

PROCEEDINGS OF THE STURGIS CITY COUNCIL

City Attorney Barnier gave the Oath of Office to Ward 4 council person replacement Kevin Forester.

The Council convened at the Board of Equalization at 5:30 pm. There is a separate set of minutes for the Board of Equalization.

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, March 15, 2021 at the Sturgis City Hall Council Meeting Room. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Kevin Forester, Terry Keszler, David Martinson, Ronald Waterland and Beka Zerst. Also, present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by Martinson, second by Keszler and carried with all members present unanimously voting yes to approve the agenda with an addition to Information Reports, Lance Sherer-Daytona Bike Week, and remove under public hearings (13a) the use on review for Nickie Cole and Jesse Degenhardt.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Informational Reports:

- Preliminary plat for Lots 1-13 and Open Space lots in Block 1; Lots 1-27 and Open Space lot in Block 2; and dedicated public right-of-way for Twisted Oak Road and Rocky Ridge Road of Hidden Valley Estates.
- Planning Commission Minutes from March 2, 2021-approved and March 9, 2021 minutes-unapproved.
- Library Board minutes February 24, 2021 – unapproved.
- Lance Sherer, Sponsorship Coordinator, attended Daytona Bike Week and reported that he had several vendors approach him and wanted him to thank the Council for having the Sturgis Rally last year and doing it safely. This was a positive financial impact of their business. The Council had to have great courage to make this decision.

Announcements:

- There will be a meeting on March 24th at 6:00 pm at the Community Center theater to discuss the Sturgis Lakeside Adventure Park.
- Councilor Terry Keszler wanted to thank the Council and Staff for their support and concerns for his family during the last few weeks.
- Councilor Forrester noted that the Sturgis Swim Team took 4th place in the State meet.

Councilor's Update – Dave Martinson

- Please attend the presentation from the Aquatics committee on the Sturgis Lakeside Adventure Park on March 24th and get informed about this project.
- There are 5 openings for the Planning and Permitting Board.
- Board of Equalization was held tonight. These are hard decision to make when valuations go up.
- There will be no City election, as there were only 4 petitions submitted, one in each Ward.
- Staff is working on the 2022 budget. The first reading will be in August.
- The City will be giving tours of the new Wastewater Facility once it is done.
- The City is not going to purchase the Mr. Al's building.

City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for January collected in February was up 14.5% month over month. The Gross Receipts Tax (triple B) was up 30.9% month over month.

- Payroll Changes within Budget-
 1. Ambulance: James Hale-Critical Care Paramedic PRN, \$15.98 Orientation wage; Josh Kusser-Paramedic, \$17.97 off orientation; Andrew Nelson EMT-B PRN, \$12.00; Aaron Mitchel-Critical Care Paramedic PRN, \$17.98.

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

- a. Consideration to approve minutes from March 1, 2021 regular Council meeting.
- b. Consideration of Resolution 2021-17 – Plat of Lots 1-37 in Block 1; Lots 1-20 in Block 2, Drainage Lot, and dedicated public rights-of-way for Joseph Court and Jarvis Court of Davenport Ranch Addition from Garden Grove Developments, LLC.

**RESOLUTION 2021-17
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 Kyle Treloar Member of Garden Grove LLC:

Plat of
Lots 1 Thru 37 in Block 1; Lots 1 Thru 20 in Block 2,
Drainage Lot AND Dedicated Public R.O.W. for Joseph Court and Jarvis Court,
All of Davenport Ranch Addition.
Formerly Lot 3, Block A and Block B of Davenport Ranch Addition
Located in Section 22. All Located in NW1/4 of Section 22,
T5N, R5E, Black Hills Meridian, City of Sturgis, 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 15th day of March 2021.

Published: 03-24-2021

Effective: 04-14-2021

- c. Consideration of Resolution 2021-22 – Plat of Lots 3, 4, and 5 in Block 4 of Vernon Heights Estates II Subdivision from Jim Allison.

RESOLUTION 2021-22
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 Amie Allison, Christopher Allison, Doreen Allison Creed and Vernon James Allison Jr.:

Plat of
Lots 3, 4, & 5, Block 4 of Vernon Heights Estates II Subdivision
Being a portion of Tract 'A' of Vernon Heights Estate II Subdivision,
Located in the W1/2 of the NE1/4 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.

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 15th day of March 2021.

Published: 03-24-2021

Effective: 04-14-2021

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve the following claims with a date correction:

WAGES – Ambulance \$22,798.75; Attorney \$4298.93; Auditorium \$228.57; Buildings \$1254.70; Cemetery \$2577.15; City Manager \$4857.25; Community Center \$14,418.79; Finance Office \$6754.00; Fire Department \$325.98; Fleet \$6385.94; Human Resource \$5318.77; Library \$9595.77; Liquor \$6916.27; Mayor and Council \$4021.42; Parks \$11,103.79; Planning & Permitting \$10,506.12; Police \$45,364.96; Rally \$8390.45; Recreation \$3316.49; Sanitary Service \$16,161.08; Streets \$12,979.50; Wastewater \$11,567.39; Water \$15,621.45; Federal Withholding \$17,977.60; FICA \$15,991.44.

COMBINED CASH FUND – Plum Vista, \$64.51, refund.

GENERAL – Action Mechanical, \$444.54, rep; Axon Enterprises, \$13956.00, prof fee; Baker & Taylor, \$592.00, sup; Bear Butte Valley Water, \$131.95, util; Beck Motors, \$31179.00, equip; Best Western Plus Lakeview, \$84.00, travel; Black Hills Chemical, \$6910.14, sup; Black Hills Energy, \$12294.27, util; Border States Electric, \$296.96, rep; Randy Brennick, \$30.00, other; Melissa Caldwell, \$38.00, refund; Century Link, \$345.50, util; City of Sturgis Water Dept, \$2623.53, util; Copy Country, \$10.00, sup; Devon Crowe, \$84.14, ins; Culligan of the Black Hills, \$57.50, sup; Dakota Extinguisher, \$302.00, rep; Double Star Computing, \$1114.93, prof fee; Downtown Sturgis Foundation, \$300.00, sup; Epic Outdoor Advertising, \$1200.00, rent; Frontier Precision, \$28160.40, equip; Dylan Goetsch, \$67.16, sup; Grocery mart, \$152.24, sup; Jake's Collision Repair, \$9238.76, rep; Lynn's Dakotamart, \$91.06, sup; Marco Technologies, \$105.55, rep; MasterCard, \$67046.78, sup; Meade County Auditor, \$11855.24, other; MDU,

\$9303.74, util; Motionsoft, \$450.00, prof fee; Nebraska Salt & Grain, \$7300.48, rep; Onsolve, \$4893.00, prof fee; Travis Parker, \$30.00, other; Premier Police Training, \$400.00, travel; Brittney Ragels, \$13.00, ins; Rushmore Office Supply, \$530.45, sup; SD Narcotics Officers Assn, \$50.00, travel; Sd Parks & recreation Assn, \$20.00, travel; SD Secretary of State, \$30.00, ins; SD Sheriffs' Assn, \$230.00, travel; Speedy Lube, \$45.49, sup; Jameson Tebben, \$175.85, sup; tom's T's, \$2330.70, sup; U Drive Technology, \$275.01, util.

SPECIAL SALES TAX – Black Hills Energy, \$38.52, util; Mastercard, \$473.42, util; MDU, \$51.03, util.

CAPITAL IMPROVEMENT – A&L contractors, \$371.43; Helms & Associates, \$11970.33; Interstate Engineering, \$19055.50.

BUSINESS IMPROVEMENT DISTRICT – MasterCard, \$157.98, sup; Rushmore Office Supply, \$132.84, sup.

REVOLVING FUND LOAN – Sturgis Economic Development, \$1000.00, other.

EQUIPMENT REPLACEMENT FUND – Scott Peterson Motors, \$26950.00, equip.

LIQUOR – Arctic Glacier, \$72.20, resale; Badlands Distillery, \$485.94, resale; Black Hills Chemical, \$189.88, repair; Black Hills Energy, \$1451.92, util; Cash-Wa Distributing, \$2624.90, resale; Cask & Cork, \$533.25, resale; City of Sturgis Water Dept, \$399.68, util; Coca Cola, \$367.25, resale; Double Star Computing, \$85.01, prof fee; Fisher Beverage, \$7560.60, resale; Johnson Western Wholesale, \$17504.07, resale; MasterCard, \$5545.27, sup; MDU, \$506.01, util; Okoboji Wines, \$463.00, resale; Quality Brands of the Black Hills, \$13845.85, resale; Republic Beverage, \$23925.12, resale; Rushmore Office Supply, \$719.26, sup; Southern Glazer's of SD, \$7654.86, resale; TAGS, \$368.75, resale; Voss Distributing, \$79.80, resale.

WATER – AAA Collections, \$7.02, prof fee; Black Hills Energy, \$46.09, util; City of Sturgis Water Dept, \$188.26, util; double Star Computing, \$115.01, prof fee; Hawkins, \$362.00, sup; MasterCard, \$16333.96, prof fee; MDU, \$346.50, util; Brittney Ragels, \$13.00, ins; Smitty, \$75.00, refund; Speedy Lube, \$50.49, sup; Tom's T's, \$701.83, sup.

WASTEWATER – Double Star Computing, \$85.01, prof fee; MasterCard, \$1686.01, sup; MDU, \$50.77, util; Brittney Ragels, \$13.00, ins; Tom's T's, \$1033.25, sup.

SANITATION – Century Link, \$71.63, util; City of Belle Fourche, \$19827.46, other; Double Star Computing, \$85.01, prof fee; Lynn's Dakota Mart, \$17.43, sup; MasterCard, \$7344.45, sup; Powerplan, \$214.80, rep; Brittney Ragels, \$12.99, ins; Richter's Tire & Exhaust, \$4.50, sup; Tom's T's, \$1515.61, sup.

AMBULANCE – Avera Education & Staffing Solutions, \$300.00, prof fee; City of Sturgis Water Dept, \$102.42, util; Double Star Computing, \$145.01, prof fee; Image Trend, \$282.00, prof fee; Lynn's Dakotamart, \$13.76, sup; MasterCard, \$10117.56, sup; MDU, \$272.22, util; Rushmore Office Supply, \$49.30, sup; Teleflex, \$1115.50, sup.

Motion by Martinson, second by Forrester and carried with all members present unanimously voting yes to approve a Special Events License for Willie Nillie Inc. to provide liquor for the Challenge for Charities Gala on April 17, 2021.

Motion by Bachand, second by Waterland and carried with all members present unanimously voting yes to approve tabling a variance request for a carport for Dave Finn to the April 5th meeting.

Motion by Crane, second by Bachand and carried with all members present unanimously voting yes to approve Resolution 2021-18 – Petition for Annexation from North 80, LLC and Hidden Estates, LLC.

**RESOLUTION 2021-18
RESOLUTION FOR ANNEXATION OF NORTH 80, LLC AND
HIDDEN ESTATES, LLC PROPERTIES**

WHEREAS, The Common Council of the City of Sturgis had prepared a study pursuant to SDCL 9-4-4.1 to assess the need for annexing contiguous territory and to identify the resources necessary to extend the municipal boundaries to the area described in that study, which is incorporated herein by this reference. A copy of the Annexation Study is available for public review at the Finance Office at City Hall; and,

WHEREAS the Annexation Study which has been prepared finds that certain contiguous territory described therein, and legally described in this resolution, should be annexed to and included within the boundaries of the City to provide for the orderly growth and development of the City; and,

WHEREAS approval of this resolution by the Meade County Commissioners is not required pursuant to SDCL 9-4-5 because no unplatted territory or agricultural land is proposed for annexation; and,

WHEREAS the property for subject to this Resolution is for property contiguous to a portion of the present boundary of the City of Sturgis and within the area where the growth of the City can be accommodated to provide for the orderly growth and development of the City; and,

WHEREAS North 80, LLC is the owner of property identified by the Meade County Equalization office as parcels #11.50.0A located adjacent to the City of Sturgis and described in fuller detail below, and

WHEREAS the property owned by North 80, LLC. subject to this Resolution consists of platted non-agricultural territory as defined at SDCL 9-4-5 and 10-6-31, described as follows:

LEGAL DESCRIPTION:

Tract A of Bestgen Subdivision, Meade County, South Dakota as shown on the Plat Filed in Plat Book 27 on Page 93.

WHEREAS Hidden Estates, LLC is the owner of property identified by the Meade County Equalization office as parcels # 11.06.11 and 11.06.0322, located adjacent to the City of Sturgis and described in fuller detail below; and

WHEREAS the property owned by Hidden Estates, LLC subject to this Resolution consists of platted non-agricultural territory as defined at SDCL 9-4-5 and 10-6-31, described as follows:

LEGAL DESCRIPTION:

Government Lots 1 and 2 of Section 6; and the West 281.03 feet of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, lying North of Lot W, as shown on the plat filed in Plat Book 17 on Page 199, EXCEPTING therefrom the West 215.03 feet.

WHEREAS the Annexation Study on file for the subject properties also contains the following information demonstrating the following reasons for annexation:

1. That ample and suitable resources exist to accommodate the orderly growth and development of the described contiguous territory as evidenced by the City's current provision of some City services to the area and consistent with the Annexation Study.
2. That municipal utilities and a major street network are, and have been, considered in terms of the proposed boundary extension in accordance with the Annexation Study.
3. That the City has established a definite timetable upon which municipal services will be extended into the contiguous territory as described in the Annexation Study subject to the City's policies and ordinances in accordance with South Dakota Codified Law.
4. That the approximate costs of the extended services to the residents in the described contiguous territory and to the City are set forth in detail in the Annexation Study subject to the City's reasonable policies, ordinances, regulations, terms, and conditions in accordance with South Dakota Codified Law.
5. The estimated difference in tax assessment rate for the residents and property in the contiguous territory will be a net increase of 0.006309 for Non-Agricultural property.
6. That population and census data indicate that the City has and may experience growth or development beyond its present boundaries.
7. That exclusions or irregularities in municipal boundary lines are not the result of arbitrariness but are based upon existing geographical features physical barriers, existing property boundaries, existing occupancies and uses, and existing city boundaries.
8. That there is reasonable present need, and demonstrable future need, for annexing the subject contiguous territory in accordance with the Annexation Study.
9. That there exists a community of interest between the contiguous territory and the City of Sturgis.

NOW, THEREFORE BE IT RESOLVED that the property identified as:

Tract A of Bestgen Subdivision, Meade County, South Dakota as shown on the Plat Filed in Plat Book 27 On Page 93.

AND

Government Lots 1 and 2 of Section 6; and the West 281.03 feet of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, lying North of Lot W, as shown on the plat filed in Plat Book 17 on Page 199, EXCEPTING therefrom the West 215.03 feet.

shall be and hereby is annexed into the City of Sturgis as provided by State Law, and the corporate limits of the City of Sturgis extended to include it.

DATED this 15th day of March 2021.

Published: 03-24-2021

Effective: 04-14-2021

Motion by Bachand, second by Martinson and carried with all members present unanimously voting yes to approve Resolution 2021-19 – Creation of Tax Incremental District 21 with the correction to the name.

**RESOLUTION 2021-19
CREATION OF TAX INCREMENTAL
DISTRICT NUMBER TWENTY-ONE**

WHEREAS the Common Council of the City of Sturgis deems it necessary to create a tax incremental district, pursuant to SDCL 11-9-5, to be designated as Tax Incremental District

Number Twenty-One (TID #21) and includes the real property as more particularly described herein; and

WHEREAS the Council has reviewed and considered the recommendation provided to the Council by the Sturgis Planning and Zoning Commission; and

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9-8 for a tax incremental district; and

WHEREAS the Council finds that not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and

WHEREAS the Council finds that the use of tax increment financing to promote this development is authorized by the statutes of the State of South Dakota; and

WHEREAS the Council finds improvement of the area is likely to significantly enhance the value substantially of all the other real property in the district.

NOW, THEREFORE, BE IT RESOLVED by the City of Sturgis that the real property legally described below and known as the Hidden Valley Estate shall constitute the final boundaries of Tax Incremental District Number Twenty-One (TID #21) Hidden Valley Estate:

Tract A of Bestgen Subdivision, Meade County, South Dakota as shown on the Plat Filed in Plat Book 27 on Page 93.

and

Government Lots 1 and 2 of Section 6; and the West 281.03 feet of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, lying North of Lot W, as shown on the plat filed in Plat Book 17 on Page 199, EXCEPTING therefrom the West 215.03 feet.

BE IT FURTHER RESOLVED that said Tax Incremental District Number Twenty-One, City of Sturgis, described above shall upon passage and publication be forwarded to the State of South Dakota Department of Revenue to set the aggregate assessed value pursuant to SDCL 11-9-20.

Dated at Sturgis, Meade County, South Dakota, this 15th day of March 2021.

Published: 03-24-2021

Effective: 04-14-2021

Motion by Martinson, second by Forrester and carried with all members present unanimously voting yes to approve Resolution 2021-20 – Approving the Project Plan for Tax Incremental District 21.

RESOLUTION 2021-20
RESOLUTION APPROVING PROJECT PLAN FOR
TAX INCREMENTAL DISTRICT NUMBER TWENTY-ONE

BE IT RESOLVED by the Common Council of the City of Sturgis, as follows:

WHEREAS the Common Council has established Sturgis Tax Incremental District Number Twenty-One by Resolution 2021-19 on March 15, 2021; and

WHEREAS the Common Council deems it in the best interests of the City to promote the creation of affordable housing developments within the City; and

WHEREAS the Project Plan approval helps make such affordable housing development feasible by assisting with various public works improvements including streets, bicycle path, utility connections and earthwork within the tax increment district; and

WHEREAS the use of tax increment financing to promote this development is authorized by the statutes of the State of South Dakota; and

WHEREAS the lack of available affordable housing hinders workforce development within the community and the growth in customer base which in turn hampers economic growth and sales tax revenue growth within the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF STURGIS that the Project Plan for Tax Incremental District Number Twenty-One be, and is hereby, approved as presented by the Sturgis Planning Commission.

Dated this 15th day of March 2021.

Published: 03-24-2021

Effective: 04-14-2021

Motion by Anderson, second by Keszler and carried with all members present unanimously voting yes to approve Resolution 2021-21 – Approving and Authorizing the signing of a Contract for Private Development of Tax Incremental District 21 with a date correction.

**RESOLUTION 2021-21
RESOLUTION APPROVING AND AUTHORIZING
THE SIGNING OF CONTRACTS FOR PRIVATE DEVELOPMENT
OF TAX INCREMENTAL DISTRICT NUMBER TWENTY**

BE IT RESOLVED by the Common Council of the City of Sturgis, as follows:

WHEREAS the Common Council has approved a project plan for Sturgis Tax Incremental District Number Twenty by Resolution 2021-20 on March 15, 2021; and

WHEREAS the approved Project Plans will stimulate development and economic growth throughout the community; and

WHEREAS the use of tax increment financing to promote these developments are authorized by the statutes of the State of South Dakota; and

WHEREAS to fully implement each project plan a Contract for Private Development of Tax Incremental District is required and that each Project Plan's associated Contract for Private Development was reviewed and available for public comment during the March 15, 2021 Council meeting.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF STURGIS that the associated Contract for Private Development of Tax Incremental District Number Twenty-One are hereby approved by the Sturgis Common Council and that City Manager Daniel Ainslie is hereby authorized to sign each contract.

Dated this 15th day of March 2021.

Published: 03-24-2021

Effective: 04-14-2021

Any other business:

Councilor Anderson asked everyone to clean their sidewalks.

Motion by Crane, second by Waterland and carried with all members present unanimously voting yes to go into executive session for personnel and contracts at 7:28 pm – starting at 7:35 pm.

Motion by Crane, second by Martinson to return to regular session at 8:15 pm.

Motion by Waterland, seconded by T. Keszler and carried with all members present unanimously voting yes to adjourn the meeting at 8:16 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$261.03.