

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

September 4, 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 Tuesday, September 4, 2018 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Jason Salamun, Lisa Modrick, Ritchie Nordstrom, Darla Drew, Amanda Scott, Steve Laurenti, Chad Lewis and Laura Armstrong; the following Alderpersons arrived during the course of the meeting: John Roberts and the following were absent: Becky Drury and Chad Lewis

Staff members present included: Finance Officer Pauline Sumption, Assistant City Attorney Wade Nyberg, Police Chief Karl Jegeris, Fire Chief Rod Seals, Community Development Planning Manager Vicki Fisher, Public Works Director Dale Tech, Parks and Recreation Director Jeffrey Biegler, Budget Analyst Sean Kurbanov and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA

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

AWARDS AND RECOGNITIONS

Craig Baltzer introduced Sandra Arnold. He stated here title is Administrative Assistant but she does much more than that. He said she was a great employee and thanked her for 20 years of service.

Chief Karl Jegeris introduced seven employees who had combined years of service of 150 years. Sergeant Jeff Alexander, 20 years; Sergeant Craig Cassen, 20 years; Lieutenant Elias Diaz, 20 years; Senior Police Officer Sean Doyle, 20 years; Sergeant Kyle Fees, 20 years; Senior Police Officer Marcos Glass, 20 years; and Police Support Technician Terri Reinert, 30 years of service. Jegeris thanked them all for their dedication and service to the City and citizens of Rapid City.

GENERAL PUBLIC COMMENT

Terry Sporer said the streets need to be painted outside of town. Chuck Henrie stated he was organizing a city-wide talent show. He has not announced where or when but he is looking for participants. Dan Mulally addressed the shooting in North Rapid on August 14, 2018. He said the victim's name was Nathan Graham. He was shot by a 14-year old on drugs. According to the family, Nathan was mentoring the kids but saw the bad influence they were having on his stepson. He confronted them and told them to stay away and they returned with a gun. He and his wife own three duplexes in North Rapid. He has always known there was crime there. He said he searched the internet regarding crime in North Rapid. He quoted there is a crime rate of 47 per 1000 residents. Rapid City has one of the highest crime rates in America. One of the highest crime rates in America. He said one in 21 will be victim of crime. He stated that North Rapid has a crime problem that needs to be addressed. He has reported vandalism for tenants because the tenants say the police department doesn't do anything. If crime can be reduced, property values will rise and Rapid City will receive more tax revenue. The priority of law enforcement in North Rapid needs to be moved up on the list. Tina Mulally said she appreciates law enforcement. She stated that sometimes the old ways are the best ways. The city needs to get officers on foot and get them to know the residents in areas where crime is high. There is a lot of crime in our city. They are trying to have affordable housing but it's tough when there's crime. She stated if there is anything they can do as landlords and citizens to help the police department, they would appreciate the opportunity to do so in order to help reduce the crime in Rapid City.

NON-PUBLIC HEARING ITEMS -- Items 2 – 32

Chuck Henrie addressed the council and said he was in favor of item 19 (CIP081718-04) which was to Approve Capital Plan for Fire Vehicles and against item 16 (LF082918-05) which was to Approve Special Event Permit Request from United Families to Allow Alcohol Consumption on Sixth Street between Kansas City Street and the Alley on September 15, 2018.

CONSENT ITEMS – Items 4 – 26

The following items were removed from the Consent Items:

23. No. CIP081718-02 – Approve Capital Plan for PW Infrastructure (Formerly called Capital Plan for Streets, Drainage, MIP Projects).
24. No. CIP081718-07 – Acknowledge Stormwater Drainage Discussion – Lisa Modrick

Motion was made by Laurenti, second by Armstrong and carried to approve items 4-26 as they appear on the Consent Items except 23 and 24.

Approve Minutes

2. Approve Minutes for the August 20, 2018 Regular Council meeting.
3. Approve Minutes for the August 22, 2018 Special Council meeting.

Alcoholic Beverage License Applications Set for Hearing (September 17, 2018)

4. Naja Shrine for a SPECIAL EVENT On-Sale Dealer License for an Event scheduled for October 6, 2018 at Rapid City Shrine Center, 4091 Sturgis Road
5. Jorge Mata LLC DBA El Sombrero, 1012 E North Street Suite A for a Retail (on-off sale) Wine and Cider TRANSFER and Retail (on-off sale) Malt Beverage & SD Farm Wine TRANSFER from Joaquin Martinez DBA El Sombrero, 1012 E North Street Suite A

Public Works Committee Consent Items

6. PW082818-01 – Authorize Staff to Advertise for Bids for One (1) Trickling Filter Lift Pump. Estimated Cost: \$75,000.00.
7. PW082818-02 – Authorize Staff to Purchase a Jet Vacuum Truck from Sourcewell (NJPA) & State Bid (Body and Chassis are purchased separately). Estimated Cost: \$379,776.00.
8. PW082818-03 – Acknowledge Upgrade and Changes to the Pleasant Valley Substation – Mutch Usera and Marc Eyre, Black Hills Energy.
9. PW082818-06 – Acknowledge Street Division Presentation – Dale Pfeifle.

Legal & Finance Committee Consent Items

10. LF082918-06 – Confirm the Appointment of Casey Thompson and Reappointments of Maureen Gustafson and Michelle Lamphere to the Hotel BID Board
11. LF082918-03 – Acknowledge Police Department Application and Authorize Acceptance, if Awarded, of the COPS Office STOP School Violence Grant: School Violence Prevention Program.
12. LF082918-02 – Authorize Staff to Apply and Accept, if Awarded, the Fire Adapted Communities Learning Network Grant in the amount of \$8,626.00.
13. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Christine Manley (RSVP+), James Manley (RSVP+), Vickie Jacobson (RSVP+)
14. LF082918-08 – Approve Resolution No. 2018-065 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2018-065
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

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 condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances 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 certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer's Office with the statutory interest rate.

Dated this 4th day of September, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

15. LF082918-09 – Approve Resolution No. 2018-066 a Resolution Declaring Miscellaneous Personal Property Surplus

Resolution #2018-066
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: Police 0201
For Disposal
2011 Ford Crown Victoria, 4door, Serial Number: 2FABP7BX112173
2017 Dodge Charger, Serial Number: 2C3CDXKT2HH649747

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 4th day of September, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

16. LF082918-05 – Approve Special Event Permit Request from United Families to Allow Alcohol Consumption on Sixth Street between Kansas City Street and the Alley on September 15, 2018

CIP Committee Consent Items

17. No. CIP081718-00 - Acknowledge Capital Improvement Programs Committee Monthly Updates for July 2018 and August 2018
18. No. CIP081718-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
19. No. CIP081718-04 – Approve Capital Plan for Fire Vehicles
20. No. CIP081718-05 – Approve Capital Plan for Parks & Recreation
21. No. CIP081718-06 – Approve Capital Plan for Information Technology
22. No. CIP081718-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)

Bid Award Consent Items

25. No. CC090418-02.1 – Reject all Bids for Saint James Sanitary Sewer Mount Rushmore Road to 9th Street, Project No. 18-2442 / CIP No. 51200 opened on August 28, 2018, and rebid at a later date.
26. No. CC090418-02.2 – Approve award of total bid for Parkview ASA Bathroom-Concessions, Project No. 17-2393 opened on August 28, 2018 to the lowest responsible bidder, Semmler Manufacturing Inc. in the amount of \$189,900.00.

END OF CONSENT ITEMS

Mayor read in item (No. CIP081718-02) Approve Capital Plan for PW Infrastructure (*Formerly called Capital Plan for Streets, Drainage, MIP Projects*). In response to a question from Drew, Tech said there is 30 million in the fund to outline future projects identified in the five-year plan. Every project on the CIP list has a problem and is prioritized. Motion was made by Salamun, second by Nordstrom to approve.

Mayor read in item (No. CIP081718-07) Acknowledge Stormwater Drainage Discussion, this item was brought to CIP by Lisa Modrick. She said it's been a rough year with drainage issues. She wanted to open the discussion in CIP regarding areas that needed to be fixed. She indicated that some areas have had trouble for a long time. She wants to bring this to the forefront and get drainage problems taken care of. Motion was made by Scott, second by Drew to acknowledge.

ON-CONSENT ITEMS – Items 27 – 32

Chuck Henrie spoke in favor of item 27 to allow applicant to rezone. Dale Anderson, applicant of item 27, says this location is perfect for their new school. There is a waiting list and they could use the room for classrooms, lunchroom and gymnasium. He stated there was a daycare across the street and feels this is the right location if council allows him to rezone. He has had encouragement from BH Works and the surrounding neighbors. Janelle Finck from Fisk Land Surveying represents the applicant. She said the school has a growing enrollment. There are 14 kids on the waiting list. She said the current building houses 120 people so this new use would be appropriate. She asked that item 27 be heard in conjunction with item 37.

Kyle Trelor, asked that item 30 be withdrawn at this time. He asked that item 31 be approved as it would create discontinuous sidewalks. Roberts arrived at 7:14 p.m.

Ordinances

Armstrong read in item (No. 18RZ023) First Reading, Ordinance 6275, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying and Consulting

Engineers, Inc. for Dr. Dale Anderson for a Rezoning from Light Industrial District to Office Commercial District for property generally described as being located at 1622 and 1636 Concourse Court. Armstrong said she needed to abstain from this item. Motion was made by Salamun, second by Modrick and carried to move this item right before Item 37 (18UR008).

Armstrong read in item (LF082918-01) First Reading of Ordinance No. 6276 an Ordinance to Amend Sections of the Rapid City Municipal Code Relating to Infested Trees and Storage of Wood. Motion was made by Armstrong, second by Scott to approve. In response to a question from Scott, Biegler said the portion of the ordinance that she is referencing (now being removed) was originally intended to prohibit the storage of elm wood and this was back when there was dutch elm disease. At that time, they thought that elm wood being debarked would be okay to be stored. However, we are changing that to include all infested wood identified in the ordinance. There will be storage of wood that is infested or infected with any disease. Scott said the ordinance didn't identify the pests or infestation insects and asked if they are all covered. The definition of insects is in section 12.32.20 which is part of the existing tree ordinance. It lists any pest, organism, insect, rodent, fungus, virus, bacteria or other agent that causes any damage, abnormal growth or mortality of any tree, shrub, bush or wood vegetation. Scott clarified that we used to be able to debark the wood and it could be used, now anything infested vegetation has to be removed and can't be used for a secondary purposes. Biegler said that was correct. Scott asked how this will be reinforced. Biegler said there is an education campaign. Biegler did say there is an inevitable arrival of the Emerald Ash Borer. It has been identified in Sioux Falls and only a matter of time before it arrives here. The city wants to make sure they get the word out to the public and what to do if they encounter it. In response to a question from Scott, Biegler said the Emerald Ash Borer is only looking at live vegetation. But if the bug is living in the wood and it's cut down, it can still live in the wood for a while. Scott wants to make sure citizens can use existing wood that has been cut without getting penalized. Biegler agreed they would not be penalized. Mayor asked when the city should anticipate the bug being in Rapid City. Biegler said his best guess is within three to five years but it could be sooner. It will likely arrive from a batch of firewood brought over from Sioux Falls. There is a statewide campaign telling citizens to keep all firewood in their area. They don't want it transported across the state. In response to a question from Nordstrom, Biegler explained signs of infestation in the Ash Tree. The education on infested trees will be given in combination of city/urban forestry and any tree related businesses. Biegler said once the tree is removed it will likely go to a landfill area or if it can be milled into some sort of lumber before it is infested that's a possibility as well. He said the Parks Department is going to start some ash removals now because we need to start replanting for all the lost trees. Salamun thanked Biegler and his staff for bringing this to their attention months ago and putting a mitigation plan in place. Drew stated she is on the urban forestry committee and the committee did a lot of work on this before it was even in the news now. Drew said Biegler is very educated on this and thinks they will be ahead of this once it hits. Motion carried 8-0.

Ordinance 6281 (LF082918-07) an Ordinance Regarding FY2019 Appropriation Ordinance. Motion was made by Armstrong, second by Scott that Ordinance 6281 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, September 17, 2018. In response to a question from Nordstrom, Sumption said she advised council that their recommended changes would not be on the first reading. The revision will be on the next legal and finance meeting and the council meeting on September 17. There are a lot of moving parts between now and second reading. Mayor stated there would be a memo to council in the next few days regarding the changes. Motion carried 8-0.

Public Works Committee Items

Drew read in item (PW082818-04) Appeal of Denied Exception Request by KTM Design Solutions, Inc. on behalf of BH Capital 4 LLC to allow for non-standard construction of sanitary sewer main and to not install sewer main in a section of N. Creek Drive from proposed N. Valley Drive to Railroad. Motion was made by Drew, second by Laurenti to acknowledge withdrawal by applicant. Roberts abstained. Motion carried 7-0.

Drew read in item (PW082818-05) Appeal of Denied Exception Request by KTM Design Solutions, Inc. on behalf of BH Capital LLC to waive the requirement to install 24 feet of pavement width and curb and gutter in Valley Drive. Motion was made by Drew, second by Roberts to approve the exception. Nordstrom said he was not comfortable approving this. He said the taxpayers will end up paying for these sidewalks. Scott said she will vote for the exception because no one knows when the road will be completed. She would like to see a special assessment done when the road is complete. Nordstrom still thinks the taxpayers will end up paying for the sidewalks. Salamun said council has to weigh the pros and the cons. Motion passed 7-1 with Nordstrom voting no.

Community Planning & Development Services Department Items

Drew read in item (No. 18PL069) A request by Ferber Engineering Company for Pete Lien & Sons for a Preliminary Subdivision Plan for proposed Lot 1 of Claire Subdivision, generally described as being located 700 feet northwest of the eastern terminus of Hidden Valley Road. Scott stated she needed to abstain. Motion was made by Drew, second by Modrick to approve with the following stipulations: 1. 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; 2. Upon submittal of a Development Engineering Plan application, construction plans for the access easement shall be submitted for review and approval showing the street located in a minimum 50-foot wide right-of-way and constructed with a minimum 20-foot wide paved surface, curb, gutter, sidewalk and street light conduit. In addition, a turnaround in compliance with the Infrastructure Design Criteria Manual shall be provided 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. Prior to submittal of a Development Engineering Plan application, an Exception to allow a 1,976-foot long cul-de-sac street with no intermediate turnarounds in lieu of a maximum 1,500-foot long cul-de-sac with intermediate turnarounds every 600 feet as per Section 2.13.3 of the Infrastructure Design Criteria Manual shall be obtained or the plat document shall be revised accordingly. 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, a drainage plan in compliance with the Infrastructure Design Criteria Manual shall be submitted for review and approval to address storm water detention if subdivision improvements are required; 5. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable; 7. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property; 8. Prior to submittal of a Final Plat application, a lot size Variance shall be obtained from Pennington County to allow a lot size of 5 acres in lieu of a minimum of 40 acres in the General Agriculture District or the property shall be rezoned to support the proposed 5-acre lot size; 9. Prior to submittal of a Final Plat application, the proposed access easement shall be revised to address comments from the City Attorney's Office. In addition, the revised easement shall be submitted for recording with the Final Plat application; 10. Prior to submittal of a Final Plat application, the plat Certificates shall be revised to include only one Certificate for the Highway or Street Authority and to include a Certificate for the Public Works Director; 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).

Charles Henrie spoke against Item 34 (Special Event license at the Children’s Museum of the Black Hills. He is not in favor of serving alcohol. He also spoke in favor of Item 37 (18UR008) for the conditional use permit to allow a church and school at 1622 and 1636 Concourse Court.

CONSENT PUBLIC HEARING ITEMS – Item 33 – 34

Alcohol Licenses

- 33. Black Hills Flooring, LLC DBA Black Hills Flooring, 333 Omaha Street Suite 1 for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License
- 34. Children’s Museum of the Black Hills for a SPECIAL EVENT On-Sale Dealer License for an Event scheduled for September 10, 2018 at the Children’s Museum of the Black Hills; 615 Main Street.

Motion was made by Nordstrom, second Roberts and carried to approve Items 33-34.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 35, 36, 27 and 37

Ordinance 6273 (No. 18RZ021) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brandon Powles of Copper Canyon Homes for a Rezoning from General Commercial District to Medium Density Residential District for property generally described as being located at 816 1/2 Saint James Street having passed its first reading on August 20, 2018, motion was made by Drew, second by Roberts that the title be read the second time. Upon vote being taken, the following voted AYE: Scott, Drew, Nordstrom, Modrick, Salamun, Armstrong, Laurenti and Roberts; NO: None; Whereupon, the Council President declared the motion passed and Ordinance 6273 was declared duly passed upon its second reading.

Approve (18VR002) Resolution 2018-056 - A request by FMG Engineering for Llavres LLC for a Vacation of Right-of-Way property, more generally described as being located the northern terminus of 4th Street. Motion was made by Salamun, second by Drew and carried to approve (18VR002).

Resolution 2018-056
RESOLUTION OF VACATION OF RIGHT-OF-WAY

WHEREAS, it appears that the right-of-way located between Lot 1 of Block 76 and Lot 16 of Block 77, and the adjacent N132’ of Fourth Street between Blocks 76 & 77 vacated per document filed in Book 50 on Page 8552, all in Original Town of Rapid City, Pennington County, South Dakota,, more generally described as being the right-of-way lying at the northern terminus of 4th Street, is not needed for public purposes; and

WHEREAS, the owner(s) of property adjacent to the above-described right-of-way desires said public right-of-way to be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", attached hereto, and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 4th day of September, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer

(SEAL)

Mayor read in item (No. 18RZ023) First Reading, Ordinance 6275, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying and Consulting Engineers, Inc. for Dr. Dale Anderson for a Rezoning from Light Industrial District to Office Commercial District for property generally described as being located at 1622 and 1636 Concourse Court. In response to a question from Drew, Dr. Anderson said that 2/3 of the student body are not members of their church. They were excited about the school that they convinced other friends to join the school. They filled the school to capacity and there is a waiting list of students wanting to come. Anderson confirmed this is a faith based school and there is a fee to attend. The student body comes from all parts of Rapid City. Modrick said she toured the facility. Modrick was told by the Planning Commission that they want to protect the zoning area and not let encroachment happen. However, as the city grows, things move. This property is part of the frontage and she thinks this portion has the right change going. She is in favor of repurposing the building. She said it's a safe environment and it leads to a dead-end street. Modrick believes this is a perfect opportunity to allow this exchange to happen and benefit the families and children and needs of the community. She thinks it's far enough away from industry that it is the right move to make. Motion was made by Roberts, second by Laurenti to approve. Roberts thinks this is a good change in zoning. It lies on the outside of the light industrial right now and thinks it's a perfect fit. He said the neighbors support it and there is little traffic as well. Salamun said Fisher works with the guidelines and parameters her office is given. However, he thinks good zoning can make good neighbors. He is impressed with how Black Hills Works has been able to use the building with the training facilities and the classrooms. He thinks this school will lift the neighborhood. This is also a good move for Black Hills Works as well. He said this use is reasonable and he is in favor of the rezone. Scott said that staff had provided excellent reports concerning the future use and current zoning. She said a previous councilperson spoke about creating a light industrial area and maintaining it for future use. She asked herself "if this request gets granted as an exception by the City Council" would this proposed use lend itself to the current purpose of a training or educational center. She wants to go on record that if this is approved by the City Council, they move in and they are rezoned, the property around you stays light industrial. So any light industrial company that wants to move in next to them, the school will not get a say. Scott said they will have to accept the neighbors that move in. Nordstrom asked Fisher what her concerns are. Fisher said that Karen Bulman used to sit on City Council when they created this Light Industrial zone. Two hundred acres was set aside for light industrial and many uses were identified. Fisher said their job is to review the comprehensive plan and it's their job to secure and preserve notes of industrial areas in the community. Staff had the opportunity to tour the facility and there is support from everyone. It's unfortunate that their building is at this location. Fisher said they consider this spot zoning and it would lend itself to the next guy coming in to change the use. It's their job to ensure the safety and integrity of the ordinance but the users today and the potential users of the adjacent properties tomorrow. Staff could not get behind the application as much as they support what they are trying to do. Roberts said he was at planning commission that day. If this is rezoned to office commercial it will never become apartments on 2.5 acres because the property is too valuable to become apartments. Finck showed a slide visually to show the council where the site is located. They are not asking to disturb the center of the industrial park. The property is on the perimeter. There has been a daycare located in this area since Rushmore Regional Industrial Park was conceived. The daycare and Black Hills Works have been operating safely and successfully for over 30 years. There is no reason to believe that the school can't operate safely and successfully in harmony with the other uses in this area and not intrude upon the balance of the park that is zoned light industrial. Laurenti said he lives in that area and wanted to thank Black Hills Works for being great neighbors and would like to welcome their neighbors if this is passed. Armstrong said she had to abstain. Motion carried 7-0 with Armstrong abstaining.

Mayor read in item (No. 18UR008) An Appeal of Planning Commission's decision on a request by Fisk Land Surveying and Consulting Engineers, Inc for Dr. Dale Anderson for a Conditional Use Permit to allow a church and an elementary/middle school in the Office Commercial District for property generally described as being located at 1622 and 1636 Concourse Court. Motion was made by Laurenti, second by Roberts to approve. In response to a question from Nordstrom, Finck explained the layout of the property, access and parking lot. Fisher wanted to clarify if the item was approved that it reads as follows: The Conditional Use Permit to allow a church and school was approved as per the applicant's operational plan. Any expansion of the use or change in use shall require the review and approval of a Major Amendment to the Conditional Use Permit. Amended motion was offered by Scott, second by Salamun to read as Fisher stated. Armstrong said she had to abstain. Amended motion passed 7-0 with Armstrong abstaining.

BILLS

The following bills have been audited:

BILL LIST - SEPTEMBER 4, 2018

P/ROLL PERIOD END 08/18/18, PD 08/24/18	1,966,683.40
CDEV P/ROLL PERIOD END 08/18/18, PD 08/24/18	3,531.68
PIONEER BANK & TRUST, 08/18/18 P/ROLL TAXES, PD 08/24/18	492,832.55
CDEV PIONEER BANK & TRUST, 08/18/18 P/ROLL TAXES, PD 08/24/18	924.13
SOUTH DAKOTA DEPARTMENT OF REVENUE, JULY18 SALES TAX PAYABLE PD 08/20/18	52,783.78
SOUTH DAKOTA DEPARTMENT OF REVENUE, JULY18 EXCISE TAX PAYABLE PD 08/20/18	101.98
SOUTH DAKOTA DEPARTMENT OF REV JULY18 CCTR SALES TAX PAYABLE PD 08/20/18	10,197.65
WELLMARK INC, HEALTH CLAIMS THROUGH 08/10/18, PD 08/16/18	270,360.50
WELLMARK INC, HEALTH CLAIMS THROUGH 08/17/18, PD 08/23/18	190,581.26
WELLMARK INC, HEALTH CLAIMS THROUGH 08/24/18, PD 08/30/18	162,798.84
WAGE WORKS, SECTION 125 CLAIMS THROUGH 08/21/18, PD 08/21/18	5,336.83
WAGE WORKS, SECTION 125 CLAIMS THROUGH 08/27/18, PD 08/28/18	3,408.85
BERKLEY ASSIGNED RISK SERVICES, WORK COMP CLAIM, PD 08/30/18	16,485.82
BANK WEST, TID54 RAINBOW RIDGE, PD 08/22/18	17,089.43
BANK WEST, TID56 RUSHMORE CROSSING, PD 08/22/18	732.03
CITY OF RAPID CITY, TID42 ELK VALE/TIMMONS, PD 08/22/18	35,892.79
CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 08/22/18	139.44
FIRST INTERSTATE BANK, TID38 HEARTLAND RETAIL CENTER, PD 08/22/18	11,242.19
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 08/22/18	1,131.92
SODAK DEVELOPMENT, TID68 HOMESTEAD, PD 08/22/18	202.76
BLACK HILLS ENERGY, ELECTRICITY, PD 08/28/18	20,665.34
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 08/28/18	14,062.83
COMPUTER BILL LIST,	3,628,343.21
CDEV COMPUTER BILL LIST	1,242.34
SUBTOTAL	6,906,771.55
RSVP, P/ROLL PERIOD END 08/18/18, PD 08/24/18	1,415.14
RSVP, PIONEER BANK & TRUST, 08/18/18 P/ROLL TAXES, PD 08/24/18	407.83
RSVP, COMPUTER BILL LIST	141.52
TOTAL	6,908,736.04

Sumption presented the bill list of \$6,908,736.04. Motion was made by Laurenti, second by Salamun and carried to authorize (No. CC09048-01) 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 Scott, second by Drew and carried to adjourn the meeting at 8:15 p.m.

Dated this 4th day of September, 2018.

ATTEST:

Finance Officer

(SEAL)

CITY OF RAPID CITY

Mayor