

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

April 16, 2018

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, April 16, 2018 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Amanda Scott, Darla Drew, Ritchie Nordstrom, Lisa Modrick, Jason Salamun, Chad Lewis, Laura Armstrong, Steve Laurenti, Becky Drury and John Roberts; the following Alderpersons arrived during the course of the meeting: NONE and the following were absent: NONE.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Public Works Director Dale Tech, Police Chief Karl Jegeris, Fire Chief Rod Seals, Community Development Director Ken Young, Parks and Recreation Director Jeffrey Biegler, and Administrative Coordinator Heidi Weaver-Norris

**ADOPTION OF AGENDA**

Motion was made by Salamun, second by Lewis and carried to adopt the agenda.

**AWARDS AND RECOGNITIONS**

Mayor Allender presented the Veteran of the Month for April 2018 to Pascal Bedard and recognized his efforts and dedication to the service of his country and community.

Mayor Allender proclaimed April 15 to April 21, 2018 as National Volunteer Week. Jon and Nila Boone, 2017 Volunteers of the Year, were on hand to accept the recognition on behalf of RSVP.

Jason Phillips presented the Sustainability Award to Kumar Veluswamy of Rapid City Area Schools on behalf of North Middle School. He recognized their contribution in societal, environmental and economic viability in Rapid City. They remodeled the courtyard to address drainage issues and eliminated mold issues and trip hazards.

Mayor Allender recognized Alderwomen Darla Drew for being inducted into the Rock and Roll Hall of Fame for the second time. She is one of the only women to be inducted twice. He congratulated her on her accomplishments.

**NON-PUBLIC HEARING ITEMS** -- Items 3 - 36

**CONSENT ITEMS** – Items 3 – 27

The following items were removed from the Consent Items:

12. PW041018-04 – Approve extension of contract awarded May 2017 to Simon (Hills Materials) for Limestone Gravel for the next year for use by various City departments.
13. PW041018-05 – Approve extension of contract awarded May 2017 to Pete Lien & Sons, Inc. for Ready Mixed Concrete for the next year for use by various City departments.
14. PW041018-06 – Approve extension of contract awarded May 2017 to Simon (Hills Materials) for Hot Mix Asphalt for the next year for use by various City departments.
15. PW041018-07 – Approve extension of contract bid to Blackstrap for Sodium Chloride.

Motion was made by Salamun, second by Scott and carried unanimously to approve items 3-27 as they appear on the Consent Items with the exception of 12, 13, 14 and 15.

### ***Approve Minutes***

3. Approve Minutes for the April 2, 2018 Regular Council meeting.

### ***Alcoholic Beverage License Applications Set for Hearing (May 7, 2018)***

4. David Goodwin DBA Rapid City Summer Nights for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for events scheduled for May 31, 2018; June 7, 2018; June 14, 2018, June 21, 2018, June 28, 2018; July 5, 2018, July 12, 2018, July 19, 2018, July 26, 2018; August 2, 2018, August 9, 2018, August 16, 2018, August 23, 2018 and August 30, 2018 at 500 Block of Seventh and 700 Block of St. Joseph
5. Rapid City Chamber of Commerce DBA Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for May 8, 2018 at Eddie's Truck Center, 1022 N. Turbine Drive
6. Rapid City Chamber of Commerce DBA Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for June 12, 2018 at Black Hills State University - Rapid City, 4300 Cheyenne Blvd
7. Naja Shrine Center DBA Naja Shrine Center for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for May 26, 2018 at Naja Shrine Center, 4091 Sturgis Road
8. Rushmore German Club DBA Rushmore German Club for a SPECIAL EVENT Malt Beverage and Wine License for an event scheduled for August 17, 2018 through August 25, 2018 at Central States Fairgrounds, 800 San Francisco Street

### ***Public Works Committee Consent Items***

9. PW041018-01 – Approve Change Order 4 to R.C.S. Construction, Inc. for E. Idaho, E. Nevada, Ivy Ave Street and Utility Reconstruction and Meade/Hawthorne Drainage Element 221 Improvements Project, Project No. 15-2253 / CIP 5421.3.1B for an increase of \$17,174.75.
10. PW041018-02 – Authorize Mayor and Finance Officer to Sign a Permanent Utility Easement granted to the City within vacated right-of-way, located in a vacated portion of the Kansas City Street right-of-way, Block 6 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.
11. PW041018-03 – Approve a Request from Fisk Land Surveying and Consulting Engineers on Behalf of 5MPH, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 on Mount Rushmore Road adjacent to the property located at 6015 Mount Rushmore Road.
16. PW041018-08 – Authorize Staff to Advertise for Bids for Odor Control Chemical. Estimated Cost: \$26,250.00.
17. PW041018-09 – Authorize Staff to Advertise for Bids for Braeburn Dog Park Parking Lot Project PR18-2407, estimated cost \$50,000.00.
18. 18TP015 – Acknowledge the Rapid City Area Socio-Economic Report.
19. 18TP019 – Authorize the Mayor and Finance Officer to sign the Performance Measures Agreement between the Rapid City Area Metropolitan Planning Organization and the South Dakota Department of Transportation.

### ***Legal & Finance Committee Consent Items***

20. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Sarah Luu (RSVP+)
21. LF041118-03 – Acknowledge February 2018 Sales Tax Report
22. LF041118-01 – Acknowledge Update from the Opportunity Capture Fund Committee

### ***Community Development Department Consent Items***

23. 18TP013 – Approve the 2018 Unified Planning Work Program Amendment 2018-01

24. 18TP014 – Authorize Mayor and Finance Officer to Sign the 2018 Unified Planning Work Program Funding Agreement #311334 Amendment No. 1
25. LF041118-02 – Approve Resolution No. 2018-030 a Resolution to Authorize a Temporary Campground by Declaring the Construction of Journey Church as a Special Event Pursuant to Rapid City Municipal Code 17.50.225.F

## Resolution 2018-030

A RESOLUTION TO AUTHORIZE A TEMPORARY CAMPGROUND BY DECLARING THE  
CONSTRUCTION OF JOURNEY CHURCH AS A SPECIAL EVENT PURSUANT TO RAPID CITY  
MUNICIPAL CODE 17.50.225.F

WHEREAS, Rapid City Municipal Code Section 17.50.225.F allows for temporary campgrounds in commercial districts under certain conditions when they are in conjunction with a special event designated by the Common Council; and

WHEREAS, Journey Church owns a parcel located west of the intersection of Jaffa Garden Way and Elderberry Boulevard and legally described as Lot J of Orchard Meadows, Rapid City, Pennington County, South Dakota (“the Property”); and

WHEREAS, Journey Church desires to construct a church building upon the Property, which is zoned General Commercial; and

WHEREAS, Journey Church wishes to construct its church by utilizing visiting members from its National Church Charter Organization and housing these individuals at a temporary RV campground on the Property; and

WHEREAS, Journey Church expects its construction to last from May 1, 2018, to November 1, 2018; and

WHEREAS, Journey Church has worked with City staff to provide all necessary information regarding the proposed use, including temporary utility services to the RV campground, to meet the requirements of City ordinances, the regulations of the Rapid Valley Sanitary District, and the needs of all other interested public entities; and

WHEREAS, City staff are assured that the temporary RV campground as proposed by Journey Church is an appropriate temporary use that meets the terms of the City’s ordinances and requirements and that the temporary RV campground as proposed by Journey Church will not become a nuisance; and

WHEREAS, the Common Council wishes to designate the construction of Journey Church as a special event and to authorize a temporary RV campground as provided below.

NOW, THEREFORE, BE IT RESOLVED that the City of Rapid City designates the construction of Journey Church at its property on Jaffa Garden Way as a special event pursuant to Rapid City Municipal Code 17.50.225.F.2.

BE IT FURTHER RESOLVED that Journey Church may operate a temporary RV campground from May 1 to November 1, 2018, in accordance with Rapid City Municipal Code 17.50.225.F.1 and as described in the request and supporting documentation submitted to the City by Journey Church.

BE IT FURTHER RESOLVED that Journey Church shall remove all temporary utility services on or before November 1, 2018.

Dated this 16th day of April, 2018.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

***Bid Award Consent Items***

26. No. CC041618-02.1 – Approve award of total bid for E Van Buren Street – Pavement Rehabilitation Project, Project No. 17-2418 / CIP No. 50844 opened on April 10, 2018 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$238,971.00.
27. No. CC041618-02.2 – Award Total Bid in the amount of \$70,200.00 (\$1.17 per lb.) to Polydyne, Inc. (SNF).

**END OF CONSENT ITEMS**

Scott said she pulled item 13 to abstain. Drury said she pulled items 11, 12 and 14 to ask why the city is extending contracts instead of bidding on new contracts. In response to a question from Drury, Tech said the previous contracts are cheaper than going out for new bids, so he'd prefer to keep the previous prices to keep costs down.

Mayor read in item (PW041018-04) Approve extension of contract awarded May 2017 to Simon (Hills Materials) for Limestone Gravel for the next year for use by various City departments. Motion was made by Scott, second by Nordstrom and carried to approve.

Mayor read in item (PW041018-05) Approve extension of contract awarded May 2017 to Pete Lien & Sons, Inc. for Ready Mixed Concrete for the next year for use by various City departments. Motion was made by Drew, second by Nordstrom to approve. Motion carried 9-0 with Scott abstaining.

Mayor read in item (PW041018-06) Approve extension of contract awarded May 2017 to Simon (Hills Materials) for Hot Mix Asphalt for the next year for use by various City departments. Motion was made by Salamun, second by Scott and carried to approve.

Mayor read in item (PW041018-07) Approve extension of contract bid to Blackstrap for Sodium Chloride. Motion was made by Salamun, second by Scott and carried to approve.

**NON-CONSENT ITEMS** – Items 28 – 36

Sherry Thurston spoke on item 32. She said Rapid City is a quaint town that people want to visit. She doesn't want to see ads all over the bus benches. Fred Thurston reminded council of the 2011 election and how citizens voted down billboards. He said benches are essentially billboards. He would like them to reconsider using the benches for advertising.

Mike Quasney spoke against item 32. He asked if all the sign codes up to date to regulate the benches. He would like benches to be left alone. He thinks advertising will end up in front of businesses that compete against each other. He asked if this fits into the master plan. He thinks council is getting away from the comprehensive plan.

Pat Roseland spoke on item 32. He thinks the advertising takes away from the beauty of the city. He would like the council to reject the advertising on benches.

Ted Pettyjohn spoke on item 33. He is a partner in Prairieacres, LLC. He is committed to pursuing annexation and complying with mobile home park ordinances. He paid \$235,000 for connection fees for the Seger Drive project. He disagrees with compliance being made before annexation is approved. He feels they are close with compliance. He said the problem is they don't own the homes in the park. So they can't help with paint, skirting, etc. He said many residents are disadvantaged and compliance is a difficult financial burden. He asked council not to impose the 300% sewer increase. The tenants would have to pay those fees. He said he's typically not involved in the day to day processes but is committed to being more involved.

### **Ordinances**

Ordinance 6247 (LF032818-04) An Ordinance Amending Sections 8.16, 8.28, 10.56, 12.12 and 12.32 of the Rapid City Municipal Code Relating to Nuisances. Motion was made by Drew, second by Nordstrom and carried that Ordinance 6247 be placed upon its first reading and the title was fully and distinctly read.

Ordinance 6244 (No. 18RZ008) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Yasmeen Dream LLC for a Rezoning from General Agricultural District to Low Density Residential District for property generally described as being located west of Elderberry Boulevard. Motion was made by Salamun and second by Drury and carried that Ordinance 6244 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, May 7, 2018.

Ordinance 6245 (No. 18RZ009) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Yasmeen Dream LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located west of the intersection of Elderberry Boulevard and Jim Street. Motion was made by Drew, second by Modrick and carried that Ordinance 6245 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, May 7, 2018.

Ordinance 6246 (No. 18RZ010) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Yasmeen Dream LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located west of the northern end of Elderberry Boulevard. Motion was made by Drury, second by Nordstrom and carried that Ordinance 6246 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, May 7, 2018.

### **Public Works Committee Items**

Drew read in item (PW032718-04) Authorize Staff to Advertise for Bids for Bus Passenger Bench and Bus Passenger Bench Advertising. (This item was continued from the April 2, 2018 Council meeting.) Modrick said there was good discussion at committee. She said the advertising on the benches is not a revenue generator. She stated that Rich Sagen, Transportation Director, wants the city to get out of the bench business. Modrick thinks these are part of the transportation process. She thinks the ads take away from the beauty of Rapid City. 66% voted for no more billboards in 2011 and she thinks the bench ads are a form of billboards. A long time ago the benches were being taken care of and were colored earth tones. She stated that the ads are distracting and wants to keep the community clean. She wants the city to look into grants to keep community clean. She suggested citizens adopting a street to keep it clean. She wants to deny going out for bids. Motion was made by Lewis, second by Roberts to approve. Lewis stated the city took away ads in 2006 and replacement of benches was done in 2008. One time money to replace the benches was in 2008. He said every town he goes to has ads on benches. He believes these ads will create additional revenue stream and offset some operational costs for the city. The revenue can help keep Rapid Ride going for free for the kids who can't afford it. In response to a question from Armstrong, Tech said this item is just going out for bids and council still has to approve the item after bids are received. He said the request for proposal will be specific as to what they can and can't do. In response to a question from Salamun, Landeen said these benches are not considered

billboards. It is not unusual to have advertisements on benches. In response to a question from Drury, Tech said the RFP package is not complete yet; additional information will be coming forward. Tech said the ads will be tasteful and family friendly. Tech clarified that the benches will generate approximately \$12,000 per year and \$36,000 over three years. Drew stated she had talked to Sagen and he indicated that there would be standards. If the city wants them replaced, the city can tell contractor to replace the bench. Drew said she is against the ads and would rather see art on the benches. Scott stated that \$36,000 is just an estimate and the revenue could be lower or higher. In response to a question from Scott, Tech said vendors are more apt to bid for a three year contract than a one year contract. Tech said there are 75 benches and most don't have buildings around them. He said the ads are allowed on the benches only, not any surrounding structures. There is a lot of work and upkeep on maintenance for the vendor. Nordstrom said he originally wanted to support the concept. He would rather see the city do this in-house rather than contract out. He said the Civic Center and airport are doing this in-house. Motion to approve passed 6-4 with Drew, Nordstrom, Modrick and Drury voting no.

Drew read in item (PW031318-15) Request funding to construct an approximately 1,400 ft. collector street to provide access to a proposed 175 acre residential subdivision located south of Catron Blvd. and east of Wellington Drive. Estimated cost of \$1,500,000. (This item was continued from the March 19, 2018 City Council Meeting.) Motion was made by Nordstrom, second by Lewis and carried to continue to the May 7, 2018 City Council Meeting.

#### ***Community Development Department Items***

Drew read in item (18AN001) Request for Direction from the City Council Regarding Resolution 2018-023, the Annexation of Prairie Acres LLC Mobile Home Park. Motion was made by Drew, second by Laurenti to approve. Scott asked Drew if the motion was to pursue annexation. Drew amended her motion to read, pursue annexation and require compliance within 120 days after annexation. Scott offered a friendly amendment to pursue the annexation in six months and then require the compliance within 120 days. Drew said she would need to hear more before she would agree to friendly amendment. Mayor asked that Scott make a substitute motion stating her request. Substitute motion was made by Scott to pursue annexation in six months and then require compliance within 120 days of the annexation. Motion fails due to no second. Scott said she streamed the committee meeting and there is good faith to come into compliance. She said it sounded like this would be an involuntary annexation because there were not enough votes within the mobile home park for voluntary annexation. Scott wanted to give them six months to come into compliance before the annexation so they wouldn't get stuck paying the 300% increase in their water bill if they aren't in compliance. Modrick said there was positive discussion at committee. She stated that Mr. Pettyjohn has over one million dollars that he has invested. She believes he will come into compliance within the 120 days after annexation. Modrick said the 300% is off the table once the property is annexed. This will allow him to operate without the increased cost. This gives him the leverage that he needs to get his the park in order. It gives the residents time to help with the costs and if he does the fixes, he will assess the residents for the work later. He needs to be annexed in order to get a building permit to make improvements. This park is hard to get in compliance because of the lower income and the residents having extra money to do the fixes. Motion was made by Nordstrom, second by Salamun to approve option B, which is to delay annexation until owner demonstrates that it can obtain a license to operate and amend the agreement to remove the 300% billing upcharge. Nordstrom said there has been a lot of discussion on time frames. He said if the owner can come into compliance within 120 days, let him. Nordstrom doesn't want to inherit a problem by annexation and then we have to start dealing with it through code enforcement. He wants to let the owner deal with the issues. This gives the owner the opportunity to get all of his affairs in order so that he can bring it forward in his timeframe rather than us setting deadlines on it. In response to a question from Drury, Young said the city would inherit a problem that code enforcement would have to deal with. He doesn't think that is fair to code enforcement. Young said there is plenty of motivation on behalf of the property owner to come into compliance. Let him do that then the city doesn't have an issue and we can annex. Tech said he shares Young's view on this. The issue that public works has is the utility rate. Tech said they are good with not charging them 300% until they come into compliance get annexed. But if this drags on for years and

years and there's no motivation for them to annex, Tech doesn't want to arbitrarily amend the agreement today to take that off the table. Salamun commended Pettyjohn for all the work he's done and his willingness to cooperate. Salamun shares the concern of taking care of compliance before annexation. He thinks it's reasonable for council to ask that prior to annexation that he reasonably takes care of the compliance issues. Roberts thanked Pettyjohn for his work on the mobile home park. Roberts was impressed by the roads in the park. Roberts won't vote for option B. He said if the city delays the annexation and removes the 300% on the wrong person, they will never come into compliance. Roberts asked if the mobile home park off of Haines is in compliance. Seals said all of the mobile home parks within the city have an inspection on them and need the inspection before the license can be issued. Seals said all of the mobile home parks are in compliance. Roberts thinks the park on Haines is in much worst condition than this one. Roberts is in favor of annexing now. He said as long as the owner is putting this much effort into cleaning it up he doesn't see him stopping the efforts. Scott stated there is no timeframe on the current motion, so she won't support it. We are removing the 300% markup so there is no incentive to get it done quickly. Nordstrom said the park by Haines is an absentee owner where Pettyjohn is in Rapid City. Nordstrom said he'd take a friendly amendment to add a timeframe. Roberts called the question. There was no objection to calling the question. Mayor clarified the motion. The substitute motion is to deny pursuing the annexation until the owner can demonstrate he can license the property and delay for no certain time the 300% upcharge. Motion failed 8-2 with Nordstrom and Salamun voting in favor of the motion. Mayor read in original motion to pursue annexation and require compliance in 120 days after annexation. Motion passed 6-4 with Scott, Nordstrom, Salamun and Drury voting no.

Motion was made by Drew, second by Nordstrom and carried to approve (No. 18PL014) A request by KTM Design Solutions, Inc for Alan Dietrich Living Trust/ Dean Ham Trust for a Preliminary Subdivision Plan for proposed Lot 1AR of Block 19, Red Rock Estates, generally described as being located northwest of the intersection of Ainsdale Court and Portrush Road with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing the installation of sidewalk along Muirfield Drive and the balance of Portrush Road, including ADA access ramps, or a Variance shall be obtained from City Council; 2. Upon submittal of a Development Engineering Plan application, construction plans for Ainsdale Court shall be submitted for review and approval showing the construction of two additional feet of pavement and the dedication of 1.5 additional feet of right-of-way or an Exception shall be obtained. If an Exception is obtained, a copy of the Exception shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for Muirfield Drive shall be submitted for review and approval showing the construction of 7 additional feet of pavement to allow on-street parking and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual; 5. Upon submittal of a Final Plat application, the plat document shall clarify whether the existing 8 foot wide minor drainage and utility easement currently located along the rear lot line of existing Lot 1A is being retained or vacated. If the easement is being vacated, then documentation from all of the affected utility companies indicating concurrence with the vacation of the easement shall be submitted; 6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements if applicable; 7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if applicable; 8. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 9. Prior to the City's

acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Motion was made by Drew, second by Roberts and carried to approve (No. 18PL015) A request by KTM Design Solutions, Inc for Crossing Land Company, LLC for a Preliminary Subdivision Plan for proposed Lots 3, 4 and 5 of Tract B of Rushmore Center, generally described as being located northwest of the intersection of E. Anamosa Street and Luna Avenue with the following stipulations: 1. Prior to submittal of a Final Plat application, the site plan and master plan shall be revised addressing redline comments; 2. Prior to submittal of a Final Plat application, the plat document shall show the dedication of four additional feet of right-of-way along Luna Avenue with an additional five feet the first 200 feet as Luna Avenue extends north from E. Anamosa Street or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Final Plat application; 3. Prior to submittal of a Final Plat application, the plat document shall show the dedication of a non-access easement along E. Anamosa Street; 4. Prior to submittal of a Final Plat application, the plat title shall identify the subdivision as "Rushmore Center" in lieu of "Rushmore Center Subdivision"; and, 5. Prior to submittal of a Final Plat application, the plat document shall show the recording information for the existing drainage easements.

Motion was made by Drew, second by Lewis and carried to approve (No. 18PL016) A request by KTM Design Solutions, Inc for Yasmeen Dream LLC for a Preliminary Subdivision Plan for proposed Lots 15 thru 25 of Block 1, Lots 15 thru 56 of Block 2, Lot C, D, E and F and wetland and Drainage Tract A of Johnson Ranch Subdivision, generally described as being located southwest of the intersection of St. Patrick Street and E. Highway 44 with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, the redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application. The revised plans shall be to a readable scale; 2. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual, 3. Upon submittal of a Development Engineering Plan application, construction plans for Johnson Ranch Road and North Hutt Court shall be submitted for review and approval showing the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb(s) shall be located in a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans for the southern 540 feet of Providers Boulevard shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 5. Upon submittal of a Development Engineering Plan application, construction plans for the northern 580 feet of Providers Boulevard shall be submitted for review and approval showing the street located in a minimum 70 foot wide right-of-way with an additional 10 feet the first 200 feet as it extends south from E. St. Patrick Street and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 6. Upon submittal of a Development Engineering Plan application, construction plans for E. Saint Patrick Street shall be submitted for review and approval showing the street constructed with curb, gutter, sidewalk, street light conduit, sewer and dual water or an Exception shall be obtained. If an Exception is obtained, a copy of the approved



Exception shall be submitted with the Development Engineering Plan application; 7. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and in compliance with the Rapid Valley Sanitary District master plan. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development; 8. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and in compliance with the Rapid Valley Sanitary District master plan shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual and the Rapid Valley Sanitary District master plan; 9. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. Perpetual ownership and maintenance of rear yard drainage ways, detention ponds, drainage structures and other related drainage improvements shall be identified. Easements shall also be provided as needed and shall accommodate estimated maximum high water levels including minimum one foot of freeboard. Publicly maintained easements shall be a minimum 20 feet in width and in accordance with the Infrastructure Design Criteria Manual; 10. Upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction; 11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable; 12. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 13. The proposed plat shall be allowed as a phased development with all subdivision improvements needed to support a particular phase included in the construction plans for that phase; 14. Prior to submittal of a Final Plat application, the plat document shall be revised to provide a minimum lot size of 6,500 square feet and a minimum lot width of 50 feet at the front building line or the associated Planned Development applications shall be approved reducing the lot size and lot width as proposed; 15. Prior to submittal of a Final Plat application, a note shall be placed on the plat stating that "Approaches shall not exceed 20 feet in width"; 16. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of Tract A (wetland and drainage area) and Tract B (neighborhood park and drainage area). In addition, a Major Drainage Easement shall be dedicated for all proposed drainage improvements; 17. Prior to submittal of a Final Plat application, the plat document shall show "North Hutt Court" as "Hutt Court"; 18. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 19. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

### ***Alcohol Licenses***

Mayor read in item 37. Motion was made by Drew, second by Roberts and carried to approve.

28. Chrisbro Inc. DBA Microtel Inn and Suites, 1740 Rapp Street for a Package (off sale) Malt Beverage & SD Farm Wine License

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Item 38

Ordinance 6242 (No. 18RZ007) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for BH Capital, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located east of North Valley Drive at the western terminus of Homestead Street having passed its first reading on April 2, 2018, motion was made by Salamun, second by Modrick that the title be read the second time. Upon vote being taken, the following voted AYE: Scott, Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti, Drury, and Roberts NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6242 was declared duly passed upon its second reading.

### **BILLS**

The following bills have been audited.

#### **BILL LIST - APRIL 16, 2018**

P/ROLL PERIOD END 03/31/18, PD 04/06/18	1,549,323.99
CDEV P/ROLL PERIOD END 03/31/18, PD 04/06/18	4,986.27
PIONEER BANK & TRUST, 03/31/18 P/ROLL TAXES, PD 04/06/18	428,660.65
CDEV PIONEER BANK & TRUST, 03/31/18 P/ROLL TAXES, PD 04/06/18	1,314.98
SOUTH DAKOTA DEPARTMENT OF REVENUE, FEB18 CCTR SALES TAX PAYABLE PD 03/20/18	76,585.30
WELLMARK INC, HEALTH CLAIMS THROUGH 03/23/18, PD 03/29/18	133,694.10
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/02/18, PD 04/03/18	8,577.27
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/09/18, PD 04/10/18	6,980.93
SOUTH DAKOTA RETIREMENT SYSTEM, MAR18 RETIREMENT, PD 04/05/18	426,893.10
BERKLEY ASSIGNED RISK SERVICES, MAR18 CLAIMS, PD 04/04/18	36,580.39
US BANK, CREDIT CARD CHARGES, PD 04/02/18	64,182.28
BLACK HILLS ENERGY, ELECTRICITY, PD 04/11/18	58,931.92
COMPUTER BILL LIST	3,612,505.51
CDEV COMPUTER BILL LIST	12,136.90
SUBTOTAL	6,421,353.59
RSVP, P/ROLL PERIOD END 03/31/18, PD 04/06/18	32,186.62
RSVP, PIONEER BANK & TRUST, 03/31/18 P/ROLL TAXES, PD 04/06/18	993.64
RSVP, COMPUTER BILL LIST	47.00
TOTAL	6,454,580.85

Sumption presented the bill list of \$6,454,580.85. Motion was made by Laurenti, second by Drury and carried to authorize (No. CC041618-01) the Finance Officer to issue warrants or treasurers checks, drawn on proper funds, in payment thereof.

### **ADJOURN**

There being no further business to come before the Council at this time, motion was made by Salamun, second by Armstrong and carried to adjourn the meeting at 7:57 p.m.

Dated this 16th day of April, 2018.

ATTEST:

CITY OF RAPID CITY

\_\_\_\_\_  
Finance Officer

\_\_\_\_\_  
Mayor

(SEAL)