

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:38 p.m. on Monday, May 6, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Joe DesJarlais, David Hersrud, Marcia Johnston, Jamie McVay, Tim Potts, Dane Sundstrom, Kelly Vasknetz and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

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:

Mayor Carstensen reported that the City of Sturgis received the 2013 Community of the Year from the Governor's Office of Economic Development.

The City received a Certificate of Achievement from the Department of Environment and Natural Resource for the City's Water System. The following employees also received a Certificate of Achievement: Dale Olson, Brad Deutsch, Neil Murray, Judson Crowser and Adam Weisz.

Clean up week is May 6-10. Put items at the curb to be picked up.

The Green Thumb Gala is being held at the Library this week. Friday at 4:00 pm the sealed bids will cease and the plants will be given out to the highest bidder.

EMS week will be May 19-25<sup>th</sup>. There will be several activities going on all week.

Informational Reports: Nothing.

City Manager Ainslie reported:

City Attorney Barnier reported that Sales tax for the General Fund and Capital Improvement funds is up 8.8% and the Gross receipts tax (Triple B) is down by 10.5%,

Motion by McVay, 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 Hersrud, McVay, DesJarlais, Potts, Sundstrom, Johnston, Vasknetz and Waterland voting yes, Carstensen abstaining, to approve the following claims including the addition of Motoring USA, \$30,575.42, prof fee:

**Wages** – Ambulance \$13,472.19; Attorney \$2884.62; Auditorium \$378.40; Buildings \$688.07; Cemetery \$1942.70; City Manager \$5971.17; Community Center \$8745.83; Finance Office \$8803.12; Fire Department \$1790.68; Human Resource \$2171.81; Library \$8758.95; Liquor \$3963.17; Mayor and Council \$3333.27; Parks \$10,545.97; Planning & Permitting \$3130.62; Police \$33,318.71; Rally \$3322.63; Recreation \$2539.44; Sanitary Service \$10,604.36; Streets \$9662.37; Wastewater \$7664.00; Water \$14,049.93; Federal Withholding \$14,633.83; FICA \$11,462.11.

**Combined Cash Fund** – First Interstate Bank, \$2000.00, ATM.

**General** – A&B Business, \$150.57, supp; A&B Welding, \$25.56, supp; A&J Surplus, \$7.50, repair; Kevin Aga, \$500.00, grp insur; Amazon, \$259.74, supp; Amcon Distributing, \$736.79, merch for resale; American Legal Services, \$65.16, prof fee; Argus Leader, \$319.95, supp; Baker & Taylor, \$386.83, supp; Andrew Barff, \$30.00, other; Dusty Barker, \$60.00, other; Best

Western Ramkota Inn, \$89.99, travel; BH Chemical, \$1660.97, supp; BH Pioneer, \$162.00, supp; BH Power, \$11,114.73, util; BH Power, \$1209.61, util; Nathan Borg, \$420.36, travel; Jerry Burnham, \$2490.92, prof fee; Butte Electric, \$492.45, util; Caselle, \$527.99, prof fee; CBH Cooperative, \$14,910.69, supp; Century Business, \$98.21, supp; Chain Saw Center, \$436.70, repair; City of Sturgis Water Dept, \$1537.69, util; Council of State Governments, \$58.50, supp; Creative Product Sourcing, \$1301.94, other; Dakotronics, \$9724.00, equip; Diesel Machinery, \$347.48, repair; Fedex, \$12.03, supp; Finance Office Petty Cash, \$40.46, supp; G&H Distributing, \$171.59, repair; Great Western Tire, \$1143.64, supp; J&L Services, \$60.00, repair; Jacobsen Ford, \$26,690.00, equip; Lori Jeffery-Kirk, \$84.00, other; Jenner Equipment, \$214.18, repair; Tyler Kaitfors, \$25.00, grp insur; Knology, \$307.78, util; Knology, \$2195.23, util; Legends Sales, \$17,000.00, prof fee; Magip, \$75.00, travel; Meade Co Auditor, \$3012.64, util; Menards, \$36.98, supp; Midcontinent Communications, \$41.61, util; Motionsoft, \$450.00, prof fee; Motoring USA, \$30,575.42, prof fee; Neve's Uniforms, \$1015.50, supp; Newman Traffic Signs, \$1118.97, supp; Northern Truck Equip, \$10.00, repair; Northwest Pipe Fittings, \$320.47, supp; Pitney Bowes, \$322.06, rent; Pizza Hut, \$42.00, other; Polar Engraving, \$804.00, merch for resale; Public Safety Store, \$1615.00, equip; Purchase Power, \$400.00, supp; Rapid Delivery, \$12.00, repair; Rapid Fire Protection, \$325.00, repair; Rushmore Office, \$374.85, supp; Rushmore Safety Supplies, \$71.96, supp; S&C Cleaning, \$2356.00, maint; SD Magazine, \$51.00, supp; SD Parks & Recreation Assn, \$40.00, travel; SD State Archives, \$57.60, supp; Sidehack Saloon, \$32.00, other; Lee Smith, \$242.95, travel; Tom's T's, \$39.00, supp; Town-N-Country Plumbing, \$166.61, repair; Turbiville Industrial Electric, \$272.70, repair; Vanway Trophy, \$116.60, other; Verizon, \$1831.34, util; West River Electric, \$576.50, util; Lori Zimmiond, \$40.00, refund.

**Special Sales Tax** – Chamber of Commerce, \$16,573.48, chamber; SEDC, \$7750.00, ind dev.

**Capital Improvement** – Fourfront Design, \$10,045.00, cap imp.

**Library** – Precision Carpet Contractors, \$75.00, lib furnish; Karen Reiman, \$432.50, lib furn.

**Liquor** – Amcon Distributing, \$1864.76, cig for resale; Century Business, \$1.02, supp; City of Sturgis Water Dept, \$256.39, util; Eagle Sales, \$22.50, other; Knology, \$148.71, util; One Way Service Pros, \$190.00, repair; Verizon, \$53.41, util.

**Water** - BH Power, \$10,396.50, util; BH Power, \$284.07, util; Butte Electric, \$183.60, util; Caselle, \$382.34, prof fee; City of Sturgis Water Dept, \$107.77, util; Knology, \$34.49, util; Knology, \$93.33, util; S&C Cleaning, \$310.00, maint; SD Public Assurance Alliance, \$902.81, insur; Verizon, \$231.81, util.

**Wastewater** – BH Power, \$2186.81, util; City of Belle Fourche, \$33.92, other; City of Sturgis Water Dept, \$18.60, util; S&C Cleaning, \$217.00, maint; Verizon, \$138.05, util.

**Sanitary Service** – A&B Welding, \$9.24, repair; A&J Surplus, \$356.40, repair; BH Power, \$11.00, util; BH Power, \$299.37, util; CBH Cooperative, \$4935.18, supp; Century Business Leasing, \$195.76, prof fee; Century Business, \$135.01, prof fee; Century Link, \$55.72, util; City of Belle Fourche, \$13,341.18, other; Diesel Machinery, \$319.22, repair; Godfrey Brake, \$159.50, repair; S&C Cleaning, \$217.00, maint; Verizon, \$56.81, util.

**Ambulance** – A&J Surplus, \$90.99, supp; BH Power, \$617.93, util; City of Sturgis Water Dept, \$51.45, util; Emergency Medical Products, \$347.50, supp; Knology, \$119.48, util; Ken Peterson, \$500.00, amb chrg; Physio-Control, \$1590.00, repair; Regional Health, \$1028.70, supp; Regional Home Medical Equip, \$991.64, supp; Julie Schmidt, \$122.41, supp; Tricare for Life, \$264.76, ambul chrg, Verizon, \$22.10, util.

Motion by DesJarlais, second by McVay and carried with all members present voting yes to approve a Special Events License for the Loud American for a wedding reception at the Sturgis Armory on June 29, 2013.

Motion by Hersrud, second by McVay and carried with all members present voting yes to approve a Use of City Property and Street Closure for the Knuckle Saloon's 12<sup>th</sup> Annual Car Show on June 1, 2013. Estimated cost of City services and labor is \$60.

Motion by Hersrud, second by DesJarlais and carried with all members present voting yes to approve the Sturgis Volunteer Fire Department Contract contingent that the 4 exhibits are attached to the contract prior to the Mayor signing it.

Mayor Carstensen declared a sine die, final adjournment of the 2012-2013 Council Session.

Mayor Carstensen presented Councilors Joe DesJarlais, Dane Sundstrom and Jamie McVay with an appreciation plaque for their years of service to the City of Sturgis.

Mayor Carstensen came out of sine die with a call to order of the 2013-2014 Council Session. City Attorney Barnier gave the Oath of Office to the Mayor and following Councilors: Mark Carstensen, David Hersrud, Mike Bachand, Branden Bestgen and Jason Anderson.

Roll Call was taken.

Moved by Hersrud to nominate Tim Potts for President of the Council, second by Vasknetz. Motion by Waterland and second from Anderson that nominations cease and declare a unanimous vote for Potts for President of the Council.

Moved by Hersrud to nominate Marcia Johnston for Vice President of the Council, second by Vasknetz.

Moved by Bachand to nominate Brandon Bestgen for Vice President of the Council. There being no second the nomination died.

Motion by Potts and second from Waterland that nominations cease and to declare a unanimous vote for Johnston for Vice President of the Council.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to continue the appointment of Greg Barnier as City Attorney, Fay Bueno as Finance Officer and for the following Library Board members: Bruce McFarland, Terry Hermann, Cathie Anderson, Bob Mechling, Kaye Back, Kristie "Cricket" Palmer and Marcia Johnston.

Motion by Potts, second by Johnston and carried with all members present voting yes to approve the following bank depositories: First Interstate Bank, Wells Fargo Bank, First National Bank, Pioneer Bank and SD Public Funds Investment Trust.

Motion by Johnston, second by Bachand and carried with all members present voting yes to approve the following signatories of the bank accounts: Daniel Ainslie, Mark Carstensen, Tim Potts, Fay Bueno, Jeanie Shyne and Ann Bertolotto.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to approve the City's legal newspaper as the Meade County Times.

Motion by Waterland, second by Bachand and carried with all members present voting yes to approve the following payroll changes: Fire Dept – Volunteer Fire Fighters – Seth Schwartz, Ryan Tullis & Lynn Lehrkamp; Ambulance Dept – EMT-B – Sawyer Mathieson, Anna Tescher - \$8.00; Police Dept – Animal Shelter Tech – Jennifer VanSickel - \$11.34; Community Center – Lifeguard – John Paul - \$7.50; Liquor Store – Sales Clerk – Tyson Donovan, Eric Christensen - \$8.00; Parks Dept – Seasonal Parks – Jake Keffeler - \$8.00.

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-23  
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 Action for the Betterment of the Community has submitted an application to conduct a public raffle within the City of Sturgis beginning on June 7, 2013 and continuing until July 13, 2013 at which time the lottery prizes will be awarded by a drawing at 5:00 pm at the Sturgis City Park on July 13, 2013, and

**WHEREAS**, the Action for the Betterment of the Community presented its application to conduct this lottery to the City Finance Office on April 30, 2013 and seeks to commence and seeks to begin to sell such raffle tickets on June 7, 2013, and

**WHEREAS**, the request of the Action for the Betterment of the Community 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 Action for the Betterment of the Community 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 6<sup>th</sup> day of May, 2013.

Published: 05/15/2013

Effective: 06/04/2013

Johnston 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 Hersrud, second by Vasknetz and carried with all members present voting yes to approve authorizing the City Manager to sign letter of authorization for participation in the SDRS Roth 457 Option.

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve the Use of City Property requesting use and setup/tear down of a 20 x 40 city tent by Corbon Law Enforcement Training Center on June 6, 2013 for the Annual Sporting Arms and Ammunition Manufactures Institute Industry Shot. Estimated cost for services and labor is \$450.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve the Use of City Property and services at the fairgrounds for the SW Regional High School Rodeo on June 7-9, 2013. Estimated cost for services and labor is \$1823.00.

Any other business:

Councilor Waterland told the Council that the Jack Pine Gypsies are considering allowing the public to ride on their motocross track 3 days a week for a nominal fee. They are looking for portable light power plants so this can be done at night.

Kevin Forrester came before the Council and discussed having more trail systems with trailheads in the Sturgis area. Forrester belongs to a group called Black Hills Trails. The Council asked Forrester to come back to them with dollar amounts, expectations and time periods.

Bob Bertolotto asked about the Fairgrounds Committee and what their goals were. Bertolotto offered his services as a County Commissioner to help out this committee in anyway. He also commended the City for the cleanup of Junction Avenue and Lazelle Street.

Joe DesJarlais said the Fairground Committee is an outstanding group that is working well together and is discussing good ideas.

Motion by Waterland, seconded by Hersrud and carried with all members present voting yes to adjourn the meeting at 7:38 pm.

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

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

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