

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

October 7, 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, October 7, 2019, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Ritchie Nordstrom, Lisa Modrick, Greg Strommen, John Roberts, Laura Armstrong, Chad Lewis, 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: None.

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, Engineering Project Manager Ted Johnson, Engineering Division Manager Dan Coon, Long-Range Planner Kip Harrington, Parks and Recreation Director Jeff Biegler and Administrative Coordinator Heidi Weaver-Norris.

**ADOPTION OF AGENDA**

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

**AWARDS AND RECOGNITIONS**

Mayor Allender, along with Jeff Biegler, Chief Karl Jegeris, Assistant Chief Jason Culberson, and Dan Coon presented the following individuals with their Employee Years of Service Recognitions: Amy Graves, Christopher Hall, Kyle Akers, Richard Holt, Jeffrey Barber and Jeffrey Haberstroh. They were thanked for their service and dedication to the City of Rapid City.

Lysann Zeller presented the Sustainability Award to the Fork Real Community Café. Rhonda and David Pearcy accepted the award and thanked everyone.

Mayor Allender presented the World Habitat Day Proclamation to Scott Engmann, Executive Director of the Black Hills Habitat for Humanity. Engmann thanked all involved and looked forward to helping with more projects.

**GENERAL PUBLIC COMMENT**

Darla Drew called a point of privilege. She was thankful that over 200 people could exercise their right to protest in a peaceful manner. She indicated that environmental activists Greta Thunberg and Tokatawin Iron Eyes spoke eloquently. She thanked Laura Armstrong and all that were involved for keeping it peaceful and safe. Armstrong stated that it was a remarkable event. She was proud of Rapid City today. She said it was peaceful, positive, productive, and powerful. She also thanked the police department for keeping everyone safe.

**NON-PUBLIC HEARING ITEMS** -- Items 4 – 50

**CONSENT ITEMS** – Items 4 – 44

The following item was removed from the Consent Items:

44. 19TP025 – Authorize the Mayor and Finance Officer to Sign the Professional Services Agreement for the Sixth and Omaha Street Pedestrian and Bicycle Crossing Study and Sixth Street Promenade Corridor Master Plan with Felsburg Holt & Ullevig in an Amount not to exceed 125,097.00.

Motion was made by Lewis, second by Armstrong and carried to approve items 4-44 with the exception of item 44.

**Approve Minutes**

4. Approve Minutes for the September 16, 2019 Regular Council meeting.
5. Approve Minutes for the September 25, 2019 Special Council meeting.

**Alcoholic Beverage License Applications Set for Hearing (October 21, 2019)**

6. Pennington County Democratic Party for a SPECIAL EVENT On-Sale Malt Beverage license for an event scheduled for November 3, 2019 at Canyon Lake Activity Center, 2900 Canyon Lake Dr.
7. PV Rapid LLC DBA Puerto Vallarta Mexican Restaurant & Tequila Bar, 2205 N Lacrosse Street for a Retail (on-sale) Liquor License (Inactive) TRANSFER from Wisdom, Inc. DBA Wisdom Inc., 2205 N. Lacrosse Street
8. Pacific Pearl Hotel Mgmt – Pierre, LLC DBA Ramada by Wyndham, 1902 N. Lacrosse Street for a Retail (on-sale) Liquor License TRANSFER from First National Bank Rapid City DBA Ramada Hotel & Suites F&B, 1902 N. Lacrosse Street
9. OC Rapid City LLC DBA Old Chicago Restaurant, 1718 Eglin Street for a Retail (on-sale) Liquor – Restaurant license TRANSFER from Black Hills BBQ Inc. DBA Famous Dave’s BBQ, 1718 Eglin Street

**Public Works Committee Consent Items**

10. PW100119-01: Confirm the reappointments of Galen Hoogestraat, Kelly Arguello (3-mile Radius), Mike Quasney and Mike Gollither to the Planning Commission
11. PW100119-02: Confirm the reappointment of Brittany Neiles; Chris Wehrle and Patrick Roseland to the Historic Preservation Commission.
12. PW100119-03: Approve Change Order 1 F to Western Construction, Inc. for Park Drive Overlay Project. Project #18-2475/CIP 50798 for an increase of \$5,706.23.
13. PW100119-04: Approve Change Order 1 F to Bituminous Paving, Inc. for 2019 Chip Seal Project. Project #18-2468/CIP 50844 for a decrease of \$5,628.25.
14. PW100119-05: Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and Bartlett & West for Final Design, Bidding and Construction Professional Services for Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project Number 14-2178/ CIP 50812.CD, in the amount of \$133,142.
15. PW100119-06: Authorize Mayor and Finance Officer to sign the “South Dakota Department of Transportation Agreement for Use and Restoration of Detour and/or Wet Weather Detour” for the LaCrosse Street Interchange Utility Improvements, Project No. 16-2318 / CIP No. 51108.
16. PW100119-07: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and FMG Engineering, Inc. for Wildwood Area Reconstruction Projects, Project No. 19-2504 / CIP No. 51004. In the amount of \$393,101.00.
17. PW100119-08: Authorize Mayor and Finance Officer to Sign an Amendment to Agreement Number 614730 with the State of South Dakota Department of Transportation for cost-sharing and property transfers between the City and the State for City project W. Omaha Street Utilities – Sheffer Street to 12th Street, Project No. 16-2099 / CIP 50904, State projects P 0231(13)79 PCN 03CP, NH 0044(167)44 PCN 027K and P 00445(00) PCN 06WX.
18. PW100119-09: Authorize staff to re-advertise for W Main and Jackson Blvd Panel Repair Project, Project No. 19-2513 / CIP 50445 for \$260,000.
19. PW100119-10: Authorize Staff to Advertise for Bids for Knollwood Drainage Basin Element 3 Improvement, Project No. 19-2526 / CIP No. 51248, Estimated Cost \$170,000.
20. PW100119-11: Approve Authorization for Staff to Seek Proposals for Engineering Services for Canyon Lake District Streets Reconstruction, Project No. 19-2535/ CIP No. 51098.
21. PW100119-12: Authorize Mayor and Finance Officer to sign an agreement between the City of Rapid City and Richard and Suzanne Gabrielson for construction of a public sewer main along Jake Road.

22. PW100119-14: Approve Extension of contract bid to the following contractors for the Parking Lot Contracts for the 2019-2020 snow season: G.J. Holsworth Lots 6-2 and 9, JMD Excavating Lots 4, 5, 7, 8 and West Boulevard Lot.
23. PW100119-15: Approve extension of contract bid to the following contractors for the Operated Equipment Rental for Street Snow Removal contract for the 2019-2020 snow season: Mainline Contracting, Tru-Form Contracting, Lind-Exco, Seka Corporation, Site Works Specialists and JMD Excavating.
24. PW100119-17: Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Tower Road Stabilization Project, Project No. 19-2537/ CIP No. 51254 in the amount of \$41,650.00
25. PW100119-16: Authorize Mayor and Finance Officer to sign agreement between the City of Rapid City and Dakota Pump, Inc. (DPI) for Professional Services Supervisory Control and Data Acquisition (SCADA) improvements associated with the Water Reclamation Facility Digester MCC and UV/Admin. Transfer Switch Replacement, Project No. 19-2485/CIP No. 51216 in the amount of \$6,780.00.
26. 19TP026: Authorize Mayor and Finance Officer to sign SD DOT Authorization Form designating Patsy Horton and Kip Harrington as Bidding Administrators for Rail Proposers
27. PW100119-17: Approve Memorandum of Understanding between the City of Rapid City, SD Game, Fish and Parks, SD Sportsmen Against Hunger and BH Sportsmen Club, Inc., for operation of Rapid City's annual deer harvest.

***Legal & Finance Committee Consent Items***

28. LF100219-08 – Confirm the New Appointments of Alan Solano and Liz Hamburg and the Reappointment of Judy Duhamel and Jamie Toennies to the Community Investment Committee.
29. LF100219-07 – Authorize the Mayor and Finance Officer to Sign and Accept the SAMHSA Garrett Lee Smith/Tribal Youth Suicide Sub-Award.
30. LF100219-09 – Authorize Staff to Apply for and Accept if Awarded the Fire Adapted Communities Learning Network Grant.
31. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Danielle High Bear (Parks and Recreation), Lynne Enochson (Parks and Recreation), Ashley Vincent (Parks and Recreation), Bruce Conger (Parks and Recreation)
32. LF100219-01 – Approve Request for Property Tax Abatement as follows: Bruce Nerison on Behalf of Daylight Investment III LLC; 2017, \$3,351.90; and 2018, \$3,438.52 [Combined Total for all Rapid City: \$6,790.42] Assessed Value Based on 9.7 Acre Site, 1.7 Acres is the Actual Size
33. LF100219-02 – Nordstrom moved to Acknowledge August 2019 General Fund Cash Balance Report. Second by Lehmann. Motion carried.
34. LF100219-03 – Acknowledge July 2019 Sales Tax Report
35. LF100219-11 – Approve Resolution No. 2019-082 a Resolution Authorizing the Issuance and Sale of Airport Revenue Refunding Bonds, Series 2019A (PFC Supported)

RESOLUTION NO. 2019-082

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF AIRPORT REVENUE REFUNDING BONDS, SERIES 2019A (PFC SUPPORTED), TO REFINANCE THE COST OF IMPROVEMENTS TO THE RAPID CITY REGIONAL AIRPORT AND DEFINING THE TERMS AND MANNER OF PAYMENT OF THE BONDS AND THE SECURITY THEREFOR

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota (the "City"), as follows:

Section 1. Recitals.

1.1 Pursuant to Chapter 50-7, South Dakota Codified Laws and Rapid City Code of Ordinances, Section 2.72.010 et seq., the Rapid City Regional Airport (the "Airport") is owned by the City and operated by the Board of Rapid City Regional Airport (the "Board").

1.2 The City has heretofore issued its Airport Revenue Refunding Bonds, Series 2011A (PFC Supported) (the "Series 2011A Bonds"), dated as of March 1, 2011, in the aggregate principal amount of \$11,675,000, pursuant to an Indenture of Trust, dated as of December 1, 2010, as supplemented by a First Supplemental Indenture of Trust, dated as of March 1, 2011, each between the City and The First National Bank in Sioux Falls, in Sioux Falls, South Dakota. The proceeds of the Series 2011A Bonds were used to refund the City's Airport Revenue Bonds, Series 2010A (PFC Supported), which were issued to finance a portion of the costs of remodeling of and additions to the existing terminal at the Airport, together with related costs (collectively, the "Project").

1.3 The City desires to refinance the Project by the issuance of its Airport Revenue Refunding Bonds, Series 2019A (PFC Supported) (the "Series 2019A Bonds") the proceeds of which will be used to refund all or a portion of the Series 2011A Bonds. The aggregate principal amount of the Series 2019A Bonds shall not exceed \$9,615,000. The Series 2019A Bonds will be issued pursuant to this resolution, a resolution expected to be adopted by the Board on October 8, 2019 (the "Board Resolution"), and an Indenture of Trust (the "Indenture") to be entered into by the City and U.S. Bank National Association, as trustee.

1.4 Under the provisions of South Dakota Codified Laws, Chapters 50-7 and 6-8B (the "Act"), and Sections 142 of the Internal Revenue Code of 1986, as amended (the "Code"), the City is authorized to issue the Series 2019A Bonds. The Series 2019A Bonds shall be special, limited obligations of the City payable, as provided in the Indenture, from passenger facility charges and revenues of the Airport. The Series 2019A Bonds to be issued are not general obligations of the City, and the general credit and taxing powers of the City are not pledged to the payment thereof.

Section 2. Approval of Issuance of the Series 2019A Bonds. The City hereby approves the issuance of the Series 2019A Bonds pursuant to the Indenture, provided that the Series 2019A Bonds shall mature not later than December 1, 2035 and provided that debt service savings as a result of the refunding has a net present value of at least thirty percent (30%).

Section 3. Official Statement. The Mayor, Finance Officer and City Attorney are authorized, in cooperation with the Underwriter and President and Secretary of the Airport Board, to prepare an Official Statement to be distributed to prospective purchasers of the Series 2019A Bonds. The Mayor and Finance officer are hereby authorized and directed to approve, and, if requested, to execute the Official Statement.

Section 4. Authorization of Documents. In connection with the authorization, issuance and delivery of the Series 2019A Bonds, the officers designated by Section 5 of this Resolution shall enter into, execute and deliver the following agreements and documents:

4.1 the Indenture to provide for the issuance of the Series 2019A Bonds and setting forth the terms thereof;

4.2 the Bond Purchase Agreement or similar agreement providing for sale of Series 2019A Bonds;

4.3 a continuing disclosure agreement or undertaking satisfying the requirements of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended; and

4.4 such other documents, agreements or instruments as may be necessary to make covenants and recite facts required to demonstrate the validity and enforceability of the Series 2019A Bonds under the laws of the State of South Dakota and to assure the exclusion of the interest thereon from the gross income of the owners of the Series 2019A Bonds under the Internal Revenue Code of 1986, as amended, and to effectuate the terms and intent of this Resolution. The execution and delivery of such indenture, agreements and documents is hereby authorized and directed, the indenture, agreements and documents to be in such form and to contain such terms, consistent with this Resolution, as the officers designated by Section 5 hereof shall determine to be necessary and desirable.

Section 5. Officers. The Mayor, Finance Officer and City Attorney of the City are hereby authorized and directed to execute and deliver the Indenture, agreements and documents authorized by Section 4 hereof. Execution and delivery of such items by the Mayor, Finance Officer and City Attorney shall constitute evidence that such items are consistent with the terms of this Resolution and have been duly authorized, executed and delivered by the City and are enforceable against the City in accordance with their terms, subject to customary exceptions relating to bankruptcy, reorganization, insolvency and other laws affecting creditors' rights. The Mayor, Finance Officer and City Attorney are further authorized to take such other actions as may be required to effectuate the terms and intent of this Resolution for the issuance of the

Bonds and security therefor, including the solicitation and acceptance of proposals for credit enhancement, if any, of the Bonds and funding and provision of the reserve fund therefor. In the event of the absence or disability of the Mayor, Finance Officer or City Attorney, the acting Mayor or Finance Officer, as applicable, are hereby authorized to act in the place and stead of the Mayor, Finance Officer and City Attorney, and to take all actions and execute all documents approved hereby.

Section 6. Retention of Underwriter and Bond Counsel. The City hereby retains D.A. Davidson & Co., in Omaha, Nebraska, as senior managing underwriter (the "Underwriter"). The City hereby retains the firm of Dorsey & Whitney LLP, Minneapolis, Minnesota, to act as bond counsel with respect to the Series 2019A Bonds.

Section 7. Amendment. This resolution may be amended from time to time, prior to the issuance of the Series 2019A Bonds, by an administrative resolution adopted by the City.

Section 8. Effective Date. This resolution shall become effective in accordance with Section 9-19-8, South Dakota Codified Laws.

Dated this 7th day of October, 2019.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

36. LF081419-08 – Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Yasmeeen Dream, LLC, for Construction of Drainage Channel on Johnson Ranch Property.

**Community Development Consent Items**

37. LF100219-04 – Authorize the Mayor and Finance Officer to Sign the FY2019 Community Development Block Reallocation Grant Contract for Abbott House, Inc.
38. LF100219-05 – Authorize the Mayor and Finance Officer to Sign the FY2019 Community Development Block Reallocation Grant Contract and the Indenture of Restrictive Covenants for Feeding South Dakota
39. LF100219-06 – Authorize the Mayor and Finance Officer to Sign the FY2019 Community Development Block Reallocation Grant Contract and the Indenture of Restrictive Covenants for JB Holdings
40. LF100219-10 – Approve the Proposed Amendments to the FY2018 Annual Action Plan and 30-Day Comments if Applicable
41. 19TP022 – Approve the 2020 Unified Planning Work Program – Final Report
42. 19TP023 – Approve the Agreement between the City of Rapid City and the South Dakota Department of Transportation for Accomplishing the Rapid City Area Transportation Planning Process in the Amount of \$533,684.62
43. 19TP024 – Approve the 2019 Unified Planning Work Program Amendment #19-03

**END OF CONSENT ITEMS**

Mayor read in item (19TP025) Authorize the Mayor and Finance Officer to Sign the Professional Services Agreement for the Sixth and Omaha Street Pedestrian and Bicycle Crossing Study and Sixth Street Promenade Corridor Master Plan with Felsburg Holt & Ullevig in an Amount not to exceed 125,097.00. Young stated that approximately 82% of the money to fund the study would come from federal funds. Those funds can only be allocated toward long-range planning projects. Young explained the duties of the Metropolitan Planning Organization. Drew wanted local businesses to be part of the study. Harrington explained that the SDDOT would need to be involved with the project. He also said once the study is completed, the Planning Department can apply for another federal grant to help fund the actual project. Roberts is against the study. He is concerned about the price and the safety issues that lowering the road could cause. Motion was made by Nordstrom, second by Drew to approve. Lewis spoke in favor of the study. Modrick wanted to know the number of people who cross Omaha each day. Harrington said the state has control over the light, the city helps maintain it. Motion failed 5-5 with Lehmann, Drury, Modrick, Roberts and Strommen voting no. Mayor Allender could not break the tie vote since it involves spending city money.

**NON-CONSENT ITEMS** – Items 45 – 50**Ordinances**

Ordinance 6348 (LF091119-07) Regarding Supplemental Appropriation #6 for 2019. Having passed its first reading on September 16, 2019 motion was made by Nordstrom, second by Drew that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drew, Nordstrom, Lewis, Modrick, Evans, Armstrong, Roberts, Drury and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6348 was declared duly passed upon its second reading.

Ordinance 6362 (No. 19RZ034) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Renner Associates, LLC for Roadside Outdoor Advertising, LLC for a Rezoning Request from Office Commercial District to Low Density Residential District II for property generally described as being located north of Tower Road. Motion was made by Drury, second by Lehmann and carried that Ordinance 6362 be placed upon its first reading and the title was fully and distinctly read and second reading set for October 21, 2019.

Ordinance 6355 (19OA005) An Ordinance Amendment Amending Title 17 of the Rapid City Municipal Code to Exempt Small Wireless Facilities from the Definition of Microcell Wireless Communication Facilities. Motion was made by Drew, second by Drury and carried that Ordinance 6355 be placed upon its first reading and the title was fully and distinctly read and second reading set for October 21, 2019.

***Public Works Committee Items***

Roberts read in item (PW100119-13) A request from Deborah and Harold Steele for Council Authorization allowing the City of Rapid City (City) to provide water service outside City Limits for property located at 2905 Bunker Drive by Allowing an exception from the requirement that property adjacent to City limits be required to annex prior to obtaining City water service, with the stipulation that an agreement be drafted between the City and the property owner meeting the requirements of Resolution No. 2014-092 for non-contiguous property. Motion was made by Roberts, second by Modrick and carried to approve with the stipulation that an agreement be drafted.

***Community Development Items***

Mayor read in item (No. 19PL078) A request by Centerline for Lazy P-6 Land Co., Inc. for a Preliminary Subdivision Plan for proposed Lot 21 of Block 1 of Gemstone Subdivision, generally described as being located east of 5th Street, north of Sandra Lane. Motion was made by Drury, second by Roberts to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for the proposed Access and Utility Easement shall be submitted for review and approval showing the street located in a minimum 50-foot wide easement and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a lane place street or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 1. Upon submittal of a Development Engineering Plan application, construction plans for Elm Avenue shall be submitted for review and approval showing the dedication of 50 feet of right-of-way, half of the 100 feet of right-of-way required for a minor arterial street, and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for Sandra Lane 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 for a local street or shall meet criteria for obtaining an Exception or Variance (sidewalk). 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, 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. In particular, the water plans shall include the extension of a water main to serve the proposed lot. The design report shall also 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. In particular, the sewer plans shall include the extension of a sewer main to serve the proposed lot if extended from Topaz Lane. The design report shall also 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 if subdivision improvements are required. 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, 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; 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, the proposed Access and Utility Easement shall be recorded at the Register of Deed's Office as a miscellaneous document. In addition, the recording document number shall be shown on the Final Plat document; 12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the recording information for the previously vacated section line highway located along the north lot line of proposed Lot 21; 13. Prior to submittal of a Final Plat application, the plat document shall be revised to show the correct year, "2019", on all applicable certificates. In addition, the plat shall be revised to show the "Community Planning & Development Services Director" as the "Community Development Director". The plat shall also be revised to add a timeline to the Register of Deed's Certificate; 14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed Major Drainage Easement; 15. 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, 16. 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 (No. CC100719-02.1) Award of bid to Cummins Sales and Service for \$28,125.00, for One Stationary 75 KVA Natural Gas Fueled Generator and Automatic Transfer Switch opened on September 10, 2019. Motion was made by Nordstrom, second by Modrick and carried to approve.

### **PUBLIC HEARING ITEMS** – Items 51 – 59

### **CONSENT PUBLIC HEARING ITEMS** – Items 51 – 55

### ***Alcohol Licenses***

51. 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
52. 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
53. 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
54. 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
55. Brenda Howard DBA Rare Finds Décor, 1141 Deadwood Ave #3, for a retail (on-off sale) Wine and Cider license

Motion was made by Armstrong, second by Lewis and carried to approve items 51-55.

END OF CONSENT PUBLIC HEARING CALENDAR

### **NON-CONSENT PUBLIC HEARING ITEMS** – Items 56 – 59

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. Having passed

its first reading on September 16, 2019 motion was made by Drury, second by Modrick that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drew, Nordstrom, Lewis, Modrick, Evans, Armstrong, Roberts, Drury and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6357 was declared duly passed upon its second reading.

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. Having passed its first reading on September 16, 2019 motion was made by Nordstrom, second by Roberts that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drew, Nordstrom, Lewis, Modrick, Evans, Armstrong, Roberts, Drury and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6358 was declared duly passed upon its second reading.

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. Having passed its first reading on September 16, 2019 motion was made by Lewis, second by Lehmann that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drew, Nordstrom, Lewis, Modrick, Evans, Armstrong, Roberts, Drury and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6359 was declared duly passed upon its second reading.

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. Having passed its first reading on September 16, 2019 motion was made by Modrick, second by Roberts that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drew, Nordstrom, Lewis, Modrick, Evans, Armstrong, Roberts, Drury and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6360 was declared duly passed in conjunction with associated Final Planned Development Overlay (File #19PD038) upon its second reading.

**BILLS**

The following bills have been audited:

**BILL LIST - OCTOBER 7, 2019**

P/ROLL PERIOD END 09/14/19, PD 09/20/19	1,948,268.40
SUPP P/ROLL PERIOD END 09/14/19, PD 09/24/19	1,600.00
PIONEER BANK & TRUST, 09/14/19 P/ROLL TAXES, PD 09/20/19	494,738.98
SOUTH DAKOTA DEPARTMENT OF REVENUE, AUG19 SALES TAX PAYABLE PD 09/18/19	42,494.60
SOUTH DAKOTA DEPARTMENT OF REVENUE, AUG19 EXCISE TAX PAYABLE PD 09/18/19	154.52
SOUTH DAKOTA DEPARTMENT OF REV AUG19 CCTR SALES TAX PAYABLE PD 09/18/19	1,359.65
WELLMARK INC, HEALTH CLAIMS THROUGH 09/13/19, PD 09/19/19	127,842.28
WELLMARK INC, HEALTH CLAIMS THROUGH 09/20/19, PD 09/26/19	292,361.32
WELLMARK INC, HEALTH CLAIMS THROUGH 09/27/19, PD 10/03/19	145,748.67
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/16/19, PD 09/17/19	3,923.50
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/23/19, PD 09/24/19	2,596.53
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/30/19, PD 10/01/19	4,397.48

SDRS-SPECIAL PAY PLAN SPECIAL PAY PLAN FEE-BERRY, OETKER, SMITH, SMITH PD 09/20/19	180.00
BANK WEST, TID47 TOWER RD, PD 09/25/19	1,775.69
BANK WEST, TID54 RAINBOW RIDGE, PD 09/25/19	3,071.65
BANK WEST, TID65 MINNESOTA ST, PD 09/25/19	2,177.64
CITY OF RAPID CITY, TID69 NORTH FIRE STATION, PD 09/25/19	189,904.83
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV PD 09/25/19	4,516.12
US BANK, CREDIT CARD CHARGES, PD 10/01/19	40,686.02
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 09/16/19	32,845.49
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 09/24/19	1,410.90
BLACK HILLS ENERGY, ELECTRICITY, PD 09/24/19	15,193.14
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 09/24/19	13,106.70
COMPUTER BILL LIST	5,243,139.79
CDEV COMPUTER BILL LIST	27,092.99
SUBTOTAL	8,640,586.89
RSVP, P/ROLL PERIOD END 9/14/19, PD 09/20/19	1,447.13
RSVP, PIONEER BANK & TRUST, 09/14/19 P/ROLL TAXES, PD 09/20/19	416.19
RSVP, COMPUTER BILL LIST	114.37
TOTAL	8,642,564.58

Sumption presented the bill list of \$8,642,564.58. Motion was made by Roberts, second by Drury and carried to authorize (No. CC100719-01) 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 Armstrong, second by Lehmann and carried to adjourn the meeting at 7:37 p.m.

Dated this 7th day of October, 2019.

ATTEST:

CITY OF RAPID CITY

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

\_\_\_\_\_  
Mayor

(SEAL)