

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

May 7, 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, May 7, 2018 at 6:30 P.M.

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

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, Community Development Specialist Barb Garcia, Parks and Recreation Director Jeffrey Biegler, and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA

Motion was made by Drury, second by Armstrong and carried to adopt the agenda.

NON-PUBLIC HEARING ITEMS -- Items 1 – 101

CONSENT ITEMS – Items 1 – 88

The following items were removed from the Consent Items:

- 50. PW050118-05 – Authorize Staff to Advertise Bids for San Marco Boulevard Rehabilitation, Project No. 17-2412 / CIP No. 50429. Estimated Cost: \$300,000.00.
- 84. No. CIP042018-08 – Approve 5-year Government Facilities Plan 2019-2023

Motion was made by Lewis, second by Laurenti and carried unanimously to approve items 1-88 as they appear on the Consent Items with the exception of 50 and 84.

Approve Minutes

- 1. Approve Minutes for the April 16, 2018 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (June 4, 2018)

- 2. No. 17VR009 - A request by Fisk Land Surveying & Consulting Engineers, Inc for Northwestern Engineering Company, Harney Lumber Company and The Robford Company, LLC for a **Vacation of Right-of-Way** for property generally described as being located on the north side of Kansas City Street west of West Street.

Alcoholic Beverage License Applications Set for Hearing (May 21, 2018)

- 3. City of Rapid City DBA Executive Golf Course (Black Hills Mountain Fest) for a SPECIAL EVENT On-Sale Malt Beverage license for an event scheduled for June 15-17, 2018 at Tract 17 less Lot H1 of Rapid City Greenway Tract, Section 34 & 35
- 4. W Rapid City Ventures LP DBA Minerva's Bar & Restaurant, 2111 N. LaCrosse Street for a Retail (on-off sale) Malt Beverage with SD Lottery License TRANSFER from W Rapid City Ventures LP DBA Oakleaf Beer Garden, 2111 N. LaCrosse Street
- 5. Black Sheep Group LLC DBA Harriet Café, 329 Main Street Suite 2 for a Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License TRANSFER from Green Bean LLC DBA Harriet Café, 329 Main Street Suite 2
- 6. Late Harvest Inc. dba Tally's Silver Spoon, 530 6th St. - Renewal (RB-2190)

Alcoholic Beverage License Applications “Renewals” Set for Hearing (May 21, 2018)

7. CC050718-04.1 – Acknowledge new State Statute changes regarding Malt Beverage Licenses effective July 1, 2018

New 2018-2019 Retail (on-off sale malt beverage and on-off sale South Dakota farm wines) License**Previously licensed as: Package (off sale) Malt Beverage License (PB)**

8. Nash Finch Company dba Family Fare #253, 1516 E St. Patrick St. (PB-1563)
9. Big D Oil Co dba Big D Oil #45, 251 Stumer Rd. (PB-21114)
10. Big D Oil Co dba Big D Oil Co Store #42, 850 E North St. (PB-1430)
11. Big D Oil Co dba Big D Oil Co Store #41, 1160 LaCrosse St. (PB-1564)
12. Big D Oil Co dba Big D Oil Co #24, 3010 W Main St. (PB20310)
13. Big D Oil Co dba Big D Oil Co #22, 49 E Omaha St. (PB-19195)
14. Big D Oil Co dba Big D Oil Co #17, 3540 Sturgis Rd. (PB-1320)
15. Big D Oil Co dba Big D Oil Co #8, 2303 Jackson Blvd. (PB-1575)
16. Big D Oil Co dba Big D Oil Co #4, 1507 E St. Patrick St. (PB-19196)
17. Black Hawk Oil Inc. dba BJ's St. Pat, 701 E St. Patrick St. (PB-1611)
18. Moyle Petroleum Company dba Orchard Meadows Common Cents #109, 3501 E Highway 44 (PB-22932)
19. Fresh Start Convenience Stores Inc. dba Fresh Start Convenience Stores, Inc., 2215 Haines Ave. (PB-1335)
20. Fresh Start Convenience Stores Inc. dba Fresh Start Convenience Stores, Inc., 3275 Cambell St. (PB-1357)
21. Moyle Petroleum Co dba North Street Smoke Shop #106, 634 E North St. (PB-1870)
22. Moyle Petroleum Co dab Common Cents #107, 4128 Jackson Blvd. (PB-1872)
23. Moyle Petroleum Co dba Common Cents Food Stores #108, 2660 Mt. Rushmore Rd. (PB-1358)
24. Moyle Petroleum Co dba Common Cents – Sheridan Lk Rd #105, 2808 Sheridan Lake Rd. (PB-1689)
25. Moyle Petroleum Co dba Common Cents Food Store #102, 1909 N LaCrosse St. (PB-1348)
26. Moyle Petroleum Co dba common Cents Food Store #104, 1129 W Omaha St. (PB-1857)
27. Maverik Inc. dba Maverik Inc. #552, 1624 Haines Ave. (PB-24459)
28. Maverik Inc. dba Maverik Inc. #571, 525 E North St. (PB-24298)
29. Target Corporation dba Target Store T-2457, 1415 Eglin St. (PB-1586)
30. Walgreen Co dba Walgreens 05643-Mt. View-Rapid City; 540 Mountain View Rd. (PB-19171)
31. Walgreen Co dba Walgreens #10656-Mt Rushmore Road, 1902 Mt. Rushmore Rd. (PB-19169)
32. Safeway Stores 46 Inc. dba Safeway Store #1554, 730 Mt. View Rd. (PB-1711)
33. Safeway Stores 46 Inc. dba Safeway Store #581, 2120 Mt. Rushmore Rd. (PB-1713)
34. MG Oil Company dba Corner Pantry #8, 302 E North St. (PB-1346)
35. MG Oil Company dba Corner Pantry #4, 901 East North St. (PB-1362)
36. MG Oil Company dba Corner Pantry #14, 501 Deadwood Ave. (PB-1372)
37. MG Oil Company dba Corner Pantry #9, 1220 E St. Patrick St. (PB-1529)
38. MG Oil Company dba Corner Pantry #10, 1818 Mt. Rushmore Rd. (PB-1548)
39. MG Oil Company dba Corner Pantry #5, 601 Mountain View, (PB-1538)
40. MG Oil Company dba Corner Pantry #13, 310 E Fairmont Blvd. (PB-1574)
41. MG Oil Company dba Corner Pantry – LaCrosse, 2130 LaCrosse St. (PB-21653)

Previously licensed as: Package (off sale malt beverage and off sale South Dakota farm wine) License (PF)

42. Recreational Adventures Co. dba KOA Kampground, 3010 E Highway 44 (PF-8110)
43. Fresh Start Convenience Stores Inc. dba Dons Valley Express #1, 4030 Cheyenne Blvd. (PF-21736)

44. Thrifty Smoke Shop dba Thrifty Smoke Shop II, 608 E North St. (PF-24310)

Previously licensed as: Retail (on-off sale malt beverage and on-sale South Dakota farm wine) License (BW)

45. Ana Line Enterprises LLC dba Sabor A Mexico, 208 E North St. (BW-21165)

Public Works Committee Consent Items

46. PW050118-01 – Confirm the appointment of Cassie Vogt to the Historic Preservation Commission.
47. PW050118-02 – Approve Change Order 1 to Site Works Specialist, Inc. for Sturgis Road Area Utility Reconstruction and Extension, Project No. 11-2001 / CIP No. 50824, for an increase of \$16,827.54.
48. PW050118-03 – Approve Change Order 1 to Mainline Contracting, Inc. for 38th Street Reconstruction - Clifton Street to Range Road, Project No.15-2232 / CIP No. 50716.1 & 50716.2 for an increase of \$7,728.44.
49. PW050118-04 – Approve Change Order 1F to Tru-Form Construction, Inc. for Canyon Lake Drive Concrete Repair, Project No. 17-2405 / CIP No. 50445 for an increase of \$3,444.74.
51. PW050118-06 – Authorize Staff to Advertise for Bids for 2018 Chip Sealing Project, Project No. 18-2436 / CIP No. 50844. Estimated Cost: \$300,000.00.
52. PW050118-07– Authorize Staff to Advertise for Bids for Valve Repair – Saint Joseph Street - East Boulevard to 3rd Street, Project No. 18-2437 / CIP No. 50705. Estimated Cost: \$260,000.00.
53. PW050118-08 – Authorize Mayor and Finance Officer to Sign an Agreement between the City Of Rapid City and Magellan Pipeline Company L.P. for Construction of Public Water Main from Eglin Street to Magellan Pipeline Company's property.
54. PW050118-09 – Authorize the Mayor and Finance Officer to Sign a Drainage Oversize Agreement between the City of Rapid City and Pink Cabin, LLC for Drainage Improvements in Sturgis Road Right-of-Way, not to exceed \$24,926.00.
55. PW050118-10 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Asphalt Surface Technologies Corporation for Asphalt Surface Crack Sealing, Project No. 18-2425, in the amount of \$81,250.00.
56. PW050118-11 – Authorize for Mayor and Finance Officer to Sign Amendment #1 to the Professional Services Agreement between the City of Rapid City and Ferber Engineering Company for Cathodic Protection Technical Services, Project No. 15-2258 / CIP No. 51087.
57. PW050118-12 – Approve Correction to Bid Award Summary for Sturgis Road Area Utility Reconstruction and Extension, Project No.11-2001 / CIP 50824.
58. PW050118-13 – Authorize Lowering the Percentage of Work that the General Contractor must perform from 50% to 35% for San Marco Boulevard Rehabilitation, Project No. 17-2412 / CIP No. 50429.
59. PW050118-14 – Authorize Lowering the Percentage of Work that the General Contractor must perform from 50% to 35% for the 2018 Manhole Adjustment Project, Project No. 18-2434 / CIP No. 50846.18.
60. PW050118-15 – Approve Request from KTM Design Solutions, Inc. on Behalf of Quinn Holdings, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 on Rand Road adjacent to the property located at 1777 Rand Road.
61. PW050118-16 – Authorize Mayor and Finance Officer to Sign Resolution No. 2018-033 a Resolution Supporting the Application for a SD DENR Grant for the Landfill Cell 18 Liner and Leachate Collection Installation.

RESOLUTION NO. 2018-033

A RESOLUTION SUPPORTING A SOLID WASTE MANAGEMENT GRANT FOR FUNDS TO
SUPPORT CELL 18 LINER AND LEACHATE COLLECTION

WHEREAS, the City of Rapid City Solid Waste Division will construct Cell 18 Liner And Leachate Collection; and

WHEREAS, the City of Rapid City Solid Waste Division is eligible to apply for a SD DENR Solid Waste Management Grant for construction of Cell 18 Liner And Leachate Collection for the Rapid City Regional Landfill; and

WHEREAS, the City Council and Mayor support the need for Cell 18 Liner And Leachate Collection and support the grant from SD DENR for partial funding of this facility; and

WHEREAS, the Rapid City Solid Waste Division has developed plans for the construction of this facility that has been submitted to SD DENR;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Rapid City that city staff is authorized to prepare and submit a Solid Waste Management Grant Application for the proposed project; and

BE IT FURTHER RESOLVED that the Common Council authorizes the Superintendent of the Rapid City Solid Waste Division be authorized to execute and sign the Solid Waste Management Grant Application on behalf of the City of Rapid City.

I, Steve Allender, Mayor of the City of Rapid City hereby certify that the foregoing resolution was passed by the City of Rapid City Common Council at a meeting held on the 7th day of May 2018.

Dated this 7th day of May, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL

62. PW050118-17 – Authorize Staff to Advertise for Bids for Concrete Replacement. Estimated Cost: \$150,000.00.
63. PW050118-19 – Authorize Mayor and Finance Officer to sign an Agreement between the City of Rapid City and HDR Engineering, Inc. for Professional Services for Water Reclamation Facility (WRF) Permitting Assistance in the amount of \$7,365.00.
64. PW050118-20 – Approve request from Black Hills Farmers Market to operate at the 145 E. Omaha Street location for the 2018, 2019 and 2020 seasons.
65. PW050118-18 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Utility Service Co., Inc. for Sewer Force Main Ice Pigging, in the amount not to exceed \$72,000.00.
66. 18TP016 – Acknowledge the Rapid City Area MPO Transit Feasibility Study – Final Report.
67. PW050118-22 – Approve the Emerald Ash Borer Management Plan.

Legal & Finance Committee Consent Items

68. LF050218-09 – Approve Resolution No. 2018-035 a Resolution Supporting the Month of May 2018 as South Dakota Wildfire Awareness Month

Resolution No. 2018-035

A RESOLUTION SUPPORTING THE MONTH OF MAY 2018 AS
SOUTH DAKOTA WILDFIRE AWARENESS MONTH

WHEREAS, the City of Rapid City desires to provide an environment safe from wildfire while protecting the health and safety of its citizens, including all property situated therein; and

WHEREAS, wildfires threaten the environmental, economic, and social well-being of Rapid City residents while challenging firefighter's efforts to protect life and property; and

WHEREAS, wildfire suppression costs represent only a small portion of overall economic impacts and do not reflect the total cost of catastrophic fires; and

WHEREAS, residents of Rapid City have the responsibility to recognize the high risk of wildfire and institute safe and early evacuation plans, increase their home's resistance to wildfire, and create fire adapted communities to increase the safety and survivability of the public and emergency personnel ; and

WHEREAS, Wildfire Awareness Month is an important opportunity for Rapid City residents and all South Dakota communities and fire service agencies to reduce the risk of wildfire, increase firefighter safety, and enhance public safety and awareness through education on fire safety, preparation, and prevention.

THEREFORE BE IT RESOLVED that the City of Rapid City supports the month of May 2018 as South Dakota Wildfire Awareness Month; and

THEREFORE BE IT FURTHER RESOLVED that this resolution is a call for the residents of Rapid City to educate themselves and to take action to reduce the wildfire threat to their homes and help their community move toward becoming a fire adapted community.

APPROVED AND ADOPTED this 7th day of May 2018 by the City of Rapid City.

Dated this 7th day of May, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

69. LF050218-06 – Authorize Mayor and Finance Officer to Sign AXON Body Worn Camera Contract for 5 Years for the Total Amount of \$666,446.00
70. LF050218-12 – Authorize Mayor and Finance Officer to Sign AXON Sales, Terms, and Conditions Fleet Agreement for 5 Years for the Total Amount of \$191,135.49
71. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Marcia Osborn (RSVP+), Diane MacDonald (RSVP+)
72. LF050218-02 – Acknowledge March 2018 General Fund Cash Balance Report
73. LF050218-05 – Ratify Lien & Agreement for Assignment of Proceeds of Real Estate Sales by Red Rock Development Company, LLC to the City of Rapid City
74. LF050218-11 – Approve Resolution No. 2018-036A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

RESOLUTION No. 2018-036A
RESOLUTION FIXING TIME AND PLACE FOR
HEARING ON ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The Assessment Roll for Cleanup of Miscellaneous Property was filed in the Finance Office on the 7th day of May, 2018. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on the 4th day of June, 2018 at 6:30 P.M., this said date being not less than twenty (20) days from the filing of said assessment roll for hearing thereon.
2. The Finance Officer is authorized and directed to prepare a Notice stating the date of filing the assessment roll, the time, and place of hearing thereon; that the assessment roll will be open for public inspection at the Office of the Finance Officer, and referring to the assessment roll for further particulars.
3. The Finance Officer is further authorized and directed to publish notice in the official newspaper one week prior to the date set for hearing and to mail copy thereof, by first class mail, addressed to the owner or owners of any property to be assessed at his, her, or their last mailing address as shown by the records of the Director of Equalization, at least one week prior to the date set for hearing.

Dated this 7th day of May, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

75. LF050218-04 – Approve Purchase Agreement for 627 Saint Cloud Street to Include Reduction of Unpaid Water Bill in the Amount of \$6,147.61 to \$1,500 and Forgiveness of Balance Owed of \$4,647.61 and Authorize Mayor and Finance Officer to Sign the Purchase Agreement and Closing Documents.
76. LF050218-07 – Authorize Mayor and Finance Officer to Sign Amendment with Walker Consultants for \$9,000.00 for Additional Services for the Downtown Parking Study and Strategic Plan.

CIP Committee Consent Items

77. No. CIP042018-00 – Acknowledge Capital Improvement Programs Committee Monthly Update for March 2018.
78. No. CIP042018-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
79. No. CIP042018-05 – Approve Capital Plan for Parks & Recreation
80. No. CIP042018-06 – Approve Capital Plan for Information Technology
81. No. CIP042018-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
82. No. CIP042018-02 – Approve Capital Plan for PW Infrastructure *(Formerly called Capital Plan for Streets, Drainage, MIP Projects)*
83. No. CIP042018-07 – Approve 5-year CIP Plan 2019-2023

Community Planning & Development Services Department Consent Items

85. No. 18AN002 – Approve A request by Bill Freytag for Citcra LLC for Resolution No. 2018-031 - Petition of Annexation for property generally described as being located 150 feet west of Brooke Street, at the eastern terminus of Nicole Street.

RESOLUTION 2018-031
A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed; and

WHEREAS, the territory that the petitioners are seeking to have annexed is contiguous to the City of Rapid City; and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be annexed and thereby included within the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 4.2 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

The unplatted balance of the N1/2 of the NW1/4 of the NW1/4 less Tyler Knue Subdivision, Section 24, T2N, R7E, BHM, Pennington County, South Dakota

Dated this 7th day of May, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

86. No. 18AN003 – Approve A request by KTM Design Solutions, Inc for Dennis Zandstra Real Estate Holdings for a Resolution No. 2018-032 - Petition of Annexation for property generally described as being located south of E. Minnesota Street.

RESOLUTION 2018-032
A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed; and

WHEREAS, the territory that the petitioners are seeking to have annexed is contiguous to the City of Rapid City; and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be annexed and thereby included within the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 22.76, more or less, is hereby included within the corporate limits of the City and annexed thereto:

The N1/2 of the NW1/4 of the NW1/4 S1/2 N1/2 NE1/4 NW1/4, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of said Section 21 and being the point of beginning: THENCE with the north line of said Section 21, (1) South 89°55'20" East, 1322.90 feet to the northeast corner of the N1/2NW1/4NW1/4 of said Section 21; THENCE with the east line of the N1/2NW1/4NW1/4, (2) South 00°03'09" West, 330.24 feet to the northwest corner of the S1/2N1/2NE1/4NW1/4; THENCE with the north line of the S1/2N1/2NE1/4NW1/4, (3) South 89°53'53" East, 1323.14 feet to the northeast corner of the S1/2N1/2NE1/4NW1/4; THENCE with the east line of the S1/2N1/2NE1/4NW1/4, (4) South 00°00'43" West, 330.75 feet to the southeast corner of the S1/2N1/2NE1/4NW1/4; THENCE with the south line of the S1/2N1/2NE1/4NW1/4, (5) North 89°52'33" West, 1323.37 feet to the southwest corner of the S1/2N1/2NE1/4NW1/4; THENCE with the south line of the N1/2NW1/4NW1/4, (6) North 89°52'33" West, 1323.41 feet to the southwest corner of the N1/2NW1/4NW1/4; THENCE with the west line of the N1/2NW1/4NW1/4, (7) North 00°05'46" East, 659.41 feet to the point of beginning.

BE IT ALSO RESOLVED that, pursuant to Rapid City Municipal Code 3.20.010 and S.D.C.L. 34-31A-35, the Common Council hereby authorizes payment to the Rapid Valley Fire District in an estimated amount of \$390.19 to be paid out of the Mayor and Council budget. This payment shall be the actual pro-rated amount of Rapid Valley Fire District's indebtedness for capital expenditures that is attributable to the property annexed by this resolution

Dated this 7th day of May, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Bid Award Consent Items

87. No. CC050718-02.1 – Approve award of Total Bid for 2018 Lane Line Painting Project No. 18-2439 / CIP No. 50594 opened on May 1, 2018 to the lowest responsible bidder, Dakota Barricade, LLC, in the amount of \$101,020.00.
88. No. CC050718-02.2 – Approve award of total bid for Berry Boulevard – Pavement Rehabilitation Project, Project No. 17-2413 / CIP No. 50549 opened on May 1, 2018 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$176,614.90.

END OF CONSENT ITEMS

Mayor read in item (PW050118-05) Authorize Staff to Advertise Bids for San Marco Boulevard Rehabilitation, Project No. 17-2412 / CIP No. 50429. Estimated Cost: \$300,000.00. In response to a question from Drew, Tech said this project was to resurface and bring ADA compliance at the curbs. Tech said the project would be bid in June and done by the end of 2018. Motion was made by Salamun, second by Modrick and carried to approve.

Mayor read in item (No. CIP042018-08) Approve 5-year Government Facilities Plan 2019-2023. Motion was made by Salamun, second by Armstrong to approve. Salamun said it will be nice to have two stations. As the police departments is growing there is need to expand from the central location to the southwest area of the city. Jegeris said the west side location would be south of Jackson, ideally with easy access to Catron Boulevard and Sheridan Lake Road. He was asked to bring the request back in one year at the CIP meeting. He wants this to be a reality in six to ten years. He also mentioned the police department would like to expand to an east location in 10-20 years when there is more expansion and annexation. Salamun noted that Jegeris would be willing to combine with another government agency for the new location in order to save money and resources. Motion passed 8-0.

NON-CONSENT ITEMS – Items 89 – 101

Kyle Treloar, KTM Designs, addressed the council. He said the property they are discussing is near the intersection of Mt. Rushmore Road and Catron Boulevard. The exact intersection is at Les Hollers Way and the future continuation of Promise Road to the north. There is a fire station to the north of Promise Road. They will eventually be constructing Promise Road to the south to tie into the intersection with Les Hollers and Catron Boulevard. He explained there is a center island that separates incoming and outgoing traffic. They are asking for 12-13 feet of lane width instead of the required 20-feet. They would like to match the intersection across the street, which was constructed for the Black Hills Power facility. They are trying to line up the streets running north and south of Catron Boulevard so there is a uniform feel.

Ordinances

Ordinance 6250 (18OA012) An Ordinance Amendment to Adopt Regulations Concerning Mobile Food Vendors by Adopting Provision in Title 17 of the Rapid City Municipal Code. Motion was made by Laurenti, second by Drury and carried that Ordinance 6250 be placed upon its first reading and the title was fully and distinctly read.

Ordinance 6251 (LF050218-10) An Ordinance to Amend Provisions Concerning the Planning Commission by Amending Chapter 2.60 of the Rapid City Municipal Code. Motion was made by Laurenti, second by Lewis and carried to approve Ordinance 6251 be placed upon it first reading and the title was fully and distinctly read.

Ordinance 6248 (LF050218-03) An Ordinance Regarding Supplemental Appropriation #3 for 2018. Motion was made by Laurenti, second by Armstrong and carried to approve Ordinance 6248 be placed upon its first reading and the title was fully and distinctly read.

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 having passed its first reading on April 16, 2018 motion was made by Laurenti, second by Nordstrom that the title be read the second time. Upon vote being taken the following voted AYE: Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti and Drury; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6247 was declared duly passed upon its second reading.

Ordinance 6254 (No. 18RZ012) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning from No Use District to General Agricultural District for property generally described as being located 150 feet west of Brooke Street, at the eastern terminus of Nicole Street. Motion was made by Laurenti, second by Salamun and carried that Ordinance 6254 be approved in conjunction with 18AN002 and be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, May 21, 2018.

Ordinance 6255 (No. 18RZ013) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Dennis Zandstra Real Estate Holdings for a Rezoning from No Use District to Low Density Residential District II for property generally described as

being located south of E. Minnesota Street. Motion was made by Laurenti, second by Drew and carried that Ordinance 6255 be approved in conjunction with 18AN003 and be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, May 21, 2018.

Ordinance 6258 (No. 18RZ014) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Dennis Zandstra Real Estate Holdings, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located south of E. Minnesota Street. Motion was made by Laurenti, second by Modrick and carried that Ordinance 6258 be approved and placed on its first reading and the title was fully and distinctly read and second reading set for Monday, May 21, 2018.

Public Works Committee Items

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 Drew, second by Lewis and carried to continue item to the May 21, 2018 city council meeting per the applicant's request.

Drew read in item (PW050118-21) Appeal of Denied Exception Request by North Atlantic Developers, LLC to waive the requirement to install 20-foot wide pavement on both sides of a center street island on Promise Road (City File 18EX040), one Exception denied by staff out of six total Exceptions submitted for the project. Motion was made by Drew, second by Modrick to approve the exception. Salamun stated at the Public Works meeting that Les Hollers Way and Healing Way were built incorrectly as an oversight. He understands that the developer wants the same measurements for continuity on Promise Road. However, the Public Works department would like the correct measurements used instead of continuing the oversight on the Promise Road side. Salamun said an oversight happened but they shouldn't continue the oversight. In response to a question from Salamun, Seals said he sent out a memo describing the complications of safety by allowing the road to be less than 20-feet. As much as Salamun wants it to look good, he wants the road to be safe for traffic. In response to a question from Modrick, Treloar said that public works discovered the exception on Les Hollers Way, late in the design process when they asked for the same exception on Promise Road. Treloar said in order to meet the exception they have removed the median out of the plans in total. In order to meet the 20-foot requirement they had to remove the median. He said they are at a stoplight controlled access point. The island is at a traffic calming benefit and allows them to break up traffic, so north-south vehicles aren't directly interacting with each other. Since the median is removed, there is no barrier between the incoming and outgoing traffic. In response to a question from Modrick, Tech said that someday Les Hollers will be a five-lane arterial road but Promise Road will not. Someday in the future, there will be extra northbound, southbound lanes added there, which will correct the issue. Tech said the inside lanes will always line up with the inside lanes across the road, so there is not a future alignment issue. Tech said there is a signalized intersection on Catron. In response to a question from Laurenti, Tech said KTM bid the project before they had final approved plans from the City of Rapid City. If the exception is not approved then the island won't be built. Seals said the safety issues would be elevated if the island is denied. In response to a question from Nordstrom, Tech said prior to 2012 this criteria was not widely used regarding the width. He said they rely on the design engineers too because they are looking at it as in depth as the city. He said this was missed by two different design professionals as well as city staff on these items. Tech said there is not a lot they can do without significant disruption on the south and west, so it will just be left as is. Nordstrom said he will vote to keep the north side continuous with the south side. He is in favor of granting the exception to keep the consistency. In response to a question from Drury, Tech said the lanes will still line up because the area that was going to have the median will be striped out. Treloar said if the median was built, it would have similar landscaping as the median on the opposite side of the road which is rock. In response to a question from Drury, Young said one of the requirements they are looking at instituting here is that if you are approved for a TIF then you will meet the requirements as they're currently constituted, that no variances or exceptions would be granted.

Drew asked Treloar how everything got moved forward without being approved. Treloar said they submitted their preliminary ideas and they got back a subdivision report. On that report, there were criteria listed that they needed to meet. Some exceptions were made by staff and some weren't. It wasn't until the final plan approval that they found out it would need an exception. Treloar thought it would be approved since the opposite side of the road was approved so he was surprised it wasn't. In response to a question from Lewis, Tech said KTM does not have an approved set of plans submitted, they are waiting on this action tonight. Lewis said it's probably more cost effective for KTM to not do the median. He thinks it's better access for safety vehicles as well. Treloar said they want it for continuity and aesthetics. Motion failed 5-3 with Drew, Nordstrom and Modrick voting in favor of the exception.

Legal & Finance Committee Items

Laurenti read in item (LF050218-08) Approve Authorize Mayor and Finance Officer to Sign Fourth Assignment for Tax Increment District No. 38 Between the City of Rapid City, Heartland Retail Center, LLC, and First Interstate Bank. Motion was made by Nordstrom, second by Modrick to approve. Motion carried 7-1 with Laurenti voting no.

CIP Committee Items

Nordstrom read in item (No. CIP042018-04) Approve Capital Plan for Fire Vehicles. Motion by Nordstrom, second by Drew to approve. Drury said she was the no vote on this item. She thinks fire vehicles should come out of their budget and not out of capital improvements. Mayor said he feels that the fire vehicles shouldn't come out of CIP either. He said he has talked to the Fire Chief about getting them out of CIP as well. He said the issue is that it is about a half a million dollars and in the process of building the 2019 budget, we are hoping to get \$100,000 per year converted from CIP into general fund fire vehicle budget which will put us on a five-year plan to get that money restored to CIP. So there is a plan to get it out of there. Nordstrom said he agrees it's coming out of the wrong line item, but we did not have a plan at the time of this discussion. Drury said that Seals is working on alternate ways to fund it as well. She complimented his initiative. Motion carried 7-1 with Drury voting no.

Community Planning & Development Services Department Items

Motion was made by Drew, second by Modrick and carried to approve (No. 18PL022) A request by KTM Design Solutions, Inc for MDD LLC for a Preliminary Subdivision for proposed Lot 1 of East Haines Subdivision, generally described as being located east of Haines Avenue, adjacent to Kathryn Avenue with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue shall be submitted for review and approval showing the dedication of 4 additional feet of right-of-way and the construction of sewer, sidewalk and a second water main 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; 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, 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. 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. In addition, utility easement(s) shall be dedicated as needed; 4. 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 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. In addition, utility easement(s) shall be dedicated as needed; 5. Upon submittal of a

Development Engineering Plan application, proposed sewer service to the unplatted balance of the property located east of the proposed lot shall be addressed. In particular, the applicant shall identify if a public sewer main is proposed to be extended through proposed Lot 1 in order to provide gravity sewer service to this area. In addition, a complete Engineer's analysis of the sanitary sewer basin, sewer master plan and proposed public sewer layout as needed to ensure gravity service to all adjacent and surrounding parcels shall be submitted for review and approval. Utility easement(s) shall be dedicated as needed; 6. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity and pavement design for any required subdivision improvements shall be submitted for review and approval as needed; 7. 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. In addition, easements shall be dedicated as needed; 8. 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; 9. 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; 10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 11. Prior to submittal of a Final Plat application, the plat document shall show a non-access along Haines Avenue with the exception of a 60 foot wide opening that aligns with Kathryn Avenue located on the west side of Haines Avenue; 12. Prior to submittal of a Final Plat application, the plat document shall show the existing easement and/or proposed easement for the overhead power line located along the north property line. If the easement is existing, then the plat document shall show the recording information for the existing easement; 13. 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, 14. 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).

Motion was made by Drew, second by Modrick to approve (No. 18PL023) A request by KTM Design Solutions, Inc. for Dennis Zandstra Real Estate Holdings, LLC for a Preliminary Subdivision Plan for proposed Lots 26 thru 49 of Block 10, Lots 7 thru 24 of Block 11, Lots 1 thru 6 of Block 13, Lots 1 thru 7 of Block 14, Lots 1 thru 7 of Block 15 and Lots 1 thru 3 of Block 16 and dedicated right-of-way of Elks Crossing, generally described as being located south of E. Minnesota Street 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 Minnesota Street shall be submitted for review and approval showing the construction of ten additional feet of pavement and a second water main 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 Pahlmeyer Drive 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 Duckhorn Street shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way with ten additional feet of right-of-way the first 200 feet as the street extends south from Minnesota 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 Cul-de-sac A 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 118 foot diameter right-of-way and constructed with a minimum 96 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; 7. Upon submittal of a Development Engineering Plan application, construction plans for Street B and C 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 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; 8. Upon submittal of a Development Engineering Plan application, construction plans for the Section Line Highway shall be submitted for review and approval showing the Section Line Highway 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 or the section line highway shall be vacated. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 9. 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. 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; 10. 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 shall be submitted for review and approval. The design report shall demonstrate that the downstream sanitary sewer capacity and the Jolly Lane Lift Station pumping capacity is adequate to meet estimated flows and provide sufficient system capacity; 11. 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. In addition, easements shall be provided as needed; 12. 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; 13. 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; 14. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 15. 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; 16. Prior to submittal of a Final Plat application, that portion of the property located outside of the City limits shall be annexed; 17. Prior to submittal of a Final Plat application, the property shall be rezoned from General Agriculture District and No Use District to Low Density Residential II District as proposed in order to support the proposed residential development; 18. Prior to submittal of a Final Plat application, the plat title shall read "Elks Crossing" in lieu of "Elks Crossing Subdivision"; 19. Prior to submittal of a Final Plat application,

proposed street names shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street names shall be shown on the plat document; 20. Upon submittal of a Final Plat application, the plat document shall show the existing stormwater facility as a drainage lot. In addition, approved documentation securing ownership and maintenance of the proposed drainage elements shall be submitted for recording; 21. 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, 22. 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).

PUBLIC HEARING ITEMS – Items 102 - 200

CONSENT PUBLIC HEARING ITEMS – Items 102 – 197

Motion was made by Salamun, second by Armstrong to approve Items 102-197. Motion was approved and carried 8-0.

Alcohol Licenses

100. 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
101. 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
102. 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
103. 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
104. 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

Alcohol License Renewals:

Previously licensed as: Retail (on-off sale) Malt Beverage License NO Video Lottery (RB)

105. Lu Shun LLC dba Imperial Chinese Restaurant, 702 E North St. (RB-3003)
106. Lu Shun LLC dba Great Wall Chinese Restaurant, 315 E North St. (RB-2976)
107. Fuji Asian Restaurant Inc. dba Fuji Asian Restaurant, 2200 N Maple Avenue Unit 478 (RB-20253)
108. Pure Bliss LLC dba A Perfect 10, 1745 Eglin St. Ste 770 (RB-20817)
109. Pure Bliss LLC dba A Perfect 10 Nail & Beauty Bar, 36 Strumer Rd. Ste. 118 (RB-20374)
110. Pure Bliss LLC dba A Perfect 10, 1109 W Omaha St. Suite B (RB-19768)
111. Rapid City Softball Assoc. dba Rapid City Softball, 1511 Sedivy Ln. (RB-3812)
112. Unique Ink Promos Inc. dba Unique Ink Promos Inc., 3300 Deadwood Ave. N (RB-2010)
113. LC Beer LLC dba Lost Cabin Beer Co., 1401 W Omaha St. (RB-22767)
114. C.C.W. LLC dba HuHot Mongolian Grill, 1745 Eglin St. Ste. 990 (RB-20771)
115. Kathmandu Bistro LLC dba Kathmandu Bistro LLC, 727 Main St. (RB-20607)
116. Wine Land Inc./David Hirning dba Wine Cellar Restaurant, 513 6th St. (RB-2741)
117. WNRRRC LLC dba Buffalo Wings and Rings, 5622 Sheridan Lake Road (RB-3809)
118. Performing Arts Center of Rapid City, Inc. dba Performing Arts Center of Rapid City, 601 Columbus St. (RB-21311)
119. Deadwood Outfitter Inc. dba Deadwood Outfitter, 2820 Harley Dr. (RB-3805)

120. Black Hills Amateur Baseball Inc. dba Black Hills Amateur Baseball, McKeague Field 2819 Canyon Lake Drive (RB-3624)
121. Himalayan Kitchen LLC dba Himalayan Kitchen, 1720 Mt. Rushmore Rd. (RB-24885)
122. Main Street Square Inc. dba Main Street Square, 526 Main St. (RB-19770)
123. Fuji Japanese Steak House Inc. dba Fuji Japanese Steak House Inc., 1731 Eglin St. (RB-19953)
124. Rapid city Extended Stay, Inc. dba Staybridge Suites, 1314 Luna Ave. (RB-25012)
125. CEC Entertainment Inc. dba chuck E Cheese, 30 Knollwood Drive (RB-2116)
126. Trifecta Group LLC dba Delmonico Grill, 609 Main St. (RB-2289)
127. Walnut Grove LLC dba Klinkeltown, 521 Main St. (RB-23610)
128. NPC International Inc. dba Pizza Hut #2776, 2604 W Main St. (RB-3009)
129. Cortez LLC dba Alex Johnson Hotel, 523 6th St. (RB-3851)
130. Hana Corp dba Hana, 3550 Sturgis Rd. (RB-3919)
131. Museum Alliance of Rapid City Inc. dba The Journey Museum, 222 New York St. (RB-3876)
132. Shooters Inc. dba Shooters Wood Fire Grill, 2424 W Main St. (RB-3026) Inactive

Previously licensed as: Retail (on-off sale) Malt Beverage License With Video Lottery (RB)

133. CCKT, Inc. dba Queen of Hearts Casino II, 316 East Blvd. Ste. 110 (RB-2998)
134. CCKT, Inc. dba Queen of Hearts Casino, 316 East Blvd. Ste. 100 (RB-3019)
135. CCKT, Inc. dba King of Hearts Two, 2820 W Main St. (RB-2985)
136. CCKT, Inc. dba King of Hearts Casino, 2820 W Main St. Ste. B (RB-2955)
137. Wyngard Pot O Gold Casino Inc. dba Lucky D's Casino II, 1330 E St. Patrick St. #2 (RB-2598)
138. Wyngard Pot O Gold Casino Inc. dba Lucky D's Casino, 1330 E St. Patrick St. (RB-3450)
139. Wyngard Pot O Gold Casino Inc. dba Lucky D's Casino III, 1330 E St Patrick St. #1 (RB-3592)
140. Wyngard Pot O Gold Casino Inc. dba Pot-O-Gold Casino, 530 Cambell St. Ste. 1 (RB-2945)
141. Wyngard Pot-O-Gold Casino Inc. dba Pot-O-Gold Casino II, 530 Cambell St. Ste. 1A (RB-2961)
142. Cimarron Casino, Inc. dba Royal Casino II, 2530 W Main St. Ste. II (RB-3302)
143. Cimarron Casino, Inc. dba Royal Casino I, 2530 W Main St. Ste. I (RB-3017)
144. Cimarron Casino Inc. dba Lucky 7's Casino I, 705 Indiana St. Ste. B (RB-2988)
145. Cimarron Casino Inc. dba Lucky 7's Casino III, 705 Indiana St. Ste. C (RB-3054)
146. Cimarron Casino Inc. dba Lucky 7's Casino I, 705 Indiana St. Ste. A (RB2990)
147. Robert W. Johnson dba Canyon Lake Pub & Casino, 4116 Jackson Blvd. (RB-2813)
148. Rapid Bowl Inc. dba Meadowood Lanes, 3809 Sturgis Rd. (RB-3010)
149. Deano's Casino Inc. dba Deano's Casino II, 903 E North St. Suite A (RB-3912)
150. Deano's Casino Inc. dba Deano's Casino, 903 E North St. Suite B (RB-3588)
151. Shooters Inc. dba Shooters, 2424 W Main St. (RB-2963)
152. Dave M. and Linda K. Handley dba Hot Spot Casino, 420 E St. Patrick St. (RB-2997)
153. Pilot Travel Centers LLC dba Pilot Travel Center #918, 2783 Deadwood Ave. (RB-2981)
154. Fresh Start Convenience Stores Inc. dba Fresh Start-Rapid Valley, 3888 E Hwy 44 (RB-3791)
155. MG Oil Company dba Uncle Sam's West, 2730 West Main St. (RB-2275)
156. MG Oil Company dba Rushmore Casino III, 1808 Mt. Rushmore Rd. Ste. C (RB-2342)
157. MG Oil Company dba Jackpot Casino Too #2, 1415 N LaCrosse St. Ste. 3-B (RB-2343)
158. MG Oil Company dba Market Square II, 1624 E St. Patrick Ste. 103 (RB-2604)
159. MG Oil Company dba LaCrosse Street Casino #1, 720 LaCrosse St. Bldg. B Ste. 1 (RB-2797)
160. MG Oil Company dba Jokers Casino South, 1320 Mount Rushmore Rd. Ste. C-1 (RB-2808)
161. MG Oil Company dba #2-East North Casino, 230 E North St. (RB-2946)
162. MG Oil Company dba Rushmore Casino, 1808 Mt. Rushmore Rd. (RB-2952)
163. MG Oil Company dba jackpot Casino North, 685 N LaCrosse St. Ste. 2-B (RB-2964)
164. MG Oil Company dba BP Casino II, 609 Mountain View Rd. Ste. C-2 (RB-2966)
165. MG Oil Company dba Chances Casino, 1565 Haines Ave. Ste. D (RB-2967)
166. MG Oil Company dba Jackpot Casino III, 685 N LaCrosse St. Ste. 2-D (RB-2969)
167. MG Oil Company dba Jackpot Casino II, 685 N LaCrosse St. Ste. 2-C (RB-2986)
168. MG Oil Company dba Uncle Sam's South Too, 2110 Jackson Blvd. (RB-2987)
169. MG Oil Company dba Jackpot Casino Too, 1415 N LaCrosse St. Ste. (RB-2995)

170. MG Oil Company dba Happy Jacks I-90, 4036 Cheyenne Blvd. (RB-2996)
171. MG Oil Company dba Uncle Sam's South, 2110 Jackson Blvd. (RB-3004)
172. MG Oil Company dba Jackpot West II, 2144 Jackson Blvd. Ste. 4 (RB-3005)
173. MG Oil Company dba Happy Jack's East, 909 E St. Patrick St. #20 (RB-3006)
174. MG Oil Company dba Lacrosse Street Casino #2, 720 LaCrosse St. Bldg. B Ste. 2 (RB-3011)
175. MG Oil Company dba BP Casino, 609 Mt. View Ste. C-1 (RB-3012)
176. MG Oil Company dba Rushmore Casino II, 1808 Mt. Rushmore Rd. (RB-3015)
177. MG Oil Company dba Market Square Casino, 1624 E St. Patrick St. (RB-3027)
178. MG Oil Company dba Happy Jacks Valley, 747 Timmons Blvd. Ste. B (RB-3037)
179. MG Oil Company dba Sam's #2, 2730 W Main St. Ste. B (RB-3039)
180. MG Oil Company dba Toby's Casino North, 720 E North St. Ste. 110 (RB-3044)
181. MG Oil Company dba Lacrosse Street Casino #3, 720 LaCrosse Street Bldg. B Ste. 3 (RB-3114)
182. MG Oil Company dba Jackpot Casino West, 2144 Jackson Blvd. Ste. 3 (RB-3208)
183. MG Oil Company dba Toby's Casino North, 720 E North St. Ste. 100 (RB-3219)
184. MG Oil Company dba Jokers Casino South II, 1320 Mt. Rushmore Rd. Ste. C-2 (RB-3508)
185. MG Oil Company dba Toby's Casino South Too, 714 Cleveland St. (RB-3538)
186. MG Oil Company dba Chances Casino Too, 1565 Haines Ave. Ste. C (RB-3590)
187. MG Oil Company dba Toby's Casino South, 710 Cleveland St. (RB-3593)
188. MG Oil Company dba Happy Jacks Too, 909 St. Patrick St. #21 (RB-3657)
189. MG Oil Company dba happy Jacks Omaha, 1109 West Omaha St. # (RB-3810)
190. Z'Mariks LLC dba Noodle Café, 2335 W Main St. #110 (RB-20685)
191. JYE Group Inc. dba Sumo Japanese Kitchen, 214 E St. Joseph St. (RB-21029)
192. Sheree D Schriver dba Jambonz Deux (2), 516 7th St. (RB-24250)
193. Independent Ale House LLC dba Independent Ale House, 625 St. Joseph St. (RB-19402)
194. Rapid City Arts Council Inc. dba Dahl Arts Center, 713 7th St. (RB-2052)

Assessment Rolls

197. LF050218-01 – Approve Resolution No. 2018-027B a Resolution Levying Assessment for Cleanup of Miscellaneous Property

RESOLUTION NO. 2018-027B
RESOLUTION LEVYING ASSESSMENT FOR
CLEANUP OF MISCELLANEOUS PROPERTY

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the amount which each lot or tract shall be benefited by the property cleanup is the amount stated in the proposed assessment roll.
2. The Assessment Roll for Cleanup of Miscellaneous Property is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.
3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer shall be collected by the City Finance Office in accordance with SDCL ch. 9-43, as amended, and shall be payable in one annual installment bearing interest at the rate not to exceed six and one-half percent (6.5%).

Dated this 7th day of May, 2018.

CITY OF RAPID CITY
s/ Steve Allender

Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer

(SEAL)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 198 – 200

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 having passed its first reading on April 16, 2018, motion was made by Drew, second by Lewis that the title be read the second time. Upon vote being taken, the following voted AYE: Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti, and Drury NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6244 was declared duly passed upon its second reading.

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 having passed its first reading on April 16, 2018, motion was made by Salamun, second by Nordstrom that the title be read the second time. Upon vote being taken, the following voted AYE: Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti, and Drury NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6245 was declared duly passed upon its second reading.

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 having passed its first reading on April 16, 2018, motion was made by Laurenti, second by Drew that the title be read the second time. Upon vote being taken, the following voted AYE: Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti, and Drury NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6246 was declared duly passed upon its second reading.

EXECUTIVE SESSION Pursuant to SDCL 1-25-2(3) to consult with legal counsel regarding pending litigation. Motion was made by Lewis, second by Laurenti and carried to go into Executive Session at 7:27 p.m. Motion was made Salamun, second by Armstrong and carried to come out of Executive Session at 7:44 p.m. with Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti and Drury present. Mayor stated there was no action required.

BILLS

The following bills have been audited:

BILL LIST - MAY 7, 2018

P/ROLL PERIOD END 04/14/18, PD 04/20/18	1,846,932.80
CDEV P/ROLL PERIOD END 04/12/18, PD 04/20/18	4,986.24
PIONEER BANK & TRUST, 04/14/18 P/ROLL TAXES, PD 04/20/18	472,902.15
PIONEER BANK & TRUST, SUPP 04/23/18 P/ROLL TAXES, PD 04/23/18	36.21
CDEV PIONEER BANK & TRUST, 04/14/18 P/ROLL TAXES, PD 04/20/18	1,319.93

SOUTH DAKOTA DEPARTMENT OF REVENUE, MAR18 SALES TAX PAYABLE PD 04/20/18	36,018.30
SOUTH DAKOTA DEPARTMENT OF REVENUE, MAR18 EXCISE TAX PAYABLE PD 04/20/18	387.71
SOUTH DAKOTA DEPT OF REVENUE, MAR18 CCTR SALES TAX PAYABLE PD 04/20/18	41,711.67
WELLMARK INC, HEALTH CLAIMS THROUGH 04/06/18, PD 04/12/18	246,360.87
WELLMARK INC, HEALTH CLAIMS THROUGH 04/13/18, PD 04/19/18	215,176.69
WELLMARK INC, HEALTH CLAIMS THROUGH 04/20/18, PD 04/26/18	183,278.88
WELLMARK INC, HEALTH CLAIMS THROUGH 04/27/18, PD 05/03/18	130,706.90
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/16/18, PD 04/17/18	9,644.47
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/23/18, PD 04/24/18	6,172.59
WAGE WORKS, SECTION 125 CLAIMS THROUGH 04/30/18, PD 05/01/18	7,702.23
SOUTH DAKOTA RETIREMENT SYSTEM, APR18 RETIREMENT, PD 05/03/18	423,781.43
SD RETIREMENT SYSTEM SPECIAL PAY PL-ALDRIDGE, FURCHNER, GILLES PD 04/20/18	135.00
BERKLEY ASSIGNED RISK SERVICES, APR18 CLAIMS, PD 05/02/18	30,553.52
BANK WEST, TID54 RAINBOW RIDGE, PD 04/20/18	4,810.51
BANK WEST, TID65 MINNESOTA ST, PD 04/20/18	4,865.45
BANK WEST, TID69 NORTH FIRE STATION, PD 04/20/18	250.22
CITY OF RAPID CITY, TID42 ELK VALE/TIMMONS, PD 04/20/18	1,414.33
CITY OF RAPID CITY, TID64 CABELA'S, PD 04/20/18	4,545.69
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 04/20/18	12,995.96
US BANK, CREDIT CARD CHARGES, PD 05/02/18	60,998.27
US BANK – CDEV, CREDIT CARD CHARGES, PD 05/02/18	31.68
BLACK HILLS ELECTRIC ASSOCIATION, ELECTRICITY, PD 05/01/18	1,738.78
BLACK HILLS ENERGY, ELECTRICITY, PD 04/20/18	70,211.82
BLACK HILLS ENERGY, ELECTRICITY, PD 05/01/18	99,317.68
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 04/20/18	43,862.25
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 05/01/18	8,579.83
SOUTH DAKOTA DEPT OF LABOR UNEMPLOYMENT INSURANCE BENEFIT CHRGS, PD04/30/18	7,889.89
COMPUTER BILL LIST	2,651,370.16
CDEV COMPUTER BILL LIST	46,647.13
SUBTOTAL	6,677,337.24
RSVP, P/ROLL PERIOD END 04/14/18, PD 04/20/18	1,406.56
RSVP, PIONEER BANK & TRUST, 04/14/18 P/ROLL TAXES, PD 04/20/18	406.66
RSVP, SDRS SPECIAL PAY PLAN - FEE, WEEKS A, PD 04/11/18	45.00
RSVP, COMPUTER BILL LIST	21.09
TOTAL	6,679,216.55

Sumption presented the bill list of \$6,679,216.55. Motion was made by Laurenti, second by Salamun and carried to authorize (No. CC050718-01) 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 Laurenti, second by Armstrong and carried to adjourn the meeting at 7:45 p.m.

Dated this 7th day of May, 2018.

CITY OF RAPID CITY

ATTEST:

Finance Officer

(SEAL)

Mayor