

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

January 19, 2016

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Tuesday, January 19, 2016 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Steve Laurenti, Jerry Wright, Ron Weifenbach, Charity Doyle, Brad Estes, Chad Lewis, Darla Drew, John B. Roberts, Ritchie Nordstrom and Amanda Scott; and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Acting Public Works Director Dale Tech, Long Range Planning Manager Patsy Horton, Police Chief Karl Jegeris, Fire Chief Mike Maltaverne, Parks and Recreation Director Jeff Biegler, Community Resources Director Jeff Barbier and Administrative Coordinator Heidi Weaver-Norris.

ADOPTION OF AGENDA

Mayor asked that Item 32 be pulled and changed to Item 49A since it was a Public Hearing Item. Motion was made by Estes, second by Weifenbach and carried to adopt the agenda as amended.

AWARDS AND RECOGNITIONS

Mayor Allender and Alderpersons Wright and Lewis presented the Veteran of the Month for January 2016 to Greg Larson and recognized his efforts and dedication to the service of his country and community.

CONSENT ITEMS

Motion was made by Weifenbach, second by Nordstrom and carried unanimously to approve Items 2-43 as they appear on the Consent Items.

Approve Minutes

2. Approve Minutes for the January 4, 2016 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (February 16, 2016)

3. No. 15VR013 - A request by FMG Engineering for MK Land LLC, Mark McKie for a **Vacation of Right-of-Way** for property generally described as being located at 7 Omaha Street.

Alcoholic Beverage License Applications Set for Hearing (February 1, 2016)

4. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for February 18, 2016 at Elks Theatre, 512 6th Street
5. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for May 10, 2016 at Black Hills & Badlands Tourism Association, 1851 Discovery Circle
6. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for June 14, 2016 at Premier Home Mortgage, 3024 Tower Rd
7. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for July 12, 2016 at McKie Ford Lincoln, 7 East Omaha
8. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for August 9, 2016 at National American University, 5301 S Hwy 16, Suite 200

9. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for September 13, 2016 at KT Connections, 829 Quincy St, Suite A
10. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for October 11, 2016 at Regional Health, 353 Fairmont Blvd
11. Black Hills Playhouse for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for February 14, 2016 at Barefoot Dance Studio, 412 5th Street
12. Pennington County Democratic Party for a SPECIAL EVENT Wine License for an Event Scheduled for February 12, 2016 at Prairie Edge, 606 Main Street
13. Rapid City Summer Nights Inc. for a SPECIAL EVENT Wine and Malt Beverage License for Outdoor Events Scheduled for June 2, 2016, June 9, 2016, June 16, 2016, June 23, 2016, June 30, 2016, July 7, 2016, July 14, 2016, July 21, 2016, July 28, 2016, August 4, 2016, August 11, 2016, August 18, 2016, August 25, 2016 and September 1, 2016 on 7th Street and St. Joseph Street
14. The Best Little Hair House, 526 6th Street for a Retail (on-off sale) Wine License
15. The Best Little Hair House, 526 6th Street for a Retail (on-off sale) Malt Beverage License

Public Works Committee Consent Items

16. No. PW011216-01 – Approve Change Order No. 1F to Underground Construction LLC for 48th Street Drainage Improvements, Project No. 15-2295, for a decrease of \$133.25.
17. No. PW011216-02 – Approve Change Order No. 1F to Bolt Construction for 2013 Storm Damage Recovery Project, Project No. 14-2210 / CIP 51059, for an increase of \$3,239.77.
18. No. PW011216-03 – Approve Change Order No. 1F to Stanley J Johnsen Concrete Contractor for Concrete Panel Repair – West Chicago & Corral Drive, Project No. 13-2131 / CIP No. 50445, for an increase of \$6,405.50.
19. No. PW011216-04 – Approve Acceptance of Infrastructure for the Rushmore Hockey Association Water Main Extension DEV15-1222.
20. No. PW011216-05 – Request Authorization to Seek Proposals for Professional Services for La Crosse Street Interchange Utility Improvements, Project No. 16-2318 / CIP No. 51108.
21. No. PW011216-06 – Approve Change Order No. 3 to RCS Construction for Skyline Wilderness Park Trailhead Development Project No. PR13-6109 for a decrease in the amount of \$2,758.82.
22. No. PW011216-07 – Authorize Parks and Recreation Staff to apply for a \$5,000 Matching Dollar Challenge Grant from the Black Hills & Badlands Association to be used for marketing for the Fat Tire Festival, and to accept the grant funding if awarded.
23. No. PW011216-08 – Authorize Staff to apply for a USTA Facility Assistance Grant and Northern Section Adopt a Court Matching Grant for improvements to the courts at both Parkview and Sioux Park Tennis Facilities, and accept the funds if awarded.
24. No. PW011216-09 – Authorize Mayor and Finance Officer to Sign Amendment to Professional Services Agreement with Advanced Engineering Environmental Services, Inc. for additional professional services for planning, design, bidding and construction administration for the Skyline Wilderness Park Trailhead Development and Dinosaur Park Imp. Project PR13-6109.

25. No. PW011216-10 – Authorize Mayor and Finance Officer to Sign Amendment to Professional Services Agreement with Advanced Engineering & Environmental Services, Inc. for Skyline Wilderness Park Trailhead Development and Dinosaur Park Imp. Project PR13-6109.
26. No. PW011216-11 – Authorize Mayor and Finance Officer to Sign Amendment to Professional Services Agreement with Ferber Engineering Company, Inc. for City Bike Path Restoration and Rapid Creek Bank Stabilization Project No. PR14-6118.
27. No. PW011216-12 – Acknowledge discussion on Septic System Regulation within One-Mile of Rapid City Limits.
28. No. PW011216-13 – Authorize Staff to negotiate a settlement agreement for Property Damage Claim at 3912 Maple Ave with Fred Reed.

Legal & Finance Committee Consent Items

29. No. LF011316-02 – Approve Membership in HGACBuy Government Procurement Service and Authorize Mayor and Finance Officer to Sign Necessary Documents
30. No. LF011316-03 – Acknowledge November 2015 Sales Tax Report
31. No. LF011316-04 – Resolution No. 2016-003 Establishing 2016 Encumbrances

**RESOLUTION 2016-003
RESOLUTION ESTABLISHING 2016 ENCUMBRANCES**

WHEREAS there are existing bills due and payable relating to Calendar Year 2015 operations of the City of Rapid City totaling \$3,264,984.59, and

WHEREAS it is desirable that these bills be charged to the 2015 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2015, in the amount of \$3,264,984.59.

GENERAL FUND 0101

0101 MAYOR & COUNCIL	2,463.70
0103 COMMUNICATIONS	76.87
0104 FINANCE	10,223.85
0105 GIS MAPPING	858.56
0106 ATTORNEY	16,099.14
0108 PUBLIC WORKS ADMINISTRATION	26,266.44
0109 GENERAL GOVERNMENT BUILDINGS	3,282.36
0111 HUMAN RESOURCES	6,305.81
0199 DISPATCH	195,373.01
0201 POLICE	154,256.58
0202 FIRE	95,430.95
0204 DEVELOPMENT SERVICE CENTER	16,841.21
0205 TRAFFIC ENGINEERING	9,432.34
0301 STREETS & HIGHWAYS	13,083.93
0302 SNOW REMOVAL	327,239.55
0304 STREET LIGHTING	15,941.30

0305 EQUIPMENT MAINTENANCE	10,306.95	
0401 STREET CLEANING	4,856.20	
0501 DETOX	39,108.46	
0601 RECREATION	996.80	
0603 ICE ARENA	1,879.33	
0607 PARKS DEPARTMENT	18,862.58	
0608 URBAN FORESTRY	1,376.12	
0609 LIBRARY	49,408.12	
0610 LIBRARY RURAL	27,234.13	
0612 SWIMMING POOL	2,830.75	
0615 PARKVIEW POOL	203.60	
0616 SIOUX PARK POOL	944.67	
0617 HORACE MANN POOL	610.81	
0618 PUBLIC TRANSPORTATION	16,274.31	
0620 PARK & RECREATION ADMINISTRATN	5,596.35	
0706 TRANSPORTATION PLANNING	3,360.77	
0708 AIR QUALITY	459.95	
0711 CODE ENFORCEMENT	2,366.02	
0713 SIGN CODE ENFORCEMENT	438.60	
0714 COMM DEVELOPMENT NON-GRANT	610.13	
6024 INFORMATION TECHNOLOGY	30,853.59	
6031 COMPASS INTERNAL AUDIT PROGRAM	70.74	
6064 JOURNEY MUSEUM	7,248.45	
9202 HAZARDOUS MATERIALS	27,651.65	1,146,724.68

HAZARD MITIGATION GRANT FUND 0105

0115 HAZARD MITIGATION GRANT	28,335.51
------------------------------	-----------

VISION FUND 0107

0132 SPECIAL PROJECTS	295,707.00
-----------------------	------------

REPAIR & DEMOLITION FUND 0260

0927 REPAIR & DEMOLITION	215.00
--------------------------	--------

EROSION SEDIMENT CONTROL 0270

0270 EROSION SEDIMENT CONTROL	472.12
-------------------------------	--------

TID70 CATRON BLVD FUND 0430

0770 TID70 CATRON BLVD	107,917.57
------------------------	------------

CONSOLIDATED CONSTRUCTN FUND 0505

0910 CONSOLIDATED CONSTRUCTION	159,382.06
--------------------------------	------------

COMMUNITY DEVELOPMENT 0510

0930 COMMUNITY DEVELOPMENT	782.71
----------------------------	--------

WATER ENTERPRISE FUND 0602

0810 WATER OPERATIONS	60,112.63	
0933 WATER REPLACEMENT & IMPROVEMNT	120,182.85	
0934 WATER EXPANSION PROJECTS	75,304.20	
0941 WATER .16/SRF PROJECTS	<u>526,442.27</u>	782,041.95

WASTEWATER ENTERPRISE FUND 0604

0830 WASTEWATER OPERATIONS	36,881.19	
0831 WASTEWATER .16/SRF PROJECTS	34,897.51	
0833 WASTEWATER REPLCEMT & IMPRVMNT	32,926.26	
0834 WASTEWATER EXPANSION PROJECTS	<u>20,376.26</u>	125,081.22

UTILITY FACILITIES FUND 0605

0835 UTILITY FACILITIES		204,168.45
-------------------------	--	------------

AIRPORT FUND 0606

0850 AIRPORT OPERATIONS		29,245.21
-------------------------	--	-----------

CEMETERY ENTERPRISE FUND 0607

0860 CEMETERY		2,164.17
---------------	--	----------

TRANSPORTATION TERMINAL 0608

0840 TRANS TERMINAL		3,046.58
---------------------	--	----------

STORMWATER DRAINAGE FUND 0609

7401 STORMWATER DRAINAGE OPERATIONS		3,979.33
-------------------------------------	--	----------

PARKING LOT & AREA FUND 0610

0870 PARKING LOT & AREA		2,813.32
-------------------------	--	----------

SOLID WASTE ENTERPRISE FUND 0612

7101 WASTE COLLECTION		11,348.21
-----------------------	--	-----------

GOLF ENTERPRISE FUND 0613

0604 GOLF ENTERPRISE	2,644.88	
0664 GOLF COURSE MAINTENANCE	<u>2,174.69</u>	4,819.57

EXECUTIVE GOLF COURSE FUND 0614

0605 EXECUTIVE GOLF COURSE	(141.96)	
0606 LACROIX LINKS GOLF COURSE	113.90	
0665 EXECUTIVE GOLF COURSE MAINT	<u>1,176.55</u>	1,148.49

SOLID WASTE DISPOSAL FUND 0615

7102 WASTE DISPOSAL	23,341.85	
7103 SOLID WASTE MRF/COMPOST FUND	<u>31,515.72</u>	54,857.57

AMBULANCE ENTERPRISE 0618		
0890	AMBULANCE ENTERPRISE	43,491.66
PAYROLL WITHHOLDING FUND 0702		
0922	PAYROLL WITHHOLDING	103,115.18
AIRPORT TERMINAL DEPRECIATION 0734		
0909	AIRPORT TERMINAL DEPRECIATION	8,204.51
CIVIC CENTER ENTERPRISE FUND 0775		
0911	CIVIC CENTER CONCESSION	33,231.95
0913	CIVIC CENTER OPERATIONS	28,177.86
0915	CIVIC CENTER CAPITAL OUTLAY	19,509.50
0917	CIVIC CENTER TICKET OFFICE	906.73
0919	CIVIC CENTER CVB	37,355.75
		<hr/>
		119,181.79
ENERGY PLANT REVOLVING FUND 0777		
0914	ENERGY PLANT	8,138.00
RSVP FUND 0785		
0928	RSVP	1,219.34
WORKERS' COMPENSATION FUND 0792		
0967	WORKERS' COMPENSATION	886.13
LIABILITY INSURANCE FUND 0793		
0968	LIABILITY INSURANCE	63.21
LIBRARY BOARD FUND 0996		
0971	LIBRARY BOARD	16,434.05
*** GRAND TOTAL ***		3,264,984.59

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 19th day of January, 2016.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 33. No. LF011316-06 – Resolution No. 2016-001A Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

RESOLUTION No. 2016-001A
 RESOLUTION FIXING TIME AND PLACE FOR
 HEARING ON ASSESSMENT ROLL FOR
 CLEANUP OF MISCELLANEOUS PROPERTY

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

1. The Assessment Roll for Cleanup of Miscellaneous Property was filed in the Finance Office on the 19th day of January, 2016. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on the 16th day of February, 2016 at 6:30 P.M., this said date being not less than twenty (20) days from the filing of said assessment roll for hearing thereon.
2. The Finance Officer is authorized and directed to prepare a Notice stating the date of filing the assessment roll, the time, and place of hearing thereon; that the assessment roll will be open for public inspection at the Office of the Finance Officer, and referring to the assessment roll for further particulars.
3. The Finance Officer is further authorized and directed to publish notice in the official newspaper one week prior to the date set for hearing and to mail copy thereof, by first class mail, addressed to the owner or owners of any property to be assessed at his, her, or their last mailing address as shown by the records of the Director of Equalization, at least one week prior to the date set for hearing.

Dated this 19th day of January, 2016

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 34. No. LF011316-07 – Resolution No. 2016-005 Declaring Miscellaneous Personal Property Surplus

Resolution # 2016-005
 RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including disposal, sale or trade-in on new equipment:

From: Solid Waste Division

For trade-in:

- 2010 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL50X2AF719990
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X5BF113894
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00XXBF113891
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X1BF113889
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X3BF113893
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X8BF113890
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X7BF113895
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X1BF113892
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X9BF113896
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X0BF113897
- 2011 Peterbilt / Wayne Refuse Truck, VIN: 3BPZL00X2BF113898

From: Engineering

For trade-in:

Sokkia Total Station, Model 3100; S/N: D20890

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 19th day of January, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer

(SEAL)

- 35. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Alexis Delores
- 36. No. LF011316-08 – Authorize Mayor and Finance Officer to Sign Indenture of Restrictive Covenants and Community Development Block Grant (CDBG) Contract for Cornerstone Rescue Mission
- 37. No. LF011316-10 – Authorize staff to proceed with the process for Involuntary Annexation of the Remaining Big Sky Neighborhood.
- 38. No. LF011316-11 – Approve Request for the City Council to Partially Waive the Attorney-Client Privilege with John Nooney Regarding his Conversations with Alderman Jerry Wright Regarding Former Alderman Ron Sasso in Conjunction with Mr. Nooney's Representation of the City in the Lawsuit Involving Lazy P6 and Orvil Davis.
- 39. No. 16TP001 – Authorize Staff to Apply for the Walkability Action Institute Grant and Accept Funding If Approved.

Bid Award Consent Items

- 40. No. CC011916-02.1 – Approve award of Total Bid for W Saint Cloud Street, Street and Utilities Reconstruction, Project No. 15-2113 / CIP No. 50939 opened on January 12, 2016 to the lowest responsible bidder, Northern Plains, LLC in the amount of \$552,388.88.
- 41. No. CC011916-02.2 – Approve award of Total Bid for WRF Administration Building HVAC Improvements, Project No. 14-2228 / CIP No. 51062 opened on January 12, 2016, to the lowest responsible bidder, Action Mechanical, Inc., in the amount of \$192,500.00.
- 42. No. CC011916-02.3 – Approve award of Total Bid for West Main Street Overlay Project, Project No. 14-2221 / CIP No. 50798 opened on January 12, 2016 to the lowest responsible bidder, Hills Materials Company, in the amount of \$253,810.50.
- 43. No. CC011916-02.4 – Approve award of Total Bid for Chapel Lane Bridge Railing Repair Project, Project No. 15-2288 / CIP No. 50752 opened on January 12, 2016 to the lowest responsive bidder, J.V. Bailey Co., Inc., in the amount of \$103,983.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS

Legal & Finance Committee Items

Motion was made by Drew, second by Wright and carried to Approve (No. LF011316-01) Resolution No. 2016-004 to Donate Property No Longer Needed for Municipal Purposes to the Oglala Lakota Sheriff's Office.

Resolution No. 2016-004

RESOLUTION TO DONATE PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO THE OGLALA LAKOTA SHERIFF'S OFFICE

WHEREAS, the City of Rapid City currently owns the following property:

Vehicle # 1

2009 Chevrolet Impala

VIN#: 2G1WS57M891310868

Mileage approx: 133,206 Attached equipment:

- 1) Federal Signal Lightbar-Model: Raydian
- 2) Touchmaster Delta Light Control Box
- 3) Center console
- 4) Police Vehicle Partition
- 5) Falcon HR Radar Unit- Serial #FH04428

Vehicle # 2

2009 Chevrolet Impala

VIN#: 2G1WS57M691310237

Mileage approx: 115,235 Attached equipment:

- 1) Federal Signal Lightbar-Model: Raydian
- 2) Touchmaster Delta Light Control Box
- 3) Center console

- 4) Police Vehicle Partition
- 5) Falcon HR Radar Unit- Serial #FH04427

WHEREAS, the Common Council of the City of Rapid City has determined that the above-described property is no longer necessary, useful, or suitable for municipal purposes; and

WHEREAS, SDCL 6-5-5 authorizes the City of Rapid City to give any personal property it owns to a public corporation, upon such terms and conditions as provided by a resolution of the governing body; and

WHEREAS, the Oglala Lakota Sheriff's Office has expressed its need and desire to acquire the above-described property; and

WHEREAS, the Oglala Lakota Sheriff's Office intends to use the above-described property for public purposes.

NOW, THEREFORE, BE IT RESOLVED that the above-described property be declared surplus and disposed of according to state law.

BE IT FURTHER RESOLVED that the City of Rapid City shall donate to the Oglala Lakota Sheriff's Office the above-described property.

Dated this 19th day of January, 2016.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

Sue Timmons, with the Human Relations Commission, gave a Semi-Annual Update to the Council. She indicated that since the last reporting period, there have been 15 phone calls, of which, 7 of them had a meeting with Assistant Attorney, Wade Nyberg. Of those seven, four decided their treatment didn't qualify under the city ordinance, two withdrew from the process and one decided to have their complaint drafted and taken to the state level. She said Jacqueline Gerry went through orientation as a new member. Timmons said they have new public service announcements on TV. She said the HR Commission has a Powerpoint presentation available for the public to watch to get more information on how the process works. In response to a question from Drew, Timmons said two public service announcements were created. She indicated that three were filmed, but one was lost due to computer malfunction. Drew complimented Timmons on their exemplary work. Drew also urged people to go through this process if they do think they are being discriminated against. Motion was made by Scott, second by Nordstrom and carried, to Acknowledge (No. LF011316-09) Human Relations Commission Semi-Annual Update.

Community Planning & Development Services Department Items

Motion was made by Doyle, second by Drew and carried to Approve (No. 15PL108) A request by Dream Design International, Inc. for a **Preliminary Subdivision Plan** for proposed Lot 2 and 4 of Shopko

Addition, generally described as being located at 1845 Haines Avenue with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to clearly show the existing "Private Access Easement for Lots 2 & 3 for Parking & Ingress/Egress" as a part of proposed Lot 2. In addition, the labeling of the easement(s) shall be revised to read "Private Access Easement for Parking & Ingress/Egress" to ensure that proposed Lot 4 can also use the easement(s) as identified; 2. Upon submittal of a Development Engineering Plan application, construction plans for the Private Access Easement(s) shall be submitted for review and approval showing the easements with a minimum width of 70 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show the existing sanitary sewer service that serves proposed Lot 2 within a 10 foot wide utility easement. If any portion of the easement is located on proposed Lot 4, then a design exception shall be obtained to allow a utility easement to cross one lot to serve another or the plat document shall be revised to ensure that the entire easement is located on proposed Lot 2. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show the existing water service line that serves proposed Lot 2 within a minimum 20 foot wide utility easement. Since the water service line extends across proposed Lot 4, a design Exception shall be obtained to allow a utility to cross one lot to serve another or the plat document shall be revised to ensure that the water service line is located exclusively on proposed Lot 2. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 5. Upon submittal of a Development Engineering Plan application, a drainage plan report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed; 6. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Registered Professional Engineer; 7. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable; 8. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 9. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 10. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

Estes stated he needed to abstain from this item. Motion was made by Doyle, second by Drew and carried, with Estes abstaining, to Approve (No. 15PL112) A request by Sperlich Consulting, Inc. for Freeland Meadows, LLC for a **Preliminary Subdivision Plan** for proposed Lots 20 thru 35 of Block 1, Lots 2 thru 23 of Block 3 and Lots 14 thru 26 of Block 4 of Prairie Meadows Subdivision, generally described as being located northeast of the West Nike Road and Country Road intersection with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, driveway length(s) for Lots 26 and 27 shall be identified. If the length(s) exceed 150 feet, than an emergency vehicle turnaround shall be designed and constructed as a part of the subdivision improvements; 2. Upon submittal of a Development Engineering Plan application, construction plans for Giants Drive, Eli Drive and Marino Drive shall be submitted for review and approval showing the street(s) located within a

minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or Exception(s) shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for Country Road shall be submitted for review and approval showing the street constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and a dual water main or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans for West Nike Road shall be submitted for review and approval showing the street located within a minimum 68 foot wide right-of-way and constructed with a minimum pavement width of 24 feet, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering application; 5. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, easements shall be provided as needed; 6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity for this phase of the development and for future development up stream. In addition, easements shall be provided as needed; 7. Upon submittal of a Development Engineering Plan application, a drainage plan report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed; 8. Prior to submittal of the Development Engineering Plan application, redlined comments shall be addressed. Upon submittal of the Development Engineering Plan application, the redlined comments and the revised drawings and plat per the redline comments shall be submitted for review and approval or an Exception to the Infrastructure Design Criteria Manual or the Standard Specifications for each comment shall be obtained. If any Exception is obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application; 9. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Registered Professional Engineer; 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable; 11. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 12. Prior to submittal of a Final Plat application, the plat document shall be revised to show Country Road as East Country Road. In addition, the plat title shall be revised to show "dedicated right-of-way in Government Lot 4" as "dedicated right-of-way"; 13. Upon submittal of a Final Plat application, a covenant agreement, homeowners agreement or some other agreement securing perpetual ownership and maintenance of the drainage lots/areas and the drainage improvements shall be submitted for recording; 14. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 15. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

Mayor's Items

Ron Jeffries provided an update on the Central States Fair/Black Hills Stock Show. He said Ketel Thorstenson provided them with the 2015 audit and it was an unqualified audit. It showed a \$128K profit, and of that amount, \$100K was put back into fair grounds and facilities improvements and maintenance. He said their organization donated \$120K in goods and services to other non-profit agencies in the community. They had an ADA audit and are in the process of making upgrades. He said the Black Hills Stock Show and Rodeo officially runs from January 29, 2016 – February 7, 2016. They start with a ribbon cutting on January 29th. For the first time ever, they had five breeds of cattle sales max out on entries. This is the highest amount of entries they have ever had. The demand and growth of the stock show continue to move forward. They maxed out on the horse sale and had to turn down about 100 entries. They also had to turn down 100 additional vendors because they maxed out on space. One new addition to the stock show is the "Broncs for Breakfast". On January 31, 2016, The South Dakota Auctioneers Association will crown the state champion auctioneer, with some of the proceeds going to the Central States Fair Foundation. The national sheep shearing champion will be crowned at this year's stock show. George Beal has a collection of about 300 saddles and will showcase different saddles and explain the history on them. Jeffries gave the web address, www.Blackhillsstockshow.com, for additional information or to view the full stock show schedule. Motion was made by Weifenbach, second by Estes and carried to Acknowledge, (No. CC011916-04.1) Update on Central States Fair/Black Hills Stock Show. Weifenbach appreciates the efforts of everyone involved in the stock show, especially the volunteers. In response to a question from Drew, Jeffries said they did have to turn away over 100 cattle and horse entries combined, as well as vendors, for not having enough room at the Civic Center. She was sad to hear people had to be turned away and felt more room was necessary to accommodate everyone in the future.

PUBLIC HEARING ITEMS**CONSENT PUBLIC HEARING ITEMS**

Motion was made by Estes, second by Doyle and carried unanimously to approve Items 49 and 49A as they appear on the Consent Public Hearing Items.

Alcohol Licenses

49. Holiday Stationstores, Inc DBA Holiday Stationstores, Inc, 1846 Eglin St for a Package (off-sale) Malt Beverage License

Assessment Rolls

In response to a question from Scott, Mayor indicated this item was pulled from the Consent Items because it is a Public Hearing Item. Motion was made by Wright, second by Laurenti and carried unanimously to Approve (No. LF011316-05) Resolution No. 2015-115B Levying Assessment for Cleanup of Miscellaneous Property.

RESOLUTION NO. 2015-115B
RESOLUTION LEVYING ASSESSMENT FOR
CLEANUP OF MISCELLANEOUS PROPERTY

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 amount which each lot or tract shall be benefited by the property cleanup is the amount stated in the proposed assessment roll.

2. The Assessment Roll for Cleanup of Miscellaneous Property 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 collected by the City Finance Office in accordance with SDCL ch. 9-43, as amended, and shall be payable in one annual installment bearing interest at the rate not to exceed six and one-half percent (6.5%).

Dated this 19th day of January, 2016

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

END OF CONSENT PUBLIC HEARING CALENDAR

BILLS

The following bills have been audited.

BILLIST - JANUARY 19, 2016

SOUTH DAKOTA RETIREMENT SYSTEM, DEC15 RETIREMENT, PD 01/04/16	554,875.21
SOUTH DAKOTA RETIREMENT SYSTEM, CDEV DEC15 RETIREMENT, PD 01/04/16	516.00
WELLMARK INC, HEALTH CLAIMS THROUGH 01/01/16, PD 01/07/16	228,658.15
WELLMARK INC, HEALTH CLAIMS THROUGH 01/08/16, PD 01/14/16	176,190.75
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/04/16, PD 01/05/16	1,090.62
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/11/16, PD 01/12/16	5,214.29
1ST NATIONAL BANK IN SIOUX FALLS, SRF #2 PRINC & INT, PD 01/11/16	105,933.32
1ST NATIONAL BANK IN SIOUX FALLS, SRF #6 PRINC & INT, PD 01/11/16	84,583.36
BLACK HILLS POWER, ELECTRICITY, PD 01/14/16	46,476.47
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/14/16	19,451.03
BERKLEY ASSIGNED RISK SERVICES, DEC15 CLAIMS, PD 01/05/16	10,579.93
COMPUTER BILL LIST	3,849,026.93
CDEV COMPUTER BILL LIST	1,060.61
SUBTOTAL	5,082,596.06
RSVP, SD RETIREMENT SYSTEM, DEC15 RETIREMENT, PD 01/04/16	579.18
RSVP COMPUTER BILL LIST	1,367.59
TOTAL	5,084,542.83

Sumption presented the bill list total of \$5,084,542.83. Motion was made by Estes, second by Drew and carried to authorize (No. CC011916-01) the Finance Officer to issue warrants or treasurers checks drawn on proper funds, in payment thereof.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Scott, second by Roberts and carried to adjourn the meeting at 7:03 p.m.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)