

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

February 3, 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 Monday, February 3, 2020, 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, Chad Lewis, Lance Lehmann, Bill Evans, Darla Drew, Becky Drury ; the following Alderpersons arrived during the course of the meeting: John Roberts; and the following were absent: NONE

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, 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 Drury and carried to adopt the agenda.

GENERAL PUBLIC COMMENT

Becky Drury spoke on behalf of her granddaughter, Claire Hoff, who wanted to inform the citizens of Rapid City that plastic bags are harmful to animals. She wants people to be aware and stop littering.

Jerry Kline stated he wasn't happy with the city snow plowing during the last storm. He said he ended up with three feet of ice on his sidewalk after the plows had been by. He thinks they need to do something different the next time.

Becky Drury asked for a Point of Privilege. She apologized that she did not verbalize her vote regarding the resolution expressing opposition to gold exploration at the Legal and Finance meeting. She stated that she did speak against the item but failed to verbalize her no vote when it was asked. Modrick appreciated Drury explaining her position and advocating that votes are verbalized in the future.

NON-PUBLIC HEARING ITEMS -- Items 1 – 39

CONSENT ITEMS – Items 1 – 35

31. LF012920-03 – Approve Rapid City Youth City Council Bylaws

Motion was made by Lewis, second by Armstrong and carried to approve items 1-35 with the exception of item 31.

Approve Minutes

1. Approve Minutes for the January 21, 2020 Regular Council meeting.

Vacation of Section Line Highway Right-Of-Way Set for Hearing (Monday, March 2, 2020)

2. No. 20VR001 - A request by Fisk Land Surveying & Consulting Engineers, Inc. for Keiz Larson for a Vacation of a Section Line Highway Right-of-Way for property generally described as being located at the intersection of Heidiway Court and Heidiway Lane.

Alcoholic Beverage License Applications Set for Hearing (Tuesday, February 18, 2020)

3. Knights of Columbus for a SPECIAL EVENT On-Sale malt beverage license and On-Sale wine license for an event scheduled for February 21, 2020 at Blessed Sacrament Church, 4500 Jackson Blvd

4. Working Against Violence Inc. WAVI for a SPECIAL EVENT Off-Sale package wine license for an event scheduled for March 28, 2020 at Best Western Ramkota, 2111 N. LaCrosse Street
5. Adelaide Inc. DBA Juniper for a Retail (on-off sale) Wine and Cider license and a Retail (on-off sale) Malt Beverage & SD Farm Wine license at 405 Canal Street, Suite 1300

Intent to Enter into an Agreement for Exchange of Real Property Set for Hearing (Tuesday, February 18, 2020)

6. A Resolution of Intent to Enter into an Agreement for Exchange of Real Property with Black Hills Federal Credit Union Pursuant to SDCL 9-27-34.1

Public Works Committee Consent Items

7. PW012820-01: Authorize Staff to Advertise for Bids for the Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project Number 14-2178/ CIP 50812.CD. Estimated Cost: \$420,000.
8. PW012820-02: Authorize removal of the requirement that the Contractor perform a minimum of 50% of the work for the Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project Number 14-2178/ CIP 50812.CD
9. PW012820-03: Approve Change Order #1 for Project No. 2491 / CIP No. 51225 City Hall Renovation with MAC Construction Co. Inc. for an increase of \$13,586.03.
10. PW012820-04: Authorize Staff To Purchase Additional And Replacement Office Furniture From Evergreen Office Solutions, Pricing From State Contract # 16773 3 IFB 222 In The Amount Of \$31,610.24.
11. PW012820-18: Request to Purchase one (1) Current Model Year³/₄ Ton Pick-Up Truck, 4X4, Crew-Cab. Liberty Superstores will match the State Contract #17345 in the amount of \$31,664.00.
12. PW012820-17: Request to Purchase one (1) New, 2019, 450-07A Caterpillar Backhoe Loader This will be a Sourcewell purchase, contract #032119 CAT 2020 in the amount of \$157,495.00.
13. PW012820-06: Authorize the Public Works Director or his designee to apply for, and if awarded to accept, Local Emergency Planning Committee (LEPC) grant funding for advertising of the upcoming Household Hazardous Waste Event in summer of 2020
14. PW012820-07: Authorize Staff to Purchase a 2020 UtiliGuard DW Locating System with Carry Bag, MFL, SS from Ditch Witch with Sourcewell Contract #2401 in the Amount of \$5,143.76.
15. PW012820-08: Authorize Staff to Purchase a 2020 UtiliGuard DW Locating System with Utiliguard Eva Case from Ditch Witch with Sourcewell Contract #2401 in the Amount of \$5,239.95.
16. PW012820-09: Authorize Staff to Purchase a 2020 Caterpillar Model 329D3 C3H2 Compact Track Loader with a 96" Hydraulic Angle Snow Blade and a 72" Industrial Grapple Fork with a Trade-In of a 121E Case Loader from Butler Machinery with Sourcewell Contract #032119 in the Amount of \$45,045.00.
17. PW012820-10: Authorize Staff to Purchase a 2020 68" Angle Broom from Jenner Equipment Company through Clark Equipment Company dba Bobcat Company with NASPO SD Contract #17286 in the Amount of \$5,145.96.
18. PW012820-11: Authorize Staff to Purchase a 2020 SB200 Snowblower – 72" Width with 6.2 Hyd. Motor Package, Skid Shoe and Bolt on Cutting Edge from Jenner Equipment Company through Clark Equipment Company dba Bobcat Company with NASPO SD Contract #17286 in the Amount of \$6,222.78.
19. PW012820-12: Authorize Staff to Purchase a 2020 84" Angle Broom from Jenner Equipment Company through Clark Equipment Company dba Bobcat Company with NASPO SD Contract #17286 in the Amount of \$5,450.76.
20. PW012820-13 - Authorize Staff to Purchase a 2020 RAM 2500 Crew Cab 4X4 Pickup Truck with 6 ft. box, 6.4L V8 Gas Engine from Liberty Superstores with matching State Bid Pricing Contract #17345 in the Amount of \$31,284.00.

- 21. PW012820-14: Authorize Staff to Purchase a 2020 Boss 7'6" Super Duty Straight Snow Plow with Boss Plow 11" Wing Extensions from Northern Truck Equipment Corporation with Sourcewell Contract #062117-TTC in the Amount of \$7,530.00.
- 22. 19VR005: Menard Subdivision – Approve Resolution 2019-099 - A request by Ted Edwards for Menard, Inc. to consider an application 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.

Legal & Finance Committee Consent Items

- 23. LF012920-05 – Confirm the Appointments of Dan Tribby, Todd Hollan, Jerry Schmidt, Nick Patton, and Rick DenHerder to the Downtown Business Improvement District Board
- 24. LF012920-04 – Approve Law Enforcement Agreement between the City of Rapid City and the South Dakota School of Mines & Technology
- 25. LF012920-06 – Authorize Mayor and Finance Officer to Sign Resolution No. 2020-005, A Resolution of Intent to Enter into an Agreement for Exchange of Real Property with Black Hills Federal Credit Union

Resolution 2020-005
 A RESOLUTION OF INTENT TO ENTER INTO AN AGREEMENT FOR EXCHANGE OF REAL
 PROPERTY WITH BLACK HILLS FEDERAL CREDIT UNION
 PURSUANT TO SDCL 9-27-34.1

BE IT RESOLVED by the City of Rapid City that the City of Rapid City intends to enter into an agreement for exchange of real property with Black Hills Federal Credit Union ("BHFCU"), which property is located in Rapid City, South Dakota, and is more fully described as follows:

CITY PROPERTY

Lot 1 of Owen Hibbard Subdivision, located in Section 23, Township 1 North, Range 7 East of the B.H.M., Rapid City, Pennington County, South Dakota.

BHFCU PROPERTY

Tract A except Lots 1 and 2, Block 1, Owen Mann Tract together with Lot B of Lot 2 of Tract A, Block 1, Owen Mann Tract, all in Rapid City, Pennington County, South Dakota.

BE IT FURTHER RESOLVED that a copy of this resolution of intent be published once at least ten days prior to the hearing to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, at 6:30 o'clock, p.m., on the 18th day of February, 2020, or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that following the hearing the City Council may approve an agreement authorizing the exchange of the foregoing real property upon the terms and conditions of the agreement, a copy of which is available in the City Finance Office.

Dated this 3rd day of February, 2020.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

- 26. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Jazzmyn Potter (RSVP+)
- 27. LF012920-01 – Approve Resolution No. 2020-004 to Update Petty Cash Funds and Change Funds

RESOLUTION 2020-004
A RESOLUTION TO UPDATE PETTY CASH FUND AND CHANGE FUNDS

WHEREAS, the City Council previously adopted Resolution 2019-018 Re-Establishing Petty Cash Funds and Change Funds; and

WHERE AS, the City Council previously adopted Resolution 2019-091 A Resolution to Update Petty Cash and Change Funds

WHEREAS, the Cash Handling Audits I and II prepared by Compass have made the recommendation that the Finance Office create and maintain a complete and accurate list of all petty cash funds, change funds and travel funds; and

WHEREAS, such list should properly be supported by City Council resolutions; and

WHEREAS, the following adjustments to the existing petty cash and change funds titles are necessary since the City to continue to operate effectively:

Library General Beadle Copier Change Fund Change name to Coffee Machine Change Fund

NOW, THEREFORE, BE IT RESOLVED, that the Library General Beadle Copier Change Fund is changed to the Library Coffee Machine Change Fund with the amount staying at \$25.00.

Dated this 3rd day of February, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 28. LF012920-07 – Authorize Mayor and Chief of Police to Sign the 2020 Federal Equitable Sharing Agreement
- 29. LF012920-10 – Approve Resolution No. 2020-006 A Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

Resolution #2020-006
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: Solid Waste-MRF 7103

For Deletion (Auction):
MOSSLEY GORILLA BALER 1005-4
SERIAL #: 40021

From: Cemetery 860
For Deletion (Trade):
2002 John Deere Backhoe/Loader Unit# C038
VIN# 310GX907695

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 3rd day of February, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

- 30. LF012920-11 – Acknowledge December 2019 General Fund Cash Balance Report
- 32. LF012920-08 – Authorize Mayor and Finance Officer to Sign Release of Agreement Waiving Right to Protest for Lot 4 of LJS Subdivision
- 33. LF012920-09 – Authorize the Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and the Abbott House, Inc., for the Use of City Vision Funds to Help Construct Two Therapeutic Foster Homes
- 34. LF012920-13 – Approve Resolution No. 2020-008, a Resolution Acknowledging Corrections to the December 16, 2019 Council Minutes

RESOLUTION NO. 2020-008
RESOLUTION ACKNOWLEDGING CORRECTIONS
TO THE DECEMBER 16, 2019 COUNCIL MINUTES

WHEREAS, on December 16, 2019 the City Council approved LF121119-11 - Approve Resolution No. 2019-098 a Resolution to Set the Fee for Registration of Accessory Dwelling Units; and 19AN001 – Approve Resolution 2019-037, A request by Paul Bradsky for Atlantis, LLC for a De-Annexation for property generally described as being located at 450 S. Interstate 90 Service Road.

WHEREAS, the minutes of the December 16, 2019 Council meeting were approved on January 6, 2020, and the motions approving LF121119-11 (Resolution 2019-098) and 19AN001 (Resolution 2019-037) were both approved as part of the Community Development Consent Items; and

WHEREAS, the body of these resolutions was omitted from the minutes in error; and

WHEREAS, both resolutions were published on January 31, 2020 in the Rapid City Journal to correct the error, and the resolutions' effective date is now February 20, 2020;

NOW, THEREFORE BE IT RESOLVED, by the City Council, that the December 16, 2019 Council minutes be amended to include the entire text of LF121119-11 - Approve Resolution No. 2019-098 a Resolution to Set the Fee for Registration of Accessory Dwelling Units, as follows:

Resolution 2019-098
A RESOLUTION TO SET THE FEE FOR
REGISTRATION OF ACCESSORY DWELLING UNITS

WHEREAS, the City charges fees for various licenses, permits, and applications to cover its administrative costs; and

WHEREAS, the Common Council has enacted Ordinance 6363, which allows accessory dwelling units (ADUs) in residential districts; and

WHEREAS, one requirement of Ordinance 6363 is that property owners must register ADUs with the Department of Community Development; and

WHEREAS, registration of an ADU requires payment of a fee set by resolution of the Common Council; and

WHEREAS, the Community Development Department staff recommends the registration fee be set at \$50 to recoup the costs of staff review and processing of ADU registrations; and

WHEREAS, the Common Council finds that such amount is fair, reasonable, and in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following fee is established:

Title 17 Zoning

Fee	Amount	Municipal Code Section
Accessory Dwelling Unit Registration	\$50	17.50.219

BE IT FURTHER RESOLVED that this fee shall remain in place until changed by resolution of the Common Council.

Dated this 16th day of December, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

BE IT FURTHER RESOLVED, by the City Council, that the December 16, 2019 Council minutes be amended to include the entire text of 19AN001 – Approve Resolution 2019-037, A request by Paul Bradsky for Atlantis, LLC for a De-Annexation for property generally described as being located at 450 S. Interstate 90 Service Road, as follows:

RESOLUTION 2019-037
A RESOLUTION EXCLUDING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be excluded from the City; and

WHEREAS, the territory that the petitioners are seeking to have excluded is on the border of the City of Rapid City and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be excluded and thereby removed from the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 1.17 acres, more or less, is hereby removed from the corporate limits of the City and excluded from the City:

Lot 3 of Tract D of W-Y Addition, located in Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

Dated this 16th day of December, 2019.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

BE IT FURTHER RESOLVED, by the City Council, that both Resolution 2019-098 and Resolution 2019-037 as set forth above were approved on December 16, 2019, published on January 31, 2020, and effective on February 20, 2020.

Dated this 3rd day of February, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

Bid Award Consent Items

- 35. CC020320-02.1 – Approve award of total bid for RC Public Library Air Handler Replacement, Project No. 19-2494 / CIP No. 51226 opened on January 28, 2020 to the lowest responsible bidder, Climate Control Systems and Service in the amount of \$324,038.00.

END OF CONSENT ITEMS

Mayor read in item (LF012920-03) Approve Rapid City Youth City Council Bylaws. Drew was impressed with what the Youth City Council came up with. In response to the model they followed, Lehmann said Sean Bender has helped do these for other municipalities and was willing to help the youth council. Motion was made by Drew, second by Armstrong and carried to approve. Armstrong announced when the next Youth Council meeting would be.

NON-CONSENT ITEMS – Items 36 – 39

Janelle Fink, agent for Fisk Land Surveying, spoke to council regarding item (LF012920-02). She stated the applicant would like to waive pavement requirement. The property is outside city limits but within the 3-mile platting jurisdiction. All lots will be three acres or larger. She asked if the pavement could be deferred until the road district is created.

Daene Boomsma spoke on item (PW012820-16). He said the sidewalk comes to a dead-end and abuts a drainage pond. He said they are putting in one side of the sidewalk and not asking for that side to be waived. He said the section going south won't even be used and he would like it waived.

Mayor stated that item (LF012920-12) has 31 speaker request forms. He said this resolution will not affect the outcome of exploratory drilling. He read from the Rapid City Policies and Procedures manual 2-7, the public address to council. Any individual or group who wishes to address the council shall make a request to be on the agenda on forms provided. Each speaker will be limited to three minutes per individual with a maximum of ten minutes per side pro and con unless otherwise ordered by the council by a majority vote. The council retains the right to determine not to hear public testimony and may designate this best specified times on the agenda for public input. Mayor asked for input. Modrick wanted every person to be able to speak their three minutes. Lewis and Drew support ten total minutes for each side. Landeen informed the council that unless they suspend the rules, the rules are going to be three minutes per speaker ten minutes per side unless there is a specific motion to suspend that rule and then the council should identify how they are suspending it. Mayor suggested that the same amount of minutes is given to both sides. Motion was made Roberts, second by Modrick and carried to suspend the rules and allow ten minutes per side to speak. The following individuals spoke against the resolution: Kwinn Neff, Crystal Hocking, Matthew Minnick, Mark Bowron, Larry Mann, and Darcey Baker. The following individuals spoke in favor of the resolution: Dr. Liliias Jarding, Rick Bell, Dr. Andrea Brickey, Justin Herreman, Jerry Munson and Dennis Yellow Thunder. Nancy Hilding asked to hand out the document to council that she had emailed them earlier.

Ordinances

Ordinance 6387 (LF012920-02) Regarding Supplemental Appropriation #1 for 2020. Motion was made by Lewis, second by Drury and carried that Ordinance 6387 be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, February 18, 2020.

Public Works Committee Items

PW011420-11: Appeal by Fisk Land Surveying & Consulting Engineers, Inc. of an Exception Request denial to waive/defer the requirement to pave proposed subdivision streets until a road district is created and funds accumulated. Motion was made by Modrick, second by Lewis to defer the requirement to pave proposed subdivision streets until a road district is created and funds accumulated. Fink indicated that she asked for a deferral but would like to change the request to be waived. In response to a question from Nordstrom, Fink stated the final plat would include the road district agreement. Fink said the landowners in the district would be responsible for the road district. The taxpayers of Rapid City will not be responsible. Tech explained the landowners are basically creating their own highway department for maintenance and paving the road. Only the road district can manage their road. Nordstrom, Evans and Drury spoke against the exception. Fink stated the lots have to be a 3-acre minimum. Modrick asked to change her motion to request to waive instead of defer, Roberts agreed. Motion carried 7-3 with Drury, Evans and Nordstrom voting no.

PW012820-16: Request from KTM Design Solutions, Inc., for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 C (see attachment 1) along Sweetbriar Street fronting the drainage lot that was recently included in the design of Avenue A. The Avenue A Project is currently under construction. Motion was made by Modrick, second by Lewis to waive sidewalk requirement along Sweetbriar Street. Nordstrom doesn't want future taxpayers footing the bill for the sidewalk. Tech suggested if council wanted to waive the requirement to install the sidewalk at this time, the developer

should provide the city with the current value of the sidewalk and pay the city for future installation of that sidewalk. Sumption stated the funds would go into the license and trust fund and it would stay there until it's built and the money would be moved to the fund that would pay for it. Substitute motion by Armstrong, second by Drury to approve the exception on the condition that the developer pays to the city's license and trust fund the amount of the value of the sidewalk in today's dollars. Roberts is in favor of the variance. He doesn't believe a sidewalk will ever be put in at this location. Drury agrees that the developer should pay the city for the future install of the sidewalk. Modrick supports the sidewalk being waived. In response to a question from Armstrong, Tech said his suggestion was to not install the sidewalk and put the money in the bank so when Sweetbriar is reconstructed that sidewalk can be built. Drury is in favor of collecting the funds so there is less cost to the taxpayers when the sidewalk does get installed in the future. Motion carried 6 to 4 with Roberts, Lewis, Lehmann and Modrick voting no.

Legal & Finance Committee Items

LF012920-12 – Approve the Request from Liliias Jarding for City Council to Approve Draft Resolution 2020-011 Expressing Opposition to Gold Exploration in the Rapid Creek Watershed. Motion was made by Drew, second by Armstrong to approve the resolution. In response to a question from Drew, Bowron said that cyanide is used in some processes of gold recovery but not in every process of it. He speculated that sulphide ore would be present and cyanide would likely not be used. Brickey said cyanide is used in many industry processes not just the mining industry; it's used all over and used safely. Bowron said that cyanide naturally breaks down in the environment; it breaks down very quickly; it breaks down into water and carbon. The danger of cyanide is when the pH changes in the solution and it off gases hydrogen cyanide gas. Nordstrom is concerned with contamination. Evans said he is not in favor of mining in the watershed. Drury believes that the Public Works department has an eye on the situation and doesn't think the resolution is necessary. Modrick thinks we need to protect our water and the resolution should be approved. Drury said writing a letter of substance is better than a resolution. Strommen stated everyone wants clean water but he's unsure if a resolution is necessary. Roberts believes people are making decisions on emotions rather than facts. Armstrong is in favor of the resolution and writing a letter. She believes the resolution sends a strong message that Rapid City does not want this project to happen. Motion was made by Lewis, second by Armstrong to continue for two weeks to reword the resolution. Motion failed 4 to 6 with Roberts, Strommen, Lewis and Drury voting in favor of continuing. Substitute motion was made by Roberts, second by Lehmann to table. Motion failed 4 to 6 with Lehmann, Drury, Roberts and Strommen voting to table. Motion to approve passed 6 to 4 with Roberts, Strommen, Lehmann and Drury voting no.

RESOLUTION NO. 2020-011
A RESOLUTION EXPRESSING OPPOSITION TO GOLD EXPLORATION
IN THE RAPID CREEK WATERSHED

WHEREAS, Mineral Mountain Resources Ltd. and F3 Gold LLC have submitted applications to the U.S. Forest Service, Mystic District, to explore for gold in the Rapid Creek watershed; and

WHEREAS, Mineral Mountain Resourced Ltd. is drilling for gold in the area near Rochford, SD, and Pe' Sla; and

WHEREAS, gold exploration could lead to gold mining, which involves the use of cyanide and other toxins and often leads to permanent acid mine drainage, which could go into Rapid Creek; and

WHEREAS, the Rapid Creek watershed and its connected aquifers are the sources for Rapid City's water supply; and

WHEREAS, the Rapid Creek watershed, including Pactola Reservoir, is a major recreation and tourism area, supporting Rapid City's economy; and

WHEREAS, maintaining the quality and quantity of the water supply is of utmost importance to the City and to Ellsworth Air Force Base; and

WHEREAS, comments on the F3 Gold LLC project are due to the U.S. Forest Service, Mystic District, by February 5, 2020; and

WHEREAS, the Common Council of the City of Rapid City believes that gold exploration in the Rapid Creek watershed poses an unacceptable risk to the source of Rapid City’s drinking water.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that due to the potential risk to the Rapid Creek watershed, the City’s water supply, and the local economy the City expresses opposition to gold exploration and potential gold mining in the Rapid Creek watershed.

Dated this 3rd day of February, 2020.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

PUBLIC HEARING ITEMS – Items 40 – 48
CONSENT PUBLIC HEARING ITEMS – Items 40 – 42

Alcohol Licenses

- 40. 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
- 41. 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
- 42. 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

Motion was made by Lehmann, second by Drury and carried to approve items 40-48.

NOTE: The titles of items 43-47 were not read following the public hearing. Items 43-47 will be placed on the February 18, 2020, City Council meeting so that their titles may be read a second time prior to final approval.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 43 – 47 will be heard at the February 18, 2020 City Council meeting.

- 43. No. 19RZ039 - Second Reading, Ordinance 6375, 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.
- 44. No. 19RZ041 - Second Reading, Ordinance 6377, 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.

- 45. No. 19RZ042 - Second Reading, Ordinance 6378, 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.
- 46. No. 19RZ043 - Second Reading, Ordinance 6379, 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.
- 47. No. 19RZ044 - Second Reading, Ordinance 6385, 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.

19VR005 - Menard Subdivision – Approve Resolution 2019-099 - A request by Ted Edwards for Menard, Inc. to consider an application 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.

Resolution 2019-099
Resolution of Vacation of Right-of-Way

WHEREAS, it appears that the right-of-way located in a portion of East North Street Right-of-Way located adjacent to Lot C of Menard Subdivision, less Lot C-1 and less Lot H1 of Lot C, located in in the NE1/4 of the NW1/4 and the NW1/4 of the NE1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being northeast of the intersection of Camden Boulevard and East North Street, is not needed for public purposes; and

WHEREAS, the owner(s) of property adjacent to the above-described right-of-way desires said public right-of-way to be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", attached hereto, and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 3rd day of February, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

BILLS

The following bills have been audited:

BILL LIST - FEBRUARY 3, 2020

P/ROLL PERIOD END 01/18/20, PD 01/24/20	1,897,087.95
CDEV P/ROLL PERIOD END 01/18/20, PD 01/24/20	3,863.35

PIONEER BANK & TRUST, 01/18/20 P/ROLL TAXES, PD 01/24/20	486,422.57
CDEV PIONEER BANK & TRUST, 01/18/20 P/ROLL TAXES, PD 01/24/20	934.73
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC19 SALES TAX PAYABLE, PD 01/17/20	43,793.16
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC19 EXCISE TAX PAYABLE, PD 01/17/20	1,091.43
SOUTH DAKOTA DEPT OF REVENUE, DEC19 CCTR SALES TAX PAYABLE, PD 01/17/20	39,916.19
WELLMARK INC, HEALTH CLAIMS THROUGH 01/17/20, PD 01/23/20	298,597.40
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/21/20, PD 01/22/20	11,020.37
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/27/20, PD 01/28/20	9,503.58
SOUTH DAKOTA RETIREMENT SYSTEM, DEC19 RETIREMENT, PD 01/06/20	480,445.80
RISK ADMINISTRATION SERVICES INC, WORK COMP INITIAL FUNDING, PD 01/24/20	75,000.00
US BANK, CREDIT CARD CHARGES, PD 01/29/20	48,453.72
BANK WEST, TID47 TOWER RD, PD 01/22/20	14,272.17
BANK WEST, TID54 RAINBOW RIDGE, PD 01/22/20	7,494.98
BANK WEST, TID56 RUSHMORE CROSSING, PD 01/22/20	9,265.91
BANK WEST, TID65 MINNESOTA ST, PD 01/22/20	2,507.26
BANK WEST, TID70 CATRON BLVD, PD 01/22/20	23,852.66
CITY OF RAPID CITY, TID64 CABELA'S, PD 01/22/20	81,567.39
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 01/22/20	17,887.33
BLACK HILLS ENERGY, ELECTRICITY, PD 01/28/20	24,521.24
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 01/28/20	60,306.34
COMPUTER BILL LIST	2,717,778.55
CDEV COMPUTER BILL LIST	41,815.14
SUBTOTAL	6,397,399.22
RSVP, P/ROLL PERIOD END 01/18/20, PD 01/24/20	1,447.13
RSVP, PIONEER BANK & TRUST, 01/18/20 P/ROLL TAXES, PD 01/24/20	416.19
RSVP, COMPUTER BILL LIST	514.21
TOTAL	6,399,776.75

Sumption presented the bill list of \$6,399,776.75. Motion was made by Nordstrom, second by Modrick to approve. Authorize (No. CC020320-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 10-0.

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 8:49 p.m.

Dated this 3rd day of February, 2020.

ATTEST:

Finance Officer

(SEAL)

CITY OF RAPID CITY

Mayor