

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

September 16, 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, September 16, 2019, at 6:30 P.M.

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

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

**ADOPTION OF AGENDA**

Motion was made by Drury, second by Modrick and carried to adopt the agenda.

**AWARDS AND RECOGNITIONS**

Mayor presented the Proclamation for Constitution Week to Debra Shelton of the Daughters of the American Revolution.

Alexandra Licht spoke of her experiences at both Girls State and Girls Nation. She was grateful to have a memorable experience at both.

**CONSENT ITEMS** – Items 3 – 37

Motion was made by Armstrong, second by Drury and carried to approve items 3-37 with the exception of item 26.

***Approve Minutes***

3. Approve Minutes for the September 3, 2019 Regular Council meeting.
4. Approve Minutes for the September 10, 2019 Special Council meeting.

***Alcoholic Beverage License Applications Set for Hearing (October 7, 2019)***

5. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for October 17, 2019 at SDSM&T Pearson Alumni and Conference Center, 330 E Kansas City Street
- 5A. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for November 12, 2019 at Youth and Family Services, 120 E Adams Street
6. Nash-Finch Company DBA Family Fare, 1516 E Saint Patrick Street for a Package (off sale) Liquor license (Inactive) TRANSFER from Eaglecav LLC DBA Sooper Dooper Liquor, 915 E St Patrick Street
7. Wisdom Inc. DBA Wisdom Inc., 2205 N LaCrosse Street for a Retail (on-sale) Liquor License (Inactive) TRANSFER from The Guadalajara's LLC DBA Guadalajara's Mexican Restaurant & Cantina, 2205 N LaCrosse Street
- 7A. Brenda Howard DBA Rare Finds Décor, 1141 Deadwood Ave #3, for a retail (on-off sale) Wine and Cider license

***Public Works Committee Consent Items***

8. PW091019-02: Confirm the new appointment of David Williams to the Historic Preservation Commission and confirm the appointment corrections for John Riker, Chris Wehrle, Patrick Roseland and Jeff Drahota to the Historic Preservation Commission.
9. PW091019-03: Approve Request for Stormwater Drainage Utility Fee Abatement for Daylight Investments III, LLC, for property located at 1700 Seger Dr., Tax ID 42318, in the amount of \$4,739.34 (2018 and 2019)
10. PW091019-04: Authorize Staff to Advertise Bids for Lion Drive Rehabilitation Project No. 18-2474/CIP No. 50549. Estimated Cost \$365,000.00
11. PW091019-05: Authorize staff to Advertise for Bids Project No. 2527 / CIP No. 51249 Star of the West Restrooms
12. PW091019-06: Authorize Staff to Advertise for Bids for Park Drive Storm Sewer Repair, Project No. 19-2483 / CIP No. 51184, Estimated Cost \$60,000.
13. PW091019-07: Approve Change Order 1 F to Underground Construction, Inc. for 7th Street Water Extension St. Cloud to Franklin St. and St. James Sanitary Sewer Mt. Rushmore Rd to 9th St. Project #18-2433/CI P 51199 for an increase of \$12,891.95.
14. PW091019-08: Approve Correction to funding source identified in original award recommendation for bid of 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
15. PW091019-14: Approve Correction to funding source identified in original award recommendation for bid of Joint Sealing/Panel Replacement Cambell Street, Project No. 18-2472 / CIP No. 50445 opened on May 28, 2019 to the lowest responsible bidder, J.V. Bailey Co., Inc. in the amount of \$387,710.80.
16. PW091019-11: Authorize Mayor and Finance Office to Sign Agreement between the City of Rapid City and Yasmeen Dream 111, LLC for Oversize Water Main Cost Reimbursement, not to exceed \$72,200.00, for approximately 1,280 linear feet within the future E Philadelphia Street Right-Of-Way.
17. PW091019-12: Authorize Mayor and Finance Office to Sign Agreement between the City of Rapid City and Yasmeen Dream 111, LLC for Oversize Water Main Cost Reimbursement, not to exceed \$191,000.00, to increase the size of low level water main from 8" to 20" for approximately 820 linear feet and upsize the high level water main from 12" to 16" for approximately 750 linear feet within future E. Anamosa Street Right-Of-Way.
18. PW091019-13: Authorize Mayor and Finance Office to Sign Agreement between the City of Rapid City and Yasmeen Dream 111, LLC to allow conversion of existing 12" Low Level Water Main to High Level Water Main (North Rapid Zone) and payment be made to the City for replacement of their share of the costs for original 12" pipe.
19. PW091019-10: Authorize Mayor and Finance Officer to sign Joint Powers Financial and Maintenance Agreement with the Department of Transportation for Roadway Safety Improvement Project PH 000S(401) PCN 06C6 to install retroreflective back plates on 53 City-owned traffic signals.
20. PW091019-01: Authorize the Solid Waste Division to purchase a recycling baler for the Material Recovery Facility (MRF) from Source Well with vendor Recovery Systems, Inc. for a total cost of \$537,287.00. Funding will be from the Solid Waste Division with a 50% reimbursement from a SDDENR Solid Waste Grant
21. PW091019-09: Authorize Mayor and Finance Office to sign Resolution No. 2019-072 to apply for and, if awarded, accept an SD DENR grant and loan for the Cell 16 Closure/GCCS System, Litter Control Netting Along Perimeter of Cell #18, and Cell #15 Project Analysis, and authorizing the Public Works Director or designee to administer the grant, if awarded.

## RESOLUTION NO. 2019-072

A RESOLUTION SUPPORTING A SOLID WASTE MANAGEMENT GRANT AND LOAN FOR CELL 16 CLOSURE/GCCS SYSTEM, LITTER CONTROL NETTING ALONG PERIMETER OF CELL 18, AND CELL #15 PROJECT ANALYSIS

WHEREAS, the City of Rapid City Solid Waste Division wishes to fund four project components necessary for operation of its Solid Waste Division; and

WHEREAS, the City of Rapid City Solid Waste Division is eligible to apply for a South Dakota Department of Environment and Natural Resources (SD DENR) Solid Waste Management grant and loan for funding of these project; and

WHEREAS, the City Council and Mayor support the need for these projects and support securing grant and loan funding from SD DENR for these projects; and

WHEREAS, the Common Council adopts this Resolution to authorize Public Works staff to take any action necessary to apply for and to administer the SD DENR grant and loan, to facilitate project reimbursement, and to effectuate application and reimbursement requests.

NOW, THEREFORE, BE IT RESOLVED the Common Council authorizes the Mayor and Finance Officer to take any action necessary to apply for this grant and loan and, if awarded, to accept the SD DENR grant and loan.

BE IT FURTHER RESOLVED that the Common Council authorizes the Director of Public Works or his designee to administer the SD DENR grant and loan and to facilitate project reimbursement, and to otherwise act on the City’s behalf to process and fulfill the terms of the SD DENR grant and loan. Such authorization includes, but is not limited to, certification and execution of payment requests on behalf of the City.

I, Steve Allender, Mayor of the City of Rapid City, hereby certify that the foregoing resolution was passed by the City of Rapid City Common Council at a meeting held on the 16 day of September 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

- 22. 19VR004: Murphy Ranch Estates and Murphy's Subdivision – Acknowledge the Tabling of Resolution 2019-067 - A request by Davis Engineering, Inc. for Murphy Brothers Partnership, LLC to consider an application for a Vacation of Right-of-Way for right-of-way adjacent to Lots 1 and 2 of Murphy's Subdivision and Tract F of NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of the current terminus of Knuckleduster Road.
- 23. PW091019-15: Approve Resolution No. 2019-080 Amending the Policy of the City of Rapid City to Defray the Cost of Cleaning of Property Damaged by Sewer Backups.

RESOLUTION # 2019-080

A RESOLUTION AMENDING THE POLICY OF THE CITY OF RAPID CITY TO DEFRAY THE COST OF CLEANING OF PROPERTY DAMAGED BY SEWER BACKUPS

WHEREAS, from time to time a blockage of a portion of the City’s sewer system causes sewage to backflow into private buildings without fault on the part of the City; and

WHEREAS, the City has no legal liability for such events not occasioned by negligence on the part of the City; and

WHEREAS, homeowner's insurance typically does not cover the damage for such events; and

WHEREAS, the City finds that the public health, safety, and interest would be served by having property damaged by sewer backup flows cleaned by commercial cleaners; and

WHEREAS, the Common Council of the City of Rapid City has previously adopted a policy concerning the reimbursement of property owners for damage caused by sewer backups; and

WHEREAS, the Common Council desires to amend said policy.

NOW THEREFORE, BE IT RESOLVED by the City of Rapid City that the City hereby declares the following policy:

1. The City shall provide a reimbursement to help defray the cost of clean up to the owner or renter of a private building which experiences a backflow of sewage from the City sewer system into such building. Such reimbursement shall be according to the terms of this Resolution.
2. The amount of such reimbursement shall be four dollars (\$4.00) per affected square foot per event. The reimbursement is to defray the cost in time and expense for cleaning of the affected area and is not meant to compensate the property owner for loss, damage to, or replacement of real or personal property. If the property owner has insurance which covers the cost of cleanup, the amount of the reimbursement shall be limited to the deductible and other out of pocket costs related to clean up not covered by insurance. "Affected square foot" shall mean each square foot of floor space that came into contact with sewage that flowed from the City sewer system. Any reimbursement above Five Thousand Dollars (\$5,000) requires Council notification at a public meeting. Alternatively, the City shall reimburse such owner or occupant for the cost of rental of cleaning equipment, not to exceed Two Hundred Dollars (\$200).
3. No reimbursement shall be made if the Public Works Director, or their designee, shall determine the obstruction occurred in the service line of the building or was caused by the action or negligence of a person or entity other than the City.
4. Once a claim has been paid, the matter shall be considered settled, and no additional claims may be made or payments processed.
5. Before any reimbursement shall be made, the owner or occupant shall execute a full release and hold harmless agreement releasing and indemnifying the City from any liability arising from the event, and warranting against any future claims against the City arising from that specific event.
6. No agent of the City is authorized to make any representation regarding the City's policy, except to provide copies of this resolution.
7. The City and its agents shall not recommend any particular commercial cleaner; however, the Public Works Department may provide a list of commercial cleaners who have expressed willingness to do such clean-up work.

8. Any reimbursement under this policy shall be made only to the owner or occupant and shall, in no event, be made directly to a commercial cleaner.

9. The City Council of the City of Rapid City shall, in any event, be the authority in determining any interpretation, exception, appeal, or other issues relating to this policy or the operation of the sewer system.

10. For more information on filing a claim, please contact Utility Maintenance at 394-4163.

DATED this 16th day of September, 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

**Legal & Finance Committee Consent Items**

- 24. LF091119-03 – Confirm the New Appointment of Jamie Toennies and the Reappointment of Herb Kron and Judy Duhamel to the Community Investment Committee
- 25. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Marcia Wald (Fire Department), Della Gissel (Library), Elias Martinez (Library), Riley Murphy (Library)
- 27. LF091119-06 – Authorize the Mayor and Finance Officer to sign the 2020 Corporation for National Community Services (CNCS) Grant Application and to Accept if Awarded.
- 28. LF091119-02 – Approve Resolution No. 2019-077 a Resolution Declaring Miscellaneous Personal Property Surplus to be Retired Due to Age and Medical Issues

Resolution #2019-077

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:  
K9 Stryker  
-retiring due to age and medical issues

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 16th day of September, 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:

s/ Pauline Sumption  
Finance Officer

- 29. LF091119-01 – Authorize Mayor and Finance Officer to Sign Presidential Statues Memorandum of Agreement between the City of Rapid City and the City of Presidents Foundation
- 30. LF091119-09 – Authorize Mayor and Finance Officer to Sign Amendment to 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 the Civic Center Expansion Project No. 18-2452

**Community Development Consent Items**

- 31. LF091119-04 – Authorize Mayor and Finance Officer to Sign the State of South Dakota Agreement/Letter of Agreement with the Department of Environmental and Natural Resources for the Air Quality Program
- 32. 08TI001 – Brookfield Subdivision – Approve Resolution No. 2019-071 A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application to Dissolve Tax Increment District No. 67 for property generally described as being located east and west of Haines Avenue and north and south of Country Road

RESOLUTION NO. 2019-071

A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NUMBER SIXTY SEVEN

WHEREAS, the City of Rapid City created Tax Increment District Number Sixty Seven effective February 13, 2009; and

WHEREAS, there are no longer any reimbursable project costs remaining to be paid; and

WHEREAS, the City Council of the City of Rapid City is authorized to dissolve this Tax Increment District pursuant to SDCL 11-9-46(2),

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Number Sixty Seven be and is hereby dissolved.

BE IT FURTHER RESOLVED that any funds which are deposited in the Tax Increment District Number Sixty Seven Special Fund, pursuant to SDCL 11-9-31, be distributed as provided by SDCL 11-9-45.

DATED this 16th day of September, 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

**Bid Award Consent Items**

- 33. CC091619-04.1 – Approve award of total base bid plus Alternate 1, Alternate 2, Alternate 4 and Alternate 5 for City Hall Administration Center Renovation, Project No. 19-2491 / CIP No. 51225 opened on September 10, 2019 to the lowest responsible bidder, MAC Construction Co., Inc. in the amount of \$1,710,000.00.

- 34. CC091619-04.2 – Approve award of total bid for E Saint Francis Street, Project No. 19-2514 / CIP No. 51237 opened on September 10, 2019 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$102,282.50.
- 35. CC091619-04.3 – Approve award of total bid for Gray Fox Court and Fox Run Drive Storm Sewer Outfall Stabilization, Project No. 18-2444 / CIP No. 51167 opened on September 10, 2019 to the lowest responsible bidder, Lind-Exco, Inc. in the amount of \$346,936.17.
- 36. CC091619-04.4 – Approve award of total bid for Tower Court Storm Sewer Outfall Stabilization, Project No. 18-2455 / CIP No. 51203 opened on September 10, 2019 to the lowest responsible bidder, Lind-Exco, Inc. in the amount of \$392,917.38
- 37. CC091619-04.5 – Continue award of bid for One Stationary 75 KVA Natural Gas Fueled Generator and Automatic Transfer Switch opened on September 10, 2019 to the October 7, 2019 Council meeting.

END OF CONSENT ITEMS

Mayor read in item (LF091119-05) Approve Resolution No. 2019-078 a Resolution Levying Assessment for Abatement of Nuisances. Sumption stated that the Secretary of Housing and Urban Development had paid the two assessments for the property at 216 E Fairmont Blvd. Motion was made by Modrick, second by Evans to approve the assessment roll with the exception of items 12 and 13. Motion carried.

RESOLUTION NO. 2019-078  
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 16th day of September, 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

**NON-CONSENT ITEMS** – Items 38 – 43  
**Ordinances**

Ordinance 6348 (LF091119-07) an Ordinance Regarding Supplemental Appropriation #6 for 2019. Motion was made by Modrick, second by Nordstrom and carried that Ordinance 6348 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, October 7, 2019.

Ordinance 6357 (No. 19RZ030) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC for a Rezoning request from Medium Density Residential District to Office Commercial District for property generally described as being located south of Jaffa Garden Way and west of Elderberry Boulevard. Drew was concerned the zoning is not diverse enough. Young confirmed there is enough recreation and open space. Motion passed 8-0. Ordinance 6357 was placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, October 7, 2019.

Ordinance 6358 (No. 19RZ031) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Office Commercial District for property generally described as being located south of Jaffa Garden Way and west of Elderberry Boulevard. Motion was made by Modrick, second by Drury and carried that Ordinance 6358 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, October 7, 2019.

Ordinance 6359 (No. 19RZ032) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Office Commercial District for property generally described as being located south of Jaffa Garden Way and west of Elderberry Boulevard. Motion was made by Modrick, second by Drury and carried that Ordinance 6359 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, October 7, 2019.

Ordinance 6360 (No. 19RZ033) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for John Parker and Rob Scull for a Rezoning Request from Office Commercial District to General Commercial District for property generally described as being located southeast of the intersection of 5th Street and Parkview Drive. Motion was made by Drew, second by Drury and carried to approve in conjunction with associated Final Planned Development Overlay (File #19PD038) and that Ordinance 6360 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, October 7, 2019.

#### ***Public Works Committee Items (NONE)***

Mayor stated that council needed to decide the effective date on item PW091019-15. Landeen said it could be retroactive as of January 1, 2019 or it could be today's date. Mayor suggested that January 1, 2019 be the effective date. Motion was made by Modrick, second by Lehmann that the effective date of resolution 2019-080 be January 1, 2019.

#### ***Legal & Finance Committee Items***

Drury read in item (LF091119-08) Approve Audit Report of City of Rapid City – 2018 Financial and Compliance Report. Sumption stated that the second audit review did not take place because an auditor had an emergency. Motion was made by Lehmann, second by Nordstrom and carried to schedule a special council meeting on Wednesday, September 25, 2019 at 12:00 p.m.

#### **PUBLIC HEARING ITEMS** – Items 44 – 53

#### **CONSENT PUBLIC HEARING ITEMS** – Item 44 – 50

#### ***Alcohol Licenses***

44. Moyle Petroleum Company DBA Common Cents Food Store #125, 1821 N. Elk Vale Rd for a Package (off sale) Liquor license TRANSFER from Moyle Petroleum Company DBA Sheridan Lake Common Cents, 2808 Sheridan Lake Road



45. Moyle Petroleum Company DBA Common Cents Food Store #125, 1821 N. Elk Vale Rd for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from Shooters Inc. DBA Shooters Wood Fire Grill (Inactive), 2424 West Main Street
46. Moyle Petroleum Company DBA Sheridan Lake Common Cents #105, 2808 Sheridan Lake Rd, for a Retail (on-off sale) Wine and Cider license
47. Naja Shrine Temple for a SPECIAL EVENT On-Sale Malt Beverage license for an event scheduled for September 28, 2019 at Rapid City Shrine Center, 4091 Sturgis Road
48. Rapid City Catholic School System for a SPECIAL EVENT On-sale Malt Beverage license, On-sale Wine license and off-sale package wine license for an event scheduled for December 6, 2019.
49. Sheree Schriver DBA Jambonz Deux, 740 Mt. View Road for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Retail (on-off sale) Wine and Cider license TRANSFER from Sheree Schriver DBA Jambonz Deux, 516 7<sup>th</sup> Street
50. First National Bank Rapid City DBA Ramada Hotel & Suites F&B, 1902 N. LaCrosse Street for a Retail (on-sale) Liquor license TRANSFER from LaCrosse Hospitality Management LLC DBA Ramada, 1902 N LaCrosse Street

Motion was made by Armstrong, second by Strommen and carried to approve Items 44-50.

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 51 – 53

Ordinance 6353 (No. 19RZ027) Second Reading, Ordinance 6353, 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 Commercial District to Office Commercial District for property generally described as being located northwest of Jaffa Garden Way. Having passed its first reading on September 3, 2019 motion was made by Nordstrom, second by Drury that the title be read the second time. Upon vote being taken the following voted AYE: Strommen, Armstrong, Lehmann, Drury, Evans, Drew, Nordstrom, and Modrick. NO: None, whereupon the Mayor declared the motion passed and Ordinance 6353 was declared duly passed upon its second reading.

Ordinance 6354 (No. 19RZ028) Second Reading, Ordinance 6354, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for Community Enhancement LLC II for a Rezoning Request from General Commercial District to Office Commercial District for property generally described as being located south of Jaffa Garden Way. Having passed its first reading on September 3, 2019 motion was made by Modrick, second by Nordstrom that the title be read the second time. Upon vote being taken the following voted AYE: Strommen, Armstrong, Lehmann, Drury, Evans, Drew, Nordstrom, and Modrick. NO: None, whereupon the Mayor declared the motion passed and Ordinance 6353 was declared duly passed upon its second reading.

19VR003 - Airport Addition - Deny Resolution 2019-058 - A request by Fisk Land Surveying and Consulting Engineers, Inc for David Ritter to consider an application for a Vacation of Right-of-Way for that portion of Wood Avenue right-of-way adjoining Blocks 11 and 12 of Airport Addition, located in the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located within Wood Avenue lying south of Knollwood Drive. Tech indicated that this area is identified as a future connector and the city should not give up the right-of-way. Motion was made by Nordstrom, second by Strommen and carried to deny the resolution.

**EXECUTIVE SESSION**

Motion was made by Armstrong, second by Drury and carried to go into Executive Session at 7:03 p.m. to consult with legal counsel regarding proposed or pending litigation pursuant to SDCL 1-25-2(3). Motion was made by Armstrong, second by Lehmann and carried to come out of Executive Session at 8:11 p.m. with all members present except Drury. She returned at 8:12 p.m.

**BILLS**

The following bills have been audited:

BILL LIST - SEPTEMBER 16, 2019

P/ROLL PERIOD END 08/31/19, PD 09/06/19	1,847,006.71
PIONEER BANK & TRUST, 08/31/19 P/ROLL TAXES, PD 09/06/19	485,240.23
WELLMARK INC, HEALTH CLAIMS THROUGH 09/06/19, PD 09/12/19	157,625.37
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/02/19, PD 09/03/19	3,565.53
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/09/19, PD 09/10/19	3,945.58
SOUTH DAKOTA RETIREMENT SYSTEM, AUG19 RETIREMENT, PD 09/09/19	473,418.11
BERKLEY ASSIGNED RISK SERVICES, AUG19 CLAIMS, PD 09/06/19	44,209.06
US BANK, CREDIT CARD CHARGES, PD 08/30/19	66,486.31
US BANK, CDEV CREDIT CARD CHARGES, PD 08/30/19	840.44
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 09/10/19	21,018.30
BLACK HILLS ENERGY, ELECTRICITY, PD 09/10/19	38,747.31
COMPUTER BILL LIST,	3,688,483.90
CDEV COMPUTER BILL LIST	1,208.09
SUBTOTAL	6,831,794.94
RSVP, P/ROLL PERIOD END 8/31/19, PD 09/06/19	1,447.13
RSVP, PIONEER BANK & TRUST, 08/31/19 P/ROLL TAXES, PD 09/06/19	412.31
RSVP, COMPUTER BILL LIST	201.26
TOTAL	6,833,855.64

Sumption presented the bill list of \$6,833,855.64. Motion was made by Nordstrom, second by Modrick and carried to authorize (No. CC091619-01) 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 Modrick, second by Armstrong and carried to adjourn the meeting at 8:12 p.m.

Dated this 16th day of September, 2019.

ATTEST:

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

(SEAL)

CITY OF RAPID CITY

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Mayor