

PROCEEDINGS OF THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Tuesday, January 19, 2021

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 Tuesday, January 19, 2021 at 6:30 P.M.

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

Staff members present included: Finance Director Pauline Sumption, City Attorney Joel Landeen, Police Captain Scott Sitts, Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Development Director Ken Young, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Transportation Planning Coordinator Patsy Horton, Community Development Director Michelle Schuelke, Communications Coordinator Darrell Shoemaker and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA

Motion was made by Lehmann, second by Nordstrom and carried to approve the agenda.

Armstrong asked for a Point of Privilege and spoke in honor of Martin Luther King Jr. Day.

AWARDS AND RECOGNITIONS

Mayor Allender presented a Citizen Certificate of Recognition to Niki Hughes who volunteered in starting a neighborhood watch in the Robbinsdale Community.

GENERAL PUBLIC COMMENT

Nick Uhre and Dwayne Langenfeld feel they are being retaliated against for their complaint filed on Councilwoman Armstrong. Bill Clayton and Jasmine Stangle voiced their complaints against Councilwoman Armstrong and the timeliness of the City Attorney to act on the 91 complaints filed with the City Attorney's office. Jordan Mason spoke in favor of the People's Rule and wants information to be released on the Home Rule study done by the City.

NON-PUBLIC HEARING ITEMS -- Items 2 – 29

Chuck Henrie spoke on items 20TI006, WS011321-04 and 21TP01.

CONSENT ITEMS – Items 2 – 27

The following items were removed from the Consent Items:

7. WS011321-12: Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NJPA) in the amount of \$999,257.00.
20. WS011321-06: Approve the Preliminary Recommendations of FY20 CDBG-CV3 funds

Motion was made by Lehmann, second by Jones to approve items 2-27 with the exception of items 7 and 20. Motion carried 10-0.

Approve Minutes

2. Approve Minutes for the January 4, 2021 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 1, 2021)

3. Naja Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for March 20, 2021 at the Rapid City Shrine Center, 4091 Sturgis Road
4. Last Mile Brewery LLC, 635 Creek Drive, Unit C, DBA Last Mile Brewery, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
5. Nancy Nguyen, 4210 Kateland St #104, DBA 705 Mountain View Suite F, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Working Session Consent Items

6. WS011321-01: Authorize Purchase of two (2) 2021 RAM 2500 Crew Cab, 4X4, 6.4L V8 Trucks from Liberty Superstores with matching State Bid Pricing in the Amount of \$31,279.00 each for a total price of \$62,558.00.
8. WS011321-09: Confirm the reappointment of Michael Calabrese and the new appointment of Roger Heacock to the Parks & Recreation Advisory Board.
9. WS011321-10: Confirm the reappointment of Kyle Blada to the Historic Sign Review Committee.
10. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: RSVP - Judith Berry, Rosalee Johnson, Jane Moore, Rita Schwartz, Kathryn Tribby
11. WS011321-02: Resolution No. 2021-003 Establishing 2021 Encumbrances

RESOLUTION 2021-003
RESOLUTION ESTABLISHING 2020 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2020 operations of the City of Rapid City totaling \$1,030,525.62, and

WHEREAS it is desirable that these bills be charged to the 2020 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2020, in the amount of \$1,030,525.62.

GENERAL FUND 0101

0101 MAYOR	1,099.72
0104 FINANCE	891.31
0105 GIS	1,935.46
0106 ATTORNEY	310.50
0108 PUBLIC WORKS ADMINISTRATION	609.85
0109 GENERAL GOVERNMENT BUILDINGS	63,428.80
0111 HUMAN RESOURCES	2,093.40
0201 POLICE	63,986.54
0202 FIRE	35,586.63
0204 DEVELOPMENT SERVICE CENTER	85.95
0205 TRAFFIC ENGINEERING	5,578.39
0301 STREETS & HIGHWAYS	6,087.79
0302 SNOW REMOVAL	2,904.23
0304 STREET LIGHTING	12,462.65
0305 EQUIPMENT MAINTENANCE	122.43
0401 STREET CLEANING	2,439.79
0601 RECREATION	0.92
0603 ICE ARENA	1,391.63
0607 PARKS DEPARTMENT	12,778.18
0609 LIBRARY	11,163.60
0610 LIBRARY RURAL	36,466.16
0612 SWIMMING POOL	2,945.80

0617 HORACE MANN POOL	116.71	
0618 PUBLIC TRANSPORTATION	3,405.57	
0620 PARK & RECREATION ADMINISTRATN	113.73	
0707 HISTORIC PRESERVATION	71.91	
0711 CODE ENFORCEMENT	1,356.18	
0714 COMM DEVELOPMENT NON-GRANT	1,295.21	
0860 CEMETERY	1,118.70	
6024 INFORMATION TECHNOLOGY	<u>8,170.93</u>	280,018.67
 HAZARD MITIGATION GRANT FUND 0105		
0115 HAZARD MITIGATION GRANT		78,881.37
 VISION FUND 0107		
0132 SPECIAL PROJECTS VISION FUND	14,196.25	
0134 CIVIC CENTER EXPANSION	<u>47,147.97</u>	61,344.22
 REPAIR AND DEMOLITION FUND 0260		
0927 REPAIR AND DEMOLITION		410.00
 AIRPORT CONSTRUCTION GRANTS FUND 0501		
2085 AIRPORT CONSTRUCTION GRANTS		35,631.18
 CONSOLIDATED CONSTRUCTN FUND 0505		
0910 CONSOLIDATED CONSTRUCTION		50,360.41
 COMMUNITY DEVELOPMENT 0510		
0930 COMMUNITY DEVELOPMENT		2.00
 WATER ENTERPRISE FUND 0602		
0810 WATER OPERATIONS	20,818.72	
0933 WATER RPLACEMENT & IMPROVEMENT	<u>89,902.71</u>	110,721.43
 WASTEWATER ENTERPRISE FUND 0604		
0830 WASTEWATER OPERATIONS	37,208.67	
0833 WASTEWATER REPLCEMT & IMPRVMNT	<u>15,127.43</u>	52,336.10
 AIRPORT FUND 0606		
0850 AIRPORT OPERATIONS		64,924.75
 STORMWATER DRAINAGE FUND 0609		
7401 STORMWATER DRAINAGE OPERATIONS	135.56	
7402 STORMWATER DRAINAGE RPLCMNT	<u>9,480.45</u>	9,616.01
 PARKING LOT & AREA FUND 0610		
0870 PARKING LOT & AREA		1,865.71
 AIRPORT HANGAR FUND 0611		
2086 AIRPORT HANGAR FUND		7.83
 SOLID WASTE ENTERPRISE FUND 0612		
7101 WASTE COLLECTION		16,958.84

GOLF ENTERPRISE FUND 0613		
0664 GOLF COURSE MAINTENANCE		1,018.51
EXECUTIVE GOLF COURSE FUND 0614		
0605 EXECUTIVE GOLF COURSE		(65.40)
SOLID WASTE DISPOSAL FUND 0615		
7102 WASTE DISPOSAL	23,959.98	
7103 SOLID WASTE MRF/COMPOST FUND	9,840.27	
7104 SOLID WASTE CAPITAL PROJECTS	<u>109,564.53</u>	143,364.78
AMBULANCE ENTERPRISE 0618		
0890 AMBULANCE ENTERPRISE		16,626.07
AIRPORT QTA FUND 0660		
20781 QTA DETAIL	14,171.65	
20782 QTA WASH	<u>788.72</u>	14,960.37
AIRPORT CAPITAL FUND 0734		
0909 AIRPORT CAPITAL		41,690.11
CIVIC CENTER ENTERPRISE FUND 0775		
0913 CIVIC CENTER OPERATIONS	8,219.66	
0915 CIVIC CENTER CAPITAL OUTLAY	(9,215.87)	
0919 CIVIC CENTER CVB	<u>49,000.38</u>	48,004.17
ENERGY PLANT FUND 0777		
0914 ENERGY PLANT		1,208.05
RSVP FUND 0785		
0928 RSVP		17.42
LIABILITY INSURANCE FUND 0793		
0968 LIABILITY INSURANCE		0.92
LIBRARY BOARD FUND 0996		
0971 LIBRARY BOARD		<u>622.10</u>
*** GRAND TOTAL ***		1,030,525.62

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

Dated this 19th day of January, 2021.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Director
 (SEAL)

12. WS011321-15: Resolution No. 2021-002 – Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2021-002
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.

	CUSTOMER NAME	ID#	CLEAN UP ADDRESS	MAILING ADDRESS	LEGAL DESCRIPTION	TOTAL AMOUNT DUE INCLUDES \$100.00
1	CAPPELLO, JOHN & MCSWEENEY-CAPPELLO, SUSAN	20721	1104 WEST BLVD	CMR 480, PO BOX 1541 APO, AE 09128	ALL OF LOT 15-16, W1/2 OF LOT 14, BLOCK 27; BOULEVARD ADD	\$262.00
2	SODERLIN, CHARLES F	28900	1911 IVY AVE	PO BOX 422, MARTIN, SD 57551	LOT 10, BLOCK 5, ROBBINSDALE	\$1,342.00

Dated this 19th day of January, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

13. WS011321-16: Resolution 2021-004 - Resolution Declaring Miscellaneous Personal Property Surplus to be traded.

Resolution #2021-004
RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

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

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

From: PARKS(607)

For Deletion (Trade):

KUBOTA BROOM- ATTACHMENT FOR #003
Vin# 21804583

KUBOTA BLADE FOR #003
Vin# 21805024

2004 SMITHCO SWEEPER
Vin# G4-5007

2018 KUBOTA SPORT UTILITY RTV
Vin# 41333

1987 JOHN DEERE TRACTOR
Vin# CD3179D34686 (611779)

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 19th day of January, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

- 14. WS011321-03: Request Transfer of Tax Deed Property from Pennington County to the City of Rapid City and Authorize Public Works Director to Accept and Record Deed When Transferred.
- 15. WS011321-04: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50798. Estimated Cost \$340,000
- 16. WS011321-05: Request Authorization to Seek Proposals for Engineering Services for WRF Aeration Basin Clariflocculator and Siphon Piping Construction, Project Number 2629 /CIP Number 51129
- 17. WS011321-11: Authorize Mayor and Finance Director to sign an agreement between The City of Rapid City and AET for Annual Contract Renewal Work Plan for Sampling, analysis, and Reporting Related to 2021 Environmental Monitoring of the Rapid City Landfill for a total cost of \$116,715.50
- 18. WS011321-13: Request to purchase 2020 M4HSD mechanical sweeper through Sourcewell, Global Environmental, Transource Contract #122017-GEP In the amount of \$261,606.00

19. WS011321-14: Approve Request from Fisk Land Surveying & Consulting Engineers, INC. for a variance to waive the requirement to install sidewalk along Nemo Road, Bittersweet Road, and undeveloped section line ROW, Rapid City, per City Ordinance 12.08.060.

Community Development Consent Items

21. WS011321-07: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Grant Funding Agreement
22. WS011321-08: Authorize the Mayor and Finance Director to sign the amended Community Development Block Grant FY20 SF-424
23. 20TP043: Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Fugro USA Land, Inc. for Digital GIS Base Map Development Services in an amount not to exceed \$60,979.19
24. 21TP001: Authorize staff to advertise the Request for Proposals for the Cambell Street Structure Replacement and Multi-modal Routing Study

Bid Award Consent Items

25. CC011921-04.1 - Approve award of total bid for Abandon Omaha Trunk Sewer – 1st Street to Maple Avenue, Project No. 20-2610 / CIP No. 51307 opened on January 12, 2021 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of \$118,767.60.
26. CC011921-04.2 – Staff recommends continuing the bid award of one (1) new current model year tandem axle dump truck with anti-icing system & valved for future plow for the Street Division to the February 1, 2021 council meeting.
27. CC011921-04.3 – Staff recommends continuing the bid award of one (1) new current model year single axle 4x4 sander truck with pre-wet system and v-plow for the Street Division to the February 1, 2021 council meeting.

END OF CONSENT ITEMS

Mayor Allender read in item (WS011321-12) Approve Purchase of Rosenbauer Aerial Fire Apparatus through Source Well (Former NJPA) in the amount of \$999,257.00. Chief Culberson explained the need and the uses of the new fire truck, not only for the Fire Department but for Emergency Services as well. He also spoke on the ISO rating and the standards put out by the National Fire Protection Association. Motion was made by Lehmann, second by Salamun and carried to approve, 10-0.

Mayor Allender read in item (WS011321-06) Approve the Preliminary Recommendations of FY20 CDBG-CV3 funds. Drew and Evans stated it seems like the same organizations apply and get funding. Schuelke explained there are public notices that get published and emails go out to the organizations explaining how to apply. Council would like to see smaller groups get some money. Motion was made by Lehmann, second by Jones and carried to approve 10-0.

NON-CONSENT ITEMS – Items 28 and 29

Community Development Items

Mayor Allender read in item (No. 20PL090) A request by Fisk Land Surveying & Consulting Engineers, Inc. for Caekaert Construction, LLC for a Preliminary Subdivision Plan for proposed Lot 18A and Lot 18B of Block 1 of Gemstone Subdivision, generally described as being at located 524 and 526 Topaz Lane. Weifenbach stated he needed to abstain. Motion was made by Nordstrom, second by Salamun to approve with the following stipulation: 1. Prior to submittal of a Final Plat application, the plat certificates shall be revised for a Final Plat. Motion carried 9-0 with Weifenbach abstaining.

Mayor Allender read in item (No. 20PL101) A request by D.C. Scott Co. Land Surveyors for Lorin and Debra Lippert for a Preliminary Subdivision Plan for proposed Tract A and Tract B of Lippert Addition, generally described as being located at 14830 Long View Road. Motion was made by Drew, second by

Armstrong to approve with the following stipulations: 1. Upon submittal of a Final Plat application, 50 feet of right-of-way shall be dedicated from the section line highway located along Long View Road as shown on the proposed plat document; and, 2. Upon submittal of a Final Plat application, the plat document shall show any necessary easements. Motion carried 10-0.

PUBLIC HEARING ITEMS – Items 30 – 32

Kyle Treloar of Dream Design spoke in favor of leaving item (20TI006) as is without adding any stipulations.

CONSENT PUBLIC HEARING ITEMS – Items 30 and 31

Alcohol Licenses

- 30. Happy Family Co., 908 South St, DBA Bokujo Ramen, 516 Mt. Rushmore Rd, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and a Retail (on-off sale) Wine and Cider license

Other Items Requiring Public Hearings

- 31. CC011921-02 - Authorize Mayor and Finance Director to Sign the Agreement to Enter into a Lease for a portion of office space located at 333 Sixth Street with Jefferson Partners L.P.

Motion was made by Drew, second by Lehmann to approve items 30 and 31. Motion carried 10-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 32

Mayor Allender read in item (20TI006) Approve Resolution No. 2020-090 to Approve a Project Plan for Property Generally Described as Being Located East of North Street, North of SD Highway 44, West of Elk Vale and South of Eglin Street. Horton spoke on the item. She explained an alternate plan that involved surrounding developers. Treloar indicated they did not want to include other developers. Tech explained a feasibility study is essential before construction begins. Motion was made by Drew, second by Roberts to approve with the stipulations that were attached from the previous city council meeting. Discussion continued. Substitute motion was made by Armstrong, second by Nordstrom to approve original stipulations with the additional stipulation to obtain the feasibility study. Motion carried 10-0.

Resolution No. 2020-090
 RESOLUTION APPROVING THE PROJECT PLAN FOR
 E ANAMOSA STREET WATER MAIN EXTENSION
 TAX INCREMENT DISTRICT NUMBER EIGHTY-FOUR
 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 E Anamosa Street Water Main Extension Tax Increment District Number Eighty-Four; 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 provides incremental tax funding to complete critical water distribution infrastructure between E North Street and the water reservoir located east of Elk Vale Road, including a water booster station if deemed feasible; 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 adopted by the Planning Commission and revised it to include additional capital costs for street construction; and

WHEREAS, the Council has determined that the Project Plan for the E Anamosa Street Water Main Extension Tax Increment District Number Eighty-Four 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 E Anamosa Street Water Main Extension Project Plan for Tax Increment District Number Eighty-Four be and hereby is approved as submitted by the Rapid City Planning Commission.

Dated this 19th day of January, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

BILLS

The following bills have been audited:

BILL LIST - JANUARY 19, 2021

P/ROLL PERIOD END 01/02/21, PD 01/08/21	1,904,480.02
CDEV P/ROLL PERIOD END 01/02/21, PD 01/08/21	2,342.01
CDEV PIONEER BANK & TRUST, 01/02/21 P/ROLL TAXES, PD 01/08/21	550.16
WELLMARK INC, HEALTH CLAIMS THROUGH 01/01/21, PD 01/07/21	3,517.94
WELLMARK INC, HEALTH CLAIMS THROUGH 01/08/21, PD 01/14/21	222,778.45
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/04/21, PD 01/05/21	3,738.83
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/11/21, PD 01/12/21	18,361.38
SOUTH DAKOTA RETIREMENT SYSTEM, DEC20 RETIREMENT, PD 01/05/21	481,610.52
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/06/21, PD 01/07/21	7,670.96
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/13/21, PD 01/14/21	7,159.48
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/12/21	49,873.19
BLACK HILLS ENERGY, ELECTRICITY, PD 01/12/21	66,056.86
BLACK HILLS ENERGY, ELECTRICITY, PD 01/14/21	28.70
COMPUTER BILL LIST,	3,702,756.11
CDEV COMPUTER BILL LIST	45,265.12

CITY COUNCIL

JANUARY 19, 2021

SUBTOTAL	6,516,189.73
RSVP, P/ROLL PERIOD END 01/02/21, PD 01/08/21	2,887.13
RSVP, PIONEER BANK & TRUST, 01/02/21 P/ROLL TAXES, PD 01/08/21	622.84
RSVP, COMPUTER BILL LIST	569.32
TOTAL	6,520,269.02

Sumption presented the bill list of \$6,520,269.02- Motion was made by Salamun, second by Armstrong and carried to authorize (No. CC011921-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 10-0.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Strommen, second by Armstrong and carried to adjourn the meeting at 8:18 p.m.

Dated this 19th day of January, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost: