

NOTICE OF PUBLIC HEARING
UPON APPLICATION FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that the Common Council of the City of Sturgis, South Dakota, will meet in regular session at Sturgis City Hall Council Chambers at 1040 Harley-Davidson Way on the 19th day of May, 2021 at 6:30pm to consider the following malt beverage license renewal applications for the calendar year 2021-2022:

Retail (on-off sale) Malt Beverage & SD Farm Wine

1. 1337 Main LLC – 1073 Main St – regular
2. Jackson Winery and Vineyards LLC – Belle Joli Winery – 3951 Vanocker Canyon Rd – regular
3. Glen and Suzanne Bailey, LLC – Big Bertha’s Biker Bar - 1123 Main St – regular
4. Big D Oil Co – Big D Oil #46 – 2800 Junction Ave. – regular
5. Big Rig RV Park – 3333 Dolan Creek Rd - regular
6. Dvorak Convenience Stores, Inc. - BJ’s Country Store - 2640 Lazelle St – regular
7. Shawn Fischer – Boulder Canyon Station – 2715 Lazelle, Ste D - regular
8. CBH Cooperative – CBH Cooperative – 2030 Lazelle - regular
9. Charley’s Sturgis Classic Bike Event LLC – Charley’s - 947 Main Street - regular
10. Moyle Petroleum Co. – Common Cents Food Store #120 – 2421 S. Junction Ave - regular
11. MG Oil CO – Corner Pantry #6 Sturgis - 990 Lazelle - regular
12. Days End Campground Inc – Days End Campground - 2501 Avalanche Rd – regular
13. Joe DesJarlais Jr – DesJarlais Farms LLC – 1335 Ballpark – regular
14. Robert Tomkins – Dirty Dogs Roadhouse Inc – regular
15. Dolgen Midwest LLC – Dollar General Store #18409 – 1940 Lazelle - regular
16. Big Als Pizza Inc – Dominos Pizza – 1057 Main St – restaurant
17. Family Dollar #7146 – 2415 Lazelle - regular
18. Kenny Price - Fat Boys LLC – 1544 Lazelle – regular
19. Jim Mason – Gold Pan Pizza - 1133 Main St – regular
20. Kan-Meyer Inc – Grocery Mart – 2216 Junction - regular
21. Rick & Brandy Jacobs – Jacobs Auto Repair – 1412 Junction Ave - regular
22. Mako Enterprises Inc – Kickstart Travel Center – 12998 Hwy 34 – regular
23. Hullinger Cuny LLC. – Kwik Mart – 2217 Junction Ave – regular
24. Lisa Cress – La Risa Mexican Cuisine – 748 Lazelle – restaurant
25. Lynn’s Inc – Lynn’s Dakotamart Sturgis – 1111 Lazelle - regular
26. Black Hills Pizza Hut Inc – Pizza Hut of Sturgis - 2249 Lazelle - regular
27. Old West Enterprises, LLC – Pizza Ranch of Sturgis – 2711 Lazelle St. - regular
28. Dvorak Convenience Stores Inc – Poker Alice Casino - 2640 Lazelle St – regular
29. Sheree D. Schriver – Red’s Grill & Pub – 2214 Junction Ave. - restaurant
30. Billy & Nancy Fields – Rosco’s Steakhouse - 976 Lazelle - regular
31. Dungeon Bar, Inc – Royal Flush Casino & Sport Bar - 1030 Main St - regular
32. Shanghai Garden Inc – Shanghai Garden – 1541 Lazelle St. - restaurant
33. Lybeck’s Twenty-First Century Inc – Shenanigan’s Casino - 935 Main St – regular
34. KLD & B Inc – Steel Pony Campground – 12997 SD Hwy 34 - regular
35. Jawbone Investments LLC – Stinger Saloon – 1102 Main St – regular
36. Sturgis Brewing Company – 600 Anna Street - regular
37. MAJR, LLC – Sturgis Coffee Company - 2275 Lazelle Street - restaurant
38. Sturgis Events LLC – Sturgis Events - 1231 Lazelle - regular
39. Sturgis RV Park, LLC – Sturgis RV Park, LLC – 1175 W Woodland - regular
40. Sturgis Strikers LLC – Sturgis Strikers – 910 1st Street - regular
41. Sturgis Wine Company LLC – Sturgis Wine Company – 1117 Main Street - regular
42. Key City Enterprises LLC – The Knuckle Saloon – 931 1st Street - regular
43. Morgan LLC – Total E’Clips Salon - 920 1st St – regular
44. David Stewart – Uncle Louie’s Diner – 1039 Main St - restaurant
45. BW Gas & Convenience Retail LLC – Yesway Store #1193 – 2350 Lazelle - regular

NOTICE IS FURTHER GIVEN that any person(s) or their attorney who are interested in the approval or rejection of any such application may appear and be heard. Individuals needing assistance pursuant to the *Americans with Disabilities Act* should contact the City of Sturgis Finance Officer (605-347-4422) in advance of the meeting to make any necessary arrangements.

Fay Bueno, Finance Office

Published once at the total approximate cost of \$

License # _____

City of Sturgis SPECIAL EVENTS Alcoholic Beverage License Application

Business Name: Oasis Bar and Fireside Lounge
Owner Name: PSI Enterprises, LLC
Address: 1145 Main St.
PO Box 1000
Telephone #: Sturgis, SD 57785
Date of Event: (303) 263-5644

Description of Event:
Serve while events and promotions are held at Harley Davidson Rally Point during the 81st annual motorcycle rally Friday, August 6th through Saturday, August 14th.

Location of Event (Street Address): Harley Davidson Rally Point
985 Harley Davidson Way
Sturgis, SD 57785

Map of premises where alcohol sales will occur

If separated from a non-alcohol site, how will you keep separate:
Placement of 'No Alcohol Beyond This Point' signs on the poles at each entrance to Rally point has been done in past years.

Check which license you currently hold: Malt Beverage Liquor Wine
Check which license is requested for Special Event: Malt Beverage Liquor Wine
Do you own or lease this property? If leasing, please include copy of lease agreement.

Also Include:
 Proof of Insurance (ATTACH A VALID COPY OF CERTIFICATE OF INSURANCE OR LETTER FROM INSURER CONFIRMING THE POLICY IS IN PLACE NAMING THE CITY OF STURGIS AS AN ADDITIONAL INSURED FOR THE ACTIVITIES DESCRIBED IN THE SPECIAL EVENT APPLICATION.)

 \$100 per day fee for Liquor License. No. of Days 9 X \$100 = \$900 Total
 \$ 50 per day fee for Malt Beverage License. No. of Days _____ X \$ 50 = _____ Total
 \$ 50 per day fee for Wine License. No. of Days _____ X \$ 50 = _____ Total

TOTAL AMOUNT DUE \$900

 Copy of Current Valid Alcoholic Beverage License

Has applicant requested use of City property as part of license request? Yes No
 Copy of request attached

Signature Robyn Bradley Date 4/15/21
BUSINESS OWNER OR CORPORATE OFFICER ONLY

OFFICE USE ONLY:

Notice of Hearing Published on _____
Public Hearing Held on _____

COUNCIL DECISION: Approved Disapproved

PSI ENTERPRISES LLC
OASIS BAR & LOUNGE
1145 MAIN STREET
STURGIS, SD 57785

December 04, 2020

Dear PSI ENTERPRISES LLC

Below is your Retail On-Sale Liquor license. It shall be valid only for the person in whose name it is issued and for the transaction of business at the location approved. The license shall be available for inspection.

A list of the approved alcohol training programs may be found at: <https://dor.sd.gov/businesses/taxes/alcohol/>

Website: <http://dor.sd.gov>

SD EPath: <http://dor.sd.gov/EPath>



Having made proper application therefore, and upon compliance with all applicable laws and regulations of the state of South Dakota, this license is hereby issued to the below named. This license remains the property of the state of South Dakota and while in possession of the person to whom issued, entitles the licensee to transact whatever business or activity is specified on this license, until this license expires or is cancelled.

<http://dor.sd.gov>

ISSUE DATE 01/01/2021

EXPIRATION DATE 12/31/2021

LICENSE NUMBER: RL-6001

LICENSE TYPE: Retail On-Sale Liquor

ISSUED TO:

PSI ENTERPRISES LLC
1145 MAIN STREET
STURGIS, SD 57785

OASIS BAR & LOUNGE
1145 MAIN STREET
STURGIS, SD 57785

Jim Terwilliger
Secretary of Revenue



2021 STURGIS MOTORCYCLE RALLY “OPEN CONTAINER” DISCUSSIONS

Objective

Previously, the City has discussed the potential of allowing open container during the annual City of Sturgis Motorcycle Rally. New discussions by the Rally and Events Committee have centered on three potential positives of allowing open container during this years' events.

The first potential positive has been creating a more welcoming environment for visitors. This is the same goal that was discussed at length before the 2017 event. The goal of the proposal has been to allow a more welcoming environment for guests, who would be able to take their adult beverage from a licensed location along a sidewalk to another location. Currently, visitors are required to quickly consume their product in order to exit a licensed location or carry their alcoholic beverage illegally onto a sidewalk. The proposal would allow visitors to have a more relaxed, inviting experience throughout the Downtown core, similar to Las Vegas and New Orleans. Over the years, the City's experience with open containers has increased with festivals such as the Mustang Rally, Music on Main and the Opening Ceremony for the 79th Annual City of Sturgis Motorcycle Rally.

The second potential positive has been focused on potential benefits in the age of COVID-19. Though we all hope that we are wrong, the pandemic in August 2021 is not likely to be significantly different than it is now. A significant number of people will have been vaccinated or have recovered from the virus, but there will still be some transmission of the virus ongoing, while people significantly increase their movement.

When reviewing the national exposure that occurred during last year's event, the most significant criticism came from pictures of people gathering in tight quarters drinking shoulder to shoulder. Though many of the photos were old and taken from previous events, the narrative still remained that there was significant crowding indoors. The City eliminated the events under its control that generated significant crowds, however, the indoor drinking still went against the national norms that had evolved.

During the discussions regarding the potential outcomes of canceling the event or portions of the event, the idea of allowing for an open container to allow visitors to enjoy an alcoholic beverage outside gained some positive comments.

The third potential positive has been the potential for establishing a new significant revenue stream for local charities. With the decline in royalty revenue from officially licensed SMRI product, the amount of funding to local charitable and youth groups in our community has



decreased significantly over the past two years. For years, more than \$75,000 had been distributed to local agencies. Unfortunately, that figure has been reduced to near \$25,000 for two years. The City has attempted to assist in increasing revenue by allowing opt in donations by vendors, increasing the number of events and encouraging partners to increase donations. Despite these efforts, the funding to local charities has decreased significantly. The proposal would provide a significant amount of the proceeds from event cup sales to be provided to local charities. The proposal includes the net proceeds from the sales of official open container cups to be used for distribution to Sturgis Rally Charities and funding for an endowment to provide funding for distributions in future years. The actual amount raised would depend upon the number of cups sold, however, conservative estimates indicate that the open container cup sales would generate tens of thousands for Sturgis Rally Charities.

Due to the issues surrounding open container during the Rally including the issues with the pandemic and social distancing Rally & Events proposes using a controlled, relevant study along with the open container resolution, to evaluate and understand both the positive and negative effects of open-container policy. This study would provide empirical evidence by which future decisions could be made. What would be the effect on local citizens and businesses, law enforcement, City employees, attendees, and the “Rally experience” during the 2021 City of Sturgis Motorcycle Rally. The City could more definitively answer the range of questions and concerns surrounding this issue, while following CDC guidelines and to better predict future impacts for both the Rally and the charities who would benefit from this activity.

Background

The City of Sturgis Motorcycle Rally is the single largest event in the state of South Dakota, providing value to our region by attracting visitors and businesses from around the world. The economic impact to Sturgis and the region is unprecedented. The Rally, as with most longstanding events, has evolved dramatically over the years. The City of Sturgis is tasked with the ongoing process of assessing annual results and realigning goals to meet the needs of our citizens, local & regional businesses, attendees, and outside partners. This is done with a dual role to both preserve and improve the Rally. The 2020 80th Anniversary showed that people would come to the Rally even in a pandemic. It also illustrated the reliance that regional and local business have on the City of Sturgis and the Rally.

The proposed Rally Open Container plan consists of allowing an open container, for beer and wine, within an approximate area of Main and Lazelle Streets, provided that consumption be restricted to a City special-event cup (which the City would produce and sell) by an individual whose ID has been checked and has been provided a wrist band (provided and checked by the City or partners). Per the resolution, open container would be allowed for a nine-day period from 10:00 a.m. until 10:00 p.m. each day.



Approach

Sturgis Motorcycle Rally “open-container” study:

- Create a larger area to social distance in the downtown corridor
- Obtain a meaningful measured data from which future Councils can determine if open container is a net enhancement or detraction from the Rally
- Development and implementation of a risk mitigation plan
- Obtaining tangible data required to make informed, responsible municipal/community decisions, with respect to future or long-term implementation
- Provide up to four locations staffed by the City where individuals could purchase an Official Event Cup
- The same locations would check ID’s and provide a daily open container wrist band
- Any individual using an open container would only be able to do so in an Official Event Cup and if they have a wrist band
- The proposal would create a funding source for Rally Charities to develop a yearly source of income for distribution and to save a portion of the proceeds for future distribution

Assumptions

Rally Open-Container

Benefits:

- Enhanced Rally-goer experience
- Social Distance
- Fewer number of beer garden boundaries where enforcement is required
- Increased number of Rally-goers in downtown Sturgis
- Extended average duration of respective downtown visits
- Vendors and potentially local businesses could experience a resulting net increase in revenue
- City would recognize a net increase in revenue due to the profitability of the sale of the cups and the sponsorship opportunities on the cup
- Net proceeds of the cup sales would be distributed to Sturgis Rally Charities and to fund an endowment for future distribution

Concerns:

- Increased law enforcement contacts with Rally attendees
- Reduction in local business alcohol net revenue
- Rally goers not becoming educated with what containers and drinks are legal outside



Plan

Implement limited open container in downtown Sturgis during the 2021 Motorcycle Rally, according to the following plan:

Location:

- Previously defined open-container map or subset thereof
- South Dakota DOT has previously stated that there is no concern with including the crosswalks across Lazelle in the open container boundary

Schedule:

- Friday - Saturday (August 6 – 15)

Hours:

- 10:00 a.m. to 10:00 p.m.
- Mayor upon the advice of City Manager and Police Chief should have the power to reduce hours or discontinue open container all together should negative outcomes occur.

Risk Mitigation:

If events/decisions necessitate rescinding this open-container implementation, during the defined test period.

- Stakeholder notification
- Special event cups no longer available for sale
- Wrist bands will no longer be provided
- City Staff will remove signage at all establishments and boundaries and install new signs explaining no open container allowed (signage will already be prepared)
- Public/Social Media information broadcasts by City Staff

Data collected:

- Attendance (collected daily through Liveguage, photos, traffic counts, garbage collection)
- Traffic counts
- Alcohol sales
- Overall sales
- Crime
- Website and social media reaction

Data analysis/comparison/reporting:

- Historic
- 2021 open container



- 2020 no open container
- Baseline/normalized/deviations

Results

Compile public report of findings and conclusions.

Facilitate public discussion of results at the annual Post Rally Summit.

City of Sturgis SPECIAL EVENTS Alcoholic Beverage License Application

Business Name: Knuckle Salon
 Owner Name: Key City Enterprises
 Address: 931 1st St. Sturgis, SD
 Telephone #: (605) 347-0100
 Date of Event: June 3rd, 2021

Description of Event: Rally Point
City AA Walk

Location of Event (Street Address):
919 Harley Davidson Way, Sturgis, SD
 Map of premises where alcohol sales will occur

If separated from a non-alcohol site, how will you keep separate:

Check which license you currently hold: Malt Beverage Liquor Wine

Check which license is requested for Special Event: Malt Beverage Liquor Wine
 Do you own or lease this property? If leasing, please include copy of lease agreement.

Also Include:
 Proof of Insurance (ATTACH A VALID COPY OF CERTIFICATE OF INSURANCE OR LETTER FROM INSURER CONFIRMING THE POLICY IS IN PLACE NAMING THE CITY OF STURGIS AS AN ADDITIONAL INSURED FOR THE ACTIVITES DESCRIBED IN THE SPECIAL EVENT APPLICATION.)

<input type="checkbox"/> \$100 per day fee for Liquor License.	No. of Days	___	X \$100 =	___	Total
<input checked="" type="checkbox"/> \$ 50 per day fee for Malt Beverage License.	No. of Days	<u>1</u>	X \$ 50 =	<u>50</u>	Total
<input type="checkbox"/> \$ 50 per day fee for Wine License.	No. of Days	___	X \$ 50 =	___	Total

TOTAL AMOUNT DUE 50

Copy of Current Valid Alcoholic Beverage License

Has applicant requested use of City property as part of license request? Yes No
 Copy of request attached

Signature [Signature] Date 4/29/21
 BUSINESS OWNER OR CORPORATE OFFICER ONLY

OFFICE USE ONLY:

Notice of Hearing Published on _____

Public Hearing Held on _____

COUNCIL DECISION: Approved Disapproved



<http://dor.sd.gov>

ISSUE DATE 01/01/2021

EXPIRATION DATE 12/31/2021

LICENSE NUMBER: RL-6034

LICENSE TYPE: Retail On-Sale Liquor

ISSUED TO:

KEY CITY ENTERPRISES LLC
PO BOX 335
STURGIS, SD 57785-0335

Having made proper application therefore, and upon compliance with all applicable laws and regulations of the state of South Dakota, this license is hereby issued to the below named. This license remains the property of the state of South Dakota and while in possession of the person to whom issued, entitles the licensee to transact whatever business or activity is specified on this license, until this license expires or is cancelled.

THE KNUCKLE SALOON
931 1ST STREET
STURGIS, SD 57785

A handwritten signature in black ink that reads 'Jim Terwilliger'.

Jim Terwilliger
Secretary of Revenue

E

Knuckle
Brew Co.

Oasis

Harley Davidson Way.

Larelle

Senior
Center

Alley

K - Bar
Setup

Rally
Point
Stage

S

W

License # BL-603A

City of Sturgis SPECIAL EVENTS Alcoholic Beverage License Application

Business Name: Knuckle Salon
Owner Name: Key City Enterprises
Address: 931 12th St, Sturgis, SD
Telephone #: (605) 347-0100
Date of Event: May 29th, 2021

Description of Event:
Salute to Heroes
Rally Point

Location of Event (Street Address):
919 Harley Davidson Way, Sturgis, SD
Map of premises where alcohol sales will occur

If separated from a non-alcohol site, how will you keep separate:

Check which license you currently hold: Malt Beverage Liquor Wine
Check which license is requested for Special Event: Malt Beverage Liquor Wine
Do you own or lease this property? If leasing, please include copy of lease agreement.
Also Include:
 Proof of Insurance (ATTACH A VALID COPY OF CERTIFICATE OF INSURANCE OR LETTER FROM INSURER CONFIRMING THE POLICY IS IN PLACE NAMING THE CITY OF STURGIS AS AN ADDITIONAL INSURED FOR THE ACTIVITIES DESCRIBED IN THE SPECIAL EVENT APPLICATION.)
 \$100 per day fee for Liquor License. No. of Days _____ X \$100 = _____ Total
 \$ 50 per day fee for Malt Beverage License. No. of Days 1 X \$ 50 = 50.00 Total
 \$ 50 per day fee for Wine License. No. of Days _____ X \$ 50 = _____ Total
TOTAL AMOUNT DUE 50.00
 Copy of Current Valid Alcoholic Beverage License
Has applicant requested use of City property as part of license request? Yes No
 Copy of request attached
Signature [Signature] Date 4/29/21
BUSINESS OWNER OR CORPORATE OFFICER ONLY

OFFICE USE ONLY:
Notice of Hearing Published on _____
Public Hearing Held on _____
COUNCIL DECISION: Approved Disapproved



<http://dor.sd.gov>

ISSUE DATE 01/01/2021

EXPIRATION DATE 12/31/2021

LICENSE NUMBER: RL-6034

LICENSE TYPE: Retail On-Sale Liquor

ISSUED TO:

KEY CITY ENTERPRISES LLC
PO BOX 335
STURGIS, SD 57785-0335

Having made proper application therefore, and upon compliance with all applicable laws and regulations of the state of South Dakota, this license is hereby issued to the below named. This license remains the property of the state of South Dakota and while in possession of the person to whom issued, entitles the licensee to transact whatever business or activity is specified on this license, until this license expires or is cancelled.

THE KNUCKLE SALOON
931 1ST STREET
STURGIS, SD 57785

A handwritten signature in black ink that reads "Jim Terwilliger". The signature is written in a cursive style with a large, sweeping "J" and "T".

Jim Terwilliger
Secretary of Revenue

E

Knuckle
Brew Co.

Oasis

Harley Davidson
Wair.

Senior
Center

Bar
Setup

Alley

Roller
Point
Stage

Lanette

W

N