

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, December 16, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Jason Anderson, Mike Bachand, Branden Bestgen, David Hersrud, Tim Potts, Kelly Vasknetz, and Ronald Waterland. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Marcia Johnston.

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.

Announcements:

A donation of \$1,617.00 was collected from City employee's at the City Christmas Party and was presented to Brenda Sabers representing the Toys for Tots organization.

The Mayor reminded everyone that Exit 32 is closed to all tree limb drop off. Violators will be fined if caught.

City Manager Ainslie reported:

- The 2013 budget is at 92% of the calendar year with General Fund at 82%, Capital Improvements at 89%, Liquor at 81%, Water at 115%, Wastewater at 80%, Sanitation at 74% and Ambulance at 147%.
- The City has been working with the owner at 901 Main Street. The building collapsed during the blizzard. The owner is having issues with his insurance company and is trying to get it straightened out. If nothing is done within the next 30 to 45 days, the City will have to condemn the building and tear it down.
- There are two agreements being prepared for Sturgis Rally Charities. Agreement one will address the budgeted money that has been earmarked from the Mayor/Council Department for different charities. Agreement two will address the 5% sponsorship money that is given to Sturgis Rally Charities. A final draft of the agreement will be presented to the Council at the end of January or the first of February for their consideration.
- The Finance Officer is contacting banks to get CD rates, as the City will be moving reserve money into CD's.
- The Public Works Director has spent a significant time with DOT trying to get additional signage and markings on Lazelle Street.
- The City received the \$2000 donation from Polaris (Knuckle Saloon). Motion by Bachand, second by Waterland and carried with all members present voting yes to give this donation money to the Community Center for new exercise equipment.

Councilor Bachand wanted it noted that from the last meeting the minutes did not state that it was not unanimous amongst the Councilors about Sturgis Rally Charities contributions and that there were concerns about giving the money to Sturgis Rally Charities.

Motion by Bachand, second by Anderson 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 December 2, 2013 regular council meeting.

Motion by Bestgen, second by Waterland and carried with Anderson, Bachand, Bestgen, Potts, Vasknetz and Waterland voting yes, Carstensen and Hersrud abstaining, to approve the following claims:

Wages – Ambulance \$23,720.27; Attorney \$2884.62; Auditorium \$; Buildings \$1371.54; Cemetery \$1928.82; City Manager \$4403.34; Community Center \$8948.30; Finance Office \$8711.81; Fire Department \$1602.57; Human Resource \$2171.81; Library \$7197.93; Liquor \$4704.06; Mayor and Council \$3333.27; Parks \$10,335.66; Planning & Permitting \$3767.20; Police \$35,546.50; Rally \$3275.40; Recreation \$3073.22; Sanitary Service \$10,626.96; Streets \$8619.11; Wastewater \$6268.20; Water \$13,369.26; Federal Withholding \$15,470.24; FICA \$12,035.07.

General – A&B Business, \$678.82, supp; A&B Welding, \$163.47, repair; A&J Surplus, \$685.92, supp; Advanced Aluminum Structures, \$1500.00, blizzard relief; Affordable Tree, \$18,825.49, blizzard cleanup; Amcon Distributing, \$773.85, merch for resale; AT&T Mobility, \$3530.98, util; Avaya, \$36.39, util; Baker & Taylor, \$71.34, supp; Andrew Barff, \$60.00, other; Greg Barnier, \$415.10, travel; Barrows Electric, \$128.25, supp; Bentz Equipment, \$536.62, repair; Ann Bertolotto, \$1000.00, grp insur; Best Western Ramkota, \$498.00, travel; Leo Bestgen, \$1500.00, blizzard relief; BH Chemical, \$1569.80, supp; BH Power, \$24,352.63, util; BH Urgent Care, \$803.38, prof fee; Blackhills.com, \$120.00, repair; Blue Devil Auto Detailing, \$1500.00, blizzard relief; Butte Electric, \$522.36, util; Campbell Supply, \$1500.00, blizzard relief; Canyon Cab, \$3325.00, refund; Mark Carstensen, \$150.00, other gen gov't; Caselle, \$527.99, prof fee; CBH Cooperative, \$13,485.92, supp; Central Parts Warehouse, \$179.92, repair; Century Business, \$185.17, supp; Chain Saw Center, \$315.00, supp; City of Sturgis Water Dept, \$1237.65, util; Coca Cola, \$742.00, merch for resale; Corbon Law Enforcement, \$199.99, supp; Cultural Heritage Center, \$28.80, supp; Dakota Backup, \$1624.90, prof fee; Diamond Vogel Paints, \$284.40, supp; Double Star Computing, \$2153.75, prof fee; Ecolab Pest, \$236.42, maint; Fire Pro, \$302.65, repair; First Interstate Bank, \$2643.15, supp; First Western Insurance, \$70.00, insur; Flex Fitness, \$1500.00, blizzard relief; Foothills Seed, \$171.00, supp; Frame Garage, \$1788.52, repair; Freeman Electric, \$95.06, supp; G&H Distributing, \$62.13, repair; Gaylord Brothers, \$191.91, supp; Godfrey Brake, \$973.45, repair; Great Western Tire, \$100.00, supp; Grocery Mart, \$136.18, grp insur; Ken Grosch, \$60.00, other; Hampton Inn, \$164.00, other; Hills Materials, \$1616.58, supp; Hillyard, \$346.24, supp; Nichole Hodge, \$567.48, grp insur; Interstate All Batteries, \$47.30, supp; J&L Services, \$360.00, repair; Jacobs Auto Repair, \$484.00, repair; Jenner Equipment, \$3097.76, repair; Johnston Hardware, \$139.55, supp; Peg Kinney, \$166.66, grp insur; Kone, \$137.16, repair; Lacal Equipment, \$141.45, repair; Kristen Legner, \$497.33, cc prog exp; Light & Siren, \$239.00, repair; Lynn's Dakotamart, \$390.35, grp insur; Autumn Lyons, \$247.00, grp insur; M&T Fire & Safety, \$794.36, supp; Marco, \$25.55, maint; Harvey Matz, \$1500.00, blizzard relief; MB Tree & Landscape, \$14,879.07, blizzard cleanup; Meade Co Auditor, \$2926.81, util; Meade Co Times, \$39.85, other; Meade Co Times, \$1436.50, publ; Meade Co Weed & Pest, \$500.00, other; Menards, \$717.63, supp; Midamerica Books, \$232.30, supp; Midcontinent Communications, \$42.18, util; MDU, \$9745.36, util; Annette Moore, \$500.00, grp insur; Alan Morris, \$30.00, other; Motionsoft, \$450.00, prof fee; Neve's Uniforms, \$309.85, supp; O'Reilly Auto Parts, \$193.07, supp; Owens Interstate, \$984.38, repair; Pete Lien & Sons, \$3015.40, supp; Pizza Hut, \$42.29, supp; Polar Engraving, \$212.50, merch for resale; Powerplan, \$530.40, repair; Print Mark-et, \$920.67, publ; Public Safety Equipment, \$255.00, repair; Pureforge, \$207.40, repair; Rapid City Journal, \$9.00, publ; Rockingtree Landscape, \$1227.60, supp; Rushmore Mountain Sports, \$1200.00, supp; Rushmore Office, \$967.25, supp; Schwans, \$29.95, merch for resale; SD Dept of Transportation, \$1848.00, supp; SD Federal Property, \$180.00, supp; SD Public Assurance Alliance, \$1993.46, insur; SD Society of Professional Land Surveyor, \$390.00, travel; Servall Towel, \$209.58, supp; Sheraton, \$83.00, travel; Shopko, \$290.85, supp; Sidehack Saloon, \$1500.00, blizzard relief; Scott Skinner, \$500.00, grp insur; Dave Smith, \$500.00, grp insur; Speedy Lube, \$38.12, repair; Sturgis Napa, \$1530.10, repair; Sturgis Volunteer Fire Dept, \$19,021.68, util benefit; T&M Studio, \$192.00,

other; The Knuckle Saloon, \$775.00, other; Town-N-Country Plumbing, \$29.90, supp; Tri-State Livestock News, \$59.28, supp; Twilight First Aid, \$183.05, supp; Vanway Trophy, \$29.40, other; Brenda Vasknetz, \$749.62, grp insur; Verizon, \$118.54, util; Walker Construction, \$658.16, other; West Payment center, \$121.18, prof fee; West River Electric, \$598.87, util; Western Communications, \$1550.00, supp; Whisler Bearing, \$41.14, repair; Dave Wilson, \$1500.00, blizzard relief; Wow! Business, \$591.90, util; Ziegler Building Center, \$433.92, supp.

Capital Improvement – Baseline Surveying, \$602.50, cap imp-food pantry; Dakota Sealants, \$9183.69, cap imp-comm ctr.

Revolving Fund Loan – Brosz Engineering, \$1605.00, Davenport property.

Liquor – Amcon Distributing, \$2012.08, cig for resale; Arctic Glacier USA, \$83.65, merch for resale; AT&T Mobility, \$108.88, util; BH Chemical, \$180.93, repair; BH Power, \$1611.56, util; BH Urgent Care, \$55.00, prof fee; Cask & Cork, \$99.66, off sale liquor; Century Business, \$1.00, supp; City of Sturgis Water Dept, \$263.74, util; Coca Cola, \$320.90, pop for resale; DOT Tool, \$8612.45, merch for resale; Double Star Computing, \$25.00, prof fee; Eagle Sales, \$19,208.34, off sale beer; Ecolab Pest, \$196.06, maint; Epic Products, \$258.40, merch for resale; First Interstate Bank, \$9.59, grp insur; Fisher Beverage, \$13,460.95, off sale beer; Freeman Electric, \$250.00, repair; Grocery Mart, \$4.87, grp insur; Johnson Western Wholesale, \$24,420.44, off sale liquor; Harriet Lolley, \$210.00, merch for resale; Lynchburg Hardware, \$947.00, merch for resale; Lynn's Dakotamart, \$8.56, grp insur; Mobile Mini, \$196.57, supp; MDU, \$267.57, util; One Way Service Pros, \$115.00, repair; Prairie Berry, \$2436.00, off sale liquor; Print Mark-et, \$61.38, publ; Republic Beverage Co, \$49,108.61, off sale liquor; Schade Vineyard, \$840.00, off sale liquor; Servall Towel, \$76.20, supp; Sturgis Cigar & Knife, \$349.67, repair; The Homeslice Group, \$6318.00, publ; Wine Warehouse, \$742.80, off sale liquor.

Water – A&B Business, \$283.94, supp; AT&T Mobility, \$438.46, util; BDR Investments, \$26.50, refund; BH Power, \$747.75, util; BH Urgent Care, \$139.94, prof fee; Pat Britton, \$12.79, refund; Jeanne Burckhard, \$60.00, refund; Butte Electric, \$533.90, util; Caselle, \$382.34, prof fee; Dan Cass, \$76.95, refund; CBH Cooperative, \$1739.31, supp; Central Air Heating-Cooling, \$8116.34, supp; Century Business, \$6.98, sup; City of Sturgis Water Dept, \$103.77, util; Credit Collection Bureau, \$175.21, prof fee; Dakota Backup, \$221.58, prof fee; Double Star Computing, \$25.00, prof fee; Easy Riders, \$52.59, refund; Ecolab Pest, \$58.30, maint; First Interstate Bank, \$19.18, grp insur; Freeman Electric, \$850.00, repair; Full Throttle Saloon, \$2.49, refund; G&H Distributing, \$94.77, supp; Grocery Mart, \$9.74, grp insur; Hach Co, \$106.37, supp; Hawkins, \$1846.90, supp; HD Supply Waterworks, \$1915.26, supp; Johnston Hardware, \$36.92, supp; Lynn's Dakotamart, \$26.29, grp insur; Meade Co Auditor, \$65.00, prof fee; Meade Co Housing & Redevelopment, \$9.90, refund; Meade Co Times, \$37.56, publ; MDU, \$259.47, util; Northern Hills Electric, \$387.60, supp; Northwest Pipe Fittings, \$559.09, supp; Owens Interstate, \$14.99, supp; Gary Patterson, \$1927.01, refund; Pete Lien & Sons, \$71.75, supp; Mike Petrocco, \$52.59, refund; Print Mark-et, \$61.38, publ; Richter's Tire, \$89.98, supp; Rushmore Office, \$76.72, supp; Sacrison Asphalt, \$67.20, supp; Servall Towel, \$11.86, supp; Shopko, \$82.07, supp; Sturgis Napa, \$49.69, supp; Town-N-Country Plumbing, \$17.18, supp; Adam Wood & Katryn Chaplin, \$62.28, refund.

Wastewater – American Engineering Testing, \$1468.70, prof fee; AT&T Mobility, \$201.98, util; Dan Cass, \$500.00, grp insur; CBH Cooperative, \$30.00, supp; City of Belle Fourche, \$40.51, other; City of Sturgis Water Dept, \$17.60, util; Double Star Computing, \$25.00, prof fee; Fastenal Co, \$10.35, repair; First Interstate Bank, \$178.08, repair; Peg Kinney, \$166.67, grp insur; Meade Co Weed, \$2203.69, other; O'Reilly Auto Parts, \$26.99, repair; Owens Interstate, \$18.00, repair; Print Mark-et, \$61.38, publ; Sturgis Napa, \$49.99, repair; USA Blue Book, \$43.83, repair; Verizon, \$46.54, util.

Sanitary Service – A&B Welding, \$103.58, repair; AT&T Mobility, \$154.78, util; BH Power, \$11.92, util; Canyon Cab, \$1575.00, refund spec san; Dan Cass, \$500.00, grp insur; CBH Cooperative, \$5393.48, supp; Century Business Leasing, \$195.76, prof fee; Century Link, \$37.91, util; City of Belle Fourche, \$15,481.88, other; Dale's Tire, \$98.50, supp; Double Star Computing,

\$25.00, prof fee; Eddies Truck, \$418.74, repair; Fastenal Company, \$10.08, repair; First Interstate Bank, \$59.62, travel; Great Western Tire, \$1669.40, supp; Grimm's Pump Service, \$72.64, repair; Grocery Mart, \$4.87, grp insur; Johnston Hardware, \$9.88, repair; Peg Kinney, \$166.67, grp insur; Light & Siren, \$239.00, repair; Lynn's Dakotmart, \$8.56, grp insur; Meade Co Weed, \$2203.69, other; Northern Truck Equipment, \$221.30, repair; Owens Interstate, \$852.82, supp; Powerplan, \$1101.07, repair; Print Mark-et, \$61.50, publ; RDO Equipment, \$8700.00, repair-blizzard; Sanitation Products, \$408.23, repair; Sturgis Napa, \$486.61, repair.

Ambulance – Barrows Electric, \$128.26, supp; BH Chemical, \$83.98, supp; BH Urgent Care, \$55.00, prof fee; CBH Cooperative, \$1638.18, supp; Century Business, \$36.11, supp; City of Sturgis Water Dept, \$61.45, util; Coca Cola, \$37.10, supp; Double Star Computing, \$25.00, prof fee; First Interstate Bank, \$1184.58, supp; Grocery Mart, \$24.34, grp insur; Heds, \$168.00, supp; Johnston Hardware, \$101.39, supp; Lynn's Dakotamart, \$83.65supp; MDU, \$298.99, util; Owens Interstate, \$17.99, supp; Physio-Control, \$303.65, supp; Print Mark-et, \$61.38, publ; Rushmore Office, \$897.37, supp; Shopko, \$99.97, supp; Spearfish Ambulance Service, \$90.00, travel; Sturgis Napa, \$1086.03, supp; Verizon, \$22.02, util; Wow! Business, \$82.64, util.

Motion by Waterland, second by Bestgen and carried with all members present voting yes to approve a Retail On-Off Sale Wine License for Shopko Hometown at 2105 Lazelle.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve the following payroll changes: Community Center – Lifeguard – Taylee Hudson - \$7.25.

Motion by Vasknetz, second by Hersrud and carried with all members present voting yes to approve a Policy for Vehicle, Heavy Equipment, Machinery & Tools Usage by Third Parties.

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-72
RESOLUTION APPROVING PLAT**

WHEREAS, the statues 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 for Northgate Community Homes Inc.:

A Plat of Lots 1R, 2R and 3R in Block 7A of Hillview Subdivision, Formerly
Lots 1, 2 and 3 in Block 7A of Hillview Subdivision, Located in the SE1/4
SW1/4 SE1/4, Section 9, T.5N., R.5E., 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 16th day of December, 2013.

Published: 01-01-2014
Effective: 01-21-2014

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 Waterland, second by Potts and carried with all members present voting yes to approve writing off checks from 2012 that have not been cashed.

Motion by Hersrud, second by Anderson and carried with all members present voting yes to approve the write-off of uncollectable water/sewer/garbage accounts.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve a refund to Canyon Cab of \$4900.00 in vendor fees.

The following bids were received for the Davenport Ranch Utility Extension Project: Rapid Construction, LLC - \$333,194.07, Mainline Contracting Inc.-\$335,945.00; Pedersen Excavating, Inc.-\$400,453.00.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to award the Bid for the Davenport Ranch Utility Extension Project to Rapid Construction, LLC for \$333,194.07.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2013-25 – Title 2 – Contractor Licensing and Construction Regulations.

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-71
SUPPLEMENTAL APPROPRIATIONS
CONTINGENCY TRANSFER
2013 FISCAL BUDGET**

WHEREAS, it appears that there will be insufficient funds in the 2013 General Fund Budget, Capital Improvements Fund and TIF #9 Palisades to carry out the indispensable functions of government. It is proposed that the following Supplemental Contingency Transfer Appropriations be adopted.

FROM: 101-41100-42910 Contingency – \$43,243

TO: 101-4192-42200 Professional Services - \$8,000
101-4199-41100 Salaries -\$5,000
212-4229-43700 Capital Improvements – Fire - \$10,332
327-9000-42900 TIF #9 Palisades - \$8,000
325-9000-42900 TIF #7 Legner - \$11,911

Dated this 16th day of December, 2013.

Published: 01/01/2014
Effective: 01/21/2014

Bachand 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 Waterland, second by Vasknetz and carried with all members present voting yes to approve a Personal Trainer Contract for Services with Kameron Milne at the Community Center.

Motion by Bestgen, second by Bachand and carried with all members present voting yes to approve a contract with Four Front Design for 1st Phase of 2nd Street Plaza contingent that the City Attorney makes modifications to the contract and that Four Front will start on the design but will not be able to go to bid until a lease is signed with First Interstate Bank.

Any other business:

Mayor Carstensen wanted to remind citizens that the City cannot do anything about the situation at Corbon shooting range, as it is in the County.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to go into executive session for personnel, legal and contracts at 7:59 pm.

Motion by Waterland, second by Vasknetz and carried with all members present voting yes to return to regular session at 10:17 pm.

Motion by Hersrud, seconded by Bestgen and carried with all members present voting yes to adjourn the meeting at 10:24 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$