

PROCEEDINGS FOR THE CITY COUNCIL  
City of Rapid City, South Dakota  
March 1, 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 Monday, March 1, 2021 at 6:30 P.M.

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

Staff members present included: City Attorney Joel Landeen, Fire Chief Jason Culberson, Public Works Director Dale Tech, Community Development Director Ken Young, IT Director Jim Gilbert, CDBG Manager Michelle Schuelke, Code Enforcement Manager Matt Owczarek, Planner Fletcher Lacock, Airport Executive Director Patrick Dame, Civic Center General Manager, Craig Baltzer, Long Range Planners Kip Harrington and Sarah Hanzel, Finance Director Pauline Sumption, Planning Manager Vicki Fisher, Planner Fletcher Lacock, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

**ADOPTION OF AGENDA**

Mayor Allender asked that item 27 (WS022421-23) Review of Current Programs and Upcoming Projects of the Community Development Department, be done after the Civic Center Presentation. Motion was made by Armstrong, second by Lehmann and carried to adopt the agenda with the new item placement.

**PRESENTATION** – Progress Report and Video on Civic Center Project given by Dave Richardson. He indicated that the project is on budget and on time. He is pleased with how everything is progressing.

Mayor Allender read in item 27 (SW022421-23) Review of Current Programs and Upcoming Projects of the Community Development Department. Community Development Director Ken Young explained the five divisions in community development and named Curt Bechtel, Michelle Schuelke, Sarah Hanzel, Kip Harrington, Patsy Horton and Vicki Fisher as part of that division. There was discussion on current and upcoming projects. Council thanked Community Development for their professionalism and hard work.

**GENERAL PUBLIC COMMENT**

Dan Senfnter thanked the mayor and council for helping our community in all areas. Lorraine Besmer explained her frustration with recent public comment by council members. She also voiced her objection to the Home Rule. Carla Schanzenbach asked to hear about more information on the home rule. She feels there is lack of communication and involvement with the citizens of Rapid City. She asked that a discussion item on Home Rule be added to the agenda. Motion was made by Roberts, second by Salamun and unanimously carried to add a discussion item regarding Home Rule to the agenda. Mayor Allender said it would be placed as 29A on the agenda. Jordan Mason spoke against the Home Rule. He spoke of the formal complaint he filed with the City Attorney's Office and is still waiting for it to be addressed.

**NON-PUBLIC HEARING ITEMS** -- Items 1 – 40

**CONSENT ITEMS** – Items 1 – 29

The following items were removed from the Consent Items:

18. WS022421-13: Authorize Staff to Advertise for Una Del Drive Reconstruction, Project No. 19-2505 /CIP 50914 for \$1,760,000.00

22. WS022421-25: Authorize Mayor and Finance Officer to Sign Agreement with Suez Water Technologies & Solutions for Membrane Module Replacement for the Jackson Springs Water Treatment Plant, Total Cost: \$745,269.00
23. WS022421-26: Authorize Mayor and Finance Officer to Sign Agreement with Suez Water Technologies & Solutions for Membrane Module Replacement for the Jackson Springs Water Treatment Plant, Total Cost: \$751,564.00

Motion was made by Armstrong, second by Drew and carried to approve items 1-29 with the exception of items 18, 22 and 23.

**Approve Minutes**

1. Approve Minutes for the February 16, 2021 Regular Council meeting.

**Working Session Committee Consent Items**

2. WS022421-15: Request to Apply for and Accept if Awarded, the HLS (Homeland Security) Grant in the Amount of \$16,866.23
3. WS022421-16: Authorize Staff to Purchase 6 Dodge Durango Police Vehicles to Replace Aging Vehicles in the RCPD Fleet in the Amount of \$220,830.00
4. WS022421-17: Authorize Staff to Purchase 1 Dodge Charger Police Vehicle to Replace an Aging Vehicle in the RCPD Fleet in the amount of \$30,536.00
5. WS022421-18: Authorize Staff to Purchase 2 Jeep Cherokee Police Vehicles to Replace Aging Vehicles in the RCPD Fleet in the Amount of \$53,602.00
6. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Jeff Andrews (RC Fire Department), Janet Bates (RSVP+), Michael Bueno (RSVP+), John Coyle (RSVP+), Bonnie Ellingsen (RSVP+), John Henry (RSVP+), Kelvin Lower (RSVP+), Tommy Moore (RSVP+), Ella Severson (RSVP+)
7. WS022421-01: Acknowledge December 2020 Sales Tax Report
8. WS022421-02: Authorize Staff to Advertise for Bids Well #6 Pump Replacement & Electrical Improvements Project #21-2640 CIP#51305. Estimated Cost \$130,000
9. WS022421-03: Authorize Staff to Advertise for Bids Well #5 Pump Replacement & Electrical Improvements Project #20-2574 CIP #51267. Estimated Cost \$130,000
10. WS022421-04: Authorize Staff to Advertise for Bids Well #9 Pump Replacement Project #20-2573 CIP#51271. Estimated Cost \$80,000
11. WS022421-05: Authorize Mayor and Finance director to Sign Resolution No. 2021-014 Construction Fee Resolution for Shepherd Hills Offsite Sanitary Sewer Extension Sewer Oversize – Per Acre Fee, Project No. DEV1529

Resolution # 2021-014

CONSTRUCTION FEE RESOLUTION FOR SHEPHERD HILLS OFFSITE  
SANITARY SEWER EXTENSTION -OVERSIZE PROJECT NO. DEV1529

WHEREAS, SDCL 9-48-15 and Section 13.16.350 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of sewer pipes or mains to

pay their proportionate share of the cost to construct such sewer pipe or main prior to being allowed to connect to the City's sewer utility; and

WHEREAS, a 12" sewer main was extended from East Philadelphia Street to Highway 44 per City Project No. DEV1529; and

WHEREAS, the total oversize cost of constructing this sewer main was \$68,235.42; and

WHEREAS, the City's engineering staff had identified the total area that will benefit from construction of this sewer 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 sewer 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 sewer 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 sewer 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" sewer main shown in City Project No. DEV1529.

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$612.80 per acre to connect to the City's sewer utility.

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the sewer utility enterprise fund.

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$68,235.42 has been collected, or until all benefiting properties have connected to City sewer, at which time this Resolution and the utility construction fee shall

Dated this 1st day of March, 2021.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Director  
(SEAL)

12. WS022421-06: Authorize Mayor and Finance Director to Sign Resolution No. 2021-015 Construction Fee Resolution for Shepherd Hills Anamosa Street Water Oversize – Per Acre Fee, Project No. DEV1529, Phase 1A

Resolution # 2021-015  
CONSTRUCTION FEE RESOLUTION FOR SHEPHERD HILLS ANAMOSA STREET WATER  
OVERSIZE PROJECT NO. DEV1529, PHASE 1A

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" and a 20" water main was extended in East Anamosa Street per City Project No. DEV1529, PHASE 1A; and

WHEREAS, the City's total oversize cost of constructing these water mains was \$126,187.40; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of these water mains, 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 these mains 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 16" and 20" water mains shown in City Project No. DEV1529, PHASE 1A.

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$153.66 per acre to connect to the City's water utility.

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

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$126,187.40 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 1st day of March, 2021.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Director  
(SEAL)

- 13. WS022421-07: Authorize Mayor and Finance Director to Sign Resolution No. 2021-016 Construction Fee Resolution for Shepherd Hills Philadelphia Street Water Oversize -\* Per Acre Fee, Project No. DEV1530

Resolution #2021-016  
CONSTRUCTION FEE RESOLUTION FOR SHEPHERD HILLS PHILADELPHIA WATER OVERSIZE  
PROJECT NO. DEV1530

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 E Philadelphia St. per City Project No. DEV1530; and

WHEREAS, the City's total oversize cost of constructing this water main was \$49,441.42; 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 16” water main shown in City Project No. DEV1530.

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$60.21 per acre to connect to the City’s water utility.

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

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$49,441.42 has been collected, or until all benefitting properties have connected to City water, at which time this Resolution and

Dated this 1st day of March, 2021.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Director  
(SEAL)

- 14. WS022421-09: Approve Request for Stormwater Drainage Utility Fee Abatement for D D B LLC, for Property Located along Dyess Avenue, Tax ID 8938, in the amount of \$4,112.06 (2021)
- 15. WS022421-10: Authorize Staff to Purchase one (1) New 2021 Ford F150 Super Cab 4X4 Pickup Truck Through the Sourcewell Cooperative Contract #120716-NAF with National Auto Fleet Group in the Amount of \$29,961.24
- 16. WS022421-11: Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid city and Respec for IGT Subdivision Improvements – Water and Sewer, Project No. 20-2632 / CIP No. 51306, for an Amount not to Exceed \$35,185.00
- 17. WS022421-12: Authorize Staff to Advertise for 2021 Street Patching Project, Project No. 20-2619 /CIP 50549 for \$150,000
- 19. WS022421-14: Authorize Staff to Advertise for South Street Sewer Extension, Project No. 19-2538 /CIP 51221 for \$545,000.00
- 20. WS022421-19: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and KLJ for Professional Engineering Services for St. Patrick St. Reconstruction – Mt. Rushmore Rd. to 5<sup>th</sup> St., Project No. 20-2582 / CIP No. 51126, in the amount of \$215,866.00
- 21. WS022421-24: Request from Fisk Land Surveying & Consulting engineers 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. \*\*Staff Recommendation: Approve with Stipulations\*\*

**Community Development Consent Items**

24. WS022421-20: Authorize Mayor and Finance Director to Sign the FY20 CDBG-CV Community Development Block Grant Low/Moderate-Income Contract for Pennington County Health and Human Services
25. WS022421-21: Authorize Mayor and Finance Director to Sign the FY20 CDBG-CV Community Development Block Grant Urgent Need Contract for Pennington County Health and Human Services
26. WS022421-22: Preliminary Approval of the Second Substantial Amendment of FY20 CDBG Annual Action Plan

***Bid Award Consent Items***

28. CC030121-04.1 – Approve award of total base bid \$75,912.00 plus Alternate 1 \$246,222.00 for a total of \$322,134.00 for Downtown Lighting Phase 3, Project No. 21-2631 / CIP No. 51228 opened on February 23, 2021 to the lowest responsible bidder, Muth Electric, in the amount of \$322,134.00.
29. CC030121-04.2 – Reject all Bids for 2020 Miscellaneous Improvements Projects, General Civil Projects, Project No. 20-2605 / CIP 51132.1, and authorize staff to modify the project and rebid.

**END OF CONSENT ITEMS**

Mayor Allender read in item (WS022421-13) Authorize Staff to Advertise for Una Del Drive Reconstruction, Project No. 19-2505 /CIP 50914 for \$1,760,000.00. Tech explained the project. Motion was made by Nordstrom, second by Strommen and carried to approve 10-0.

Mayor Allender read in item (WS022421-25) Authorize Mayor and Finance Officer to Sign Agreement with Suez Water Technologies & Solutions for Membrane Module Replacement for the Jackson Springs Water Treatment Plant, Total Cost: \$745,269.00. Tech explained the project. Strommen and Evans stated their gratitude for a high quality facility. Motion was made by Jones, second by Weifenbach and carried to approve 10-0.

Mayor Allender read in item (WS022421-26) Authorize Mayor and Finance Officer to Sign Agreement with Suez Water Technologies & Solutions for Membrane Module Replacement for the Jackson Springs Water Treatment Plant, Total Cost: \$751,564.00. Motion was made by Jones, second by Lehmann and carried to approve 10-0.

Mayor Allender addressed Home Rule and what it means. He stated the task force first met in March 2020. There were two committees. They reached out to other cities for their input. 18 meetings took place via zoom. The committee is in the process of putting together a presentation explaining their findings. Once the item is placed on the agenda, the public can speak or ask questions about it at the council meeting. There will be several updates over the next few months. Evans suggested more meetings should take place to keep everyone better informed. Jordan Mason agreed. The committee is just working on the best presentation. Motion to acknowledge made by Weifenbach, second by Evans and carried 10-0.

**NON-CONSENT ITEMS** – Items 30 – 40

Kyle Treloar spoke regarding Item (No. 21RZ008). Planning Commission did recommend to deny. He asked that the rezone be approved. They want to diversify housing by allowing single-family dwellings.

***Ordinances***

Mayor Allender read in item (WS021021-03) Ordinance 6471 An Ordinance Repealing Chapter 1.08 Of The Rapid City Municipal Code Relating To Wards And Precincts And Adopting A New Revised Chapter 1.08 Of The Rapid City Municipal Code having passed its first reading on February 16, 2021 motion was made by Nordstrom second by Lehmann that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann,

Salamun, Evans and Drew; NO: whereupon the Mayor declared the motion passed and Ordinance 6471 was declared duly passed upon its second reading.

Mayor Allender read in item (WS021021-04) Ordinance 6477 - An Ordinance To Remove Requirement That Property Owners Open City Utility Accounts By Amending Provisions In Chapter 13.08 Of The Rapid City Municipal Code having passed its first reading on February 16, 2021 motion was made by Drew second by Lehmann that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: whereupon the Mayor declared the motion passed and Ordinance 6477 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ008) Approve First Reading, Ordinance 6473, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Buffalo East LLC for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at 7223 Healing Way. Motion was made by Jones, second by Drew to approve the rezone. Fisher said the planning commission denied the request because it would disrupt the integrity of the comprehensive plan. Current zoning allows apartments and no single family dwellings. Treloar said there is a detention pond being used as a buffer between the apartments and the single family dwellings. Motion carried 10-0 that Ordinance 6473 be placed upon its first reading and the title was distinctly read and second reading set for Monday, March 15, 2021.

Mayor Allender read in item (No. 21RZ009) First Reading, Ordinance 6474, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located south of North Valley Drive. Motion was made by Drew, second by Strommen and carried that Ordinance 6474 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, March 15, 2021.

Mayor Allender read in item (21OA001) First Reading of Ordinance No. 6475 an Ordinance to Create a Platting Process to Facilitate the Transfer of Certain Unplatted Property by Adding Section 16.08.105 to the Rapid City Municipal Code. Motion was made by Jones, second by Roberts and carried that Ordinance 6475 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, March 15, 2021.

Mayor Allender read in item (21OA002) First Reading of Ordinance No. 6476 an Ordinance to Require Platted Lots in the Medium and High Density Residential Districts Abut a Public Street for a Distance of Not Less than 25 Feet by Amending Subsection 17.12.050E. of the Rapid City Municipal Code. Motion was made by Drew, second by Jones and carried that Ordinance 6476 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, March 15, 2021.

Mayor Allender read in item (WS022421-08) First Reading of Ordinance No. 6480 an Ordinance to Clarify Provisions Related to the Rapid City Regional Airport Board and to Expand its Membership by Amending Provisions in Chapter 2.72 of the Rapid City Municipal Code. Motion was made by Drew, second by Armstrong to approve. Substitute motion made by Salamun, second by Roberts that the Airport Board be composed of up to seven members who live inside Rapid City, city limits. There was also discussion on keeping the Rapid City Fire Department as the aircraft rescue and firefighting (ARFF) service. Several members think the ordinance should be reviewed further before voting. Weifenbach asked to split the question and take separate votes on each topic. Roll call vote was taken to only allow board members who live inside city limits: Salamun, Weifenbach, and Roberts voted aye. Jones, Lehmann, Evans, Drew, Nordstrom; Strommen and Armstrong voted no. Motion failed 7 to 3. Roll call vote was taken on allowing board members to live outside city limits: Strommen, Armstrong, Jones, Lehmann, Drew and Nordstrom voted aye; Roberts, Salamun, Evans and Weifenbach voted no. Motion



to allow board members to live outside city limits passed 6 to 4. Motion was made by Weifenbach, second by Evans to continue discussion on keeping Rapid City Fire Department as the aircraft, rescue and firefighting services required by state law and regulations. Landeen addressed the council and said they couldn't pass one portion and continue the other portion since it's written as one ordinance. Motion was made by Weifenbach, second by Evans and carried to continue item (WS022421-08) to the March 15, 2021 city council meeting. Motion carried 10-0.

### ***Community Development Items***

Mayor Allender read in item (No. 20PL084) A request by Longbranch Civil Engineering, Inc for Park Hill Development Inc. for a Preliminary Subdivision Plan for proposed Tract 1 and Lots 1 thru 8 of Block 1, Lots 1 thru 20 of Block 2 of Park Hill Subdivision No. 7, generally described as being located west of Sydney Drive and Bridge View Drive. Motion was made by Salamun, second by Jones and carried 10-0 to approve the following with stipulations. Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Pendleton Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 3. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 4. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. 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; 5. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Environment and Natural Resources shall be secured; 6. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 7. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 8. 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, 9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 20PL105) A request by KTM Design Solutions, Inc for BH Capital, LLC for a Preliminary Subdivision Plan for Proposed Lots 1 thru 2 of Block 1, Lot 1 thru 12 of Block 2, Lots 1 thru 34 of Block 3, Lots 1 thru 2 of Block 4, Lots 1 thru 2 of Block 5, Lots 1 thru 34 of Block 6, and Lots 1 thru 2 of Block 7 of Antelope View Estates, generally described as being located at the intersection of North Valley Drive and E. Philadelphia Street. Motion was made by Roberts, second by Lehmann and carried 10-0 to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, a feasibility study confirming the adequacy of the proposed booster station needed to serve this area shall be reviewed and accepted by the City; 2. Prior to submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval to address the design of the intersection of E. Philadelphia Street and N. Creek Drive; 3. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with a center

turn lane matching the adjacent section to the north unless otherwise recommended by the Traffic Impact Study 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, construction plans for E. Philadelphia Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-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; 5. Upon submittal of a Development Engineering Plan application, construction plans for Street A shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 6. Upon submittal of a Development Engineering Plan application, construction plans for Court A, Court B and Court C shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 7. Upon submittal of a Development Engineering Plan application, construction plans in compliance with the Infrastructure Design Criteria Manual shall be submitted for review and approval providing a second access to the development or an Exception shall be obtained to allow more than 40 dwelling units with one point of access. If a second access is required, then prior to submittal of a Final Plat application for this phase of the project, the right-of way for the second access shall be dedicated and constructed or surety posted for the street improvement; 8. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval to provide water main looping of the high level water zone; 9. Upon submittal of a Development Engineering Plan application, a revised grading plan shall be submitted for review and approval maintaining drainage patterns within their historic drainage basins; 10. Upon submittal of a Development Engineering Plan application, the sewer layout shall be revised keeping all sewer mains within public right-of-way or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 11. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 12. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 13. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, 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; 14. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Environment and Natural Resources shall be secured; 15. Prior to approval of the Development Engineering Plan application, adequate water capacity shall be available to the project including the installation and City acceptance of the proposed booster station needed to serve this area if necessary to meet capacity requirements; 16. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 17. Prior to submittal of a Final Plat application, a street name for Street A, Court A, Court B and Court C shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall show the approved street name; 18. Prior to submittal of a Final Plat application, the portion of the subject property zoned General Agriculture District shall be rezoned to Low Density Residential District 2 and Medium Density Residential, respectively, as proposed; 19. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any propose drainage elements or non-buildable lots. In addition, Major Drainage Easements shall be

dedicated for the proposed drainage improvements; 20. 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, 21. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 21PL006) A request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Preliminary Subdivision Plan for proposed Lot 1R of Block 7 of North Valley Park Subdivision, generally described as being located south of North Valley Drive. Motion was made by Drew, second by Nordstrom and carried to approve 10-0 with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, a feasibility study confirming the adequacy of the proposed booster station needed to serve this area shall be reviewed and accepted by the City or a grading plan shall be submitted for review and approval showing that the development will be within the low-level elevation range (up to 3,300 feet) and a water report shall be submitted demonstrating adequate capacity can be provided by the low-level water main located in North Valley Drive; 2. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-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; 3. Upon submittal of the Development Engineering Plan application, construction plans shall be submitted for review and approval to provide water main looping of the high level water zone if the property is being served by the high level water zone; 4. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 6. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, 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; 7. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Environment and Natural Resources shall be secured; 8. Prior to approval of the Development Engineering Plan application, adequate water capacity shall be available to the project including the installation and City acceptance of the proposed booster station needed to serve this area to meet capacity requirements if the property is served by the high level water zone; 9. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 10. Prior to submittal of a Final Plat application, the subject property shall be rezoned from General Agriculture District to Medium Density Residential District; 11. 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, 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 21PL007) - A request by KTM Design Solutions, Inc for Buffalo East LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 13 of Block 4 of Buffalo Crossing Subdivision, generally described as being located at 7223 Healing Way. Motion was made by Jones, second by Drew and carried 10-0 to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, the property shall be rezoned from Office Commercial District to Medium Density Residential District; 2. Upon submittal of a Development Engineering Plan application, construction plans for Cul-de-sac "A" shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are

obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 4. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 5. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. 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; 6. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Environment and Natural Resources shall be secured; 7. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 8. Prior to submittal of a Final Plat application, a street name for proposed Cul-de-sac "A" shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street name shall be shown on the plat document; 9. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 10. 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, 11. 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 41 – 50

**CONSENT PUBLIC HEARING ITEMS** – Items 41 – 44

***Alcohol Licenses***

41. Skyway Enterprises Inc. DBA American Lodge & Suites, 1632 Rapp, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Retail (on-off sale) Wine and Cider license
42. Wisdom, Inc. DBA Country Inn & Suites by Carlson-RC, 2321 N Lacrosse St for a Retail (on-off sale) Wine and Cider license
43. Powerfield Party Stores Inc. DBA Caesar's Spirits, 685 N Lacrosse Street for a Package (off-sale) Liquor License TRANSFER from Wisdom Inc. DBA Country Inn & Suites by Carlson-RC, 2321 N Lacrosse St
44. Impressive Nails BL Inc. DBA Impressive Nails, 1301 W Omaha St Suite 105 for a Retail (on-off sale) Wine and Cider License TRANSFER from Impressive Nails Incorporated, DBA Impressive Nails, 1301 W Omaha St, Suite 105

Mayor Allender read the alcohol licenses into the record. Motion was made by Lehmann, second by Roberts and carried to approve 10-0.

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 45 – 50

Mayor Allender read in item (No. 21RZ001) Second Reading, Ordinance 6465, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Keith Johnson for David and Cara Wise for a Rezoning from General Agricultural District to Light Industrial District for property generally described as being located west of Creek Drive at the terminus of Rocker Drive. Having passed its first reading on February 16, 2021 motion was made by Nordstrom, second by Roberts, that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the

Mayor declared the motion passed and Ordinance No. 6465 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ002) Second Reading, Ordinance 6466, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located south of North Valley Park. Having passed its first reading on February 16, 2021 motion was made by Nordstrom, second by Drew, that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6466 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ003) Second Reading, Ordinance 6467, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Rezoning from Light Industrial District to Medium Density Residential District for property generally described as be located south of North Valley Drive. Having passed its first reading on February 16, 2021 motion was made by Jones, second by Roberts, that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6465 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ004) Second Reading, Ordinance 6468, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located south of North Valley Drive. Having passed its first reading on February 16, 2021 motion was made by Drew, second by Salamun, that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6468 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ005) Second Reading, Ordinance 6469, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located south of North Valley Drive. Having passed its first reading on February 16, 2021 motion was made by Nordstrom, second by Roberts, that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6469 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ006) Second Reading, Ordinance 6470, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Rezoning from Low Density Residential District II to Medium Density Residential District for property generally described as being located near the intersection of North Valley Drive and E. Philadelphia Street. Having passed its first reading on February 16, 2021 motion was made by Nordstrom, second by Drew, that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Armstrong, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6470 was declared duly passed upon its second reading.

**BILLS****BILL LIST - MARCH 1, 2021**

P/ROLL PERIOD END 02/13/21, PD 02/19/21	2,015,391.56
CDEV P/ROLL PERIOD END 02/13/21, PD 02/19/21	2,381.85
PIONEER BANK & TRUST, 02/13/21 P/ROLL TAXES, PD 02/19/21	523,973.30
CDEV PIONEER BANK & TRUST, 02/13/21 P/ROLL TAXES, PD 02/19/21	553.82
WELLMARK INC, HEALTH CLAIMS THROUGH 02/12/21, PD 02/18/21	270,542.93
WELLMARK INC, HEALTH CLAIMS THROUGH 02/19/21, PD 02/25/21	172,677.69
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 02/16/21, PD 02/17/21	10,485.00
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 02/22/21, PD 02/23/21	7,520.51
SDRS-SPECIAL PAY PLAN, SPECIAL PAY PLAN FEE- KNIGHT, LADEAUX, SCHIPKE PD 02/19/21	135.00
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 02/17/21, PD 02/18/21	4,464.49
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 02/24/21, PD 02/25/21	8,623.12
AR GROUP LLC, TID39 ANAMOSA/AR GROUP LLC, PD 02/22/21	3,550.96
BANK WEST, TID47 TOWER RD, PD 02/22/21	261,665.16
BANK WEST, TID54 RAINBOW RIDGE, PD 02/22/21	4,780.83
BANK WEST, TID56 RUSHMORE CROSSING, PD 02/22/21	52,198.95
BANK WEST, TID65 MINNESOTA ST, PD 02/22/21	17,748.75
BANK WEST, TID70 CATRON BLVD, PD 02/22/21	20,263.47
CITY OF RAPID CITY, TID39 ANAMOSA/AR GROUP LLC, PD 02/22/21	3,550.95
CITY OF RAPID CITY, TID64 CABELA'S, PD 02/22/21	45,731.81
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 02/22/21	31,870.83
MARKET SQUARE LLC, TID52 E ST CHARLES ST, PD 02/22/21	4,321.05
WEST RIVER ELECTRIC ASSOCIATION ELECTRICITY, PD 02/18/21	52,038.36
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 02/18/21	18,693.72
BLACK HILLS ENERGY ELECTRICITY, PD 02/25/21	103,882.89
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 02/18/21	68,949.66
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 02/25/21	8,313.88
COMPUTER BILL LIST	7,136,962.72
CDEV COMPUTER BILL LIST	41,399.80
SUBTOTAL	10,892,673.06
RSVP, P/ROLL PERIOD END 02/13/21, PD 02/19/21	2,635.20
RSVP, PIONEER BANK & TRUST, 02/13/21 P/ROLL TAXES, PD 02/19/21	609.48
RSVP, COMPUTER BILL LIST	2,181.65
TOTAL	10,898,099.39

Sumption presented the bill list of \$10,898,099.39 Motion was made by Salamun, second by Jones and carried to authorize (No. CC030121-01) 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 Lehmann and carried to adjourn the meeting at 9:19 p.m.

Dated this 1st day of March, 2021.

CITY OF RAPID CITY  
s/Steve Allender  
 Mayor

ATTEST:  
s/Pauline Sumption  
 Finance Director  
 (SEAL)

Published at the approximate cost: \_\_\_\_\_