

## 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, March 18, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Joe DesJarlais, David Hersrud, Marcia Johnston, Jamie McVay, Tim Potts, Dane Sundstrom, and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Kelly Vasknetz.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

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

### Announcements:

Police Chief Bush, Fire Chief Trigg and Mayor Carstensen recognized Sergeant Doug Quarve for his heroism in saving a person's life during an apartment fire. Quarve was presented with the "Life Saving Medal".

The City received a thank you from the Chamber of Commerce for the helping with the Ag Fest. Several letters of thanks have been received from groups that have received financial support from the City.

Mayor Carstensen thanked everyone for all the outreach and support since the birth of his son Carson.

### Informational Reports:

Daniel Ainslie, City Manager, gave an update on items that he has been working on:

- The last 3 months his office has been working on the Sponsorship transition and working with Legends to get new sponsors.
- In closing out 2012, the budget expenses were cut by 10%. This was very significant to improving our reserves.
- We have spent a substantial time working on the downtown revitalization project and implementing the three ordinances which coincide with this project.
- We have started the 2014 budget and will be working on this over the next months.

Fay Bueno, Finance Officer, gave an update on her department:

- At this time the finance office will be working with 3 different years over the next few months; 2012 is the audit, 2013 the day to day activities and the 2014 budget.
- The finance office is recruiting the 12 election ladies that will sit as the Election Board, preparing ballots and getting ready to absentee voters.
- The finance office continues to prepare for the 2012 audit.

### City Manager Ainslie reported:

The 2013 budget is at 17% of the calendar year with the following percentages spent: General Fund 15%; Special Sales Tax 14% ; Capital Improvements less then 1% ; Liquor Store 8% ; Water Department 22%-due to the capital improvement projects ; Wastewater Department 11% ; Sanitation 12% ; Ambulance 17%-their runs are up 9% .

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

Motion by Potts, second by Hersrud and carried with Carstensen, Hersrud, McVay, DesJarlais, Potts, Sundstrom and Waterland voting yes, Johnston abstaining, to approve the following claims with the exception of Johnston Hardware, \$241.98, supp; Johnston Hardware, \$9.79, repair; Neighborworks Dakota Home Resources, \$2000.00, other:

**Wages** – Ambulance \$12,995.72; Attorney \$2,884.62; Auditorium \$197.84; Buildings \$688.07; Cemetery \$1,840.97; City Manager \$4,700.36; Community Center \$9,491.10; Finance Office \$8,658.84; Fire Department \$1,691.72; Human Resource \$2,171.81; Library \$8,862.21; Liquor \$4,161.91; Mayor and Council \$3,333.27; Parks \$10,071.86; Planning & Permitting \$3,129.12; Police \$33,749.84; Rally \$3,278.37; Recreation \$3,147.62; Sanitary Service \$9,349.68; Streets \$9,627.44; Wastewater \$7,750.93; Water \$12,904.51; Federal Withholding \$14,049.30; FICA \$11,203.33.

**General** – A&B Business, \$309.28, supp; A&B Welding, \$104.51, repair; Amcon, \$217.62, merch for resale; American Technical Services, \$175.00, prof fee; Associated Supply, \$138.00, supp; Dusty Barker, \$30.00, other; Barrows Electric Service, \$197.70, repair; Trey Bedford, \$30.00, other; BH Chemical, \$272.83, supp; BH Power, \$21,295.99, util; BH Society for HR Management, \$50.00, travel; BH Windshield Repair, \$50.00, repair; Buckle Tree, \$1393.56, supp; Campbell Supply, \$198.97, supp; Caselle, \$527.99, prof fee; CBH Cooperative, \$13,886.01, supp; Century Business, \$86.61, supp; Chamber of Commerce, \$800.00, publ-rally; City of Sturgis Police Petty Cash, \$10.79, supp; Coca Cola, \$853.45, merch for resale; Community Center Petty Cash, \$97.47, supp; Dakota Backup, \$1692.77, prof fee; Door Security Products, \$4740.86, repair; Double Star Computing, \$810.17, prof fee; Ecolab Pest, \$150.42, repair; First Interstate Bank, \$1463.52, travel; Freeman Electric, \$1057.29, repair; FSH Communications, \$60.00, util; Grocery Mart, \$3.99, supp; Harvey's Lock Shop, \$705.09, repair; Nichole Hodge, \$225.27, supp; International Code Council, \$150.00, prof fee; Intoximeters, \$2760.00, repair; J&L Services, \$20.00, supp; Key City Glass, \$180.00, repair; Knology, \$410.89, util; Lynn's Dakotamart, \$64.73, supp; Marco Inc, \$13.35, maint; Meade Co Times, \$663.68, publ; MDU, \$7798.00, util; Motionsoft, \$450.00, prof fee; Neve's Uniforms, \$399.81, supp; O'Reilly Auto Parts, \$174.77, supp; Owens Interstate Sales, \$935.49, repair; Pete Lien & Sons, \$170.50, supp; Pitney Bowes, \$120.56, rent; Marty Plaggemeyer, \$34.87, supp; Potomac Aviation Technology, \$250.00, repair; Public Safety Equipment, \$5517.00, repair; Purchase Power, \$257.49, supp; Rapid City Journal, \$49.80, publ; Vicky Rathery, \$35.00, refund; RDO Equip, \$361.70, repair; Rushmore Office, \$273.96, supp; SD Asphalt Conference, \$200.00, travel; SD Dept of Revenue, \$24.00, other; Servall, \$373.46, supp; Shopko Hometown, \$175.86, supp; Sturgis Napa, \$1052.72, repair; Summit Signs, \$711.00, equip; Tasc-Client Invoices, \$242.21, grp insur; Tom's T's, \$1332.86, supp; Twilight, \$303.40, supp; Vanway Trophy, \$78.95, other; Wellmark Blue Cross, \$187.50, grp insur; West Payment Center, \$113.97, prof fee; West River Electric, \$716.95, util; Zylstra Body & Frame, \$621.00, repair.

**Special Sales Tax** – Chamber of Commerce, \$2000.00, chamber.

**Liquor** – Amcon, \$2511.33, cig for resale; BH Power, \$1539.83, util; Cask & Cork, \$92.00, off sale liquor; Century Business, \$1.25, supp; Coca Cola, \$419.50, pop for resale; Double Star Computing, \$38.66, prof fee; Eagle Sales, \$18,769.88, off sale beer; Ecolab Pest, \$98.03, maint; First Interstate Bank, \$63.00, repair; Fisher Beverage, \$10,604.37, off sale beer; Johnson Western Wholesale, \$25,955.72, off sale liquor; MDU, \$283.15, util; Pepsi Cola, \$156.00, pop for resale; Republic Beverage, \$23,253.01, off sale liquor; Rushmore Office, \$44.97, supp; Servall, \$204.18, Tasc-Client Invoices, \$14.40, grp insur; Tour Ice, \$53.80, merch for resale; Wellmark Blue Cross, \$12.50, grp insur.

**Water** – BH Power, \$1943.81, util; Buckle Tree, \$483.93, supp; Caselle, \$382.34, prof fee; Dakota Backup, \$230.83, prof fee; Double Star Computing, \$38.66, prof fee; Knology, \$34.55, util; MDU, \$102.13, util; Tasc-Client Invoices, \$19.15, grp insur; Wellmark Blue Cross, \$12.50, grp insur.

**Wastewater** – Buckle Tree, \$284.03, supp; Campbell Supply, \$1.68, repair; City of Belle Fourche, \$23.67, other; Double Star Computing, \$38.66, prof fee; First Interstate Bank, \$64.59,

travel; HD Supply Waterworks, \$283.49, repair; Rushmore Office, \$33.98, supp; Sturgis Napa, \$78.20, supp; Tom's T's, \$153.46, supp; Wellmark Blue Cross, \$12.50, grp insur.

**Sanitary Service** – A&B Welding, \$65.86, repair; BH Power, \$11.00, util; Buckle Tree, \$464.24, supp; Butler Machinery, \$743.02, repair; Campbell Supply, \$156.08, repair; CBH Cooperative, \$3264.85, supp; Century Business Leasing, \$195.76, prof fee; Century Business, \$71.31, prof fee; City of Belle Fourche, \$128,887.98, other; Double Star Computing, \$38.66, prof fee; Key City Glass, \$30.00, repair; Northern Truck Equipment, \$71.25, repair; Overhead Door Co, \$377.32, repair; Owens Interstate Sales, \$390.38, supp; SD Solid Waste Management, \$200.00, travel; Sturgis Napa, \$35.94, repair; Tasc-Client Invoices, \$14.40, grp insur; Tom's T's, \$153.46, supp; Wellmark Blue Cross, \$12.50, grp insur.

**Ambulance** – Barrows Electric Service, \$197.71, repair; CBH Cooperative, \$1601.23, supp; Dakota Backup, \$103.27, prof fee; Double Star Computing, \$1590.14, supp; First Interstate Bank, \$483.45, supp; Knology, \$19.62, util; Lynn's Dakotamart, \$5.58, supp; MDU, \$376.02, util; Page, Wolfberg & Wirth, \$980.00, travel; Regional Home Medical Equip, \$370.50, supp; Sturgis Napa, \$181.12, supp; Tasc-Client Invoices, \$41.04, grp insur; Tritech Software System, \$4200.00, prof fee; Wellmark Blue Cross, \$12.50, grp insur.

Motion by McVay, second by Waterland and carried with Carstensen, Hersrud, McVay, DesJarlais, Sundstrom and Waterland voting yes, Potts and Johnston abstaining, to approve the following claims: Johnston Hardware, \$241.98, supp; Johnston Hardware, \$9.79, repair; Neighborworks Dakota Home Resources, \$2000.00, other.

Motion by Potts, second by McVay and carried with all members present voting yes to accept the recommendation of Planning and Zoning to approve a use on review for an in-home daycare at 2602 Cottontail Drive for Corrina Chavez-Ross until her State day care license expires June 30, 2013 and at this time Planning and Zoning will revisit the use on review.

Motion by DesJarlais, second by Johnston and carried with all members present voting yes to accept the recommendation of Planning and Zoning to approve a use on review for living space of more than 1000 square feet for King Cavalier II/King of the Mountain for residential use of 2<sup>nd</sup> floor of building located at Lot C2-B in the industrial park from 3-1-13 to 2-28-2015.

Several individuals spoke against the closure and use of city property for the Supermoto event. Their concerns were of safety, location, closing the street, inconvenience to the citizens, individuals exiting homes and businesses that are in the area of the track, insurance, cost to the City and that it would not generate a large crowd or revenue for the City. There were other individuals who talked in favor of this event and gave examples of other Cities that do Supermoto racing and the motorcycles they use in these events. This event would be looking outside the box and would bring many people to our community.

Motion by McVay, second by Hersrud and carried with Carstensen, DesJarlais, Hersrud, McVay, Potts, Sundstrom, and Johnston voting yes, Waterland voting nay, to approve a use of city property and street closure for the USA Pro Supermoto Race on September 14-15, 2013 providing that they have \$5,000,000 insurance policy with the City as an additional insured on the policy.

Motion by Potts, second by Johnston and carried with all members present voting yes to approve the change in legal description for the Off-sale Package Liquor License for Sturgis Liquor and table the decision on a potential additional site for use during the 2013 Motorcycle Rally.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve tabling the consideration to approve a Special Events Alcoholic Beverage License for the Sidehack Saloon at the City Armory for the Sturgis Chamber Annual Banquet on April 12, 2013.

Motion by Johnston, second by DesJarlais and carried with all members present voting yes to approve the following payroll changes: Water Dept – Water Systems Operator – Adam Weisz - \$19.34, classification change. Fire Dept – Volunteer Fire Fighters – Branden Bestgen, Eric Kinslow, Dustin Barry – no wage. Parks Dept – Seasonal – Jen Aldren - \$8.25. Community Center Dept – Seasonal Referee – Baillie Mutchler, Kyle Hauck, Sara Schmid - \$20 per game. Sanitation – Jeff Turnow

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-18  
TO APPROVE OR DENY A PUBLIC LOTTERY**

**WHEREAS**, the City of Sturgis has by Ordinances enacted by the City Council limited the use of public lotteries within the city to public purposes intended to provide for the benefit and safety of the members of the community, balanced with the purpose to encourage commerce and the development of a healthy and robust business and community atmosphere, and

**WHEREAS**, the American Cancer Society-Saving Grace Relay for Life has submitted an application to conduct a public raffle within the City of Sturgis beginning on April 4, 2013 and continuing until July 19, 2013 at which time the lottery prizes will be awarded by a drawing at 8:00 pm at the Sturgis City Park on July 19, 2013, and

**WHEREAS**, the American Cancer Society-Saving Grace Relay for Life presented its application to conduct this lottery to the City Finance Office on March 4, 2013 and seeks to commence and seeks to begin to sell such raffle tickets on April 4, 2013, and

**WHEREAS**, the request of the American Cancer Society-Saving Grace Relay for Life to have approval to conduct this lottery has met all the requirements of City Ordinance, all the requirements of state law and has met all the administrative requirements of the City Finance Office in submitting its application,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Sturgis City Council that the application of the American Cancer Society-Saving Grace Relay for Life to conduct a public lottery/raffle in the City of Sturgis is hereby

  X   Approved, with lottery ticket sales to be conducted at the stated times forth above and as stated in the terms of the lottery application, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are present.

       Denied, with no lottery sales to be permitted as requested, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are not present.

RESOLVED, this 18<sup>th</sup> day of March, 2013.

Published: 03-27-2013  
Effective: 04-17-2013

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

Motion by Potts, second by Johnston and carried with all members present voting yes to approve tabling the consideration to approve second reading of Ordinance 2013-01 – Title 10 – Franchises to the April 1, 2013 meeting.

Motion by Waterland, second by Johnston and carried with all members present voting yes to table any action on entering into a lease agreement with Dirt Promotions to lease the Fairgrounds until April 1, 2013. There will be a public meeting on March 26<sup>th</sup> at 6:00 pm at the Fairgrounds, so the citizens can ask questions and see what Dirt Promotions has planned.

Hersrud stepped out of the meeting at this time.

Johnston introduced the following written resolution and moved its adoption:

### **RESOLUTION 2013 - 19**

#### **A RESOLUTION AUTHORIZING THE MAYOR OR CITY MANAGER TO SIGN AMBULANCE AGREEMENTS**

WHEREAS, the City of Sturgis desires to enter into contract with other ambulance services and certain area non-profit medical providers for the purpose of providing written confirmation that the billing practices of the ambulance service are in compliance with all applicable requirements, and

WHEREAS, the City of Sturgis Ambulance Director has learned that some prior agreements with those services and non-profits have not been renewed promptly, and

WHEREAS, the City of Sturgis Ambulance service wants to ensure that all providers and agencies for which it provides services are billed as agreed upon under a contract or Memorandum of Understanding, and

WHEREAS, the City of Sturgis will benefit by having these agreements reviewed and signed promptly, and

WHEREAS, the Ambulance Director, City Manager and other City staff will review said Memorandums of Understandings and/or Agreements to ensure compliance with overall City policies as well as any additional applicable requirements, and

WHEREAS, promptly responding to proposals to renew a Memorandum of Understanding or Agreement with another ambulance service or medical provider, when fair and acceptable, will enable the Sturgis Ambulance Service to continue to operate in the most cost-effective manner it can for the City.

NOW THEREFORE, Mayor Mark Carstensen, or if he is unavailable, City Manager Daniel Ainslie, are hereby authorized to execute said approved Sturgis Ambulance Service Agreements or Memorandums of Understanding for the above stated purposes and report back to Council on the same at subsequent meetings.

Dated this 18<sup>th</sup> day of March, 2013.

Published: 03-27-2013

Effective: 04-17-2013

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

Hersrud re-enters meeting.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve the only bid received for cellular and data services and Smartphone devices which was from AT & T with the stipulation that the following three items are met: that testing of phones demonstrate adequate cellular and data coverage; an explanation of infrastructure upgrades and expansions to increase connectivity during the Sturgis Motorcycle Rally; and verification that AT & T devices will demonstrate full and immediate interface through Meade County dispatch and paging systems. If any of these stipulations cannot be met, the City will re-bid this service.

Any other business:

Councilor Hersrud commented that the City, in the past, has helped other events such as the Mustang Rally and Camaro Rally with monetary and in-kind services and feels that it is an investment in the Community to sponsor the Supermoto event.

Motion by Johnston, second by DesJarlais and carried with all members present voting yes to go into executive session for contracts at 8:27 pm.

Motion by Potts, second by Sundstrom and carried with all members present voting yes to return to regular session at 8:48 pm.

Motion by Waterland, second by Hersrud and carried with Carstensen, DesJarlais, Hersrud, Johnston, McVay, Sundstrom and Waterland voting yes and Potts abstaining to approve the following claims: Cetec, \$15,163.75, prof fee; RCS Construction, \$92,143.67, cap imp.

Motion by Johnston, seconded by Waterland and carried with all members present voting yes to adjourn the meeting at 8:50 pm.

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

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

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