

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
July 19, 2021

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, 300 Sixth Street, in Rapid City, South Dakota on Monday, July 19, 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 John Roberts 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, Police Chief Don Hedrick, Public Works Director Dale Tech, Parks and Recreation Director Jeff Biegler, Finance Director Pauline Sumption, Interim Community Development Director Vicki Fisher, IT Director Jim Gilbert, Fire Chief Jason Culberson, Human Resources Director Nick Stroot, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA

Motion was made by Jones, second by Lehmann to adopt the agenda. Motion carried 10-0.

AWARDS, RECOGNITIONS and PROCLAMATIONS

Mayor Allender named July 26, 2021 as ADA Awareness Day and read in the Proclamation.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

Carla Schanzenbach voiced concern about the COVID vaccine. She said no one is really aware of the after effects of it.

Keaghan Duffy spoke against building the new police station on the west side. She is concerned with how some police officers treat Native Americans. She believes law enforcement instills fear and discomfort in most Native Americans.

NON-PUBLIC HEARING ITEMS -- Items 2 – 26

Troy Erickson and Steve Wynia spoke on item WS071421-17. They gave their opinions regarding the current video lottery license situation. They are in favor of adding a few more. They would like strict guidelines in place before the drawing takes place toward the end of September. They would also like to see the ordinance get amended or start from scratch since it is over 25 years old.

CONSENT ITEMS – Items 2 – 24

The following item was removed from the Consent Items:

9. WS071421-17: Acknowledge Report on Retail (on-off sale) Malt Beverage Licenses eligible for Video Lottery

Motion was made by Jones, second by Evans and carried to approve items 2-24 with the exception of item 9.

Approve Minutes

2. Approve Minutes for the July 6, 2021 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (August 2, 2021)

3. Storybook Island Inc. for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for September 18, 2021 at Storybook Island, 1301 Sheridan Lake Road
4. Naja Shrine Temple for a SPECIAL EVENT on-sale malt beverage license for an event scheduled for August 8, 2021, at Rapid City Shrine Temple, 4091 Sturgis Road
5. Naja Shrine Temple for a SPECIAL EVENT on-sale dealer license for an event scheduled for August 28, 2021, at Rapid City Shrine Temple, 4091 Sturgis Road

Working Session Committee Consent Items

6. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: RSVP – Gary Helmer, Paula Lee, Gillian Scott-Roybal, Dr. Rose Jarvis; RCPL – Bridget Ricks, Rosemary Ricks, Duston Ricks
7. WS071421-02: Resolution 2021-067 – Approve Resolution Levying Assessment for Abatement of Nuisances

**RESOLUTION NO. 2021-067
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES**

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 19th day of July, 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	GOOD VOICE ELK, SYNTHIA V	62870	28 MELANO ST	28 MELANO ST, RAPID	LOT 5, BLOCK 3, BROOKFIELD	\$ 360.00

				CITY, SD 57701	SUBD	
2	SCHRENK, AMY & VOCU JR, EDWARD	59302	104 SAVOY CIR	104 SAVOY CIR, RAPID CITY, SD 57701	LOT 12, BLOCK 5, EASTRIDGE ESTATES SUBD	\$ 270.00
3	BARRERAS, MICHAEL J.	27503	220 E COLLEGE AVE	220 E COLLEGE AVE, RAPID CITY, SD 57701	LOT 27-28, BLOCK 10, NOWLIN & WOOD	\$ 195.00
4	SCHLINKERT, DAVID	32609	2516 ELM AVE	2516 ELM AVE, RAPID CITY, SD 57701	LOT 17 & W1/2 OF LOT 15 EXC S79.1', BLOCK 4, SOUTH ROBBINSDALE ADD	\$ 575.00

8. WS071421-03: Acknowledge May 2021 Sales Tax Report
10. WS071421-04: Acknowledge the findings of the Feasibility Study for Tax Increment District #84 booster pump station and approve staff recommendations for the relocation of the booster pump station; allocate staff resources to prepare an agreement with the developer identifying the terms of the booster pump station relocation, design and construction; investigate funding sources for additional infrastructure needed to support regional development in the Shepherd Hills area.
11. WS071421-05: Approve Change Order 1F to J & J Asphalt for City Springs Lane Overlay Project, Project #19-2552 for a decrease of \$2,450.90.
12. WS071421-16: Approve Change Order 1 to Dakota Barricade LLC for 2021 Lane Line Painting, Project #21-2649/CIP 50594. This is a no cost change order to adjust the interim deadline.
13. WS071421-06: Authorize Mayor And Finance Officer To Sign Amendment 1 To SD DOT Agreement 716932 To Authorize Expenditures For Replacement Or Rehabilitation Of Bridges That Do Not Appear On The Original Exhibit A To The Agreement, Provided That The State's Office Of Administration Has Confirmed To The City, In Writing, That The Subject Bridges Are Classified In Poor Condition And Extend The Expiration To Funds Until December 31, 2025.
14. WS071421-07: Authorize Mayor and Finance Director to Sign an Amendment to the original Agreement between the City of Rapid and Longbranch Civil Engineering, Inc. for Professional Engineering Services for Robbinsdale Phase 6 Design, Project No. 19-2515, CIP No. 51232, in the amount of \$9,220.00.
15. WS071421-08: Authorize Mayor and Finance Officer to sign Amendment No. 3 with FMG Engineering, Inc for Elk Vale Reservoir Water Level Investigation, Project No. 19-2511/CIP No. 51238 in the amount of \$13,745.00.
16. WS071421-09: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – W. St. Louis St., Project No. 20-2625 / CIP No. 50549. Estimated Cost \$315,000.00.
17. WS071421-10: Authorize Staff To Advertise For The E Main Street N Bridge Repair, Project No. 19-2525/ CIP 51247 For \$1,300,000.
18. WS071421-11: Authorize Staff to Advertise Bids for 2020 Miscellaneous Improvements Projects, Facility Type Projects (Bid Pack. #3), Project No. 20-2608 / CIP 51132.4. Estimated Cost \$2,750,000.00.

- 19. WS071421-13: Approve Change Order to agreement with Convergent Technologies to increase scope of work to include additional security enhancements, in the amount of \$2,592.22.
- 20. WS071421-14: Confirm the appointment of Tyler Read to the Performing Arts Board.
- 21. WS071421-15: Resolution No. 2021-068 to Update Petty Cash Funds and Change Funds

RESOLUTION 2021-068
A RESOLUTION TO UPDATE PETTY CASH FUNDS AND CHANGE FUNDS

WHEREAS, the City Council previously adopted Resolution 2019-018 Re-Establishing Petty Cash Funds and Change Funds; and

WHERE AS, the City Council previously adopted Resolution 2019-091 A Resolution to Update Petty Cash and Change Funds,

WHERE AS, the City Council previously adopted Resolution 2020-004 A Resolution to Update Petty Cash Funds and Change Funds,

WHERE AS, the City Council previously adopted Resolution 2021-045 A Resolution to Update Petty Cash Funds and Change Funds,

WHEREAS, the Cash Handling Audits I and II prepared by Compass have made the recommendation that the Finance Office create and maintain a complete and accurate list of all petty cash funds, change funds and travel funds; and

WHEREAS, such list should properly be supported by City Council resolutions; and

WHEREAS, the following adjustments are necessary for the City to continue to operate effectively:

Library	General Beadle Change Fund	(\$75.00)
Parks & Rec	Parkview Admission Change Fund	\$200.00
Parks & Rec	Parkview Concession Change Fund	\$75.00
Parks & Rec	Hilton Admission Change Fund	\$200.00
Parks & Rec	Hilton Concession Change Fund	\$75.00
Parks & Rec	Horace Mann Admission Change Fund	\$200.00
Parks & Rec	Horace Mann Concession Change Fund	\$75.00

NOW, THEREFORE, BE IT RESOLVED, that the Library General Beadle Change Fund is reduced by \$75.00; Parks & Rec Parkview Admission Change Fund is increased by \$200.00; Parks & Rec Parkview Concession Change Fund is increased by \$75.00; Parks & Rec Hilton Admission Change Fund is increased by \$200.00; Parks & Rec Hilton Concession Change Fund is increased by \$75.00; Parks & Rec Horace Mann Admission Change Fund is increased by \$200.00; and Parks & Rec Horace Mann Concession Change Fund is increased by \$75.00.

Dated this 19th day of July, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Community Development Consent Items

22. WS071421-12: Approval of the CDBG FY21 Annual Action Plan Amendment

Bid Award Consent Items

23. CC071921-04.1 – Approve award of total bid for Pavement Rehabilitation Project – Creek Drive, Project No. 20-2627 / CIP No. 50844 opened on July 13, 2021 to the lowest responsible bidder, Western Construction, Inc. in the amount of \$530,982.25.
24. CC071921-04.2 - Approve award of total bid plus Add Alternate No. 1 for Mt Calvary Infrastructure Additions, Project No. PR20-6179 opened on July 13, 2021 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$199,135.25.

END OF CONSENT ITEMS

Mayor Allender read in item (WS071421-17) Acknowledge Report on Retail (on-off sale) Malt Beverage Licenses eligible for Video Lottery. Erickson was asked how many licenses he thought the city should release. He said between 6-10. He explained that there are special zoning laws regarding video lottery and the district those can be placed in. Roberts said he was in favor of issuing a few more licenses. He suggested a committee be set up to help update the ordinance. Jones, Weifenbach and Strommen spoke on the subject of video lottery and how they would improve the current ordinance, which is 25 years old. Landeen addressed concerns from council. Sumption explained the bidding process and that a notice will be published when the rules have been set. There is no guarantee that everyone that wants one will get one. Motion was made by Strommen and second by Jones to form a committee to help get the ordinance updated. Sumption stated the drawing should be held before September 30, 2021. Motion carried 10-0 to work on the ordinance and toward issuing 6 new malt beverage licenses with SD Lottery.

NON-CONSENT ITEMS – Items 25 – 26

Ordinances

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. (*This item was continued from the June 21, 2021 city council meeting.*) Motion was made by Weifenbach, second by Strommen to continue this item to the August 2, 2021 city council meeting. Motion carried 10-0

Mayor Allender read in (CC071921-03) Authorize Staff to apply for the 2022 Bridge Improvement Grant (BIG) funds for preliminary engineering work for the Chapel Lane bridge, and to accept the funds if awarded. Motion was made by Salamun, second by Nordstrom and carried 10-0 to approve.

Mayor Allender read in (CC071921-02) Approve COVID Hazard Pay for First Responders (Police and Fire). Motion was made by Evans, second by Lehmann to table this item. Nordstrom called point of order and referenced the policies and procedure manual stating the table motion can only be done with a resolution or an ordinance. Nordstrom said he would vote to continue but not table. There was discussion on Robert's Rule of Order versus the City Council Policies and Procedure guide. Motion was approved to table the item 6-5 with Lehmann, Evans, Drew, Strommen and Armstrong voting aye; Jones, Salamun, Nordstrom, Weifenbach and Armstrong voting no. Mayor Allender broke the tie vote by voting aye to table the item.

Appeals

Mayor Allender read in item (WS071421-01) Assessment Appeal – Nicki Kuchenbecker. Lehmann stated the applicant withdrew her request. Motion was made by Lehmann, second by Salamun and approved to withdraw per applicant's request 10-0.

PUBLIC HEARING ITEMS – Item 27

CONSENT PUBLIC HEARING ITEMS – Item 27

Alcohol Licenses **PUBLIC HEARING ITEMS** – Item 27

- 27. Performing Arts Center for a SPECIAL EVENT on-sale malt beverage license; an on-sale wine license; an off-sale package wine license and an off-sale package dealer license for an event scheduled for July 31, 2021, at Black Hills Energy, 7001 Mount Rushmore Road

Motion was made by Jones, second by Lehmann to approve item 27. Motion carried 10-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

BILL LIST - JULY 19, 2021

P/ROLL PERIOD END 07/03/21, PD 07/09/21	2,033,659.06
CDEV P/ROLL PERIOD END 07/03/21, PD 07/09/21	2,381.85
SUPP P/ROLL PERIOD END 07/03/21, PD 07/09/21	328.18
PIONEER BANK & TRUST, 07/03/21 P/ROLL TAXES, PD 07/09/21	520,949.72
CDEV PIONEER BANK & TRUST, 07/03/21 P/ROLL TAXES, PD 07/09/21	555.60
WELLMARK INC, HEALTH CLAIMS THROUGH 06/25/21, PD 07/01/21	239,041.08
WELLMARK INC, HEALTH CLAIMS THROUGH 07/02/21, PD 07/08/21	214,497.27
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 07/06/21, PD 07/07/21	8,386.15
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 07/12/21, PD 07/13/21	8,520.38
SOUTH DAKOTA RETIREMENT SYSTEM, JUN21 RETIREMENT, PD 07/07/21	497,180.13
SDRS-SPECIAL PAY PLAN, SPECIAL PAY PLAN FEE-SMITH C, PD 07/09/21	45.00
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 06/30/21, PD 07/01/21	5,915.35
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 07/07/21, PD 07/08/21	3,550.19
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 07/13/21	21,643.08
BLACK HILLS ENERGY, ELECTRICITY, PD 07/13/21	104,648.71
COMPUTER BILL LIST	3,419,346.93
CDEV COMPUTER BILL LIST	564.97
SUBTOTAL	7,081,213.65
RSVP, P/ROLL PERIOD END 07/03/21, PD 07/09/21	2,539.51
RSVP, PIONEER BANK & TRUST, 07/03/21 P/ROLL TAXES, PD 07/09/21	598.36
RSVP, COMPUTER BILL LIST	1,303.67
TOTAL	7,085,655.19

Sumption presented the bill list of \$7,085,655.19. Motion was made by Salamun, second by Jones and carried to authorize (No. CC070621-01) 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 7:20 p.m.

Dated this 19th day of July, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

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