

## 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, August 19, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, David Hersrud, Marcia Johnston, Tim Potts 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 Hersrud, second by Bachand and carried with all members present voting yes to approve the agenda.

### Announcements:

- Councilor Bestgen thanked the Public works department for striping Ball Park Road.
- Mayor Carstensen reported that the mill and overlay to be done on Lazelle Street by the State has a completion date of October 25<sup>th</sup>. They should start on the project in late September or early October.
- Mayor Carstensen and Councilor Bachand thanked all the City employees for a job well done during the Rally.
- Joe DesJarlais said that his rally goers said it was the best Rally ever.

### Informational Reports:

Julie Moore Petersen, Library Director gave an update on her department:

- The Library received a \$12,610 grant from South Dakota Broadband Technology Initiative for 17 computers, two switches and 4 additional wireless access points. Second largest grant award to a library.
- The Children's room remodel is completed. There will be a full-time Children's Librarian next year.
- The Library will be expanding and adding new programs this fall and winter. This will include kids programs, family programs, and adult programs.
- The Library will be working with the new director of the assisted living facility Aspen Grove to set up floating library collections in their activity room.
- Our 5<sup>th</sup> annual Library card sign up event will be September 10<sup>th</sup>.

Daniel Ainslie, City Manager gave an update on his projects over the past 2 months:

- The City Manager's office has applied for 3 grants and hopefully the City will receive at least one of them.
- We have been working on the 2014 budget.
- Negotiations with the two unions continue, with one union accepting the City's offer.
- Several agreements with the County have been negotiated.
- Several ordinances have been worked on.

City Manager Ainslie reported:

- The 2013 budget is at 58% of the calendar year with General Fund at 48%, Special Sales Tax at 68%, Capital Improvements at 83%, Liquor at 44.5%, Water at 139%, Wastewater at 50%, Sanitation at 41% and Ambulance at 105%. Total budget expense is at 46.8%
- Starting Wednesday there will be listed on the City website a request for proposals for the Francis Case property. We will take proposals through the end of September for residential development of this property.

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

Motion by Potts, second by Waterland and carried with Anderson, Bachand, Bestgen, Carstensen, Potts and Waterland voting yes and Hersrud and Johnston abstaining to approve the following claims with the exception of **General**- Johnston Hardware, \$386.53, supp; **Water**- Cetec, \$14,245.45, prof fee; Johnston Hardware, \$29.98, supp; Maguire Iron, \$79,280.00, cap improve; Mainline Contracting, \$105,092.47, prof fee; **Sanitary Service**- Hersrud, \$208.01, repair; **Ambulance**- Johnston Hardware, \$103.30, supp:

**Wages** – Ambulance \$53,534.14; Attorney \$5769.24; Auditorium \$1512.84; Buildings \$1600.00; Cemetery \$7401.75; City Manager \$8836.26; Community Center \$30,033.73; Finance Office \$19,056.15; Fire Department \$14,187.77; Human Resource \$4343.62; Library \$17,349.95; Liquor \$22,538.28; Mayor and Council \$6666.54; Parks \$35,643.56; Planning & Permitting \$14,916.76; Police \$322,587.46; Rally \$28,818.17; Recreation \$7745.14; Sanitary Service \$23,883.28; Sponsorship \$4383.00; Streets \$21,602.83; Wastewater \$15,305.82; Water \$28,459.26; Federal Withholding \$75,870.56; FICA \$52,045.60.

**General** – A&B Business, \$654.15, supp; A&B Welding, \$76.15, supp; A&J Surplus, \$433.02, supp; Amcon, \$1850.34, merch for resale; American Legal Services, \$57.92, prof fee; Associated Supply Co, \$189.84, supp; AT&T Mobility, \$1614.27, util; Avaya, \$36.39, util; Dusty Barker, \$30.00, other; BH Tent & Awning, \$81.16, supp; BH Chemical, \$2239.80, supp; BH Harley Davidson, \$2031.66, repair; BH Power, \$17,006.42, util; BH Trails, \$3300.00, other; BH Urgent Care, \$244.12, prof fee; Bunzl Distribution, \$8025.95, supp; Butte Electric, \$415.74, util; Campbell Supply, \$982.11, supp; Caselle, \$527.99, prof fee; CBH Cooperative, \$21,222.80, supp; Century Business Products, \$103.98, supp; Chamber of Commerce, \$185.00, other; City of Sturgis Police Petty Cash, \$14.05, supp; City of Sturgis Rally Petty Cash, \$90.81, supp; Coca Cola, \$6371.40, merch for resale; Dakota Backup, \$1536.77, prof fee; Dakota Spray Equipment, \$148.00, repair; Diamond Vogel Paints, \$113.76, supp; Display Sales, \$3255.00, contribution; Double Star Computing, \$1669.62, prof fee; ET Sports, \$111.30, repair; Ecolab Pest, \$336.42, maint; Energy Lab, \$21.20, maint; Epic Outdoor Advertising, \$800.00, supp; Fastenal Company, \$104.36, supp; Fedex, \$211.37, supp; First Interstate Bank, \$5697.65, supp; Freeman Electric, \$102.04, repair; FSH Communications, \$60.00, util; G&G Enterprises, \$2699.50, merch for resale; G&H Distributing, \$40.32, supp; Lyonel Gammon, \$161.25, mayor's ride refund; Glover Investments, \$600.00, rally; Goldmine International, \$5085.25, city promo-rally; Great Western Tire, \$131.40, supp; Grocery Mart, 52.00, other; Hills Materials, \$4438.70, supp; Robert Holm, \$143.00, prof fee; Jacobsen Ford, \$62.85, repair; Ketel Thorstenson, \$3033.90, prof fee; Lecal Equipment, \$94.94, repair; Legends Sales & Marketing, \$58,064.57, prof fee; Kathryn Lemmel, \$350.00, other; Lighting Maintenance, \$40.22, supp; Lynn's Dakotamart, \$518.84, supp; Marco, \$40.75, maint; Meade Co Auditor, \$3364.40, util; Meade Co Times, \$36.00, supp; Meade Co Times, \$681.73, publ; Menards, \$165.70, supp; Midcontinent Communications, \$41.56, util; MDU, \$2562.26, util; Motoring USA, \$19,395.00, prof fee; Ben Mumm, \$167.40, supp; Neve's Uniforms, \$744.48, supp; Newkirks Ace Hardware, \$37.98, supp; Northwest Pipe Fittings, \$215.49, supp; O'Reilly Auto Parts, \$93.20, repair; Owens Interstate Sales, \$341.26, repair; Pete Lien & Sons, \$285.63, supp; Dane Pi, \$30.00, other; Pitney Bowes, \$120.56, rent; Play With Gravity, \$5200.00, prof fee; Powerplan, \$44.21, repair; Print Mark-et, \$920.67, publ; Professional Pavement Products, \$1125.40, repair; Purchase Power, \$424.66, supp; Rapid City Journal, \$136.95, publ; Rapid Delivery, \$10.80, repair; Rasmussen Mechanical Services, \$5330.61, prof fee; Robert Sharp & Assoc, \$12,991.30, prof fee; Rockingtree Floral, \$34.95, supp; Rockingtree Landscape, \$614.90, supp; Rushmore Communications, \$312.00, repair; Rushmore Office, \$2784.32, supp; Sam Erion Construction, \$24,883.47, prof fee; Schwans, \$357.22, merch for resale; SD Federal Property Agency, \$15.00, supp; SD Public Assurance Alliance, \$103.77, insur; Semmler Construction, \$600.00, supp; Servall, \$3045.24, supp; Sherwin-Williams, \$185.51, supp; Shopko, \$518.38, supp; Signs Now, \$359.00, sup; St Francis Alter Society, \$10,064.00,

other; Christina Steele, \$36.41, other; Sturgis Napa, \$449.21, repair; Taser International, \$1499.25, supp; Chad Thomas, \$195.00, other; Tom's T's, \$244.55, supp; Tour Ice, \$1421.45, supp; Town-N-Country, \$390.12, repair; Twilight, \$285.85, supp; United Rentals, \$1085.82, repair; United Way, \$160.00, travel; Vanway Trophy, \$131.95, other; Brenda Vasknetz, \$62.28, supp; Verizon, \$118.56, util; Kristie Wagner, \$2500.00, prof fee; Warne Chemical, \$31.20, repair; West Payment Center, \$121.18, supp; West River Electric, \$461.60, util; Whisler Bearing, \$50.70, repair; WOW!Business, \$792.70, util; Zylstra Body & Frame, \$1617.81, repair.

**Capital Improvement** – BH Chemical, \$8925.00, cap imp; Corr Construction Services, \$79,420.00, cap imp.

**Revolving Fund Loan** – Brosz Engineering, \$4740.00, other.

**Liquor** – AT&T Mobility, \$54.40, util; Campbell Supply, \$33.16, repair; Century Business, \$1.21, supp; Coca Cola, \$766.70, pop for resale; Double Star Computing, \$99.09, prof fee; Eagle Sales, \$44,372.81, off sale beer; Ecolab Pest, \$98.03, repair; First Interstate Bank, \$423.04, other; Fisher Beverage, \$27,704.35, off sale beer; Freeman Electric, \$900.00, repair; Johnson Western Wholesale, \$65,347.38, off sale liquor; Lynn's Dakotamart, \$7.65, other; M&B Enterprises, \$324.20, snacks for resale; MDU, \$10.43, util; Pepsi Cola, \$243.00, pop for resale; Prairie Berry, \$3744.00, off sale liquor; Print Mark-et, \$61.38, publ; Republic Beverage Co, \$80,940.97, off sale liquor; Rushmore Office, \$28.23, supp; SD Public Assurance Alliance, \$589.42, insur; Servall, \$229.28, supp; Sturgis Cigar & Knife Co, \$219.25, tobacco for resale; Tour Ice, \$1559.35, merch for resale.

**Water** – A&B Business, \$277.33, supp; Ron Adam, \$3.66, refund; American Water Works Assn, \$190.00, prof fee; AT&T Mobility, \$234.13, util; BH Power, \$14,959.94, util; Butte Electric, \$1451.88, util; Campbell Supply, \$94.56, supp; Caselle, \$382.34, prof fee; CBH Cooperative, \$1146.33, supp; Century Business, \$.68, supp; Chris Supply, \$44.08, supp; Credit Collections Bureau, \$14.10, prof fee; Dakota Backup, \$209.56, prof fee; Double Star Computing, \$9.09, prof fee; Ecolab Pest, \$58.30, prof fee; Hawkins, \$40.00, supp; HD Supply Waterworks, \$1421.44, supp; Hills Materials, \$480.70, other; Lynn's Dakotamart, \$27.87, supp; Meade Co Times, \$41.37, publ; Menards, \$7.96, supp; Midcontinent Testing Lab, \$324.00, prof fee; MDU, \$289.42, repair; Pollardwater.com, \$185.77, supp; Postmaster, \$200.00, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$108.26, supp; Sacrison Paving, \$782.14, repair; SD Public Assurance Alliance, \$155.66, insur; Sensus Metering Systems, \$1524.60, prof fee; Servall, \$17.79, repair; Shopko, \$29.54, supp; SD One Call, \$128.76, pro fee; Sturgis Napa, \$25.17, supp; Twilight, \$442.90, supp; Arlene Utal, \$30.71, refund; Larry Weishoff, \$42.29, refund; WOW!Business, \$34.83, util.

**Wastewater** – AT&T Mobility, \$300.54, util; BH Power, \$2420.26, util; Chain Saw Center, \$183.29, repair; City of Belle Fourche, \$40.06, other; Double Star Computing, \$9.09, prof fee; Energy Lab, \$235.00, prof fee; Flexible Pipe Tool, \$234.31, repair; Great Western Tire, \$128.70, supp; Jenner Equipment, \$183.68, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$4.23, supp; Sturgis Napa, \$70.86, repair; USA Blue Book, \$31.63, supp; Verizon, \$46.40, util.

**Sanitary Service** – AT&T Mobility, \$77.34, util; BH Power, \$13.00, util; Campbell Supply, \$97.01, repair; CBH Cooperative, \$4813.98, supp; Century Business Leasing, \$195.76, prof fee; Century Link, \$57.76, util; City of Belle Fourche, \$21,800.49, other; Double Star Computing, \$9.09, prof fee; Great Western Tire, \$85.00, supp; Owens Interstate, \$724.07, repair; Powerplan, \$1299.43, repair; Print Mark-et, \$61.50, publ; Rapid Delivery, \$21.60, repair; Rushmore Office, \$21.22, Safety Vision, \$81.45, repair; Sanitation Products, \$419.44, repair; Sheehan Mack Sales, \$59.31, repair; Sturgis Napa, \$319.93, repair.

**Ambulance** – Best Western Sturgis Inn, \$867.12, travel; BH Power, \$892.94, util; Campbell Supply, \$31.96, supp; Caudill Leavitt Insurance, \$412.00, insur; CBH Cooperative, \$2219.24, supp; Coca Cola, \$97.60, supp; Double Star Computing, \$24.09, prof fee; First Interstate Bank, \$1881.21, supp; Great Western Tire, \$117.56, supp; Hunsleys Tint, \$400.00, equip; Lynn's Dakotamart, \$34.28, supp; Menard's, \$395.48, supp; MDU, \$23.06, util; Owens Interstate, \$24.12, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$51.49, supp; Shopko, \$171.31,

supp; Sturgis Napa, \$298.40, supp; Tom's T's, \$3544.35, supp; Verizon, \$22.06, util; WOW! Business, \$82.52, util.

Motion by Johnston, second by Waterland and carried with Anderson, Bachand, Bestgen, Carstensen, Hersrud, Johnston and Waterland voting yes, Potts abstaining, to approve the following claims: **Water**- Cetec, \$14,245.45, prof fee; Maguire Iron, \$79,280.00, cap improve; Mainline Contracting, \$105,092.47, prof fee.

Motion by Bestgen, second by Waterland and carried with Anderson, Bachand, Bestgen Carstensen, Potts and Waterland voting yes, Hersrud and Johnston abstaining, to approve the following claims: **General**- Johnston Hardware, \$386.53, supp; **Water**- Johnston Hardware, \$29.98, supp; **Sanitary Service**- Hersrud, \$208.01, repair; **Ambulance**- Johnston Hardware, \$103.30, supp.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve a Special Events License for the Loud American at the Sturgis City Armory for the Ag Banquet social and street dance on September 21, 2013.

Hersrud introduced the following written resolution and moved to approve the use of city property by the Sturgis Chamber for Harvest Days & Ag Appreciation Banquet at the Armory on September 21, 2013:

#### **RESOLUTION 2013- 46**

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

WHEREAS the Sturgis Area Chamber of Commerce is sponsoring an Ag Appreciation Banquet on September 21, 2013, as an event to recognize the importance of agricultural activities to the City of Sturgis and the surrounding area, and

WHEREAS the City of Sturgis has supported this purpose of the Sturgis Area Chamber of Commerce in producing this event in past years, and

WHEREAS the Sturgis Area Chamber of Commerce organizers have requested the designation of an open container area within a portion of the public property of the City of Sturgis to hold a street dance in conjunction with the Banquet, and

WHEREAS the request from the Sturgis Area Chamber of Commerce is permitted under the authority of state law;

NOW THEREFORE IT IS HEREBY RESOLVED as set forth herein that the Sturgis City Council shall hereby establish an open container area on September 21, 2013 from 5:30 pm to 12:00 am on that public property open to the public, within area described as follows:

Along the South side of the City auditorium building adjacent to the area of the Special Event License issued by the Council for the Ag Appreciation Banquet on September 21, 2013, then bounded on the East beginning at the point of the East exit door of the City Auditorium, then South to the public sidewalk, then extending East to the paved portion of Junction Avenue at its intersection with Main Street, then proceeding South along Junction Avenue to the curb on the South side of Main Street, then extending West along that curb approximately 215 feet, and then extending North at point from the curb on a line on a line running North to the Southwest corner of the City auditorium Building.

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 any City Property not open to the public, and does not include any private property within the open container area.

Dated this 19th day of August, 2013.

Published: 08-28-2013

Effective: 09-11-2013

Bachand seconded the motion for the adoption of the foregoing resolution and use of city property with all members present voting yes for both items and the resolution was declared passed and adopted.

Motion by Potts, second by Johnston and carried with all members present voting yes to approve the following payroll changes: Library Dept – Librarian – Mary Ann Simon – full time to part time - \$8.00. Police Dept – Rally Sergeant – Darrel Hatzenbuhler - \$20.50, Sean Briscoe - \$22.34; Temp Head Food Service – Wanona Manderfield - \$18.50; Temp Day Secretary – Deb Looby - \$13.00; Temp Head Night Secretary – Vicki Bush - \$18.50. Community Center – Lifeguard – Justin Ashburn - \$7.25; Rally Towel Attendant – Daniel Duprel - \$8.50. Public Works Dept – Rally Street crew helper – Daniel Meirose - \$10.50. Ambulance Dept – end stipend - Chief of Police Jim Bush – return to \$2783.19/month. Fire Dept – end stipend – Chief Tom Trigg, Asst Chief Shawn Barrows, and Asst Chief Brent Lyons – volunteer status only. Liquor Dept – Rally part-time Sales Clerk - \$10.00.

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-45  
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 - Tops Trotters Relay for Life Team has submitted an application to conduct a public raffle within the City of Sturgis beginning on August 31, 2013 and continuing until July 18, 2014 at which time the lottery prizes will be awarded by a drawing at 9:30 pm at the Sturgis Park Woodland Shelter on July 18, 2014, and

**WHEREAS**, the American Cancer Society - Tops Trotters Relay for Life Team presented its application to conduct this lottery to the City Finance Office on July 23, 2013 and seeks to commence and seeks to begin to sell such raffle tickets on August 31, 2013, and

**WHEREAS**, the request of the American Cancer Society - Tops Trotters Relay for Life Team 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 - Tops Trotters Relay for Life Team 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 19<sup>th</sup> day of August, 2013.

Published: 08-28-2013

Effective: 09-11-2013

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

Motion by Bachand, second by Waterland and carried with all members present voting yes to approve first reading of Ordinance 2013-13 – Title 18 – Adult Oriented Business (AOB).

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-14 – 2014 Appropriations (Budget).

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve authorizing the Mayor to sign the amended agreement with the SD Aeronautics Commission for reconstruction of the airport runway and lighting.

Motion by Bachand, second by Hersrud and carried with all members present voting yes to approve authorizing the City Manager to sign the renewal agreement with the City of Belle Fourche for the solid waste landfill contract.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve authorizing the Mayor to sign a Joint Use Agreement with Meade County for use of the Erskine Administration Building.

Any other business:

Councilor Anderson asked Parks Director Stock if he thought there were Mountain Pine Beetle trees on the Marcotte property. Most of the trees are on State land and US Forest land. There will be a Mountain Pine Beetle survey done in October of the pine trees in the surrounding area.

Councilor Waterland asked that the staff look at the drainage issues in the City and get a plan on how to fix it and put something in the budget to address the drainage issues.

Councilor Hersrud asked where the City is at on the sidewalk project. The Building Inspector is contacting the people who signed up for the project and should be going out to bid within the next two weeks for the sidewalk project.

Other items discussed: Rally tents that remain up; Liquor Store annex; when the next planning session will be for the Council; off- premise advertising is going on.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to go into executive session for personnel and contracts at 8:13 pm.

Motion by Potts, second by Johnston and carried with all members present voting yes to return to regular session at 9:00 pm.

Motion by Bachand, second by Waterland and carried with all members present voting yes to pay Motoring USA a commission for IAA in the amount of \$2,434.50.

Motion by Bestgen, seconded by Bachand and carried with all members present voting yes to adjourn the meeting at 9:02 pm.

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

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

Published once at the total approximate cost of \$207.86.