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, December 6, 2021 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Greg Strommen, Darla Drew, Ritchie Nordstrom, Ron Weifenbach, Pat Jones, Lance Lehmann, Jason Salamun, John Roberts and Bill Evans; the following Alderpersons arrived during the course of the meeting: None; 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, Deputy Finance Director Tracy Davis, 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
Mayor Allender asked that item four be heard under the public hearing items. Motion was made by Evans, second by Salamun to adopt the agenda and move item four to under the public hearing items. Motion carried 10-0.

MAYOR'S ITEMS
Mayor Allender read in item (No. CC120621-02.1) Confirm Appointment of Vicki Fisher as Director of the Community Development Department and Authorize Mayor and Finance Director to sign employment contract. Motion was made by Salamun, second by Jones to approve. Motion carried 10-0. Mayor Allender read in item (No. CC120621-02.2) Deputy Finance Director Tracy Davis swore in Vicki Fisher as the Director of the Rapid City Community Development Department.

PRESENTATION
Ed Manzano gave the Black Hills War Monument Project Presentation.

GENERAL PUBLIC COMMENT
Carla Schonzenbach said she has read that a person can't possess marijuana and own a gun in South Dakota. Chuck Henry is against recreational marijuana. He would like the churches to be more involved with the homeless situation in Rapid City.

NON-PUBLIC HEARING ITEMS -- Items 5 – 45
Tonchi Weaver spoke regarding item (LF120121-02). She thinks the council has budgeted too much money for the youth council. She indicated the county confirmed they were not matching any amount toward the Youth Council. Sheriff Thom decided to contribute funds from his department. She thinks the resolution should be written differently.

CONSENT ITEMS – Items 5 – 34
The following items were removed from the Consent Items:

14. PW113021-01: Approve Resolution No 21-100 A Resolution To Write Off Uncollectable Utility Billing Accounts For a Total Amount Of 111,258.80

29. LF120121-02 – Approve Resolution No. 2021-099 a Resolution Regarding changes to the Rapid City Youth City Council (Lehmann).

Motion was made by Lehmann, second by Roberts and carried to approve Consent Items 5-35 except 14, 19 and 29. Motion carried 10-0.

**Approve Minutes**

5. Approve Minutes for the November 15, 2021 Regular Council meeting.

**Alcoholic Beverage License Applications Set for Hearing (December 20, 2021)**

6. Pennington County Democratic Party for a SPECIAL EVENT (on-sale) Wine License on February 11, 2022 at Prairie Edge, 606 Main Street

7. MG Oil Company DBA The Park 3, 707 Mountain View Rd Suite C, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation TRANSFER from Breakroom Billiards and Darts DBA Breakroom Billiards and Darts, located at 355 11th Street, Suite 1

8. MG Oil Company DBA Happy Jacks Omaha - 2, 1109 West Omaha St Suite B for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation (Inactive)

9. Lybecks Twenty-First Century Inc. DBA Shenanigans Casino, 3788 E Hwy 44 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation TRANSFER from MG Oil Company DBA The Park 2, located at 707 Mountain View Rd, Suite B

10. Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino III, 530 Cambell St. Suite 2 for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation.

11. Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino Too I, 840 Timmons Blvd Suite 1 for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation (Inactive)

12. Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino Too II, 840 Timmons Blvd Suite 1A for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation (Inactive)

13. Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino Too III, 840 Timmons Blvd Suite 7A for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with VL Designation (Inactive)

**Public Works Committee Consent Items**

15. PW113021-02: Approve Resolution No. 21-101 A Resolution To Write Off Credit Balance Utility Billing Accounts For a Total Amount Of $ 742.16

Resolution No. 2021-101
RESOLUTION WRITING OFF CREDIT BALANCE
UTILITY BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain water billing accounts, shown on Appendix A, (which is kept at the Rapid City Finance Office at 300 Sixth Street, Rapid City, SD) and totaling $742.16 are determined to be expired for refund.

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

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

Dated this 6th day of December, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor
16. PW113021-03: Approve Change Order #1F to Prime Excavation for 2021 Hall Street Water Main Abandonment and Fire Hydrant Installation, Project 21-2678/CIP 50808 for an increase of $1,025.02.

17. PW113021-04: Approve Change Order #1F to J&J Asphalt for Pavement Rehabilitation Project – Cleveland & Oakland, Project 20-2622/CIP 50549 for an increase of $42,867.25.

18. PW113021-05: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and Ferber Engineering Company, Inc. (FEC) for Professional Services for Signal Drive and Kellogg Place Street and Utility Reconstruction, Project No. 21-2670 / CIP No. 51170, in the amount of $267,260.00.

19. PW113021-07: Approve no-cost funding correction for 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.

20. PW113021-09: Approve Request from Longbranch Civil Engineering, Inc. for a time extension for the Development Engineering Plan application associated with the Auburn Hills Subdivision, Phase 8.

21. PW113021-10: Approve Request from Richard Sterkel for a variance to waive the requirement to install sidewalk for Black Elk Peak Subdivision, per City Ordinance 12.08.060.

22. PW113021-11: Approve Request from Towey Design Group for Valley Development, LLC and Pink Cabin, LLC for a variance to waive the requirement to install sidewalk along Anderson and Longview Roads, per City Ordinance 12.08.060.

23. PW113021-12: Approve Request from KTM for a variance to waive the requirement to install sidewalk along Mount Rushmore Road, Rapid City, per City Ordinance 12.08.060.

24. PW113021-13: Approve Request from FMG Engineering for a variance to waive the requirement to install sidewalk along Catron Blvd. Rapid City, per City Ordinance 12.08.060.

25. PW113021-14: Authorize Staff to Purchase a 2022 RAM 3500 Reg Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with matching 2021 State Bid Pricing in the Amount of $29,991.90.

26. PW113021-15: Authorize Parks and Recreation Department to Harvest up to 250 Deer for the 2022 Rapid City Deer Management Program.

27. PW113021-16: Confirm the reappointments of Roger Heacock and Shon Hanczyc to the Parks & Recreation Advisory Board.

Legal and Finance Committee Consent Items

30. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Monte Monger (Police Department), Susan Keller (Police Department), Amy Roose (Police Department)

31. LF120121-01 – Acknowledge September 2021 Sales Tax Report

32. LF120121-05 – Approve Resolution No. 2021-103 A Resolution to Update Petty Cash Funds and Change Funds.

RESOLUTION 2021-103
A RESOLUTION TO UPDATE PETTY CASH FUNDS AND CHANGE FUNDS

WHEREAS, the City Council previously adopted Resolution 2019-018 Re-Establishing Petty Cash Funds and Change Funds; and

WHERE AS, the City Council previously adopted Resolution 2019-091 A Resolution to Update Petty Cash and Change Funds,
WHERE AS, the City Council previously adopted Resolution 2020-004 A Resolution to Update Petty Cash Funds and Change Funds,

WHERE AS, the City Council previously adopted Resolution 2021-045 A Resolution to Update Petty Cash Funds and Change Funds,

WHERE AS, the City Council previously adopted Resolution 2021-068 A Resolution to Update Petty Cash Funds and Change Funds,

WHERE AS, the City Council previously adopted Resolution 2021-075 A Resolution to Update Petty Cash Funds and Change Funds,

WHEREAS, the Cash Handling Audits I and II prepared by Compass has made the recommendation that the Finance Office create and maintain a complete and accurate list of all petty cash funds, change funds and travel funds; and

WHEREAS, such list should properly be supported by City Council resolutions; and

WHEREAS, the following adjustments are necessary for the City to continue to operate effectively:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Monument Concessions Change Fund</td>
<td>($35,000.00)</td>
</tr>
<tr>
<td>The Monument Box Office Change Fund</td>
<td>($20,000.00)</td>
</tr>
<tr>
<td>The Monument Change Fund</td>
<td>$95,000.00</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED, that the Monument Concessions Change Fund is decreased by $35,000.00; the Monument Box Office Change Fund is decreased by $20,000.00; the Monument Change Fund is increased by $95,000.00.

Dated this 6th day of December, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:

s/Pauline Sumption
Finance Director
(SEAL)

**Bid Award Consent Items**

33. CC120621-04.1 – Approve award of total bid for Pavement Rehabilitation Project – Locust & Ivy opened on November 30, 2021 to the lowest responsible bidder, Simon Contractors of SD, Inc in the amount of $829,409.00.

34. CC120621-04.2 - Reject and re-advertise for Tower Road Stabilization Project, Project No. 19-2537 / CIP No. 51254 opened on November 30th no bids were received. Will open new bids December 14, 2021.

END OF CONSENT ITEMS

Mayor Allender read in item (PW113021-01) Approve Resolution No 21-100 A Resolution To Write Off Uncollectable Utility Billing Accounts For a Total Amount Of 111,258.80. Tech explained the city has to write-off uncollected debt after a certain time period. This is consistent with accounting standards. Even though the debt is written off, the city still tries to collect the debt. Motion was made by Drew, second by Nordstrom to approve. Motion passed 10-0.
Resolution No 21-100
RESOLUTION WRITING OFF UNCOLLECTABLE
UTILITY BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain utility billing accounts, (a copy is kept at
the Rapid City Finance Office, 300 Sixth Street, Rapid City) and totaling $111,258.80 are uncollectable; 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 6th day of December, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (PW113021-06) Authorize Staff to Advertise Bids for St. Cloud
Reconstruction – 5th to Highland Ct., Project No. 19-2487 / CIP No. 51036. Estimated Cost $3,400,000. Tech indicated this is a sizable project and has been on the Capital Improvements schedule in the 5-year plan. He said addressing and the intersection are of concern. The road needs to be widened for safety. There is also going to be water and sewer reconstruction as well. Motion was made by Jones, second by Strommen to approve. Motion passed 10-0.

Mayor Allender read in item (LF120121-02) Approve Resolution No. 2021-099 a Resolution Regarding
changes to the Rapid City Youth City Council; Lehmann is the liaison to the group. Lehmann indicated
the term limit has changed. This group is part of the Mayor’s budget. Council votes on the city’s budget; the Mayor has final approval. There are several youth group members that would like to attend the national league of cities. Nordstrom asked about other projects the group has been involved in. Weifenbach called point of order. Motion was made by Salamun, second by Robert to approve. Motion passed 9-1 with Drew voting no.

Resolution No. 2021-099
A RESOLUTION REGARDING CHANGES TO THE
RAPID CITY YOUTH CITY COUNCIL

WHEREAS, the Common Council established a Rapid City Youth City Council through the passage of
Resolution No. 2019-093, A Resolution Establishing the Rapid City Youth City Council; and

WHEREAS, the City of Rapid City desires to increase the opportunities available to the Rapid City Youth
City Council by approving a budget that may be utilized by the Youth City Council to spark more youth engagement in municipal government and matters of municipal interest, help youth gain valuable
experience in City government, provide Youth City Council Members with the ability to attend training and conference opportunities; and create more opportunities to treat youth as valuable partners in the work of municipal government; and

WHEREAS, the Common Council wishes to allow for more Youth City Council community engagement by approving a procedure by which the Youth City Council can sponsor community events; and

WHEREAS, the Common Council desires to change the framework for the Youth City Council that was originally contained in Resolution No. 2019-093; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City establishes: the following framework that will replace the entire framework for the Youth City Council that had been adopted in Resolution No. 2019-093 once this resolution is effective; a budget for the Rapid City Youth City Council; and the following policy and procedures related to the use of funds in the Rapid City Youth City Council budget and the approval of community events sponsored by the Youth City Council.

**Rapid City Youth City Council**

**Membership**

Rapid City Youth City Council membership will consist of Rapid City youth, at least one Common Council liaison, and an administrative coordinator. There will be at least five voting members and up to eighteen voting members. Qualifications for voting members are as follows: between the ages of fourteen and eighteen; attend a secondary school that services Rapid City residents, live within the City of Rapid City and are homeschooled, or have dropped out after attending a school servicing City residents; and if possible, at least two members in 9th grade, at least two members in 10th grade, at least two members in 11th grade, and at least two members in 12th grade.

Current Youth City Council members who have a term that is scheduled to expire in December of 2021 shall have that term extended until May 31, 2022. Current Youth City Council members who have a term that is scheduled to expire in December of 2022 shall have that term extended until May 31, 2023. However, if a current member is going to reach the age of nineteen during his/her term, he or she will not be eligible to serve once the person reaches the age of nineteen.

Except as provided above in regards to current members, voting members shall serve a term length of one year. If a voting member is going to reach the age of nineteen during his/her one- or two-year term, he or she will not be eligible to serve once the person reaches the age of nineteen.

There will also be at least two non-voting members. The Rapid City Common Council shall select at least one alderman to serve as a non-voting liaison to the Youth City Council. A liaison’s term will be for one year. If a liaison is no longer a sitting Common Council member, the liaison’s term will automatically end and the Rapid City Common Council may select a new liaison for a new one-year term. The Rapid City Area Schools Youth Engagement Coordinator or someone appointed by the Rapid City Area Schools shall be appointed as a non-voting Administrative Coordinator. There is no term limit for the Administrative Coordinator.

**Selection of Voting Members**

The Selection Committee for the Rapid City Youth City Council will select all members who will serve on the Youth City Council. In its selection process, the Selection Committee may choose to increase or decrease the number of members serving on the Youth City Council at any time as long as the Selection Committee attempts to ensure that the membership of the Youth City Council does not fall below five voting members and does not exceed eighteen voting members.
The Selection Committee will consist of at least one Common Council liaison, the Rapid City Area Schools Youth Engagement Coordinator (or someone appointed by the Rapid City Areas Schools), and at least four residents of the City of Rapid City (as approved by the Youth Engagement Coordinator).

A standard application will be established to elicit interest from qualifying individuals. Applicants who do not meet the qualification criteria as stated above will not be considered. The Selection Committee will select members based upon each applicant’s response to application questions.

The application process will remain open year-round, allowing a pooling of applications. Every April, the Selection Committee will review applications from the pool of applicants who have submitted an application by March 31st of that year. The Selection Committee will typically select new members by April 30th and notify new members in May that they have been selected. Terms will typically commence on June 1st.

If an applicant is not chosen in the April selection process, the applicant’s application will remain in the pool of applicants for one year from his/her most recent application unless the applicant requests in writing to have his/her application withdrawn. If a member vacates his/her position before the end of the term or is not eligible to serve out the remainder of the term, the Selection Committee may convene to consider applications that are in the application pool and select an applicant to fill the remaining timeframe of the term of the open position.

**Officers**

At the first meeting in June of each year, the Youth City Council shall elect officers from its membership, including but not limited to a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer. The election of officers shall be done through nominations for candidates for each position and then voting through secret ballots.

The Chairperson shall preside over the Youth City Council. The Vice-Chairperson shall preside over the Youth City Council in the absence or disability of the Chairperson. The Secretary shall preside over the Youth City Council in the absence or disability of the Chairperson and the Vice-Chairperson. If the Chairperson, Vice-Chairperson, or Secretary vacates his/her term or is not eligible to serve out the remainder of the term, then a replacement to fill the balance of the officer's term shall be elected as soon as possible.

The Treasurer shall present the finances for the Youth City Council at each meeting. The Treasurer shall also act as a liaison to the Common Council and Mayor’s Office on all matters dealing with the Youth City Council budget.

**Bylaws, Rules of Deliberation, and Quorum**

The Youth City Council shall adopt bylaws to govern its operation. No bylaw shall be effective until approved by the Rapid City Common Council. The bylaws may be amended at any time.

Robert’s Rules of Order will be followed to govern deliberations of the Youth City Council unless different rules of deliberation are chosen to replace some or all of Robert's Rules of Order. More than one-third of all voting members of the Youth City Council shall constitute a quorum for the transaction of all business. In order for an action of the Youth City Council to pass, a majority of a quorum must vote in favor of the action.

**Meeting Days and Location, Agendas, Duties, and Opportunities**

Youth City Council meetings will take place on the second Tuesday of every month. The Youth City Council may hold additional meetings, as necessary. Meetings will take place in the Rapid City Common Council Chambers.
The Youth City Council will coordinate with City staff to post an agenda for each Youth City Council meeting outside City Hall where Common Council agendas are normally posted and on the City’s website.

The Rapid City Youth City Council will have the following nonbinding duties: advise the Common Council on matters related to youth; promote civic engagement among youth; and provide of its membership at least one member to attend public Common Council meetings as a monitor to relay information back to the Youth City Council. The members of the Youth City Council will be given opportunities to review and discuss Rapid City Common Council agendas to gain knowledge and insight on important community issues and learn about City issues from different departments of the City.

**Budget**
The Common Council may appropriate money for the Rapid City Youth City Council to spend under the following conditions and in accordance with the following procedures. Any money appropriated by the Common Council for use by the Youth City Council in a fiscal year can only be utilized by the Youth City Council in that fiscal year for the following purposes: to spark more youth engagement in municipal government and matters of municipal interest, help youth gain valuable experience in City government, provide Youth City Council Members with the ability to attend training and conference opportunities; and create more opportunities to treat youth as valuable partners in the work of municipal government. A proposal to spend money will not pass unless approved by two-thirds of the voting members of the Youth City Council. A proposal approved by the Youth City Council must also be approved by the Mayor. No debt may be incurred and no expenditure of money is allowed until the proposal is approved by the Mayor.

Any money that is appropriated to the Youth City Council for the fiscal year, but is not spent by the end of the fiscal year, will be returned to the General Fund for that fiscal year. The City may receive donations of funds designated for use by the Youth City Council. Any funds donated to the City specifically for the purpose of being used by the Youth City Council will not be returned to the General Fund at the end of a fiscal year. The donated funds will be reported in the General Fund as restricted funds until the funds are spent.

**Community Events Sponsored by the Youth City Council**
The following is the procedure by which the Youth City Council may sponsor community events. First, if the Youth City Council desires to sponsor a community event, a proposal to sponsor a community event will not pass unless approved by two-thirds of the voting members of the Youth City Council. Next, the Youth City Council must present its proposal to the City Attorney’s Office for review. The City Attorney’s Office will recommend what, if any, legal documents and actions need to be completed in order for the event to occur. Once the City Attorney’s Office has made its recommendation, the Youth City Council must submit its proposal and the City Attorney’s Office recommendation to the Common Council for approval. The Common Council may approve the proposal with any conditions it desires. If the conditions are met, the Youth City Council will be allowed to sponsor the community event. If the conditions are not met, the Youth City Council will not be allowed to sponsor the community event.

Dated this 6th day of December, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)
NON-CONSENT ITEMS – Items 35 – 45
Dawn McGill spoke regarding item (21RZ025). She said there is unwanted activity near her home. There is constant garbage laying around. She thinks it is a high crime area. She doesn’t want the rezone to attract more destruction. She opposes the rezone. Kirstin Mitzel does not think there should be a business allowed in a residential area. She indicated the area has problems with the homeless and the property is dangerous. She would like the rezone denied.

Ordinances
Mayor Allender read in item (No. 21RZ019) First Reading, Ordinance 6503, 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 Low Density Residential District II for property generally described as being located north of terminus of Cloud Peak Drive. Motion was made by Drew, second by Weifenbach and carried 10-0 that Ordinance 6503 be placed upon its first reading and title was fully and distinctly read and the second reading was set for December 20, 2021.

Mayor Allender read in item (No. 21RZ025) First Reading, Ordinance 6515, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Lester Miles for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 420 Spruce Street. Fisher explained the rezoning request would benefit the area by filling in a spot that needs change. She stated the customer base would bring in a more watchful street; the lighting would be extremely helpful and it should decrease the homeless and crime situations. Fisher indicated the planned development designation allows neighbors to have a voice in the process and there will be specific requirements that have to be met before it will be approved. As of now, the area is being considered for an RV repair shop. Motion was made by Roberts, second by Lehmann to approve with a Planned Development Designation. Motion carried 9-1 with Evans voting no. Ordinance 6515 was placed upon its first reading and the title was fully and distinctly read and the second ready was set for December 20, 2021.

Community Development Items
Mayor Allender read in item (No. 21PL091) A request by KTM Design Solutions, Inc for Watershed Development, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 53 of Block 1, Lots 1 thru 66 of Block 2, Lots 1 thru 27 of Block 3, Lots 1 thru 9 and Common Lot of Block 4, 1A, 1B, 2A, 2B, 3, 4A, 4B, 5A, 5B, 6A, 6B, 7 thru 15 of Block 5, Lots 1 thru 4 of Block 6 of Highpointe Ranch North, generally described being located north of current terminus of Cloud Peak Drive. Motion was made by Roberts, second by Lehmann to approve 10-0 with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Bernina Court, Kenya Court, Andean Court and Big Sky Court, lane place streets, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb(s) shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, construction plans for Cloud Peak Drive, Kenai Lane and Kilimanjara Drive, local streets, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. In addition, the cul-de-sac bulb(s) shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for Wind River Road, a collector street, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval widening and restriping the eastbound approach on Sheridan Lake Road to include
a dedicated 12-foot wide left turn lane within the existing center striped area. In addition, a minimum of 100 feet of storage, 100 feet of deceleration and a 120-foot taper length for the eastbound left turn lane shall be provided; 5. If a lift station is proposed, the lift station shall be approved per Section 3.13 of the infrastructure Design Criteria Manual “Regional Wastewater Facilities” prior to submittal of a Development Engineering Plan application; 6. Upon submittal of a Development Engineering Plan application, the proposed “Pond” area shall be included in the boundary of the plat and identified as a Drainage Lot or Greenway Lot or secured as a Drainage Easement and filed at the Register of Deed’s Office as a miscellaneous document. In addition, the phasing plan for the construction of the proposed pond shall be identified; 7. Upon submittal of a Development Engineering Plan application, a minimum 30-foot wide utility corridor shall be provided to the west lot line for sewer/force main and water and a minimum 20-foot wide utility corridor shall be provided to the east lot line for water; 8. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 10. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be approved in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 11. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 12. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 13. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan shall be submitted with the Final Plat application; 14. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable; 15. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provision are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative; 16. Prior to submittal of a Final Plat application, an alternate street name for Big Sky Court shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street names shall be shown on the plat document; 17. Prior to submittal of a Final Plat application, the property shall be rezoned from No Use District to Low Density Residential District II; 18. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed Common Lot and any proposed drainage elements. In addition, a Major Drainage easement shall be dedicated for all drainage improvements; 19. 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, 20. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Mayor Allender read in item (No. 21PL107) A request by KTM Design Solutions, Inc for Redrock Apartments LLC for a Preliminary Subdivision Plan for proposed Lot 12 of Block 2 of Red Rock Shadows Subdivision, generally described as being located southwest of the intersection of Muirfield Drive and Portrush Road. Motion was made by Roberts, second by Lehmann to approve the preliminary subdivision plan. Council discussed their traffic concerns for the area. Motion carried 10-0.

Mayor Allender read in item (No. 21PL109) A request by KTM Design Solutions, Inc for Susan Murray for a Preliminary Subdivision Plan for proposed Lots A and B of Murray Subdivision, generally described as
being located at 6600 Bighorn Road. Motion was made by Jones, second by Drew with the following stipulations: 1. Prior to submittal of a Final Plat application, an Exception shall be obtained to allow 92 lots with one point of access in lieu of a maximum of 40 lots or the plat document shall be revised to provide a second point of access; 2. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property. In addition, a copy of the approved plan shall be submitted with the Final Plat application; 3. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, applicable. In addition, a copy of the executed agreement shall be submitted with the Final Plat application; 4. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provisions are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative. In addition, a copy of the executed agreement shall be submitted with the Final Plat application; and, 5. Upon submittal of a Final Plat application, written documentation shall be submitted confirming that the Big Horn Road District is in agreement with adding an additional lot to the road district.

Mayor Allender read in item (No. 21PL111) A request by Renner Associates, LLC for Mike Holmberg for a Preliminary Subdivision Plan for proposed Lots 1A of 1B of Lovell Subdivision, generally described as being located at 23359 Bradsky Road. Motion was made by Lehmann, second by Roberts to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, an Exception shall be obtained to allow 92 lots with one point of access in lieu of a maximum of 40 lots or the plat document shall be revised to provide a second point of access; 2. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, applicable. In addition, a copy of the executed agreement shall be submitted with the Final Plat application; 3. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provision are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative. In addition, a copy of the executed agreement shall be submitted with the Final Plat application; 4. Prior to submittal of a Final Plat application, a Variance shall be obtained from City Council waiving the requirement to construct sidewalk along Bradsky Road or construction plans shall be submitted for review and approval showing the construction of sidewalk along the east side of the street; 5. Prior to submittal of a Final Plat application, the plat document shall show the dedication of 17 additional feet of right-of-way along the entire east property line or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Final Plat application. If the dedication of right-of-way is required then that portion of the existing barn located within the proposed right-of-way shall be removed. In addition, that portion of the barn located within the minimum required front yard setback shall be removed or a Variance from Pennington County Zoning Board of Adjustment to reduce the front yard setback requirement shall be obtained; and, 6. Prior to submittal of a Final Plat application, proposed Lot 1B shall be rezoned by Pennington County from Agriculture District to Low Density Residential District and the rezone shall be effective.

Mayor Allender Read in item (No. 21PL118) A request by KTM Design Solutions, Inc for BH Capital, LLC for a Preliminary Subdivision Plan for proposed Lot 27 of Block 2, Lots 12 thru 37 of Block 4, Lots 1 thru 4 of Block 8, Lots 1 thru 7 of Block 9 of Diamond Ridge Subdivision, generally described as being located east of the intersection of Valley Drive and Homestead Street. Motion was made by Salamun, second by Strommen to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Street A, Court A and Court B, local streets, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet
criteria for obtaining an Exception. In addition, the cul-de-sac bulb(s) shall be constructed pursuant to Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, construction plans Homestead Street, a collector street, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for re-grading the east ditch along Valley Drive if analysis indicates there are capacity issues. In addition, the plat document shall show the dedication of 34 feet of right-of-way for Valley Drive; 4. Upon submittal of a Development Engineering Plan application, the applicant shall demonstrate that fire flows are being provided to support the proposed subdivision. If fire flows are insufficient, then upon submittal of a Final Plat application, the applicant shall enter into a Covenant Agreement with the City to ensure that fire suppression systems are installed in all new residential structures. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable. In addition, the covenant agreement shall ensure that exterior building construction materials, building separations and landscaping provision are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative; 5. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted to Rapid Valley Sanitary District for their review and approval; 6. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 7. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 8. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. 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 Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 9. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 10. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 11. Prior to submittal of a Final Plat, street names for proposed Street A, Court A and Court B shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street names shall be shown on the plat document; 12. Prior to submittal of a Final Plat application, the property shall be rezoned from General Agriculture District to Low Density Residential District; 13. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements and a Major Drainage easement shall be dedicated for all drainage improvements; 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.

Mayor Allender read in item (No. 21PL120) A request by FMG Engineering for Scull Construction Service, Inc. for a Preliminary Subdivision Plan for proposed Lot 10 of Block 2 of Black Hills Center Subdivision, generally described as being located northeast of the intersection of Black Hills Boulevard and Catron Boulevard. Motion was made by Evans, second by Roberts to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, a miscellaneous document shall be recorded with the Register of Deed’s Office creating the proposed shared access easement. In addition, the recording information for the miscellaneous document shall be shown on the Final Plat; and, 2. Upon submittal of a Final Plat application, all necessary easements shall be shown on the plat.
Mayor Allender read in item (LF120121-03) Approve Preliminary Community Development Block Grant FY2022 Funding. There was discussion on the organizations that have applied now and who have applied in the past. The council would like more organizations to be involved in the fund request. Schuelke explained the process. She said there would be a recommendation presented to council in January, 2022. Motion was made by Lehmann, second by Roberts to approve. Motion passed 10-0.

2022 Alcoholic Beverage License Renewals
Mayor read in item (CC120621-02.3) Approve the 2022 Alcoholic Beverage License Renewals for the December 6, 2021 City Council Meeting. Motion was made by Jones, second by Roberts to approve item (CC120621-02.3) 2022 Alcoholic Beverage License Renewals. Motion passed 10-0.

Council Items & Liaison Reports
Mayor Allender read in item (LF120121-04) Approve a request from Alderwoman Drew to have staff bring forward to the City Council for its approval an amendment to Section 6.08.020 of the Rapid City Municipal Code reducing the minimum distance for the keeping of chickens or other fowl from an occupied structure from 150 feet to 50 feet and reduce the minimum lot size from 3 acres to .25 acres. There was discussion regarding this request. Motion was made by Lehmann, second by Roberts to table the item. Motion passed 7 to 2 with Drew and Nordstrom voting no; Weifenbach was not present to vote.

PUBLIC HEARING ITEMS – Items 46 – 50
Mayor Allender read in the Water Reclamation South Plant Improvements Presentation by Public Works. This is regarding item (PW113021-08) which was set for public hearing at the last city council meeting. Presenters were Dale Tech, Public Works Director; Eduardo Lopez, Public Works Project Engineer; DelRon Peters, HDR Engineering; and Jennifer Sietsma, Black Hills Council of Local Governments. The topics of why the city needs to invest in the Water Reclamation Facility (WRF) were as follows: Aging Infrastructure, Available Funding, Future Regulations, and Growing Customer Base. The current system has served Rapid City from 1967 to present. The deadline for State Revolving Funds (SRF) and grant funding is January 1, 2022. There is currently $600,000,000 in American Rescue Plan Act (ARPA) funding for water and sewer infrastructure projects across the state. Rates were discussed. The project will be adjusted accordingly based on the terms and project approval from the State.

CONSENT PUBLIC HEARING ITEMS – Items 46 - 48
Motion was made by Lehmann, second by Strommen to approve items 46-47. Motion passed 10-0.

Alcohol Licenses
45. Holiday Stationstores LLC, 4080 Jonathan Moore Pike, Columbus, IN, DBA Holiday Stationstores #2746512 for a Retail (on-off sale) malt beverage and SD Farm Wine License and a Retail (on-off sale) wine and cider license located at 2460 W Chicago
46. Bar K-9 LLC DBA Bar K-9 LLC, for one SPECIAL EVENT on-sale malt beverage license for an event scheduled for December 10-11, 2021 at 2200 N. Maple Ave – Rushmore Mall

Other Items Requiring Public Hearings
Mayor Allender read in item (PW113021-08) Approve Resolution 2021-102 which authorizes the Mayor and Finance Director to submit an application for financial assistance to the South Dakota Board of Water and Natural Resources for a project titled, “Water Reclamation South Plant Improvements” located at the Water Reclamation Facility. Motion was made by Lehmann, second by Strommen to approve. Motion passed 10-0.

RESOLUTION 2021-102
A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.
WHEREAS, the City of Rapid City has determined it is necessary to proceed with the Water Reclamation Facility South Plant Improvements project; and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the “Board”) will be prepared; and

WHEREAS, The City expects to issue a tax-exempt note in connection with the grant and or loan to finance all or a portion of the costs of the Project; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED the Common Council hereby approves the submission of an Application for financial assistance in an amount not to exceed $145,000,000 to the South Dakota Board of Water and Natural Resources for the Project; and

BE IT FURTHER RESOLVED the Common Council authorizes the Mayor and Finance Officer to take any action necessary to apply for this grant and or loan and, if awarded, to accept the grant and or loan; and

BE IT FURTHER RESOLVED the Common Council authorizes the Mayor to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance; and

BE IT FINALLY RESOLVED the Common Council authorizes the Public Works Director as the authorized representatives of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Therefore, I, Steve Allender, Mayor of the City of Rapid City, hereby certify that the foregoing resolution was passed by the City of Rapid City Common Council at a meeting held on the Sixth day of December, 2021.

Dated this 6th day of December, 2021.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 49 and 50
Mayor Allender read in item (No. 21RZ024) Second Reading, Ordinance 6513, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Dennis Zandstra Real Estate Holdings, LLC for a Rezoning request from No Use District to Low Density Residential District II for property generally described as being located south of the intersection
of Pahlmeyer Drive and Caymus Drive. Having passed its first reading on November 15, 2021, motion was made by Evans, second by Lehmann that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Roberts, Strommen, Jones, Lehmann, Evans, Armstrong, Salamun and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6513 was declared duly passed upon its second reading.

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 November 15, 2021 City Council Meeting. Motion was made by Lehmann, second by Jones to continue to the January 3, 2022 city council meeting. Motion carried 10-0.

**BILLS**

**BILL LIST – DECEMBER 6, 2021**

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IMPREST FUND: PENNINGTON COUNTY TREASURER PROPERTY TAXES –
TAX IDS 56619, 55923, 65740, 62865, 62762, 45189, 58148, 62693, 42398,
PD 11/23/21 2,892.97
GRAND TOTAL 12,139,829.45

Davis presented the bill list of $12,139,829.45. Davis requested that council approve an addition of $41,802.79 for SD Retirement System. This is for a late payment penalty and reports being turned into SDRS. The new total is $12,181,632.24. Motion was made by Salamun, second by Jones to authorize (No. CC120621-01) 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 Strommen and carried to adjourn the meeting at 9:06 p.m.

Dated this 6th day of December, 2021.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Tracy Davis
Deputy Finance Director
(SEAL)

Published at the approximate cost: ______________