

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

July 1, 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 Monday, July 1, 2019, 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, Laura Armstrong, John Roberts and Chad Lewis; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: Becky Drury.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Karl Jegeris, Fire Chief Rod Seals, Engineering Project Manager Ted Johnson, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, and Administrative Coordinator Heidi Weaver-Norris.

**AWARDS AND RECOGNITIONS**

Mayor Allender and Chief Jegeris acknowledged Chad Sayles, for 10 years of service. He is a detective currently assigned to Project Safe Neighborhoods. They thanked him for his service and dedication to the City of Rapid City.

**OLD BUSINESS**

***Approve Minutes***

Motion was made by Drew, second by Nordstrom to Approve Minutes for the June 17, 2019 Regular Council meeting. Motion carried.

**NON-CONSENT ITEMS**

***Public Works Committee Items***

Drew read in item (PW011519-14.2) Request by KTM Design Solutions on behalf of Yasmeen Dream, LLC for reimbursement for repayment of one-half of construction cost for sanitary sewer improvements for the North Valley Park in the amount of \$110,445.05. Motion was made by Drew, second by Modrick to approve option three which is to approve funding for oversize/regional improvement for an amount not to exceed \$49,999; this would be budgeted in the utility fund for next year's payment. Motion carried 8-1 with Laurenti voting no.

***Ordinances***

Ordinance 6339 (LF061219-07) An Ordinance Regarding Supplemental Appropriation #5 for 2019. Having passed its first reading on June 17, 2019 motion was made by Scott, second by Nordstrom that the title be read the second time. Upon vote being taken, the following voted AYE: Laurenti, Roberts, Scott, Drew, Nordstrom, Salamun, Lewis, Armstrong and Modrick. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6339 was declared duly passed upon its second reading.

**PUBLIC HEARING ITEMS** (Items 5-12)

**CONSENT PUBLIC HEARING ITEMS** - Items 5-7

5. NAJA Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for July 13, 2019 at Rapid City Shrine Center, 4091 Sturgis Rd
6. Dakota Point Brewing LLC for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for August 3, 2019 at South Dakota School of Mines and Technology, O'Harra Stadium, Ramp C, Fenced Beer Garden, 501 E St. Joseph Street

7. Main Street Square for a SPECIAL EVENT On-sale Malt Beverage and On-Sale Wine license for an event scheduled for August 11, 2019 at Main Street Square between 6<sup>th</sup> Street and Main Street

Motion was made by Scott, second by Salamun to approve Items 5-7, motion carried 9-0.

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 8 - 12

Mayor read in item (No. 19PD013) Second Reading, Ordinance 6326, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Citcra LLC for a Planned Unit Development Zoning District for property generally described as being located northeast of the intersection of Nicole Street and Brook Street. Motion was made by Scott, second by Drew that the title be read the second time. Upon vote being take the following voted AYE: Drew, Armstrong, Nordstrom, Salamun, Lewis, Scott, Laurenti, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6326, upon its second reading.

Mayor read in item (No. 19RZ014) Second Reading, Ordinance 6332, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for BH Capital 4, LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located east of East Anamosa Street. Motion was made by Salamun, second by Nordstrom that the title be read the second time. Upon vote being take the following voted AYE: Drew, Armstrong, Nordstrom, Salamun, Lewis, Scott, Laurenti, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6332 was declared duly passed upon its second reading.

Mayor read in item (No. 19RZ015) Second Reading, Ordinance 6333, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for BH Capital 4, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located east of East Anamosa Street. Motion was made by Laurenti, second by Drew that the title be read the second time. Upon vote being take the following voted AYE: Drew, Armstrong, Nordstrom, Salamun, Lewis, Scott, Laurenti, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6333 was declared duly passed upon its second reading.

Mayor read in item (No. 19RZ018) Second Reading, Ordinance 6337, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brett Kaltvedt for MWM Rapid Holdings Inc. for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located at 3414 Eglin Street. Motion was made by Scott, second by Drew that the title be read the second time. Upon vote being take the following voted AYE: Drew, Armstrong, Nordstrom, Salamun, Lewis, Scott, Laurenti, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6337 was declared duly passed upon its second reading.

Mayor read in item (No. 19RZ019) Second Reading, Ordinance 6338, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Lyle Hendrickson for a Rezoning request from Low Density Residential District to Medium Density Residential District for property generally described as being located at 1804 E. Highway 44. Roberts stated he needed to abstain. Motion was made by Scott, second by Nordstrom that the title be read the second time. Upon vote being take the following voted AYE: Drew, Armstrong, Nordstrom, Salamun, Lewis, Scott, Laurenti, and Modrick. NO: None. Roberts abstained: whereupon the Mayor declared the motion passed and Ordinance 6338 was declared duly passed upon its second reading.

END OF “OLD BUSINESS” PUBLIC HEARING CALENDAR

**CANVASSING OF THE VOTES**

Mayor read in item (CC070119-04.1) Approve Emergency Resolution Number 2019-056, Canvassing Vote for the Run-off Election held June 25, 2019 for Ward 3. Motion was made by Salamun, second by Scott to approve. Motion carried 9-0.

Resolution No. 2019-056  
EMERGENCY RESOLUTION CANVASSING VOTE FOR THE SECONDARY  
ELECTION HELD JUNE 25, 2019 – THIRD WARD

WHEREAS there was held in the City of Rapid City, South Dakota, on Tuesday, the 25<sup>th</sup> day of June, 2019, a Secondary Election of the City of Rapid City, South Dakota, for the purpose of electing an Alderman to represent Ward 3 for a term of three years; and

WHEREAS the results of the Secondary Election for Ward 3 Alderman have been presented to the Common Council for purposes of canvassing the election returns.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Official Canvass Sheet, attached hereto and incorporated herein by this reference, is approved by the Common Council in its capacity as the Board of Canvassers for the City of Rapid City.

BE IT FURTHER RESOLVED that Gregory G. Strommen, having received a majority of all votes cast for the office of Alderman for the Third Ward for a term of three years, is hereby declared to be duly elected to the office of Alderman of the City of Rapid City for the Third Ward and for the term as hereinabove set forth, and is entitled to qualify for and hold said office as provided by law.

BE IT FURTHER RESOLVED that this resolution is found and determined to be necessary for the immediate preservation of the public peace, health, and safety, and for the support of the municipal government and its existing public institutions, wherefore an emergency exists and this resolution shall take effect immediately upon its passage and publication according to law.

DATED this 1<sup>st</sup> day of July, 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

**OFFICIAL CANVASS SHEET – WARD 3 SECONDARY ELECTION**

Date of Election: June 25, 2019  
Type of Election: Secondary Election – Ward 3 Alderman  
Jurisdiction: City of Rapid City

Office	Ward 3 Alderman	
Names of Candidates	<b>Gregory G. Strommen</b>	<b>Jeffrey L. Bailie</b>
Precinct 3-1	42	34

Precinct 3-2	274	211
Precinct 3-3	77	39
Precinct 3-4	198	166
Precinct 3-5	16	22
Totals	607	472

STATE OF SOUTH DAKOTA)  
 )SS  
 COUNTY OF PENNINGTON )

We, Steve Allender, Lisa Modrick, Becky Drury, Steve Laurenti, Ritchie Nordstrom, Jason Salamun, Chad Lewis, Amanda Scott, John B. Roberts, Darla Drew, and Laura Armstrong, appointed as the Board of Canvassers because of our positions on the governing board in the jurisdiction of the City of Rapid City for the Ward 3 Alderman election held on the 25<sup>th</sup> day of June, 2019, hereby certify that the foregoing is a true abstract of the votes cast in the jurisdiction of the Third Ward in the City of Rapid City at the election as shown by the returns certified to the person in charge of the election.

MAYOR  
s/ Steve Allender

WARD ONE ALDERMAN  
s/Lisa Modrick

WARD ONE ALDERMAN  
s/Becky Drury (Absent)

WARD TWO ALDERMAN  
s/Steve Laurenti

WARD TWO ALDERMAN  
s/Ritchie Nordstrom

WARD THREE ALDERMAN  
s/Jason Salamun

WARD THREE ALDERMAN  
s/Chad Lewis

WARD FOUR ALDERMAN  
s/Amanda Scott

WARD FOUR ALDERMAN  
s/John Roberts

WARD FIVE ALDERMAN  
s/Darla Drew

WARD FIVE ALDERMAN  
s/Laura Armstrong

Subscribed and sworn to before me this 1st day of July, 2019.

s/ Pauline Sumption  
 Finance Officer

(SEAL)

Mayor read in item (CC070119-04.2) Approve Emergency Resolution Number 2019-057, Canvassing Vote for the Run-off Election held June 25, 2019 for Ward 4. Scott stated she needed to abstain. Motion was made by Drew, second by Laurenti to approve. Motion carried 8-0 with Scott abstaining.

EMERGENCY RESOLUTION CANVASSING VOTE FOR THE SECONDARY ELECTION HELD JUNE 25, 2019 – FOURTH WARD

WHEREAS there was held in the City of Rapid City, South Dakota, on Tuesday, the 25<sup>th</sup> day of June, 2019, a Secondary Election of the City of Rapid City, South Dakota, for the purpose of electing an Alderman to represent Ward 4 for a term of three years; and

WHEREAS the results of the Secondary Election for Ward 4 Alderman have been presented to the Common Council for purposes of canvassing the election returns.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Official Canvass Sheet, attached hereto and incorporated herein by this reference, is approved by the Common Council in its capacity as the Board of Canvassers for the City of Rapid City.

BE IT FURTHER RESOLVED that Lance Lehmann, having received a majority of all votes cast for the office of Alderman for the Fourth Ward for a term of three years, is hereby declared to be duly elected to the office of Alderman of the City of Rapid City for the Fourth Ward and for the term as hereinabove set forth, and is entitled to qualify for and hold said office as provided by law.

BE IT FURTHER RESOLVED that this resolution is found and determined to be necessary for the immediate preservation of the public peace, health, and safety, and for the support of the municipal government and its existing public institutions, wherefore an emergency exists and this resolution shall take effect immediately upon its passage and publication according to law.

DATED this 1<sup>st</sup> day of July, 2019.

MAYOR  
s/ Steve Allender

WARD ONE ALDERMAN  
s/Lisa Modrick

WARD ONE ALDERMAN  
s/Becky Drury (Absent)

WARD TWO ALDERMAN  
s/Steve Laurenti

WARD TWO ALDERMAN  
s/Ritchie Nordstrom

WARD THREE ALDERMAN  
s/Jason Salamun

WARD THREE ALDERMAN  
s/Chad Lewis

WARD FOUR ALDERMAN  
s/Amanda Scott (abstain)

WARD FOUR ALDERMAN  
s/John Roberts

WARD FIVE ALDERMAN  
s/Darla Drew

WARD FIVE ALDERMAN  
s/Laura Armstrong

Subscribed and sworn to before me this 1st day of July, 2019.

s/ Pauline Sumption  
Finance Officer

(SEAL)

**RECOGNIZE OUTGOING COUNCIL MEMEBERS**

Mayor Allender recognized Steve Laurenti, Jason Salamun and Amanda Scott for their service to the citizens of Rapid City during their time on the council.

**RECESS TO SWEAR IN NEWLY ELECTED COUNCIL MEMBERS**

Mayor called the meeting to recess at 7:02 p.m. At this time the Oath of Office was administered to Mayor Allender and Ward Council Members Lisa Modrick, Bill Evans, Greg Strommen , Lance Lehmann and Darla Drew.

**RECONVENE**

Mayor Allender reconvened the meeting at 7:11 p.m. with the following members present: Lisa Modrick, Bill Evans, Greg Strommen, Lance Lehmann, Darla Drew, Ritchie Nordstrom, Chad Lewis, John Roberts and Laura Armstrong.

**ELECTION OF OFFICERS**

Mayor Allender opened the floor for nominations for Council President. Motion was made by Lewis, second by Roberts to nominate Laura Armstrong. Motion was made by Drew, second by Modrick to nominate Ritchie Nordstrom. Mayor asked for a ballot vote. Sumption counted the votes. Armstrong had five votes from the following: Roberts, Lehmann, Strommen, Armstrong and Lewis. Nordstrom had four votes from the following: Drew, Modrick, Evans and Nordstrom. Allender declared Alderperson Armstrong Council President.

Mayor Allender opened the floor for nominations for Council Vice-President. Motion was made by Modrick, second by Nordstrom to nominate Darla Drew. Motion was made by Roberts, second by Armstrong to nominate Lewis. Mayor asked for a ballot vote. Sumption counted the votes. Lewis had five votes from the following: Lewis, Strommen, Roberts, Armstrong and Lehmann. Drew had four votes from the following: Drew, Modrick, Evans and Nordstrom. Allender declared Alderperson Lewis as Council Vice-President.

**GENERAL PUBLIC COMMENT**

Kirstin Livermont, voiced concern over the sewer and water leak near her house that caused property damage. She said she is stuck paying all the costs and would like the city to help.

Natalie LaFrance-Slack stated she was part of civil leadership. The city supports July 7-13 as Pride Week. She is happy they are working together to create equality and opportunity. She invited everyone to attend all of the events.

**NON-PUBLIC HEARING ITEMS** -- Items 19A – 55**CONSENT ITEMS** – Items 19A – 49

The following item was removed from the Consent Items:

31. 19TP016: Approval of the East Rapid City Traffic and Corridor Analysis Study – Final Report (Informational Item)

Motion was made by Nordstrom, second by Drew and carried to approve items 19A-49 as they appear on the Consent Items with the exception of Item 31.

***Comprehensive Plan Amendment Set for Hearing (July 15, 2019)***

- 19A. 19CA002: A request by City of Rapid City to consider an application for a Comprehensive Plan Amendment to revise the Cities Future Land Use Plan.

***Alcoholic Beverage License Applications Set for Hearing (July 15, 2019)***

19. Rapid City Summer Nights for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for July 27, 2019 at Rapid City Summer Nights location of 500 Block of 7<sup>th</sup> and 700 Block of St. Joe for the Combat Vets Street Dance
20. G3 Properties LLC DBA Overclock LLC, 4095 Sturgis Road for a Retail (on-off sale) Wine and Cider license and Retail (on-off sale) Malt Beverage & SD Farm Wine license

**Public Works Committee Consent Items**

21. PW062519-01: Approve Change Order #1 F to Complete Concrete, Inc. for 400 Block Mount Rushmore Road Storm Sewer Repair Project, Project #18-2462 for a decrease of \$650.60.
22. PW062519-02: Approve Change Order #1 to R.C.S. Construction, Inc. for Willow Avenue, Ivy Avenue, Fairlane Drive, Street and Utility Reconstruction Project, Project #15-2254 / CIP NO. 50421.3-1C for an increase of \$45,840.25 plus 8 additional days.
23. PW062519-04: Authorize Staff to Advertise for Bids for Hanover Drive Drainage Crossing, Project No. 18-2460 / CIP No. 51204, Estimated Cost \$230,000
24. PW062519-05: Authorize Mayor and Finance Officer to sign Right-of-Way Certificate and Utilities Certificate for Project P TAPU(15) West Memorial Park Sidewalk Improvements
25. PW062519-06: Authorize Mayor and Finance Office to Sign South Dakota Department of Transportation Funding Agreement to Receive 2019 Highway Infrastructure Funding Allocation – Bridge Replacement and Rehabilitation Program funding.
26. PW062519-07: Authorize Mayor and Finance Officer to sign amendment #1 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 \$29,405.00.
27. PW062519-12: Authorize Purchasing Authority for Waste Water Collection Jet Vacuum Truck from Sourcewell contract #122017-FSC and State Bid Contract #17111, for a total of \$380,276.00
28. PW062519-08: Authorize Mayor and Finance Officer to sign Permanent Utility Easement with Black Hills Power, Inc. for power line relocation at Horace Mann Pool and Baseball field.
29. PW062519-09: Approve Change Order No. 1 for Parks and Recreation 2019 Asphalt Paving Project PR19-6166, for Simon Contractors of SD, for an increase of \$390.
30. 19TP015: Acknowledge the 2020 – 2023 Rapid City Area Transportation Improvement Program – Draft Report
32. PW062519-10: Approve Request from Ryan Gruba for a variance to waive the requirement to install sidewalk along Sturgis Road and Pine Hills Drive, Rapid City, per City Ordinance 12.08.060.
- ~~33. 19CA002: Approve Resolution 2019-046 – A request by City of Rapid City to consider an application for a Comprehensive Plan Amendment to revise the Cities Future Land Use Plan. (This item was moved to item 19A.)~~

**Legal & Finance Committee Consent Items**

34. LF062619-07 – Confirm the Reappointments of Steve Struble, Dale Schmidt, and Myron Tatum, and the New Appointment of Walter Cline to the Building Board of Appeals
35. LF062619-02 – Authorize Mayor and Finance Officer to Sign and Accept the Innovations in Community-Based Crime Reduction Grant if Awarded
36. LF062619-04 – Approve Resolution No. 2019-055 a Resolution to Donate Two Obsolete Light Bars and One Controller to the City of Hermosa
37. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Pat Rowe (RSVP+)
38. LF062619-03 – Acknowledge April 2019 Sales Tax Report
39. LF062619-08 – Acknowledge May General Fund Cash Balance Report
40. LF062619-09 – Authorize the Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and the Young Men's Christian Association of Rapid City, Inc., for the Use of City Vision Funds to Renovate its Facility 625 9th Street for Use as a Childhood Development Center.

41. LF062619-10 – Authorize the Mayor and Finance Office to Sign an Agreement for Utility Relocation Between the City of Rapid City and Black Hills Power, Inc. for Reimbursement of Power Transmission/Distribution Line Relocation Costs for Civic Center Expansion Project No. 18-2452.
42. LF062619-01 – Acknowledge the Dakota Rural Action Black Hills Chapter Presentation Regarding our Watershed – Cheryl Rowe – Laura Armstrong.

***Community Development Consent Items***

43. LF062619-05 – Approve Community Development Block Grant (CDBG) FY2019 Annual Action Plan and Authorize the Mayor and Finance Officer to Sign the SF-424 and SF-424D
44. LF062619-06 – Authorize Mayor and Finance Officer to Sign First Amendment to Contract for Private Development for Tax Increment District Number Sixty-seven Between Doeck, LLC and the City of Rapid City
45. 10TI004 – Approve Resolution 2019-047 A request by City of Rapid City to Consider an Application to Dissolve Tax Increment District No. 42
46. 19TP017 – Approve the Letter of Support for South Dakota Department of Transportation’s BUILD Grant Application

***Bid Award Consent Items***

47. CC070119-02.1 – Approve award of total bid for Pavement Rehabilitation Project - Fountain Plaza Drive and Rand Road, Project No. 18-2471 / CIP No. 50549 opened on June 25, 2019 to the lowest responsible bidder, Western Construction, Inc. in the amount of \$575,529.30
48. CC070119-02.2 – Approve award of Base Bid plus Alternate #1 for the Total Bid for LaCroix Disc Golf and Sidewalk, Project No. PR19-6169 opened on June 25, 2019 to the lowest responsible bidder, BTD Enterprises LLC, in the amount of \$114,118.47.
49. CC070119-02.3 – Approve Bid Award Recommendation for Current Model Year Single Axle 4x4 Sander with V-Plow for use by the Street Department, to low bidder of Floyd’s Truck Center/Northern Truck Equipment in the amount of \$183,741.00.

**END OF CONSENT ITEMS**

Mayor read in item 19TP016: Approval of the East Rapid City Traffic and Corridor Analysis Study – Final Report (Informational Item). Roberts said he compared the number from the 2000 study to this study and the numbers are extremely different. He said the 2000 study from HDR shows the 2045 traffic counts on Anamosa to be 43,000 and the new study shows 12,300. Kip Harrington, Long-range Planner, explained how development patterns change as people move into different areas. Harrington said data and numbers are more complete at this time than 20 years ago. Roberts disagreed and said the numbers seem way off especially with the development of Shepherd Hills is coming in. Roberts calculates closer to 40,000 cars not 12,300 as projected. He has many concerns since this is the largest development that Rapid City has seen. His opinion is that the study is way off. Harrington said the only thing showing on the books in Shepard Hills is 450 housing units. In response to a question from Allender, Harrington said the new metropolitan transportation study will be completed next summer and they will have updated travel demand forecast models. This is always a work in progress. Motion was made to approve by Nordstrom, second by Drew and carried 8-1 with Roberts voting no.

**NON-CONSENT ITEMS** – Items 50 – 55

***Ordinances***

Ordinance 6340 (No. 19RZ020) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by AAB Engineering, LLC for Rupe Helmer Group for a Rezoning Request from General Agricultural District to General Commercial District for property generally described as being located east of Haines Avenue just north of Kathryn Avenue. Motion was made by Drew, second



by Nordstrom and carried that Ordinance 6340 be placed on its first reading and the title was fully and distinctly read and second reading set for Monday, July 15, 2019.

Ordinance 6341 (No. 19RZ021) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Jim Letner for Market Square, LLC for a Rezoning Request from Light Industrial District to Office Commercial District for property generally described as being located at the southwest corner of the intersection of E. Saint Charles Street and Creek Drive. Motion was made by Drew, second by Modrick and carried that Ordinance 6341 be placed on its first reading and the title was fully and distinctly read and the second reading set for Monday, July 15, 2019.

#### ***Public Works Committee Items***

Drew read in item (PW062519-03) Authorize Staff to Advertise for Bids for Tower Court Storm Sewer Outfall Stabilization, Project No. 18-2455 / CIP No. 51203, Estimated Cost \$375,000. Motion was made by Nordstrom, second by Roberts to approve. Modrick is concerned this is a band aid fix and this won't solve the problem. She asked what the city is going to do to stabilize the mountain. She thinks it will cost more than \$375,000. Drew stated that this doesn't seem like a real fix. Ted Johnson said this will stabilize the easement and water line. Roberts said the city shouldn't be paying for a compaction issue. Johnson stated the hill is sliding and it's not the city's responsibility. He said this is something the developer should fix. Modrick doesn't want to waste city money on a hillside that is still moving. She doesn't think that \$375,000 is the end of it. Johnson said there is no other feasible option to fix this. Motion passed 7-2 with Modrick and Strommen voting no.

#### ***Community Development Items***

Mayor read in item (No. 19PL026) A request by KTM Design Solutions, Inc for G & G Investments, LLP for a Preliminary Subdivision Plan for proposed Lot 7 of Block 1, Lots 5 and 6 of Block 5 and Lot 1 of Block 6 of Westwind Subdivision, generally described as being located east of the intersection of Elk Vale Road and Anamosa Street. Motion was made by Modrick, second by Drew and carried to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, the redline comments on the construction plans and the Master Plan shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval or the approval of an Exception shall be required. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 3. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. 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; 4. Upon submittal of a Development Engineering Plan application, construction plans for Neel Street and Degeest Drive, collector streets, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way with an additional 10-feet of right-of-way the first 200-feet extending south from the future intersection of E. Anamosa Street and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or the approval of an Exception shall be required. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 5. Upon submittal of a Development Engineering Plan application, 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. The plans shall show the water mains in Neel Street and Degeest Drive being looped. In addition, easements shall be provided as needed; 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. In addition, easements shall be provided as needed; 7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, no inter-basin transfer of stormwater shall be allowed. Easements shall also be dedicated as needed; 8. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required; 9. Upon submittal of a Development Engineering Plan application, the Master Plan shall be revised to show the extension of Neel Street and Degeest Street to the north lot line of the property in compliance with the City's Major Street Plan or a Comprehensive Plan Amendment to the Major Street shall be submitted for review and approval eliminating and/or relocating the collector streets; 10. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 12. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements; 13. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor read in item (No. 19PL047) A request by AAB Engineering, LLC for Rupe Helmer Group for a Preliminary Subdivision Plan for proposed Lot 1 of Block 1 of Dollar General Rapid City, generally described as being located east of Haines Avenue just north of Kathryn Avenue. Motion was made by Drew, second by Modrick and carried to approve with 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 the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 3. Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue shall be submitted for review and approval showing the dedication of four additional feet of right-of-way and the installation of sewer main along the full frontage of Haines Avenue or an Exception shall be required. 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 cost estimate for any required subdivision improvements shall be submitted for review and approval; 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. Prior to submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval or an Exception shall be required. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 7. Prior to submittal of a Final Plat application, the plat title shall be revised to show the name of the subdivision as "Dollar General Subdivision" in lieu of "Dollar General Rapid City"; 8. 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, 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**Bid Awards**

Mayor read in item (CC070119-02.4) Approve award for 65 gallon and 95 gallon garbage and recycling containers to Rehrig in the amount of \$57,517.80. They were the lowest bidder meeting all specifications. Motion was made by Nordstrom, second by Roberts and carried to approve.

**PUBLIC HEARING ITEMS – (Presented under old business)**  
**CONSENT PUBLIC HEARING ITEMS – (Presented under old business) ]**

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS – (Presented under old business)]**

**BILLS**

The following bills have been audited.

BILL LIST - JULY 1, 2019

P/ROLL PERIOD END 06/08/19, PD 06/14/19	1,944,100.41
CDEV P/ROLL PERIOD END 06/08/19, PD 06/14/19	120.89
PIONEER BANK & TRUST, 06/08/19 P/ROLL TAXES, PD 06/14/19	488,987.67
CDEV PIONEER BANK & TRUST, 06/08/19 P/ROLL TAXES, PD 06/14/19	9.25
SOUTH DAKOTA DEPARTMENT OF REVENUE, MAY19 SALES TAX PAYABLE PD 06/20/19	35,952.83
SOUTH DAKOTA DEPARTMENT OF REVENUE, MAY19 EXCISE TAX PAYABLE PD 06/20/19	75.01
SOUTH DAKOTA DEPARTMENT OF REV MAY19 CCTR SALES TAX PAYABLE PD 06/20/19	23,567.90
WELLMARK INC, HEALTH CLAIMS THROUGH 06/07/19, PD 06/13/19	99,052.13
WELLMARK INC, HEALTH CLAIMS THROUGH 06/14/19, PD 06/20/19	447,493.53
WAGE WORKS, SECTION 125 CLAIMS THROUGH 06/17/19, PD 06/18/19	2,422.66
WAGE WORKS, SECTION 125 CLAIMS THROUGH 06/22/19, PD 06/25/19	7,295.50
SDRS-SPECIAL PAY PLAN, SPECIAL PAY PLAN FEE-BELISLE, JOHNSON PD 06/18/19	90.00
BANK WEST, TID47 TOWER RD, PD 06/25/19	171,110.77
BANK WEST, TID54 RAINBOW RIDGE, PD 06/25/19	29,470.72
BANK WEST, TID56 RUSHMORE CROSSING, PD 06/25/19	71,065.36
BANK WEST, TID65 MINNESOTA ST, PD 06/25/19	9,654.83
BANK WEST, TID70 CATRON BLVD, PD 06/25/19	27,525.22
CITY OF RAPID CITY, TID39 ANAMOSA/AR GROUP LLC, PD 06/25/19	714.81
CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 06/25/19	13,536.26
CITY OF RAPID CITY, TID64 CABELA'S, PD 06/25/19	42,413.60
DACOTAH BANK, TID40 GANDOLF, PD 06/25/19	5,755.29
FIRST INTERSTATE BANK, TID38 HEARTLAND RETAIL CENTER, PD 06/25/19	17,677.38
FIRST INTERSTATE BANK, TID39 ANAMOSA/AR GROUP LLC, PD 06/25/19	714.82
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 06/25/19	164,384.87
GREAT WESTERN BANK, TID72 E ST JOSEPH ST, PD 06/25/19	24,632.00
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 06/20/19	28,662.78
LS ENERGY, ELECTRICITY, PD 06/24/19	24.75
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/24/19	31,629.13
COMPUTER BILL LIST,	3,027,083.79
CDEV COMPUTER BILL LIST	9,513.91
SUBTOTAL	6,724,738.07

**CITY COUNCIL**

**JULY 1, 2019**

RSVP, P/ROLL PERIOD END 6/08/19, PD 06/14/19	1,432.80
RSVP, PIONEER BANK & TRUST, 06/08/19 P/ROLL TAXES, PD 06/14/19	410.35
RSVP, COMPUTER BILL LIST	15.88
TOTAL	6,726,597.10

Sumption presented the bill list of \$6,726,597.10. Motion was made by Drew, second by Nordstrom and carried to authorize (No. CC070119-01) 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 Drew, second by Lewis and carried to adjourn the meeting at 7:50 p.m.

Dated this 1st day of July, 2019.

ATTEST:

CITY OF RAPID CITY

\_\_\_\_\_  
Finance Officer

\_\_\_\_\_  
Mayor

(SEAL)