

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
Monday, February 7, 2022

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 Monday, February 7, 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, Bill Evans, and Lance Lehmann; the following Alderpersons arrived during the course of the meeting: None; Laura Armstrong joined the meeting by telephone.

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

ADOPTION OF AGENDA

Motion was made by Evans, second by Lehmann and carried to adopt the agenda. Motion carried 10-0.

GENERAL PUBLIC COMMENT

Carla Schanzenbach said there are potential traffic safety issues around the streets by the South Dakota School of Mines. She said it was hard to see oncoming traffic in certain areas

NON-PUBLIC HEARING ITEMS -- Items 1 – 70

Kale McNaboe spoke regarding item (PW020122-25) and asked that it be continued for two weeks.

CONSENT ITEMS – Items 1 – 55

The following items were removed from the Consent Items:

- 34. PW020122-24: Uphold Denial of Exception Request from Jon Eizinger (21EX212) to waive the requirement to install sanitary sewer main within Nameless Cave Road right-of-way in conjunction with the proposed subdivision of Lot 2 of Block 1 of Irene Estates.
- 35. PW020122-25: Uphold Denial of Exception Request from Kale McNaboe (21EX209) to waive the requirement to construct Golden Eagle Drive right-of-way in conjunction with the proposed subdivision Villas at Villaggio.
- 44. LF020222-05 – Acknowledge November 2021 Sales Tax Report
- 45. LF020222-09 – Approve Resolution No. 2022-014 a Resolution of Intent to Enter into a Lease with Black Hills Junior Little League for property located at 1730 32nd Street and 730 Anamosa Street
- 46. LF020222-10 – Approve Resolution No. 2022-016 a Resolution of Intent to Enter into a Lease with Rapid City Church Softball, Inc. for property located at 3101 Canyon Lake Drive

Motion was made by Salamun, second by Jones and carried to approve Consent Items 1-55 with the exception of items 34, 35, 44, 45, and 46.

Approve Minutes

- 1. Approve Minutes for the January 18, 2022 Regular Council meeting.

Intent to Lease Set for Hearing (Tuesday, February 22, 2022)

- 2. The City of Rapid City intends to enter into a lease for a property located at 5430 Sheridan Lake Road with Security First Bank

3. The City of Rapid City intends to enter in to a lease for a property located at 1730 32nd Street and at 730 Anamosa Street with Black Hills Junior Little League
4. The City of Rapid City intends to enter in to a lease for property located at 3101 Canyon Lake Drive with Church Softball

Alcoholic Beverage License Applications Set for Hearing (Tuesday, February 22, 2022)

5. Girl Scouts Dakota Horizons DBA Girl Scouts Dakota Horizons for one SPECIAL EVENT off-sale package wine dealer and one off-sale package malt beverage license for an event scheduled for June 7, 2022, at 505 North Street, Rushmore Plaza Holiday Inn
6. Elevate Rapid City DBA Elevate Rapid City for one SPECIAL EVENT on-sale malt beverage license and one on-sale wine license for an event scheduled for April 12, 2022, at 406 St. Joseph Street, Property Meld
7. Elevate Rapid City DBA Elevate Rapid City for one SPECIAL EVENT on-sale malt beverage license and one on-sale wine license for an event scheduled for March 8, 2022 at 2700 N. Plaza Drive, Black Hills Federal Credit Union
8. Jeff Salter DBA BIN 605, 2001 Hope Court, Suite 1, for a Retail on-off sale Wine and Cider license and Retail on-off sale Malt Beverage and SD Farm Wine license for 2001 Hope Ct, Ste 1
9. Naja Shrine DBA Naja Shrine for one SPECIAL EVENT on-sale malt beverage license and one on-sale wine license for an event scheduled for March 12, 2022 at 4091 Sturgis Rd, Naja Temple
10. Western Dakota Tech DBA Western Dakota Tech for one SPECIAL EVENT on-sale dealer license for an event scheduled for February 23, 2022 at 800 Mickelson Drive

Public Works Committee Consent Items

11. PW020122-01: Authorize Mayor and Finance Director to Sign Title V/Part 70 Permit Modification Application for the Solid Waste Division.
12. PW020122-02: Authorize Mayor and Finance Director to Sign 2021 Annual Operational Report on Behalf of the Rapid City Regional Landfill.
13. PW020122-03: Authorize Mayor and Finance Director to Sign 2021 Annual Compliance Certification Report on Behalf of the Rapid City Regional Landfill.
14. PW020122-04: Authorize Mayor and Finance Director to sign State of SDDOT Section 5307 Urban Public Transportation Matching Funds Agreement for \$31,144.05 for CY2022.
15. PW020122-05: Authorize Mayor and Finance Director to sign an agreement between the City of Rapid City and AET for Annual Contract Renewal Work Plan for Sampling, analysis, and Reporting Related to 2022 Environmental Monitoring of the Rapid City Landfill for a total cost of \$110,275.19.
16. PW020122-06: Authorize Mayor and Finance Director to sign a Professional Services Agreement with Albertson Engineering Inc. for Block 75 Parking Ramp Maintenance Project #2689 in the amount of \$172,896.00.
17. PW020122-07: Authorize Mayor and Finance Officer to Sign Amendment No. 1, to the Agreement between the City of Rapid City and HDR Engineering, Inc., for the WRF Aeration Basin Clariflocculator and Siphon Piping Construction, Project Number 20-2629/ CIP Number 51129. In the amount of \$363,640.00
18. PW020122-08: Authorize Mayor and Finance Officer to Sign Amendment No. 1, to the Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, LLC, for 2021 Water Facilities Arc Flash Analysis Assessment Report, Project Number 21-2635 /CIP Number 51318. In the amount of \$16,774.37
19. PW020122-09: Authorized Mayor and Finance Director to Sign a Joint Funding Agreement between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2021 Water Resource Investigations, CIP No. 51279. The City of Rapid City's share of the program is \$138,000.00.
20. PW020122-10: Authorize Mayor and Finance Director to sign the Agreement for Utility Relocation between the City of Rapid City and Black Hills Power for the Deadwood Avenue Reconstruction Phase 1 Project, Project No. 17-2375 / CIP 50437.1, in the amount of \$123,000.00.

21. PW020122-11: Authorize Mayor and Finance Director to sign Amendment 1 with Ferber Engineering Company for Omaha Street Utility Reconstruction – Sheffer Street to 12th Street, Project No. 16-2099/CIP 50904, in the amount of \$27,423.00.
22. PW020122-12: Approve Change Order #1 to Layne Christensen Company for Well #5 and Well #6 Pump Replacement & Electrical Improvements, Projects 20-2574 and 21-2640, for a decrease of \$100,247.00.
23. PW020122-13: Authorize Staff to advertise for Bids for 2022 Lane Line Painting, Project No. 22-2695, CIP No. 50594. Estimated cost: \$180,000
24. PW020122-14: Authorize Staff to Advertise Bids for Sunburst Drive Reconstruction, Project No. 19-2532 / CIP 51253. Estimated Cost \$2,300,000.
25. PW020122-15: Authorize staff to advertise for Saint Cloud Street Reconstruction West Boulevard to 9th Street, Project No. 21-2662 / CIP 51174 for \$525,000.
26. PW020122-16: Authorize Public Works Engineering to purchase (2) two new 2022 Ford Explorer all-wheel drive 4 door SUV from McKie with matching State Bid contract #17619 in the amount of \$28947.00 each for a total of \$57,894.00
27. PW020122-17: Authorize Water Division to purchase (2) two new 2022 Ford Explorer all-wheel drive 4 door SUV from McKie with matching State Bid contract #17619 in the amount of \$28947.00 each for a total of \$57,894.00.
28. PW020122-19: Authorize purchase of garbage and recycling containers from Rehrig Pacific Company using Omnia Partners Cooperative contract pricing in the amount of \$96,675.88.
29. PW020122-20: Authorize Staff to Purchase a 2022 Fecon Slow Speed Stump Cutter from Vermeer High Plains as a Sole Source Purchase in the Amount of \$26,930.00.
30. PW020122-21: Authorize Staff to Purchase a 2022 CAT 301.7 CR Mini Excavator from Butler Machinery with Sourcewell Pricing in the Amount of \$35,766.17.
31. PW020122-22: Authorize staff to advertise for Dinosaur Park Accessibility Improvements, Project PR21-6180 for \$3,490,742.26.
32. PW020122-23: Confirm the appointment of Katherine Molnar to the Historic Preservation Commission.
33. PW020122-18: Authorize Water Division to purchase (1) one new 2022 Ram 1500 V6 4x4 long box pickup truck from Wegner Auto off State Bid contract #17620 in the amount of \$29,452.00

Legal and Finance Committee Consent Items

36. LF020222-02 – Confirm the Reappointments of Dan Tribby, Jerry Schmidt, and Todd Hollan to the Downtown Business Improvement District (BID) Board
37. LF020222-07 – Authorize Staff to Apply and Accept if Awarded the Assistance to Firefighters Grant in the Amount of \$368,111.12
38. LF020222-08 – Authorize Staff to Apply and Accept if Awarded the Assistance to Firefighters Grant in the Amount of \$70,000.00
39. LF020222-13 – Authorize 40 Additional SIP Lines to Provide VOIP Service from Midco for a Monthly Charge of \$1046.43 and an Installation Fee of \$150.00
40. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Scott Lee (RSVP+), Autumn Anderson (Library), MC Bauder (Library), Jocelyn Depatie (Library, Evelyn Haar (Library), LaDonna LaDeaux (Library)
41. LF020222-01 – Authorize Mayor and chief of Police to Sign the 2022 Federal Equitable Sharing Agreement.
42. LF020222-03 – Approve Request for Property Tax Abatements as Follows: Yasmeen Dream LLC (Tax ID 69622) 2021, \$5000.76; Yasmeen Dream LLC (Tax ID 70414) 2021, \$189.22; Yasmeen Dream LLC (Tax ID 47865) 2021, \$29.36; Yasmeen Dream LLC (Tax ID 69623, \$1323.76; Schad Corp (Tax ID 42833) 2021, \$545.54; Schad Corp (Tax ID 42834) 2021, \$28.66; Schad Corp (Tax ID 28383) 2021, \$15.66; Ernest & Irene Thompson (Tax ID 8005602) 2021, \$395.26; Carl Schuler Jr. (Tax ID 11394) 2021, \$70.92; Carl Schuler Jr. (Tax ID 6161) 2021, \$42.22; Carl Schuler Jr. (Tax ID 6168) 2021, \$92.86; Yasmeen Dream LLC (Tax ID 70209) 2021, \$332.20; Yasmeen Dream LLC (Tax ID 69624) 2021, \$766.88; Hillside Properties Inc. (Tax ID 31590)

- 2021, \$267.82; Horst Properties (Tax ID 71019) 2021, \$394.02; Kim or Keith Alarie (Tax ID 8009624) 2021, \$105.76; Tanglewood Properties LLC (Tax ID 37602) 2021, \$14,060.40; Yasmeen Dream LLC (Tax ID 70534) 2021, \$67.02; [Total for City of Rapid City: \$23,728.32]
43. LF020222-04 – Acknowledge December 2021 General Fund Cash Balance Report
47. LF020222-14 – Approve Resolution No. 2022-018 a Resolution Acknowledging Corrections to the December 06, 2021 Council Minutes

RESOLUTION NO. 2022-018
RESOLUTION ACKNOWLEDGING CORRECTIONS
TO THE DECEMBER 6, 2021 COUNCIL MINUTES

WHEREAS, on December 6, 2021 the City Council approved Resolution 2021-099 Regarding Changes to the Rapid City Youth City Council; and

WHEREAS, the motion approving Resolution 2021-099 reads “Motion was made by Salamun, second by Roberts to approve. Motion passed 9-1 with Drew voting no.” and;

WHEREAS, the motion approving Resolution 2021-099 should have read “Motion was made by Salamun, second by Roberts to approve with the substitution of “City Council” for “Mayor” in the expenditure authorization, and approve as amended. Motion passed 9-1 with Drew voting no.” and;

NOW, THEREFORE BE IT RESOLVED, by the City Council, that the motion “Approve Resolution 2021-099 as amended” should be reflected in the official minutes of the December 6, 2021 meeting.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

48. LF020222-15 – Approve Spending a Total of \$250.00 from Youth City Council Budget for the February and June Youth City Council Retreats
49. LF020222-11 – Authorize Mayor and Finance Director to Sign Purchase Agreement to Purchase Property at 5430 Sheridan Lake Road in Rapid City to be Used for a new Police Precinct, for a Total Cost of \$1,655,000 from Security First Bank.
50. LF020222-12 – Approve Resolution No. 2022-012 a Resolution of Intent to Enter Into Lease Agreement from City to Security First Bank for 5430 Sheridan Lake Road Pursuant to SDCL 9-12-5.2.

RESOLUTION NO. 2022-012
A RESOLUTION OF INTENT TO ENTER INTO LEASE AGREEMENT FROM CITY TO SECURITY
FIRST BANK FOR 5430 SHERIDAN LAKE ROAD PURSUANT TO SDCL 9-12-5.2

BE IT RESOLVED by the City Council that the City of Rapid City intends to enter into a lease with Security First Bank for real property which is located in the City of Rapid City, South Dakota, and legally described as follows:

Lot 4 of Autumn Hills Plaza Subd, Section 22, T1N, R07E, BHM, Pennington County, South Dakota.

which property generally known as 5430 Sheridan Lake Road; and

BE IT FURTHER RESOLVED that a hearing will be held on February 21, 2022, at 6:30 p.m. to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, to consider the lease of such property, or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that notice of the time and place of this public hearing shall be published once, at least ten days prior to the hearing, by copy of this Resolution of Intent or by separate notice; and

BE IT FURTHER RESOLVED that following the hearing the City Council may adopt a resolution authorizing a lease upon the terms and conditions as it shall determine in said resolution.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Community Development Consent Items

51. LF020222-06 – Approve Resolution No. 2022-011 a Resolution Acknowledging Corrections to the January 18, 2022 Council Minutes

RESOLUTION NO. 2022-011
RESOLUTION ACKNOWLEDGING CORRECTIONS
TO THE JANUARY 18, 2022 COUNCIL MINUTES

WHEREAS, on January 18, 2022 the City Council approved the De-Annexation 21AN005; and

WHEREAS, the motion approving the January 18, 2022 De-Annexation 21AN005 reads “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.”; and

WHEREAS, the motion approving the January 18, 2022 De-Annexation 21AN005 should have read “Approve Resolution 2022-002, 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.”

NOW, THEREFORE BE IT RESOLVED, by the City Council, that the motion “Approve Resolution 2022-002” should be reflected in the official minutes of the January 18, 2022 meeting.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

52. No. 21AN004 – Approve Resolution 2021-098, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust, Marvin and Kay Paschke and E.M. Hoff

Family Ranch LP for a Petition for Annexation for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road.

RESOLUTION 2021-098
A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

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

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

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

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 601.05 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

The N ½ of Section 29, T1N, R8E lying east of Highway 79 Highway 79 right-of-way located in the N ½ of Section 29, T1N, R8E; The SW ¼ SE ¼ of Section 20, T1N, R8E; That part of the E ½ SE ¼ lying southwest of Railroad right-of-way in Section 20, T1N, R8E; Old Folsom Road right-of-way and railroad right-of-way located in the E ½ SE ¼ of Section 20, T1N, R8E; The SE ¼ NW ¼ less Lots 1A, 2A, Lot H1, Lot H2 and ROW in Section 20, T1N, R8E; The E ½ SW ¼ of Section 20, T1N, R8E; That portion of the NW ¼ SE ¼ lying southwest of Old Folsom Road right-of-way and Railroad right-of-way in Section 20, T1N, R8E; That portion of the SW ¼ NE ¼ lying southwest of Old Folsom Road right-of-way and Railroad right-of-way in Section 20, T1N, R8E; Old Folsom Road and Railroad right-of-way located in the SE ¼ NW ¼; the SW ¼ NE ¼ and NW ¼ SE ¼ of Section 20, T1N, R8E; The W ½ SW ¼ less Lot B, less Lots H2, H3, H4, H5, H6, less Gruenig Addition and less Lot 1 of Lot A in Section 20, T1N, R8E; The East ½ of Lot P (aka Old Highway 79) located in Section 20, T1N, R8E; Old Folsom Road right-of-way located in the W ½ SW ¼ of Section 20, T1N, R8E; Highway 79 right-of-way located in the SW ¼ NW ¼ and W ½ SW ¼ of Section 20, T1N, R8E; Highway 79 right-of-way located in the SE ¼ NE ¼ and E ½ SE ¼ of Section 19, T1N, R8E; All in the Black Hills Meridian, Pennington County, South Dakota

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Bid Award Consent Items

53. CC011822-04.3 - Approve award of total bid for St. Cloud Reconstruction Project - 5th Street to Highland Court, Project No. 19-2487 / CIP No. 51036 opened on January 11, 2022 to the lowest responsible bidder, R.C.S. Construction, Inc. in the amount of \$4,178,147.03. (*This item was continued from the January 18th City Council Meeting.*)
54. CC020722-04.1 – Table bid opening and awarding due to publishing error for 2021 Roadway Surfacing Project, Project No. 21-2673 / CIP 50297 was scheduled to open on February 1, 2022.

55. CC020722-04.2 - Authorize Mayor and Finance Director to sign contract agreement for the Omaha and LaCrosse Street Intersection Utility Upgrades, Project No. 19-2488/CIP 51212, in the amount of \$781,073.42 with Ti-Zack Concrete, Inc. per the SDDOT Transportation Commission Award at their January 27, 2022 meeting.

END OF CONSENT ITEMS

Mayor Allender read in item (PW020122-24) Uphold Denial of Exception Request from Jon Eizinger (21EX212) to waive the requirement to install sanitary sewer main within Nameless Cave Road right-of-way in conjunction with the proposed subdivision of Lot 2 of Block 1 of Irene Estates. Council discussed the pros and cons of waiving the installation of a sanitary sewer main. City staff, Fisher, Ganje and Peckosh all gave information regarding this item. Eizinger explained the sewer main would be an economic hardship. He wants to build a single-family residence on his property. Jones is concerned about the environmental impact. Roberts suggested more tests be done and to find out where the water table is in that area. Motion was made by Roberts, second by Salamun to continue this item to the March 1, 2022, Public Works meeting. Motion carried 10-0.

Mayor Allender read in item (PW020122-25) Uphold Denial of Exception Request from Kale McNaboe (21EX209) to waive the requirement to construct Golden Eagle Drive right-of-way in conjunction with the proposed subdivision Villas at Villaggio. McNaboe asked to continue the item for two weeks. Jennifer Landguth asked for the continuance as well. Motion was made by Jones, second by Nordstrom to continue the item to the February 22, 2022, city council meeting. Motion carried 10-0.

Mayor Allender read in item (LF020222-05) Acknowledge November 2021 Sales Tax Report. In response to Drew, Sumption said sales tax was up approximately 19% through November. She projects the total to be around \$6 million at the end of the year. Motion was made by Lehmann, second by Strommen to acknowledge the report. Motion carried 10-0.

Mayor Allender read in item (LF020222-09) Approve Resolution No. 2022-014 a Resolution of Intent to Enter into a Lease with Black Hills Junior Little League for property located at 1730 32nd Street and 730 Anamosa Street. Motion was made by Jones, second by Salamun to approve items 45 and 46. Jones is satisfied that leases are in place for all city leased facilities. Motion carried 10-0.

RESOLUTION NO. 2022-014

A RESOLUTION OF INTENT TO ENTER INTO A USE AGREEMENT WITH BLACK HILLS JUNIOR LITTLE LEAGUE PURSUANT TO SDCL 9-12-5.2

BE IT RESOLVED by the City Council that the City of Rapid City intends to enter into a use agreement with Black Hills Junior Little League for real property which is located in the City of Rapid City, South Dakota, and legally described as follows:

Site #1 – A portion of Tract 8, Rapid City Greenway Tract, Rapid City, Pennington County, South Dakota.

Site #2 – A portion of Lot 2 of B; Lot C of SW1/4SW1/4; E1/2 of Vacated Minuteman Drive, Section 25, T2N, R7E (located in Horace Mann Park), Rapid City, Pennington County, South Dakota.

which property generally consists of little league fields; and

BE IT FURTHER RESOLVED that a hearing will be held on February 22, 2022, at 6:30 p.m. to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, to consider the lease of such property, or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that notice of the time and place of this public hearing shall be published once, at least ten days prior to the hearing, by copy of this Resolution of Intent or by separate notice; and

BE IT FURTHER RESOLVED that following the hearing the City Council may adopt a resolution authorizing a lease upon the terms and conditions as it shall determine in said resolution.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (LF020222-10) Approve Resolution No. 2022-016 a Resolution of Intent to Enter into a Lease with Rapid City Church Softball, Inc. for property located at 3101 Canyon Lake Drive. This item was approved and carried 10-0 with the previous motion in item (LF020222-10).

RESOLUTION NO. 2022-016
A RESOLUTION OF INTENT TO ENTER INTO A USE AGREEMENT WITH RAPID CITY CHURCH
SOFTBALL, INC. PURSUANT TO SDCL 9-12-5.2

BE IT RESOLVED by the City Council that the City of Rapid City intends to enter into a use agreement with Rapid City Church Softball, Inc. for real property which is located in the City of Rapid City, South Dakota, and legally described as follows:

A portion of Tract 8, Rapid City Greenway Tract, Rapid City Pennington County, South Dakota.

which property generally consists of adult league fields; and

BE IT FURTHER RESOLVED that a hearing will be held on February 22, 2022, at 6:30 p.m. to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, to consider the lease of such property, or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that notice of the time and place of this public hearing shall be published once, at least ten days prior to the hearing, by copy of this Resolution of Intent or by separate notice; and

BE IT FURTHER RESOLVED that following the hearing the City Council may adopt a resolution authorizing a lease upon the terms and conditions as it shall determine in said resolution.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

NON-CONSENT ITEMS – Items 56 – 70

Chris Stanley spoke against item (21RZ040) he is not in favor of decreasing the green space. He would like owners to only build one home. Carol Risdall and Larry Lehr are against this item as well. They will lose their view and are concerned about erosion control. Lehr is also concerned there is no contractor and the homeowner is building the home himself. Evan Hays thanked the planning department for their help.

Ordinances

Mayor Allender read in item (LF011222-07) Approve the Second Reading and Recommendation 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. Having passed its first reading on January 18, 2022, motion was made by Lehmann, second by Roberts that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6528 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ026) First Reading of Ordinance 6516, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to Light Industrial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road. Motion was made by Salamun, second by Drew to approve contingent on Associated Annexation. Fisher explained what a No Use District is. Motion carried 10-0 that Ordinance 6516 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ027) First Reading, Ordinance 6517, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road. Motion was made by Jones, second by Lehmann to approve contingent on Associated Annexation. Motion carried 10-0 that Ordinance 6517 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ028) First Reading, Ordinance 6518, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to General Commercial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road. Motion was made by Jones, second by Evans to approve contingent on Associated Annexation. Motion carried 10-0 that Ordinance 6518 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ029) First Reading, Ordinance 6519, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road. Motion was made by Drew, second by Jones to approve contingent on Associated Annexation. Motion carried 10-0 that Ordinance 6519 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ037) First Reading, Ordinance 6529, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Frank Boyle for a Rezoning

request from General Commercial District to Light Industrial District for property generally described as being located at 3637 Edwards Street. Motion was made by Lehmann, second by Evans to approve in conjunction with a Planned Development Designation. Motion carried 10-0 that Ordinance 6529 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ038) First Reading, Ordinance 6530, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Marvin and Kay Paschke for a Rezoning request from No Use to Heavy Industrial District for property generally described as being located east of Highway 79, south of Old Folsom Road. Road. Motion was made by Jones, second by Nordstrom to approve contingent on Associated Annexation. Motion carried 10-0 that Ordinance 6530 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ039) First Reading, Ordinance 6531, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for E.M. Hoff Family Ranch Limited Partnership for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located west of Old Folsom Road, east of Highway 79. Road. Motion was made by Drew, second by Evans to approve contingent on Associated Annexation. Motion carried 10-0 that Ordinance 6531 be placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Mayor Allender read in item (No. 21RZ040) First Reading, Ordinance 6532, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Evan Hayes for a Rezoning request from Park Forest District to Low Density Residential District for property generally described as being located at 1539 Forest Hills Drive. Motion was made by Strommen, second by Lehmann to approve. Jones spoke against the rezone. Evans and Weifenbach concerned about the integrity of the land going from Park Forest District to Low Density Residential District. Strommen stated that legally the property owner has the right to build a new home on his property. Armstrong stated she would be abstaining. Motion carried 8-1 with Jones voting no and Armstrong abstaining. Ordinance 6532 is placed upon its first reading and title was fully and distinctly read and the second reading was set for February 22, 2022.

Community Development Items

Mayor Allender read in item (No. 21PL143) A request by Towey Design Group, Inc for Meadow Valley, LLC for a Preliminary Subdivision Plan for proposed Lots 15 thru 20 of Block 12, Lots 1 thru 21 of Block 2, Lots 22 thru 42 of Block 4, Lots 1 thru 16 of Block 1, Lots 17 thru 32 of Block 3 of Apple Valley Subdivision, generally described as being located south of Long View Road east of Anderson Road. Andrew Scull answered questions from the council. Motion was made by Evans, second by Lehmann and carried 10-0 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 Anderson Road shall be submitted for review and approval showing the widening of the paved surface to three lanes with 4-foot wide paved shoulders and the dedication of 17 additional feet of right-of-way 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 Crispin 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 of right-of-way the first 200 feet as the street extends from Anderson Road 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 Opal Drive and Honey Crisp Drive 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 the first 200 feet as the streets extends from Anderson Road 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 Haralson Lane 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, one set of construction plans for all items required to plat the four proposed phases within Phase 1, including Phase 1A, 1B, 1C and 1D, shall be submitted for review and approval. The complete set of plans shall include the sanitary sewer connection to S.D. Highway 44 and all street and utility improvements adjacent to platting along Anderson Road; 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. Upon submittal of a Development Engineering Plan application, a 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; 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 11. 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; 12. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 13. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 14. Prior to submittal of a Final Plat application, the property shall be rezoned from General Agriculture District to Urban Residential District by Pennington County; 15. 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; 16. 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, 17. 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. 21PL147) A request by Longbranch Civil Engineering, Inc for Muth Holdings, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 20 of Block 1 and Lots 1 thru 25 of Block 2 of Catron Ridge Subdivision, generally described as being located north of Catron Boulevard between Wellington Drive and Tartan Court. Motion was made by Drew, second by Jones and carried 8-0 (Roberts and Lehemann stepped out briefly) to approve with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, a permit shall be obtained from the South Dakota Department of Transportation in compliance with South Dakota Administrative Rule 70:09:03:0 for access to US16B/Catron Boulevard. In addition, a Traffic Impact Study shall be submitted for review and approval if deemed necessary; 2. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow 44 dwelling units with one point of access in lieu of a maximum of 40 dwelling units or the plat document shall be revised accordingly; 3. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to waive the requirement to provide an intermediate turnaround every 600-feet along Pinnacle Court or the plat document shall be

revised accordingly; 4. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow more than 20 housing units along Pinnacle Court, a cul-de-sac street, or the plat document shall be revised accordingly; 5. Upon submittal of a Development Engineering Plan application, construction plans for Pinnacle Court, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual and the permanent and temporary cul-de-sac(s) shall meet the design standards set forth in Table 2-4 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; 6. Upon submittal of a Development Engineering Plan application, construction plans for Whisper Ridge Drive, a local street, shall be submitted for review and approval showing the street located in a minimum 62-foot wide right-of-way and constructed 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; 7. Upon submittal of a Development Engineering Plan application, construction plans for the unnamed right-of-way located between lots 21 and 22 shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed 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; 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 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. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements, including the proposed Drainage Lot. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 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 the residential structures. 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 as applicable; 16. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property with the Rapid City Fire Department. In addition, all mitigation efforts shall be completed prior to submittal of a Final Plat application; 17. 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, 18. 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. 21PL150) - A request by KTM Design Solutions, Inc for Shawn and Cathy Walz for a Preliminary Subdivision Plan for proposed Lots 1 thru 3 of Hidden Springs Ranchettes No. 3, generally described as being located at 14831 229th Street. Motion was made by Drew, second by Evans and carried 10-0 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 229th Street and Hidden Springs Road, 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, 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. Prior to approval of the Development Engineering Plan application, any utilities and drainage proposed offsite shall be secured within easement(s); 4. Upon submittal of a Final Plat application, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way along 229th Street; 5. 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, as applicable. In addition, a copy of the executed agreement shall be submitted with the Final Plat application; and 6. 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.

Mayor Allender read in item (No. 21PL154) A request by KTM Design Solutions, Inc for Bruce and Sandra Rampelberg for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Rampelberg Estates, generally described as being located at 13959 Neck Yoke Road. Motion was made by Salamun, second by Jones and carried 10-0 to approve with the following stipulations: 1. Upon submittal of a Final Plat application, the plat document shall continue to show the dedication of right-of-way along Neck Yoke Road to ensure that a 50-foot wide right-of-way is being proposed along the east side of Neck Yoke Road; 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, as 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 Neck Yoke Road and Marie Lane or construction plans shall be submitted for review and approval showing the construction of sidewalk along the street(s) as they abut the property; and, 5. Prior to submittal of a Final Plat application, the subject property shall be rezoned by Pennington County to support the proposed lot size(s) and the rezone shall be effective.

Mayor Allender read in item (No. 21PL155) A request by KTM Design Solutions, Inc for Justin Kistler for a Preliminary Subdivision Plan for proposed Tract 2A and 2B of Valley View Estates, generally described as being located at 23040 Radar Hill Road. Motion was made by Jones, second by Drew and carried 10-0 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 Radar Hill Road, 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, construction plans shall be submitted for review and approval showing a water main with a fire hydrant in the existing ingress/egress easement to the proposed Tract 2A and Tract 2B lot line or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must 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 showing the

widening of the gravel drive to 20 feet in the existing ingress/egress easement, including a gravel cul-de-sac per IDCM Table 2-4 at the terminus of the easement or an Exception must be obtained. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application; 4. 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; 5. 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; 6. 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; 7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 8. Prior to approval of the Development Engineering Plan application, any utilities and drainage proposed offsite shall be secured within easement(s); 9. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; 10. Upon submittal of a Final Plat application, the plat document shall be revised to read "Tract 1 Valley View Estates" instead of "Lot 3 Windy Hollow Subdivision"; and 11. 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. 21PL156) A request by Indigo Design, LLC for Dakota Heartland, Inc. for a Preliminary Subdivision Plan for proposed Lots 1 thru 3 of Block 1, Lot 1 of Block 2, Lot 1 of Block 3, Lot 1 thru 3 of Block 4 and Lots 1 thru 3 of Block 5 of Homestead Subdivision, generally described as being located east of Timmons Boulevard and south of Berniece Street. Motion was made by Lehmann, second by Nordstrom and carried 10-0 to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for Neel Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and constructed 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; 2. Upon submittal of a Development Engineering Plan application, construction plans for Patricia Street, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed 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 for Timmons Boulevard located south of Homestead Street, a commercial street, shall be submitted for review and approval showing the street located in a minimum 70-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with a cul-de-sac bulb designed in compliance with Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. In addition, an additional 9 feet of right-of-way shall be dedicated for that portion of Timmons Boulevard located north of Homestead 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, a Traffic Impact Study shall be submitted for review and approval or shall meet criteria for obtaining an Exception; 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. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 7. 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; 8. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 9. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 10. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements, including the proposed Drainage Lot. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 11. 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, Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

PUBLIC HEARING ITEMS – Items 71 – 79

CONSENT PUBLIC HEARING ITEMS – Items 71 – 73

Alcohol Licenses

71. 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
72. 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
73. 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.

Motion was made by Evans, second by Strommen to approve items 71-73. Motion carried 10-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 74 – 79

Mayor Allender read in item (No. 21VR002) Approve Resolution 2021-003 – Resolution for Vacation of a Section Line for S1/2 of the N1/2 of the NW1/4 of Section 21, and the NE1/4 of the NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Caymus Drive and Pahlmeyer Drive. Motion was made by Lehmann, second by Roberts and carried 10-0 to approve.

Resolution 2021-003
Resolution of Vacation of Section Line Right-of-Way

WHEREAS it appears that the Section Line Right-of-Way located in the S1/2 of the N1/2 of the NW1/4 of Section 21 and the NE1/4 of the NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Caymus Drive and Pahlmeyer Drive; is not needed for public purposes; and

WHEREAS the owner(s) of property adjacent to the above-described Right-of-Way desires said public Section Line Right-of-Way to be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public Right-of-Way heretofore described, and as shown on Exhibit "A", attached hereto, and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are hereby authorized to execute a release of public Section Line Right-of-way in regard thereto.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (No. 21RZ032) Second 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. Having passed its first reading on January 18, 2022, motion was made by Jones, second by Drew that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6523 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ033) Second 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. Having passed its first reading on January 18, 2022, motion was made by Roberts, second by Salamun that the title be read the second time, to approve in conjunction with a Planned Development Designation. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6524 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ034) Second 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. Having passed its first reading on January 18, 2022, motion was made by Roberts, second by Lehmann that the title be read the second time, to approve in conjunction with a Planned Development Designation. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6525 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ035) Second 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. Having passed its first reading on January 18, 2022, motion was made by Roberts, second by Jones that the title be read the second time, to approve in conjunction with a Planned Development Designation. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Drew; NO: None;

whereupon the Mayor declared the motion passed and Ordinance No. 6526 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21RZ036) Second 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. Having passed its first reading on January 18, 2022, motion was made by Roberts, second by Lehmann that the title be read the second time, to approve in conjunction with a Planned Development Designation. Upon vote being taken, the following voted AYE: Nordstrom, Weifenbach, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6527 was declared duly passed upon its second reading.

BILLS

BILL LIST - FEBRUARY 7, 2022

P/ROLL PERIOD END 01/15/22, PD 01/21/22	2,095,245.52
CDEV P/ROLL PERIOD END 01/15/22, PD 01/21/22	2,609.33
PIONEER BANK & TRUST, 01/15/22 P/ROLL TAXES, PD 01/21/22	562,998.09
CDEV PIONEER BANK & TRUST, 01/15/22 P/ROLL TAXES, PD 01/21/22	616.42
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC21 SALES TAX PAYABLE, PD 01/25/21	53,954.32
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC21 EXCISE TAX PAYABLE, PD 01/25/21	202.99
SOUTH DAKOTA DEPT OF REVENUE, DEC21 CCTR SALES TAX PAYABLE, PD 01/25/21	39,792.92
WELLMARK INC, HEALTH CLAIMS THROUGH 01/14/22, PD 01/20/22	173,867.23
WELLMARK INC, HEALTH CLAIMS THROUGH 01/21/22, PD 01/27/22	203,734.27
WELLMARK INC, HEALTH CLAIMS THROUGH 01/28/22, PD 02/03/22	210,543.09
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/18/22, PD 01/19/22	9,202.74
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/24/22, PD 01/25/22	17,346.89
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 01/31/22, PD 02/01/22	8,635.96
SOUTH DAKOTA RETIREMENT SYSTEM, JAN22 RETIREMENT, PD 02/03/22	517,116.40
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/19/22, PD 01/20/22	3,670.67
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/26/22, PD 01/27/22	9,104.82
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 02/02/22, PD 02/03/22	4,926.93
US BANK, CREDIT CARD CHARGES, PD 02/03/22	63,989.07
US BANK, CDEV CREDIT CARD CHARGES, PD 02/03/22	150.00
BANK WEST, TID78 UNNAMED TRIBUTARY, PD 01/21/22	3,576.66
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 01/21/22	5,875.77
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 01/20/22	1,972.74
BLACK HILLS ENERGY, ELECTRICITY, PD 01/20/22	151,528.42
BLACK HILLS ENERGY, ELECTRICITY, PD 02/03/22	130,893.37
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 01/20/22	84,895.43
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 02/03/22	14,715.40
COMPUTER BILL LIST	5,886,213.26
CDEV COMPUTER BILL LIST	19,533.03
SUBTOTAL	10,276,911.74
RSVP, P/ROLL PERIOD END 01/15/22, PD 01/21/22	2,325.91
RSVP, PIONEER BANK & TRUST, 01/15/22 P/ROLL TAXES, PD 01/21/22	628.16
RSVP, COMPUTER BILL LIST	1,234.82
TOTAL	10,281,100.63

Sumption presented the bill list of \$10,281,100.63. Motion was made by Salamun, second by Jones and carried to authorize (No. CC020722-01) 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 Roberts, second by Lehmann and carried to adjourn the meeting at 8:11 p.m.

Dated this 7th day of February, 2022.

CITY OF RAPID CITY

s/ Steve Allender

Mayor

ATTEST:

s/ Pauline Sumption

Finance Director

(SEAL)

Published at the approximate cost: _____