

CITY COUNCIL WORK SESSION MINUTES
City of Rapid City, South Dakota
12:30 P.M. Wednesday, June 2, 2021

CALL TO ORDER at 12:31 P.M. by Laura Armstrong

Members in attendance: Armstrong, Nordstrom, Salamun, Roberts, Evans, Drew, Strommen, Jones Lehmann and Wiefenbach **Absent:** None

City Staff present: Wade Nyberg, Deputy City Attorney; Carla Cushman, Assistant City Attorney; Shannon Truax, Public Works Executive Coordinator; Tracy Davis, Deputy Finance Director; Stacey Titus, Public Works Operations Manager; Kip Harrington, Interim Long Range Planning Manager; Sarah Hanzel, Community Development Planning Projects Division Manager; Toni Broom, Airport Finance and Administration Manager; Brandi Christensen, Human Resources Assistant Manager; Scott Sitts, Police Captain; Michelle Schuelke, CDBG Program Manager; Scott Anderson, Parks and Recreation Division Manager, Brian Povandra, Fire Department Division Manager

PRESENTATION ITEMS None Identified

DISCUSSION ITEMS, NON-CONSENT Items 1 – 9

CITY ATTORNEY'S OFFICE Cushman spoke on item 1. Questions were raised by Nordstrom, Salamun Jones, Evans, Drew and Wiefenbach

- 1) WS060221-39: Introduction and First Reading of Ordinance No. 6497 an Ordinance Clarifying the Status and Legality of Medical Cannabis Establishments in City Limits Prior to the State's Issuance of Rules Governing such Establishments by Amending Titles 5 and 17 of the Rapid City Municipal Code

PARKS AND RECREATION

- 2) WS060221-38: Approve Concession Agreement with Canyon Lake Resort for Property Located at 2720 Chapel Lane

COMMUNITY DEVELOPMENT (3-6) Hanzel spoke to item 3. Comments were raised by Nordstrom and Evans

- 3) WS060221-30: Request by Stephanie Hurd for a determination by the City Council that there are no feasible and prudent alternatives to the alterations contributing secondary structure in a historic district located at 916 Saint Charles Street, and that the proposal contains planning to minimize harm to historic property pursuant to SDCL1-19A-11.1 and RCMC 17.54.080
- 4) WS060221-31: Introduction and First Reading of Ordinance No. 6380 an Ordinance Amending Chapter 15.04 of the Rapid City Municipal Code Regarding Buildings and Construction Administrative Procedures, Amending Chapter 15.08 Regarding Moving of Buildings, and Repealing Chapter 5.44 Regarding House Moving Businesses
- 5) WS060221-32: Introduction and First Reading of Ordinance No. 6488 an Ordinance to Adopt the 2020 Edition of the National Electrical Code and to Amend Local Provisions by Amending Chapter 15.16 of the Rapid City Municipal Code
- 6) WS060221-35: Introduction and First Reading of Ordinance No. 6382 an Ordinance Amending Sections of the Rapid City Municipal Code Relating Pertaining to the International Property Maintenance Code

Council Working Session

PUBLIC WORKS (7-9) Truax spoke on item 7. Questions were raised by Jones. Titus spoke on items 8 and 9 with a presentation given by Luke Rodig from Burns and McDonnell. Questions and comments were raised by Evans, Salamun, Wiefenbach, Nordstrom, Strommen and Drew

- 7) WS060221-44: Introduction And First Reading Of Ordinance No. 6482 An Ordinance To Amend And Clarify Provisions Concerning Trenching Contractor's Licenses By Amending Chapter 13.24 Of The Rapid City Municipal Code
- 8) WS060221-46: Approve Financial and Rate Setting Policies for the Solid Waste Utility
- 9) WS060221-47: Approve Resolution No. 2021-058 A Resolution Amending Certain Fees to be Charged Specific to the Solid Waste Division of Public Works

REGULAR BUSINESS ITEMS (Consent) **Items 10 – 50**

POLICE DEPARTMENT Sitts spoke on item 10.

- 10) WS060221-48: Approve Resolution No. 2021-057, A Resolution Establishing the City of Rapid City 2021 Archery Antlerless Deer Access Permit Program

AIRPORT Broom spoke on item 11.

- 11) WS060221-03: Approve Revision to Airport Rates and Charge for Airline Terminal Rent and Landing Fees

PARKS AND RECREATION

- 12) WS060221-37: Approve Resolution No. 2021-041 a Resolution of Intent to Enter into a Lease with Black Hills Lacrosse Association for Property Located at 1615 Sedivy Lane

FIRE DEPARTMENT (13-14) Povandra spoke on items 13 and 14. Questions were raised by Nordstrom,

- 13) WS060221-01: Approve Change Order for Purchase of Fire Apparatus through source Well (Former NJPA) in the Amount of \$98.00
- 14) WS060221-06: Approve change Order #2 for Purchase of Fire Apparatus through Source Well (Former NJPA) in the amount of \$3,225.00 for Addition of a Portable Generator, Poly Storage Module and Poly Tool Boards

HUMAN RESOURCES Christensen spoke on item 15.

- 15) WS060221-49: Step Increase and COLA Adjustment for Non-Union Employees

FINANCE DEPARTMENT (16-21) Davis spoke on items 16-21. Questions were raised by Nordstrom

- 16) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Gia Amato (RSVP+), Richard Cleveland (RSVP+), Sue Cole (RSVP+), Susan Douglas (RSVP+), Laurie Driscoll (RSVP+), Daniela Fortier (RSVP+), James Haeder (RSVP+), Marla Loken (RSVP+), Mariana Meza (RSVP+), Edith Miles (RSVP+), Dyan Nagel (RSVP+), Terry Nagel (RSVP+), Mary Nygaard (RSVP+), Darrell Pulscher (RSVP+), Roger Sorenson (RSVP+), Dennis Walkins (RSVP+)
- 17) WS060221-04: Acknowledge April 2021 General Fund Cash Balance Report
- 18) WS060221-16: Acknowledge March 2021 Sales Tax Report
- 19) WS060221-17: Approve Resolution No. 2021-054 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplus as Trade
- 20) WS060221-18: Approve Resolution No. 2021-056 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplus as Trade

Council Working Session

- 21) WS060221-27: Approve Request for Property Tax Abatements as Follows: Bernice Boland (Tax ID 62343) 2019, \$665.00 and (Tax ID 62343) 2020, \$608.22. [Total for City of Rapid City: \$1273.22]

PUBLIC WORKS (22-46) Titus spoke on items 22-46. Questions were raised by Evans expressed his objection to item 24 regarding the downtown lighting project. Drew requested a list of roofs needing replaced on item number 28.

- 22) WS060221-02: Request from Fisk Surveying & Consulting Engineers, Inc. for a Variance to Waive the Requirement to Install Sidewalk, per City Ordinance 12.08.060.C, Along the Lot Frontage of 1605 Sunnyvale Drive

Staff Recommendation: Approve

- 23) WS060221-05: Request from Renner Associates, LLC for a Variance to Waive the Requirement to Install Sidewalk along Wilderness Canyon Road, 47th Ave., Reflection Ridge, and Wild Turkey Way, Rapid City, per City Ordinance 12.08.060

Staff Recommendation: Approve

- 24) WS060221-07: Authorize Staff to Advertise for Bids Downtown Lighting Project Phase 4 CIP #51228 Engineers Estimate \$500,000.00

- 25) WS060221-08: Approve change Order 1F Apex Construction Services for South Middle School Storm Sewer Connection, Project #2592 for a Decrease of \$1,830.00

- 26) WS060221-09: Approve Change Order 1F Mainline Contracting, Inc. for Abandon Omaha Trunk Sewer, Project #2610 for a Decrease of \$7,301.76

- 27) WS060221-10: Approve change Order 1F Underground Construction, Inc. for Alta Vista Storm Sewer Improvement Project, Project #2595 for an Increase of \$2,350.00

- 28) WS060221-11: Authorize Staff to Advertise for Bids 2021 Roof Replacement Project No. 21-2654 CIP No. 50098

- 29) WS060221-12: Authorize The Public Works Director or his designee To Apply For, And Accept And Administer If Awarded, The South Dakota Department Of Agriculture And Natural Resources (SDDANR) Volkswagen Settlement Grant For Reimbursement Of Up To 50% (Fifty Percent) For The Purchase Of A New Roll-Off Truck For The Solid Waste Collection Department. Purchase Price Not To Exceed \$150,000.00

- 30) WS060221-13: Authorize Mayor and Finance Director to Sign Amendment No. 3 to the Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBDPs) Amendment – Phase 2, Project No. 18-2430, CIP No. 51189.2 in the amount of \$18,560.00

- 31) WS060221-14: Authorize Mayor and Finance Director to Sign Agreement between the City of Rapid City and FMG Engineering for Racetrack Draw Drainage Basin Design Plan (DBDP) Update, Project No. 20-2628 / CIP No. 51315 in the amount of \$189,545.00

- 32) WS060221-15: Request Authorization to Seek Proposals for Professional Services for Data Collection for 2021 Pavement Condition Index, Project No. 21-2656 / CIP # 51327

- 33) WS060221-19: Authorize Public Works Director or Designee to Apply for, Accept and Administer If Awarded, a South Dakota Dept. of Agriculture and Natural Resources (SDDANR) Tire Disposal Event Grant for Cost Sharing for the Collection, Reuse, and/or Disposal Of Residential Waste Tires from the Landfill Service Area. Grant Request Total Estimated At \$100,000 with City Share Estimated At 20%.

Council Working Session

- 34) WS060221-20: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, LLC, for 2021 Water Facilities Arc Flash Analysis Assessment Report, Project Number 21-2635/CIP Number 51318. In the Amount of \$243,374.00
- 35) WS060221-21: Authorize Staff to Advertise for Bids for the RC Landfill Cell #18 Debris Fencing & Phase 2 Berm Project No. 21-2641/CIP 51202.1; Estimated Construction Cost \$1,950,000.00
- 36) WS060221-22: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and HDR Engineering, Inc., for the WRF Aeration Basin Clariflocculator and Siphon Piping Construction, Project Number 20-2629/CIP Number 51129. In the Amount of \$596,964.00
- 37) WS060221-23: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and FMG Engineering, Inc. for the Springbrook Acres Water Main and PRV Abandonment, Project Number 21-2643/CIP Number 51262. In the Amount of \$190,417.00
- 38) WS060221 24: Authorize Staff to Advertise Bids for IGT Subdivision Improvements - Water and Sewer, Project No. 20-2632/CIP No. 51306. Estimated Cost \$325,000.00
- 39) WS060221-25: Authorize Purchase of 1 New Garbage Truck Chassis from Autocar Using Sourcewell Contract Pricing. Total Amount of \$163,450.00
- 40) WS060221-26: Authorize Purchase of 1 New Garbage Truck Body from McNeilus Using Sourcewell Contract Pricing. Total Amount is \$155,083.00
- 41) WS060221-28: Authorize The Public Works Director or his Designee to Apply for, and Accept and Administer if Awarded, the South Dakota Department of Agriculture and Natural Resources (SDDANR) Volkswagen Settlement Grant for Reimbursement of up to 50% (Fifty Percent) for the Purchase of a New Snow Plow for the Street Department. Purchase Price not to Exceed \$277,066.00
- 42) WS060221-29: Authorize the Mayor and Finance Director to Sign Sewer Service Agreement between the City of Rapid City and Northdale Sanitary District
- 43) WS060221-36: Authorize Removal of the Requirement that the Contractor Perform a Minimum of 50% of the Work for the Miscellaneous Improvements Projects, Facility Type Projects Digester Boiler Replacement, Project No. 21-2651 / CIP 51132.3
- 44) WS060221-42: Authorize the Mayor and Finance Director to Sign an Infill Agreement between the City of Rapid City and Lazy P6 Land Company for the Construction of Public Improvements and Acceptance of H-Lots
- 45) WS060221-43: Authorize Mayor and Finance Director to Sign Infill Agreement between the City of Rapid City and Shurald and Nancy Swedlund for the Construction of a Turnaround and Acceptance of H-lot
- 46) WS060221-45: Approve Updates to the Operating Manual and Bylaws for the Rapid City Trenching Board

COMMUNITY DEVELOPMENT (47-50) Schuelke spoke on items 47 - 49. Nordstrom would like to hear from persons receiving caper funds.

- 47) WS060221-33: Approve the Final FY20 Consolidated Annual Performance & Evaluation Report (CAPER)

Council Working Session

- 48) WS060221-34: Authorize the Mayor and Finance Director to Sign the FY21 Community Development Block Grant Contract – Pennington County
- 49) WS060221-40: Authorize Mayor and Finance Director to Sign Corrected FY20 CDBG Funding Approval/Agreement
- 50) WS060221-41: Authorize Mayor and Finance Director to Sign Agreement Between the City of Rapid City and the City of Box Elder for Waterpark Expansion Building Permits

REGULAR BUSINESS ITEMS (Non-Consent) *Items 51 – 53*

2nd ORDINANCE READINGS

FINANCE DEPARTMENT

- 51) WS051221-26: Second Reading and Recommendation of Ordinance No. 6490 An Ordinance to Align the Municipal Election Date with the Designated Date for Primary Elections by amending Section 1.16.020 of the Rapid City Municipal Code

COMMUNITY DEVELOPMENT

- 52) WS051221-29: Second Reading and Recommendation of Ordinance No. 6489 An Ordinance to Revise the Organization of the Department of Community Development by Amending Chapter 2.47 of the Rapid City Municipal Code

CITY ATTORNEY’S OFFICE

- 53) WS051221-30: Second Reading and Recommendation of Ordinance No. 6491 to Enact Rapid City Municipal Code Section 10.52.090 to Prohibit the Use of Certain Motor Vehicles on Downtown Sidewalks and to Amend Sections 10.52.010 and 10.64.210 Regarding Skateboards and Bicycles on Downtown Sidewalks

ADDENDUM NO. 1

COMMUNITY DEVELOPMENT-NON-CONSENT (Item 54) Harrington spoke on item 54. Comments and Questions were raised by Evans

- 54) 21CA001: A request by KTM Design Solutions, Inc. for 605 Storage LLC to Consider an Application for a Comprehensive Plan Amendment to the Major Street Plan for Property Generally Described as Being Located at 3276 and 3300 Cambell Street

Public Comment opened

Public Comment closed

ADJOURN by Laura Armstrong at 1:52 P.M.