

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

January 21, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall in Rapid City, South Dakota on Tuesday, January 21, 2020, at 6:30 P.M.

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

Staff members present included: Deputy Finance Officer Tracy Davis, City Attorney Joel Landeen, Police Chief Karl Jegeris, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, Public Works Director Dale Tech, Fire Chief Rod Seals, Community Development Director Michelle Schuelke, and Administrative Secretary Angie Boeve.

ADOPTION OF AGENDA

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

COMMUNITY UPDATE

Ron Jeffries provided an update on the 62nd Annual Black Hills Stock Show & Rodeo. The official dates are January 31 thru February 8, 2020, events actually started January 17th at the Event Center. Big changes this year are moving the Truck Defender Horse Sale to the James Barnett Arena in its entirety, adding the first ever Youth Livestock Show and Wild Ride event. They feel that bringing a youth event will bring growth to the Stock Show.

PRESENTATION

CC012120-04 – Mike Perkovich, P.E. and Eric Meinstma, P.E. from the South Dakota Department of Environment and Natural Resources presented the Environmental Protection Agency's Aquarius Award to the City of Rapid for the East Rapid City Water System Expansion Project. It was awarded due to the exceptional focus on sustainability and protection of public health; this is a unique project serving more than 600 non-city residents East of city limits. Perkovich credits Morgan Falcone with submitting the nomination. This was one of 10 drinking water projects to receive this award in 2019. He also thanked Mayor Allender, Stacy Titus Falcone, and all City staff for being excellent partners, Bill Lass of the Black Hills Council and Denise Livingston formerly of the Rural Community Assistance Partnership for spearheading the partnership between the City and all of the various water systems. Lastly, Perkovich recognized Cetec Engineering and Banner and Associates for the engineering services provided.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

Erik Heikes, Justin Heareman of Protect Pactola and Dr. Liliias Jarding spoke against the exploration and drilling for minerals in the Ginny Gulch and Sunny Side which is Rapid City's water shed directly above Pactola Reservoir. Citizens have until February 5, 2020 to submit letters to the Forest Service in regard to this matter.

Stephen Farruggia, Seraphim Theatrical Entertainment wanted to let Council know that he was present for any questions in regard to item #33

Councilwoman Drury exercised personal point of privilege, to invite the public to the meet and greet for Robert Joyce, new director of the Rapid City Arts Council, on February 6, from 4-6 p.m. at the Dahl, 713 7th Street.

NON-PUBLIC HEARING ITEMS -- Items 3 – 38

Lysann Zeller, on behalf of the Sustainability Committee spoke on item 14; she commended the Parks and Recreation and the City's efforts and offered their help should it be needed.

CONSENT ITEMS – Items 3 – 28

10. PW011420-04: Approve Agreement Between the City of Rapid City and Pyrotechnic Display, Inc. For Annual Fireworks Displays
14. PW011420-08: Approve Resolution No. 2019-099 entitled A Resolution of the City Council Designating Rapid City as a BEE CITY USA affiliate.
23. LF011520-09 – Acknowledge November 2019 Sales Tax Report – Drury/Armstrong – Drury to Davis – when are Dec 2019 numbers available? First part of Feb.

Motion was made by Drury, second by Lehmann and carried to approve items 3-28 with the exception of items 10, 14, and 23

Approve Minutes

3. Approve Minutes for the January 6, 2020 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 3, 2020)

4. Lost Cabin Beer Co. for a SPECIAL EVENT On-Sale malt beverage license for an event scheduled for February 29, 2020 at Canyon Lake Park (designated area) 4181 Jackson Blvd
5. Elevate Rapid City for a SPECIAL EVENT On-Sale malt beverage license and On-Sale wine license for an event scheduled for February 20, 2020 at Bangs, McCullen, Butler, Foye & Simmons LLP, 333 West Blvd Ste. 400
6. Elevate Rapid City for a SPECIAL EVENT On-Sale malt beverage license and On-Sale wine license for an event scheduled for March 10, 2020 at Rice's Rapid Motorsports, 3337 E Mall Drive

Public Works Committee Consent Items

7. PW011420-01: Approve Change Order #3 to R.C.S. Construction, Inc. for Willow Avenue, Ivy Avenue, Fairlane Drive, Street and Utility Reconstruction Project, Project #15-2254 I CIP No. 50421.3-1 C for an increase of \$25,390.66.
8. PW011420-02: Authorize Mayor and Finance Officer To Sign Equipment Purchase Agreement For Purchase Of New Komptech Topturn X63 Compost Turner From Source Well For A Total Of \$575,520.00. Purchase Authority Granted January 6, 2020 on Item PW123119-14.
9. PW011420-03: Request to Purchase one (1) Current Model Year ½ Ton Pick-Up Truck, 4X4, Long Box, off the State Contract to be used by Water Billing Department. State Contract #17345 in the amount of \$26,237.00.
11. PW011420-05: Authorize Staff to Purchase two (2) 2020 RAM 1500 Extended Cab, 4X4, 5.7L V8 Pickup Trucks from Liberty Superstores with State Bid Pricing Contract #17339, in the amount of \$25,406.09 each for a total of \$50,812.18.
12. PW011420-06: Authorize Staff to Purchase a 2020 RAM 3500 Crew Cab Dually 4X4 Pickup Truck with 8 ft. box, 6.4L V8 gas engine from Liberty Superstores with State Bid Pricing, Contract #17345 in the amount of \$34,053.00.
13. PW011420-07: Authorize Staff to Purchase a 2020 Groundsmaster 4000D T4 AWD with Light Adapter Kit and Road Light Kit from Midwest Turf & Irrigation with Omnia (IPA) Pricing, Contract #2017025 in the amount of \$65,995.00.
15. PPW011420-12: Approve Use Agreement between the City of Rapid City and Rapid City Youth Boxing, Inc.

Legal & Finance Committee Consent Items

- 16. LF011520-01 – Approve Rental Contract for Storage Building for Rapid City Fire Department
- 17. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: None
- 18. LF011520-02 – Approve Resolution No. 2020-001 Establishing 2020 Encumbrances

RESOLUTION 2020-001
RESOLUTION ESTABLISHING 2020 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2019 operations of the City of Rapid City totaling \$2,574,606.93, and

WHEREAS it is desirable that these bills be charged to the 2019 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2019, in the amount of \$2,574,606.93.

GENERAL FUND 0101

0101	MAYOR	657.75	
0104	FINANCE	4,176.62	
0106	ATTORNEY	281.76	
0108	PUBLIC WORKS ADMINISTRATION	3,136.69	
0109	GENERAL GOVERNMENT BUILDINGS	43,623.62	
0111	HUMAN RESOURCES	2,497.84	
0201	POLICE	90,488.52	
0202	FIRE	2,201.14	
0204	DEVELOPMENT SERVICE CENTER	614.64	
0205	TRAFFIC ENGINEERING	9,388.51	
0301	STREETS & HIGHWAYS	3,785.78	
0302	SNOW REMOVAL	18,075.26	
0304	STREET LIGHTING	71.18	
0305	EQUIPMENT MAINTENANCE	929.87	
0401	STREET CLEANING	62.35	
0601	RECREATION	0.46	
0603	ICE ARENA	7,119.24	
0607	PARKS DEPARTMENT	8,480.63	
0609	LIBRARY	139,896.68	
0610	LIBRARY RURAL	40,956.11	
0612	SWIMMING POOL	7,495.29	
0615	PARKVIEW POOL	140.00	
0616	SIOUX PARK POOL	140.00	
0617	HORACE MANN POOL	256.71	
0618	PUBLIC TRANSPORTATION	2,475.39	
0620	PARK & RECREATION ADMINISTRATN	6,091.00	
0706	TRANSPORTATION PLANNING	203.61	
0707	HISTORIC PRESERVATION	0.95	
0711	CODE ENFORCEMENT	27.50	
0714	COMM DEVELOPMENT NON-GRANT	41.20	
0860	CEMETERY	1,174.61	
1010	COUNCIL	25.92	
6024	INFORMATION TECHNOLOGY	3,884.91	398,401.74

CITY COUNCIL

JANUARY 21, 2020

HAZARD MITIGATION GRANT FUND 0105

0115 HAZARD MITIGATION GRANT 2,136.25

VISION FUND 0107

0124 VISION FUND ADMINISTRATION 753,858.58
0132 SPECIAL PROJECTS VISION FUND 7,932.80 761,791.38

REPAIR AND DEMOLITION FUND 0260

0927 REPAIR AND DEMOLITION 150.00

CONSOLIDATED CONSTRUCTN FUND 0505

0120 SALES TAX BONDS 1,041,042.80
0910 CONSOLIDATED CONSTRUCTION 39,058.94 1,080,101.74

COMMUNITY DEVELOPMENT 0510

0930 COMMUNITY DEVELOPMENT 1.91

WATER ENTERPRISE FUND 0602

0810 WATER OPERATIONS 14,803.43
0933 WATER RPLACEMENT & IMPROVEMENT 15,260.27 30,063.70

WASTEWATER ENTERPRISE FUND 0604

0830 WASTEWATER OPERATIONS 11,874.19
0833 WASTEWATER REPLCEMT & IMPRVMNT 15,281.00 27,155.19

AIRPORT FUND 0606

0850 AIRPORT OPERATIONS 128,278.97

TRANSPORTATION TERMINAL 0608

0840 TRANS TERMINAL 603.39

STORMWATER DRAINAGE FUND 0609

7402 STORMWATER DRAINAGE RPLCMNT 28,890.25

PARKING LOT & AREA FUND 0610

0870 PARKING LOT & AREA 0.92

SOLID WASTE ENTERPRISE FUND 0612

7101 WASTE COLLECTION 7,494.97

GOLF ENTERPRISE FUND 0613

0604 GOLF ENTERPRISE 583.50
0664 GOLF COURSE MAINTENANCE 1,220.11 1,803.61

EXECUTIVE GOLF COURSE FUND 0614

0605 EXECUTIVE GOLF COURSE (148.20)
0665 EXECUTIVE GOLF COURSE MAINT 133.83 (14.37)

SOLID WASTE DISPOSAL FUND 0615

7102 WASTE DISPOSAL 52,254.71
7103 SOLID WASTE MRF/COMPOST FUND 4,267.53
7104 SOLID WASTE CAPITAL PROJECTS 19,820.15 76,342.39

CITY COUNCIL

JANUARY 21, 2020

AMBULANCE ENTERPRISE 0618

0890 AMBULANCE ENTERPRISE 23,710.17

EDUCATIONAL LOAN FUND 0718

1002 EDUCATIONAL LOAN 1,053.75

CIVIC CENTER ENTERPRISE FUND 0775

0913 CIVIC CENTER OPERATIONS	13,106.06	
0915 CIVIC CENTER CAPITAL OUTLAY	<u>(9,312.60)</u>	3,793.46

ENERGY PLANT FUND 0777

0914 ENERGY PLANT 972.09

RSVP FUND 0785

0928 RSVP 17.42

LIBRARY BOARD FUND 0996

0971 LIBRARY BOARD 1,858.00

***** GRAND TOTAL *** 2,574,606.93**

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 21st day of January, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 19. LF011520-03 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement JB Properties, LLC, and the City of Rapid City
- 20. LF011520-04 – Approve Resolution No. 2019-101 a Resolution Levying Assessment for Abatement of Nuisances.

RESOLUTION NO. 2019-101
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 21st day of January, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 21. LF011520-07 – Approve Request for Property Tax Abatements as follows: Eric Eckholm, 2019, \$37.90; Dennis Hanson, 2019, \$442.06; Scott Young, 2019, \$77.80; Dorothy Adams Frasier, 2019, \$601.90; City of Rapid City, 2019, \$570.96; City of Rapid City, 2019, \$906.82; Dean Sankovich, 2019, \$699.50; Jasper Green Jr., 2019, \$410.26; Diocese of Rapid City, 2019, \$43,004.56; City of Rapid City, 2019, \$45.66; City of Rapid City, 2019, \$21,428.00; City of Rapid City, 2019, \$18,381.14; Adams Frasier Revocable Trust, 2019, \$535.62 [Combined Total for all Rapid City: \$87,142.18]
- 22. LF011520-08 – Approve Resolution No. 2020-002 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

Resolution #2020-002

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: Parks 607

- For Deletion (Trade):
 - 2008 CASE LOADER
 - SERIAL #: N76P00925

 - 2015 KUBOTA RTV
 - SERIAL #: 26004

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 21st day of January, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 24. LF011520-10 – Authorize the RSVP+ Program to Apply and Accept Year Two of their Corporation for National & Community Service (CNCS) Grant.

Community Development Consent Items

25. LF011520-05 – Approve Final Recommendations for the FY2020 Community Development Block Grant Entitlement Funds and Neighborhood Lift Lot Allocations

Bid Award Consent Items

26. No. CC012120-02.1 - Approve award of total bid for Star of the West Restrooms Building 2, Project No. 19-2564 / CIP No. 51249 opened on January 14, 2020 to the lowest responsible bidder, Complete Concrete, Inc. dba Complete Contracting Solutions in the amount of \$91,400.00.
27. No. CC012120-02.2 – Approve award and purchase of (1) One New Current Model Year Tandem Dump Truck with Plow, Wing, & Anti-Icing System from Floyd’s Truck Center in the amount of \$187,200.00 after trade.
28. No. CC012120-02.3 - Approve award and purchase of (1) One New Current Model Year Single Axle 4X4 Dump Truck with V-Plow from Boyer Trucks Sioux Falls in the amount of \$165,800.00 after trade.

END OF CONSENT ITEMS

Mayor read in item (PW011420-04) Approve Agreement Between the City of Rapid City and Pyrotechnic Display, Inc. For Annual Fireworks Displays Drury asked where the money for this comes from and Biegler responded it is a budgeted item under Parks and Recreation. Motion was made by Roberts, second by Armstrong and carried to approve 8-0.

Mayor read in item (PW011420-08) Approve Resolution No. 2019-099 entitled A Resolution of the City Council Designating Rapid City as a BEE CITY USA affiliate. Motion was made by Drury, second by Lehmann to approve. Drury inquired how spraying for mosquitos can affect the bees. Biegler stated they inform the bee community when and where fogging will take place and they relay information on to others so they can cover the hives and minimize the impact of the spray. Most fogging is done in the middle of the night when bees are less active. Motion carried 8-0.

RESOLUTION NO. 2019-099

A RESOLUTION of the City Council designating Rapid City as a BEE CITY USA® affiliate.

WHEREAS, the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of almost 90% of the world's flowering plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS, thanks to the more than 3,600 species of native bees in the United States, along with introduced honey bees, we have very diverse dietary choices rich in fruits, nuts, and vegetables; and

WHEREAS, bees and other pollinators have experienced population declines due to a combination of habitat loss, poor nutrition, pesticides (including insecticides, fungicides, and herbicides), parasites, diseases, and climate change; and

WHEREAS, pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local growers; and

WHEREAS, ideal pollinator-friendly habitat (A) Is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season to provide diverse and abundant nectar and pollen, since many wild pollinators prefer or depend on the native plants with which they co-adapted; (B) is free to nearly free of pesticides, as many pesticides can harm pollinators and/or

their habitat; (C) comprises undisturbed spaces (leaf and brush piles, unmown fields or field margins, fallen trees and other dead wood) for nesting and overwintering; and (D) provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS, Integrated Pest Management (IPM) is a long-term approach to maintaining healthy landscapes and facilities that minimizes risks to people and the environment by: identifying and removing the causes of pest problems rather than only attacking the symptoms (the pests); employing pests' natural enemies along with cultural, mechanical, and physical controls when prevention is not enough; and using pesticides only when no other method is feasible or effective; and

WHEREAS, supporting pollinators fosters broad-based community engagement in environmental awareness and sustainability; and

WHEREAS, Rapid City should be certified a *BEE CITY USA* community because the Parks & Recreation Department has already undertaken various efforts to provide pollinator-friendly habitat and feeding grounds and wishes to continue expanding these efforts; and

NOW, THEREFORE, in order to enhance understanding among local government staff and the public about the vital role that pollinators play and what each of us can do to sustain them, Rapid City chooses to support and encourage healthy pollinator habitat creation and enhancement, resolving as follows:

1. The Rapid City Parks & Recreation Department is hereby designated as the BEE CITY USA sponsor.
2. The Landscape Designer/Architect of Rapid City Parks and Recreation Department is designated as the BEE CITY USA Liaison.
3. Facilitation of Rapid City's BEE CITY USA program is assigned to the Urban Wildlife Committee.
4. The Urban Wildlife Committee is authorized to and shall:
 - a. Celebration: Host at least one educational event or pollinator habitat planting or restoration each year to showcase Rapid City's commitment to raising awareness of pollinator conservation and expanding pollinator health and habitat.
 - b. Publicity & Information: Install and maintain at least one authorized BEE CITY USA street sign in a prominent location, and create and maintain a webpage on the City of Rapid City website which includes, at minimum a copy of this resolution and links to the national BEE CITY USA website; contact information for your BEE CITY USA Liaison and Committee; reports of the pollinator-friendly activities the community has accomplished the previous year(s); and your recommended native plant species list and integrated pest management plan (explained below).
 - c. Habitat: Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, which includes, but is not limited to, Identifying and inventorying Rapid City's real property that can be enhanced with pollinator-friendly plantings; creating a recommended locally native plant list to include wildflowers, grasses, vines, shrubs, and trees and a list of local suppliers for those species; and, tracking (by square footage and/or acreage) annual area of pollinator habitat created or enhanced.
 - d. Pollinator-Friendly Pest Management: Create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.
 - e. Policy & Plans: Establish a policy in the Plan Rapid City Comprehensive Plan to acknowledge and commit to the BEE CITY USA designation and review the Comprehensive Plan and other relevant documents to consider improvements to pest management policies and practices as they relate to pollinator conservation identify appropriate locations for pollinator-friendly plantings, and consider other appropriate measures.

- f. Renewal: After completing the first calendar year as a BEE CITY USA affiliate, each February, apply for renewal of Rapid City’s BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year’s BEE CITY USA activities, and paying the renewal fee based on Rapid City’s population.

Dated this 21st day of January, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

Mayor read in item (LF011520-09) Acknowledge November 2019 Sales Tax Report – Motion was made by Drury, second by Armstrong to acknowledge. Drury inquired when the December 2019 numbers would be received. Davis responded they are expected the first part of February, they are usually about one month behind, the first payment from December has been received, just waiting on the second. Drew followed by asking what the numbers were compared to 2018 and if there was a way to determine the cause of the increase, such as the internet sales tax. Davis reported that in 2019 it was 2.75% compared to 2.45% in 2018. There really isn’t a way for the State to show what the additional revenue is from so it can’t necessarily be attributed to internet sales, but it could have an effect on it. Drew asked if this result is better than anticipated and Davis agreed. Motion carried 8-0.

NON-CONSENT ITEMS – Items 29 – 38

Kathy Johnson, spouse of Doyle Estes spoke against Item 34 (19OA002). Deanna Kelly, Live Well Black Hills, spoke against the approval of item 36 (PW011420-10).

Ordinances

Ordinance 6375 (19RZ039) 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 Light Industrial District for property generally described as being located south of North Valley Drive. Motion was made by Modrick, second by Drew and carried that Ordinance 6375 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6377 (19RZ041), 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 111, LLC for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located west of the current terminus of E. Anamosa Street. Motion was made by Drew, second by Nordstrom and carried that Ordinance 6377 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6378 (19RZ042), 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 11, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located north of Homestead Street. Motion was made by Nordstrom, second by Roberts and carried that Ordinance 6378 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6379 (19RZ043) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying & Consulting Engineers, Inc for Keiz Larson for a

Rezoning request from General Agricultural District to Low Density Residential District for property generally described as being located west of the intersection of Heidiway Court and Heidiway Lane. Motion was made by Drury, second by Strommen and carried that Ordinance 6379 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.

Ordinance 6385 (19RZ044) an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brent Hill for Seraphim Theatrical Entertainment, LLC for a Rezoning from Medium Density Residential District to General Commercial District for property generally described as being located at 1124 Kansas City Street. Drew understands this to be a hybrid of church theater and asked Mr. Farruggia to explain more detail and asked if they planned to rent out the facility to other entities as this is in her ward and she is concerned for the neighborhood . Farruggia explained the function of the theatre and he has no current plans of renting it out. Motion was made by Armstrong, second by Lehmann and carried with Roberts abstaining, that Ordinance 6385 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, February 3, 2020.)

Ordinance No. 6310 (19OA002) an Ordinance to update the Tax Increment Financing District Review Processing by Amending Chapter 3.26 of Rapid City Municipal Code. Motion was made by Nordstrom to send back to Community Development and recommend that Mayor develops a task force to oversee and review the process, second by Strommen. Nordstrom, Drury and Modrick all spoke in favor of the motion and commended City staff on the hard work and time spent, but feel it isn't complete. Drew confirmed with Landeen that the existing TIF policy would remain in effect until a new one could be approved. Motion carried 8-0.

Public Works Committee Items

Mayor read in item (PW011420-09) Approve Resolution 2019-015 Adopting the Rapid City Tax Increment Financing Policy - A request by City of Rapid City to consider a Resolution Adopting the Rapid City Tax Increment Financing Policy, Associated with 19OA002 (which is Item 34 on this agenda) ***This same item was heard at Legal and Finance under item LF011520-06*** Motion was made by Nordstrom to send back to Community Development and recommend that Mayor develops a taskforce to oversee and review the process, second by Drury. Motion carried 8-0.

Mayor read in item (PW011420-10) Request from Semmler Construction for a Variance to Waive the requirement to Install Sidewalk along Deadwood Avenue, Rapid City, per City Ordinance 12.08.060. Drew, Drury, Nordstrom, Armstrong spoke in favor of denying the variance, while Modrick and Roberts spoke in favor of approving the variance. Tech provided information in regards to the staff's recommendation and if there were any scheduled improvements for the Deadwood Ave. area. Motion to deny was made by Drury, second by Nordstrom. Motion ended in a tie vote 4-4. Drury, Drew, Nordstrom and Armstrong voted aye and Lehman, Modrick, Roberts and Strommen voted no. Mayor Allender broke the tie vote with an aye vote. Motion carried 5-4.

Legal & Finance Committee Items

Mayor read in item (LF121119-02) Award Contract to Ketel Thorstenson to Perform the Financial and Compliance Audit for the City of Rapid City for the Calendar Year of 2019. (The original item to award the contract to Eide Bailly was continued from the December 16, 2019 City Council meeting per Council's request to re-evaluate the applicants.) Motion was made by Drew, second by Strommen to award contract to Ketel Thorstenson for the 2019 calendar year. Motion carried 8-0.

Community Development Items

No. 19PL105 - A request by Renner Associates, LLC for Fox LLC for a Preliminary Subdivision Plan for proposed Lot 6 and 7 of Moon Ridge Subdivision, generally described as being located at 2251 Moon Meadows Drive. Motion was made by Modrick, second by Roberts and carried to approve with the

following stipulations: 1. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual. In addition, all information required per Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval as applicable; 2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the existing 66-foot wide easement for private access and utilities as shown on Sheet C-2 of the plan set or include documentation that the easement has been vacated. If the easement is existing, construction plans shall be submitted for review and approval showing the easement with a minimum width of 70 feet and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a commercial street or shall meet criteria for obtaining an Exception or the easement shall be vacated. If the easement is vacated, the vacation recording document number shall be shown on the Final Plat document; 3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for a 16-inch water main and an 8-inch sewer main along Mount Rushmore Road. In addition, a design report shall be submitted for review and approval for the sewer main construction along Mount Rushmore Road. Utilities easements shall be provided as needed; 5. Prior to Development Engineering Plan approval, an Oversize Agreement for the 16-inch water main along Mount Rushmore Road shall be entered into with the City; 4. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 6. Prior to Development Engineering Plan approval, a South Dakota Department of Transportation (SDDOT) permit for the utilities to be located within the SDDOT right-of-way shall be obtained; 7. Prior to approval of the Development Engineering Plan application, the water and sewer plans shall be approved by the South Dakota Department of Environment and Natural Resources; 8. Prior to Development Engineering Plan approval, an engineer's cost estimate shall be signed and approved; 9. Prior to Development Engineering Plan approval, any necessary off-site easements shall be secured; 10. Prior to submittal of a Final Plat application, an Exception shall be obtained from City Council to allow an off-premise sign for "Fox Den", a storage facility, located on proposed Lot 6 to be located on proposed Lot 7 as a result of platting the property as proposed or the sign shall be removed from Lot 7; 11. Prior to submittal of a Final Plat application, the Owner's Certificate shall be revised to add "as Co-Trustee" behind the name of Charise Fox for Mike Grubb; 12. Prior to submittal of a Final Plat application, the plat document shall be revised to show U.S. Highway 16 as "Mount Rushmore Road" or "Mount Rushmore Road (U.S. Highway 16)"; 13. Prior to submittal of a Final Plat application, submit verification that the southern portion of the flagpole located on proposed Lot 6 has been annexed into the City limits or annex this portion of the property; 14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the existing drainage pond. In addition all necessary easements shall be shown on the plat document; 15. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been accepted 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.

CONSENT PUBLIC HEARING ITEMS – Item 39

Alcohol Licenses

39. 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

Motion was made by Modrick, second by Roberts and carried to approve item 39.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

The following bills have been audited:

BILL LIST - JANUARY 21, 2020

P/ROLL PERIOD END 01/04/20, PD 01/10/20	1,846,181.54
CDEV P/ROLL PERIOD END 01/04/20, PD 01/10/20	3,102.68
SUPP P/ROLL PERIOD END 01/04/20, PD 01/13/20	769.60
PIONEER BANK & TRUST, 01/04/20 P/ROLL TAXES, PD 01/10/20	481,048.73
PIONEER BANK & TRUST, SUPP 01/04/20 P/ROLL TAXES, PD 01/13/20	(387.23)
CDEV PIONEER BANK & TRUST, 01/04/20 P/ROLL TAXES, PD 01/10/20	738.33
WELLMARK INC, HEALTH CLAIMS THROUGH 01/03/20, PD 01/09/20	105,826.27
WELLMARK INC, HEALTH CLAIMS THROUGH 01/10/20, PD 01/16/20	113,445.44
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/06/20, PD 01/07/20	4,231.11
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/13/20, PD 01/14/20	12,207.13
BERKLEY ASSIGNED RISK SERVICES, DEC19 CLAIMS, PD 01/07/20	21,708.20
MARY RENSCH, REHAB ESCROW LOAN REFUND	182.30
BLACK HILLS ENERGY, ELECTRICITY, PD 01/13/20	40,964.48
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/13/20	54,554.30
COMPUTER BILL LIST	7,335,637.16
CDEV COMPUTER BILL LIST	91,749.85
SUBTOTAL	10,111,959.89
RSVP, P/ROLL PERIOD END 01/04/20, PD 01/10/20	1,447.11
RSVP, PIONEER BANK & TRUST, 01/01/20 P/ROLL TAXES, PD 01/10/20	412.31
RSVP, COMPUTER BILL LIST	30.39
TOTAL	10,113,849.70

Davis presented the bill list of \$10,113,849.70. Motion was made by Nordstrom, second by Drew to approve. Drury asked to abstain. Authorize (No. CC012120-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 7-0 with Drury abstaining.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Drury and carried to adjourn the meeting at 7:40 p.m.

Dated this 21st day of January, 2020.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)