



City Council Meeting  
AGENDA

**DATE:** Thursday, June 4, 2026  
**TIME:** Regular Meeting - 4:45 PM  
**PLACE:** Council Chambers - City Hall, 1040 Harley-Davidson Way, Sturgis SD

Page

**1. CALL TO ORDER REGULAR MEETING OF THE CITY COUNCIL**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF THE AGENDA**

**4. ANNOUNCEMENTS AND PRAISE**

**5. NON-AGENDA MATTERS THAT MAY COME BEFORE THE COUNCIL**

To address the City Council, please stand behind the front table and state your name clearly into the microphone for the public record. Please keep your comments respectful and complete your comments in three minutes or less. If you are unable to approach the podium due to a physical limitation, a portable microphone will be provided.

5.1. Non-agenda matters that may come before the Council

**6. MAYOR'S REPORT**

**7. CONSIDER CONSENT AGENDA**

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7.1. Request to set a Public Hearing for proposed Ordinance No. 2026-06 Chapter 153.052 Regarding Location Standards for Wireless Telecommunication Facilities on June 15, 2026.

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## **8. APPROVAL OF THE CLAIMS**

- 8 - 9 8.1. [Council Bills 06042026](#)

## **9. REPORTS**

- 10 - 11 9.1. Canvassing of the vote with consideration to approve the 2026 Special Election  
[Agenda Item Report - Pdf](#)

## **10. RECESS**

## **11. RESUME MEETING**

## **12. MAYOR'S REPORT**

- 12 12.1. Discussion on Sponsorship Pathways  
[Agenda Item Report - Pdf](#)

## **13. EXECUTIVE SESSION**

- 13.1. a. Pursuant to SDCL 1-25-2 (1), Personnel:  
b. Pursuant to SDCL 1-25-2 (3), Legal:  
c. Pursuant to SDCL 1-25-2 (4), Contracts:  
d. Pursuant to SDCL 1-25-2 (5), Marketing:  
e. Pursuant to SDCL 1-25-2 (6), Security:

## **14. RESUME OPEN MEETING**

- 14.1. Return to Open Session

## **15. ADJOURN**

## **16. ADA ACCOMMODATION**

If you desire to attend this public meeting and are in need of special accommodations (including participation by telephone), please notify the

Finance Office by 10am on the day of the meeting so that appropriate auxiliary aids and services may be coordinated. The Finance Office can be reached at (605) 347-4422, option 1.

**Meeting Date:** Special City Council - Jun 04 2026

**Agenda Item:** Request to set a Public Hearing for proposed Ordinance No. 2026-06 Chapter 153.052 Regarding Location Standards for Wireless Telecommunication Facilities on June 15, 2026.

**Prepared By:** Rick Bush, Director of Public Works

### **BACKGROUND INFORMATION:**

At the May 4, 2026 Planning Commission meeting, staff introduced the potential use of a new zoning tool, Special Permitted Uses (SPUs), for defined wireless telecommunications facilities and certain home-based businesses. Because SPUs are a new land-use mechanism for the City and would require development of objective approval criteria and coordination with the City's newly arriving Planning Director, staff recommends that the broader SPU initiative be pursued after the Planning Director has completed initial orientation and can participate in that policy work.

The ordinance presented and noticed for the June 2 public hearing is narrower than the future SPU initiative. In reviewing potential wireless telecommunications facility siting options within the City, staff identified a specific issue in the City's existing wireless telecommunications regulations. Section 153.052(B) currently requires any wireless telecommunication facility to be located at least 750 feet from any existing structure.

That standard is difficult, and in developed areas may be impossible, to satisfy. It applies regardless of whether the nearby structure is residential, commercial, industrial, accessory, governmental, or utility-related. As a result, the existing standard can eliminate otherwise suitable nonresidential locations without distinguishing between sensitive residential land uses and ordinary structures located within developed commercial or public areas.

Ordinance No. 2026-06 would revise the existing location standard so that the 750-foot separation applies from the boundary of districts zoned residential, rather than from every existing structure.

The City's wireless telecommunications facility regulations are codified in Chapter 153 rather than in Chapter 156, the City's general zoning chapter. Nevertheless, the standards in Chapter § 153 are land-use and zoning in character. Chapter 153 regulates the placement, construction, and modification of wireless telecommunications facilities. Its stated purposes include furthering the goals and policies of the City's comprehensive plan, minimizing impacts on existing uses, ensuring compatibility with surrounding land uses, and promoting the location of telecommunications towers in nonresidential areas. Chapter 153 also requires wireless telecommunications facilities to comply with the setback requirements of the zoning district in which they are located.

South Dakota law authorizes municipalities to regulate the height, size, location, and use of buildings, structures, and land through zoning regulations. Because the proposed amendment changes a location standard governing where wireless telecommunications facilities may be placed in relation to residential zoning districts, staff is presenting the amendment through the zoning text-amendment

process, including Planning Commission public hearing and recommendation before Common Council consideration. See SDCL §§ 11-4-1, 11-4-4, 11-4-8, and 11-4-12.

Federal law also preserves local governmental authority over decisions regarding the placement, construction, and modification of wireless communications facilities, subject to limitations including that local regulation may not prohibit or have the effect of prohibiting the provision of personal wireless services. The proposed amendment does not eliminate local siting regulation; it replaces an exceptionally broad separation requirement with a standard directed to residential zoning districts and residential land-use compatibility concerns. See 47 U.S.C. § 332(c)(7).

### **DISCUSSION:**

Staff believes the current 750-foot-from-any-structure requirement is broader than necessary to address the land-use compatibility concerns identified in Chapter 153. A wireless telecommunications facility proposed in an otherwise appropriate nonresidential area may be precluded solely because it is within 750 feet of an unrelated industrial or commercial building, shed, utility structure, public structure, or other nonresidential improvement.

The proposed amendment retains meaningful residential protections. Wireless telecommunication facilities will remain prohibited in areas zoned residential. In addition, facilities located outside those districts will be required to remain at least 750 feet from the boundary of any district zoned residential.

The proposed amendment does not eliminate other standards in Chapter 153. Wireless telecommunications facilities will remain subject to applicable application procedures, structural-design requirements, underlying zoning-district setbacks, fencing, access, landscaping, lighting, visual-impact, inspection, and abandonment requirements.

Finally, the proposed amendment does not implement the broader SPU framework previously discussed by the Planning Commission. Staff anticipates that a future SPU initiative, if pursued, would involve a more comprehensive review of wireless telecommunications facility siting standards, eligible locations, objective certification criteria, separation from sensitive land uses, and the relationship between Chapters 153 and 156.

### **CODE REFERENCES:**

- City Code Chapter 153, including §§ 153.001, 153.035, 153.036, 153.037, 153.052, and 153.053.
- SDCL §§ 11-4-1, 11-4-4, 11-4-8, and 11-4-12.
- 47 U.S.C. § 332(c)(7).

### **ATTACHMENTS:**

[ORDINANCE NO. 2026-06 - Chapter 153.052 Wireless Amendment - ETD Draft - 5-19-26](#)

#### **Approved By:**

Ann Bertolotto, Finance Officer

#### **Status:**

Approved - Jun 03 2026

**ORDINANCE NO. 2026-06**

**AN ORDINANCE AMENDING SECTION 153.052 OF THE CITY OF STURGIS MUNICIPAL CODE REGARDING LOCATION STANDARDS FOR WIRELESS TELECOMMUNICATION FACILITIES**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF STURGIS, SOUTH DAKOTA**, that Section 153.052 of the City of Sturgis Municipal Code is hereby amended, with underline indicating text to be added and ~~strikethrough~~ indicating text to be deleted, as follows:

**Section 1. Amendment of Section 153.052.**

Section 153.052 of the City of Sturgis Municipal Code is hereby amended to read as follows:

§ 153.052 LOCATION.

- (A) Wireless telecommunication facilities shall not be permitted in areas zoned residential.
- (B) Unless otherwise specifically provided within this chapter, any wireless telecommunication facility shall be a minimum of 750 feet from ~~any~~ structure the boundary of any district zoned residential.

**Section 2. Repealer.**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 3. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 4. Effective Date.**

This ordinance shall become effective following passage, approval, and publication as provided by law.

Adopted by action of the Sturgis Common Council this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF STURGIS**

\_\_\_\_\_  
Tony Dargatz, Mayor Pro Tempore

(Seal)

ATTEST:

\_\_\_\_\_  
Ann Bertolotto, Finance Officer

First reading:

Second reading:

Adopted:

Published:

Effective:

Vendor Name	Merchant Name	GL Account and Title	Description	Net Invoice Amount	Invoice Date
<b>Combined Cash Fund</b>					
PETTY CASH	PETTY CASH	100-1035 ATM Cash	ATM LIQUOR STORE	5,000.00	06/02/2026
PETTY CASH	PETTY CASH	100-1036 ATM Cash-CC	ATM COMM CENTER	2,000.00	06/02/2026
Total Combined Cash Fund:				7,000.00	
Total :				7,000.00	
<b>Planning and Permitting</b>					
<b>General</b>					
WATSON, JAYNA	WATSON, JAYNA	101-4196-42200 Professional Fees	Prof Fees April 2026	1,687.50	05/01/2026
WATSON, JAYNA	WATSON, JAYNA	101-4196-42200 Professional Fees	Prof Fees May 2026	1,843.75	06/01/2026
Total General:				3,531.25	
Total Planning and Permitting:				3,531.25	
<b>Sponsorship</b>					
<b>General</b>					
EPIC OUTDOOR ADVERTISING, LLP	EPIC OUTDOOR ADVERTISING, LLP	101-4198-42400 Rental--Sponsorship	Billboard Lease - May 2026	1,600.00	05/01/2026
Total General:				1,600.00	
Total Sponsorship:				1,600.00	
<b>Rally Department</b>					
<b>General</b>					
PERFECT WAVE PRODUCTIONS LLC	PERFECT WAVE PRODUCTIONS LLC	101-4199-42200 Professional Fees--Rall	MoM Sound Prof Fees 1 of 3	3,366.00	06/04/2026
STURGIS AREA CHAMBER OF COMMERCE	STURGIS AREA CHAMBER OF COMM	101-4199-42200 Professional Fees--Rall	Events Contract June 2026	4,000.00	06/04/2026
STURGIS AREA CHAMBER OF COMMERCE	STURGIS AREA CHAMBER OF COMM	101-4199-42200 Professional Fees--Rall	Contract June 2026	15,650.00	06/04/2026
Total General:				23,016.00	
Total Rally Department:				23,016.00	
<b>Airport</b>					
<b>General</b>					
BURNHAM, ROGER	BURNHAM, ROGER	101-4350-42200 Professional Fees	Contract June 2026	4,988.42	06/04/2026
Total General:				4,988.42	

Vendor Name	Merchant Name	GL Account and Title	Description	Net Invoice Amount	Invoice Date
Total Airport:				4,988.42	
<b>Ambulance</b>					
<b>Ambulance</b>					
LEWIS, DR. SARAH	LEWIS, DR. SARAH	644-4460-42200 Professional Fees	Contract June 2026	500.00	06/04/2026
Total Ambulance:				500.00	
Total Ambulance:				500.00	
<b>Misc Expenditures</b>					
<b>Special Sales Tax</b>					
STURGIS ECONOMIC DEVELOPMENT CORP.	STURGIS ECONOMIC DEVELOPMENT	211-9000-46510 Sturgis Economic Dev	Contract June 2026	5,000.00	06/04/2026
STURGIS AREA CHAMBER OF COMMERCE	STURGIS AREA CHAMBER OF COMM	211-9000-46520 Sturgis Area Chamber	Contract June 2026	6,818.00	06/04/2026
Total Special Sales Tax:				11,818.00	
Total Misc Expenditures:				11,818.00	
Grand Totals:				52,453.67	

**Meeting Date:** Special City Council - Jun 04 2026

**Agenda Item:** Canvassing of the vote with consideration to approve the 2026 Special Election

**Prepared By:** Ann Bertolotto, Finance Officer

**BACKGROUND INFORMATION:**

The 2026 Special Election was held on June 2, 2026 for the remainder of Mayor Forrester's 3 year term ending in 2028 and the remainder Ward 1 Councilman Nick Jones 3-year term ending in 2027

**DISCUSSION:**

Canvassing has to be completed in no more than 7 days after the election according to SD Codified Law 9-13-24 The official canvassing sheet will be available at the meeting

**BUDGET IMPACT:**

None

**RECOMMENDATION:**

Motion to approve

**ATTACHMENTS:**

[Canvassing Instruction Sheet](#)

**Approved By:**

Aaron Jordan, City Administrator

**Status:**

Approved - Jun 03 2026

# BALLOT COUNTING, CANVASSING AND RECOUNTING

## Board of Canvassers

The duties of the official board of canvassers for a local jurisdiction are as follows (ARSD 05:02:17:12):

- ▶ Open the returns from each precinct which are found in each poll book
- ▶ Satisfy itself that the returns are genuine and not forged
- ▶ Tabulate the returns from the precincts and the certification of provisional ballot count
- ▶ Declare the result
- ▶ Make an abstract (ARSD 05:02:17:11) of the results of the votes cast for each of the candidates and each of the issues. The abstract must be signed and certified by the canvassers under the seal of the business manager or finance officer of the local jurisdiction.

**Meeting Date:** Special City Council - Jun 04 2026

**Agenda Item:** Discussion on Sponsorship Pathways

**Prepared By:** Aaron Jordan, City Administrator

### **BACKGROUND INFORMATION:**

Over the past several years, the City of Sturgis has developed and administered a sponsorship and brand program associated with the Sturgis Motorcycle Rally. Through the investment of public resources, staff time, sponsor cultivation, and brand development efforts, the program has evolved into a significant municipal asset that generates revenue supporting City operations and services.

In April 2026, the City Council considered Resolution 2026-19, which recognized the value of the sponsorship and brand program and established an interim framework for administration of the 2026 Rally sponsorship program. The resolution also outlined a potential transition of sponsorship and licensing commercialization activities to a third-party operator while retaining City ownership of assets, intellectual property, policy authority, and municipal regulatory functions.

At its May 4, 2026, meeting, the City Council discussed the sponsorship pathways item and voted to table further consideration until the June 15, 2026, City Council meeting. The purpose of the postponement was to allow additional review and discussion regarding the future direction of the sponsorship and brand program.

Since that time, the City has continued administration of the 2026 sponsorship program and maintained sponsor relationships in support of the upcoming Rally. With the recent municipal election and transition in City leadership, staff believes it is appropriate to revisit the sponsorship pathways discussion and provide the Mayor and City Council an opportunity to discuss potential long-term governance and operational models before additional implementation efforts are undertaken.

### **DISCUSSION:**

This discussion item is intended to provide background, review the potential pathways for the upcoming decision on sponsorship pathway at the June 15th Council Meeting.

### **RECOMMENDATION:**

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**Approved By:**

Aaron Jordan, City Administrator

**Status:**

Approved - Jun 03 2026