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, November 5, 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, Becky Drury, Steve Laurenti, John Roberts, Laura Armstrong; and Chad Lewis the following Alderpersons arrived during the course of the meeting: Amanda Scott; and the following were absent: None

Staff members present included: Deputy Finance Officer Tracy Davis, City Attorney Joel Landeen, Assistant Police Chief Don Hedrick, Fire Chief Rod Seals, Community Development Director Ken Young, Public Works Director Dale Tech, Parks and Recreation Director Jeffrey Biegler, Community Development Specialist Barb Garcia, and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA
Motion was made by Salamun, second by Nordstrom and carried to adopt the agenda.

AWARDS AND RECOGNITIONS
John Buxton was recognized for his retirement and serving the Rapid City Fire Department for 24 years. Seals remarked on his dedication and work ethic. He thanked him for his service to the City of Rapid City.

Mayor Allender read in the Proclamation for World Diabetes Day. Lauren Dooley spoke on behalf of World Diabetes Day. She thanked family and friends for their support and asked the community to continue to stay informed and help where they can.

NON-PUBLIC HEARING ITEMS -- Items 3 – 72
Mike Mueller spoke on item 31 (PW103018-22). He is the chair of the West Dakota Water Development District. He feels there is misinformation going out to the public. He invited citizens to go to the website, www.westdakotawater.com to look at agendas and minutes. He thanked Dave VanCleave for being involved in several meetings. They have nine area directors representing West Dakota in a representative form of government. The petition for the South Dakota water management board asks for a declaratory ruling on an administrative rule granting exemptions of on-site wastewater systems older than February 28, 1975 if they are not changed; causing the ground water to become polluted or the systems are allowing wastewater to surface. The Public Works Committee County Commission has chosen to oppose this. They sent a letter to the water management board in March 2018 and asked for an answer to that ruling and there was no response. In August they passed to have a petition sent to them and SDDENR said for the petition they needed to bring legal counsel. They chose to spend up to $7500 to hire Chuck Jasper to represent them. He asked the council to vote no on this item and not take the citizen’s rights away.

CONSENT ITEMS – Items 3 – 55
The following items were removed from the Consent Items:

28. PW103018-19 – Approve Request from Genesis Capital LLC for a Variance to Waive the Requirement to Install Sidewalk along Seger Drive, Rapid City, per City Ordinance 12.08.060.
Community Development Consent Items (NONE)

39. LF103118-03 – Authorize Mayor and Finance Officer to Sign Funding Approval/Agreement for FY2018 Community Development Block Grant (CDBG) Funding

40. LF103118-04 – Authorize Mayor and Finance Officer to Sign FY2018 Community Development Block Grant (CDBG) Contract with Behavior Management Systems, Inc. (BMS)

41. LF103118-05 – Authorize Mayor and Finance Officer to Sign FY2018 Community Development Block Grant (CDBG) Contract and Indenture of Restrictive Covenants for Black Hills Works

42. LF103118-06 – Authorize Mayor and Finance Officer to Sign FY2018 Community Development Block Grant (CDBG) Contract and Indenture of Restrictive Covenants for Community Health Center of the Black Hills (CHCBH)

43. LF103118-07 – Authorize Mayor and Finance Officer to Sign FY2018 Community Development Block Grant (CDBG) Contract with Pennington County Health & Human Services (PCHHS)

44. LF103118-08 – Authorize Mayor and Finance Officer to Sign FY2018 Community Development Block Grant (CDBG) Contract and Indenture of Restrictive Covenants with Feeding South Dakota

45. LF103118-13 – Authorize Mayor and Finance Officer to Sign FY2019 Performance Contract between the City of Rapid City and Black Hills Council of Local Governments (BHCOLG).

46. LF103118-14 – Authorize Mayor and Finance Officer to Sign FY2017 Community Development Block Grant (CDBG) Contract with Freeland Ranch Community, Inc. (Hagg Development)

47. 18TP033 – Approve the 2019 Unified Planning Work Program – Final Report

48. 18TP034 – Approve Agreement between the City of Rapid City and the South Dakota Department of Transportation for Accomplishing the Rapid City Area Transportation Planning Process in the Amount of $972,117.00

49. No. 18CA003 – Approve Resolution 2018-077 A request by KTM Design Solutions, Inc. for Hagg-Gomez LLC for a Comprehensive Plan Amendment to Amend the Future Land Use Plan from Low Density Neighborhood to Urban Neighborhood for property generally described as being located north of the intersection of Seger Drive and Mall Drive.

2018 - 077
RESOLUTION AMENDING THE COMPREHENSIVE PLAN
OF THE CITY OF RAPID CITY

WHEREAS, the Rapid City Planning Commission has reviewed the proposed amendment to the Comprehensive Plan and made a recommendation to the Rapid City Council; and

WHEREAS, the Rapid City Council held a public hearing on the 5th day of November, 2018, at which the Council considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan would change the land use designation from Low Density Neighborhood to Urban Neighborhood for a portion of the SW1/4SW1/4, Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the southeast corner of Lot 2 of Prairie Hills Subdivision, located in Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, also the point of beginning; Thence first course: N00°00'52"E, a distance of 321.78 feet; Thence second course: S41°37'12"E, a distance of 173.45 feet; Thence third course: S41°37'12"E, a distance of 262.28 feet; Thence fourth course: N89°52'42"W, a distance of 272.98 feet; Thence fifth course: N78°26'33"W, a distance of 16.85 feet, to the point of beginning, more generally described as being located north of the intersection of Seger Drive and Mall Drive; and

WHEREAS, it appears that good cause exists to amend the Comprehensive Plan.
NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Amendment to the Comprehensive Plan to change the land use designation Low Density Neighborhood to Urban Neighborhood for a portion of the SW1/4SW1/4, Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the southeast corner of Lot 2 of Prairie Hills Subdivision, located in Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, also the point of beginning; Thence first course: N00°00'52"E, a distance of 321.78 feet; Thence second course: S41°37'12"E, a distance of 173.45 feet; Thence third course: S41°37'12"E, a distance of 262.28 feet; Thence fourth course: N89°52'42"W, a distance of 272.98 feet; Thence fifth course: N78°26'33"W, a distance of 16.85 feet, to the point of beginning, more generally described as being located north of the intersection of Seger Drive and Mall Drive, as attached hereto, and incorporated herein, is hereby adopted and shall be filed with the City Finance Office.

Dated this 5th day of November, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

Bid Award Consent Items

50. CC101518-02.4(B) – Award Total Bid in the amount of $119,868.00 for two 8000 pound triple stage forklifts to second lowest bidder Lift Pro Equipment Company, Inc. due to low bidder failing to meet equipment specifications. (This item was continued from the October 15, 2018 City Council Meeting.)

51. CC101518-02.5(B) – Reject sole bid for Lift Pump Vertical Turbine for Water Reclamation. There was an exception in the bid. Rebid at a later date. (This item was continued from the October 15, 2018 City Council Meeting.)

52. CC101518-02.8(B) – Approve award of Parking Lot Number 4 to JMD Excavating in the amount of $391.00 per snow event (2-6" snow) and $594.00 per snow event (over 6" snow). This was previously awarded to Marathon Resource Management Group.

53. CC101518-02.9(B) – Approve award of Parking Lot Number 5 to JMD Excavating in the amount of $598.00 per snow event (2-6" snow) and $898.00 per snow event (over 6" snow). This was previously awarded to Marathon Resource Management Group.

54. CC110518-02.1 – Approve award of total bid for Willow Ave, Ivy Ave, Fairlane Dr. Street and Utility Reconstruction, Project No. 15-2254 / CIP No. 50421.3-1C opened on October 30, 2018 to the lowest responsible bidder R.C.S. Construction, Inc., in the amount of $2,515,428.34.

55. CC110518-02.2 – Approve award of total bid for Pavement Rehabilitation Project - Maple Avenue Area, Project No. 18-2438 / CIP No. 50844 opened on October 30, 2018 to the lowest responsible bidder, Western Construction, Inc. in the amount of $492,079.14.

END OF CONSENT ITEMS

Mayor read in item (PW103018-19) Approve Request from Genesis Capital LLC for a Variance to Waive the Requirement to Install Sidewalk along Seger Drive, Rapid City, per City Ordinance 12.08.060. Nordstrom said he would be voting against this item. He wants sidewalks here because there is pedestrian traffic. Modrick said there are not many sidewalks in the area and none connecting at this time. Motion was made by Salamun, second by Lewis to approve the variance. Motion carried 9-1 with Nordstrom voting no.

Mayor read in item (PW103018-20) Approve Appeal by Sperlich Consulting, Inc. on behalf of SODAK Development to approve an Exception Request to waive the requirement to install public improvements.