

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, November 17, 2014 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, David Hersrud, Marcia Johnston, Kelly Vasknetz, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Tim Potts.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

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

Announcements:

- Thanksgiving Dinner on November 27th will be held from 11:00 am to 4:00 pm at the Community Center.
- The 2nd annual Holiday Open House will be held from 2:00 pm to 6:00 pm at the Liquor Store on November 21st.
- A public meeting for the Main Street reconstruction project will be held on November 19th from 6:00 to 8:00 pm at the Community Center.
- The Indian Dealership will hold their ground breaking for a new facility on November 20th at 4:00 pm.
- The Christmas Tree Lighting will be on December 6th at 6:00 pm at the 2nd Street Plaza.
- After Thanksgiving, the Library will have Santa Claus by the fireplace and will take family pictures if you bring your own camera.
- The Festival of Trees will be held on November 21st at 5:30 pm at the First Interstate Bank.

Informational Reports:

- Planning Commission minutes-11/4/2014
- Library Board minutes – 10/29/2014

City Manager Ainslie reported:

- The budget numbers for the end of October 2014 are as follows: General Fund is at 81.2%; SST 84.9%; Capital Imp 82.10%; Equipment Replacement 37.6%; Liquor 73%; Water 52.4%; Wastewater 55.7%; Sanitation 70.4% and Ambulance 90.4%.
- Use of city property for the Chamber for the Winter Frostival – Tree Lighting on December 6, 2014 from 5:30-7 pm.
- Payroll Changes – within budget: Parks/Cemetery Dept – Admin Assistant – Angela Shideler - \$11.54. Planning & Permitting, Ambulance Depts – Permitting & Inspections Coord – Dave Smith - \$1673.08/pay period.

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

- Approve the minutes from the November 3, 2014 regular Council meeting and the November 7, 2014 Special meeting.
- Consideration to approve use of city property for the Sturgis Chamber for the Sturgis Parade of Lights on December 4, 2014 from 6-7:30 pm.
- Consideration to approve setting a public hearing for December 1, 2014 for the 2015 Liquor and Wine License renewals.
- Consideration to approve Resolution 2014-58 – Exit 32 Plat.

**RESOLUTION 2014-58
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property:

A Plat of Lot PE2A and Lot PE2B Formerly Lot PE2 Located in the N1/2
SW1/4 of Section 15, Township 5 North, Range 5 East, Black Hills
Meridian, 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 17th day of November, 2014.

Published: 11/26/2014

Effective: 12/17/2014

- Consideration to approve Resolution 2014-63 – Pineview Plat.

**RESOLUTION 2014-63
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property:

A Plat of Lot 1A and 1B of the NE1/4 Section 21 Formerly Lot 1 Revised and
Dedicated Public R.O.W. of the NE1/4 of Section 21, Located in the
NE1/4NE1/4 of Section 21, Township 5 North, Range 5 East, Black Hills
Meridian, 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 17th day of November, 2014.

Published: 11/26/2014

Effective: 12/17/2014

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve the following claims with the exception of General-Hersrud Co, \$100.83, repair; Sanitation- Hersrud Co, \$82.00, rep; Ambulance- Hersrud Co, \$801.18, rep:

Wages – Ambulance \$32,840.92; Attorney \$2935.10; Auditorium \$476.37; Buildings \$1925.93; Cemetery \$2010.43; City Manager \$4317.11; Community Center \$9870.27; Finance Office \$9111.21; Fire Department \$421.97; Human Resource \$2208.94; Library \$7919.11; Liquor \$4151.77; Mayor and Council \$3391.63; Parks \$11,044.95; Planning & Permitting \$3655.17; Police \$34,266.78; Rally \$3860.08; Recreation \$2920.75; Sanitary Service \$11,812.48; Streets \$9530.93; Wastewater \$7875.19; Water \$11,434.71; Federal Withholding \$16,570.87; FICA \$12,919.17.

General – A & B Business, \$533.48, sup; Jim Allison, \$750.00, other; Altimate Flooring, \$2,529.60, repair; Amcon Distributing, \$237.32, merch for resale; William Barff, \$500.00, insurance; Black Hills Chemical, \$2,319.86, sup; BHP, \$15,455.84 utilities; BH Urgent Care, \$30.00, prof fee; Campbell Supply, \$435.65, sup; Caselle, \$857.82, prof fee; CBH, \$12,985.19, sup; Chain Saw Center, \$245.00, rent; Coca Cola, \$818.75, sup; Ecolab Pest, \$193.76, repair; First Interstate Bank, \$1,826.03, sup; Freeman Electric, \$1,081.04, rep; Glover Investments, \$600.00, rent; Ken Grosch, \$60.00, other; Rod Heikes, \$500.00, insurance; KT Connections, \$884.35, prof fee; Lynn's Dakota Mart, \$341.82, sup; Marco, \$13.03, rep; Massa Berry Clinic, \$595.80, sup; Denny McKay, \$750.00, other; MDA, \$75.00, other; Meade County Auditor, \$6,888.28, other; Meade County Times Tribune, \$701.96, publishing; Christopher Meland, \$151.70, CC benefit; Menards, \$224.43, sup; Gary Meyer, \$28.42, sup; Michael Todd & Co, \$2,628.34, rep; Midcontinent Communication, \$40.88, util; MDU, \$5,623.27, util; Motionsoft, \$450.00, prof fee; Chad Moyers, \$30.00, other; National Arbor Day Foundation, \$15.00, other; Nebraska Salt & Grain, \$9422.40, sup; Northwest Pip Fitting, \$476.63, other; O'Reilly Auto Parts, \$744.11, repair; Owen's Interstate, \$543.67, repair; Petty Cash, \$9.00, other; Dane Pi, \$30.00, other; Pitney Bowes, \$120.56, rent; Polar Engraving, \$59.00, resale; Powerplan, \$494.76, repair; Purchase Power, \$500.00, sup; Regional Health Physicians, \$25.00, prof fee; Rushmore Office Supply, \$1,153.81, sup; Sand Creek Printing, \$264.50, sup; Schwans, \$38.79, merch for resale; SD Public Assurance Alliance, \$140.09, ins; Servall, \$532.15, sup; Shopko, \$413.17, sup; Jeanie Shyne, \$500.00, ins; SMRI, \$1,7706.00, other; Sturgis Motorcycle Museum, \$75.00, other; NAPA, \$314.62; Town-N-Country Plumbing, \$1,332.26, sup; TruGreen, \$346.00, sup; West Payment Center, \$127.24, prof fee; West River Electric, \$427.94, util; Wimactel, \$60.00, util; Elaine Wolken, \$1,000.00, ins.

Special Sales Tax – Chamber of Commerce \$150.00.

Capital Improvement – Bridger Construction, \$29,500.00; Fourfront Design, \$10,924.24; Petty Cash, \$90.00; Rasmussen Mechanical, \$4,592.00, Rowett Construction, \$47,892.25; Stanley Johnson Concrete, \$189,369.98.

Revolving Fund Loan – Jake's Garage, \$25,000.00, Petty Cash, \$30.00.

Liquor – Arctic Glacier, \$212.87, resale; Black Hills Urgent Care, \$120.00, prof fee; Coca Cola, \$409.50, resale; Eagle Sales, \$7,121.24, beer; Ecolab Pest Eliminator, \$103.07, rep; Tom Ferguson, \$304.00, resale; First Interstate Bank, \$1,864.76, travel; Fisher Beverage, \$6,555.87, beer; Johnson Western Wholesale, \$17,259.21, liquor; KT Connections, \$67.93, resale; M&B Enterprises, \$131.00, resale; MDU, \$50.75, util; Pepsi, \$232.00, resale; Prairie Berry, \$1,113.00 liquor; Regional Health Physician, \$50.00, prof fee; Republic Beverage Co, \$23,081.99, liquor; Rushmore Office, \$517.78, sup; SD Dept of Revenue, \$25.00, other; Servall, \$160.57, sup; The Homeslice Group, \$3984.00, pub.

Water – BHP, \$8,937.53, utilities; Kathy Bulau, \$500.00, ins; Caselle, \$621.18, prof fee; First Interstate Bank, \$61.47, sup; KT Connections, \$67.93, utilities; Massa Berry, \$36.18, sup; MDU, \$96.87, utilities; Petty Cash, \$4.56, sup; Wells Fargo Corporate Trust, \$18,854.13, principal & interest.

Wastewater – Advanced Engineering & Environmental, \$2,071.00, cap imp; Campbell Supply \$22.99, rep; Dale's Tire & Retreading, \$484.52, sup; First Interstate Bank, \$1,096.01, sup; KT

Connection, \$67.93, utilities; Lynn's Dakotamart, \$11.82, rep; Massa Berry Clinic, \$144.72, sup; Mathison's, \$1,685.35, rep; Mid-American Research, \$731.65, rep; Owen's Interstate, \$45.93, rep; Rushmore Office Supply, \$25.30, sup; Sanitation Products, \$20,068.35, rep; NAPA, \$223.72, rep; Wells Fargo Corporate Trust, \$152,547.12, principal & interest.

Sanitation – BHP, \$25.00, utilities, Campbell Supply, \$73.97, sup; John Flueckinger, \$78.00, ins; KT Connection, \$67.93, utilities; Massa Berry Clinic, \$373.08, sup; Owens Interstate, \$453.17, rep; Powerplan, \$2,330.40, rep; Rapid Delivery, \$22.80, rep; Regional Health Physician, \$25.00, prof fee; NAPA, \$193.83, rep.

Ambulance – BHP, \$627.72, util; CBH, \$2,641.01, sup; CF Promo, \$590.00, sup; Coca Cola, \$19.55, sup; Ecolab Pest Eliminator, \$36.58, sup; First Interstate Bank, \$682.88, travel; KT Connections, \$67.93, util; Lynn's Dakotamart, \$62.47, sup; Massa Berry Clinic, \$1,081.50, prof fee; MDU, \$32.66, util; Pitney Bowes, \$176.00, sup; Ramada, \$1,252.00, travel; Regional Home Medical Equipment, \$908.00, sup; Rushmore Office Supply, \$235.39, sup; NAPA, \$37.95, sup; Weimer's Diner & Donuts, \$107.40, sup; Western Communications, \$100.00, sup.

Motion by Bestgen, second by Vasknetz and carried with Carstensen, Anderson, Bachand, Bestgen, Johnston, Vasknetz and Waterland voting yes, Hersrud abstaining, to approve the following claims: General-Hersrud Co, \$100.83, repair; Sanitation- Hersrud Co, \$82.00, rep; Ambulance- Hersrud Co, \$801.18, rep:

Motion by Bachand, second by Waterland and carried with Carstensen, Anderson, Bachand, Bestgen, Johnston, Vasknetz and Waterland voting yes, Hersrud voting no, to approve a variance to the hard surface requirement for Rod Bradley-PSI Family LLLP at Lot 1 of Lot B of Thiede subd and Lot C of S1/2NW1/4 of Section 6, T5N,R5E, BHM, Meade Co.

Bestgen introduced the following written resolution and moved its adoption:

**RESOLUTION 2014-61
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for:

A Site Plan for the Plat of Lot 1 Revised and Lot C Revised of Thiede Subdivision and Well Lot. Formerly Lot 1 of Lot B of Thiede Subdivision and Lot C of the South ½ Northwest ¼ Section 6. All located in the South ½ of the Northwest ¼ of Section 6, Township 5 North, Range 5 East, Black Hills Meridian, 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 17th day of November, 2014.

Published: 11/26/2014

Effective: 12/17/2014

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.

Motion by Bachand, second by Johnston and carried with all members present voting yes to approve second reading of Ordinance 2014-15 – Supplemental Appropriations.

ORDINANCE 2014-15

**AN ORDINANCE AMENDING ORDINANCE NO. 2013-14
ANNUAL APPROPRIATIONS FOR THE YEAR 2014
OF THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota, that ordinance 2013-14 is amended so that the following amounts are hereby appropriated to meet the obligation of the municipality for the year 2014.

General Fund 101	
4111-4220 Mayor & Council – Prof. Fees	\$ 11,000
4111-4290 Mayor & Council – Other	\$ 7,000
4141-4220 Attorney – Prof. Fees	\$ 7,700
4198-4230 Sponsorship – Publishing	\$ 27,000
4198-4240 Sponsorship-Rental	\$ 7,200
4198-4260 Sponsorship – Supplies	\$ 55,000
4198-4270 Sponsorship-Travel	\$ 2,800
4198-4290 Sponsorship-Other	\$ 13,000
4199-4230 Rally – Publishing	\$ 12,000
4199-4290 Rally – Other	\$ 13,000
Source of Funding: Unexpended Cash balances	
Capital Improvement 212	
4700-44100 - Interest	\$ 14,250
4700-44200 – Principal	\$ 14,250
9000-43300 - Improvements	\$330,000
Source of Funding: 2 nd Street Plaza lease revenue and Unexpended Cash Balances	
Revolving Loan 218	
9000-5110 Transfer Out (Lagoon Repairs)	\$ 398,000
Source of Funding: Unexpended Cash balances	
TIF #9 – Palisades 327	
9000-42900 – Other	\$ 17,000
Source of Funding: Unexpended Cash balances	

Adopted this 17th day of November, 2014.

First reading: 11/03/2014
Second reading: 11/17/2014
Adopted: 11/17/2014
Published: 11/26/2014
Effective: 12/17/2014

Motion by Johnston, second by Bachand and carried with all members present voting yes to approve 1st reading of Ordinance 2014-16 – Title 18 – Zoning.

Waterland introduced the following written resolution and moved its adoption:

RESOLUTION 2014 - 64

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

WHEREAS the City of Sturgis desires to enter 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 of work, and other conditions of employment;

WHEREAS the General Drivers & Helpers Union Local #120 (Affiliated with the International Brotherhood of Teamsters) desires to enter into such Contract;

WHEREAS, the parties do hereby acknowledge that both parties have met, conferred, and negotiated in good faith regarding wages, hours and other terms and conditions of employment for the employees in said bargaining unit and that this Contract 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, rates of pay, hours of work and other conditions of employment with respect to the unit of employees covered hereby;

WHEREAS an agreement needs to be entered into between the parties due to the upcoming expiration of the existing Contract between the two parties; and

WHEREAS a copy of such Contract has been reviewed by both parties and staff fully supports entering into this Contract between the two parties.

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

Dated this 17th day of November, 2014.

Published: 11/26/2014

Effective: 12/17/2014

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.

Any other business:

None

Motion by Waterland, second by Bachand and carried with all members present voting yes to go into executive session for personnel and contracts at 7:39 pm.

Motion by Waterland, second by Bestgen and carried with all members present voting yes to return to regular session at 9:55 pm.

Motion by Bestgen, seconded by Johnston and carried with all members present voting yes to adjourn the meeting at 9:56 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$