

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 Monday, December 6, 2010 at the Sturgis Community Center. Present: Alderpersons Clint Brengle, Joe DesJarlais, Mark Carstensen, David Hersrud, Jamie McVay, Tim Potts, Bernadette Usera. City Manager Dave Boone and City Attorney Greg Barnier were present. Absent: Mayor Maury LaRue and Kelly Vasknetz.

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

Announcements:

- Councilor Usera commended everyone for a job well done on the Parade of Lights. The floats were fantastic and many participated in the event. The City's snow removal equipment that was decorated added a very nice touch to the parade.

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

Motion by McVay, second by Usera and carried with all members voting yes to approve the minutes from the regular council meeting on November 15, 2010 and the Special meeting held on November 22, 2010.

Motion by Brengle, second by Potts and carried with all members voting yes to approve the following claims with the exception of Claim #70 – Homeslice - \$5,405:

Wages – Mayor and Council \$3,236.18; Attorney \$2500.00; Finance Office \$8,132.73; Human Resource \$2000.00; City Manager \$4,939.40; Buildings \$1,453.48; Community Development \$4,720.81; Rally \$3,008.84; Police \$31,450.33; Fire Department \$2,419.50; Streets \$6,597.33; Street Cleaning \$925.60; Cemetery \$981.33; Community Center \$13,355.77; Library \$8,742.40; Auditorium \$189.15; Parks 10,037.93; Ambulance \$11,510.44; Liquor \$4,084.97; Water \$12,954.18; Wastewater \$8,234.32; Sanitary Service \$8,902.91; Federal Withholding \$11,839.37; FICA \$22,221.84.

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 – 196th Regiment, \$40.00, other; A&B Business, \$113.12, repair; Mark Alley, \$37.03, travel; Laura Alyea, \$361.80, cc prog exp; Amazon, \$175.12, supp; Amcon Distributing, \$1224.95, merch for resale; Associated Supply Company, \$213.39, supp; Avaya, \$36.39, util; Baker & Taylor, \$906.37, supp; Best Business Products, \$38.92, repair; BH Power, \$1235.13, util; BH.com, \$100.00, repair; John Breth, \$35.00, refund; Jerry Burnham, \$2347.92, prof fee; Butte Electric, \$697.81, util; CBH Coop; \$95.27, supp; Century Business Products, \$144.71, supp; City of Sturgis Water Dept, \$804.30, util; Coca Cola, \$1710.10, supp; Curt Corey, \$75.00, other; Crossings, \$28.97, supp; Devon Crowe, \$75.00, other; Dakota Backup, \$721.27, prof fee; Dakota Radiator, \$1271.43, repair; Dan Davidson, \$61.07, supp; Dish Network, \$79.95, util; Beth Duffield, \$474.60, cc prog exp; Energy Lab, \$74.20, repair; Fedex, \$16.89, supp-rally; Finance Office Petty Cash, \$30.21, supp; First Western Insurance, \$66.00, insur; Gale Group, \$241.30, supp; Gaylord Brothers, \$74.44, supp; Great Western Tire, \$385.44, equip; Gumdrop Books, \$1062.05, supp; Hillyard, \$204.24, supp; Paula Hoglo, \$107.31, refund; Ikon Office Solutions, \$193.00, supp; Integrity Sheet Metal, \$122.00, repair; Knology, \$2336.44, util; Lamar, \$2150.00, other; Kristen Legner, \$150.00, cc prog exp; Brooke Lensegrav, \$120.00, cc prog exp; LexisNexis Matthew Bender, \$156.72, supp; Lynn's Dakotamart, \$136.21, supp; Adam Martin, \$35.09, travel; Sheryl Martin, \$180.00, cc prog exp; Massa Berry Clinic, \$164.00, prof fee; Meade Co Times, \$36.00, publ; Candy Morrell, \$3161.09, maint; Motoring USA-John Detrick, \$700.00, prof fee-rally; Mystery Guild, \$16.98, supp; Neve's Uniforms, \$786.70, supp; Curt Nulle, \$75.20, supp; Joey Olson, \$45.00, cc prog exp; Pamida, \$262.74, supp; Kahlie Peterson, \$75.00, cc prog exp; Pitney Bowes, \$132.00, rent; Pitney Bowes,

\$516.87, supp-rally; Print Mark-et, \$694.71, publ; Public Safety Equip, \$53.95, supp; Purchase Power-Finance, \$206.85, supp; Purchase Power-Fire, \$43.13, supp; Quill, \$139.96, supp; Rapid Delivery, \$37.40, repair; Rapid Fire Protection, \$130.00, prof fee; Richters Tire, \$60.00, equip; Rushmore Office, \$576.89, supp; SD Tourism, \$500.00, travel-rally; SEDC, \$1250.00, econ dev; Servall, \$386.51, supp; Sturgis Photo, \$3372.50, merch for resale; Sturgis Rally Charities Foundation, \$22,669.12, prof fee-rally; Subway, \$43.89, supp-rally; The Connection, \$190.15, supp; Thomson West, \$130.20, supp; Tiger Direct c/o Syx Services, \$3287.41, minor equip; Titan Machinery, \$3284.70, repair; Tom Heitsch, \$53.00, repair; Tom's T's, \$707.40, cc prog exp; Twilight First Aid, \$74.74, supp; Tanner Urbaniak, \$45.00, cc prog exp; Geody Van Dewater, \$35.20, travel; Vanway Trophy, \$16.90, supp; Verizon, \$1151.29, util; V-Twin Expo, \$1100.00, travel-rally; West River Electric, \$373.99, util; Steve Westbrook, \$30.00, other. **Park** – BH Power, \$746.52, util; City of Sturgis Water Dept, \$167.87, util; Finance Office Petty Cash, \$14.00, supp; First Western Insurance, \$29.00, insur; Knology, \$166.35, util; Tanya Neuschwander, \$500.00, grp insur; Print Mark-et, \$63.16, publ; Verizon, \$44.60, util.

Brick Project – Fedex, \$195.59, supp.

Ambulance – BH Power, \$529.66, util; City of Sturgis Water Dept, \$38.00, util; DB Billing, \$2941.66, prof fee; Humana, \$40.88, ambul chrg; Knology, \$103.09, util; Print Mark-et, \$63.16, publ; Purhcase Power-Fire, \$43.12, supp; Warren Shaulis, \$10.93, supp; Verizon, \$67.88.

Mayor's Ride – National Fallen Firefighters, \$1000.00, other; Sturgis Police Reserves, \$2000.00, other; Sturgis Volunteer Fire Dept, \$10,500.00, other.

Special Sales Tax – Chamber of Commerce, \$9543.33, chamber; SEDC, \$9625.00, ind dev.

Capital Improvement – Stanley Johnson Concrete, \$892,962.27, cap imp.

Capital Projects – Candy Morrell, \$227.58, cap imp.

Community Projects – Campbell Supply, \$97.62, econ dev.

Liquor – Amcon Distributing, \$4292.33, cigarettes for resale; Bellboy Corp, \$474.59, merch for resale; City of Sturgis Water Dept, \$452.00, util; Coca Cola, \$471.50, pop for resale; Eagle Sales, \$15,976.90, off sale beer; Fisher Beverage, \$9912.80, off sale beer; GBA, \$70,883.90, cap imp; Johnson Western Wholesale, \$28,653.48, off sale liquor; Knology, \$160.31, util; Harriet Lolley, \$21.00, merch for resale; Lynn's Dakotamart, \$7.39, supp; M&B Enterprises, \$143.90, snacks for resale; North Country Business Products, \$3892.40, supp; Prairie Berry, \$1374.00, off sale liquor; Print Mark-et, \$63.16, publ; Republic Beverage, \$14,424.77, off sale liquor; Rushmore Office, \$87.00, supp; Sand Creek Printing, \$284.56, supp; Schade Vineyard, \$384.00, off sale liquor; Servall, \$70.35, supp; Tatianas Import Beverages, \$59.20, off sale beer; Tour Ice, \$96.55, merch for resale; TSP, \$6313.67, cap imp; Verizon, \$5.44, util.

Water – BH Power, \$6939.55, util; Butte Electric, \$183.60, util; City of Sturgis Water Dept, \$78.00, util; Dakota Backup, \$98.36, prof fee; Knology, \$178.70, util; Candy Morrell, \$362.55, maint; Print Mark-et, \$63.16, publ; Verizon, \$153.55, util.

Wastewater – Alltel, \$150.26, util; BH Power, \$2710.42, util; City of Sturgis Water Dept, \$12.88, util; Energy Lab, \$882.00, prof fee; Ladner Excavating, \$6013.87, cap imp; Meade Co Title, \$1542.22, cap imp; Candy Morrell, \$238.18, maint; Pete Lien & Sons, \$61.50, cap imp; Print Mark-et, \$63.16, publ; Rushmore Office, \$119.84, supp; Schreier Engeineering, \$1945.50, repair; Street Dept Petty Cash, \$26.91, repair; Verizon, \$104.54, util.

Sanitary Service – Finance Office Petty Cash, \$14.00, supp; Candy Morrell, \$238.18, repair; Print Mark-et, \$63.16, publ; Qwest, \$67.18, util; Verizon, \$35.05, util.

Motion by Potts, second by Hersrud and carried with Carstensen, DesJarlais, Hersrud, McVay, Potts, and Usera voting yes and Brengle abstaining to approving Claim #70 – The Homeslice Group, \$5405.00, publ.

Committee Reports:

- Council member Usera reported that beginning in March of 2011, the Sturgis Public Library will be participating in a new, affordable self-funded downloadable audio book program coordinated

by the South Dakota State Library. You will be able to use your Sturgis Public Library card to get these free downloadable audio books from OverDrive.

City Manager Report:

- Budget report: revenue is at 101% over budget which is 15.7 million dollars; sales tax is 9% above last year. 84% of the General Fund has been spent with 88% of the total budget being spent.
- Airport paving is complete, with work continuing on the lighting. The pavement marking will be done next spring.
- The Liquor store project is on track to be finished on January 4th.
- Snow removal during the last snow storm on November 29th went well. There were 10 units working and the employees worked a couple of shifts to clean the snow off the streets in a timely manner. There is 40% of the budget left in snow removal.

Motion by Potts, second by Usera and carried with Brengle, Carstensen, Hersrud, McVay, Potts and Usera voting yes and DesJarlais abstaining to approve having Sylvia DesJarlais as a volunteer at the Library.

Pat Kurtenbach, SEDC President gave the November update which consisted of constructing a spec/shell building, explore business incubator concept, and expanding the industrial park; create brand image and marketing campaign; fill Industrial Park; Exit 32 development, create and maintain contact list; add new business prospects; engage existing business, workforce training and development; working with Dusel/Susel lab; funding strategies.

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2010-39
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:

A Plat of Lot 1 of Davenport Ranch Formerly a portion of the NW1/4 and SW1/4 of Section 22, Located in the NW1/4 and SW1/4 of Section 22, T.5N., R.5E., B.H.M., 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 6th day of December 2010.

Published: December 15, 2010

Effective: January 5, 2011

Carstensen seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

Motion by Hersrud, second by DesJarlais and carried with all members voting yes to permanently table Ordinance 2010-14 - Title 3 – Licensing and Regulation of Alcohol, Malt Beverages and Drinking Establishments.

Motion by McVay, second by Usera and carried with Carstensen, DesJarlais, Hersrud, McVay, Potts, and Usera voting yes and Brengle abstaining to transfer the location of the wine (on/off sale) license of Chives-Sheree Schriver from 1337 Main Street to 2214 Junction (Jambonz).

Motion by DesJarlais, second by McVay and carried with Carstensen, DesJarlais, Hersrud, McVay, Potts, and Usera voting yes and Brengle abstaining to approve the restaurant malt beverage license for Chives (Sheree Schriver) located at 2214 Junction (Jambonz).

Motion by Carstensen, second by McVay and carried with Carstensen, DesJarlais, Hersrud, McVay, Potts, and Usera voting yes and Brengle abstaining to approve the following list of liquor license renewals all in one motion:

Package (off-sale) Liquor

- a. City of Sturgis, dba Sturgis Liquor – 1075 Lazelle

Retail (on-sale w/Sunday Sales) Liquor

- a. Chaffee-Bradley, LLC, dba Oasis Bar & Lounge – 1145 Main St
- b. Buffalo Bill's Corp, dba Buffalo Bill's Bowling & Firehouse – 910 1st St
- 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. Si Senior, LLC – 2431 Junction Ave
- g. Gunner's Lounge, LLC, dba Gunner's Lounge – 1006 Main St
- h. Key City Enterprises-The Knuckle Saloon – 931 1st Street

Wine (on-off sale) License

- a. Billy & Jason Fields, dba Rosco'z – 976 Lazelle
- b. Julie Olson, dba Olde Worlde Café & Bookery – 1543 Lazelle
- c. Dungeon Bar, dba Royal Flush Casino and Sports Bar – 1030 Main Street
- d. Schmid Investments – Sidehack Saloon, dba Sidehack Saloon – 1027 Lazelle Street
- e. Tom's T's, Inc.; dba – Sturgis Wine Company – 1117 Main Street
- f. Willie Nillie Inc.; Willie Nillie – 2715 Lazelle Street
- g. MAJR, LLC – dba – Sturgis Coffee Company – 2275 Lazelle St
- h. Wheeler Farms – 2709 Lazelle Street
- i. Chives – Sheree Schriver - 2214 Junction Ave

At this time the Council and Rally Director Brenda Vasknetz presented Rally checks to the following organizations: Sturgis Rally Charities Foundation-\$22,669.12; Sturgis Volunteer Fire Department-\$10,500; Sturgis Police Reserves/Special Olympics-\$2,000; National Fallen Firefighters Foundation-\$1,000.

Kathleen Hersrud announced that on December 10th the Chamber of Commerce will present Sturgis Rally Charities Foundation with a check from the proceeds of the raffle of the motorcycle that was held during this year's Rally. On December 16th, Sturgis Rally Charities will announce the recipients of the foundation money.

Motion by Hersrud, second by Carstensen and carried with all members voting yes to approve first reading of Ordinance 2010-15 – Ordinance revising Title 7 – City Government.

Motion by DesJarlais, second by Usera and carried with Brengle, Carstensen, DesJarlais, Hersrud, McVay, and Usera voting yes, Potts voting nay to write-off the uncollectable accounts from water/sewer/garbage for 2010.

Motion by McVay, second by DesJarlais and carried with all members voting yes to approve writing off checks that were written to a vendor and not cashed from 2009.

Usera introduced the following written resolution and moved its adoption:

**RESOLUTION 2010-40
A RESOLUTION DECLARING PROPERTY SURPLUS**

1. Hay (approx. 600 square bales – result of Barry Stadium Hay from summer harvest)
2. Firewood (approx. 4 cords – result of dead trees that have been removed)

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 being advisable and in the best interest of the City to sell such personal property.

Published: December 15, 2010

Effective: January 5, 2011

Potts seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

Any other Business:

None

Motion by Potts, second by Usera and carried with all members voting yes to go into executive session at 7:07 p.m. for legal.

Motion by Potts, second by DesJarlais and carried with all members voting yes to come out of executive session at 7:25 p.m.

President of the Council Brengle adjourned the meeting at 7:25 p.m.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED: _____
Clint Brengle, President of the Council

Please publish once at the total approximate cost \$150.25.

