

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

January 22, 2019

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, January 22, 2019, at 6:30 P.M.

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

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Karl Jegeris, Fire Chief Rod Seals, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, IT Officer Jim Gilbert, Long Range Planner Sarah Hanzel, Lieutenant Cathy Bock, and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA

Motion was made by Lewis, second by Laurenti to adopt the agenda.

AWARDS AND RECOGNITIONS

Mayor Allender and Chief Seals presented a Certificate of Recognition to Mike Bartling, Captain at Station One on the B Shift, for 20 years of service. They acknowledged his dedicated service to the Rapid City community

Mayor Allender and Jennifer Benning of the Sustainability Committee presented the Sustainability Award to Breadroot Natural Foods Co-op. General Manager, Jeffrey Thouron, accepted the award. Courtney Fischer established a reusable container program in which every reusable container used at the store; a customer either receives a discount or a credit of five cents towards a donation to a local charity.

PRESENTATION

Mayor Allender said that Ron Jeffries could not make it tonight for the Central States Fair presentation. He said this is the 61st annual Black Hills Stock Show. This is South Dakota's second largest event after the Sturgis Motorcycle Rally. It is a celebration of the agriculture industry and is a huge part of economic development in Rapid City. Drew said the event is growing and is one of the catalysts for the new civic center. She said this event can grow even more after the new center is built.

Mayor introduced the Informational Presentation from IPS Group, Inc. related to smart parking meters. Sarah Hanzel, Long Rang Planner, stated this would only be a presentation and no action would be required. She said the study found there is a sufficient supply of parking in the system overall, with localized shortages; the 3-hour time limit and the "employee shuffle" puts added strain on the highest demand areas. However, there are few alternatives in place for employees and residents to park; free on-street parking leads to underutilization of leased parking permits; and strong consumer preferences for more convenient payment methods such as credit card and mobile apps. There are three parking study recommendations: remove coin-only parking meters in downtown's periphery areas; install credit card enabled meters in areas that experience the greatest localized shortages; and implement an employee / resident parking program in peripheral time limited on street areas. Michael Wilson, Regional Director of Sales – Midwest and Randy Lassner, Director of Regional Sales, Enforcement and Permit Management Solutions spoke to the Council. They said that IPS has more than 300,000 wireless devices deployed; they are headquartered in San Diego, CA; they do \$1 million in transactions processed per day; and have 99% average meter uptime. Their major breakthrough was in 2007 when the first credit card enabled, solar powered single-space parking meters were installed. The Data Management System

(DMS) has single-space meters; vehicle detection sensors; in-vehicle payment; park smarter mobile app; credit card processing; pay station upgrade kits; enforcement processing and collections and multi-space pay stations. They built their software to compliment meters, which is a completely cloud based system. In the past year; they put 27% of their revenue back into software to keep up with the latest technology. Drew said she has served on several parking committees before and this is the first time there is an outcome that monetizes their efforts. They needed a real study and she is happy with the direction this is going. Laurenti asked what the break-even point was. He also asked about bond obligation, what is the return on the investment. He also wondered about upkeep costs and additional costs for software support. He said he realizes it's still soon to report but those are numbers he will expect in the future. Nordstrom asked the average collection rate on parking tickets. They said their collection rate is at 87% and South Dakota doesn't allow holds on registration in order to pay outstanding parking tickets. Nordstrom thanked them for their time and appreciated the update.

GENERAL PUBLIC COMMENT

Mark Millar said he was contacted by code enforcement for running a business out of his garage. He said the entire inventory he owns fits in the back of his pick-up. He said his job trailer is in his driveway. If he doesn't stop running his business out of his garage he will be in violation of the ordinance. He doesn't think Rapid City is business friendly. He wasn't happy that the city is paying out money for the AOB lawsuit. He also said that the city owns 103 E Anamosa and the last three snow storms, the sidewalk hasn't been shoveled. He doesn't agree with how the city does business.

NON-PUBLIC HEARING ITEMS -- Items 5 – 46

CONSENT ITEMS – Items 5 – 39

The following item was removed from the Consent Items:

22. PW011519-03: Approve request from Black Hills Farmers Market to name the area located at 145 E. Omaha Street "Market Park".

Motion was made by Lewis, second by Armstrong and carried to approve Items 5-39 as they appear on the Consent Items except item 22.

Approve Minutes

5. Approve Minutes for the January 7, 2019 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 4, 2019)

6. Fiesta Tequila Mexican Restaurant LLC DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street, for a Retail (on-off sale) Wine license.
7. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event scheduled for February 21, 2019 at Regional Health Orthopedic and Specialty Hospital, 1635 Caregiver Circle
8. MG Oil Company DBA Uncle Sam's South, 2110 Jackson Blvd for a Retail (on-sale) Liquor License TRANSFER from Rapid City Boston's Company LLC (Inactive) DBA Ramada, 1902 N LaCrosse Street, by secured party Great Western Bank.

Public Works Committee Consent Items

9. PW011519-01: Authorize Mayor and Finance Officer to Sign a Covenant Agreement between the City of Rapid City and Harold and Judith Bies allowing connections to the City Water System for City Project No. 13-2107 / CIP No. 50964 PW011519-02: Agenda Title
10. PW011519-02: Authorize staff to advertise bids for Pavement Rehabilitation Project –W. Fulton Street, Project No. 18-2465 / CIP No. 50549. Estimated Cost: \$80,000.
11. PW011519-04: Authorize Mayor and Finance Officer to Sign Resolution No. 2019-004 Construction Fee Resolution for Creek Drive Commercial Units Water Main Extension Oversize - Per Acre Fee, Project No. DEV13-1158.

Resolution # 2019-004
CONSTRUCTION FEE RESOLUTION FOR CREEK DRIVE COMMERCIAL UNITS-WATER MAIN
EXTENSION OVERSIZE, PROJECT NO. DEV13-1158

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City's water utility; and

WHEREAS, a 12" water main was extended in Creek Drive per City Project No. DEV13-1158; and

WHEREAS, the City's total oversize cost of constructing this water main was \$34,036.00; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefitting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. DEV13-1158.

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$4,051.90 per acre to connect to the City's water utility.

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund.

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$34,036.00 has been collected, or until all benefitting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 22nd day of January, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 12. PW011519-05: Authorize Mayor and Finance Officer to Sign Resolution No. 2019-005 Construction Fee Resolution for Golden Eagle Water Main Extension - Per Front Footage Fee, Project No. DEV 14-1198.

Resolution # 2019-005
 CONSTRUCTION FEE RESOLUTION FOR GOLDEN EAGLE WATER MAIN EXTENSION
 PROJECT NO. DEV 14-1198

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City's water utility; and

WHEREAS, a 12" water main was extended in Golden Eagle Drive per City Project No. DEV 14-1198; and

WHEREAS, the City's total cost of constructing this water main was \$56,552.35; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a front footage basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefitting area should pay their proportionate share of the cost to construct this project on a front footage basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. DEV 14-1198.

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$93.23 per front footage to connect to the City's water utility.

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund.

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$56,552.35 has been collected, or all benefitting properties have connected to the City's water utility, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 22nd day of January, 2019.

s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 13. PW011519-06: Authorize Mayor and Finance Officer to Sign Resolution No. 2019-006 Construction Fee Resolution for Homestead Street Water Main Oversize - Per Acre Fee, Project No. DEV 14-1196 & DEV14-1204.

Resolution # 2019-006
**CONSTRUCTION FEE RESOLUTION FOR HOMESTEAD STREET WATER MAIN EXTENSION
 OVERSIZE PROJECT NO. DEV14-1196 & DEV14-1204**

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City's water utility; and

WHEREAS, a 12" water main was extended in Homestead Street per City Project No. DEV14-1196 & DEV14-1204; and

WHEREAS, the City's total oversize cost of constructing this water main was \$21,538.44; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. DEV14-1196 & DEV14-1204.

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$759.20 per-acre to connect to the City's water utility.

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund.

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$21,538.44 has been collected, or until all benefiting properties

have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 22nd day of January, 2019.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

14. PW011519-07: Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Professional Engineering Services for Analysis of Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) Meade/Hawthorne Drainage Basin, Project Number 18-2458, CIP 51190, in the amount of \$164,272.00.
15. PW011519-08: Request Transfer of Lot D in Hamilton Subdivision from Pennington County to the City of Rapid City and Authorize Public Works Director to Accept and Record Deed When TransferredPW011519-09: Agenda Title
16. PW011519-09: Authorize Staff to Seek Proposals for Engineering Services for Elk Vale Lift Station Gravity Main & Force Main Upgrades Project No. 18-2480 / CIP No. 50729.
17. PW011519-10: Authorize Mayor and Finance Officer to sign Amendment No. 1 to the Agreement between the City of Rapid City and Black & Veatch Corporation for Master Planning Professional Services for the Wastewater Utility System Master Plan Update / Model Recalibration, Project No 14-2192 / CIP 50819 in the amount of \$59,890.00
18. PW011519-11: Authorize Mayor and Finance Officer to sign an agreement between the City of Rapid City and FMG Engineering, Inc. for Engineering Services for Rapid City Landfill Permit 2018, Project Number: 18 – 2448 / CIP #51202 in the amount of \$139,397.00
19. PW011519-12: Authorize Mayor and Finance Officer to sign agreement between the City of Rapid City and HDR Engineering, Inc. for Professional Services for Rapid City Water Reclamation Facility Digester MCC and UV/Admin. Transfer Switch Replacement, Project Number: 19 – 2485 / CIP #51216 in the amount of \$54,995.00.
20. PW011519-15: Approve Change Order #2F for West Memorial Park Improvements Project# 2246 GIP# 51083 with Quinn Construction for a decrease of \$29,429.45.
21. PW011519-16: Approve Change Order #1 F for City Fencing Project# 17-2396 CIP # 51177 with Homes by Shadrach Howie, LLC for an increase of \$2,028.64.
23. PW011519-17: Authorize Staff to Purchase a 2019 Diamond Boom Mower and Twin Flail Attachment from Diamond Mowers for the Parks Maintenance Division with NJPA Contract #052417 - DMM in the amount of \$83,101.00.
24. PW011519-18: Authorize Staff to Purchase a 2019 John Deere 5100 M Utility Tractor from RDO Equipment with Sourcewell AG Contract #021815-DAC (PG 1P CG 70) in the amount of \$61,499.52.
25. PW011519-19: Authorize Staff to Purchase a 2019 MT85 Mini Track Loader with 44” General Purpose Bucket and 48” Angle Broom from Jenner Equipment with NJPA Contract #042815-CEC for \$30,162.41

Legal & Finance Committee Consent Items

26. LF011619-06 – Authorize Staff to Purchase Two (2) Vehicles Off State Bid from Liberty Dodge to Replace Aging Vehicles in the Police Department Fleet for the Total Amount of \$70,406.00
27. LF011619-07 – Authorize Staff to Purchase Five (5) Vehicles Off State Bid from Liberty Dodge to Replace Aging Vehicles in the Police Department Fleet for the Total Amount of \$141,505.00

- 28. LF011619-08 – Authorize Staff to Purchase One (1) Vehicle Off State Bid from Liberty Dodge to Replace Aging Vehicle in the Police Department for the Total Amount of \$25,469.00
- 29. LF011619-10 – Authorize Mayor and Finance Officer to Sign the 2019 Equitable Sharing Agreement
- 30. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Verle Follette (Library), Yougeun Yang (Library), Youngjoo Yang (Library), Alexandria Anderson (Library), Autumn Anderson (Library), Myrna Meyer (Library), Allison Mitchell (Library), Nathan Fosheim (RSVP+)
- 31. LF011619-01 – Approve FY2019 Allied Arts Funding Allocation for Community Investments (Arts & Humanities)
- 32. LF011619-02 – Approve Resolution 2019-002 Resolution Writing off Uncollectible Account Receivable Accounts (Parking Violations)

RESOLUTION 2019-002
 RESOLUTION WRITING OFF UNCOLLECTIBLE ACCOUNT RECEIVABLE
 ACCOUNTS (PARKING VIOLATIONS)

WHEREAS the City Finance Office has determined that certain accounts receivable accounts for parking violations issued during the year 2015, shown on Attachment A and filed in the Finance Office, and totaling \$56,838.11 are uncollectible; and

WHEREAS it is necessary to relieve the accounts receivable of the City of Rapid City for these accounts

NOW, THEREFORE, BE IT RESOLVED that the City Finance Officer be directed to remove such accounts of the City, said accounts being detailed in the official files of the Finance Office.

Dated this 22nd day of January, 2019.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

- 33. LF011619-03 – Approve Resolution No. 2019-003 Establishing 2019 Encumbrances

RESOLUTION 2019-003
 RESOLUTION ESTABLISHING 2019 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2018 operations of the City of Rapid City totaling \$3,240,614.10, and

WHEREAS it is desirable that these bills be charged to the 2018 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2018, in the amount of \$3,240,614.10.

GENERAL FUND 0101

0101 MAYOR	333.03
0104 FINANCE	3,711.32
0106 ATTORNEY	146.65

0108 PUBLIC WORKS ADMINISTRATION	23,885.43	
0109 GENERAL GOVERNMENT BUILDINGS	994.40	
0111 HUMAN RESOURCES	3,194.86	
0201 POLICE	15,255.93	
0202 FIRE	21,255.31	
0204 DEVELOPMENT SERVICE CENTER	7,754.03	
0205 TRAFFIC ENGINEERING	2,690.29	
0301 STREETS & HIGHWAYS	1,258.01	
0302 SNOW REMOVAL	39,349.71	
0304 STREET LIGHTING	77.23	
0305 EQUIPMENT MAINTENANCE	86.40	
0601 RECREATION	4.57	
0603 ICE ARENA	194.65	
0607 PARKS DEPARTMENT	18,940.23	
0608 URBAN FORESTRY	906.80	
0609 LIBRARY	88,527.24	
0610 LIBRARY RURAL	73,538.12	
0612 SWIMMING POOL	964.66	
0616 SIOUX PARK POOL	592.28	
0617 HORACE MANN POOL	116.71	
0618 PUBLIC TRANSPORTATION	2,173.75	
0620 PARK & RECREATION ADMINISTRATN	1,549.12	
0621 COMMUNITY INVESTMENTS	89,441.04	
0706 TRANSPORTATION PLANNING	14,227.33	
0707 HISTORIC PRESERVATION	44.00	
0711 CODE ENFORCEMENT	586.07	
0714 COMM DEVELOPMENT NON-GRANT	108.88	
0860 CEMETERY	3,754.29	
6024 INFORMATION TECHNOLOGY	2,284.01	417,946.35
WILDLAND FIRE FUND 0104		
0112 WILDLAND FIRE		1,860.60
HAZARD MITIGATION GRANT FUND 0105		
0115 HAZARD MITIGATION GRANT		8,174.78
VISION FUND 0107		
0124 VISION FUND ADMINISTRATION	712,461.92	
0132 SPECIAL PROJECTS VISION FUND	14,043.53	726,505.45
AIRPORT AIP FUND 0501		
2085 AIRPORT CONSTRUCTION GRANTS		63,944.35
CONSOLIDATED CONSTRUCTN FUND 0505		
0120 SALES TAX BONDS	983,875.98	
0910 CONSOLIDATED CONSTRUCTION	99,801.87	1,083,677.85
COMMUNITY DEVELOPMENT 0510		
0930 COMMUNITY DEVELOPMENT		37.31
WATER ENTERPRISE FUND 0602		
0810 WATER OPERATIONS	46,689.90	
0933 WATER RPLACEMENT & IMPROVEMNT	94,580.39	

CITY COUNCIL**JANUARY 22, 2019**

0934 WATER EXPANSION PROJECTS	<u>48,157.24</u>	189,427.53
WASTEWATER ENTERPRISE FUND 0604		
0830 WASTEWATER OPERATIONS	19,126.37	
0833 WASTEWATER REPLCEMT & IMPRVMNT	56,617.50	
0834 WASTEWATER EXPANSION PROJECTS	<u>434,324.49</u>	510,068.36
AIRPORT FUND 0606		
0850 AIRPORT OPERATIONS		111,754.50
TRANSPORTATION TERMINAL 0608		
0840 TRANS TERMINAL		75.00
STORMWATER DRAINAGE FUND 0609		
7401 STORMWATER DRAINAGE OPERATIONS		6,333.53
SOLID WASTE ENTERPRISE FUND 0612		
7101 WASTE COLLECTION		1,313.65
GOLF ENTERPRISE FUND 0613		
0604 GOLF ENTERPRISE	1,548.57	
0664 GOLF COURSE MAINTENANCE	<u>195.05</u>	1,743.62
EXECUTIVE GOLF COURSE FUND 0614		
0605 EXECUTIVE GOLF COURSE	(55.15)	
0665 EXECUTIVE GOLF COURSE MAINT	<u>63.83</u>	8.68
SOLID WASTE DISPOSAL FUND 0615		
7102 WASTE DISPOSAL	8,369.03	
7103 SOLID WASTE MRF/COMPOST FUND	3,726.22	
7104 SOLID WASTE CAPITAL PROJECTS	<u>55,804.05</u>	67,899.30
AMBULANCE ENTERPRISE 0618		
0890 AMBULANCE ENTERPRISE		6,980.72
PAYROLL WITHHOLDING FUND 0702		
0922 PAYROLL WITHHOLDING		486.00
AIRPORT TERMINAL DEPRECIATION 0734		
0909 AIRPORT TERMINAL DEPRECIATION		8,665.23
CIVIC CENTER ENTERPRISE FUND 0775		
0913 CIVIC CENTER OPERATIONS	(665.25)	
0919 CIVIC CENTER CVB	<u>33,565.92</u>	32,900.67
RSVP FUND 0785		
0928 RSVP		17.42
LIABILITY INSURANCE FUND 0793		
0968 LIABILITY INSURANCE		27.00
LIBRARY BOARD FUND 0996		

0971 LIBRARY BOARD

766.20

*** GRAND TOTAL ***

3,240,614.10

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 22nd day of January, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 34. LF011619-05 – Approve Resolution 2019-07 Resolution Declaring Miscellaneous Personal Property Surplus to be released to the Insurance Company due to total loss crash

Resolution #2019-007
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 release to insurance company due to total loss:

From: Police 201
For Deletion:
2018 DODGE CHARGER, BLACK & WHITE
Serial # 2C3CDXKTIJH303968

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 22nd day of January, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 35. LF011619-09 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement Between Kuehn Real Estate, Inc. and the City of Rapid City
- 36. LF011619-12 – Acknowledge November 2018 Sales Tax Report
- 37. LF011619-13 – Acknowledge December 2018 General Fund Cash Balance Report
- 38. LF011619-15 – Acknowledge Resolution 2019-008 Resolution Acknowledging a Correction to the December 17, 2018 Council Minutes

RESOLUTION #2019-008
RESOLUTION ACKNOWLEDGING A CORRECTION
TO THE DECEMBER 17, 2018 COUNCIL MINUTES

WHEREAS, on December 17, 2018, the City Council invited the Black Hills Showcase to perform instead of having an invocation; and

WHEREAS, the minutes of the December 17, 2018 Council meeting were on the agenda to be approved at the January 7, 2019 Council meeting; and

WHEREAS, the minutes of this meeting omitted the singing group’s performance and name; and

NOW, THEREFORE BE IT RESOLVED, by the City Council, that the singing group be acknowledged for their performance as the Black Hills Showcase in the official minutes of the December 17, 2018 meeting.

Dated this 22nd day of January, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

39. LF011619-04 – Acknowledge Update from the Opportunity Capture Fund Committee

END OF CONSENT ITEMS

Mayor read in item (PW011519-03) Approve request from Black Hills Farmers Market to name the area located at 145 E. Omaha Street “Market Park”. Motion was made by Drew, second by Drury to approve. In response to a question from Drew, Biegler said they are not changing the name, they are only naming it. He said there would be new signage installed. Drew suggested that our Frisbee golf park should also be named because it was one of the first 15 in the world. Motion carried.

NON-CONSENT ITEMS – Items 40 – 46
Ordinances

Ordinance 6264 (LF010219-02) An Ordinance to Amend Chapter 15.14 of the Rapid City Municipal Code to Adopt the 2018 International Property Maintenance Code having passed its first reading on January 7, 2019 motion was made by Laurenti, second by Armstrong that the title be read the second time. Upon vote being taken, the following voted AYE: Salamun, Nordstrom, Drew, Drury, Laurenti, Armstrong and Lewis. NO: Roberts, whereupon the Mayor declared the motion passed and Ordinance 6264 was declared duly passed upon its second reading.

Ordinance 6266 (LF010219-03) An Ordinance to Amend Chapter 15.22 of the Rapid City Municipal Code to Adopt the 2018 International Fuel Gas Code having passed its first reading on January 7, 2019 motion was made by Laurenti, second by Armstrong that the title be read the second time. Upon vote being taken, the following voted AYE: Salamun, Nordstrom, Drew, Drury, Laurenti, Armstrong, Roberts and Lewis. NO: None, whereupon the Mayor declared the motion passed and Ordinance 6266 was declared duly passed upon its second reading.

Ordinance 6270 (LF010219-04) An Ordinance to Amend Chapter 15.13 of the Rapid City Municipal Code to Adopt the 2018 International Residential Code having passed its first reading on January 7, 2019

motion was made by Nordstrom, second by Laurenti that the title be read the second time. Upon vote being taken, the following voted AYE: Salamun, Nordstrom, Drew, Drury, Laurenti, Armstrong, Roberts and Lewis. NO: None, whereupon the Mayor declared the motion passed and Ordinance 6270 was declared duly passed upon its second reading.

Ordinance 6285 (LF010219-05) An Ordinance to Amend Chapter 15.12 of the Rapid City Municipal Code to Adopt the 2018 International Building Code having passed its first reading on January 7, 2019 motion was made by Laurenti, second by Drury that the title be read the second time. Drew asked Young about sprinkler requirements and Young said Solan would know the answer but he was not able to be there. Drew asked if the city could add additional codes if they wanted to. She noticed floodways mentioned but not wetlands. Young said they chose to follow the 2018 International Building Code and not deviate from it. Lewis said representatives from all over make recommendations on the international code so it is heavily vetted. Drew said she is not in favor of approving this because she thinks it might have to be amended. Upon vote being taken, the following voted AYE: Salamun, Nordstrom, Drury, Laurenti, Armstrong, Roberts and Lewis. NO: Drury, whereupon the Mayor declared the motion passed and Ordinance 6285 was declared duly passed upon its second reading.

Ordinance 6277 (LF011619-14) An Ordinance Amending Title Two and Corresponding Sections of the Rapid City Municipal Code to Accurately Reflect Current Departmental Organization. Motion was made by Salamun, second by Drury to approve. Nordstrom said he was in favor of IT being its own department. Young said additional changes will have to be made to the department name along with other language to clean up the separation of departments. Ordinance 6277 was placed upon its first reading and the title was fully and distinctly read.

Legal & Finance Committee Items

Armstrong read in item (LF011619-11) Request from the Public to Direct Staff to Draft an Ordinance Amendment to Allow Personal Assistive Devices (Segways) on Downtown Sidewalks. Laurenti said he was in support of them. He said there is a ways to go before this ordinance is adopted. Nordstrom said he is opposed to a draft. He stated that the downtown businesses aren't interested in having this in the downtown area. Drew said she can support a Segway tour and thinks the Tour of Presidents and the Parks Greenway would be great tourist routes. Landeen asked council if they would like to vet allowing these before his office takes time to draft an ordinance that the city doesn't want. Motion was made by Lewis, second by Roberts to approve directing staff to draft an ordinance. Lewis said that segways are about 20-years old and he doesn't think they will see very many around Rapid City. He thinks there will be very limited usage. In response to a question from Drew, Landeen said they would likely have to approve it to see if it's something that works for Rapid City. He said more conversation and suggestions will come up once the ordinance is drafter. Drew would still like they approved in a tour but not driving them all around Rapid City. Roberts said he thought segways were brought up in order to do tours. He doubts there are many people who own their own Segway. He said it has to go through two readings so it won't be passed anytime soon. He thinks we should jump into the 21st century. Salamun said segways have been around for two decades, but he doesn't think the downtown area is a good place for them. He sees problems with congestion on the sidewalks. He thinks they create more issues than benefits. Drury said she took an unofficial poll on Facebook and 95% of people said they didn't want them. Citizens are concerned with safety. Armstrong asked Jegeris what motorized vehicles the police department uses, he said 3-wheeled scooters. He said they have two for parking enforcement and they have to be extremely cautious navigating on the sidewalks. Nordstrom said skateboards, bikes and other cycles will be next. Lewis said council should support a new type of business in Rapid City. This is the wave of the future and they should support it. Drew said Segway tours are really fun and would support segways in a tour but not rode all over the city. Mayor Allender suggested that they contact the Downtown BID Board and Destination Rapid City to have their input. He said he remembers when sidewalk café's were approved, that the city didn't take light poles into consideration and it is difficult to navigate in some areas. He suggested asking the businesses what type of difficulty this will cause. After some conversations have

taken place, then the city attorney should start drafting the ordinance. Motion passed 5-3 with Salamun, Nordstrom and Drury voting no.

Staff Items

Mayor read in item (CC012219-04.1) Approve purchase of enhanced version of Anti-Maleware protection for all city computers – Jim Gilbert, IT Director. Gilbert said he was offered a 30% discount to buy the product by January 31. He said he was going to purchase between April and May. He was going to request the funds from CIP but there was no January meeting. This will save the city \$50K. Nordstrom told Gilbert he was comfortable going forward with this and knows it is budgeted already. Gilbert said this maleware would cover any PC and android that the city owns. Motion was made by Nordstrom, second by Laurenti and carried to approve.

PUBLIC HEARING ITEMS – Items 47 – 52

CONSENT PUBLIC HEARING ITEMS – Item 47 – 52

Alcohol Licenses

- 47. DNJ, Inc. DBA Dickey’s BBQ for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an Event scheduled for February 7, 2019 at The Rushmore Mall, 2200 N Maple Ave, roped off common area in front of Victoria Secret
- 48. DNJ, Inc. DBA Dickey’s BBQ for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event scheduled for February 23, 2019 at The Rushmore Mall, 2200 N Maple Ave, Suite 2003 (The old Sears location.)
- 49. American Heart Association for a SPECIAL EVENT On-Sale Dealer license and Off-Sale Package Wine Dealer license for an Event scheduled for February 23, 2019 at Rushmore Plaza Civic Center, 444 N. Mt. Rushmore Rd.
- 50. Pennington County Democratic Party for a SPECIAL EVENT On-Sale Wine License for an Event scheduled for February 8, 2019 at Prairie Edge, 606 Main Street
- 51. Knights of Columbus for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event scheduled for February 8, 2019 at Blessed Sacrament Church, 4500 Jackson Blvd
- 52. BW Gas & Convenience Retail LLC DBA Yesway #1187, 4030 Cheyenne Blvd for a Retail (on-off sale) Wine and Cider license

Motion was made by Laurenti, second by Drury and carried to approve Items 47-52.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

The following bills have been audited:

BILL LIST - JANUARY 22, 2019

P/ROLL PERIOD END 01/05/19, PD 01/11/19	1,873,766.27
SUPP P/ROLL PERIOD END 01/05/19, PD 01/11/19	1,800.94
SUPP P/ROLL PERIOD END 01/05/18, PD 01/11/19	193.16
CDEV P/ROLL PERIOD END 01/05/19, PD 1/11/19	4,265.61
PIONEER BANK & TRUST, 01/05/19 P/ROLL TAXES, PD 01/11/19	487,036.85
PIONEER BANK & TRUST, SUPP 01/05/19 P/ROLL TAXES, PD 01/11/19	351.23
CDEV PIONEER BANK & TRUST, 01/05/19 P/ROLL TAXES, PD 01/11/19	1,112.77
WELLMARK INC, HEALTH CLAIMS THROUGH 12/28/18, PD 01/03/19	189,533.47
WELLMARK INC, HEALTH CLAIMS THROUGH 01/04/19, PD 01/10/19	173,735.28
WELLMARK INC, HEALTH CLAIMS THROUGH 01/11/19, PD 01/17/19	689,231.14

WAGE WORKS, SECTION 125 CLAIMS THROUGH 12/27/18, PD 01/03/19	12,805.48
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/07/19, PD 01/08/19	2,493.32
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/14/19, PD 01/15/19	7,224.41
SOUTH DAKOTA RETIREMENT SYSTEM, DEC18 RETIREMENT, PD 01/03/19	459,149.18
SDRS-SPECIAL PAY PLAN SPECIAL, PAY PLAN FEE-MEEK, T. PD 01/11/19	45.00
BERKLEY ASSIGNED RISK SERVICES, DEC18 CLAIMS, PD 01/07/19	28,967.19
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/15/19	52,579.67
BLACK HILLS ENERGY, ELECTRICITY, PD 01/09/19	60,464.07
COMPUTER BILL LIST,	6,780,730.89
CDEV COMPUTER BILL LIST	90.44
SUBTOTAL	10,825,576.37
RSVP, P/ROLL PERIOD END 1/05/19, PD 1/11/19	1,432.80
RSVP, PIONEER BANK & TRUST, 01/05/19 P/ROLL TAXES, PD 01/11/19	410.35
RSVP, COMPUTER BILL LIST	29.54
TOTAL	10,827,449.06

Sumption presented the bill list of \$10,827,449.06. Motion was made by Nordstrom, second by Drew and carried to authorize (No. CC012219-01) 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 Drury, second by Armstrong and carried to adjourn the meeting at 7:44 p.m.

Dated this 22nd day of January, 2019.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)