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, October 18, 2021 at 6:30 P.M.

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

Staff members present included: City Attorney Joel Landeen, Police Chief Don Hedrick, Public Works Director Dale Tech, Public Works Engineer Ben Ganje, Finance Director Pauline Sumption, Interim Community Development Director Vicki Fisher, Parks Director Jeff Biegler, IT Director Jim Gilbert, Fire Chief Jason Culberson, CDBG Manager Michelle Schuelke, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

**ADOPTION OF AGENDA**

Motion was made by Lehmann, second by Salamun and carried to adopt the agenda. Motion carried 9-0.

**PRESENTATION**

There was an award presentation given to EchoWorks on behalf of the Sustainability Committee. There was a presentation about the Cave Collective by Mary Hahn.

**GENERAL PUBLIC COMMENT**

Chuck Henrie, thanked the Sustainability Committee for recognizing Echoworks on their award.

**NON-PUBLIC HEARING ITEMS -- Items 3 – 41**

Chuck Henrie, spoke on items 10, 11, 16, 26, 27, and 33. He says people are not obeying the emergency traffic rules when medical / fire personnel need to get through traffic. He said the bridge repairs are needed so that people / cars don’t get hurt.

**CONSENT ITEMS – Items 3 – 36**

The following items were removed from the Consent Items:

10. PW101221-05: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Locust & Ivy., Project No. 20-2623 / CIP No. 50844. Estimated Cost $800,000.00.
11. PW101221-06: Request Authorization to Seek Proposals for Professional Services for Sheridan Lake Road Reconstruction – Corral Drive to Catron Boulevard, Project No. 20-2579 / CIP 51122
16. PW101221-11: 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 $20,840.00.
21. PW101221-16: Authorize Mayor and Finance Director to Sign Resolution No. 2021-091, a Resolution to Enter into a Lease Agreement with Black Hills Farmers Market, Inc.
26. LF101321-09 – Authorize the Rapid City Police Department to Apply for and Accept if Awarded, the 2021 Northern and Middle States Rural Law Enforcement Assistance Program in the amount of $120,000.00
Motion was made by Strommen, second by Nordstrom and carried to approve Consent Items 3-36 except 10, 11, 12, 16, 21 and 26.

**Approve Minutes**
3. Approve Minutes for the October 4, 2021 Regular Council meeting.

**Intent to Lease Set for Hearing (November 1, 2021)**
4. The City of Rapid City intends to enter into a lease for property located at 245 E. Omaha Street with the Black Hills Farmers Market, Inc.

**Alcoholic Beverage License Applications Set for Hearing (November 1, 2021)**
5. X Golf Rapid City LLC DBA X-Golf Rapid City, 2200 North Maple Street, Rushmore Mall, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and a Retail (on-off sale) Wine and Cider License

**Public Works Committee Consent Items**
6. PW101221-01: Approve Change Order #1F to Tru-Form Construction for City Parking Lots ADA Parking Spaces, Project #19-2558 / CIP 51298 for an increase of $332.44.
7. PW101221-02: Approve Change Order #2F to Simon Contractors of SD Inc. for Pavement Rehabilitation Project – Forest Court, Project #20-2624 / CIP 50844 for a decrease of $16,951.67.
8. PW101221-03: Authorize Staff to Advertise for Bids for 2022 Street Light Maintenance Contract. Estimated Cost $60,000.00.
9. PW101221-04: Authorize Staff to Advertise Bids for Perrine/Unnamed Tributary DBDP Phase 3 - Saint Patrick Street Box Culvert, Project Number 18-2430, CIP 51189.3, in the amount of $500,000.00
13. PW101221-08: Authorize Mayor and Finance Director to Sign Agreement between the City of Rapid City and Verizon for the AVL systems for Solid Waste and Streets divisions.
14. PW101221-09: Authorize Mayor and Finance Director to sign infill agreement between the City of Rapid City and Bradley and Anne Herb, for the construction of a public sanitary sewer main in Edgewood Drive.
15. PW101221-10: Authorize the Mayor and Finance Director to sign Amendment to the Agreement between the City of Rapid City and FMG, Inc. for Deadwood Avenue Reconstruction, I-90 to Meade County, Project No. 17-2375/CIP No. 50437, for an increase of $26,180.00 and to amend the project completion date.
17. PW101221-12: Authorize Mayor and Finance Director to sign Amendment #1 to an agreement between the City of Rapid City and HDR Engineering, Inc. for Professional Services for 2020 Miscellaneous Improvements Projects, Water Reclamation Facility, Digester Boiler Replacement Project, Project No. 19-2651 / CIP No. 51132.3 in the amount of $57,472.00.
18. PW101221-13: Authorize the Mayor and Finance Director to sign Professional Services agreement with Infrastructure Management Services, LLC for the Data Collection for 2021 Pavement Condition Index, Project No. 21-2656 / CIP 51327, in the amount of $148,924.00.
19. PW101221-14: Authorize Mayor and Finance Director to sign informal agreement with Prime Excavating Inc. for Nebraska St. and Windslow Dr. Storm Sewer Inlet, Project No. 21-2671 / CIP No. 51333 in the amount of $30,635.21
20. PW101221-15: Approve Resolution No. 2021-089 a Resolution of Intent to Enter into a Lease with Black Hills Farmers Market, Inc. for property located at 245 E. Omaha Street.

**RESOLUTION NO. 2021-089**
A RESOLUTION OF INTENT TO ENTER INTO LEASE WITH BLACK HILLS FARMER’S MARKET, 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 Black Hills Farmer’s Market, Inc. for real property which is located in the City of Rapid City, South Dakota, and is a portion of the following legally described property:

Tract 28, Rapid City Greenway Tract, Rapid City, Pennington County, South Dakota

which property generally consists of grassy areas along with some paved areas and one building; and

BE IT FURTHER RESOLVED that a hearing will be held on October 4, 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 18th day of October, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

22. PW101221-17: Confirm the reappointments of David Williams and Jeremy Altman to the Historic Preservation Commission.

23. PW101221-18: Approve Request from KTM Design Solutions, Inc. for an Exception 21EX156 to allow more than 40 dwelling units with one point of access. Per Section 2.6 of the Infrastructure Design Criteria Manual (IDCM), a single access can only serve 40 dwelling units unless an Exception is approved by City Council.

24. PW101221-19: Approve Request from KTM Design Solutions, Inc. for an Exception 21EX160 to allow more than 40 dwelling units along Carriage Hills Drive with only one point of access. Per Section 2.6 of the Infrastructure Design Criteria Manual (IDCM), a single access can only serve 40 dwelling units unless an exception is approved by City Council.

**Legal and Finance Committee Consent Items**

25. LF101321-08 – Confirm the Appointment of Laura Jones to the Community Investment Committee

27. LF101321-03 – Approve Change Order for Remount of Ambulance onto a New Chassis Following an Accident, Chassis was a Total Loss

28. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: John Bennett (RSVP+), Mary Goarlich (RSVP+), Patsy Livingston (RSVP+), Laurie Schwabauer (Airport)

29. LF101321-01 – Acknowledge August 2021 General Fund Cash Balance Report

30. LF101321-02 – Approve Amended City of Rapid City Capital Improvement Plan Policy

31. LF101321-06 – Approve Resolution No. 2021-090 a Resolution Levying Assessment for Abatement of Nuisances
RESOLUTION NO. 2021-090
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 18th day of October, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

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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>
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<td>HILL, JEANINE &amp; THEODORE</td>
<td>5596</td>
<td>4505 PATRIOT LN</td>
<td>17260 FINCH PATH, FARMINGTON, MN, 55024</td>
<td>LOT 15, BLOCK 4, MALLRIDGE SUBD</td>
<td>$1,125.00</td>
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32. LF101321-07 – Set a Special Council Meeting for December 27, 2021 at 12:00 PM to Pay the
Final Bills of the Year

33. LF101321-10 – Authorize the Mayor and Finance Director to Sign Agreement between the
Fraternal Order of Police, South Dakota Lodge #2A, and the City of Rapid City for the Period of
January 1, 2022 to December 31, 2024

Community Development Consent Items
34. 21TP021 – Approve the 2022 Unified Planning Work Program – Draft Report

Bid Award Consent Items
35. CC101821-04.1 - Approve award of total bid for E Main Street N Bridge Repair, Project No. 19-
2525 / CIP No. 51247 opened on October 12th to the lowest responsible bidder, Heavy
Constructors, Inc. in the amount of $1,407,815.01.
36. CC101821-04.2 - Approve award of Rental Rates for Snow Removal Operations. Estimated cost: $90,000.00

END OF CONSENT ITEMS

Mayor Allender read in item (PW101221-05) Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Locust & Ivy., Project No. 20-2623 / CIP No. 50844. Estimated Cost $800,000.00. Tech explained the project and the overall payment preservation strategy. Strommen stated this was a good example of preserving funds instead of waiting until things fail. Motion was made by Nordstrom, second by Drew to approve. Motion passed 9-0.

Mayor Allender read in item (PW101221-06) Request Authorization to Seek Proposals for Professional Services for Sheridan Lake Road Reconstruction – Corral Drive to Catron Boulevard, Project No. 20-2579 / CIP 51122. Tech said there has been significant growth in the southwest part of Rapid City over the last decade. Sheridan Lake Road doesn’t meet the requirements with the amount of traffic it serves. A corridor study was done and now a consultant for the design work needs to be hired. Motion was made by Salamun, second by Strommen and carried to approve 9-0.

Mayor Allender read in item (PW101221-07) Request Authorization to Seek Proposals for Professional Services for Robbinsdale Phase 5 Design, Project No. 21-2680 / CIP No. 51280. Tech said this project was identified on the 5-year plan for CIP projects. The area is at the end of its life. Motion was made by Nordstrom, second by Evans to approve. Motion carried 9-0.

Mayor Allender read in item (PW101221-11) 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 $20,840.00. Longbranch was selected a few years ago to do the project. They needed to upsize for storm sewer and make sure the driveways drain and align properly. Drew would like to see more natural ways to do drainage. Motion was made by Jones, second by Lehmann to approve. Motion carried 9-0.

Mayor Allender read in item (PW101221-16) Authorize Mayor and Finance Director to Sign Resolution No. 2021-091, a Resolution to Enter into a Lease Agreement with Black Hills Farmers Market, Inc. This item was mistakenly put on this agenda. Drew asked if there is a health inspection for farmers markets. Biegler said he works with the state health department to meet the needed requirements. Motion was made by Evans, second by Nordstrom to continue to the November 1, 2021 City Council Meeting.

Mayor Allender read in item (LF101321-09) Authorize the Rapid City Police Department to Apply for and Accept if Awarded, the 2021 Northern and Middle States Rural Law Enforcement Assistance Program in the amount of $120,000.00. Hedrick explained that the police department would use the money to purchase security cameras. They will be set up in the neighborhoods that see the most crime. Motion was made by Drew, second by Strommen to approve. Motion carried 9-0.

NON-CONSENT ITEMS – Items 37 – 41
Chuck Henrie spoke on item WS081121-26. He agrees the SW police precinct is needed; along with the radios and streets. He stated that Adams Street is dangerous and needs to be repaired.

Ordinances
Mayor Allender read in item (LF092921-02) Second Reading, Ordinance No. 6508, An Ordinance to Update the Process for Video Lottery Machine Placement by Amending Chapter 5.64 of the Rapid City Municipal Code. Jones stated he would be voting no on this item. Roberts said it’s a good step forward. Having passed its first reading on October 4, 2021, motion was made by Roberts, second by Lehmann that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom,
Roberts, Armstrong, Strommen, Lehmann, Salamun, Evans and Drew; NO: Jones; whereupon the Mayor declared the motion passed and Ordinance No. 6508 was declared duly passed upon its second reading.

Mayor Allender read in item (LF101321-04) First Reading of Ordinance No. 6509 Regarding Supplemental Appropriation No. 6 for 2021. Motion was made by Drew, second by Nordstrom and carried 9-0 that Ordinance 6509 be placed upon its first reading and title was fully and distinctly read and the second reading was set for November 1, 2021.

Mayor Allender read in item (LF101321-05) First Reading of Ordinance No. 6512 Regarding Supplemental Appropriation No. 7 for 2021. Motion was made by Jones, second by Nordstrom and carried 9-0 that Ordinance 6512 be placed upon its first reading and title was fully and distinctly read and the second reading was set for November 1, 2021.

Legal and Finance Committee Items
Mayor Allender read in item (WS081121-26) Approve $20,000,000 Total Allocation of Surplus Undesignated Funds as follows:(each item will be voted on separately). Item 40A. Approve $15,035,000 of Surplus Undesignated Funds for Fire Station 1 Renovation. Motion was made by Salamun, second by Nordstrom to approve. Salamun stated the Covid Relief Funds would take care of some essential needs while saving money in the CIP fund. Evans said he would vote no due to the funding mechanism. Motion passed 7 to 2 with Roberts and Evans voting no. Item 40B. Approve $1,500,000 of Surplus Undesignated Funds for Fire Training Tower. Motion was made by Jones, second by Lehmann to approve. Motion passed 9 – 0. Item 40C. Approve $1,500,000 of Surplus Undesignated Funds for Police SW Precinct. Motion was made by Salamun, second by Jones to approve. Motion passed 9-0. Item 40D. Approve $1,000,000 of Surplus Undesignated Funds for Public Safety Radios. Motion was made by Lehmann, second by Salamun to approve. Motion passed 9-0. Item 40E. Approve $765,000 of Surplus Undesignated Funds for Street Projects. Motion was made Jones, second by Roberts to approve. Tech said the money will be used to improve roads and the quality of streets. Drew thought those funds should have been used for other things. Motion passed 9-0. Item 40F. Approve $200,000 of Surplus Undesignated Funds for IT Equipment. Motion was made by Jones, second by Roberts to approve. Motion passed 9-0. Evans asked Sumption what would happen if the city didn’t have this relief money. She stated the City would find money to bond it.

Alcoholic Beverage License 2022 Renewals
Mayor Allender read in Item 42 - Approve 2022 Alcoholic Beverage License Renewals (Applications 1-28). Motion was made by Roberts, second by Lehmann to approve Alcohol Applications 1-28. Motion passed 9-0.
PUBLIC HEARING ITEMS – Items 42 – 46
CONSENT PUBLIC HEARING ITEMS – Items 42 – 45

Alcohol Licenses
42. Western Dakota Tech Foundation DBA Western Dakota Tech Foundation for a SPECIAL EVENT Off-Sale Package Wine Dealer License on October 21, 2021 at 800 Mickelson Drive
43. Naja Shrine Temple DBA Rapid City Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for October 23, 2021 at 4091 Sturgis Road
44. Naja Shrine Temple DBA Rapid City Shrine Temple for a SPECIAL EVENT On-Sale Malt Beverage Retailer License for November 6, 2021 at 2820 Harley Drive
45. Naja Shrine Temple DBA Rapid City Shrine Temple for a SPECIAL EVENT On-Sale Malt Beverage Retailer License for November 6, 2021 at 2820 Harley Drive

Motion was made by Evans, second by Roberts to approve Items 42-45. Motion passed 9-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 46
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. Recommendation: Continue to the November 15, 2021 City Council Meeting. (This item was continued from the October 4, 2021 City Council Meeting.) Motion was made by Roberts, second by Lehmann to continue to the November 15, 2021 City Council meeting per the applicant’s request. Motion carried 9-0.
**BILLS**

BILL LIST - OCTOBER 18, 2021

- P/ROLL PERIOD END 09/25/21, PD 10/01/21 | 2,435,158.38
- CDEV P/ROLL PERIOD END 09/25/21, PD 10/01/21 | 2,968.62
- PIONEER BANK & TRUST, 09/25/21 P/ROLL TAXES, PD 10/01/21 | 575,764.92
- CDEV PIONEER BANK & TRUST, 09/25/21 P/ROLL TAXES, PD 10/01/21 | 2,968.62
- WELLMARK INC, HEALTH CLAIMS THROUGH 10/01/21, PD 10/07/21 | 124,231.82
- WELLMARK INC, HEALTH CLAIMS THROUGH 10/08/21, PD 10/14/21 | 220,482.64
- WAGE WORKS, SECTION 125 PAYMENTS THROUGH 10/04/21, PD 10/05/21 | 2,465.47
- WAGE WORKS, SECTION 125 PAYMENTS THROUGH 10/12/21, PD 10/13/21 | 8,520.84
- SOUTH DAKOTA RETIREMENT SYSTEM, SEP21 RETIREMENT, PD 10/05/21 | 520,782.55
- RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 10/06/21, PD 10/07/21 | 3,634.66
- RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 10/13/21, PD 10/14/21 | 5,424.04
- WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 10/11/21 | 21,703.94
- BLACK HILLS ENERGY, ELECTRICITY, PD 10/11/21 | 125,246.45
- COMPUTER BILL LIST | 5,787,667.51
- CDEV COMPUTER BILL LIST | 100,199.14
  - SUBTOTAL | 9,937,219.60
- RSVP, P/ROLL PERIOD END 09/25/21, PD 10/01/21 | 3,137.87
- RSVP, PIONEER BANK & TRUST, 09/25/21 P/ROLL TAXES, PD 10/01/21 | 660.33
- RSVP, COMPUTER BILL LIST | 621.67
  - TOTAL | 9,941,639.47

Sumption presented the bill list of $9,941,639.47. Sumption requested that council approve an addition of $86,011.11 for US Bank – 2011B Wastewater Bond Payment. The new total is $10,027,650.58. Motion was made by Salamun, second by Roberts and carried to authorize (No. CC101821-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 9-0.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Nordstrom, second by Roberts and carried to adjourn the meeting at 7:36 p.m.

Dated this 18th day of October, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost: ______________