

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, March 7, 2011 at the Sturgis Community Center. Present: Mayor Maury LaRue, Alderpersons Clint Brengle, Joe DesJarlais, Mark Carstensen, David Hersrud, Jamie McVay, Bernadette Usera and Kelly Vasknetz. City Manager Dave Boone and City Attorney Greg Barnier were present. Absent: Tim Potts

Mayor LaRue led everyone in the Pledge of Allegiance.

Announcements:

Councilor Usera announced that the Women's Crisis Shelter is in need of laundry soap, dish soap and paper products. Please help out if you can.

Motion by Usera, 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 February 22, 2011.

Motion by Brengle, second by Carstensen and carried with all members voting yes to approve the following claims with the exception of The Homeslice Group.

Wages – Ambulance \$12,591.64; Attorney \$2741.19; Auditorium \$1,173.18; Buildings \$1,770.95; Cemetery \$980.72; City Manager \$5,107.88; Community Center \$14,628.43; Community Development \$4,866.91; Finance Office \$8,409.01; Fire Department \$2111.22 Human Resource \$2060.00; Library \$8,991.85; Liquor \$4,594.23; Mayor and Council \$3,333.27; Parks \$10,396.78; Police \$37,010.50; Rally \$3,135.03; Sanitary Service \$10,645.92; Streets \$9,844.44; Wastewater \$9,767.90; Water \$13,313.64; Federal Withholding \$15,876.71; FICA \$21,187.77.

Transfers Out – General Fund \$1,000; UDAG \$22,748.50; Liquor \$15,900.83; Wastewater \$20,891.42; Sanitation \$13,778.50; Special Sanitation \$4,858.42.

Transfers In – General Fund \$55,429.17; Revolving Loan Fund \$22,748.50; Sanitation - \$1000.00.

General – A&B Business, \$60.50, supp; Adams Machining, \$764.00, repair; Kevin Aga, \$174.53, grp ins; Amazon, \$326.37, supp; Amcon Dist, \$613.95, merch for resale; Associated Supply Co, \$201.04, supp; Avaya, \$36.39, util; Baker & Taylor, \$218.81, supp; Barrows Electric, \$38.27, repair; Beck Motors, \$29,722.00, equip; BH Power, \$1048.17, util; BH Chemical, \$1730.66, supp; Blue Devil Auto Detailing, \$65.00, repair; Thomas Bowers, \$732.70, travel; Jerry Burnham, \$2488.80, prof fee; Butte Electric, \$708.24, util; CBH Coop, \$436.78, supp; Century Business, \$340.21, supp; Chamber of Commerce, \$916.67, publ; City of Sturgis Police Petty Cash, \$12.87, supp; City of Sturgis Water Dept, \$1070.52, util; Coca Cola, \$1823.85, merch for resale; Community Center Petty Cash, \$7.78, supp; Curt Corey, \$165.00, cc prog exp; D&F Truck \$180.00, repair; Dakota Mill & Grain, \$227.85, supp; Demco, \$172.59, supp; Diamond Roofing, \$6752.40, repair; Diesel Machinery, \$288.04, repair; Dish Network, \$87.52, util; Double Star Computing, \$311.20, repair; Dueco, \$230.93, repair; Beth Duffield, \$973.70, cc prog exp; Energy Lab, \$18.55, repair; Fastenal Co, \$28.97, repair; Finance Office Petty Cash, \$52.00, supp; Fisher Sand, \$2234.32, supp; Flexible Benefits Dept, \$557.58, other; Freeman Electric, \$100.00, repair; FSH Communications, \$120.00, util; Gaylord Brothers, \$196.81, supp; Great Western Tire, \$57.50, supp; Hillyard, \$329.40, supp; Ben Holstlaw, \$90.00, other; Ervin Huber, \$829.28, grp insur; Ikon Office, \$193.00, supp; Inland Truck Parts, \$428.82, repair; Integrity Sheet Metal, \$1716.68, repair; Ketel Thorstenson, \$531.00, prof fee; Key City Glass, \$175.00, repair; Knology, \$2251.72, util; Kone Inc, \$120.00, repair; Lawson Products, \$166.63, repair; Kristen Legner, \$225.00, cc prog exp; Lighting Maintenance, \$94.35, supp; Long Rider Books, \$756.07, supp; Lynns Dakotamart, \$84.76, supp; Matthew Bender, \$31.87, supp; Harvey Matz, \$932.06, grp insur; McGas Propane, \$477.32, supp;

MidAmerica Books, \$341.33, supp; Candy Morrell, \$3311.09, maint; Motoring USA, \$5850.00, prof fee; Mystery Guild, \$11.98, supp; NADA Appraisal Guide, \$149.00, supp; Neve's Uniforms, \$174.35, supp; Office of Fire Marshall, \$60.00, prof fee; Penworthy Co, \$321.33, supp; Julie Peterson, \$90.00, grp insur; Pitney Bowes, \$132.00, rent; Power House, \$134.90, repair; Quill Corporation, \$122.98, supp; Rapid Delivery, \$46.75, repair; Rushmore Office, \$579.98, supp; Fred Schmidt, \$60.00, other; Science Fiction Book Club, \$15.99, supp; Scott Peterson Motors, \$87.20, repair; SD Airport Conference, \$55.00, travel; SD Assn of Code Enforcement, \$100.00, travel; SD Federal Property, \$12.50, supp; Sheehan Mack Sales, \$560.62, repair; Smart Apple Media, \$354.00, supp; Subway, \$43.89, supp; Andrew Tantarella, \$60.00, other; Theatrical Services, \$189.62, supp; Twilight First Aid, \$77.40, supp; Matt Veal, \$30.00, other; Verizon, \$2055.80, util; West River Electric, \$668.41, util; Whisler Bearing, \$22.50, repair; Anthony White, \$112.50, other; Chase Williamson, \$60.00, cc prog exp.

Brick Project – Diamond Yard Bricks, \$870.00, merch for resale; Fedex, \$31.54, supp.

Ambulance – CBH Coop, \$1003.12, supp; DB Billing, \$2048.49, prof fee; Flexible Benefits, \$59.06, other; Knology, \$103.45, util; Purchase Power, \$86.25, rent; Verizon, \$68.36, util.

Special Sales Tax – Chamber of Commerce, \$10,416.67, chamber; SEDC, \$10,416.67, ind dev.

Capital Improvement – Brosz Engineering, \$8364.74, cap imp; ESRI, \$3000.00, supp; PowerPlus Electric, \$7284.60, cap imp.

Liquor – Amcon, \$5513.52, cig for resale; BH Security, \$3157.15, other; City of Sturgis Water Dept, \$340.04, liquor; Coca Cola, \$350.60, pop for resale; Eagle Sales, \$29,714.19, off sale beer; Fisher Beverage, \$11,538.65, off sale beer; Johnson Western Wholesale, \$67,378.90, off sale liquor; Knology, \$160.49, util; M&B Enterprises, \$178.70, snacks for resale; One Way Service Pros, \$131.50, repair; Prairie Berry, \$1953.00, off sale liquor; Republic Beverage Co, \$49,801.35, off sale liquor; Sand Creek Printing, \$193.30, supp; Tour Ice, \$152.20, merch for resale; TSP, \$1907.98, cap imp; Verizon, \$55.08, util.

Water – Beck Motors, \$29,722.00, equip; BH Power, \$703.52, util; Butte Electric, \$183.60, util; City of Sturgis Water Dept, \$88.00, util; Double Star Computing, \$85.23, repair; Flexible Benefits, \$52.76, other; Ketel Thorstenson, \$460.00, prof fee; Knology, \$119.72, util; Candy Morrell, \$362.55, maint; Verizon, \$269.54, util; Wellmark Blue Cross, \$250.00, other.

Wastewater – Alltel, \$148.43, util; BH Power, \$2309.86, util; Kathy Bulah, \$250.00, grp insur; City of Belle Fourche, \$30.03, other; City of Sturgis Water Dept, \$11.81, util; Great Western Tire, \$430.68, supp; Candy Morrell, \$238.18, maint; Turbiville Industrial Electric, \$189.90, repair; Verizon, \$104.48, util.

Sanitary Service – Kathy Bulah, \$250.00, grp insur; City of Belle Fourche, \$14,321.76, other; Bill Coacher, \$475.96, grp insur; Dakota Battery, \$45.58, repair; Jay Johnson, \$500.00, grp insur; McGas Propane, \$1074.52, supp; Candy Morrell, \$238.18, maint; Motion Industries, \$129.89, repair; Qwest Comm, \$75.64, util; Miles Stansbury, \$30.60, other; Street Dept Petty Cash, \$5.99, supp; Verizon, \$36.81, util.

Community Center Children's Fund – Community Center, \$85.00, other.

Motion by McVay, second by Hersrud and carried with Carstensen, DesJarlais, Hersrud, LaRue, Usera, and Vasknetz voting yes and Brengle abstaining to approve the claim from The Homeslice Group, \$4920.00, publ.

Committee Reports:

Councilor DesJarlais reported that the Forestry committee continues to work on the bark beetle problem. They will do a walkthrough of the Watershed area this spring. If there is anyone that is having trouble with the Ash Tree Beetle, please contact someone on the Forestry committee.

Councilor Usera reported that Carolyn Weber, Assistant Director of the Adams Museum, will give a presentation on the care and management of historic paper-based documents and photographs on March

10th at 6:00 pm at the Library. On March 19th at 1:30 pm, the Library will be hosting a birthday party in honor of Eric Carle's iconic children's book, "A Very Hungry Caterpillar".

City Manager Report:

- Boone presented two graphs showing sales tax history for the City from 2003 to 2010; 51% of the sales tax is collected from July to October.
- Budget report: 14% of the General Fund and 12% of the entire budget has been spent so far.
- The speed limit on Whitewood Service road from 14A to 20th Street has been changed. The speed limit will be 40 mph.
- The City will continue to do snow removal on Lazy Street, but will look into vacating this street.

Motion by Brengle, second by McVay and carried with all members voting yes to approve the following new hires Parks- Jose Jessie Arguello - \$8.50; Susan Baldwin-\$8.50; Kayla Casteel-\$9.00; Charles Rank-\$8.00. Part-time Custodian- Mandy Goodro-\$7.50. Volunteer: Fire – Shane Barrows.

At this time a public hearing was held to discuss the Business License ordinance and the following people spoke:

- Councilor Hersrud gave a quick overview of the procedure the Council will take on this Business license ordinance. There will be two public hearings held and then the Ordinance committee will review the information from these hearings and finalize their decision on this ordinance. Hersrud said that there had been misinformation given on this ordinance and that Community Development Director Rick Bush would give a presentation of the ordinance and then the Council would take comments from the audience.
- John Tesnow-this is the first community that he has lived in that did not require a business license. This is vital to the success of the community and can protect the community. Without a business license, the City cannot regulate what businesses are coming into the City.
- Robert Quinonez- was concerned about the fees and future councils that would raise the fees to where it would make it an inconvenience for businesses. He felt it would add value to the permanent businesses and that it would be a good education tool for the City.
- Rich Deaver-did not have a problem with the business license, but did have a problem with the fee for temporary businesses. He had compared the fees in other Cities and there were no fees or just a nominal fee for both permanent and temporary. He does not want the City to discourage the temporary vendor or gauge them. He wants everyone to be on the same playing field.
- Abdoliah Farrokhi - does not like the \$600 fee for temporary businesses. Wants to see more incentives/value for permanent businesses and satellite stores. Need more creative ideas to make it worthwhile to become a permanent business.
- Jack Hoel – feels that it is gauging businesses. He does not like the idea of zoning flexibility. Does not like the 12 month calendar year to base the 5 months for permanent businesses. Would like to see it any 12 month period. Thought that if the City needs this information we can get it from the Chamber. It is anti-business. Don't mimic the large Cities that have business licenses.
- Marsha Johnston-was surprised that the City did not require a business license when she started her business. Was not sure about the fee for the temporary businesses, might be too high. Look at other Communities and base the fee on what they are asking. Felt it would be a great tool and not anti-business.
- Paul Hight-asked if you are a permanent business and would want to set up in another location would you have to pay the \$600?
- Janeen Norstegaard – likes collective licensing, makes it easier to contact businesses. Licensing does not make it unfriendly for businesses. This is a positive thing for Sturgis businesses.

Motion by Brengle, second by Vasknetz and carried with all members voting yes to set a public hearing date of April 4, 2011 for a request from Meade School District 46-1 for a design variance of Title 18, Section 5 of the parking regulations.

Motion by McVay, second by Usera and carried with all members voting yes to set a public hearing date of April 4th for a request from Stacy Hunt for a use on review for a registered daycare home at 868 Dudley Street.

Motion by Hersrud, second by Vasknetz and carried with all members voting yes to approve the request to use City Property from the Sturgis Chamber of Commerce for the Official Motorcycle Raffle Display for the 2011 Rally.

Motion by DesJarlais, second by Usera and carried with DesJarlais, Hersrud, LaRue, Usera and Vasknetz voting yes, Carstensen and McVay voting nay and Brengle abstained to approve a special events license for Boulder Canyon Convention Center for the Meade County Republicans banquet on March 19, 2011.

Motion by Usera, second by Vasknetz and carried with Carstensen, DesJarlais, Hersrud, LaRue, McVay, Usera and Vasknetz voting yes, Brengle abstaining to set a public hearing date of March 21, 2011 for a Special Events license for Loud American Roadhouse on March 25, 2011 at the City Auditorium for the Turkey Federation Banquet.

Motion by Usera, second by Vasknetz and determined by Mayor LaRue that the motion had carried on a voice vote and recognized the abstention from Councilor Brengle to set a public hearing date of March 21, 2011 for a Special Events license for Boulder Canyon Convention Center for March 26, 2011 for a birthday party.

Motion by Brengle, second by McVay and carried with all members voting yes to authorize the City Manager to sign a hangar lease with Robert Sherer.

The following bids were received:

1" Aggregate Base Course: EKE, Inc. dba: Johner & Sons-per ton -delivered-\$12.50, pick up at plant-\$7.00; Hills Material-per ton - delivered-\$17.00, pick up at plant-\$8.50; Pete Lein & Sons-14 ton load-delivered-\$15.25, 27 ton load-delivered-\$13.25, pick up at plant-\$7.75; Wasta Sand & Gravel-per ton-delivered-\$17.50, pick up at plant-\$8.50.

3/8" chips- 800 tons (more or less): Pete Lein & Sons-14 Ton loads-delivered \$20.00, 27 ton loads-delivered-\$18.00, pick up at plant - \$12.50; Hills Material-per ton-delivered \$24.85, pick up at plant \$15.85; Wasta Sand & Gravel-per ton- delivered-\$16.50, pick up at plant-\$8.00.

Ice Sand: Wasta Sand & Gravel- Type A-per ton – delivered \$17.50, pick up at plant -\$9.00, Type B-per ton-delivered-\$17.50, pick up at plant-\$9.00; Pete Lien & Sons-Type A-per ton-delivered - \$21.00, pick up at plant \$10.50, Type B-per ton-delivered- \$21.00, pick up at plant-\$10.50.

Concrete: Pete Lein & Sons-Cu. Yd. - \$97.00; Croell Redi-Mix, Inc.- Cu. Yd-\$100.50.

Motion by Brengle, second by Usera and carried with all members voting yes to award the bid for 1" Aggregate Base Course to EKE, Inc.; 3/8" Chips to Pete Lien & Sons; Ice & Sand to Wasta Sand & Gravel; and Concrete to Pete Lien & Sons.

Any other Business:

Motion by Vasknetz, second by Carstensen and carried with all members voting yes to go into executive session at 7:30 p.m. for legal and contracts.

Motion by DesJarlais, second by Hersrud and carried with all members voting yes to come out of executive session at 8:07 p.m.

Mayor LaRue appointed Councilor Mark Carstensen to the Joint Communications committee; he will be replacing Sherry Scudder.

Mayor LaRue adjourned the meeting at 8:10 p.m.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED: _____
Maury LaRue, Mayor

Publish once at the total approximate cost

