

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

July 2, 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, July 2, 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: Deputy Finance Officer Tracy Davis, City Attorney Joel Landeen, Police Chief Karl Jegeris, Fire Chief Rod Seals, Community Development Director Ken Young, Public Works Director Dale Tech, Library Director Terri Davis, Parks and Recreation Director Jeffrey Biegler, and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA

Mayor Allender asked that Item 40 be moved to after Item 5. Motion was made by Lewis, second by Salamun and carried to adopt the agenda as amended.

AWARDS AND RECOGNITIONS

Mayor Allender and Ken Young recognized Curt Bechtel for his 25 years of service. He was thanked for his dedication to the City of Rapid City and congratulated for his work over the years.

ELECTION OF OFFICERS

Mayor asked for nominations for the Election of Council President. Motion was made by Salamun, second by Modrick to nominate Amanda Scott as Council President. No other nominations were made. Motion passed 10-0 and Amanda Scott was named the new Council President.

Mayor asked for nominations for the Election of Council Vice President. Motion was made by Scott, second by Roberts to nominate Becky Drury as Council Vice President. No other nominations were made. Motion passed 10-0 and Becky Drury was named the new Council Vice President.

PRESENTATION

Jim White, Chairman of the Board for the Rapid City Chamber of Commerce, addressed the Mayor and City Council. He wanted to thank the Mayor and Council on behalf of the Chamber for their work on the plan for the new civic arena. He presented the Mayor and Council with a plaque.

Faye Bice, Library Chair Board of Trustees, presented the Library Strategic Plan Update. She said the library started to update the strategic plan in early 2016 and continued into the Fall of 2017. An independent consultant facilitated six community forums to gather information regarding the public's vision for a modern library. Input was sought from a variety of people. Then library staff reviewed the feedback and identified trends and themes and correlated those with the City's core values. In February 2018 the library board adopted the 2018-2020 strategic plan along with a new mission statement, which is "Exploring idea, expanding knowledge, enriching community". Casey Martin, Library Board Vice-Chair, addressed the Council. He has served on the board the last 15 months. Their focus is about community. Pat Jones, board member, addressed the Council. He said one of the key pillars of the new strategic plan is education. He read comments from the surveys and said they received a lot of positive feedback on their resources. Terri Davis, Library Director, said it is now her job to make the strategic plan happen over the next three years. She stated the library provides e-books, study rooms, and internet access, and refocus on these things. They have prioritized feedback, which deals with literacy, education and

enrichment, and economic development by providing a job skills series. There is focus on early childhood literacy and getting families involved in early literacy. The library has a partnership with General Beadle in literacy. She stated if they aren't in school then learning doesn't happen. They are going to work on reducing roadblocks like late fines. They want to help the community with life skills. They want to hold classes to help with enhancing job skills, using the computer, proof reading, and writing a resume. They want to work with community partners and develop a workforce development committee. Motion was made by Lewis, second by Salamun to acknowledge the presentation. Mayor thanked the Library Board for their presentation.

David Lust, Gunderson Palmer, Nelson & Ashmore Law Firm, started the presentation for Elevate Rapid City. He is one of three co-chairs along with David Emery, Black Hills Corporation, and Jim Scull, Scull Construction. The Elevate Rapid City group is comprised of Rapid City Chamber of Commerce, Rapid City Economic Development Partnership, Ellsworth Development Authority and Economic Development Foundation and other businesses in Rapid City. It is important to the group that there is transparency and accountability. Lust stated in April 2016, members of the Rapid City Chamber of Commerce went to a retreat in Sioux Falls. In June 2017, ELEVATE wanted to determine if Rapid City can replicate what Sioux Falls has done with their group called "Forward Sioux Falls". A workshop with Convergent Nonprofit Solutions, an Atlanta based company specializing in economic development and nonprofit fundraising, was held. Lawrence McKinney and Elizabeth Hennen-McKinney represent Convergent and they concluded this type of economic development could and should be done. In September 2017, Convergent was hired. Public kickoff was in April 2018. Finalize bylaws and electing the board will be done in July/August 2018. McKinney said this was initially difficult to start, once they got going started, things started rolling tremendously. Elizabeth is from South Dakota. They went over the challenges holding back the region and the assets that Rapid City offers. We are fortunate that Black Hills Corporation is headquartered here. Ellsworth is the #2 priority. We need to lobby to make sure we make Ellsworth Airforce Base is important. We need to work on K-12 workforce development. They stated that Western Dakota Vo-Tech keeps 88% of the students and applauded their efforts. We need to provide the unemployed with basic workforce skills. We should work on attracting more jobs with new business investments. Jim Scull spoke to the Council. He said he was initially skeptical. He thought it would be hard to bring leadership together. He said Rapid City is very independent. The community came together to make things happen. Motion was made by Salamun, second by Drury to acknowledge the presentation. Salamun said that economic development the tie that raises all ships. In response to a question from Salamun, McKinney said their group will be requesting money from the vision funds. They would like to get \$400,000 per year for 5 years. Salamun said this sounds like a good roadmap for the City of Rapid City. He said this was well researched and funded with trusted leaders. He believes this is a good direction to move in the next five years. Roberts said he was excited about this. He thinks this is good for business owners and will generate more businesses in Rapid City. This is a huge opportunity for Rapid City. Scott thanked everyone for working on this. She said this is all private money which is fantastic. She is in favor of private, public partnership. She asked if they had reached out to the county yet. McKinney said not yet. She thinks the county will get on board. They contribute nothing now but hopeful they will. Drew said she noticed pictures of things already done but wants to see visuals of new things. She said we always talk about EAFB but not the National Guard Camp. She would like to see more about the National Guard. Scull said he appreciates the comments and other perspectives. Drew would like to see more about incubators. Hennen-McKinney said marketing and communication is a big focus. She said Rapid City has about 145 manufacturers in the area and many citizens are probably not aware of this. Nordstrom said he'd like to see more Airforce community partnerships. Scull said the Commander is very engaged and interested in the partnership. Motion carried 10-0.

GENERAL PUBLIC COMMENT

Judy Miller said she emailed Kelsey and each council member should have a copy of her email. She would like Dial-A-Ride to prioritize the schedules on life threatening needs. She said her friend goes to dialysis six times a week and it's too expensive to get a ride. Each cab ride would cost \$20 each way and that is too expensive. Judy thanked them for listening. She said she spoke three times to rich about

scheduling routes for passengers who have to get to appointments. She stated that Rich suggested that the patients get their appointments rescheduled for when they can get a ride from someone. Judy said the patients are unable to reschedule their appointments because they are hard to get into. She wants to be on a future agenda to talk about rescheduling the routes at Rapid Transit.

Derik Wright, owner of 10 E Quincy Street, received a bill for items that code enforcement had to get rid of. He owns the only large dumpster in the area, so people just dump their items on his property. He got a bill from Cricket with 19 tires and other debris listed on it. Then TVs. and more debris were dumped on his property. As people move out they just toss their stuff at his place. There have been entertainment centers, mattresses, and couches. He will pay the assessment but wants the area policed because it is frustrating gets bills for trash that isn't his. He is thinking of getting a security system so maybe he can start getting license plate numbers. He would like the area patrolled more often.

NON-PUBLIC HEARING ITEMS -- Items 6 – 40

CONSENT ITEMS – Items 6 – 32

Motion was made by Lewis, second by Armstrong and carried to approve items 6-32 as they appear on the Consent Items.

Approve Minutes

6. Approve Minutes for the June 18, 2018 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (July 16, 2018)

7. BPC Rapid City LLC DBA Boss' Pizza and Chicken, 325 Omaha Street Suite 6 for a Retail (on-off sale) Malt Beverage License

Public Works Committee Consent Items

8. PW062618-01 – Approve Change Order 1 to Foothills Contracting, Inc. for City of Rapid City Cell 18 Liner and Leachate Collection, Project No.16-2371 for an increase of \$45,671.00.
9. PW062618-02 – Approve Change Order 1 to Tru-Form Construction, Inc. for Rapid Ride Bench Pads, Project No. 17-2398 for a 45 day contract extension. This is a no cost change.
10. PW062618-03 – Approve Change Order 1F to Hills Materials Company for 2017 Out of the Dust, Project No. 17-2392 / CIP No. 50297 for a decrease of \$6,083.10.
11. PW062618-04 – Approve Change Order 1F to J & J Asphalt Company for Pavement Rehabilitation Project – E Saint James Street and Cherry Avenue, Project No. 17-2417 / CIP No. 50549 for an increase of \$20,401.77.
12. PW062618-06 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Dakota Pump, Inc. for Professional Services and Equipment Maintenance for Water Distribution Supervisory Control and Data Acquisition (SCADA) System Support in the amount of \$50,000.00.
13. PW062618-07 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 between the City of Rapid City and Ferber Engineering Company for Wetland Mitigation Monitoring Services, Project No. 10-1881, in the amount of \$10,750.00.
14. PW062618-08 – Authorize Mayor and Finance Officer to Sign and execute the "State of South Dakota Joint Powers Maintenance and Encroachment Agreement Between Department of Transportation and City of Rapid City", Project No. 18-2451 / CIP No. 51193. Estimated Cost: \$20,000.00.
15. PW062618-09 – Authorize Mayor and Finance Officer to Sign a Professional Services Agreement between the City of Rapid City and FMG Engineering for the Rushmore Plaza Civic Center Arena Expansion - Boundary and Topographic Survey, Project No. 18-2452 in the amount of \$27,480.00.
16. PW062618-10 – Approve Request from Ken and Sandy Berger for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Pinedale Circle for the property located at 5223 Pinedale Circle.

17. PW062618-11 – Authorize Staff to Advertise for Bids for One (1) Telehandler (Extended Reach Forklift). Estimated Cost: \$95,000.00.
18. PW062618-12 – Authorize Staff to Purchase One (1) New 1/2 Ton Regular Cab Long Box Pickup for Water Reclamation Utility Maintenance Group. Estimated Cost: \$22,729.00.
19. PW062618-05 – Authorize Staff to Advertise for Bids for City Property Fencing, Project No. 17-2396 / CIP No. 51177. Estimated cost is \$80,000.00.
20. PW062618-13 – Authorize Staff to Advertise for Bids for Mt. View Cemetery Storage Building, Project PR18-6165, at an estimated cost of \$220,000.00.
21. 18TP021 – Approval of the 2019–2022 Rapid City Area Transportation Improvement Program – Draft Report.

Legal & Finance Committee Consent Items

22. LF062718-06 – Approve the Reappointments of Bob DeMersseman and Peter J. Cappa to the Opportunity Capture Fund Oversight Board
23. LF062718-02 – Approve Rapid City Regional Airport Rates and Charges for FY 2018
24. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Grace Belcher (Library), Bricelyn Jenner (Library), Karen Nottingham (Library), Kylin Voth (Library), Judy Frost (RSVP+), Margaret (Peggy) Lanoue (RSVP+), Lisa Rynders (Library)
25. LF062718-01 – Acknowledge April 2018 Sales Tax Report
26. LF062718-03 – Approve Resolution No. 2018-050 a Resolution Declaring Miscellaneous Personal Property Surplus

Resolution #2018-050

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including disposal, sale or trade-in on new equipment:

From: Water Department (810)

For Auction:

1878 DCT Trailer, VIN 1D9FS0816K1109189

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 2nd day of July, 2018.

CITY OF RAPID CITY

s/ Steve Allender

Mayor

ATTEST:

s/ Pauline Sumption

Finance Officer

(SEAL)

27. LF062718-05 – Approve Request for Property Tax Abatement as Follows: Bennie or Christine Francis, 2016, \$48.52; Bennie or Christine Francis, 2017, \$49.10 [Total \$97.62]

28. LF062718-07 – Authorize Rapid City Fire Department to Apply for and Accept a Department of Interior, Bureau of Land Management Wildland Fire Community Assistance Grant Opportunity L18AS00041.

Community Development Consent Items

29. 18TP023 – Approve Rapid City Year End 2017 Population Estimates

Bid Award Consent Items

30. No. CC070218-02.1 – Approve award of Total Base Bid plus Alternate 1 and deduct Alternate 2 for City of Rapid City, City Roof Replacement Projects – Bid Pkg 1, Project No. 18-2431 / CIP No. 50098 opened on June 26, 2018 to the lowest responsible bidder, Lowe Roofing, in the amount of \$65,815.00.
31. No. CC070218-02.2 – Approve award of Total Base Bid plus Alternate 1 for City of Rapid City, City Roof Replacement Projects – Bid Pkg 2, Project No. 18-2431 / CIP No. 50098 opened on June 26, 2018 to the lowest responsible bidder, Black Hills Industries, in the amount of \$150,008.00.
32. No. CC070218-02.3 – Continue the Bid Award of Two 8000 Pound Triple Stage Forklifts for the Solid Waste Division to the July 10, 2018 Public Works Committee Meeting.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 33 – 40

Vince Vidal spoke on item 34. He said marketing and advertising state laws regarding billboards are clear. Not fair to businessmen using billboards in the city. Billboards grab attention and benefit advertisers.

Mike Quasney spoke on Item 34. He said citizens want us to do something about these billboards. He said we are giving sign companies too much. Sign code should not be changed. We need to define what we want in this community. We are going in the wrong direction.

Pat Roseland spoke on Item 34. The city is not watching out for the citizens of Rapid City. Billboard companies always get what they want. He said citizens don't want more billboards.

Jim Letner spoke on Items 35 and 36. He explained his property is at Saint Patrick Street and Creek Drive. He's made over \$700k in improvements. He is in his thirteenth year of the TIF and still has \$350,000 left. Since he has started this project, the city has changed position on WORPs. The policy has changed in the last three years. He thinks this is a bad way for the city to do business. His biggest issue is being expected to put curb on the opposite side of Creek Drive. The City also wants him responsible for encroachment into neighbor's property. There are also requirements for additional pavement and water issues on Creek Drive as well.

Ordinances

Ordinance 6263 (LF062718-04) Ordinance No. 6263 Regarding Supplemental Appropriation #4 for 2018. Motion was made by Scott, second by Lewis and carried that Ordinance 6263 be approved and placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, July 16, 2018.

Ordinance 6262 (18OA013) Ordinance No. 6262 An Ordinance Amendment to Amend Certain Provisions within the Sign Code by Amending Section 17.50.090 of the Rapid City Municipal Code. Motion was made by Roberts, second by Laurent to approve. Modrick said the city is disregarding prior decisions of past committees and past councils regarding the sign code. She thinks the city should protect the sign code as it exists. She stated that council made the decision to settle the lawsuit and thinks the city is taking the fundamentals out of the code. Modrick said the city is denying the public their

wish to keep the current size, space and height of billboards. She thinks the city needs to stay strong or everything will crumble. She does not think council is doing their due diligence by changing the code. Scott doesn't believe legislating from a settlement agreement. She thinks the sign code should be looked at separately, not in conjunction with the settlement agreement. Drury stated she wished the ordinance amendment would have come about a different way. Lewis said we keep losing these billboard lawsuits and spending millions of tax payer dollars. It's time to make the changes and be done with the law suits. Ordinance 6262 being placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, July 16, 2018. Motion passed 8-2 with Modrick and Scott voting no.

Public Works Committee Items

Drew read in item (PW061218-09) Appeal of Denied Exception Request by Jim Letner to Waive the Requirement to Install Water Main, Additional Pavement, Curb/Gutter, Sidewalk, Handicap Ramps and Street Light Conduit along Creek Drive (City File 18EX068). Motion was made by Modrick, second by Lewis to approve the appeal. She said we need to get the development going. She believes Letner has done his homework above and beyond the cause of duty and she looks forward to seeing development in this space. She stated he did not create this problem and the city needs to get him back on track with his property. Nordstrom is concerned that the taxpayers will have to pick up the tab for this whole list of items being suggested on this item. He is not comfortable approving the appeal. In response to a question from Nordstrom, Tech said a developer's agreement is used when there are public improvements required for the development of property. Tech stated that Nordstrom might be suggesting a special developer agreement to perhaps include funding by other entities for these improvements or perhaps city participation in these improvements. The city has entered into similar agreements in the past. He said if a special agreement is made, then funding and timing of the improvements all need to be identified at the time the agreement is developed. Nordstrom asked Young about his opinion on the special agreement. Young stated that it could help but they would probably need to sit down with Letner to see what help he is looking for. In response to a question from Nordstrom, Letner said he would be interested in working together but feels like he is being put on the spot. Nordstrom wanted to delay the item for two weeks to allow Letner to discuss the changes with staff. Letner said he would be out of town for a while but he would consider it. Scott said she understood where Nordstrom was coming from but didn't want to delay the decision for two more weeks. She asked about a special assessment to pay for this. She said she does support staff in maintaining the city criteria. She said they do have to weigh what the property owner has already done versus what staff has to abide by with our criteria and sometimes city council has to make an exception. She is willing to vote for the exception in favor of Letner. Roberts said he agrees with Scott. He said last time they talked about this he had to abstain because he had one of Letner's lots under contract. But since he didn't go forward at that time, the project didn't go forward. Roberts said things such as staff, councils, and criteria changed over time. When things change midstream, it's not fair for Letner to have to pay for more improvements. He had already invested \$700,000 of his own money. Roberts thinks he has a good project and will vote in favor of the appeal. Drury drove by the property and agrees with Nordstrom because she doesn't want to pass the costs onto the tax payers. She likes to uphold the ordinances. She said sidewalks can be called in when needed so she doesn't have as much angst about voting to approve the appeal. She does think the criteria manual should be followed and if it needs updating then it should be looked at. Drew said that Letner followed the regulations at the time and has spent nearly a million dollars of his own money on this development. She said it is infill which is good for Rapid City. She will vote in favor of the appeal. Salamun thinks the bigger issue is how the council will deal with these situations in the future. He asked if infill should maybe be looked at differently and would like that to be looked at soon. Motion was approved 9-1 with Nordstrom voting no.

Drew read in item (PW061218-10) Appeal of Denied Exception Request by Jim Letner to Waive the Requirement to Install Street Light Conduit along East Saint Charles Street (City File 18EX069). Motion was made by Drew, second by Lewis to approve. Motion carried 9-1 with Nordstrom voting no.

Community Planning & Development Services Department Items

Motion was made by Scott, second by Lewis to approve (No. 18PL038) A request by Sperlich Consulting, Inc for Market Square, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 4 of Market Square Subdivision, generally described as being located northwest of the intersection of Creek Drive and E. St. Patrick Street with the following stipulations: 1. Prior to approval of a Development Engineering Plan application, an Engineering Report per Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval. 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; 2. Upon submittal of a Development Engineering Plan application, a site plan which includes a complete parking plan, landscape plan and sign plan shall be submitted for review and approval demonstrating that the existing development on proposed Lot 4 meets all of the design standards and requirements of Chapter 17 of the Rapid City Municipal Code. 3. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show the dedication of 10 additional feet of right-of-way along East Saint Patrick Street as it abuts the property or an Exception shall be obtained. In addition, construction plans shall be submitted showing the construction of a second water main or an Exception shall be obtained. If Exceptions are obtained, a copy of the approved Exceptions shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans for East Saint Charles Street shall be submitted for review and approval showing the installation of sidewalk along the south side of the street and street light conduit or a Variance to waive the requirement to install sidewalk and an Exception to waive the requirement to install street light conduit shall be obtained. In addition, the plat document shall be revised to show the dedication of 5 additional feet of right-of-way along East Saint Charles Street the first 200 feet as it extends west from Creek Drive or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application; 5. Upon submittal of a Development Engineering Plan application, construction plans for Creek Drive shall be submitted for review and approval showing the installation of 16 additional feet of pavement, which includes an oversize cost, curb, gutter, sidewalk, street light conduit, and extending the existing water main along the southern portion of the right-of-way shall be submitted for review and approval or an Exception request to waive the requirement must be obtained from the City Council. In addition, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way for Creek Drive or an Exception shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application; 6. 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; 7. 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; 8. 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; 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 title shall be revised to show the formerly as "Lot B of Lot 3 of Tract D of SW1/4SW1/4 of Section 5, T1N, R8E Located in the...". In addition, the Certificate of Ownership shall

show the current owner of the property. The Register of Deed's Certificate shall be revised to read Document # not Book and Page information; 12. 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, 13. 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. 18PL045) A request by Sperlich Consulting, Inc for Don Wieseler for a Preliminary Subdivision Plan for proposed Lot 1A and 1B of Randall Subdivision, generally described as being located south of the intersection of Deadwood Avenue and N. Plaza Drive with the following stipulations: Planning Commission recommended that the Preliminary Subdivision Plan be approved 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; 2. Prior to approval of a Development Engineering Plan application, an Engineering Report per Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval. 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 shall be submitted for review and approval showing an 8 foot wide boulevard and a 5 foot wide sidewalk along Deadwood Avenue fronting proposed Lot 1A or a Variance shall be obtained from the City Council; 4. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing a conforming sanitary sewer service for proposed Lot 1A; 5. 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; 6. 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; 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. Documentation shall also be submitted as needed identifying maintenance and ownership of any proposed drainage elements. In addition, easements shall be provided as needed; 8. 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; 9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 10. Prior to submittal of a Final Plat application, the plat shall be revised to show the recording information for the "Vehicular Access" note shown on the document; 11. 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, 12. 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 Drury to approve (No. 18PL046) A request by Sperlich Consulting, Inc for Vista Ridge Properties, LLC for a Preliminary Subdivision Plan for proposed Lots 2A And 2B of Block 2 of Menard Subdivision, generally described as being located west of the intersection of E.

Anamosa and N. Creek Drive with the following stipulations: Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations: 1. Prior to approval of a Development Engineering Plan application, an Engineering Report per Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval. 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; 2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for the proposed access easement showing the easement with a minimum width of 70 feet and constructed with a minimum pavement width of 26 feet, 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; 3. Upon submittal of a Development Engineering Plan application, construction plans and associated design reports showing the installation of a sewer main along East North Street shall be submitted for review and approval 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, the plat document shall be revised to show the dedication of 10 additional feet of right-of-way along North Creek Drive 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. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 6. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 7. Prior to submittal of a Final Plat application, the plat document shall be revised to show the "10 foot wide parking easement" as a "10 foot wide utility and parking easement"; 8. Prior to submittal of a Final Plat application, the plat document shall be revised to show the "Access Easement as shown in Misc. Doc. A201713307" as a miscellaneous document; 9. Upon submittal of a Final Plat application, the plat document shall show all easements as necessary, including drainage easements and utility easements; 10. 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, 11. 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 41 - 56

CONSENT PUBLIC HEARING ITEMS – Items 41 – 54

Motion was made by Modrick, second by Armstrong and carried to approve Items 41-54 as they appear on the Consent Public Hearing Items.

Alcohol Licenses

41. Sutton for South Dakota for a SPECIAL EVENT On-Sale Dealer License for an Event scheduled for July 12, 2018 at Prairie Edge, Inc. at 606 Main Street
42. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage Retailer and On-Sale Wine Retailer Licenses for an Event scheduled for July 10, 2018 at Rapid City Medical Center, 2820 Mt. Rushmore Road
43. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage Retailer and On-Sale Wine Retailer Licenses for an Event scheduled for August 14, 2018 at Strider Sports International, 2221 N. Plaza Drive
44. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage Retailer and On-Sale Wine Retailer Licenses for an Event scheduled for September 11, 2018 at Golden West Technologies, 1935 Fountain Plaza Drive
45. WV LLC DBA Zymurcracy Beer Company, 4624 Creek Drive, Suite 6 for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License

46. BW Gas and Convenience Retail, LLC DBA Yesway Store #1190, 3888 E Highway 44 for a Package (off-sale) Liquor License TRANSFER from Fresh Start Convenience Stores Inc. DBA Fresh Start – Rapid Valley, 3888 E Highway 44
47. BW Gas and Convenience Retail, LLC DBA Yesway Store #1190, 3888 E Highway 44 for a Retail (on-off sale) Malt Beverage License TRANSFER from Fresh Start Convenience Stores Inc. DBA Fresh Start – Rapid Valley, 3888 E Highway 44
48. BW Gas and Convenience Retail, LLC DBA Yesway Store #1189, 3275 Cambell Street for a Package (off-sale) Liquor License TRANSFER from Fresh Start Convenience Stores Inc. DBA Fresh Start Convenience Stores, Inc., 3275 Cambell Street
49. BW Gas and Convenience Retail, LLC DBA Yesway Store #1189, 3275 Cambell Street for a Retail (on-off sale) Malt Beverage License TRANSFER from Fresh Start Convenience Stores Inc., DBA Fresh Start Convenience Stores, Inc., 3275 Cambell Street
50. BW Gas and Convenience Retail, LLC DBA Yesway Store #1188, 2215 Haines Avenue for a Package (off-sale) Liquor License TRANSFER from Fresh Start Convenience Stores Inc., DBA Fresh Start #31, 2215 Haines Avenue
51. BW Gas and Convenience Retail, LLC DBA Yesay Store #1188, 2215 Haines Avenue for a Retail (on-off sale) Malt Beverage License TRANSFER from Fresh Start Convenience Stores, Inc. DBA Fresh Start #31, 2215 Haines Ave
52. BW Gas and Convenience Retail, LLC DBA Yesway Store #1187, 4030 Cheyenne Blvd for a Retail (on-off sale) Malt Beverage License TRANSFER from Fresh Start Convenience Stores Inc. DBA Don's Valley Express #1, 4030 Cheyenne Blvd
53. BW Gas and Convenience Retail, LLC DBA Yesway Store #1186, 3343 N. Haines Avenue for a Package (off-sale) Liquor License TRANSFER from Fresh Start Convenience Stores Inc. DBA Don's Valley Market, 3343 Haines Avenue
54. Timmons Market LLC DBA Timmons Market LLC, 747 Timmons Blvd for a Package (off-sale) Liquor License TRANSFER from Fresh Start Convenience Stores Inc. DBA Don's Valley Market, 747 Timmons Blvd

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 55 – 56

Ordinance 6258 (No. 18RZ015) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Mollers Limited Partnership for a Rezoning request from General Commercial District to Medium Density Residential District for property generally described as being located northwest of the intersection of Lacrosse Street and E. Omaha Street having passed its first reading on June 18, 2018, motion was made by Salamun, second by Drury that the title be read the second time. Roberts said he needed to abstain from the vote. Upon vote being taken, the following voted AYE: Scott, Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong; Laurenti and Drury; NO: None; ABSTAIN: Roberts. Whereupon the Mayor declared the motion passed and Ordinance No. 6258 was declared duly passed upon its second reading, to approve in conjunction with 18CA001.

Ordinance 6259 (No. 18RZ016) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for Franklin Simpson for a Rezoning Request from General Agricultural District to Light Industrial District for property generally described as being located southeast of the intersection of North Plaza Drive and Rand Road having passed its first reading on June 18, 2018, motion was made by Drury, second by Laurenti 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. 6259 was declared duly passed upon its second reading.

BILLS

The following bills have been audited:

BILL LIST - JULY 2, 2018

P/ROLL PERIOD END 06/09/18, PD 06/15/18	2,050,758.18
CDEV P/ROLL PERIOD END 06/09/18, PD 06/15/18	5,121.67
PIONEER BANK & TRUST, 06/09/18 P/ROLL TAXES, PD 06/15/18	495,948.31
PIONEER BANK & TRUST, SUPP 05/26/18 P/ROLL TAXES, PD 06/25/18	290.10
CDEV PIONEER BANK & TRUST, 06/09/18 P/ROLL TAXES, PD 06/15/18	1,353.67
SOUTH DAKOTA DEPARTMENT OF REVENUE, MAY18 SALES TAX PAYABLE PD 06/19/18	44,518.76
SOUTH DAKOTA DEPARTMENT OF REVENUE, MAY18 EXCISE TAX PAYABLE PD 06/19/18	92.90
WELLMARK INC, HEALTH CLAIMS THROUGH 06/15/18, PD 06/21/18	175,954.44
WAGE WORKS, SECTION 125 CLAIMS THROUGH 06/18/18, PD 06/19/18	4,953.18
WAGE WORKS, SECTION 125 CLAIMS THROUGH 06/25/18, PD 06/26/18	5,012.34
SD RETIREMENT SYSTEM SPECIAL PAY PLAN- GAA, LUCAS, MOLINE, PD 06/15/18	135.00
SD RETIREMENT SYSTEM, SPECIAL PAY PLAN- WILCOX, F. PD 06/15/18	45.00
BANK WEST, TID47 TOWER RD, PD 06/21/18	162,262.37
BANK WEST, TID54 RAINBOW RIDGE, PD 06/21/18	17,195.05
BANK WEST, TID56 RUSHMORE CROSSING, PD 06/21/18	10,715.21
BANK WEST, TID69 NORTH FIRE STATION, PD 06/21/18	835.23
CITY OF RAPID CITY, TID42 ELK VALE/TIMMONS, PD 06/21/18	36,333.57
CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 06/21/18	2,040.99
CITY OF RAPID CITY, TID64 CABELA'S, PD 06/21/18	57,330.36
DACOTAH BANK, TID40 GANDOLF, PD 06/21/18	5,020.21
FIRST INTERSTATE BANK, TID38 HEARTLAND RETAIL CENTER, PD 06/21/18	12,264.17
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 06/21/18	130,689.02
MARKET SQUARE LLC, TID52 E ST CHARLES ST, PD 06/21/18	13,006.54
SODAK DEVELOPMENT, TID68 HOMESTEAD, PD 06/21/18	938.03
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 06/15/18	29,997.28
BLACK HILLS ENERGY, ELECTRICITY, PD 06/26/18	24.75
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/26/18	17,174.12
COMPUTER BILL LIST	3,767,934.99
CDEV COMPUTER BILL LIST	4,280.74
SUBTOTAL	7,052,226.18
RSVP, P/ROLL PERIOD END 06/09/18, PD 06/15/18	1,406.57
RSVP, PIONEER BANK & TRUST, 06/09/18 P/ROLL TAXES, PD 06/15/18	406.66
RSVP, COMPUTER BILL LIST	54.21
TOTAL	7,054,093.62

Davis presented the bill list of \$7,054,093.62. Motion was made by Salamun, second by Laurenti and carried to authorize (No. CC070218-01) the Finance Officer to issue warrants or treasurer 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 Salamun and carried to adjourn the meeting at 8:57 p.m.

Dated this 2nd day of July, 2018.

ATTEST:

CITY OF RAPID CITY

Finance Officer

(SEAL)

Mayor