

## 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 19, 2011 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Clint Brengle, Joe DesJarlais, David Hersrud, Marcia Johnston, Jamie McVay, and Kelly Vasknetz. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Tim Potts and Dane Sundstrom.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Announcements:

Mayor Carstensen announced that Ervin Huber was City of Sturgis's employee of the year and Annie Shelbourn was City of Sturgis's Library volunteer of the year.

Motion by Brengle, second by McVay and carried with all members voting yes to approve the agenda with the amendment to strike #11 (h) under new business.

Motion by DesJarlais, second by Johnston and carried with all members voting yes to approve the minutes of the regular council meeting held on December 5, 2011.

Motion by Brengle, second by Hersrud and carried with all members voting yes to approve the following claims with the exceptions of – Hersrud Co, \$23.83, repair; Hersrud Co, \$61.93, repair; The Homeslice Group, \$4960.00, publ.

**Wages** – Ambulance \$13,321.07; Attorney \$2,741.19; Auditorium \$0; Buildings \$1,981.88; Cemetery \$1,150.27; City Manager \$4,663.56; Community Center \$11,879.59; Community Development \$4,421.78; Finance Office \$8,396.79; Fire Department \$2,345.01; Human Resource \$2,060.00; Library \$8,323.91; Liquor \$4,367.42; Mayor and Council \$3,333.27; Parks \$11,513.59; Police \$35,661.61; Rally \$3,132.06; Sanitary Service \$9,950.62; Streets \$8,168.62; Wastewater \$8,856.84; Water \$10,941.26; Federal Withholding \$15,197.58; FICA \$11,539.69.

**General** – Alexandra Alverson, \$120.00, cc prog exp; Amcon, \$167.50, merch for resale; Leslie Antonsen, \$64.66, refunds; Ann Bertolotto, \$1000.00, grp ins; Best Western Ramkota, \$109.00, travel; BH Chemical, \$1369.87, supp; BH Power, \$21,969.02, util; BND Builders, \$120.00, repair; Jim Bush, \$155.82, supp; Campbell Supply, \$1658.97, supp; Caselle, \$900.00, prof fee; Cass Co Heating, \$291.43, repair; CBH Coop, \$18,897.02, supp; Century Business Products, \$29.63, supp; City of Sturgis Police Petty Cash, \$260.00, prof fee; Laben Clement, \$40.00, cc prog exp; Coca Cola, \$1519.50, merch for resale; Community Center Petty Cash, \$15.90, repair; Corbon Law Enforcement, \$127.50, supp; Dakota Backup, \$694.32, prof fee; Dakota Supply Group, \$1788.78, repair; Dan Davidson, \$104.98, supp; Diesel Machinery, \$288.69, repair; Ecolab Pest, \$169.00, maint; Ed Roehr Safety Products, \$880.26, supp; Energy Lab, \$37.10, maint; Finance Office Petty Cash, \$146.90, supp; First Interstate Bank, \$6342.09, travel, equip; Fisher Sand & Gravel, \$935.30, supp; Freeman Electric, \$4855.41, repair; FSH Communications, \$120.00, util; Rod Heikes, \$500.00, grp ins; Hills Materials, \$390.49, supp; Iverson Construction, \$17,100.00, repair; J&L Services, \$30.00, repair; Jacobsen Ford, \$103.94, repair; Johnston Hardware, \$285.24, supp; Junek's Service, \$2337.53, repair; Knology, \$254.19, util; Kristen Legner, \$300.00, cc prog exp; Alexis Lemmel, \$40.00, cc prog exp; Sheryl Martin, 90.00, cc prog exp; McGas Propane, \$382.71, supp; Meade Co Times, \$523.81, publ; MG Oil, \$1315.10, supp; Michael Todd & Co, \$2030.00, repair; MDU, \$9770.78, util; Motoring USA, \$54,295.78, prof fee; Motorola, \$3430.40, equip; Moyle Petroleum, \$74.53, supp; Neve's Uniforms, \$694.96, supp; Office Depot, \$53.83, supp; O'Reilly Auto Parts, \$93.34, repair; Owens, \$621.30, repair; Pamida, \$326.87, supp; Postmaster, \$176.00, supp; Powerplan, \$168.58, repair; Purchase Power,

\$409.57, supp; Quality Inn, \$316.00, travel; Rapid Fire Protection, \$130.00, prof fee; John Rasch, \$500.00, grp ins; Robert Sharp & Assoc, \$59.50, publ-rally; Rushmore Office, \$1124.82, supp; Scott Peterson Motors, \$114.21, repair; SD Dept of Rev, \$170.00, other; Servall, \$674.83, supp; Sicard, \$85.62, repair; Stern Oil, \$1574.15, supp; Sturgis Napa, \$1524.04, repair; T&M Studio, \$192.00, other; The Knuckle Saloon, \$1202.50, other; Tom's T's, \$52.50, supp; Town-N-Country, \$13.52, other; Twilight First Aid, \$112.95, supp; Tanner Urbaniak, \$80.00, cc prog exp; Vanway Trophy, \$312.15, other; Brenda Vasknetz, \$500.00, grp ins; West Payment Center, \$93.49, prof fee; West River International, \$115.82, repair; Chase Williamson, \$60.00, cc prog exp; Zylstra Body & Frame, \$313.30, repair.

**Ambulance** – BH Power, \$598.28, util; CBH Coop, \$1669.48, supp; Century Business Products, \$29.62, supp; Dakota Backup, \$50.09, supp; DB Billing, \$586.28, prof fee; First Interstate Bank, \$140.60, supp; Jacobsen Ford, \$308.18, repair; Melanie Mason, \$115.27, amb chrg; Massa Berry, \$227.60, supp; MDU, \$245.62, util; Purchase Power, \$59.57, supp; Regional Home Medical Equip, \$1180.71, supp; Sturgis Napa, \$35.98, supp.

**Mayor's Ride** – First Interstate Bank, \$-510.00, rent; Republic Beverage Co, \$-1167.00, supp; Rushmore Office, \$3.95, supp.

**Capital Improvement** – Brosz Engineering, \$3750.90, cap imp; Chain Saw Center, \$55.00, cap imp; Hills Materials, \$1106.94, cap imp; McGas Propane, \$268.80, cap imp; Rushmore Fencing, \$5932.00, cap imp; Short Construction, \$4284.00, cap imp.

**TIF #9** – First Interstate Bank, \$21,392.88, other.

**Liquor** – Amcon, \$2523.92, cig for resale; BH Power, \$1466.83, util; Buffalo Bills Bowling, \$23.00, malt bev refund; Coca Cola, \$488.00, pop for resale; Eagle Sales, \$22,791.90, off sale beer; Ecolab Pest, \$96.00, repair; First Interstate Bank, \$359.98, travel; Fisher Beverage, \$14,227.59, off sale beer; Johnson Western Wholesale, \$37,597.33, off sale liquor; Harriet Lolley, \$84.00, merch for resale; M&B Enterprises, \$125.90, snacks for resale; MDU, \$657.74, util; North Co Business, \$115.00, repair; Okoboji Wines, \$513.00, off sale liquor; Pepsi Cola, \$123.30, pop for resale; Prairie Berry, \$3935.00, off sale liquor; Republic Beverage, \$24,256.67, off sale liquor; Rushmore Office, \$89.99, supp; Sand Creek Printing, \$273.79, supp; Servall, \$186.86, supp; Tatiana's Import Beverage, \$29.60, off sale beer; Tour Ice, \$223.95, merch for resale.

**Water** – A&B Business, \$272.85, prof fee; American Solutions, \$1146.72, supp; APWA-BH Branch, \$238.00, prof fee; BH Power, \$3177.38, util; Bob Braunreiter, \$27.52, refund; Arleta Callahan, \$52.47, refund; Campbell Supply, \$22.65, supp; CBH Coop, \$1662.01, supp; Cetec, \$30,703.60, prof fee; Credit Collections Bureau, \$10.64, prof fee; Dakota Backup, \$87.85, prof fee; Double Star Computing, \$270.00, prof fee; First Interstate Bank, \$152.63, supp; Hawkins, \$2126.29, supp; HD Supply Waterwork, \$1915.26, repair; Jesse Jensen, \$34.20, refund; Johnston Hardware, \$23.97, supp; Knology, \$28.77, util; Meade Co Times, \$109.12, publ; MDU, \$91.49, util; Meierhenry Sargent, \$34,600.00, cap imp; Midcontinent Testing Lab, \$270.00, prof fee; NW Pipe Fittings, \$388.27, supp; Pamida, \$114.30, supp; Postmaster, \$2000.00, supp; Rushmore Office, \$287.93, supp; SD DENR, \$36.00, prof fee; Servall, \$16.86, maint; Sturgis Napa, \$6.99, supp; Town-N-Country, \$1.80, supp; Utility Refund Vendor, \$304.20, customer deposit refunds.

**Wastewater** – AET, \$1322.25, prof fee; American Highway Products, \$877.00, repair; Kathy Bulah, \$250.00, grp insur; Campbell Supply, \$155.05, repair; CCP Industries, \$586.54, supp; Century Business Products, \$195.76, prof fee; First Interstate Bank, \$82.27, travel; Gardner Denver, \$428.90, repair; Key City Glass, \$50.00, repair; Northern Truck Equip, \$212.00, repair; Owens, \$347.04, repair; Rushmore Office, \$44.13, supp; Sanitation Products, \$430.82, repair; SD Water & Wastewater Assn, \$30.00, prof fee; Sturgis Napa, \$763.10, repair.

**Sanitary Service** – BH Power, \$11.00, util; Kathy Bulah, \$250.00, grp insur; Campbell Supply, \$12.95, supp; City of Belle Fourche, \$15,178.99, other; Dakota Backup, \$80.96, prof fee; McGas Propane, \$119.25, supp; MG Oil, \$2630.19, supp; Owens, \$413.27, repair; Powerplan, \$42.75,

supp; Rotonics Manufacturing, \$2760.00, supp; Rushmore Office, \$17.85, supp; Sturgis Napa, \$165.08, repair.

**DARE Trust** – Creative Product Sourcing, \$173.25, supp.

Motion by Johnston, second by DesJarlais and carried with Carstensen, DesJarlais, Johnston, McVay, and Vasknetz voting yes and Brengle and Hersrud abstaining to approve the following claims – Hersrud Co, \$23.83, repair; Hersrud Co, \$61.93, repair; The Homeslice Group, \$4,960.00, publ.

Committee Report:

None

City Manager Report:

Motion by Brengle, second by Vasknetz and carried with all members voting yes to approve the following new hires and pay adjustments: Ambulance: Part-time EMT basic – Samantha Bartels and Alexander Raber-\$8.00. Water: Interim Superintendent – retro-pay adjustment – Dale Olson - \$2,211.54 effective September 14, 2011.

City Manager Daniel Ainslie reported that we are approximately 90% through the year and 80% of the budget has been spent.

Fire Chief Ron Koan reported on the Ambulance:

- The Ambulance Department has 21 employees, some are part-time
- The employees are able to stay overnight in the sleeping quarters
- The Ambulance runs without tax dollars
- 1582 calls YTD

And the Fire Department:

- The Fire Department had Fire Prevention week in October and worked with over 600 students throughout the school system
- The Fire Department volunteers are dedicated and have many years of service
- Over 2000 hours on emergency incidents this year
- Trouble finding people who can devote time to the Fire Department

Human Resource Director Lisa Katzenstein reported on Human Resource and Information Technology:

- The Human Resource Department supports all City Departments; she works with the personnel; so much of what she does is confidential
- There are 95 full-time employees and approximately 60 part-time employees
- They will start negotiating the two Union contracts in 2012 for 2013 and beyond
- Other things she works on is the Healthcare benefits, personnel manual, safety benefits, insurance claims

And Information Technology:

- There was a steering committee formed at the start of 2011, to take a look at our needs for computer services in anticipation of the 2012 budget
- 105 computers within the City departments, 40 on the network, 40 printers, several document centers, 3 servers. Several computer software programs
- There are several IT projects that are needing done throughout the Departments
- Will start advertising for a IT coordinator within the next few weeks and hope to have someone on board by late January or early February

DesJarlais introduced the following written resolution and moved its adoption:

**RESOLUTION 2011--37  
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 A showing a portion of the Whitewood Service Road right of way to be vacated, being a part of Lot H2 – Lots 1 thru 6 of Block 19, Schnell’s Addition to the City of Sturgis, all located in the SW1/4SE1/4 of Section 5, T5N, R5E, 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 19th day of December 2011.

Published: December 28, 2011

Effective: January 18, 2012

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

DesJarlais introduced the following written resolution and moved its adoption:

**RESOLUTION 2011--38  
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 correction plat of Lot 1 of Block 1 of Glover’s Third Addition, Formerly the Remainder of Lot 4, Located in the NE1/4NW1/4, Section 15, 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 19th day of December 2011.

Published: December 28, 2011

Effective: January 18, 2012

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

Motion by Brengle, second by Vasknetz to set a public hearing date of January 16, 2012 for a front-yard variance at 1251 Evergreen Street-Darrin Good, Good Construction, Inc.

Motion by McVay, second by Hersrud with Carstensen, DesJarlais, Johnston, Hersrud, McVay and Vasknetz voting yes and Brengle abstaining to approve the transfer of an on-sale Retail Liquor license from Chaffee/Bradley LLC (Oasis Bar & Lounge) to PSI Enterprises, LLC Oasis Bar & Lounge. (Transfer of name)

Motion by Vasknetz, second by McVay with Carstensen, DesJarlais, Johnston, Hersrud, McVay and Vasknetz voting yes and Brengle abstaining to approve transfer of a on-sale Retail Liquor license from Chaffee/Bradley LLC (Gunner's Lounge ) to Schmid Investments-Sidehack Saloon, Inc. (Transfer of name and location)

Mayor Carstensen presented a check from monies raised by the employees during their Christmas party to Jerrid Goebel for the Toys for Tots program.

Motion by Brengle, second by Hersrud with all members voting yes to authorize the Mayor to sign the operating agreement with the Sturgis Municipal Utility Board.

Brengle introduced the following written resolution and moved its adoption:

**RESOLUTION NO. 2011-39**

**RESOLUTION APPROVING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.**

WHEREAS, the City of Sturgis (the "City") has determined it is necessary to proceed with improvements to its Water System, including but not limited to Lazelle Street Main Replacement Project (the "Project"); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") has been prepared; and

WHEREAS, the City has reviewed the Application to be submitted to the Board, true copies of which are attached hereto, and finds it proper in all respects; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves an Application for financial assistance to the South Dakota Board of Water and Natural Resources for the Project as set forth with particularity in the Application attached hereto, which Application is hereby approved.

2. The Mayor is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance submitted to the Board in accordance with all terms herein set forth.

3. The Mayor or City Manager is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at Sturgis, South Dakota, this 19<sup>th</sup> day of December 2011

Published: December 28, 2011

Effective: January 18, 2012

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

The following bids were received for fuel and propane for 2012:

Fuel: CBH Cooperative- Unleaded-\$2.756; Unleaded with 10% ethanol-\$2.754; #1 Clear Diesel-\$3.319; #2 Clear Diesel-\$3.611; #1 Dyed Diesel-\$3.395; #2 Dyed Diesel-\$2.870.

Propane: CBH Cooperative- Cylinder-.55 and bulk deliveries-\$1.778.

Propane: Mc Gas Propane: Cylinder-.60 and bulk -\$1.89

Motion by DesJarlais, second by McVay to award the low bid for 2012 fuel and propane to CBH Cooperative.

Motion by DesJarlais, second by Hersrud and carried with Brengle, Carstensen with all members voting yes to write-off the uncollectable accounts from water/sewer/garbage for 2011.

Motion by Brengle, second by Johnston and carried with all members voting yes to approve writing off checks that were written to a vendor and not cashed from 2010.

Motion by McVay, second by Vasknetz and carried with all members voting yes to have City Manager Ainslie authorized to sign documents for Wells Fargo Investments.

Any other business:

Councilor Hersrud spoke about the bid process for multi-million dollar projects and when the City can give local consideration. Mayor Carstensen said that this issue will be taken to Legal and Finance Committee.

Council Hersrud would also like to see a committee formed to look at having the City honor a person each year that gives of their time and energy to the Community. The City could give money to a charity in this person's name. Hersrud would like to do this in honor of Tom Monahan.

Melissa Green spoke to the Council about comments that were made by Councilor McVay.

Councilor McVay apologized to Roger Schieman.

Roger Schieman spoke to the comments that Councilor McVay made.

Dean Kinney gave comment to remarks that were made by Roger Schieman.  
Mayor Carstensen wants everyone to move forward from here.

There will be a Special meeting held on December 29<sup>th</sup> at 7:30 a.m. at City Hall.

Motion by Brengle, second by DesJarlais and carried with all members voting yes to adjourn the meeting at 7:18 pm.

ATTEST: \_\_\_\_\_ APPROVED \_\_\_\_\_  
Fay Bueno, Finance Officer Mark Carstensen, Mayor

Published once at the total approximate cost