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, September 20, 2021 at 6:30 P.M.

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

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, Assistant City Attorney Carla Cushman, CDBG Manager Michelle Schuelke, Human Resources Director Nick Stroot, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Lehmann, second by Drew to adopt the agenda. Motion carried 9-0.

GENERAL PUBLIC COMMENT
Chuck Henrie gave his opinion regarding the $20 million surplus in Covid funds. Councilman Jones took a point of privilege and spoke about “Kids for Hunger” taking place on October 16, 2021.

NON-PUBLIC HEARING ITEMS -- Items 1 – 33
CONSENT ITEMS – Items 1 – 25
The following items were removed from the Consent Items:

10. PW091421-04: Authorize Staff to Advertise for Bids Equipment Rental Rates for Snow Removal Operations. Estimated cost: $90,000.00

25. LF091521-06 – Authorize Mayor and Finance Director to Sign the State of South Dakota Agreement/Letter of Agreement for the Air Quality Program

Motion was made by Salamun, second by Jones and carried to approve items 1-25 with the exception of items 10 and 25.

Approve Minutes
1. Approve Minutes for the September 7, 2021 Regular Council meeting.

Set for Hearing Tax Increment Districts (October 4, 2021)
2. No. 21TI001 - A request by KTM Design Solutions, Inc for SSST, LLC and Zandstra Real Estate Holdings, LLC for a Reallocation of Project Plan Costs for Minnesota Street TID No. 65 for property generally described as being located south and west of Elks Country Estates and east of Elk Vale Road.

3. No. 21TI002 - A request by Brian E. Bangs Skyline Pines East, LLLP for Bruce E. Schreiner Skyline Pines East, LLLP for a Reallocation of Projects Plan Costs for Tower Road TID No. 47 for property generally described as being located on Tower Road west of U.S. Highway 16.

Alcoholic Beverage License Applications Set for Hearing (October 4, 2021)
4. Breakroom Billiards and Darts LLC DBA Breakroom Billiards and Darts, 355 11th Street Suite 1 for a Retail (on-off sale) Malt Beverage and SD Farm Wine License with VL Designation
5. Big D Oil Co. DBA Big D Oil #45, 251 Stumer Road for a Package (off-sale) Liquor License TRANSFER from Big D Oil Co. DBA Big D Oil #54 located at 3851 Eglin Street
6. Big D Oil Co. DBA Big D Oil Co. #54, 3851 Eglin St for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Big D Oil Co. #45 located at 251 Stumer Road

Public Works Committee Consent Items
7. PW091421-01: Appointment of Lance Lehmann, Greg Strommen, and Brandon Quiett to the Western Pennington Flood Management Commission
9. PW091421-03: Accept quitclaim deed for Revised Drainage Lot of Horst Subdivision, Rapid City, Pennington County, South Dakota.
10. PW091421-07: Authorize Mayor and Finance Director to sign informal agreement with Prime Excavating Inc. for Hall Street Water Main Abandonment and Fire Hydrant Installation Project No. 21-2678 CIP No. 50808 for the amount of $70,781.78.
11. PW091421-08: Authorize Mayor And Finance Director To Sign Water Service Agreement Between The City Of Rapid City And Red Rock Golf Club LLC, To Set Forth The Terms And Conditions Whereby The City Will Provide Untreated Water To Red Rock For Irrigating Purposes Only.
12. PW091421-09: Approve Request from Renee Catron of KTM Design Solutions for a variance to waive the requirement to install sidewalk along Castle Garden Court and Glenview Place, Rapid City, per City Ordinance 12.08.060.
13. PW091421-10: Acknowledge Submittal of a State Water Plan Application for planned Solid Waste Cell #16 Cover and GCCS Construction and Flare Replacement, Project No. 18-2448 / CIP 51202
14. PW091421-12: Authorize Mayor to Sign Updated Memorandum of Understanding between the City of Rapid City and Pennington County For Exchange of Snow Routes
15. PW091421-06: Authorize Mayor and Finance Director to Sign the First Amendment to Agreement Between the City of Rapid City and The Hawthorne Ditch Company for Purchase of Water Rights.
16. PW091421-11: Acknowledge Submittal of a State Water Plan Application for a proposed East Rapid City Water Treatment Plant.

Legal and Finance Committee Consent Items
18. LF091521-02 – Authorize Mayor and Finance Director to Sign Contract Between KT Connections and the City of Rapid City and Authorize Staff to Purchase and Install Updates to the Council Chamber Audio System
19. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Michelle Porter (Library), Sandy Gest (RSVP+), Monica Ingalls (RSVP+), Judith Luebke (RSVP+), Karen Muller (RSVP+), Vi Rosedahl (RSVP+), Thomas Secrest (RSVP+), Edward Shimp (RSVP+), Linda Shimp (RSVP+)
20. LF091521-01 – Approve Request for Property Tax Abatements as Follows: Pennington County (Tax ID 37602) 2020, $1,441.12 [Total for City of Rapid City: $1,441.12]
21. LF091521-03 – Approve Resolution No. 2021-088 a Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2021-088
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.

<table>
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<tr>
<th>CUSTOMER NAME</th>
<th>ID#</th>
<th>CLEAN UP ADDRESS</th>
<th>MAILING ADDRESS</th>
<th>LEGAL DESCRIPTION</th>
<th>TOTAL AMOUNT DUE</th>
<th>INCLUDES</th>
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<td>3 PECK, CURT A TOOHEY, KATHLEEN</td>
<td>35034</td>
<td>818 WEST BLVD</td>
<td>PO BOX 4304, NEWPORT BEACH, CA 92661</td>
<td>S1/2 of Lot 17-19, Blk 111, Original Town Rapid City</td>
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<td>4 SCHRENK, AMY / VOCU, EDWARD JR.</td>
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<td>104 SAVOY CIR</td>
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<td>5 LAFRANCE, JOSIAH</td>
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<td>2120 RENA PL</td>
<td>527 7TH STREET STE 216B, RAPID CITY, SD 57701</td>
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<td>6 RETAIL CENTER ASSOCIATES LLC</td>
<td>67914</td>
<td>1137 E SAINT PATRICK</td>
<td>PO BOX 195, CORRALES, NM 87048</td>
<td>Lot 2B, Block; John Roberts Subd</td>
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<td>Lot Block/Description</td>
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<td>19</td>
<td>SCHRENK, AMY / VOCU, EDWARD JR.</td>
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<td>104 SAVOY CIR</td>
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<td>$260.00</td>
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20. GOOD VOICE ELK, SYNTHIA V 62870 28 MELANO ST 28 MELANO ST, RAPID CITY, SD 57701 Lot 5, Blk 3, Brookfield Subd $360.00

21. BOYCE, JAMES & AMANDA 27489 132 E COLLEGE 425 2ND AVE NORTH, GREYBULL, WY, 82426 Lot 33-34, Blk 9; Nowlin & Wood $990.00

Dated this 20th day of September, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)


Community Development Consent Items

23. No. 21AN001 – Approve Resolution 2021-063 a request by KTM Design Solutions, Inc for Watershed Development, LLC for a Petition of Annexation for property generally described as being located north of the current terminus of Cloud Peak Drive.

RESOLUTION 2021-063
A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed; and

WHEREAS, the territory that the petitioners are seeking to have annexed is contiguous to the City of Rapid City; and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be annexed and thereby included within the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 178.22 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

Located in portions of the NE1/4, and the SE1/4, Section 20, T1N, R7E, BHM, Pennington County, South Dakota, commencing at the Northeast corner of Section 20, T1N, R7E, being monumented by a 1 inch iron pipe and being the point of beginning; Thence (1) with the north line of said Section 20, North 89°46'17" West, 1,156.64 feet; Thence (2) leaving said north line of Section 20, South 0°10'16" East, 1,322.94 feet; Thence (3) North 89°45'37" West, 822.36 feet; Thence (4) South 16°17'46" West, 102.05 feet; Thence (5) South 0°02'34" West, 222.42 feet; Thence (6) South 30°17'54" West, 187.39 feet; Thence (7) South 61°07'59" West, 150.61 feet; Thence (8) South 8°02'38" West, 291.70 feet; Thence (9)
South 13°52'34" East, 198.33 feet; Thence (10) South 0°02'45" West, 136.86 feet; Thence (11) South 24°12'42" West, 162.57 feet; Thence (12) North 89°44'57" West, 174.38 feet; Thence (13) South 0°12'27" East, 1,454.15 feet; Thence (14) North 89°47'44" East, 823.62 feet to a point on the westerly line of the present City annexation boundary; Thence (15) with said annexation boundary, North 0°12'47" West, 124.89 feet; Thence (16) continuing with said annexation boundary, South 89°51'13" East, 329.43 feet; Thence (17) continuing with said annexation boundary, South 89°48'07" East, 1,318.31 feet; Thence (18) leaving said annexation boundary, with the easterly boundary of aforementioned Section 20, North 0°13'36" West, 1,320.91 feet to the east ¼ corner of said Section 20; Thence (19) continuing with said easterly boundary of Section 20, North 0°08'06" West, 2,646.31 feet to the point of beginning.

Dated this 20th day of September, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

24. LF091521-05 – Authorize Mayor and Finance Director to Sign funding Approval/Agreement for FY 2021 Community Development Block Grant Funding

END OF CONSENT ITEMS

Mayor Allender read in item (PW091421-04) Authorize Staff to Advertise for Bids Equipment Rental Rates for Snow Removal Operations. Estimated cost: $90,000.00. Tech stated the snow removal was for downtown snow removal and no parking lots are included. Motion was made by Weifenbach, second by Drew and carried to approve 9-0.

Mayor Allender read in item (LF091521-06) Authorize Mayor and Finance Director to Sign the State of South Dakota Agreement/Letter of Agreement for the Air Quality Program. Motion was made by Drew, second by Lehmann to approve. Fisher stated the city is responsible for regulating disturbances within city limits. There is staff that is responsible for checking out the disturbances. Motion carried 9-0.

NON-CONSENT ITEMS – Items 26 – 33
Sean Jewett spoke on behalf of AFSCME Union. He thanked the council for being fair-minded regarding item (WS090121-08) about the $500 Covid bonus. Kit Jeffries stated he opposes caps on cannabis businesses. Chuck Henrie spoke in favor of fixing the streets in ward two and also agrees with the Covid pay for city employees.

Ordinances
Mayor Allender read in item (CC090721-02.2) Second Reading, Ordinance 6506, regarding FY2022 Appropriation Ordinance. Having passed its first reading on September 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, Armstrong, Strommen, Jones, Lehmann, Salamun, Evans and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6506 was declared duly passed upon its second reading.

Mayor Allender read in item (WS090121-18) Second Reading of Ordinance No. 6505 An Ordinance to Adopt Rules Governing Medical Cannabis Establishments by Amending Chapter 5.74 of the Rapid City Municipal Code. Having passed its first reading on September 7, 2021, motion was made by Drew, second by Jones that the title be read the second time. Evans spoke against the ordinance. Drew,
Weifenbach, Jones and Strommen all spoke in favor of it. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Armstrong, Strommen, Jones, Lehmann, Salamun, and Drew; NO: Evans; whereupon the Mayor declared the motion passed and Ordinance No. 6505 was declared duly passed 8-1 upon its second reading, with Evans voting no.

Mayor Allender read in item (WS090121-22) Second Reading of Ordinance No. 6507 an Ordinance Amending Chapter 2.64 of the Rapid City Municipal Code to Implement the Recommendations Made by the Human Relations Commission Task Force and Reflect the Terms of the Memorandum of Understanding with the Mniluzahan Okolakiciyapi Ambassadors. Having passed its first reading on September 7, 2021, motion was made by Lehmann, second by Weifenbach that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Armstrong, Strommen, Jones, Lehmann, Salamun, Evans, and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6505 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ020) First Reading, Ordinance 6504, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Watershed II, LLC for a Rezoning request from No Use District to Park Forest District for property generally described as being located north of terminus of Cloud Peak Drive. Motion was made by Nordstrom, second by Lehmann and carried 9-0 that Ordinance 6504 be placed upon its first reading and title was fully and distinctly read and second reading was set for October 4, 2021.

Mayor Allender read in item (21OA003) First Reading of Ordinance No. 6500 an Ordinance to Adopt Comprehensive Zoning Regulations for Medical Cannabis Establishments by Amending Title 17 of the Rapid City Municipal Code. Motion was made by Drew, second by Nordstrom to approve. Fisher stated the most important aspect of this ordinance is the zoning. She went over the areas that would not allow a medical cannabis establishment. She spoke about necessary separation and that a check list would be provided to the applicant’s regarding the requirements. Motion carried 9-0 that Ordinance 6500 be placed upon its first reading and title was fully and distinctly read and second reading was set for October 4, 2021.

Public Works Committee Items

Mayor Allender read in item (PW091421-05) Authorize staff to advertise for 5th Street Panel Repair – Minnesota to Stumer, Project No. 21-2657 / CIP 50445 for $440,000. Motion was made by Lehmann, second by Strommen to approve. Jones is in favor of the needed repairs. Drew explained the CIP 5-year plan. The priority of street repair is in this plan. Tech explained he needs more funds to put toward street repair and people to do the work. Strommen said the arterial roads take the bulk of the traffic and we need to keep up with those. Weifenbach said more funds need to be allocated to the public works department to fix the streets. Tech agreed. Good roads need to stay as good roads. Tech said every other year the Public Works Department has to evaluate every mile of every road in our community. Two people from Public Works go out and come up with a pavement condition index. Evans said he will vote no. There are other roads that need repair as well. Sumption said sales tax is up and that effects the general fund, CIP and the vision fund. Weifenbach asked for information regarding CIP and where the funds are allocated from right now. Tech said information is linked online to the CIP meetings. Tech stated street dollars and utility dollars are intermixed. There is a balance between four funding sources. Motion carried 8-1 with Evans voting no.

Mayor’s Items

Mayor Allender read in item (LF091521-07) Approve Request for Funding for the Implementation of a Crisis Stabilization Unit at Pennington County’s Care Campus to Supplement Funding from the State of South Dakota and Pennington County. Motion was made by Lehmann, second by Salamun to approve the item by matching Pennington County’s cash contribution up to $500,000. Sumption recommended using undesignated cash from the CIP fund. Lehmann and Salamun agreed to add that to the motion. Motion carried 9-0.
Mayor Allender read in item (WS090121-08) Authorize $500 COVID Bonus for Non-Public Safety City Employees who Worked in 2020 and are Currently Still Employed by the City. Motion was made by Nordstrom, second by Drew to change the dollar amount from $500 to $1000 with funding coming from undesignated cash. Nordstrom said nearly all of the city employees were exposed and he feels all employees are essential and should receive the same Covid bonus. Jones said he received many emails from Rapid City citizens who didn’t think employees should get a Covid bonus. He stated he would vote for the $1000 bonus because the employees deserve it. Salamun said a bonus can help with retention as well as recruitment. Salamun asked if bonuses could be divided into exposed employees versus non-exposed employees. Nick Stroot said that it becomes subjective on which category to place employees when different bonuses are proposed. He stated it was tough to draw the line. Weifenbach would prefer to handle each department separately. Drew said policeman and fireman are trained for these hazard situations, the regular employee is not trained in the same way. She supports the $1000 Covid bonus. Salamun specified that elected officials would not receive any Covid bonus. Roberts arrived to the meeting at 7:45 p.m. Motion to give all remaining non-public safety city employees a $1000 bonus failed 6 to 4 with Drew, Nordstrom, Armstrong and Jones in favor. Substitute motion made by Weifenbach, second by Salamun to award Rapid Transit bus driver’s a $1000 Covid bonus and all remaining non-public safety city employees a $500 Covid bonus. Motion failed 6 to 4 with Armstrong, Salamun, Drew and Weifenbach voting in favor. Substitute motion was made by Salamun, second by Jones to approve $500 Covid bonus for non-public safety city employees. Motion carried 6 to 4 with Roberts, Strommen, Lehmann and Evans voting no.

PUBLIC HEARING ITEMS – Items 34 – 40
CONSENT PUBLIC HEARING ITEMS – Items 34 – 39

Alcohol Licenses
34. 33-7 Worldwide LLC DBA The Man Salon – Rapid City West, 2335 West Main Street Suite 220 for a Retail (on-off sale) Malt Beverage and SD Farm Wine License
35. Naja Shrine Temple DBA Rapid City Shrine Temple for a SPECIAL EVENT on-sale dealer license on September 25, 2021 at 4091 Sturgis Rd
36. Nebraska / Dakotas Chapter of the American Society of Landscape Architects DBA Mt. Rushmore Society for a SPECIAL EVENT on-sale malt beverage and on-sale wine licenses on September 30, 2021 at 830 Main Street
37. Elevate Rapid City DBA Elevate Rapid City – Ascent Building for a SPECIAL EVENT on-sale malt beverage and on-sale wine licenses on October 12, 2021 at 18 E. Main Street
38. Naja Shrine Temple DBA Rapid City Shrine Temple for a SPECIAL EVENT on-sale dealer license on October 2, 2021 at 4091 Sturgis Rd
39. Naja Shrine Temple DBA Rapid City Shrine Temple for a SPECIAL EVENT on-sale dealer license on October 9, 2021 at 4091 Sturgis Rd

Mayor Allender read in items 34-39 from the Consent Public Hearing Items. Motion was made by Lehmann, second by Drew and carried to approve 10-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 40
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. This item was continued from the June 21, 2021 city council meeting. Motion was made by Lehmann, second by Strommen to continue to the October 4, 2021 city council meeting per the applicant’s request. Motion carried 10-0.
BILLS
BILL LIST - SEPTEMBER 20, 2021

P/ROLL PERIOD END 08/28/21, PD 09/06/21 2,009,465.89
CDEV P/ROLL PERIOD END 08/28/21, PD 09/06/21 2,468.62
SUPP P/ROLL PERIOD END 08/28/21, PD 09/07/21 889.50
PIONEER BANK & TRUST, 08/28/21 P/ROLL TAXES, PD 09/06/21 520,842.53
PIONEER BANK & TRUST, SUPP 08/28/21 P/ROLL TAXES, PD 09/07/21 68.07
CDEV PIONEER BANK & TRUST, 08/28/21 P/ROLL TAXES, PD 09/06/21 567.44
WELLMARK INC, HEALTH CLAIMS THROUGH 09/03/21, PD 09/09/21 173,389.65
WELLMARK INC, HEALTH CLAIMS THROUGH 09/10/21, PD 09/16/21 292,862.53
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 09/07/21, PD 09/08/21 4,873.46
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 09/13/21, PD 09/14/21 6,102.33
SOUTH DAKOTA RETIREMENT SYSTEM, AUG21 RETIREMENT, PD 09/03/21 551,582.53
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 09/08/21, PD 09/09/21 4,643.07
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 09/15/21, PD 09/16/21 8,844.42
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 09/14/21 21,617.70
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 09/16/21 30,347.68
BLACK HILLS ENERGY, ELECTRICITY, PD 09/14/21 94,505.60
COMPUTER BILL LIST 3,313,344.08
CDEV COMPUTER BILL LIST 1.98
SUBTOTAL 7,036,417.08
RSVP, P/ROLL PERIOD END 08/28/21, PD 09/06/21 2,716.80
RSVP, PIONEER BANK & TRUST, 08/28/21 P/ROLL TAXES, PD 09/06/21 616.54
RSVP, COMPUTER BILL LIST 741.30
TOTAL 7,040,491.72

Sumption presented the bill list of $7,040,491.72. Motion was made by Salamun, second by Jones and carried to authorize (No. CC092021-01) 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 Jones, second by Salamun and carried to adjourn the meeting at 7:55 p.m.

Dated this 20th day of September, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost: ______________