

THE FOLLOWING: East North Street and LaCrosse Street. Julie Frye would like benches removed downtown. She reported on incidences that have happened in the downtown area.

By: Deputy

(SEAL)

(Published four times at the total approximate cost of \$107.40)

Life Estates

August 7, 14 and 21 L34657

NOTICE TO CREDITORS AND NOTICE OF INFORMAL PROBATE AND APPOINTMENT OF CO-PERSONAL REPRESENTATIVES

STATE OF SOUTH DAKOTA, COUNTY OF PENNINGTON IN CIRCUIT COURT SEVENTH JUDICIAL CIRCUIT 51PR021-000186

ESTATE OF NANCY LUCILLE HEY, a/k/a NANCY L. HEY, Deceased.

Notice is given that on July 28, 2021, John W. Hey, whose address is 918 Quincy Street, Rapid City, SD 57701, and Susan L. Hey, whose address is 312 N. 40th Street, Rapid City, SD 57702, were appointed as Co-Personal Representatives of the Estate of Nancy Lucille Hey, deceased.

Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the Co-Personal Representatives or may be filed with the Clerk, and a copy of the claim mailed to the Co-Personal Representatives. Dated this 3rd day of August, 2021.

/s/ John W. Hey
918 Quincy Street
Rapid City, SD 57701
Phone: 605-341-1881

/s/ Susan L. Hey
312 N. 40th Street
Rapid City, SD 57702
Phone: 605-430-2689

Ranae Truman
Pennington County Clerk of Courts
P.O. Box 230
Rapid City, SD 57709
Phone: 605-394-2575

Brian D. Hagg
Whitting Hagg Hagg Dorsey & Hagg, LLP
P.O. Box 8008
Rapid City, SD 57709
Phone: 605-348-1125
Fax: 605-348-9744

(Published three times at the total approximate cost of \$106.23)

July 31, Aug 7, 14, 21 L34442

NOTICE TO CREDITORS AND NOTICE OF INFORMAL PROBATE AND NOTICE OF APPOINTMENT OF CO-PERSONAL REPRESENTATIVES

STATE OF SOUTH DAKOTA, COUNTY OF PENNINGTON, IN CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT 51PR021-000147

ESTATE OF NANCY MCGUIRE, Decedent

Notice is given that on the 29th day of July, 2021, Daniel McGuire, of 3911 Wonderland Drive, Rapid City, South Dakota 57702, and James McGuire, of 13595 Warrington Court, Rapid City, South Dakota 57702, were appointed as Co-Personal Representatives of the Estate of Nancy McGuire.

Creditors of the decedent must file their claims within four months after the date of the first publication of this notice or 60 days after the mailing or delivery of this notice, whichever is later, or their claims may be barred.

Claims may be filed with the Co-Personal Representatives or may be filed with the Clerk of Courts and a copy of the claim mailed to the Co-Personal Representatives.

Dated this 30th day of July, 2021.

/s/ Robert D. Pasqualucci
Attorney for the Estate of Nancy McGuire
1506 Mt. View Road, Ste 101
Rapid City, SD 57702
(605) 721-8821

Renaee Truman
Clerk of Courts
PO Box 230
Rapid City, SD 57709

(Published four times for the total approximate cost of \$121.08)

Minutes

August 14 L34138

PROCEEDINGS FOR THE CITY COUNCIL

City of Rapid City, South Dakota
August 2, 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, August 2, 2021 at 6:30 P.M.

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

NON-PUBLIC HEARING ITEMS -- Items 1 – 42

Carolyn Mazzeo asked about item (WS072821-18) and what it gets used for.

CONSENT ITEMS – Items 1 – 35

The following items were removed from the Consent Items:

8. WS072821-06: Approve Resolution No. 2021-070 a Resolution Writing Off Uncollectable Ambulance Billing Accounts

10. WS072821-18: Authorize Staff to Apply for and Accept if Awarded, the 2021 JAG Grant Totaling \$107,517.00 to be Allocated Towards Salary and Benefits of One FTE Detective for 18 Months

Motion was made by Jones, second by Lehmann and carried to approve items 1-35 with the exceptions of items 8 and 10.

Approve Minutes

1. Approve Minutes for the July 19, 2021 Regular Council meeting.

Intent to Lease Set for Hearing (August 16, 2021)

2. The City of Rapid City intends to enter into a lease for property located at 1615 Sedivy Lane with Rapid City Midget Football Association, Inc.

3. The City of Rapid City intends to enter into a lease for property located at 235 Waterloo Street with Rushmore Hockey and Skating Association

4. The City of Rapid City intends to enter into a lease for property located at 235 Waterloo Street with Black Hills Figure Skating Club

Alcoholic Beverage License Applications Set for Hearing (August 16, 2021)

5. West Boulevard Neighborhood Association for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for September 11, 2021 located on West Boulevard between South Street and Fairview Street

6. Special Olympics South Dakota for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for October 30, 2021 located at Black Hills Harley Davidson, 2820 Harley Drive

7. DB Hospitality LLC DBA Days Inn by Wyndham West, PO Box 91, Appleton, MN, for a Retail (on-sale) Liquor License Transfer from Jackson Blvd Hospitality LLC DBA Days Inn & Lounge

Working Session Committee Consent Items

9. WS072821-17: Authorize Staff to Remount Ambulance Patient Care Compartment to a 2022 Ford E450 Chassis in the Amount of \$100,981.00 due to an Accident in which the Chassis was Totaled by Travelers Insurance

11. WS072821-14: Approve Resolution No. 2021-040 a Resolution of Intent to Enter into a Lease with Rapid City Midget Football Association, Inc. for property located at 1615 Sedivy Lane

RESOLUTION NO. 2021-040 A RESOLUTION OF INTENT TO ENTER INTO LEASE WITH RAPID CITY MIDGET FOOTBALL ASSOCIATION, INC. 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 Midget Football Association, Inc. for real property which is located in the City of Rapid City, South Dakota, and legally described as follows:

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

which property generally consists of one building; and

BE IT FURTHER RESOLVED that a hearing will be held on August 16, 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 2nd day of August, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director

(SEAL)

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 2nd day of August, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director

(SEAL)

13. WS072821-16: Approve Resolution No. 2021-073 a Resolution of Intent to Enter into a Lease with Black Hills Figure Skating Club for property located at 235 Waterloo Street, Rapid City, SD

RESOLUTION NO. 2021-073 A RESOLUTION OF INTENT TO ENTER INTO LEASE WITH BLACK HILLS FIGURE SKATING CLUB 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 Black Hills Figure Skating Club for the use of a specified area within the Roosevelt Ice Arena located at 235 Waterloo Street, Rapid City, South Dakota 57701; and

BE IT FURTHER RESOLVED that a hearing will be held on August 16, 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 2nd day of August, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director

(SEAL)

14. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Michael A. Bay (RCPD Auxiliary Program), Breanna Lee Hawkins (Police Department) RSVP Volunteers: Orin Bader, William Bosch, Gary Goodrich, Karen Greetis, Janeen Larsen, Linda Lester, Charles (Mike) Mader, Larry Miller, Donald Petersen, Robin Pladson, Gary Renner, Jon Veltman, Betty Weyrauch

15. WS072821-08: Acknowledge June 2021 General Fund Cash Balance Report

16. WS072821-01: Approve change Order 3F to Tru-Form Construction for 2020 ADA Project, Project #2602/CIP 50761 for an Increase of \$12,432.81

17. WS072821-02: Authorize Mayor and Finance Officer to Enter Into the First Amendment to Agreement with Kent and Karin Hagg for Reimbursement of Expenses Related to Regency Ct. Storm Sewer and Slope Repair

18. WS072821-03: Approve Change Order 1 to RCS Construction for Regency Court Storm Sewer Improvement, Project 20-2599 / CIP 51301 for an Increase of \$20,660.28, Contingent Upon Approval of Item WS072821-02

19. WS072821-04: Authorize Staff to Advertise Bids for Tower Road Stabilization Project, Project No. 19-2537/ CIP No. 51254 in the amount of \$200,000.00

20. WS072821-05: Authorized Mayor and Finance Director to Sign Amendment No. 2 to the Agreement between the City of Rapid City and Ferber Engineering Company for Professional Engineering Services for FEMA LOMR – Southeast and Truck Bypass Drainages, Project No. 20-2569, CIP No. 51275 in the amount of \$59,120.00

21. WS072821-09: Approve Change Order 1F to Askland Ditching for Milwaukee Street Water Line Extension – E Watertown Street, Project #21-2652/CIP 51328 for a Decrease of \$602.20

22. WS072821-10: Approve Change Order 1 to Underground Construction LLC for St Andrew Street East of Palo Verde Dr Reconstruction and Utility Project, Project #21-2604/CIP 51260 for an increase of \$10,206.00

23. WS072821-11: Authorize Staff to Purchase One (1) New S76 T4 Bobcat Skid Steer Loader Through the Sourcewell Cooperative Contract #040319-CEC with Clark Equipment in the Amount of \$51,074.36

24. WS072821-12: Authorize the Mayor and Finance Director to Sign an Infill Agreement between the City of Rapid City and Lazy P6

35. 21CA002 – Approve Resolution 2021-069 A request by Longbranch Civil Engineering, Inc. for Doeck, LLC to Consider an Application for a Comprehensive Plan Amendment to Allow for the New Alignment of Bunker Drive Located at the Western Terminus of Coal Bank Drive

RESOLUTION NO. 2021 - 069 RESOLUTION AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF RAPID CITY

WHEREAS, the Rapid City Planning Commission has reviewed the proposed amendment to the Comprehensive Plan and made a recommendation to the Rapid City Council; and

WHEREAS, the Rapid City Council held a public hearing on the 2nd day of August 2021, at which the Council considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan would change the Major Street Plan by realigning Bunker Drive a proposed collector street located Section 14, T2N, R7E; and

WHEREAS, it appears that good cause exists to amend the Comprehensive Plan; and

WHEREAS, the Rapid City Common Council finds that it is in the best interest of the City of Rapid City to amend the Comprehensive Plan by changing the Major Street Plan by realigning Bunker Drive a proposed collector street located Section 14, T2N, R7E.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Comprehensive Plan be amended by changing the Major Street Plan by realigning Bunker Drive a proposed collector street located Section 14, T2N, R7E, and, along with the accompanying maps, plats, charts and descriptive and explanatory matter as attached as attached hereto, and incorporated herein, filed with the City Finance Office.

Dated this 2nd day of August, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director

(SEAL)

END OF CONSENT ITEMS

Mayor Allender read in item (WS072821-06) Approve Resolution No. 2021-070 a Resolution Writing Off Uncollectable Ambulance Billing Accounts. Jones asked how much the city was writing off; Sumption said \$688029.07 and this covers from 2009 to 2019. Sumption stated there is a statute of limitations on uncollectable accounts. Weifenbach thinks these should be written off sooner. Motion was made by Jones, second by Nordstrom to approve. Motion carried 8-0.

Resolution No. 2021-070 RESOLUTION WRITING OFF UNCOLLECTABLE BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain ambulance billing accounts, shown on Appendix A, attached to the resolution at the City Finance Office, and totaling \$688,029.07 are uncollectible; and

WHEREAS, It is necessary to relieve the accounts receivable of the City of Rapid City for these accounts.

NOW, THEREFORE BE IT RESOLVED, by the City of Rapid City, that the City Finance Officer be directed to remove such accounts from the active receivable of the City, said accounts being detailed in the official files of the City Finance Office.

Dated this 2nd day of August, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director

(SEAL)

Mayor Allender read in item (WS072821-18) Authorize Staff to Apply for and Accept if Awarded, the 2021 JAG Grant Totaling \$107,517.00 to be Allocated Towards Salary and Benefits of One FTE Detective for 18 Months. Hedrick explained this position was needed because the City is short on detectives and each of them currently carry a high case load. Motion was made by Jones, second by Evans to approve. Motion carried 8-0.

NON-CONSENT ITEMS – Items 36 – 42

Chuck Henrie spoke on item