

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
June 15, 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, 300 Sixth Street, in Rapid City, South Dakota on Monday, June 15, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Becky Drury, Ritchie Nordstrom, Greg Strommen, Laura Armstrong, Chad Lewis, Lance Lehmann, John Roberts, and Bill Evans; 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, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Fire Chief Rod Seals, Operations Management Engineer Rod Johnson, Community Development Director Ken Young and Administrative Coordinator Heidi Weaver

ADOPTION OF AGENDA

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

GENERAL PUBLIC COMMENT

Molly Larson spoke on defunding the 2020 budget by taking funds from the police department. She said many situations do not need armed officers. She suggested the PD doesn't respond to mental crisis. That is not their area of expertise and that should be left to the professionals in that field.

NON-PUBLIC HEARING ITEMS -- Items 1 – 46

Keaghan Duffy and Andrew Huot spoke on item 25 (LF061020-02) and item 26 (LF061020-10), they think there should be immediate reconsideration to reallocate the fund to PD regarding weapons and vehicles. They think the funds should go toward issues surrounding minorities.

CONSENT ITEMS – Items 1 – 38

The following items were removed from the Consent Items:

23. PW060920-17: Authorize Mayor and Finance Officer to sign a Professional Service Agreement with Burns & McDonnell Engineering Company, Inc. for a Solid Waste Master Plan, Project No. 19-2561, in the amount of \$698,680.00
25. LF061020-02 – Authorize Staff to Purchase Dodge Ram Truck for \$32,359.00 at State Bid Price to Replace Aging Vehicle in the Police Department Fleet.
26. LF061020-10 – Authorize Staff to Purchase Two Jeep Grand Cherokees for a Total of \$52,672.00 at State Bid Price to Replace Aging Vehicles in the Police Department Fleet.

Motion was made by Lehmann, second by Strommen and carried to approve items 1-38 with the exceptions of items 23, 25, and 26.

Approve Minutes

1. Approve Minutes for the June 1, 2020 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (July 6, 2020)

2. MG Oil Company DBA The Park, 707 Mountain View Rd for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Clock Tower Lounge, 2525 W Main St

- 3. MG Oil Company DBA The Park 3, 707 Mountain View Rd, Suite C for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Uncle Sam’s South, 2110 Jackson Blvd
- 4. MG Oil Company DBA The Park 2, 707 Mountain View Rd Suite B for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Jokers Casino South III, 1320 Mount Rushmore Road Suite B

Public Works Committee Consent Items

- 5. PW060920-02: Approve change order 6 to Simon Contractors of SD, Inc. for E Blvd E North Utility Reconstruction, Project #2170/CIP NO.50866.1 for an increase of \$20,471.66.
- 6. PW060920-03: Approve change order 1 to Underground Construction, LLC. for Woodlawn Dr and Downing St Sanitary Sewer Replacement, Project #2285/CIP NO.50623 for an increase of \$199,798.20.
- 7. PW060920-04: Approve change order 1F to Mac Construction CO., Inc. for RC Water Reclamation Facility Digester MCC and UV/Admin. Transfer Switch Replacement, Project #2485/CIP NO.51216 for an increase of \$8,363.36.
- 8. PW060920-05: Approve change order 1F to Simon Contractors of SD, Inc. for E. St. Francis Paving Project, Project #2514/CIP NO.51237 for a decrease of \$9,030.05.
- 9. PW060920-06: Approve change order 1 F to Complete Concrete, Inc. for Star of the West Bathroom Project, Project #2527/CIP NO.51249 for a decrease of \$3,141.57.
- 10. PW060920-07: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-042 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area Low Pressure North Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.

Resolution # 2020-042
 CONSTRUCTION FEE RESOLUTION FOR ALMA ST., GLADYS ST. AND LENNON LN. AREA LOW
 PRESSURE NORTH WATER MAIN EXTENSION
 PROJECT NO. 12-2039

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City’s water utility; and

WHEREAS, a 16” water main was extended in Alma Street per City Project No. 12-2039; and

WHEREAS, the City’s total oversize cost of constructing this water main was \$120,640.74; and

WHEREAS, the City’s engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City’s Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City’s water utility; and

WHEREAS, the City’s Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City’s Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefitting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City’s water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 16” water main shown in City Project No. 12-2039; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$1,272.58 per acre to connect to the City’s water utility; and

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$120,640.74 has been collected, or until all benefiting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

- 11. PW060920-08: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-043 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area High Pressure North Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.

Resolution # 2020-043
CONSTRUCTION FEE RESOLUTION FOR ALMA ST., GLADYS ST. AND LENNON LN. AREA HIGH
PRESSURE NORTH WATER MAIN EXTENSION
PROJECT NO. 12-2039

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City’s water utility; and

WHEREAS, a 12” water main was extended in Alma Street per City Project No. 12-2039; and

WHEREAS, the City’s total oversize cost of constructing this water main was \$72,052.62; and

WHEREAS, the City’s engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City’s Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City’s water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. 12-2039; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$329.16 per acre to connect to the City's water utility; and

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$72,052.62 has been collected, or until all benefiting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

- 12. PW060920-09: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-044 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area Low Pressure South Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.

Resolution # 2020-044
CONSTRUCTION FEE RESOLUTION FOR ALMA ST., GLADYS ST. AND LENNON LN. AREA LOW
PRESSURE SOUTH WATER MAIN EXTENSION
PROJECT NO. 12-2039

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City's water utility; and

WHEREAS, a 12" water main was extended in Gladys Street to Lennon Lane per City Project No. 12-2039; and

WHEREAS, the City's total oversize cost of constructing this water main was \$179,719.70; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. 12-2039; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$2,563.76 per acre to connect to the City's water utility; and

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$179,719.70 has been collected, or until all benefiting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

- 13. PW060920-10: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-045 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area High Pressure South Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.

Resolution # 2020-045

CONSTRUCTION FEE RESOLUTION FOR ALMA ST., GLADYS ST. AND LENNON LN. AREA HIGH PRESSURE SOUTH WATER MAIN EXTENSION PROJECT NO. 12-2039

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City's water utility; and

WHEREAS, a 12" water main was extended in Gladys Street to Lennon Lane per City Project No. 12-2039; and

WHEREAS, the City's total oversize cost of constructing this water main was \$204,786.15; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this water main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's water utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its water utility that the owners of properties within the benefitting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's water system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" water main shown in City Project No. 12-2039; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$1,639.60 per acre to connect to the City's water utility; and

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$204,786.15 has been collected, or until all benefiting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

14. PW060920-11: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and Ferber Engineering Inc. for Design and Bidding for E Watertown Water Main Replacement, Project No. 19-2501 / CIP No. 51076, in the amount of \$42,160.00
15. PW060920-12: 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 Repair, Project No. 19-2525/CIP No. 51247 in the amount of \$124,468.00.
16. PW060920-13: Approve and Authorize Mayor and Finance Officer to sign Professional Services Agreement with Banner Associates, Inc. for the Enchantment Pressure Reducing Facilities (PRV) Short Term Piping Upgrades, Project Number 20-2590/CIP 51261, in the amount of \$54,200.00.
17. PW060920-14: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Highway Improvement, Inc. for 2020 Crack Seal Project, Project No. 20-2591/CIP 50844, in the amount of \$75,000.00.
18. PW060920-15: Authorize the Solid Waste Division to contract for equipment repair and installation of a reconditioned engine for Unit S933 of the Solid Waste, Sanitation Division from Cummins Sales for a total cost of \$38,703.18. Funding will be from the Solid Waste Division.
19. PW060920-16: Authorize the Solid Waste Division to contract for equipment repair and installation of a reconditioned engine for Unit S930 of the Solid Waste, Sanitation Division from Cummins Sales for a total cost of \$35,860.83. Funding will be from the Solid Waste Division.
20. PW060920-18: Approve Change Order No. 4 to Simon Contractors of SD for Parks and Recreation 2019 Asphalt Paving project No. PR19-6166 for an increase of \$11,016.
21. PW060920-19: Approve Resolution No. 2020-040 entitled A Resolution Establishing the City of Rapid City Archery Antlerless Deer Access Permit Program

RESOLUTION NO. 2020-040

A RESOLUTION ESTABLISHING THE CITY OF RAPID CITY ARCHERY ANTLERLESS DEER
ACCESS PERMIT PROGRAM

WHEREAS, the deer population throughout the City of Rapid results in a number of conflicts between deer and people, including collisions between automobiles and deer that can result in extensive property damage, bodily injury, and in some cases even death; and

WHEREAS, the deer population can also cause property damage to home gardens, landscaping, and natural environments that are habitats for other species; and

WHEREAS, whitetail deer are a primary host to Black Legged (deer) ticks, the carrier of several human diseases, including Lyme Disease; and

WHEREAS, Chronic Wasting Disease, an always fatal neurological disease of cervids, has been found in the city limits of Rapid City and reducing deer densities has been indicated as one method that may limit the spread of the disease; and

WHEREAS, the Common Council recognizes that deer in urban areas, for the most part, lack predators to control deer populations and, in turn, deer in large numbers can cause significant habitat damage; and

WHEREAS, the City of Rapid City wishes to manage the deer population within the city limits of Rapid City; and

WHEREAS, the City of Rapid City adopted a revised deer management plan in 2012 entitled the Rapid City Deer Management Program in an effort to foster healthy deer populations; and

WHEREAS, sportsmen and women across the nation contribute the majority of the monies used to manage and conserve wildlife; and

WHEREAS, the City of Rapid City has an ordinance that generally prohibits archery deer hunting within City limits except for hunting by those individuals who obtain Access Permits pursuant to the City of Rapid City Archery Antlerless Deer Access Permit Program;

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City establishes the following City of Rapid City Archery Antlerless Deer Access Permit Program in order to help manage the deer population within the city limits of Rapid City.

City of Rapid City Archery Antlerless Deer Access Permit Program

Permit Administration

A limited public archery hunt has been set up to manage the deer population within the city limits of Rapid City. This antlerless deer hunting opportunity, called the Rapid City Archery Antlerless Deer Access Permit Program, will be administered by South Dakota Game, Fish and Parks (SDGFP) and the Rapid City Police Department (RCPD).

SDGFP will accept online Access Permit applications from hunters. SDGFP will administer a draw for Access Permits through its online license system. Applications will be accepted June 1st through July 1st. Successful applicants will be notified by July 15th. Any remaining permits will be available on a first come, first served basis. There is no cost to apply for an Access Permit, however, there is a cost to obtain an archery hunting license from SDGFP, as explained further below.

Archery Hunting Licenses

Those individuals successful in drawing an Access Permit must obtain an archery hunting license from SDGFP, attend an orientation briefing, and pass a proficiency test before the Access Permit will be provided to the individual. There is a cost to obtain an archery hunting license from SDGFP; however, there is no cost to obtain an Access Permit. Hunters will have several options for purchasing licenses that are valid within the Rapid City hunting areas. Hunters are able to use any combination of the following licenses: Statewide Any Deer, West River Any Deer, Antlerless White-tailed deer or the Any Antlerless Deer license that is valid within the described hunting units within Rapid City. Regardless of the license(s) used, only antlerless deer are allowed to be harvested.

Rules and Regulations

All big game regulations, as well as the following rules, would apply to anyone hunting within the city limits of Rapid City pursuant to an Access Permit:

- A hunter must be a resident of South Dakota.
- A hunter must be 18 years of age to hunt alone. A hunter under the age of 18 must be accompanied (within arm's reach) by a qualified adult supervisor.
- A hunter must possess a hunter safety education certificate.
- An individual successful in the Access Permit draw will be required to pass a proficiency test prior to being allowed to acquire an Access Permit. The proficiency test will require a hunter to place 3 of 4 arrows in an 8" diameter circle at 30 yards with a broadhead tipped arrow and the archery equipment to be used while hunting with the Access Permit.
- A hunter must attend a mandatory briefing and training held at the SDGFP Outdoor Campus - West located at 4130 Adventure Trail in Rapid City.
- A hunter must carry his or her Access Permit while hunting.

- A hunter must obtain and display a Parking Permit distributed by SDGFP in his or her vehicle while the hunter is hunting pursuant to the terms of the Access Permit.
- A hunter may only harvest antlerless deer.

Either SDGFP or RCPD may revoke a hunter's Access Permit for: failure to comply with the rules above and all big game regulations; the violation by a permittee of any provision of the Rapid City Municipal Code, state law, or federal law; or other good cause. A written order of revocation shall be hand-delivered, sent by first class mail to the permittee's last known address, or sent by email to permittee's last known email address. A written order of revocation is effective on the date that it is signed by either SDGFP or RCPD. A person whose Access Permit has been revoked may appeal the revocation decision to the Common Council by submitting a written letter of appeal to the Rapid City Finance Officer or his or her designee within 14 calendar days of the effective date of the order of revocation. If, upon consideration, a majority of the Council votes to overturn the order of revocation, then the license shall be reinstated.

Hunting Locations and Periods

Hunters will be required to stay within the boundaries of their Hunting Area at all times; this may be different from the property boundaries. Hunters needing to retrieve downed game from outside of the Hunting Area will need to receive permission from the appropriate landowner or will be subject to trespass charges.

Temporary hunting blinds or trees stands will be allowed, but blinds may not be placed prior to a particular hunter's access period and must be removed by the last day of their 14-day access window. Temporary tree stands may be used but the use of nails, screws, bolts or anything that will cause lasting damage to the tree is prohibited.

Hunting periods will be for 14 days starting on a Wednesday and ending on a Tuesday. Hunting periods for 2020 will be as follows:

Sept 2-Sept 15
 Sept 16-Sept 29
 Sept 30-Oct 13
 Oct 14-Oct 27
 Oct 28-Nov 10
 Nov 11-Nov 24
 Nov 25-Dec 8
 Dec 9-Dec 22

There will be 4 properties participating in the 2020 Rapid City Archery Antlerless Deer Access Program, with one hunter allowed at each property with the exception of the GCC Dacotah, Inc. property where two hunters per period will be used. There would be a maximum of 40 hunters licensed for this program during the fall and winter of 2020. *(The four participating properties are: Blessed Sacrament Church, 4500 Jackson Blvd; Outdoor Campus – West Archery Complex, 4130 Adventure Trail; GCC Dacotah Inc. property; and Park Drive property.)*

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:

s/ Pauline Sumption

Finance Officer

(SEAL)

- 22. PW060920-01: 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 \$25,959.16
- 24. PW060920-20: Approve with stipulations, a request from Western Housing Enterprises, LLC for an Exception to allow more than 40 dwelling units with one point of access. Per Section 2.6 of the Infrastructure Design Criteria Manual (IDCM), a single access can only serve 40 dwelling units unless an Exception is approved by City Council.

Legal & Finance Committee Consent Items

- 27. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Kathy Weimer (RSVP+)
- 28. LF061020-01 – Approve Resolution No. 2020-052A a Resolution Fixing Time and Place for Hearing on Assessment Roll for A Business Improvement District 2020

RESOLUTION No. 2020-052A
 RESOLUTION FIXING TIME AND PLACE FOR HEARING ON ASSESSMENT ROLL
 FOR A BUSINESS IMPROVEMENT DISTRICT 2020

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

- 1. The Assessment Roll for a Business Improvement District 2020 was filed in the Finance Office on the 15th day of June 2020. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on the 20th day of July 2020 at 6:30 P.M., this said date being not less than twenty (20) days from the filing of said assessment roll for hearing thereon.
- 2. The Finance Officer is authorized and directed to prepare a Notice stating the date of filing the assessment roll, the time, and place of hearing thereon; that the assessment roll will be open for public inspection at the Office of the Finance Officer, and referring to the assessment roll for further particulars.
- 3. The Finance Officer is further authorized and directed to publish notice in the official newspaper one week prior to the date set for hearing and to mail copy thereof, by first class mail, addressed to the owner or owners of any property to be assessed at his, her, or their last mailing address as shown by the records of the Director of Equalization, at least one week prior to the date set for hearing.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
 s/ Steve Allender
 Mayor

ATTEST:

s/ Pauline Sumption

Finance Officer

(SEAL)

- 29. LF061020-03 – Approve Resolution No. 2020-053 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-053
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 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

- 30. LF061020-04 – Approve Resolution No. 2020-054 a Resolution Declaring Miscellaneous Personal Property Surplus to be Traded

Resolution #2020-054
RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

- From: Police (201)
 - For Deletion (Trade) :
 - 2007 Chevy K1500 (Unit-A131)
 - VIN# 1GCEK19C17Z599497
 - For Deletion (Trade) :
 - 2006 Chevy Impala (Unit-A116)
 - VIN# 2G1WB58K669348853

For Deletion (Trade) :
2007 Chevy Impala (Unit-A113)
VIN# 2G1WB58KX79361994

For Deletion (Trade) :
2007 Chevy Impala (Unit-A114)
VIN# 2G1WB58K279353730

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 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

- 31. LF061020-05 – Acknowledge April 2020 Sales Tax Report
- 32. LF061020-09 – Approve Resolution No. 2020-055 a Resolution Declaring Miscellaneous Property Surplus to be Traded

Resolution # 2020-055
RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Police (201)

- For Deletion (Trade) :
 - Vigilant LPR Equipment
 - Kit # 115429 Police Version
 - VSR-24-925 25MM Camera
 - S/N: 24925-70020
 - VSR-24-925 25MM Camera
 - S/N: 24925-70023
 - Garmin GPS Unit
 - S/N: 19M094272
 - POE REV D
 - S/N: 185001203ARC06
 - REAPERSD VSR-20-916 CAMERA
 - W BLOCK
 - Serial Number for Line
 - 20916-82108

VS REAPERSD POWER BOX REV D
 Serial Number for Line
 188001535ARC06

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 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer
 (SEAL)

33. LF061020-08 – Authorize the Mayor and Finance Officer to Sign the Vision Funds Agreement with Black Hills Works

Community Development Consent Items

34. No. 20AN002 – Continue Resolution 2020-039 to the July 6, 2020 Council meeting to meet publication requirements. A request by Cross Country Real Estate LLC for a Petition of De-Annexation for property generally described as being located northeast of the intersection of Jolly Lane and E. Highway 44.

Bid Award Consent Items

35. CC061520-02.1 - Approve award of total bid for 2020 Chip Seal Project, Project No. 19-2543 / CIP No. 50844 opened on June 9, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$181,779.00.
36. CC061520-02.2 - Approve award of total bid for Pavement Rehabilitation Project Grand Vista Ct to Kepp Ct, Project No. 19-2547 / CIP No. 50549 opened on June 9, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$316,022.50.

END OF CONSENT ITEMS

Mayor read in item (PW060920-17) Authorize Mayor and Finance Officer to sign a Professional Service Agreement with Burns & McDonnell Engineering Company, Inc. for a Solid Waste Master Plan, Project No. 19-2561, in the amount of \$698,680.00. Drew doesn't think this is the right time to spend money on this project. Dan Coon, Assistant Public Works Director, gave a presentation to the council. He said the city needs to make proactive decisions instead of reactive ones. Evans asked if there was a solid waste committee. Armstrong didn't think so but is in favor of one. Roberts said there used to be one. In response to a question from Roberts, Coon said they had done a study previously but not a master plan. Roberts doesn't think these studies save the city any money. Strommen said he sat in on the sessions and a lot of work goes into the master plan. He believes this is an investment in our infrastructure and our future. He said some of the equipment is over 20 years old. He will support it. Armstrong is in favor of it. The city can't afford for have equipment breaking down. They need to invest in the future of the landfill. Motion was made by Nordstrom, second by Lewis to approve. Nordstrom said this is already in the budget and he feels comfortable with it. Evans stated he would have liked to be involved in this process. He would like a better understanding of how the council selection process works. Drew said she is not against it but doesn't think this year is a good time. Motion passed 6-3 with Drew, Evans and Roberts voting no.

Mayor read in item (LF061020-02) Authorize Staff to Purchase Dodge Ram Truck for \$32,359.00 at State Bid Price to Replace Aging Vehicle in the Police Department Fleet. Jegeris thanked Molly, Keaghan and Andrew for their input. He said the police care about the citizen's quality of life. He stated the homeless are given police department care 24 hours a day, 7 days per week, 365 days per year. The officers are trained in first aide and crisis intervention. He indicated the RCPD is compassionate and doesn't think they should be stereotyped based on the destruction going on nationally. He said the reason for the truck is to be able to transport wheelchairs instead of using an ambulance. Motion was made by Roberts, second by Lewis to approve. Lewis said the item is budgeted and needed. Drew said the city does care about the homeless because they did support One Heart. Evans said we have a well-balanced community and the police department does a great job. Nordstrom advised the public to go on a ride-along, its very eye opening. Motion carried 9-0.

Mayor read in item (LF061020-10) Authorize Staff to Purchase Two Jeep Grand Cherokees for a Total of \$52,672.00 at State Bid Price to Replace Aging Vehicles in the Police Department Fleet. Motion was made by Lehmann, second by Drury and carried 9-0.

NON-CONSENT ITEMS – Items 39 – 46

Kevin Bashara spoke on item 43 (LF061020-11) he said he is a health conscience business owner and the survival of his businesses depends on the council's decision. He would like to open the restaurant at 100%. He will continue to offer CDC guidelines. He asked to resume hours and capacity back to normal.

Jordan Mason spoke on item 43 as well. He stated he didn't agree with the city's reaction to COVID 19. He spent a lot of time in Pierre. He said senate bill 191 failed. He stated the city has an opportunity to right a wrong. He is against extending the current resolution.

Lyle Tolsma spoke on behalf of Black Hills Sports on item 45 (CC061520-02.3) regarding Fitzgerald Stadium. He said the group has been working with Rod Johnson and he would like the project to move forward.

Ordinances

Mayor read in item (LF052720-03) Approve Second Reading and Recommendation of Ordinance 6429 Regarding Supplemental Appropriation #3 for 2020. Having passed its first reading on June 1, 2020 motion was made by Lewis, second by Drury to approve. The following voted AYE: Drury, Nordstrom, Roberts, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6429 was declared duly passed upon its second reading.

Mayor read in item (200A002) Approve First Reading of Ordinance No. 6428 an Ordinance to Clarify the Retail Sales Component for Microbreweries as Conditional Uses in the Light Industrial District by amending Section 17.22.030N of the Rapid City Municipal Code. In response to a question from Drew, Fisher explained the limitations on this ordinance. Motion to approve was made by Drury, second by Armstrong that Ordinance 6428 be placed upon its first reading and the title was fully and distinctly read and second reading set for July 6, 2020. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; NO: none. Motion carried.

Mayor read in item (No. 20RZ030) First Reading, Ordinance 6422, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for, generally described as being located north of the intersection of East Stumer Road and Shelby Avenue. Motion to approve was made by Drew, second by Drury and that Ordinance 6422 be placed upon its first reading and the title was fully and distinctly read and second reading set for July 6, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Mayor read in item (No. 20RZ032) First Reading, Ordinance 6427, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to High Density Residential District for, generally described as being located at 726 South Street. Motion to approve was made by Drew, second by Nordstrom and that Ordinance 6427 be placed upon its first reading and the title was fully and distinctly read and second reading set for July 6, 2020. Those voting aye, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

Legal & Finance Committee Items

Mayor read in item (LF061020-11) Approve Resolution No. 2020-056 an Emergency Resolution Extending Resolution No. 2020-034. Landeen said the current resolution would extend the COVID rules for three more weeks. He added a second resolution (2020-057) as an option to cautiously stop the current rules. The alternate resolution says CDC guidelines should be followed. Motion was made by Roberts, second by Lehmann to approve the alternate resolution (2020-057) An Emergency Resolution Modifying the Mandatory Orders Relating to Public Gatherings Contained in Ordinance No. 6413. Substitute motion made by Nordstrom, second by Evans to add, "in the event of a complaint, the city will recommend corrective action." Lewis said he won't vote for that. He stated the language would need to be changed and that wouldn't happen tonight. Drury said the citizens can call code enforcement if people aren't following the rules. Armstrong doesn't think we have reached the peak and wants to keep the original ordinance in place. Drew said we have accomplished what they needed and would like to use the alternate resolution without Nordstrom's added language. Roberts called the question. Motion failed 2-7 with Nordstrom and Evans voting in favor of the added language. Lewis stated the goal was to get the hospital ready and now the hospital is ready. Motion to approve carried 7 to 2 with Armstrong and Nordstrom voting no.

RESOLUTION NO. 2020-057

AN EMERGENCY RESOLUTION MODIFYING THE MANDATORY ORDERS RELATING TO PUBLIC GATHERINGS CONTAINED IN ORDINANCE NO. 6413.

WHEREAS, the City of Rapid City has the authority pursuant to SDCL 9-29-1 to pass ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, Executive Order 2020-04 has been extended until December 30, 2020; and WHEREAS, cases of COVID-19 have been confirmed in South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected; and

WHEREAS, the City adopted an emergency ordinance pursuant to SDCL 9-29-1 and 9-32-1 which implemented social distancing guidelines recommended by the Centers for Disease Control (CDC) to stop the outbreak of the disease COVID-19; and

WHEREAS, the emergency ordinance allows the City Council to enact further restrictions on public gatherings and public movements it deems necessary to address the current public health emergency; and

WHEREAS, the purpose of social distancing requirements is to slow the spread of the disease so that the region's health care system is not overwhelmed; and

WHEREAS, since the original emergency declarations, both the President and Governor have announced plans to ease restrictions on businesses and restart the country's economy; and

WHEREAS, while the number of cases in Pennington County has continued to climb, the number of positive cases does not appear to be on a trajectory to overwhelm the local health care system at this time; and

WHEREAS, the Common Council of the City of Rapid City believe that it is in the City's best interests to continue to encourage citizens and businesses to follow recommended state and Centers for Disease Control guidelines and practice social distancing, while removing formal legal requirements that could result in criminal punishment for those who fail to do so.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the following regulations be put in place to control the spread of COVID-19 within the City of Rapid City:

The City of Rapid City encourages the people of Rapid City to be diligent in their behavior to slow the spread of the virus that causes COVID-19 and to protect individuals who may be vulnerable to serious complications or death from COVID-19.

Section 1: Safe Practices. The City of Rapid City encourages all individuals within the City to continue to follow the CDC guidelines and recommended hygiene practices. Individuals should continue to practice good respiratory hygiene, cover coughs and sneezes with a tissue or use the inside of their elbow, wash hands often, disinfect surfaces frequently, avoid touching their face, and adhere to social distancing guidelines. Additionally, consistent with current CDC guidance, residents over the age of two who do not have trouble breathing should consider wearing cloth face masks when they are in public areas outside of their homes, such as, by way of example and not limitation, the grocery store or medical clinic. Such masks should not be used as a substitute for social distancing, which is vital for slowing down the spread of COVID-19.

Section 2: Vulnerable Populations. To help avoid contracting the virus that causes COVID-19, adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions, collectively referred to as "Vulnerable Individuals," should be especially diligent and cautious in their

actions and behaviors. A serious underlying medical condition may include chronic lung disease, severe respiratory disorder, moderate to severe asthma, serious heart or cardiac condition, immunosuppression, diabetes, liver disease, chronic kidney disease or someone undergoing dialysis, or other condition identified by one's medical provider. Vulnerable Individuals should also take the following actions to reduce their risk of getting the disease COVID-19 as recommended by the CDC:

- Wash hands often;
- Take precautions every day to keep space between others (stay a minimum of 6 feet away, which is about two arm lengths);
- Keep away from people who are sick;
- Maintain an adequate supply of essential items;
- Clean and disinfect frequently touched services;
- Avoid all cruise travel and non-essential travel; and
- Call a health care professional with questions about underlying medical condition, COVID-19, or if you are sick.

Section 3: Businesses. Businesses should exercise good judgment and follow the recommendations of the CDC, State Department of Health, and other health experts to protect the health and safety of their employees and patrons, such as, by way of example and not limitation, protective barriers at points of sale, cloth face coverings for employees and patrons, physical distancing, and frequent cleaning of frequently touched surfaces. Licensed food establishments in particular may consider disposable or touchless menus, biodegradable serving ware and utensils, separating all parties by at least 6 (six) feet, and limiting self-service food and drink stations.

Section 4: This Resolution shall remain in effect until July 31st, 2020, unless otherwise repealed, modified, or extended.

BE IT FURTHER RESOLVED, by the City of Rapid City, that due to the fact a national and statewide emergency has been declared and one of the primary recommendations to combat this emergency is to practice social distancing and limit person to person contact, this resolution is considered necessary for the immediate preservation of the public peace, health, and safety of the City of Rapid City and shall be effective immediately upon publication thereof.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer
 (SEAL)

Community Development Items

Mayor read in item (No. 20PL034) A request by KTM Design Solutions, Inc for Yasmeen Dream 11, LLC for a Preliminary Subdivision Plan for proposed Lots 2 thru 28 of Block 3, Lots 2 thru 11 of Block 4, Lots 1 thru 16 of Block 7 of Diamond Ridge Subdivision, generally described as being located north of Diamond Ridge Subdivision. Motion was made by Roberts, second by Nordstrom and carried to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, an alternate street name for "Crystal Avenue" shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document and construction plans shall show the approved street name; 2. Prior to submittal of a Development Engineering Plan application, an Exception

to Section 2.6 of the Infrastructure Design Criteria Manual shall be obtained from the City Council to allow 53 lots with one point of access in lieu of a maximum of 40 lots or the plat document shall be revised reducing the number of proposed lots or providing a second street connection. 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 Diamond Ridge Boulevard and Crystal Avenue, local streets, shall be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. 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 and the Rapid Valley Sanitary District. The design report shall 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 in accordance with the Infrastructure Design Criteria Manual and the Rapid Valley Sanitary District shall be submitted for review and approval. The design report shall 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. The drainage report shall address storm water quantity control to pre-developed, historic rates and provide 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; 8. Upon submittal of a Development Engineering Plan application, the construction plans shall show the correct labeling of an adjacent proposed street currently identified as "Future Valley Drive Extension"; 9. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 10. 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; 11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 12. Prior to submittal of a Final Plat application, that portion of the property zoned General Agriculture District shall be rezoned to Medium Density Residential District or Low Density Residential District II in compliance with the City's Future Land Use Plan; 13. Prior to submittal of a Final Plat application, a Final Plat shall be recorded securing the right-of-way for that portion of Diamond Ridge Boulevard and Homestead Street located south of the subject property or the street right(s)-of-way shall be included in the Final Plat for this phase of the development; 14. 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, 15. 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. CC061520-02.3) Acknowledge receipt of bids for Fitzgerald Stadium Renovation, Project No. 19-2508 / CIP No. 51231 opened on May 26, 2020. Drew said she supports the project and the Vision money has already been awarded and set aside. In response to a question from

Drury, Rod Johnson said staff recommends approving award of base bid in the amount of \$4,950,000 minus negotiated value engineering in the amount of \$557,600.00 for a total award of \$4,392,400.00. Johnson said they will use any remaining contingency to purchase and install the turf in 2021, if other funds are needed they will use private funds from Black Hills Sports. In response to a question from Evans, Sumption explained where the Vision Funds come from and how they are generated. Evans doesn't think it's time for the project right now. Nordstrom thanked Pat Hall for the tour and explanation of diversified use of the stadium. Tolsma said they were concerned they would lose the Vision Fund money, but was assured that it wouldn't happen. Sumption said Construction Manager at Risk was allowed. Discussion continued. Motion was made by Lewis, second by Drury to approve as staff recommended. Roberts stated the item said to acknowledge and asked Landeen if council could change the item from acknowledge to approve. Landeen said yes. In response to a question from Roberts, Johnson said Construction Manager at Risk was discussed early on but they ran into timing issues. It is a lengthy process and they wanted to get the project started in July 2020 and be done in the Spring of 2021. Roberts wants to delay the project for a year in order to consider Construction Manager at Risk. Lewis said the Vision Committee already vetted this project and the council should allow it to move forward. He said the money is there and it can't come from any other fund. Armstrong was concerned with the lack of bids. Johnson said they would have liked to have gotten more bids but it was not uncommon to get two bids for such a specific project. Hall said they would do fundraising for any additional funds needed to complete the project. He indicated several sponsors have come forward to market their items at the stadium. Drew has confidence this group could raise the extra money if needed. Substitute motion made by Roberts, second by Evans to reject all bids and move forward to rebid the project with Construction Manager at Risk. Drury and Drew agreed this has been vetted already and this group should receive their portion of the money and move forward. Evans is tired of people saying the money will be there. Motion failed 4-5 with Armstrong, Lehmann, Evans and Roberts voting to rebid and include Construction Manager at Risk. Motion to approve passed 8-1 with Evans voting no.

Alcoholic Beverage License Renewals (There are 12 licenses)

Mayor read in the item - Approve 2020 Retail (on-off Sale) Malt Beverage & SD Farm Wine Renewals. Motion was made by Lewis, second by Roberts and carried to approve.

RB-19950	RAPID CITY/BH LODGING LLC	CAMBRIA SUITES	3333 OUTFITTERS RD
RB-2052	RAPID CITY ARTS COUNCIL INC	DAHL ARTS CENTER	713 7TH STREET
RB-25638	MOYLE PETROLEUM CO	COMMON CENTS FOOD STORE #104	1129 W OMAHA ST
RB-26097	DNJ LLC	DICKEYS BBQ	2200 N MAPLE AVE UNIT 330
RB-26593	FAMILY DOLLAR STORES OF SD LLC	FAMILY DOLLAR STORES OF SOUTH DAKOTA	1445 HAINES AVE
RB-25646	HOLIDAY STATIONSTORES LLC	HOLIDAY #456	35 OMAHA ST
RB-26361	FAMILY DOLLAR STORES OF SD LLC	FAMILY DOLLAR STORES OF SD #7251	907 E NORTH ST
RB-26363	FAMILY DOLLAR STORES OF SD LLC	FAMILY DOLLAR STORES OF SD #7118	1025 E SAINT PATRICK ST
RB-26691	GOLDEN TICKET CINEMAS INC	GOLDEN TICKET CINEMAS	350 EAST DISK DRIVE
RB-2957	RAPID CITY ELKS	ELKS LODGE #1187	3333 E 39TH ST

	CLUB		
RB-2979	GOLDEN FORTUNE INC	GOLDEN FORTUNE INC	1118 EAST NORTH ST
RB-3011	M G OIL COMPANY	LACROSSE STREET CASINO #2	720 LACROSSE ST BUILDING B SUITE 2

PUBLIC HEARING ITEMS – Items 47 – 51

Sumption asked to pull item 47 regarding the special event applications submitted by Rapid City Summer Nights.

CONSENT PUBLIC HEARING ITEMS – Items 47 – 49

The following item was removed from the Consent Public Hearing Items:

- 47. Rapid City Summer Nights for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine Retailer license for events on the following 2020 dates: July 2, 9, 16, 23; and August 6, 13, 20, 27, and September 3 at 500 Block of 7th and 700 Block of St. Joseph

Motion was made by Lewis, second by Armstrong and carried to approve items 47-49 with the exception of item 47.

Alcohol Licenses

- 48. Khan Hotel SD LLC DBA Clarion Inn, 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

2020 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals (June 15, 2020)

- 49. Moyle Petroleum Co. DBA Common Cents Food Stores #108, 2660 Mt. Rushmore Road, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License renewal

END OF CONSENT PUBLIC HEARING CALENDAR

Sumption would like to acknowledge the withdrawal of the ten special events for Rapid City Summer Nights and approve a partial refund. Motion was made by Armstrong, second by Drew and carried to approve.

NON-CONSENT PUBLIC HEARING ITEMS – Items 50 – 51

Mayor read in item (No. 20RZ029) Second Reading, Ordinance 6421, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to High Density Residential District for property generally described as being located at 706 South Street. Having passed its first reading on June 1, 2020 motion was made by Drew, second by Drury to approve. The following voted AYE: Drury, Roberts, Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Evans and Drew. NO: None. Whereupon, the Mayor declared the motion passed and Ordinance 6421 was declared duly passed upon its second reading.

Mayor read in item (No. 20PD017) Appeal of Planning Commission Decision to Deny a request by Catherine B. Harris for a Final Planned Development Overlay to allow a mission in the General Commercial District for property generally described as being located at 112 East North Street. Planning Commission recommended to deny. Motion was made by Drew, second by Lewis to reverse the denial and allow the Final Planned Development Overlay to allow a mission in the General Commercial District. Drew said the city does need another center and this will cost the City nothing. Drew indicated they already have a building and will use it for mission work. Cathie Harris, past President of RV Ministry, said

they are currently serving meals to go. She said that misinformation has been reported about people who have died on the railroad track behind the building. There is no evidence that people have been killed. She said they did propose to put a fence on the backside of the property if needed. They transport people in their own vehicles. They are their friends. They have continued to have a strong presence in the community. She said they are trying to fill in the gaps where resources are needed. In response to a question from Nordstrom, Fisher said the Planning Commission denied the request due to pedestrian safety and the proximity of the railroad. The commission didn't want to encourage a site that was not safe. John Green contacted the railroad and they did say that two people have been killed on the railroad track. Holly Sope, President of RV Ministries, said they are currently only serving meals on Sundays from 7:00 a.m. to 10:00 a.m. but would like to increase the hours soon. Jon Brue, real estate agent, for RV Ministries said they did not put in the offer contingent on the allowed use. Drury asked Fisher what was required if council approves this. Fisher went over the stipulations. Substitute motion was made by Lehmann, second by Armstrong to approve with stipulations. Roberts said it's a bad practice to get into when agents write offers knowing there might be problems with the intended use. Brue said he explained the contingency to Cathie Harris but she didn't want it included. Eileen Desmore, Board member for RV Ministries, said they would like to continue their service and will follow the stipulations if they are approved. Mayor asked what they want their future operation hours to be. Sope said Monday through Friday from 4:00 p.m. to 10:00 p.m. (after the Hope Center closes); weekends from 7:00 a.m. to 7:00 p.m. and holidays. She said they would do whatever it takes to keep the guests safe. Motion carried 5-4 with Lewis, Drury, Nordstrom and Roberts voting no; approved with the following stipulations: 1) An Exception is hereby granted to reduce the required off-street parking spaces from 16 spaces to 5 spaces for the mission; 2) Prior to initiation of use, the applicant shall coordinate with the Rapid City Fire Department to provide fire protection for the building; 3) All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Initial and Final Planned Development Overlay. Changes to the proposed sign package, which the Department of Community Development Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Development Overlay. All signage not in conformance with the Sign Code shall require a Major Amendment to the Final Planned Development. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Final Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A Sign Permit shall be obtained for each individual sign; 4) A Major Amendment to the Planned Development Overlay shall be obtained prior to the initiation of Phase 3 of the applicant's operational plan, which proposes lodging on the property; and, 5) The Final Planned Development Overlay shall allow a mission on the property constructed and operated in compliance with the applicant's operational plan and Section 17.18.030(6) of the Rapid City Municipal Code. Any change in use or expansion in use that is a permitted use in the General Commercial District shall require the review and approval of a Minimal Amendment to the Planned Development Overlay. Any change in use or expansion of use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Final Planned Development Overlay.

BILLS

The following bills have been audited:

BILL LIST - JUNE 15, 2020

P/ROLL PERIOD END 05/23/20, PD 05/29/20	1,756,167.69
CDEV P/ROLL PERIOD END 05/23/20, PD 05/29/20	3,863.34
PIONEER BANK & TRUST 05/23/20 P/ROLL TAXES, PD 05/29/20	246,930.89
CDEV PIONEER BANK & TRUST 05/23/20 P/ROLL TAXES, PD 05/29/20	525.57
WAGE WORKS, SECTION 125 CLAIMS THROUGH 06/01/20, PD 06/02/20	6,306.34
WAGE WORKS, SECTION 125 CLAIMS THROUGH 06/08/20, PD 06/09/20	5,382.88
SOUTH DAKOTA RETIREMENT SYSTEM MAY20 RETIREMENT, PD 06/04/20	695,998.57

RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 06/03/20, PD 06/05/20	10,476.32
SDRS-SPECIAL PAY PLAN SPECIAL PAY PLAN FEE- O'REILLY, T. PD 05/29/20	45.00
BLACK HILLS ENERGY, ELECTRICITY, PD 06/09/20	361.87
COMPUTER BILL LIST	2,151,773.01
CDEV COMPUTER BILL LIST	5.40
SUBTOTAL	4,877,836.88
RSVP P/ROLL PERIOD END 05/23/20, PD 05/29/20	2,474.04
RSVP PIONEER BANK & TRUST, 05/23/20 P/ROLL TAXES, PD 05/29/20	295.06
RSVP COMPUTER BILL LIST	9,786.12
TOTAL	4,890,392.10

Sumption presented the bill list of \$4,890,392.10. Motion was made by Nordstrom, second by Drury and carried to authorize (No. CC061520-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Lewis, Lehmann, Drury, Evans, Roberts and Drew; no: none. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Strommen and carried to adjourn the meeting at 9:36 p.m.

Dated this 15th day of June, 2020.

CITY OF RAPID CITY

ATTEST:

Finance Officer
(SEAL)

Mayor