

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Tuesday, July 19, 2021, at the Sturgis City Hall Council Meeting Room. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Kevin Forrester, Aaron Jordan, David Martinson, Dean Sigman, Angela Wilkerson and Beka Zerbst. Also present: City Manager Daniel Ainslie. Absent: none.

Motion by Martinson, second by Zerbst and carried with all members present unanimously voting yes to approve the agenda.

Motion by Zerbst, second by Sigman and carried with all members present unanimously voting yes to go into executive session for 2 legal cases, 3 contracts and 2 personnel at 6:00 pm.

Motion by Jordon, second by Forrester to return to regular session at 6:30 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

Mayor Carstensen presented a check for \$20,000 to Emma Garvin, Director and Vinny Terranova, Board Director for the Sturgis Motorcycle Museum.

Informational Reports:

- a. Planning Commission minutes from July 7, 2021 (approved)
- b. Planning Commission minutes from July 13, 2021 (unapproved)
- c. Library Board minutes from June 20, 2021

Councilor's Update:

Councilor Forrester reported on the following items: the City website has a new look and is very nice. The City will be getting Meeting Management software that should be up and ready by the first of the year. The City Departments are providing KPI's (Key Performance Indicators) to the Council on a monthly basis. We will be receiving ARPA money that will help pay for some of the reconstruction of the Wastewater treatment plant, and in turn it should free up some money for street reconstruction (East Main Street and Moose Drive). The Rally is almost here, with many activities being planned. The new brand is being marketed through different medias. Open container event cups will be sold during the Rally with some of the proceeds going to an Endowment and Rally Charities. Two new developments in town are beginning to take shape. Marijuana ordinance is in the process of being looked at.

City Manager Ainslie reported:

- a. Payroll Changes
 1. Ambulance – Cody Heupel Paramedic change to FT \$22.47

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

- a. Consideration to approve minutes from the regular Council meeting on July 6, 2021.
- b. Consideration to approve Resolution 2021-37 to surplus city items.

RESOLUTION 2021-37
A RESOLUTION DECLARING PROPERTY SURPLUS

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described below is hereby declared surplus and to be disposed of as described by SDCL 6-13-1. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

LIBRARY

Furniture

- 2 blue teen lounge chairs
- 1 tan stackable chair
- 4 brown leather chairs (from City Hall Board Room)
- 2 orange office chairs
- 1 light gray office chair

Printers

HP LaserJet 1200 (s/n: CNBRG46826)

Timeclock

Lathem 5000e timeclock

Timecard rack

Timecards

Keyboards

3 HP keyboards (non-USB)

Other

MultiSeal 252 large laminator (has a frayed cord)

(WIN XP, WIN 7, WIN 10 – many will not boot up or OS cannot be upgraded due to hardware requirements):

Computers

HP Compaq Elite 8300 Ultra-Slim Desktop (s/n: MXL307143W)

HP Compaq Elite 8300 Ultra-Slim Desktop (s/n: MXL13602Q8)

HP Compaq Elite 8300 Ultra-Slim Desktop (s/n: MXL2040LF6)

HP Compaq Elite 8300 Ultra-Slim Desktop (s/n: MXL2040LPK)

HP Compaq (s/n: WUB53009BC)

HP Compaq dc5100 Small Factor Form (s/n: RF68MW8Z3007)

HP Compaq (s/n: MXL9150MB3)

HP Compaq (s/n: MXL3232J21)

HP Compaq (s/n: MXL3232J27)

HP Compaq (s/n: MXL3232J2B)

HP Compaq (s/n: MXL3232J26)

HP Compaq (s/n: MXL3232J2D)

HP Compaq (s/n: MXL3232J24)

HP Compaq (s/n: MXL3232J25)

HP Compaq (s/n: MXL3232J1Y)

HP Compaq (s/n: MXL3232J22)

HP Compaq (s/n: MXL3232J20)

HP Compaq (s/n: MXL3232J2F)

NOT IN WORKING CONDITION:

Monitors

HP L1706 (s/n: CND62601YQ)

HP L1706 (s/n: CND62601YQ)

Other Electronics

Clear Tech Laminator (s/n: 36320)

Fellowes Shredder (P-45C)

AIRPORT

International tractor 385 with a 720-brush mower
BERC sweeper for ATV or UTV with one new brush

COMMUNITY CENTER

Cabinet
Quartet Projection Screen
Medtronic LifePak 500 AED (dispose)
Samsung tablet (dispose)
Men's Lockers – 188
Women's Lockers – 178
Bathroom partitions – men's
Bathroom partitions -women's

HUMAN RESOURCE

(2) Four-foot wide, lateral filing cabinets

LIQUOR STORE

(4) iPhone 5
(3) iPhone scanner sleds

BUILDINGS

(10) Soap dispensers

FINANCE

Motorola Radios SP50 radio plus charging station (dispose)

PUBLIC WORKS

1991 Chevy G30 Box Van VIN#2GBGG31J6M4136469
1988 Chevy G30 Box Van VIN#2GCGG31J4J4143525
I806 International Tractor S#1587 S-Y
1989 T Allis FR10B VIN#G10976
Broom arm and basket from streets
(2) wood timbers 16ft long
(4) Stihl leaf blowers BG 86 (needs work)
SN#268540576
SN#517920393
SN#518539874
SN#43379120
Stihl 111RX weed eater (needs work) SN#78031679
(2) filing cabinets
L shape countertop
Various nail boxes and holders
Electric winch 3 phase power SN#Y4683
Wooden door

POLICE DEPT

2009 Ford Crown Victoria White VIN #2FAHP71V29X129962

Dated this 19th day of July 2021.

Published: July 26, 2021
Effective: August 16, 2021

- c. Consideration to set a public hearing for August 23, 2021, for a street closure and open container for the Sturgis Area Chamber of Commerce at Harley Davidson Rally Point on August 25, 2021 for the Community Appreciation Picnic.
- d. Consideration to approve setting a public hearing for August 23, 2021, for an SEL for the Loud American for the Community Appreciation Picnic on August 25th at Harley-Davidson Point.
- e. Consideration to approve Resolution 2021-38 a Plat of Tract 1 and Tract 2 of Government Lot 1 for Lenders Commercial Finance Corporation and Devorah Lopez.

**RESOLUTION 2021-38
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 Devorah A. Lopez:

**SURVEY PLAT OF
TRACT 1 OF GOVERNMENT LOT 1
AND
TRACT 2 OF GOVERNMENT LOT 1
FORMERLY: GOVERNMENT LOT 1 AND A PORTION OF GOVERNMENT LOT 2
ALL LOATED IN: SE1/4 OF SE1/4 OF SECTION 36, T6N, R5E, BHM.
MEADE COUNTY, SOUTH DAKOTA.**

WHEREAS, said plat meets the requirements of the statutes.

WHEREAS, that the municipality approves the plat, and that the written certification of the City's approval will be affixed to the plat, by the Mayor.

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved as provided herein.

Dated this 19th day of July 2021.

Published: 07-26-2021
Effective: 08-16-2021

- f. Consideration to set a public hearing for Monday, August 23 for a Use on Review application for a business to operate out of a temporary structure at 970 Main Street. (Nutrition Club – Tracy Handt)

Motion by Martinson, second by Anderson and carried with all members present unanimously voting yes to approve the following claims with the addition of Hidden Estates LLC for \$299,324.14.

WAGES – Ambulance \$30,382.21; Attorney \$388.42; Auditorium \$202.88; Buildings \$1229.01; Cemetery \$2411.07; City Manager \$4848.69; Community Center \$18,409.08; Finance Office \$6741.85; Fire Department \$1286.59; Fleet \$7574.09; Human Resource \$5288.69; Library \$8907.36; Liquor

\$7745.48; Mayor and Council \$4046.71; Parks \$13,113.62; Planning & Permitting \$10,630.38; Police \$47,008.31; Rally \$14,016.45; Recreation \$3018.99; Sanitary Service \$16,487.99; Streets \$12,256.52; Wastewater \$12,589.99; Water \$15,532.04; Federal Withholding \$20,329.26; FICA \$17,428.75.

COMBINED CASH FUND – Barbara Clausen, \$25.28, refund; Cross Five Cattle Coolers, \$77.41, refund; First Interstate Bank, \$2000.00, ATM; Wayne Hull, \$40.00, refund.

GENERAL – Baker & Taylor, \$102.91, sup; Elton Lane Barden, \$150.00, prof fee; Bear Butte Valley Water, \$176.50, util; Black Hills Chemical, \$2965.34, sup; Black Hills Energy, \$15845.02, util; Nathan Botsford, \$8000.00, prof fee; Kenneth Brian, \$2400.00, prof fee; CBH, \$14862.16, sup; Dana's Plumbing, \$1009.68, rep; Dustbusters Enterprises, \$6362.24, rep; Epic Outdoor Advertising, \$4758.94, sup; Orville Fisher, \$328.01, sup; G&H Distributing, \$121.07, rep; Godfrey Brake Service, \$39.13, rep; David Alan Graham, \$1800.00, prof fee; Britnee Hendryx, \$4500.00, prof fee; Interstate Engineering, \$130.00, rep; J&J Asphalt, \$105.70, sup; J&L Services, \$330.00, rep; Aaron Jordan, \$194.88, travel; Ketel Thorstenson, \$1054.25, prof fee; Kevin Klug, \$100.00, prof fee; Livegauge, \$24540.00, prof fee; Lock & Fixit, \$148.00, sup; Lynn's Dakotamart, \$279.64, sup; MasterCard, \$106674.03, sup; MB Tree & Landscape, \$250.00, other; MDU, \$3146.65, util; Motionsoft, \$450.00, prof fee; Donald Newell, \$1210.00, refund; Scott Paramo, \$1097.50, rep; Pete Lien & Sons, \$399.00, sup; Petty Cash, \$32.68, travel; Powerplan, \$40.39, rep; Purchase Power, \$500.00, sup; Rushmore Office Supply, \$2589.75, sup; Sacrison Asphalt, \$97.20, sup; Skyline Paintless Dent Repair, \$8069.92, rep; Speedy Lube, \$50.49, sup; The Corner Station, \$79.13, sup; U Drive Technology, \$337.26, util; WP Music, \$2400.00, prof fee.

SPECIAL SALES TAX – Black Hills Energy, \$33.60, util; MasterCard, \$473.42, util; MDU, \$70.70, util.

CAPITAL IMPROVEMENT – A&L Contractors, \$6145.10; Baseline Surveying, \$2800.00; Black Hills Chemical, \$53.42; Helms & Associates, \$14057.97; Interstate Engineering, \$20784.80; MasterCard, \$3298.00; Quality Services, Inc., \$4452.59.

BUSINESS IMPROVEMENT DISTRICT – Anderson Imaging, \$301.00, sup; Big Gear Events, \$471.06, prof fee; John Bronikowski, \$24.00, refund; CBH, \$492.46, sup; Deborah Dugger, \$38.00, refund; Jim Giggee, \$46.00, refund; Heidi Hrabner, \$21.30, refund; MasterCard, \$7004.31, sup; Steve Reimer, \$42.00, refund; Kathleen Rice, \$55.00, refund; Rushmore Office Supply, \$98.88, sup; Heidi Saling, \$34.00, refund; Tom Stalley, \$15.00, refund; Tammy Webster, \$66.00, refund; White Canvas Art Co, \$130.00, sup; Kris York, \$65.00, other.

HOTEL OCCUPANCY TAX DISTRICT – MasterCard, \$13.18, other.

TIF#21 HIDDEN ESTATES – Hidden Estates, \$299,324.14.

LIQUOR – Arctic Glacier, \$842.82, resale; Black Hills Chemical, \$480.86, sup; Black Hills Windshield Repair, \$70.00, sup; Cash-Wa Distributing, \$2736.84, resale; Cask & Cork, \$1503.50, resale; CBH, \$174.41, sup; Coca Cola, \$1257.00, resale; Dakota's Best, \$703.50, resale; Desjarlais Farms, \$172.00, resale; Fisher Beverage, \$12942.84, resale; Gene's Lock Shop, \$129.00, rep; Johnson Western Wholesale, \$39232.76, resale; MasterCard, \$6042.66, pub; MDU, \$18.33, util; Okoboji Wines, \$376.00, resale; Prairie Berry, \$762.00, resale; Quality Brands of the Black Hills, \$33643.19, resale; Republic Beverage, \$34426.07, resale; Rushmore Office Supply, \$382.21, resale; Southern Glazer's of SD, \$13273.70, resale; Voss Distributing, \$272.80, resale.

WATER – AAA Collections, \$41.89, prof fee; Black Hills Energy, \$4916.71, util; G&H Distributing, \$198.74, sup; Lynn's Dakotamart, \$1.29, rep; MasterCard, \$3536.20, sup; MDU, \$209.38, util; Petty Cash, \$3.78, sup; South Dakota 811, \$137.76, prof fee.

WASTEWATER – CBH, \$35.00, other; MARLS, \$190.00, prof fee; MasterCard, \$3641.09, sup; Xpologistics, \$112.16, rep.

SANITATION – Black Hills Energy, \$15.00, util; CBH, \$1520.30, sup; City of Belle Fourche, \$34055.95, other; Lynn's Dakotamart, \$36.32, sup; MasterCard, \$4330.86, sup; Donald Newell, \$290.00, refund; Powerplan, \$105.58, rep.

AMBULANCE – Black Hills Windshield repair, \$70.00, rep; CBH, 2237.01, sup; Lynette Duddy, \$10.00, refund; Henry Schein, \$809.33, sup; Lynn's Dakotamart, \$44.74, sup; MasterCard, \$13446.09, travel; MDU, \$34.85, util; Petty Cash, \$42.40, other; Teleflex, \$2115.50, sup.

Motion by Jordon, second by Forrester and carried with all members present unanimously voting yes to approve a Special Events License for the Knuckle Saloon at 901 E. Main St on August 6-14, 2021.

Motion by Anderson, second by Zerbst and carried with all members present unanimously voting yes to approve second reading of Ordinance 2012-04 - Title 32 – Animals, Animal Shelter.

**ORDINANCE 2021-04
AN ORDINANCE AMENDING TITLE 32 –
ANIMALS**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Section 32.03 Dogs and Cats– 32.03.04 Impoundment and Disposition of dogs, cats, and ferrets; 32-03-05 Redemption or Destruction of dogs, cats or ferrets running at large – untagged be amended to read as follows:

32.03.04: IMPOUNDMENT AND DISPOSITION OF DOGS, CATS, AND FERRETS Any dog, cat, or ferret found running at large as defined in this ordinance may be taken by the Animal Control Officer and impounded in the animal shelter to be confined in a humane manner. Any animal impounded and not claimed by their owners at the expiration of seven (7) days may be disposed of at the discretion of the Animal Control Officer, or appointed designee, except as hereinafter provided in certain cases of certain dogs, cats, and ferrets. Immediately after impounding such dog, cat, or ferret, before euthanizing or disposing of it, the owner shall be given notice of the conditions whereby he/she may regain possession of such dog, cat, or ferret. If any owner has requested his animal to be euthanized and disposed of humanely, the Animal Control Officer or appointed designee, may collect from said owner a fee that will cover the cost of such euthanization, disposal and impoundment for the City.

32.03.05: REDEMPTION OR DESTRUCTION OF DOGS, CATS, OR FERRETS RUNNING AT LARGE - UNTAGGED During the period of possession, any person, by paying the City the sum of \$10.00 per day or any part thereof to a maximum of seven (7) days or any part thereof for the impound and having a current rabies certificate may redeem and obtain possession of a dog, cat, or ferret that was untagged or tagged and thereby impounded. If the owner of any impounded dog, cat, or ferret, under the provisions of the article, shall fail to redeem such dog, cat, or ferret within seven (7) consecutive days, not counting Sunday and holidays, after such impounding, said dog, cat, or ferret shall be disposed of by humane euthanization or adoption by the Animal Control Officer. The Animal Control Officer may euthanize by a humane manner any sick or injured animal which has been impounded without holding it for seven (7) days if its condition is such that euthanization is the most humane manner to dispose of the animal.

Adopted this 19th day of July 2021.

First reading: 07-06-2021
Second reading: 07-19-2021
Adopted: 07-19-2021
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Any other business:

Chief Vandewater updated the Council on the vulture situation. They have disposed of 12 vultures, and they are planning on putting a mannequin vulture up in tree to see if that helps.

Bob Bertolotto was present to state his concerns on using the large aerial fireworks in the neighborhood. He feels that there should not be any large aerial fireworks be shot off in the residential and commercial areas. He thanked the City for the Fireworks display at the Fairground.

Vinny Terranova stated that he feels all fireworks are legal and the citizens should be able to shoot them off for the 4th of July to celebrate our freedom and Veterans.

Motion by Sigman, second by Jordon and carried with all members present unanimously voting yes to go into executive session for personnel and contracts at 7:10 pm.

Motion by Martinson, second by Jordon to return to regular session at 8:25 pm.

Motion by Martinson, seconded by Jordon and carried with all members present unanimously voting yes to adjourn the meeting at 8:26 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$