

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Monday, October 19, 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, October 19, 2020 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Pat Jones, Greg Strommen, Laura Armstrong, Jason Salamun, Ritchie Nordstrom, Lance Lehmann, Darla Drew and Bill Evans; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: John Roberts

Staff members present included: City Attorney Joel Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, Deputy Finance Officer Tracy Davis, CDBG Program Division Manager Michelle Schuelke, Civic Center Director Craig Baltzer, Communications Coordinator Darrell Shoemaker and Administrative Secretary, Angie Boeve.

ADOPTION OF AGENDA

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

AWARDS AND RECOGNITIONS

1. Sustainability Committee award presentation to the Black Hills Farmers Market
2. Annual Update & Presentation from the Sustainability Committee – presented by Lysann Zeller, Jason Phillips, Kevin Crosby, Garth Wadsworth, and Kelli Juhl

PRESENTATION

3. Veteran Banner Project Update / Video – Bill Casper
4. Municipal League Elected Officials Workshop Update – Darla Drew and Pat Jones
5. 2020 Bridge Re-Inspections (20-2576/CIP 50630) – Bruce Wilsey and Spencer Dockter spoke on behalf of Brosz Engineering for the FHA and SDDOT. They inspected 33 NBIS structures in Rapid City. NBIS are structures that are over 20 feet long. They supplied the city with all 33 inspection reports. SDDOT requires NBIS structures to be inspected every 24 months unless they meet other certain conditions. In response to a question from Salamun, Tech explained the Big Grant score criteria on how the state issues grants.

Mayor Allender stated that Councilman Jones wanted a personal point of privilege. Jones stated that early voting has begun for the new candidate in Ward One. He encouraged Ward One residents to vote.

GENERAL PUBLIC COMMENT

Kaylie Sterud and Jackie Rausch spoke in opposition of a mask mandate.

NON-PUBLIC HEARING ITEMS -- Items 6 – 35

Joe Leon spoke on item (LF101420-05) and said code enforcement sent him a letter to dispose of a couch, which he did remove. Code Enforcement then charged him to remove a second couch, which they thought was the first couch. Mr. Leon is asking that the assessment be dropped since Code Enforcement was the one who made the mistake of disposing of the wrong couch.

CONSENT ITEMS – Items 6 – 30

The following items were removed from the Consent Items:

7. Approve Dominique Clucas, DBA Black Hills Barbershop, 516 Sixth Street, for a new Retail (on-off sale) Malt Beverage & SD Farm Wine license
9. PW101320-02: Authorize Mayor and Finance Director to Sign Amendment No. 1 to Professional Services Agreement between the City of Rapid City and Longbranch Civil Engineering, Inc. for Regency Court Storm Sewer Improvements, Project No. 2599/ CIP No. 51301, for a total Contract Amount not to Exceed \$80,842.40.
20. PW101320-13: Authorize Purchase of Garbage and Recycling Containers From Rehrig Pacific Company through Omnia Partners Cooperative Contract #00254, In The Amount Of \$69,543.80
21. PW101320-14: Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Mountain States Security for Parks and Cemetery Security Services.
25. LF101420-05 – Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisances

Motion was made by Jones, second by Armstrong and carried to approve items 6-30, with the exception of items 7, 9, 20, 21, and 25.

Approve Minutes

6. Approve Minutes for the October 5, 2020 Regular Council meeting.

Public Works Committee Consent Items

8. PW101320-01: Authorize the Mayor and Finance Director to sign an agreement between the City of Rapid City and SSST, LLC for Construction of Public Sewer and Oversize Sewer Main Cost Reimbursement, not to exceed \$72,784.00.
10. PW101320-03: Authorize Public Works Director to Accept and Record Deed for Transfer of Floodway Property from the Estate of Carl Schuler, Jr. to the City of Rapid City, With a Purchase Price of \$11,500.
11. PW101320-04: Authorize Staff to Seek Proposals for Engineering Services for St. Patrick St. Reconstruction – Mt. Rushmore Rd. to 5th St., Project No. 20-2582 / CIP No. 51126
12. PW101320-05: 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 \$11,968.84.
13. PW101320-06: 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 \$7,847.84
14. PW101320-07: Authorize Staff To Advertise For Bids For The Purchase Of Two (2) Dial-A-Ride Vehicles. Estimated Cost \$200,000.
15. PW101320-08: Authorize Mayor and Finance Director To Sign Contract Amendment 4 To TripSpark Software License And Maintenance Agreement. To Add Mapping Capabilities to the Scope of The Agreement, With An Increased Cost of \$8.100.
16. PW101320-09: Approve Extending Contract Bid To The Following Contractors For The Parking Lot Contracts For The 2020-2021 Snow Season: G.J. Holsworth Lots 6-2 and 9, and JMD Excavating Lots 4, 5, 7, 8 and West Boulevard Lot.
17. PW101320-10: Approve Extending Contract Bid To The Following Contractors For The Operated Equipment Rental For Street Snow Removal Contract For The 2020-2021 Snow Season: Mainline Contracting, Simon, Lind-Exco, Beka Corporation, Site Works Specialists and JMD Excavating.
18. PW101320-11: Authorize Staff To Purchase One (1) New Tier 4 Diesel Pneumatic Tire Lift Truck Model DP70N1 Pricing From Sourcewell Contract # 101816-MCF with RAKA In The Amount Of \$81,383.60.

19. PW101320-12: Authorize Mayor and Finance Director to sign an agreement between the City of Rapid City and AET for detailed Landfill Gas Analysis services for a total cost of \$1,200.

Legal & Finance Committee Consent Items

22. LF101420-07 – Confirm the Appointments of Val Simpson and Chris Huber to the Community Investment Committee
23. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Marcia Aiken (RSVP+), Richard Mayforth (RSVP+), Alwyn Thoreson (RSVP+), John McManigal (Police Department), Darlene Swartz (RSVP+), Joyce Yale (Library), Carol Coburn (RSVP+), Barry Sullivan (RSVP+), Harold Haivala (RSVP+), Mary Wendt (RSVP+), Marna Bergstrom (RSVP+), Teresa Hill (RSVP+), Myrna Schamber (RSVP+)
24. LF101420-01 – Authorize Mayor and Finance Director to Sign Engagement Letter with Addendum with Ketel Thorstenson, LLP for the FY2020 Audit.
26. LF101420-06 – Acknowledge August 2020 Sales Tax Report.
27. LF101420-02 – Authorize Mayor and Finance Director to Sign Contract and Statement for Work for Professional Services Between Binary Tree and the City of Rapid City and Authorize Staff to Purchase Required Software Licenses from Binary Tree and Software House International (SHI).
28. LF101420-10 – Approve Resolution No. 2020-081 A Resolution Authorizing the Executive Director of the Rushmore Plaza Civic Center to Enter into contracts for the Acquisition of Furniture, fixtures, and Equipment for the Arena Expansion Project Consistent with the Amounts Already Budgeted from the City’s Vision Fund.

RESOLUTION NO. 2020-081

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE RUSHMORE PLAZA CIVIC CENTER TO ENTER INTO CONTRACTS FOR THE ACQUISITION OF FURNITURE, FIXTURES, AND EQUIPMENT FOR THE ARENA EXPANSION PROJECT CONSISTENT WITH THE AMOUNTS ALREADY BUDGETED FROM THE CITY’S VISION FUND.

WHEREAS, the Common Council of the City of Rapid City has previously authorized construction of a new arena at the Rushmore Plaza Civic Center which will soon become known as the Monument (the “Project”); and

WHEREAS, the total budget for the Project is \$130 million which includes the cost of construction, design, furniture, fixtures, and equipment; and

WHEREAS, the contracts for the design and construction of the Project were previously approved by the City Council; and

WHEREAS, the purchase of the furniture, fixtures, and equipment (FF&E) needed for the Project to operate when completed are not covered under the contracts already entered into; and

WHEREAS, the Project team is in the process of selecting and purchasing the FF&E necessary to complete the Project; and

WHEREAS, the purchase of FF&E is already a component of the Project’s master budget which is included in the overall cost of the Project already approved by the City Council; and

WHEREAS, the purchase of the FF&E for the Project will be in compliance with all state laws governing public purchasing; and

WHEREAS, SDCL 9-1-5 allows the City Council to delegate to an employee the authority to enter into a contract on behalf of the municipality subject to any limitations established by the City Council; and

WHEREAS, rather than having every contract for the purchase of FF&E for the Project come back to the City Council for approval, the City Council believes it is in the City’s best interests to delegate to the Executive Director of the Civic Center authority to enter into contracts to purchase these items so long as the purchase is consistent with the master budget for the Project and the purchase can be paid out of the funds the City Council has already budgeted for the Project.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the Executive Director of the Rushmore Plaza Civic Center is hereby authorized pursuant to SDCL 9-1-5 to enter into contracts on behalf of the City of Rapid City for the purchase of furniture, fixtures, and equipment for the Project. Any contract entered into pursuant to this resolution will be made in compliance with any state and local rules and regulations governing public purchases. Any contracts entered into pursuant to this resolution shall not necessitate an increase in the funds already appropriated by the City Council for the Project unless such increase is specifically authorized by the City Council. Nothing in this resolution shall be construed as limiting the Project team from amending the amounts for various cost centers in the master budget as needed to complete the Project, so long as such amendments do not increase the total cost of the Project over the amounts already appropriated by the City Council.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Community Development Consent Items

- 29. LF101420-04 – Approve the Preliminary Recommendations for the FY20 Community Development Block Grant CV Funding
- 30. 20TI004 – Authorize the Mayor and Finance Director to Sign Agreement between the City of Rapid City, Rapid Valley Sanitary District and Yasmeen Dream LLC, for Construction, Operation and Maintenance of Orchard Meadows Lift Station (TID 82)

END OF CONSENT ITEMS

Alcoholic Beverage License Applications Set for Hearing (November 2, 2020) Mayor Allender read in item #7. Approve Dominique Clucas, DBA Black Hills Barbershop, 516 Sixth Street, for a new Retail (on-off sale) Malt Beverage & SD Farm Wine license. In response to questions from Jones, Landeen explained that this was just a set for hearing and the actual hearing would be on November 2, 2020. Drew indicated that nail and hair salons serve alcohol already. She doesn’t see a problem with it. Motion was made by Lehmann, second by Jones and carried to approve the set for hearing.

Mayor Allender read in item (PW101320-02) Authorize Mayor and Finance Director to Sign Amendment No. 1 to Professional Services Agreement between the City of Rapid City and Longbranch Civil Engineering, Inc. for Regency Court Storm Sewer Improvements, Project No. 2599/ CIP No. 51301, for a total Contract Amount not to Exceed \$80,842.40. In response to a question from Drew, Tech explained the location of the hill in this development shows the hill is sliding. Therefore, the entire storm sewer needs to be redone. This is not being charged to the homeowners because these are issues of storm water management. Motion was made by Nordstrom, second by Lehmann and carried to approve.

Mayor Allender read in item (PW101320-13) Authorize Purchase of Garbage and Recycling Containers From Rehrig Pacific Company through Omnia Partners Cooperative Contract #00254, In The Amount Of \$69,543.80. Tech responded to questions from Drew. Motion was made to approve by Jones, second by Nordstrom and carried.

Mayor Allender read in item (PW101320-14) Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Mountain States Security for Parks and Cemetery Security Services. Motion was made by Salamun, second by Jones to approve. Salamun asked if this service includes looking around creeks and bridges for people who are in need of shelter. Biegler answered no and explained a security service is hired each year to take care of opening and closing gates at the parks and cemeteries. They also check that park restrooms are locked at night as well.

Mayor Allender read in item (LF101420-05) Approve Resolution No. 2020-077 a Resolution Levying Assessment for Abatement of Nuisances. Young explained the situation. Armstrong asked if it was appropriate to remove Mr. Leon’s assessment. Davis said council is allowed to do that. Motion was made by Armstrong, second by Lehmann to approve Resolution 2020-077 with Joe Leon being removed from the assessment. Mayor also indicated that Mr. Leon could submit a copy of the bill of sale for reimbursement of the couch that the city mistakenly disposed of.

RESOLUTION NO. 2020-077
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 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

	CUSTOMER NAME	ID#	CLEAN UP ADDRESS	MAILING ADDRESS	LEGAL DESCRIPTION	TOTAL AMOUNT DUE INCLUDES \$100.00
1	UNITED SECURITY FINANCIAL	58389	1013 SAGEWOOD ST	1 CORPORATE CENTER DR STE 360, LAKE ZURICH, IL 60047	LOT 1, BLOCK 2, RAINBOW RIDGE SUBD	\$322.00
2	SODERLIN, CHARLES F	28900	1911 IVY AVE	PO BOX 422, MARTIN SD 57551	LOT 10, BLOCK 5, ROBBINSDALE	\$1,792.00
3	POWERS, KAREN	32809	821 E OHIO ST	821 E OHIO, RAPID CITY, SD 57701	LOT 6, BLOCK 15, SOUTH ROBBINSDALE ADD	\$262.00
4	GOOD VOICE ELK, SYNTHIA V	62870	28 MELANO ST	28 MELANO ST, RAPID CITY, SD 57701	LOT 5, BLOCK 3, BROOKFIELD SUBD	\$322.00
5	VILLARREAL III, JOSE I	60482	624 KATHRYN AVE	624 KATHRYN AVE, RAPID CITY, SD 57701	LOT 6 OF TRACT B, MCMAHON SUBD	\$322.00
6	MASLACK, PAMELA S	26650	1301 N 7TH ST	1301 N 7TH STREET, RAPID CITY, SD 57701	LOT 5, BLOCK 8, NORTHERN HEIGHTS SUBD	\$2,042.00
7	ROBERTS, MITCHELL	60518	3341 KYLE ST	3341 KYLE ST, RAPID CITY, SD 57701	LOT 5 OF TRACT A OF LOT 1; THE NEW PARK SUBD	\$322.00
8	MCGHEE, ELIJAH & MCGHEE, ALEXIS	60517	916 KATHRYN ST	916 KATHRYN AVE, RAPID CITY, SD 57701	LOT 4 OF TRACT A OF LOT 1; THE NEW PARK SUBD	\$362.00

9	SKYLINE PINES EAST LAND COMPANY LLC	63002	TOWER RD EMPTY LOTS	PO BOXX 800, WOOD RIVER, NE 68883	LOT 1-B OF SE SE LESS LOTS 2 & 3 OF SE LESS SKYLINE PINES EAST SUB & LESS ROW BUT INCLUDE ABANDONED PT OF LOT AB1 ADJ TO SAID LOT A; LOT B-C OF SW SE LESS LOT 1 OF SE LESS TOWER RD & LESS SKYLINE PINES EAST SUB BUT INCLUDE ABANDONED PT OF LOT AB1 ADJ TO SAID LOTS; LOT 1 OF SE SW & PT ABANDONED LOT H1	\$217.00
10	WALKER, RASHION L	47185	205 BENGAL DR	3610 5TH ST, APT 316, RAPID CITY, SD 57701	LOT 17, BLOCK 1, MALLRIDGE SUBD	\$202.00
11	WORDEMAN, ROBERT	47465	650 FLORMANN ST	PO BOX 1852, RAPID CITY, SD 57709	LOT 1 OF BLOCK 14-15; SOUTH BOULEVARD ADD	\$382.00

NON-CONSENT ITEMS – Items 31 – 35***Ordinances***

Mayor Allender read in item (LF101420-03) Approve First Reading of Ordinance No. 6446 Regarding Supplemental Appropriation 7 for 2020. Motion was made by Armstrong, second by Salamun and carried to approve Ordinance 6446 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 2, 2020.

Mayor Allender read in item (LF101420-08) Approve First Reading of Ordinance No. 6448 an Ordinance to Amend Provisions Concerning Purchasing Procedures and Delegation of Purchasing Authority by Amending Sections in Chapter 3.04 of the Rapid City Municipal Code. Motion was made by Armstrong, second by Salamun and carried to approve Ordinance 6448 and that it be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, November 2, 2020.

Legal & Finance Committee Items

Mayor Allender read in item (LF101420-09) Approve Resolution No. 2020-080 A Resolution Creating A Trial Program for Conduct of Official City Business by Combining the City's Current Public Works and Legal and Finance Committee Meetings Into a Joint Council Working Session. Nordstrom stated he doesn't like the language in the resolution and thinks it needs to be revised. Salamun said he's not really concerned about the resolution, more concerned about the memo. He doesn't want to take a step back in openness. In response to a question from Salamun, Landeen explained that a quasi-judicial hearing entitles the applicant to due process. Landeen gave suggestions on how to handle the due process items. He said council might want to move all due process items straight to the council meeting. Salamun said he likes the idea of saving staff time and hearing more from the directors. He wants to make sure the meetings are open to the public. Armstrong said that this resolution would allow council to go from three or four meetings into one. She said she started talking to the directors almost two years ago, so there has been a lot of thought into this. She said she is in favor of the public showing up. She wants the meeting to be in a conference room. She wants this to be like a big agenda review meeting. She doesn't want to feel like the city has to film everything to cover themselves. She indicated the original start date was proposed to be November 11, but that is Veteran's Day and city offices are closed that day. She proposes the first meeting be scheduled for Tuesday, November 10, 2020 at 12:30 p.m. and going forward the off weeks of Wednesday at 12:30 p.m. Drew said she is not in favor of this but realizes how much work has gone into it and feels like she needs to give it a chance. She would like to have it in chambers and for it to be filmed. She is concerned with quorums gathering, since those aren't allowed. Evans is in favor of combining the committees but is concerned with the amount of research that goes into each item. He realizes most people have jobs and some of these issues take time away from home. He thinks members should have assignments so that each member does some background work. He said he is in favor of recording and thinks public comment should be saved for the council meeting. Armstrong said other states like Colorado and Utah already do their meetings this way. Landeen said the trial period is for a year, however, if the council agreed to cut it short they could. Landeen said some views against taping would be that people hold back when they are being taped and they don't have as much dialogue. He said with COVID it would be nice to have it taped since people have to socially distance themselves. He stated that the Airport Board does record their meetings on audio, not visually, so if someone wants to hear the meeting they can. Nordstrom said videotaping doesn't take place during council working sessions. Mayor Allender stated that the biggest risk with this is just overthinking it. The committee meetings were formed to prepare the council members on the items. The two meetings are not required by law, they were adopted by the city in the 1970's. He indicated that they are not passing a law and they are not bound to anything in the resolution. It can be changed if they don't like it. Motion was made by Armstrong, second by Lehmann to approve. Motion carried 7-1 with Salamun voting no.

RESOLUTION NO. 2020-080

A RESOLUTION CREATING A TRIAL PROGRAM FOR CONDUCT OF OFFICIAL CITY BUSINESS BY COMBINING THE CITY'S CURRENT PUBLIC WORKS AND LEGAL AND FINANCE COMMITTEE MEETINGS INTO A JOINT COUNCIL WORKING SESSION.

WHEREAS, the City of Rapid City (the "City") currently has two standing committees which review and make recommendations for items of City business before they are debated and acted on by the City Council; and

WHEREAS, half the City's alderman serve on each committee which both meet the week before a City Council meeting; and

WHEREAS, the intent of the committees is to provide an opportunity for alderman to ask questions and generally educate themselves on issues coming before the City Council at its regularly scheduled meeting, and

WHEREAS, other communities conduct similar work through a committee of the entire body, or through regularly scheduled working sessions; and

WHEREAS, the purpose of working sessions is for alderman to educate themselves on issues, have more in-depth discussions on policy and important projects, and decide what issues should move forward to the regular meeting of the City Council for formal action; and

WHEREAS, the City Council believes it would be in the City's best interests to implement a trial program where instead of City business being initially discussed in two separate committees composed of only half of the alderman, that the responsibilities of the two committees be combined into a working session comprising a committee of the entire City Council; and

WHEREAS, some of the advantages of a working session consisting of the entire City Council are that it would require fewer meetings for the elected officials and staff, and would allow the entire City Council to weigh in and vet important issues in the preliminary stages of discussion, rather than rely on only half of the City Council to do so; and

WHEREAS, even though the working sessions will have a quorum of the City Council present, the purpose of these meetings will be education and discussion of the City Council and no formal action will be taken on any item other than to make recommendations or give direction to City staff, or determine what matters being considered are ready to be sent to the regular City Council meeting for final debate and approval or denial; and

WHEREAS, the working sessions covered by this resolution are public meetings and subject to the state's open meeting laws.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the current Legal & Finance and Public Works Committees be combined into a committee of the whole whose meetings will be designated as working sessions. The purpose of these meetings will be to allow in-depth discussion on City policies and items of regular business prior to final consideration and approval at a regular meeting of the City Council and to give direction and make recommendations to staff regarding City business. No formal or final action will be taken on any item on the committee's agenda other than to make recommendations or give direction to City staff, or send a matter being considered to the regular City Council meeting for final debate and approval. While no formal action will be taken on any item on the agenda of a working session, this will not prohibit the City Council from setting a special meeting that is contemporaneous with the working session at which formal action can be taken on a matter before the City Council. Such special meeting shall be set consistent with state law for the setting of such meetings and noticed separately from any notice provided for the working session.

BE IT FURTHER RESOLVED, that any reference in City ordinance, resolution, or policy that directs that an item be considered by the City's current Legal & Finance or Public Works Committees will be sent to a working session for review and consideration in lieu of review by one of the current committees.

BE IT FURTHER RESOLVED, that at least one working session shall be held prior to all regularly scheduled meetings of the City Council at a time and place determined by the City Council. Working

Sessions are public meetings and the time and place of the working session, along with a proposed agenda, will be properly noticed in compliance with state law.

BE IT FURTHER RESOLVED, that The City Council may develop and adopt rules and procedures for the conduct of these meetings and the form of the agenda.

BE IT FURTHER RESOLVED, that it is intended that this change be a trial program which will be reviewed occasionally to determine if it will continue. While the City Council can end these changes at any time, if no formal action is taken within a year, the Council shall review the program and shall determine whether to end the use of work sessions and go back to the previous committee structure or some modified form thereof, continue the current trial program for another specified term, or direct that staff bring forward the appropriate ordinance and policy changes to make the committee structure created by this resolution permanent.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Director
 (SEAL)

Mayor Allender read in item (CC101920-02) Direction to staff on time, date, and location of first working session. Armstrong stated she wanted to amend the original suggestion of November 11 being the first meeting date. That day is Veteran's Day and the city is closed. Motion by Armstrong, second by Jones to approve November 10, 2020 at 12:30 p.m. as the first meeting date. All subsequent meeting will be held on every off Wednesday at 12:30 p.m. Motion carried 8-0.

Community Development Items

Mayor Allender read in item (No. 20PL071) A request by Davis Engineering, Inc for Murphy Brothers Partnership, LLC for a Preliminary Subdivision Plan for proposed Lots 8, 9, 10 of Block 1 and Lot 1 Revised, Lot 2 Revised, Lot 3 Revised, Lot 4 Revised, Lot 5 Revised, Lot 6 Revised, Lot 7 Revised, Lot 8 Revised, Lot 9 Revised and Lot 10 Revised of Block 12 of Murphy Ranch Estates Subdivision, located in the NW1/4 of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, generally described as being located south of Longview Road and east of Reservoir Road. Motion was made by Nordstrom, second by Lehmann to approve with the following stipulations: Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations: 1. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way for Long View Road as it abuts the property or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Final Plat application; 2. Prior to submittal of a Final Plat application, the Long View Road improvements as previously agreed to with the Pennington County Highway Department and the detention cell in Phase 7 shall be completed and accepted by the Pennington County Highway Department; 3. Prior to submittal of a Final Plat application, the plat document shall be revised to address the following: a) The plat title shall be revised to show that the property is formerly a part of Tract A instead of Tract F; b) The "all located in" description shall be changed to include NW1/4NW1/4; c) The scale shall be revised to read 1"=100' instead of 1"=60'; d) "Derringer Road" shall be spelt correctly; e) Long View Road shall be shown along the north lot lines of Lots 8, 9 and 10 of Block 11. In addition, the street right-of-way widths for Long View Road, Derringer Road and Blackpowder Road shall be labeled; f) "Revised" shall be removed from the legal and on the lot labeling for Lots 1 through 10 of Block 12 since these lots have not previously been platted; g) "Previously Platted" shall be removed from Lot 24 and 25 of Block 3 and Lots 1 through 4 of Block 9 lot

labeling since these lots have not previously been platted; h) All bearings and lot dimensions shall be shown; and, i) A Certificate and Acknowledgment of Ownership shall be added for Davis Engineering, Inc.; 4. Upon submittal of a Final Plat application, a signed and approved cost estimate for the required subdivision improvements shall be submitted; 5. 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, 6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

PUBLIC HEARING ITEMS – Items 36 – 40

CONSENT PUBLIC HEARING ITEMS – Items 36 – 39

Alcohol Licenses

- 36. Naja Shriners for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for November 7, 2020 at Black Hills Harley Davidson, 2820 Harley Drive
- 37. Bar K-9 LLC for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for October 23-24, 2020 at Rushmore Mall (Fenced off area), 2200 N Maple Ave
- 38. J.M. Kingsbury Family Brewing Co DBA Cohort Craft Brewery, 4905 5th Street, Suite 103 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
- 39. Press Start, LLC, DBA Press Start, LLC, 504 Mt. Rushmore Road for a Retail (on-sale) Liquor License TRANSFER from KOL, LLC, DBA KOL, 504 Mt. Rushmore Road

Motion was made by Jones, second by Salamun and carried to approve items 36-39.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 40

Mayor Allender read in item (20TI005) Approve Resolution No. 2020-071 and Resolution No. 2020-072 Resolutions to Create a TID and Approve a Project Plan for the Homestead Street Extension for Property Generally Described as Being Located at Homestead Street East of Elk Vale Road Between Timmons Boulevard and Missoula Street. Motion to approve by Salamun, second by Jones. Evans said people in that neighborhood will be thrilled. He is happy with the public private cooperative effort. Salamun said this is a win-win and in alignment with where the city is going. Motion carried 8-0.

Resolution 2020-071
 A RESOLUTION CREATING THE HOMESTEAD STREET EXTENSION
 TAX INCREMENT DISTRICT NUMBER EIGHTY-THREE
 AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9; and

WHEREAS, the Common Council of the City of Rapid City finds that the aggregated assessed value of taxable property in this District, plus the assessed values of all other districts currently in effect, does not exceed ten percent (10%) of the total assessed value of taxable property in the City of Rapid City; and

WHEREAS, the Council finds pursuant to SDCL 11-9-8 that:

- (1) Not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources development; and

- (2) The improvement of the area is likely to significantly enhance the value of substantially all other real property in the district.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that the real property legally described as

Lots 2 thru 13 and Drainage Lot A of Block 9, Lots 2 thru 14 of Block 10, all of Avenue A Subdivision;

Lots 1, 2, 3A, 3B, 3C, and 4 thru 6 of Block 1, Lots 1 thru 3 of Block 2, Lots 1 and 2R of Block 3, Lots 1B, 2 and 3 of Block 4, Lots 1 thru 4 of Block 5, all of Big Sky Business Park;

Tract A less Tract BR of Neff Subdivision #4, less Avenue A Subdivision and less ROW;

S1/2 GL 3 less Big Sky Subdivision, less Big Sky Business Park and less ROW, S1/2 GL4 less Big Sky Business Park, less Lot H1, H2, and ROW;

SE1/4NW1/4 less Big Sky Subdivision and less ROW;

W1/2SW1/4NW1/4 less Big Sky Business Park, less Lot H2 and less ROW, and dedicated right-of-way adjacent to said lots, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

all located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

be and is hereby designated as the Homestead Street Extension Tax Increment District Number Eighty-Three.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Resolution No. 2020-072
RESOLUTION APPROVING THE PROJECT PLAN FOR
HOMESTEAD STREET EXTENSION
TAX INCREMENT DISTRICT NUMBER EIGHTY-THREE
AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and

WHEREAS, the Council embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment; and

WHEREAS, there has been established the Homestead Street Extension Tax Increment District Number Eighty-Three; and

WHEREAS, the Council deems it desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and

WHEREAS, this Tax Increment District includes commercial property, thereby forming an economic development Tax Increment District; and

WHEREAS, the Project Plan submitted creates a direct, contiguous collector road segment for emergency response services, the Rapid City Area School District and area residents currently using the existing circuitous road alignment from Elk Vale Road east to Valley View Elementary and East Middle School by assisting with funding to design and construct that portion of Homestead Street between Timmons Boulevard and Missoula Street; and

WHEREAS, the use of Tax Increment Funding to promote the development within this neighborhood is in keeping with the statutes adopted by the South Dakota State Legislature; and

WHEREAS, the Project Plan submitted for this Tax Increment District proposes this public improvement; and

WHEREAS, the Council has considered the Project Plan submitted by the Planning Commission and determined that the Project Plan for the Homestead Street Extension Tax Increment District Number Eighty-Three is economically feasible; and

WHEREAS, the Council has further determined that this Project Plan is in conformity with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that the Homestead Street Extension Project Plan for Tax Increment District Number Eighty-Three be and hereby is approved as submitted by the Rapid City Planning Commission.

Dated this 19th day of October, 2020.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

BILLS

BILL LIST -OCTOBER 19, 2020

P/ROLL PERIOD END 09/26/20, PD 10/02/20	1,874,579.49
SUPP P/ROLL PERIOD END 09/26/20, PD 10/02/20	680.83
PIONEER BANK & TRUST, 09/26/20 P/ROLL TAXES, PD 10/02/20	481,479.95
PIONEER BANK & TRUST, SUPP 09/26/20 P/ROLL TAXES, PD 10/02/20	52.08
WELLMARK INC, HEALTH CLAIMS THROUGH 10/02/20, PD 10/08/20	292,672.79
WELLMARK INC, HEALTH CLAIMS THROUGH 10/09/20, PD 10/15/20	230,373.21
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/05/20, PD 10/06/20	1,852.99
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/13/20, PD 10/14/20	4,002.88
SOUTH DAKOTA RETIREMENT SYSTEM, SEP20 RETIREMENT, PD 10/02/20	491,556.83
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 10/07/20, PD 10/08/20	6,234.96
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 10/14/20, PD 10/15/20	34,966.26

WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 10/13/20	49,108.20
BLACK HILLS ENERGY, ELECTRICITY, PD 10/13/20,	47,670.61
COMPUTER BILL LIST	4,253,677.79
CDEV COMPUTER BILL LIST	232.14
SUBTOTAL	7,769,141.01
RSVP, P/ROLL PERIOD END 09/26/20, PD 10/02/20	2,613.73
RSVP, PIONEER BANK & TRUST, 09/26/20 P/ROLL TAXES, PD 10/02/20	570.14
RSVP, COMPUTER BILL LIST	1,728.83
TOTAL	7,774,053.71

Davis presented the bill list of \$7,774,053.71. Motion was made by Salamun, second by Jones to authorize (No. CC101920-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Those voting aye: Nordstrom, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans, and Drew; no: none. Motion carried 8-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong, second by Nordstrom and carried to adjourn the meeting at 8:25 p.m.

Dated this 19th day of October, 2020.

ATTEST:

CITY OF RAPID CITY

Finance Director

Mayor

(SEAL)