

## 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, October 15, 2012 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Joe DesJarlais, David Hersrud, Jamie McVay (arrived at 6:39 pm), Tim Potts, Kelly Vasknetz and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Dane Sundstrom and Marcia Johnston.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by DesJarlais, second by Hersrud and carried with all members present voting yes to approve the agenda.

### Announcements:

The Sturgis Booster Club presented City Manager Ainslie with a check in the amount of \$500 for the Community Center Youth Football program.

Councilor DesJarlais presented Fire Chief Tom Trigg with a fire chief's hat that dates back to the late 1940's. This hat belonged to Fire Chief Lloyd Early.

DesJarlais also thanked Jay Johnson for cleaning up Exit 32.

October 22nd through the 28<sup>th</sup> will be free week at the Community Center, with a chance for discounts on new memberships.

The Chamber of Commerce will be having their Haunted House at the old movie theater this year. For more information, call the Chamber.

Mayor Carstensen proclaimed November 1, 2012 as Extra Mile Day.

### Informational Reports:

Julie Moore-Petersen, Librarian, gave an update on the Library:

- The library provides several remote services which includes 24 hour library service.
- Patrons can sign up for on-line library cards.
- Courtesy notices are sent out by e-mail on late books.
- Request a book from other libraries on-line.
- Services for the blind and handicap.
- There are several databases that can be accessed with the library card.

Brenda Vasknetz, Rally Director, gave an update on the Rally Department:

- They have been wrapping up the 2012 Rally by meeting with Department Heads and getting input and the statistical report.
- Sending out a thank you and a short survey to vendors.
- Updating the web-site.
- Working on the brick project; promoting holiday sales of bricks.
- The Rally Department will be the one-stop-shop for all special events. Applications for special events will be taken by the Rally Department and in turn the Rally Department will notify City staff of the upcoming event.

City Manager Ainslie reported:

- The monthly budget reports shows that all departments are running at least 3% below their total budget except for the Water Fund, which has the capital improvements expenses.
- A 2012 Rally Summary presentation was given. This presentation can be found on the City's website.

Motion by Hersrud, second by DesJarlais and carried with all members present voting yes to approve the consent calendar.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve the following claims with the exception of: RCS Construction, \$21,786.24, cap imp; TTG Enterprises, \$35,684.34, cap imp; Site Work Specialists, \$77,680.46, cap imp; Hersrud, \$46.25, supp.; Hersrud, \$115.47, repair.

**Wages** – Ambulance \$14,013.39; Attorney \$2,884.62; Auditorium \$136.92; Buildings \$831.15; Cemetery \$1,034.89; City Manager \$4,714.64; Community Center \$11,935.12; Community Development \$4,912.02; Finance Office \$8,846.70; Fire Department \$1,652.35; Human Resource \$2,121.81; Library \$8,552.14; Liquor \$4,295.84; Mayor and Council \$3,333.27; Parks \$10,652.55; Police \$33,911.59; Rally \$3,250.75; Sanitary Service \$7,963.83; Streets \$7,903.69; Wastewater \$8,542.42; Water \$13,330.71; Federal Withholding \$14,596.83; FICA \$11,351.74.

**General** – A&B Business, \$155.97, maint; A&B Welding, \$14.88, supp; Amcon, \$171.51, merch for resale; Associated Supply, \$357.02, repair; Avaya, \$36.39, util; Dusty Barker, \$60.00, other; Greg Barnier, \$188.70, travel; Marcia Bentley, \$233.20, refund; BH Chemical, \$1030.62, supp; BH Power, \$21,039.51, util; Butte Electric, \$493.29, util; Campbell Supply, \$337.55, supp; Caselle, \$527.99, prof fee; CBH Cooperative, \$12,879.74, supp; Century Business, \$136.45, supp; Coca Cola, \$1073.70, merch for resale; Corbon Law Enforcement, \$187.00, supp; Dakota Backup, \$1000.14, prof fee; Dakota Tree Spraying, \$50.00, supp; Dataform, \$1125.67, supp; Degrata Tactical, \$30.00, supp; Marjorie Dejong, \$4.02, travel; Diesel Machinery, \$118.00, repair; Door Security Products, \$306.12, repair; Ecolab Pest, \$170.42, maint; First Interstate Bank, \$1767.02, supp; Freeman Electric, \$804.94, supp; FSH Communications, \$65.81, util; G&H Distributing, \$117.68, other; Glover Investments, \$600.00, rental-rally; Governors Inn, \$418.20, travel; Great Western Tire, \$553.92, supp; Heiman Fire Equip, \$313.45, supp; Hillyard, \$452.08, supp; Johnston Hardware, \$194.02, supp; Ketel Thorstenson, \$500.00, prof fee; Knology, \$414.54, util; Kruse's, \$250.00, supp; Lynn's Dakotamart, \$178.59, supp; Marco, \$7.19, maint; Meade Co Auditor, \$29,542.48, other; Meade Co Times, \$953.04, publ; Menards, \$200.75, supp; MidContinent Communications, \$41.19, util; MDU, \$72.78, util; Neve's Uniforms, \$208.89, supp; Northern Truck Equip, \$443.00, repair; O'Reilly Auto Parts, \$488.21, repair; Owens Interstate Sales, \$420.27, repair; Pamida, \$100.03, supp; Pete Lien & Sons, \$679.00, supp; Print Mark-et, \$833.35, publ; Regional Home Medical Equip, \$200.00, supp; Rockingtree Floral, \$2424.86, supp; Rushmore Office, \$1770.40, supp; Sacrison Asphalt, \$247.80, supp; Safety Benefits, \$260.00, travel; Servall, \$532.13, supp; Shooters Images, \$750.00, publ-rally; Dave Smith, \$31.00, travel; Christina Steele, \$35.50, supp; Sturgis Napa, \$884.80, repair; Sturgis Pony League Baseball, \$-75.00, contr; Swoop Productions, \$1250.00, prof fee; Tom's T's, \$858.30, cc prog exp; Town-N-Country Plumbing, \$93.40, supp; Turbiville Industrial Electric, \$221.45, repair; Twilight Extinguisher, \$206.20, maint; Twilight First Aid, \$41.15, supp; Vanway Trophy, \$21.70, supp; Verizon, \$1968.26, util; Weimer's Diner, \$26.40, other; Wellmark Blue Cross, \$85.52, grp insur; West Payment Center, \$99.10, prof fee; West River Electric, \$496.16, util; Zylstra Body & Frame, \$65.00, repair.

**Capital Improvement** – BH Asphalt, \$5372.34, cap imp; Fourfront Design, \$1000.00, cap imp; Meade Co Auditor, \$10,000.00, cap imp; Meade Co Title, \$-380.00, cap imp; SEDC, \$5000.00, cap imp.

**Liquor** – BH Chemical, \$1698.23, supp; BH Power, \$1703.92, util; Cask & Cork, \$175.04, off sale liquor; Century Business, \$1.19, supp; Coca Cola, \$381.10, pop for resale; Eagle Sales, \$20,586.40, off sale beer, Ecolab Pest, \$98.03, maint; Fisher Beverage, \$11,996.78, off sale beer; Johnson Western Wholesale, \$23,277.63, off sale liquor; Lynchburg Hardware, \$493.10, merch for resale; M&B Enterprises, \$92.00, snacks for resale; Menards, \$44.87, repair; MDU, \$34.61, util; North Co Business Products, \$844.81, prof fee; Okoboji Wines, \$1197.50, off sale liquor; Prairie Berry, \$3306.00, off sale liquor; Print Mark-et, \$55.57, publ; Republic Beverage, \$21,449.82, off sale liquor; Schade Vineyard, \$120.00, off sale liquor; Servall, \$194.86, supp; Tour Ice, \$370.75, merch for resale; Town-N-Country Plumbing, \$5.99, repair; Verizon, \$53.39, util; Wellmark Blue Cross, \$4.80, grp insur.

**Water** – A&B Business, \$567.57, prof fee; BH Power, \$1123.94, util; Butte Electric, \$393.12, util; Campbell Supply, \$66.13, supp; Caselle, \$382.34, prof fee; CBH Cooperative, \$926.30, supp; Century Business, \$.23, supp; Chris Supply, \$88.16, supp; Dakota Backup, \$129.34, prof fee; First Interstate Bank, \$59.67, supp; G&H Distributing, \$120.96, supp; Good Construction, \$2400.00, repair; Hach Co, \$137.60, supp; Hawkins, \$1805.00, supp; HD Supply Waterworks, \$282.76, supp; Johnston Hardware, \$58.34, supp; Mainline Contracting, \$295,915.62, cap imp; Meade Co Times, \$22.84, publ; Midcontinent Testing Lab, \$539.00, prof fee; Northern Hills Electric, \$432.12, repair; Northern Safety, \$45.32, supp; Owens Interstate Sales, \$172.64, supp; Print Mark-et, \$55.57, publ; Nicole Puklich, \$10.00, refund; Rushmore Office, \$375.34, supp; Servall, \$11.24, maint; South Dakota One Call, \$77.70, prof fee; Sturgis Napa, \$90.93, supp; Verizon, \$284.36, util; Viva-Metrotech, \$248.97, supp; Wellmark Blue Cross, \$20.80, grp insur.

**Wastewater** – Campbell Supply, \$39.99, supp; Century Business Leasing, \$195.76, prof fee; Energy Lab, \$431.00, prof fee; Owens Interstate Sales, \$120.84, supp; Pete Lien & Sons, \$187.75, repair; Print Mark-et, \$55.62, publ; Rushmore Office, \$151.46, supp; Lance Stansbury, \$31.53, travel; Sturgis Napa, \$52.73, repair; Verizon, \$132.07, util.

**Sanitary Service** – Campbell Supply, \$17.13, repair; CBH Cooperative, \$2196.00, supp; Century Link, \$57.71, util; Great Western Tire, \$860.20, repair; New Deal Tire, \$2157.75, other; O'Reilly Auto Parts, \$-60.47, repair; Owens Interstate Sales, \$138.02, repair; Print Mark-et, \$55.62, publ; Regional Health Physician, \$36.00, prof fee; Sturgis Napa, \$123.57, repair; Verizon, \$29.03, util.

**Ambulance** – Agnes Case, \$50.00, ambul chrg; CBH Cooperative, \$2292.01, supp; Century Business, \$53.18, supp; Coca Cola, \$24.80, supp; Dakota Backup, \$51.64, supp; Dakota Tree Spraying, \$50.00, supp; DB Billing, \$1564.78, prof fee; Diesel Machinery, \$118.00, repair; First Interstate Bank, \$1542.65, supp; Jacobsen Ford, \$743.32, repair; Knology, \$18.52, util; MDU, \$22.38, util; Kari Nordstrom, \$12.59, travel; Shawn Peterson, \$63.22, travel; Print Mark-et, \$55.57, publ; Regional Home Medical Equip, \$412.50, supp; Sturgis Napa, \$115.32, supp; Verizon, \$20.12, util; Wellmark Blue Cross, \$8.88, grp insur; Western Dakota Insurance, \$67.00, insur.

Motion by McVay, second by Waterland and carried with Carstensen, DesJarlais, McVay, Vasknetz and Waterland voting yes and Hersrud and Potts abstaining to approve the following claims: RCS Construction, \$21,786.24, cap imp; TTG Enterprises, \$35,684.34, cap imp; Site Work Specialists, \$77,680.46, cap imp; Hersrud, \$46.25, supp.; Hersrud, \$115.47, repair.

Motion by McVay, second by DesJarlais and carried with all members present voting yes to approve the following payroll changes: Ambulance: EMT-B – Josh Kusser-status change- \$8.00; Paramedic – Bob Eisenbraun, Warren Shaulis, and Roy Goben - \$15.00; Community Center – Refree – Kellen Barden and Tyler Woods - \$15 per game.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to table the second reading of Ordinance 2012-16 – Title 7 – General Government until the November 5, 2012 meeting.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to approve second reading of Ordinance 2012-17 – Title 29 – Emergency Response Team.

**ORDINANCE 2012-17**  
**AN ORDINANCE AMENDING TITLE 29 – ESTABLISHING AN EMERGENCY  
RESPONSE TEAM**

**BE IT ORDAINED** by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 29 – Establishing an Emergency Response Team is amended to read as follows:

**TITLE 29**  
**ESTABLISHING AN EMERGENCY RESPONSE TEAM**

**Chapters:**

29.01: General Provisions

29.02: Emergency Response Team

**Chapter 29.01**  
**General Provisions**

**SECTIONS:**

29.01.01: Scope and Purpose

29.01.02: Definitions

29.01.03: Penalty

**29.01.01: SCOPE AND PURPOSE**

The purpose of this Title is to allow for the establishment of an Emergency Response Team to assist the Mayor in performing his duties consistent with the power granted the Mayor under Title 9 during a public emergency.

**29.01.02: DEFINITIONS**

RESERVED

**29.01.03: PENALTY**

Any violation of the provisions of this Title is a class 2 misdemeanor punishable by the maximum punishment set forth by the laws of the state of South Dakota pursuant to SDCL 22-6-2. Said punishment may also include payment of any costs and/or restitution authorized by this Title and/or state law.

**Chapter 29.02**  
**Emergency Response Team**

**SECTIONS:**

29.02.01: Establishment of Emergency Response Team

29.02.03: Powers for Emergency Response Team

29.02.04: Headquarters

29.02.05: Official Spokesperson

29.02.06: Budget

**29.02.01: ESTABLISHMENT OF EMERGENCY RESPONSE TEAM**

There is hereby established an Emergency Response Team to assist the Mayor of the City during times of public emergency. The Emergency Response Team shall consist of the positions and/or persons described in the City Emergency Response Plan, the public portion of which is on file and available as a public record at the Sturgis City Finance Office.

**29.02.03: POWERS OF EMERGENCY RESPONSE TEAM**

The Emergency Response Team shall have such powers as are necessary to organize and coordinate all efforts during an emergency or in the event of imminent danger to public safety. Further, said Emergency Response Team may recommend to the City Manager and Council for enactment such regulations, policy handbooks, and procedure manuals in handling emergencies in the City as it believes necessary.

**29.02.04: HEADQUARTERS**

The Emergency Response Team may recommend for designation by the City Manager one place as headquarters for City services during an emergency.

**29.02.05: OFFICIAL SPOKESPERSON**

The Mayor may appoint one person as the official spokesperson for the City during times of imminent danger to public safety or emergency. Said person shall be responsible for handling all official news releases, press conferences, or information to be disseminated to the media or public.

**29.02.06: BUDGET**

The City Council may include within the annual budget a provision for expenses incurred by the Emergency Response Team.

Dated this 15th day of October, 2012.

First reading: 10-01-12  
Second reading: 10-15-12  
Adopted: 10-15-12  
Published: 10-24-12  
Effective: 11-14-12

Motion by DesJarlais, second by Waterland and carried with all members present voting yes to approve second reading of Ordinance 2012-18 – Supplemental Appropriation for 2012 Budget.

**ORDINANCE 2012-18**

**AN ORDINANCE AMENDING ORDINANCE 2011-07  
ANNUAL APPROPRIATIONS FOR THE YEAR 2012  
OF THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota, that ordinance 2011-07 be amended so that the following amounts are hereby appropriated to meet the obligation of the municipality for the year 2012.

General Fund	101	
4192-43700	Buildings – Capital Improvements	\$148,000
	Source of Funding: Proceeds from sale of building	
Special Sales Tax	211	

9000 4370	Capital Improvements – Marcotte Property	\$63,400
	Source of Funding: Unexpended Cash balances	
Capital Improvements 212		
4350 4370	Capital Improvement – Airport Fencing Project	\$325,000
	Source of Funding: Airport Grant	
4311 4370	Capital Improvements – Moose Drive and Pine View Street Project change order	\$300,000
	Source of Funding: Unexpended Cash balances and STIP money	
4511 4370	Capital Improvements- Heating/Cooling system	\$200,000
	Source of Funding: Unexpended Cash balances	
TIF #9 –Palisades – 327		
9000 4290	TIF payment	\$45,000
	Source of Funding: Real Estate Taxes	

Adopted this 15<sup>th</sup> day of October, 2012.

First reading: 10-01-12  
 Second reading: 10-15-12  
 Adopted: 10-15-12  
 Published: 10-24-12  
 Effective: 11-14-12

Motion by Waterland, second by Potts and carried with all members present voting yes to approve supplementing the 2012 budget with grant money (Police - \$25,951.97) and insurance money (\$16,943.78) received in 2012. The following is the breakdown of the insurance: Police-\$5,243.57; Street Lighting-\$7,630.55; Library-\$765.99; Streets-\$979.21; Airport-\$2,324.46.

Motion by Potts, second by Hersrud and carried with all members present voting yes to table the Cudmore development proposal until further research can be done on utility right-a-way and other alternatives for the sewer line.

The following bids were received for white goods and scrap metal: R & N Recycling-\$85.00/ ton + 22%; Ricer Co. - \$85.00/ton + 10%; Myrstol Metals-\$87.00/ton; A-1 Recyclers/BBTS-\$90.00/ton +5%.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to award the bid to Myrstol Metals for Scrap Metal & White Goods for two years.

The following requests for quotes were received for auction services: United Country- 8.9% personal property/5.9% titled-motorized property; Sturgis Real Estate Company – 8.9%; Casteel Auction and Real Estate-5%.

Motion by McVay, second by Vasknetz and carried with all members present voting yes to approve the low quote from Casteel Auction for auctioneer services for the City’s surplus property.

Motion by Waterland, second by DesJarlais and carried with all members present voting yes to approve first reading of Ordinance 2012-19 – Title 11 – Health and Sanitation.

Motion by Hersrud, second by Vasknetz and carried with all members present voting yes to authorize the City Manager to sign an agreement between Meade 46-1 School District and the City of Sturgis to purchase the Francis Case School.

Waterland introduced the following written resolution and moved its adoption:

**RESOLUTION 2012--42  
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 16 REVISED AND LOT 17 REVISED OF VISTA ESTATES  
SUBDIVISION Formerly Lots 16 and 17 of Vista Estates Subdivision, Located in the  
E1/2 of Section 16, T.5N., R.5E., 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 15th day of October 2012.

Published: October 24, 2012

Effective: November 14, 2012

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

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2012--43  
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 LOTS 1, 2, AND DRAINAGE RIGHT-OF-WAY LOT 39, HOSPITAL  
SUBDIVISION (formerly Lot A in Block 3, Lots 1-26, Right-of-Way Lots 31, 36, 38,  
and portion of the Vacated Alley, in Block 4, Lots 1-12, Right of Way Lots 31, 32, and  
portion of Vacated Alley in Block 6, Vacated Davenport Street adjacent to Blocks 3 and  
4, Vacated Marshall Street adjacent to Blocks 3 and 6, All located in McMillan's  
Southern Addition to Sturgis.) 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 15th day of October 2012.

Published: October 24, 2012

Effective: November 14, 2012

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

Motion by Hersrud, second by Vasknetz and carried with all members present voting yes to approve the Development Agreement for Palisades – Mike Strain developer and also to set a public hearing of November 19, 2012 for a re-zoning of Palisades.

Any other business:

Francisca Tobacco and Pearl Gulbranson came before the Council with their concerns about a policy of the Sturgis Library that requires that a permanent Meade County address be required to have a library card. The Council asked that they take their concern to the Library Board, which meets on October 31, 2012 at 4:00 pm.

Motion by Waterland, seconded by Potts and carried with all members present voting yes to adjourn the meeting at 8:21 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$207.10.