

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, May 20, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Jason Anderson, Branden Bestgen, Mike Bachand, Marcia Johnston, Tim Potts, Kelly Vasknetz, and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: David Hersrud.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Waterland, second by Potts and carried with all members present voting yes to approve the agenda with the removal of Resolutions 2013-24 and 2013-25 Raffles for the Jackpine Gypsies.

Announcements:

- Mayor Carstensen proclaimed May 17, 2013 as Arbor Day.
- EMS week will be May 19th-25th with several events going on. The open house will be on Thursday May 23rd from 3:00 pm to 6:00 pm at the Fire Hall. The theme is “One Mission, One Team”. There will be a fundraiser on Wednesday at McDonald’s from 5:00 to 7:00 to raise money for AED’s for the Legion and Little League fields.
- This Thursday will mark the 25 year anniversary for the Kiwanis Club

Informational Reports:

Rick Bush, Public Works Director, gave an update on his department:

- There were two significant snow events in April costing \$33,000.
- Spring clean up has begun, with cleaning of the streets and sidewalks.
- Annual clean up netted 1500 yards of items picked up with a cost of \$21,825.
- Projects that are being finished up are the guard rails on Sly Street creek crossing, and the chip and seal project will be in the Deadman Addition.
- There will be smoke testing of the sanitary sewer lines on June 5th and 6th.

Lisa Katzenstein, Human Resource Coordinator, gave an update on Human Resource and IT

- Several full-time new hires have been filled. She is midway through hiring for Rally and will bring those hires to the Council at the next meeting.
- Negotiations are in progress with the two Unions for 2014 budget.
- There was a promotion done for the new supplemental retirement that is being offered to the employees.
- The info router will go public on June 3rd with uploaded minutes and several historical pictures.
- Several training seminars have been given for the employees.
- Katzenstein is the liaison to the United Way Board of Directors.

City Manager Ainslie reported:

- The 2013 budget is at 33% of the calendar year with General Fund at 26%, Special Sales Tax at 26%, Capital Improvements at 44.8%, Liquor at 19%, Water at 20%, Wastewater at 21%, Sanitation at 30.5% and Ambulance at 30.5%.
- Councilor Bachand made a statement to the Council on appointments to committees. He feels that the City Manager does not have the authority to appoint the Council to committees.
- The following appointments were made: **Legal & Finance**-Carstensen, Potts, Johnston and Hersrud. **Ordinance**-Waterland, Bestgen, Bachand and Anderson. **Sponsorship**-Carstensen, Johnston, Potts and Vasknetz. **Motorcycle Museum** – Johnston. **Chamber**

of Commerce-Potts. Planning and Zoning – Anderson. Library-Johnston. Forestry – Waterland. Parks-Carstensen. Transportation-Carstensen. SEDC-Carstensen.

Discussion was held on how the committees were formed. Councilor Bestgen disagrees with the appointments and feels that they have been stacked.

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

Motion by Potts, second by Vasknetz and carried with all members present voting yes to approve the following claims with the exception of Cetec, \$24,377.95, cap imp; Mainline Contracting, \$86,372.30, cap imp; RCS Construction, \$37,956.79, cap imp; TTG Enterprises, \$3838.51, cap imp; Johnston Hardware, \$91.96, supp; Johnston Hardware, \$27.39, supp; Johnston Hardware, \$4.52, supp:

Wages – Ambulance \$13,632.24; Attorney \$2884.62; Auditorium \$312.64; Buildings \$688.07; Cemetery \$1858.91; City Manager \$4859.33; Community Center \$8745.71; Finance Office \$8541.85; Fire Department \$1705.60; Human Resource \$2171.81; Library \$8743.41; Liquor \$3951.22; Mayor and Council \$3333.27; Parks \$10,563.13; Planning & Permitting \$3129.12; Police \$34,552.05; Rally \$3277.69; Recreation \$2725.31; Sanitary Service \$10,630.92; Streets \$9551.28; Wastewater \$6719.73; Water \$13,939.80; Federal Withholding \$14,503.70; FICA \$11,364.83.

General – A&B Business, \$825.29, supp; Affiliated Computer Services, \$735.00, other; Amcon, \$250.09, merch for resale; APWA, \$169.00, prof fee; AT&T, \$3198.29, util; Avaya, \$36.39, util; Lane Barden, \$140.00, prof fee; Andrew Barff, \$30.00, other; Dusty Barker, \$30.00, other; Bryan Beaulieu, \$140.00, prof fee; BH Power, \$10,555.65, util; BH Rally & Gold, \$600.00, merch for resale; BH Urgent Care, \$47.74, prof fee; Campbell Supply, \$321.64, supp; CBH Cooperative, \$3637.15, supp; CEASD, \$60.00, travel; Chain Saw Center, \$2099.95, repair; Chamber of Commerce, \$25.00, publ-rally; City of Sturgis Police Petty Cash, \$36.80, supp; Coca Cola, \$1093.50, merch for resale; Dakota Backup, \$1768.92, prof fee; Dakota Contracting, \$275.00, repair; Double Star Computing, \$985.29, prof fee; Ecolab Pest, \$185.42, maint; Fastenal, \$77.86, repair; First Interstate Bank, \$1503.08, travel, supp; Freeman Electric, \$444.00, repair; FSH Communications, \$60.00, util; Glover Investments, \$20,600.00, rental-rally; Great Western Tire, \$2191.22, repair; Hebron Brick, \$501.29, supp; Ketel Thorstenson, \$4122.55, prof fee; Knology, \$310.01, util; Kone, \$133.11, repair; Lynn's Dakotamart, \$201.95, supp; Marco Inc, \$37.86, maint; McLeod's Printing, \$363.85, supp; Meade Co Times, \$1488.77, publ; MDU, \$7296.17, util; Ben Mumm, \$36.52, supp; Nartec, \$88.30, supp; Neve's Uniforms, \$147.89, supp; O'Reilly Auto Parts, \$323.44, repair; Owens Interstate Sales, \$605.07, supp; Park Avenue Car Wash, \$123.60, supp; Pete Lien & Sons, \$275.00, supp; Pitney Bowes, \$120.56, rent; Print Market, \$1854.09, publ; Pryntcomm, \$859.18, publ-rally; Purchase Power, \$200.00, supp; Rapid City Journal, \$99.60, publ; Rasmussen Mechanical Services, \$6334.29, repair; Robert Sharp & Assoc, \$590.60, publ-rally; Rockingtree Landscape, \$656.50, other; Rushmore Office, \$688.19, supp; Sand Creek Printing, \$162.50, supp; Schwans, \$230.40, merch for resale; SD Amateur Softball Assn, \$640.00, prof fee; Servall, \$272.85, supp; Shopko, \$94.70, supp; Dave Smith, \$77.99, travel; SD Sheriff's Assn, \$65.00, travel; Sturgis Napa, \$656.61, repair; Subway, \$63.00, supp; Super 8 Motel, \$239.64, travel; TASC, \$242.21, grp insur; West Payment Center, \$120.22, prof fee; Zylstra Towing, \$94.00, prof fee.

Special Sales Tax – SD Dept of Game, Fish & Parks, \$48,530.00, city promo.

Capital Improvement – Brosz Engineering, \$3250.00, cap imp; Rasmussen Mechanical Services, \$65,238.00, cap imp; SD Dept of Game, Fish & Parks, \$133,900.00, cap imp; Wells Fargo Corp Trust Service, \$350.00, agent fees.

TIF #9 Palisades – First Interstate Bank, \$4160.70, other.

Liquor - ABC, \$210.00, prof fee; AT&T Mobility, \$109.66, util; Barney's Signs, \$1832.15, publ; BH Urgent Care, \$55.00, prof fee; Cask & Cork, \$119.00, off sale liquor; Coca Cola, \$723.90, pop for resale; Double Star Computing, \$170.94, prof fee; Eagle Sales, \$21,080.97, off sale beer; Ecolab Pest, \$98.03, maint; First Interstate Bank, \$316.48, travel; Fisher Beverage, \$12,512.02, off sale beer; Johnson Western Wholesale, \$41,914.78, off sale liquor; Lakota Foods, \$94.31, snacks for resale; Lynn's Dakotamart, \$0.00, repair; M&B Enterprises, \$222.40, snacks for resale; MDU, \$193.32, util; Okoboji Wines, \$544.00, off sale liquor; Pepsi Cola, \$195.00, pop for resale; Prairie Berry, \$1985.00, off sale liquor; Print Mark-et, \$61.38, publ; Republic Beverage Co, \$54,306.52, off sale liquor, beer; Rushmore Office, \$89.99, supp; Schade Vineyard, \$600.00, off sale liquor; Servall, \$190.14, supp; TASC, \$14.40, grp insur; The Homeslice Group, \$5308.00, publ; Tour Ice, \$229.95, merch for resale.

Water – A&B Business, \$589.85, prof fee; AT&T, \$413.35, util; BH Power, \$10,232.59, util; Campbell Supply, \$49.99, supp; CBH Cooperative, \$988.16, supp; Credit Collections Bureau, \$35.55, prof fee; Judd Crowser, \$20.00, grp insur; Dakota Backup, \$241.22, prof fee; Double Star Computing, \$35.94, prof fee; First Interstate Bank, \$1011.79, travel; Grocery Mart, \$57.71, supp; Hawkins, \$1681.10, supp; HD Supply Waterworks, \$1041.25, supp; Ella Hoven, \$440.27, refunds; Iverson Construction, \$286.00, repair; Jacobsen Ford, \$12.50, repair; Knology, \$34.49, util; Rick Kostecky, \$40.54, refund; Lind Exco, \$1250.00, refund; Meade Co Times, \$25.38, publ; Midcontinent Testing Lab, \$136.00, prof fee; MDU, \$75.76, util; Randy Nohava, \$52.59, refund; Owens Interstate, \$48.97, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$320.01, supp; Sensus Metering, \$133.46, supp; Servall, \$5.93, repair; Shopko, \$23.97, supp; Kathy Simonsen, \$5.71, refund; SD One Call, \$52.17, prof fee; Sturgis Napa, \$11.41, supp; Swint LED Lights, \$60.00, refund; TASC, \$19.15, grp insur; Matt Veal, \$18.46, refund; Wells Fargo Corp Trust Service, \$19,160.64, prin.int.

Wastewater – AT&T, \$205.30, util; BH Urgent Care, \$74.38, prof fee; Campbell Supply, \$11.99, repair; City of Belle Fourche, \$34.14, other; Double Star Computing, \$75.94, prof fee; First Interstate Bank, \$8.24, grp insur; Jenner Equipment, \$154.66, supp; Owens Interstate, \$94.88, supp; Powerplan, \$47.66, repair; Print Mark-et, \$61.38, publ; Lance Stansbury, \$205.53, grp insur; Wells Fargo Corp Trust Service, \$152,190.61, prin, int.

Sanitary Service – Adams Machining, \$1395.41, repair; AT&T, \$105.52, util; BH Power, \$11.00, util; BH Urgent Care, \$275.00, prof fee; Campbell Supply, \$55.81, repair; City of Belle Fourche, \$15,885.91, other; Dakota Radiator, \$60.00, repair; Diesel Machinery, \$3.19, repair; Double Star Computing, \$90.94, prof fee; Fastenal Company, \$77.87, repair; First Interstate Bank, \$16.48, grp insur; Great Western Tire, \$124.00, supp; Owens Interstate, \$137.42, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$263.33, supp; Sturgis Napa, \$1008.38, repair; TASC, \$14.40, grp insur; West River International, \$277.99, repair.

Ambulance – BH Power, \$573.94, util; CBH Cooperative, \$2286.74, supp; Century Business, \$63.90, supp; Coca Cola, \$40.30, supp; Dataform, \$152.88, supp; DB Billing, \$1235.41, prof fee; Double Star Computing, \$80.94, prof fee; Ecolab Pest, \$35.00, supp; First Interstate Bank, \$1171.12, supp; MDU, \$167.29, util; O'Reilly Auto Parts, \$7.64, repair; Print Mark-et, \$61.38, publ; Regional Home Medical Equip, \$842.00, supp; Rushmore Office, \$240.01, supp; Sand Creek Printing, \$32.50, supp; Sturgis Napa, \$354.44, supp; TASC, \$41.04, grp insur.

Motion by Waterland, second by Anderson and carried with Carstensen, Vasknetz, Bachand, Waterland, Anderson and Bestgen voting yes, Potts and Johnston abstaining, to approve the following claims: Cetec, \$24,377.95, cap imp; Mainline Contracting, \$86,372.30, cap imp; RCS Construction, \$37,956.79, cap imp; TTG Enterprises, \$3838.51, cap imp; Johnston Hardware, \$91.96, supp; Johnston Hardware, \$27.39, supp; Johnston Hardware, \$4.52, supp.

Motion by Potts, second by Johnston and carried with all members present voting yes to table approval of the Use of City Property for Sturgis Chamber of Commerce for the Wild West Days Sturgis Quasiquicentennial Parade on June 14th to finalize the parade route.

Motion by Waterland, second by Vasknetz and carried with all members present voting yes to approve the Special Events License for the Knuckle Saloon for the Sturgis Wild West Days PRCA Rodeo & Ranch Rodeo at the Sturgis Fairgrounds on June 14-16, 2013. This is for the entire premise of the Fairgrounds.

Motion by Anderson, second by Vasknetz and carried with all members present voting yes to approve the legal description change to the On-sale Liquor License for PSI Enterprises LLC – Oasis Bar & Lounge.

Bestgen introduced the following written resolution and moved its adoption and also included approval of the street closure for this event from 6:00 am to 5:00 pm on June 29, 2013:

RESOLUTION 2013- 27

A RESOLUTION TO PERMIT OPEN CONTAINERS ON CERTAIN PUBLIC PROPERTY AND WITHIN CERTAIN PUBLIC RIGHTS OF WAY

WHEREAS the Sturgis Camaro Rally is an event that brings many tourists to the City of Sturgis and the surrounding area, and

WHEREAS the City of Sturgis has supported the Sturgis Camaro Rally event last year, and

WHEREAS the Sturgis Camaro Rally organizers have requested a designation of an open container area within a portion of the public property of the City of Sturgis, and

WHEREAS the request from the Sturgis Camaro Rally is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED as set forth herein that the City of Sturgis shall hereby establish an open container area on June 29, 2013 from 6:00 am to 5:00 pm on that public property open to the public, within area bounded on the West by the east edge of the Right of Way of 4th Street, bounded on the East by the west edge of the Right of Way of Junction Avenue, bounded on the South by the north edge of the Right of Way of Sherman Street, and bounded on the north by the south edge of the Right of Way of Lazelle Street, and including within this boundary the street area of Third Street, Second Street, First Street and Main Street. This area shall be marked by city barricades with clearly legible signs, provided by the organizers and consistent with the limitations of this Resolution, stating that the barricade marks the boundary of the open container area. The open container area does not include the City Library, nor any City Property not open to the public, and does not include any private property within the open container area. The Police Department will be authorized to tow vehicles within the street closure area.

Dated this 20th day of May, 2013.

Published: 05/29/2013
Effective: 06/18/2013

Johnston seconded the motion for the adoption of the foregoing resolution and approving closure of the street with all members present voting yes and the resolution is declared passed and adopted. Estimated labor costs \$60.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve the Use of City Property and Street Closure by the Chamber for the Sturgis Quasquicentennial 125th Anniversary Celebration on June 15th subject to proof of proper insurance. Estimated labor costs \$420.

Motion by Johnston, second by Anderson and carried with all members present voting yes to approve the following payroll changes: Police Dept – Asst Chief – Geody Vandewater - \$1000 increase (finalization of promotion); Library Dept – Library Tech Aide – Kellie Baker - \$8.00; Ambulance Dept – EMT-B part-time – Alyssa Hoffman and Jeremy Deuter \$8.00; Cemetery Dept – Seasonal Cemetery – Trudi Getz - \$8.00; Casey Kruetz.-\$7.50; Parks Dept-Seasonal –Olaf Funnel-\$7.50; Alex Kelly-\$7.50.

Motion by Bestgen to sign the letter with the corrections and give \$2500 to the Black Hills Trail group. Bestgen rescinded the motion.

A motion was made by Bestgen, seconded by Bachand to give the Black Hills Trails group \$2500 for equipment to create a trail from Lions Park up Weber Hill. Both Bestgen and Bachand rescinded their motion.

Motion by Bestgen, second by Potts and carried with all members voting yes to show support and interest in expanding trail systems on the Deadman Mountain and south through the Alkali drainage by sending a letter to the USDA Forest Service.

Bestgen introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-26
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 12 Revised, Lot 13 and Lot 14 of Jenter Subdivision AND the Dedicated Public R.O.W. of Nathan Court and the Additional portion of Dedicated Public R.O.W. of Ellen Street (Formerly Lot 12 of Jenter Subdivision) Located in the NW1/4SW1/4, Section 4, T.5N., R5E., 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 20th day of May, 2013.

Published: 05/29/2013
Effective: 06/18/2013

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 Potts, second by Bestgen and carried with all members present voting yes to approve the Use of City Property from the Sturgis Wild West Days/ PRCA Rodeo event held on June 14-16 from 12:00 pm to 6:00 pm contingent that the insurance and deposit is provided prior to the event. Estimated labor and equipment costs \$4,760. Councilor Potts asked that a policy be written on waiving fees for future events.

Any other business:

Conald Petersen had comments for the Council.

Motion by Waterland, second by Johnston and carried with all members present voting yes to go into executive session for personnel and contracts at 8:29 pm.

Motion by Bestgen, second by Johnston and carried with all members present voting yes to return to regular session at 9:35 pm.

Mayor Carstensen adjourned the meeting at 9:35 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$