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, Council Chambers, 300 Sixth Street, in Rapid City, South Dakota on Tuesday, January 18, 2022, at 6:30 P.M.

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

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

ADOPTION OF AGENDA
Motion was made by Roberts, second by Lehmann and carried to adopt the agenda. Motion carried 10-0.

PRESENTATION
Ron Jeffries gave a presentation on the Black Hills Stock Show. He spoke about the events happening at the James Kjerstad Event Center, The Monument, The Summit Arena and the Barnett Fieldhouse. Events run from Saturday, January 15 to Saturday, February 5, 2022.

GENERAL PUBLIC COMMENT
Chuck Henrie said he’s going to work with Volunteers of America to help with the homeless problems.

NON-PUBLIC HEARING ITEMS -- Items 2 – 48
Chuck Henrie spoke on (PW011122-06) he is concerned with once access. He also spoke on item (PW011122-08) saying it needs to be fixed. On item (LF011222-03) he said homeowner’s need to shovel their sidewalks for the handicap. On item (CIP121721-03) he said that reconstruction needs to take place for the women’s locker room and shower.

CONSENT ITEMS – Items 2 – 37
The following items were removed from the Consent Items:

9. PW011122-02: Approve Change Order #1 to Mainline Contracting Inc. for Elk Vale Lift Station Gravity Main & Force Main Upgrades, Project 18-2480/CIP 50729 for an increase of $237,775.00.

12. PW011122-05: Authorize Staff to Advertise Bids for Trenchless Sanitary Sewer Rehabilitation Jackson Boulevard, Project No. 12-2075 / CIP No. 50818. Estimated Cost $480,000.

13. PW011122-06: Approve a Request from Tony Marshall for an exception to allow more than 40 dwelling units along Golden Eagle 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.

14. PW011122-07: Approve a Request from KTM Design Solutions, Inc. for an exception to allow more than 40 dwelling units along Clarkson Road 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.
17. LF011222-06 – Authorize the Mayor and Finance Director to Sign the Agreement Between the City of Rapid City and Volunteers of America, Northern Rockies Inc. for Community Co-Response Services

Motion was made by Lehmann, second by Jones and carried to approve Consent Items 2-37 with the exception of items 9, 12, 13, 14 and 17.

Approve Minutes
2. Approve Minutes for the January 3, 2022 Regular Council meeting.
3. Approve Minutes for the January 10, 2022 Special Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 7, 2022)
4. Knights of Columbus Council 8844 for a SPECIAL EVENT (on-sale) Malt Beverage License and a (on-sale) Wine License on February 25, 2022 at Blessed Sacrament Church, 4500 Jackson Blvd
5. Working Against Violence Inc. (WAVI) for a SPECIAL EVENT (off-sale) Package Dealer License on March 26, 2022 at Best Western Ramkota, 211 N LaCrosse Street
6. R.C. Young Professional for a SPECIAL EVENT (on-sale) Malt Beverage License and a (on-sale) Wine License on April 21, 2022, at Elevate Rapid City, 18 E. Main St.

Public Works Committee Consent Items
7. PW011122-09: Authorize Mayor and Finance Director to Sign Title V/Part 70 Permit Modification Application for the Solid Waste Division.
8. PW011122-01: Acknowledge the findings of the Lime Creek Detailed Analysis of FEMA Special Flood Hazard Area (SFHA) Project No. 18-2479 / CIP No. 51192.
10. PW011122-03: Authorize Mayor and Finance Director to Sign Professional Services Agreement with FMG Engineering for Perrine & Unnamed Tributary Drainage Design Plan, Project No. 18-2430, CIP No. 51189.3, in the amount not to exceed $93,495.00.
11. PW011122-04: Request Authorization for Mayor and Finance Director to Sign Professional Services Agreement with HDR, Inc. for Jackson Boulevard and W Main Street Intersection and Utility Improvements, Project No. 11-1945, CIP No. 50858, in the amount not to exceed $110,740.00.
15. PW011122-08: Authorize staff to advertise for Meadowbrook Bank Stabilization, Project PR21-6183 for $147,000.

Legal and Finance Committee Consent Items
16. LF011222-01 – Acknowledge the Report on Community Investment Committee Process for Making Recommendations for CDBG Funding – Michelle Schuelke
18. LF011222-10 – Authorize Staff to Purchase Two F-150 Trucks for $36,501 each from McKie Ford to Replace Aging Vehicles in the Police Department for a Total Cost of $73,002.00
19. LF011222-11 – Authorize Staff to Purchase 1 Ram 1500 Truck ($34,980), 4 Dodge Chargers ($30,796 each), and 4 Dodge Durangos ($37,530 each), for a Total Price of $308,284.00 from Wegner Auto to Replace Aging Vehicles in the Police Department Fleet and to Account for the Needs of Increased Staffing, and Authorize Staff to Trade 2 Ford Interceptors and 2 Dodge Chargers Which are Retired PD Fleet Vehicles with Wegner Auto for a $21,000.00 credit toward the New Purchase for a Total Cost of $287,284.00
20. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Jacki Clancy (RSVP+), Judith Conley (RSVP+), Terry Elwood (RSVP+), Dolores Ginter (RSVP+), Dawn Hlavac (RSVP+), Lola Killam (RSVP+), Mike MacDonald (RSVP+), Judy Messmer (RSVP+), Marilyn Pruter (RSVP+), Rhoda Summers (RSVP+), Shirley Barnes Tate (RSVP+), Larry Wilbur (RSVP+), Yvonne Wilber (RSVP+)
21. LF011222-02 – Acknowledge November 2021 General Fund Cash Balance Report
22. LF011222-03 – Approve Resolution No. 2022-007 A Resolution Levying Assessment for Abatement of Nuisances

RESOLUTION NO. 2022-007
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 January, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

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23. LF011222-04 – Approve Resolution No. 2022-006 A Resolution Establishing 2022 Encumbrances

RESOLUTION 2022-006
RESOLUTION ESTABLISHING 2022 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2021 operations of the City of Rapid City totaling $2,816,940.91, and

WHEREAS it is desirable that these bills be charged to the 2021 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, 2021, in the amount of $2,816,940.91.

GENERAL FUND 0101

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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 18th day of January, 2022.

s/Steve Allender
Mayor
25. LF011222-12 – Approve Resolution No. 2022-008 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused as Traded

Resolution #2022-008
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 traded according to state statutes:

From: Transit (618)
   For Deletion (trade):
       2014; 14-passenger Chevrolet El Dorado Paratransit Bus
       VIN: 1GB6G5BL6C1177987

       2012; 14-passenger Chevrolet El Dorado Paratransit Bus
       VIN: 1GB6G5BL4C1179978

From: Parks (607)
   For Deletion (trade):
       2002 Jacobsen 72” Outfront Mower #M6
       VIN / Serial Number: 94671400392A

       2012 Jacobsen 72” Side Discharge Mower #M8
       VIN / Serial Number: 1933

       2004 Kubota Mower #M15
       VIN / Serial Number: 32392

       1976 Ford F250 Flatbed #70
       VIN / Serial Number: F28YLC75078

From: Police (201)
   For Deletion (trade):
       2016 Dodge Charger; VIN: 2C3CDXKT7GH223535
       2015 Dodge Charger; VIN: 2C3CDXKT1FH796185
       2015 Ford Interceptor; VIN: 1FM5K8AR1FGC41217
       2015 Ford Interceptor; VIN: 1FM5K8ARXFGC41216

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

Dated this 18th day of January, 2022.
CITY COUNCIL

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

CIP Committee Consent Items
26. No. CIP121721-00 – Acknowledge updates and minutes from December 2021 meeting.
27. No. CIP121721-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
28. No. CIP121721-04 – Approve Capital Plan for Fire Vehicles
29. No. CIP121721-05 – Approve Capital Plan for Parks & Recreation
30. No. CIP121721-06 – Approve Capital Plan for Information Technology
31. No. CIP121721-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
32. No. CIP121721-02 – Approve Capital Plan for PW Infrastructure

Community Development Consent Items
33. No. 21AN005 – Approve Resolution 2021-092, a request by KTLDCO, LLC for a Petition of De-Annexation for, property generally described as being located west of the current terminus of Santana Court.

Resolution No. 2022-002
A RESOLUTION EXCLUDING THE WITHIN DESCRIBED TERRITORY

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

WHEREAS, the territory that the petitioners are seeking to have excluded is on the border of the City of Rapid City; and

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be excluded and thereby removed from the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 40 acres, more or less, is hereby removed from the corporate limits of the City and excluded from the City:

NW1/4 of the SE1/4, located in Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota.

Dated this 18th day of January, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)
34. LF011222-08 – Approve Final FY22 Community Development Block Grant (CDBG) Funding Recommendations

Bid Award Consent Items
35. CC011822-04.1 - Approve award of total bid for Sewer Force Main Air Release Valve Replacement - Haines Avenue, Project No. 21-2663 / CIP No. 50846 opened on January 11, 2022 to the lowest responsible bidder, Prime Excavation LLC in the amount of $89,180.36.
36. CC011822-04.2 - Approve award of total bid for Perrine and Unnamed Tributary Phase 3 Saint Patrick Street Box Culvert, Project No. 18-2430 / CIP No. 51189.3 opened on January 11, 2022 to the lowest responsible bidder, Precision Grading LLC in the amount of $580,176.81.
37. CC011822-04.3 - Continue the award of St. Cloud Reconstruction Project 5th Street to Highland Court, Project No. 19-2487 / CIP No. 51036 opened on January 11, 2022 to the February 7, 2022 City Council Meeting.

END OF CONSENT ITEMS

Mayor Allender read in item (PW011122-02) Approve Change Order #1 to Mainline Contracting Inc. for Elk Vale Lift Station Gravity Main & Force Main Upgrades, Project 18-2480/CIP 50729 for an increase of $237,775.00. Motion was made by Jones, second by Salamun to approve. Ganje explained the increase was due to a pipe that was necessary to complete the project. Motion carried 10-0.

Mayor Allender read in item (PW011122-05) Authorize Staff to Advertise Bids for Trenchless Sanitary Sewer Rehabilitation Jackson Boulevard, Project No. 12-2075 / CIP No. 50818. Estimated Cost $480,000. Motion was made by Jones, second by Roberts to approve. Jones appreciates the new technology being used. Motion carried 10-0.

Mayor Allender read in item (PW011122-06) Approve a Request from Tony Marshall for an exception to allow more than 40 dwelling units along Golden Eagle 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. Motion was made by Jones, second by Drew to approve. Salamun concerned with one outlet. Fisher said the units are going from 40 to 45. They will use Villagio Lane. The Fire Department did not have any objections. Motion carried 10-0.

Mayor Allender read in item (PW011122-07) Approve a Request from KTM Design Solutions, Inc. for an exception to allow more than 40 dwelling units along Clarkson Road 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. Jones stated concern for only one access point. Fisher said there is a proposed plat that would subdivide the property. Residents would enter into a covenant agreement; there would be a fire plan required; the materials have to be fire retardant and the sprinklers to code. Motion was made by Salamun, second by Strommen to approve. Motion carried 10-0.

Mayor Allender read in item (LF011222-06) Authorize the Mayor and Finance Director to Sign the Agreement Between the City of Rapid City and Volunteers of America, Northern Rockies Inc. for Community Co-Response Services. Motion was made by Jones, second by Nordstrom to approve. The city will continue to reach out to the homeless through Volunteers of America. Nordstrom said these other organizations are helping keep the calls down to the police and fire department. Salamun asked for an update in one year from the Mayor’s Office to see if calls for service have continued to go down. Mayor agreed. Motion carried 10-0.

NON-CONSENT ITEMS – Items 38 – 48
Chuck Henrie, David Holland and Tonchi Weaver all gave their opinion on adopting new boundaries for wards and precincts. They each said that option three was the best option.
Ordinances

Mayor Allender read in item (No. 21RZ032) First Reading, Ordinance 6523, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Shane Boyum for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located southeast of the intersection of Wesleyan Boulevard and Plaza Boulevard. Motion was made by Roberts, second by Nordstrom to approve and carried 10-0 that Ordinance 6523 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 7, 2022.

Mayor Allender read in item (No. 21RZ033) First Reading, Ordinance 6524, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located northeast of the intersection of E. Anamosa Street and Valley Drive. Motion was made by Jones, second by Roberts to approve in conjunction with a Planned Development Designation and carried 10-0 that Ordinance 6524 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 7, 2022.

Mayor Allender read in item (No. 21RZ034) First Reading, Ordinance 6525, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital, LLC for a Rezoning request from General Agricultural District to General Commercial District for property generally described as being located northeast of the intersection of E. Anamosa Street and Valley Drive. Motion was made by Salamun, second by Jones to approve in conjunction with a Planned Development Designation and carried 10-0 that Ordinance 6525 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 7, 2022.

Mayor Allender read in item (No. 21RZ035) First Reading, Ordinance 6526, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital, LLC for a Rezoning request from General Agricultural District to General Commercial District for property generally described as being located northeast of the intersection of E. Anamosa Street and Valley Drive. Motion was made by Nordstrom, second by Drew to approve in conjunction with a Planned Development Designation and carried 10-0 that Ordinance 6526 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 7, 2022.

Mayor Allender read in item (No. 21RZ036) First Reading, Ordinance 6527, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for BH Capital, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located northeast of the intersection of E. Anamosa Street and Valley Drive. Motion was made by Jones, second by Nordstrom to approve in conjunction with a Planned Development Designation. Drew asked about requiring green space in new developments. Fisher said it was proposed in 2000 and didn’t pass. She indicated it could be considered again. Motion carried 10-0 that Ordinance 6527 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 7, 2022.

Mayor Allender read in item (LF011222-07) First Reading of Ordinance No. 6528 an Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 of the Rapid City Municipal Code. Sumption spoke to the council regarding the options for new election boundaries. At Legal and Finance she only had one boundary option. She presented two other boundary options at the council meeting. Salamun, Strommen, Nordstrom and Weifenbach agreed that option three would be the fairest. Nordstrom said there should be one councilperson from each ward involved when determining boundaries next time. He asked Landeen if the council could draw up a resolution stating this. He said they could but not sure of the relevance ten years
from now when there will likely be a new council. Sumption stated the new boundaries were slightly
delayed because the legislative boundaries weren’t ready. Evans said option three was the best option
but wouldn’t be voting out of principle. Motion carried 9-1 with Evans voting no.

**Community Development Items**

Mayor Allender read in item (No. 21PL034) A request by KTM Design Solutions, Inc for Murphy Brothers
Partnership LLC for a Preliminary Subdivision Plan for proposed Lot 11 and Lot 12 of Block 1, Lots 1 thru
72 and Drainage Lot 1 of Block 15, Lots 1 thru 33 and Drainage Lot 3 of Block 16, Lots 1 thru 23 and
Drainage Lot 2 of Block 17, Lots 1 thru 10 and Lot D Revised of Block 18 and dedicated public right-of-
way of Murphy Ranch Estates Subdivision, property generally described as being located southeast of
Longview Road and Reservoir Road. Weifenbach said he needed to abstain. Motion was made by
Lehmann, second by Roberts and carried to approve with the following stipulations: 1. Prior to submittal
of a Development Engineering Plan application, an agreement between the City of Rapid City and Rapid
Valley Sanitary District (RVSD) for RVSD to serve the proposed development shall be executed; 2. Upon
submittal of a Development Engineering Plan application, a road maintenance agreement shall be
submitted for review and approval. In addition, the approved agreement shall be submitted for recording
with the Final Plat application; 3. Upon submittal of a Development Engineering Plan application,
construction plans for Magnum Court, Altor Court, Glock Court, Springfield Road, Rigby Loop, Mauser
Road and Corbett Road shall be submitted for review and approval pursuant to Figure 2-1 of the
Infrastructure Design Criteria Manual for a local street with an additional 10 feet of right-of-way along
Corbett Road and Magnum Court as they extend from S.D. Highway 44 or shall meet criteria for
obtaining an Exception. In addition, the cul-de-sac bulb(s) at the street terminus 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; 4. Upon submittal of a Development Engineering Plan
application, construction plans for the installation of a new median end within S.D. Highway 44 right-of-
way in conformance with Chapter 12 of the SDDOT Road Design Manual shall be submitted for review
and approval. In addition, an access permit shall be obtained from the South Dakota Department of
Transportation prior to approval of the Development Engineering Plan application; 5. Upon submittal of a
Development Engineering Plan application, a detailed site plan shall be submitted for review and
approval showing the existing development on the property to ensure that all setbacks and land use(s)
area in compliance with the Pennington County Zoning Ordinance. Prior to submittal of a Final Plat
application, any land use issues shall be resolved with the Pennington County Planning Department; 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. Upon submittal of a Final Plat
application, an agreement shall be submitted for recording securing ownership of any proposed drainage
elements. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 12.
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, 13. Prior to
the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and
approval as required. Motion carried 9-0 with Weifenbach abstaining.
Mayor Allender read in item (No. 21PL119) A request by KTM Design Solutions, Inc for BH Capital LLC for a Preliminary Subdivision Plan for proposed Lot 3 of Block 6, Lot 1 and 2 of Block 7, Lot 1 and Drainage Lot of Block 8, Lot 1 and 2 of Block 9, Lot 1 and Drainage Lot of Block 10 of Shepherd Hills South Subdivision and Lots 17 and 18 of Block 7, Lots 29 and 30 of Block 3 of Diamond Ridge Subdivision, generally described as being located mostly northeast of the intersection of Mickelson Drive and E. Anamosa Street. Motion was made by Roberts, second by Lehmann to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval; 2. Upon submittal of a Development Engineering Plan application, construction plans for E. Anamosa Street shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a principal arterial street 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 Mickelson Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a minor arterial street 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; 4. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street with an additional 10 feet or right-of-way the first 200 feet as the street extends from E. Anamosa Street 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; 5. Upon submittal of a Development Engineering Plan application, construction plans for Diamond Ridge Boulevard shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street with an additional 10 feet or right-of-way the first 200 feet as the street extends from E. Anamosa Street 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; 6. Upon submittal of a Development Engineering Plan application, construction plans for the north-south section line highway and the east-west section line highway shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception or shall be vacated. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 7. Upon submittal of a Development Engineering Plan application, the sewer shall be redesigned or an exception shall be obtained to allow a sewer main outside of right-of-way; 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 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; 11. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Environment 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, that portion of the property currently zoned General Agriculture District shall be rezoned to Medium Density Residential District; 14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed Drainage Lots and any other drainage elements created with the proposed development. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 15. 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, 16. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. Motion carried 10-0.

Mayor Allender read in item (No. 21PL129) A request by KTM Design Solutions, Inc for US Hotel and Resort Management Inc for a Preliminary Subdivision Plan for proposed Lot F1 and Lot F2 of Buffalo Crossing West, generally described as being located at 1920 Hope Court. Motion was made by Salamun, second by Roberts to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for the western half of the section line highway located along the west lot line shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a commercial street or shall meet criteria for obtaining an Exception or shall be vacated. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; and, 2. Upon submittal of a Final Plat application, the plat document shall be revised to show the vacation information for the eastern half of the section line highway and the western half if this portion is also vacated. Motion carried 10-0.

Mayor Allender read in item (No. 21PL140) A request by Baseline Surveying Inc for Cameron Fullerton for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Rushmore Candy Acres, generally described as being located at 9815 S. Hwy 16. Motion was made by Lehmann, second by Drew to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, a revised parking layout for Lot 2 shall be provided, showing that the proposed access easement shall not conflict with the required striped parking for Lot 2; 2. Upon submittal of a Development Engineering Plan application, the redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application. The revised plans shall be to a readable scale; 3. Upon submittal 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; 4. Upon submittal of a Development Engineering Plan application, construction plans for the private access easement, a commercial 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; 5. 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; 6. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 7. Prior to approval of the Development Engineering Plan application, any utilities and drainage proposed offsite shall be secured within easement(s). 8. 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; 9. Prior to submittal of a Final Plat application, Surveyor’s Note #4 shall be changed to identify the correct section, township, and range; and 10. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. Motion carried.

Mayor Allender read in item (No. 21PL145) A request by Baseline Surveying for Gordon Howie for a Preliminary Subdivision Plan for proposed Lots 4, 5 and Drainage Lot 1 of Trailwood Village, generally described as being located northwest of the intersection of Reservoir Road and Long View Road. Motion was made by Drew, second by Jones to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing sidewalk along Williams Street or prior to submittal of a Development Engineering Plan application, a Variance shall be obtained from City Council waiving the requirement; 2. Upon submittal of
a Development Engineering Plan application, drainage report shall be submitted for review and approval confirming that the storm water quality for the proposed development was previously accounted for in the existing drainage improvements, or provide storm water quality treatment as required by Rapid City Municipal Code Chapter 8.48. All Discharge points shall be addressed for post-runoff versus pre-runoff rates. In addition, easements shall be provided as needed; 3. Upon submittal of a Final Plat application, the plat document shall be revised to show the dedication of 7 additional feet of right-of-way along Long View Road; 4. Upon submittal of a Final Plat application, the plat document must be revised to show the dedication of 8.5 additional feet of right-of-way along Reservoir Road; 5. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 6. 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; 7. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; 8. Upon submittal of a Development Engineering Plan application, the narrow strip of property that fronts Bonita Lane between Lots 1R and Lot 16 of Trailwood Village shall be identified as Drainage Lot 1, or shall be incorporated into the existing major drainage easement; and 9. Upon submittal of a Final Plat application, an easement shall be identified on the plat to provide access to the manhole and drop inlet located on the Drainage Lot. Motion carried 10-0.

PUBLIC HEARING ITEMS – Items 49 – 51

CONSENT PUBLIC HEARING ITEMS – Items 49 – 51

Motion was made by Roberts, second by Salamun to approve items 49-51. Motion carried 10-0.

Alcohol Licenses

49. Tiki Investments, LLC DBA Tiki Bar, 615 E. North Street for a Retail (on-sale) Liquor License TRANSFER from LaCroix Investments, Inc. DBA Time Out Lounge located at 615 E. North Street

50. Tiki Investments, LLC DBA Tiki Bar, 615 E North Street for a Package (off-sale) Liquor License TRANSFER from LaCroix Investments, Inc. DBA Bus’s Bottle Shop located at 615 E North Street

Other Items Requiring Public Hearings

51. LF011222-05 – Authorize Mayor and Finance Director to Sign Resolution No. 2022-005, a Resolution to Enter into a Use Agreement with Rapid City BMX, Inc.

RESOLUTION NO. 2022-005

A RESOLUTION TO ENTER INTO A USE AGREEMENT WITH RAPID CITY BMX, INC.

BE IT RESOLVED by the City Council that the City of Rapid City authorizes the Mayor and Finance Director to Sign the Lease Agreement between the City of Rapid City and Rapid City BMX, Inc. and any other necessary documentation involving entering into a lease with Rapid City BMX, Inc. for real property which is located at 680 E. Fairmont Boulevard, Rapid City, South Dakota, and legally described as follows:

A portion of Robbinsdale Park, Less Lot 1, Section 07, Township 1N, Range 08E, located in Robbinsdale Park, Rapid City, Pennington County, South Dakota.

which property generally consists of BMX track, upon the terms and conditions as reflected in the Use Agreement between the City of Rapid City and Rapid City BMX, Inc

Dated this 18th day of January, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

15
END OF CONSENT PUBLIC HEARING ITEMS

**BILLS**

**BILL LIST - JANUARY 18, 2022**

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Sumption presented the bill list of $8,246,383.14. Motion was made by Salamun, second by Roberts and carried to authorize (No. CC011822-01) 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 Lehmann, second by Roberts and carried to adjourn the meeting at 7:39 p.m.

Dated this 18th day of January, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost: ______________