Liquor \$4,267.45; Water \$12,998.31; Wastewater \$8,253.93; Sanitary Service \$9,411.03; Federal Withholding \$12,045.84; FICA \$24,441.52.

Transfers Out – General Fund \$47,556.42; UDAG \$22,748.50; Liquor \$17,689.25; Wastewater \$10,112.83; Sanitation \$19,753.67.

Transfers In – Parks \$46,556.42; General Fund \$47,555.75; Revolving Loan Fund \$22,748.50; Sanitation - \$1000.00.

General – A&B Business \$164.22, supp; Laurie Adkins \$117.00, cc prog exp; Laura Alyea \$224.10, cc prog exp; Amcon \$1109.08, merch for resale; Avaya \$36.39, util; Baker & Taylor \$288.06, supp; Albert Beasley \$117.00, cc prog exp; Bennett, Main & Gubbrud \$49.94, prof fee; Ann Bertolotto \$90.00, travel; BH Chemical \$1140.79, repair; BH Power \$1203.29, util; BH Rally & Gold \$4270.06, merch for resale; Fay Bueno \$90.00, travel; Jerry Burnham \$2347.92, prof fee; Butte Electric \$481.62, util; Campbell Supply \$122.32, supp; CBH Coop \$97.49, supp; Chamber of Commerce \$1458.34, publ; Community Center Dept \$78.81, cc prog exp; Curt Corey \$117.00, cc prog exp; Crisis Intervention Shelter \$2000.00, other; Crossings \$36.46, supp; Dakota Ammo \$2788.80, supp; Dakota Supply \$466.32, repair; Dakota Tree Spraying \$62.50, supp; Dish Network \$79.95, util; Double Star Computing \$3861.55, repair; Ecolab

Inst \$1588.84, prof fee; Joyce Ehlers \$17.31, travel; Energy Lab \$55.65, repair; Executive Business Comm \$80.00, repair; Fedex \$30.69, supp; First Western Insurance \$50.00, insur; Freeman Electric \$75.00, supp; G&G Ent \$135.00, merch for resale; G&R Controls \$3361.33, repair; Daniel Gillen \$331.50, cc prog exp; Glaser \$1154.00, supp; Gunderson, Palmer, Nelson \$196.10, prof fee; H&K Lawn Service \$75.00, repair; Hanson & Hubbard \$115.00, insur; Hills Interiors \$222.50, repair; Ikon Ofc-Chicago \$583.88, supp; Ikon Ofc-Dallas \$192.70, maint; KT Connections \$250.00, supp; Sharon Kienzle \$195.00, cc prog exp; Knecht Home Center \$2296.73, repair; Knology \$2083.80, util; Lynn's Dakotamart \$89.04, cc prog exp; Meade Co Auditor \$3506.31, other; Meade Co Senior Citizens \$2500.00, other; Candy Morrell \$3281.09, repair; Motoring USA-John Detrick \$23,350.00, prof fee-rally; Mystery Guild \$63.92, supp; Neighborhood Housing \$2500.00, other; Nest Family Entertainment \$114.70, supp; Nitro Alley \$6730.79, econo dev; No Hills Drug & Alcohol \$5500.00, other; No Hills RSVP \$1500.00, other; Office Depot \$28.79, supp; Office Max \$68.49, supp; Pete Lien & Sons \$1667.20, supp; Elvira Pittman \$204.68, travel; Ridin on Motorcycle Magazine \$575.00, publ-rally; Rosebaum Sign \$150.19, repair; Rushmore Office \$380.91, supp; Sacrison Asphalt \$512.10, supp; Sand Creek Printing \$156.50, supp; SD 211 \$1000.00, other; SD Wildlife Federation \$20.00, supp; Sheehan Mack \$132.62, repair; Smart Apple Media \$319.10, supp; Sturgis Area Transportation \$6500.00, other; Sturgis Center for the Arts \$4000.00, other; Subway \$43.89, supp-rally; Peter Tabury \$39.00, cc prog exp; Teen Court \$2500.00, other; Thomson West \$88.20, prof fee; Town-N-Country Plumbing \$29.95, repair; Tom Trigg \$30.00, travel; Turbiville Industrial Electric \$93.74, repair; Dewayne Tveidt \$150.00, sale of cem lot; Verizon \$2912.86, util; Walkabout Tile \$51.00, repair; West River Electric \$403.82, util; Western Door \$100.00, repair; Western State Fire Protection \$207.73, repair.

Park – BH Power \$1064.31, util; Verizon \$95.73, util.

Brick Project – BH Rally & Gold \$930.07, supp; Chamber of Commerce \$450.00, publ.

Ambulance – Allmed \$663.94, supp; BH Power \$459.68, util; Dakota Tree Spraying \$62.50, supp; DB Billing \$1422.33, prof fee; Knology \$98.85, util; Office Depot \$62.97, supp; Regional Health \$371.16, supp; Verizon \$69.90, util.

Mayor's Ride – Chamber of Commerce \$366.66, publ; Johnson Western Wholesale \$15,835.60, supp.

Special Sales Tax – Chamber of Commerce \$9543.33, chamber; Motorcycle Tourism Alliance \$2500.00, city promo; SEDC \$9625.00, industrial dev; Sturgis Area Arts Council \$2500.00, city promo; Sturgis Motorcycle Museum \$4760.00, city promo.

Capital Improvement – Sacrison Paving \$90,094.65, cap imp.

Capital Projects – Executive Business Communications \$80.00, cap imp; Gustafson Builders \$37,300.00, cap imp.

Liquor – Eagle Sales \$29.00, other; First Western Insurance \$415.00, insur; Fisher Beverage \$7126.12, off sale beer; Johnson Western Wholesale \$8504.73, off sale liquor; Knology \$160.68, util; Republic Beverage Co \$6699.07, off sale liquor; Tatianas Import Beverages \$118.40, off sale beer; TSP \$15,090.65, cap imp; Verizon \$55.29, util.

Water – BH Power \$9432.23, util; Butte Electric \$183.60, util; Knology \$119.70 util; Ladner Excavating \$79,224.23, cap imp; Candy Morrell \$362.55, maint; Eric Tibbetts \$500.00 grp insur; Verizon \$293.59, util.

Wastewater – American Highway Products \$529.29, repair; BH Power \$2240.98, util; Environmental Products \$83.96, repair; Ladner Excavating \$27,563.77, cap imp; Candy Morrell \$238.18, maint; Verizon \$112.39, util.

Sanitary Service – Adams Machining \$1111.15, repair; Inland Truck Parts \$336.36, repair; Candy Morrell \$238.18, maint; Qwest \$64.18, util; Verizon \$34.95, util.

Community Center Children's Fund – Community Center Youth \$65.00, other.

Committee Reports:

Councilor Usera reported that the Library has 7,218 patrons, which is over 9% more than last year at this time. Over 1,149 children and 1,108 adults have attended programs or meetings at the library so far this year. The art display for this month is new works on paper by Paul Peterson; and in August, the Shaman

Gallery in Hot Springs will share works from their collection. The Orlando Chamber Soloists will be at the Library on the 12th and 19th of July and at the Community Center on the 20th.

City Manager Report:

- Budget: General Fund is at 41% and total budget is at 49%.
- Phase one of the Murray Addition is finished, the contractor is doing private connects for the homeowners now. Phase two continues and they anticipate being done before the complete date of October 31.
- Commencement of the 2010 Pavement Improvement Program began with the completion of the Pine View Extension, 3rd Street and Boulevard.
- The Bike Path Improvement Project is underway and on schedule.

Motion by Potts, second by Usera and carried with all members voting yes to approve the following:

Budgeted New Hire: Temporary Rally-Community Center-Custodial – Diana Daniels, Yolanda Daniels, Arianna Nelson, Jeremy Guttierrez, Connor McCaskey, Shawn Usher, George Ferebee- \$8.50. Rally Photo Tower Attendant: Wade Leatherman and Lacey Iversen - \$8.00

Budgeted New Hires- Ambulance-EMT-Basic – Ann M. Lukesh-\$8.00. Parks: Amanda Barrows-\$7.25

Budgeted wage increases: Community Center: Jarret Fowler-\$7.50; Bennett Prosser-\$7.50

Motion by DesJarlais, second by Hersrud and carried with all members voting yes to set a public hearing date of July 19, 2010 for a use on review for a fence that is over the height requirement for Mike Green at 1709 W. Main.

Motion by Hersrud, second by Potts and carried with all members voting yes to approve first reading of ordinance 2010-09 - Title 15-Amendment to permit Sidewalk Cafes and Sidewalk Vending with the revisions that the Ordinance Committee recommended.

Motion by Potts, second by Hersrud and carried with all members voting yes to set a public hearing date of August 2, 2010 for closure of street on September 4, 2010 for the Sturgis Mustang Rally.

Hersrud introduced the following written resolution and moved its adoption:

RESOLUTION 2010 -24
RESOLUTION APPROVING CITY COUNCIL TRAVEL POLICY

WHEREAS, the complete and full discharge of the duties and responsibilities of the office of City Council member will sometimes require travel outside the City of Sturgis; and

WHEREAS, the Sturgis City Council has adopted a Policy establishing guidelines for official travel expense reimbursement to City employees, to ensure the responsible expenditure of City funds; and

WHEREAS it appears in the best interests of the citizens of Sturgis that the Council have similar guidelines;

NOW THEREFORE, BE IT RESOLVED that the City Council for the City of Sturgis will hereby adopt a Council Travel Policy to regulate travel cost reimbursement to Council members on official business, as follows:

The following regulations will explain travel cost reimbursement for expenses incurred by Council members while on official business travel for the City.

Advance approval of travel for any one Council member is required by a simple majority of the full Council.

Council members will submit a travel request to the Mayor. A copy of the program must accompany the travel request. The Mayor will review the travel request and may approve expenses up to \$100.00 and place other requests on the Council agenda.

No Travel and Training expenditure that exceeds the Mayor and Council's budgeted Travel and Training line item may be made without prior approval of the Council. All travel will be by the most economical method.

The Mayor shall report to City Council leadership any travel which requires the Mayor to incur expenses for it in excess of \$750.

Claim requirements and expense reimbursements are governed in accordance with the City Purchasing Policy. Expenses must be accompanied by a completed travel voucher and brief description of the travel. Receipts are required for lodging, registration, rented cars and other incidental expenses charged. If a travel expense has found to be disallowed by the City Purchasing Policy as administered by the Finance Office, the Council member may appeal to the City Council and the Council shall make the final determination.

Dated this 6th day of July, 2010.

Published: July 14, 2010

Effective: August 4, 2010

Potts seconded the motion for the adoption of the foregoing resolution. All those present voted in favor of and the resolution was declared passed and adopted.

DesJarlais introduced the following written resolution and moved its adoption:

RESOLUTION 2010 -25
RESOLUTION APPROVING POLICY FOR SPECIAL EVENT LIQUOR LICENSE

WHEREAS, the complete and full discharge of the duties and responsibilities of the City includes adapting City practices to comply with yearly changes in the law enacted by the Legislature; and

WHEREAS, the Legislature has enacted new provisions governing the issuance of a special event license by municipalities in South Dakota; and

WHEREAS the Council can best protect the public safety and welfare of the citizens of Sturgis by doing a detailed review of all liquor license applications; and

WHEREAS the Council is responsible also to protect the public safety when considering issuance of a special event license; and

WHEREAS it appears in the best interests of the citizens of Sturgis that the City Council act to carefully evaluate any potential adverse effects of issuing a special event license now authorized by the amendments to the law.

NOW THEREFORE, BE IT RESOLVED that the City Council for the City of Sturgis will hereby adopt a Special Event License Policy to regulate the application and issuance of Special Event Licenses sought from the City of Sturgis after July 1, 2010, as follows:

That the application for a special event license shall be accompanied by a daily fee calculated at the rate of \$10.00 for not more than 15 days.

That an application for use of City or public property contain confirmation that the applicant has insurance coverage available for the event.

That an application requesting the use of City or public property other than the Community Center or Auditorium be accompanied by the required forms for Use of Public Property or use of Public Right of Way.

That an application requesting a license for leased premises contain a copy of the lease agreement or similar documentation of permission to use the proposed premises.

That applications be submitted in complete and final form by noon on Thursday before the Council meeting at which the time of the public hearing date will be set.

That the public hearing will be scheduled at the first regular meeting of the City Council 45 days after the receipt of the completed application by the Finance Office.

That the time deadlines set out in this policy may be waived by the Council if an applicant currently holds a valid alcoholic beverage or wine license issued by the City of Sturgis, or the applicant has been issued a special events license by the City of Sturgis after July 1, 2008.

Dated this 6th day of July, 2010.

Published: July 14, 2010

Effective: August 4, 2010

Hersrud seconded the motion for the adoption of the foregoing resolution. All those present voted in favor of and the resolution was declared passed and adopted.

Usera introduced the following written resolution and moved its adoption:

RESOLUTION 2010 - 26

A RESOLUTION ESTABLISHING AN INVESTMENT POLICY

WHEREAS the City of Sturgis desires to adopt an Investment policy which shall allow the Finance Officer to temporally invest public funds in a manner to meet the daily cash flow demands of the City with the primary objectives, in priority order, being: a) Safety of Principal b) Liquidity and c) Return on Investments. The following are authorized and suitable investments:

- Interest bearing checking accounts
 - Savings accounts
 - United States Treasury bills, bonds and notes
 - United States Government Agencies
- Securities issued by government-sponsored enterprises (GSEs) or federally related institutions that are guaranteed directly or indirectly by the US Government. Securities issued by the

Government National Mortgage Association (GNMA or Ginnie Mae) are an example of securities directly guaranteed by the government. Securities issued by other GSEs may be allowable.

- Certificates of Deposit (CDs)
- Certificates of Deposit (CDs) purchased through CDARS® (Certificate of Deposit Account Registry Service)
- Money Market Mutual Funds - open-end, no-load
Mutual and money market funds that invest in US Treasury securities or securities issued by GSEs or federally related institutions that are guaranteed directly or indirectly by the US Government.
- Repurchase Agreements fully collateralized by allowable securities
- Local Government Investment Pool (SD FIT)

WHEREAS the City of Sturgis recognizes that the investing will be done with the proper collateralization in accordance with SDCL 4-6A and 51A-10-9 Qualified Public Depositories; and

WHEREAS the Finance Officer will report not less than quarterly, a clear picture of the status of all current investment;

WHEREAS the interest earned from investments shall be credited to the respective fund, except Agency funds, and the Debt Service fund and Perpetual Care fund shall credit the interest earned as required by statute.

NOW THEREFORE the City of Sturgis having been presented with said Investment Policy does hereby approve said Investment Policy and will implement the principals contained within the Policy.

Dated this 6th day of July, 2010.

Published: July 14, 2010

Effective: August 4, 2010

Hersrud seconded the motion for the adoption of the foregoing resolution. All those present voted in favor of and the resolution was declared passed and adopted.

Motion by Usera, second by Hersrud and carried with all members voting yes to set a public hearing date of July 19, 2010 for a Special events license for Sturgis Wine Co.

Vasknetz introduced the following written resolution and moved its adoption:

**RESOLUTION 2010 -27
RESOLUTION AUTHORIZING CLOSURE OF STREET
FOR PUBLIC SAFETY DAY**

WHEREAS Public Safety Day will be held in the City of Sturgis, July 10, 2010; and

WHEREAS it would be in the best interest for the City of Sturgis and its citizens to close one block of 5th Street, the alley between 6th and 5th Streets and Williams Street to accommodate the events that will take place on this day.

NOW, THEREFORE, the Common Council of the City of Sturgis hereby authorizes the closure of one block of 5th Street, the alley between 6th and 5th Streets and Williams Street.

Dated this 6th day of July, 2010.

Published: July 14, 2010

Effective: August 4, 2010

Usera seconded the motion for the adoption of the foregoing resolution. All those present voted in favor of and the resolution was declared passed and adopted.

Any other Business:

John Black came before the Council with some concerns. Mr. Black had been in contact with Rick Bush about these concerns and asked Mr. Bush to explain them to the Council. Mr. Black's property is next to the rubble site property and he claims that a ½ mile of his fence was smashed by snow that the City had placed there during the winter, while clearing snow from the road. Mr. Black is also asking that the City install a better containment fence for the garbage that blows around. City Manager Boone said that he will have the staff look into these concerns.

Michelle Loobey-Gertsch, Chamber director, reminded all about the ribbon cutting event that will take place tomorrow at 10:00 a.m. to promote "Dine up the street and shop down the block".

Councilor Hersrud questioned the fireworks ordinance. City Manager Boone said that Title 9 states that fireworks will be allowed from 6:00 a.m. on July 3 until midnight on July 4th. Hersrud asked that the Ordinance Committee look at this ordinance as he had received several phone calls about fireworks being shot off.

Councilor Hersrud asked that garbage receptacles be placed by the bike path, especially by McDonalds.

Councilor Potts asked that the Council discuss 13.02.09 of the City Ordinances. He would like to have notice given to the year-around businesses on Main Street when the City is going to close the street. He would like to see something formalized in the Ordinance to address the situation.

Motion by Potts, second by Carstensen and carried with all members voting yes to adjourn the meeting at 7:23 p.m.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED: _____
Clint Brengle-President of the Council

Please publish once at the total approximate cost

