

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

January 6, 2020

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

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

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

**ADOPTION OF AGENDA**

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

**AWARDS AND RECOGNITIONS**

Mayor Allender and Jeff Biegler recognized Charles Chercus, of the Parks Department, for his 30 years of service. They thanked him for his hard work and dedication to the city.

**PRESENTATION**

The Sustainability Committee Award was presented to Et-i-quette Catering Co., owned by Kimberly and Brandon Brave Heart, by Mayor Allender, Bill Evans and Lysann Zeller. They were recognized for their sustainable business practices that focus on the areas of using local, organic foods, recycling and waste reduction.

Dr. Jim Rankin, President of the South Dakota School of Mines and Technology, gave a presentation to the council regarding the campus master plan for SDSM&T. He spoke of many innovative ideas for improvements to the campus and their vision to eventually connect with downtown Rapid City.

**NON-PUBLIC HEARING ITEMS** -- Items 4 – 37

**CONSENT ITEMS** – Items 4 – 35

32. No. CIP122019-05 – Approve Capital Plan for Parks & Recreation

Motion was made by Lewis, second by Armstrong and carried to approve items 4-35 with the exception of item 32.

***Approve Minutes***

4. Approve Minutes for the December 16, 2019 Regular Council meeting.
5. Approve Minutes for the December 26, 2019 Special Council meeting.

***Vacations of Right-Of-Way Set for Hearing (February 3, 2020)***

6. No. 19VR005 - A request by Ted Edwards for Menard, Inc. for a Vacation of Right-of Way for property generally described as being located northeast of the intersection of Camden Boulevard and East North Street.

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

7. Sodaco Inc. DBA Comfort Suites, 1333 N. Elk Vale Rd for a Retail (on-sale) Liquor License TRANSFER from Heinsel Investments LLC DBA Comfort Suites, 1333 N Elk Vale Rd

**Public Works Committee Consent Items**

8. PW123119-01: Confirm the reappointments of Joe Jarding, Kristofer James and Doug Wilson to the Rapid City Trenching Board.
9. PW123119-02: Confirm the reappointment of Karen Gundersen Olson to the Parks & Recreation Advisory Board
10. PW123119-03: Approve Change Order 1 F to Simon Contractors of SD, Inc. for 2019 Street Patching Project, Project #19-2469/CIP 50844 for a decrease of \$8,224.84.
11. PW123119-04: Approve Change Order 1F to J.V. Bailey Co., Inc. for Joint Sealing Panel Repair Replacement Cambell Street, Project #18-2472 /CIP 50445 for a decrease of \$9,108.60.
12. PW123119-05: Authorize the Mayor and Finance Officer to Sign Amendment No. 3 to the Agreement between the City of Rapid City and KTM Design Solutions, Inc. for Professional Engineering Services for Jolly Lane to Reservoir Road Trunk Sewer Extension, Project No. 14-2121 / CIP 51005 in the amount of \$128,608.00.
13. PW123119-06: Authorize Mayor and Finance Officer to Sign Amendment 1 with Ferber Engineering Company, Inc. for 38th Street Reconstruction Clifton Street to Range Road, Project No. 15-2232/CIP 51716.1 & 50716.2 in the amount of \$18,500.00.
14. PW123119-07: Authorize Mayor and Finance Officer to Amendement 1 with FMG Engineering, Inc. for Disk and Haines Avenue Intersection project, Project No. 16-2347/CIP 51121 in the amount of \$49,000.00.
15. PW123119-08: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and Skyline Engineering, LLC for Construction Administration for the Downtown Lighting, Project No. 19-2500 / CIP No. 51228, in the amount of \$47,230.00
16. PW123119-09: Authorize Mayor and Finance Officer to sign a contract amendment with Chamberlin Architects for Project No. 2527 / CIP No. 51249 Star of the West Restrooms.
17. PW123119-10: Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and Bartlett & West for Professional Services for Water Booster Pump Station Design Criteria Update, Project No.19-2550/CIP No. 51234, in the amount of \$54,900.
18. PW123119-11: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and HDR Engineering, Inc. for E Main Street N Bridge Emergency Repair, Project No. 19-2560 / CIP No. 51247 In the amount of \$13,296.00.
19. PW123119-12: Request from Fisk Land Surveying & Consulting Engineers, Inc. for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Heidiway Lane for the property located west of the intersection of Heidiway Lane/Heidiway Court (Proposed Lot 5, Block 3 of Dunham Estates).
20. PW123119-14: Authorize purchase of a new Komptech Topturn X63 Compost Pile Turner from Source Well for a total of \$575,520.00. This cost will be reimbursed 50% through SDDENR grant 2020-SW-200.
21. PW123119-13: Authorize staff to Seek Proposals for Professional Services for the Solid Waste Master Plan; Project No. 19-2561; CIP No. 51229

**Legal & Finance Committee Consent Items**

22. LF123119-01 – Confirm the Reappointment of Dr. Judy Sneller and Faye Bice to the Rapid City Library Board of Trustees
23. LF123119-03 – Confirm the Appointments of Tim Johnson and Charity Doyle to the Civic Center Board of Directors
24. LF123119-04 – Confirm the Reappointment of Megan Reder-Schopp and the Appointment of Stacie Granum to the MARC Board, Also Known As the Journey Museum Board of Directors
25. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Jessica Armstrong (Police Department), Tanner Bray (Police Department), David Gross (Police Department), Sonya Parker (Police Department), Lisa Wattenhofer (Police Department)

26. LF123119-02 – Acknowledge the November 2019 General Fund Cash Balance Report
27. LF123119-06 – Authorize Mayor and Finance Officer to Sign Agreement with Risk Administration Services, Inc. to Administer the City's Workers' Compensation Program
28. LF123119-07 – Authorize the Mayor and Finance Officer to Sign a Settlement Agreement Between the City of Rapid City and Yasmeen Dream, L.L.C.

***CIP Committee Consent Items***

29. No. CIP122019-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for December 2019.
30. No. CIP122019-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
31. No. CIP122019-04 – Approve Capital Plan for Fire Vehicles
33. No. CIP122019-06 – Approve Capital Plan for Information Technology
34. No. CIP122019-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
35. No. CIP122019-02 – Approve Capital Plan for PW Infrastructure

END OF CONSENT ITEMS

Mayor read in item (No. CIP122019-05) Approve Capital Plan for Parks & Recreation. Drew asked Biegler about the progress of the LaCroix disk golf project. He said they would likely do a ceremony in the Spring. He said improvements for Harney Little League have started and should be done in the Spring as well. Motion was made by Lewis, second by Armstrong and carried to approve.

**NON-CONSENT ITEMS** – Items 36 – 37

John Kramer filled out a speaker request form but declined to speak on item 37, PW123119-15. Abigail Anker, swimmer on the Racers team, thanked the council for the lane space. Stan Anker thanked the council for working out a fair plan to change the policy.

***Ordinances***

Mayor read in item (LF121119-14) Second Reading, Ordinance No. 6370, an Ordinance to Revise the Composition of the Downtown Business Improvement District Board by Amending Section 3.25.060 of the Rapid City Municipal Code. Having passed its first reading on December 16, 2019 motion was made by Drury, second by Armstrong that the title be read the second time. Upon vote being taken, the following voted AYE: Lehmann, Drury, Nordstrom, Lewis, Modrick, Evans, Armstrong, Drew, and Strommen. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6370 was declared duly passed upon its second reading.

***Public Works Committee Items***

Mayor read in item (PW123119-15) Approve Resolution No. 2019-097 entitled A Resolution Altering the Rapid City Parks and Recreation Department Priority Use Policy. Motion was made by Modrick, second by Lewis to approve. Modrick, Drew, and Evans each thanked Biegler, Lowe and staff for their ability to work out a compromise. Motion carried 9-0.

***Alcohol Licenses***

36. Bar K-9 LLC DBA Bar K-9, 2400 N Maple Ave for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
37. 5 Tanks Corp DBA Pour 54 Tap House, 615 Main Street for a Retail (on-off sale) Wine and Cider License and Retail (on-off sale) Malt Beverage & SD Farm Wine License

Motion was made by Lewis, second by Armstrong and carried to approve items 36 and 37.

END OF CONSENT PUBLIC HEARING CALENDAR

**BILLS**

The following bills have been audited:

BILL LIST - JANUARY 6, 2020

P/ROLL PERIOD END 12/21/19, PD 12/27/19	1,886,435.39
PIONEER BANK & TRUST, 12/21/19 P/ROLL TAXES, PD 12/27/19	482,269.43
SOUTH DAKOTA DEPARTMENT OF REVENUE, NOV19 CCTR SALES TAX PAYABLE PD 12/17/19	20,400.59
WELLMARK INC, HEALTH CLAIMS THROUGH 12/20/19, PD 12/26/19	221,457.15
WELLMARK INC, HEALTH CLAIMS THROUGH 12/27/19, PD 01/02/20	95,198.62
WAGE WORKS, SECTION 125 CLAIMS THROUGH 12/20/19, PD 12/27/19	12,546.72
WAGE WORKS, SECTION 125 CLAIMS THROUGH 12/30/19, PD 12/31/19	3,421.74
BLACK HILLS COMMUNITY BANK, PARKS EQUIPMENT PRINC & INT	2,667.77
BLACK HILLS INSURANCE, 2020 INSURANCE PREMIUMS	1,044,736.00
CITY-LIABILITY INSURANCE FUND, 2020 LIABILITY INSURANCE	213,214.49
CITY-WORKERS COMPENSATION FUND, 2020 WORK COMP	838,857.00
CITY-WORKERS COMPENSATION FUND, 2020 WORK COMP - CDEV	409.00
HUMANE SOCIETY OF THE BLACK HILLS, JAN20 HUMANE SOCIETY	26,250.00
IIARC, 2020 WORK COMP PREMIUM	489,494.00
IIARC, 2020 WORK COMP PREMIUM - CDEV	217.00
IIARC, 2020 AIRPORT GENERAL LIABILITY PREMIUM	26,620.00
US BANK NATIONAL ASSOCIATION, 2010 CFC BOND PAYMENT	48,375.00
US BANK NATIONAL ASSOCIATION, 2011B WASTEWATER BOND PAYMENT	86,071.67
US BANK NATIONAL ASSOCIATION, 2019A AIRPORT BOND PAYMENT	60,340.67
US BANK TRUST, SRF CLEAN WATER #6 PAYMENT	84,583.36
US BANK TRUST, SRF DRINKING WATER #2 PAYMENT	105,933.32
US BANK, CREDIT CARD CHARGES, PD 12/31/19	58,332.32
BLACK HILLS ENERGY, ELECTRICITY, PD 12/31/19	22,202.67
SUBTOTAL	5,830,033.91
RSVP, P/ROLL PERIOD END 12/21/19, PD 12/27/19	1,447.13
RSVP, PIONEER BANK & TRUST, 12/21/19 P/ROLL TAXES, PD 12/27/19	416.19
RSVP, CITY-WORKERS COMPENSATION FUND, 2020 WORK COMP	26.00
RSVP, IIARC, 2020 WORK COMP PREMIUM	14.00
TOTAL	5,831,897.23

Sumption presented the bill list of \$5,831,897.23. Motion was made by Nordstrom, second by Modrick and carried to authorize (No. CC010620-01) 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 Lewis and carried to adjourn the meeting at 7:51 p.m.

Dated this 6th day of January, 2020.

ATTEST:

CITY OF RAPID CITY

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Finance Officer

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Mayor

(SEAL)