

CITY COUNCIL WORK SESSION MINUTES  
City of Rapid City, South Dakota  
12:30 P.M. Wednesday, August 11, 2021

**CALL TO ORDER** at 12:30pm by Lance Lehman

**Members in attendance:** Lehman, Nordstrom, Roberts, Drew, Strommen, Weifenbach, Roberts, Armstrong attended via phone

**Absent:** Evans, Salamun, Jones

**City Staff present:** Jeff Biegler, Parks and Recreation Director; Joel Landeen, City Attorney; Kinsley Groote, Assistant City Attorney; Carla Cushman, Assistant City Attorney; Pauline Sumption, Finance Director; Vicki Fisher, Community Development Interim Director; Dale Tech, Public Works Director; Jason Culberson, Fire Chief; Don Hedrick, Police Captain; Jim Gilbert, Information Technology Director; Ben Ganje, City Engineer; Kristen Hasse, Assistant Public Works Director; Stacey Titus, Assistant Public Works Director; Kip Harrington, Long Range Planning Manager; Sarah Hanzel Shannon Truax, Public Works Executive Coordinator

**PRESENTATION ITEMS**

None Identified

**DISCUSSION ITEMS** (Council Non-Consent Calendar)

**CITY ATTORNEY** Groote spoke to Items 1-2. Council discussed Item 3. Drew, Nordstrom, Strommen would like to attach a list of the alternate projects that were proposed that did not make the current list, for additional discussion. Roberts raised questions on changes to Fire Dept request in Item 3. Sumption provided clarification on current balance of the City undesignated funds.

- 1) WS072821-22: Second Reading and Recommendation of Ordinance No. 6456, An Ordinance to Amend and Adopt Provisions of the Rapid City Municipal Code Relating to Animals in Title 6
  - 2) WS081121-01: Approve Resolution No. 2021-071, a Resolution Establishing Fees Pertaining to the City's Designated Animal Control Authority
  - 3) WS081121-26: Allocation of Surplus Undesignated Funds
    - A. Fire Station 1 Renovation \$ 15,035,000
    - B. Fire Training Tower \$ 1,500,000
    - C. Police Southwest Precinct \$ 1,500,000
    - D. Public Safety Radios \$ 1,000,000
    - E. Street Projects \$ 565,000
    - F. IT Equipment \$ 200,000
    - G. Bookmobile \$ 200,000
- TOTAL \$ 20,000,000

**REGULAR BUSINESS ITEMS** (Council Consent Calendar)

**FIRE** Culberson spoke to Items 4-6

- 4) WS081121-02: Allow Mayor, Finance Officer, and Fire Chief to sign a joint powers agreement between the Fire Department and the State of South Dakota.
- 5) WS081121-03: Authorize Staff to Apply for and Accept if Awarded, the LEPC (Local Emergency Planning Committee) Grant in the amount of \$4,332.58.

- 6) Ws081121-04: Authorize Staff to Apply for and Accept if Awarded The South Dakota Department of Health- Community Health Worker Grant Application (SD DOH-CHW) up to the amount of \$50,000. This is a non-cost matching grant, with no cost to the department or the city.

**PARKS AND RECREATION** Biegler spoke to Items 7-9. Drew asked questions on item 8-9.

- 7) WS081121-05: Authorize Mayor and Finance Director to Sign Resolution No. 2021-077, a Resolution to Enter into a Lease Agreement with Rapid City Midget Football Association, Inc.
- 8) WS081121-06: Authorize Mayor and Finance Director to Sign Resolution No. 2021-078, a Resolution to Enter into a Lease Agreement with Rushmore Hockey and Skating Association.
- 9) WS081121-07: Authorize Mayor and Finance Director to Sign Resolution No. 2021-079, a Resolution to Enter into a Lease Agreement with Black Hills Figure Skating Club.

**INFORMATION TECHNOLOGY** Gilbert spoke to Item 10

- 10) WS081121-08: Authorize Mayor and Finance Officer to Sign Contract and Statement of Work for Internet Services Between SDN Communications (SDN) and the City of Rapid City (City)

**FINANCE** Sumption spoke to Items 11-12

- 11) Acknowledge the Following Volunteers for Worker's Compensation Purposes: RSVP - Orin Bader, William Bosch, Gary Goodrich, Joanne Goodrich, Karen Greetis, Janeen Larsen, Linda Lester, Charles (Mike) Madler, Larry Miller, Sam Perry, Donald Petersen, Robin Pladson, Gary Renner, Jon Veltman, Betty Weyrauch
- 12) WS081121-09 Resolution 2021-076 – Resolution Levying Assessment for Abatement of Nuisances

**PUBLIC WORKS** Tech spoke to Items 13-20. Drew raised question on alternate representation for item 15.

- 13) WS081121-10: Approve Change Order #3 to Muth Electric, Inc. for Downtown Lighting Project Phase 2, Project 20-20-2613 / CIP 51228 for an increase of \$7,878.00.
- 14) WS081121-11: Approve Change Order #1F to J & J Asphalt for Pavement Rehabilitation Project – Mary Drive, Project No. 19-2545 / CIP 50844 for a decrease of \$14,467.73.
- 15) WS081121-12: Resolution 2021-080 A Resolution Appointing the Public Works Director as City Representative to a Regional Nonprofit Corporation Established to Study and Pursue Additional Water Sources for West River Residents
- 16) WS081121-13: Authorize Mayor and Finance Officer to sign agreement between the City of Rapid City and RCS Construction, Inc. for 2020 Miscellaneous Improvements Projects - Water Reclamation Facility Digester Boiler Replacement, Project No. 21-2651/ CIP No. 51132.3. for an amount not to exceed \$373,500
- 17) WS081121-14: Authorize Mayor and Finance Officer to sign Change Order No. 2 with Veolia ES / Technical Solutions, LLC (Contractor) for 2021 Collection and Disposal of Household Hazardous Waste (HHW) One-day event for Rapid City Solid Waste Customers, Project Number: 2572 / CIP No. 51206 in the amount of \$70,452.28.
- 18) WS081121-15: Authorize the Mayor and Finance Director to Sign Resolution No. 2021-074 A Resolution Establishing a Maximum Connection Fee for Sewer Construction Projects in the Source Water Protection Area.
- 19) WS081121-16: Request Authorization to Seek Proposals for Engineering Services for Signal Drive and Kellogg Place Street and Utility Reconstruction, Project No. 21-2670 / CIP No. 51170.
- 20) WS081121-17: Request from KTM Design Solutions Inc., on behalf of WAUSAU SUPPLY CO. for a variance to waive the requirement to install sidewalk along 3356 Dyess Ave., Rapid City, per RCMC 12.08.060.

**Staff Recommendation: APPROVE**

**CIVIC CENTER** Baltzer spoke to Items 21-22. Strommen commented as the liaison to the Civic Center Board, for agreement with the proposed plan. Sumption provided clarification on the fund requested for loans.

- 21) WS081121-18: Approve Request for Interfund Loan of \$1,056,260 Between SAB28 Fund and The Monument Fund
- 22) WS081121-19: Authorize Mayor and Finance Officer to sign Amendment No. 1 to the Agreement between the City of Rapid City and MA Mortenson Company for Scope of Work related to Civic Center Expansion, Project No. 2452

**CITY ATTORNEY** Cushman spoke to Item 23

- 23) WS081121-20: Approve Resolution No. 2021-081, a Resolution Concerning Tax Sale Certificate No. 170359

**COMMUNITY DEVELOPMENT** Fisher and Harrington spoke to Item 24, Hanzel spoke to Item 25

- 24) 21TP018: Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Felsburg Holt & Ullevig for the Cambell Street Structure Replacement Multi-modal Routing Study in an amount not to exceed \$99,152.73
- 25) 21RS010: Request by John Riker 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 1116 9th 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

**MAYOR/COUNCIL ITEMS** No discussion of Item 26

- 26) WS081121-21: Confirm the reappointment of Michael Magda to the Rapid City Area Air Quality Board.

**REGULAR BUSINESS ITEMS** (Council Non-Consent Calendar)

**ORDINANCE READING** Sumption spoke to Item 27, Cushman spoke to Item 28. Weifenbach questioned alignment of item 28 with prohibitions on alcohol consumption. Nordstrom questioned signage requirements. Drew asked how private facilities that allow smoking will be handled. Cushman clarified that is covered under provision 1 of the ordinance.

- 27) WS081121-22: Introduction and First Reading of Ordinance 6502 Regarding Supplemental Appropriation #5 for 2021.
- 28) WS081121-23: Introduction and First Reading of Ordinance No. 6501 An Ordinance to Prohibit Public Smoking of Marijuana by Adopting Section 8.32.060 of the Rapid City Municipal Code

**FINANCE** Sumption spoke to Item 29

- 29) WS081121-24: Resolution No. 2021-075 to Update Petty Cash Funds and Change Funds

**PUBLIC WORKS** Tech spoke to Item 30

- 30) WS081121-25: Appeal by Devin Wolter of 1018 Blaine Avenue of an Exception Request denial to allow a driveway approach with less than 50' of clearance from College Avenue.

**Staff Recommendation: DENY**

**PUBLIC COMMENT OPENED**

Kittrick Jeffries, Dakota Cannabis Consulting, gave public Comment on item 28 requesting clarification of the consequences of violation of the ordinance, as well as how the ordinance is applicable to private facilities that currently have designated outdoor smoking areas.

Representative Mike Derby gave high level overview of federal and state activities around the issues of marijuana legalization within the state.

**PUBLIC COMMENT CLOSED**

**ADJOURN** by Lehman at 1:29pm