

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, October 15, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Mike Bachand, Branden Bestgen, David Hersrud, Marcia Johnston, Tim Potts, Kelly Vasknetz, and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Jason Anderson.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Councilor Johnston made a motion to approve the agenda but withdrew her motion.

Councilor Bachand asked that 10A- Payroll changes be removed from the agenda and discussed in executive session.

A motion was made by Potts, second by Hersrud and carried with Bestgen, Carstensen, Hersrud, Johnston, Potts, Vasknetz, Waterland voting yes and Bachand voting no to approve the agenda as written.

Announcements:

City Manager Ainslie announced that if anyone in the City needs assistance with clean up of down trees or would like to volunteer to help with tree clean up please call 211.

At this time City Manager Ainslie asked that a letter be read into the record giving an overview of the first 4 days of the 2013 snowstorm. Ainslie describe the events of the 4 days and how Public Works, Parks, Police, Water, Fire and Ambulance employees worked throughout the blizzard.

Councilor Waterland, Hersrud, Johnston, Bestgen, Bachand and Mayor Carstensen thanked all the employees including the management that put in the long hours during the storm. Thanks were given to the Community and the youth groups for helping others clean up.

Councilor Hersrud was concerned that we did not get the help that we needed from the Department of Transportation.

Councilor Bachand apologized to Public Works and the Parks for the abuse that they had to take during the storm from some citizens.

City Manager Ainslie reported:

- Sales tax update for the end of September 2013-General Sales Tax and Capital Improvement were up 26.5% and the Gross Receipts Tax (triple B) was up 43.2%. Year to date totals for General Sales Tax and Capital Improvement are up 14.2% with the Gross Receipts Tax (triple B) is up 14.8%.
- The 3rd quarter financial update was given. The financials through the end of September are looking good.
- The 2013 Sturgis Motorcycle Rally Statistics were given to the Council.
- The 2013 USA Pro Supermoto expenses and revenues report was given. City Manager Ainslie asked if the Council would be in favor of having this event in the coming years. The Council was in support of the event, but said there were some issues that would need to be addressed.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve the following items on the consent calendar:

1. Consider approval of the minutes from the September 16, 2013 regular council meeting.
2. Set a public hearing date of November 4, 2013 for a Special Events License for the Knuckle Saloon at the Sturgis Liquor Holiday Open House on November 15 and December 6, 2013.

Motion by Potts, second by Waterland and carried with all members present voting yes to approve the following claims with the exception of **Water** - Cetec, \$4731.50, cap imp; Johnston Hardware, \$21.48, supp:

Wages – Ambulance \$43,301.85; Attorney \$5769.24; Buildings \$2834.83; Cemetery \$5142.57; City Manager \$8580.57; Community Center \$16,737.19; Finance Office \$17,131.68; Fire Department \$5938.24; Human Resource \$4343.62; Library \$16,579.40; Liquor \$7689.29; Mayor and Council \$6666.54; Parks \$23,339.95; Planning & Permitting \$7633.15; Police \$69,091.92; Rally \$6582.33; Recreation \$5065.41; Sanitary Service \$23,431.10; Streets \$18,318.49; Wastewater \$12,266.34; Water \$27,775.86; Federal Withholding \$31,860.92; FICA \$24,336.70.

General – A&B Business, \$568.59, supp; A&B Welding, \$113.09, supp; A-1 Auto Recyclers, \$40.00, repair; Amazon, \$63.03, supp; Amcon Distributing, \$193.36, merch for resale; American Legal Services, \$57.92, prof fee; Animal Health International, \$36.24, prof fee; Avaya, \$36.39, util; Baker & Taylor, \$640.05, supp; Baseline Surveying, \$250.00, prof fee; BH Tent & Awning, \$22.50, repair; BH Power, \$11,746.93, util; BH Receptions, \$294.30, rental-rally; BH Urgent Care, \$55.00, prof fee; Randy Brennick, \$30.00, other; Jerry Burnham, \$2490.92, prof fee; Butte Electric, \$491.10, util; Campbell Supply, \$2.89, repair; Caselle, \$527.99, prof fee; CBH Cooperative, \$17.33, supp; City of Sturgis Water Dept, \$8708.52, util; Coca Cola, \$57.25, supp; Community Center Petty Cash, \$12.40, supp; Corbon Law Enforcement, \$42.95, supp; Double Star Computing, \$360.00, prof fee; Eddies Truck Sales, \$46.54, supp; Fedex, \$69.83, supp; Freeman Electric, \$1191.31, repair; Great Western Tire, \$179.80, repair; Hillyard, \$186.54, supp; Jacobs Auto Repair, \$769.04, supp; Junek’s Service, \$73.56, repair; KT Connections, \$2448.11, supp; Knight Security, \$360.00, repair; Legends Sales & Marketing, \$18,982.16, prof fee; Lynn’s Dakotamart, \$21.79, supp; Harvey Matz, \$25.00, other; MB Tree & Landscape, \$400.00, other; Meade Co Auditor, \$4712.02, other; Meade Co Times, \$36.00, supp; Midcontinent Communications, \$41.59, util; Muscular Dystrophy Assoc, \$75.00, other gen gov’t; Tanya Neuschwander, \$500.00, grp insur; Newman Traffic Signs, \$423.27, supp; OReilly Auto Parts, \$26.91, repair; Park Avenue Car Wash, \$294.80, supp; Alva Payne, \$75.00, cem lot refund; Pitney Bowes, \$322.06, rent; Print Mark-et, \$920.67, publ; Rasmussen Mechanical, \$1990.15, repair; Rockingtree Floral, \$2222.92, supp; Rosenbaum Sign, \$32,950.00, equip; S&C Cleaning, \$3100.00, maint; Sacrison Asphalt, \$493.20, supp; Sage Publications, \$265.14, supp; Sand Creek Printing, \$180.00, supp; Schwans, \$17.85, merch for resale; SD Electrical Commission, \$2290.00, prof fee; Sherwin-Williams, \$3480.85, supp; Tom’s T’s, \$536.63, supp; Twilight First Aid, \$46.50, supp; Two Wheeler Dealer, \$194.12, supp; Pat Urbaniak, \$60.00, other; USA Pro Supermoto, \$350.00, publ-rally; Verizon, \$118.54, util; West Payment Center, \$191.57, prof fee; West River Electric, \$525.20, util; Western Communications, \$517.75, repair; Donald Whitehead, \$30.00, other; WOW! Business, \$168.96, util; Zylstra Body, \$65.00, repair.

Special Sales Tax – Chamber of Commerce, \$8573.48, chamber; SEDC, \$7750.00, ind dev.

Capital Improvement – Brosz Engineering, \$100.00, cap imp; Iverson Construction, \$2378.04, cap imp.

Revolving Fund Loan – Brosz Engineering, \$4400.00, other.

Liquor – BH Power, \$2393.52, util; City of Sturgis Water Dept, \$295.59, util; Freeman Electric, \$350.00, repair; North Country Business Product, \$878.60, prof fee; Print Mark-et, \$61.38, publ.

Water – A&B Business, \$291.21, supp; BDR Investments, \$26.50, publ; BH Power, \$506.64, util; Butte Electric, \$748.15, util; Campbell Supply, \$70.30, supp; Caselle, \$382.34, prof fee;

CBH Cooperative, \$814.89, supp; Central Air Heating-Cooling, \$7787.77, repair; City of Sturgis Water Dept, \$101.77, util; Credit Collections Bureau, \$74.00, prof fee; First National Trust Investment, \$46,186.87, int; Good Construction, \$29.03, publ; Gustafson Builders, \$57.42, publ; Hawkins, \$1861.63, supp; HD Supply Waterworks, \$959.39, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$29.90, supp; Servall Towel, \$11.86, repair; Shopko, \$17.99, supp; Sturgis Napa, \$15.84, supp; Sturgis Water Dept Petty Cash, \$43.25, supp; Utility Refund Vendor, \$536.10, water deposit refund; Weston Engineering, \$1867.54, supp.

Wastewater – Bierschbach Equipment, \$36.00, repair; BH Power, \$1731.94, util; City of Sturgis Water Dept, \$20.52, util; Energy Lab, \$705.00, prof fee; G&H Distributing, \$132.10, supp; Jenner Equip, \$167.99, supp; Print Mark-et, \$61.38, Sheehan Mack, \$754.78, repair; Verizon, \$46.50, util; Wells Plumbing, \$273.09, repair.

Sanitary Service – Century Business Leasing, \$195.76, prof fee; Century Business Products, \$80.69, prof fee; Century Link, \$58.51, util; Print Mark-et, \$61.50, publ; SDSWMA, \$200.00, travel.

Ambulance – Barrows Electric Service, \$244.43, repair; City of Sturgis Water Dept, \$248.93, util; County Drug, \$35.00, supp; Data Form, \$147.50, Double Star Computing, \$90.00, prof fee; Lynn's Dakotamart, \$302.63, supp; Moore Medical, \$60.00, supp; Print Mark-et, \$61.38, publ; Richter's Tire, \$56.99, repair; Scott Peterson Motors, \$492.57, repair; Summit Signs, \$615.00, cap imp; Verizon, \$44.10, util.

Motion by Hersrud, second by Waterland and carried with Carstensen, Bachand, Bestgen, Hersrud, Vasknetz and Waterland voting yes, Potts and Johnston abstaining, to approve the following claims: **Water** - Cetec, \$4731.50, cap imp; Johnston Hardware, \$21.48, supp.

Motion by Bachand, second by Waterland and carried with all members present voting yes to approve a transfer of a Retail on-off sale Malt Beverage & SD Farm Wine License from Fresh Start Convenience Stores to MG Oil dba Corner Pantry, 990 Lazelle.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve a Zoning Variance for Kent and Heather Kreutz, 1147 4th St, for a less then required set back for a garage.

After discussion a motion was made by Bestgen, second by Waterland and carried with Carstensen, Bestgen, Johnston, Potts, Vasknetz and Waterland voting yes, and Bachand and Hersrud voting no, to approve a Zoning Variance for JD Lawson, Sturgis RV Park, 1175 W Woodland, for a less then required set back to allow a shelter for motorcycles.

Motion by Bachand to approve the following payroll changes for 2013 with the stipulation that this be reviewed in January to continue in 2014 : Ambulance Dept – EMT-B - Micky Montanio, Lee Stroschine, Sam Bartels– status change to half time – no wage change, eligible for benefits; Andrea Waagen (Paramedic-Medical Coder/Biller), Sherri Spring (EMT-I –Medical Coder/Biller) – status change to half time with billing job duties - \$1.50 per hour, eligible for benefits. This motion died for lack of a second.

Motion by Potts, second by Johnston and carried with Carstensen, Bestgen, Hersrud, Johnston, Potts, Vasknetz and Waterland voting yes, Bachand voting no, to approve the following payroll changes: Ambulance Dept – EMT-B - Micky Montanio, Lee Stroschine, Sam Bartels– status change to half time – no wage change, eligible for benefits; Andrea Waagen (Paramedic-Medical Coder/Biller), Sherri Spring (EMT-I –Medical Coder/Biller) – status change to half time with billing job duties - \$1.50 per hour, eligible for benefits.

Johnston introduced the following written resolution and moved its adoption:

RESOLUTION 2013-62

**RESOLUTION AUTHORIZING CITY MANAGER TO SIGN EMERGENCY SERVICES
AND/OR EQUIPMENT USE AGREEMENTS**

WHEREAS, the blizzard that struck the City of Sturgis on October 3rd has created a significant demand upon the city and its employees to respond to the emergency created by the store, debris cleanup and significant water flow which continued days after the blizzard had passed, and

WHEREAS, the City's Emergency Response Team as established in accordance to Title 29 has and is continuing to meet to respond to the significant damage throughout the community and to mitigate the loss of property and personal injury and as such has required the use of contracts to assist in the cleanup and mitigation efforts, and

WHEREAS, at the meeting on October 8th, the Meade County Commission passed an Emergency Declaration to start the process of obtaining any available state and/or federal assistance to deal with the blizzard, debris and flooding emergency, and

WHEREAS, the City has adopted the City Manager form of government in place of the traditional Mayor and alderman form of city government, and

WHEREAS, the blizzard caused very substantial damage to the City through down power lines, fallen trees and limbs, and damaged and destroyed structures, and

WHEREAS, the immediate melting of the snow following the blizzard required the city to respond to flood advisories and a flood warning issued by the National Weather Service, and

WHEREAS, the City employees simply did not have the time nor equipment to accomplish, under those extreme weather conditions and in that short period of time, everything that needed to be done to prepare the City for the predicted flooding, and

WHEREAS, the City has on numerous occasions in the past authorized the City Manager to sign contracts on behalf of the city for necessary and required supplies and services, and

WHEREAS, the City recognizes it was necessary and very much in the best interest of public safety for the entire community to do all that was possible in very limited time to prevent the risk of serious flooding within the city of Sturgis, and

WHEREAS, keeping debris out of the creek beds and drainages locating within the City is the best means to get the full benefit of past flood improvements that have been located in the City, and

WHEREAS, the City Manger brought on several private contractors to give emergency support to the efforts of City employees, and

WHEREAS, it was is necessary for the immediate preservation of the health and safety of the residents of the City to have the assistance of those private contractors to protect the health and safety of the community.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Sturgis City Council hereby ratifies those contracts signed by the city manager for such emergency assistance, and Mayor Mark Carstensen is authorized to co-sign those contracts to demonstrate that the City Council has ratified and approved those agreements.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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.

Motion by Potts, second by Waterland and carried with Carstensen, Bachand, Bestgen, Hersrud, Johnston, Potts, and Vasknetz voting yes, Waterland abstained, to approve Use of City Property of the Sturgis Fairgrounds by the White Plate Flat Trackers on August 5 and 6, 2014 and also the future dates of August 4 and 5, 2015 and August 9 and 10, 2016 and there is a understanding that the Fairgrounds might be in a different location.

Motion by Bestgen, second by Bachand and carried with all members present voting yes to approve second reading of Ordinance 2013-15 – Title 14 – Parks & Recreation.

ORDINANCE 2013-15
AN ORDINANCE AMENDING TITLE 14– PARKS AND RECREATION

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 14– Chapter 14.02 – Parks and Recreation Board, Section 14.02.08 – City Council may Prescribe Rules; Section 14.02.09 - City Council may Close Parks and Recreation Areas; Section 14.02.10 –Illegal to Enter Closed Park; Chapter 14.06 – Rules and Regulations, Section 14.06.01 – Hours; Section 14.06.02 - Illegal to Enter or Remain; Chapter 14.07 – Appeal Process is amended to read as follows:

TITLE 14
PARKS & RECREATION

Chapters:

- 14.01: General Provisions
- 14.02: Park and Recreation Board
- 14.03: Use of the Fairgrounds
- 14.04: Authority of Chief of Police to Limit Motor Vehicles in Parks
- 14.05: Urban Forestry Board
- 14.06: Rules and Regulations
- 14.07: Appeal Process

Chapter 14.02
PARK AND RECREATION BOARD

SECTIONS:

- 14.02.01: Park and Recreation Board Established
- 14.02.02: Members, Appointment, Compensation, Bond
- 14.02.03: President, Vice President, Secretary
- 14.02.04: Meetings
- 14.02.05: Powers and Duties
- 14.02.06: Under Authority of Common Council
- 14.02.07: Duties of the President
- 14.02.08: City Council may Prescribe Rules
- 14.02.09: City Council may Close Parks and Recreation Areas
- 14.02.10: Illegal to Enter Closed Park

14.02.08: CITY COUNCIL MAY PRESCRIBE RULES

The City Council may from time to time prescribe any rules, regulations, and responsibilities of the said Park and Recreation Board by amendment to this Title.

14.02.09: CITY COUNCIL MAY CLOSE PARKS AND RECREATION AREAS

The City Council, at its discretion may, from time to time, close any or all of the park and recreation areas in the City to any use or activity whatsoever and prohibit any persons except those authorized by the Chief of Police of the City to enter the park or recreation area. In the event that the City Council desires to close any park or recreation area, it shall consider the recommendation of the City Manager before considering a resolution specifying the park or recreation area being closed and the times it shall be closed.

14.02.10: ILLEGAL TO ENTER CLOSED PARK

It shall be a violation of this Ordinance, subject to the punishment set forth above, for any person to enter any park or recreation area that has been closed by the City Council as authorized by this Chapter.

Chapter 14.06 RULES AND REGULATIONS

SECTIONS:

14.06.01: Hours

14.06.02: Illegal to Enter or Remain

14.06.03: Deposit Required for Use of Shelters

14.06.04: Pets and Animals

14.06.05: Wildlife and Vegetation

14.06.06: Metal Detectors

14.06.07: Authority of City Park and Recreation Board to Regulate

14.06.01: HOURS

The City Parks and recreation areas shall be open to the public from 5:00 a.m. to 10:00 p.m. each day.

14.06.02: ILLEGAL TO ENTER OR REMAIN IN CLOSED PARK OR RECREATION AREA

No person, other than law enforcement officers or other individuals participating in activities authorized by the City, may enter, be present in or remain within any City park or recreation area, including restrooms, parking areas or other support facility areas within park or recreation area boundaries, during the time that such park or recreation area is not open to the public. This prohibition does not apply to traffic moving through such park or recreation area on a designated and developed public right of way. Any person found in violation of this subsection shall be subject to the penalties as set forth at subsection 14.01.03 herein.

Chapter 14.07 APPEAL PROCESS

14.07.01: APPEAL PROCESS

Any person aggrieved by a decision made under this Title shall be entitled to have said decision reviewed by the City Parks Director. If after review the person is unsatisfied, he or she may appeal the decision to the City Manager, and thereafter to the City Council. The process shall be as follows:

- A. An aggrieved person shall first file a written request for review with the City Parks Director setting forth the basis for which he or she believes the decision to be in error. The writing shall also include the person's name and mailing address.
- B. Upon receipt of a written request for review, the City Parks Director shall review his or her decision and mail a written response to the aggrieved person within twenty (20) days.
- C. If the aggrieved person is not satisfied with the decision of the City Parks Director following review, he or she may file a notice of appeal with the City Manager.
- D. If the aggrieved person is not satisfied with the decision of the City Manager following that review, he or she may file a notice of appeal with the Finance Officer. There shall be a twenty-five dollar (\$25.00) fee assessed for filing an appeal, which shall be paid to the Finance Office at the time of filing the notice of appeal
- E. Upon receipt of a notice of appeal, the Finance Officer shall notify the City Council and a public meeting shall be held within thirty (30) days after the date said appeal was filed. The Council shall provide notice to the person specifying the time, date, and location of the hearing.
- F. The Council may notify the aggrieved person of its decision following the hearing, however, the Council shall issue a written decision to the person within twenty (20) days of the hearing.

Dated this 15th day of October, 2013.

First reading: 09/16/2013
Second reading: 10/15/2013
Adopted: 10/15/2013
Published: 10/23/2013
Effective: 11/13/2013

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-16 – Title 11 – Sanitation.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-17 – Title 13 – Offenses and Regulations.

Motion by Bestgen, second by Johnston and carried with all members present voting yes to approve first reading of Ordinance 2013-18 – Title 15 – Streets, Sidewalks and Public Ways.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-19 – Title 25 – Lotteries.

Waterland introduced the following written resolution and moved its adoption:

RESOLUTION 2013 - 55

A RESOLUTION AUTHORIZING CITY MANAGER DANIEL AINSLIE AND MAYOR MARK CARSTENSEN TO SIGN A CONTRACT ADDENDUM BETWEEN OPERATING ENGINEERS LOCAL UNION #49 AND THE CITY OF STURGIS

WHEREAS in 2012, the City of Sturgis entered into a contract with Operating Engineers Local Union #49 to define the employer-employee relationship which exists between the City and those employees covered by the Contract and to enter into a complete contract covering wages, rates of pay, hours or work, and other conditions of employment for the 2013 and 2014 calendar years;

WHEREAS, page 47 of the current Contract specifies that both parties will reopen the contract in 2013 for the purpose of negotiation of wages for the 2014 budget year;

WHEREAS, the parties do hereby acknowledge that both parties have met, conferred, and negotiated in good faith regarding wages for the 2014 calendar year for the employees in the bargaining unit represented by the Operating Engineers as required by the existing Contract;

WHEREAS, the parties do hereby agree that this Addendum to the Contract currently in force between the two parties is the result of the unlimited right and opportunity afforded to each of the parties to make any and all demands and proposals with respect to the wages with respect to the unit of employees covered hereby;

WHEREAS, this addendum is anticipated by page 47 of the Contract now in force;

WHEREAS, both parties have agreed to the following changes for the Contract currently in effect that was executed by both parties on January 2, 2013, have been approved by ballot of the members of this collective bargaining unit and these subsequent changes shall be controlling language for the 2014 year of the collective bargaining agreement;

WHEREAS, a copy of such Addendum to the Contract is attached hereto.

NOW THEREFORE City Manager Daniel Ainslie and Mayor Mark Carstensen are hereby authorized to execute said Addendum for the above intended purposes.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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

Johnston introduced the following written resolution and moved its adoption:

RESOLUTION 2013 - 56

A RESOLUTION AUTHORIZING CITY MANAGER DANIEL AINSLIE AND MAYOR MARK CARSTENSEN TO SIGN A CONTRACT ADDENDUM BETWEEN GENERAL DRIVERS & HELPERS UNION LOCAL #120 (AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS) AND THE CITY OF STURGIS

WHEREAS in 2012, the City of Sturgis entered into a contract with General Drivers & Helpers Union Local #120 (Affiliated with the International Brotherhood of Teamsters) to define the employer-employee relationship which exists between the City and those employees covered by the Contract and to enter into a complete contract covering wages, rates of pay, hours or work, and other conditions of employment for the 2013 and 2014 calendar years;

WHEREAS, page 56 of the current Contract specifies that both parties will reopen the contract in 2013 for the purpose of negotiation of wages for the 2014 budget year;

WHEREAS, the parties do hereby acknowledge that both parties have met, conferred, and negotiated in good faith regarding wages for the 2014 calendar year for the employees in the bargaining unit represented by the General Drivers & Helpers Union Local #120 (Affiliated with the International Brotherhood of Teamsters) as required by the existing Contract;

WHEREAS, the parties do hereby agree that this Addendum to the Contract currently in force between the two parties is the result of the unlimited right and opportunity afforded to each of the parties to make any and all demands and proposals with respect to the wages with respect to the unit of employees covered hereby;

WHEREAS, this addendum is anticipated by page 56 of the Contract now in force;

WHEREAS, both parties have agreed to the following changes for the Contract currently in effect that was executed by both parties on January 2, 2013, have been approved by ballot of the members of this collective bargaining unit and these subsequent changes shall be controlling language for the 2014 year of the collective bargaining agreement;

WHEREAS, a copy of such Addendum to the Contract is attached hereto.

NOW THEREFORE, City Manager Daniel Ainslie and Mayor Mark Carstensen are hereby authorized to execute said Addendum to the Contract for the above intended purposes.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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

Johnston introduced the following written resolution and moved its adoption:

RESOLUTION 2013-57
A RESOLUTION DECLARING PROPERTY SURPLUS

Cell Phones

1. 15 Casio Gz One Boulder

Planning and Permitting

1. HP Office Jet Pro wireless printer - Serial# MY9A32410M - broken

Water Department

1. 1 – Yamaha snowmobile
2. 1– big snowmobile trailer (to haul snowmobile)
3. 1 -Small snowmobile trailer (to pull behind snowmobile)
4. 3- 2 inch pressure pumps
5. 1 – old well pump
6. 1 – old well motor
7. 7 – electrical boxes
8. 2 – heaters
9. 1 – battery back-up
10. 1 – file cabinet
11. 2 – printers
12. 1 – screen door
13. 1 – roll of well pump wire
14. 8 – rolls of fencing
15. 2 – well electrical cabinets
16. 10 – old valves and miscellaneous piping
17. 20 – loose fire hydrants
18. 15 – fire hydrants with piping
19. 10 – old big meters and 1 barrel of old small meters
20. 1 barrel of old brass and 1 barrel of old copper
21. 70 – cement blocks
22. 1 old truck tool box
23. 9 – old tires

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described above is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell or dispose of such personal property.

Dated this 15th day of October 2013.

Published: 10/23/2013

Effective: 11/13/2013

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.

Motion by Potts, second by Bestgen and carried with all members present voting yes to approve a Professional Service Contract between the City of Sturgis and Meade School District 46-1.

Potts introduced the following written resolution and moved its adoption:

RESOLUTION 2013-58

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE
COMMITMENT LETTER FROM THE STATE OF SOUTH DAKOTA LOCAL
INFRASTRUCTURE IMPROVEMENT PROGRAM**

WHEREAS, the City of Sturgis entered into a development agreement with Kathryn Martel and Martha Ward on May 2, 2013; and

WHEREAS, the development agreement allows for the annexation of approximately 81 acres of undeveloped land into the community; and

WHEREAS, this land will provide a significant area for job, retail and residential growth and development which will greatly enhance the community's economic growth and broaden the City's tax basis; and

WHEREAS, the City of Sturgis has agreed to pay for the water and sewer main that crosses through the annexation area in order to help foster expedited development; and

WHEREAS, the City of Sturgis has completed the engineering plans for the project and is ready to place the project to bid; and

WHEREAS, the City of Sturgis was awarded a grant of \$244,357 from the State of South Dakota Local Infrastructure Improvement Program to help pay for the costs of the City Utility expansions; and

WHEREAS, the City of Sturgis has budgeted sufficient funds in addition to the grant award to complete the project; and

WHEREAS, the City of Sturgis understands and agrees to the conditions set forth in the State of South Dakota Commitment Letter for the Local Infrastructure Improvement Program; and

WHEREAS, the City of Sturgis desires to enter into such agreement, a copy of which is attached hereto.

NOW THEREFORE, City Manager Daniel Ainslie is hereby authorized to execute said Commitment Letter between the State of South Dakota and the City of Sturgis for the construction of the City utilities through the Davenport Plat annexation area.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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

Waterland introduced the following written resolution and moved its adoption:

RESOLUTION 2013-59
A RESOLUTION AUTHORIZING THE CITY MANAGER AND PARKS DIRECTOR
TO SIGN AN AGREEMENT FOR LAND AND WATER
CONSERVATION FUND ASSISTANCE

WHEREAS, the City of Sturgis desires to complete the construction of a neighborhood park on Starline Avenue; and

WHEREAS, the City of Sturgis received significant public input in the design of the neighborhood park and the local neighborhood consensus formed the basis of the site plan included in the City's 2012 Land and Water Conservation Fund Assistance Grant; and

WHEREAS, the City of Sturgis was awarded a 50% grant match up to \$28,000 to help pay for the costs associated with developing the park; and

WHEREAS, the City of Sturgis has budgeted sufficient funds to meet the grant match requirements in the 2013 City of Sturgis Budget; and

WHEREAS, the City of Sturgis understands and agrees to the conditions set forth in the State of South Dakota Agreement for Land and Water Conservation Fund Assistance; and

WHEREAS, the City of Sturgis desires to enter into such agreement, a copy of which is attached hereto.

NOW THEREFORE, City Manager Daniel Ainslie and Parks Director Gene Stock are hereby authorized to execute said contract between the State of South Dakota and the City of Sturgis for the construction of the Starline Avenue Park Project.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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

Johnston introduced the following written resolution and moved its adoption:

RESOLUTION 2013-60
A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE FUNDING
AGREEMENT BETWEEN THE SOUTH DAKOTA DEPARTMENT OF
TRANSPORTATION AND THE CITY OF STURGIS FOR DESIGN, LETTING AND
CONSTRUCTION OF A RECREATIONAL TRAIL CONNECTION

WHEREAS, the City of Sturgis desires to complete a multi-use trail connection along Otter and Raccoon Road; and

WHEREAS, the new connection will combine the First Avenue Path Spur with the Moose Drive Path; and

WHEREAS, the City of Sturgis believes that Multiuse paths are a vital segment of the community's transportation network and are a significant contributor to the City's high quality of life; and

WHEREAS, in 2013, the City of Sturgis has budgeted the required 18.05% match to pay for the local share of the proposed project; and

WHEREAS, the City of Sturgis was awarded a grant of \$123,000 from the State of South Dakota Transportation Enhancement Funds to help pay for the costs of the City Utility expansions; and

WHEREAS, the City of Sturgis understands and agrees to the conditions set forth in the State of South Dakota Funding Agreement for the Transportation Enhancement Program; and

WHEREAS, the City of Sturgis desires to enter into such agreement, a copy of which is attached hereto.

NOW THEREFORE, Mayor Mark Carstensen is hereby authorized to execute said Funding Agreement between the State of South Dakota and the City of Sturgis for the construction of the Otter and Raccoon Road Multi Use Trail connection.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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

Hersrud introduced the following written resolution and moved its adoption:

RESOLUTION 2013-61

A RESOLUTION AUTHORIZING CITY MANAGER DANIEL AINSLIE TO EXECUTE AND FILE A GRANT APPLICATION WITH THE SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY

WHEREAS, the State of South Dakota has authorized the making of grants from the Housing Development Authority available to public bodies to aid in acquiring housing needs studies for local communities.

NOW, THEREFORE BE IT RESOLVED that Daniel Ainslie, Sturgis City Manager is hereby authorized to execute and file an application on behalf of the City of Sturgis with the South Dakota Housing Development Authority for a Housing Needs Study for the City of Sturgis and its Environs.

That Daniel Ainslie, Sturgis City Manager is hereby authorized and directed to furnish such information to the above mentioned state agency in connection with the application which is hereby authorized to be filed.

That the City of Sturgis and the Sturgis Economic Development Corp shall provide a minimum of 50% of the total cost of the project estimated at \$5,000. Total contributions from the City of Sturgis will be in the amount of \$3,300 and funding from the Sturgis Economic Development Corp of \$1,700.

Dated this 15th day of October, 2013.

Published: 10/23/2013

Effective: 11/13/2013

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

Any other business:

Bob Bertolotto thanked the City and County for a good job last week.

Mayor Carstensen announced that we received a grant of \$100,000 from the John T. Vucurevich Foundation to build a new building for the Food Pantry.

Motion by Waterland, second by Johnston and carried with all members present voting yes to go into executive session for legal and contracts at 9:24 pm.

Motion by Potts, second by Hersrud and carried with all members present voting yes to return to regular session at 10:48 pm.

Motion by Johnston, seconded by Bestgen and carried with all members present voting yes to adjourn the meeting at 10:48 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$