

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
August 17, 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, August 17, 2020, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Pat Jones, Ritchie Nordstrom, Greg Strommen, John Roberts, Laura Armstrong, Jason Salamun, Lance Lehmann, Darla Drew, 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 Don Hedrick, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Fire Chief Jason Culberson, and Administrative Coordinator Heidi Weaver

ADOPTION OF AGENDA

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

MAYOR'S ITEMS

Mayor read in item (No. CC081720-04.1) Confirm Appointment of Jason Culberson as Chief of the Fire Department and Authorize Mayor and Finance Officer to sign employment contract. Motion was made by Roberts, second by Evans to approve. Motion carried 9-0.

Finance Officer Pauline Sumption swore in Jason Culberson as Chief of the Rapid City Fire Department.

Mayor read in item (No. CC081720-04.2) Confirm Appointment of Don Hedrick as Chief of the Rapid City Police Department and Authorize Mayor and Finance Officer to sign employment contract. Motion was made by Salamun, second by Jones to approve. Motion carried 9-0.

Finance Officer Pauline Sumption swore in Don Hedrick as Chief of the Rapid City Police Department.

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

Molly Larson spoke about the budget. She said only 1% of the general fund was allocated to arts and culture in 2020. She indicated that 48% of last year's budget went to public safety. She would like more money allocated to community service, housing and the homelessness crisis. She asked that council decrease the PD budget by 5% and use that money for community service.

Andrew Huot asked that council decrease the amount of money the RCPD gets from the general fund. Citizens need housing, food and good jobs. He thinks police reform is ineffective.

Gary Wasson said there was gravel and mud on Mt Rushmore Road sidewalks and he wants it removed.

NON-PUBLIC HEARING ITEMS -- Items 5 – 25

CONSENT ITEMS – Items 5 – 23

Motion was made by Jones, second by Armstrong and carried to approve items 5-23.

Approve Minutes

2. Approve Minutes for the August 3, 2020 Regular Council meeting.

Public Works Committee Consent Items

3. PW081120-10: Confirm the reappointment of Jim Anderson and the new appointment of Sheila Hoyer to the Air Quality Board.
4. PW081120-01: Approve Change Order #1-F to Black Hills Roofing for Project No. 20-2492 / CIP No. 50098 2019 Roof Replacement – Hail Damage for an increase of \$6,455.60.
5. PW081120-02: Authorize Staff to Advertise for Bids for Robbinsdale Phase 6 Parkview Reconstruction Project No. 19-2517 / CIP No. 51232-B. Estimated Cost \$2,826,000.00
6. PW081120-03: Authorize Staff to Advertise for Bids for Tower Road Stabilization Project, Project No. 19-2537/ CIP No. 51254 in the amount of \$400,000.00
7. PW081120-04: Authorize Staff to Advertise for Bids for City Springs Lane Overlay Project / Project No. 19-2552 / CIP No. 50549. Estimated Cost \$130,000.00
8. PW081120-05: Authorize Mayor and Finance Officer to sign a contract amendment number 3 with Chamberlin Architects for Project No. 2527 / CIP No. 51249 Star of the West Restrooms.
9. PW081120-06: Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and Ferber Engineering Company for Knollwood Drainage Basin Detention Element 303 Maintenance, Project No. 20-2601/ CIP No. 51303, for an Amount Not to Exceed \$40,300.00.
10. PW081120-09: Authorize Mayor and Finance Officer to sign an infill and oversize agreement between the City of Rapid City and Indian Health Services for construction of a public water main in Soo San Drive north of Canyon Lake Drive, not to exceed \$10,969.30.
11. PW081120-07: Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and Ferber Engineering Company for Cambell Street Bike Path Extension, Project No. PR20-6178, for an Amount Not to Exceed \$33,110.00.
12. PW081120-08: Authorize Staff to Request Proposals for Security Services for Park Shelters, Gates, and Restrooms and Cemetery Gates and Office.

Legal & Finance Committee Consent Items

13. LF081220-02 – Amend Request Authorizing the City Hall Maintenance Division to Purchase a 2020 Dodge Ram Under State Bid in the Amount of \$25,406.09
14. LF081220-03 – Confirm the Appointment of James Emmert to the Rapid City Public Library Board of Trustees
15. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Girl Scout Troup #74030: Amara Usera (Parks Department), Miranda Kenney (Parks Department), Haley Kieper (Parks Department), Kyra Perkins (Parks Department), Shannon Perkins – Troop leader (Parks Department), Shiann Petro (Parks Department), Tifanie Petro – Troop Leader (Parks Department), Shirley Edwards (RSVP+), Janice Key (RSVP+), Douglas Miller (RSVP+), Michael Reade (RSVP+), Rosemary Seymour (RSVP+), Carla Dailey (RSVP+), Carson Quinn (Library)
16. LF081220-01 – Approve Resolution No. 2020-064 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2020-064
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 17th day of August, 2020.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer
 (SEAL)

	CUSTOMER NAME	ID#	CLEAN ADDRESS	UP	MAILING ADDRESS	LEGAL DESCRIPTION	TOTAL DUE
1	WILSON, RONDA L & GARY L	27116	129 ADAMS ST		407 E 9th St, North Platte, NE 69101	E1/2 of Lot 1-3, Block 25, North Rapid Add	\$ 302.00
2	GRABOW, BEAU	29944	110 E OAKLAND ST		1910 Redwood Ave, Niceville, FL 32578	Lot 26, Block 3, Robbinsdale Terrace	\$ 322.00
3	JANSS HOLDINGS LLC	38024	1828 W KANSAS CITY ST		1828 W Kansas City St, Rapid City, SD 57702	E15' of Lot 30 & All of Lot 31-35, Block 1, Jones Tract	\$ 212.00
4	GOOD VOICE ELK, SYNTHIA V.	62870	28 MELANO ST		28 Melano St, Rapid City, SD 57701	Lot 5, Block 3, Brookfield Sub	\$ 322.00
5	LOOYENGA, JUDITH E	30416	3515 JEFFERSON ST		410 5th Street, Rapid City, SD 57701	Lot 25-27, Block 1, Rushmore	\$ 302.00
6	ANDERSON, ANNA E	27312	1108 N 7TH ST		1108 N 7th Street, Rapid City, SD 57701	Lot 19-20, Block 48, North Rapid Add #2	\$ 262.00
7	BITTNER, CYNTHIA L	25277	804 SILVER ST		804 Silver Street, Rapid City, SD 57701	Lot 11-12, Block 2, Mallow's Add	\$ 227.00

Community Development Consent Items

- 17. 17TI002 – Approve Resolution No. 2020-062 a Resolution Dissolving Tax Increment District No. 79 for Property Generally Described as Being Located in Village on Monroe

RESOLUTION NO. 2020-062
A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NUMBER SEVENTY NINE

WHEREAS, the City of Rapid City created Tax Increment District Number Seventy Nine on June 12, 2017; and

WHEREAS, there are no longer any reimbursable project costs remaining to be paid; and

WHEREAS, the City Council of the City of Rapid City is authorized to dissolve this Tax Increment District pursuant to SDCL 11-9-46(2),

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Number Seventy Nine be and is hereby dissolved.

BE IT FURTHER RESOLVED that any funds which are deposited in the Tax Increment District Number Seventy Nine Special Fund, pursuant to SDCL 11-9-31, be distributed as provided by SDCL 11-9-45.

Dated this 17th day of August, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

- 18. LF081220-04 – Approve Resolution No. 2020-065 a Resolution Declaring 627 Saint Cloud Street Surplus

Resolution No. 2020-065

A RESOLUTION DECLARING THE WEST ½ OF LOT 14 AND ALL OF LOT 15 OF BLOCK 17 OF FLORMANN ADDITION TO THE CITY OF RAPID CITY SURPLUS AND APPOINTING THREE REAL PROPERTY OWNERS OF THE CITY OF RAPID CITY TO APPRAISE THE PROPERTY

WHEREAS, the property described below was purchased by the City of Rapid City for \$21,000.000 pursuant to a 2018 purchase agreement and two deeds; and

WHEREAS, the property described below contained a severely dilapidated house that was demolished by the City of Rapid City in early 2016 in order to remove blight in the City; and

WHEREAS, the City has created the Neighborhood Lift Program in order to transfer property acquired by the City, such as the property described below, to a nonprofit corporation to develop the property and guarantee affordability for a period of 20 years in accordance with certain affordable housing standards; and

WHEREAS, the property is no longer necessary, useful, or suitable for the purpose for which it was acquired.

NOW, THEREFORE, BE IT RESOLVED, that the following property commonly known as 627 Saint Cloud Street and legally described below is declared surplus and shall be disposed of according to state statutes:

West Half (W½) of Lot 14 and all of Lot 15 of Block 17 of Flormann Addition, City of Rapid City, Pennington County, South Dakota

BE IT FURTHER RESOLVED that the following three real property owners of the City of Rapid City are hereby appointed to appraise the property: Ritchie Nordstrom, Gregory Strommen, and Clifford Lemme.

Dated this 17th day of August, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

Bid Award Consent Items

- 19. CC081720-02.1 - Approve award of total bid for 2020 MIPS, Project No.19-2559 / CIP No. 50298 opened on August 11, 2020 to the lowest responsible bidder, Tru-Form Construction, Inc. in the amount of \$238,537.00.
- 20. CC081720-02.2 - Approve award of total bid for Pavement Rehabilitation Project – Mary Drive, Project No. 19-2545 / CIP No. 50844 opened on August 11, 2020 to the lowest responsible bidder, J&J Asphalt in the amount of \$330,594.00

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 24 – 25

Todd Gagne spoke on behalf of himself and his partner, Matt Ehlman on the proposed building at 406 St Joseph Street. There would be two floors that would support about 100 employees. Ray Hespen, co-founder of a property management software company called Property Meld. This building is important for recruitment. He stated it’s important to take assets of what we have downtown and improving them. Tom Johnson, CEO Elevate Rapid City, spoke of how this project will beautify downtown and will create jobs and better income. Gagne is asking that the no build easement be approved.

Ordinances

Mayor read in item (200A005) Second Reading of Ordinance No. 6388 Approve an Ordinance to Amend Provisions of the Rapid City Municipal Code Relating to the Storage and Parking of Certain Vehicles and Trailers. Having passed its first reading on August 3, 2020 motion was made by Lehmann, second by Armstrong to approve. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, Roberts and Drew. NO: None; Whereupon, the Mayor declared the motion passed and Ordinance 6388 was declared duly passed upon its second reading.

Legal & Finance Committee Items

Mayor read in item (LF072920-08) Request from 11 Main, LLC for No Build Easement Over City-Owned Property Adjacent to 415 St. Joseph Street, motion to sell the land at \$17.00 per square foot and allow the project to move forward. Motion was made by Nordstrom, second by Roberts to direct the Mayor and Finance Officer to grant a 10-foot permanent “no build” easement in a form acceptable to the City Attorney to the owners of 11 Main LLC for \$24,000. Roberts said this company is off to a good start and

established a lot of good things. Armstrong and Drew have received positive feedback. Strommen said he received several calls against this. He felt some laws weren't followed and some steps were skipped at the Legal and Finance meeting. Drew said this was a nice infill project and Rapid City needs more of these. Jones said this is a step to bring SDSMT and downtown together. He approves the project. Roberts supports the project and said that council needs to follow the proper process in the future. Salamun has the same thoughts as Roberts. Nordstrom favors the project and all the people involved. Motion carried 9-0.

PUBLIC HEARING ITEMS – Items 26 – 30
CONSENT PUBLIC HEARING ITEMS – Item 26 – 30

Alcohol Licenses

21. Dolcevida LLC DBA Sabatino's Italian Ristorante, 617 Main Street, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider license
22. Naja Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for August 22, 2020 at Naja Shrine Center, 4091 Sturgis Road
23. Clarion Inn for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for August 22, 2020 at Clarion Inn, 1902 N LaCrosse Street
24. Adelaide Inc. DBA Juniper, 405 Canal Street Suite 1300 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
25. Lakota Dream Museum Inc. DBA DeCory's Entertainment Company for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Motion was made by Lehmann, second by Roberts and carried to approve items 26-30.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

The following bills have been audited:

BILL LIST - AUGUST 17, 2020

P/ROLL PERIOD END 08/01/20, PD 08/07/20	1,762,587.34
PIONEER BANK & TRUST, 08/01/20 P/ROLL TAXES, PD 08/07/20	469,027.68
WELLMARK INC, HEALTH CLAIMS THROUGH 08/07/20, PD 08/13/20	186,375.48
WAGE WORKS, SECTION 125 CLAIMS THROUGH 08/03/20, PD 08/04/20	2,989.83
WAGE WORKS, SECTION 125 CLAIMS THROUGH 08/10/20, PD 08/11/20	3,706.32
SOUTH DAKOTA RETIREMENT SYSTEM, JUL20 RETIREMENT, PD 08/04/20	457,089.58
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 08/05/20, PD 08/06/20	5,796.15
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 08/12/20, PD 08/13/20	9,783.04
SD DEPT OF LABOR-REEMPLOYMENT ASSISTANCE BENEFIT CHARGES, PD 08/12/20	124,049.18
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 08/12/20	47,633.38
BLACK HILLS ENERGY, ELECTRICITY, PD 08/12/20	92,244.13
COMPUTER BILL LIST	3,571,406.40
CDEV COMPUTER BILL LIST	73,599.29
SUBTOTAL	6,806,287.80
RSVP, P/ROLL PERIOD END 08/01/20, PD 08/07/20	2,559.05
RSVP, PIONEER BANK & TRUST, 08/01/20 P/ROLL TAXES, PD 08/07/20	565.96
RSVP, COMPUTER BILL LIST	5,221.56
TOTAL	6,814,634.37

Sumption presented the bill list of \$6,814,634.37. Motion was made by Roberts, second by Jones to approve. Authorize (No. CC081720-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Drew, Jones, Lehmann, Salamun, Roberts and Evans; no: none. Motion carried 9-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Salamun, second by Armstrong and carried to adjourn the meeting at 7:30 p.m.

Dated this 17th day of August, 2020.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)