

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
June 21, 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, June 21, 2021 at 6:30 P.M.

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

Staff members present included: City Attorney Joel Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, Parks and Recreation Director Jeff Biegler, Finance Director Pauline Sumption, Interim Community Development Director Vicki Fisher, Assistant City Attorney Kinsley Groote, HRC / MOA Coordinator Malcom Chapman, IT Director Jim Gilbert, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA

Motion was made by Jones, second by Salamun to approve the agenda. Motion carried 9-0.

AWARDS AND RECOGNITIONS

Mayor Allender read in the Juneteenth Day Proclamation.

PRESENTATION

Presentation by Bruce Wilsey with Brosz Engineering regarding Rapid City Bridge Inspections. He said none of the structures needed immediate attention.

Presentation by Director Melanie Timm of the Hope Center. She indicated they wanted to relocate. They have identified a building on Philadelphia Street called Destiny Four Square Church. It does need renovations and it will take about \$500K to do that. They will host activities and fundraisers to put toward the \$250K. They are asking the city to donate \$250K to help with the costs. Chief Hedrick said he supported the new location. Roberts arrived at 6:55 p.m.; Council agreed that multiple non-profit organizations need to work together in Rapid City.

Presentation by Malcom Chapman and Karen Mortimer – Update on the Human Relations Commission / MOA; Chapman indicated this program is designed to bridge cultures. There is a plan to establish a mission and vision statement for the program. Partners will help advance work in the community. Karen Mortimer said they were any able to raise a total of \$80,000 in about six months. Everyone is pleased with how it's going.

Pat Jones made a point of personal privilege. He spoke of the PSA regarding handicap spaces and if you aren't handicap, you should not use them. He also thanked Jeff Biegler. There is a project being done right now at Robbinsdale Park regarding mosquito control. They have created a bat box project for local groups to participate in to help eliminate mosquitos.

GENERAL PUBLIC COMMENT - NONE

NON-PUBLIC HEARING ITEMS -- Items 5 – 44

CONSENT ITEMS – Items 5 – 32

The following items were removed from the Consent Items:

8. 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. (This item was continued from the June 7, 2021 city council meeting.)
16. WS060221-49: Approve Resolution 2021-059 A Step Increase and COLA Adjustment for Non-Union Employees (This item was continued from the June 7, 2021 city council meeting.)
18. WS061621-10: Resolution No. 2021-061 – Resolution Levying Assessment for Abatement of Nuisances
19. WS061621-11: Approve Change Order #2-Final for Fitzgerald Stadium Renovations Project No. 19-2508 CIP #51231 with MAC Construction for an increase of \$27,360.19.
25. WS061621-17: Authorize staff to advertise for bids Anamosa Street Water Main. Project #20-2541 CIP #51256. Estimated Cost \$940,000.

Motion was made by Armstrong, second by Strommen and carried to approve items 5-32 with the exception of items 8, 16, 18, 19 and 25.

Approve Minutes

5. Approve Minutes for the June 7, 2021 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (July 6, 2021)

6. Youth and Family Services for a SPECIAL EVENT on-sale malt beverage license, an on-sale wine license and an off-sale package wine dealer license for an event scheduled for October 1, 2021 and October 2, 2021 including an online auction that will close on October 5, 2021 at 120 E. Adams Street
- 6A. Naja Shrine Temple for a SPECIAL EVENT on-sale malt beverage license for an event scheduled For July 17, 2021 at RC Shrine Temple, 4091 Sturgis Road
7. RC Summer Nights Inc. for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for July 31, 2021 at the 500 Block of 7th Street between Main Street and Saint Joseph Street on behalf of the Combat Veteran Motorcycle Association

Intent to Enter a Lease Set for Hearing (July 6, 2021)

- 7A. The City of Rapid City intends to enter into a lease for property located at 4415 Parkview Drive, with Rapid City Girls Junior Olympics ASA Softball property.

Working Session Committee Consent Items

9. WS061621-02: Authorize the Police and Fire Department to apply for and accept the Bureau of Justice Assistance Fiscal Year 2022 (BJA FY 22) grant if awarded.
10. WS061621-03: Approval to apply for the DOJ Community Oriented Policing Cops Hiring Program, and accept if awarded.
11. WS061621-04: Approval to apply for DOJ Crime Gun Intelligence Center Grant, and accept if awarded.
12. WS061621-05: Authorize Mayor and Finance Officer to sign the Rapid City Area School District School Resource Officer Program Agreement.
13. WS061621-06: Authorize Staff to Advertise for Mt Calvary Infrastructure Additions, Project PR20-6179 for \$195,000.
14. WS061621-07: Approve Resolution No. 2021-062 a Resolution of Intent to Enter into a Lease with Rapid City Girls Junior Olympics (RCGJO) ASA Softball for property located at 4415 Parkview Drive.

RESOLUTION NO. 2021-062
A RESOLUTION OF INTENT TO ENTER INTO A LEASE AGREEMENT WITH RAPID CITY GIRLS
JUNIOR OLYMPIC AMATEUR SOFTBALL ASSOCIATION
PURSUANT TO SDCL 9-12-5.2

BE IT RESOLVED by the City Council that the City of Rapid City intends to enter into a lease with Rapid City Girls Junior Olympic Amateur Softball Association for real property which is located in the City of Rapid City, South Dakota, and legally described as follows:

Lot 2 less Lot H1, Lot H2, Lot H3, and ROW, Robbinsdale #10 Subdivision, Rapid City, Pennington County, South Dakota,

which property generally consists of a six-field softball complex; and

BE IT FURTHER RESOLVED that a hearing will be held on June 21, 2021, at 6:30 p.m. to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, to consider the lease of such property, or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that notice of the time and place of this public hearing shall be published once, at least ten days prior to the hearing, by copy of this Resolution of Intent or by separate notice; and

BE IT FURTHER RESOLVED that following the hearing the City Council may adopt a resolution authorizing a lease upon the terms and conditions as it shall determine in said resolution.

Dated this 21st day of June, 2021

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

- 15. WS061621-08: Authorize Mayor and Finance Director to Sign Resolution No. 2021-060, a Resolution to Enter into a Lease Agreement with Black Hills Lacrosse Association.

RESOLUTION NO. 2021-060
A RESOLUTION TO ENTER INTO A LEASE AGREEMENT WITH
BLACK HILLS LACROSSE ASSOCIATION

BE IT RESOLVED by the City Council that the City of Rapid City authorizes the Mayor and Finance Director to sign the Lease Agreement between the City of Rapid City and Rapid City Black Hills Lacrosse Association and any other necessary documentation involving entering into a lease with Black Hills Lacrosse Association for real property which is located at 1615 Sedivy Lane, Rapid City, South Dakota, and legally described as follows:

A portion of Lot Four (4) of Dairyland Subdivision, Rapid City, Pennington County, South Dakota,

which property generally consists of a two lacrosse fields, upon the terms and conditions as reflected in the Lease Agreement between the City of Rapid City and Black Hills Lacrosse Association.

Dated this 21st day of June, 2021.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Director
 (SEAL)

17. WS061621-09: Acknowledge April 2021 Sales Tax Report
20. WS061621-12: Approve change order 1F Black River Inc. for Robbinsdale Drain Sediment Removal, Project #2594 for a decrease of \$1,452.00.
21. WS061621-13: Authorize Mayor and Finance Director to Sign Professional Service Agreement With Dakota Pump Inc. (DPI) For Supervisory Control And Data Acquisition (SCADA) System Support Services Related To The Ongoing Maintenance And Enhancement Of Software, Hardware, And Communication Components, For An Amount Not To Exceed \$50,000.
22. WS061621-14: Authorize Mayor and Finance Director To Sign Agreement Between The City Of Rapid City And Eastern Slope Land Corporation For Oversize Water Main Cost Reimbursement, not to exceed \$25,061.59.
23. WS061621-15: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and FMG Engineering for Engineering Services for Trenchless Sanitary Sewer Rehabilitation – Jackson Boulevard, Project No. 12-2075 / CIP No. 50818, in the amount of \$48,460.00.
24. WS061621-16: Authorize Mayor and Finance Director to sign Amendment No. 3 to the Agreement between the City of Rapid City and Black & Veatch Corporation for Master Planning Professional Services for the Wastewater Utility System Master Plan Update / Model Recalibration, Project No 14-2192 / CIP 50819 for an extension of the contract through December 31, 2021.
26. WS061621-18: Authorize staff to advertise for the Pavement Rehabilitation Project – Creek Drive, Project No. 20-2627 / CIP 50844 for \$620,000.
27. WS061621-19: Approve request and authorize staff to purchase (1) one new 2022 Ford F350 Super Cab 6.75' box Pickup truck from McKie Ford with matching State Bid Contract #17343 pricing in the amount not to exceed budget of \$45,000.00 for the Wastewater Collection Utility.
28. WS061621-20: Request by Crystal Philpot for a determination by the City Council that there are no feasible and prudent alternatives to the proposed project in a historic district located at 921 11th Street, and that the proposal contains planning to minimize harm to the historic property pursuant to SDCL1-19A-11.1 and RCMC 17.54.080
29. WS061621-23: Authorize Mayor and Finance Officer to Sign Retention Agreement with Nooney & Solay, LLP

Bid Award Consent Items

30. CC062121-04.1 - Approve award of total bid for Pavement Rehabilitation Project – Brookside Drive, Project No. 20-2603 / CIP No. 50549 opened on June 15, 2021 to the lowest responsible bidder, Dakota Asphalt LLC in the amount of \$229,964.00
31. CC062121-04.2 - Approve award of total bid for Pavement Rehabilitation Project – Cleveland & Oakland, Project No. 20-2622 / CIP No. 50549 opened on June 15, 2021 to the lowest responsible bidder, J&J Asphalt in the amount of \$589,588.00
32. CC062121-04.3 – Approve award of total bid for Thirty-Seven (37) Two-way, opened on June 15, 2021 to the lowest responsible bidder, Western Communications, Inc. in the amount of \$102,573.90.

END OF CONSENT ITEMS

Mayor Allender read in item (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. (This item was continued from the June 7, 2021 city council meeting.) Motion was made by Lehmann, second by Jones to continue to the July 6, 2021 city council meeting. Motion carried 10-0.

Mayor Allender read in item (WS060221-49) Approve Resolution 2021-059 A Step Increase and COLA Adjustment for Non-Union Employees (This item was continued from the June 7, 2021 city council meeting.) Motion was made by Nordstrom, second by Salamun and carried to approve 10-0.

RESOLUTION NO. 2021-059
RESOLUTION TO AUTHORIZE SALARY ADJUSTMENTS
FOR NON-UNION BENEFITTED EMPLOYEES IN 2021

WHEREAS, The City of Rapid City authorized salary adjustments for non-union benefitted employees in December of 2020; and

WHEREAS, the City budgeted for 2021 during the early months of the pandemic, anticipating an extended drop in sales tax revenue that did not materialize; and

WHEREAS, wage adjustments for the City’s non-union benefitted employees were authorized by the City Council for 2021 but those changes are not ready for implementation;

WHEREAS, a partnership with Elevate Rapid City and the City’s HR team is being formed. This partnership will continue to work on the non-union pay scale to ensure that positions are compensated properly to ensure successful hiring and retention of qualified employees; and

WHEREAS, The HR team and the Department Director group will continue to work on implementing the previously approved salary scale when the positions are accurately placed using market data and internal equity; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rapid City that this resolution will be adopted in place of Resolution 202-6455, and that the City’s non-union benefitted employees will receive 2 step increases and a 1.1% cost of living adjustment on July 4, 2021. The step increase will be equivalent to 1.25% per step increase, for a total of 2.5% for those employees. The cost of living increase will be given as a pay matrix adjustment.

Dated this 21st day of June, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (WS061621-10) Resolution No. 2021-061 – Resolution Levying Assessment for Abatement of Nuisances; Sumption asked that the property at 1809 5th Street be removed from the assessment roll because the ownership had changed and needed to be updated. Motion was made by Lehmann, second by Drew and carried 10-0 to approve with the removal of 1809 5th Street.

RESOLUTION NO. 2021-061
 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 21st day of June, 2021.

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	SODERLIN, CHARLES	28900	1911 IVY AVE	PO BOX 422, MARTIN SD 57551	LOT 10, BLOCK 5, ROBBINSDALE	\$440.00
2	CEBUHAR, MARK P	34651	511 MONROE ST E	PO BOX 971801, YPSILANTI, MI 48197	LOT 5, BLOCK 20, WISE'S ADD	\$230.00
3	KILLSPOTTED, DELORES M	27482	104 COLLEGE AVE E	104 COLLEGE AVE, RAPID CITY, SD 57701	LOT 19-20; BLOCK 9, NOWLIN & WOOD	\$390.00

Mayor Allender read in item (WS061621-11) Approve Change Order #2-Final for Fitzgerald Stadium Renovations Project No. 19-2508 CIP #51231 with MAC Construction for an increase of \$27,360.19. Motion was made by Jones, second by Salamun to approve. Jones indicated an umpire room was still needed. Motion carried 10-0.

Mayor Allender read in item (WS061621-17) Authorize staff to advertise for bids Anamosa Street Water Main. Project #20-2541 CIP #51256. Estimated Cost \$940,000. Motion was made by Salamun, second by Roberts to approve. Tech indicated the pressure zones needed to be fixed. There is a joint effort by the city and the developer to get the project completed. Motion carried 10-0.

NON-CONSENT ITEMS – Items 33 – 44

Barbara Paur, Shalon Timm, James Johnson and Chad Tomjack all spoke against Ordinance 6456. They would like to have input on the ordinance.

Ordinances

Mayor Allender read in item (WS060221-39) Second Reading of Ordinance No. 6497 an Emergency 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. Having passed its first reading on June 7, 2021, motion was made by Armstrong, 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. 6497 was declared duly passed upon its second reading. The effective date is July 1, 2021.

Mayor Allender read in item (WS060221-31) Second 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. Having passed its first reading on June 7, 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: None; whereupon the Mayor declared the motion passed and Ordinance No. 6380 was declared duly passed upon its second reading.

Mayor Allender read in item (WS060221-32) Second 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. Having passed its first reading on June 7, 2021, motion was made by Jones, second by Nordstrom 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. 6488 was declared duly passed upon its second reading.

Mayor Allender read in item (WS060221-35) Second Reading of Ordinance No. 6382 an Ordinance Amending Sections of the Rapid City Municipal Code Relating Pertaining to the International Property Maintenance Code. Having passed its first reading on June 7, 2021, motion was made by Nordstrom, second by Strommen 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. 6382 was declared duly passed upon its second reading.

Mayor Allender read in item (WS060221-44) Second 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. Having passed its first reading on June 7, 2021, motion was made by Drew, second by Jones 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. 6482 was declared duly passed upon its second reading.

Mayor Allender read in item (WS061621-21) First Reading of Ordinance No. 6456, An Ordinance to Amend and Adopt Provisions of the Rapid City Municipal Code Relating to Animals in Title 6. Assistant Attorney Groote indicated the ordinance needed to change since the current language was too broad. Jerry Stinely spoke on behalf of the Humane Society. He indicated high turnover and lack of staff have caused some decrease in annual inspections. Motion was made by Roberts, second by Lehmann to continue the item for one month. Council agrees that the plan needs work. Fisher stated Chapter 17 will need to be revised to include some zoning changes as well. Motion carried 10-0 to continue the item to the July 19, 2021 city council meeting.

Mayor Allender read in item (WS061621-22) First Reading of Ordinance 6498 Regarding Supplemental Appropriation #4 for 2021. Motion was made by Drew, second by Strommen and carried 10-0 that Ordinance 6498 be placed upon its first reading and the title was distinctly read and second reading set for Tuesday, July 6, 2021.

Community Development Items

Mayor Allender read in item (No. 21PL046) A request by Baseline Surveying for T & A Properties, LLC for a Preliminary Subdivision Plan for proposed Lot 1A and Lot 1B of Lot C of Golden Eagle Subdivision, generally described as being located at 2450 Seger Drive. Motion was made by Nordstrom, second by Strommen and carried 10-0 to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, the applicant shall confirm that a minimum of 100-feet of right-of-way is being provided along Seger Drive or the plat document shall be revised accordingly; 2. Prior to submittal of a Final Plat application, a Variance from the Zoning Board of Adjustment shall be obtained to reduce the side yard setback from 25 feet to 23.73 feet for the existing storage building located on proposed lot 1A or the plat document shall be revised to provide the minimum required setback; and 3. Prior to submittal of a Final Plat application, a Variance from the Zoning Board of Adjustment shall be obtained to reduce the front yard setback from 25 feet to 23.17 feet for the existing storage, shop, and office building as a result of dedicating the additional right-of-way along Seger Drive.

Mayor Allender read in item (No. 21PL050) A request by Longbranch Civil Engineering, Inc. for ZCO Incorporated for a Preliminary Subdivision Plan for Lot 39 thru Lot 46 of Block 10; Lot 22 through Lot 31 of Block 11; Lot 2 thru Lot 15 of Block 12; Lot 5 thru Lot 9 of Block 14; Lot 5 and Lot 10 thru Lot 12 of Block 15; Lot 12 thru Lot 37 of Block 16; Lot 1 thru Lot 9 of Block 17; and Lot 1 thru Lot 15 of Block 18 of Elks Country Estates, generally described as being located southeast of the intersection of Augusta Drive and Willowbend Road. Motion was made by Lehmann, second by Strommen and carried 10-0 to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for E. Minnesota Street, a minor arterial street, shall be submitted for review and approval showing the street located in a minimum 100-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; 2. Upon submittal of a Development Engineering Plan application, construction plans for Jolly Lane, 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 a Development Engineering Plan application, construction plans for Titleist Drive, Augusta Drive, Callaway Drive and Taylor Made Drive, local streets, shall be submitted for review and approval showing the streets located within a minimum 52-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. An additional 10 feet of right-of-way shall be dedicated along the first 200 feet of Augusta Drive and Jolly Lane and along Callaway Drive as it abuts Lot 1, Block 18 and the Drainage Lot as they extend north from E. Minnesota Street. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans for Ping Drive, a local cul-de-sac street,

shall be submitted for review and approval showing the street located within a minimum 52-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. 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; 5. Upon submittal of a Development Engineering Plan application for Phase 9 and/or 10, construction plans for the section line highway, a local street, shall be submitted for review and approval showing the streets located within a minimum 52-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 or the section line highway shall be vacated. 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, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 7. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 8. 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; 9. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 10. Prior to submittal of the Development Engineering Plan application, the developer shall confirm that there is adequate capacity in the downstream Jolly Lane lift station; 11. 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, a Major Amendment to the Final Planned Development Overlay shall be submitted for review and approval; 12. 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; 14. 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, 15. 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. 21PL051) A request by Fisk Land Surveying & Consulting Engineers, Inc. for Saxe Development LLC for a Preliminary Subdivision Plan for proposed 13A and 13B of Chalkstone Subdivision, generally described as being located at 5218 Chalkstone Court. Motion was made by Salamun, second by Roberts to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Haines Avenue, a Principal Arterial Street, shall be submitted in compliance with Figure 2-1 of the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. Prior to submittal of a Development Engineering Plan application, a Variance to waive the requirement to construct a sidewalk along Haines Avenue shall be obtained from City Council, or upon submittal of a Development Engineering Plan Application, construction plans for a sidewalk shall be submitted for review and approval. 3. 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 4. 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. 21PL052) A request by Fisk Land Surveying & Consulting Engineers, Inc. for Terrance and Mardonna Hulm Living Trust for a Preliminary Subdivision Plan for proposed Lots 1

and 2 of Hulm Subdivision, generally described as being located at 4601 225th Street. Motion was made by Drew, second by Jones to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for 225th Street as it abuts the subject property from the west lot line through the proposed cul-de-sac shall be submitted showing a minimum 24-foot wide gravel rural road section pursuant to Pennington County requirements. In addition, the construction plans shall provide a sidewalk along this section of 225th Street or a Variance shall be obtained from City Council; 2. Upon submittal of a Development Engineering Plan application, a drainage report shall be submitted for review and approval for any proposed culverts and ditch sizing; 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. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable; 5. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provision are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative; 6. 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, 7. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Appeals

Allender read in item (WS061621-01) Appeal of abatement late fee. Motion was made by Drew, second by Nordstrom to deny the appeal of the late fee. Sumption clarified owners have 14 days to pay the late fee. She tries to work with owners when they contact her. Roberts and Weifenbach opposed the late fee. They think 14 days is not enough time. Motion passed 7-3 with Evans, Roberts and Lehmann voting against the motion to reimburse the owner.

PUBLIC HEARING ITEMS – Items 45 – 52

CONSENT PUBLIC HEARING ITEMS – Items 45 and 46

Alcohol Licenses

45. Dakota Butcher – Rapid City Inc. DBA Dakota Butcher, 651 N. Creek Dr. Ste. 108, for a Package (off-sale) Liquor License TRANSFER from Nash-Finch Company DBA Family Fare #265 (Inactive)
46. Storming Crab Dakota LLC DBA Storming Crab Dakota, 1756 Eglin Street, for a new Retail (on-off sale) Wine and Cider License and a Retail (on-off sale) Malt Beverage & SD Farm Wine license

Mayor Allender read in items 45-46. Motion was made by Lehmann, second by Strommen and carried 10-0 to approve items 45 and 46.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 47 – 52

Mayor Allender read in item (No. 21CA001) A request to approve Resolution 2021-052 by KTM Design Solutions, Inc. for 605 Storage LLC for a Comprehensive Plan Amendment to the Major Street Plan for property generally described as being located at 3276 and 3300 Cambell Street. Motion was made by Jones, second by Roberts to continue the item to the September 20, 2021 city council meeting per the applicant's request.

Mayor Allender read in item (No. 21RZ013) Second Reading, Ordinance 6492, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Michael Powell for a

Rezoning request from General Commercial District to Medium Density Residential District for property generally described as being located at 306 E. Denver Street. Having passed its first reading on June 7, 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: None; whereupon the Mayor declared the motion passed and Ordinance No. 6492 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ014) Second Reading, Ordinance 6493, 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 Light Industrial District to Medium Density Residential District for property generally described as being located east of North Valley Drive terminus. Having passed its first reading on June 7, 2021, motion was made by Drew, second by Nordstrom 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. 6493 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ015) Second Reading, Ordinance 6494, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Towey Design Group for Pink Cabin LLP for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located west of Healing Way between Moon Meadows and Sammis Trail. Having passed its first reading on June 7, 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. 6494 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ016) Second Reading, Ordinance 6495, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Coldwell Banker BlackHills Legacy for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located north of Catron Boulevard between Wellington Drive and Tartan Court. Having passed its first reading on June 7, 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. 6495 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ017) Second Reading, Ordinance 6496, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc. for Coldwell Banker Black Hills Legacy for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as located north of Catron Boulevard between Wellington Drive and Tartan Court. Having passed its first reading on March 1, 2021, motion was made by Drew, second by Nordstrom 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. 6496 was declared duly passed upon its second reading.

BILLS

BILL LIST - JUNE 21, 2021

P/ROLL PERIOD END 06/05/21, PD 06/11/21	2,008,807.88
CDEV P/ROLL PERIOD END 06/05/21, PD 06/11/21	2,381.84
SUPP P/ROLL PERIOD END 06/05/21, PD 06/16/21	4,299.32

PIONEER BANK & TRUST, 06/05/21 P/ROLL TAXES, PD 06/11/21	524,296.54
PIONEER BANK & TRUST, SUPP 06/05/21 P/ROLL TAXES, PD 06/16/21	328.89
CDEV PIONEER BANK & TRUST, 06/05/21 P/ROLL TAXES, PD 06/11/21	555.60
WELLMARK INC, HEALTH CLAIMS THROUGH 06/04/21, PD 06/10/21	118,184.89
WELLMARK INC, HEALTH CLAIMS THROUGH 06/11/21, PD 06/17/21	269,603.51
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 06/07/21, PD 06/08/21	9,099.17
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 06/14/21, PD 06/15/21	3,158.59
SOUTH DAKOTA RETIREMENT SYSTEM, MAY21 RETIREMENT, PD 06/08/21	490,102.63
SOUTH DAKOTA RETIREMENT SYSTEM, APR21 RETIREMENT, PD 05/06/21	753,512.52
SD RETIREMENT SYSTEM-SPECIAL PAY PLAN, SPECIAL PAY PLAN FEE- MAHAGNOUL J., WEINERT R. PD 06/11/21	90.00
RISK ADMINISTRATION SERVICES INC, WORK COMP CLAIMS THROUGH 06/09/21, PD 06/10/21	9,636.03
RISK ADMINISTRATION SERVICES INC, WORK COMP CLAIMS THROUGH 06/16/21, PD 06/17/21	13,617.62
BANK WEST, TID47 TOWER RD, PD 06/17/21	246.84
BANK WEST, TID56 RUSHMORE CROSSING, PD 06/17/21	224,843.59
BANK WEST, TID65 MINNESOTA ST, PD 06/17/21	7,799.37
BANK WEST, TID70 CATRON BLVD, PD 06/17/21	24,106.47
CITY OF RAPID CITY, TID64 CABELA'S, PD 06/17/21	11,525.53
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 06/17/21	197,685.81
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 06/17/21	26,000.51
BLACK HILLS ENERGY, ELECTRICITY, PD 06/14/21	46,340.20
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/14/21	1,020.29
COMPUTER BILL LIST,	5,190,235.71
CDEV COMPUTER BILL LIST,	3,990.02
SUBTOTAL	9,941,469.37
RSVP, P/ROLL PERIOD END 06/05/21, PD 06/11/21	5,939.51
RSVP, PIONEER BANK & TRUST, 06/05/21 P/ROLL TAXES, PD 06/11/21	598.36
RSVP, COMPUTER BILL LIST	896.36
TOTAL	9,948,903.60

Sumption presented the bill list of \$9,948,903.60. Motion was made by Salamun, second by Jones and carried to authorize (No. CC062121-01) 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 Salamun, second by Lehmann and carried to adjourn the meeting at 8:45 p.m.

Dated this 21st day of June, 2021.

CITY OF RAPID CITY
s/Steve Allender
 Mayor

ATTEST:
s/Pauline Sumption
 Finance Director
 (SEAL)

Published at the approximate cost: _____