

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

August 5, 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, August 5, 2019, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Greg Strommen, Lisa Modrick, Ritchie Nordstrom, Darla Drew, Laura Armstrong, Bill Evans, John Roberts, Becky Drury and Chad Lewis; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: Lance Lehmann.

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

ADOPTION OF AGENDA

Motion was made by Drury, second by Armstrong to adopt the agenda.

AWARDS AND RECOGNITIONS

Tracy Davis, Finance Office, and Larry Dale, Civic Center, were both recognized for 20 years of service. The mayor and respective department directors acknowledged their dedication and thanked them for their years of service.

PRESENTATION

Ron Jeffries addressed the council with a Central States Fair Update. He stated it is the 74th annual fair. The dates are August 16-25, 2019. Everyone is invited to attend.

GENERAL PUBLIC COMMENT (NONE)

NON-PUBLIC HEARING ITEMS -- Items 3 – 51

Jean Kessloff, President of Historic Rapid City, spoke on item 31 (LF073119-05). She wanted to thank the Severson's for their donation of land on Skyline Drive.

CONSENT ITEMS – Items 3 – 40

The following were removed from the Consent Items:

24. LF073119-02 – Approve Resolution No. 2019-060 a Resolution Levying Assessment for Abatement of Nuisances

Motion was made by Lewis, second by Armstrong and carried to approve items 3-40 with the exception of item 24.

Approve Minutes

3. Approve Minutes for the July 15, 2019 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (August 19, 2019)

4. Dakota Point Brewing LLC for a SPECIAL EVENT On-Sale Malt Beverage license and On-Sale Wine license for events scheduled for September 7, 2019, September 28, 2019, October 5, 2019, October 26, 2019 and November 2, 2019 at South Dakota School of Mines and Technology, O'Harra Stadium, Ramp C, Fenced Beer Garden, 501 E. St. Joseph Street

5. Thai Thai LLC DBA Thai Thai Restaurant, 221 E North Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Retail (on-off sale) Wine and Cider license TRANSFER from Mai Goodsell DBA Saigon Restaurant, 221 E North Street
6. Wisdom Inc. DBA Country Inn & Suites by Radisson, 2321 N. LaCrosse Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
7. Family Dollar Stores of South Dakota, LLC DBA Family Dollar #28320, 1445 Haines Avenue, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and a Retail (on-off sale) Wine and Cider license.
8. Poker Joe's Inc. DBA Poker Joe's, 211 Cambell Street for a retail (on-sale) liquor license TRANSFER from B&B Kelley LLC formerly DBA Historic Freight House (inactive) 306 7th Street
9. Brinker Restaurant Corporation DBA Chili's Grill & Bar, 2125 Haines Avenue for a Retail (on-sale) Liquor license TRANSFER from ERJ Dining IV LLC DBA Chili's Grill & Bar, 2125 N. Haines

Public Works Committee Consent Items

10. PW073019-02: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Highway Improvement, Inc. for Asphalt Surface Crack Sealing, Project No. 19-2521, in the amount of \$75,000.00.
11. PW073019-05: Request Authorization for Mayor and Finance Officer to sign Professional Services Agreement with Chamberlin Architects for Star of the West Restrooms Project No. 19-2527 in the amount of \$39,400.00.
12. PW073019-06: Request Authorization for Mayor and Finance Officer to sign Professional Services Agreement with Upper Deck Architects for 2019 Roof Replacement – Hail Damage Project No. 19-2492 in the amount of \$51,500.00.
13. PW073019-07: Authorize Mayor and Finance Officer to sign the Joint Powers Maintenance and Encroachment Agreement between Department of Transportation and City of Rapid City for the LaCrosse Street Interchange Utility Improvements, Project No. 16-2318 / CIP No. 51108, in the amount of \$70,424.00 and for the granting of a Permanent Easement and a Temporary Construction Easement.
14. PW073019-08: Approve Change Order #2F to Tru-Form Construction, Inc. for 2018 MIPS-Concrete, Project #17-2395 / CIP NO. 50298 for a decrease of \$22,769.45.
15. PW073019-09: Approve Change Order #1 F to Simon Contractors of South Dakota, Inc. for 2018 MIPS Asphalt, Project #18-2457 / CIP NO. 50298 for an increase of \$2,635.99.
16. PW073019-10: Approve Change Order #1 to Tru-Form Construction, Inc. for Disk Drive and Haines Avenue Intersection, Project #16-2347 / CIP NO. 51121 for an increase of \$7,062.00.
17. PW073019-11: Approve Change Order #3F to Foothills Contracting, Inc. for Landfill Cell 18 Liner and Leachate Collection Project, Project #16-2371 for an increase of \$2,531.35.
18. PW073019-12: Approve Change Order #1 F to Simon Contractors of South Dakota, Inc. for Pavement Rehabilitation Project- W. Fulton Street, Project #18-2465 / CIP NO. 50549 for an increase of \$12,343.35.
19. PW073019-04: Authorize staff to submit transit grant to the Federal Transit Administration (FTA) for 5307 Formula funds for operating assistance in the amount of \$1,255,957.
20. PW073019-03: Authorize staff to advertise for bid of a lift station standby generator and transfer switch for the Red Rock Meadows Lift Station.

Legal & Finance Committee Consent Items

21. LF073119-01 – Confirm the Reappointment of Lynzie Montague to the Hotel BID Board
22. LF073119-08 – Confirm the Appointments of Mark Bachman, Casey Peterson, Erin Krueger and Tony DeMaro to Three Year Terms and Frank Morrison and Michelle Carr to Two Year Terms to the Public Parking Advisory Board
23. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Torence Ndolo (Rapid Transit System), Kayla Schimmel (Police Department), Joshua McElroy (Police Department)
25. LF073119-03 – Acknowledge June 2019 General Fund Cash Balance Report

- 26. LF073119-06 – Approve Resolution No. 2019-061 a Resolution Declaring Miscellaneous Personal Property Surplus to be Crushed

Resolution #2019-061
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:

From: Police 201
 For Deletion (Crushed):
 2011 CROWN VICTORIA – Unit A118
 VIN# 2FABP7BV6BX112172

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 5th day of August, 2019.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

- 27. LF073119-07 – Acknowledge Report on Retail (on-off sale) Malt Beverage Licenses Eligible for Video Lottery
- 28. LF073119-09 – Set for Hearing August 19, 2019 – Resolution No. 2019-063 A Resolution of Intent to Enter into Lease of Land with Cortez LLC (Hotel Alex Johnson)

RESOLUTION NO. 2019-063
 A RESOLUTION OF INTENT TO ENTER INTO LEASE OF LAND
 WITH CORTEZ, LLC dba HOTEL ALEX JOHNSON
 PURSUANT TO SDCL 9-12-5.2

BE IT RESOLVED by the City Council that the City of Rapid City intends to enter into a lease of real property with Cortez, LLC., dba Hotel Alex Johnson, and

BE IT FURTHER RESOLVED that a copy of this resolution of intent be published once at least ten days prior to the hearing to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, at 6:30 o'clock p.m. on the 19th day of August 2019 or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that following the hearing the City Council may adopt a resolution authorizing a lease upon the terms and conditions as it shall determine in said resolution.

Dated this 5th day of August, 2019.

CITY OF RAPID CITY

s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 29. LF073119-10 – Authorize Mayor and Finance Officer to Sign Additional Purchase Agreement with IPS for 20 Additional Meters, Sensors and Housing Units, Including Warranty, for Downtown Parking Plan
- 30. LF073119-11 – Approve Resolution No. 2019-066 A Resolution Declaring Miscellaneous Personal Property Surplus to be Traded

Resolution #2019-066

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:

- From: Police 201
 For Deletion (Trade):
 2003 JOHN DEERE GATOR
 VIN# W006X4X070729
- 2012 POLARIS RANGER
 VIN# 4XAWH50A2CE290250

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 5th day of August, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 31. LF073119-05 – Accept Property (Tax ID 36699) Donated by Andrew Severson and Jane Severson Cary and Authorize the Mayor and Finance Officer to Sign All Documentation Related to the Donation

CIP Committee Consent Items

- 32. No. CIP071919-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for May 2019.
- 33. No. CIP071919-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
- 34. No. CIP071919-04 – Approve Capital Plan for Fire Vehicles
- 35. No. CIP071919-05 – Approve Capital Plan for Parks & Recreation
- 36. No. CIP071919-06 – Approve Capital Plan for Information Technology

- 37. No. CIP071919-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
- 38. No. CIP071919-02 – Approve Capital Plan for PW Infrastructure

Bid Award Consent Items

- 39. No. CC080519-02.1 – Approve award of total bid for Hanover Drive Drainage Crossing, Project No. 18-2460 / CIP No. 51204 opened on July 30, 2019 to the lowest responsible bidder, R.C.S. Construction, Inc. in the amount of \$289,832.93
- 40. No. CC080519-02.2 – Approve award of total bid for 2019 Roadway Paving Project, Project No. 18-2466 / CIP No. 50297 opened on July 30, 2019 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$115,818.25

END OF CONSENT ITEMS

Mayor read in item (LF073119-02) Approve Resolution No. 2019-060 a Resolution Levying Assessment for Abatement of Nuisances. Sumption asked that Scott and Bridget Henrikson be removed from the list since they already paid their assessment. Motion was made by Roberts, second by Modrick and carried to approve with the exception of the Henrikson's.

RESOLUTION NO. 2019-060
 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 5th day of August, 2019.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

NON-CONSENT ITEMS – Items 41 – 51

Nancy Hilding, President of Prairie Hills Audobon Society, objects to item (LF073119-04). She spoke of an initiated measure from many years ago regarding this topic. She said there was a compromised in 1996. This has been working for 23 years, just leave things as they are. Julie Anderson, also spoke against the item. She wants non-lethal method used to control deer. Trenton Haffley, with South Dakota Game Fish and Parks, spoke in favor of bow hunting. He stated this program is similar to the one they do in Sioux Falls. Jeff Olson, SD Sportsmen Against Hunger, is in favor of deer management and giving the meat to people who need it.

Tonchi Weaver, spokesperson for South Dakota Citizens for Liberty, spoke on item (LF073119-12). She appreciates council trying to save money. However, she doesn't agree that this is the right way. She is against the proposed ordinance.

Ordinances

Ordinance 6345 (LF071019-04) an Ordinance to Repeal the Compass Internal Audit Program by Repealing Chapter 2.95 of the Rapid City Municipal Code. Having passed its first reading on July 15, 2019 motion was made by Lewis, second by Modrick that the title be read the second time. Upon vote being taken, the following voted AYE: Drew, Nordstrom, Strommen, Lewis, Armstrong, Drury, Evans, Roberts and Modrick. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6345 was declared duly passed upon its second reading.

Ordinance 6347 (LF073119-04) an Ordinance to Amend Section 9.28.020 of the Rapid City Municipal Code Relating to Throwing Stones and Missiles. Mayor explained the current ordinance prohibits throwing or shooting anything inside city limits. Modrick voiced concern. She wants to look at previous initiated measure. Evans and Armstrong are also opposed. Haffley explained there would be three designated areas to bow hunt and they would model their program after the program that the City of Sioux Falls has. In response to a question from Armstrong, Biegler said that non-lethal methods such as trapping or relocating are not realistic or cost effective. Motion to approved was made by Lewis, second by Robert that Ordinance 6347 be placed upon its first reading that the title was fully and distinctly read. Motion carried 6 to 3 with Modrick, Evans and Armstrong voting no. Second reading set for Monday, August 19, 2019.

Ordinance 6352 (LF073119-12) an Ordinance Removing the Requirement to have a Runoff Election for Municipal Offices by Repealing Section 1.16.030 of the Rapid City Municipal Code. Mayor explained state statute and the council can decide if they want to follow the same rule. Motion was made by Lewis, second by Drew to approve. Armstrong stated that eliminating the run-off encourages people to vote once. Drew said a run-off election costs extra money and it's emotionally hard for the candidates to keep campaigning and waiting for the outcome. Roberts stated run-offs shouldn't be easy. He is opposed to the ordinance. Motion carried 8-1 with Roberts voting no.

Ordinance 6342 (No. 19RZ022) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for Eileen and Edward Eller for a Rezoning Request from General Agricultural District to Low Density Residential District for property generally described as being located west of the current terminus of W. Minnesota Street, east of Mt. Rushmore Road. Motion was made by Modrick, second by Roberts and carried that Ordinance 6342 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, August 19, 2019.

Ordinance 6343 (No. 19RZ023) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brian Watland for Western Dakota Technical College for a Rezoning Request from Low Density Residential District to Public District for property generally described as being located east of Mickelson Drive, west of Valle Drive and north of Homestead Street. Motion was made by Nordstrom, second by Drury and carried that Ordinance 6343 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, August 19, 2019.

Ordinance 6344 (No. 19RZ024) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for Yasmeen Dream, LLC for a Rezoning Request from General Agricultural District to Medium Density Residential District for property generally described as being located east of Elk Vale Road. Motion was made by Drew, second by Nordstrom and carried that Ordinance 6344 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, August 19, 2019.

Public Works Committee Items

Roberts read in item (PW073019-01) Authorize staff to Advertise for Bids Project No. 2491 / CIP No. 51225 City Hall Administration Center Renovation. Motion was made by Roberts, second by Lewis to approve. Motion carried 8-1 with Evans voting no.

Community Development Items

Mayor read in item (No. 19PL042) - A request by Fisk Land Surveying & Consulting Engineers, Inc. for Magheramore, LLC for a Preliminary Subdivision Plan for proposed Lots 1 to 23 of Darlington Estates Subdivision No. 2, generally described as being located at the current southern terminus of Kimberwick Road. Motion was made by Drew, second by Drury and carried to approve with the following stipulations:

1. Upon submittal of a Development Engineering application, construction plans for Kimberwick Road, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with dry sewer and water mains designed and constructed pursuant to Figure 3-1 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;
2. Upon submittal of a Development Engineering application, construction plans for Darlington Court, Kimberwick Court and Magheramore Court, lane place streets, shall be submitted for review and approval showing the street(s) located in a minimum 50-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with dry sewer and water mains designed and constructed pursuant to Figure 3-1 or the approval of an Exception shall be required. In addition, the cul-de-sac bulb shall be constructed pursuant to Figure 2.13 of the Infrastructure Design Criteria Manual or an Exception shall be required. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;
3. Prior to submittal of a Development Engineering Plan application, construction plans for each of the proposed streets shall be submitted for review and approval showing the construction of sidewalk as a subdivision improvement or a Variance shall be required from the City Council;
4. 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;
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. If determined that domestic flows and required fire flows cannot be provided, then a Covenant Agreement shall be submitted for recording with the Final Plat application stating that fire sprinkler protection shall be provided in all new residential structures 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;
6. Upon submittal of a Development Engineering Plan application, soils data for the proposed lots demonstrating that the soils are suitable for on-site wastewater treatment systems shall be submitted for review and approval;
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 plan shall evaluate existing drainage including but not limited to the capacity of existing drainage, dam, pond and railroad culvert crossing. The drainage report shall also address storm water quantity control and storm water quality treatment. In addition, easements shall 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, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 11. Prior to submittal of a Final Plat application, an alternate street name for Kimberwick Court shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street name shall be shown on the Final Plat document; 12. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal; 13. 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; 14. 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, 15. 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. 19PL049) A request by Dream Design International, Inc. for Eileen and Edward Eller for a Preliminary Subdivision Plan for proposed Lots 1 thru 37 of Block 1 of Scotland Hills Subdivision, generally described as being located west of the current terminus of W. Minnesota Street, east of Mt. Rushmore Road. Motion was made by Modrick, second by Armstrong and carried to approve with the following stipulations: 1. Prior to submittal of a Development Engineering application, the applicant shall continue to coordinate the design of the water system with City staff to ensure that City criteria and design standards are being met; 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, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 3. Upon submittal of a Development Engineering Plan application, construction plans for W. Minnesota Street shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or the approval of an Exception shall be required. In addition, the cul-de-sac bulbs shall be constructed pursuant to Figure 2.13 and the turnarounds with islands shall be constructed pursuant to Section 2.20.1(2) of the Infrastructure Design Criteria Manual or an Exception shall be required. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 4. 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. In addition, easements shall be provided as needed; 5. 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; 6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements shall be dedicated as needed; 7. 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; 8. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and

approval; 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 10. Prior to submittal of a Final Plat application, the property shall be rezoned from General Agriculture District to Low Density Residential District; 11. Prior to submittal of a Final Plat application, the plat document shall be revised to show W. Minnesota Road as W. Minnesota Street; 12. Prior to submittal of a Final Plat application, a Wild Land Fire Mitigation Plan shall be entered into with the Fire Department; 13. Upon submittal of a Final Plat application, a Covenant Agreement shall be submitted for recording securing fire sprinkler protection for all lots and that acceptable building materials and vegetation as per the Rapid City Wildland Urban Interface Standards shall be utilized as per approved Exception 19EX089; 14. Upon submittal of a Final Plat application, a Covenant Agreement shall be submitted for recording securing maintenance of the proposed landscape islands within the street right-of-way; 15. 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; 16. 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, 17. 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. 19PL052) A request by Davis Engineering, Inc. for Reub Family Trust for a Preliminary Subdivision Plan for proposed Lots 8A and 8B of Hills View Subdivision, generally described as being located at 1171 Valley Drive. Motion was made by Lewis, second by Drury and carried to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, the approval of an Exception is required to allow 94 dwelling units with one point of access in lieu of a maximum of 40 dwelling units as per Section 2.6 of the Infrastructure Design Criteria Manual; 2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of five additional feet of right-of-way along Hillside Drive or the approval of an Exception is required. If an Exception is obtained, a copy of the Exception shall be submitted with the Final Plat application; 3. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of 34-feet of right-of-way from the center of the section line highway along Valley Drive or the approval of an Exception is required. If an Exception is obtained, a copy of the Exception shall be submitted with the Final Plat application; and, 4. Prior to submittal of a Final Plat application, the plat document shall be revised to address comments from the Register of Deed's Office as follows: a) The plat title shall be revised to read Lot 8 of Hills View Subdivision in the "formerly" description; b) A signature line shall be added for the notary of the owner acknowledgment to sign; and, c) The notary acknowledgment for the owners shall read "trustees of the trust".

Bid Awards

Mayor read in item (No. CC080519-02.3) Reject all bids for W Main and Jackson Blvd Panel Repair Project, Project No. 19-2513 / CIP No. 50445 opened on July 30, 2019, and reconsider project at a later date. Motion was made by Drury, second by Drew to reject all bids. Tech explained bids came in 50% higher than projected. They will make do with what they have until rebuild happens. Motion carried 9-0 to reject all bids.

PUBLIC HEARING ITEMS – Items 52 – 57

CONSENT PUBLIC HEARING ITEMS – Items 52 – 57

Mayor read in alcohol licenses. Drew stated she needed to abstain from item 56 and Roberts stated he needed to abstain from items 53 and 54. Motion was made by Drury, second by Armstrong to approve items 52-57 with Drew abstaining from item 56 and Roberts abstaining from items 53 and 54. Motion carried.

Alcohol Licenses

52. WV LLC DBA Zymurcracy Beer Company, 4624 Creek Drive Suite 6 and rear of Suite 5 for a Retail (on-off sale) Malt Beverage & SD Farm Wine and Retail (on-off sale) Wine and Cider License TRANSFER from WV LLC DBA Zymurcracy Beer Company, 4624 Creek Drive Suite 6
53. Rod Hanson DBA Lucky Duck Casino Inc., 6639 Wellington Drive for a Retail (on-off sale) Malt Beverage & SD Farm Wine with video lottery TRANSFER from Hideaway Casino, 1575 Lacrosse St Suite D
54. Rod Hanson DBA Lucky Duck Casino Inc., 6639 Wellington Drive for a Retail (on-off sale) Malt Beverage & SD Farm Wine with video lottery TRANSFER from Frankie's LLC DBA Thirsty's (Inactive) 819 Main Street
55. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage license and On-Sale Wine license for an event scheduled for August 15, 2019 at Canyon Lake Activities Center, 2900 Canyon Lake Drive
56. Backroom Productions for a SPECIAL EVENT On-Sale Wine license for an event scheduled October 2, 2019 at Mt. Rushmore Society, 830 Main Street
57. Storybook Island for a SPECIAL EVENT On-Sale Malt Beverage license and On-sale Wine license for an event scheduled for September 6, 2019 at Storybook Island, 1301 Sheridan Lake Road

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

The following bills have been audited:

BILL LIST - AUGUST 5, 2019

P/ROLL PERIOD END 07/06/19, PD 07/12/19	1,932,912.07
P/ROLL PERIOD END 07/20/19, PD 07/26/19	1,944,283.84
SUPP P/ROLL PERIOD END 07/06/19, PD 07/15/19	504.89
SUPP P/ROLL PERIOD END 07/20/19, PD 07/26/19	1,490.39
PIONEER BANK & TRUST, 07/06/19 P/ROLL TAXES, PD 07/12/19	489,409.06
PIONEER BANK & TRUST, 07/20/19 P/ROLL TAXES, PD 07/26/19	490,489.84
PIONEER BANK & TRUST, SUPP 07/06/19 P/ROLL TAXES, PD 07/15/19	68.91
PIONEER BANK & TRUST, SUPP 07/20/19 P/ROLL TAXES, PD 07/26/19	114.02
SOUTH DAKOTA DEPARTMENT OF REVENUE, JUNE19 SALES TAX PAYABLE PD 07/23/19	41,795.73
SOUTH DAKOTA DEPARTMENT OF REVENUE, JUNE19 EXCISE TAX PAYABLE PD 07/23/19	29.24
SOUTH DAKOTA DEPT OF REVENUE, JUNE19 CCTR SALES TAX PAYABLE PD 07/23/19	11,407.93
WELLMARK INC, HEALTH CLAIMS THROUGH 07/05/19, PD 07/11/19	138,583.48
WELLMARK INC, HEALTH CLAIMS THROUGH 07/12/19, PD 07/18/19	376,074.01
WELLMARK INC, HEALTH CLAIMS THROUGH 07/19/19, PD 07/25/19	143,861.39
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/15/19, PD 07/16/19	7,118.95
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/22/19, PD 07/23/19	6,498.90
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/29/19, PD 07/30/19	3,178.97
SDRS-SPECIAL PAY PLAN SPECIAL PAY PLAN FEE-KERIN-FERLEY,NELSON PD07/12/19	90.00
SDRS-SPECIAL PAY PLAN, SPECIAL PAY PLAN FEE-BLOEMENDAAL, S. PD 07/26/19	45.00
BANK WEST, TID56 RUSHMORE CROSSING, PD 07/26/19	43,438.24
BANK WEST, TID65 MINNESOTA ST, PD 07/26/19	1,578.33
BANK WEST, TID70 CATRON BLVD, PD 07/26/19	42,318.90

CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 07/26/19	8,273.95
CITY OF RAPID CITY, TID64 CABELA'S, PD 07/26/19	53,691.63
FIRST INTERSTATE BANK, TID38 HEARTLAND RETAIL CENTER, PD 07/26/19	81,167.53
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 07/26/19	906.12
MARKET SQUARE, TID52 E ST CHARLES ST, PD 07/26/19	13,604.80
US BANK, CREDIT CARD CHARGES, PD 07/31/19	38,297.43
US BANK, CDEV CREDIT CARD CHARGES, PD 07/31/19	702.20
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 07/18/19	30,320.65
BLACK HILLS ENERGY, ELECTRICITY, PD 07/16/19	35,691.21
BLACK HILLS ENERGY, ELECTRICITY, PD 07/22/19	57,892.82
BLACK HILLS ENERGY, ELECTRICITY, PD 07/29/19	7,912.05
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 07/22/19	17,991.63
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 07/29/19	2,332.30
COMPUTER BILL LIST	3,580,417.06
CDEV COMPUTER BILL LIST	15,743.24
SUBTOTAL	9,620,236.71
RSVP, P/ROLL PERIOD END 7/06/19, PD 07/12/19	1,447.12
RSVP, P/ROLL PERIOD END 7/20/19, PD 07/26/19	1,447.11
RSVP, PIONEER BANK & TRUST, 07/06/19 P/ROLL TAXES, PD 07/12/19	412.31
RSVP, PIONEER BANK & TRUST, 07/20/19 P/ROLL TAXES, PD 07/26/19	416.19
RSVP, COMPUTER BILL LIST	45.64
TOTAL	9,624,005.08

Sumption presented the bill list of \$9,624,005.08. Motion was made by Lewis, second by Drew and carried to authorize (No. CC080519-01) 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 Roberts, second by Armstrong and carried to adjourn the meeting at 7:53 p.m.

Dated this 5th day of August, 2019.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)