

## 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, June 3, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Branden Bestgen, Mike Bachand, David Hersrud, Marcia Johnston, Tim Potts, and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Kelly Vasknetz and Jason Anderson.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

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

### Announcements:

- The Public Works Department will be doing smoke testing of the sewer lines the next two days.
- Mayor Carstensen complimented the Public Works and Parks Department for how great the town looked for Memorial Day.
- Councilor Johnston announced that there will be a mixer at the Sturgis Motorcycle Museum on June 4<sup>th</sup> from 5:00 pm to 7:00 pm for the public.

### Informational Reports:

- Due to technical difficulties the Info Router presentation will be given at the next Council meeting.

### City Manager Ainslie reported:

- Sales tax for the General Fund and Capital Improvement funds is up 6.6% and the Gross receipts tax (Triple B) is down by 5.3%.

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

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve the following claims:

**Wages** – Ambulance \$14,629.11; Attorney \$2884.62; Auditorium \$494.24; Buildings \$688.07; Cemetery \$2284.53; City Manager \$4844.55; Community Center \$8832.00; Finance Office \$8547.33; Fire Department \$1778.99; Human Resource \$2171.81; Library \$8591.51; Liquor \$4341.00; Mayor and Council \$4291.05; Parks \$11,591.20; Planning & Permitting \$3127.12; Police \$33,000.22; Rally \$3299.21; Recreation \$2668.69; Sanitary Service \$10,587.55; Streets \$9538.89; Wastewater \$15,231.65; Water \$14,482.60; Federal Withholding \$16,651.92; FICA \$12,241.91.

**General** – A&B Business, \$323.92, rent; A&B Welding, \$78.11, repair; Amazon, \$602.50, supp; Amcon, \$349.79, merch for resale; American Legal Services, \$57.92, prof fee; Avaya, \$36.39, util; Baker & Taylor, \$374.52, supp; Elton Barden, \$60.00, prof fee; Bryan Beaulieu, \$60.00, prof fee; BH Chemical, \$985.89, supp; BH Power, \$1801.03, util; Jerry Burnham, \$2490.92, prof fee; Century Business, \$69.56, supp; Community Center Petty Cash, \$6.60, supp; Crouch Recreational Design, \$114.00, supp; Custom Cage, \$390.00, equip; Display Sales, \$188.00, accts pay; Ebsco Subscription, \$8.80, supp; Fastenal Co, \$99.65, repair; First Western Insurance, \$2672.80, insur; Foothills Seed, \$141.25, supp; G&H Distributing, \$169.76, repair; Gaylord Brothers, \$328.44, supp; Hauff Mid-America Sports, \$497.25, supp; Heds, \$211.00, travel; Hersrud, \$449.88, repair; J&L Services, \$50.00, repair; KT Connections, \$237.99, repair; KBHB, \$200.00, supp; Knology, \$2040.65, util; Lighting Maintenance, \$1174.11, repair; Autumn Lyons,

\$6.00, supp; Meade Co Register of Deeds, \$90.00, plat fees; Meade Co Auditor, \$2995.53, other; Meade Co Times, \$36.00, publ; Midcontinent Communications, \$41.59, util; Neve's Uniforms, \$1340.81, supp; Northwest Parkway, \$4.05, travel-rally; Peterson Automotive, \$104.00, repair; Polar Engraving, \$9267.00, merch for resale; Public Safety Equip, \$281.00, repair; Quill Corp, \$60.00, supp; Ramaker & Assoc, \$1046.00, prof fee; Rapid City Journal, \$193.75, supp; Richter's Tire, \$11.98, repair; S&C Cleaning, \$2356.00, maint; Salem Press, \$420.00, supp; Sand Creek Printing, \$152.00, supp; Sanitation Products, \$740.61, repair; Schwans, \$52.31, merch for resale; SD Federal Property, \$21.00, supp; SD Gov't Finance Office Assn, \$150.00, travel; SD Human Resource Assn, \$80.00, travel; Shopko, \$4.76, supp; Sirche Finger Print Laboratories, \$240.50, supp; Dave Smith, \$500.00, grp insur; Speedy Lube, \$38.12, repair; Laura Swanson, \$340.25, travel; TASC, \$881.09, grp insur; Tom's T's, \$394.65, other; Town-N-Country Plumbing, \$100.42, repair; Twilight First Aid, \$192.35, supp; Two Wheeler Dealer, \$117.27, supp; Weimer's Diner, \$16.80, other; West River International, \$120.84, supp; John Williams, \$215.00, supp.

**Special Sales Tax** – Chamber of Commerce, \$15,073.48, chamber; SEDC, \$7750.00, ind dev.

**Capital Improvement** – Brosz Engineering, \$94.24, cap imp; Fourfront Design, \$10,030.51, cap imp.

**Liquor** – Amcon, \$2687.10, cig for resale; Century Business, \$1.19, supp; Knology, \$148.16, util; TASC, \$47.20, grp insur.

**Water** – BH Power, \$638.23, util; Knology, \$93.33, util; MDU, \$8.75, util; S&C Cleaning, \$310.00, maint; TASC, \$110.14, grp insur.

**Wastewater** – American Engineering Testing, \$1452.90, prof fee; BH Power, \$1942.47, util; Faris Machinery, \$49.43, repair; Key City Glass, \$15.00, repair; Optimist Club, \$75.00, other; Rapp Sales, \$83.35, repair; S&C Cleaning, \$217.00, maint; TASC, \$62.94, grp insur; West River International, \$66.40, repair.

**Sanitary Service** – A&B Welding, \$179.94, repair; BH Power, \$254.40, util; Century Business Leasing, \$195.76, prof fee; Century Business Products, \$84.65, prof fee; Century Link, \$59.99, util; Fastenal, \$22.06, repair; S&C Cleaning, \$217.00, maint; TASC, \$110.18, grp insur; West River International, \$610.64, repair; Wrangler Inn, \$309.60, travel.

**Ambulance** – Caudill Leavitt Insurance, \$324.00, insur; Century Business, \$34.61, supp; Feld Fire, \$148,117.00, cap imp; Shawn Fischer, \$20.00, grp insur; Heds, \$119.00, travel; Holiday Inn, \$84.00, Knology, \$86.96, util; Purchase Power, \$76.06, supp; Julie Schmidt, \$20.00, grp insur; TASC, \$94.45, grp insur; Weimer's Diner, \$34.20, supp.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve the Use of City Property for Sturgis Chamber of Commerce for the Wild West Days Sturgis Quasiquicentennial Parade on June 14<sup>th</sup> from 5:00 pm to 6:00 pm.

Motion by Waterland, second by Johnston and carried with Carstensen, Hersrud, Johnston, Waterland, Potts and Bestgen voting yes, Bachand abstaining, to approve the renewals of the On-Off sale Malt Beverage and Wine license and Off-Sale Malt Beverage Licenses for 2013-2014.

**Package (off-sale)**

1. Shopko #759 – Shopko Stores Operating Co., LLC, 2105 Lazelle (This includes SD Farm Wine)
2. Fresh Start Convenience Stores, Inc – Fresh Start Sturgis, 2620 Lazelle
3. Fresh Start Convenience Stores, Inc – Fresh Start Sturgis Conoco, 2350 Lazelle
4. CBH Cooperative – CBH Cooperative, 2030 Lazelle
5. Lynn's Discount Foods – Lynn's Dakotamart – 1111 Lazelle
6. Kan-Meyer Inc – Grocery Mart, 2216 Junction (This includes SD Farm Wine)
7. Nash Enterprises Inc. – Kwik Mart – 2217 Junction Ave

8. Rick & Brandy Jacobs – Jacobs Auto Repair – 1412 Junction Ave

**Retail (on-off) Sale**

1. Shifter's Holdings LLC – Shifter's Café and Bar, 1025 Junction Ave
2. Sturgis Events LLC – Sturgis Events, 1231 Lazelle
3. Lybeck's Twenty-First Century Inc – Shenanigan's Casino, 935 Main St
4. Glen and Suzanne Bailey, LLC – Big Bertha's Biker Bar, 1123 Main St
5. Sturgis Strikers LLC – Sturgis Strikers – 910 1st Street
6. Days End Campground Inc – Days End Campground, 2501 Avalanche Rd  
(This includes SD Farm Wine)
7. Main & Fourth Inc., Main & Fourth Inc. - 1343 Main St
8. Country Stores, Inc. - BJ's Country Store, 2640 Lazelle St
9. Jim Mason – Gold Pan Pizza, 1133 Main St
10. Poker Alice Casino LLC – Poker Alice Casino, LLC, 2640 Lazelle St
11. Dungeon Bar, Inc – Royal Flush Casino & Sport Bar, 1030 Main St
12. Buffalo Bills Corp – Buffalo Bill's Casino, 1544 Lazelle
13. Black Hills Pizza Hut of Sturgis – Pizza Hut of Sturgis, 2249 Lazelle
14. Sturgis Wine Company – Sturgis Wine Company – 1117 Main Street
15. MAJR, LLC – Sturgis Coffee Company, 2275 Lazelle Street
16. Charley's Sturgis Classic Bike Event – Charley's, 947 Main Street
17. Moyle Petroleum Co. – Common Cents Food Store – 2421 S. Junction Ave
18. Joseph Lupo – The Sturgis Trading Post, LLC, dba The Bank
19. Willie Nillie Inc. – Willie Nillie – 2715 Lazelle St. Suite D
20. Billy & Jason Fields – Rosco'z, 976 Lazelle
21. Sturgis Water Works Com LLC - JJ Davenport's – 1020 Junction Ave.
22. Sung Jin Kang – Kang San 2 – 2715 Lazelle St. STE B
23. Main Street Grill, Inc. – Bob's Family Restaurant – 1039 Main St.
24. Old West Enterprises, LLC – Pizza Ranch of Sturgis – 2711 Lazelle St.
25. Sturgis RV Park, LLC – Sturgis RV Park, LLC – 1175 W Woodland (This includes SD Farm Wine)
26. Fresh Start Convenience Stores, Inc – Fresh Start Conoco, 990 Lazelle (This includes SD Farm Wine)

Motion by Johnston, second by Waterland and carried with all members present voting yes to approve the Use of City Property and change to the Street Closure (Main Street from 3<sup>rd</sup> Street to 4<sup>th</sup> Street until 12:00 a.m. on the 29<sup>th</sup>) for the Sturgis Camaro Rally to be held on June 27 to 30, 2013.

Motion by Bestgen, second by Hersrud and carried with all members present voting yes to approve the Use of City Property – Right-of Way closure – Sturgis Motorcycle Museum. The Street will be closed on August 3<sup>rd</sup> from 10:00 am to August 4<sup>th</sup> at 1:00 am and there will be an alternate rain day of August 4<sup>th</sup> at 10:00 am to August 5<sup>th</sup> at 1:00 am. The sidewalk would be closed from July 31<sup>st</sup> to August 4<sup>th</sup> for the unveiling of the new 2014 Indian Motorcycle.

Motion by Potts, second by Johnston and carried with all members present voting yes to approve the application for an on-off sale Wine License for The Sturgis Trading Post dba The Bank – Joseph Lupo.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve the following payroll changes: Police Dept – Certified Police Officer – Wade Deuter to full-time – no wage change; Austin Peterson – part-time \$18.28. Cemetery Dept – Seasonal Cemetery – Lane Cermak - \$7.50. Parks Dept – Seasonal Parks – John Jordan, Madison Olson - \$8.00; Chase Tieman - \$7.50. Public Works Dept – Street Superintendent – Marty Plaggemeyer - \$2057.69

finalization of promotion. Liquor Store Dept – Summer Seasonal/Rally – Sue Smith - \$8.25; Temp Rally – Brian Littleton - \$8.50; Seth Bachand, Seth McCann, Tim McCann - \$8.25; Levi Brownell, Mike Bradley, Tommy Cook, Priscilla Lewis - \$8.00. Community Center Dept – Lifeguard part-time – Sally Pickett - \$8.00; Chloe Dekraai - \$7.25. Sanitation Dept – Recycling Helper part-time seasonal– TBD - \$8.25. Ambulance Dept – Director – Shawn Fischer - \$2115.38 finalization of promotion; EMT-B part-time – Elizabeth Barker, Dustin Barry, Tyler Dick, Mackenzi Rogers; Paramedic part-time – Jerid Jeske, Andrea Waagen. Consideration for new pay/compensation:

- EMRs: \$10.00 per hour
- EMT-Basic: \$12.00 per hour (starting wage)
- EMT-Basic with 3 years' service with City and an average of 900 hours worked annually for the past 3 years as an EMT-Basic: \$12.50 per hour
- EMT-Intermediate: \$14.00 per hour (starting wage)
- EMT-Intermediates with 3 years' service with City and an average of 900 hours worked annually for the past 3 years as an EMT-Intermediate: \$14.50 per hour
- EMT-Advanced: \$15.00 per hour (starting wage)
- EMT-Advanced with 3 years' service with City and an average of 900 hours worked annually for the past 3 years as an EMT-Intermediate or EMT-Advanced: \$14.50 per hour
- Paramedic: \$17.00 per hour (starting wage)
- Paramedics with 3 years' service with City and an average of 900 hours worked annually for the past 3 years as a Paramedic: \$17.25 per hour
- Critical Care Paramedics: \$17.50 per hour (starting wage)
- Critical Care Paramedics with 3 years' service with City and an average of 900 hours worked annually for the past 3 years as a Critical Care Paramedic: \$17.75 per hour

Bachand introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-24  
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 Legion Meade Post 33 has submitted an application to conduct a public raffle within the City of Sturgis beginning on June 30, 2013 and continuing until September 2, 2013 at which time the lottery prizes will be awarded by a drawing at 5:00 pm each Monday beginning on Labor Day September 2, 2013 for 25 weeks at the Sturgis Veterans Club, and

**WHEREAS**, the American Legion Meade Post 33 presented its application to conduct this lottery to the City Finance Office on May 16, 2013 and seeks to commence and seeks to begin to sell such raffle tickets on June 30, 2013, and

**WHEREAS**, the request of the American Legion Meade Post 33 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 Legion Meade Post 33 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 3<sup>rd</sup> day of June, 2013.

Published: 06/12/2013

Effective: 07/02/2013

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

Randy Bender, representing Action for the Betterment of the Community (ABC), explained a new program that ABC will implement in the next two weeks. The program is called Reward & Reminder which was coordinated with the local Law Enforcement and approved by the States Attorney which involves a series of supervised visits that involve trained adults and minors that inform merchants about laws on underage sales of tobacco and alcohol. This will help the merchants to establish good compliance records.

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve the only bid received for Rally Catering from Beyond Basil in the amount of \$22,642.

Motion by Waterland, second by Bachand and carried with all members present voting yes to approve first reading of Ordinance 2013-07 Title 3 – Licensing & Regulation of Alcohol, Malt Beverage & Drinking Establishments – 3.02.16 Area Limited.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-08 Title 37 – City Transit – 37.01.01 Purpose, 37.02.05 Application, 37.02.09 License to be Displayed on Vehicle, 37.02.10 Minimum Limits of Insurance Coverage, 37.02.13 Driver’s Licenses Required.

Motion by Potts, second by Bachand and carried with all members present voting yes to approve first reading of Ordinance 2013-09 Title 11 – Health & Sanitation – 11.05.31 Sewer Use Charges.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-10 Title 31 – Licensing of Temporary Businesses – 31.02.10 Sales & Marketing Within the Right of Way, 31.02.02 Peddling in Parks.

Motion by Potts, second by Johnston and carried with Bachand, Carstensen, Hersrud, Johnston, Potts and Waterland voting yes, Bestgen voting no, to approve the downtown façade improvement program. The loans will be set at a maximum of \$25,000 with the possibility of 6 loans in the downtown area (BID) being made on a first come, first serve bases, The loan will be secured through a mortgage on the property which would be subordinate to other loans. The loans would be amortized for 10 years at 3% interest with no balloon. The total loan to value ratio would not be allowed to exceed 200% of the assessed value. There would also be a \$1000 grant offered if the applicant meets all criteria, the loan would need to be at least \$15,000 and the work would need to be done by December 31, 2013. . The monthly payments may be adjusted to fit the cash flow that is unique to each building, though payments would need to be made each year.

Any other business:

Arvid Meland had concerns about street repair and pot hole patching. Public Works Director Rick Bush stated that due to the weather he has not been able to schedule any repairs or patching of the streets, but will as soon as the weather improves.

Councilor Hersrud asked that the staff pursue getting a feasibility study on having a movie theater in town. Hersrud also asked about the sidewalk repair project and if citizens can tie into a City bid to repair their sidewalks.

Councilor Bestgen asked that a wage study be done. The Legal and Finance committee has been reviewing wage studies on 20 positions within the City.

Potts leaves the meeting at 8:15 pm.

Motion by Hersrud, second by Bestgen and carried with all members present voting yes to go into executive session for personnel and contracts at 8:17 pm.

Motion by Waterland, second by Johnston and carried with all members present voting yes to return to regular session at 11:04 pm.

Motion by Bachand, seconded by Bestgen and carried with all members present voting yes to adjourn the meeting at 11:04 pm.

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

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

Published once at the total approximate cost of \$